

Parsons Brinckerhoff Washington Update - July 14, 2015 - Interim Update

With only 11 legislative days left before the July 31 expiration of the two-month MAP-21 extension, last night the House Ways & Means Committee and the House T&I Committee jointly introduced another short-term extension bill, HR 3038. The bill would extend MAP-21 authorization and funding until December 18, 2015. It would provide the \$8B in additional funds needed to keep the Highway Trust Fund (HTF) solvent through that date - \$6B to the Highway Account and \$2B to the Mass Transit Account in keeping with the traditional 80/20 split. The \$8B General Fund Transfer would be offset by a variety of tax compliance provisions (\$4.9B) and an extension of the aviation security fee increase through years FY'24 and FY'25 (\$3.16B) – once again opting to use 10-year revenues to pay for a five-month bill. All programs would be funded at the FY'14 MAP-21 authorized levels.

The plan is to by-pass committee action and bring the bill directly to the House floor – perhaps as early as this week. Here is a [link](#) to the House bill.

In the Senate, Senate Majority Leader Mitch McConnell (R-KY) is expected to make some announcement later this afternoon about a MAP-21 extension. The Senate Republican leadership is leaning towards a longer term bill – a two, perhaps even a three-year bill – to get beyond the 2016 presidential election. Their revenue source is still unclear – it will require \$25B to \$30B – but it will not include a gas tax increase.

The House and Senate would then have to battle it out over which approach prevails.

Also in the Senate, tomorrow the Senate Commerce Committee will act on its title of a six-year, bi-partisan MAP-21 bill which encompasses highway safety, R&D, technology/ITS, multi-modal freight, and rail provisions - S. 1732, the “Comprehensive Transportation and Consumer Protection Act”. Once approved, S. 1732 will be combined on the Senate floor with the Senate Environment & Public Works Committee’s recently approved DRIVE highway title, S. 1647. The Senate Banking Committee still needs to introduce and approve its transit title and the Senate Finance Committee needs to identify the necessary revenues – as much as \$100B - to fund the combined six-year bill.

Here is a general overview of the freight related provisions in S. 1732:

- Develops a national multimodal freight policy and sets goals to enhance the multimodal freight network. Freight planning efforts will fall to the Undersecretary for Policy at US DOT to improve multimodal coordination
- Creates a national multimodal freight network consisting of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight
- Requires the Secretary of Transportation, in consultation with State DOTs, MPOS, and other stakeholders to develop a national freight strategic plan within 3 years of bill passage
- Gives states the option to create state freight plans and state freight advisory committees (the Senate EPW DRIVE Act mandates them)
- Authorizes \$500M for TIGER through 2021. The bill sets the maximum award at \$100M and the minimum award at \$10M. At least 25% of funds must go to projects in rural states. The primary focus of TIGER grants would be on freight projects. In response, several key Senators, primarily appropriators, introduced a TIGER bill which would retain the existing program’s criteria and focus

In a surprise move, the Senate Commerce Committee bill also includes the text of the rail reauthorization bill, S. 1626, that the Committee unanimously passed three weeks ago. It authorizes funding for Amtrak and other passenger rail programs for four years. In addition, the Committee included a provision to extend the December 2015 deadline for the installation of Positive Train Control (PTC) through 2018 on a case by case basis. It is unclear if the House will support including a rail title in the final surface transportation reauthorization bill.

Here is a [link](#) to the Commerce Committee bill.