

Federal Transit Programs under the Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act)

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December 2021



U.S. Department
of Transportation

Federal Transit
Administration

Bipartisan Infrastructure Law

(Infrastructure Investment and Jobs Act)

- 71% Increase in funding over the FAST Act
- Major new funding for State of Good Repair, Low and No Emission, and CIG Grants
- Continues Existing Structure for FTA Programs focused on urban, rural, and targeted populations

Provides Funding
for 5 Years



- Rail Car Replacement
- Station Accessibility
- Low-No Ferries
- Rural Ferries

Creates New
Programs



Bipartisan Infrastructure Law

(Infrastructure Investment and Jobs Act)

Safety

Enhance Safety Oversight Programs

Strengthen Rail Inspection Practices

Protect Transit Workers and Riders from Injuries

Ensure Safe Access to Transit

Modernization

Reduce the State of Good Repair Investment Backlog

Repair and Upgrade Aging Transit Infrastructure

Modernize Bus and Rail Fleets

Climate

Replace fleets – Bus, Rail, Ferry - with cleaner, greener vehicles

Equity

Improve service for communities that have historically had limited access

Provide substantial investments for accessibility improvements



Bipartisan Infrastructure Law

(Infrastructure Investment and Jobs Act)

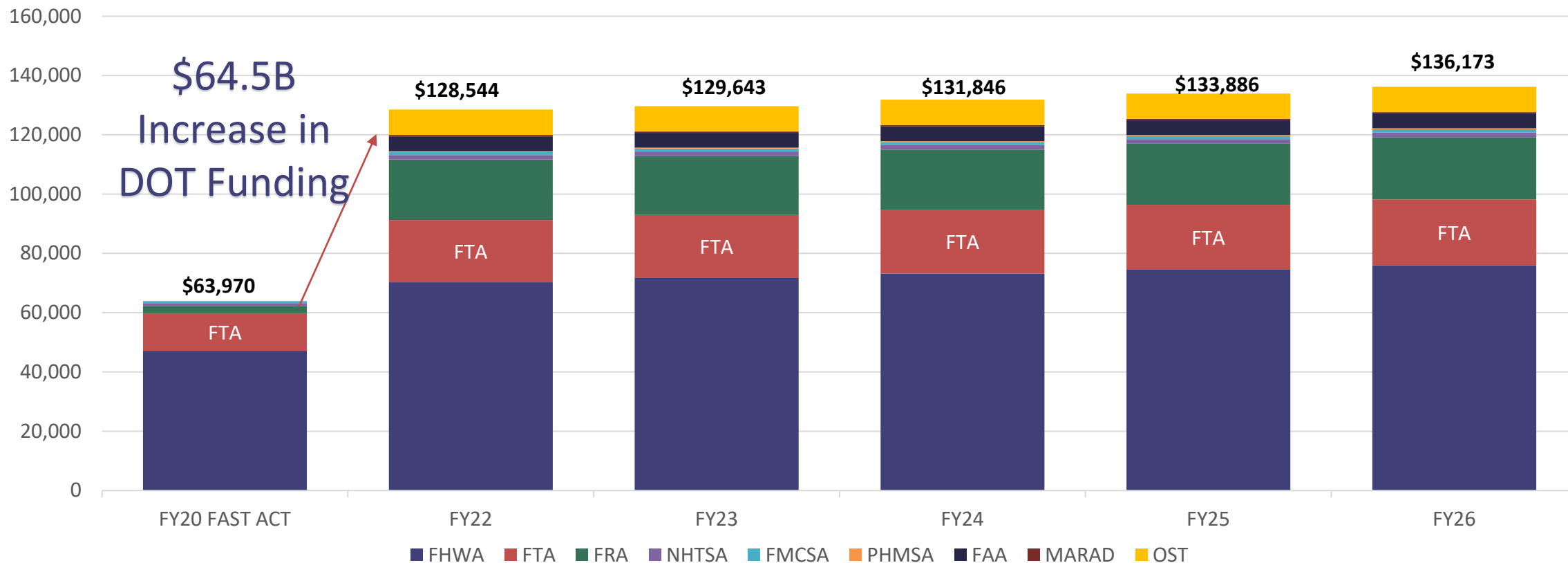
- Replenishes the Mass Transit Account (MTA) of the Highway Trust fund
- Provides increased funding for FTA's administrative expenses
- Authorizes a total of \$108.15 billion over five years through:
 - \$91.15 billion in guaranteed funding
 - \$69.9 billion in authorized funding from the Highway Trust Fund
 - \$21.25 billion in “advance” appropriations for FY 2022-26
 - \$17 billion in authorized future annual appropriations
 - \$15 billion for future annual Capital Investment Grant appropriations
 - \$750 million for WMATA Capital Investments
 - \$1.25 billion to supplement two new passenger ferry grant programs



