


National Updates & Discussion: MAP-21

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OFFICE OF TECHNICAL SERVICES –
RESOURCE CENTER



ILLINOIS

Our Visit Today...

- History of Highway Bills
- MAP-21
- Rulemaking
- ADA
- SHRP₂ – See Steve




Photo source: http://www.gonavis.com/region/annapolis_maryland


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History of Highway Bills

1956 TO TOMORROW...

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History of Highway Bills



1956 • Federal-Aid Highway Act

• ...Highway Only Bills

1982 • Surface Transportation Assistance Act

1987 • Surface Transportation & Uniform Relocation Assistance Act

1991 • Intermodal Surface Transportation Efficiency Act (ISTEA) **Thomas "Chief" MacDonald**

1998 • Transportation Equity Act for the 21st Century (TEA-21)

2005 • Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-Lu)

2012 • Moving Ahead for Progress in the 21st Century Act (MAP-21) **2009 ARRA**

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US Highway Trust Fund, 2013 *Pay-as-You-Go Fund*

- Revenue from the Federal Fuel (Highway-User) Tax
 - 18.4¢ per gallon of gasoline
 - 24.4¢ per gallon of diesel fuel
 - General Fund Transfers (2008, 2009, 2010, 2012)

- FY2013 - Three Accounts in HTF:
 1. Highway Account, (15.44¢ per gallon of gasoline)
 2. Mass Transit, (2.86¢ per gallon of motor fuel)
 3. Leaking Underground Storage Tank (LUST), (0.1¢ per gallon of motor fuel)
 - 1986 Act amend - Solid Waste Disposal Act under EPA



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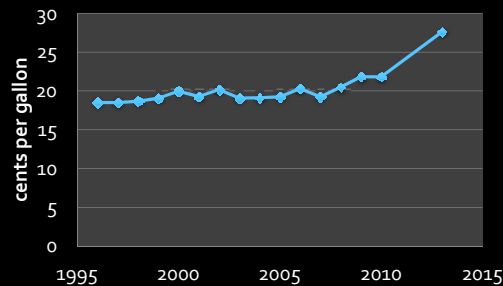
Revenue from State Fuel Tax *Not always dedicated to Roadways*

2013 Taxes/Fees	Gas (cpg)	Diesel (cpg)
Ave. US	27.6	33.8
High	51.2	61.1
Low	8	14



Photo source: <http://www.oldgas.com/roster/la.html>

Gas Tax State Trend



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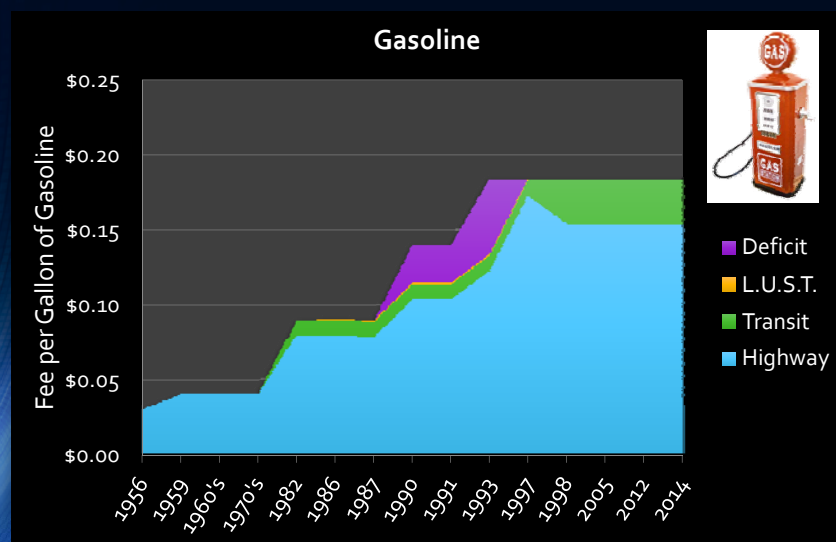
Highway Trust Fund

