



COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

THE SURFACE TRANSPORTATION AUTHORIZATION ACT OF 2009

*A BLUEPRINT FOR INVESTMENT AND REFORM
THE FEDERAL SURFACE TRANSPORTATION FRAMEWORK*

Presented by

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June 18, 2009

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U.S. HOUSE OF REPRESENTATIVES

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The National Surface Transportation Policy and Revenue Study Commission identifies 108 distinct Federal surface transportation programs administered by five separate Federal agencies. Of these programs, the Federal Highway Administration manages 62 separate programs; the Federal Transit Administration manages 20 separate programs; the National Highway Traffic Safety Administration manages 12 separate programs; the Federal Motor Carrier Safety Administration manages eight separate programs; and the Federal Railroad Administration manages six separate programs. In addition, dozens of set asides and takedowns exist within these 108 programs, further adding to the complexity of Federal surface transportation program administration.

The current program structure creates programmatic stovepipes with overlapping and similar eligibility among the programs. They are difficult to administer and lack transparency, accountability, specific goals, and performance management, and make it impossible to determine whether programs are meeting national objectives. The Government Accountability Office (GAO) put it succinctly in a 2008 report: “To some extent, the Federal-aid Highway program functions as a cash transfer, general purpose grant program, not as a tool for pursuing a cohesive national transportation policy.”¹

The Blueprint for Investment and Reform will transform Federal surface transportation from an amalgamation of prescriptive programs to a performance-based framework. It is designed to achieve specific national objectives: reduce fatalities and injuries on our nation’s highways; unlock the congestion that cripples major cities and the freight transportation network; provide transportation choices for commuters and travelers; limit the adverse effects of transportation on the environment; and promote public health and the livability of our communities.

Specifically, the Surface Transportation Authorization Act of 2009 redefines the Federal role and restructures Federal surface transportation by **consolidating or terminating more than 75 programs**. It consolidates most highway funding in four, core formula categories designed to bring our highway and bridge systems to a state of good repair; improve highway safety; develop new and improved capacity; and reduce congestion and greenhouse gas emissions and improve air quality. Similarly, the Act focuses most transit funding in four core categories to bring urban and rural public transit systems to a state of good repair; provide specific funding to restore transit rail systems; provide mobility and access to transit-dependent individuals; and plan, design, and construct new transit lines and intermodal facilities. Finally, it directs Federal highway safety investments to specific activities demonstrated to reduce fatalities and injuries on our roads.

¹ GAO, *Restructured Federal Approach Needed for More Focused, Performance-Based, and Sustainable Programs* (2008).

FEDERAL HIGHWAY ADMINISTRATION PROGRAM CONSOLIDATION AND TERMINATION

The Surface Transportation Authorization Act consolidates or terminates **40** Federal-Aid Highway programs:

CONSOLIDATED PROGRAMS

- **Bicycle and Pedestrian Safety program** (P.L. 109-59, § 1411(b)) – This program is consolidated within the Highway Safety Improvement program to finance technical assistance activities related to highway safety.
- **Coordinated Border Infrastructure program** (P.L. 109-59, § 1303) – This program is consolidated within a new Projects of National Significance program.
- **High Risk Rural Roads program** (23 U.S.C. § 148(f)) – This program is consolidated within the Highway Safety Improvement program.
- **Highway Bridge program** (23 U.S.C. § 144) – This program is consolidated within the Critical Asset Investment and Surface Transportation programs.
- **Indian Reservation Road Bridges program** (23 U.S.C. § 202(d)(4)) – This program is consolidated within the Indian Reservation Roads program.
- **Interstate Maintenance program** (23 U.S.C. § 119) – This program is consolidated within the Critical Asset Investment program.
- **National Corridor Infrastructure Improvement program** (P.L. 109-59, § 1302) – This program is consolidated within the Projects of National Significance program.
- **National Highway System program** (23 U.S.C. § 103(b)(6)) – Some elements of this program are consolidated within the Critical Asset Investment program and additional elements of the program are consolidated within the Freight Improvement and Surface Transportation programs.
- **National Work Zone Safety Information Clearinghouse** (P.L. 109-59, § 1410) – This program is consolidated within a unified takedown from the Highway Safety Improvement program to finance technical assistance activities related to highway safety.
- **Operation Lifesaver program** (23 U.S.C. § 104(d)(1)) – This program is consolidated within the Highway Safety Improvement program to finance technical assistance activities related to highway safety.
- **Puerto Rico Highway program** (23 U.S.C. § 165) – This program is consolidated within the Federal and Tribal Lands, Puerto Rico, and Territorial Highway program.

