

**The Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act  
AMPO Draft Summary as of June 26, 2015**

**Passed by the Senate Environment and Public Works Committee June 23, 2015**

**Apportionments**

Program	2015	2016	2017	2018	2019	2020	2021
NHPP	\$22b	\$22.8b	\$23.5b	\$23.7b	\$24.3b	\$24.8	\$25.5b
STP	\$10b	\$10.8b	\$10.4b	\$10.6b	\$10.8b	\$11b	\$11.4b
CMAQ	\$2.5b	\$2.3b	\$2.4b	\$2.4b	\$2.5b	\$2.5b	\$2.6b
Metro PL	\$313m	\$337m	\$344m	\$352m	\$360m	\$370m	\$379m
TAP	\$820m	\$850m	\$850m	\$850m	\$850m	\$850m	\$850m
Freight	\$0	\$2b	\$2.082b	\$2.2b	\$2.3b	\$2.4b	\$2.5b
Assistance for Major Projects (AMP)	\$0	\$300m	\$350m	\$400m	\$450m	\$450m	\$450m
TIFIA	\$1b	\$675m	\$675m	\$675m	\$675m	\$675m	\$675m

Totals	2015	2016	2017	2018	2019	2020	2021
Contract Authority	\$40.256b	\$44.077b	\$44b	\$45b	\$46.034b	\$47b	\$48.308b
Obligation Limitation	\$40.256b	\$43.077b	\$44b	\$45b	\$46.034b	\$47b	\$48.308b

The increase in PL funds was a priority for AMPO  
AMPO recommended a 6-year bill  
AMPO recommended an increase in funding

CMAQ, Metro Planning, Freight Program, TAP are apportioned first then the remaining amounts are distributed to the NHPP, STP, and HSIP in the following percentages

- NHPP – 65% (63.7% under MAP-21)
- STP – 29% (29.3% under MAP-21)
- HSIP – 6% (7% under MAP-21)

Adjustments will be made to ensure that each State's apportionment is not less than 95% of estimated tax payment attributable to highway users in the State paid into the HTF

<p><b>Amendments to the STP Program (Sec. 1004)</b></p> <p>AMPO recommended an increase in the suballocated amounts of STP</p>	<ul style="list-style-type: none"> <li>• Emergency evacuation plans are eligible</li> <li>• The percent of STP funds suballocated by population increased to 55% from 50% (State percent decreased to 45% from 50%) <ul style="list-style-type: none"> <li>○ The 55% would be calculated after the off-NHS bridge set aside in the next bullet</li> <li>○ The new calculation is 55% of 85%</li> <li>○ While this is an <u>increase</u> in the percent of suballocated STP, in <u>actual dollars</u> it is a step back</li> </ul> </li> <li>• Subsection (g) Bridges Off the NHS – defined as a highway bridge located on a public road, other than a bridge on the NHS <ul style="list-style-type: none"> <li>○ State required to obligate for Off-NHS bridges the greater of 15% of the State STP apportionment or at least 110% of the amount of funds set aside for bridges not on Federal-aid highways in 2014</li> <li>○ The bridge set aside would be taken off the top before the 55% - 50% STP split</li> <li>○ According to our calculations the suballocated dollar amount would not reach the 2015 level until 2019</li> </ul> </li> </ul>
<p><b>Amendments to Metropolitan Transportation Planning (Sec. 1005)</b></p> <p>AMPO requested no change in MPO population thresholds</p>	<ul style="list-style-type: none"> <li>• Contents of the TIP and Plan must now also provide for the development and integrated management of “intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter van pool providers.”</li> <li>• Representatives or officials of an MPO shall be determined by MPO bylaws or enabling statutes; representative of public transportation may also serve as a representative of a local municipality; authority of the transit representative shall be commensurate with other officials</li> <li>• Add improve the resiliency and reliability of the transportation system as a planning factor</li> <li>• The plan should include strategies to reduce vulnerability due to natural disasters</li> <li>• The plan should consider the role that intercity buses play in reducing congestion, pollution, energy consumption and investments that enhance and preserve intercity bus systems</li> <li>• Public ports, intercity bus operators, and commuter vanpool providers are now listed as “interested parties”</li> </ul>

