



## Overview of America’s Transportation Infrastructure Act (ATIA) of 2019

The Senate Environment and Public Works (EPW) Committee has approved America’s Transportation Infrastructure Act (ATIA) of 2019. The bill, which is being touted as the largest highway legislation in history, authorizes \$287 billion over five years, including \$259 billion for formula programs aimed at maintaining and repairing America’s roads and bridges. According to the Committee, the bill represents an overall increase of over 27 percent from the Fixing America’s Surface Transportation (FAST, Pub. L. No. 114-94) Act authorizing levels. The bill also includes a new subtitle on climate change that is dedicated to reducing carbon emissions by the transportation sector. The new subtitle creates a handful of new formula and competitive grant programs aimed at reducing emissions, while also enhancing the resiliency of the nation’s infrastructure system.

Below are authorization levels and several policy highlights compiled through informational documents released by the Senate EPW Committee. The ATIA authorizes numerous transportation programs at the following amounts:

### Federal-Aid Highways (Highway Trust Fund)

Fiscal Year	Federal-Aid Highway Program <sup>1</sup>	Tribal Transportation Program	Federal Land Transportation Program <sup>2</sup>	Federal Lands Access Program	Nationally Significant Freight & Highway Projects
FY21	\$47,855,749,000	\$565,000,000	\$413,000,000	\$280,000,000	\$1,050,000,000
FY22	\$48,829,248,000	\$580,000,000	\$423,000,000	\$285,000,000	\$1,075,000,000
FY23	\$49,849,443,000	\$595,000,000	\$433,000,000	\$290,000,000	\$1,100,000,000
FY24	\$50,914,302,000	\$610,000,000	\$443,000,000	\$295,000,000	\$1,125,000,000
FY25	\$51,979,162,000	\$625,000,000	\$453,000,000	\$300,000,000	\$1,150,000,000
Total	\$249,427,904,000	\$2,975,000,000	\$2,165,000,000	\$1,450,000,000	\$5,500,000,000

Transportation Infrastructure Finance and Innovation Program (TIFIA) – For each year from FY 2021 through FY 2025 \$300,000,000 in credit assistance will be made available (through the Highway Trust Fund).

<sup>1</sup> Includes (Surface Transportation Block Grant program, the Highway Safety Improvement program, Congestion Mitigation and Air Quality Improvement (CMAQ) program, and the National Highway Freight program)

<sup>2</sup> Includes \$1.73 billion over five years for the National Parks Service and \$120 million over five years for the National Fish and Wildlife Service.

**Federal-Aid Highways (continued) and Climate Change Title (Highway Trust Fund)**

Fiscal Year	Bridge Investment Program	Congestion Relief Program	Charging and Fueling Infrastructure Grants	Fatality Reduction Performance Program	Formula Carbon Reduction Incentive Program
FY21	\$600,000,000	\$40,000,000	\$100,000,000	\$100,000,000	\$600,000,000
FY22	\$640,000,000	\$40,000,000	\$100,000,000	\$100,000,000	\$600,000,000
FY23	\$650,000,000	\$40,000,000	\$200,000,000	\$100,000,000	\$600,000,000
FY24	\$675,000,000	\$40,000,000	\$300,000,000	\$100,000,000	\$600,000,000
FY25	\$700,000,000	\$40,000,000	\$300,000,000	\$100,000,000	\$600,000,000
Total	\$3,265,000,000	\$200,000,000	\$1,000,000,000	\$500,000,000	\$30,000,000,000

**Climate Change (Continued)**

Fiscal Year	Carbon Reduction Performance Program	PROTECT Grants (formula)	PROTECT Grants (competitive)	Reduction of Truck Emissions at Port Facility	Nationally Significant Federal Lands and Tribal Projects
FY21	\$100,000,000	\$786,000,000	\$200,000,000	\$60,000,000	\$50,000,000
FY22	\$100,000,000	\$786,000,000	\$200,000,000	\$70,000,000	\$50,000,000
FY23	\$100,000,000	\$786,000,000	\$200,000,000	\$70,000,000	\$50,000,000
FY24	\$100,000,000	\$786,000,000	\$200,000,000	\$80,000,000	\$50,000,000
FY25	\$100,000,000	\$786,000,000	\$200,000,000	\$90,000,000	\$50,000,000
Total	\$500,000,000	\$3,930,000,000	\$1,000,000,000	\$370,000,000	\$250,000,000

**Research, Technology, and Education (Highway Trust Fund)**

Fiscal Year	Highway Research and Development Program	Technology and Innovation Deployment Program	Training and Education	Intelligent Transportation System Program	University Transportation Centers Program
FY21	\$153,431,378	\$135,000,000	\$25,000,000	\$110,000,000	\$82,500,000
FY22	\$153,431,378	\$135,000,000	\$26,000,000	\$110,000,000	\$84,000,000

