



# The National Beat

July 13th, 2023

## Federal Updates

On July 12<sup>th</sup>, the Joint Office of Energy and Transportation released a report titled, "National Electric Vehicle Infrastructure Formula Program Annual Report" ([read here](#)). The findings indicate that states may have roughly \$3.5 billion in leftover federal funds for electric vehicle (EV) charging infrastructure. The report indicates that most states will be able to fulfill the requirement of building chargers along federally designated Alternative Fuel Corridors (AFCs) with the funds allocated in the first two years of the five-year program. As a result, states will have excess funds to invest in chargers in preferred locations, such as smaller highways and communities. However, some states like may still face challenges in fully developing the corridors with the available funds. The report also highlights areas for improvement, such as procurement strategies, station siting, cybersecurity, program evaluation, community engagement, and Justice40 implementation. The Joint Office will utilize the plans to inform program improvements and provide technical assistance to states.

On July 10<sup>th</sup>, the House Appropriations Committee released the draft text of the fiscal 2024 appropriations bill for USDOT and Housing and Urban Development (HUD) ([read here](#)). On July 12<sup>th</sup>, the House Appropriations Committee approved the spending bill. However, negotiations and revisions are expected before the final appropriations bill is passed. Numerous portions of the proposed cuts were proposed by the Biden Administration in its FY 2024 budget request. The bill proposes significant cuts to various competitive grant programs at USDOT compared to the previous year's appropriations. The proposed bill reduces spending by \$22.1 billion, resulting in a cut of approximately 38% compared to the previous year. The Transportation-Housing Appropriations subcommittee's position for FY 2024 started with a deficit of \$11.3 billion. Projected offsetting receipts from HUD mortgage programs were expected to drop by \$7.6 billion. To meet this reduction, the subcommittee has canceled \$25 billion of Internal Revenue Service overhead funding provided by the Inflation Reduction Act and has made cuts of \$7.1 billion in transportation appropriations, primarily from grant programs that also receive funding from the Infrastructure, Investment, and Jobs Act (IIJA).

The draft includes a significant 85% cut in funding for the FTAs Capital Investment Grant (CIG) program, reducing it to \$392.2 million. However, the bill lacks clarity on how this cut would impact specific projects. The budget request and additional funding from IIJA provide some insight, with potential funding for section 5309(d) new start projects ranging from \$1.296 billion to \$1.348 billion. The IIJA's standard set-asides for core capacity projects and expedited project delivery align with specific projects in the budget request. However, the funding for small start projects in the House bill would be limited.

The proposed bill also includes several limitations on the use of funding for specific programs, projects, and regulations. These limitations extend to funds appropriated by the bill or any other act, including contract authority provided by other acts. The bill includes various restrictions on specific projects such as the New York City congestion pricing plan



and the California high-speed rail project. It also prohibits the use of funds for certain programs or regulations, including the greenhouse gas performance measure rule, equity action plans, and more. These limitations aim to control the use of funds and implement specific policy directives ([learn more here](#)).

On July 10<sup>th</sup>, Rick Larsen, member on the Committee on Transportation and Infrastructure (T&I) and Grace Napolitano, member on the subcommittee on Water Resources and Environment, submitted a request to the Environmental Protection Agency (EPA) and Army for Civil Works to document the individual and cumulative impacts of the recent Supreme Court decision in *Sackett v. EPA* on water quality protection efforts, the economy, public health and safety, and the environment ([read here](#)). The decision has significantly limited federal protections under the Clean Water Act, redefining the Act's scope and creating new criteria that could lead to adverse impacts on water. The letter also asks the agencies to track data on various aspects affected by the decision, such as the loss of wetland protections and the potential economic impacts. Additionally, the request includes systematic tracking of jurisdictional determinations to provide critical data on interpreting the decision.

On July 5<sup>th</sup>, The Congressional Budget Office (CBO) released projections on the adoption rate of electric vehicles (EVs) in the United States following the implementation of the IIJA infrastructure law and the IRA tax credit law, which provide substantial funding for accelerating EV adoption ([read here](#)). The CBO's projections, which exceed the Energy Department's official forecast, show that EVs could reach a 42 percent share of new light-duty vehicle (LDV) sales by 2032 and potentially grow to around 80 percent by 2050. The CBO analysis also highlights a correlation between the subsidies for charging stations under the IIJA and the growth of the EV fleet.

On June 30<sup>th</sup>, the National Campaign Transit Justice project submitted a letter of request to Chairman Cole and other ranking members of the House Appropriations Subcommittee on Transportation, Housing, and Urban Development to uphold the bipartisan Infrastructure Investment and Jobs Act (IIJA) during the FY 2024 appropriations process ([read here](#)). The letter requests more attention for programs that enhance the affordability and accessibility of public transit. The letter urges Congress to fully fund programs such as the Capital Investment Grants Program (CIG), the RAISE and MEGA Competitive Grant Programs, and the Active Transportation Infrastructure Investment Program (ATIIP) to support the expansion and improvement of public transit options.