Q. "Under which US President was the *gas tax* last increased?"

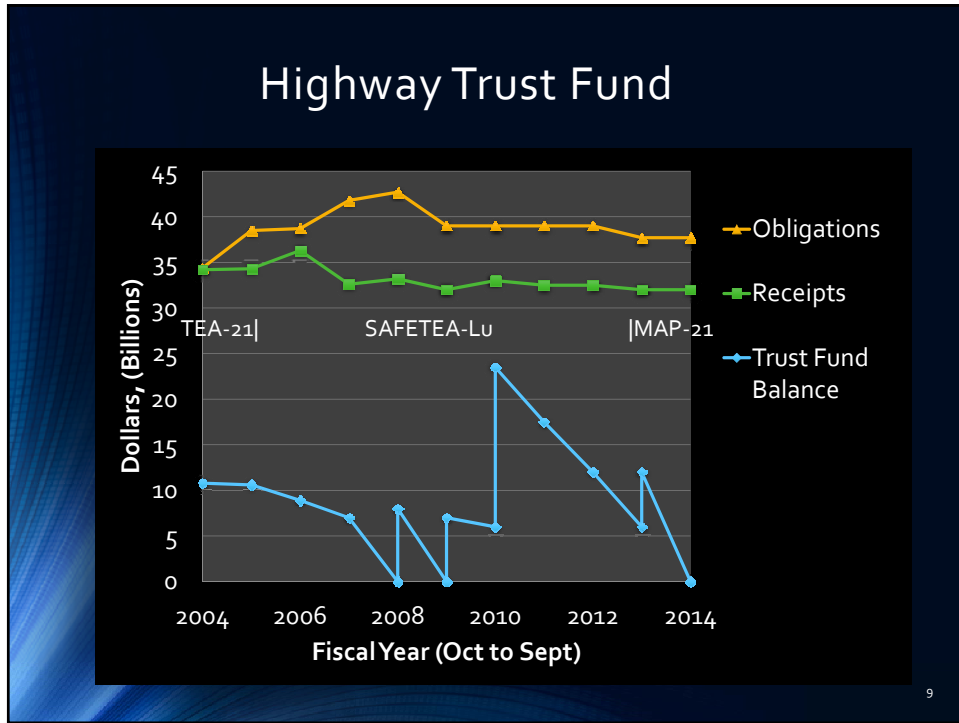
- A. Jimmy Carter
- B. Ronald Reagan
- C. George H. W. Bush
- D. Bill Clinton
- E. George W. Bush



History of Federal Highway-User Fee



- Deficit
- L.U.S.T.
- Transit
- Highway




Legislative Process

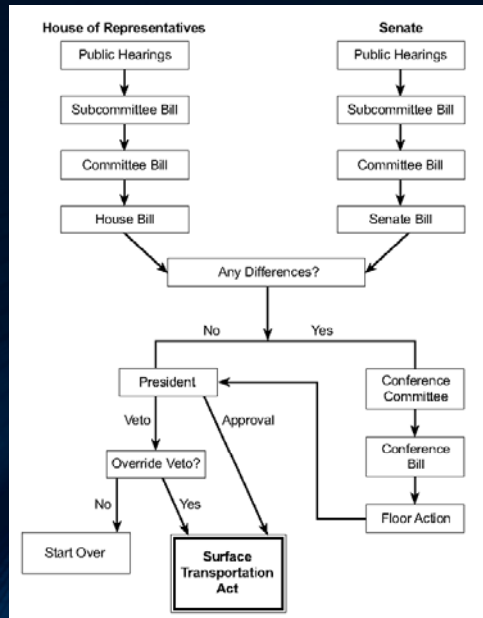
FHWA OFFICE OF POLICY & GOVERNMENT AFFAIRS
[HTTP://WWW.FHWA.DOT.GOV/POLICY/](http://www.fhwa.dot.gov/policy/)

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Figure 1.
Congressional
Procedures
(simplified,
typical process)

Office of
Policy &
Government Affairs



<http://www.fhwa.dot.gov/policy/olsp/financingfederalaid/authact.cfm#fig1>
I'm Just a Bill (Schoolhouse Rock!) <http://www.youtube.com/watch?v=tYeJ55o3Elo>

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MAP-21

"PRESERVATION" &
PAVEMENTS

Photo source: <http://www.utexas.edu/research/tppc/index.html>

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Re-Authorization of Highway Legislation



- MAP-21 – Moving Ahead for Progress in the 21st Century Act



Photo source: <http://www.whitehouse.gov/>
[http://commons.wikimedia.org/wiki/File:Cup_of_tea_\(High_Speed_Photography\)-MJ.jpg](http://commons.wikimedia.org/wiki/File:Cup_of_tea_(High_Speed_Photography)-MJ.jpg)

