

Federal Transportation Authorizations

Key Highway Provisions



U.S. Department
of Transportation

**Federal Highway
Administration**

Fixing America's Surface Transportation (FAST) Act (P.L. 114-94)

- Signed by President Obama on December 4, 2015
- First long-term authorization act in a decade
- Provides 5 years of funding certainty for infrastructure planning and investment
- Authorizes \$305 B (all modes) over FY 2016-2020

Key Highway Facts

- \$226.3 B for highways over five years (FY 2016-2020)
- Builds on the program structure and reforms of MAP-21
- Continued focus on accelerating project delivery
- Focus on Freight
- Expands V2I and bridge eligibility
- Maximize delegation of oversight to States

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 $\leq 10\%$ for rail/port/intermodal projects
- States required to have freight plans to obligate NHFP \$ (beginning FY 2018)

FASTLANE grants | **NEW**

(Nationally Significant Freight & Hwy. Projects)

- \$900 M/year (average) for competitive grants or TIFIA loans for projects >\$100 M (reduced for States w/ small programs)
- Eligible activities:
 - Highway freight projects on National Highway Freight Network
 - NHS highway/bridge projects, projects in National Scenic Areas
 - Freight rail/intermodal/port projects (\leq \$500 M over 5-year period)
 - Rail-highway grade crossing or grade separation projects
- States, large MPOs, Tribes, localities, and FLMAs may apply
- OST selects projects; Congress has 60 days to disapprove
- Set-asides for rural areas and projects below cost threshold

Every Day Counts Initiatives

- 3D Engineered Models for Construction
- Data-Driven Safety Analysis
- e-Construction
- Improving Collaboration and Quality Environment Documentation (eNEPA & IQED)
- GRS-IBS
- Improving DOT and Railroad Coordination (SHRP2 R16)
- Regional Models of Cooperation
- Stakeholder Partnering
- Road Diets
- Smarter Work Zones
- Ultra-High Performance Concrete Connections

Highway Design

- Required considerations on the NHS
- Flexibility in design guidance and regulations
- DOT to consider AASHTO Highway Safety Manual, NACTO Urban Street Design Guide
- Encourage adoption of standards for Fed. Projects that accommodate motorized and non-motorized users
- Locality may use different roadway publication than State (with State approval) in certain circumstances
- Accommodation of all users

Other Provisions

- Specifically allows multiple similar bridge projects to be handled (“bundled”) into a single project
- DOT to designate national electric vehicle charging and hydrogen, natural gas, and propane fueling corridors
- Encouragement of vegetation management practices that improve habitat and forage for pollinators
- State may opt for Federal share <100% for Appalachian Development Highway System (ADHS) projects
- Ferry Boat Formula Program

Accelerating Project Delivery

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

- Adds New Flexibilities
- Refines Existing Provisions
- Adds to Procedural Requirements
- Builds on Existing Activities
- DOT to maximize use of authority to delegate project oversight to States on both a project and programmatic basis

Omnibus Appropriation Act

- Earmark Repurposing
 - Earmarks refer to any congressionally designated project spending
 - Authorized on or before September 30, 2005 (SAFETEA-LU and prior)
 - Administered by FHWA
 - Less than 10% obligated as of December 18, 2015 or project is complete and closed in FMIS
 - Repurposed funding must be within the State and within 50 miles of original description

Omnibus Appropriation Act

- Local Hiring Pilot
 - Permit preferential hiring of veterans and qualified persons who regularly reside in the local area where the work is to be performed
 - VDOT has established a minimum requirement of 75 percent for local worker and/or veteran new hire participation.
 - 5 Projects Approved on October 7, 2015

Worker Safety

FAST Act §1427

It is the sense of Congress that the FHWA should –

(1) Do all within its power to protect workers in highway work zones; and

(2) Move rapidly to finalize regulations, as directed in Section 1405 of MAP-21, to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.

Resources

- FAST Act: www.fhwa.dot.gov/fastact
- EDC: <https://www.fhwa.dot.gov/innovation/everydaycounts/>
- Virginia Division: www.fhwa.dot.gov/vadiv
- Federal-aid Essentials:
<http://www.fhwa.dot.gov/federal-aidessentials/>
- FHWA Policy and Guidance: www.fhwa.dot.gov/pgc
- Ladders of Opportunity:
<https://www.transportation.gov/opportunity>
- Every Place Counts:
<https://www.transportation.gov/opportunity/challenge>

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