## USDOT

On July 12<sup>th</sup>, FTA announced it is seeking public comments on a proposed circular titled "Grant Programs for Urbanized Areas: Program Guidance and Application Instructions" ([read here](#)). This circular consolidates and replaces previous circulars related to the Urbanized Area Formula Grants Program, State of Good Repair Grants Program, and Urbanized Area component of the Grants for Buses and Bus Facilities Program. The FTA is requesting feedback on the proposed circular, and comments can be submitted until September 11, 2023.

On July 11<sup>th</sup>, USDOT's Office of Inspector General (OIG) initiated an audit of the NHTSA special crash investigations program ([read here](#)). In a letter addressed to Ann Carlson, the NHTSA Administrator,



the OIG announced its intent to evaluate various aspects of the program, including the selection process for crash investigations, the collection and analysis of special crash investigation data, and the utilization of this data to enhance vehicle safety. The audit is expected to commence in the coming weeks.

On July 10<sup>th</sup>, NHTSA released a new report surrounding speeding-related fatalities on highways in 2021 ([read here](#)). The new crash data shows that speeding-related fatalities have reached their highest point in 14 years, accounting for almost one-third of all traffic deaths during that year. The data indicates a nearly 20% increase in speeding-related deaths and a 7% increase in speeding-related injuries from 2012 to 2021. The report also notes that drivers involved in speeding-related crashes often engaged in other unsafe behaviors, such as driving under the influence (37%) and failing to wear seat belts (over 50%).

On June 28<sup>th</sup>, USDOT announced the allocation of \$2.26 billion in fiscal year 2023 funding under the RAISE grant program ([read here](#)). These grants support infrastructure projects across the country, aiming to create jobs, improve safety, combat climate change, promote equity, and strengthen the supply chain. Notably, a record high of \$562 million, or 25% of the funding, has been dedicated to bicycle and pedestrian mobility projects. The grants are divided among various modes of transportation, with road/bridge projects receiving the largest share.

On June 20<sup>th</sup>, FHWA released a report titled, “Complete Streets Assessment at a Glance” ([read here](#)). Many states and local jurisdictions in the United States have adopted Complete Streets Policies, which prioritize safe and accessible streets for all users. Many state DOTs have developed their own Complete Streets principles and programs based on best practices and local initiatives, and FHWA has launched initiatives to assist DOTs in evolving their Complete Streets programs. FHWA conducted the 2023 National Complete Streets Assessment (NCSA), a comprehensive survey involving all state DOTs, to establish a national baseline for Complete Streets and active transportation efforts. This report provides summary data and findings from the survey.

On June 2<sup>nd</sup>, USDOT published a Request for Comment (RFC) to gather feedback for the update on the National Travel and Tourism Infrastructure Strategic Plan (NTTISP) ([access here](#)). The RFC is open for public comment until July 17, 2023. The updated NTTISP will highlight potential infrastructure investments that can create recovery opportunities for small, underserved, minority, and rural businesses in the travel/tourism sector. It also aims to preserve and protect scenic roads that promote tourism and economic development nationwide ([read the FY 2020-2024 NTTISP here](#)).



## Congressional Hearings & Markups

On [July 13<sup>th</sup> at 10:00 AM](#), the Senate Commerce, Science, and Transportation Subcommittee on Oceans, Fisheries, Climate Change, and Manufacturing held a hearing to discuss the Coast Guard budget request for FY 2024.

On [July 12<sup>th</sup> at 5:00 PM](#), the House Appropriations Transportation, Housing and Urban Development, and Related Agencies Subcommittee held a markup of the FY 2024 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill.

On [July 12<sup>th</sup> at 1:00 PM](#), The House Energy and Commerce Environment, Manufacturing, and Critical Materials Subcommittee held a markup on the "Preserving Choice in Vehicle Purchases Act," the "Choice in Automobile Retail Sales Act of 2023," and the "No Fuel Credits for Batteries Act of 2023."

On [July 12<sup>th</sup> at 10:00 AM](#), the Senate Commerce, Science, and Transportation held a full committee business meeting to consider pending nominations, including Alvin Brown to be a Member of the National Transportation Safety Board.

## National Transportation News

The Transportation Research Board of the National Academies of Sciences, Engineering and Medicine announced the Behavioral Traffic Safety Cooperative Research Program (BTSCR) ([read here](#)). BTSCR is a contract research program that addresses traffic safety issues faced by various stakeholders. The program identifies high-priority problems referred to by the Governors Highway Safety Association and aims to provide practical solutions. For the FY 2024 program, at least five new projects are expected to be initiated. The program is seeking nominations for qualified professionals to serve on research oversight panels, and detailed RFPs will be developed in October 2023. Interested agencies should ensure they have the necessary capabilities and experience to successfully complete the projects.

