P.L. 114-94
Fixing America’s Surface Transportation (FAST) Act
Key Highway Provisions

Dan Mathis, FHWA WA Division Administrator
January 2016
Key Highway Facts

• $226.3 B for highways over five years (FY 2016-2020)
  • $225.2 B in contract authority (92% apportioned = $207.4 B)
  • $1.1 B from the General Fund

• Builds on the program structure and reforms of MAP-21
• Continued focus on accelerating project delivery
• Adds a new freight formula and expands freight network
• Adds a new discretionary program for nationally significant freight and highway projects
• Provides a new tribal self-governance option
Estimated Highway Apportionments under the FAST Act
FY 2016 - FY 2020

Washington

(before post-apportionment set-a-sides; before penalties; before sequestration)
National Highway Freight Program | NEW

- $1.2 B / year (average), apportioned to States by formula
- Eligible activities include construction, operational improvements, freight planning and performance measures
- Highway focus, but ≤10% for rail/port/intermodal projects

Natl. Significant Freight & Hwy. Projects | NEW

- $900 M/year (average) for competitive grants
- Eligible activities:
  - Highway freight projects on National Highway Freight Network; NHS highway/bridge projects; Freight rail/intermodal/port projects (≤$500 M over 5-year period); and Rail-highway grade crossing or grade separation projects
  - States, large MPOs, Tribes, localities, and FLMAs may apply
Accelerating Project Delivery

A major theme of the FAST Act, with 18 separate provisions in the highway title alone.

Highway Design

USDOT to consider AASHTO Highway Safety Manual, NACTO Urban Street Design Guide
## Federal Lands & Tribal Programs

<table>
<thead>
<tr>
<th>Program</th>
<th>Average Annual Funding (millions)</th>
<th>Change from FY 2015</th>
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</thead>
<tbody>
<tr>
<td>Federal Lands Transportation Program</td>
<td>$355</td>
<td>+18.3%</td>
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<tr>
<td>National Park Service</td>
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<td>Fish &amp; Wildlife Service</td>
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<tr>
<td>Forest Service</td>
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<td>Remainder (competitive)</td>
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<td>Federal Lands Access Program</td>
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<td>Tribal Transportation Program</td>
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<tr>
<td>Nationally Significant Federal Lands and Tribal Projects (General Fund)</td>
<td>100</td>
<td>+100</td>
</tr>
</tbody>
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Federal/Tribal Lands Program Changes

• Tribal Transportation Program
  • Less funding for BIA/FHWA oversight; more funding for tribal bridges
  • New annual reporting by Tribes

• Federal Lands Transportation Program
  • New partners: Bureau of Reclamation and other independent agencies
  • Dedicated funds for Park Service, Fish & Wildlife, Forest Service NEW

• Emergency Relief
  • Clarified eligibility for debris removal on ERFO-eligible facilities
  • Access program facilities no longer eligible for 100% Federal share

• Nationally Significant Federal Lands & Tribal Projects | NEW
  • Discretionary grants for large Federal and tribal lands projects
  • All funds subject to appropriation
Tribal Self-Governance Program | NEW

- More responsibility and flexibility for participating Tribes
  - Tribe assumes responsibility for use of highway/transit funding
  - Tribe receives significant flexibility in use of funds
  - Funding must be used for the authorized purpose

- To participate, Tribe must demonstrate three FYs of financial stability and capability in financial and program management

- DOT and Tribal relationship/terms specified in multi-year compact

- Under annual agreement, Tribe plans, consolidates, and receives—
  - Full Tribal share funding
  - Tribal transit formula funding
  - Discretionary/competitive grant funding administered by DOT

- DOT to initiate negotiated rule within 90 days; NPRM in 21 months
FAST Act Websites

- FTA’s: [http://www.fta.dot.gov/FAST.html](http://www.fta.dot.gov/FAST.html)
- AASHTO’s: [http://fast.transportation.org/Pages/default.aspx](http://fast.transportation.org/Pages/default.aspx)