



COMMITTEE ON

TRANSPORTATION & INFRASTRUCTURE

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Surface Transportation Advanced through Reform, Technology, & Efficient Review (STARTER) Act

Section-by-Section Summary

Division A – Surface Transportation

Section 1001 – Authorizations

- Authorizes FAST Act programs at current levels and provides that any increases in contract authority go to the National Highway Performance Program, the Surface Transportation Block Grant Program, the Highway Safety Improvement Program, the National Highway Freight Program, and the Rural Area Formula Grant Program under Section 5311 of title 49.

Section 1002 – Effective Date

- Creates an effective date of October 1, 2020.

Title I – Federal-Aid Highways

Section 1101 - Nationally Significant Freight and Highway Projects

- Reauthorizes the discretionary grant program that promotes nationally and regionally significant infrastructure projects that improve the efficiency of freight movement. This popular program leverages investments by state, local, and private partners to execute large and especially complex projects.

Section 1102 – National Highway Freight Program

- Reauthorizes the National Highway Freight Program to increase investment in infrastructure improvements that strengthen economic competitiveness, increase freight efficiency, reduce congestion, improve reliability, and increase productivity. This program is vital to improving the efficiency, security, safety, and resiliency of the freight transportation network in rural and urban areas.

Section 1103 - Truck Parking Safety Improvement

- Creates a new set-aside within the National Highway Freight Program to provide resources to states to construct and improve parking options for commercial motor vehicles so that truck drivers can safely comply with Hours-of-Service regulations.

Section 1104 – Temporary Federal Share for Federal-Aid Highway Projects

- This section provides the Secretary of Transportation authority to increase the federal cost-share of projects under title 23, United States Code, to 100 percent for federal-aid highway projects for FY21-22.

Section 1105 – Consolidated Funding Program

- This section establishes a pilot program that allows a limited number of states the option to treat all federal funds they receive under the Federal-Aid Highway Program as having been apportioned in a lump sum. In addition, States that receive funding through this pilot program would still need to meet Federal performance standards and would need to meet set-asides for geographic areas.

Section 1201 – Environmental Reviews for Major Projects / One Federal Decision

- Sets a government-wide goal of limiting the time required for environmental reviews and authorization for major infrastructure projects to two years from the publication of a notice of intent to prepare an environmental impact statement (EIS), to issuance of a record of decision (ROD) under NEPA.
- Requires federal agencies to develop a single permitting timetable for environmental review and authorization decision.

Section 1202 – Efficient Environmental Reviews for Project Decisionmaking

- Sets page limits of 150 pages for an EIS, and 75 pages for an EA.
- Permits a project sponsor to assist agencies in conducting environmental reviews to help speed up the process and to resolve issues without taking control or authority away from the lead agency.
- When determining whether the effects of a Federal action are significant, agencies must only consider the reasonably foreseeable effects with a reasonably close causal relationship to the action being considered and may not consider the cumulative effects of the action in conjunction with other actions

Section 1203 – Application of Categorical Exclusions for Transportation Projects

- Authorizes any federal agency to apply a categorical exclusion (CE) that has been established by any other federal agency to accelerate project delivery.

Section 1204 – Air Quality and Conformity

- Directs the Federal Highway Administration and the Federal Transit Administration to update their joint environmental and planning regulations, and directs the Environmental Protection Agency to make changes to their transportation conformity regulations to provide flexibility to state departments of transportation to complete the NEPA process with approval conditioned on an air quality conformity and fiscal constraint determination before construction begins.

Section 1205 – Agreements Relating to Use of and Access to Rights-of-Way-Interstate System

- Streamlines the right-of-way acquisition process by allowing state procurement procedures to be used on federal-aid projects, allowing protective purchases with preliminary engineering funding, and allowing states the option to use the “short form” for appraisals.
- Enables states to voluntarily assume some or all the Federal Highway Administration’s responsibilities for approval of right-of-way acquisitions.

Section 1206 – Permits for Dredged or Fill Material

- Expands exemptions from Clean Water Act Section 404 permitting for routine maintenance projects, such as roadside ditches, with minor impacts and streamlines the use of Nationwide Permits for projects that remain subject to Section 404.

