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Surface Transportation Funding and Programs Under the Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94)

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Summary

On December 4, 2015, President Barack Obama signed the Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94). The act authorized spending on federal highway and public transportation programs, surface transportation safety and research activities, and rail programs for five years, through September 30, 2020. The act's authorization totaled roughly $305 billion for FY2016 through FY2020. This included $233 billion for highways and highway safety, $61 billion for public transportation, and more than $10 billion for Amtrak.

Most of the funding for surface transportation bills has been drawn from the Highway Trust Fund (HTF) since its creation in 1956, but the principal revenue source for the HTF, federal motor fuel taxes, has not generated sufficient revenue to cover HTF outlays since 2008. To fill this shortfall, Congress has relied on Treasury general fund transfers to make up the difference. Although Congress was unable to agree on a long-term solution to the HTF revenue issue, the FAST Act identified roughly $70 billion in budgetary offsets to support general fund transfers sufficient to pay for the five-year bill.

The FAST Act builds upon the many programmatic changes made in the previous multiyear reauthorization bill, the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141). The act also continues initiatives intended to increase program efficiency through performance-based planning and the streamlining of project development. Among FAST Act's major attributes are

- $225 billion authorized from the HTF over five years, an average of $45 billion annually, for Federal Highway Administration (FHWA) programs;
- $61 billion authorized from the HTF and the general fund, an average of $12.2 billion per year, for Federal Transit Administration (FTA) programs;
- a major redirection of funding toward highway freight projects via a new formula program and a competitive grant program;
- direct funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program of $275 million, down from $1 billion in FY2015;
- competitive grant component added to the Bus and Bus Facilities Program;
- provisions on intercity passenger rail transportation included in a surface transportation act for the first time; and
- no project earmarks.

The FAST Act does not increase motor fuels taxes or provide another sustainable source of revenues to be paid into the HTF. Unless new revenue sources are found, Congress will face projections of a large gap between HTF tax receipts and spending plans when it begins debating the reauthorization of the FAST Act in 2020.

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FAST Act: Overview

On December 4, 2015, President Barack Obama signed the Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94). The act authorizes spending on federal highway and public transportation programs and surface transportation safety and research activities for five years, through September 30, 2020. The act also authorizes passenger rail programs for five years, through FY2020. The act's authorization totals about $305 billion for FY2016 through FY2020. This includes $233 billion for highways and highway safety, $61 billion for public transportation, and more than $10 billion for Amtrak.

The five-year duration of the act reestablishes the pattern of five- or six-year surface transportation authorization bills (often bound together by a series of short-term authorization acts) that dates back to the early 1990s. The bill also provides sufficient funds for a modest increase in spending for both highways and public transportation over expected inflation. This is a change from the pattern of declines in real spending for highways since the early 2000s.[1] On the programmatic side, the changes were small in comparison with the previous reauthorization act, the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141), which made major changes in programmatic structure and operations but provided for only two years of funding (FY2013-FY2014). Although the FAST Act creates several new discretionary programs, well over 92% of spending from the Highway Trust Fund (HTF) will be distributed by formula under the law.

The FAST Act makes two important changes in transportation programs. It is the first surface transportation act to emphasize the national importance of moving freight, and funds two new freight programs. It is also the first law to treat intercity passenger rail as an integral part of the federal surface transportation program; previously, Amtrak was authorized under separate legislation.

Surface Transportation Finance and the Highway Trust Fund (HTF)

Almost all of federal highway funding and about 80% of federal public transportation funding comes from the HTF. The HTF is financed from a number of sources, including taxes on fuels, tires, truck and trailer sales, and a weight-based heavy-vehicle use tax.[2] However, approximately 90% of trust fund revenue comes from excise taxes on motor fuels, 18.3 cents per gallon on gasoline and 24.3 cents per gallon on diesel. The HTF consists of two separate accounts—highway and mass transit. The highway account receives an allocation equivalent to 15.44 cents of the gasoline tax, and the mass transit account receives the revenue generated by 2.86 cents of the tax.[3] Because the fuel taxes are set in terms of cents per gallon rather than as a percentage of the sale price, their revenues do not increase with inflation. The fuel tax rates were last raised in 1993.

[1] U.S. Congressional Budget Office, *Approaches to Making Federal Highway Spending More Productive*, February 11, 2016, pp. Figure 1-4, https://www.cbo.gov/publication/50150. Escalation in the prices of construction materials prior to the recession of 2007 explains some of the decline in real spending.

[2] Federal Highway Administration, *Highway Statistics 2014: Federal Highway-User Fees; Table FE-21B*, Washington, DC, 2015, http://www.fhwa.dot.gov/policyinformation/statistics/2014/fe21b.cfm.

[3] Nonfuels taxes accrue only to the highway account. A separate 0.1-cent-per-gallon tax on all fuels goes into the leaking underground storage tank (LUST) trust fund, which is administered by the U.S. Environmental Protection (continued...)

Sluggish economic growth and improved vehicle efficiency have depressed the growth of fuel consumption and therefore the growth of fuel tax revenue. Since FY2008, the revenues flowing into the highway account of the HTF have been insufficient to fund the expenditures authorized under the Federal-Aid Highway Program. Prior to the enactment of the FAST Act, resolving this discrepancy required seven general fund and other transfers totaling $73.3 billion (of which $62.5 billion went into the highway account) over a seven-year period. Without these transfers, FHWA might have faced delays in reimbursing states for completed work.[4]

Under the FAST Act, $70 billion will be transferred from the general fund to the HTF to fund the projected difference between HTF revenues and authorized spending for FY2016 through FY2020.[5] An additional $300 million was provided by transfers from the Leaking Underground Storage Tank (LUST) trust fund .[6] This mixing of revenue sources lessens the relevance of the arguments that HTF funds should be used only on highways. It also reduces the salience of states' complaints that they are not receiving a fair share of highway spending relative to their highway tax payments to the HTF (the so-called donor-donee state issue). Under the FAST Act, the general fund transfers allow for spending levels for all states that will likely exceed their highway tax payments.

A gap between dedicated HTF revenues and outlays is expected to persist after the FAST Act expires at the end of FY2020. The Congressional Budget Office (CBO) projects that beginning in FY2021, revenues credited to the highway and transit accounts of the HTF will be insufficient to meet the fund's obligations.[7] CBO projects that over the five years following the expiration of the FAST Act, from FY2021 through FY2025, HTF receipts will fall $96 billion short of the amount needed to fund highway and public transportation programs at the current level, adjusted only for projected inflation. Congress will face the need to approve some combination of new taxes,[8] an increase in existing dedicated taxes, further general fund transfers, an increase in federally supported debt financing, or reductions in the scope of the federal surface transportation program, if the FAST Act is to be replaced or extended in 2021.[9]

(...continued)

Agency and the states.

[4] Of these totals $3.4 billion was transferred from the Leaking Underground Storage Tank (LUST) Trust Fund to the highway account of the HTF during FY2012 and FY2014 combined.

[5] Joint Committee on Taxation, Estimated Revenue Effects of the Revenue Provisions Contained in the Conference Agreement for H.R. 22, The "Fixing America's Surface Transportation ('Fast") Act," committee print, 114th Cong., 1st sess., December 3, 2015, JCX-140-15, pp. 1-2, https://www.jct.gov/publications.html?func=startdown&id=4854.

[6] Since September 15, 2008, a total of $143.627 billion has been transferred to the HTF from Treasury general funds and the LUST trust fund, including $114.685 billion to the highway account.

[7] Congressional Budget Office, "Cost estimate for the conference agreement on H.R. 22, the FAST Act," as posted on the website of the House Committee on Rules on December 1, 2015, December 2, 2015, Table 5, https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/costestimate/hr22_1.pdf. Because requests for reimbursement from the HTF may occur at any time, and because Treasury transfers tax receipts to the HTF occur only twice each month, FHWA deems it prudent to maintain a $4 billion minimum in the highway account to prevent having to delay payments to states due to insufficient funds.

[8] Section 6020 of the FAST Act provides $95 million of Highway Research and Development Program (23 U.S.C. 503 (b)) funds for a pilot program to provide grants to the states to "demonstrate user-based alternative revenue mechanisms that utilize a user fee structure." This could include grants to test the design and implementation of a vehicle miles traveled charge (VMT).

[9] CRS Report R42877, *Funding and Financing Highways and Public Transportation*, by (name redacted) and (name redacted) .

Highways

The Federal-Aid Highway Program (FAHP) is an umbrella term for the separate highway programs administered by the Federal Highway Administration (FHWA).[10] These programs are almost entirely focused on highway construction, and generally do not support operations (such as administrative salaries or fuel costs) or routine maintenance (such as mowing roadway fringes or filling potholes). Each state is required to have a State Transportation Improvement Plan, which sets priorities for the state's use of FAHP funds. State departments of transportation (state DOTs) largely determine which projects are funded, award the contracts, and oversee project development and construction. More recently, metropolitan planning organizations (MPOs) have played a growing role in project decisionmaking in urban areas, but federal project funding continues to flow through state DOTs.

The FAHP, unlike most other federal programs, does not rely on appropriated budget authority. Instead, FHWA exercises contract authority over monies in the HTF, and may obligate (promise to pay) funds for projects funded with contract authority prior to an appropriation. Once funds have been obligated, the federal government has a legal commitment to provide the funds. This approach shelters highway construction projects from annual decisions about appropriations.

Highway Program Terminology

Distribution of funds is FHWA notification of the availability of federal funds, usually for four years. The states do not actually receive federal money up front for highway project spending.

Apportionment is the distribution of funds among the states as prescribed by a statutory formula.

Allocation is an administrative distribution of funds (often for specific projects) under programs that do not have statutory distribution formulas.

