

MAP 21 Overview/Fact Sheet

Moving Ahead for Progress in the 21st Century Act (MAP-21)
A Summary of Public Transportation Provisions

FACT SHEET

Overview

On July 6, 2012 President Obama signed into law a new two-year transportation authorization, entitled Moving Ahead for Progress in the 21st Century (MAP-21). The new law authorizes \$10.6 billion in FY 2013 and \$10.7 billion in FY 2014 for public transportation.

MAP-21 furthers several important goals, including safety, state of good repair, performance, and program efficiency. MAP-21 gives FTA significant new authority to strengthen the safety of public transportation systems throughout the United States. The act also puts new emphasis on restoring and replacing our aging public transportation infrastructure by establishing a new needs-based formula program and new asset management requirements. In addition, it establishes performance-based planning requirements that align Federal funding with key goals and tracks progress towards these goals. Finally, MAP-21 improves the efficiency of administering grant programs by consolidating several programs and streamlining the major capital investment grant program known as “New Starts.” These, and other important changes, are summarized below:

Rural Area Formula Grants (5311)

This program provides administration, capital, planning, and operating assistance to support public transportation in rural areas, defined as areas with fewer than 50,000 residents. Activities eligible under the former Job Access and Reverse Commute (JARC) program, which provided services to low-income individuals to access jobs, are now eligible under the Rural Area Formula program. In addition, the formula now includes the number of low-income individuals as a factor. Funds may be used for planning, capital purchases, administration’ planning and operating expenses, and require a local match. Eligible recipients include local public bodies, non-profit organizations and state agencies.

Appalachian Development Public Transportation Assistance Program

This program provides funding to support public transportation in the Appalachian region of the state. Funds may be used for planning, capital purchases, administration’ planning and operating expenses, and require a local match.

Tribal Program

The Tribal program now consists of a \$25 million formula program and a \$5 million discretionary grant program. Formula factors include vehicle revenue miles and the number of low-income individuals residing on tribal lands.

Enhanced Mobility of Seniors and Individuals with Disabilities (5310)

This program provides formula funding to increase the mobility of seniors and persons with disabilities. Funds are apportioned based on each State’s share of the targeted populations and are now apportioned to

both States (for all areas under 200,000) and large urbanized areas (over 200,000). The former New Freedom program (5317) is folded into this program. The New Freedom program provided grants for services for individuals with disabilities that went above and beyond the requirements of the Americans with Disabilities Act (ADA). Activities eligible under New Freedom are now eligible under the Enhanced Mobility of Seniors and Individuals with Disabilities program. Projects selected for funding must be included in a locally developed, coordinated public transit-human services transportation plan. Eligible recipients include: (1) a private nonprofit organization; or (2) a State or local governmental authority that;(3) is approved by a State to coordinate services for seniors and individuals with disabilities; or(4) certifies that there are no private nonprofit organizations readily available in the area to provide the eligible program services. Using these funds for operating expenses requires a 50 percent local match while using these funds for capital expenses (including acquisition of public transportation services) requires a 20 percent local match. At least 55 percent of program funds must be spent on the types of capital projects eligible under the former section 5310. The remaining 45 percent may be used for new freedom related program requirements.

Bus and Bus Facilities Formula Grants (5339)

This program provides funds to assist eligible recipients described in subsection (c)(1) in financing capital projects (1) to replace, rehabilitate, and purchase buses and related equipment; and (2) to construct bus-related facilities. Eligible recipients under this section are designated recipients that operate fixed- route bus service or that allocates funding to fixed route bus operators. A designated recipient that receives a grant under this section may allocate amounts of the grant to sub-recipients that are public agencies or private nonprofit organizations engaged in public transportation. This is a capital grant which requires 20 percent local match.

Transit Asset Management (5326)

This section establishes new requirements for transit asset management by FTA's grantees as well as new reporting requirements to promote accountability. The goal of improved transit asset management is to implement a strategic approach for assessing needs and prioritizing investments for bringing the nation's public transit systems into a state of good repair. All FTA grantees and their sub-recipients will be required to develop transit asset management plans that include, at a minimum:

- Capital asset inventories and condition assessments; and
- Investment prioritization.

