



**Department of
Transportation**

Infrastructure Investment and Jobs Act



Infrastructure Investment and Jobs Act of 2021 (IIJA)

- ➔ \$1.2 trillion infrastructure bill
- ➔ Includes a new five-year surface transportation reauthorization bill
 - ❑ Non-traditional development process
 - ❑ Highway provisions based on Senate passed Environment and Public Works bill
 - ❑ Rail/Safety Provisions based on Senate passed Commerce bill
- ➔ Surface transportation - \$567.5 billion
 - ❑ \$293.5 billion based on straight-line continuation of FAST Act's last year
 - ❑ \$274.0 billion based on new IIJA commitments
 - \$89.8 billion directed to increased Highway Trust Fund Contract Authority
 - \$184.2 billion in new direct appropriations for following programs:
 - Highway/Bridge
 - Transit
 - Safety
 - Rail
 - Airports
 - Multimodal

IIJA Funding Programs - \$567.5 Billion

(\$ in billions)

Program	Highway Trust Fund	Guaranteed Appropriation	General Fund Subject to Appropriation
Highway	\$304.0	\$47.3	\$14.6
Transit	\$69.9	\$21.3	\$15.8
Safety	\$9.4	\$2.3	\$2.8
Rail	\$0	\$66.0	\$36.2
FAA	\$0	\$25.0	\$0
Other ⁽¹⁾	\$0	\$22.3	\$24.1
Total	\$383.3	\$184.2	\$93.5

= \$567.5 billion

(1) Other includes OST, MARAD, PHMSA, other.

↑
 \$293.5 Billion in Baseline
 HTF Contract Authority;
 and \$89.8 Billion in
 Additional HTF Contract
 Authority

New York State Wins...

- Provides guaranteed funding
- Authorizes new bridge formula/discretionary programs
- Expands eligibility/creates new programs and provides funding to address resiliency/mitigate greenhouse gas emissions
- Retains current suballocation shares under the Surface Transportation Program
- Eliminates ten-year preliminary engineering prepayment
- Restores eligibility for non-engineering related highway safety activities
- Increases timeline for 100 percent federal reimbursement for temporary/permanent repairs under the Emergency Relief Program (from 180-days to 270-days).
- Codifies “One Federal Decision” procedures in statute
- Expands CMAQ eligibility for Bikeshare
- Increases maximum incentive amount for rail crossing closures from \$7,500 to 100,000
- Increases the percent of freight program funding multi-modal projects from 10 percent to 30 percent