Reimbursement occurs once a project is approved, the work is started, costs are incurred, and the state submits a voucher to FHWA. The reimbursable structure is designed to curb waste, fraud, and abuse.

Contract authority is a type of budget authority that is available for obligation without an appropriation (although appropriators must eventually provide **liquidating authority** to pay the obligations).

Obligation of contract authority for a project by FHWA legally commits the federal government to reimburse the state for the federal share of a project. This can be done prior to an appropriation.[11]

Limitation on obligations, known as ObLim or Oblimit, is used to control annual FHWA spending in place of an appropriation. The ObLim sets a limit on the total amount of contract authority that can be obligated in a single fiscal year. For practical purposes, the ObLim is analogous to an appropriation.[12]

Under the FAST Act, 92% of FAHP funding is distributed through five core programs.[13] These are the National Highway Performance Program (NHPP), the Surface Transportation Block Grant Program (STBG), the Highway Safety Improvement Program (HSIP), the Congestion Mitigation and Air Quality Improvement Program (CMAQ), and the National Highway Freight Program. The STBG was formerly known as the Surface Transportation Program, but was renamed in the FAST Act.

[10] CRS Report R44332, *Federal-Aid Highway Program (FAHP): In Brief*, by (name redacted)

[11] For a more detailed discussion, see Federal Highway Administration, *Financing Federal-Aid Highways*, FHWA-PL-07-017, Washington, March 2007, pp. 9-10, http://www.fhwa.dot.gov/reports/financingfederalaid/approp.htm#b.

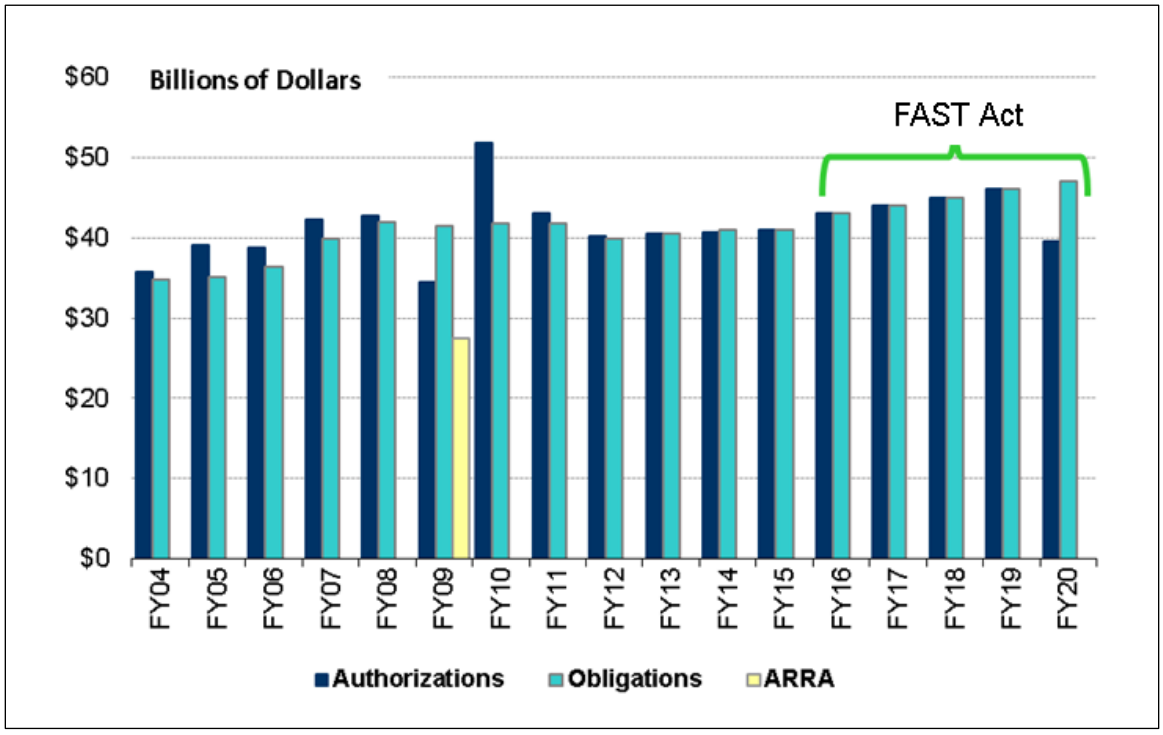
[12] Ibid., pp. 19-22. To be contract authority, the authorization must refer to Title 23, Chapter 1 of the *U.S. Code*, and it must be funded out of the HTF.

[13] Federal Highway Administration, *Fixing America's Surface Transportation Act or "FAST Act,"* Washington, DC, December 2015, http://www.fhwa.dot.gov/fastact/. Most FHWA funds are available for obligation for four years.

All five core programs are formula programs, meaning that each state's share of each program's total annual authorization is based on a mathematical calculation set out in the law. The remaining programs, generally referred to as discretionary programs, are administered more directly by FHWA, but the funding distribution of some of these programs (such as the Construction of Ferry Boats and Ferry Terminal Facilities Program) is formulaic as well. The FAHP does not provide money in advance. Rather, a state receives bills from private contractors for work completed and pays those bills according to its own procedures. The state submits vouchers for reimbursement to FHWA. FHWA certifies the claims for payment and notifies the Department of the Treasury, which disburses money electronically to the state's bank, often on the same day the voucher is submitted by the state.[14]

After several years of flat funding in terms of nominal dollars, the FAST Act provides highway funding increases of 4.2% above previous law adjusted for expected future inflation (see **Figure 1** and **Table 1**). The Federal-Aid Highway and research titles authorize an average of $45 billion annually for FY2016-FY2020. Of this, an average of $41 billion is provided annually for Federal-Aid Highway programs. The act includes no new congressional earmarks for highway projects.

Figure 1. Federal-Aid Highway Funding: FY2004-FY2020



Source: Federal Highway Administration.

Notes: Totals are unadjusted for inflation. The FY2009 authorization figure reflects rescission of $8.708 billion, and the FY2010 figure reflects the restoration of the rescission. Authorizations are contract authority. Obligations are annual FAHP obligation limitations plus exempt obligations. ARRA refers to funding under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). FY2020 authorization column reflects the $7.569 billion rescission scheduled for July 1, 2020, under Section 1438 of the FAST Act.

[14] Federal Highway Administration, *Financing Federal-Aid Highways*, FHWA-PL-07-017, Washington, DC, March 2007, pp. 17-18, http://www.fhwa.dot.gov/reports/financingfederalaid/financing_highways.pdf.

A major focus of the FAST Act is the movement of freight. This is reflected in a new formula freight program, the National Highway Freight Program (NHFP), and a new competitive discretionary grant program, the Nationally Significant Freight and Highway Projects Program (NSFHP). The freight policy aspects of the FAST Act are discussed together in a separate section of this report (see "Freight Policy").

Table 1. Highway Authorizations: FAST Act

(contract authority from the highway account of the HTF, except as noted, in millions of dollars)

Program	FY2016	FY2017	FY2018	FY2019	FY2020	Total
Title I: Federal-Aid Highways (FAHP formula)	39,728	40,548	41,424	42,359	43,373	207,432
Nationally Significant Freight and Highway Projects (NSFH)	800	850	900	950	1,000	4,500
Transportation Infrastructure Finance and Innovation Program (TIFIA)	275	275	285	300	300	1,435
Tribal Transportation Program	465	475	485	495	505	2,425
Federal Lands Transportation Program	335	345	355	365	375	1,775
Federal Lands Access Program	250	255	260	265	270	1300
Territorial and Puerto Rico Highway Program	200	200	200	200	200	1,000
FHWA Administrative Expenses	453	460	467	474	481	2,334
Emergency Relief	100	100	100	100	100	500
Construction of Ferry Boats	80	80	80	80	80	400
Appalachian Regional Development Program [Gen. Fund]	110	110	110	110	110	550
Regional Infrastructure Accelerator Demonstration Program [Gen. Fund]	12	0	0	0	0	12
Nationally Significant Federal Lands and Tribal Projects [Gen. Fund]	100	100	100	100	100	500
Total Authorizations: Title I	42,908	43,798	44,766	45,798	46,894	224,163
Title IV: Transportation Research	415	418	418	420	420	2,090
Total Contract Authority (HTF)	43,100	44,005	44,973	46,008	47,104	225,190
Total Obligations	*43,100*	*44,005*	*44,973*	*46,008*	*47,104*	*225,190*
Total General Fund Authorizations	222	210	210	210	210	1,062
Total Authorizations	43,322	44,215	45,183	46,218	47,314	226,252

Source: Federal Highway Administration, *FAST Act: Funding Tables*, Washington, DC, 2015, http://www.fhwa.dot.gov/fastact/estfy20162020auth.pdf. For breakout of formula programs, see **Table 2**.

Notes: Total obligations are the annual obligation limitations plus exempt obligations. Totals do not include funding for the safety operations of the National Highway Traffic Safety Administration or the Federal Motor Carrier Safety Administration. The obligation limitation plus exempt obligation amounts are equal to the total contract authority under the FAST Act. The total contract authority figure does not reflect the $7.569 billion rescission scheduled for July 1, 2020.

Formulas and Apportionments

The apportioned programs—those whose funds are distributed by formula—include the five "core" programs plus the Metropolitan Planning Program. The FAST Act does not use separate formulas to calculate each state's apportionments under each core program. Instead, the act first provides for a single gross apportionment for each of the states. Each state's apportionment total is then divided among the separate programs based on a series of set-asides and percentage formulas.

