

Infrastructure Investment & Jobs Act of 2021 (IIJA) - Summary of Transportation Provisions

General Provisions

- **Overall Funding Increase:** Based on formula funding alone, New Hampshire would expect to receive approximately \$1.4 billion over five years in Federal highway formula funding for highways and bridges. On an average annual basis, this is about 28.3% more than the State's Federal-aid highway formula funding under current law. New Hampshire can also compete for the \$12.5 billion national Bridge Investment Program for economically significant bridges
- **New Funding for Emissions Reduction:** Approximately \$27 million over five years in formula funding for New Hampshire to reduce transportation-related emissions
- **New Funding for Transportation System Resiliency:** Approximately \$30 million over five years to increase the resilience of New Hampshire's transportation system
- **New Funding for EV Charging Infrastructure:** Approximately \$17 million in formula funding over five years to support the expansion of an EV charging network in New Hampshire, plus the opportunity to apply for grants out of the \$2.5 billion in nationally competitive funding available for EV charging.
- **New Highway Safety Funding:** Approximately \$15 million in Section 402 formula funding for highway safety traffic programs, which help states to improve driver behavior and reduce deaths and injuries from motor vehicle-related crashes

Funding Programs

- **Carbon Reduction Program:** New formula program to reduce transportation emissions. Funds allocated based on share of apportionment to the state and 65% are suballocated by population.
- **Promoting Resilient Operations for Transformative, and Cost-Saving Transportation (PROTECT)** grant program. This program will provide both formula funds and competitive grants for transportation resilience improvements. Eligible projects include the use of natural infrastructure or construction or modification of storm surge, flood protection, or aquatic ecosystem restoration elements related to highway projects, public transportation facilities, intercity rail facilities or service, or port facilities. 80% federal funding but can be increased to 90% if the state/MPO has a resilience plan that prioritizes the project for which grant funds are being sought and the MPO has incorporated their resilience improvement plan into the Long Range Transportation Plan.
- **National Infrastructure Project Assistance Grants:** New competitive program to support freight-related projects, including roads and bridges, intermodal facilities, grade separation or elimination, intercity passenger rail, public transportation or a combination of these.
- **Bridge Investment Program:** Creates new competitive program to encourage bridge repair that will improve safety, efficiency, and reliability of people and freight movement.
- **Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program:** Builds on the success of the Smart City Challenge with a competitive program to advance smart city or community technologies and systems to improve transportation efficiency and safety.
- **Rural Surface Transportation Grant Program:** New competitive grant program to "improve and expand the surface transportation infrastructure in rural areas" as defined as areas outside of an urbanized area with a population of over 200,000.
- **Charging and Fueling Infrastructure Grants:** New competitive program to "strategically deploy publicly accessible electric vehicle charging infrastructure and hydrogen/propane/natural gas fueling infrastructure. Priority given to rural areas. Half of funds reserved for Community Grants for projects to reduce greenhouse gas emissions and expand or fill gaps in access to alternative fueling. \$2.5B total over five years. Maximum grant of \$15M. MPOs and RTPOs eligible recipients.

- **Congestion Relief Program:** Competitive program to “advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas
- **Healthy Streets Program:** New discretionary grant program to expand the use of cool pavement and porous pavement and expanding tree cover to mitigate urban heat islands, improve air quality, and reduce the extent of impervious surfaces.
- **Active Transportation Infrastructure Investment Program:** New competitive grant program to construct eligible projects to “provide safe and connected active transportation facilities in an active transportation network or active transportation spine.” Funded at \$200M/year. Minimum project size is \$15M.
- **Railroad Crossing Elimination Program:** New competitive grant program for “highway-rail or pathway-rail grade crossing improvement projects that focus on improving safety and mobility of people and goods.
- **Corridor Identification and Development Program:** Competitive grant program to “facilitate the development of intercity passenger rail corridors.”
- **Safe Streets and Roads for All Grant Program:** New competitive grant program for “Vision Zero” grants and development of Comprehensive Safety Action Plans and to plan, design, develop, and carry out strategies and projects to eliminate fatalities and serious injuries on the transportation system.

