

# BIPARTISAN INFRASTRUCTURE LAW (BIL)\*

## Overview of Highway Programs

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U.S. Department  
of Transportation

**Federal Highway  
Administration**

\*Also known as the “Infrastructure Investment and Jobs Act”

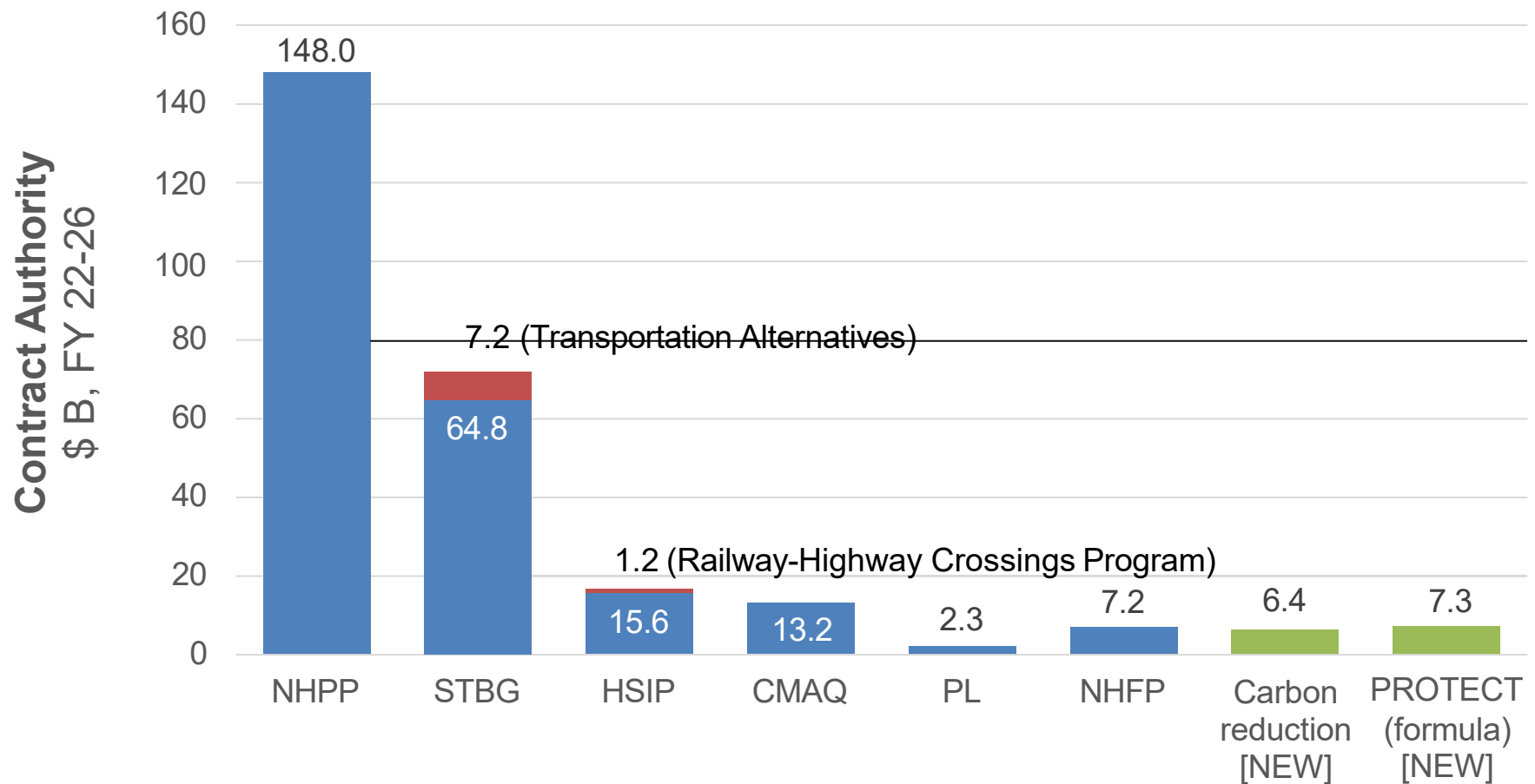
# High Points of BIL Highway Provisions

- **Funds highway programs for five years (FFY 22-26)**
- **\$350.8 billion (FY 22-26) for highway programs**
  - \$303.5 B in Contract Authority (CA) from the Highway Trust Fund (HTF)
  - \$47.3 B in advance appropriations from the General Fund (GF)
- **More than a dozen new highway programs, including—**
  - **Formula:** resilience, carbon reduction, bridges and electric vehicle (EV) charging infrastructure
  - **Discretionary:** bridges, EV charging infrastructure, rural projects, resilience, wildlife crossings, and reconnecting communities
- Focus on safety, bridges, climate change, resilience, and project delivery
- **More opportunities for local governments and other non-traditional entities to access new funding**

