

SAFETEA-LU: **A Guide to Provisions Related to Local Governments**

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users

AMERICAN PUBLIC WORKS ASSOCIATION



On August 10, 2005, President George W. Bush signed into law the six-year, \$286.4 billion Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the largest investment in surface transportation in the nation's history.

For the years 2005 to 2009, SAFETEA-LU (Public Law 109-59) provides \$193 billion for highways and bridges, \$45.2 billion for public transportation and \$5.8 billion for motor carrier and transportation safety programs. Highway funding will grow from \$34.4 billion in 2005 to \$41.2 billion in 2009, and transit funding will rise from \$7.6 billion in 2005 to \$10.3 billion in 2009. The law expires on September 30, 2009.

SAFETEA-LU reflects many key priorities advocated by APWA. It increases investment in highway, transit and safety programs and retains the basic goals and structure of the Transportation Equity Act for the 21st Century (TEA-21), with its enhanced role for local decision-making and its important emphasis on flexibility, intermodal goals and on addressing local and regional needs. In addition, SAFETEA-LU elevates the importance of safety by creating a new core safety program; continues guaranteed funding for transportation programs; and streamlines the environmental review and project delivery process.

APWA was able to achieve these important successes through the dedication, advocacy and leadership of APWA's TEA-21 Reauthorization Task Force – Don LaBelle, Chair; Marshall Elizer, Jerry Fay, Bruce Florquist, John German, John Herzke, Ed Laudenslager, Mary Meloy, Milton Mitchell, John Okamoto, Richard Storm and Lance Wilber – and our members, chapters, the Transportation Technical and Government Affairs Committees and the Board of Directors.

This guide highlights select highway, transit and safety programs which contain provisions of interest to local officials.

More information about SAFETEA-LU is available online from the U.S. Department of Transportation's Federal Highway Administration, www.fhwa.dot.gov, Federal Transit Administration, www.fta.dot.gov, and from APWA, www.apwa.net/advocacy.



Bob Freudenthal

APWA President, 2005-06

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SAFETEA-LU Funding *(In Billions of Dollars)*

	Five-Year Funding Levels	Six-Year Funding Levels
	2005-2009	2004-2009
Highways	\$193.0	\$227.4
Transit	\$45.2	\$52.6
Safety	\$5.8	\$6.5
Total	\$244.1	\$286.4

SAFETEA-LU Highway Programs

Appalachian Development Highway System Program (ADHS)

The ADHS program continues funding for the construction of the Appalachian corridor highways in 13 states. The purpose of this program is to promote economic development and to establish a state-federal framework to meet the needs of the region. Funds will be available to construct highways and local access roads under section 14501 of title 40, United States Code (USC). SAFETEA-LU Section(s): 1101(a)(7), 1116

Congestion Mitigation and Air Quality Improvement Program (CMAQ)

CMAQ provides funding for projects and programs in air quality non-attainment and maintenance areas. Eligible projects include those that improve transportation systems management and operations that mitigate congestion and improve air quality, as well as those that involve the purchase of integrated, interoperable emergency communications equipment, among other things. States and metropolitan planning

organizations will give priority in distributing funds for projects and programs to diesel retrofits and other cost-effective emission reduction activities, and cost-effective congestion mitigation activities that provide air quality benefits. SAFETEA-LU Section(s): 1101(a)(5), 1103(d), 1808

Delta Region Transportation Development Program

Metropolitan planning organizations are eligible recipients of funds under this program designed to support and encourage multi-state transportation planning and corridor development, provide for transportation project development, facilitate transportation decision-making and support transportation construction in the eight states comprising the Delta Region (Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee). SAFETEA-LU Section(s): 1308, 1923

Environmental Review Process

SAFETEA-LU incorporates changes aimed at improving and streamlining the environmental process for transportation projects. These changes come with some additional steps and requirements for transportation agencies.

