INTERCHANGE

DOT DEPARTMENT OF TRANSPORTATION

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Get to Know U.S. Congresswoman Barbara Boxer

U.S. Senator Barbara Boxer was instrumental in the recent passage of the federal transportation funding bill. Senator Boxer is the junior United States Senator from California and has held that office since 1992. Prior to her Senate seat, she served in the U.S. House of Representatives from 1983–1993.

Originally from Brooklyn, New York, Senator Boxer graduated from Brooklyn College with a bachelor's degree in Economics. Following graduation she worked as a stockbroker before moving to California. During the 1970s, she worked as a journalist and then as an aide to California Congressman John L. Burton. Later, Senator Boxer served on the Marin County Board of Supervisors and became the board's first female president.

Senator Boxer is the chair of the Environment and Public Works Committee and the Chair of the Select Committee on Ethics, making her the only senator to preside over two committees simultaneously. She is also the Democratic Chief Deputy Whip. Senator Boxer and her husband live in Ranch Mirage California when she is not in Washington D.C.

MAP-21 Issue

Join us in celebrating the long awaited passage of the transportation reauthorization bill H.R.4348, also known as, MAP-21 (Moving Ahead for Progress in the 21st Century), with our special focus issue. This important legislation updates all federal statutes related to transportation programs and will bring about several changes that we take a closer look at this month.

For more information on MAP-21 contact CDOT State/Federal Liaison, Kurt Morrison at 303-757-9703.

Overview

On July 6, 2012, President Obama signed H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP-21). The legislation updates and replaces the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users Act of 2005 (SAFETEA-LU), specifically reauthorizing federal transportation programs, providing budget authority for federal transportation apportionments, and updating federal statutes governing the U.S. Department of Transportation (USDOT) and its various agencies and programs. A brief summary of the bill's provisions follows:

Duration. MAP-21 is a 27-month authorization bill, through September, 2014. This authorization completes two federal fiscal years and the remaining three months of the current federal fiscal year. The bill also reauthorizes the federal motor fuel taxes that support the Highway Trust Fund through September, 2016.

Federal Spending and Colorado Apportionments. MAP-21 retains flat highway funding levels, in addition to a 1.4 percent increase for inflation. Colorado's federal highway apportionments are estimated to be $517 million in FY 2013 and $522.4 million in FY 2014. By comparison, Colorado's federal apportionment for FY 2012 is $517 million. Apportionments continue to be set in federal law and distributed according to formula grant. Of particular note, MAP-21 incorporates into the formula a requirement that all states receive at least a 95 percent return on revenue, a small increase over the previous return rate minimum.

Program Consolidation. MAP-21 consolidates approximately 90 federal transportation programs into 30 new and existing programs, providing state DOTs with more discretion and significant policy decisions to be made as a result. The Colorado Department of Transportation (CDOT) supported the program consolidation measure. *cont on page 2.....*

Overview

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Performance Management. MAP-21 has a much stronger emphasis on performance management. Once the United States Department of Transportation (USDOT) promulgates standards to evaluate Interstate System and National Highway System performance, the bill imposes new performance measure reporting requirements on state DOTs. While these changes require substantial work by CDOT, the department performance management team previewed draft bills throughout the reauthorization process, and will be better prepared to implement the federal requirements as a result.

Innovative Financing. The bill significantly increases funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, inflating spending from $122 million in the current fiscal year to $750 million and $1 billion in FY 2013 and FY 2014. The program provides federal credit assistance in the form of loan guarantees, direct loans, and lines of credit to finance surface transportation projects. CDOT and the Transportation Commission supported this provision and requested support from our congressional delegation.

Project Delivery. The bill contains several provisions to accelerate project delivery in relation to the National Environmental Policy Act (NEPA). These provisions reduce approval time by allowing more federally funded projects – projects following a natural disaster, receiving less than $5 million in federal funding, or receiving less than 15 percent in federal funding but having an overall cost up to $30 million – to fall under categorical exclusions. CDOT supported responsible environmental streamlining efforts.

While it is a giant step to have passed a requthorization,the bill fails to address long-term fiscal solvency of the federal Highway Trust Fund (HTF). As in previous fiscal years, MAP-21 relies on significant general fund transfers to backfill HTF revenue shortfalls. Since 2008, Congress has transferred approximately $35 billion from other sources to prop up the HTF. MAP-21 continues to rely on general revenues by transfers to the HTF of $6.2 billion and $12.6 billion in FY 2013 and FY 2014.