# Massachusetts Formula Funding

- Five-year (FFY 2022 to 2026) highway formula funding totals \$5.4 billion
- Increase of \$1.9 billion over previous programmed amount of \$3.5 billion
- Increase of \$449 million for existing formula programs
- Increase of \$200 million for two new apportioned formula programs:
  - \$106 million for new resiliency program (PROTECT)
  - \$94 million for new carbon reduction program
- Increase of \$1.3 billion for three new supplemental formula programs:
  - \$1.23 billion for new formula bridge program
  - \$64 million for new electric vehicle infrastructure program
  - 9 million of ferries and terminals

# Eight Apportioned Programs



Federal-aid apportioned programs under BIL

## [NEW] Carbon Reduction Program (formula)

Purpose	Provide funding for projects to reduce transportation emissions or the development of carbon reduction strategies.
Funding	\$6.4 B (FY 22-26) in Contract Authority from the HTF
Recipients	<ul style="list-style-type: none"><li>• States (including DC)</li></ul>
Distribution formula	<ul style="list-style-type: none"><li>• Apportioned to States by formula</li><li>• 65% of funds are suballocated (reserved for use in certain areas of the State, based on population)</li></ul>
Other key provisions	<ul style="list-style-type: none"><li>• Requires State, in consultation with MPOs, to develop (and update at least every 4 years) a carbon reduction strategy and submit it to DOT for approval.</li><li>• DOT must certify that a State's strategy meets the statutory requirements.</li></ul>

# [NEW] PROTECT\* Formula Program

Purpose	Planning, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure
Funding	\$7.3 B (FY 22-26) in Contract Authority from the HTF
Recipients	<ul style="list-style-type: none"> <li>States (including DC)</li> </ul>
Distribution formula	<ul style="list-style-type: none"> <li>Apportioned to States by formula</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>Highway, transit, and certain port projects are eligible</li> <li>Higher Federal share if the State develops a resilience improvement plan and incorporates it into its long-range transportation plan</li> <li>Of the amounts apportioned to a State for a fiscal year, the State may use:             <ul style="list-style-type: none"> <li>not more than 40% for construction of new capacity</li> <li>not more than 10% for development phase activities</li> </ul> </li> </ul>

\* *The full name of the program is Promoting, Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) program.*

# [NEW] Bridge Formula Program

Purpose	Replace, rehabilitate, preserve, protect, and construct bridges on public roads
Funding	\$27.5 B (FY 22-26) in advance appropriations from the GF
Recipients	<ul style="list-style-type: none"><li>• States (including DC and Puerto Rico)</li></ul>
Distribution formula	<ul style="list-style-type: none"><li>• 75% based on relative costs of replacing State's poor condition bridges</li><li>• 25% based on relative costs of rehabilitating State's fair condition bridges</li><li>• ...but each State receives at least \$45M per FY (22-26)</li></ul>
Other key provisions	<ul style="list-style-type: none"><li>• <b>Benefits for "off-system" (non-Federal-aid highway) bridge projects</b><ul style="list-style-type: none"><li>◦ <b>15% of funds reserved for such projects</b></li><li>◦ <b>100% Federal share if owned by a local agency or Federally-recognized Tribe</b></li></ul></li><li>• Sets aside 3% of the funds appropriated for the program for Tribal transportation facility bridges, which shall be administered as if made available under the Tribal Transportation Program</li></ul>

# [NEW] National Electric Vehicle Formula Program (formula and discretionary\*)

Purpose	Strategically deploy electric vehicle (EV) charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability
Funding	\$5 B (FY 22-26) in advance appropriations from the GF
Recipients	<ul style="list-style-type: none"> <li>States (including DC and Puerto Rico)</li> </ul>
Distribution formula	<ul style="list-style-type: none"> <li>Same shares as Federal-aid highway apportionments</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>Funded projects must be located along designated alt fuel corridors</li> <li>Sets aside 10% of funding for discretionary grants to State and local governments that require additional assistance to strategically deploy EV charging infrastructure</li> <li>State must submit plan to DOT describing planned use of funds</li> <li>If State doesn't submit plan (or carry it out), DOT may withhold or withdraw funds and redistribute within the State, or to other States</li> <li>Establishes DOT-DOE Joint Office of Energy and Transportation</li> <li>Requires DOT to designate national EV charging corridors to support freight and goods movement</li> </ul>

\* Program sets aside funds for discretionary technical assistance grants; also if DOT withholds or withdraws funding from a State, DOT may award funds to local governments in the same State.