Historic Investment in Transportation Infrastructure

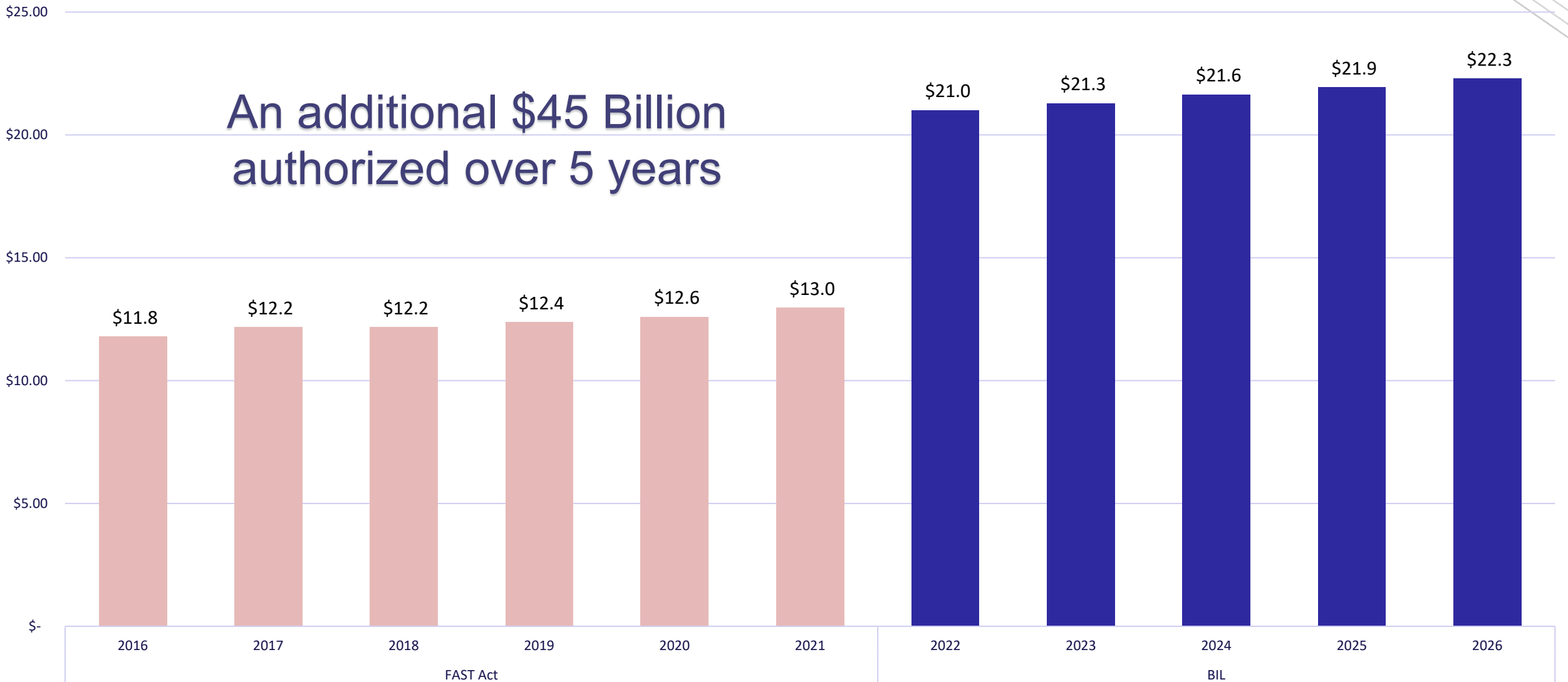
U.S. Department of Transportation (DOT)

