

2020 POLICY BRIEF



Support County Priorities in a Surface Transportation Reauthorization Bill

ACTION NEEDED

Urge your Members of Congress to support county priorities as Congress works to reauthorize [P.L. 114-94](#), the *Fixing America's Surface Transportation Act* (FAST Act).

BACKGROUND

Counties play a critical role in the nation's surface transportation system, owning 45 percent of all public roads – compared to the 32 percent of public roads owned by cities and townships, 19 percent by states and 3 percent by the federal government – and 38 percent of the National Bridge Inventory. Counties also operate and maintain 78 percent of the nation's transit systems and a third of public airports that connect residents, communities and our national economy.

Following a series of stopgap extensions and the expiration of MAP-21 ([P.L. 112-141](#)), President Obama signed the bipartisan FAST Act in December 2015, representing the first long-term commitment to investing in our nation's surface transportation infrastructure in over a decade. Administered by the U.S. Department of Transportation, the FAST Act included \$305 billion over fiscal years 2016 through 2020 for highway construction and maintenance, highway and motor vehicle safety, public transportation, rail, hazardous materials safety, and research, technology and statistics programs.

Among the many provisions of the FAST Act, the five-year authorization bill increased funding for locally owned infrastructure, including protected funding for off-system bridges and rural and urban public transportation systems, and included necessary reforms to MAP-21 designed to expedite project delivery through a streamlined approval process and direct funding to local decision-makers.

The FAST Act expires on September 30, 2020. Consistent federal investment through a new, long-term surface transportation reauthorization, developed in consultation with federal, state and local partners, would allow counties to undertake much-needed infrastructure improvements. As Congress looks toward a reauthorization, a strong intergovernmental partnership is critical to strengthening our

Owning more roads (45 percent) and bridges (38 percent) than any other government entity, counties play a critical role in our nation's transportation system. Counties are also directly involved in the operation of 78 percent of the nation's public transit systems.

Funding for highway and transit programs expires in September 2020. As of February 2020, both the U.S. House and U.S. Senate have advanced legislation or proposals that, while incomplete, are intended to address the impending expiration of the FAST Act.

A new reauthorization must preserve local decision-making, provide direct federal funding to counties and contain regulatory relief that decreases project costs and timelines while still ensuring strong environmental stewardship.

OFF-SYSTEM BRIDGES

Off-system bridges are located on a public road that is not part of the federal-aid highway system.

281,184

Share of County Owned	62%
Share of City/Town Owned	17%
Share of Other Locally Owned +	0.4%
Total Locally Owned =	79.4%

nation's transportation system.

Surface transportation legislation must preserve local decision-making, direct federal investments to local governments and streamline the regulatory landscape to save money and time while still ensuring strong environmental stewardship. Federal funding levels and local authority should adequately reflect the county role in the nation's transportation system. A user-pay approach should continue to be the cornerstone of federal transportation funding, and federal policy should provide counties with the flexibility to use additional financing tools.

In July 2019, the U.S. Senate Committee on Environment and Public Works unanimously approved a bipartisan, five-year surface transportation reauthorization measure for fiscal years (FY) 2021 through 2025. [S. 2302](#), the *America's Transportation Infrastructure Act* (ATIA), authorizes \$287 billion in funding for the nation's highway surface transportation programs, representing a roughly 27 percent increase over FAST Act levels. The bill maintains the off-system bridge set-aside, streamlines the federal permitting process and establishes new grant programs emphasizing resilient infrastructure, among other provisions. Find a full analysis of the legislation [here](#).

In June 2020, House Democrats advanced their vision for a comprehensive infrastructure package, beginning with the passage of a five-year, \$494 billion surface transportation reauthorization out of the U.S. House Transportation and Infrastructure Committee on June 18. Following the surface bill, Democrats set their sights on a much larger infrastructure plan: [H.R. 2](#), the *Moving Forward Act*, that included the transportation reauthorization, in addition to funding for broadband, ports, airports, Brownfields restoration, public housing, public schools, clean energy and clean water, and clean drinking water projects, among others. On July 1, the U.S. House of Representatives passed the \$1.5 trillion package along mostly party lines. Find a full analysis of the legislation [here](#).

With the current law's expiration looming, the path forward for a compromised package between House and Senate chambers remains unclear. This timeline, in addition to obstacles created by COVID-19 and the 2020 election, will likely set up the need for one or more short-term extensions of the FAST Act once it expires on September 30.

KEY TALKING POINTS

As lawmakers work towards reauthorization, counties urge Congress to include the following county priorities in a surface transportation bill:

Establish funding certainty through a long-term surface transportation reauthorization: Counties rely on the certainty of federal funding to plan and execute transportation projects. For counties to confidently commit to critical transportation projects, any reauthorization must deliver consistent funding over several years.

Promote long-term solvency of the Highway Trust Fund: In order to maintain a robust infrastructure network, the Highway Trust Fund must remain solvent. NACo advocates for an "all tools in the toolbox" approach to accomplishing this, including increased usage of user-fees to support surface transportation infrastructure.

Provide direct funding to counties and increase local decision-making authority: Counties encourage Congress to increase the amount of federal funding infused into the local share of the Surface Transportation Block Grant Program (STBGP) to provide communities with populations between 50,000 and 200,000 access to dedicated federal funds. We also support increasing local decision-making authority for STBGP project selection for communities of under 50,000.

Maintain and increase the set-aside for off-system bridges: Under current law, counties receive roughly \$777 million annually for off-system bridges. Amending the basis for the set-aside to a more contemporary appropriation level would provide the funding increase needed for counties to safely maintain and operate these often compromised structures.

Streamline the federal permitting process: NACo supports streamlining the federal permitting process through concurrent reviews and increased thresholds for categorical exclusions, which can help reduce project delays.

For further information, contact Jessica Jennings at 202.942.4264 or jjennings@naco.org.



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