Table 2 shows the dollar amounts of the aggregate programmatic split.[15]

Table 2. Apportioned Programs (Contract Authority)

(millions of dollars)

Program	FY2016	FY2017	FY2018	FY2019	FY2020	Total
National Highway Performance Program (NHPP)	22,332	22,828	23,262	23,741	24,236	116,399
Surface Transportation Block Grant Program (STBG)	11,163	11,424	11,668	11,876	12,137	58,268
Highway Safety Improvement Program (HSIP)	2,226	2,275	2,318	2,360	2,407	11,585
Safety-related programs (HSIP set-aside)	3.5	3.5	3.5	3.5	3.5	17.5
Railway-highway crossings (HSIP set-aside)	225	230	235	240	245	1,175
National Highway Freight Program (NHFP)	1,140	1,091	1,190	1,339	1,487	6,247
Congestion Mitigation & Air Quality Improvement Program (CMAQ)	2,309	2,360	2,405	2,449	2,499	12,023
Metropolitan Transportation Planning	329	336	343	350	359	1,718
Total	**39,728**	**40,548**	**41,424**	**42,359**	**43,373**	**207,432**

Source: Federal Highway Administration. STBG amounts include the transportation alternatives annual set-aside of $751 million. Totals may not add due to rounding. NHFP figures represent net amounts after a portion is applied to the Metropolitan Planning Program under Section 1104 (b)(6). Total apportioned programs figure represents gross authorizations. State-by-state apportionments are available at http://www.fhwa.dot.gov/fastact/estfy20162020apports.pdf.

Although each core program has specific objectives, the core programs also have many areas of overlapping eligibility to increase states' ability to use the funds as they prefer. The federal share for most FAHP projects is generally either 80% or 90%.

States may transfer up to 50% of any apportionment to any other apportioned program. However, no transfers are permitted of funds that are suballocated to areas by population (such as a portion of STBG funds) or of Metropolitan Planning funds. The broad areas of eligibility overlap among

[15] Federal Highway Administration, *Fixing America's Surface Transportation Act or FAST Act Funding Tables*, Federal Highway Administration, Washington, DC, 2015, http://www.fhwa.dot.gov/fastact/funding.cfm. This site includes tables that set forth the authorizations as well as the estimated apportionments on a state-by-state basis over the life of the FAST Act.

the core programs under the FAST Act should make it easier for states to operate within the 50% restriction on transfers.

National Highway Performance Program (NHPP; §1106)

NHPP is the largest of the federal-aid highway programs, with annual authorizations averaging over $23 billion. The program supports improvement of the condition and performance of the National Highway System (NHS), which includes Interstate System highways and bridges as well as virtually all other major highways. The FAST Act left the existing NHPP intact but added language allowing states to use NHPP funds to pay subsidy and administrative costs under the Transportation Infrastructure Finance and Innovation Act (TIFIA). The FAST Act also allows states to use NHPP funds on bridges not on the NHS as long as the bridge is on the Federal-Aid Highway system (i.e., not an off-system bridge). Finally, the FAST Act allows states to use NHPP funds for projects intended to reduce the risk of failure of critical infrastructure in a state.

Surface Transportation Block Grant Program (STBG; §1109)

STBG is the highway program with by far the broadest eligibility criteria. Funds can be used on any federal-aid highway, on bridge projects on any public road, on transit capital projects, on routes for nonmotorized transportation, and on bridge and tunnel inspection and inspector training. The FAST Act authorizes an annual average of almost $11.7 billion for STBG.

The Transportation Alternatives program authorized under the previous transportation authorization law, the Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141), which funded such projects as bicycle paths and walkways, is effectively absorbed into the STBG program. The FAST Act provides that $850 million per year from the STBG apportionment be set aside for transportation alternative-like uses. States and MPOs obligating these funds are to develop a competitive process for local public entities to submit projects for funding. A portion of the set-aside is directed toward the recreational trails program, from which states may apply to opt out.

STBG funds may be used for Appalachian Development Highway System projects with no state match. Virtually any federally eligible mass transit use may receive STBG funds. Carpool projects and electronic toll collection and congestion management projects are eligible for STBG funding. Repairs to off system-bridges and bridge replacement at the same location are generally eligible for STBG funding.

Congress required that a portion of a state's STBG funding be allocated by the state's DOT to projects in specified locations based on a population formula (often referred to as "suballocation"). This assures that some STBG funding goes to projects in all parts of each state, whether urban or rural. The percentage allocated to areas in the state by population increases by one percentage point each year over the life of the FAST Act, from 51% for FY2016 to 55% for FY2020. The remainder may be spent anywhere in the state. STBG funds equal to 15% of the state's highway bridge apportionment for FY2009 are to be set aside for off-system bridges, but there is no upper percentage limit on bridge spending. Some STBG funds reserved for rural areas may be used on minor collector roads.

Highway Safety Improvement Program (HSIP; §1113)

HSIP supports projects that improve the safety of road infrastructure by correcting hazardous road locations, such as dangerous intersections, or by making road improvements such as adding rumble strips. Under the FAST Act, HSIP is funded at an annual average of $2.6 billion. The Rail-

Highway Grade Crossing Program continues as an HSIP set-aside and averages $235 million per year. The FAST Act broadened the eligibility of HSIP funds to make vehicle-to-vehicle technology, median separations, and other infrastructure projects eligible.

Congestion Mitigation and Air Quality Improvement Program (CMAQ; §1114)

CMAQ was established to fund projects and programs that may reduce emissions of transportation-related pollutants. In recent years, well over $1 billion of annual CMAQ funding has been transferred to the Federal Transit Administration (FTA) for local public transportation projects.[16] Under the FAST Act, CMAQ's average annual authorization is $2.4 billion. The act expands eligibility to include port-related freight operations and projects to reduce emissions from port-related equipment within metropolitan areas that do not meet federal air-quality standards ("nonattainment" or "maintenance" areas). The installation of vehicle-to-infrastructure communication equipment has also been made CMAQ-eligible. The act also eases the requirement for CMAQ spending on projects that reduce particulate matter for areas for states with low population density.

National Highway Freight Program (NHFP; §1116)

Annual apportionments for NHFP will average about $1.2 billion annually through FY2020. This new program is to help states and MPOs remove impediments to the movement of goods. For a detailed discussion of this program, see "National Highway Freight Program (NHFP; §1116)" in the "Freight Policy" section.

Other Highway Programs[17]

Nationally Significant Freight and Highway Projects (NSFHP; §1105)

The NSFHP provides an average of $900 million per year in discretionary grants for projects of regional or national importance, as determined by the Office of the Secretary of Transportation. States, groups of states, municipal governments, special purpose districts or transportation authorities, Indian tribes, federal land agencies and other public entities may apply. Applicants may apply directly to the Secretary of Transportation, circumventing the state DOTs. This program is not administered by FHWA. See "Nationally Significant Freight and Highway Projects (NSFHP; §1105)" in the "Freight Policy" section.[18]

[16] American Public Transportation Association, *APTA Primer on Transit Funding, FY2013-FY2015*, Final Edition, Washington, DC, December 2015, p. 77, http://www.apta.com/resources/reportsandpublications/Documents/APTA-Primer-MAP-21-Funding.pdf.

[17] The act also amends 23 U.S.C. 503(c), the Technology and Innovation Deployment Program, to establish an Advanced Transportation and Congestion Management Technologies Deployment initiative (§6004). The program, authorized at $60 million annually, will provide competitive grants (on a 50-50 matching basis) to five to 10 recipients annually for deployment of technologies that improve the efficiency, safety, or state of good repair of surface transportation systems. Eligible recipients include state and local governments, transit agencies, metropolitan planning organizations, and consortia of research or academic institutions.

[18] The Office of the Secretary of Transportation administers another discretionary transportation infrastructure program, the Transportation Investment Generating Economic Recovery (TIGER) program. This program, however, is not authorized in surface transportation authorization legislation, but is funded annually via appropriations.

Emergency Relief Program (ER; §1107)

ER funds are made available following natural disasters or catastrophic highway infrastructure failures (from an external cause) for emergency repairs, restoration of federal-aid highway facilities to pre-disaster conditions, and debris removal from roads on tribal and federal lands. The program is funded by an annual authorization of $100 million from the HTF and general fund appropriations authorized on a "such sums as necessary" basis, usually in supplemental appropriations bills. ER funds can only be used on federal-aid highways. Generally, the Federal Emergency Management Agency, not FHWA, funds debris removal after major disasters.[19] The FAST Act broadened the definition of roads "open to public travel" to clarify the eligibility for ER funds on some federally owned roads.

Territorial and Puerto Rico Highway Program (§1115)

The Territorial and Puerto Rico Highway programs are funded at $42 million and $158 million annually, respectively, through FY2020.

Appalachian Development Highway System Program (ADHS; §1435)

The ADHS is made up of designated corridors in the 13 participating Appalachian states. The ADHS program is a road-building program intended to reduce Appalachia's isolation and encourage economic development. Construction has been ongoing since the mid-1960s. The ADHS is not a freestanding federal-aid program with a separate authorization, but eligibilities for ADHS projects are incorporated into the eligibilities of NHPP and STBG. The FAST Act extended the ADHS 100% federal share to the year 2050, but also allows states to contribute a share if they wish.[20]

Construction of Ferry Boats and Ferry Facilities (§1112)

The Ferry Boats and Ferry Terminal Facilities Program is a formula program that includes no set-asides for specific states.[21] The FAST Act provides $80 million annually, available until expended, for the construction of ferryboats and terminal facilities. The funding is to be apportioned according to a formula weighted by passengers (40%), vehicles carried (35%), and total route miles (30%). The FAST Act requires that unused allocations be withdrawn and redistributed after four years. Ferryboats and facilities are also eligible for formula funds under the NHPP.

Federal Lands and Tribal Transportation Programs

The FAST Act makes few changes to the Federal Lands Programs, but it does provide nominal increases in funding. Funding for the Federal Lands Transportation Program is increased from $300 million in FY2015, as authorized by MAP-21, to $335 million in FY2016 up to $375

[19] CRS Report R42804, *Emergency Relief Program: Federal-Aid Highway Assistance for Disaster-Damaged Roads and Bridges*, by (name redacted), available upon request.