Transit Safety & Oversight (5329)

MAP-21 grants FTA the authority to establish and enforce a new comprehensive framework to oversee the safety of public transportation throughout the United States as it pertains to heavy rail, light rail, buses, ferries, and streetcars. The law requires, among other things, that FTA update the State Safety Oversight (SSO) program to ensure that rail transit systems are meeting basic, common-sense safety requirements. The law also includes important new safety provisions for bus-only operators.

Public Transportation Safety Certification Training Program for Federal and State Personnel

- FTA will develop a public transportation safety certification training program that applies to transit grantees regardless of mode. The program is for federal and state employees or other personnel who conduct audits as well as employees of public transportation agencies responsible for safety oversight.

- Section 5307 and 5311 recipients may use up to 0.5 percent of formula funds to pay for up to 80% of the cost to participate in the public transportation safety certification training program for SSO agency employees.

Transit Agency Safety Plans for all Federal Transit Recipients

- All recipients of FTA funding will develop an agency safety plan and certify that the plan meets FTA requirements. At a minimum, these plans must include:
 - o Strategies for identifying risks and minimizing exposure to hazards.
- An adequately trained safety officer to report directly to the general manager or equivalent.
- Performance targets based on the safety performance criteria above.
- Staff training program.
- For recipients receiving 5311 funds, the plan may be drafted and certified by the recipient or the state.
- For recipients receiving 5307 funds, FTA must issue a rule designating the small public transportation providers or systems that may have their safety plans drafted or certified by the state.

Public Transportation Emergency Relief Program (5324)

This program helps states and public transportation systems pay for protecting, repairing, and/or replacing equipment and facilities that may suffer or have suffered serious damage as a result of an emergency, including natural disasters such as floods, hurricanes, and tornadoes. The program also improves coordination between U.S. DOT and the Department of Homeland Security (DHS) to expedite assistance to public transit providers in times of disasters and emergencies.

Eligible Recipients

States and governmental authorities, including public transportation agencies.

Eligible Activities

- Capital projects to protect, repair, reconstruct, or replace equipment and facilities of a public transportation system, including on an Indian reservation, which are in danger of, or have suffered serious damage, as a result of an emergency. Emergencies are defined as natural disasters affecting a wide area or as catastrophic failures resulting from an external cause, and as a result, the governor of a state has declared as an emergency and the Secretary of Transportation has concurred, or the President has declared a major disaster.
- Operating costs related to evacuation, rescue operations, temporary public transportation service; or reestablishing, expanding or relocating public transportation route service before, during, or after an emergency.

The federal share for capital and operating costs is 80%, with a 20% non-federal share, although FTA may waive the local match. The grants are only for expenses that are not reimbursed by the Federal Emergency Management Agency (FEMA).

URBAN SYSTEMS – MAP-21

Urbanized Area Formula Grants (5307)

The largest of FTA's grant programs, this program provides grants to urbanized areas³ to support public transportation. Funding is distributed by formula based on the level of transit service provision, population, and other factors. Total funding is \$4.9 billion in FY 2013 and \$5 billion in FY 2014 (includes the Growing States and High Density States formula). Activities eligible under the former Job Access and Reverse Commute (JARC) program, which focused on providing services to low-income individuals to access jobs, are now eligible under the Urbanized Area Formula program. This includes operating assistance with a 50 percent local match for job access and reverse commute activities. In addition, the urbanized area formula for distributing funds now includes the number of low-income individuals as a factor. There is no floor or ceiling on the amount of funds that can be spent on job access and reverse commute activities.

Expanded eligibility for operating expenses for systems with 100 or fewer buses

MAP-21 expands eligibility for using Urbanized Area Formula funds for operating expenses. Previously, only urbanized areas with populations below 200,000 were eligible to use Federal transit funding for of funding for operating expenses. Systems operating 75 or fewer buses in fixed route service during peak service hours may use up to 75 percent of their "attributable share" of funding for operating expenses.