# Funding Available to a Range of Recipients

Program Examples	State	MPO	Local	Tribe	PA*	Territory	FLMA*
Apportioned programs (formula)	✓						
Bridge Program (formula)	✓			✓			
National Electric Vehicle Formula Program	✓		✓				
Safe Streets and Roads for All program		✓	✓	✓			
PROTECT Grants (discretionary)	✓	✓	✓	✓	✓		✓
Charging and Fueling Infrastructure Program	✓	✓	✓	✓	✓	✓	
Congestion Relief Program	✓	✓	✓				
Bridge Investment Program (discretionary)	✓	✓	✓	✓	✓		✓
Reconnecting Communities Pilot Program	✓	✓	✓	✓			
Rural Surface Transportation Grants	✓		✓	✓			
INFRA	✓	✓	✓	✓	✓		✓
Nat'l Infra. Project Assistance	✓	✓	✓	✓	✓		
Local and Regional Project Assistance	✓	✓	✓	✓	✓	✓	

Note: This table does not include all BIL programs or eligible entities, and there are additional nuances not represented in this table. Additional programmatic information is provided in later slides. FHWA will administer most, but not all, programs listed.

\* "PA" means a special purpose district or public authority with a transportation function; FLMA means Federal Land Management Agency

# INFRA Program (discretionary)

Purpose	Multimodal freight and highway projects of national or regional significance
Funding	\$8 B (FY 22-26), including: <ul style="list-style-type: none"><li>• \$4.8 B (FY 22-26) in Contract Authority from the HTF; and</li><li>• \$3.2 B (FY 22-26) in advance appropriations from the GF</li></ul>
Eligible entities	Adds eligibility for: <ul style="list-style-type: none"><li>• Multistate corridor organizations</li></ul>
Eligible projects	Adds eligibility for: <ul style="list-style-type: none"><li>• A highway, bridge, or freight project on the National Multimodal Freight Network</li><li>• Marine highway corridor projects functionally connected to NHFN and likely to reduce on-road emissions;</li><li>• Wildlife crossing projects; and</li><li>• Surface transportation projects within the boundaries of or functionally connected to an international border crossing area;</li></ul>
Other key provisions	<ul style="list-style-type: none"><li>• Increases flexibility to use INFRA funds (up to 30% per FY) on non-highway freight projects</li><li>• Sets aside ≥15% (instead of 10%) of grant funding for small projects and at least 30% of the set-aside amount for projects in rural areas</li></ul>

# [NEW] National Infrastructure Project Assistance Program (“Mega-projects”) (discretionary)

Purpose	Provide funding through single-year or multiyear grant agreements for eligible surface transportation projects
Funding	\$5 B (FY 22-26) in advance appropriations from the GF
Eligible entities	<ul style="list-style-type: none"> <li>• State</li> <li>• MPO</li> <li>• Local government</li> <li>• Special purpose district or public authority with transportation function</li> <li>• Tribal governments</li> <li>• Partnership between Amtrak and one or more other eligible entities</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Highway/bridge projects on National Multimodal Freight Network, NHFN, or NHS</li> <li>• Freight intermodal or freight rail projects that provide a public benefit</li> <li>• Railway-highway grade separation or elimination projects</li> <li>• Intercity passenger rail projects</li> <li>• Certain public transportation projects</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Sets aside 50% of grant funding for projects costing more than \$100 M but less than \$500 M, and 50% for projects costing \$500 M or more</li> </ul>