[20] Federal Highway Administration, "Appalachian Development Highway System (ADHS): Fact Sheet," http://www.fhwa.dot.gov/map21/adhs.cfm. NHPP funds are limited to construction of ADHS routes that are also on the National Highway System.

[21] The program is part of the Federal-Aid Highway Program because it is designed to permit federal participation in the construction of ferryboats and terminals where it is not feasible to build a bridge, tunnel, or other highway structure.

million in FY2020. Funding for the Federal Lands Access Program in FY2016 remains at the FY2015 level of $250 million, but increases thereafter to $270 million in FY2020.

Funding increases are also provided for the Tribal Transportation Program (TTP). The TTP is authorized at $465 million in FY2016, $15 million more than in FY2015. Moreover, the TTP authorization increases by $10 million per year to $505 million in FY2020. Funding for the program comes from the highway account of the HTF. The FAST Act establishes a Tribal Transportation Self-Governance Program to allow the Secretary of Transportation to more fully delegate to tribes the administration of the TTP (§1121). To be eligible, a tribe must meet certain financial and managerial criteria.

The FAST Act authorizes a new Nationally Significant Federal Lands and Tribal Projects Program (NSFLTP) at $100 million per year, with funds coming from the general fund (§1123). In addition to projects on tribal land, eligible projects include those on land managed by federal land management agencies, such as the National Park Service, the Forest Service, and the Bureau of Land Management. This program is for projects that are estimated to cost more than $25 million. At the same time the FAST Act did not reauthorize funding for the Tribal High Priority Projects Program (THPP). The THPP was authorized in MAP-21 at $30 million per year in general funds, although no funding was appropriated.

Freight Policy

The FAST Act directs a portion of federal funds towards highway segments and other projects deemed most critical to freight movement. It does this by creating a new competitive grant program and a new formula program for distributing federal funds to states. The stated goals of these two programs are very similar: increase U.S. global economic competitiveness, reduce congestion and bottlenecks, increase the efficiency and reliability of the highway network, and reduce the environmental impact of freight movement.[22]

Nationally Significant Freight and Highway Projects Program (NSFHP; §1105)

This is a competitive grant program with funding of $800 million in FY2016 rising to $1 billion in FY2020. Public entities are eligible to apply, including states and groups of states, Metropolitan Planning Organizations (MPOs), local governments or a group of local governments, political subdivisions of states or local governments, transportation-related authorities such as port authorities, and tribal governments. Eligible uses of funds include highway projects, railway-highway grade crossing projects, connections to ports and intermodal freight facilities, and elements of private freight rail projects that provide public benefits. However, grants for freight intermodal or freight rail projects are capped at $500 million over the life of the program. A grant is to provide not more than 60% of the cost of a project, but other federal assistance can be used to provide up to a total federal share of 80% (i.e., the local cost share required must be at least 20% but not more than 40%).

This grant program is designed primarily for relatively high-cost projects; each grant awarded must be at least $25 million, and the project must have eligible costs amounting to at least $100 million or a significant share of a state's highway funding apportionment the previous fiscal year (e.g., 30% in the case of a one-state project). However, 10% of grant funds are reserved for

[22] For more information on freight issues, see CRS Report R44367, *Federal Freight Policy: In Brief*, by (name redacted)

smaller projects with awarded grants of at least $5 million each. The U.S. Department of Transportation (DOT) is to consider the dispersion of projects geographically, including between rural and urban communities. Congress has 60 days to disapprove of a DOT grant approval (§1105).[23]

National Highway Freight Program (NHFP; §1116)

The NHFP is a formula program with funding of $1.1 billion in FY2016 rising to $1.5 billion in FY2020. Funds are administered through state DOTs and must be directed toward highway components designated by FHWA, state DOTs, or MPOs as especially important to freight movement. These components include a "Primary Highway Freight Network" (PHFN) designated by FHWA, "critical rural freight corridors" designated by state DOTs, and "critical urban freight corridors" designated by either state DOTs or MPOs, depending on the population size of an urban area. [24] These components, along with Interstate Highway segments not designated as part of the PHFN, comprise the "National Highway Freight Network" (NHFN). The FAST Act directs FHWA to issue biennial reports on the condition and performance of the NHFN.

Larger states with 2% or more of total mileage in the PHFN are required to spend their program funds on the PHFN, critical rural, or critical urban freight corridors. States with less than 2% of the mileage may spend their program funds on any part of the NHFN. Up to 10% of a state's apportionment can be directed toward projects "within the boundaries of public or private freight rail or water facilities (including ports); and that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into or out of the facility" (§1116).

Other Freight-Related Provisions

In addition to these two new programs, other provisions in the FAST Act particularly relevant to freight transportation include the following:

- **Land Border Infrastructure.** States bordering Canada or Mexico can use up to 5% of their Surface Transportation Block Grant Program funds for highway infrastructure supporting cross-border movements (§1437).
- **Railway-Highway Grade Crossings.** The FAST Act increases the amount provided for grade crossing safety improvements, such as train warning devices, by $5 million each year, reaching a total program set-aside of $245 million in FY2020. The FAST Act also specifies that projects intended to mitigate hazards posed by idling trains blocking crossings are eligible for these funds (§1108 and §1412).
- **Mulitmodal Freight Designation**. Although no specific funding provision is tied to this designation, DOT is directed to designate a "National Multimodal Freight Network" (NMFN) in addition to the NHFN. The NMFN is to include railways, ports, inland and coastal waterways, airports, and the roads in the NHFN. The Under Secretary of Transportation for Policy will administer the NMFN. The purpose of the designation is to guide both federal and state funding decisions. This section also directs U.S. DOT and state DOTs to take a number of steps to

[23] The NSFHP is administered by the National Surface Transportation and Innovation Finance Bureau, not by FHWA.

[24] FHWA, "Designation of the Primary Freight Network," 78 *Federal Register* 69520, November 19, 2013.

support and improve freight planning, including developing state freight plans, establishing state freight advisory committees, and improving federal freight transportation data (§8001).

Tolling (§1411)

Tolling of non-Interstate federal-aid highways has been allowed since 1992. Totally new Interstate Highway routes or extensions of existing routes may be built as toll roads. Toll lanes may be added to an existing Interstate route as long as the number of "free" lanes is maintained. Under the FAST Act, public authorities may impose tolls on single-occupant vehicles using high-occupancy vehicle (HOV) lanes. This allows cities, towns, counties, or transportation authorities to exercise authority over HOV facilities where only state agencies could do so previously. This could further encourage the use of congestion pricing.

The FAST Act modifies the Interstate System Construction Toll Pilot Program, which allows for up to three toll-free Interstate Highway segments in three states to be subject to tolls when that is the only way to provide funding for rehabilitation or reconstruction. Under a new provision, if the selected states have not started construction within three years of approval, their approval lapses, and other states may apply to participate in the pilot program. The act also mandates that intercity buses have the same access to toll roads and pay the same tolls as public transportation buses. As under previous legislation, the federal government does not regulate toll rates.

Financing

The FAST Act cuts the direct authorization of funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program from $1 billion in FY2015 to $275 million in both FY2016 and FY2017, $285 million in FY2018, and $300 million in both FY2019 and FY2020. Seen in isolation, this reduces DOT's capacity to issue loans by approximately $750 million in FY2016, assuming a 10% subsidy cost.[25] TIFIA loans have been important in financing major surface transportation projects such as the Tappan Zee Bridge replacement in New York State and the East Link Extension, a 14.5-mile light rail line in Seattle.

However, the FAST Act also allows funding in two other highway programs to pay for the subsidy and administrative costs of credit assistance. These two programs are the new discretionary Nationally Significant Freight and Highway Projects Program (NSFHPP) (FAST Act; §1105), authorized at $800 million in FY2016 and the existing formula National Highway Performance Program (NHPP) (FAST Act; §1106), authorized at $22.3 billion in FY2016. This has the potential for increasing TIFIA financing much above the $275 million direct authorization, but at the discretion of state DOTs.

The FAST Act also

- provides authority for a TIFIA loan to a state infrastructure bank (SIB) to capitalize a "rural project fund";
- adds transit oriented development (TOD) infrastructure as an eligible project. TOD infrastructure is a "project to improve or construct public infrastructure that

[25] The subsidy cost is "the estimated long-term cost to the government of a direct loan or a loan guarantee, calculated on a net present value basis, excluding administrative costs," Federal Credit Reform Act of 1990 (FCRA), Title V of the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508), Section 502(5)(A)).

is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility" (FAST Act; §2001);

- allows up to $2 million of TIFIA budget authority each fiscal year to pay the application fees for projects costing $75 million or less instead of requiring payment by the project sponsor;
- modifies or sets the minimum project cost thresholds for credit assistance at $10 million for TOD projects, the capitalization of a rural project fund, and local government infrastructure projects. The maximum loan for a rural project fund is $100 million;
- provides for a streamlined application process for loans of $100 million or less.

In addition to allowing an SIB to receive a TIFIA loan to capitalize a rural projects fund, the FAST Act provides authority for states to capitalize SIBs with federal highway, transit, and rail funds through FY2020. Authority to do so had lapsed at the end of FY2009.

The FAST Act (§1109(b)(14)) allows STBG funding for the creation of offices that will "assist in the design, implementation, and oversight of public-private partnerships." The law made no change to the $15 billion volume cap on tax-exempt, private activity bonds for qualified highway or surface freight transfer facilities.

