National Updates & Discussion: MAP-21

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Federal Highway Administration
Office of Technical Services – Resource Center

Our Visit Today...

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

Photo source: http://www.gonavis.com/region/annapolis_maryland
History of Highway Bills

1956 to Tomorrow...

- Federal-Aid Highway Act
- ...Highway Only Bills
- Surface Transportation Assistance Act
- Surface Transportation & Uniform Relocation Assistance Act
- Intermodal Surface Transportation Efficiency Act (ISTEA)
- Transportation Equity Act for the 21st Century (TEA-21)
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)
- Moving Ahead for Progress in the 21st Century Act (MAP-21)

ARRA 2009

EISENHOWER INTERSTATE SYSTEM

Thomas "Chief" MacDonald
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

- 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

Revenue from State Fuel Tax
Not always dedicated to Roadways

<table>
<thead>
<tr>
<th>2013 Taxes/Fees</th>
<th>Gas (cpg)</th>
<th>Diesel (cpg)</th>
</tr>
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<tr>
<td>Ave. US</td>
<td>27.6</td>
<td>33.8</td>
</tr>
<tr>
<td>High</td>
<td>51.2</td>
<td>61.1</td>
</tr>
<tr>
<td>Low</td>
<td>8</td>
<td>14</td>
</tr>
</tbody>
</table>

Photo source: http://www.oldgas.com/roster/la.html
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
Highway Trust Fund

[Graph showing Obligations, Receipts, and Trust Fund Balance over Fiscal Years 2004 to 2014.]

Legislative Process

FHWA Office of Policy & Government Affairs
HTTP://WWW.FHWA.DOT.GOV/POLICY/
Figure 1. Congressional Procedures (simplified, typical process)
Office of Policy & Government Affairs
http://www.fhwa.dot.gov/policy/olsp/financingfederalaid/authact.cfm#figs
I'm Just a Bill (Schoolhouse Rock!) http://www.youtube.com/watch?v=tyeJ55o3El0

MAP-21
“PRESERVATION” & PAVEMENTS
Photo source: http://www.utexas.edu/research/tppc/index.html
Re-Authorization of Highway Legislation

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


### MAP-21

Four “Core” Programs

- **58%** National Highway Performance Program
- **27%** Surface Transportation Program
- **6%** Highway Safety Improvement Program
- **6%** Congestion Mitigation and Air Quality Program
$37.7 Billion/Year in formula funding

Note: Amounts in $ billions

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”
MAP-21

“SECRETARY SHALL ESTABLISH...” (37 TIMES)

RULEMAKING

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

Administrative Procedure Act (APA)

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.
Asset Management Requirements in MAP-21

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

INFRASTRUCTURE CONDITION

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

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 cost.

(23 U.S.C. 101(a)(2), MAP-21 § 1103)

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

What does MAP-21 require Us to do?

- 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?

- NHS pavement & bridge inventory conditions
- Objectives and measures
- Performance gap identification
- Lifecycle cost & risk management analysis
- A financial plan
- Investment strategies *(preservation)*

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.
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

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 ≈ 20% in federal-aid share
• Ex. Illinois DOT
  • NHPP FY13 = $792,870,904 reduced to $515,366,876

Ex. Illinois DOT

Plan: $792,870,904
No Plan: $515,366,876

$278 Million
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 = 20% in federal-aid share
- Ex. MD SHA
  - NHPP FY13 = $330,464,636, reduced to $214,802,013

The Plans focuses on National Highway Performance Program

✔ We will recertified you Plans every 4 years

Photo source: http://developmentcrossroads.com/2011/08/it-wouldnt-plan-on-it/
MAP-21 Pavement Performance – NHPP (more Rulemaking)

POC: THOMAS VAN
Asset Management Team
Office of Asset Management, Pavements, and Construction

What’s the process for this Rule?

• We (USDOT) have the same process as the Asset Management Plan, but...

• You (State DOTs) will 90 days to provide comment.
  • “different section of MAP-21”

• We (USDOT) will have the rule in place by October 1, 2015.
Pavement Measures | Metrics

- **Functional (GIVEN)**
  1. International Roughness Index (IRI), AASHTO R43

- **Structural (DRAFT)**
  2. Cracking
  3. Rutting (Asphalt)
  4. Faulting (Concrete)

- **Metric (Composite):** Good | Fair | Poor
  - 2 out of 3 POOR = POOR

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 7½ % of Interstate in POOR
  - Currently **6 Agencies** have > 7½ % of their Interstate in POOR condition based on IRI (>170 in/mile) only (1 out of 3), based on 2011 HPMS Data
In 2011 – Interstate Highway System
Source: USDOT HPMS

29,347 miles Rural Interstate & 15,986 miles Urban Interstate – reported.

In 2011 – Interstate Highway System
Source: USDOT HPMS

USA
74% GOOD
22% FAIR
4.5% POOR

IL
71% GOOD
28% FAIR
0.8% POOR

USA
VT
RI
PA
NY
NJ
NH
MA
MD
ME
DC
DE
CT
0% 20% 40% 60% 80% 100% GOOD
FAIR
POOR

14
In 2011 – National Highway System
Source: USDOT HPMS

USA
64% 22% 8.2%

IL
53% 37% 10.2%

108,473 miles Rural Interstate & 48,953 miles Urban Interstate – reported.

In 2011 – National Highway System
Source: USDOT HPMS

USA
VT
RI
PA
NY
NJ
NH
NH
MA
MD
ME
DC
DE
CT

GOOD
FAIR
POOR
Americans with Disabilities Act of 1990

Senator Tom Harkin (D-IA), authored the bill

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...
The Balance of the New Rule

painting or striping lanes
crack filling & sealing
surface sealing
chip seals
slurry seals
fog seals
scrub sealing
joint crack seals
joint repairs
dowel bar retrofit
spot high-friction treatments,
diamond grinding
pavement patching

addition of a new layer of asphalt
reconstruction
cement pavement rehabilitation
and reconstruction
open-graded surface course
micro-surfacing
thin lift overlays
cape seals
in-place asphalt recycling

M A I N T E N A N C E  A L T E R N A T I O N

ADA

Go SHRP2!
http://www.fhwa.dot.gov/goshrp2/

• Ken Jacoby, Renewal Program Coordinator
• Steve Cooper, Renewal Pavement Engineer
Thank You

Questions?

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