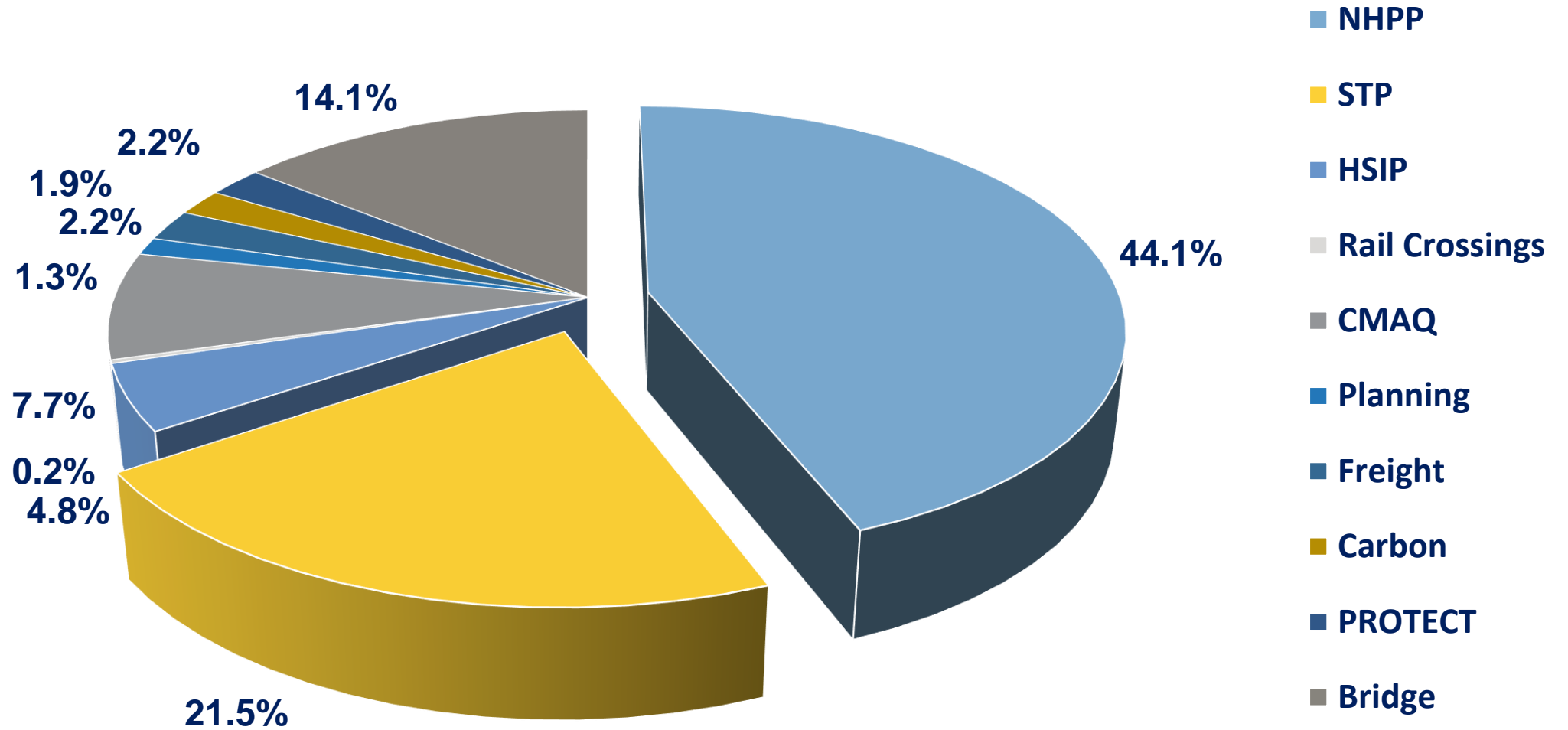
Estimated Formula Apportionments to New York

(\$ in billions)

Program	IIJA	FAST Act	Change	Percent
Highway/Bridge ⁽¹⁾	\$13.5	\$8.9	\$4.6	52.1%
Transit	\$10.6	\$7.9	\$2.6	34.1%
Total	\$24.1	\$16.8	\$7.2	42.9%

(1) Includes \$1.9 billion in supplemental bridge formula funding

State Share of IJA Highway Funding by Program



IJA Highlights

- ➔ Provides a five-year fully funded surface transportation reauthorization
 - ❑ Includes \$118 billion in general fund transfers
 - ❑ Does not address the long-term sustainability of the Highway Trust Fund (HTF)

- ➔ Prioritizes formula-based funding
 - ❑ 90 percent of the total highway program is supported by the HTF funding is apportioned through “core” formula programs
 - ❑ Creates two new core programs
 - Carbon Reduction
 - PROTECT

- ➔ Increases flexibility/improves project development process
 - ❑ One Federal decision

- ➔ Adds construction materials in addition to manufactured products to Buy America
 - ❑ Exempts cement/cementitious materials, aggregates and bonding agents/additives

IJA Highlights

- ➔ Highway Title
 - ❑ \$351.3 billion over five-year period; \$307 billion apportioned directly to states
- ➔ Bridge Initiative
 - ❑ \$40.0 billion in formula/discretionary funding
- ➔ Transit Title
 - ❑ \$91.1 billion over five-year period
- ➔ Safety Title
 - ❑ \$11.8 billion allocated for highway/vehicle safety programs (e.g., NHTSA, FMCSA)
- ➔ Passenger/Freight Rail Title
 - ❑ \$66.0 billion for FRA, Amtrak, other rail programs
- ➔ Airport Initiative
 - ❑ \$25.0 billion for FAA/airport improvement projects

