

SAFETEA-LU Reauthorization Comparison of Proposals

Below is a comparison of AGC’s key issues in reauthorization to the Senate bill and what is expected in the House bill.

Key Issues	AGC Recommendations	How MAP 21 Addresses	House Bill
Funding	Current levels of \$41.1 b or higher for highways and \$10.1 b	Makes an effort to stay at current levels \$40.9 b in FY12 and \$41.56 b in FY13, compared to \$40.236 b in FY 10 for highways and \$10.1 b for transit	Funds highways lower than current levels but at obligation limit in the FY 2012 appropriations bill of \$39 b and transit at \$10 b
New Revenue Source	Increased revenue needed to maintain or increase yearly funding	None yet identified	Short term (3-5 years) none identified- Long term (5 years and beyond) royalties from increased oil exploration will provide a portion of needed revenue
Length	6 years	2 years	5 years
Focus on National Goal	AGC believes the focus should be connecting major cities, major manufacturing centers, shipping and distribution hubs while reducing congestion and enhancing safety	MAP-21 goals include: safety, infrastructure state of good repair, system reliability, freight movement and economic vitality, and environmental sustainability	The goal of HR 7 is to ensure that the greatest amount of money in the HTF is spent on the core programs. With a particular focus on the NHS.
Equity	AGC does not take a position, but many AGC Chapters and members do	Each state guaranteed 95% return on the amount of gas tax revenue collected compared to the current 92% rate.	There will be an equity program
Preserve Trust Fund	Preserve long- term funding, allow for long-term planning and opportunity to address mega projects	MAP-21 does not address the long- term solvency of the trust fund but places highway spending controls (“ratchet mechanism”)	HR 7 will maintain contract authority and ensure the longevity of the Highway Trust

		on the trust fund if the balance of the trust fund falls below \$2 billion. After the 18months likely to be covered by MAP 21 there will be a drop of 50% in funding unless additional revenues are found.	Fund through some “pay for” we have not seen plus oil production in ANWR and the OCS.
Expediting Project Delivery-	Congress must streamline the Federal planning and approval process for transportation projects. FHWA’s Every Day Counts initiatives should become standard operating procedure for project delivery. The federal /state partnership should include more delegation of decision-making to states.	MAP-21 allows states to use the Construction Management General Contracting (CMGC). CMGC uses a two-step procurement process where the CM/GC is selected using price and best value. It also allows states to take control of planning and environmental review.	HR 7 will make procurement process changes. Delegate more control over planning and environmental review to the states.
Program Consolidation	The Federal-aid highway program should be streamlined into two programs - the National Highway System (NHS) and the Surface Transportation Program (STP)	Thirteen programs are consolidated into six: National Highway Performance Program; Transportation Mobility Program; Congestion Mitigation and Air Quality Program; Highway Safety Improvement Program; National Freight Program; and Metropolitan Planning Program	There will be 3 core programs NHS, STP and HSIP. NHS will receive 60% of the HTF dollars. The bridge program and the IM program will be rolled into the NHS. Gives states greater flexibility in the STP program. Redefines enhancements to eliminate non transportation projects.
Environmental Streamlining	Concurrent reviews, categorical exclusions, early	MAP-21 includes reforms designed to	Goes further than MAP 21.

	acquisition of ROW, allow planning/design to proceed before completion of NEPA, accelerated utility relocation and enforceable deadlines for decisions and appeals can speed up project delivery without harming environment	reduce project delivery time and costs, such as expanding list of categorical exclusions, early acquisition of ROW, early coordination between relevant agencies to avoid delays later in the review process; and directs DOT to develop specific review deadlines.	Delegates more to the states and provides hard deadlines to resource agencies in the approval process. Expands the state pilot program. Expands categorical exclusions and early acquisition of ROW
State Flexibility	States should have flexibility to use highway and transit funds to meet state priorities	Transit funding is transferrable to and from highway program	Can still flex from highways to transit.
Clean Construction	AGC worked with environmental groups to develop program to utilize fully-funded change orders to implement diesel retrofit mandates	MAP-21 directs a significant portion of the CMAQ funding to be applied by states to PM non-attainment areas to assist contractors in retrofitting/repowering	Not sure, but the CMAQ program will be much smaller in the House bill
Supplemental Revenues	Facilitate PPPs, expand TIFIA, recapitalize SIBS, lift volume caps on PABs, reauthorize BABs, make interstate tolling pilot project permanent and lift caps, allow tolling to finance major construction and reconstruction projects on the interstate	Increases TIFIA funding from \$122m to \$1 billion in FY12 and FY 13	Expands TIFIA in a similar way and the same amount as the Senate.
Performance Measurements	AGC supports the use of performance measures to ensure value to taxpayers	US DOT in conjunction with states will develop performance measurements for major programs and will set annual goals	Sets performance measures and performance criteria which will be done in the planning process and will require an asset management plan. States who are good performers

			will have more flexibility over their funding. States who don't meet performance measures will be required to devote money to those areas in which they are underperforming (i.e. bridges).
Work Zone Safety	Require the use of positive barriers where workers are exposed to high- volume, high-speed traffic	Calls for rulemaking mandating use of positive barrier in certain situations and makes cost part of unit price bidding in most cases	Unknown
Innovation		State can use up to 5 percent of their apportionment to incentivize innovation at 100% federal funding. Some examples of innovations could include: innovative technologies, enhanced work zone safety, manufacturing processes, financing or contracting methods. Many of the FHWA's Every Day Counts initiatives are included, as are the use of BIM, intelligent compaction, in-place recycling technologies and prefabricated bridge elements.	