A new environmental review process is established for highways, transit and multimodal projects. The process applies to new projects advanced with environmental impact statements and can be applied, if the U.S. Department of Transportation (DOT) elects, to projects advanced with other environmental documents. A new category of “participating agencies” is added to allow more state, local and tribal agencies a formal role and rights in the environmental process. After providing an opportunity for public and interagency involvement, DOT will define the project’s purpose and need, and establish a plan for coordinating public and agency participation. As early as practicable in the process, DOT is to provide an opportunity for a range of alternatives to be considered for a project. If any issue that could delay the process cannot be resolved within 30 days, DOT must notify Congress. A 180-day statute of limitations for lawsuits challenging federal agency approvals is provided, but it will require a new step of publishing environmental decisions in the Federal Register.

Additional changes include: state assumption of responsibilities for categorical exclusions; the creation of a five-state pilot program (Alaska, Ohio, Oklahoma, Texas and California) to assume DOT environmental responsibilities under the National Environmental Policy Act (NEPA) and other environmental laws (excluding the Clean Air Act and transportation planning requirements); and streamlining section 4(f) of the Department of Transportation Act. SAFETEA-LU Section(s): 6002-6005, 6007, 6009, 6010



Equity Bonus Program

The Equity Bonus program provides funding to states based on equity considerations. These include a minimum rate of return on contributions to the Highway Account of the Highway Trust Fund, and a minimum increase relative to the average dollar amount of apportionments under TEA-21. Selected states are guaranteed a share of apportionments and High Priority Projects (see next section) not less than the state’s average annual

share under TEA-21. This program replaces TEA-21's Minimum Guarantee program. SAFETEA-LU Section(s): 1104, 1102

High Priority Projects

The High Priority Projects program provides designated funding for specific projects identified in SAFETEA-LU. A total of 5,091 projects are identified, each with a specified amount of funding over the five years of SAFETEA-LU. SAFETEA-LU Section(s): 1101(a)(16), 1102, 1701, 1702, 1913, 1935, 1936

Highway Bridge Program

The Highway Bridge program provides funding to enable states to improve the condition of their highway bridges through replacement, rehabilitation and systematic preventive maintenance. A set-aside of not less than 15 percent of the amount apportioned to each state in each fiscal year 2005–2009 will be used for bridge projects that are not on a federal-aid highway.

Eligible activities are expanded to include systematic preventative maintenance on federal-aid and non-federal-aid highway systems. States may carry out projects for the installation of scour countermeasures or systematic preventative maintenance without regard to whether the bridge is eligible for rehabilitation or replacement. SAFETEA-LU Section(s): 1101(a)(3), 1114

Highway Safety Improvement Program (HSIP)

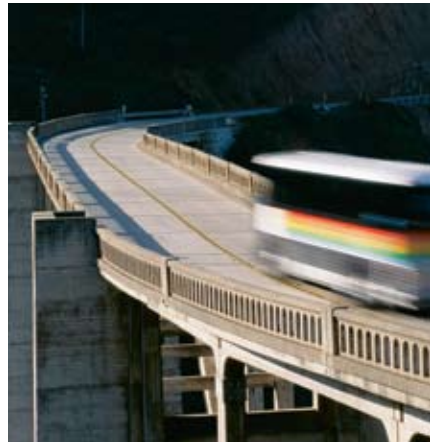
The Highway Safety Improvement Program authorizes a new core federal-aid funding program beginning in fiscal year 2006 to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. Each state's apportionment of HSIP funds is subject to a set-aside for construction and operational improvements on high-risk rural roads. High-risk rural roads are roadways functionally classified as rural major or minor collectors or rural local roads with a fatality and incapacitating injury crash rate above the statewide average for those functional classes of roadways; or likely to experience an increase in traffic volume that leads to a crash rate in excess of the average state-wide rate. The set-aside will total \$90 million annually and be applied proportionally to the states' HSIP apportionments. SAFETEA-LU Section(s): 1101(a)(7), 1116

