



American Energy and Infrastructure Jobs Act of 2012

From the Perspective of Transportation Enhancements, Recreational Trails, and Safe Routes to School

The bill contains changes to two of the three core programs for pedestrian and bicycle infrastructure; one program remains intact:

- 1) The Recreational Trails program is consistent with the structure under SAFETEA-LU. Funding is established at \$85 million for each of fiscal years 2013 – 2016.
- 2) The Safe Routes to School Program is eliminated in its entirety.

Eliminating the SRtS program means the loss of \$180 million per fiscal year for infrastructure and non-infrastructure projects to support walking and bicycling as modes of transportation for children to school, as well as the established institutional support of the SRtS coordinators at each state DOT.

- 3) The Transportation Enhancement activities remain eligible under the Surface Transportation Program, but the 10 percent set-aside of apportioned funds is stricken.

Eliminating dedicated funding for transportation enhancement activities means these projects will have to “compete” for prioritization with all other surface transportation projects in regional and state planning processes. In addition, the following activities which were eligible under SAFETEA-LU are eliminated:

- a. Acquisition of scenic or historic easements, including battlefields
- b. Historic preservation
- c. Rehabilitation and operation of historic transportation facilities
- d. Preservation of abandoned railway corridors
- e. Establishment of transportation museums

These five categories combined comprise 24% of all state DOT project programming of TE activities since 1992. Eliminating these activities will significantly restrict the flexibility state DOTs have relied upon in the past to enhance the nation’s surface transportation system. This is especially true for the two most popular activities of these five singled out for elimination, rehabilitation and operation of historic transportation facilities (9.4% of all TE activity) and preservation of abandoned railway corridors (7.2%).

Outside of the three core programs, there are two other noticeable provisions of this bill for pedestrian, bicycle and trail interests:

- 1) Funding for the CMAQ program is moved to the new “Alternative Transportation Account,” which was previously the Mass Transit Account.
- 2) The ability of state DOTs to use CMAQ or STP apportionments to fund bicycle and pedestrian coordinator positions is stricken.

Eliminating the bicycle and pedestrian coordinator positions represents a huge step backward for state DOTs. It passes more of the burden of administering federal-aid highway programs directly to them.



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CITATIONS

p. 10 line (17): Authorizes \$85 million for each of 4 fiscal years for Recreational Trails.

p. 64 line (11) Renames the Mass Transit account the Alternative Transportation Account of the Highway Trust Fund, and puts CMAQ (@ \$2 billion per year) under it (p. 11 line (5)).

p. 33 line (1), stricken from the STP:

(1) Construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways (including Interstate highways) and bridges (including bridges on public roads of all functional classifications), including any such construction or reconstruction necessary to accommodate other transportation modes, and including the seismic retrofit and painting of and application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions on bridges and approaches thereto and other elevated structures, mitigation of damage to wildlife, habitat, and ecosystems caused by a transportation project funded under this title.

p. 34, line (17): TE remains eligible under the STP. But set-aside is repealed...

(2) For transportation enhancement activities. - In a fiscal year, the greater of 10 percent of the funds apportioned to a State under section 104(b) (3) for such fiscal year, or the amount set aside under this paragraph with respect to the State for fiscal year 2005, shall only be available for transportation enhancement activities.

p. 174 line (10): Stricken from Sec. 217, Bicycle transportation and pedestrian walkways:

(d) State Bicycle and Pedestrian Coordinators. - Each State receiving an apportionment under sections 104(b) (2) and 104(b) (3) of this title shall use such amount of the apportionment as may be necessary to fund in the State department of transportation a position of bicycle and pedestrian coordinator for promoting and facilitating the increased use of nonmotorized modes of transportation, including developing facilities for the use of pedestrians and bicyclists and public education, promotional, and safety programs for using such facilities.

P. 177: Safe Routes to School Program is repealed in its entirety

The following TE activities are stricken on p. 179 line (10) beginning:

(C) Acquisition of scenic easements and scenic or historic sites (including historic battlefields).

(F) Historic preservation.

(G) Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals).

(H) Preservation of abandoned railway corridors (including the conversion and use of the corridors for pedestrian or bicycle trails).

(L) Establishment of transportation museums.