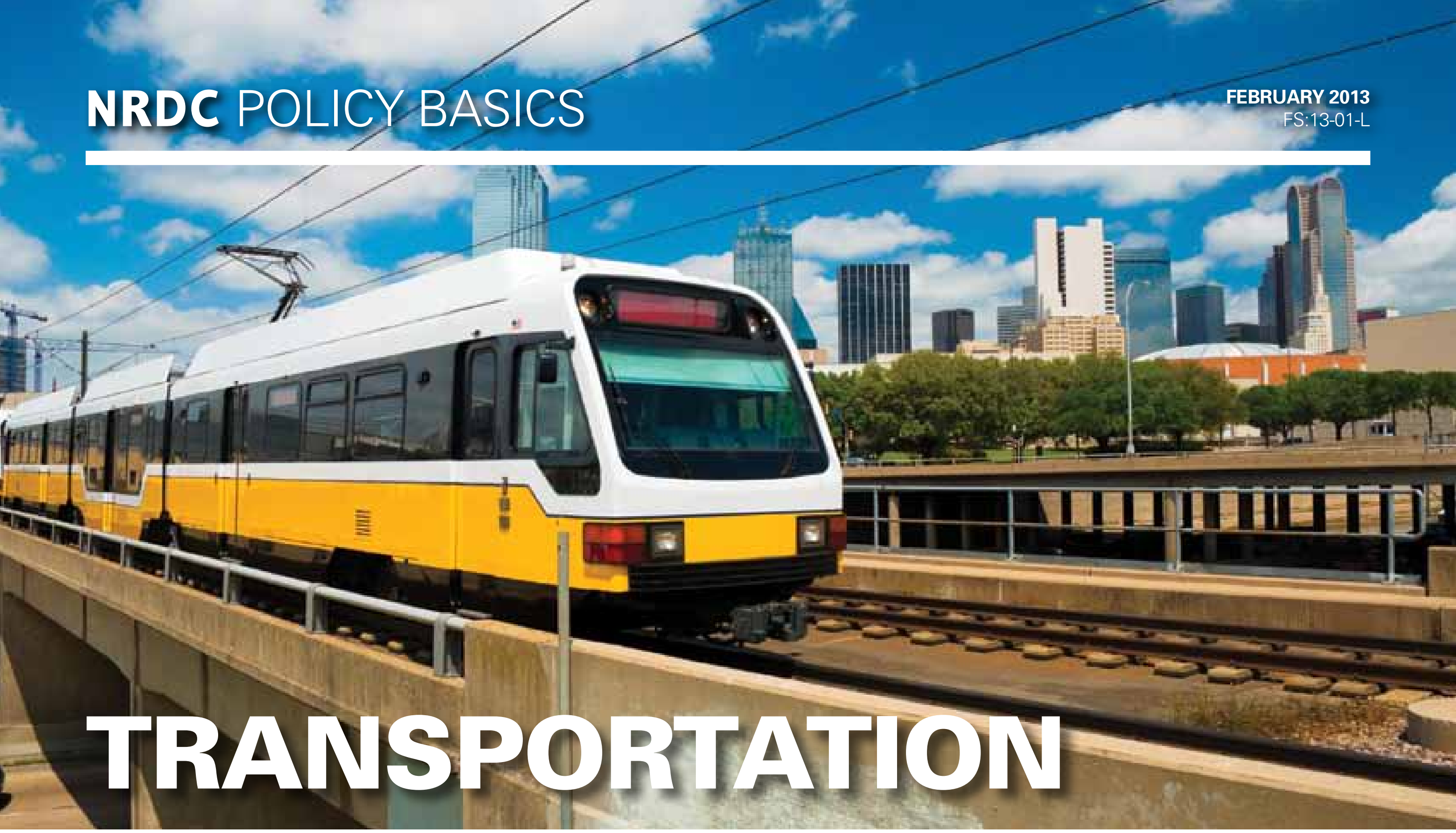

NRDC POLICY BASICS

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TRANSPORTATION

The federal government supports and shapes our transportation system through funding for highway construction and repairs, mass transit, interstate passenger rail and alternatives such as bike lanes. Our transportation system, while extensive, is increasingly plagued by deteriorating infrastructure and insufficient alternatives to driving. Better planning could give the public alternatives while reducing traffic delays and the need for more car trips.

I. PRIMARY STATUTES AND PROGRAMS

Most transportation programs are funded through the Highway Trust Fund, which was established in 1956 and which is financed with the gasoline tax, which was last raised in 1993. The most recent reauthorization of transportation programs, known as MAP-21 (Moving Ahead for Progress in the 21st Century), was signed into law last summer. It covers fiscal years 2013 and 2014 and provides $105 billion to build and maintain highways and roads, public transportation and non-motorized transportation (for pedestrians and bicyclists). This is the fourth transportation spending reauthorization statute since the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which marked the end of the Interstate construction era.