Section 1207 – Pilot Program on Use of Innovative Practices for Environmental Reviews

- Establishes a pilot program to allow DOT modal administrations and federal environmental agencies to waive or modify their own requirements to develop innovative practices to streamline project delivery and achieve positive environmental outcomes.
- The pilot program includes safeguards, such as including interagency consultation and public notice and involvement, to ensure adherence to federal environmental laws, regulations, and policies.

Title II – Innovative Project Finance

Section 2001 – Transportation Infrastructure Finance and Innovation Act of 1998 Temporary Loan Relief Due to COVID-19

- This section provides the Secretary of Transportation authority to provide a TIFIA loan rate-reset for borrowers impacted by COVID-19.
- This authority expires on September 30, 2021.

Title III – Public Transportation

Section 3001 – Short Title

- This section titles the bill, the “Federal Public Transportation Act of 2020.”

Section 3002 – Urbanized Area Formula Grants

- This section reduces burdens on high performing transit agencies by implementing a risk-based approach to transit agency triennial reviews.

Section 3003 – Fixed Guideway Capital Investment Grants

- This section increases the maximum federal and total estimated net capital costs for Small Start projects by \$100 million. It also establishes the Rural Starts program to assist to small projects in non-urban areas.

Section 3004 – Enhanced Mobility of Seniors and Individuals with Disabilities

- This section establishes a “sliding scale” matching requirement that increases the federal matching requirement in states with large amounts of public land, for projects that provide or improve mobility for seniors and individuals with disabilities. This section provides states and local governments greater flexibility by eliminating the requirement that dictates a minimum spending level on certain activities and allows funds to be reallocated to non-urban areas at the recipient’s discretion. It also streamlines regulations by allowing projects in rural areas to comply with requirements and policies for formula grants for rural areas, rather than complying with requirements and policies for projects in urban areas.

Section 3005 – Formula Grants for Rural Areas

- This section provides greater flexibility and supports greater mobility in rural areas by increasing the federal share of project costs for projects located in qualified opportunity zones, in medically underserved areas, or areas with medically underserved populations.

Section 3006 - Non-Emergency Medical Transportation

- This section specifies that projects that provide access to hospitals and healthcare providers in areas of limited public transportation options are eligible under the research program. It also creates a new program to improve access to healthcare facilities for medically underserved areas or populations with limited transportation options.

Section 3007 – Technical Assistance and Workforce Development

- This section codifies that the Secretary can enter into contracts and cooperative agreements that provide innovation and capacity building technical assistance to rural and tribal public transportation recipients.

Section 3008 – General Provisions

- This section increases mobility by expanding the types of entities that have reasonable access to federally funded public transportation facilities to any private or charter operator. In addition, it requires the federally funded public transportation facility operator to consider the benefits to the existing public transportation system and respond to requests for access within 90 days. It also increases flexibility and reduces regulatory burdens by allowing the Secretary to provide regulatory waivers, deferrals, or establish a simplified compliance process for very small transit agencies or transit agencies that receive funds under two programs, without compromising safety to lives or people. It requires the Secretary to submit an annual report detailing requests for waivers, deferrals, or simplified compliance; and actions taken during the prior year. Finally, this section establishes a new financial threshold and simplifies the process for the sale of transit vehicles at the end of their service life.

Section 3009 – Apportionments

- This section increases the set aside from the urbanized area formula grants program for small transit intensive communities.

Section 3010 – Grants for Bus and Bus Facilities

- This section replaces the bus and bus facilities set-aside to states and territories from a dollar amount to a percentage of the total amount provided for the grants for bus and bus facilities program, resulting in an increased amount available for states and territories. This section increases the set-aside for competitive grants for bus and bus facility projects in rural areas. It also establishes a rural set-aside for the low or no emission grants program (Low No Program), and allows Low No Program projects in rural areas to include passenger vehicle equipped with any technology that reduces energy consumption or harmful emissions, including compressed natural gas and liquefied natural gas.