Before apportioning HSIP funds, \$220 million is set aside for the Railway-Highway Crossing program under 23 USC 130. By October 1, 2007, each state must have a Strategic Highway Safety Plan (SHSP) that identifies and analyzes safety problems and opportunities in order to use HSIP funds for new eligible activities under 23 USC 148. Funds may be used for projects on any public road or publicly owned bicycle and pedestrian pathway or trail. States without an SHSP in fiscal year 2006 or any year thereafter

will receive safety apportionments that may be used only for projects eligible under 23 USC 130 and 152 (railway-highway crossings and hazard elimination) as in effect prior to enactment of SAFETEA-LU. If a state does not have a plan in place by October 1, 2007, subsequent HSIP apportionments are frozen at the 2007 level and may only be used to fund projects eligible under sections 130 and 152 as in effect prior to enactment of SAFETEA-LU. States without SHSPs will be ineligible to use up to 10 percent of their HSIP funds for other safety projects under 23 USC. SAFETEA-LU Section(s): 1101(a)(6), 1401

Metropolitan Planning

The metropolitan planning process establishes a cooperative, continuous and comprehensive framework for making transportation investment decision in metropolitan areas. Local officials, in cooperation with the state and transit operators, remain responsible for determining the best transportation investments to meet metropolitan transportation needs. Key modifications to metropolitan planning in SAFETEA-LU include: metropolitan planning organizations will be encouraged to consult or coordinate with planning officials responsible for other types of planning activities affected by transportation, and the metropolitan planning process is to promote consistency between transportation improvements and state and local planned growth and economic development patterns. SAFETEA-LU Section(s): 1107, 6001



National Highway System Program (NHS)

The National Highway System program provides funding for improvements to rural and urban roads that are part of the NHS, including the Interstate System and designated connections to major intermodal terminals. Under certain circumstances, NHS funds may also be used to fund transit improvements in NHS corridors. NHS eligibility is expanded to include the following activities: environmental restoration and pollution abatement, control of terrestrial and aquatic noxious weeds, and establishment of native species. SAFETEA-LU Section(s): 1101(a)(2), 1103, 6006

National Historic Covered Bridge Preservation

The National Historic Covered Bridge Preservation program provides for the rehabilitation, repair or preservation of covered bridges that are listed or eligible for listing on the National Register of Historic Places. Eligible uses of funds are the rehabilitation

or repair of a historic covered bridge or the preservation of such a bridge. The Secretary of Transportation will make grants based on applications from states that demonstrate the need for assistance in carrying out one or more eligible historic covered bridge projects. SAFETEA-LU Section(s): 1804



Real-Time System Management Information Program

The Real-Time System Management Information program provides the capability to monitor, in real-time, the traffic and travel conditions of the major highways of the United States and to share the information. As states and local governments develop or update regional intelligent transportation system architectures as described in 23 Code of Federal Regulations 940.9, they shall explicitly address real-time highway and transit information needs and the systems needed to meet those needs. While there are no separate funds authorized for this program, states

may use their National Highway System, Congestion Mitigation and Air Quality Improvement program, and Surface Transportation Program apportionments for activities related to the planning and deployment of real-time monitoring elements that advance the goals of this program. SAFETEA-LU Section(s): 1201

Safe Routes to School Program

The purpose of the Safe Routes to School program is to enable and encourage children, including those with disabilities, to walk and bicycle to school, and to facilitate the planning, development and implementation of projects that will improve safety, and reduce traffic, fuel consumption and air pollution in the vicinity of schools. Funds are to be administered by state departments of transportation to provide financial assistance to state, local and regional agencies that demonstrate the ability to meet the requirements of the program. For infrastructure-related projects, eligible activities include the planning, design and construction of projects that will substantially improve the ability of students to walk and bicycle to school. Each state must set aside from its Safe Routes to School apportionment not less than 10 percent and not more than 30 percent of the funds for non-infrastructure-related activities to encourage walking and bicycling to school. These include public awareness campaigns and outreach to press and community leaders; traffic education and enforcement

in the vicinity of schools; student sessions on bicycle and pedestrian safety, health and environment; and training, volunteers and managers of Safe routes to School programs. SAFETEA-LU Section(s): 1101(a)(17), 1404