Active Transportation

- **Increase in TAP Funding:** Sixty percent (60%) increase in funding for the Transportation Alternatives Program (TAP) – Technically this is titled the Surface Transportation Block Grant (STBG) Program Set-Aside. The program shifts from a set dollar value to a 10% set-aside from STBG.
- **Vulnerable Road User Safety Assessments:** All states must complete a Vulnerable Road User Safety Assessment within the next two years.
- **Crash Data Collection Improvement:** \$750M over five years nationwide to revise crash data collection systems to ensure better data on crashes involved bicycles and electric scooters.
- **Restrictions on TAP Funding Transfers:** New restrictions added on states ability to transfer funds out of TAP. States must hold competitive project solicitations and certify that there are inadequate eligible projects prior to transferring TAP funds to general highway, bridge or other use.
- **Complete Streets Policies:** States and MPOs encouraged though not required to adopt Complete Streets policies.
- **Safe Routes to School:** The stand-alone Safe Routes to School program is reestablished and expanded to include high schools and non-infrastructure activities.
- **Traffic Calming & HSIP:** A range of traffic calming and speed reduction measures are added to the list of eligible uses for Highway Safety Improvement Program (HSIP) funding.
- **Shared Micromobility & CMAQ:** “Shared micromobility” including bikeshare and scootershare systems are explicitly made eligible for CMAQ funding.
- **Match Flexibility:** Individual projects may be funded at a 100% federal share as long as program spending overall meets federal match requirements (typically 80/20)

Public Transit & Community Transportation

- **Funding Increase Across All FTA Formula Programs:** Thirty percent (30%) increase in all Federal Transit Administration (FTA) programs from FY2021 to FY2022, with incremental increases through FY2026.

- **Time Limit Removed for CMAQ Operating Assistance:** The current three-year time limit on use of CMAQ funds is eliminated for transit operations in non-urban (pop <50K) and small-urban areas (population 50K-200K).
- **More Funding for STIC Program:** Increases portion of Section 5307 Small Urban Formula Funding distributed through the Small Transit Intensive Cities (STIC) program.
- **Improved Flexibility in Sale of Retired Buses:** Provision allowing FTA recipients to retain more than \$5,000 from the sale of transit assets beyond their defined useful life.

Transportation Planning

- **MPO Funding:** 32% increase in transportation planning funding over FY20 levels
- **MPO Representation:** Requires MPOs to consider the equitable and proportional representation of the population of the planning area when designating officials
- **Urban Area Consistency:** Requires consistency in data used for planning in urbanized areas with more than one MPO but does not require joint planning.
- **Virtual Public Involvement:** Allows states and MPOs to use social media and other web-based tools to encourage public participation and solicit feedback.
- **Transportation and housing:** Requires MPOs to consult with officials responsible for housing, consider housing in the planning process, and include affordable housing organizations as interested parties. Encourages MPOs to conduct scenario planning that incorporates population and housing distributions.
- **Active Transportation Planning:** Requires MPOs to use no less than 2.5% of planning funds to carry out one or more activities “to increase safe and accessible options for multiple travel modes for people of all ages and abilities”
- **Discretionary Grant Programs:** MPOs are eligible for many discretionary grants (PROTECT, Charging Infrastructure, etc.) and pilot programs.

Selected Pilot Programs

- **National Motor Vehicle Per-Mile User Fee Pilot:** Establishes a per-mile user fee pilot to test design and implementation of a per-mile user fee, address the need for additional revenue, and provide recommendations relating to adoption and implementation of a per-mile user fee. Funded at \$50M over five years.
- **Toll Credit Exchange Pilot (Section 11503):** Establishes a national pilot program to identify the extent of demand to purchase toll credits, a cash market value for toll credits sold between states and the impact of expanded toll credit use on state transportation expenditures. Up to 10 states will be selected based on application to USDOT.
- **Transportation Access Pilot Program:** Establishes a pilot program to develop or procure an accessibility data set and make it available to pilot participants to allow for improved planning by measuring access by different modes to delineated destinations and disaggregating the level of access by a variety of factors. MPOs eligible recipients. Funding unclear.