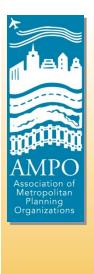
Association of Metropolitan Planning Organizations

ALA

# **Surface Transportation Reauthorization**

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## **General Legislative Update**

- Currently operating under 9<sup>th</sup> extension to SAFETEA-LU until June 30, 2012
- Senate Passed MAP-21
  - \$109 billion, 2 year authorization bill through end of FY 2013
  - Bill used by Senate as negotiating basis for conference committee
- H.R. 7
  - \$264.5 billion, 5 year authorization bill through end of FY 2016
  - Passed Transportation and Infrastructure Committee
  - Failed to pass full House





#### **General Legislative Update, Cont'd**

#### • H.R. 4348

- Additional extension, with some policy changes, that House passed and took to conference
- Policy changes include environmental streamlining title from H.R. 7, Keystone Pipeline, regulation of coal ash, and higher investments in marine navigation
- Conference Committee
  - Currently negotiating differences between Senate (MAP-21) and House (H.R. 4348) versions
  - Policy positions in H.R.7 still in play
  - Weaker negotiating position for House Republicans, since Senate brings full bipartisan bill to table

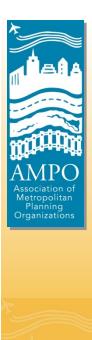




## **MPO Designation under Proposed Legislation**

- H.R. 7
  - New MPOs designated at 100,000 in population (currently 50,000)
  - Provision explicitly grandfathers in existing MPOs of all sizes
- MAP-21
  - New MPOs designated at 200,000 in population
  - Established Tier 1 (over 1M in pop) & Tier 2 (200K-1M) MPOs
  - Tier 1 designation requires minimum technical capabilities, established by rule at USDOT, including modeling, data, and staffing
  - Tier 2 designation requires ability to perform TIP and Plan, adequate staff capabilities, and technical capacity for TDM (unless agreement exists for State to perform modeling)

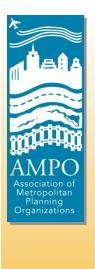




#### **MPO Designation, Cont'd**

- MAP-21, cont'd
  - Secretary has 1 year to establish rules for Tier 1 and 2 requirements
  - Tier 2 MPOs have 3 years to meet those requirements, with option for 1 year extension
  - Tier 2 MPOs may request designation as Tier 1 MPOs, with support of Gov.
  - MPOs operating in contiguous, adjacent, or geographically linked UZAs may choose to consolidate to meet Tier 1 or 2 status
  - If MPO receives negative designation determination, has 180 days to submit a 6 month plan to dissolve and transfer responsibilities





# Surface Transportation Program (STP) is the new Transportation Mobility Program (TMP)

- Current STP (includes a 10% set-aside for TE)
  - 62.5% of 90% required to be obligated in a state by population
  - 37.5% of 90% may be obligated in any area of the state
  - State required to make Obligation Authority available in areas over 200,000
- Proposed TMP under MAP-21
  - 50% obligated by population
  - 50% obligated in any area of the state
  - TMP funds broader number of programs and projects
  - Tier 1 & 2 MPOs select projects in consultation (current law) with the state <u>and on</u> <u>concurrence of the facility owner (new)</u>
  - Transportation enhancements requirement eliminated, still eligible
  - Suballocation protected from penalties incurred by state
- Proposed STP under H.R. 7
  - 50% obligated by population
  - 50% obligated in any area of the state
  - Transportation enhancements requirement eliminated, still eligible





## **Congestion Mitigation and Air Quality (CMAQ)**

- H.R.7
  - Streamlines project eligibility in nonattainment areas for CO, Ozone, and PM
  - SOV capacity projects are now eligible if they improve air quality or mitigate congestion
- MAP-21
  - Continues to target nonattainment and maintenance areas
    Based upon 2008 Ozone standards, former nonattainment areas that shift to attainment may be overfunded, while new nonattainment areas may be underfunded

In PM 2.5 areas, a portion of CMAQ funds must be used towards construction equipment, such as diesel retrofits

- Sets-aside 10% for TE, SRS, Rec Trails, and other roadways in the right-of-way of former Interstates routes
- Only Tier 1 MPOs select projects in consultation with the state and on concurrence of the facility owner





#### **Other Planning Requirements – Performance Measures**

#### • H.R.7

- Secretary establishes national performance measurement system
- Secretary establishes measures within 2 years
- States, in consultation with MPOs, recommend statewide measures
- MAP-21
  - At minimum, used as basis for policies and investments in Plan and TIP
  - MPOs establish targets under National Highway Performance Program, highway safety, CMAQ, and freight
  - MPOs set targets 90 days after state
  - MPOs must adopt measures of public transit providers





# **Other Planning Items of Note**

- TIP Modification
  - H.R. 7 includes provision that allows Governor to amend MPO's TIP to include Interstate project of statewide significance
- Certification
  - MAP-21 delegates some authority to state
- Reimbursement
  - MAP-21 shortens reimbursement of PL funds from 30 to 15 days
- Planning Area Boundaries
  - H.R. 7 boundaries include UZAs designated as nonattainment as of Aug. 10, 2005
  - MAP-21 boundaries include UZAs designated as nonattainment as of enactment of MAP-21
- Board Structure
  - MAP-21 requires officials from public transit providers be represented