Statewide Planning

The statewide planning process establishes a cooperative, continuous and comprehensive framework for making transportation investment decisions throughout the state. Statewide planning is an eligible activity for additional funding under the Surface Transportation Program and the National Highway System program. Planning and programming shall continue to be developed in consultation with affected local officials responsible for transportation in non-metropolitan areas. A key modification to this provision will promote consistency between transportation improvements and state and local planned growth and economic development patterns. SAFETEA-LU Section(s): 6001

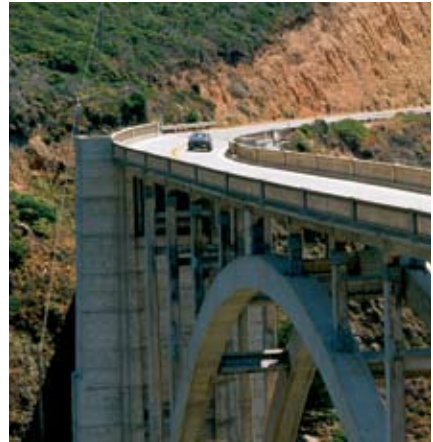
Stewardship and Oversight Program

The Stewardship and Oversight program monitors the effective and efficient use of resources to best meet the transportation needs of the nation with a specific focus on financial integrity and project delivery. Under the program, states will be responsible for determining that sub-recipients of federal funds have adequate project delivery systems and sufficient accounting controls. The Secretary

of Transportation will periodically review the monitoring of sub-recipients by the state. SAFETEA-LU Section(s): 1904

Surface Transportation-Environmental Cooperative Research Program (STEP)

The STEP program establishes a surface transportation-environmental cooperative research program to improve understanding of the complex relationship between surface transportation and the environment. It may include research to develop more accurate models for evaluating transportation control measures and system designs for use by state and local governments to meet environmental requirements. SAFETEA-LU Section(s): 5207



Surface Transportation Program (STP)

The Surface Transportation Program provides flexible funding that may be used by states and localities for projects on any federal-aid highway, including the National Highway System, bridge

projects on any public road, transit capital projects, and intra-city and intercity bus terminals and facilities. The program continues existing STP eligibilities and adds the following: advanced truck stop electrification systems, projects relating to intersections with certain qualifications,



environmental restoration and pollution abatement and control of terrestrial and aquatic noxious weeds and establishment of native species. The Safety set-aside is eliminated as the new Highway Safety Improvement Program takes over funding of the safety programs. The Transportation Enhancements' (TE) set-aside is modified to be the greater of 10 percent of the state's STP apportionment or the dollar amount of the TE set-aside for the state for 2005. SAFETEA-LU Section(s): 1101(a)(4), 1103(f), 1113, 1603, 1960, 6006

Training and Education Program

The Training and Education program provides funding to develop and administer education and training programs to support those associated with surface transportation. A significant feature of the program is the Local Technical Assistance Program, which continues to provide access to surface transportation technology to highway and transportation agencies in urbanized and rural areas and to contractors who perform work for those agencies. SAFETEA-LU Section(s): 5101, 5204, 5505

Transportation, Community and System Preservation Program (TCSP)

The TCSP program is intended to address the relationships among transportation, community and system preservation plans and practices, and identify private sector-based initiatives to improve those relationships. Funds are to be allocated by the Secretary of Transportation to the states, metropolitan planning organizations and local and tribal governments. Funds may be used to carry out eligible projects to integrate transportation, community and system preservation plans and practices. The Secretary of Transportation will make grants based on applications from states, tribal, regional and local governments, with priority consideration given to applicants that have instituted coordinated preservation or development plans that promote

cost-effective investment and private sector strategies; have instituted other TCSP polices such as those addressing high-growth areas, urban growth boundaries, “green corridors” programs that provide access to major highway corridors for controlled growth areas; address environmental mitigation; and encourage private sector involvement. SAFETEA-LU Section(s): 1117

Transportation Enhancement Program (TE)

The purpose of the Transportation Enhancements program is to strengthen the cultural, aesthetic and environmental aspects of the nation’s intermodal transportation system. A state’s TE funding is derived from a set-aside from its annual Surface Transportation Program (STP) apportionment. For 2005, the amount set aside for TE will be 10 percent of the State’s STP apportionment (after application of the set-aside for the State Planning and Research program). After 2005, the TE set-aside will be 10 percent or the amount set aside for TE in the state in 2005, whichever is greater.

