



# AASHTO's 2015 Legislative **ACTION AGENDA** for Capitol Hill



## Introduction

AASHTO is a nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia, and Puerto Rico. We represent all five transportation modes: air, highways, public transportation, rail, and water. Our primary goal is to foster the development, operation, and maintenance of an integrated national transportation system.

This 2015 *Action Agenda* highlights the most critical policy needs facing transportation as outlined by the state departments of transportation (state DOTs). Given the unique window of opportunity for the 114th Congress to provide the legislative platform for all modes of transportation—highway, transit, passenger rail, and aviation—the state DOTs look forward to working with Congress to ensure effective and efficient movement of people and goods throughout the United States.

# AASHTO'S 2015 LEGISLATIVE ACTION AGENDA

## Core Principles

- **Continue a vibrant and stable Federal funding role** in investing in, maintaining, and operating an integrated and multimodal national surface transportation system.
- **Support the roles and responsibilities of states, transit agencies, and local governments**—the owners, managers, and operators of the nation's highway and transit systems.
- **Maintain the core principle of a Federally assisted, state-administered highway program** and extend this principle to the transit program and its owners and operators.
- **Maintain at least the current share of total highway program funding in MAP-21** provided to states via apportioned core programs by continuing the current prohibition on earmarks.
- **Preserve the fundamental program and policy reforms in MAP-21** and support additional opportunities to streamline and simplify the Federal surface transportation programs.
- **Coalesce around practical funding options, including any user-fee based revenue options**, to sustain Federal highway, highway safety, and transit program funding and to supplement revenues from existing sources.
- **Protect and further expand policies that support flexible use of conventional and innovative funding and financing tools.**
- **Provide dedicated funding, funding guarantees, and budgetary firewalls** for all modes.



## MAP-21 Implementation

- **Engage to the maximum extent possible** the transportation system owners and operators: State DOTs, local governments, and transit operators in the implementation process
- Guidance and regulations should **adhere to the statutory language** in MAP-21.
- Provide maximum **administrative program flexibility**.
- **Expedite implementation of environmental streamlining provisions** so that benefits to the system and system users accrue faster.
- **Simplify and streamline** administrative approval and oversight processes for routine and recurring activities.
- **Utilize existing processes, practices, data sets, and programs** to the extent practicable.
- **Limit national performance measures to those explicitly identified in MAP-21**, foster an environment for experimentation without free of penalties, and provide for a process of continuous improvements to the approach to performance-based programs.



## Surface Transportation: MAP-21 Reauthorization

### Funding

- At a minimum, Congress must at least maintain the existing MAP-21 highway and transit program investment level in real terms (an average of \$57.1 billion per year between 2015 and 2020). On a monthly basis, the amount of additional Federal funding needed to support this level of expenditure is estimated to be \$10.23 per household.

### Planning and Performance Management

- State DOTs need time to implement the new performance-based planning and management policies in MAP-21. A minimum of five years is needed in order to evaluate the effects that the new planning provisions will have on the decision making process.
- Ensure that minimum conditions established for pavement and bridge performance measures do not force state DOTs to implement a worst-first approach to maintaining their transportation infrastructure.
- Congress should enable state DOTs to be eligible to receive funds from the Transportation Alternatives program.
- Congress should not implement new performance management provisions that link performance measures to apportionment.
- Congress should not establish any additional national-level measures beyond those in current law.

### Project Delivery and Environment

- Expand the programs under which state DOTs can assume U.S. DOT responsibilities and refine existing programs, including:
  - Allowing state DOTs to assume Federal design processes and approvals.
  - Allowing state DOTs to assume Federal real estate and acquisition responsibilities.
  - Clarifying that under the NEPA delegation program, state DOTs may assume U.S. DOT's responsibility for making project-level conformity determinations under the Clean Air Act.
- Expedite project delivery by allowing adoption of planning decisions in the NEPA process.
- Allow any U.S. DOT modal agency to use a categorical exclusion determined by another modal agency.

### Transit

- Preserve a strong needs-based Federal program for public transportation and retain the Mass Transit Account within the Highway Trust Fund.
- Modify the current Bus and Bus Facilities Formula Program to restore funding at no less than the amount apportioned in FY 2011 and reestablish a competitive tier within the program to address significant bus replacement and facility needs.
- FTA's MAP-21 safety, transit assessment management, and performance provisions should honor the longstanding congressional structure of FTA programs that are managed by State DOTs such that FTA rules should regulate at the recipient, not subrecipient, level.

### Freight

- Congress should provide additional flexibility to enable state DOTs to designate or include additional segments to the Primary Freight Network beyond the current mileage cap of 27,000 centerline highway miles.
- Congress should consider a corridor-based approach which incorporates multiple highway facilities.

# LEGISLATIVE ACTION AGENDA

## Research

- Continue full funding of the Federal research program from the Highway Trust Fund at \$400 million per year, including funding of all six major programs at FY2014 levels.
- Provide dedicated funding for the Centers of Excellence, including Environment, Operations, and Project Finance.
- Maintain the State Planning and Research program with its 25 percent minimum for research and technology activities as a critical component to support individual and collective state priorities.
- Fund the Transit Cooperative Research Program at \$10 million per year, and reestablish the National Cooperative Freight Research Program to conduct research in areas including transportation freight and hazardous materials at \$5 million per year, to be administered through the National Academy of Sciences.
- Strategic national research and technology programs, such as the cooperative research programs, should be funded over and above FHWA's core research and technology program.

## Passenger Rail: PRIIA Reauthorization

- Provide states the eligibility for Federal passenger rail grant funding to invest in planning and capital infrastructure improvements that will help to improve safety and on-time performance, increase frequency and reliability and provide a program of projects that will continue to advance intercity passenger rail in the Northeast Corridor, state-supported routes and long-distance service.
- Authorize and appropriate funds to a State-Supported Route Advisory Committee which would manage the application of Section 209 of the Passenger Rail Investment and Improvement Act (PRIIA) of 2008.
- Maintain Federal financial support sufficient to enable the operation of the long distance passenger train network at least at current levels, which would help ensure that many states and regions are connected to the rail and transportation system and to maintain a national passenger rail network.
- Federal government should fund the state of good repair needs on the entire Northeast Corridor infrastructure.
- Reauthorize the Next Generation Equipment Committee established in Section 305 of PRIIA. This is a key partnership between states, Amtrak, the Federal Railroad Administration, and industry to develop a standard set of equipment specifications.

## Air Transportation: FAA Reauthorization

- Support multi-year Airport Improvement Program (AIP) through existing revenue mechanism at the maximum levels that can be sustained by the Airport and Airway Trust Fund and to support an increase in the cap for the Passenger Facility Charge and allow more flexibility to fund multimodal/intermodal projects.
- Reauthorize and fund the non-primary airport grant program, Essential Air Service Program, and Small Community Air Service Development Program.
- Maintain, at the minimum, the FAA matching share for an eligible AIP project at 90 percent of the project cost.
- Continue to support innovative financing tools such as state infrastructure banks and state revolving loan funds. Tax-exempt financing for airport revenue bonds should be restored.

## Freight: Energy & Water Appropriations and Tax Extensions

- Fully appropriate the FY2016 Harbor Maintenance Trust Fund annual spending target authorized in Water Resources Reform and Development Act (WRRDA), increase Inland Waterway Trust Fund (IWTF) appropriation to match the recently-increased user fees, and return to the two-year WRRDA reauthorization cycle.
- Renew the Section 45G Railroad Track Maintenance Credit for tax year 2015.