The FAST Act (§9001) creates a new National Surface Transportation and Innovative Finance Bureau within DOT to administer federal transportation financing programs, specifically the TIFIA program, the SIB program, the Railroad Rehabilitation and Improvement Financing (RRIF) Program, and the allocation of authority to issue private activity bonds for "qualified highway or surface freight transfer facilities" (26 U.S.C. §142(m)). The bureau will also be responsible for establishing and promoting best practices for innovative financing and public-private partnerships (P3s), and for providing advice and technical expertise in these areas. The bureau will administer the new discretionary Nationally Significant Freight and Highway Projects grant program and will have responsibilities related to procurement and project environmental review and permitting.

The FAST Act (§1441) also establishes a new Regional Infrastructure Accelerator Demonstration Program "to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program." The program is designed to make grants to regional infrastructure accelerators that will support and promote innovative financing and public-private partnerships. The FAST Act authorizes $12 million in FY2016 from the general fund for the program.

Public Transportation

The public transportation provisions of the FAST Act are contained in Title III of Division A, the Federal Public Transportation Act of 2015, which authorizes federal public transportation programs for FY2016 through FY2020.[26]

[26] See CRS Report R42706, *Federal Public Transportation Program: In Brief*, by (name redacted) .

Funding

The FAST Act authorizes $11.8 billion for public transportation in FY2016, an amount rising to $12.6 billion in FY2020. The five-year total of public transportation funding authorized is $61.1 billion, an average of $12.2 billion per year (**Table 3**). Of the total amount, 80% comes from the mass transit account of the HTF, and 20% is authorized from the general fund.

Table 3. Public Transportation Funding Authorized by the FAST Act

(millions of dollars)

	FY2016	FY2017	FY2018	FY2019	FY2020
Total	**11,789**	**12,176**	**12,175**	**12,381**	**12,592**
Trust Funded Programs	**9,348**	**9,734**	**9,733**	**9,939**	**10,150**
Urbanized Area Formula Grants	4,539	4,630	4,727	4,827	4,929
State of Good Repair Grants	2,507	2,550	2,594	2,638	2,684
Bus and Bus Facilities Grants	696	720	747	777	809
Bus and Bus Facilities Formula Grants	*428*	*436*	*446*	*455*	*465*
Competitive Grants	*268*	*284*	*302*	*322*	*344*
Formula Grants for Rural Areas	620	632	646	659	673
Growing States and High Density States Formula	536	544	553	561	570
Enhanced Mobility of Seniors and Individuals with Disabilities	263	268	274	280	286
Planning Programs	131	133	136	139	142
Public Transportation Innovation	28	28	28	28	28
Pilot Program for Transit Oriented Development Planning	10	10	10	10	10
Technical Assistance and Workforce Development	9	9	9	9	9
National Transit Database	4	4	4	4	4
Bus Testing Facility	3	3	3	3	3
Pilot Program for Enhanced Mobility	2	3	3	4	4
Positive Train Control	0	199	0	0	0
General Funded Programs	**2,442**	**2,442**	**2,442**	**2,442**	**2,442**
Capital Investment Grants	2,302	2,302	2,302	2,302	2,302
Administrative Expenses	115	115	115	115	115
Research, Development, Demonstration, and Deployment Program	20	20	20	20	20
Technical Assistance and Workforce Development	5	5	5	5	5
Emergency Relief			such sums as are necessary		

Source: Federal Transit Administration.

Program Changes

The biggest programmatic change related to public transportation is the creation of a competitive discretionary component within the Bus and Bus Facilities Grant Program.[27] This program provides funding to purchase and rehabilitate buses and to construct bus-related facilities such as maintenance depots. In FY2016, the Bus Program is authorized at $696 million, with $428 million (61%) for formula grants and $268 million (39%) for discretionary grants. Bus Program funding increases to $809 million in FY2020, with $465 million (57%) provided for formula grants and $344 million (43%) for discretionary grants. Of the discretionary amounts, $55 million per year is set aside for the acquisition of low- or no-emission buses and related facilities. Also, of the discretionary amounts, not less than 10% must be made available for rural areas, and a single grantee cannot receive more than 10% of total program funding.

Smaller transportation agencies complained that the yearly formula apportionments from the bus program under MAP-21 were too small to fund a substantial bus investment. The FAST Act seeks to facilitate infrequent bus purchases with a pilot program for the creation of voluntary state funding pools for transit agencies. The pilot program will allow formula Bus Program funds apportioned to transit agencies in urbanized areas with a population of 200,000 to 999,999 to be transferred between recipients participating in a pool. The distribution of funds to each recipient by the state funding pool over the FY2016-FY2020 period must be equal to the amount of funds that each would have received individually according to the Bus Program formula.

The Capital Investment Grant (CIG) program (commonly known as the New Starts program) is a discretionary funding program for the construction of new fixed-guideway public transportation systems and the expansion of existing systems. The FAST Act increases the general fund authorization for the New Starts Program from $1.9 billion per year to $2.3 billion per year. However, these amounts are subject to appropriation. The new law changes the definition of a Small Starts project to one that involves $100 million or less of CIG funding (up from $75 million) and costs less than $300 million (up from $250 million). Another change to the New Starts Program is the authority to fund projects that benefit both public transportation and intercity passenger rail (although the eligible costs must be attributable to the transit portions of the project). The law also creates an Expedited Project Delivery for Capital Investment Grants Pilot Program to fund quickly up to eight projects involving public-private partnerships in which the federal grant is 25% or less of the project cost.[28]

Other changes include the following:

- Increasing the set-aside from the Urbanized Area Formula Program for Small Transit Intensive Cities, small urbanized areas that provide a relatively high level of transit service, from 1.5% to 2% in FY2019 and FY2020.
- A new HTF-funded Pilot Program for Innovative Coordinated Access and Mobility at an average of $3 million a year. The pilot program will provide discretionary grants "to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and nonemergency medical transportation services" (FAST, §3005(b)).

[27] The Bus and Bus Facilities Program was wholly discretionary prior to MAP-21, which converted it to a formula program.

[28] This pilot program replaces the Pilot Program for Expedited Project Delivery in Section 20008(b) of MAP-21.

- An increase in the Buy America requirement for rail cars and buses used in federally funded public transportation. Prior law required that at least 60% of a vehicle's value result from domestic production or assembly. The FAST Act raises that requirement to 65% in FY2018 and FY2019, and to 70% in FY2020 and later.[29]
- Authority for transit agencies to cooperatively procure rolling stock and related equipment with agencies in other states. The law establishes a pilot program for nonprofit cooperative procurement to "demonstrate the effectiveness of cooperative procurement contracts administered by eligible nonprofit entities," and requires FTA to establish a clearinghouse for information on cooperative procurement (§3019).
- Authorization of $199 million from the mass transit account of the HTF in FY2017 for costs associated with the installation of positive train control by public transportation agencies. Positive train control, a safety system, is mandated to be installed on all commuter rail lines by the end of 2018.
- Affirmation of FTA's authority to directly oversee safety improvements at public transportation agencies, clarifying an issue raised after FTA took over safety oversight of the Washington, DC, Metro system following a fatal incident in 2015.

Efforts to Accelerate Project Delivery

Subtitle C of the Federal-Aid Highway title includes 18 provisions identified as pertaining to "acceleration of project delivery." As in the two most recent long-run reauthorization acts, the Safe Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA; P.L. 109-59) and MAP-21, the provisions primarily involve efforts to expedite surface transportation project delivery by changing how the environmental review process is implemented.[30] For individual highway and transit projects, that process generally involves preparing documentation and analysis necessary to demonstrate that any project-related impacts to the human, natural, or cultural environment are identified; that the effects of those impacts are taken into consideration among other factors considered during the decisionmaking process (e.g., economic or community benefits); and that any applicable state, tribal, or federal compliance requirements are met. Provisions in this subtitle will affect the following:

- **NEPA implementation**—includes changes to elements of FHWA and FTA procedures to identify and consider the environmental impacts of a proposal, as required under the National Environmental Policy Act (NEPA);[31]
- **Section 4(f)[32] prohibitions**—includes changes to procedures and requirements associated with the DOT's prohibition on the approval of projects that have anything more than a minor impact on historic sites;[33] and

[29] CRS Report R44266, *Effects of Buy America on Transportation Infrastructure and U.S. Manufacturing: Policy Options*, by (name redacted) and (n ame redacted) .

[30] For information about that process, see CRS Report R42479, *The Role of the Environmental Review Process in Federally Funded Highway Projects: Background and Issues for Congress*, by (name redacted)

[31] See particularly the provisions in Sections 1304,"Efficient environmental reviews for project decisionmaking," and 1311, "Accelerated decisionmaking in environmental reviews."

[32] The term "Section 4(f)" refers to the section of the Department of Transportation Act of 1966 (P.L. 89-670) under (continued...)

- **State DOT action to expedite federal approvals**—establishes or changes existing programs that allow state DOTs to assume federal authority to implement NEPA or other federal requirements or to undertake actions intended to expedite federal approvals associated with transportation projects.[34]

Title XI of the FAST Act, Section 11503, "Efficient Environmental Review," amends Title 49 U.S.C. to require DOT to apply project development procedures applicable to federal-aid highway projects[35] to railroad projects.

Until DOT interprets the directives, it is difficult to determine the extent to which the amendments will affect the environmental review process.

Safety Programs

The National Highway Traffic Safety Administration (NHTSA) is responsible for vehicle safety regulation and for driver safety other than for commercial drivers. The Federal Motor Carrier Safety Administration (FMCSA) is responsible for the safety of trucks and buses and for commercial driver safety.

Noncommercial Driver Safety

In addition to addressing the safety aspects of passenger vehicles (e.g., requiring seat belts, air bags, and electronic stability control), NHTSA promotes safety by addressing driver behaviors that contribute to crashes (e.g., driving while intoxicated, speeding, and distracted driving). Most of NHTSA's funding is for addressing driver behavior, and is in the form of contract authority, funded from the HTF.[36] In the FAST Act, Congress authorizes modest increases in NHTSA's driver behavior programs, rising by roughly 2% annually from FY2015 ($700 million) to FY2020 ($778 million) (see **Table 4**).

