



“Fixing America's  
Surface Transportation Act”  
A Comprehensive Analysis

Transportation Makes America Work





ARTBA 2016 Chairman  
David Zachry



ARTBA President &  
CEO Pete Ruane

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## THE ASSOCIATION IN THE ARENA

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The December 2015 enactment of the Fixing America's Surface Transportation Act, or FAST Act, made clear at least three things.

One, bipartisanship is still alive in Washington, D.C. In the midst of arguably the most divisive political climate in generations, the FAST Act, which retained a strong federal role in transportation, generated 359 votes in the House and 83 in the Senate. It's hard to identify another policy matter that could garner such strong support from both political parties.

Two, since the July 2012 enactment of MAP-21 and up until the Dec. 3 final passage of the FAST Act, ARTBA and its outstanding advocacy leaders were relentless in their commitment to get the job done. As President Teddy Roosevelt aptly noted in his famous 1910 speech, **"credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly."**

Through the "Transportation Makes America Work" program, ARTBA executed the industry's only comprehensive, multi-year, multi-million dollar advocacy communications and grassroots lobbying campaign to build support for the final law. The effort was initiated in partnership with congressional transportation champions, and bolstered by extraordinary grassroots action by the association's state contractor chapters, members and key coalitions.

As you will see in this comprehensive analysis of the FAST Act and in the timeline of key ARTBA leadership activities on the "road to

reauthorization" outlined in the following pages, no other construction industry organization even comes close to matching ARTBA's singular focus, energy and intellectual fire-power, and commitment of financial resources to the fight at hand.

Third, it's also clear that an advocate's job is never done.

Yes, the FAST Act provides five years of funding predictability that will stabilize the transportation construction market and bring more certainty for state agencies planning new infrastructure projects. It puts in place a reporting process that will provide more transparency and accountability to U.S. taxpayers. And it also creates the program framework to finally start modernizing our National Highway Freight Network, a concept ARTBA has been pushing since 2006 with its "Critical Commerce Corridors" proposal.

But there is a great deal of work ahead since both Congress and the Obama Administration sidestepped a golden opportunity to put the federal highway and transit investment program back on solid financial footing.

Pushing for a permanent funding solution for the Highway Trust Fund remains the paramount challenge in the coming years. Rest assured, ARTBA remains in the arena still fighting—and fighting smart—on behalf of the U.S. transportation design and construction industry!

*David S. Zachry*

*Pete Ruane*

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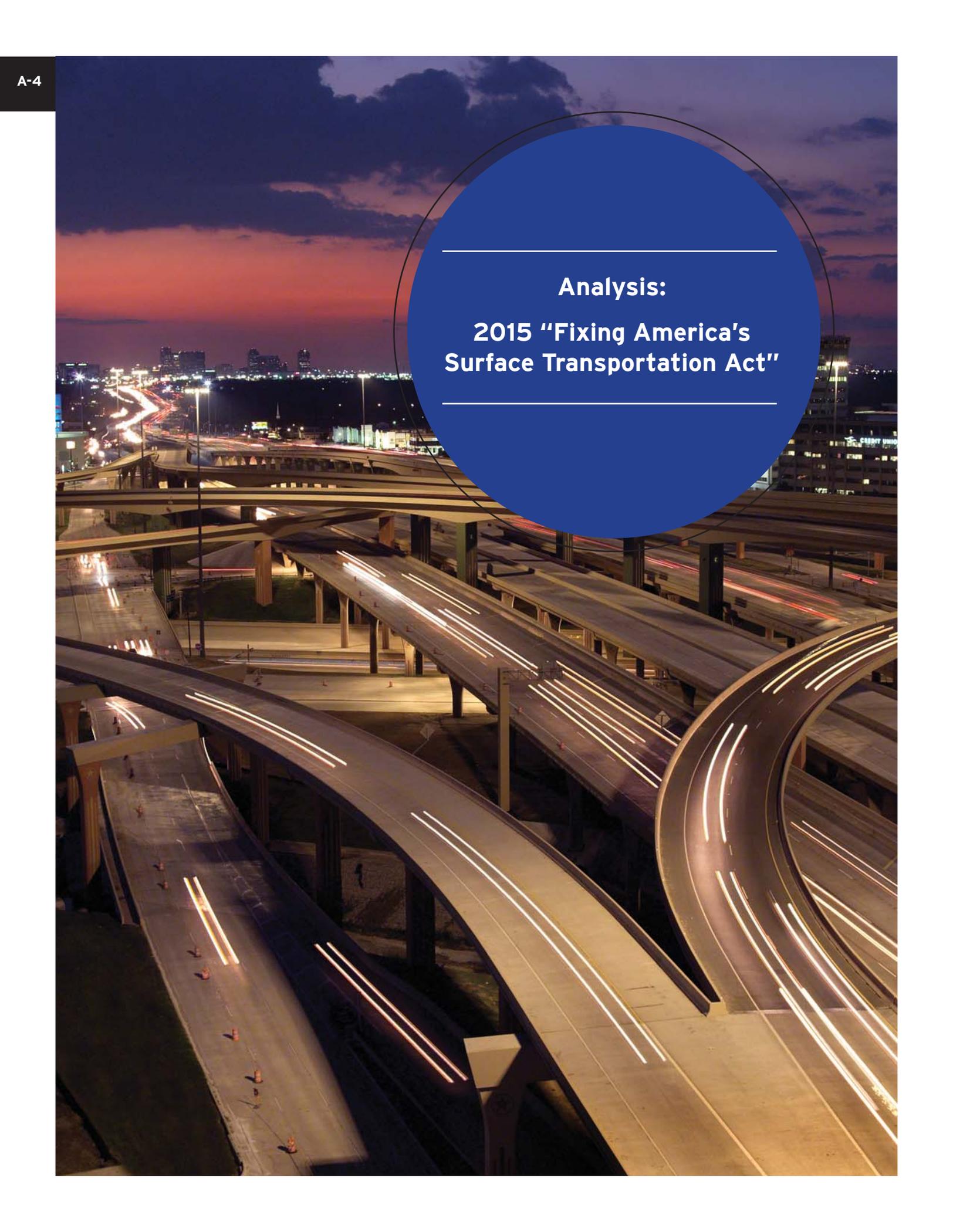
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**Analysis:**  
**2015 "Fixing America's  
Surface Transportation Act"**

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## EXECUTIVE SUMMARY

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The House and Senate overwhelmingly approved the “Fixing America’s Surface Transportation Act,” or FAST Act, which reauthorizes the federal surface transportation programs through FY 2020 on December 3, 2015. The final vote represented the **culmination of incredibly hard work by ARTBA, its member firms, agencies, and state contractor chapters and industry coalitions** that began back in July 2012, shortly after President Obama signed MAP-21 into law.

The five-year, \$305 billion measure provides \$286 billion for the federal highway and public transportation programs that will enable modest funding increases that exceed inflation over its life. It also includes **a host of policy reforms that ARTBA has championed for years.**

However, the FAST Act once again falls back on recent congressional practices of providing a one-time transfer of funds to supplement existing Highway Trust Fund (HTF) revenues without any path forward to establishing a real solution to the fund’s structural revenue deficit.

The FAST Act grows highway investment from the current level of \$40.3 billion to \$46.4 billion—an average annual increase of nearly 3 percent. Public transportation funding will increase from \$10.7 billion to \$12.6 billion—an average annual increase of 3.4 percent. To put these increases in context: the two-year, MAP-21 law increased highway investment by 1.5 percent annually and transit funding by 1.1 percent per year; and 2005’s SAFETEA-LU law increased highway investment by an average of 4 percent per year and transit spending by an average of 7.3 percent annually.

**The FAST Act delivers a long-time ARTBA and transportation construction industry priority by creating a new “National Highway Freight Program”** that provides states on average \$1.26 billion per year to support highway-related freight improvements. Since 2006, ARTBA has advocated for a dedicated goods movement program called “Critical Commerce Corridors.”

The FAST Act’s “National Highway Freight Program” is complemented by a new “Nationally Significant Freight and Highway Projects Program” that will provide on average \$900 million annually for large-scale projects. These two new initiatives target resources at national priorities and underscore the critical role of the federal government in maintaining the U.S. surface transportation network.

Other ARTBA priorities achieved in the FAST Act include:

- Provisions that will help accelerate the delivery of needed highway improvement projects by strengthening the U.S. Department of Transportation’s (DOT) leadership role among other federal agencies in the environmental review process and reducing duplication between the environmental and planning processes;
- Enhanced transparency to demonstrate to the American public how they benefit from federal highway investment by requiring U.S. DOT to show specifically how and where federal funds are utilized by state and project; and
- Reserving highway safety funds exclusively for infrastructure improvements by no longer allowing these resources to be shifted to behavioral and educational activities.

Most notably, the **FAST Act fails to address the major challenge facing the highway and public transportation programs—the Highway Trust Fund’s permanent structural revenue deficit.** Instead of enacting a long-term plan to provide states and the private sector real certainty about future highway and transit investment, members of Congress defaulted to the path of least resistance by providing a one-time transfer of non-transportation resources to the trust fund. As a result, any certainty provided by the FAST Act will be short-lived with another revenue shortfall impacting state construction programs as early as 2019. **A permanent solution for the trust fund remains the key focus of ARTBA’s efforts going forward.**

The following pages provide an in depth review of these provisions and other components of the FAST Act.

The “Fixing America’s Surface Transportation Act,” reauthorizes the federal highway and public transportation programs for fiscal years (FY) 2016-2020 and helps stabilize the Highway Trust Fund during that five-year period.

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## HIGHWAY PROGRAM FUNDING

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It includes \$225.2 billion from the HTF for highway investment, a \$20.2 billion increase over five years compared to maintaining FY 2015 funding. About half of the increase, or \$10.7 billion, will support two new proposed initiatives—a National Freight Program and a program of Nationally Significant Freight and Highway Projects. The remainder will provide small annual increases in core highway program funding.

Of the \$225.2 billion total, \$207.4 billion will be apportioned among the states by formula. States use these funds for highway and bridge improvements authorized by the main highway programs such as the National Highway Performance Program, the new Surface Transportation Block Grant Program, and a few others. The apportionment formulas are set by Congress.

The remaining \$17.8 billion will fund a handful of additional programs that are either run directly by the federal government, are for research and development programs, fund Federal Highway Administration (FHWA) administrative expenses, or finance competitive grants to state and local governments under programs administered by the Secretary of Transportation.

An additional \$1.05 billion is authorized from the general fund, as opposed to the HTF, for significant projects on federal or tribal lands and for the Appalachian Regional Highway Development program.