FY23	\$153,431,378	\$135,000,000	\$27,000,000	\$110,000,000	\$85,500,000
FY24	\$153,431,378	\$135,000,000	\$27,000,000	\$110,000,000	\$87,000,000
FY25	\$153,431,378	\$135,000,000	\$27,000,000	\$110,000,000	\$88,500,000
Total	\$767,156,890	\$675,000,000	\$132,000,000	\$550,000,000	\$427,500,000

**Additional Transportation Programs (General Fund<sup>3</sup>)**

Fiscal Year	Bridge Investment Fund	Nationally Significant Federal Lands and Tribal Projects
FY21	\$600,000,000	\$100,000,000
FY22	\$640,000,000	\$100,000,000
FY23	\$650,000,000	\$100,000,000
FY24	\$675,000,000	\$100,000,000
FY25	\$700,000,000	\$100,000,000
Total	\$3,265,000,000	\$500,000,000

Other Key Provisions to the Northeast and Midwest Region:

**Federal-Aid Highways**

*Sec.1110 - Nationally Significant Freight and Highway Projects (NSFHP)*

The bill mends NSFHP, which is also known as INFRA grants, by raising the cap on eligible multimodal projects to 30 percent of program funds. The bill also requires that a portion of funds go toward certain critical rural and urban state projects, while increasing the minimum amount (from 10 percent to 15 percent) for small projects under IFRA. The bill also increases the federal share allowable for small projects, and requires that not less than 30 percent of funds reserved for small projects be used for certain projects in rural areas. Additionally, the bill adds new consideration of freight resilience and creates a new set-aside of \$150 million per year to establish a pilot program to encourage applicants to expand their non-Federal share of project costs. The bill also expands transparency requirements within the NSFHP.

An amendment that was offered by Sen. Jim Inhofe (R-OK) and approved by the EPW Committee inserts language in INFRA that expands its definition to include eligibility for a project from a marine highway

---

<sup>3</sup> Subject to the Congressional appropriations process.

corridor as long as the project is connected to the National Highway Freight Network and is likely to reduce on-road mobile source emission.

*Sec. 1112 - Federal Lands Transportation Program (FLTP)*

The bill raises the cap on FLTP funds that may be used to improve public safety and reduce wildlife vehicle collisions, while increasing habitat connectivity from \$10 million to \$20 million per year. The bill also requires entities carrying out FLTP projects to consider the use of native plants and designs that minimize runoff and heat generation.

*Sec.1115 - Congestion Mitigation and Air Quality Improvement Program (CMAQ)*

The bill adds flexibility to CMAQ by allowing States to spend up to 10 percent of CMAQ funds on certain lock and dam modernization or rehabilitation projects and certain marine highway corridor, connector, or crossings projects. Also, the bill clarifies that certain CMAQ-eligible operating costs are not subject to a time limitation or phase-out requirement, and expands operating assistance eligibility to transit systems outside of large urbanized areas.

*Sec.1118 - Toll Roads, Bridges, Tunnels, and Ferries*

The bill clarifies that the construction of ferry boats and terminals also includes the construction of maintenance facilities, and permits the use of Federal funds to procure transit vehicles as part of the ferry boat program if the vehicles are used exclusively as part of an intermodal ferry trip.

*Sec.1119 - Bridge Investment Program*

The bill creates a competitive grant program to assist State, local, and tribal entities to rehabilitate or replace structurally deficient bridges. Along with funding through the Highway Trust Fund, the bill also authorizes dedicated funding through the general fund for activities relating to the Bridge Investment Program.

*Sec.1122 - Construction of Ferry Boats and Ferry Terminal Facilities*

The bill authorizes \$440 million in funding from the Highway Trust Fund for FY 2021 through FY 2025 for the Ferry Boat Program.

*Sec. 1125 - Wildlife Crossing Safety*

The bill creates a five-year, \$250 million wildlife crossing pilot program to provide grants for projects designed to reduce wildlife-vehicle collisions and improve habitat connectivity, while also requiring the Department of Transportation to take a variety of measures to assist States in reducing wildlife-vehicle collisions and increasing habitat connectivity.

**Project Delivery and Process Improvement**

*Sec.1301 - Efficient Environmental Reviews for Project Decisionmaking and One Federal Decision*

The bill provides new environmental review procedures and requirements for major infrastructure projects and requires the lead federal agency to develop a schedule for a major infrastructure project that is consistent, to the maximum extent practicable, with an agency average of not more than two years for the completion of the environmental review process for major infrastructure projects.

