



FEDERAL UPDATE – Freight Advisory Council

Revised Sept. 29, 2021



Infrastructure Investment and Jobs Act (HR 3684) aka “Bipartisan Infrastructure Bill”

- Status and overview
- Examples of changes to policy
- Examples of new or significantly altered programs of interest

HR 3684 status and overview

- Senate passed 8/10, 69-30
- House plans to vote 10/27 – could be impacted by progress on the “reconciliation bill”
- Transp.; Energy; Drinking Water/ Wastewater; Broadband; Climate-related; Cybersecurity; etc.
- For transportation:
 - Five-year surface transportation reauthorization (\$383.3 billion HTF and some GF)
 - Core highway programs would remain, with two proposed additions
 - HTF bailout: \$118 billion
 - Additional investment in “Division J” of the bill (\$184.1 billion mostly GF)

Policy: overview

Included:

- Reversal of program consolidation
- Emphasis on greenhouse gas reduction, automated vehicles, multimodalism, equity, innovation, planning, etc.

Not included:

- EV charging at rest areas
- Specific High Speed Rail program

Policy: changes to State Freight Advisory Committee

- Adds to recommended representatives: MPOs, state environmental protection department, economic development agencies, not-for-profit or community groups
- Adds to their role: provide advice in the development of the freight investment plan
- Adds a new section on qualifications, requiring that members have experience in at least one of several areas

Policy: Office of Multimodal Infrastructure and Freight

- Within OST
- Facilitate sharing of information between public and private sectors re. freight issues
- Assist cities and states in developing supply chains
- Develop the national freight strategic plan and the national multimodal freight network
- Oversee the development and updating of state freight plans
- Administers five programs:

Programs admin. by the Office of Multimodal and Freight Infrastructure

- National Infrastructure Project Assistance
- INFRA
- RAISE
- SMART grants (technology)
- National Culvert Removal (anadromous fish passage)

Proposed new program: National Infrastructure Project Assistance

Administered by Office of Multimodal and Freight Infrastructure

5/yr funding	\$5 billion
Distribution	competitive
For	“mega projects” costing at least \$100M / \$500M
Eligible	states, MPOs, Indian tribes, local gov, partnerships with Amtrak, etc.
Examples	highway, freight intermodal or freight rail with public benefits, grade separation, intercity passenger rail, transit if related to an eligible project
Other	can be a multi-year grant agreement

Proposed changes and plus-up to existing program: INFRA

Admin by	Office of Multimodal and Freight Infrastructure
5/yr. funding	\$8 billion
Distribution	competitive
For	“Nationally Significant <i>Multimodal</i> Freight and Highway Projects”
Eligible	states, MPOs, Indian tribes, local gov, etc.
Examples	Highway or freight, grade crossings, freight intermodal or freight rail
other	Adds “multimodal” to the official title and throughout; 30 percent for non-highway (instead of an aggregate amount)

Proposed codification and plus-up of existing program: RAISE

Admin by	Office of Multimodal and Freight Infrastructure
5/yr. funding	\$7.5 billion
Distribution	competitive
For	capital investments with a significant local or regional impact
Eligible	states, tribal gov, local gov, transit agencies, etc.
Examples	highways/bridges, transit, freight or passenger rail, ports (including inland), the surface components of an airport, stormwater runoff projects, “any other project that advances the program goals”
other	text leaves rural/urban split at 50/50

Proposed new **core** program: PROTECT

Admin by	FHWA
Funding	\$7.3 billion / \$1.4 billion
Distribution	formula to states / competitive for states, MPOs, local gov, etc.
For	improved resilience: materials, structural on non-structural techniques
Examples	<u>formula</u> : highways and Title 49 projects such as additional flood storage, culvert upgrades, best management practices, etc. <u>competitive</u> : planning, resilience of existing assets, protection of evacuation routes

Proposed new core program: Carbon Reduction

Admin by	FHWA
5/yr. funding	\$6.42 billion
Distribution	formula
For	wide range of projects to reduce transportation carbon emissions
Eligible	states, with suballocations
Examples	traffic monitoring, public transit, trails, congestion mgmt., reduce impacts of freight mvmt., support for EV charging and purchase of zero emission construction equipment, etc.

Proposed new program: Grants for Charging and Fueling Infrastructure

Admin by	FHWA
5/yr. funding	\$2.5 billion
For	strategic deployment of publicly accessible infrastructure for EV charging, propane and natural gas, along designated corridors and certain other locations accessible to all drivers.
Distribution	appears to be application-based
Eligible	states, MPOs, local government, Indian tribes, etc.
Projects	planning, acquisition (including real property), installation
Other	applicants must consider a wide range of factors, including height and fueling capacity requirements for heavy trucks

Proposed new program: National Electric Vehicle Formula Program

Admin by	FHWA
5/yr. funding	\$5 billion
For	strategic deployment of EV charging infrastructure and establishing an interconnected network for data collection, access and reliability
Distribution	formula, based on share of apportionment
Eligible	states (must submit a plan for use of the funds)
Examples	acquisition and installation, operation and maintenance, data sharing
other	if no state plan submitted, local govts may apply for the funds

Proposed new program: Bridge Investment

Admin by	FHWA
5/yr. funding	\$12.5 billion
Distribution	competitive
For	replacement, rehab, preservation or protection of bridges on the National Bridge Inventory – public only
Eligible	states, MPOs with pop. over 200K, local govts, Tribal govts, etc.
Examples	highway bridges on public roads, over waterways and other barriers, including railroads. Replacement, rehab of culverts.
other	option for multi-year grant agreements

Proposed new program: Bridge Replacement, Rehabilitation, Preservation, Protection and Construction

Admin by	FHWA
5/yr. funding	\$27.5 billion
Distribution	formula (75% based on share of cost of replacing all bridges classified as “poor”, and 25% based on share of cost of rehabbing all bridges classified as “fair”)
For	replacement, rehabilitation, preservation, protection and construction of qualifying bridges on public roads
Eligible	states (15% set aside for off-system bridges)

Proposed new program: Railroad Crossing Elimination Program

Admin by	FRA
5/yr. funding	\$3 billion
Distribution	competitive
For	highway/rail or pathway/rail grade crossing improvements that focus on improving the safety and mobility of people and goods
Eligible	states, MPOs, local govns, Indian tribes, etc.
Examples	grade separation or closure, track relocation, protective devices, signals, etc., other means such as technological
other	requires approval of rail carrier or property owner 20% of funds for rural areas or Indian tribes, 25% for planning

Plus-up of existing program: CRISI

Admin by	FRA
5/yr. funding	\$5 billion
Distribution	competitive
For	leveraging private, state and local investments to support safety enhancements and general improvements for intercity and freight
Eligible	states, public agencies, Amtrak, Class II or III railroads, etc.
Examples	adds as eligible: capital projects for <u>safety</u> (not just congestion); for locomotives: rehabilitation, etc., provided it reduces emissions; and prep of emergency plans for haz mat transported by rail

Codification and change to existing program: RRIF

Admin by	FRA
5/yr. funding	\$250 million
For	financing
	Clarifies that loan proceeds may be used as non-federal share for grants 50% per year set aside for shortlines

Changes and plus-up to existing program: Port Infrastructure Development

Admin by	MARAD
5/yr. funding	\$2.25 billion
For	improved safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports
Eligible	state, local gov, tribal gov, lead entity with a private entity, etc.
Examples	new eligibilities: resilience to extreme weather, reduce pollutants or greenhouse gas reduction incl. EV charging.