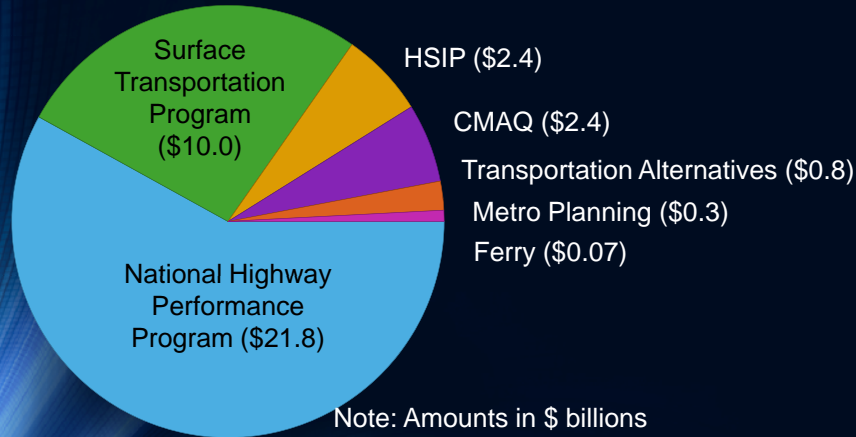
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MAP-21 Four "Core" Programs



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\$37.7 Billion/Year in formula funding



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MAP-21 Preservation FAQ's

- The word "Preservation" appears 35 times in the Law:
 - 3 Contexts: **System (24)**, Historic (8), & Policy (3)
- § 1103. DEFINITIONS
 - (a)(3)''(2) **Asset management**. – the term includes **preservation**...
 - (a)(4)(B)''(C)(ii) (ii) by striking "and rehabilitation" and inserting "rehabilitation, and preservation"



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MAP-21


"SECRETARY SHALL ESTABLISH..." (37 TIMES)
RULEMAKING

Photo source: <http://www.dot.gov/regulations/special-programs>

Administrative Procedure Act (APA)

Pub.L. 79-404, 60 Stat. 237, enacted June 11, 1946
MAP-21 Requirement: 18 months

- 1 • Provides for public notice and opportunity for comment on proposed rules,
- 2 • Requires an agency to explain the basis and purpose for its rule, and
- 3 • Provides for judicial review of the agency's actions.



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Asset Management Requirements in MAP-21

POC: STEPHEN GAJ
LEADER, ASSET MANAGEMENT TEAM
OFFICE OF ASSET MANAGEMENT,
PAVEMENTS, AND CONSTRUCTION



DRAFT Rule with Office of Chief Counsel

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INFRASTRUCTURE CONDITION

- *Maintain the highway infrastructure asset system in a **state of good repair**.*

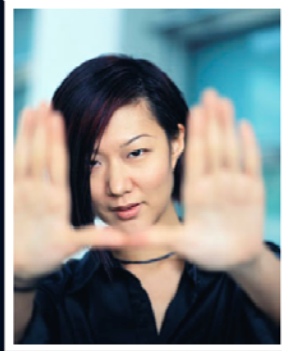


Photo source: http://iti.northwestern.edu/news/2011/02-2011_stateofgoodrepair.html

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What is asset management?

Asset management is a strategic and systematic process of operating, maintaining, and improving physical assets, with a focus on economic analysis information, to sequence of preservation, repair, replacement actions and sustain a good repair over assets at minimum engineering and based upon quality identify a structured maintenance, rehabilitation, and that will achieve desired state of the lifecycle of the practicable cost.



(23 U.S.C. 101(a)(2), MAP-21 § 1103)

Photo source: <http://pmtips.net/project-definition-statement/>

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What does MAP-21 require Us to do?