All previous TE eligibilities continue and are restated in SAFETEA-LU. New items include: clarification of the eligibility of acquisition of historic battlefields as a specific inclusion in the existing eligibility of acquisition of scenic easements and scenic or historic sites; and clarification of the eligibility inventories of outdoor advertising as part of the larger eligibility for control and

removal of outdoor advertising. SAFETEA-LU Section(s): 1113, 1122, 6003

Transportation Infrastructure Finance and Innovation Act (TIFIA)

The TIFIA program provides federal credit assistance to nationally or regionally significant surface transportation projects, including highway, transit and rail. Any type of project eligible for federal assistance through surface transportation programs under Title 23 or chapter 53 of Title 49, USC (highway projects and transit capital projects) is eligible for the TIFIA credit program. Eligibility is specifically extended to international bridges and tunnels as well as inter-city passenger bus and rail facilities and vehicles (including Amtrak and magnetic levitation systems). Eligibility for freight facilities is clarified and expanded. The TIFIA credit program consists of three types of financial assistance: secured loans, loan guarantees and lines of credit. SAFETEA-LU Section(s): 1601





Transportation Systems Management and Operation

The Transportation Systems Management and Operation program encourages and promotes the safe and efficient management and operation of integrated, intermodal surface transportation systems to serve the mobility needs of people and freight and foster economic growth and development. Eligibility for transportation systems management and operations is found in a number of programs, including: Congestion Mitigation and Air Quality Improvement, National Highway System, and Transportation Planning and Intelligent Transportation Systems (ITS) research. SAFETEA-LU Section(s): 1201, 1808, 5101(a)(5), 5211, 5305, 5306, 5310(8)

Truck Parking Facilities

The Truck Parking Facilities program is a pilot program that provides funding to address the shortage of long-term parking for commercial vehicles on the National Highway System.

States, metropolitan planning organizations (MPOs) and local governments are eligible recipients of program funds. To receive funds, a state, MPO or local government must submit an application.

Funding priority will be given to applicants who demonstrate a severe shortage of commercial vehicle parking in the corridor; have consulted with affected state and local governments, community groups, providers of commercial vehicle parking and motorist and trucking organizations; and/or demonstrate that their proposed projects are likely to have positive effects on highway safety, traffic congestion or air quality. SAFETEA-LU Section(s): 1305

Work Zone Safety Provisions

Several provisions in SAFETEA-LU address safety in highway construction work zones. Under the Work Zone Safety Grants program, the Secretary of Transportation will make grants to nonprofit and not-for-profit organizations to provide training to prevent and reduce work zone injuries and fatalities. Among other things, grants may be used for training for state and local governments, transportation agencies and other groups implementing these guidelines. SAFETEA-LU Section(s): 1409

SAFETEA-LU Highway Program Funding

(Selected programs, In Millions of Dollars)