\$ in Millions

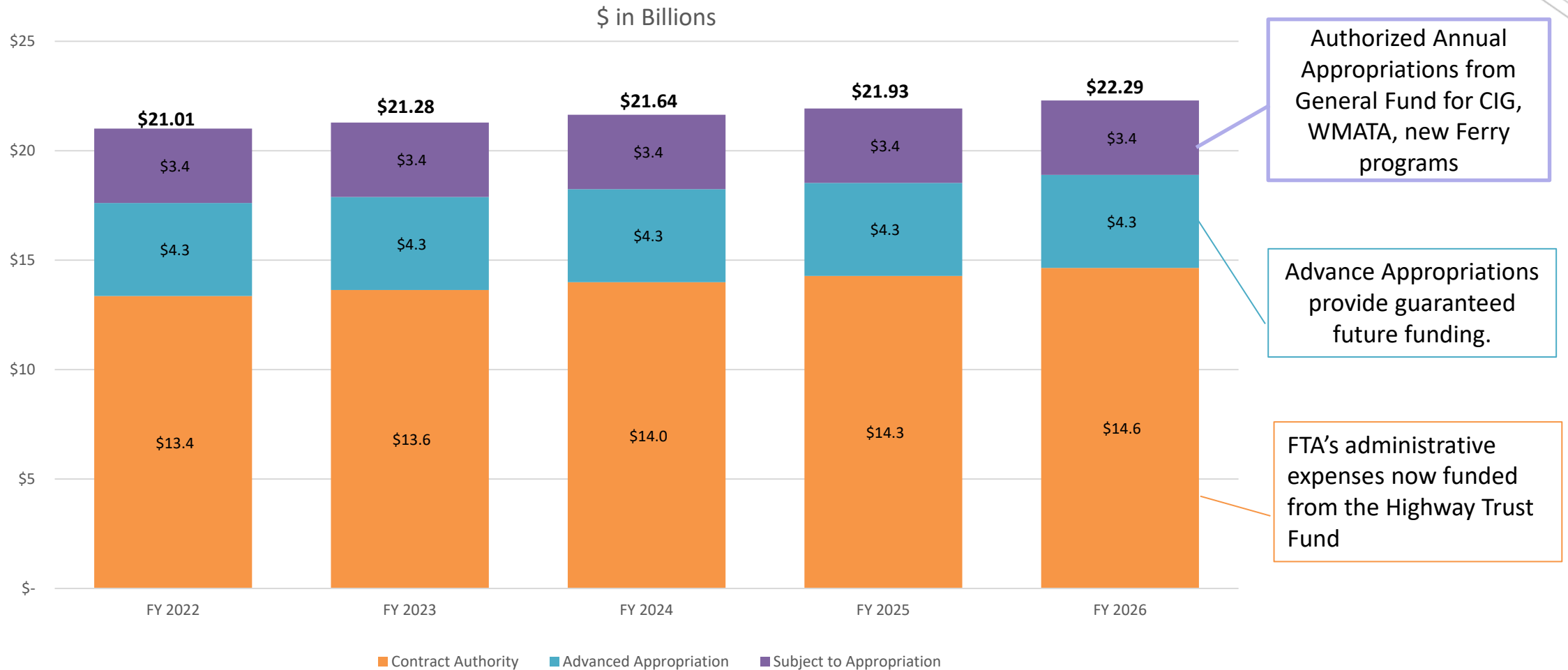


Increased Investment in