Transportation Alternatives

Prior to MAP-21, three federal programs provided dedicated funding for bicycle and pedestrian projects: Recreational Trails (RT); Safe Routes to Schools (SRTS); and Transportation Enhancements (TE). MAP-21 folds all three programs into a single, newly created program – Transportation Alternatives (TA). Under the new TA program, eligible activities funded by the program are a hybrid of eligible projects from the previous three programs, plus new eligibility for environmental mitigation and minor road construction projects not currently allowed under RT, SRTS, or TE. Funding for the TA program is set at approximately $809 million nation-wide, constituting a one-third decrease over prior spending levels for the three programs that now comprise the new program. The TA program requires states to suballocate 50% of TA program funds to Metropolitan Planning Organizations (MPOs) and other parts of the state; remaining funds are distributed as a discretionary grant program. In the event of an emergency, a state is authorized to transfer all TA program funds (that remain after MPO allocations) to repair damaged infrastructure.

MAP-21 and Transit

With MAP-21, Congress continues to strike an 80/20 balance between highway and transit funding: 80% to highway funding; and 20% to mass transit. MAP-21 authorizes new U.S. Federal Transit Administration (FTA) oversight over public transit systems safety measure (*authority that never existed before*). The bill leaves existing FTA funding mechanisms intact and authorizes $10.6 billion and $10.7 billion in spending for FY 2013 and FY 2014. Colorado is estimated to receive approximately $104 million in formula funding. Information on chief FTA grant programs is provided in the following subsections.

Bus and Bus Facilities. Funding for transit buses was reduced from $984 million in FY 2012 to $422 million in FY 2013. Under SAFETEA-LU, bus funding was largely determined through congressional earmarking. However, with the elimination of earmarks, the FTA awarded bus funding on a nationwide discretionary basis. Under MAP-21, Congress converted the program from a discretionary grant to a formula grant program. The funding reduction and change to a formula grant reflects Congress' unhappiness with the FTA's bus and bus facilities program, thereby opting to give more flexibility to states rather than the FTA.

State of Good Repair Program. MAP-21 eliminates the Fixed Guideway Modernization program and replaces it with a new State of Good Repair (SGR) program for passenger rail programs. Funds saved through cuts to the bus grant program were redistributed to the SGR.

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Upcoming Events

Colorado Transportation Commission Workshops/Meeting
August 16-17, 2012
Strater Hotel in Durango, CO
E-Mail: Toni.Bircher@dot.state.co.us

Action 22- Washington Roundup
August 24, 2012
Doubletree Hotel in Colorado Springs, CO
Website: www.action22.org

Club 20- Fall Meeting and Debates
September 7-8, 2012
Colorado Mesa Univesity in Grand Jct, CO
Website: www.club20.org

Colorado Transportation Commission Workshops/Meeting
September 19-20, 2012
CDOT Headquarters in Denver, CO
Website: Toni.Bircher@dot.state.co.us

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Other FTA Grant Programs. The New Starts program funds new subway and light-rail systems. The bill authorizes more bus rapid transit projects to receive New Starts funds. This authorization will partially offset bus funding reductions. MAP-21 eliminates the New Freedom and Job Access and Reverse Commute ("JARC") programs by transferring their funding to the urban and rural formula grant programs and making them eligible activities under those programs. The rural public transportation program provides additional funding based on performance, which benefits Colorado because it has the highest rural ridership of any state.

President Obama signs MAP-21 into law

Commuter Benefit. MAP-21 maintains the tax deduction which provides up to $125 per month to defray commuter costs. For persons choosing to drive, the deduction limit is set at $240 per month for parking costs. The Senate bill version included a parity provision to set both the commuter benefit and parking benefit at equal levels. The provision was stripped out in conference and no change was enacted.

Regional Planning

MAP-21 authorizes a state to establish a regional transportation planning organization (RTPO) to enhance, planning, coordination, and implementation of statewide strategic long-range transportation plans and transportation improvements programs. Specific emphasis is placed on addressing the needs of non-metropolitan areas. Colorado impacts with this provision are expected to be minimal, as the state has already established ten rural Transportation Planning Regions across the state, along with the five urban MPO regions. An RTPO must establish, at a minimum, a policy committee consisting of non-metropolitan local officials and representatives from the state, private sector, transportation service providers, economic development personnel, and the public. The obligations of an RTPO are:

- developing and maintaining, in cooperation with the state, regional long-range multimodal transportation plans;
- developing a regional transportation improvement program for consideration by the state;
- fostering the coordination of local planning, land use, and economic development plans with state, regional, and local transportation plans and programs;
- providing technical assistance to local officials;
- participating in national, multistate, and state policy and planning development processes to ensure the regional and local input from non-metropolitan areas;
- providing a forum for public participation in the statewide and regional transportation planning processes;
- considering and sharing plans and programs with neighboring RTPOs, MPOs, and tribal organizations; and
- serving other roles, as necessary, to support the statewide planning process.

Any state that opts against establishing an RTPO is required to consult with affected non-metropolitan local officials to determine projects that may be of regional significance.