(...continued)

which the requirement was originally set forth. Initially codified at 49 U.S.C. §1653(f), it applies to all DOT agencies. Later that year, similar legislation was enacted at 23 U.S.C. §138 that applies only to the Federal-Aid Highway Program. The provision no longer falls under "Section 4(f)," but DOT has continued this reference. For information about the Section 4(f) process and its requirements, see FHWA's "Environmental Review Toolkit: Section 4(f) Program Overview," at https://www.environment.fhwa.dot.gov/4f/index.asp.

[33] See particularly the provisions in Sections 1301, "Satisfaction of requirements for certain historic sites," and 1303, "Treatment of certain bridges under preservation requirements."

[34] See particularly the provisions in Section 1309, "Program for eliminating duplication of environmental reviews," §1312, "Improving State and Federal agency engagement in environmental reviews," and Section 1316, "Assumption of authorities."

[35] Those provisions are established under 23 U.S.C. §139.

[36] NHTSA's funding for vehicle safety activities, as discussed above, is appropriated from the general fund.

Table 4. NHTSA Driver Behavior Program Authorizations, FY2016-FY2020

(millions of dollars)

	2016	2017	2018	2019	2020
Grant to States					
State Formula Grants (§402)	243.5	252.3	261.2	270.4	279.8
National Safety Priorities (§405)	274.7	277.5	280.2	283	285.9
Occupant Protection	*35.7*	*36.1*	*36.4*	*36.8*	*37.2*
State Traffic Safety Information System Improvements	*39.8*	*40.2*	*40.6*	*41.0*	*41.5*
Impaired Driving Countermeasures	*144.2*	*145.7*	*147.1*	*148.6*	*150.1*
Distracted Driving	*23.3*	*23.6*	*23.8*	*24.1*	*24.3*
Motorcyclist Safety	*4.1*	*4.2*	*4.2*	*4.2*	*4.3*
State Graduated Driver Licensing Laws	*13.7*	*13.9*	*14.0*	*14.2*	*14.3*
Nonmotorized Safety	*13.7*	*13.9*	*14.0*	*14.2*	*14.3*
Subtotal—Grants to States	518.2	529.8	541.4	553.4	565.7
Highway Safety Research & Development (§403)	137.8	140.7	143.7	146.7	149.8
National Driver Register	5.1	5.2	5.3	5.4	5.5
High Visibility Enforcement Program	29.3	29.5	26.9	30.2	30.5
Administrative Expense	25.8	26.1	26.3	26.6	26.8
Total	**716.2**	**731.3**	**743.6**	**762.3**	**778.3**

Source: Estimated by CRS, based on figures in P.L. 114-94 §4001 and §4005.

Driver behavior, however, is a state matter, not under federal control. Consequently, when Congress addresses driver behavior issues, it does so by encouraging the states to act. NHTSA's driver behavior programs are primarily grants to states to help pay for state actions addressing these issues.

The FAST Act also changes NHTSA's safety grant programs. It eases eligibility requirements for states to qualify for incentive grants for efforts to prevent impaired and distracted driving, and to implement graduated driver licensing. It creates a new incentive grant program to encourage states to adopt "24-7 sobriety programs," which require an individual to totally abstain from alcohol or drugs and be subject to testing at least twice a day or continuous electronic monitoring. It also creates a grant to promote safety of nonmotorized travelers (e.g., bicyclists and pedestrians). Additionally, it directs NHTSA to study possible standards for judging when users of marijuana are too impaired to drive safely.

Federal Motor Carrier Safety Administration (FMCSA)

In the FAST Act, Congress consolidates FMCSA's grant programs, reducing the number from nine to four. It authorizes a significant increase in funding beginning in FY2017 for grants to states for motor carrier inspections and other enforcement activities (see **Table 5**).

Table 5. FMCSA Program Authorizations, FY2016-FY2020

(millions of dollars)

	FY2016	FY2017	FY2018	FY2019	FY2020
Motor Carrier Safety Operations and Programs	267.4	277.2	283	284	288
Motor Carrier Safety Grants	313	367	374.8	381.8	387.8
Total	**580.4**	**644.2**	**657.8**	**665.8**	**675.8**

Source: P.L. 114-93, §5101 & §5103, except FY2016 from P.L. 114-113, Division L (the FY2016 Department of Transportation Appropriations Act).

The FAST Act directs FMCSA to commission a study of its central safety program, the Compliance, Safety, Accountability (CSA) program, which uses data from roadside inspections and traffic violations to evaluate the safety performance of carriers. Currently, FMCSA publishes the results of this analysis in the form of percentile rankings in several categories; the act directs that FMCSA suspend publication of the percentile rankings for carriers pending the results of the study.

In addition, Congress directs FMCSA to

- adjust the CSA program in order to reward carriers that implement certain safety measures, such as installation of advanced safety equipment or improved measures of driver fitness;
- to take steps to improve the consistency and accuracy of data used in the CSA program; and
- to review the treatment of preventable crashes (crashes that could have been prevented by a driver exercising normal judgment and taking actions that would not have risked causing some other type of mishap) in the CSA program.

Congress also adds other provisions intended to promote commercial motor vehicle safety, including statutory changes and directives to conduct studies of various issues. These include

- requiring FMCSA to complete rulemakings currently in progress before undertaking new rulemakings, and to report to Congress every six months on the status of rulemakings, including an explanation of why any rulemakings that were not completed by statutory deadlines were delayed;
- allowing the use of hair testing as an alternative to urine testing in conducting preemployment screening of, or random testing of, commercial drivers for use of controlled substances;
- allowing Department of Veterans Affairs physicians to certify the medical fitness of commercial drivers who are veterans, even if those physicians have not met the qualifications to certify the medical fitness of commercial drivers.

Vehicle Safety in the FAST Act

The FAST Act makes a number of changes to the law governing recalls of unsafe vehicles. These include

- an increase in the maximum civil fine imposed on an automaker that violates auto safety laws from $35 million to $105 million;[37]
- new authority for NHTSA to enforce repair of recalled vehicles used in rental fleets. The agency will have the same authority over recalled rental cars that it currently has over auto dealers who sell new cars: recall-related repairs must be made before a vehicle is rented or sold. An effort in the Senate to require that all vehicles subject to recalls be repaired before being sold was not enacted; instead, the FAST Act requires auto dealers to inform motorists of open recalls when they bring their cars in for servicing;
- a direction for NHTSA to conduct a feasibility study to determine if new cars could be equipped with a system to inform motorists of open recalls and to establish two-year pilot programs in up to six states to determine whether recall compliance rates will improve if consumers are told of open recalls when they renew their vehicle registrations;
- new privacy standards specifying that the data retained by an event data recorder ("black box") in a vehicle are the property of the vehicle owner or lessee. Data stored by such devices can be viewed by others only under a court order; after owner consent; when the data are retrieved as part of a NHTSA investigation; if the data are needed to provide emergency medical response to a crash; or for anonymous traffic safety research;[38]
- mandates for internal NHTSA reforms recommended by the DOT Inspector General (IG). Congress provided essentially flat funding for NHTSA in FY2016 until the IG certifies that all the IG's June 2015 recommendations for agency reforms have been met.[39] At that time, NHTSA's budget authorization would increase by $45 million, as originally requested by the Obama Administration. NHTSA must also report regularly to Congress on progress in achieving reforms.

Intercity Rail Transportation

The FAST Act includes authorization of passenger and freight rail transportation programs, thus bringing all surface transportation modes together within a single authorization bill for the first time. The total amount authorized for all intercity rail programs, including Amtrak, increases significantly over the authorization period, with year-over-year increases of 8%-12% (see **Table 6**).

However, funding for intercity rail programs is authorized from the general fund, not from the HTF, and it is possible that appropriators will not approve the full amounts authorized. For

[37] Some Members of Congress suggested in debate that higher penalties would increase the deterrent effect of the law. The Obama Administration had called for increasing the penalty cap to $300 million, and some Senators had advocated eliminating it altogether.

[38] For more information about event data recorders, see CRS Report R43651, *"Black Boxes" in Passenger Vehicles: Policy Issues*, by (name redacted) and (name redacted) .

[39] The IG report makes 17 recommendations for improving NHTSA's collection and analysis of vehicle safety data, such as implementing a method to assess early warning reporting data and developing a process to prioritize potential safety defects. Calvin Scovel III, *Inadequate Data and Analysis Undermine NHTSA's Efforts to Identify and Investigate Vehicle Safety Concerns*, U.S. Department of Transportation, Office of the Inspector General, ST-2015-063, June 18, 2015, https://www.oig.dot.gov/sites/default/files/NHTSA%20Safety-Related%20Vehicle%20Defects%20-%20Final%20Report%5E6-18-15.pdf.

example, while the total amount authorized for FY2016 was $1.67 billion, the actual amount appropriated for FY2016 was $1.465 billion, $205 million (12%) less than the authorized total. Also, the totals are significantly less than the amount authorized for Amtrak alone in the previous intercity rail authorization act. For FY2013, the final year of that authorization, Amtrak was authorized $2.25 billion but appropriated $1.36 billion, 40% less than the authorized amount.

