The Federal Transit Administration’s Programs under the FAST Act

January 2016
Fixing America’s Surface Transportation Act (FAST Act)

- Signed into law by President Obama on December 4, 2015
- Effective Date of October 1, 2015
  - Applies new program rules to ALL FY16 funds
- Authorizes transit programs for five years (FY16-FY20), through September 30, 2020
Major FAST Act Features

• Provides steady and predictable funding for five years, with an increase of ~$1 Billion per year to the transit program
• Re-Introduces a Discretionary Bus Program
• Phases in increased Buy America requirements, up to 70% by FY 2020
• Includes changes to the Workforce Development Program
• Targets funding increases towards improving state of good repair and the bus program
• Funds Transit Research from both the Trust & General Fund
• Streamlines Vehicle Procurement & Leasing
**Highlights of Grant Program Changes**

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Previsouly Authorized Funding (MAP-21)

FY15: $10,858 Billion

- Administrative Expenses, $105
- Urbanized Area Formula, $4,458
- State of Good Repair Formula, $2,216
- Capital Investment Grants, $2,120
- Rural Formula, $608
- TOD Pilot, $10
- Growing States & High Density, $526
- Seniors & Disabled, $258
- Bus and Bus Facilities Formula, $428
- Planning Programs, $128
- Tech. Assistance & Wkfce Devel., $9.5
- Research, $36
- Capital Investment Grants, $2,120

Previously Authorized Funding (MAP-21)
FAST Act Authorized Funding

FY16: $11,789 Billion

Administrative Expenses, $115

Urbanized Area Formula, $4,538

State of Good Repair Formula, $2,507

Capital Investment Grants, $2,301

Planning Programs, $130

Planning Programs, $130

Bus and Bus Facilities Formula, $696

Seniors & Disabled, $263

Growing States & High Density, $536

TOD Pilot, $10

Rural Formula, $620

Tech. Assistance & Wkfce Dev., $14

Research, $48
New

Bus and Bus Facilities (5339)

- Bus Formula (5339(a)) distribution is modified slightly to include a $1.75M state allocation - $427.8M total available for FY16
- Bus Discretionary Program re-established (5339(b))
  - $268M in funding for FY16, with $55M set-aside for Low or No Emission Bus Deployment competition
- Remaining $213M will be competitively distributed based on age and condition of assets
- Includes a Pilot Program for Cost Effective Capital Investment, allowing a state to share bus funding resources among voluntarily participating designated recipients in order to allow them to procure more vehicles at a time at a lower cost
Expedited Project Delivery for CIG Pilot Program (3005(b))

- Replaces repealed Subsection 20008(b) of MAP-21
- Creates a fast-track approval process for capital project construction grants, with a maximum 25% federal share
- Includes project justification and finance criteria (altered from the typical CIG criteria)
- Limited to 8 participants (New Starts, Small Starts, or Core Capacity but with different eligibility than CIG)
- Annual Report & Before/After Studies required
- Funded when Appropriations are made to the program
Pilot Program for Innovative Coordinated Access & Mobility (3006(b))

• FTA will competitively distribute funding for innovative projects that improve the coordination of transportation services with non-emergency medical transportation (NEMT) services
• Eligible recipients are existing partnerships with specific goals for improving coordinated transportation efforts in a given locality
• Funding is $2M in FY16, $3M in FY17, $3.25M in FY18, and $3.5M in FYs19&20
Research & TCRP (5312)

- Renames 5312: *Public Transportation Innovation*
- Funds demonstration, deployment & evaluation research projects and maintains a match requirement for projects
- Introduces a Low/No Vehicle component testing program (funded at $3M/year)
- Funding: Research is now funded from both the Trust and General Funds
- TCRP has moved into this section, from 5313, and is funded at $5M/year from the Trust Fund
Technical Assistance & Workforce Development (5314)

- Consolidates former 5314 and 5322 into a single section for both eligibilities, and maintains the National Transit Institute
- Workforce Development remains a competitive program, with outreach to additional populations, a focus on national training standards, increased outcome requirements, and a Report to Congress
- Allows use of up to 0.5% of 5307 funds for Workforce Development
- Funding: $9M/year from the Trust Fund, of which $5M is set-aside for NTI, and an additional $5M/year authorized from the General Fund (subject to appropriations)
Metropolitan and Statewide Planning Program (5303/5304)

- Adds resiliency and intercity bus into planning considerations
- Provides MPOs that serve TMAs with an option to develop a Congestion Management Plan
- Clarifies the role of transit agency representatives on MPO Boards
- Funding: $130.7 million (FY 2016) authorized
Urbanized Area Formula Program (5307)

