

# MAASTO

MID AMERICA ASSOCIATION OF  
STATE TRANSPORTATION OFFICIALS



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To: MAASTO Board of Directors  
From: Strategic Transportation Issues Committee (STIC)  
Subject: MAASTO Reauthorization Statements Update  
Date: August 2018

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In 2015, MAASTO issued a statement regarding an upcoming reauthorization of the federal surface transportation programs (attached). The statement sent a clear message that federal funding commitment for the federal program was inadequate. The document was intended to clearly identify MAASTO's policy priorities and provide examples of issues that should be considered or included in the next reauthorization bill.

Recently, the STIC committee has drafted an update to this document to better reflect MAASTO's current positions. Questions for discussion for the MAASTO Board of Directors:

- Should MAASTO update its policy positions looking toward the next reauthorization program?
- If yes, should the paper focus on a handful of priority issues, or be more broad in nature?
- Below is a list of potential policy areas to be addressed – which should STIC focus on if moving forward, which should be eliminated, and are there any missing?

If the Board decides to move forward with an updated paper of policy priorities, based on guidance a draft will be prepared for approval at the September MAASTO Board meeting in Atlanta.

## **POTENTIAL POLICIES FOR INCLUSION:**

\* indicates a 2015 carryover statement

### **Core Principle – Financial**

- Identify Revenue Sources to Fund Surface Transportation Infrastructure Needs
- \*Highway Trust Fund Insolvency (HTF) - Highway Account and Mass Transit Account\*
- HTF Solvency and Transportation User Fees
- New Revenues to Maintain 80/20 HTF Highway Account vs Mass Transit Account
- Oppose the Use of Rescissions as Means to Offset Other Budget Spending
- Maintain Equity Funding Protections

### **Core Principle – Innovative Finance Tools**

- Support/Expand Conventional and Innovative Financing Tools
- \*Expand the Roll/Provide Options for State Tolling on Interstates\*
- Permit the Expansion of P3s for Rest Areas
- \*Non-Federal Match Ratios\*

### **Core Principle – Federal Role**

- Retain Federal Government as Partner with States/Local Governments/Private Sector
- \*Federal-aid Highway Program Funding Focus\*
- Core Highway Programs to Retain High Share Highway Funding
- \*Transit Program Funding and Flexibility\*

### **Core Principle – Project Delivery/Environmental Review**

- Support Streamlining/Accelerated Project Delivery Initiatives
- \*Fiscal Constraint\*

### **Core Principle – Freight Network**

- \*National Highway Freight Network\*
- \*National Intermodal Freight Transportation Program\*

### **Core Principle – Planning and Policy Initiatives**

- Permanently Authorize the National Infrastructure Investments Program (BUILD)
- Retain the Nationally Significant Freight and Highway Projects (INFRA) Program)
- \*Coordinated Statewide and Local Planning\*
- \*Expansion of National Highway System\*
- Project Labor Agreements

### **Core Principle – Performance Management**

- \*Performance Measures\*
- \*Reduced Federal Oversight and Increased Flexibility\*

### **Core Principle –Automated Vehicle Technology**

- Connected Vehicle Technology
- Automated Driving Systems

### **Core Principle – Miscellaneous**

- \*Uniformity in Title VI Regulations and Implementation\*

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*MAASTO states believe that a clear and concise message is necessary for the upcoming reauthorization of the federal surface transportation programs. Our clear message is that the federal funding commitment for the current federal program is inadequate. This brief document is meant to clearly identify our message and provide a few examples of issues which should be considered or included in the next reauthorization bill.*

**Core Principle:**

**The future federal surface transportation program should focus the federal role and responsibility commensurate with the level of federal funding provided.**

Focused Program - MAASTO states believe that the federal role should support the national goals of interstate commerce, freight movement and national defense. Federal funding and oversight for the federal-aid highway program should focus on the Interstate system and the National Highway System (NHS). States must be provided the authority to make adjustments to the NHS routes within their borders.

National Highway System - MAASTO states call for a discussion of how the MAP-21 expansion of the NHS placed burdensome requirements on States for roadways that are not owned and maintained by the States. Regulations are also placed on local governments even if they chose not to use federal funds to improve or maintain these local roadways.

Primary Freight Network - MAASTO states call for an open national discussion on the designation and purpose of a Primary Freight Network (PFN), which includes the opportunity for comment and input from state DOTs. The PFN as currently proposed should be expanded to include railroads, waterways and air cargo and should not be finalized until a National Freight Strategic Plan is adopted.

Freight Transportation – MAASTO states believe it is appropriate that the efficient and effective movement of freight be a principle focus for the next surface transportation reauthorization legislation. Federal funding authorized in the legislation should be available for the planning and implementation of multi-modal freight projects.

Reduced Federal Oversight and Increased Flexibility - MAASTO states support accountability, transparency, flexibility and the use of performance measurement at the State level to obtain desired outcomes. Overly prescriptive guidance, reporting and project eligibility requirement can limit the effectiveness and efficiency of planning, construction and safety programs under FHWA, FTA, NHTSA and FMCSA. MAASTO states expect that an outcome of the universal use of performance-based planning and programming of federal funds will be a reduction in the level of required federal oversight.

Performance Measures – MAASTO states support limiting performance measures to those established under MAP-21 until the states have completed multiple reporting cycles. Performance targets are established by the states and local governments, and the federal-aid provided to state and local governments should not be based on meeting their targets.

Tolls and Toll Credits - MAASTO states believe that states should be provided additional flexibility and authority related to the use of interstate tolls and toll credits.

Highway Trust Fund Solvency - MAASTO states believe that the current system of backfilling the Highway Trust Fund (HTF) with transfers from the General Fund is not sustainable or sufficient to preserve traditional federal transportation programs. The solvency of the HTF should be maintained with transportation user fees.

Coordinated Statewide and Local Planning – MAASTO states support the coordination of statewide and local planning processes which ensure that federal aid is utilized for projects which have been vetted and approved through the planning process. MAASTO states oppose efforts to increase direct apportionments or allocation of funding to agencies or jurisdictions which bypass this coordinated process.

Non-Federal Match Ratios - MAASTO states believe that the current non-federal match ratios for projects funded with formula apportionments are no longer relevant and serve to limit a state's flexibility to administer their highway program. States should be given the option to reduce the non-federal project match, including allowing 100% federal funding on selected federal-aid projects.

Transit Program Funding and Flexibility – MAASTO states believe that all dedicated public transit capital funding should be distributed directly to states and urban areas, thereby allowing them the flexibility to best address the state and local public transit needs of their bus and/or rail transit systems. The level of funding for bus capital and bus facilities in MAP-21 — a 57 percent reduction from FFY 2012 SAFETEA-LU levels — is insufficient to fund the needs of the nation's urban and rural bus systems.

Fiscal Constraint -- MAASTO states believe that the new surface transportation reauthorization legislation should include a provision establishing a process under which the US DOT, at the request of a project sponsor, can initiate a NEPA review for a project that either: a) proposes to use a non-traditional funding source for part or all the project costs; or b) is not in a funded plan but is a high priority project to the project sponsor.

Uniformity in Title VI Regulations and Implementation - MAASTO states believe that the guidance and regulations for the implementation of Title VI of the Civil Rights Act of 1964 and subsequent legislation must be uniform across the various Administrations within the US Department of Transportation.

Adopted by MAASTO Board of Directors – September 28, 2015