## [NEW] Rural Surface Transportation Grants (discretionary)

Purpose	Improve and expand the surface transportation infrastructure in rural areas to increase connectivity, improve the safety and reliability of the movement of people and freight, and generate regional economic growth and improve quality of life.
Funding	\$2 B (FY 22-26) in Contract Authority from the HTF
Eligible entities	<ul style="list-style-type: none"> <li>• State</li> <li>• Regional transportation planning organization (RTPO)</li> <li>• Local government</li> <li>• Tribal government</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Highway, bridge, or tunnel projects eligible under NHPP, STBG or the Tribal Transportation Program</li> <li>• Highway freight project eligible under NHFP</li> <li>• Highway safety improvement project</li> <li>• Project on a publicly-owned highway or bridge improving access to certain facilities that support the economy of a rural area</li> <li>• Integrated mobility management system, transportation demand management system, or on-demand mobility services</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Sets aside each FY: ≤10% for grants to small projects (&lt;\$25M); 25% for designated routes of the ADHS; and 15% for projects in States with higher than average rural roadway lane departure fatalities</li> </ul>

## [NEW] Safe Streets and Roads for All (discretionary)

Purpose	Support local initiatives to prevent transportation-related death and serious injury on roads and streets (commonly referred to as “Vision Zero” or “Toward Zero Deaths” initiatives).
Funding	\$5.0B (FY 22-26) in advance appropriations from the GF
Eligible entities	<ul style="list-style-type: none"> <li>• MPO</li> <li>• Political subdivision of a State (e.g., local governments)</li> <li>• Tribal government</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Comprehensive safety action plan (planning grant)</li> <li>• Planning, design, and development activities for infrastructure projects and other strategies identified in a comprehensive safety action plan</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Sets aside not less than 40% of total funding each FY for planning grants.</li> <li>• Requires considering, among other factors, the likelihood of a project significantly reducing or eliminating fatalities and serious injuries involving various road users, including pedestrians, bicyclists, public transportation users, motorists, and commercial operators.</li> </ul>

# Getting Ready for Safe Streets and Roads For All

- **Tribal Governments**

- Opening remarks by Arlando Teller, USDOT Deputy Assistant Secretary for Tribal Affairs
- **Thursday, April 28, 1-3 p.m. (EDT)**

- **Counties, Cities, Towns, Other Special Districts That Are Subdivisions of a State, and Transit Agencies**

- Opening remarks by Robin Hutcheson, Acting Administrator, Federal Motor Carrier Safety Administration (FMCSA)
- **Monday, May 2, 1-3 p.m. (EDT)**

- **Metropolitan Planning Organizations (MPOs)**

- Opening remarks by Bill Keyrouze, Executive Director, Association of Metropolitan Planning Organizations (AMPO)
- **Tuesday, May 3, 1-3 p.m. (EDT)**

SS4A home page: <https://www.transportation.gov/SS4A>

Webinar Series page: <https://www.transportation.gov/grants/SS4A/webinars>

# [NEW] Bridge Investment Program (discretionary)

Purpose	Improve bridge (and culvert) condition, safety, efficiency, and reliability
Funding	<p>\$12.5 B (FY 22-26), including—</p> <ul style="list-style-type: none"> <li>• \$3.3 B (FY 22-26) in Contract Authority from the HTF; and</li> <li>• \$9.2 B (FY 22-26) in advance appropriations from the GF</li> </ul>
Eligible entities	<ul style="list-style-type: none"> <li>• State</li> <li>• MPO (w/ pop. &gt;200K)</li> <li>• Local government</li> <li>• Special purpose district or public authority with a transportation function</li> <li>• Federal land management agency</li> <li>• Tribal government</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Project to replace, rehabilitate, preserve or protect one or more bridges on the National Bridge Inventory</li> <li>• Project to replace or rehabilitate culverts to improve flood control and improve habitat connectivity for aquatic species</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• At least 50% of funding reserved for certain large projects; option for multi-year funding agreements</li> <li>• Different process for funding projects ≤\$100 M cost</li> <li>• Sets aside average of \$40M per FY for Tribal transportation bridges</li> </ul>

## [NEW] PROTECT Grants (discretionary)

Purpose	Planning, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure
Funding	\$1.4 B (FY 22-26) in Contract Authority from the HTF
Eligible entities	<ul style="list-style-type: none"> <li>• State (or political subdivision of a State)</li> <li>• MPO</li> <li>• Local government</li> <li>• Special purpose district or public authority with a transportation function</li> <li>• Indian Tribe</li> <li>• Federal land management agency (applying jointly with State(s))</li> <li>• <i>Different eligibilities apply for at-risk coastal infrastructure grants</i></li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Highway, transit, intercity passenger rail, and port facilities</li> <li>• Resilience planning activities, including resilience improvement plans, evacuation planning and preparation, and capacity-building</li> <li>• Construction activities (oriented toward resilience)</li> <li>• Construction of (or improvement to) evacuation routes</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Higher Federal share if the eligible entity develops a resilience improvement plan (or is in a State or area served by MPO that does) and the State or MPO incorporates it into its long-range transportation plan</li> <li>• May only use up to 40% of the grant for construction of new capacity</li> </ul>