A recent analysis by Heinrich Boll Stiftung explores the potential of data and digital technologies in facilitating the transition towards sustainable and equitable urban transportation systems ([read here](#)). The analysis compares perspectives of Germany and the US and emphasizes the importance of public-private data-sharing and mobility across various modes of transportation to help cities achieve their climate and inclusivity objectives, despite the differences in regulatory frameworks between the two countries.

The COVID-19 pandemic has led to an increase in remote work, which has impacted the population distribution in US cities ([read here](#)). The commuter-adjusted population estimate, which accounts for people in an area during normal work hours, has been used to measure this change. The analysis of data from the American Community Survey (ACS) between 2019 and 2021 shows how home-based work during the pandemic affected the population of certain metropolitan areas. Kings County, New York had the largest increase in both resident and commuter-adjusted population, indicating a significant rise in people working from home. In contrast, Manhattan, New York experienced a



decrease in its commuter-adjusted population as many workers no longer commuted to the area. Similar trends were observed in other metropolitan areas, such as Los Angeles and Chicago, where commuter-adjusted populations decreased in some counties despite changes in resident populations. This analysis highlights the impact of remote work on population dynamics and emphasizes the need for ongoing data collection to understand these changes.

The Metropolitan Transportation Commission / Association of Bay Area Governments and the San Francisco Bay Conservation and Development Commission released a new report titled, “Sea Level Rise Adaptation Funding and Investment Framework” ([read here](#)). The report surrounds funding required for successful climate adaptation and challenges associated with implementation. Findings demonstrate that equitable adaptation approaches and a regional coordination are crucial, as well as prioritizing investments, integrating policies, collecting project data, advocating for more funding, and supporting local and private funding efforts.

Efforts are being made at the local level in Boston to address various gaps in transportation ([read here](#)). The Mattapan Food and Fitness Coalition, established by community members, focuses on improving health and access to healthy food in the Mattapan area. They collaborate with the Boston Region Metropolitan Planning Organization on projects addressing equity and access in the Blue Hills Reservation. The gaps identified include the lack of accessible healthy food for lower-income individuals, limited access to primary care physicians, challenges faced by individuals with mobility restrictions, wealth disparities, and the negative impact on communities without reliable public transportation.

## NOFOs

The FY 2023 Notice of Funding Opportunity (NOFO) for the Reconnecting Communities and Neighborhoods (RCN) Program is now open, offering up to \$3.16 billion for planning and construction projects ([read here](#)). Applications will remain open until September 28<sup>th</sup>, 2023 and must be submitted through Valid Eval ([access NOFO here](#)). The RCN Program combines two significant discretionary grant opportunities: the Reconnecting Communities Pilot (RCP) and Neighborhood Access and Equity (NAE) Programs. While these programs remain separate for the purpose of awarding grants, they share common goals of prioritizing disadvantaged communities, improving access to essential services, fostering equitable development, and reconnecting communities by addressing transportation barriers. Under the RCN Program, USDOT offers three grant types:

1. **Community Planning Grants:** These grants support planning activities for future construction projects and innovative community planning to address local transportation challenges. Eligible activities include public engagement, feasibility studies, and other planning efforts. Up to \$50 million of RCP funds and \$135 million of NAE funds are available for community planning grants in FY 2023.
  - [Community Planning Grants and Regional Partnerships Challenge Grants with Planning Activities](#) (Valid Eval Application-Coming Soon)
2. **Capital Construction Grants:** These grants fund projects aimed at removing, retrofitting, mitigating, or replacing existing transportation facilities that create barriers to community connectivity. The projects should focus on improving access, reducing



environmental harm, and enhancing transportation infrastructure. Up to \$148 million of RCP funds and \$2.57 billion of NAE funds are available for eligible construction activities in FY 2023.

- [Capital Construction Grants and Regional Partnerships Challenge Grants with Construction Activities](#) (Valid Eval Application- Coming Soon)

3. **Regional Partnerships Challenge Grants:** These grants support regional collaboration and innovation in addressing persistent regional challenges related to equitable access and mobility. Projects must involve two or more eligible applicants and demonstrate regional coordination, leveraging of resources, and policy alignment. Up to \$450 million of NAE funds are available for regional partnership grants in FY 2023.

On July 5th, the FTA announced that \$1,689,864,104 through the Low or No Emission Grant Program (Low-No) and Grants for Buses and Bus Facilities Programs and Projects has been awarded to various transportation projects across the US ([read here](#)). This includes \$1,216,941,397 (i.e., 83 projects) for projects under the Low-No program and \$472,922,707 (i.e., 47 projects) for projects under the Grants for Buses and Bus Facilities Program. The funding will support the purchase of buses, infrastructure upgrades, and the adoption of low or no-emission vehicles. The selected projects represent a diverse range of regions and transit systems, with a focus on factors like climate change, job creation, zero-emission fleet transition plans, procurement methods, and the Justice40 initiative.

*Learn about federal grants available to MPOs in AMPO's NOFO Tracker ([access here](#)). The Tracker is available on [ampo.org](#) under the "Resources" drop down.*