Section 3011 – Elimination of Apportionments Based on High Density State Factors

- This section eliminates the program that apportions funding based on high density state formula factors, which results in a program that provides funds to only 7 states.

Section 3012 – Innovative Mobility and Technology Deployment Grants.

- This section establishes the innovative mobility and technology deployment transportation grant program to assist states, local governments, or publicly owned operators of public transportation in financing public transportation projects that integrate mobility services or technologies in public transportation, advance services that connect riders to public transportation, provide accessibility in rural areas, or enhance mobility in innovative ways. Finally, it provides that 20 percent of the funds be used for rural deployments and limits the amount of funds that can be awarded to a single entity to 20 percent.

Title IV – Highway Traffic Safety

Section 4001 – Funding and Grant Requirements

- This section requires the National Highway Traffic Safety Administration (NHTSA) to establish a single grant application deadline and requires states to submit an application for these funds and carryout grants consistent with regulations issued by the Secretary. This section makes contract authority from the Highway Trust Fund available for programs authorized under Chapter 4 of title 23, United States Code and chapter 303 of title 49, United States Code; and continues to allow states to aggregate spending on highway safety activities to meet the federal share of any other project carried out under this chapter. Finally, this section prohibits states from using funds for construction purposes.

Section 4002 – Highway Safety Research and Development

- This section authorizes the Secretary to undertake a targeted 2-year Drug Impaired Driving Prevention Pilot Program to study the effects of a public awareness campaign that raises awareness of the risks of driving while under the influence of prescription and over-the-counter medications. This section authorizes NHTSA to continue to work with industry and academia to complete its study on ignition interlock technologies that help determine whether a driver exceeds alcohol impairment standards. It requires the Secretary to continue its study on

marijuana and marijuana impaired driving. It also requires the Comptroller General to complete a study on illegal passing of school buses. Finally, this section requires NHTSA to conduct public media programs to educate the public and reduce instances of illegal passing of school buses and heatstroke-related death of children in unattended vehicles.

Section 4003. National Priority Safety Programs

- This section makes a technical correction to update the name of the Act from the FAST Act to the STARTER Act.

Section 4004– National Priority Safety Program Grant Eligibility

- This section requires NHTSA to release information on which states were awarded funds under the National Priority Safety Program and which states were determined to be ineligible. NHTSA is required to provide ineligible states a list of deficiencies to correct in order to ensure their eligibility in the future.

Title V – Motor Carrier Safety

Section 5001 – Funding and Grant Requirements

- Provides financial assistance to States to reduce the number and severity of crashes involving commercial motor vehicles. Improves the program by focusing on performance standards, accountability, efficiency, and effectiveness.

Section 5002 – Compliance, Safety, and Accountability Reform

- Creates a National Hiring Standard to Clarify and standardize industry best practices for hiring safe carriers. This will ensure that shippers, brokers, and intermediaries have reliable and accurate information on which to base hiring decisions.
- Creates a pilot program to increase the volume and reliability of safety data included in the CSA system through a proactive, regularly scheduled audit system.

Section 5003 – Entry-Level Driver Training Regulations

- Ensures that FMCSA stays on track to fully implement the Entry Level Driver Training rule by February 7, 2022. Requires FMCSA to also implement the Training Prover Registry and provide regular updates to Congress on implementation.

Section 5004 – Trucking Industry Workforce Development

- (DRIVE SAFE Act) Establishes a rigorous apprenticeship program to train CDL drivers between the ages of 18-20 and allowing them to drive in interstate commerce. This provided career opportunities for the 18-21-year-old population, giving them access to a high-paying profession. It also addresses the massive driver shortage affecting the country, while also promoting enhanced safety training for emerging members of this growing workforce.

Section 5005 –Hours of Service Requirements for Agricultural Operations

- Expands flexibility for haulers of agricultural goods and livestock under the Hours-of-Service regulations. This will ensure that ag haulers can safely and efficiently carry essential food and agricultural goods while also improving the living conditions for livestock.

Title VI – Innovation

Section 6001 – Advanced Transportation Technologies Program

- This section reauthorizes Advanced Transportation and Congestion Management Technology Deployment (ATCMTD) Program. In addition, this section expands the eligibility under the ATCMTD program to include vehicle-to-pedestrian technologies and cybersecurity protection measures and includes a 20% set-aside for rural deployments.