**Climate Change**

*Sec.1401 - Grants for Charging and Fueling Infrastructure to Modernize and Reconnect America for the 21st Century*

The bill creates a competitive grant program to strategically deploy alternative fuel vehicle charging and fueling infrastructure along designated alternative fuel corridors that will be accessible to all drivers of electric, hydrogen, and natural gas vehicles.

*Sec.1402 - Reduction of Truck Emissions at Port Facilities*

The bill creates a competitive grant program to reduce idling and emissions at port facilities, including port electrification projects. This section also requires the Department of Transportation to submit a report to Congress detailing the status and effectiveness of the program.

*Sec.1403 - Carbon Reduction Incentive Program*

The bill provides supplemental formula and creates a competitive grant funds to States to expand investment in transportation improvements designed to reduce on-road mobile sources of carbon, and to incentivize planning and investments to reduce carbon emissions.

*Sec.1404 - Congestion Relief Program*

The bill creates a competitive grant program for States and local governments to advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas of the United States.

*Sec.1405 - Freight Plans*

The bill adds new strategies within the national freight strategic plan to promote resilience, national economic growth and competitiveness, and strategies to reduce local air pollution and water runoff. The bill does not add or establish new procedural requirements for the approval of state freight plans.

*Sec.1406 - Utilizing Significant Emissions with Innovative Technologies (USE IT Act)*

The bill supports carbon utilization and direct air capture research, and supports federal, state, and nongovernmental collaboration in the construction and development of carbon capture, utilization, and sequestration (CCUS) facilities and carbon dioxide (CO<sub>2</sub>) pipelines.

*Sec.1407 - Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Grant Program*

The bill creates a supplemental formula and competitive grant program to help States improve the resiliency of transportation infrastructure.

*Sec.1408 - Diesel Emissions Reduction*

The bill extends the authorization of the Diesel Emissions Reduction Act (DERA) program through FY 2024, and changes current law to make clear that EPA must recognize that there are differing diesel vehicle, engine, equipment or fleet use concerns in different areas of the country as the agency funds DERA projects.

**Miscellaneous**

*Sec.1504 - Forest Service Legacy Roads and Trails Remediation Program*

The bill amends the Forest Roads and Trails Act by requiring the Interior Department to develop a national strategy to perform critical maintenance and urgent repairs and improvements on National Forest System roads, trails, and bridges.

*Sec.1508- Community Connectivity Pilot Program*

The bill creates a pilot program through which eligible entities may apply for planning funds to study the

feasibility and impacts of removing transportation facilities that create barriers to mobility, access, or economic development, and for construction funds to carry out a project to remove an eligible facility and replace it with a new facility.

*Sec.1512. - Study on the Most Effective Upgrades to Roadway Infrastructure*

The bill requires the Department of Transportation to enter into an agreement with the Transportation Research Board to identify specific immediate and long-term types of upgrades necessary to benefit the largest ten segment of road users, autonomous vehicles, and automated driving system, as well as to examine how to best achieve roadway infrastructure uniformity to facilitate the safe deployment of autonomous vehicles and automated driving systems.

*Sec.1513 - Study on Vehicle-to-Infrastructure Communication Technology*

The bill requires the Department of Transportation to enter into an agreement with the Transportation Research Board to identify immediate and long-term safety benefits of vehicle-to-infrastructure connectivity technologies and technologies that would allow motor vehicles and roadway infrastructure to communicate using dedicated short-range communications (DSRC) and related safety applications.

*Sec.1520 - Report on Air Quality Improvements*

The bill requires the Comptroller General at the Department of Transportation to evaluate the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

*Sec.1522 - Permeable Pavements Study*

The bill requires the Department of Transportation to conduct a study on the effects of permeable pavements on flood control.

*Sec.1523 - Emergency Relief Projects*

The bill requires the Department of Transportation to revise the emergency relief manual of FHWA to include a definition of resilience, identify procedures that may be used to incorporate resilience into Emergency Relief (ER) projects, encourage the use of Complete Streets design principles in ER projects, develop best practices for improving the use of resilience in ER projects, and develop and implement a process to track the consideration of resilience as part of the ER program, and track the costs of ER projects.

**Additional Amendment that was accepted by the EPW Committee**

*Study of Impacts on Roads from Self-Driving Vehicles (Senator Tammy Duckworth, D-IL)*

This amendment requires the Federal Highway Administration (FHWA) to conduct a study on the existing and future impacts that self-driving vehicles have on interstates, urban roads, rural roads, corridors with heavy traffic congestion, transportation systems optimization, and any other areas relevant to the operation of the FHWA.