Program	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Appalachian Development Highway System Program	\$470	\$470	\$470	\$470	\$470
Congestion Mitigation and Air Quality Improvement Program*	\$1.667	\$1.694	\$1.721	\$1.749	\$1.777
Delta Region Transportation Development Program	\$0	\$10	\$10	\$10	\$10
Equity Bonus Program**	\$7.428	\$6.873	\$8.327	\$9.175	\$9.093
Highway Bridge Program*	\$4.188	\$4.254	\$4.320	\$4.388	\$4.457
Highway Safety Improvement Program*	\$0	\$1.236	\$1.256	\$1.276	\$1.296
National Highway System Program*	\$5.911	\$6.005	\$6.111	\$6.208	\$6.307
National Historic Covered Bridge Preservation	\$0	\$10	\$10	\$10	\$10
Safe Routes to School Program	\$54	\$100	\$125	\$150	\$183
Stewardship and Oversight Program	\$0	\$0	\$0	\$0	\$0
Surface Transportation-Environmental Cooperative Research Program	\$0	\$16.875	\$16.875	\$16.875	\$16.875
Surface Transportation Program*	\$6.860	\$6.270	\$6.370	\$6.473	\$6.577
Training and Education Program	\$26.7	\$26.7	\$26.7	\$26.7	\$26.7
Transportation, Community and System Preservation Program	\$25	\$61.25	\$61.25	\$61.25	\$61.25
Transportation Infrastructure Finance and Innovation Act	\$122	\$122	\$122	\$122	\$122
Truck Parking Facilities	\$0	\$6.25	\$6.25	\$6.25	\$6.25
Work Zone Safety Grants	\$0	\$5	\$5	\$5	\$5

* Authorizations will be augmented by a portion of the Equity Bonus program funds.

** Such sums as may be necessary are authorized. Amounts shown are estimates.

SAFETEA-LU Transit Programs

Alternative Transportation in Parks and Public Lands

The Alternative Transportation in Parks and Public Lands program, also known as Transit in the Parks, provides funds to support public transportation projects in parks and public lands. The program, administered by U.S. Department of Transportation in consultation with the Secretary of the Interior, provides grants for planning or capital projects in or in the vicinity of any federally owned or managed park, refuge or recreational area open to the public. SAFETEA-LU Section(s): 5320

Bus and Bus Facilities Grants

The Bus and Bus Facilities Grants program provides funding for the acquisition of buses for fleet/service expansion and bus related facilities such as maintenance facilities, transfer facilities, terminals, computers, garage equipment, bus rebuilds and passenger shelters. SAFETEA-LU Section(s): 5309



Capital Investment Grants “New Starts” and “Small Starts”

The Capital Investment Grants program is amended to provide funding primarily for Major Fixed Guideway Capital Investment Projects (New Starts) and Capital Investment Grants of \$75 million or less (Small Starts). Additional activities include grants to Alaska and Hawaii as well as the Denali Commission. SAFETEA-LU Section(s): 5309(d), 5309(e)

Clean Fuels Grant Program

The Clean Fuels Grant program provides capital grants for clean fuel buses (up to 25 percent ‘Clean Diesel’) and related facilities. SAFETEA-LU Section(s): 5308

Job Access and Reverse Commute Program

The Job Access and Reverse Commute program provides funding for local programs that offer job access and reverse commute services to provide transportation for low income individuals who may live in the city core and work in suburban locations. SAFETEA-LU Section(s): 5316

Metropolitan and Statewide Planning Programs

The Metropolitan and Statewide Planning programs provide metropolitan planning organizations and state departments of transportation with funds for metropolitan and statewide planning. Program features include: planning consolidated under a single section and funded from the mass transit account of the Highway Trust Fund; a new participation plan established to afford parties who participate in the planning process a specific opportunity to comment on the plan prior to its approval; security added as a planning factor. SAFETEA-LU Section(s): 5303, 5304

New Freedom Program

The New Freedom program encourages services and facility improvements to address the transportation needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act. It provides a new formula grant program for associated capital and operating costs. SAFETEA-LU Section(s): 5317

Other Than Urbanized Area Formula Program

The Other Than Urbanized Area Formula program provides capital and operating assistance for rural and small urban public transportation systems in communities with population under 50,000. Under the program, the Rural Transit Assistance Program (RTAP) is funded with a two percent set-aside rather than from the Research program. Up to 15 percent of the two percent may be used for RTAP projects of a national scope to sustain ongoing activities. SAFETEA-LU Section(s): 5311

Safety and Security Provisions

Various programs contain provisions to increase safety and security in the public transportation network by establishing security standards and coordination mechanisms between various agencies. In addition, the eligibility of capital funding is expanded to include crime prevention and security activities.