Enhanced NHS ~ 220,000 miles

- ✓ Interstate
 - ✓ All principal arterials
 - ✓ Intermodal connectors
- STRAHNET -- important to U.S. defense

§1104; 23 USC 103

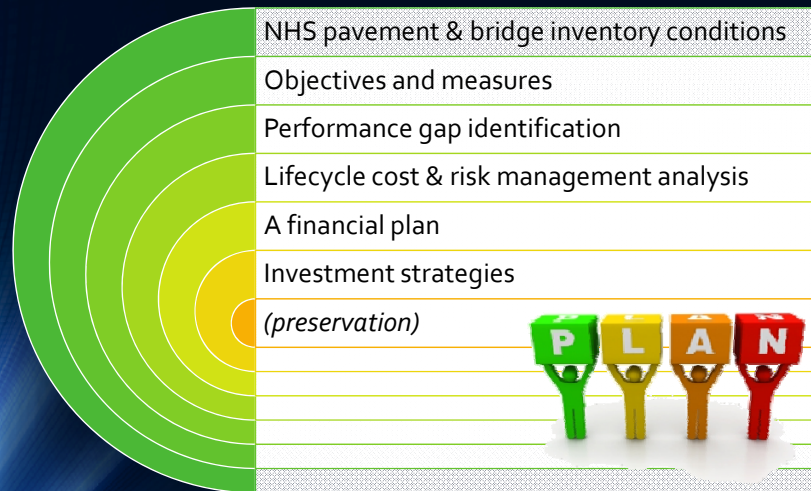
- We (USDOT) will issue a regulation (*aka rule*) on the process & requirements of a **risk-based, asset management plan** for the enhanced National Highway System (NHS) ^(*) (*Rulemaking*)
- You (State DOT's) will develop a Plan ^(*)

^{*}(23 U.S.C. § 119(e)(8), MAP-21 § 1106),
Within 18 months of enactment (4/1/14)

^{**}(23 U.S.C. 119(e)(1), MAP-21 § 1106)



What will your Plan include?



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When do you see the draft Rule?

- We (USDOT) issue a draft rule from comment.
 - *(within 180 days of enactments, April 1st, 2014)*
- **You (State DOTs) have 60 days to provide comment.**
- We (USDOT) will have the rule in place by October 1, 2015.



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What will we do to certify your Plan?

- We will develop a certification process
 1. We (USDOT) have a 90 days review period, and...
 2. You (State DOTs) have 90 days to cure deficiencies - if not certified



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What happens if you don't have a Plan?

- Your (State DOTs) federal share for NHPP will be reduced to 65%
- NHPP is 58% of the Program
- No Plan \approx 20% in federal-aid share
- Ex. Illinois DOT
 - NHPP FY13 = \$792,870,904 reduced to \$515,366,876



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What happens if you don't have a Plan?



- Your (State DOTs) federal share for NHPP will be reduced to 65%
 - NHPP is 58% of the Program
 - No Plan \approx 20% in federal-aid share
 - Ex. MD SHA
 - NHPP FY13 = \$330,464,636, reduced to \$214,802,013



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The Plans focuses on National Highway Performance Program

- ✓ We will recertified you Plans every 4 years



Photo source: <http://developmentcrossroads.com/2011/08/i-wouldnt-plan-on-it/>

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MAP-21 Pavement Performance – NHPP (*more Rulemaking*)

POC: THOMAS VAN
ASSET MANAGEMENT TEAM
OFFICE OF ASSET MANAGEMENT,
PAVEMENTS, AND CONSTRUCTION




DRAFT Rule with Office
of Chief Counsel

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What's the process for this Rule?

- We (USDOT) have the same process as the Asset Management Plan, but...
- **You (State DOTs) will go days to provide comment.**
 - "different section of MAP-21"
- We (USDOT) will have the rule in place by October 1, 2015.



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Pavement Measures | Metrics

- Functional (**GIVEN**)

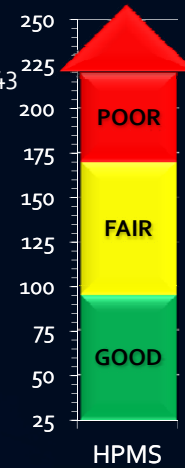
1. International Roughness Index (IRI), AASHTO R₄₃

- Structural (**DRAFT**)