Public Transportation

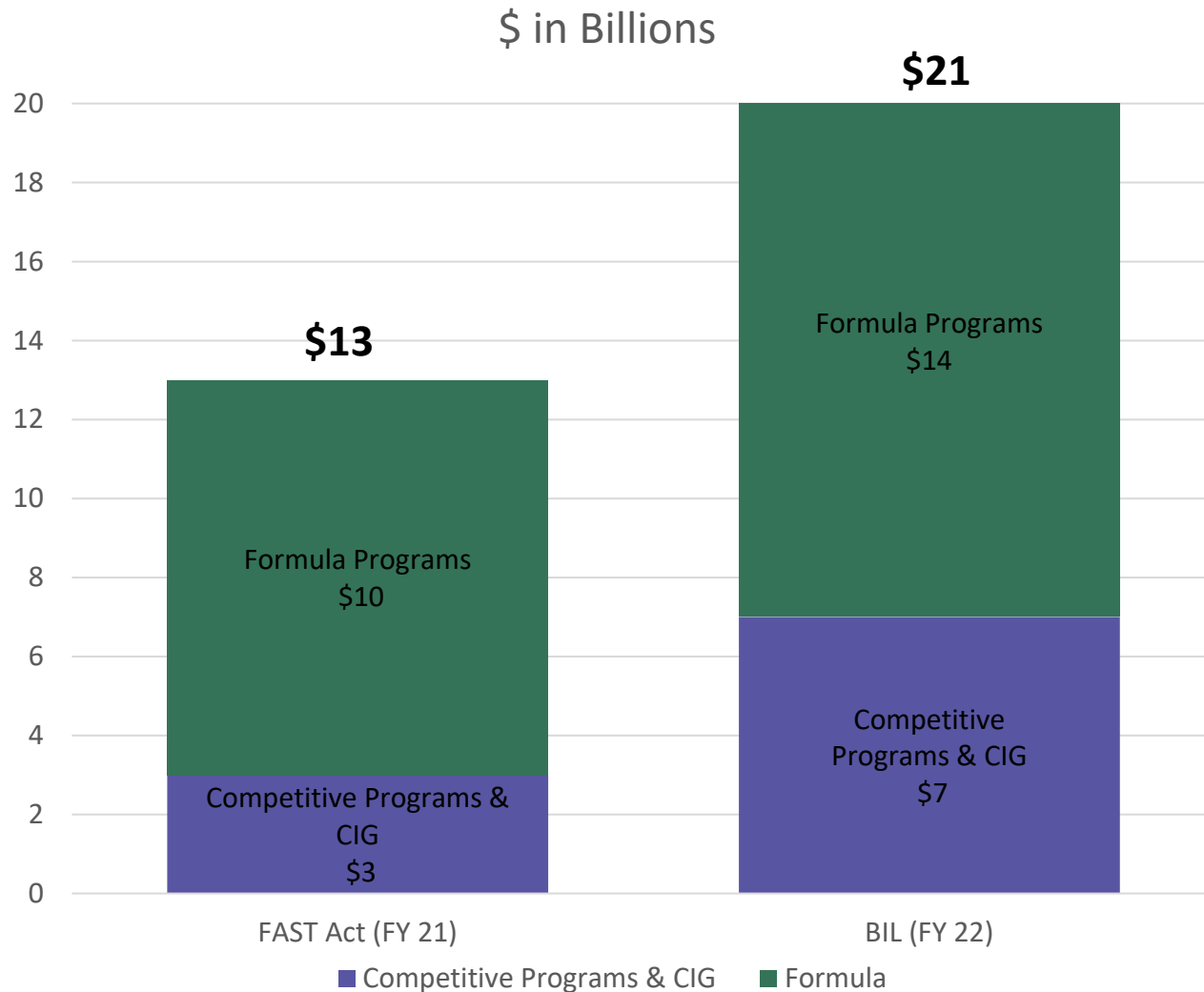
(\$ in Billions)