Funding details by program and year are shown in Table 1:

TABLE 1

Highway Program Funding under the "Fixing America's Surface Transportation Act" (FAST Act)							
Program Authorizations	FY2015	FY2016 /2	FY2017	FY2018	FY2019	FY2020	5-Year Total
<b>Apportioned Programs, Trust Fund, Total</b>	<b>37,798,000,000</b>	<b>39,727,500,000</b>	<b>40,547,805,000</b>	<b>41,424,020,075</b>	<b>42,358,903,696</b>	<b>43,373,294,311</b>	<b>207,431,523,082</b>
<i>Estimated Split Among Programs:</i>							
National Highway Performance Program	21,908,178,122	22,320,399,020	22,838,846,067	23,286,164,073	23,746,271,804	24,253,567,928	116,445,248,892
Surface Transportation Program	10,077,074,081						
Surface Transportation Block Grant Program /1		10,266,682,752	10,505,152,116	10,710,904,354	10,922,539,464	11,155,879,753	
Highway Safety Improvement Program	2,192,406,423	2,227,791,101	2,279,763,304	2,323,919,129	2,369,480,418	2,420,227,245	11,621,181,197
Railway-Highway Crossings Program	220,000,000	225,000,000	230,000,000	235,000,000	240,000,000	245,000,000	1,175,000,000
Congestion Mitigation and Air Quality Improvement	2,266,889,602	2,382,609,044	2,431,805,851	2,484,355,796	2,540,424,317	2,601,261,175	12,440,456,183
Metropolitan Planning Program	313,551,772	329,557,861	336,362,668	343,631,274	351,386,563	359,801,399	1,720,739,765
National Freight Program /1		1,140,460,222	1,090,874,995	1,190,045,449	1,338,801,130	1,487,556,811	6,247,738,606
Transportation Alternatives Program	819,900,000	835,000,000	835,000,000	850,000,000	850,000,000	850,000,000	4,220,000,000
<b>Other Programs, Trust Fund, Total</b>	<b>3,197,000,000</b>	<b>3,372,500,000</b>	<b>3,457,295,000</b>	<b>3,549,191,925</b>	<b>3,648,692,304</b>	<b>3,730,797,689</b>	<b>17,758,476,918</b>
TIFIA	1,000,000,000	275,000,000	275,000,000	285,000,000	300,000,000	300,000,000	1,435,000,000
Federal Lands and Tribal Transportation Programs							
Tribal Transportation Program	450,000,000	465,000,000	475,000,000	485,000,000	495,000,000	505,000,000	2,425,000,000
Federal Lands Transportation Program	300,000,000	335,000,000	345,000,000	355,000,000	365,000,000	375,000,000	1,775,000,000
Federal Lands Access Program	250,000,000	250,000,000	255,000,000	260,000,000	265,000,000	270,000,000	1,300,000,000
Territorial and Puerto Rico Highway Program	190,000,000	200,000,000	200,000,000	200,000,000	200,000,000	200,000,000	1,000,000,000
Nationally Significant Freight and Highway Projects		800,000,000	850,000,000	900,000,000	950,000,000	1,000,000,000	4,500,000,000
Emergency Relief	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000
Research, Technology and Education Authorizations							
Highway Research and Development Program	115,000,000	125,000,000	125,000,000	125,000,000	125,000,000	125,000,000	625,000,000
Technology & Innovation Development Program	62,500,000	67,000,000	67,500,000	67,500,000	67,500,000	67,500,000	337,000,000
Training and Education	24,000,000	24,000,000	24,000,000	24,000,000	24,000,000	24,000,000	120,000,000
Intelligent Transportation Systems	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000
University Transportation Centers Program	72,500,000	72,500,000	75,000,000	75,000,000	77,500,000	77,500,000	377,500,000
Bureau of Transportation Statistics	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	130,000,000
Construction of Ferry Boats and Terminal Facilities	67,000,000	80,000,000	80,000,000	80,000,000	80,000,000	80,000,000	400,000,000
FHWA Administration	440,000,000	453,000,000	459,795,000	466,691,925	473,692,304	480,797,689	2,333,976,918
<b>Total Contract Authority, Trust Fund</b>	<b>40,995,000,000</b>	<b>43,100,000,000</b>	<b>44,005,100,000</b>	<b>44,973,212,000</b>	<b>46,007,596,000</b>	<b>47,104,092,000</b>	<b>225,190,000,000</b>
<b>Obligation Limitation</b>	<b>40,256,000,000</b>	<b>42,361,000,000</b>	<b>43,266,100,000</b>	<b>44,234,212,000</b>	<b>45,268,596,000</b>	<b>46,365,092,000</b>	<b>221,495,000,000</b>
Exempt Contract Authority	739,000,000	739,000,000	739,000,000	739,000,000	739,000,000	739,000,000	3,695,000,000
<b>Total Obligation Authority, Trust Fund</b>	<b>40,995,000,000</b>	<b>43,100,000,000</b>	<b>44,005,100,000</b>	<b>44,973,212,000</b>	<b>46,007,596,000</b>	<b>47,104,092,000</b>	<b>225,190,000,000</b>
<b>Additional Authorizations, General Fund, Total /1</b>	<b>140,000,000</b>	<b>210,000,000</b>	<b>210,000,000</b>	<b>210,000,000</b>	<b>210,000,000</b>	<b>210,000,000</b>	<b>1,050,000,000</b>
Nationally Significant Federal Lands & Tribal Projects	30,000,000	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000
Appalachian Regional Development	110,000,000	110,000,000	110,000,000	110,000,000	110,000,000	110,000,000	550,000,000

1: New program created by FAST Act  
 2: Includes amounts provided under MAP-21 extensions for FY 2016



“The five-year FAST Act will provide much-needed predictability and stability for public agencies charged with planning transportation improvement projects. ARTBA's efforts were outstanding. A long-term bill would not have happened if ARTBA and its allies had not kept the heat on Congress and the President to get the job done.”

–**Mike Hancock**, secretary, Kentucky Transportation Cabinet

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## APPORTIONMENTS AMONG THE STATES

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The FAST Act will provide every state a 5.1 percent increase in formula funds in FY 2016. This is followed by annual increases ranging from 2.1 percent in FY 2017 to 2.4 percent in FY 2020—increases that will more than offset the effect of projected inflation during those years. Table 2 shows the apportionment among the states of the \$207.4 billion of formula funds under the FAST Act, as provided by the U.S. Department of Transportation (DOT). The figures in this table do not include the \$17.8 billion that are not apportioned by formula.<sup>1</sup>

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<sup>1</sup>Note that the totals in the state apportionment table for each year are \$3.5 million less each year than the annual apportionment totals in the first table. This represents a decrease for safety-related programs.



“Focused. Persistent. Unwavering. Those are some of the words that come to mind to describe ARTBA’s singular push to complete action in 2015 on a long-term highway and transit bill. The credible and comprehensive information prepared by ARTBA’s government affairs team in the run up to the final passage of the FAST Act was invaluable to the engineering community.”

—**Paul Yarossi**, president, HNTB Holdings Ltd., New York City

TABLE 2

**Comparison of Actual FY2015 Apportionments under the Highway and Transportation Funding Act of 2014, as Amended, and Estimated FY2016-FY2020 Apportionments under the Conference Report for H.R. 22 (FAST Act)**  
(before post-apportionment set-asides; before penalties; before sequestration)

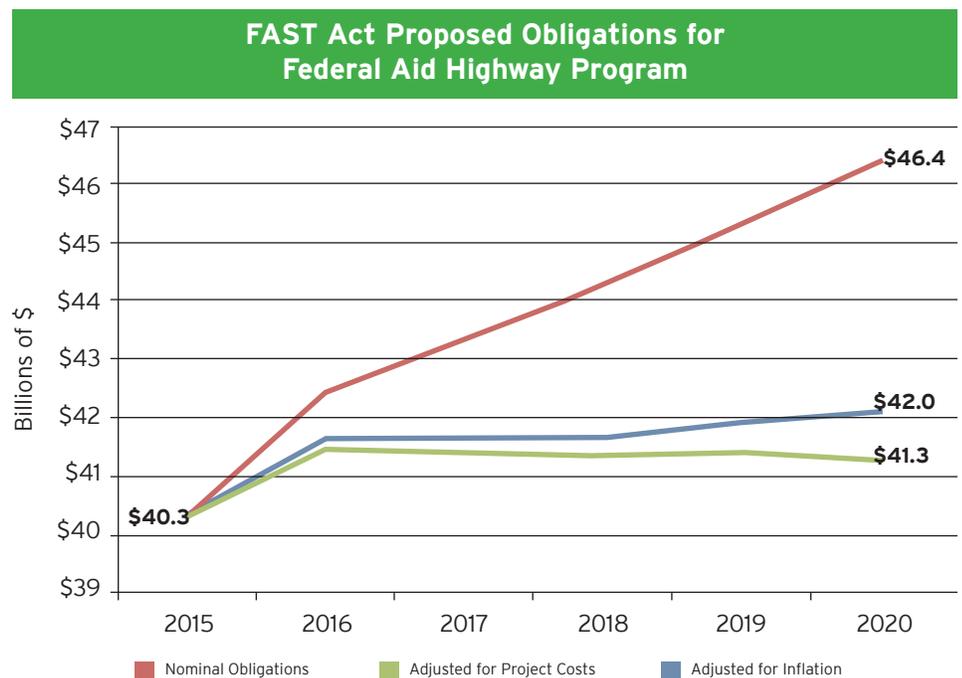
State	Actual FY 2015	Est. FY 2016	Est. FY 2017	Est. FY 2018	Est. FY 2019	Est. FY 2020	FY 2016 to 2020 Total	FY 2016 to 2020 Average
Alabama	732,263,043	769,571,910	785,463,731	802,438,770	820,550,261	840,202,114	4,018,226,717	803,645,343
Alaska	483,955,039	508,614,600	519,117,557	530,336,370	542,306,359	555,294,332	2,655,669,218	531,133,844
Arizona	706,182,063	742,166,445	757,492,248	773,862,621	791,329,101	810,281,016	3,875,131,431	775,026,286
Arkansas	499,714,166	525,175,061	536,020,027	547,604,161	559,963,932	573,374,836	2,742,138,017	548,427,603
California	3,542,468,412	3,723,001,547	3,799,881,396	3,882,001,196	3,969,619,475	4,064,689,233	19,439,192,847	3,887,838,569
Colorado	516,112,989	542,412,699	553,613,557	565,577,841	578,343,213	592,194,216	2,832,141,526	566,428,305
Connecticut	484,770,705	509,473,713	519,994,372	531,232,092	543,222,256	556,232,120	2,660,154,553	532,030,911
Delaware	163,267,961	171,587,491	175,130,787	178,915,587	182,953,804	187,335,451	895,923,120	179,184,624
Dist. of Col.	154,002,708	161,850,034	165,192,253	168,762,270	172,571,324	176,704,316	845,080,197	169,016,039
Florida	1,828,689,002	1,921,860,645	1,961,547,473	2,003,939,263	2,049,169,471	2,098,246,272	10,034,763,124	2,006,952,625
Georgia	1,246,238,772	1,309,739,819	1,336,786,115	1,365,675,824	1,396,499,894	1,429,945,392	6,838,647,044	1,367,729,409
Hawaii	163,244,192	171,562,378	175,105,158	178,889,407	182,927,036	187,308,045	895,792,024	179,158,405
Idaho	276,061,294	290,127,532	296,118,707	302,518,228	309,346,239	316,754,938	1,514,865,644	302,973,129
Illinois	1,372,231,384	1,442,156,608	1,471,937,238	1,503,747,647	1,537,687,978	1,574,514,759	7,530,044,230	1,506,008,846
Indiana	919,668,926	966,529,532	986,488,498	1,007,807,822	1,030,554,618	1,055,235,912	5,046,616,382	1,009,323,276
Iowa	474,345,450	498,513,780	508,808,186	519,804,234	531,536,542	544,266,622	2,602,929,364	520,585,873
Kansas	364,737,489	383,321,318	391,236,975	399,692,143	408,713,444	418,501,959	2,001,465,839	400,293,168
Kentucky	641,292,458	673,966,719	687,884,265	702,750,398	718,611,920	735,822,382	3,519,035,684	703,807,137
Louisiana	677,413,014	711,927,496	726,628,943	742,332,405	759,087,323	777,267,157	3,717,243,324	743,448,665
Maine	178,165,560	187,243,965	191,110,574	195,240,722	199,647,412	204,428,868	977,671,541	195,534,308
Maryland	580,007,300	609,563,599	622,151,114	635,596,565	649,942,279	665,508,023	3,182,761,580	636,552,316
Massachusetts	586,191,765	616,064,316	628,786,048	642,374,865	656,873,544	672,605,261	3,216,704,034	643,340,807
Michigan	1,016,207,628	1,067,989,869	1,090,043,951	1,113,601,188	1,138,735,743	1,166,007,859	5,576,378,610	1,115,275,722
Minnesota	629,372,872	661,441,891	675,100,754	689,690,575	705,257,282	722,147,855	3,453,638,357	690,727,671
Mississippi	466,803,812	490,587,875	500,718,610	511,539,831	523,085,607	535,613,291	2,561,545,214	512,309,043
Missouri	913,719,741	960,274,903	980,104,758	1,001,286,170	1,023,885,822	1,048,407,455	5,013,959,108	1,002,791,822
Montana	396,007,464	416,184,959	424,779,247	433,959,302	443,754,023	454,381,736	2,173,059,267	434,611,853
Nebraska	278,976,662	293,191,186	299,245,632	305,712,735	312,612,854	320,099,792	1,530,862,199	306,172,440
Nevada	350,472,546	368,332,024	375,938,098	384,062,585	392,731,061	402,136,745	1,923,200,513	384,640,103
New Hampshire	159,469,843	167,595,715	171,056,584	174,753,337	178,697,613	182,977,330	875,080,579	175,016,116
New Jersey	963,682,664	1,012,792,050	1,033,706,218	1,056,045,847	1,079,881,265	1,105,743,762	5,288,169,142	1,057,633,828
New Mexico	354,439,590	372,498,916	380,191,084	388,407,532	397,174,128	406,686,276	1,944,957,936	388,991,587
New York	1,620,088,460	1,702,649,572	1,737,809,280	1,775,365,392	1,815,436,141	1,858,914,699	8,890,175,084	1,778,035,017
North Carolina	1,006,630,450	1,057,922,052	1,079,768,287	1,103,103,510	1,128,001,186	1,155,016,278	5,523,811,313	1,104,762,263
North Dakota	239,621,802	251,831,294	257,031,648	262,586,445	268,513,174	274,943,940	1,314,906,501	262,981,300
Ohio	1,293,739,008	1,359,663,237	1,387,740,399	1,417,731,235	1,449,730,162	1,484,450,429	7,099,315,462	1,419,863,092
Oklahoma	612,127,810	643,315,998	656,600,603	670,790,656	685,930,829	702,358,595	3,358,996,681	671,799,336
Oregon	482,423,497	507,004,353	517,474,070	528,657,381	540,589,488	553,536,361	2,647,261,653	529,452,331
Pennsylvania	1,583,603,275	1,664,296,550	1,698,664,445	1,735,374,776	1,774,543,112	1,817,042,511	8,689,921,394	1,737,984,279
Rhode Island	211,081,927	221,837,373	226,418,345	231,311,545	236,532,377	242,197,215	1,158,296,855	231,659,371
South Carolina	646,306,850	679,236,584	693,262,955	708,245,330	724,230,875	741,575,911	3,546,551,655	709,310,331
South Dakota	272,190,802	286,059,805	291,966,983	298,276,779	305,009,059	312,313,885	1,493,626,511	298,725,302
Tennessee	815,605,297	857,163,013	874,863,555	893,770,525	913,943,445	935,831,968	4,475,572,506	895,114,501
Texas	3,331,596,800	3,501,354,175	3,573,657,617	3,650,889,094	3,733,291,741	3,822,702,306	18,281,894,933	3,656,378,987
Utah	335,148,600	352,225,393	359,498,902	367,268,156	375,557,614	384,552,048	1,839,102,113	367,820,423
Vermont	195,886,832	205,868,282	210,119,484	214,660,438	219,505,440	224,762,485	1,074,916,129	214,983,226
Virginia	982,180,040	1,032,226,472	1,053,542,076	1,076,310,501	1,100,603,428	1,126,962,342	5,389,644,819	1,077,928,964
Washington	654,304,963	687,644,962	701,844,910	717,012,693	733,196,062	750,755,744	3,590,454,371	718,090,874
West Virginia	421,797,542	443,288,929	452,442,922	462,220,829	472,653,435	483,973,279	2,314,579,394	462,915,879
Wisconsin	726,226,908	763,229,980	778,990,803	795,825,845	813,788,109	833,277,970	3,985,112,707	797,022,541
Wyoming	247,262,623	259,861,381	265,227,558	270,959,481	277,075,196	283,711,020	1,356,834,636	271,366,927
<b>Apportioned Total</b>	<b>37,798,000,000</b>	<b>39,724,000,000</b>	<b>40,544,305,000</b>	<b>41,420,520,075</b>	<b>42,355,403,696</b>	<b>43,369,794,311</b>	<b>207,414,023,082</b>	<b>41,482,804,616</b>

