

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

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DATE: July 6, 2012
TO: Transportation Commissioners, Executive Director, Senior Management Team, Branch Managers, and Office Directors
FROM: Kurtis Morrison, Office of Policy & Government Relations
RE: Federal Transportation Reauthorization Bill (MAP-21) Summary and Analysis

Summary

On July 6, 2012, the President signed H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP-21). The legislation updates and replaces the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users Act of 2005 (SAFETEA-LU), specifically reauthorizing federal transportation programs, providing budget authority for federal transportation apportionments, and updating federal statutes governing the U.S. Department of Transportation (USDOT) and its various agencies and programs. A brief summary of the bill's provisions follows.

- **Duration.** MAP-21 is a 27-month authorization bill, providing spending authority through September 30, 2014. This authorization completes two full federal fiscal years and the remaining three months of the current federal fiscal year. The bill also reauthorizes the three federal motor fuel taxes that support the Highway Trust Fund through September 30, 2016. This is good news for the department, since, even though a six-year bill was preferred, many expected that the best outcome from Congress would be a mere 16-month bill.
- **Federal Spending and Colorado Apportionments.** The bill continues existing funding levels with a small inflationary adjustment. Colorado's federal highway apportionments are estimated to be \$517.0 million in FY 2013 and \$522.4 in FY 2014. By comparison, Colorado's federal apportionment for FY 2012 is \$517.0 million.
- **Program Consolidation.** MAP-21 consolidates approximately 90 federal transportation programs into 30 new and existing programs, providing state DOTs with more discretion and significant policy decisions to be made as a result. CDOT supported program consolidation.
- **Performance Management.** MAP-21 has a much stronger emphasis on performance management. Once the USDOT promulgates standards to evaluate Interstate System and National Highway System performance, the bill imposes new performance measure reporting requirements on state DOTs. While these changes require substantial work by CDOT, the department performance management team previewed draft bills throughout the reauthorization process, and will be better prepared to implement the federal requirements as a result.
- **Innovative Financing.** The bill significantly increases funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program, inflating program spending from \$122 million in the current fiscal year to \$750 million and \$1 billion in FY 2013 and FY 2014. The program provides federal credit assistance in the form of loan guarantees, direct loans, and lines of credit to finance surface transportation projects. CDOT and the Transportation Commission supported this provision and requested support from our congressional delegation.
- **Environmental Streamlining.** The bill contains several provisions to accelerate project delivery in relation to the National Environmental Policy Act (NEPA). These provisions reduce approval time by allowing more federally funded projects – projects following a natural disaster, receiving less than \$5 million in federal funding, or receiving less than 15 percent in federal funding but having an overall cost up to \$30 million – to fall under categorical exclusions. CDOT supported responsible environmental streamlining efforts.