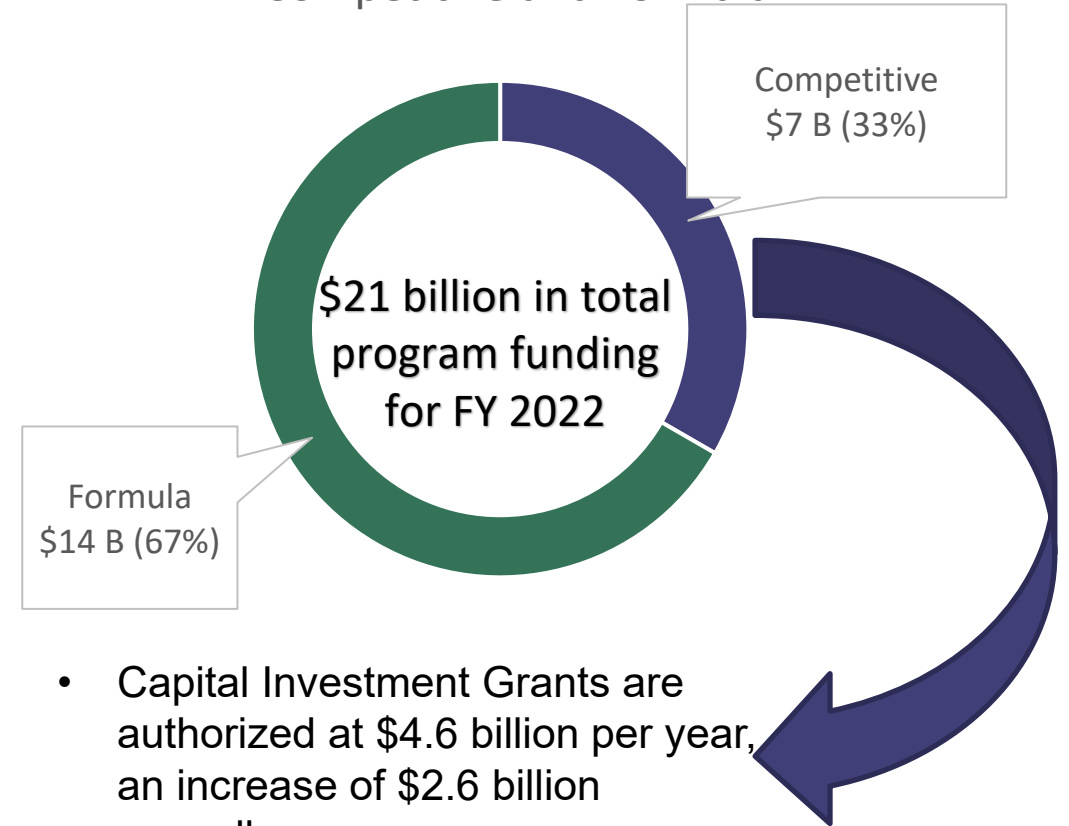
Changes to FTA Funding Authorizations



\$8 Billion Annual Increase for Transit



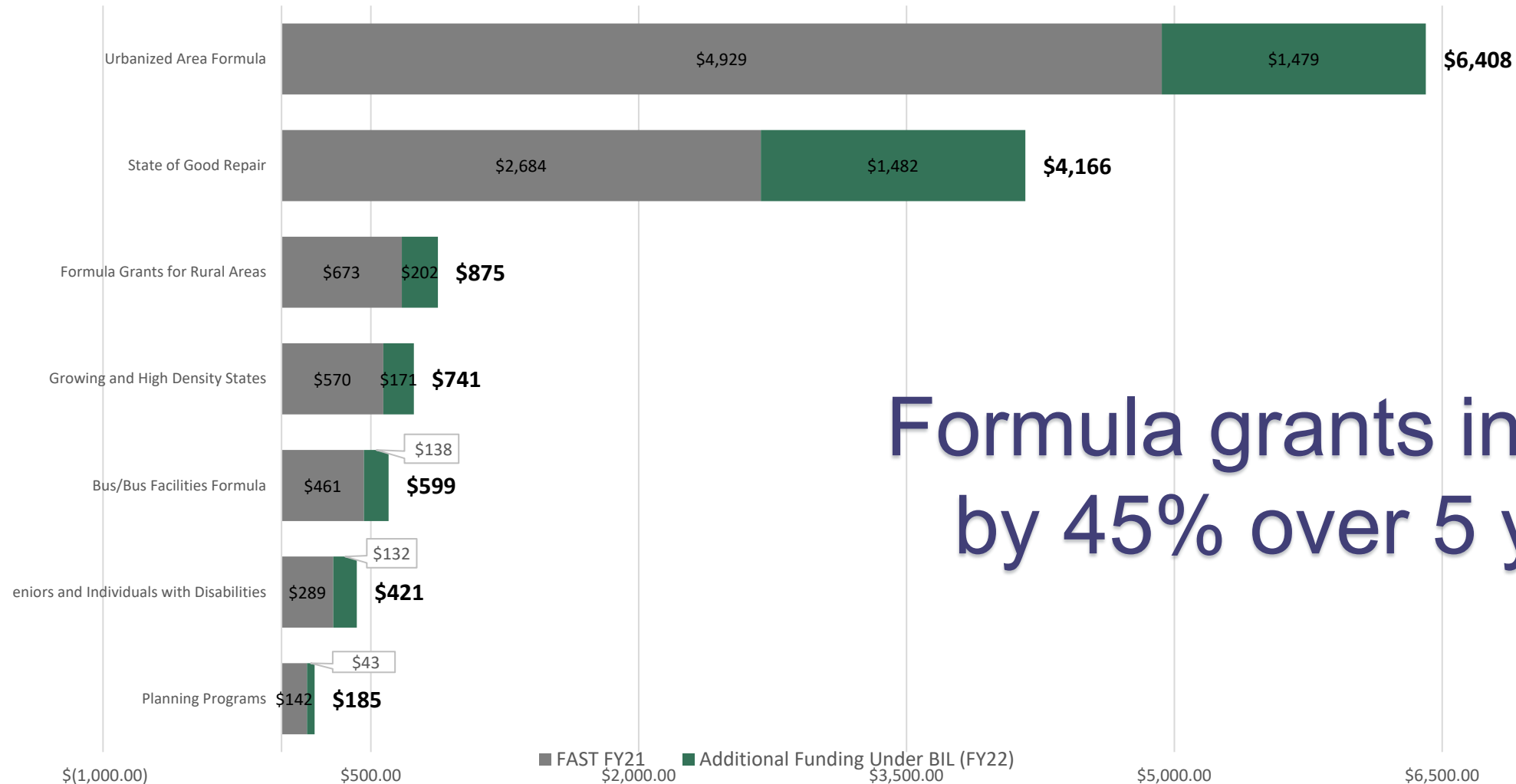
BIL Competitive and Formula



