Understanding FTA and Its Programs

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Legislative Authority

- UMTA Act of 1964 – origins in HUD
- Reauthorizations
- Codification in Title 49 USC Chapter 53
- Annual Appropriations – obligation limitation for Trust Funds and actual general funds
  - Special Provisions, CRs etc. – published FR

FTA’s programs are authorized in the Federal Transit Act, as amended most recently by SAFETEA-LU (49 USC Ch 53)

+ Non-codified programs
Financial Assistance: Two Types

• Formula Grant Programs
  • How much money a grantee receives is determined by a formula (established in law or administrative)

• Discretionary Grant Programs
  • Congress or FTA determines how much money an individual grantee receives, based on competition
Categories of Assistance

• In general, FTA provides three broad categories of financial assistance through grants:
  – Planning
  – Capital
  – Operating

• For Public Transportation (excludes intercity bus and rail, school, charter and tour, exclusive taxi)
FTA Grant Programs

**Formula Programs**
- 5303, 5304 Planning
- 5307 UZA Funds
- 5310 Elderly & Individuals with Disabilities
- 5311 Non-UZA Funds
- 5309 Fixed Guideway Mod
- 5316 JARC
- 5317 New Freedom

**Discretionary Programs**
- 5308 Clean Fuels
- 5309 Bus
- 5309 New Starts/S Starts
- 5311 Tribal Transit
- 5314 Research
- 5320 Sarbanes Transit in the Parks
- 5339 AA
- Over the Road Bus
- TIGGER
- TIGER

- WMATA and LMRO – special appropriations
Sections 5303 and 5304 Planning Grant Programs

- Metropolitan Planning Funds (Section 5303)
  - Formula grants made to State DOTs
  - States pass the money through to the Metropolitan Planning Organizations (MPOs) at the urbanized area level

- Statewide Planning Funds (Section 5304)
  - Funding goes to the states who can use it for planning for rural and small urban areas and/or they can pass the funding through to MPOs to supplement Metro planning funds

- Highway and transit planning funds are interchangeable – can be used for either purpose
Urbanized Areas

- 3 Core programs (5307/ Fixed Guideway Mod/ New Starts) total 78% of FTA program $$$
Section 5307 Urbanized Area Formula Program

- Eligible recipients are public bodies
- Large Urbanized Areas (UZAs) (> 200,000 in population)
  - Funds apportioned directly to the UZAs based on population, population density, and other service factors
  - UZAs required to designate a recipient of the funds, who is responsible for deciding how the funds are used
  - Funds may be used for capital and/or planning purposes
- Small UZAs (between 50,000 and 200,000 in population)
  - All funding apportioned to the state, which then suballocates the funding to the UZAs
  - Formula is based on population and population density
  - Funds may be used for capital, planning and/or operating purposes
Section 5309 Fixed Guideway Modernization

- Eligible recipients include public bodies
- Funds allocated by formula to urbanized areas over 200,000 in population that have fixed guideway segments that are more than one mile long and more than seven years old
- Formula for allocating funds contains seven tiers
- Formula is based on factors like miles of track, directional route-miles, and performance
- Funds may be used for capital expenses
Section 5309
New Starts/ Small Starts

- Eligible recipients include public bodies
- Funds major capital investments in fixed guideway projects, but some Small Starts not fixed guideway
- Discretionary program. Congress earmarks funding for specific projects
- Law requires that FTA rate and evaluate each project requesting New Starts funding according to specific criteria
- FTA/President recommends to Congress annually what projects should receive funding based on evaluation and project “readiness”
- Funded through multi-year grants Full Funding Grant Agreements (NS) or Project Development Agreement (SS)
Section 5339
Alternatives Analysis

• Eligible recipients include transit agencies, state DOTs, MPOs

• Funds alternatives analyses, which are prerequisites to receiving a grant under New Starts/Small Starts

• Program has a history of earmarking by Congress for specific projects, though not recently

• Enacted in SAFETEA-LU when AA became ineligible under 5309 NS
Section 5308 Clean Fuels