The FAST Act will increase the number of states receiving more than \$1 billion per year in federal highway formula funds from 10 to 14 (28 percent of all states) by FY 2020. This underscores the importance of the federal highway program as all of these funds can only be used for capital improvements. The four new states are: Indiana, Missouri, New Jersey and Virginia.

## MARKET IMPACTS



While the FAST Act's total core highway investment increase during its life will be just over 15 percent, yearly assessments are a better gauge of its market impact. As noted earlier, highway investment will jump 5.1 percent in FY 2016 and then slow to rates of growth between 2.1 percent and 2.4 percent for the remaining four years. The chart below shows the investment levels will exceed projected inflation by a total of \$1.7 billion over five years and beat projected construction material cost increases by \$1 billion over the same period. As a result, federal highway investment will see narrow increases in purchasing power through FY 2020, but the FAST Act's biggest impact on the highway construction market will be the stability it provides states and the private sector.



Source: ARTBA analysis of FAST Act. Inflation forecast from CBO's August 2015 report "An Update to the Budget and Economic Outlook: 2015 to 2025." Project costs expected to grow as historical average of 3 percent a year.

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# HIGHWAY TRUST FUND

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The FAST Act provides five years of highway program authorizations, one less than bills passed by both the House and Senate. But it transfers enough resources into the HTF—\$51.9 billion into the Highway Account and \$18.1 billion into the Mass Transit Account—to fund the full five years of program authorizations. This is a significant improvement compared to the House and Senate bills, which generated only enough revenues to guarantee funding for the first three years. The FAST Act also is the longest duration reauthorization of the programs in a decade.

**It also includes a provision that will automatically increase authorized highway and public transportation investment if Congress were to pass a subsequent law adding additional revenues to the HTF. It is worth noting that virtually all HTF revenue enhancements in the last 30 years have been part of budget and tax legislation enacted outside of the surface transportation reauthorization process. This provision assures that if such action were to happen again there would be no delay in passing these resources through to needed surface transportation improvements.**

Nonetheless, the transfer of money from the general fund into the HTF is only a temporary fix. Without a permanent increase in current trust fund excise taxes or enactment of a new revenue source, the HTF will exhaust the funds provided under the FAST Act by the end of FY 2020. Furthermore, because the underlying HTF revenue deficit has not been addressed, the current \$14 billion annual shortfall between incoming trust fund revenues and the amount needed to support authorized surface transportation investment levels will grow to \$19 billion over the next five years without remedial action by Congress. The Congressional Budget Office estimates Congress will need to find over \$100 billion in additional HTF revenues to fund the next five year authorization bill from FY 2021 through FY 2025. Furthermore, if the past several years of trust fund revenue shortfalls are any guide, we could see states beginning to scale back planned projects well before the FAST Act expires!

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## HIGHWAY PROGRAM STRUCTURE

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The FAST Act retains the highway program structure enacted in the 2012 Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) surface transportation law with only a few major additions or changes.

**National Highway Performance Program (NHPP).** The NHPP is the most significant highway program, focusing on maintaining and improving the Interstate Highway System and other major highways designated as part of the National Highway System. The program receives 63.7 percent of formula funds remaining after funding is provided for the Congestion Mitigation & Air Quality (CMAQ) Program, metropolitan planning and national freight programs. The new law will add two permissible uses for NHPP funds: to pay subsidy and administrative costs for TIFIA projects and for improvements to bridges that are not on the National Highway System.

**Surface Transportation.** The FAST Act expands the existing Surface Transportation Program (STP) into a “Surface Transportation Block Grant Program (STBGP)” based on the thought that most of the benefits of STP funds accrue locally and that decisions about how such funds are obligated should be determined by state and local governments, which can best respond to unique local circumstances and implement the most efficient solutions. It rewrites and simplifies the list of uses eligible for program funds and increases the ways that STP funds can be used for local roads and rural minor collectors. The new program still requires that a fraction of program funds be distributed within each state on the basis of population, and the fraction subject to this requirement grows from 50 percent in 2015 under the existing STP program to 55 percent in FY 2020 and thereafter.

Furthermore, \$835 million to \$850 million of the annual funding for this program is set aside for the transportation alternatives program, which supports a variety of pedestrian, bicycling, and environmental activities. This maintains the same funding for enhancements as in MAP-21. It also requires states to invest the same amount each year in recreational trails as in 2009, although states are able to opt out of the Recreational Trails Program. The STBGP block grant program receives the same 29.3 percent of formula funds as did the STP program under MAP-21.

### **Congestion Mitigation & Air Quality (CMAQ)**

**Program.** This long-standing program focuses on reducing highway traffic congestion and improving air quality with a particular focus on states and areas that do not meet current air quality standards. The FAST Act makes only a few changes to the CMAQ program: CMAQ funds can be used not only for attainment of ambient air quality standards, but also to maintain standards in an attainment area; the diesel retrofit program is expanded to include port-related off-road equipment and vehicles; and low-population-density states are exempt from PM 2.5 attainment requirements if the non-attainment area has no projects that are part of a transportation plan and vehicles are an insignificant contributor to PM 2.5 non-attainment. The CMAQ program receives the same share of formula funds as applied under MAP-21.

**Highway Safety Improvement Program (HSIP).** It achieves a long-time ARTBA policy objective by ending the ability of states to shift funds designated for infrastructure safety projects to behavioral or educational activities, ensuring resources remain in construction-related programs. It also designates several new safety improvements eligible for funding including vehicle-to-infrastructure communication and roadway improvements that provide separation between pedestrians and motor vehicles.

With regards to unpaved roads, the FAST Act allows states to “opt out” of collecting safety inventory data for unpaved/gravel roads if certain conditions are met, as long as the states continue to collect data related to serious crashes and fatalities. It also requires the U.S. DOT to review data and report to Congress on best practices for roadway infrastructure improvements that enhance commercial motor vehicle safety. This is in line with an ARTBA project to develop guidance related to the disproportionate number of large truck crashes in work zones.



“Public policy in Washington, D.C., may move at a snail’s pace these days. But that has never stopped ARTBA. The national highway freight program and dedicated funding source for it contained in the 2015 highway and transit investment law achieves a goal that ARTBA had been doggedly pushing for since it introduced the ‘Critical Commerce Corridors’ in 2006.”

–Mike Walton, E.H. Cockrell Centennial Chair in Engineering, University of Texas

**Transportation Alternatives.** MAP-21 combined the Transportation Enhancement Program, Safe Routes to School and the Recreational Trails Program into a comprehensive Transportation Alternatives Program. The most significant FAST Act modification to this program changes its funding from 2 percent of annual apportionments (about \$820 million per year) to a flat \$835 million in FY 2016 and FY 2017 and then to \$850 million per year thereafter. The FAST Act also expands eligible recipients for funds to include nonprofits responsible for administration of local transportation safety programs and requires annual reports from state and local planning organizations on the number of project applications and awards.

The FAST Act’s two new initiatives are:

**National Freight Program.** The FAST Act transforms the National Freight Policy provisions of MAP-21 into a new program that funds freight-related highway improvements. **ARTBA has called for the creation of a dedicated freight program since 2006 when it released the “Critical Commerce Corridors” proposal.** The new law authorizes a five-year total of \$6.2 billion for the program. Funds are apportioned among the states by formula, but states must establish a freight advisory committee and develop a state freight investment plan before obligating any funds. Under the proposal, the Secretary of Transportation and the states will designate a “National Freight Network” comprised of the Interstate highways and their “Critical Urban Freight Corridors” and their “Critical Rural Freight Corridors” that are key to the safe and efficient shipment of freight. The national and state networks will be updated every five years. Program funds will be directed under national and state strategic plans to projects that improve highway freight transportation.

States will be able to obligate up to 10 percent of their freight program funds for improvements to freight rail or ports, statutorily breaking a long-standing practice against opening up HTF resources to modes of transportation other than highways and public transportation. **It should also be noted that freight rail companies and shippers do not contribute to the HTF and the port community has its own separate federal trust fund.**

**Nationally Significant Freight and Highway Projects Program.** This program will provide an average of \$900 million per year in grants of at least \$25 million for highway, bridge, rail-grade crossing, intermodal and freight rail projects costing more than \$100 million that improve movement of both freight and people, increase competitiveness, reduce bottlenecks, and improve intermodal connectivity. Projects will be awarded competitively by the Secretary of Transportation based on specified criteria. At least 25 percent of the funds must be spent in rural areas, and the federal share of project costs will be 60 percent. While the program allows HTF resources to be diverted to freight rail projects, it will impose a \$500 million limitation on the total amount that can be awarded over the next five years to freight and intermodal projects. It also reserves 10 percent of the annual grant awards for projects that do not meet the program’s cost threshold. The Secretary of Transportation must report all grant awards to Congress, which will have 60 days to reject a project by joint resolution.

