

STP/Bridge Funding Language

Sec. 104. Apportionment

Sec. 104(b) of title 23, United States Code:

(b) Division of State Apportionments Among Programs. - The Secretary shall distribute the amount apportioned to a State for a fiscal year under subsection (c) among the national highway performance program, the surface transportation program, the highway safety improvement program, and the congestion mitigation and air quality improvement program, and to carry out section 134 as follows:

*(1) National highway performance program. - For the national highway performance program, ~~63.7~~ **46.5** percent of the amount remaining after distributing amounts under paragraphs (4) and (5).*

*(2) Surface transportation program. - For the surface transportation program, ~~29.3~~ **46.5** percent of the amount remaining after distributing amounts under paragraphs (4) and (5).*

(3) Highway safety improvement program. - For the highway safety improvement program, 7 percent of the amount remaining after distributing amounts under paragraphs (4) and (5).

(4) Congestion mitigation and air quality improvement program. - For the congestion mitigation and air quality improvement program, an amount determined by multiplying the amount determined for the State under subsection (c) by the proportion that -

(A) the amount apportioned to the State for the congestion mitigation and air quality improvement program for fiscal year 2009; bears to

(B) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of the MAP-21.

(5) Metropolitan planning. - To carry out section 134, an amount determined by multiplying the amount determined for the State under subsection (c) by the proportion that -

(A) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

(B) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of the MAP-21.

Sec. 133. Surface transportation program

Sec. 133(d)(1) of title 23, United States Code, is amended –

(d) Allocations of Apportioned Funds to Areas Based on Population. -

(1) Calculation. - Of the funds apportioned to a State under section 104(b)(2) -

*(A) ~~50~~ **62.5** percent for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State -*

(i) in urbanized areas of the State with an urbanized area population of over 200,000;

(ii) in areas of the State other than urban areas with a population greater than 5,000; and

(iii) in other areas of the State; and

*(B) ~~50~~ **37.5** percent may be obligated in any area of the State.*

(2) Metropolitan areas. - Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

(3) Consultation with regional transportation planning organizations. - For purposes of paragraph (1)(A)(ii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

(4) Distribution among urbanized areas of over 200,000 population. -

(A) In general. - Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

(B) Other factors. - The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

(5) Applicability of planning requirements. - Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.

Notes: These changes aim at achieving a more equitable division of funding between the NHPP and STP programs. Funding for National Highway System (NHS) highways and bridges increased significantly under MAP-21 while the funding available for the rest of the Federal-aid highways and bridges decreased by roughly 30%, which includes the funding available for on-system bridges that are not a part of the NHS. In addition, the changes seek to restore the suballocation percentage to the pre-MAP-21 level of 62.5 percent to local areas.