

National Capital Region Transportation Planning Board

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Item #13

MEMORANDUM

Date: February 15, 2012

To: Transportation Planning Board

From: Ronald F. Kirby
Director, Department of
Transportation Planning

Re: Update on Reauthorization of Federal
Surface Transportation Legislation

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) enacted on August 10, 2005 has been extended eight times since it expired on September 30, 2009, most recently through March 31, 2012. On November 9, 2011 the Senate Environment and Public Works Committee unanimously approved MAP-21, a \$109 billion two-year reauthorization proposal. On February 3, the House Transportation and Infrastructure Committee approved a \$260 billion five-year reauthorization proposal entitled the "American Energy and Infrastructure Jobs Act.

Both the House and Senate are working on floor action to pass these bills this week, so that they can move forward to conference. Some key points are as follows:

- Neither bill includes increases federal gas taxes or other user revenues – the Senate uses "offsets" from other non-transportation funding to raise \$12 billion in new revenues, while the House raises about \$80 billion from separate legislation designed to expand domestic energy production. Both bills would keep total funding at or a little above current levels.
- There are no earmarks in either the Senate or the House bill.
- The Senate bill restores the full transit commuter benefit to \$230 per month. The benefit dropped to \$125 per month on January 1, 2012.
- The House bill removes user fee revenues for transit from the transit account of the Highway Trust Fund, and replaces them with appropriated general funds.

- Both bills include provisions for increased use of performance measures and performance based planning and programming, which would impact both state and metropolitan planning processes.
- Both bills include consolidation of numerous smaller programs into fewer larger programs and various provisions to streamline program delivery.
- The metropolitan planning provisions and funding levels are largely unchanged for major metropolitan areas.
- The Administration supports the Senate bill and opposes the House bill.
- The President's budget proposes to spend \$476 billion over the next six years on surface transportation, about half of which would come from the Highway Trust Fund, and the other half from savings attributable to wind-down of wars.

Passage of the bill in the Senate seems likely, while the prospects for the House bill are less certain. Even if both bills pass, however, some very significant differences between the bills will have to be reconciled in conference if a bill is to reach the President's desk before the March 31, 2012 expiration of SAFETEA-LU.