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## ACCELERATED PROJECT DELIVERY

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The FAST Act builds upon MAP-21's improvements to the project delivery process by expanding opportunities for their use in addition to creating additional reforms aimed at reducing delay.

**Reduction of Duplication.** The FAST Act focuses on reducing duplicative efforts throughout the environmental review process in multiple ways. First, the law requires "to the maximum extent practicable" the combination of a final environmental impact statement (EIS) and record of decision into a single document. As both types of documents can often be quite voluminous, eliminating one is a significant reduction in paperwork. It also allows, and encourages, the use of a single environmental review document throughout the entire process and among multiple agencies, as opposed to the current practice of having each agency conduct separate reviews.

Further, the FAST Act expands on combining the transportation planning and National Environmental Policy Act (NEPA) environmental review processes "to the maximum extent practicable and appropriate." For transportation projects, an extensive amount of information is gathered during the planning process, which often occurs prior to the actual triggering of NEPA review

requirements. This allows information gathered during the planning process, to the extent it is still current and relevant, to satisfy NEPA requirements, limiting duplicative reviews and reducing the amount of delay in the NEPA process. Additionally, alternatives to proposed transportation projects analyzed and rejected during the planning process do not need to be re-analyzed during NEPA review.

It also prevents regulatory issues that have been resolved early in the process to be raised again later. Any such issue that has been resolved by the lead agency with the concurrence of the participating agencies cannot be re-examined unless "significant new information or circumstances arise." Unfortunately, what exactly constitutes "significant new information or circumstances" is not addressed in the statute, but could be addressed later via guidance or regulation. If the phrase is not clarified, there could be an opportunity for litigation.

**Deadlines.** The FAST Act adds to MAP-21's efforts to use deadlines to reduce delay in the transportation project review and approval process. Specifically, it creates the following:

- A 45-day deadline from the beginning of the environmental review process to identify all participating agencies;
- A 45-day deadline for the receipt of a project application for U.S. DOT to decide whether or not the environmental review process may be initiated;
- A 45-day deadline for U.S. DOT to respond to a request to designate a specific modal administration as lead agency (this deadline may be extended up to an additional 45 days if new information is received); and
- A 90-day deadline from the beginning of the environmental review process to develop a coordination plan to obtain comments from participating agencies.

**Categorical Exclusions.** The FAST Act also continues MAP-21's expansion of the use of categorical exclusions (CEs). Currently, according to the FHWA, CEs account for more than 90 percent of transportation project reviews. Despite being the least burdensome form of environmental review, CEs can still take more than a year to complete.

The new law allows the use of programmatic agreements to process CEs as a group, rather than on a case-by-case basis in an effort to reduce their approval time. **This programmatic approach to CEs was a key recommendation of the ARTBA Trans 2020 Reauthorization Task Force**, which noted that reducing the amount of time it takes to process CEs could free up resources for more complicated environmental assessment (EA), EIS and permitting decisions.

**Programmatic Agreements.** The FAST Act encourages the use of "programmatic agreements" during project review and approval by directing U.S. DOT to establish a programmatic agreement "template," which could be widely used by individual projects. Programmatic agreements are a means of delineating responsibilities at the beginning of the environmental review and approval process. Ideally, programmatic agreements strive to specify clear roles and responsibilities for those involved in the project review and approval process, eliminating or reducing duplication of effort, while also seeking to establish clear expectations for review timeframes and processing options. The FHWA has highlighted the use of programmatic agreements in its

"Every Day Counts" program as an effective tool in reducing project delay.

Once a programmatic agreement is finalized, its terms must be given "substantial weight" by all agencies involved in the review and approval process.

**Delegation of Regulatory Responsibilities to States.** The FAST Act expands on past efforts to delegate federal environmental and regulatory responsibilities to states. In order to encourage greater participation in the program, it allows the U.S. DOT to offer training and information-sharing to states not currently utilizing the delegation program.

In addition, it creates a delegation pilot program for up to five states currently enrolled in U.S. DOT's NEPA delegation program to substitute their state laws and regulations for NEPA and its associated regulations. Currently, states in the delegation program are administering NEPA in place of the federal government. Under the new program, a state could use its own laws and regulations. States enrolled in this new delegation pilot program may also use their authority over locally administered transportation projects.



"ARTBA doesn't know the meaning of the word 'quit.' The end result of that relentless focus was the December 2015 passage of a long-term highway and transit investment bill that will provide much-needed market stability for the first time in a decade."

–**Ward Nye**, president & CEO, Martin Marietta Materials, Raleigh, N.C.

It also instructs the department "to the maximum extent practicable" to delegate responsibility to states for "project design, plans, specifications, estimates, contract awards, and inspection of projects, both on a project specific and programmatic basis." The new law's use of "to the maximum extent practicable" attempts in the duplication and delegation sections to motivate state and federal agencies to utilize the efficiencies that will be available. **It does not require them to do so and it is unclear how or if such language is enforceable.**



**Coordination of Agency Reviews.** The FAST Act also directs U.S. DOT, in coordination with other federal agencies likely to have review or permitting authority over transportation projects, to develop guidelines for conducting coordinated project reviews. Coordinated reviews allow for multiple regulatory processes to occur at the same time as opposed to one-after-the-other, reducing delay. Additionally, it directs U.S. DOT to develop an “environmental checklist” for transportation projects to be used when a lead agency and participating agencies set project review schedules.

**Historic Preservation Requirements.** The new law simplifies historical preservation and mitigation requirements. The Secretary of Transportation is allowed to determine that no practical alternative exists when a project might impact a historical resource. When such a determination is made, there will no longer be a need for any further alternatives analysis.

**Bridge Repair Projects.** The FAST Act seeks to streamline the environmental review process for bridge repair projects by exempting “common post 1945 concrete or steel bridge[s] or culvert[s]” from individual review. This was actually done through regulation by FHWA in 2012, but the new law makes the change permanent. Also, it loosens requirements under the Migratory Bird Treaty Act for repairs made to bridges in “serious” condition (as classified by U.S. DOT’s Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation’s Bridges) or worse.

**Transparency in the Environmental Review Process.**

The FAST Act expands upon the current federal Permitting Dashboard, which is a website the public can access to track the review process for nationally or regionally significant projects, by creating a website allowing the public to track the process of all transportation projects requiring either an EIS or EA.

**Expediting or Exempting Regulatory Requirements in Emergency Situations.**

Building upon the creation of a CE for emergency situations in MAP-21, the new law provides further exemptions and expedited regulatory procedures for “any road, highway, railway, bridge or transit facility that is damaged by an emergency.” Specifically, regulatory requirements under the federal Clean Water Act, Endangered Species Act, National Historic Preservation Act, and Migratory Bird Treaty Act are either required to be expedited or exempted in order to speed repair of critical infrastructure during emergency situations.

# TIFIA AND INNOVATIVE FINANCING

**Transportation Infrastructure Finance and Innovation Act (TIFIA).** The FAST Act will cut annual investment for the TIFIA credit assistance program from the \$1 billion per year authorized in FY 14 and FY 15 to the following levels:

- FY 2016: \$275 million
- FY 2017: \$275 million
- FY 2018: \$285 million
- FY 2019: \$300 million
- FY2020: \$300 million

While this reduction is likely the result of the FAST Act's revenue constraints rather than opposition to the TIFIA Program, it should be noted the FHWA was required to transfer \$639 million in TIFIA funds to the highway formula programs on April 27, 2015, because TIFIA's uncommitted balance exceeded the statutory limit Congress imposed as part of MAP-21. Moreover, the FAST Act eliminates that mandatory redistribution of uncommitted balances, ensuring all resources allocated to the TIFIA program are reserved only for that activity.

At the same time, it will allow more diversification of the TIFIA program's portfolio by expanding or facilitating the eligibility for several types of projects. These include projects associated with transit-oriented development, located in rural areas, smaller in scale (i.e. less than \$75 million), or administered by local governments.

The TIFIA section also provides a new streamlined process for applicants using conventional loan terms from the program, as established by U.S. DOT. To be eligible, the requested TIFIA loan must be \$100 million or less, secured and payable from pledged revenues not affected by project performance, with repayment beginning within five years. In addition, the new law establishes increased funding levels for U.S. DOT's administration of the TIFIA program.

It also clarifies that availability payments made by states under certain P3 concession models are eligible for federal reimbursement.

**National Surface Transportation and Innovative Finance Bureau.** The FAST Act establishes this new entity within U.S. DOT, with an executive director to be selected through a competitive process with presidential approval. In this provision, Congress charges the new bureau with:



“What differentiates ARTBA from other industry groups is the creativity and innovative thinking it brings to the transportation advocacy arena. The association continually pushes the envelope with unique funding proposals, cutting-edge economic reports and analyses, and attention-getting advertising on multiple platforms. It's a formula for public policy success.”

–David Zachry, president & CEO, Zachry Corporation, San Antonio, Texas

- providing state and local transportation agencies with assistance and best practices relating to project financing and funding, particularly including innovative financing;
- administering the application process for competitive grant and loan programs such as those for Nationally Significant Freight and Highway Projects (NSFHP) and TIFIA, and allocation of private activity bonds (PABs);
- reducing uncertainty and delays in environmental reviews and project permitting, through coordinating with other federal agencies, offering technical assistance and tracking NEPA-related reviews and decisions; and
- promoting best practices and tracking developments in project procurement “to reduce costs and risks to taxpayers.”

This section also empowers the Secretary of Transportation to eliminate or consolidate offices within U.S. DOT to eradicate redundancies and realize savings.

Finally, the FAST Act establishes a Council on Credit and Finance, chaired by the Deputy Secretary of Transportation and comprised of senior U.S. DOT and modal officials. The Council is to review and recommend applications for project grants and loans as described above. This formalizes an existing entity within U.S. DOT that had been created by administrative action.

## OTHER NOTABLE PROVISIONS

- **Hours of Service and Motor Carrier Operators.** The new law widens a current exemption to the hours of service rule for interstate drivers of commercial motor vehicles used for construction. The new law allows those operating within a 75-mile radius to restart their work week after 24 hours of rest, rather than 34 hours, which is the standard for other drivers. (The previous allowable radius was 50 miles.) However, a state may establish its own radius between 50 and 75 miles for intrastate operation of these construction vehicles.

It also codifies a recent regulatory exemption for drivers of ready mix concrete delivery vehicles, through which they are exempt from many requirements of the hours of service rule, provided they meet certain conditions as to radius of operation, on-duty time and drive time.

Within four years after the FAST Act takes effect, U.S. DOT is to provide a report to Congress on the safety and enforcement impacts of these and other hours of service exemptions in the new law.

It also directs the U.S. DOT to convene a task force and establish a pilot program enabling certain veterans or armed forces reserve members between 18 and 21 years of age to operate commercial motor vehicles under various restrictions.

- **DBE Program.** The FAST Act reauthorizes the current provisions of the Disadvantaged Business Enterprise (DBE) program. It adjusts the annual gross receipts limit for eligible DBE firms to \$23.98 million consistent with recent inflation-based adjustments, and maintains the requirement for future annual adjustments as well.

The DBE section also includes a “sense of Congress” offered by Rep. Gwen Moore (D-Wis.), directing the U.S. DOT to “take additional steps” and ensure that state departments of transportation are complying with existing rules requiring prompt payment to DBE firms. U.S. DOT is also instructed to track complaints on this issue and make this information available publicly.

- **Highway Trust Fund Transparency.** The new law requires semi-annual reports to be published on the Internet with detailed data on the use of federal highway funds. Data will be provided by the states on the use of funds from each highway program, with

details on all federally-funded highway projects, including cost, type of improvement, location and project ownership.

- **Tolling.** States that have been awarded approval to toll existing portions of the Interstate Highway System as part of a pilot project created in 1998 are now required to move forward with those projects within one year after the law takes effect, including submitting a final application, completing the NEPA process and executing a toll agreement with U.S. DOT. A state may request a one-year extension if it is making substantial progress on those tasks. Otherwise a state’s “slot” under the pilot program will expire. Similarly, states that receive new, provisional approval under this pilot program will have three years to complete those requirements or request a one-year extension.

Several other tolling-related provisions of the FAST Act enable certain privately-owned bus services to utilize toll facilities under similar terms as public transit vehicles.

