



Bipartisan Infrastructure Law (BIL) Trail and Active Transportation Funding Opportunities

CORE PROGRAMS:

1. Section 11529: Active Transportation Infrastructure Investment Program

- New discretionary grant program that strategically invests in projects that connect active transportation infrastructure to accelerate the process of making it safe and convenient to get to routine destinations on foot or by bike or wheelchair.
- Authorizes \$200 million per year, subject to appropriations, for the Connecting America's Active Transportation System Act.

2. Section 11109(b): Transportation Alternatives

- Authorizes nearly 70% more money on average for the Transportation Alternatives Program, including the Recreational Trails Program, from \$850 million to an average of \$1.44 billion per year.
- Establishes new conditions to limit the transferring of funds to other programs.
- Allows states to use up to 5% of available funds for technical assistance to administer grants and assist local governments in applying.

3. Section 11134: Recreational Trails Program

- Did not include funding changes, held at \$84 million per year
- Requires a report indicating whether funding for RTP accurately reflects the amount provided through recreational vehicle gas tax. A recent government report shows tax receipts of \$281 million per year.
- Maintenance and restoration of trails included as eligible uses under the Surface Transportation Block Grant Program (STBGP).

4. Section 11119: Safe Routes to School

- Requires that the Secretary establish and carry it out, covering safe routes in "the vicinity of schools" (2-mile area within bicycling and walking distances) for elementary, middle, and high schools.
- Lacks dedicated funding, but eligible for funds from other programs such as Transportation Alternatives, Surface Transportation Block Grant Program and Highway Safety Improvement Program.

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NEW PROGRAMS WITH ACTIVE TRANSPORTATION ELIGIBILITY:

1. Section 11132: Rural Surface Transportation Grant Program

- Provides \$2 billion over five years annually for rural transportation infrastructure grants that will increase connectivity and improve safety and quality of life. This can include rural infrastructure for biking and walking.

2. Section 11509: Reconnecting Communities Pilot Program

- New planning and construction grant program designed to remove barriers to connectivity with a preference for economically disadvantaged communities.
- Funded at \$1 billion over five years.

3. Section 13010: Transportation Access Pilot Program

- New program that requires the United States Department of Transportation to provide additional data to selected communities to measure their level of access to daily destinations, including through active transportation.

4. Section 11403: Carbon Reduction Program

- New program that provides formula funding to projects that reduce carbon emissions including planning, designing, and construction of both on- and off- road trail facilities that are part of a state's carbon reduction strategy that receives federal funding.
- Requires that states develop carbon reduction strategies within two years of enactment.

5. Section 11406: Healthy Streets Program

- New grant program designed to address urban heat island effects and flooding in low-income communities by assisting local and state governments in deploying cool and porous pavements and increasing tree cover.
- Authorized at \$100 million per year.

6. Section 24112: Safe Streets and Roads for All Grant Program

- Provided to local governments and metropolitan planning organizations to develop and implement comprehensive safety plans designed to prevent death and serious injury on roads and streets.
- Funded at \$5 billion over five years.

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CHANGES TO EXISTING PROGRAMS WITH ACTIVE TRANSPORTATION ELIGIBILITY:

1. Section 11109: Surface Transportation Block Grant Program

- Increases overall formula funding from \$12.1 billion to an escalating annual amount starting at \$13.8 billion.
- Adds “shared micromobility” as an eligible use.

2. Section 11111: Highway Safety Improvement Program

- Ties funding to a requirement that states conduct safety assessments for vulnerable road users and allows funds to be spent on Safe Systems approaches that design infrastructure to be safe, including separation of pedestrians and bicyclists from cars.
- Requires that states spend at least 15% of their HSIP funds on safety for vulnerable road users if their fatalities are 15% or greater of the total traffic-related fatalities in the state.
- Defines vulnerable road user and requires that State strategic highway safety plans include vulnerable road user safety assessments.
- Requires that each state conduct a VRU safety assessment within two years of the date of enactment.

3. Section 11112: Federal Lands Transportation Program

- Increases funding from \$10 million to \$20 million.

4. Section 11115: Congestion Mitigation and Air Quality Program

- Adds “shared micromobility” as eligible use.

5. Section 12001: Transportation Infrastructure Finance and Innovation (TIFIA) Act of 1998 Amendments

- Allows TIFIA to be used for transit-oriented development (up to 15% of annual TIFIA funding).
- Reduces the credit rating requirements for projects requiring Federal credit and senior debt of less than \$150 million.
- Requires that the Secretary, to the extent practicable, provide a timeline for consideration of the application within 150 days after submission of a letter of interest.
- Clarifies the criteria and requires that process to be implemented within 120 days of enactment.
- Funded at \$250 million annually.

OTHER PROVISIONS:

1. Section 11123: Wildlife Crossing Safety

- Allows grants to develop safe crossings for wildlife and reduce collisions, funded at \$60-80 million per year.

2. Section 11133: Bicycle Transportation and Pedestrian Walkways

- “Shared micromobility” added as an eligible expenditure in various provisions, including for purpose of determining federal share.
- Defines electric bicycle and sets out classes.

3. Section 11301, modifying 23 U.S.C. Section 139(q): Codification of One Federal Decision

- Provides that USDOT shall work with other agencies (including Department of Interior) to identify types of infrastructure subject to categorical exclusion.
- Allows additional time for states to take over administration of categorical exclusions and provides that USDOT enter into programmatic agreements with Indigenous tribes to administer environmental reviews.
- Increases the amount for categorical exclusion of projects of limited federal assistance to projects receiving no more than \$6 million in federal funds or with a total project cost of no more than \$35 million.

4. Section 11316: Streamlining of Section 4(f) Reviews

- Sets a timeline for the Secretary of Transportation to consult with the Secretaries of Interior, HUD and Agriculture in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of lands traversed.

5. Section 11204: Prioritization Process Pilot Program

- Allocates \$10 million for grants to MPO’s and state DOT’s to support data-driven planning processes that incorporate opportunities for public input and score projects based on identified criteria.

6. Section 11206: Increasing Safe and Accessible Transportation Options

- Requires MPO’s and state DOT’s to use no less than 2.5% of planning funds for activities designed to increase safe and accessible options for multiple travel modes, which may include adoption of Complete Streets standards or policies or development of a Complete Streets prioritization plan, or development of transportation plans that pursue active transportation networks or connect active transportation networks to transit.

7. Section 11502: Stopping Threats on Pedestrians

- Provides \$5 million for grants to local governments and state DOT’s to install bollards to prevent pedestrian injuries and acts of terrorism in areas used heavily by pedestrians.

8. Section 11512: Nonhighway Recreational Fuel Study

- Requires a study of recreational fuel use to be done within 1 year of enactment and every 5 years thereafter.

9. Section 11528: Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way

- Provides grants to carry out activities to benefit pollinators on roadsides and highway rights-of-way
- \$2 million per year

10. Section 24102: Highway Safety Programs

- Requires that Triennial Highway Safety Plans include performance targets for fatalities and serious injuries due to crashes that demonstrate constant or improved performance.
- Plans must be designed to meet the performance targets and made publicly available for approval.