# [NEW] Charging and Fueling Infrastructure (discretionary)

Purpose	Deploy electric vehicle (EV) charging and hydrogen/propane/natural gas fueling infrastructure along designated alternative fuel corridors and in communities
Funding	\$2.5 B (FY 22-26) in Contract Authority from the HTF
Eligible entities	<ul style="list-style-type: none"> <li>• State or political subdivision of a State</li> <li>• MPO</li> <li>• Local government</li> <li>• Special purpose district or public authority with a transportation function</li> <li>• Indian Tribe</li> <li>• Territory</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Acquisition and installation of publicly accessible EV charging or alternative fueling infrastructure</li> <li>• Operating assistance (for the first 5 years after installation)</li> <li>• Acquisition and installation of traffic control devices</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Requirement to redesignate alternative fuel corridors and establish a process to regularly redesignate these corridors</li> <li>• Set-aside (50%) to install EV charging and alternative fueling infrastructure on public roads or in other publicly accessible locations, such as parking facilities at public buildings, schools, and parks</li> </ul>

# **[NEW]** Local and Regional Project Assistance Program\* (discretionary)

Purpose	Projects with a significant local or regional impact that improve transportation infrastructure
Funding	\$7.5 B (FY 22-26) in advance appropriations from the GF
Eligible entities	<ul style="list-style-type: none"> <li>• State (and DC)</li> <li>• Territory</li> <li>• Local government</li> <li>• Public agency or publicly chartered authorities established by one or more States</li> <li>• Special purpose district or public authority with transportation function</li> <li>• Federally-recognized Indian Tribe</li> <li>• Transit agency</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Highway/bridge projects eligible under title 23</li> <li>• Public transportation projects</li> <li>• Passenger or freight rail projects</li> <li>• Port infrastructure investments</li> <li>• Surface transportation components of an airport</li> <li>• Projects for investment in surface transportation facilities on Tribal land</li> <li>• Projects to replace or rehabilitate a culvert or certain projects to prevent stormwater runoff</li> <li>• Any other surface transportation projects considered necessary to advance program goals</li> </ul>

\* Codifies the existing Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program previously established through appropriations acts (and formerly known as TIGER and BUILD).

# [NEW] Reconnecting Communities Pilot Program (discretionary)

Purpose	Restore community connectivity by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including to mobility, access, or economic development
Funding	<p>\$1 B (FY 22-26), including—</p> <ul style="list-style-type: none"> <li>• \$500 M (FY 22-26) in Contract Authority from the HTF; and</li> <li>• \$500 M (FY 22-26) in advance appropriations from the GF</li> </ul>
Eligible entities	<p><u>Planning grants:</u></p> <ul style="list-style-type: none"> <li>• State</li> <li>• MPO</li> <li>• Local government</li> <li>• Tribal government</li> <li>• Nonprofit organization</li> </ul> <p><u>Capital construction grants:</u> Owner of an eligible facility (may partner with any of the eligible entities for a planning grant)</p>
Eligible activities	<ul style="list-style-type: none"> <li>• Planning grants (<math>\leq</math>\$2M)</li> <li>• Grants (<math>\geq</math>\$5M) for capital construction projects, including the removal and replacement of eligible facilities</li> </ul>

## [NEW] Congestion Relief Program (discretionary)

Purpose	Advance innovative, integrated, and multimodal solutions to reduce congestion and the related economic and environmental costs in the most congested metropolitan areas with an urbanized area population of 1M+.
Funding	\$250 M (FY 22-26) in Contract Authority from the HTF
Eligible entities	<ul style="list-style-type: none"><li>• State</li><li>• MPO</li><li>• City or municipality</li></ul>
Eligible projects	<ul style="list-style-type: none"><li>• Planning, design, implementation, and construction activities to achieve the program goals, including:<ul style="list-style-type: none"><li>○ deployment and operation of integrated congestion management systems, systems that implement or enforce HOV toll lanes or pricing strategies, or mobility services; and</li><li>○ incentive programs that encourage carpooling, nonhighway travel during peak periods, or travel during nonpeak periods.</li></ul></li><li>• Subject to certain requirements and approval by the Secretary, provides for tolling on the Interstate System as part of a project carried out with a grant under the program</li></ul>