IJA Categorical Program Highlights

- ➔ National Highway Performance Program (NHPP)
 - ❑ Adds eligibility for resiliency
 - ❑ Allows up to 15 percent of program to be used for protective features - deigned to reduce risk of recurring damage – on any federal eligible facility

- ➔ Surface Transportation Block Grant Program (STBGP)
 - ❑ Retains 55 percent suballocation
 - ❑ Expands eligibility to include EV charging; vehicle to grid; and wildlife crossing infrastructure; projects that facilitate installation/deployment of ITS; resilience
 - ❑ Increases off system bridge set-aside from 15 percent to 20 percent
 - ❑ Establishes a 10 percent set-aside for Transportation Alternatives Program in-lieu of a fixed cap

- ➔ Congestion Mitigation and Air Quality Improvement program (CMAQ)
 - ❑ Expands eligibility to include shared micro mobility; purchase of replacement diesel engines; purchase of medium/heavy duty ZEV vehicles/related charging equipment; maritime highway corridor connectors; other

 - ❑ Provides priority for projects in non-attainment areas for fine particulate matter in or immediately adjacent to minority/low-income populations

IIJA Categorical Program Highlights

- ➔ Carbon Reduction Program (CRP)
 - ❑ New formula-based program to states for projects that reduce greenhouse gas emissions
 - ❑ Eligible activities include public transportation, technology improvements, improved signalization, EV charging stations, truck stop electrification
 - ❑ Requires states, in consultation with MPO, to develop a carbon reduction strategy
 - ❑ 65 percent of funds suballocated by population, similar to STBGP

- ➔ Promoting Resilient Opportunities for Transformative, Efficient, and Cost-Saving Transportation (PROTECT)
 - ❑ Provides formula-based and discretionary grant funding for resilience improvements
 - ❑ Eligible activities include community resilience; evacuation; and at-risk coastal projects

- ➔ Active Transportation Infrastructure Investment Program (ATII)
 - ❑ Provides grants to construct/provide safe and connected active facilities in an active transportation network/spine

- ➔ Electric vehicle Charging Program
 - ❑ Provides formula funds for strategically deployed electric vehicle recharging infrastructure
 - ❑ Apportioned based on existing state share of program

IIJA Categorical Program Highlights

- ➔ Transportation Alternatives Plan
 - ❑ Increases amount suballocated based on population from 50 percent to 59 percent
 - ❑ Expands eligible activities to include Safe-Routes-to-School and vulnerable road user safety
 - ❑ Requires that MPOs in areas over 200,000 in population shall give priority to projects that support high-need areas (e.g., low-income, transit-dependent, rural)

- ➔ Highway Safety Improvement Program
 - ❑ Provides flexibility to utilize up to ten percent of funds for non-infrastructure/behavioral safety projects
 - ❑ Requires a Vulnerable Road User Assessment Plan/requires states to expend additional funds when fatality exceed thresholds identified in plan
 - ❑ Authorizes construction of leading pedestrian intervals upgrade of traffic control devices for bicyclists/pedestrians

- ➔ National Highway Freight Program
 - ❑ Expands the highway miles a state may designate as critical rural freight (150 to 300) and critical urban freight (75 to 150) miles
 - ❑ Increases the percent of program that may be used for multi-modal projects from 10 percent to 30 percent

IIJA Categorical Program Highlights

- ➔ Wildlife Crossing Safety Pilot Program
 - ❑ Creates a new program to reduce number of wildlife/vehicle collisions and projects to improve habitats

- ➔ Railway-Highway Crossings
 - ❑ Broadens use of funds to reduce pedestrian/trespass fatalities/injuries
 - ❑ Increases at-grade closure incentive from \$7,500 to \$100,00

- ➔ Emergency Relief
 - ❑ Extends period of 100 percent federal share for temporary/permeant repairs under FHWA Emergency Relief Program (180 days to 270 days)
 - ❑ Authorizes rebuilding to a higher standard to mitigate future damage.

