

FTA

FEDERAL TRANSIT ADMINISTRATION

The Federal Transit Administration's Programs under the *FAST Act*



January 2016

FTA

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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

New

- Bus and Bus Facilities Discretionary Grants (5339(b))
- Expedited Project Delivery for CIG Pilot Program (Subsection 3005(b) of FAST)
- Pilot Program for Innovative Coordinated Access & Mobility (Subsection 3006(b) of FAST)

Repealed

- Bicycle facilities (5319)
- Pilot Program for Expedited Project Delivery (Subsection 20008(b) of MAP-21)

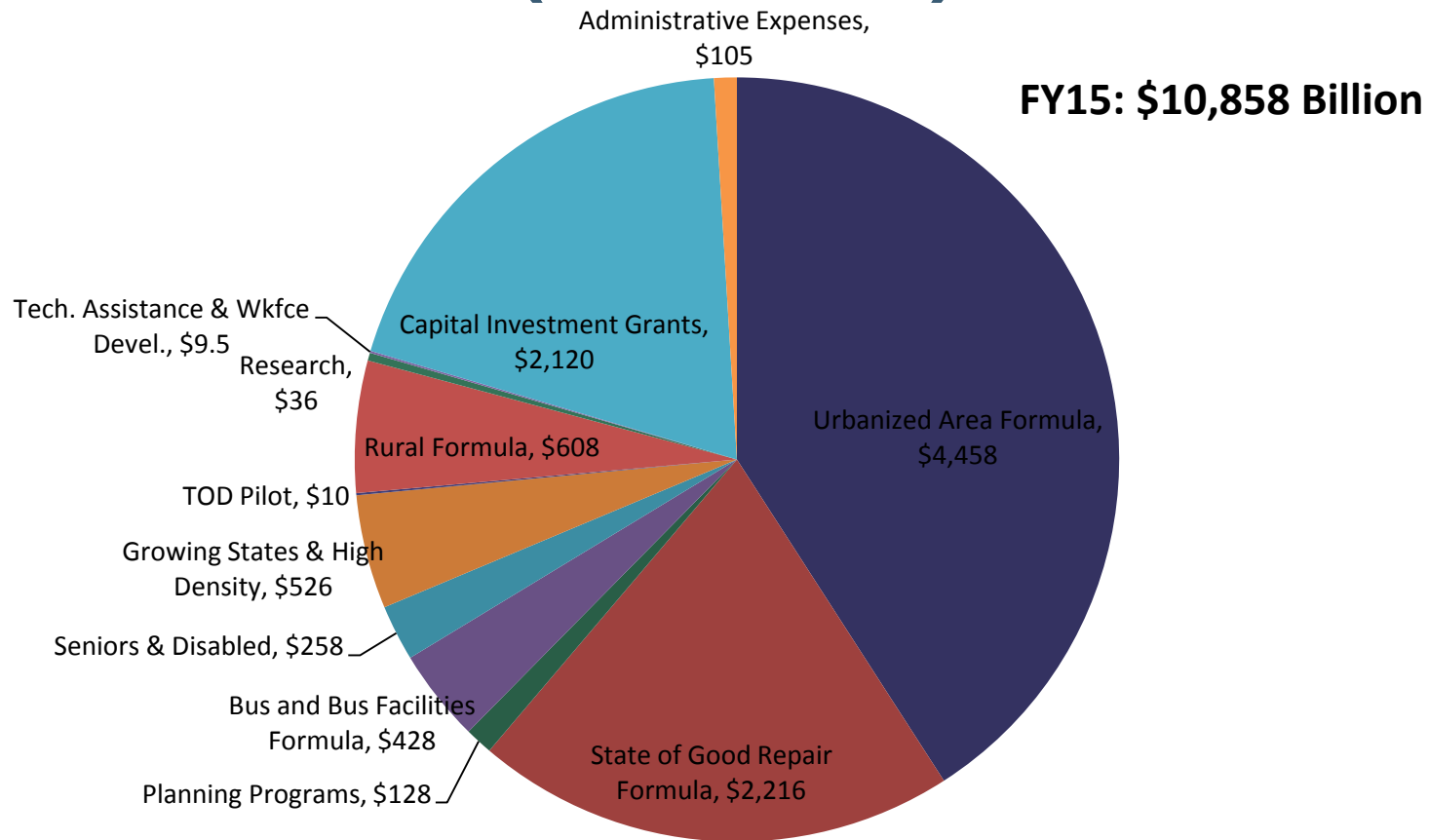
Consolidated

- Public Transportation Innovation (Research & TCRP) (5312)
- Technical Assistance & Workforce Development (5314)