	<ul style="list-style-type: none"> <li>• Strikes the Congestion Management Process from law</li> <li>• Adds a new section for the treatment of Lake Tahoe Region to receive STP and TAP funds (included by amendment in the committee markup)</li> </ul>
<b>Bundling of Bridge Projects (Sec. 1008)</b>	<ul style="list-style-type: none"> <li>• Permits the grouping of similar types of bridges into one project for eligibility under NHPP or STP funds that may be awarded as one contract</li> <li>• A bundled project may be included in the TIP or STIP</li> </ul>
<b>Flexibility for Certain Rural Roads and Bridges (Sec. 1009)</b>	<ul style="list-style-type: none"> <li>• The Secretary may exercise all existing flexibilities and exceptions under law for rural roads and bridges the meet certain conditions: located in a county with a population density of 80 or fewer persons per square mile or is the county that has the lowest population density of all counties in the State; receives less than \$5m in federal funds; totals costs under \$30m and federal funds comprise less than 15% of the total costs.</li> </ul>
<b>Highway Safety Improvement Program (Sec. 1011)</b>	<ul style="list-style-type: none"> <li>• Expands what a HSIP project includes: vehicle-to-infrastructure communications equipment; pedestrian hybrid beacons; projects to separate pedestrians and vehicles</li> </ul>
<b>Congestion Mitigation and Air Quality Improvement Program (Sec.1013)</b>	<ul style="list-style-type: none"> <li>• Requires that CMAQ funds be used for projects likely to contribute to attainment of a NAAQS <b>“in the designated nonattainment area”</b></li> <li>• Adds that the project or program is likely to contribute to the attainment <b>“or maintenance”</b> of a NAAQS by reducing VMT, fuel consumption, or other factors</li> <li>• Adds that CMAQ funds may be used for port-related freight operations in non-attainment or maintenance areas for ozone, PM10 or PM 2.5</li> <li>• Allows CMAQ to be used on projects using transit funds for diesel retrofits, port-related freight operations, and other allowed uses</li> <li>• Funds used for electric vehicle charging stations or natural gas station are prioritized to corridors under the new National Electric Vehicle Charging and Natural Gas Fueling Corridors program under Section 1024</li> <li>• Directs that CMAQ funds prioritized for PM 2.5 shall be obligate to projects that reduce <i>“directly emitted fine particulate”</i> matter in the areas instead of current law <i>“such fine particulate”</i> matter in the areas</li> <li>• States with a population density of 80 or few persons per square mile of land are not required to prioritize CMAQ funds for PM 2.5 in nonattainment or maintenance areas if there are no projects that area part of the emissions analysis of a TIP or Plan and if regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM 2.5 The State set-aside for PM 2.5 shall be reduced accordingly</li> </ul>
<b>NEW National Freight Program (Sec. 1014)</b>	<ul style="list-style-type: none"> <li>• USDOT Sec designates the primary freight system, which includes all NHS freight intermodal connectors</li> <li>• State may increase the mileage by no more then 10% of the miles already designated in the State</li> <li>• States may designate critical rural freight corridors</li> </ul>

<p><b>AMPO recommended a freight program with it own funding</b></p> <p><b>AMPO recommended the establishment of Critical Urban Freight Corridors established by MPO in consultation with States</b></p>	<ul style="list-style-type: none"> <li>• MPOs over 500,000 in population, in consultation with the State, may designate a critical urban freight corridor when conditions are met</li> <li>• In urbanized areas under 500,000 in population the State, in consultation with the MPO, may designate a critical urban freight corridor when conditions are met</li> <li>• Funds are apportioned to the State based on total primary highway freight miles in the State compared to total primary highway freight miles in all States</li> <li>• No more the 10% can be used within the boundaries of public and private freight rail, water, and intermodal facilities</li> </ul>
<p><b>NEW Assistance for Major Projects Program: All Major Projects (AMP) (Sec. 1015)</b></p>	<ul style="list-style-type: none"> <li>• Funding for major projects that are critical high cost surface transportation projects</li> <li>• Eligible project must meet one or more of the criteria such as reducing congestion and increase global competitiveness</li> <li>• Funds are discretionary through USDOT</li> <li>• States, local government, tribal government, transit agencies, and others <ul style="list-style-type: none"> <li>◦ MPO are <i>not</i> specifically eligible</li> </ul> </li> <li>• An eligible project needs to have a total cost of \$350M</li> <li>• The Secretary takes measures to distribute funds equitably across the country</li> <li>• Grant shall be at least \$50M (exception for rural areas)</li> <li>• Cap of 20% per year to one State</li> <li>• Projects must be consistent with Metro and State transportation planning</li> <li>• Jan 1 of each year, USDOT provides the list of applicants that meet the criteria to Senate EPW; Committees have 90 days to approve a list of projects; Congress has 90 days to adopt of a Joint Resolution of the Committees action; failure by the Committees or Congress results in the Secretary awarding projects</li> </ul>
<p><b>Transportation Alternatives Program (Sec. 1016)</b></p>	<ul style="list-style-type: none"> <li>• \$850M per year 100% suballocated by population</li> <li>• Adds a non-profit entity responsible for the administration of local transportation safety programs to the list of eligible entities</li> <li>• MPOs may further suballocate within the boundaries of the planning area in a competitive process</li> <li>• States and MPOs required to report to the Secretary about TAP</li> <li>• Secretary shall issue guidance or regulation to improve TAP project delivery</li> </ul>
<p><b>NEW National Electric Vehicle Charging and Natural Gas Fueling Corridors</b></p>	<ul style="list-style-type: none"> <li>• Secretary will designate corridors; seek input and corridor nominations from State and local government</li> </ul>

<p><b>Categorical Exclusion for Projects of Limited Federal Assistance</b></p> <p><u>This was an AMPO recommendation</u></p>	<ul style="list-style-type: none"> <li>Indexes the current amounts (\$5M in Federal funds or estimated projects cost of not more than \$30M) to CPI for All Urban Consumers</li> </ul>
<p><b>Research Technology and Education (Sec. 2001)</b></p>	<ul style="list-style-type: none"> <li>New eligibility for MPOs – The Secretary must use at least 50 percent of funds available for the “Technology and Innovation Deployment Program” for grants and contracts</li> <li>MPOs are added to the list of eligible grant recipients for demonstration projects that will accelerate deployment and eventual adoption of transportation research activities</li> </ul>
<p><b>Every Day Counts (Sec. 2201)</b></p>	<ul style="list-style-type: none"> <li>Incorporates in to legislation the USDOT EDC initiative</li> <li>Directs the FHWA Administrator to continue the initiative</li> <li>Working with stakeholders – every two years, identify new innovations and best practices to be deployed to stakeholders</li> </ul>