

**DIVISION C - PUBLIC TRANSPORTATION REAUTHORIZATION**

Division C of the *Infrastructure Investment and Jobs Act* reauthorizes Federal Transit Administration (FTA) programs for fiscal years 2022 through 2026. The reauthorization legislation is a component of the bipartisan infrastructure package and will provide \$69.9 billion of assistance for public transportation over five fiscal years. The current extension of the FAST Act expires on September 30th, 2021.

SECTION-BY-SECTION**SEC. 30001. DEFINITIONS. – AMENDS 49 U.S.C. § 5302**

The section adds a definition of “assault on a transit worker” to facilitate better safety data collection. It also adds eligibility for electric vehicle charging infrastructure in passenger parking facilities as part of a joint development project, while requiring recipients to collect fees related to the use of such charging facilities.

SEC. 30002. METROPOLITAN TRANSPORTATION PLANNING. – AMENDS 49 U.S.C. § 5303

The section allows metropolitan planning organizations to elect to expand considerations of housing planning processes into the metropolitan transportation planning process. It also allows for the use of technology to encourage public participation in the planning process.

SEC. 30003. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING. – AMENDS 49 U.S.C. § 5304

The section allows for the use of technology to encourage public participation in the planning process.

SEC. 30004. PLANNING PROGRAMS. – AMENDS 49 U.S.C. § 5305

The section adds eligibility for a greater Federal share for transportation planning activities in lower-density and lower-income portions of metropolitan areas and adjoining rural areas.

SEC. 30005. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS. – AMENDS 49 U.S.C. § 5309

The section reauthorizes the Capital Investments Grants (CIG) Program. The section requires applicants to make progress toward meeting performance targets for asset management. The Small Starts thresholds are adjusted, and Core Capacity project eligibility is amended to use a 10-year timeframe to demonstrate capacity needs, instead of the limited 5-year timeframe used presently.

The section establishes a process for immediate and future bundling of projects to allow sponsors to move multiple projects through the CIG pipeline simultaneously, allowing sponsors to seek savings during the contracting process. The new bundling eligibilities replace the “Program of Interrelated Projects” eligibility, which the Federal Transit Administration has been unable to implement since 2012.

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Section-by-Section

The section also updates the before-and-after studies process, requires the Secretary to create and update a public-facing project dashboard, and reduces the required Congressional notification timeframe before the Secretary may finalize a grant agreement.

SEC. 30006. FORMULA GRANTS FOR RURAL AREAS. – AMENDS 49 U.S.C. § 5311

The section amends the Rural Area Formula Grant Program by establishing fixed percentages for the Public Transportation on Indian Reservations and the Appalachian Development Public Transportation Assistance programs.

SEC. 30007. PUBLIC TRANSPORTATION INNOVATION. – AMENDS 49 U.S.C. § 5312

The section updates requirements for the Secretary’s annual report on research activities under the Section 5312 innovation program. It authorizes the Secretary to reduce or waive matching requirements for research projects if there is substantial public benefit and provides updates and further flexibility in the Low-No Component Testing Program. The section provides eligibility for activities related to Advanced Digital Construction Management Systems.

SEC. 30008. BUS TESTING FACILITIES. – AMENDS 49 U.S.C. § 5318

The section allows for bus testing facilities authorized under this section to use funds for the acquisition of equipment and capital projects related to testing new bus models.

SEC. 30009. PILOT PROGRAM FOR TRANSIT-ORIENTED DEVELOPMENT. – AMENDS SECTION 20005(B) OF MAP-21

The section adds eligibility for site-specific plans.

SEC. 30010. GENERAL PROVISIONS. – AMENDS 49 U.S.C. § 5323

The section is a technical correction to section 5323(u).

SEC. 30011. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM. – AMENDS 49 U.S.C. § 5324

The section requires applicants for emergency relief program funds to submit proof of insurance for structures related to grant applications.

SEC. 30012. PUBLIC TRANSPORTATION SAFETY PROGRAM. – AMENDS 49 U.S.C. § 5329

The section includes provisions to enhance state safety oversight programs by strengthening rail inspection practices. The section also includes provisions to enhance practices related to the development of transit agency safety plans, improve safety training, reduce assaults on vehicle operators, and institute measures to reduce vehicular and pedestrian accidents involving buses.

SEC. 30013. ADMINISTRATIVE PROVISIONS. – AMENDS 49 U.S.C. § 5334

The section allows for transit agencies selling rolling stock, equipment, or supplies past their useful life with proceeds over \$5,000 to recoup a portion of the local match.

SEC. 30014. NATIONAL TRANSIT DATABASE. – AMENDS 49 U.S.C. § 5335

The section adds geographic service area coverage as a reporting requirement to the National Transit Database (NTD). The section also requires data relating to assaults on a transit worker and fatalities resulting from impact with a bus to be reported into the NTD.

SEC. 30015. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS. – AMENDS 49 U.S.C. § 5336

The section increases the set-aside in the Section 5307 formula for Small Transit Intensive Cities from 2 to 3 percent. The section also increases the set-aside for state safety oversight grants from 0.5 percent to 0.75 percent.

SEC. 30016. STATE OF GOOD REPAIR GRANTS. – AMENDS 49 U.S.C. § 5337

The section establishes a new competitive grant program to replace rail rolling stock that is past its useful life.

SEC. 30017. AUTHORIZATIONS. – AMENDS 49 U.S.C. 5338

The section authorizes amounts to be made available under this Act.

SEC. 30018. GRANTS FOR BUSES AND BUS FACILITIES. – AMENDS 49 U.S.C. § 5339

The section increases the minimum allotment for States and territories under section 5339(a) from \$1.75 million to \$4 million and encourages utilization of innovative procurement practices. It raises the rural set-aside in the section 5339(b) “Buses and Bus Facilities” competitive grant program to 15 percent, up from the current 10 percent requirement.

The section ensures that lower-emission buses and vehicles, including natural gas-powered buses and vehicles, are eligible for no less than 25 percent of funds made available under the program.

For applicants for zero-emission vehicles grants under the Section 5339(c) and section 5339(b) programs, the section requires submission of a zero-emission fleet transition plan, including a workforce transition plan, and provides funding for such activities.

SEC. 30019. METRO SAFETY, ACCOUNTABILITY, AND INVESTMENT.

The section reauthorizes federal funding for Washington Metropolitan Area Transit Authority (WMATA) through fiscal year 2030 at current annual levels, matched by funding from Virginia, Maryland, and the District of Columbia. Additionally, the section requires improvements in oversight, governance, and support of WMATA’s Inspector General.