- Capital Investment Grants are authorized at \$4.6 billion per year, an increase of \$2.6 billion annually
- \$1 billion for Low-No Vehicle Emission Grants

FTA Formula Funding – FY21 to FY22

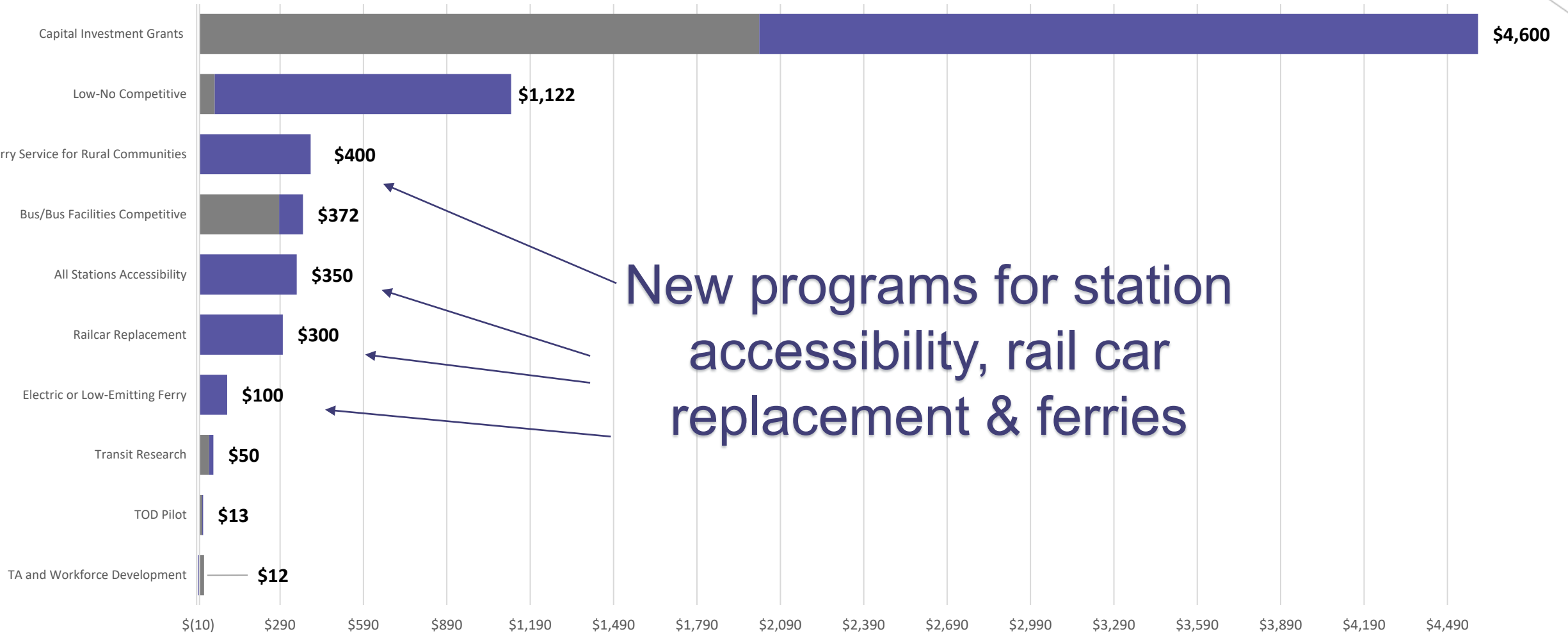
(Millions of Dollars)