- ‘100 bus rule’ is modified to include non-ADA general population demand response transit service
- Allows 20% of allocation to be used for operations of ADA paratransit under certain conditions
- Eliminates requirement to spend 1% of 5307 funds on Associated Transit Improvements
- Allows use of up to 0.5% of 5307 funds for Workforce Development
- Increases the Small Transit Intensive Cities (STIC) tier starting in FY 2019
- Funding: $4.53 Billion (FY 2016) authorized
Fixed Guideway Capital Investment Grants (5309)

- New Starts: establishes a maximum 60% 5309 share, with up to 80% federal share (to be made up from other federal sources); no longer allows FTA to remove art and landscaping from the cost-effectiveness calculation
- Small Starts: raises the total project cost threshold to $300M and raises the maximum 5309 share to $100M; allows an optional early rating after NEPA; and changes definition for corridor based BRTs to eliminate weekend service requirement
- Program of Interrelated Projects: Makes Small Starts eligible for inclusion & clarifies which criteria to use for joint evaluations
- Establishes a framework for joint intercity rail and public transportation projects
- Funding: $2.3 billion per year authorized from the General Fund
Enhanced Mobility of Seniors & Individuals with Disabilities (5310)

- Allows states or localities that provide transit service to be direct recipients under this section
- Requires FTA to develop a best practices guide for 5310 service providers
- Introduces a new Pilot Program for Innovative Coordinated Access & Mobility
- Requires CCAM to produce a strategic plan to address coordination across the federal government
- Funding: $263 million (FY 2016) authorized from the Trust Fund
Formula Grants for Rural Areas (5311)

- Increases the tribal formula authorization to $30M/year, maintains the $5M discretionary tribal program
- Allows advertisement & concessions revenue as local match
- Clarifies what costs are to be counted as local match with respect to intercity bus feeder service
- Funding: $620M (FY 2016) authorized from the Trust Fund
Public Transportation Safety Program (5329)

• Requires the establishment of Minimum Safety Standards as part of the National Safety Plan to ensure safe transit operations

• Permits FTA to temporarily take over for an inadequate or incapable State Safety Oversight agency, and permits use of that agency’s SSO grant funds during the corrective time frame

• Grants FTA permission to issue nationwide transit safety directives

• Grants FTA permission to issue restrictions or prohibitions on operations at unsafe transit agencies
Public Transportation Safety Program, continued (5329)

• Requires FTA to conduct a review of the safety standards and protocols used in public transportation systems to examine the efficacy of existing standards and protocols;

• Requires a Final Report on the findings of the review, with a comprehensive set of recommendations and further actions needed to improve the safety of the public transportation industry by establishing additional Federal minimum safety standards.

• Requires a study & report on evidentiary protection for public transportation safety program information & data.

• Requires an NPRM on transit driver safety & risk of assault.
State of Good Repair (5337)

• Modifies the eligibility in the High intensity motorbus tier to cover only vehicle state of good repair costs

• Codifies the federal/local match share at 80/20, and specifies eligible local match funding

• Funding: $2.5 Billion (FY 2016) authorized from the Trust Fund (a significant increase from the $2.1 Billion provided in FY15)
Buy America

• Introduces an increased domestic content percentage requirement:
  • FY16/17: 60%
  • FY18/19: 65%
  • FY20 and beyond: 70%

• Permits a transit body shell composed of domestically produced steel and/or iron to be counted towards the domestic content percentage

• For denied Buy America waivers, FTA is required to certify availability and quality of the domestically-produced item for which the waiver was denied
Procurement Changes

- Section 3019 of the FAST Act allows for:
  - interstate cooperative procurement schedules,
  - State-led cooperative procurement schedules on behalf of transit agencies within the state, and
  - a non-profit cooperative procurement pilot program

- Requires the establishment of a Joint Procurement Clearinghouse to allow grantees to aggregate planned rolling stock purchases and identify joint procurement participants

- Encourages capital leasing of assets, including low or no emission assets & components
Other Notable Provisions

• **Art & Landscaping**: Prohibits federal transit funding from paying for art and/or non-functional landscaping elements of a transit project

• **PMOC**: Limits federal project management oversight to quarterly, unless the project or sponsor is deemed at risk of schedule delays or cost overruns

• **Low/No Component Testing**: Requires FTA to competitively select at least one facility to conduct voluntary testing, evaluation, and analysis of low or no emission vehicles & their components.
  
  – FTA will pay 50% of testing costs (FTA pays 80% in the 5318 bus testing program)
  
  – This testing facility will be separate from 5318 bus testing
FTA FAST Act Website
www.fta.dot.gov/FAST.html

FAST
Fixing America's Surface Transportation Act

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