Special Needs for Elderly Individuals and Individuals with Disabilities

The Special Needs for Elderly Individuals and Individuals with Disabilities program provides funding through formula to increase mobility for the elderly and persons with disabilities. Program features include: states may sub-allocate funds to private, non-profit organizations and to public agencies if they are designated to provide coordinated



service; up to 10 percent of funding is allowed to be used by state or local government authority for administrative expenses (including planning and technical assistance). SAFETEA-LU Section(s): 5310

Urbanized Area Formula Grants

The Urbanized Area Formula Grants program provides grants for urbanized areas (areas with a population of 50,000 or more) for public transportation capital investments and operating expenses in areas with population less than 200,000. Program requirements remain generally unchanged. Transit enhancements now are to be evaluated as part of the grantee certification process rather than set aside, and

matching funds are expanded (non-department of transportation federal funds can be used to match). Program features include: operating assistance, for urbanized areas which grew to populations greater than 200,000 or became part of larger urbanized area, is grandfathered in phases. SAFETEA-LU Section(s): 5307



SAFETEA-LU Transit Program Funding

(Selected programs, In Millions of Dollars)

Program	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Alternative Transportation in Parks and Public Lands	\$0	\$22	\$23	\$25	\$27
Bus and Bus Facilities Grants	\$670	\$822	\$856	\$928	\$984
Capital Investment Grants	\$3.312	\$1.503	\$1.566	\$1.700	\$1.809
"New Starts"	\$1.438	\$1.503	\$1.366	\$1.500	\$1.609
"Small Starts"	\$0	\$0	\$200	\$200	\$200
Clean Fuels Grant Program	\$50	\$43	\$45	\$49	\$51
Job Access and Reverse Commute	\$124	\$138	\$144	\$156	\$165
Metropolitan and Statewide Planning Programs	\$72	\$95	\$99	\$107	\$114
New Freedom Program	\$0	\$78	\$81	\$87.5	\$92.5
Other Than Urbanized Area Formula Program	\$251	\$448	\$467	\$506	\$537
Special Needs for Elderly Individuals and Individuals with Disabilities	\$95	\$112	\$117	\$127	\$133
Urbanized Area Formula Grants	\$3.593	\$3.794	\$3.947	\$4.281	\$4.553

Additional SAFETEA-LU Resources

U.S. Department of Transportation

www.dot.gov

Federal Highway Administration

www.fhwa.dot.gov

Federal Transit Administration

www.fta.dot.gov

American Public Works Association

www.apwa.net/advocacy

Glossary of Terms

Air Quality Maintenance Area

Any geographic region previously designated non-attainment pursuant to the Clean Air Act (CAA) Amendments of 1990 and subsequently re-designated to attainment subject to the requirement to develop a maintenance plan under section 175A of the CAA, as amended.

Air Quality Non-Attainment Area

Area that does not meet one or more of the National Ambient Air Quality Standards for the criteria pollutants designated in the Clean Air Act.

Allocation

An administrative distribution of funds for programs that do not have statutory distribution formulas.

Apportionment

A statutorily prescribed division or assignment of funds based on prescribed formulas in the law and consisting of dividing authorized

obligation authority for a specific program among the States. The distribution of funds as prescribed by a statutory formula.

Appropriation

The provision of funds, through an annual appropriations act or a permanent law, for federal agencies to make payments out of the Treasury for specified purposes. The formal federal spending process consists of two sequential steps: authorization and then appropriation.

Authorization

A statutory provision that obligates funding for a program or agency. An authorization may be effective for one year, a fixed number of years, or an indefinite period. An authorization may be for a definite amount of money or for "such sums as may be necessary." The formal federal spending process consists of two sequential steps: authorization and then appropriation.