Table 6. Intercity Rail Authorizations in the FAST Act

(millions of dollars)

	FY2016	FY2017	FY2018	FY2019	FY2020
Amtrak					
Northeast Corridor (NEC)	*450*	*474*	*515*	*557*	*600*
National Network	*1,000*	*1,026*	*1,085*	*1,143*	*1,200*
Amtrak Inspector General	*20*	*20.5*	*21*	*21.5*	*22*
Subtotal—Amtrak	**1,470**	**1,520.5**	**1,621**	**1,721.5**	**1,822**
Consolidated Rail Infrastructure and Safety Improvements	98	190	230	255	330
Federal-State Partnership for State of Good Repair	82	140	175	300	300
Restoration and Enhancement Grants	20	20	20	20	20
Subtotal—General Grants	**200**	**350**	**425**	**575**	**650**
Total Intercity Rail Authorizations	**1,670**	**1,870.5**	**2,046**	**2,296.5**	**2,472**

Source: P.L. 114-94, §11101-11105.

Amtrak operates regular intercity passenger rail service both over infrastructure it owns (primarily the Northeast Corridor running from Washington, DC, through New York City to Boston) and over the rail network owned by freight rail companies. Some Amtrak trains are operated under contract with states, which must cover a portion of any losses on those routes. It runs an annual deficit of roughly $1 billion, on revenues of roughly $2 billion and expenses of roughly $3 billion, and receives capital and operating support from Congress to cover the deficit.

One of the continuing criticisms many have of Amtrak is that it does not cover its costs. Amtrak's passenger service in the Northeast Corridor (NEC) makes an operating profit each year, but does not cover all costs of maintaining the infrastructure owned by Amtrak. Outside the NEC, Amtrak's long-distance trains run large operating deficits, but have relatively low capital costs (since the rail infrastructure they operate over is owned by other companies). The FAST Act requires Amtrak to structure its accounts so that all costs and revenues are assigned to either the Northeast Corridor or the National Network (everything outside of the NEC) in order to clarify the receipts and outlays for each of these two groups of services.

Congress also directs Amtrak to hire an independent entity to develop methodologies for Amtrak to use in determining what routes and services it should provide, and to submit the results to Congress by December 2017.

Other provisions include

- an increase in the cap on claims against Amtrak arising from the May 12, 2015, derailment in Philadelphia, PA, to $295 million, and a provision that the general $200 million cap on claims will be adjusted based on changes in the Consumer Price Index (which will increase the statutory cap to approximately $295 million) and readjusted every five years;

- a requirement that Amtrak implement a plan to eliminate its operating loss on food and beverage service by December 2020;
- a requirement that Amtrak develop a pilot program allowing passengers to carry domesticated dogs and cats;
- a requirement that DOT convene a working group to evaluate restoration of intercity rail passenger service between New Orleans, LA, and Orlando, FL, which was disrupted by infrastructure damage caused by hurricanes in 2007;
- a requirement that DOT implement a pilot program allowing bidding for the right to operate up to three long-distance passenger routes;
- a requirement that DOT promulgate a rule requiring intercity passenger and commuter rail carriers to install inward- and outward-facing audio and image recorders to monitor train operators;
- a requirement that DOT, Amtrak, states and other stakeholders submit a study evaluating the shared use of right-of-way by passenger and freight rail systems; and
- statutory language requiring that the recipient of a high-speed rail grant for more than $1 billion must demonstrate that it has funding committed to fulfill the nonfederal share required for the grant, that it has identified nonfederal funding required for any subsequent phases of the project, and that the grant will result in a useable segment that has operational independence. This appears intended to limit future grants such as to the California high-speed rail project, which received a $2.5 billion federal grant in January 2010 but has not identified local funding for the balance of the proposed rail line between San Francisco and Los Angeles.

Appendix A. Estimated Highway Apportionments

Table A-1.Comparison of Actual FY2015 and Estimated FY2016-FY2020 Apportionments Under the FAST Act

(before post-apportionment set-aside; before penalties; before sequestration)

State	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
Alabama	732,263,043	769,571,910	785,463,731	802,438,701	820,550,261	840,202,114	4,018,226,717	803,645,343
Alaska	483,955,039	508,614,600	519,117,557	530,336,370	542,306,359	555,294,332	2,655,669,218	531,133,844
Arizona	706,182,063	742,166,445	757,492,248	773,862,621	791,329,101	810,281,016	3,875,131,431	775,026,286
Arkansas	499,714,166	525,175,061	536,020,027	547,604,161	559,963,932	573,374,836	2,742,138,017	548,427,603
California	3,542,468,412	3,723,001,547	3,799,881,396	3,882,001,196	3,969,619,475	4,064,689,233	19,439,192,847	3,887,838,569
Colorado	516,112,989	542,412,699	553,613,557	565,577,841	578,343,213	592,194,216	2,832,141,526	566,428,305
Connecticut	484,770,705	509,473,713	519,994,372	531,232,092	543,222,256	556,232,120	2,660,154,553	532,030,911
Delaware	163,267,961	171,587,491	175,130,787	178,915,587	182,953,804	187,335,451	895,923,120	179,184,624
Dist. Of Col.	154,002,708	161,850,034	165,192,253	168,762,270	172,571,324	176,704,316	845,080,197	169,016,039
Florida	1,828,689,002	1,921,860,645	1,961,547,473	2,003,939,263	2,049,169,471	2,098,246,272	10,034,763,124	2,006,952,625
Georgia	1,246,238,772	1,309,739,819	1,336,786,115	1,365,675,824	1,396,499,894	1,429,945,392	6,838,647,044	1,367,729,409
Hawaii	163,244,192	171,562,378	175,105,158	178,889,407	182,927,036	187,308,045	895,792,024	179,158,405
Idaho	276,061,294	290,127,532	296,118,707	302,518,228	309,346,239	316,754,938	1,514,865,644	302,973,129
Illinois	1,372,231,384	1,442,156,608	1,471,937,238	1,503,747,647	1,537,687,978	1,574,514,759	7,530,044,230	1,506,008,846
Indiana	919,668,926	966,529,532	986,488,498	1,007,807,822	1,030,554,618	1,055,235,912	5,046,616,382	1,009,323,276
Iowa	474,345,450	498,513,780	508,808,186	519,804,234	531,536,542	544,266,622	2,602,929,364	520,585,873
Kansas	364,737,489	383,321,318	391,236,975	399,692,143	408,713,444	418,501,959	2,001,465,839	400,293,168
Kentucky	641,292,458	673,966,719	687,884,265	702,750,398	718,611,920	735,822,382	3,519,035,684	703,807,137
Louisiana	677,413,014	711,927,496	726,628,943	742,332,405	759,087,323	777,267,157	3,717,243,324	743,448,665
Maine	178,165,560	187,243,965	191,110,574	195,240,722	199,647,412	204,428,868	977,671,541	195,534,308

State	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
Maryland	580,007,300	609,563,599	622,151,114	635,596,565	649,942,279	665,508,023	3,182,761,580	636,552,316
Massachusetts	586,191,765	616,064,316	628,786,048	642,374,865	656,873,544	672,605,261	3,216,704,034	643,340,807
Michigan	1,016,207,628	1,067,989,869	1,090,043,951	1,113,601,188	1,138,735,743	1,166,007,859	5,576,378,610	1,115,275,722
Minnesota	629,372,872	661,441,891	675,100,754	689,690,575	705,257,282	722,147,855	3,453,638,357	690,727,671
Mississippi	466,803,812	490,587,875	500,718,610	511,539,831	523,085,607	535,613,291	2,561,545,214	512,309,043
Missouri	913,719,741	960,274,903	980,104,758	1,001,286,170	1,023,885,822	1,048,407,455	5,013,959,108	1,002,791,822
Montana	396,007,464	416,184,959	424,779,247	433,959,302	443,754,023	454,381,736	2,173,059,267	434,611,853
Nebraska	278,976,662	293,191,186	299,245,632	305,712,735	312,612,854	320,099,792	1,530,862,199	306,172,440
Nevada	350,472,546	368,332,024	375,938,098	384,062,585	392,731,061	402,136,745	1,923,200,513	384,640,103
New Hampshire	159,469,843	167,595,715	171,056,584	174,753,337	178,697,613	182,977,330	875,080,579	175,016,116
New Jersey	963,682,664	1,012,792,050	1,033,706,218	1,056,045,847	1,079,881,265	1,105,743,762	5,288,169,142	1,057,633,828
New Mexico	354,439,590	372,498,916	380,191,084	388,407,532	397,174,128	406,686,276	1,944,957,936	388,991,587
New York	1,620,088,460	1,702,649,572	1,737,809,280	1,775,365,392	1,815,436,141	1,858,914,699	8,890,175,084	1,778,035,017
North Carolina	1,006,630,450	1,057,922,052	1,079,768,287	1,103,103,510	1,128,001,186	1,155,016,278	5,523,811,313	1,104,762,263
North Dakota	239,621,802	251,831,294	257,031,648	262,586,445	268,513,174	274,943,940	1,314,906,501	262,981,300
Ohio	1,293,739,008	1,359,663,237	1,387,740,399	1,417,731,235	1,449,730,162	1,484,450,429	7,099,315,462	1,419,863,092
Oklahoma	612,127,810	643,315,998	656,600,603	670,790,656	685,930,829	702,358,595	3,358,996,681	671,799,336
Oregon	482,423,497	507,004,353	517,474,070	528,657,381	540,589,488	553,536,361	2,647,261,653	529,452,331
Pennsylvania	1,583,603,275	1,664,296,550	1,698,664,445	1,735,374,776	1,774,543,112	1,817,042,511	8,689,921,394	1,737,984,279
Rhode Island	211,081,927	221,837,373	226,418,345	231,311,545	236,532,377	242,197,215	1,158,296,855	231,659,371
South Carolina	646,306,850	679,236,584	693,262,955	708,245,330	724,230,875	741,575,911	3,546,551,655	709,310,331
South Dakota	272,190,802	286,059,805	291,966,983	298,276,779	305,009,059	312,313,885	1,493,626,511	298,725,302
Tennessee	815,605,297	857,163,013	874,863,555	893,770,525	913,943,445	935,831,968	4,475,572,506	895,114,501
Texas	3,331,596,800	3,501,354,175	3,573,657,617	3,650,889,094	3,733,291,741	3,822,702,306	18,281,894,933	3,656,378,987