2. Cracking
3. Rutting (Asphalt)
3. Faulting (Concrete)

- Metric (*Composite*): Good | Fair | Poor

- 2 out of 3 POOR = POOR



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TPM Pavement Goal



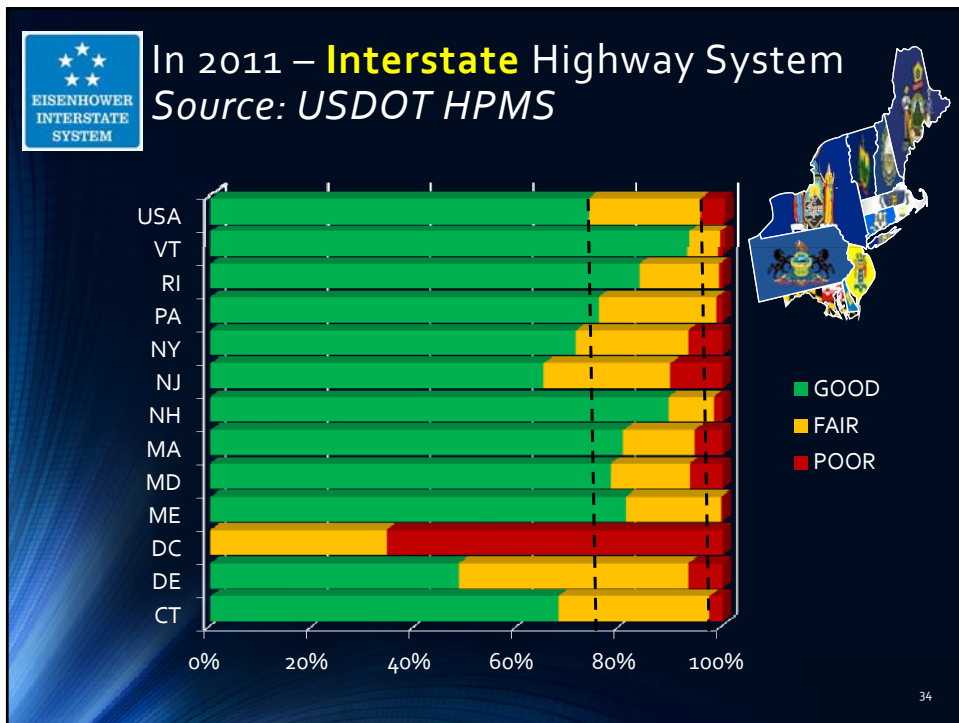
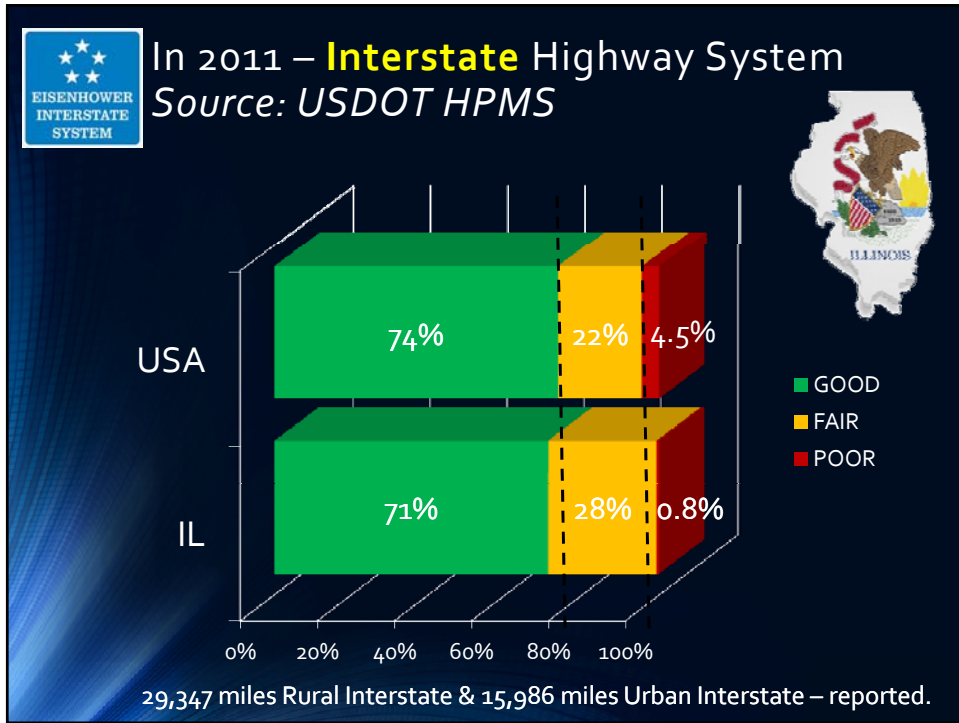
- We (FHWA) will establish measures for you (State DOTs) to assess condition of the Interstate & the enhanced NHS...