- **Bundling of Bridges.** States are authorized and encouraged to bundle multiple similar bridge projects into one project that can be awarded as a single contract to improve efficiency and expedite project delivery.
- **Every Day Counts Program.** The FAST Act instructs the FHWA to continue its Every Day Counts program, developing a new collection of market-ready innovations and best practices at least every two years.
- **Work Zone Safety.** Despite ARTBA-supported directives included in MAP-21 for the FHWA to develop regulations to protect roadway construction workers from motorist intrusions into work zones, the agency has not promulgated the new rules. The FAST Act directs the FHWA “to move rapidly to finalize regulations” and “do all within its power to protect workers in highway work zones.”
- **Roadside Safety Hardware.** Finally, to ensure roadway safety hardware continues to function properly, even years after initial installation, the FAST Act directs FHWA to conduct a study to obtain more inventory information on existing roadside safety devices.

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## HIGHWAY RESEARCH, TECHNOLOGY AND EDUCATION AUTHORIZATIONS

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The FAST Act will continue most MAP-21 provisions dealing with the federal highway research, technology and education programs with only a few significant changes. Major provisions include:

**Funding.** Most of the highway research, technology and training programs will receive either the same annual funding as during FY 2015 or small increases.

**Advanced Technology Deployment.** The FAST Act expands the scope of the Innovative Pavement Research and Deployment Program by requiring the Secretary to develop a program to stimulate deployment of advanced transportation technologies to improve system safety, efficiency and performance. Grants could be used for advanced traveler information systems, advanced transportation management technologies, advanced public transportation systems, and advanced safety systems including vehicle-to-vehicle communications, among others. Federal share will be 50 percent and awards could total up to \$60 million per year.

**Intelligent Transportation System (ITS) Program Goals.** The new law expands the list of ITS program goals to include enhancement of the national freight system and support to national freight policy goals.

**Use of ITS Program Funds.** The FAST Act specifies that ITS funds for operational tests may not be used for construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to implement an ITS project.

**Assistant Secretary and Duties.** The new law creates a new "Assistant Secretary for Research and Technology." It also expands the list of explicit responsibilities of the Secretary of Transportation to include coordination of departmental research and development activities, advancement of innovative technologies, development of comprehensive statistics and data, and coordination of multimodal and multidisciplinary research, among others. The FAST Act also provides that the Secretary may enter into cooperative contracts with other federal, state and local agencies, and others to carry out departmental research on a 50/50 cost-sharing basis.

**Research and Innovative Technology Administration.** It repeals the section of the U.S. Code establishing the Transportation Department's Research and Technology Administration, thus moving responsibility for transportation research and technology into the Office of the Secretary. It also eliminates the Office of Intermodalism in the Research and Technology Administration.

**University Transportation Centers (UTC).** The FAST Act continues the University Transportation Centers program with a few changes. Funding will increase from \$72.5 million in FY 2015 to \$77.5 million by FY 2019. Funding for the three UTC levels will be flexible within ranges rather than a fixed amount as under MAP-21, including \$2 million to \$4 million for the five National Transportation Center consortia; \$1.5 million to \$3.0 million for the 10 Regional Transportation Center consortia; and \$1 million to \$2 million for the Tier I centers. Selection of centers remains competitive and decisions are made by the Transportation Secretary, the new Assistant Secretary for Research and Technology and the FHWA Administrator. The Federal Transit Administration Administrator is no longer involved. Matching requirements remain as under MAP-21.

**Transportation Funding Alternatives.** The new law directs the Secretary to make grants to states to demonstrate alternative user-based revenue mechanisms that could maintain the long-term solvency of the HTF. The goal is to test at least two alternative user-based revenue mechanisms and to provide recommendations for adoption and implementation at the federal level. Funding will be up to \$15 million in FY 2016 and \$20 million per year thereafter, and the federal share will be 50 percent.

**Future Interstate System.** The FAST Act provides for a \$5 million study by the Transportation Research Board that focuses on the actions needed to restore the Interstate System as a premier system that meets the growing and shifting demands of the 21st century, with a report due in three years.

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## PUBLIC TRANSPORTATION

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The FAST Act substantially boosts public transportation investment from the current \$10.7 billion to \$12.6 billion by FY 2020. Total public transportation authorizations grow by 17.8 percent over its life. Of particular note to the transportation construction industry, the FAST Act increases transit capital investment grants from \$1.9 billion in FY 2015 to \$2.3 billion in FY 2016 (a 21 percent increase) and this level of investment is maintained through FY 2020. It should be pointed out, however, the transit capital grant program is supported by federal general funds—as opposed to HTF resources—and final investment decisions are made in the annual appropriations process. If this new increased funding level is met each year, it will mark a 21 percent increase in capital funding for transit projects above the current mark.

The new law includes language allowing up to eight transit capital projects that are part of a public-private partnership to be considered for fast-track approval process as long as the projects receive less than 25 percent of funding from the federal program. This builds on a similar pilot program created in MAP-21 that allowed for three projects receiving less than 50 percent federal funds to receive the expedited approval process.

It also contains \$200 million for Positive Train Control upgrades—a rail safety capital technology program being mandated at the federal level with the intent of cutting down on train crashes. The funds for this initiative come from the HTF's Mass Transit Account. Table 3 depicts the specific programmatic and yearly public transportation investment levels that will be provided.



“No other industry group worked harder than ARTBA to get the FAST Act across the finish line. The new transportation law is a significant public policy achievement for the engineering community and is a testament to ARTBA's effectiveness in the Nation's Capital.”

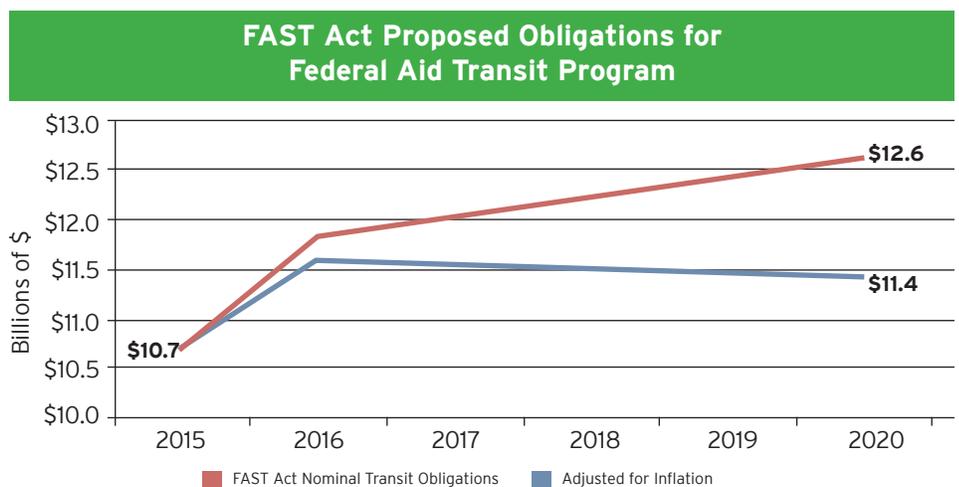
—**Matt Cummings**, executive vice president, AECOM, Philadelphia, Pa.

TABLE 3

**Public Transportation Program Funding under the "Fixing America's Surface Transportation Act" (FAST Act)**

Program Authorizations	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	5-Year Total
<b>Authorizations - Trust Fund</b>							
<b>Formula Grants, Total</b>	<b>8,595,000,000</b>	<b>9,347,604,639</b>	<b>9,534,706,043</b>	<b>9,733,353,407</b>	<b>9,939,380,030</b>	<b>10,150,348,462</b>	<b>48,705,392,581</b>
Urbanized Area Formula Grants	4,458,650,000	4,538,905,700	4,629,683,814	4,726,907,174	4,827,117,606	4,929,452,499	23,652,066,793
State of Good Repair Grants	2,165,900,000	2,507,000,000	2,549,670,000	2,593,703,558	2,638,366,859	2,683,798,369	12,972,538,786
Bus and Facilities Formula Grants	427,800,000	427,800,000	436,356,000	445,519,476	454,964,489	464,609,736	2,229,249,701
Formula Grants for Rural Areas	607,800,000	619,956,000	632,355,120	645,634,578	659,322,031	673,299,658	3,230,567,387
Growing and High Density State Formula Grants	525,900,000	536,261,539	544,433,788	552,783,547	561,315,120	570,032,917	2,764,826,911
Formula Grants for Enhanced Mobility of Seniors and Individuals with Disabilities	258,300,000	262,949,400	268,208,388	273,840,764	279,646,188	285,574,688	1,370,219,428
Metropolitan Planning	128,800,000	130,732,000	133,398,933	136,200,310	139,087,757	142,036,417	681,455,417
Transit Oriented Planning	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	50,000,000
Pilot Program for Innovative Accesss and Mobility		2,000,000	3,000,000	3,250,000	3,500,000	3,500,000	15,250,000
Research, Development, Demo and Deployment Program		28,000,000	28,000,000	28,000,000	28,000,000	28,000,000	140,000,000
Tech Assistance and Development		4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	20,000,000
Bus Testing Facility	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	15,000,000
National Transit Institute	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	25,000,000
National Transit Database	3,850,000	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	20,000,000
Bus Competitive Grants & Low Emissions Grants		268,000,000	283,600,000	301,514,000	322,059,980	344,044,179	1,519,218,159
Research, Development, Demonstration and Deployment Program	70,000,000	20,000,000	20,000,000	20,000,000	20,000,000	20,000,000	100,000,000
Tech Assistance and Training	7,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	25,000,000
<b>Authorizations - General Fund</b>							
Capital Investment Grants	1,907,000,000	2,301,785,760	2,301,785,760	2,301,785,760	2,301,785,760	2,301,785,760	11,508,928,800
Administration	104,000,000	115,016,543	115,016,543	115,016,543	115,016,543	115,016,543	575,082,715
<b>Total Authorizations</b>	<b>10,683,000,000</b>	<b>11,789,406,942</b>	<b>11,976,508,346</b>	<b>12,175,155,710</b>	<b>12,381,182,333</b>	<b>12,592,150,765</b>	<b>60,914,404,096</b>

Similar to the FAST Act's highway investments, its public transportation investment levels will see a significant 10.4 percent increase in FY 2016, followed by annual increases of 1.6 percent to 1.7 percent over the subsequent four years. These investment levels exceed projected inflation by a total of \$700 million over the next five years. (See chart to the right.)



Source: ARTBA analysis of FAST Act. Inflation forecast from CBO's August 2015 report "An Update to the Budget and Economic Outlook: 2015 to 2025."



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# The Road to the FAST Act

A Timeline of Major  
ARTBA Leadership Activities

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## The Road to the FAST Act

On Dec. 4, 2015, President Barack Obama signed the five-year “Fixing America’s Surface Transportation (FAST) Act” into law. The \$305 billion measure includes \$286 billion in highway and transit investment through fiscal year 2020.

Over the preceding three-and-a-half years, no other industry organization devoted more financial resources, intellectual firepower, innovative thinking and creativity than ARTBA to making the FAST Act a reality.

The main vehicle for this unprecedented advocacy communications and lobbying effort was the “Transportation Makes America Work” (TMAW) Program. Nearly 70 member firms and state chapters supported the multi-million dollar program of work, which launched immediately following the July 2012 enactment of the two-year, MAP-21 highway/transit law.

The timeline on the following pages highlights some of the key leadership activities of ARTBA and its members on the “road to reauthorization.” A more comprehensive timeline can be found online in the “Government Affairs” section of [www.artba.org](http://www.artba.org).





July: President Obama signs MAP-21.



June: ARTBA Chairman Paul Yarossi testifies before Congress.

# 2012



## JULY

- President Obama signs "Moving Ahead for Progress in the 21<sup>st</sup> Century Act" (MAP-21) into law.
- ARTBA Chairman Paul Yarossi announces creation of "Trans2020: MAP-21 Policy Promotion, Implementation & Funding Enhancement Task Force." Its focus: working with federal, state and local agencies to implement the law, and also laying the groundwork for boosting federal highway/transit investment with the next reauthorization bill.
- Scott L. Cassels, president of the Kiewit Infrastructure Group and executive vice president of the Kiewit Corporation; Bob Alger, president and CEO of Lane Industries, Inc.; and Bud Wright, a Virginia-based transportation consultant, are named co-chairs of "Trans2020."
- ARTBA Chairman Paul Yarossi, president of HNTB Holdings Ltd., explains to the House Committee on Oversight & Government Reform that regulatory inefficiencies and threats in the areas of hours of service for truck drivers, the Clean Water Act, and the use of coal ash threaten to undermine MAP-21's reforms.