State	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
Utah	335,148,600	352,225,393	359,498,902	367,268,156	375,557,614	384,552,048	1,839,102,113	367,820,423
Vermont	195,886,832	205,868,282	210,119,484	214,660,438	219,505,440	224,762,485	1,074,916,129	214,983,226
Virginia	982,180,040	1,032,226,472	1,053,542,076	1,076,310,501	1,100,603,428	1,126,962,342	5,389,644,819	1,077,928,964
Washington	654,304,963	687,644,962	701,844,910	717,012,693	733,196,062	750,755,744	3,590,454,371	718,090,874
West Virginia	421,797,542	443,288,929	452,442,922	462,220,829	472,653,435	483,973,279	2,314,579,394	462,915,879
Wisconsin	726,226,908	763,229,980	778,990,803	795,825,845	813,788,109	833,277,970	3,985,112,707	797,022,541
Wyoming	247,262,623	259,861,381	265,227,558	270,959,481	277,075,196	283,711,020	1,356,834,636	271,366,927
Apportioned Total	37,798,000,000	39,724,000,000	40,544,305,000	41,420,520,075	42,355,403,696	43,369,794,311	207,414,023,082	41,482,804,616

Source: Federal Highway Administration, http://www.fhwa.dot.gov/fastact/estfy20162020apports.pdf.

Note: Reflects $3,500,000 takedown for safety-related programs for each fiscal year 2016-2020.

Appendix B. Estimated Public Transportation Apportionments

Table B-1. Comparison of Actual FY2015 and Estimated FY2016-FY2020 Apportionments Under the FAST Act

State/Territory	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
Alabama	52,838,746	53,895,400	54,882,913	55,938,294	56,975,799	58,082,843	279,775,249	55,955,050
Alaska	44,509,181	51,625,429	52,586,431	53,606,720	54,555,033	55,609,594	267,983,207	53,596,641
American Samoa	825,834	830,951	838,295	846,118	854,176	862,408	4,231,949	846,390
Arizona	107,526,627	109,929,569	112,124,626	114,481,119	117,005,463	119,470,089	573,010,866	114,602,173
Arkansas	30,744,551	31,650,538	32,281,902	32,956,660	33,585,909	34,292,591	164,767,599	32,953,520
California	1,253,984,980	1,317,468,210	1,343,523,066	1,371,406,841	1,399,901,100	1,428,800,364	6,861,099,581	1,372,219,916
Colorado	111,531,891	114,618,713	116,920,877	119,391,655	122,239,166	124,818,533	597,988,945	119,597,789
Connecticut	157,663,159	166,747,877	169,453,629	172,171,163	175,543,758	178,524,502	862,440,929	172,488,186
Delaware	24,593,444	25,309,286	25,701,073	26,092,624	26,603,153	27,042,819	130,748,955	26,149,791
District of Columbia	168,198,179	199,737,485	203,238,336	206,883,698	210,465,763	214,222,831	1,034,548,113	206,909,623
Florida	360,848,078	370,830,314	378,287,718	386,278,461	393,569,020	401,881,816	1,930,847,329	386,169,466
Georgia	174,055,051	183,012,059	186,581,763	190,380,254	194,509,592	198,474,317	952,957,985	190,591,597
Guam	1,353,130	1,366,494	1,385,726	1,406,210	1,427,308	1,448,864	7,034,603	1,406,921
Hawaii	41,053,996	42,177,804	43,033,630	43,960,581	45,307,477	46,277,457	220,756,949	44,151,390
Idaho	23,242,376	24,198,622	24,647,159	25,127,247	25,567,579	26,069,692	125,610,299	25,122,060
Illinois	537,023,178	574,434,635	585,480,846	597,240,902	609,101,428	621,263,354	2,987,521,165	597,504,233
Indiana	87,621,924	89,514,098	91,340,644	93,302,797	95,799,196	97,858,794	467,815,528	93,563,106
Iowa	38,625,980	39,618,960	40,423,483	41,287,628	42,829,880	43,747,990	207,907,940	41,581,588
Kansas	34,721,200	35,647,051	36,359,895	37,123,575	38,031,055	38,833,884	185,995,460	37,199,092
Kentucky	51,536,663	52,622,836	53,664,547	54,781,805	55,940,231	57,109,859	274,119,278	54,823,856
Louisiana	59,629,607	61,355,354	62,580,348	63,890,686	65,058,832	66,425,793	319,311,013	63,862,203

State/Territory	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
Maine	30,348,165	32,222,947	32,840,133	33,500,527	34,314,921	35,003,493	167,882,022	33,576,404
Maryland	230,324,429	240,125,310	244,171,732	248,283,480	252,138,184	256,597,797	1,241,316,503	248,263,301
Massachusetts	339,311,761	359,729,860	365,677,024	371,687,458	377,572,975	384,082,886	1,858,750,203	371,750,041
Michigan	131,602,215	133,673,157	136,425,114	139,382,241	142,597,929	145,691,410	697,769,851	139,553,970
Minnesota	101,583,605	106,375,143	108,481,379	110,741,154	113,535,596	115,897,694	555,030,967	111,006,193
Mississippi	28,244,679	29,251,670	29,815,340	30,417,129	31,135,281	31,769,726	152,389,146	30,477,829
Missouri	94,320,943	97,989,234	99,942,315	102,028,634	104,260,944	106,439,219	510,660,347	102,132,069
Montana	19,129,871	20,189,160	20,547,538	20,930,711	21,513,897	21,920,038	105,101,345	21,020,269
N. Mariana Islands	811,990	816,885	823,922	831,416	839,135	847,021	4,158,379	831,676
Nebraska	23,591,337	24,436,766	24,902,865	25,401,365	25,867,517	26,389,450	126,997,963	25,399,593
Nevada	57,172,866	58,568,600	59,745,130	61,010,636	62,094,164	63,408,583	304,827,113	60,965,423
New Hampshire	15,671,744	16,348,701	16,655,446	16,984,448	17,279,946	17,623,298	84,891,839	16,978,368
New Jersey	573,263,437	600,206,411	610,554,099	621,157,490	630,788,783	642,180,359	3,104,887,142	620,977,428
New Mexico	43,810,139	45,479,144	46,375,940	47,339,618	48,338,006	49,341,315	236,874,023	47,374,805
New York	1,342,157,884	1,444,263,279	1,470,596,038	1,498,180,729	1,523,909,156	1,552,716,390	7,489,665,591	1,497,933,118
North Carolina	114,759,873	116,782,034	119,136,874	121,659,719	124,046,200	126,683,975	608,308,803	121,661,761
North Dakota	13,689,174	14,500,492	14,754,249	15,025,978	15,536,147	15,826,002	75,642,867	15,128,573
Ohio	174,852,836	179,927,728	183,526,137	187,376,240	190,956,911	194,964,160	936,751,176	187,350,235
Oklahoma	47,171,865	49,690,521	50,502,207	51,368,977	52,170,951	53,079,553	256,812,209	51,362,442
Oregon	93,960,863	98,155,574	100,089,189	102,160,155	104,230,003	106,381,040	511,015,962	102,203,192
Pennsylvania	387,365,825	413,084,498	420,935,822	429,280,566	438,670,071	447,340,760	2,149,311,717	429,862,343
Puerto Rico	67,260,623	68,960,340	70,403,091	71,970,086	74,078,304	75,705,729	361,117,550	72,223,510
Rhode Island	36,370,777	37,669,483	38,224,248	38,764,678	39,263,151	39,875,752	193,797,311	38,759,462
South Carolina	46,830,050	47,871,638	48,819,578	49,830,587	50,819,486	51,881,824	249,223,114	49,844,623

State/Territory	Actual FY2015	Est. FY2016	Est. FY2017	Est. FY2018	Est. FY2019	Est. FY2020	FY2016-FY2020 Total	FY2016-FY2020 Average
South Dakota	15,500,616	16,615,357	16,877,303	17,157,454	17,499,311	17,794,271	85,943,695	17,188,739
Tennessee	85,414,174	87,455,463	89,210,411	91,091,850	92,833,519	94,795,606	455,386,849	91,077,370
Texas	415,592,412	418,547,079	427,069,295	436,204,251	444,293,604	453,806,215	2,179,920,444	435,984,089
Utah	70,692,671	72,409,921	73,855,775	75,411,205	76,951,916	78,567,470	377,196,287	75,439,257
Vermont	8,370,585	8,993,579	9,149,649	9,316,920	9,830,307	10,013,037	47,303,492	9,460,698
Virgin Islands	1,843,783	1,858,440	1,887,738	1,919,754	1,946,186	1,979,038	9,591,156	1,918,231
Virginia	161,234,228	164,111,816	167,491,647	171,144,995	175,630,030	179,443,568	857,822,056	171,564,411
Washington	231,768,948	244,940,420	249,771,733	254,951,297	261,144,863	266,532,075	1,277,340,389	255,468,078
West Virginia	24,824,408	25,763,816	26,230,110	26,729,734	27,796,756	28,331,742	134,852,159	26,970,432
Wisconsin	80,216,787	82,142,223	83,785,699	85,552,786	88,028,303	89,887,719	429,396,729	85,879,346
Wyoming	10,937,600	11,597,917	11,808,489	12,033,228	12,253,695	12,489,441	60,182,770	12,036,554
Apportioned Total	8,482,130,936	8,917,346,291	9,086,420,167	9,265,382,535	9,449,037,070	9,636,406,049	46,354,592,112	9,270,918,422

Source: Federal Transit Administration.

Note: Excludes amounts reserved for administration of FTA.

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