- ➔ Bridge Program
 - ❑ New supplemental \$27.5 billion formula-based program
 - ❑ Includes repair, rehabilitation and replacement of culvers
 - ❑ Formula is 75 percent/cost to replace “poor” bridges; 25 Percent cost to rehabilitate “fair” bridges

IIJA Competitive Program Highlights

- ➔ Nationally Significant Freight and Highway Projects (INFRA Grants)
 - ❑ \$8 billion over five years
 - ❑ Expands the eligibility to include wildlife crossings, connections to border crossings, marine highway projects, reduce stormwater, other
 - ❑ Up to 30 percent of the awards may be used for freight intermodal/freight rail projects
 - ❑ Prioritizes level of non-federal share

- ➔ National Infrastructure Project Assistance
 - ❑ \$10.0 billion over five years
 - ❑ Provides competitive grants for large surface transportation projects
 - ❑ Includes eligibility for highway/bridge, intermodal or freight rail, intercity passenger rail and public transportation projects. passenger rail
 - ❑ Authorizes agreements for single-year or multi-year projects

- ➔ Local and Regional Project Assistance (RAISE, BUILD, TIGER)
 - ❑ \$7.5 billion over five years
 - ❑ Provides funds for projects that will have a significant local or regional impact
 - ❑ Increases the maximum share of funding that a single state may receive in a year from 10 percent to 15 percent

IIJA Competitive Program Highlights

➔ Strengthening Mobility and Revolutionizing Transportation (SMART)

- ❑ \$500 million over five years
- ❑ Supports demonstration projects focused on advanced smart city or community technologies and systems in a variety of communities to improve transportation efficiency and safety

➔ Truck Emissions at Ports

- ❑ \$400 million over five years
- ❑ Provides funds for projects that reduce emissions at ports, including through the advancement of port electrification

➔ Culvert Removal, Replacement, and Restoration

- ❑ \$5.0 billion over five years
- ❑ Provides grants for projects to replace, remove, and repair culverts or weirs that would meaningfully improve or restore fish passage for anadromous fish

IIJA Competitive Program Highlights

➔ Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT)

- ❑ \$1.4 billion over five-years
- ❑ Competitive grant program to help states improve the resiliency of transportation infrastructure
- ❑ Eligible activities include highway, transit, and port projects
- ❑ Funds may be used for planning, resiliency improvements, evacuation routes, and at-risk coastal infrastructure projects

➔ Reconnecting Communities Pilot

- ❑ \$1.0 billion over five years
- ❑ Provides funding for projects to restore community connectivity
- ❑ Funds may be awarded for construction grants to the owner of a facility to carry out a project to remove, retrofit or mitigate an eligible facility and, if appropriate, to replace it with a new facility

IIJA Competitive Program Highlights

➔ Bridge Investment Grants

- ❑ \$12.5 billion over five years
- ❑ Provides grants to replace, rehabilitate, preserve, or protect one or more bridges on the National Bridge Inventory
- ❑ Encourages culvert projects, especially those that mitigate flooding and improving habitat connectivity for aquatic species

➔ Grants for Charging and Fueling Infrastructure

- ❑ \$2.5 billion over five years
- ❑ Provides grants to strategically deploy publicly accessible electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure along designated alternative fuel corridor

➔ Congestion Relief

- ❑ \$250 million over five years
- ❑ Provides competitive grants to advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas
- ❑ Authorizes tolls on interstate highways in up to 10 urbanized areas

IIJA Competitive Program Highlights

➔ Healthy Streets

- ❑ \$500 million (subject to future appropriations)
- ❑ Establish program to mitigate urban heat islands, improve air quality, and reduce the extent of impervious surfaces, storm water runoff and flood risks

➔ Safe Streets for all Users

- ❑ \$5 billion over five years
- ❑ Support local initiatives to prevent death and serious injury on roads and streets, commonly referred to as “Vision Zero” or “Toward Zero Deaths” initiatives

Risks

- ⇒ Longer-Term Continuing Resolution
- ⇒ Longer-Term Insolvency of the HTF
- ⇒ Inflation/Availability of Materials
- ⇒ Labor
- ⇒ Two-Percent Property Tax Cap