Trans2020 Co-Chair  
Scott L. Cassels,  
Kiewit Corporation.



Trans2020 Co-Chair  
Bob Alger, Lane  
Industries, Inc.



Trans2020 Co-Chair  
Bud Wright.

## SEPTEMBER

Trans2020 Task Force co-chairs hold organizational meeting at ARTBA National Convention in Memphis.

## OCTOBER

Trans2020 Task Force names work groups to provide industry feedback on MAP-21 implementation:

- National Highway Performance Program (Pierce Homer, Moffat & Nichol);
- Acceleration of Project Delivery (Dave Zanetell, Edward Kraemer & Sons, Inc.; Jeff Nelson, David Nelson Construction Co.; and Raymond Steege, AMEC Earth & Environmental, Inc.);
- P3 Standard Transaction Contracts Development (Tom Stoner, Lochner MMM Group; Neal Sweeney, Kilpatrick Townsend; and Tony Kinn, Virginia Office of Transportation Public-Private Partnerships);
- National Freight Policy Work (Dr. Mike Walton, University of Texas at Austin);
- Safety Program (Taylor Bowlden, 3M; Lee Cole, Oldcastle Materials; and Bob Johnson, Granite Construction);
- National Bridge & Tunnel Inspection Standards Development (Nick Ivanoff, Ammann & Whitney; Tim Zahn, Sangamon County; and Ray McCabe, HNTB); and
- Rail-Transit (David Thomson, HR Green).

## NOVEMBER

ARTBA develops and begins distributing on Capitol Hill a fact sheet highlighting MAP-21's many policy reforms and emphasizing the need for a **permanent** Highway Trust Fund (HTF) revenue solution.

## FEBRUARY

TCC letter urging the House and Senate to provide the full highway and public transportation investment levels promised under MAP-21 for FY 2013 as part of a government-wide funding measure for the second half of FY 2013. The full MAP-21 investment levels were secured in this legislation as sought by the TCC.

## APRIL

- “The root of the federal Highway Trust Fund’s (HTF) revenue challenge is not an antiquated gas tax or alternative-fueled vehicles dominating the U.S. automobile fleet or improved fuel economy, but a more direct and obvious flaw: the federal motor fuels tax and other highway user fees have not been adjusted for 20 years,” ARTBA says in written testimony to the House Budget Committee.

# 2013



## JUNE

- ARTBA First Vice Chairman Nick Ivanoff named a co-chair of the Trans2020 Task Force.
- More than 400 industry executives come to the Nation’s Capital for ARTBA’s Federal Issues Program (FIP) and TCC Fly-In to meet with members of Congress about MAP-21 implementation and the future of the HTF.



June: ARTBA First Vice Chairman Nick Ivanoff testifies on MAP-21 implementation before Congress.

## MAY

- ARTBA releases results of national public opinion research that shows—for the first time—just how valuable Americans think our road and transit network is to the nation, our everyday life, and relative to other modern necessities we routinely rely upon. The key finding in the poll conducted by Ipsos finds: 75 to 80 percent of Americans say having safe, efficient and well-maintained transportation infrastructure is at least, if not more, important to our personal livelihood and well-being than good cable, cell phone, internet, water, sewage, and household electricity and natural gas services.
- ARTBA submits comments to U.S. DOT on model P3 contract recommendations called for by MAP-21.
- ARTBA submits comments to U.S. DOT supporting the state of California assuming responsibilities for administering categorical exclusions under MAP-21.



“Many so-called pundits and prognosticators said passage of a long-term transportation bill wasn’t possible in the current harsh political environment. ARTBA proved them wrong! All along the way, no other organization in the construction industry came close to matching ARTBA’s reliable and accurate information on federal transportation policy matters.”

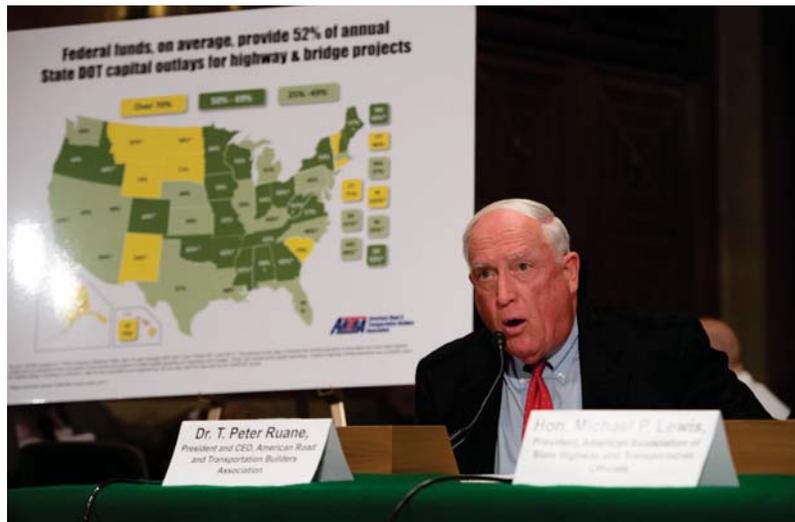
—**Steve Wright**, president, Wright Brothers Construction, Charleston, Tenn.

## JULY

- TCC sends letter to Sen. Baucus (D-Mont.), Sen. Orrin Hatch (R-Utah), Rep. Dave Camp (R-Mich.) and Rep. Sander Levin (D-Mich.) asking them to address the HTF’s solvency in any comprehensive tax reform package that might emerge.
- ARTBA Chairman Steve Wright, president of Wright Brothers Construction, participates in a July news conference with Senate Environment & Public Works Committee Chairman Barbara Boxer (D-Calif.) to highlight the financial difficulties facing the HTF.
- In testimony before the House Judiciary Subcommittee, ARTBA First Vice Chairman & Trans2020 Task Force Co-Chair Nick Ivanoff, Ammann & Whitney, explains that reforming the environmental review process for transportation projects has been a 15-year evolution and that “lessons learned” from the transportation infrastructure arena, including on MAP-21, could be a guide for similar reforms in other federal areas of responsibility.



August: The industry's first grassroots lobbying app.



September: ARTBA President Pete Ruane testifies about the Highway Trust Fund at a congressional hearing.

**Governors...**

Without new revenue, the federal Highway Trust Fund will not be able to support any new projects in FY 2015.

How will you replace your state's share of federal capital investments in highway, bridge and transit improvements?

**It's time to tell Congress to Fix the Highway Trust Fund!**

**NATIONAL TRANSPORTATION COALITION**

Source: Analysis of FHWA Highway Statistics data, used 10 year average 2005-2011 from Tables 1F-1 and 1F-2. Does not include local road spending. Federal highway investments are projected to decline through including construction right-of-way and engineering, but are also used for CAVIET bond debt service.

November: Ad runs in "USA Today" during meeting of Republican Governors Association in Arizona.

## AUGUST

- Trans2020 Task Force groups complete their work and submit comprehensive comments on MAP-21 to U.S. DOT in these areas: Performance Management, Bridge Inspection, Project Delivery, Safety, P3s, Public Transportation and Freight Policy.
- With successful fundraising efforts led by Trans2020 Task Force Co-Chairs Scott Cassels and Bob Alger, an expanded "Transportation Makes America Work" program rolls out the industry's first-ever mobile grassroots app—"TransCon Advocate."
- National Transportation Coalition formed to bring together currently serving governors and transportation stakeholders to advocate for a permanent HTF solution and a long-term surface transportation program reauthorization bill. ARTBA is a founding member of the group.

## SEPTEMBER

- ARTBA submits testimony to the Senate Environment & Public Works (EPW) Committee for a hearing on MAP-21's accelerated project delivery provisions and recommended specific areas to further improve the transportation project review and approval process.
- Appearing before the Senate EPW Committee, ARTBA President Pete Ruane highlights the importance of the federal-aid highway program to state governments. He calls on Congress to finish the job started with MAP-21's policy and program reforms by generating new HTF revenue streams.

## OCTOBER

ARTBA submits a statement to the House Transportation & Infrastructure Committee's Special Panel on 21<sup>st</sup> Century Freight Transportation. ARTBA describes its 2006 **Critical Commerce Corridors** freight program proposal and specific revenue plan to support such an initiative.

## NOVEMBER

- National Transportation Coalition runs an ad in the Scottsdale, Arizona, edition of "USA Today" in conjunction with a Republican Governors Association meeting in that city to highlight the need for governors to support a long-term federal highway bill using ARTBA's map of state dependence on federal highway funds.
- TCC writes to House and Senate budget negotiators to urge any long-term budget plan include a process that would require Congress to develop a permanent HTF revenue solution.



“Throughout the long reauthorization battle leading to passage of the FAST Act, ARTBA provided the boots on the ground that the industry needed in D.C. We relied on them to keep us informed on what was going on, as well as when and how we needed to engage our congressional delegation. Once again, ARTBA proved to be a critical investment for our chapter and the industry in Wisconsin.”

–Pat Goss, executive director, Wisconsin Transportation Builders Association

# 2014



## FEBRUARY

- Fixing the HTF will require Congress and the Obama Administration to find more than \$16 billion annually just to preserve the current transportation program, ARTBA President Pete Ruane tells the Senate EPW Committee. Ruane also describes ARTBA research on how states use (by project type) and benefit from federal highway funds.
- National Transportation Coalition releases letter to congressional leadership signed by 17 governors urging them to make developing and passing a long-term HTF solution a priority in 2014.



## MARCH

- ARTBA Chairman Doug Black, John Deere Landscape, launches the **first-of-its-kind** “Transportation Investment Advocacy Center” (TIAC), which is anchored by a comprehensive website: [www.transportationinvestment.org](http://www.transportationinvestment.org). TIAC is aimed at helping private citizens, legislators, organizations and businesses successfully grow transportation infrastructure resources at the state and local levels through the legislative and ballot initiative processes.

- ARTBA and industry allies distribute **more than 50,000 marketing pieces for the “TransCon Advocate” app** during CONEXPO in Las Vegas.

## APRIL

- ARTBA makes national news with release of its first comprehensive analysis identifying the need to repair 63,000 of the most heavily traveled U.S. bridges. Study’s release is timed to draw public and congressional attention on the importance of fixing the HTF. The report is page one of “USA Today” and is subsequently picked up by hundreds of print, television, radio and Internet news outlets.
- ARTBA releases comprehensive summary of the Obama Administration’s GROW America Act surface transportation reauthorization proposal.

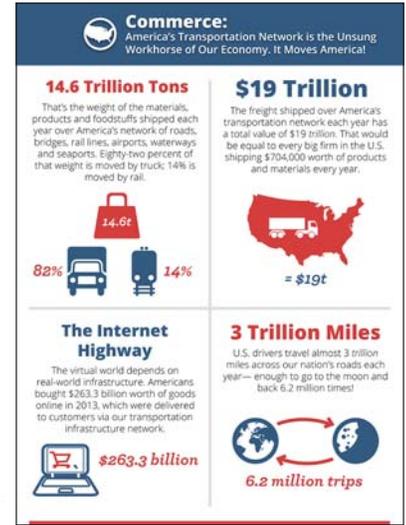




June: TCC ad ran in Capitol Hill publications



June: ARTBA rolls out new responsive TMAW website.



TMAW website includes infographics that can be shared via social media.

**MAY**

- Sixty percent of likely voters, on average, among a seven-state poll, would have a less favorable view of their representatives and senators in the U.S. Congress if they do not take timely action to protect their state's 2015 federal highway, public transportation and bridge funding. That was the key finding in a poll commissioned by ARTBA and the American Public Transportation Association (APTA), and conducted by the bipartisan polling firm Purple Strategies.
- ARTBA submits testimony to the Senate Finance Committee for a hearing on funding and financing highway, bridge and public transportation improvements in the future.