## [NEW] Wildlife Crossings Pilot Program (discretionary)

Purpose	Support projects that seek to reduce the number of wildlife-vehicle collisions, and in carrying out that purpose, improve habitat connectivity
Funding	<ul style="list-style-type: none"> <li>• \$350 M (FY 22-26) in Contract Authority from the HTF</li> </ul>
Eligible entities	<ul style="list-style-type: none"> <li>• State highway agency (or equivalent)</li> <li>• MPO</li> <li>• Local government</li> <li>• Regional transportation authority</li> <li>• Special purpose district or public authority with a transportation function</li> <li>• Indian Tribe</li> <li>• Federal land management agency</li> </ul>
Eligible projects	<ul style="list-style-type: none"> <li>• Projects to reduce wildlife-vehicle collisions</li> </ul>
Other key provisions	<ul style="list-style-type: none"> <li>• Sets aside not less than 60% of grant funds for projects in rural areas</li> <li>• Provision related to pilot program requires:             <ul style="list-style-type: none"> <li>○ study of methods to reduce wildlife-vehicle collisions;</li> <li>○ workforce development and technical training courses with;</li> <li>○ standardized methodology for collecting and reporting spatially accurate wildlife collision and carcass data for the NHS; and</li> <li>○ guidance on evaluating highways for potential mitigation measures to reduce wildlife-vehicle collisions and increase habitat connectivity.</li> </ul> </li> </ul>

# BIL Discretionary Grants Schedule

- [Multimodal Projects Discretionary Grant Opportunity](#) (INFRA, MEGA, Rural), open through May 23, 2022
- [Bridge Investment Program](#) (May 2022)
- [Safe Streets and Roads for All Grant Program](#) (May 2022)
- [Reconnecting Communities Pilot Program](#) (June 2022)
- [National Culvert Removal, Replacement, and Restoration Grant Program](#) (Summer 2022)
- [Strengthening Mobility and Revolutionizing Transportation \(SMART\) Grant Program](#) (September 2022)

# Policy on Using BIL Resources – Memo 12/16/21

Investments and projects that align with the BIL and will help Build a Better America include those that

- improve the **condition**, resilience and safety of road and bridge assets consistent with asset management plans (including investing in preservation of those assets);
- promote and improve **safety** for all road users, particularly vulnerable users;
- make streets and other transportation facilities **accessible** to all users and compliant with the Americans with Disabilities Act;
- address **environmental impacts** ranging from stormwater runoff to greenhouse gas emissions;
- prioritize infrastructure less vulnerable and more **resilient** to a changing climate;
- future-proof our transportation infrastructure by accommodating new and **emerging technologies** like electric vehicle charging stations, renewable energy generation, and broadband deployment in transportation rights-of-way;
- **reconnect communities** and reflect the inclusion of disadvantaged and under-represented groups in the planning, project selection and design process; and
- direct Federal funds to their most efficient and effective use, consistent with these objectives.

# INFRA, Mega, Rural NOFO Project Evaluation

## **Primary Criteria**

- Safety
- State of good repair
- Economic impacts, freight movement, and job creation
- Climate change, resiliency, and the environment
- Equity, multimodal options, and quality of life
- Innovation

## **Additional Considerations**

- Cost effectiveness
- Demonstrated project readiness
- Geographic diversity among recipients



# BIL Discretionary Project Implementation

Two alternative reimbursement funding mechanisms for recipients:

- Grant agreement directly with FHWA
- Contract through MassDOT

# BIL Discretionary Project Implementation

Both are reimbursement agreements and require conformance with all applicable Federal laws and regulations:

- Matching funds
- Project programmed on TIP/STIP
- National Environmental Policy Act (NEPA)
- Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act)
- Davis-Bacon Act
- Buy America
- Disadvantaged Business Enterprise contract goals
- Title VI of the Civil Rights Act
- Americans with Disabilities Act
- Brooks Act

# FOR MORE INFORMATION

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- Please visit:  
[fhwa.dot.gov/bipartisan-infrastructure-law](https://www.fhwa.dot.gov/bipartisan-infrastructure-law)