- **Railway-Highway Grade Crossing program** (23 U.S.C. § 130(e)) – This program is consolidated within the Highway Safety Improvement program.
- **Road Safety program** (P.L. 109-59, § 1411(a)) – This program is consolidated within the Highway Safety Improvement program to finance technical assistance activities related to highway safety.
- **Territorial Highway program** (23 U.S.C. § 215) – This program is consolidated within the Federal and Tribal Lands, Puerto Rico, and Territorial Highway program.
- **Truck Parking Facilities program** (P.L. 109-59, § 1305) – This program is consolidated within the new Freight Improvement program.
- **Work Zone Safety program** (P.L. 109-59, § 1409) – This program is consolidated within the Highway Safety Improvement program that funds roadway, bicycle and pedestrian, work zone, and grade-crossing safety technical assistance activities.

TERMINATED PROGRAMS

- **Additional Contract Authority for States with Indian Reservations** (P.L. 105-178, § 1214(d))
- **Alaska Highway program** (23 U.S.C. § 218)
- **Denali Access System program** (P.L. 109-59, § 1960)
- **Express Lanes Demonstration program** (P.L. 109-59, § 1604(b))
- **Freight Intermodal Distribution Pilot program** (P.L. 109-59, § 1306)
- **Gateway Rural Improvement Pilot program** (P.L. 109-59, § 1946)
- **Going-to-the-Sun Road program** (P.L. 109-59, § 1940)
- **Great Lakes Intelligent Transportation Systems Implementation program** (P.L. 109-59, § 1943)
- **High-Speed Rail Crossing Hazard Elimination program** (23 U.S.C. § 104(d)(2))
- **Highway Bridge Discretionary grant program** (23 U.S.C. § 144(f)(1))
- **Highway Use Tax Evasion program** (23 U.S.C. § 143)
- **Highways for LIFE Pilot program** (P.L. 109-59, § 1502)
- **Interstate Maintenance Discretionary grant program** (23 U.S.C. § 118(c))

- **Interstate Oasis program** (P.L. 109-59, § 1310)
- **Interstate System Construction Toll Pilot program** (P.L. 109-59, § 1604(c))
- **Interstate System Reconstruction and Rehabilitation Pilot program**
(P.L. 105-178, § 1216(b))
- **Magnetic Levitation Transportation program** (P.L. 109-59, § 1307)
- **Multimodal Facility Improvements program** (P.L. 109-59, § 1962)
- **National Historic Covered Bridge Preservation program** (P.L. 109-59, § 1804)
- **Nonmotorized Transportation Pilot program** (P.L. 109-59, § 1807)
(after fiscal year 2012)
- **Pavement Marking Systems Demonstration program** (P.L. 109-59, § 1907)
- **Road User Fees Field Test** (P.L. 109-59, § 1919)
- **Transportation, Community, and System Preservation program** (P.L. 109-59, § 1117)
- **Value Pricing Pilot program** (P.L. 102-240, § 1012(b))

FEDERAL TRANSIT ADMINISTRATION PROGRAM CONSOLIDATION AND TERMINATION

The Surface Transportation Authorization Act consolidates or terminates 22 Federal Transit programs:

CONSOLIDATED PROGRAMS

- **ADA Project Action** (49 U.S.C. § 5314(a)(2)) – This program is consolidated within the Coordinated Access and Mobility program.
- **Bus and Bus Facility program** (49 U.S.C. § 5309(m)(2)(C)) – Some elements of the program are consolidated within the Urban and Rural Formula programs, and additional elements of the program are part of the Intermodal and Energy Efficient Transit Facilities program.
- **Ferry Boat System program** (49 U.S.C. § 5309(m)(6) and (7)) – Some elements of the program are consolidated within the Urban and Rural Formula programs, and additional elements of the program are part of the Intermodal and Energy Efficient Transit Facilities program.
- **Elderly Individuals and Individuals with Disabilities program** (49 U.S.C. § 5310) – This program is consolidated within the Coordinated Access and Mobility program.
- **Human Services Transportation Coordination program** (P.L. 109-59, § 3046(a)(9)) – This program is consolidated within the Coordinated Access and Mobility program.
- **Intermodal Terminals program** (49 U.S.C. § 5309(m)(7)(D)) – This program is consolidated within the Intermodal and Energy Efficient Transit Facilities program.
- **Job Access and Reverse Commute program** (49 U.S.C. § 5316) – This program is consolidated within the Coordinated Access and Mobility program.
- **National Technical Assistance Center for Senior Transportation** (49 U.S.C. § 5314(c)) – This program is consolidated within the Coordinated Access and Mobility program.
- **New Freedom program** (49 U.S.C. § 5314) – This program is consolidated within the Coordinated Access and Mobility program.

TERMINATED PROGRAMS

- **Alternatives Analysis program** (49 U.S.C. § 5339)
- **Growing States and High Density States program** (49 U.S.C. § 5340)
- **Bond Proceeds Pilot program** (49 U.S.C. § 5323(e)(4))
- **Clean Fuels Grant program** (49 U.S.C. § 5308)
- **Contracted Paratransit pilot program** (P.L. 109-59, § 3009(i))
- **Elderly Individuals and Individuals with Disabilities pilot program** (P.L. 109-59, § 3012(b))
- **Human Resource programs** (49 U.S.C. § 5322)
- **Medical Transportation Demonstration grants** (49 U.S.C. § 5314(a)(6))
- **Over-the-Road Bus Accessibility program** (P.L. 105-178, § 3038) (after fiscal year 2012)
- **Program of Interrelated Projects** (49 U.S.C. § 5328(c))
- **Public-Private Partnership pilot program** (P.L. 109-59, § 3011(c))
- **Public Transportation Participation pilot program** (P.L. 109-59, § 3046(a)(11))
- **Remote Infrared Audible Signs pilot program** (P.L. 109-59, § 3046(a)(6))

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PROGRAM CONSOLIDATION AND TERMINATION

The Surface Transportation Authorization Act consolidates or terminates **eight** National Highway Traffic Safety programs:

CONSOLIDATED PROGRAMS

- **Alcohol-Impaired Driving Countermeasures program** (23 U.S.C. § 410) – This program is consolidated within the Highway Safety program.
- **Child Safety and Child Booster Seat Safety incentive grants program** (P.L. 109-59, § 2011) – This program is consolidated within the Highway Safety program.
- **Motorcyclist Safety grants program** (P.L. 109-59, § 2010) – This program is consolidated within the Highway Safety program.
- **Occupant Protection performance grants program** (23 U.S.C. § 405) – This program is consolidated within the Highway Safety program.
- **Seat Belt performance grants program** (23 U.S.C. § 406) – This program is consolidated within the Highway Safety program.

TERMINATED PROGRAMS

- **Innovative Project grants program** (23 U.S.C. § 407)
- **Seat Belt Incentive grant program** (23 U.S.C. § 157)
- **State Highway Safety Data Improvements grants program** (23 U.S.C § 411)

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAM CONSOLIDATION AND TERMINATION

The Surface Transportation Authorization Act consolidates or terminates **six** Federal Motor Carrier Safety programs:

CONSOLIDATED PROGRAMS

- **New Entrant Safety grants program** (49 U.S.C. § 31144) – The New Entrant Safety grants is consolidated within the Motor Carrier Safety Assistance program.
- **Border Enforcement grants program** (49 U.S.C. § 31107) – The Border Enforcement grants program is consolidated within the Motor Carrier Safety Assistance program.
- **Performance Registration Information System Management grants program** (49 U.S.C. § 31109) – The PRISM grants program is consolidated within the Commercial Vehicle Information System Network grant program.

TERMINATED PROGRAMS

- **Motor Carrier Safety Assistance Program high priority grants program** (49 U.S.C. § 31104)
- **Commercial Driver's License Information System Modernization grants program** (P.L. 109-59, § 4123)
- **Safety Data Improvement grants program** (P.L. 109-59, § 4128)