Budget Authority

Authority provided by law to enter into obligations that will result in outlays of federal funds. Budget authority may be classified by the period of availability (one-year, multiyear, no-year), by the timing of congressional action (current or permanent), or by the manner of determining the amount available (definite or indefinite).

Categorical Exclusion

A class of actions which either individually or cumulatively would not have a significant effect on the human environment and therefore would not require preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act (NEPA).

Contract Authority

Authority in law to enter into contracts or incur other obligations in advance of, or in excess of, funds available for that purpose. Although it is a form of budget authority, contract authority does not provide the funds to make payments. Those funds must be provided later, usually in a subsequent appropriation act (called a “liquidating appropriation”). Contract authority differs from a federal agency’s inherent authority to enter into contracts, which may be exercised only within the limits of available appropriations.

Discretionary spending

Spending (budget authority and outlays) controlled in annual appropriations acts.

Enacted

Once legislation has passed both chambers of Congress in identical form, been signed into law by the President, become law without his signature or passed over his veto, the legislation is enacted.

Entitlement

A federal program or provision of law that requires payments to any person or unit of government that meets the eligibility criteria established by law. Entitlements constitute a binding obligation on the part of the federal government, and eligible recipients have legal recourse if the obligation is not fulfilled. Social Security and veterans’ compensation and pensions are examples of entitlement programs.

Fiscal Year

The fiscal year is the accounting period for the federal government which begins on October 1 and ends on September 30. The fiscal year is designated by the calendar year in which it ends; for example, fiscal year 2006 begins on October 1, 2005 and ends on September 30, 2006. Congress passes appropriations legislation to fund the government for every fiscal year.

Highway Trust Fund

An account established by law to hold federal highway-user taxes that are dedicated for highway- and transit-related purposes. The Highway Trust Fund has two accounts: the Highway Account and the Mass Transit Account.

Mandatory Spending

Spending (budget authority and outlays) controlled by laws other than annual appropriations acts.

Metropolitan Planning Organization

Metropolitan Planning Organizations are responsible for planning, programming and coordination of federal highway and transit investments in urbanized areas.

National Highway System

The National Highway System (NHS) includes the Interstate Highway System as well as other roads important to the nation's economy, defense and mobility. The NHS was developed by the Department of Transportation (DOT) in cooperation with the states, local officials and metropolitan planning organizations (MPOs).

Obligation

An order placed, contract awarded, service received or similar transaction during a given period that will require payments during the same or a future period.

Outlay

Spending made to pay a federal obligation. Outlays may pay for obligations incurred in previous fiscal years or in the current year; therefore, they flow in part from unexpended balances of prior-year budget authority and in part from budget authority provided for the current year. For most categories of spending, outlays are recorded on a cash accounting basis. However, outlays for interest on debt held by the public are recorded on an accrual accounting basis, and outlays for direct loans and loan guarantees (since credit reform) reflect estimated subsidy costs instead of cash transactions.

Oversight

Committee review of the activities of a federal agency or program.

Rural Major Collector

Those public roads that are functionally classified as a part of the major collector sub-classification of the rural collector system as described in volume 20, appendix 12, Highway Planning Program Manual. (23CFR470)

Supplemental Appropriation

Budget authority provided in an appropriations act in addition to regular or continuing appropriations already provided. Supplemental appropriations generally are made to cover emergencies, such as disaster relief or other needs deemed too urgent to be postponed until the enactment of next year's regular appropriations act.



Transportation Control Measure

Transportation strategies that affect traffic patterns or reduce vehicle use to reduce air pollutant emissions. These may include HOV lanes, provision of bicycle facilities, ridesharing, telecommuting, etc. Such actions may be included in a SIP if needed to demonstrate attainment of the National Ambient Air Quality Standards.

Trust Funds

Funds collected and used by the federal government for carrying out specific purposes and programs according to terms of a trust agreement or statute, such as the Social Security trust funds.

User Fees

Fees charged to users of goods or services provided by the federal government. In levying or authorizing these fees, Congress determines whether the revenue should go into the Treasury or should be available to the agency providing the goods or services.

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