**JUNE**

- TCC runs ad in Capitol Hill publication telling Congress it needs more than a "band-aid" fix for the HTF.
- ARTBA launches mobile-friendly, infographic-full "Transportation Makes America Work" advocacy website and social media campaign aimed at educating policymakers about the real-world implications chronic underinvestment in transportation has on the safety and quality of life of Americans.

- More than 400 industry executives participate in ARTBA's FIP and TCC Fly-in to continue pushing Congress to advocate for action on the HTF and reauthorization of MAP-21.
- ARTBA P3 Division President Tom Stoner, vice president of H.W. Lochner/Lochner MMM Group, and P3 Division Vice President Matt Girard, COO of Plenary Concessions, meet with Rep. Jimmy Duncan (R-Tenn.), chairman of the House T&I Committee's Special Panel on Public Private Partnerships (P3s) to discuss the panel's recommendations for P3 provisions in the forthcoming reauthorization bill.

**JULY**

- ARTBA and industry allies work with Congress on final approval of short-term legislation that prevents an Oct. 1 shutdown of highway and transit investment to the states. The proposal provides HTF funding and MAP-21's extension through the end of May 2015. ARTBA works with the U.S. Chamber of Commerce, National Association of Manufacturers and AGC of America to initiate a broad-based stakeholder letter supporting congressional efforts to preserve highway and transit investment and enactment of a permanent

Highway Trust Fund fix in 2014—the letter is signed by 62 national organizations.

- Transportation construction executives, "better roads and transportation" professionals, state legislators, and chamber of commerce officials from 22 states participate in the first-ever TIAC-hosted "National Workshop for State & Local Transportation Advocates" in the Nation's Capital.
- ARTBA develops a tailored message to all Senate offices quantifying the amount of highway funds their states would lose and the resulting state gas tax increase that would be needed to fill the funding void that would be created by an amendment to cut the federal gas tax and attempt to "devolve" the surface transportation programs to the states. The amendment was defeated by a more than two-to-one margin.



June: Left to right: ARTBA P3 Division Vice President Matt Girard, Rep. Jimmy Duncan (R-Tenn.) and P3 Division President Tom Stoner meet to discuss the role of P3s in the next transportation bill.



Nov.: ARTBA Chairman Nick Ivanoff op-ed highlights need for long term transportation bill.



Dec.: TCC releases IHS Global analysis showing the economic impacts of transportation investment.

### SEPTEMBER

ARTBA completes work on its **Motor Fuels Refinery Excise** proposal to stabilize and grow Highway Trust Fund revenue through a user tax that would be levied on refiners and oil companies as oil is refined into motor fuel. ARTBA begins distributing the proposal on Capitol Hill to the congressional tax and transportation committees as well as the bipartisan leadership of the House and Senate.

### OCTOBER

TCC issues press release announcing the beginning of FY 2015 and the countdown to the next HTF revenue crisis in eight months.

### NOVEMBER

- To keep the heat on key members of the Senate Finance Committee from both sides of the aisle, ARTBA Chairman Nick Ivanoff writes post-election op-ed that appears in major daily newspapers around the country and calls on Congress to agree on a permanent HTF solution.
- ARTBA works with the staff of the House Transportation & Infrastructure Committee and Senate EPW Committee to quantify the impacts of proposals to devolve the federal highway and transit program to the states.

### DECEMBER

TCC-commissioned study completed by IHS Global, Inc., finds that two-thirds of the economic benefits and jobs created by federal highway and transit investment occur in non-construction sectors. The study, which is widely distributed on Capitol Hill and to the news media, also finds that every dollar invested through the HTF in state highway, bridge and public transit infrastructure programs returns 74 cents in tax revenue.



“The targeted television, radio, print and digital media advertising that was funded and leveraged through ARTBA’s ‘Transportation Makes America Work!’ program helped shape and drive the debate in Washington that led to the FAST Act. Once again, ARTBA led the way and delivered like no other organization can in Washington. Lane Industries is proud to have been a major TMAW supporter. It was a good investment in our future.”

—Bob Alger, president & CEO, Lane Industries, Inc., Cheshire, Conn.

## JANUARY

“The Wall Street Journal” publishes a letter to the editor from ARTBA President Pete Ruane rebutting the paper’s editorial calling for the abolition of the federal gas tax. Ruane notes that eliminating the source of funding for 52 percent of U.S. highway and bridge capital improvements has no support from any governor.

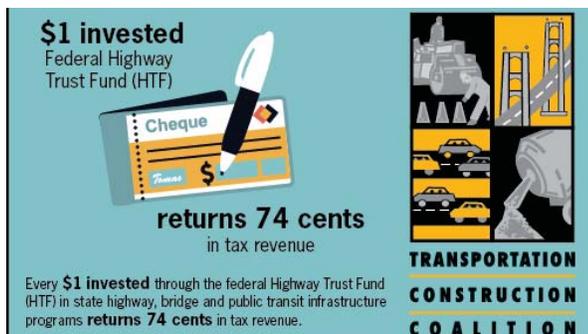
## FEBRUARY

- ARTBA President Pete Ruane joins more than a dozen Democratic members of the Highways & Transit Subcommittee for a roundtable discussion on stabilizing the HTF.
- ARTBA President Pete Ruane participates in a Capitol Hill news conference to support Rep. Earl Blumenauer’s (D-Ore.) legislative proposal to increase the federal motor fuels tax by 15-cents-per-gallon.

# 2015

## MARCH

- ARTBA rolls out a proposal to help end the political impasse over how to fund future federal investments in state highway, bridge and transit capital projects. “Getting Beyond Gridlock” marries a 15 cents-per-gallon increase in the federal gas and diesel motor fuels tax with a 100 percent offsetting federal tax rebate for middle and lower income Americans for six years. It would fund a \$401 billion, six-year highway/transit capital investment program.
- TCC develops 10 infographs with key findings from the IHS Global economic impact study and uses them as the basis for launching an advertising and social media campaign urging Congress to find a permanent HTF solution.
- TCC distributes national and state releases showing how much each state would have to increase its gasoline tax under a proposal—the Transportation Empowerment Act (TEA)—being pushed by conservative groups to turn back most of the responsibility of the federal highway/transit program to the states.



March: TCC prepares infographs on IHS Global economic impact study for distribution via social media.

- “The Wall Street Journal” publishes a joint letter to the editor from ARTBA President Pete Ruane and APTA President Mike Melaniphy addressing inaccuracies in an op-ed from Carly Fiorina about the gas tax and federal highway/transit program.
- Rep. Reid Ribble (R-Wis.) releases a letter to the bipartisan House leadership urging them to make passage of a long-term HTF revenue fix a priority so that Congress can get to work on a multi-year surface transportation bill. The letter is signed by 289 House members—a majority of the chamber’s Republicans and Democrats. ARTBA, its TCC allies and state contractor affiliates worked for months with Ribble to help secure signatures.

- ARTBA Senior Vice Chairman Bob Alger, president & CEO of Lane Industries, holds a series of Capitol Hill meetings with key representatives and senators to urge passage of a multi-year surface transportation bill in 2015 and a permanent HTF solution.

## APRIL

- ARTBA releases second annual report card highlighting the nation’s 61,000 structurally deficient bridges and providing state-by-state rankings of structures in need of repair. The report’s release, which is picked up by more than 200 national and local news outlets, is timed to draw public attention to the HTF funding deadline on May 31.
- ARTBA releases a publication and companion infographs—“Fact vs. Fiction: Transportation Funding & Politics”—to provide industry executives with information to help them dispel some of the most common misperceptions or false statements relating to transportation policy issues.

### FICTION:

Eliminating the federal gas tax and turning the highway and transit program over to the states will solve the nation’s key transportation challenges.

### FACT:

Abolishing the federal gas tax would eliminate the source of funding for 52 percent of annual U.S. highway and bridge capital improvements.

April: ARTBA’s “Fact vs. Fiction” document debunks myths about transportation investment.

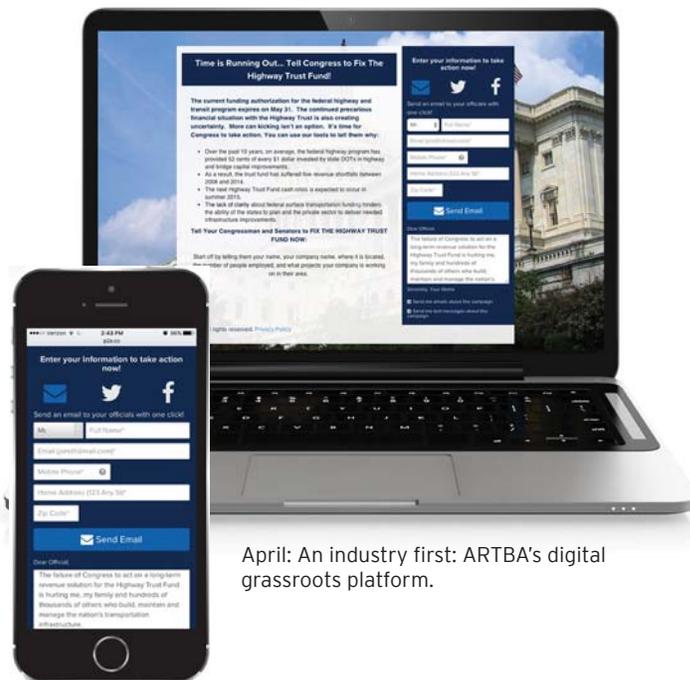


April: Industry executives use ARTBA's "Phone2Action" grassroots platform to send messages to Congress about the highway trust fund and the need for a long-term transportation bill.



April: ARTBA Chairman Nick Ivanoff participates in Capitol Hill news conference.

- More than 500 industry executives from nearly all 50 states came to the Nation's Capital for the TCC Fly-in to press their members of Congress on an HTF fix and passage of a long-term transportation bill.
- ARTBA Chairman Nick Ivanoff and President Pete Ruane participate in a Capitol Hill news conference organized by Senate EPW Committee Chairman Jim Inhofe (R-Okla.) and Ranking Member Barbara Boxer (D-Calif.) highlighting the need for Congress to pass a multi-year highway/transit bill in 2015.
- ARTBA rolls out a new grassroots software program—Phone2Action—that allows industry activists to use their mobile phones and tablets to reach members of Congress via email and social media with key messages about the need to fix the HTF.
- ARTBA submits comments to the Senate Finance Committee tax reform working group on infrastructure issues. ARTBA highlights the need for a permanent HTF revenue solution and details the specifics of the association's "Getting Beyond Gridlock" proposal to stabilize and grow HTF revenues.



April: An industry first: ARTBA's digital grassroots platform.



"ARTBA is THE 'A' team when it comes to transportation. The FAST Act certainly did not happen by accident. It is the result of ARTBA's many years of leadership, persistence, creativity and continuous fact-based insight and information."

–Doug Black, chief executive officer, SiteOne Landscape Supply, Roswell, Ga.



“Astec Industries and ARTBA worked in partnership to generate strong grassroots support at critical times during the debate on the highway bill. Through

ARTBA’s use of cutting-edge digital grassroots technologies, Astec’s DontLetAmericaDeadEnd.com campaign, and initiatives by other industry firms, we kept the heat on Congress until final passage of the FAST Act.”

–**Benjamin G. Brock**, president & CEO, Astec Industries, Inc., Chattanooga, Tenn.



May: Left to right: John Boyle, Mountaineer Contractors (W.Va.); Sam Patel, Fort Myer Construction (D.C.); Tim Duit, TTK Construction (Okla.); Ben Brock, Astec Industries (Tenn.); Rob Harms, George Harms Construction (N.J.); Dave Cantwell, Recycled Aggregates (Md.) and Ray Bond, Balfour Beatty Infrastructure (Ga.). The group met at the White House to discuss with administration officials the reauthorization of the highway/transit bill.

**MAY**

- ARTBA and APTA launch a radio campaign in Washington, D.C., and cities around the country urging key members of Congress to stop playing games with federal transportation funding and find a permanent solution for the HTF.
- ARTBA runs a 60-second television ad on CNN and Fox News in D.C. that highlights the benefits of “Getting Beyond Gridlock” and calls on Congress to find a permanent HTF funding solution.
- ARTBA uses the Phone2Action platform to launch a digital grassroots campaign targeting bipartisan congressional leadership and the leadership of the House and Senate tax writing committees.
- ARTBA releases analysis showing that voting for a gas tax increase to fund transportation investments has not hurt Republicans or Democrats at the ballot box at the state level—95 percent of Republican state legislators who voted to increase their state gas tax to fund transportation improvements in 2013 and 2014 and ran for re-election last November won their races, as did 88 percent of Democratic lawmakers.