- Formula (unfunded) to Discretionary in SAFTEA-LU
- For EPA Non-attainment and Maintenance Areas
- UZA’s only
- Specific fuel/vehicle types (limit on clean diesel)
Rural and Small Urban

• FHWA Demo for coordinated human service transportation – S. 147
• FTA program Since 1979 - $65 M/yr for decade – now $500M
• Administered by FHWA until FY 1984 – introduced some anomalies
• ISTEA – name change UMTA to FTA recognized transit focus beyond urban
Section 53.11
Non-Urbanized Formula Program

- Funds apportioned to the states based on non-urbanized land area and population
- States decide what subrecipients to fund -- available to cities under 50,000 in population
- Subrecipients may be public bodies or private non-profit agencies
- Funds may be used for capital and/or operating expenses
Section 5311 - set-asides

- Intercity Bus – 15% of State’s apportionment
- RTAP – 2% of national program – 85 to States/15 National
- Section 5311(c) Tribal Transit
  - Funding is a takedown from Section 5311 (before apportionment to States)
  - Only federally recognized Indian Tribes are eligible
Supplementary Discretionary

• Both Urban and Rural
Section 5309 Bus Discretionary

- Eligible recipients include public bodies; others eligible as subrecipients
- Discretionary capital funding for buses and bus-related facilities in both urbanized and rural areas
- Program has a history of being earmarked by Congress for specific projects but not in recent past
Specialized Focus Programs

• Section 5310 Elderly and Persons w Disabilities (formula)
  – Funds are apportioned based on each State’s share of population of elderly/persons with disabilities
  – States allocate the funds to subrecipients that are mostly private non-profit entities
  – Capital projects are eligible for funding as well as acquisition of transportation services and state program administration
Specialized Focus Programs (continued)

- Section 5316 Job Access and Reverse Commute and Section 5317 New Freedom (beyond ADA)
- Funds allocated to the states and large urbanized areas
  - States and UZAs select subrecipients through competitive process
  - Eligible subrecipients include other public agencies, private non-profits and private operators

<table>
<thead>
<tr>
<th>JARC</th>
<th>New Freedom</th>
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<tbody>
<tr>
<td>Formula based on low-income population</td>
<td>Formula based on number of persons with disabilities</td>
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<tr>
<td>Funds capital, operating, and/or planning expenses</td>
<td>Funds capital and/or operating expenses</td>
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Planning for 5310 / JARC/ New Freedom

• All projects must be derived from locally developed coordinated public transit – human service transportation plan
Specialized Focus Programs (continued)

• Section 5320 Paul S. Sarbanes Alternative Transportation in the Parks (discretionary)
  – Eligible recipients include Federal land management agencies and public bodies near Federal lands
  – Provides funds to support public transportation projects and alternative transportation in parks and public lands
  – Program is administered by FTA in consultation with Department of Interior
Specialized Focus Programs (continued)

- Over the Road Bus Accessibility (discretionary)
  - Eligible recipients include private for profit operators
  - Specific to vehicle type – ADA requirement for accessibility for over-the-road motorcoaches
  - 25% for Charter and tour operators/75% for Intercity
  - Enacted in TEA-21, continued in SAFETEA-LU, but not codified
Examples of Non-Codified Programs

• ARRA (Recovery Act)
• TIGGER (ARRA and TIGGER 2, but not FY 2012)
• TIGER (ARRA, + TIGER 2 and 3)
• Lower Manhattan Recovery
• WMATA (New for maintenance of system built earlier w/ $$ Stark-Harris)
Resources

• [www.fta.dot.gov/grants](http://www.fta.dot.gov/grants) - Details about the grant programs
• 49 U.S.C. Chapter 53 – The Federal Transit Act
• [http://thomas.loc.gov](http://thomas.loc.gov) – Current status of authorization and appropriations legislation
• [www.fta.dot.gov](http://www.fta.dot.gov) – FTA’s Official Website
• FTA Office of Program Management – 202-366-4020