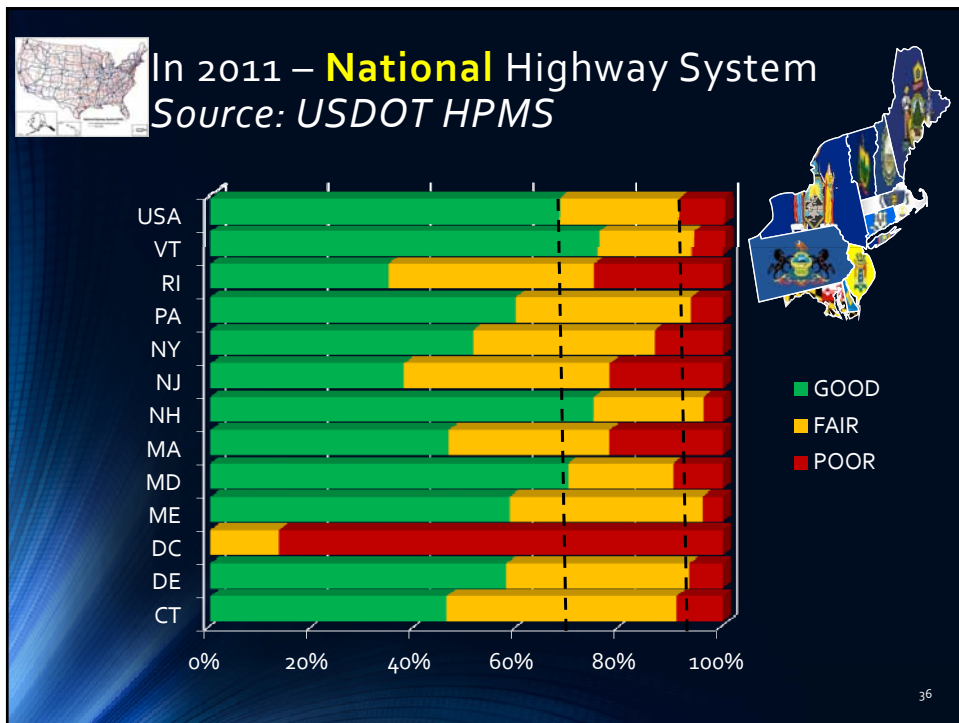
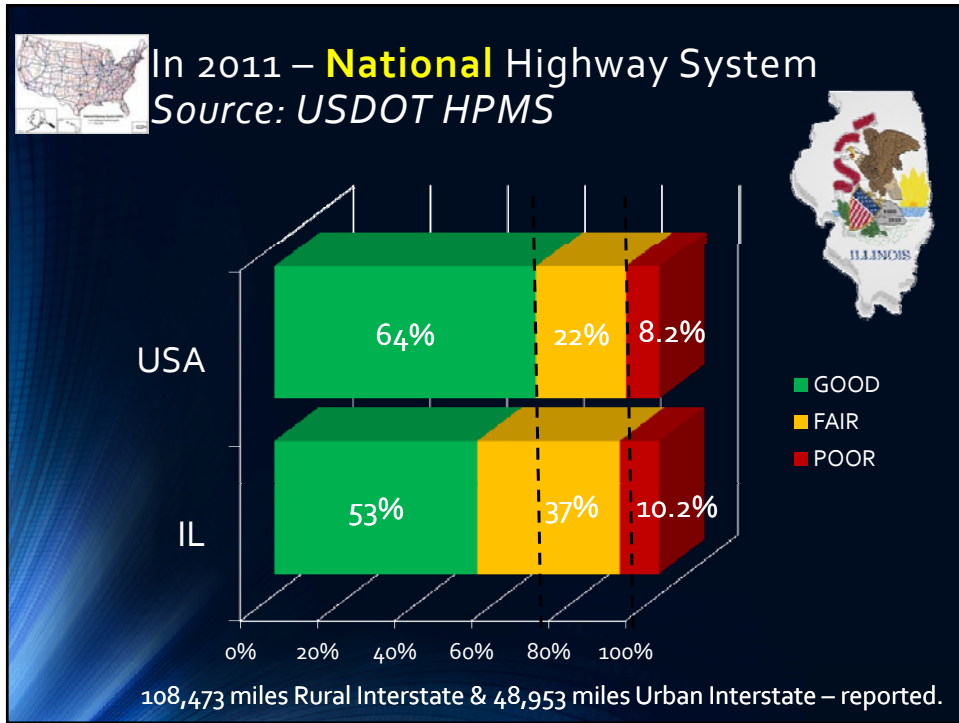