# Davis-Bacon and Buy America Provisions

Program/topic	Provisions in the new law
Davis-Bacon (various sections)	<ul style="list-style-type: none"> <li>• Davis-Bacon wage requirements apply for most major highway programs</li> </ul>
Buy America requirements for title 23 projects (§11513)	<ul style="list-style-type: none"> <li>• Buy America waivers for <u>title 23 projects</u> require public notice of proposed waivers, public comment, annual report to Congress</li> </ul>
Buy America requirements for all infrastructure projects receiving Federal assistance (§§70911-70917)	<ul style="list-style-type: none"> <li>• New Buy America requirements apply to <u>all</u> infrastructure projects receiving Federal financial assistance               <ul style="list-style-type: none"> <li>○ Manufacturing processes for iron, steel, construction materials and manufactured products must occur in U.S.</li> <li>○ Cost of components of manufactured products mined, produced, or manufactured in U.S. must be &gt;55% of the cost of all components</li> <li>○ Waivers only if applying requirement is not in the public interest, materials are not available, or meeting requirement would increase overall project cost by &gt;25% (to be reviewed every 5 years)</li> <li>○ Requires Federal agencies to identify “deficient programs” not meeting the new Federal government-wide Buy America requirement</li> </ul> </li> </ul>

## Other Highway Provisions (2 of 2)

Topic	Provisions in the new law
Preliminary engineering (PE) (§11310)	<ul style="list-style-type: none"><li>• Repeals requirement for States to repay Federal-aid reimbursements for PE costs if a project hasn't advanced to right-of-way acquisition or on-site construction within 10 years</li></ul>
Highway cost allocation study (§11530)	<ul style="list-style-type: none"><li>• Requires DOT, in coordination with State DOTs, to conduct a highway cost allocation study to determine direct costs of highway use by certain users</li></ul>
Conditions and performance (C&P) report (§13006)	<ul style="list-style-type: none"><li>• Requires the C&amp;P report to address current conditions and future needs of tunnels, including the backlog of current tunnel needs</li></ul>

# Other Workforce Provisions

Program/topic	Provisions in the new law
<p>Local hiring preference for construction jobs (§25019)</p>	<ul style="list-style-type: none"> <li>• Permits a recipient or subrecipient of funding under title 23 or 49, United States Code to implement a local or other geographical or economic hiring preference relating to the use of labor for construction projects</li> <li>• Requires DOT to submit a Workforce Diversity Report to Congress, followed by a model plan for States, local governments, and private sector entities to use</li> <li>• The report and model plan must address methods to enhance pre-apprenticeship programs, improve transportation workforce diversity, and encourage (sub)recipients to establish outreach and support programs</li> </ul>
<p>Surface transportation workforce development, training, and education (§13007)</p>	<ul style="list-style-type: none"> <li>• Expands eligibility to include a variety of training and employment activities</li> </ul>
<p>Transportation education and training development and deployment program (§13007)</p>	<ul style="list-style-type: none"> <li>• Expands eligibility to State DOTs and partnerships with Federal departments and agencies</li> <li>• Expands program to include implementing new curricula and education programs to provide hands-on career opportunities to meet current and future needs</li> </ul>

# Changes to Tribal Transportation Program (TTP)

Funding	\$3 B (FY 22-26) in Contract Authority from the HTF
Tribal bridges	<ul style="list-style-type: none"> <li>• Eliminates current TTP set-aside for Tribal Transportation Bridge Program</li> <li>• Instead, funds Tribal bridges via set-asides from the—             <ul style="list-style-type: none"> <li>○ Bridge Investment Program, including—                 <ul style="list-style-type: none"> <li>▪ \$100M (FY 22-26) in Contract Authority from the HTF; and</li> <li>▪ \$100M (FY 22-26) in advance appropriations from the GF; and</li> </ul> </li> <li>○ Bridge Formula Program (\$825M over FY 22-26 in advance appropriations from the GF)</li> </ul> </li> </ul> <p>(§§11118, 14004, Division J)</p>
Other key provisions	<ul style="list-style-type: none"> <li>• Sets aside from the TTP \$45 M (FY 22-26) in Contract Authority from HTF to fund Tribal High Priority Projects program (§11128)</li> <li>• Increases set-aside amount for TTP Safety Fund from 2% to 4% (§14008)</li> <li>• Updates bridge terminology, replacing references to “deficient bridges” and “structurally deficient or functionally obsolete” with “classified as in poor condition, having low load capacity, or needing geometric improvements” (§11524)</li> </ul>