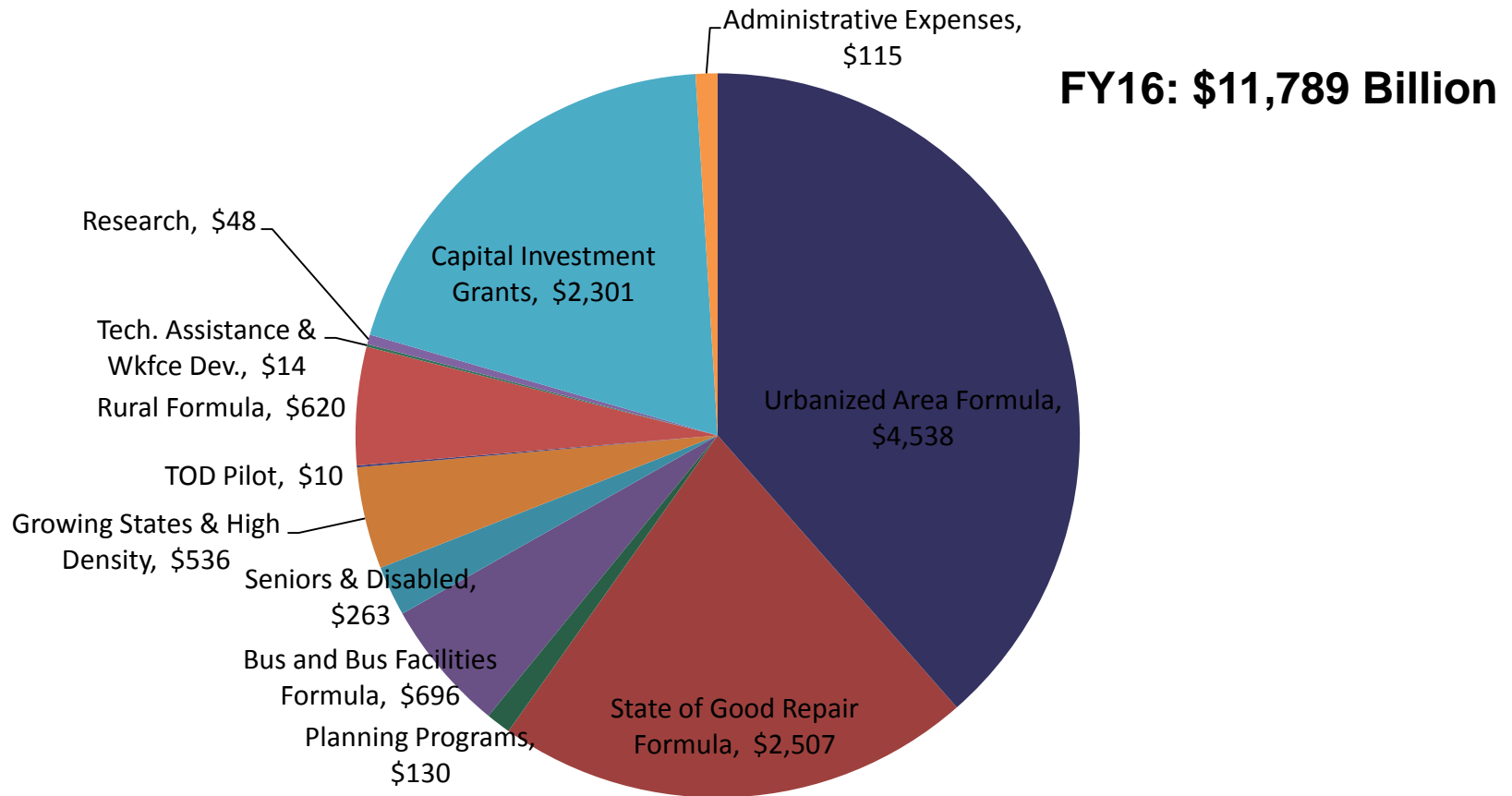
Modified

- Planning (5303/5304)
- Urbanized Area Formula (5307)
- Fixed Guideway Capital Investment Grants (5309)
- Elderly & Disabled (5310)
- Formula Grants for Rural Areas (5311)
- Public Transportation Safety Program (5329)
- State of Good Repair (5337)
- Bus and Bus Facilities (5339(a))

Previously Authorized Funding (MAP-21)



FAST Act Authorized Funding



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 FY 15)

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





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Administration
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