With minimum Standards for the **Interstate ONLY**

- Example ONLY: Max 7 ½ % of Interstate in POOR
- Currently **6 Agencies** have > 7 ½ % of their Interstate in POOR condition based on IRI (>170 in/mile) only (1 out of 3), based on 2011 HPMS Data

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Americans with Disabilities Act of 1990

SENATOR TOM HARKIN (D-IA),
AUTHORED THE BILL

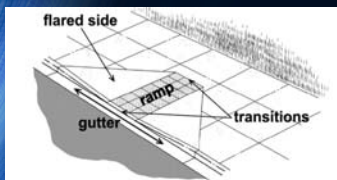


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New Joint Ruling DOJ / DOT-FHWA

When is resurfacing considered to be an alteration?

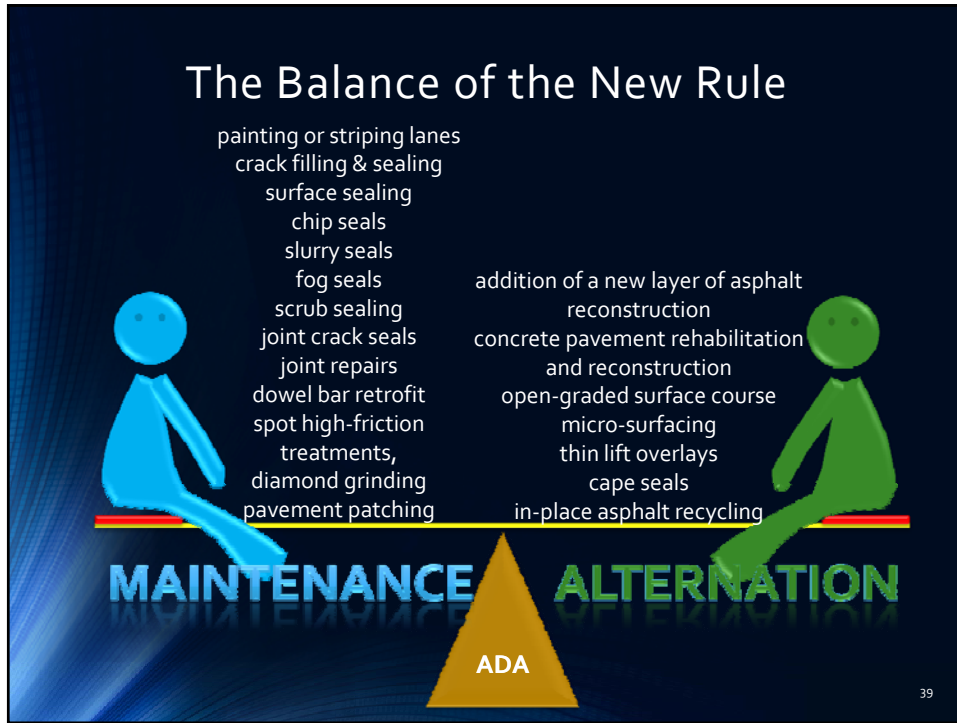
Resurfacing is an alteration that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another, and includes overlays of additional material to the road surface, with or without milling.



Examples include...



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Go SHRP2!

<http://www.fhwa.dot.gov/goshrp2/>

- Ken Jacoby, Renewal Program Coordinator
- Steve Cooper, Renewal Pavement Engineer

Strategic Highway Research Program (SHRP2) Implementation

MORE
COMING
SOON

TOOL FOR THE ROAD AHEAD

Effective Solutions to Meet Real
Challenges

The results of more than 1,000 research projects designed to meet the most pressing problems facing our Nation's highway systems will be made available in a series of implementation solutions to support transportation professionals as they plan, operate, maintain, and improve safety on America's roadways.

Get Involved

Apply for Academic Subject Funding and Stipends

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Thank You
Questions?

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Thank
You!

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