Formula grants increase by 45% over 5 years

Competitive & CIG Funding – FY21 to FY22

(Millions of Dollars)



Note: Transit Research includes Bus Testing and NTD

■ FAST FY21 ■ Additional Funding Under BIL (FY22)

Legislative Changes by Strategic Priority



Safety

- Enhances State Safety Oversight (SSO) programs by strengthening rail inspection practices
- Enhances practices related to:
 - the development of transit agency safety plans,
 - improving safety training,
 - reducing assaults on vehicle operators, and
 - instituting measures to reduce vehicular and pedestrian accidents involving buses
- FTA to develop a process and methodology for monitoring the effectiveness of the enforcement authorities and practices of SSO agencies
- Increases the set-aside for SSO grants from 0.5 percent to 0.75 percent, equaling approximately \$251 million over 5 years
- Requires additional content be added to the National Public Transportation Safety Plan
- Require agency safety plans to be consistent with CDC and State health authority guidelines to minimize exposure to infectious diseases



Safety

- Requires recipients of section 5307 funds that serve a population of 200,000 or more to:
 - Set risk reduction performance targets using a 3-year rolling average of the data submitted by the recipient to the NTD and must allocate not less than 0.75 percent of their 5307 funds to safety related projects
 - Establish a Safety Committee, composed of frontline employees and management, that is responsible for identifying, recommending, and analyzing the effectiveness of risk-based mitigations or strategies to reduce safety incidents
- Adds a definition of “assault on a transit worker” and requires data on assaults to be reported to NTD
- Requires agencies to report fatalities from an impact with a bus to NTD
- Reauthorizes Federal funding for WMATA at \$150,000,000 annually through fiscal year 2030



Equity

Public Transportation on Indian Reservations

- Provides \$229 million for public transportation on Indian reservations through FTA's dedicated formula and competitive programs, a 31 percent increase over FY21 over five years

Rural Funding within Grants for Buses & Bus Facilities

- Raises the rural allocation requirement in the Buses and Bus Facilities competitive grant program from 10 percent to 15 percent

All Stations Accessibility Program

- Provides \$350M annually for the **new** All Stations Accessibility Program to help make legacy rail stations accessible to all riders

Environmental Sustainability

Low or No Emitting Ferry Program

- Establishes a **new** electric or low-emitting ferry pilot program and provides advance appropriations of \$50M per year over 5 years, with an additional \$50M per year that Congress could choose to appropriate

Low or No Emission Grants

- Ensures that lower-emission buses and vehicles, including natural gas-powered buses and vehicles, are eligible for no less than 25 percent of Low-No funds
- Zero-emission grants applicants must submit a fleet transition plan, including a workforce transition plan
- Provides that 5 percent of grants related to zero emission vehicles must be used by recipients to fund workforce development training, unless the recipient certifies a small percentage is needed instead

Electric Vehicle Charging

- Adds eligibility for electric vehicle charging infrastructure in passenger parking facilities as part of a joint development project, while requiring recipients to collect fees related to the use of such charging facilities



Resiliency: State of Good Repair / Emer. Relief

State of Good Repair Grants

- Provides \$23.1 billion for State of Good Repair Grants
- Establishes a **new** \$300 million/year competitive grant program, “Competitive Grants for Rail Vehicle Replacement,” to replace rail rolling stock that is past its useful life