- Seven ARTBA leaders—Ray Bond, Balfour Beatty; John Boyle, Mountaineer Contractors; Dave Cantwell, Recycled Aggregates; Tim Duit, TTK Construction; Rob Harms, George Harms Construction; Sam Patel, Fort Myer Construction; and Ben Brock, Astec Industries—attend a national stakeholders’ meeting conducted by the White House Business Council, at which senior administration officials share their current reauthorization priorities.
- ARTBA and TCC run print ads in “The Washington Post,” “CQ Roll Call,” and “Politico” highlighting the impacts of the failure of Congress to identify and agree on a permanent HTF solution.
- TCC sends a letter to the bipartisan House and Senate leadership to make clear the industry’s position on short-term extensions and “patches,” and request an explicit timeline for action on a permanent HTF funding solution.
- The ARTBA-supported and U.S. Chamber of Commerce-led Americans for Transportation Mobility Coalition produced an educational brochure, “Americans Deserve a Faster, Better Safer Transportation Network,” and companion infographics detail how

American consumers and businesses are affected by the recurring Highway Trust Fund revenue crises and the lack of a long-term surface transportation bill. The materials, which included ARTBA’s map showing state dependence on federal highway funds, were shared with all members of the House and Senate.

**Short-term Extensions & Highway Trust Fund “Patches” Have Consequences**

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**Arkansas... Georgia... Tennessee... Wyoming...  
Montana... Nevada... Utah... Colorado... Nebraska...  
Mississippi... Pennsylvania... West Virginia...  
Connecticut... Vermont... Maryland**

These states have already publicly announced they **have either delayed or cancelled highway, bridge or transit capital projects THIS YEAR** or are considering doing so because of uncertainty over future federal funding **caused by the congressional HTF “patch” and extension LAST YEAR**. So far, **\$1.3 Billion** in transportation improvement projects have been impacted.

**Further Uncertainty will Not Reduce Traffic Congestion or Repair 61,000 Deficient Bridges**

**It’s Time to Fix the Highway Trust Fund!**

American Road & Transportation Builders Association (ARTBA) - Associated General Contractors of America (AGC) - American Road & Transportation Builders Association (ARTBA) - American Concrete Pipe Association - American Council of Engineering Companies - American Subcontractors Association - American Iron and Steel Institute - American Society of Civil Engineers - American Traffic Safety Services Association - Asphalt Emulsion Manufacturers Association - Asphalt Recycling & Reclaiming Association - Associated Equipment Distributors - Association of Equipment Manufacturers - Concrete Reinforcing Steel Institute - International Society for Surface Association - International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers - International Union of Operating Engineers - Laborers Employment, Cooperation and Education Trust - Laborers International Union of North America - National Asphalt Pavement Association - National Association of Specialty Steel Producers - National Contractors Association - National Ready Mixed Concrete Association - National Steel Bridge Alliance - National Stone, Sand and Gravel Association - National Utility Contractors Association - Portland Cement Association - Precast/Prestressed Concrete Institute - The Road Information Program - United Brotherhood of Carpenters and Joiners of America

[www.transportationconstructioncoalition.org](http://www.transportationconstructioncoalition.org)

May: TCC ad runs in Capitol Hill publications.



June: ARTBA President Pete Ruane speaks at Capitol Hill news conference as Senators Vitter (R-La.) and Carper (D-Del.) look on.



June: TCC launches digital ad campaign targeting congressional staff and voters.

## JUNE

- TCC launches television, radio, print and digital advertising campaign targeting congressional staff and primary voters with messages about the need to increase the gas tax to shore up the HTF and support new highway/transit investments.
- ARTBA develops digital video ad to educate congressional staff about the benefits of the "Getting Beyond Gridlock" proposal.
- ARTBA and industry allies run television and digital video ads targeting congressional staff and featuring excerpts of President Reagan's 1982 radio address to the nation when he endorsed raising the gasoline tax to finance new highway and transit improvements.
- ARTBA submits written testimony for House Ways & Means and Senate Finance Committee hearings on June 17 about the future of transportation financing and the HTF. The association makes the point that the HTF's problems are structural and political, and could be easily solved if Congress increased the federal gasoline tax for the first time in more than 20 years.



- ARTBA submits written testimony for a June 23 House Ways & Means Committee on using international tax reform as a means to temporarily stabilize the HTF. ARTBA urges the committee to find a permanent HTF solution and highlights the components of the ARTBA-developed "Getting Beyond Gridlock" proposal to pair a gas tax increase with a tax credit for 90 percent of tax filers.
- ARTBA Chief Operating Officer Bill Toohey joins Rep. Earl Blumenauer (D-Ore.) and industry leaders at a Capitol Hill news conference to voice support for Blumenauer's proposal to increase the federal gasoline tax by 15 cents-per-gallon.
- ARTBA President Pete Ruane joins the bipartisan leadership of the Senate EPW Committee at a Capitol Hill news conference to announce their six-year highway/transit reauthorization bill, "Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act."
- ARTBA works with AGC of America, National Asphalt Pavement Association, and National Stone, Sand & Gravel Association to host a fly-in of construction industry CEOs to meet with key members of the House and Senate to push for a long-term reauthorization bill that increases highway/transit investment.

## JULY

- Transportation investment champions from 28 states participate in ARTBA-TIAC's second annual "National Workshop for State & Local Transportation Advocates" in Washington, D.C.
- ARTBA and ASCE run television ad on FOX and CNN inside the District of Columbia highlighting the recent congressional legacy on transportation and calling for passage of a multi-year bill.
- ARTBA initiates a letter signed by 67 other groups urging all U.S. senators to use the DRIVE Act as the vehicle for completing a multi-year highway/transit reauthorization bill.
- ARTBA sends letter urging senators to support reforms of the federal hours of service regulation for commercial motor vehicle operators proposed in the Senate Commerce Committee's safety legislation that would be included in the surface transportation reauthorization bill.



July: Participants from 28 states took part in ARTBA's 2nd annual "National Workshop for State & Local Transportation Advocates."

- ARTBA writes to all senators urging them to support DRIVE Act passage.
- TCC writes to all senators explaining DRIVE Act is far superior to another short-term extension—a plan some senators continue advocating.
- Senate passes DRIVE Act 65-34.

## AUGUST

- ARTBA produces and distributes a comprehensive analysis of the Senate-passed DRIVE Act.
- "The Wall Street Journal" publishes a letter to the editor from ARTBA President Pete Ruane responding to an inaccurate editorial, "Mad Tax Fury Road," about how much flexibility states have in deciding how their federal highway/transit funding is invested.
- TCC and ARTBA run radio ads in nearly 25 congressional districts aimed at key members of the House back home for the congressional recess calling on them to follow the Senate's lead and complete work on a highway/transit bill this fall.

## SEPTEMBER

ARTBA initiates a letter signed by nearly 70 groups representing the general business and transportation community to all members of the House calling for action in 2015 on a multi-year bill that increases highway and public transportation investment.

## OCTOBER

- House Transportation & Infrastructure (T&I) Committee overwhelmingly approves legislation to reauthorize the federal highway and public transportation programs for six years. The "Surface Transportation Reauthorization and Reform Act (STRRA) of 2015" would authorize roughly \$330 billion in surface transportation investments through Fiscal Year (FY) 2021.
- ARTBA and TCC send separate letters to House T&I Committee members expressing views on a variety of amendments that were proposed by committee members to the STRRA.
- ARTBA leads an effort to express opposition to a STRRA provision that would allow HTF dollars to be diverted to freight rail projects. Nearly 30 other national organizations join ARTBA in urging House T&I Committee members to strike the provision.

- ARTBA prepares and widely distributes a comprehensive analysis of STRRA.
- ARTBA initiates a letter, signed by 30 other organizations, to the House bipartisan leadership urging them to support inclusion of a bicameral process to develop a permanent HTF revenue solution as part of the House surface transportation reauthorization bill.

## NOVEMBER

- U.S. House of Representatives passes STRRA 363-64.
- With House consideration of the STRRA looming, ARTBA and the TCC send a series of letters to all House members expressing concern or support for a variety of amendments filed to the legislation that would directly impact the transportation construction industry.
- House and Senate conferees named to work out the differences between the respective bills.
- ARTBA and nearly 40 other construction industry, business, and highway user groups and labor unions send a letter urging conferees to deliver meaningful surface transportation investment increases as part of a final multi-year bill.

Special thanks to the following for their financial support of the ARTBA "Transportation Makes America Work" (TMAW) Program between 2012 and 2015:

- 3M
- Adams Construction Co.
- AECOM
- AGC of Nebraska
- AGC of Texas
- Aon Risk Services, Inc.
- APC Educational Trust Fund
- Astec Industries, Inc.
- Beaver Excavating Co.
- Carolinas AGC
- Caterpillar Inc.
- CH2M
- Connecticut Road Builders Association Inc
- D'Annunzio & Sons
- David A. Bramble, Inc.
- Edw. C. Levy, Co.
- Florida Transportation Builders' Association
- Fluor Enterprises, Inc.
- Gallagher Asphalt Corp.
- Gannett Fleming, Inc.
- General Contractors Association of NY
- Gerken Paving, Inc.
- Granite Construction Company
- Gray & Son Inc./ Maryland Paving, Inc.
- HCSS
- HDR Engineering, Inc.
- Heritage Construction & Materials
- HNTB
- J. D'Annunzio & Sons, Inc.
- John Deere
- John S. Lane Corp.
- Kentucky Association of Highway Contractors, Inc.
- Kiewit
- Liberty Mutual Insurance Company
- Lockton Companies
- Luck Stone
- Martin Marietta Materials
- Modjeski & Masters, Inc.
- Ohio Contractors Association
- Oldcastle Materials, Inc.
- Oxford Construction Company
- WSP | Parsons Brinckerhoff
- PCL Civil Constructors, Inc.
- Rock Road Companies, Inc.
- Rogers Group
- Skanska USA Civil, Inc.
- Summers Taylor
- Tennessee Road Builders Association
- Terex Corporation
- Terracon
- The Heritage Group
- The Lane Construction Corporation
- Travelers
- UTCA of New Jersey
- Vecellio Group
- Virginia Transportation Construction Alliance
- Volkert, Inc
- Volvo Construction Equipment
- Vulcan Materials Company
- Wagman Heavy Civil
- Webber LLC
- Williams Brothers Construction Co., Inc.
- Willis North America
- Wright Brothers Construction Co., Inc.
- York County Community Foundation
- Zachry Corporation



Dec.: ARTBA Chairman David Zachry testifies before Congress on MAP-21 implementation.

- ARTBA and TCC send multiple letters to congressional and transportation leaders calling on Congress to maximize the investment levels in the final, multi-year highway/transit bill.

ARTBA and APTA launch a print ad campaign in Capitol Hill publications pushing for maximum highway and transit investment in the final bill. The "Reality Check" ad calls on conferees to maintain purchasing power and for legislation that "maximizes the benefits it provides as opposed to the years it would last."

- ARTBA writes letter to new House Ways & Means Committee Chairman Kevin Brady (R-Texas) urging him to make developing a permanent HTF revenue solution an immediate priority and not let the trust fund's fiscal condition sit on the back burner until it once again reaches a crisis situation.

ARTBA releases A Vision of American Strength: *How Transportation Infrastructure Built the United States*, written by journalist, thought leader, and U.S. domestic policy expert James P. Pinkerton.

- ARTBA writes letter to new House Ways & Means Committee Chairman Kevin Brady (R-Texas) urging him to make developing a permanent HTF revenue solution an immediate priority and not let the trust fund's fiscal condition sit on the back burner until it once again reaches a crisis situation.

## DECEMBER

- ARTBA Chairman David Zachry testifies before congressional committee on MAP-21.
- House and Senate negotiators reach final agreement and release 1,300 page conference report, "Fixing America's Surface Transportation (FAST) Act."
- House passes FAST Act 359-65.
- Senate passes FAST Act 83-16.
- President Obama signs FAST Act Dec. 4.



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