



Infrastructure Flexibility Act







September 8, 2022

On October 19, 2021, the Senate passed by Unanimous Consent S. 3011, the State, Local Tribal, and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief Flexibility Act. The bill authorizes state and local governments to use Fiscal Recovery Funds provided by the American Rescue Plan Act of 2021, for transportation infrastructure, including public transportation. Bill sponsors state that this flexibility authorizes \$123 billion of funding for transportation infrastructure, at the discretion of state and local authorities

APTA strongly supports S. 3011 (and H.R. 5735) and urges the U.S. House of Representatives to pass the bill.

The American Rescue Plan Act of 2021 (ARP) provides \$350 billion of COVID-19 emergency funding to states and local governments. The ARP provides \$195 billion to states, \$130 billion to local governments, and \$25 billion to tribal and territorial governments. Although the Fiscal Recovery Funds are available for certain types of infrastructure, transportation infrastructure investment is not eligible under the current program.

This bill would allow increased flexibility for the greater of \$10 million or 30 percent of Treasury ARP Recovery Fund allocation for a wide variety of transportation investments, to including:

-  Capital Investment Grants (e.g., New Starts and Small Starts)
-  Surface Transportation Block Grants
-  State of Good Repair Grants
-  Mega Grants
-  Grants for Buses and Bus Facilities
-  Transportation Infrastructure Financing and Innovation Act (TIFIA) Credit Assistance

APTA Urges Congress to:

Enact S. 3011, the Infrastructure Flexibility Act.