



MEMORANDUM

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM: Matt Ransom, Executive Director *MR*
DATE: December 29, 2015
SUBJECT: **Federal Legislative Update: – FAST Act**

AT A GLANCE – INFORMATION

The purpose of this memorandum is to provide an update and brief program synopsis of the new Federal transportation policy and funding bill: Fixing America’s Surface Transportation Act (FAST Act).

BACKGROUND

Congress passed and President Obama signed a new federal transportation funding bill (Fixing America’s Surface Transportation Act, or “FAST Act”) which stabilizes federal funding to state and metropolitan regions. Funding from the FAST Act will advance planning and project improvements within the RTC region. The region’s Congressional delegation, Senators Murray and Cantwell and Representative Herrera Beutler, each provided meaningful leadership in many strategic areas and each supported passage in Congress.

CURRENT STATUS

On December 4, 2015, President Obama signed into law the Fixing America’s Surface Transportation Act, or “FAST Act.” The FAST Act provides for an 11 percent increase in federal funding for states and metropolitan areas over the life of the 5-year act. This long-term Act provides some funding certainty for States and local governments to move forward with critical transportation projects. That alone is an improvement over the previous Act (MAP-21) which required 36 short-term funding extensions to keep the funding flow on track.

On December 18, President Obama signed Congress’ Fiscal Year 2016 Omnibus Appropriations bills which provided portions of the annual funding needed to implement the FAST Act mostly in sync with Congressional funding authorizations. In addition to funding the Act as proposed by Congress, the Appropriations bills also funded the TIGER competitive grant program. Locally the Port of Vancouver has received a TIGER grant and other agencies have applied for grants under this important national grant program.

FAST ACT - POLICY DEVELOPMENTS

The FAST Act includes select changes to the federal surface transportation program in relation to both funding and policy programs. The Act continues the transition of the federal program to performance based planning and monitoring as established by MAP-21. Other highlights include:

Select Highlights

- **The FAST Act is a brand new 5-Year Federal policy bill and funding program.** The Act replaces current law MAP-21 and provides relative funding certainty over a 5-year period. Although most of the funds for the Act are derived from the Highway Trust Fund, Congress will need to appropriate additional funds to satisfy the Act's funding plan, and that will occur through Congress' normal budgeting process.
- **Maintains the MPO Process.** The bill maintains the statewide and metropolitan planning processes to continue advancement towards a performance-based approach to transportation decision making (ie. performance metrics in MAP-21). Major elements of the MPO process are maintained, with select minor refinements. Two new planning factors are added, requiring MPO's to integrate system resiliency and reliability as well as reduce or mitigate storm-water impacts of surface transportation projects in the regional planning process.
- **Maintains the core funding programs.** Over the term of the bill, RTC and member agencies will benefit from increased formula allocation of funds for the major grant programs (ie. STP, CMAQ). The Transportation Alternatives Program (TAP) was renamed and funding was consolidated into the Surface Transportation Block Grant program, and annual funding will increase modestly over the length of the Act.
- **Provides two dedicated funding programs to focus on freight and goods movement.** The bill establishes a formula funding program to states for nationally significant freight corridors (National Highway Freight Program). It also establishes a new competitive grant program designed to fund large projects (Nationally Significant Freight and Highway Projects Program).
- **Retains Transit grant programs.** The core transit programs are relatively unchanged. However the Act reinstates the Bus and Bus Facilities competitive grant program.
- **Other Provisions.** The Act clarified eligibility for transportation projects within National Scenic Areas (the Gorge) for certain competitive grant programs. It also establishes a competitive Community Safety Grant program to assist communities with preparation and response to incidents involving hazardous shipments by rail and also retains a grant program for improvements at at-grade rail crossings.

NEXT STEPS

In the coming months RTC staff will work with WSDOT and partners in review of the Act and in upcoming discussions regarding the grant funding provisions and general implementation of the Act.

Detailed summaries of the FAST Act and major program / policy provisions as compiled by two national associations are hyper-linked below:

[Association of Metropolitan Planning Organizations](#) (AMPO)

[American Association of State Highway and Transportation Officials](#) (AASHTO)