Emergency Relief Program

- Requires applicants for Emergency Relief funds to:
 - Submit proof of Federal insurance for structures related to grant applications
 - Certify that it has insurance required under State law for all structures related to grant applications



Economic Strength

Asset Management

- Permits agencies that sell rolling stock, equipment, or supplies past their useful life with a unit value over \$5,000 to retain the first \$5,000 in proceeds before determining the remaining federal interest on the value above \$5,000
- However, the law now requires agencies to return the remaining federal interest to FTA rather than permit it to be used for other public transportation purposes

Procurement

- Requires recipients and subrecipients of Buses and Bus Facilities funding (formula, bus competitive or low or now emission) who purchase fewer than 5 buses through a standalone procurement to explain in writing why innovative procurement practices (section 3019 of the FAST Act) were not used
- NDAA RAIL AND BUS ROLLING STOCK PROHIBITION : Further specifies the limitation on certain rolling stock procurements by clarifying the terms "otherwise related legally or financially" related



Economic Strength: CIG Program

Eligibility and Process Updates

- Revises the eligibility parameters for Small Starts to projects with a capital cost of less than \$400 million and a CIG request of less than \$150 million.
- Revises the eligibility parameters for Core Capacity to projects at capacity today or that will be in 10 years
- Establishes a new process for bundling of CIG projects, to replace the “Program of Interrelated Projects” eligibility
- Transfers "before-and-after studies" to GAO
- Changes required Congressional notification timeframe to 15 days
- Adds a requirement for the Secretary to determine that the recipient has made progress toward meeting transit asset management performance targets.



Economic Strength: CIG Program

CIG Dashboard

- Requires a public dashboard to be created to provide a status update on each project in the CIG program

Advance Appropriations

- Provides \$1.6 billion in annual advance appropriations in addition to authorizing \$3 billion per year in annual appropriations.



Economic Strength

One Federal Decision in Federal law

- Codifies One Federal Decision which addresses how DOT will implement the coordinated and timely process for environmental reviews for major projects

Categorical Exclusions

- CE for projects of limited Federal assistance (23 CFR 771.118(c)(13)) have increased project cost thresholds

Planning

- Allows MPOs to expand consideration of housing planning processes into the metropolitan transportation planning process . In designating officials or public transit representatives, includes requirement for MPOs to consider the equitable and proportional representation of the population of the MPO. Encourages increased coordination between MPOs within urbanized areas, and among other entities
- Allows for the use of technology to encourage public participation in the planning process
- Adds eligibility for a greater Federal share for transportation planning activities in lower-density and lower-income portions of metropolitan areas and adjoining rural areas
- Adds eligibility for using TOD Pilot funding for site-specific planning



Innovation

- Updates requirements for the Secretary's annual report on research activities under the Section 5312 innovation program
 - Adds requirement to include a research roadmap proposal of research activity in the current and next fiscal year, requires website update every three months detailing changes to that roadmap
- Authorizes the Secretary to reduce or waive matching requirements for research projects if there is substantial public benefit
- Updates the Low-No Component Testing Program
 - Allows testing center to conduct directed tech research, adds more specific language describing center's duties, and use funds for capital expenses.
- Provides eligibility for activities related to Advanced Digital Construction Management Systems
- Allows the bus testing facility authorized under 5318 to use funds for the acquisition of equipment and capital projects related to testing new bus models. Previous centers no longer allowed to conduct such testing.
- Adds geographic service area coverage as a transit agency reporting requirement to the NTD



FTA Legislative Implementation

- FTA's Legislative Implementation will include:
 - Providing recommendations to the Administrator on proposed updates to policies and programs resulting from changes in the authorizing statute
 - Reviewing proposed policy and programmatic changes, agency actions, or any other items related to implementation of the authorizing statute
 - Monitoring the agency's progress towards carrying out the implementation of deliverables and tasks
 - Providing direction to FTA program and regional offices on the development of deliverables and tasks



Resources and Contacts

- Bipartisan Infrastructure Law Website (<https://www.transit.dot.gov/BIL>)
- Contact FTA-IIJA@dot.gov



[TRANSIT.DOT.GOV](https://www.transit.dot.gov)