- Most of the funding in MAP-21 is allotted to state transportation departments based on formulas, and some is allocated directly to their metropolitan planning organizations (MPOs), allowing more local control for transportation users. There are, though, some competitive pots of money for more innovative programs.
- While the highway accounts receive the lion's share of transportation program funding, the Highway Trust Fund also includes a mass transit account created 30 years ago as well as more modest funding dedicated to "transportation alternatives" such as bike lanes and trails.

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II. POSITIVE EFFECTS

- Per-capita driving has not grown since mid-2005 and public transportation ridership has gone up seven quarters in a row. Partly as a result, the Department of Energy projects oil consumption will drop by almost one-fifth by 2035. Even with this plunge, however, consumption is still projected at 13.5 million barrels a day.
- MAP-21's transit provisions and the new Department of Transportation (DOT) guidance adopted last month under the law improve the "New Starts" program, which funds new rail and bus rapid transit lines on a competitive basis nationwide.

III. MAJOR CONCERNS

- MAP-21 includes provisions short-circuiting the environmental reviews that projects are supposed to receive under the National Environmental Policy Act. The Act excluded more projects from review even though 90 percent already were exempted from evaluation, delegated review authority to states that may be ill-prepared for the responsibility, allowed projects to get started while reviews were still in progress, and imposed stiff penalties if reviews are not completed within arbitrary deadlines.

PUBLIC OPINION

- Nationwide polling conducted in 2012 by a bi-partisan team—Public Opinion Strategies, and Fairbank, Maslin, Maullin, Metz & Associates,—demonstrates strong public support for more transportation choices.
- A solid majority (59%) would like more transportation options so they have the freedom to travel other than by driving. More than three in five Americans (63%) favor new transit – buses, trains and light rail – rather than new highways as the best way to solve the nation's traffic woes.
- Moreover, Americans over-estimate what their state spends on public transportation, estimating that it is an average of 16% of their state's transportation budget (compared to the actual level of about 6 percent)—and still they would like that amount nearly doubled, calling for their state to spend an average of 28% on public transportation.
- The public opinion survey found that 78% of Liberal Democrats, 70% of Moderate Democrats, 58% of Independents, 65% of Moderate Republicans, and 55% of Conservative Republicans favor spending on public transportation over road-building as a solution to traffic congestion.

- MAP-21 reduces the percentage of funding going directly to metropolitan areas, and allows state highway agencies to siphon as much as half the money away from the Congestion Mitigation and Air Quality Improvement program (CMAQ), which helps pay for projects to meet air quality standards (including public transportation).
- MAP-21 slashes dedicated funding for projects to benefit pedestrians and bicyclists.
- MAP-21 sets aside no funding specifically for the repair and maintenance of existing bridges and highways.

IV. UPCOMING ISSUES

The 113th Congress will need to address transportation policy before MAP-21 authorities expire on Sept. 30, 2014. MAP-21 was only passed after the previous transportation law was extended several times because of difficulty getting agreement on new legislation, and MAP-21 lasts for fewer years than its predecessors. Issues include:

- **PERFORMANCE MEASURES:** MAP-21 requires DOT, state transportation agencies and MPOs to develop performance measures for highway performance and conditions, safety, congestion, emissions of air pollution, freight movement as well as transit safety and state of repair. Measurements must be accompanied by targets. This could be the foundation for a more effective, efficient transportation program, if states and localities truly follow through. The law has weak enforcement provisions.
- **TRANSIT**: The fraction of the Highway Trust Fund going to transit has remained relatively stagnant at about one-sixth for decades. With high gasoline prices, less driving, and rising transit ridership, the percentage should be increased.
- **LOCAL FUNDING:** One inherent issue in transportation bills is the proportion of funding going to state highway agencies versus directly to metropolitan planning organizations with jurisdiction over cities and suburbs hosting the majority of travel. MPOs tend to be more open to alternatives to highways.
- **INNOVATION**: DOT has initiated more competitive programs to spur transportation agencies to come up with new ideas to increase travel options and decrease pollution. Congress will have to decide whether to continue programs like the Transportation Investments Generating Economic Recovery program (TIGER). Enacted in the 2009 Recovery Act, the TIGER program funds projects through an annual competition, rather than just distributing money by formula. The Obama Administration has also proposed a national infrastructure bank which would invest in projects competitively based on performance criteria.