Section 6002 – Connected Vehicle Deployment Pilot Program

- This section establishes a new competitive grant program to spur innovation of connected vehicle applications into practical and effective operational deployments. In addition, this section seeks to realize mobility and safety benefits of connected vehicle applications to support improved surface transportation system performance.

Section 6003 – Automated Driving System Demonstration Program

- This section establishes a new competitive grant program to test the safe integration of automated driving system (ADS) technologies into the surface transportation system and to demonstrate how challenges to the safe integration of ADS technologies can be addressed. In addition, this section seeks to test applications of greater automation technologies that support economic vitality at the national and regional levels, while also providing benefits to rural communities and transportation-challenged populations.

Section 6004 – Accelerated Implementation and Deployment of Advanced Digital Construction Management Systems

- This section establishes a new program under the Technology and Innovation Deployment Program to deploy advanced digital construction management systems and accelerate State adoption of these systems throughout the design, engineering, construction, and operations of surface transportation projects.

Section 6005 – Innovative Project Delivery Methods

- This section adds “advanced digital construction management systems” to the types of innovative project delivery methods that qualify a project to receive an increase Federal share. In addition, this section increases the amount of Federal-Aid Highway funds that States may use to qualify for an increased Federal share as a result of using innovative project delivery methods.

Section 6006 – Surface Transportation System Funding Alternatives

- Encourages more states and groups of states to participate in the program while building on the successful state pilots to-date.
- Expands the focus on data collection and analysis to deliver actionable recommendations to begin implementing a national VMT program.

Section 6007 – Surface Transportation System Road Usage Charge National Pilot

- Creates a national pilot program established by DOT, in consultation with the Treasury to test vehicle miles travelled reporting systems and revenue collection mechanisms.
- Establishes a national advisory board to coordinate broader testing and the study of a per-mile road usage charge.
- Sets a date of October 1, 2026 for the Secretary to establish a per-mile road usage charge for electric vehicles.

Title VII – Resilience

Section 7001 – Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Grant Program.

- This section establishes the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program that provides funding for highway projects that will reduce the cost and risk related to natural disasters.

Section 7002 – National Highway Performance Program

- Modified the purpose of the National Highway Performance Program (NHPP) to incorporate measures related resiliency to the impacts of natural disasters. In addition to resiliency projects currently eligible on the National Highway System, the bill allows States to use up to 15 percent of their NHPP funds for protective features to improve resiliency of a Federal-aid highway or bridge off the National Highway System.

Section 7003 – Resiliency in Transit

- This section establishes that funding provided under the Federal Transit Administration's Emergency Relief Program for mitigation activities supports projects that are cost beneficial and will reduce actual risk.

Section 7004 – Highway Emergency Relief and Resiliency

- This section clarifies the eligibility under the Federal Highway Administration's Emergency Relief Program for projects related to wildfires and sea level rise.
- This section establishes that funding provided under the Federal Highway Administration's Emergency Relief Program may support mitigation projects that are demonstrated to mitigate against and reduce the risk of recurring damage from extreme weather events, flooding and other disasters.

- This section directs the Secretary of Transportation to revise the emergency relief manual of the Federal Highway Administration to address resiliency and to develop best practices and ensure consultation with the Federal Emergency Management Agency.

Section 7005 – Highway Resiliency Incentives

- This section authorizes an increase in the federal cost share in highway funding for activities that are designed and demonstrate reduction in cost and risk associated with extreme weather events, flooding or other natural disasters.

Section 7006 – Guidance on Inundated and Submerged Roads

- This section requires the Administrator of the Federal Highway Administration, upon issuance of guidance by the Federal Emergency Management Agency, to review such guidance and issue guidance related to inundated and submerged roads damaged or destroyed by a major disaster with respect to roads eligible for assistance under FHWA programs.

Section 7007 – Guidance on Evacuation Routes

- This section requires the Administrator of the Federal Highway Administration, in coordination with the Federal Emergency Management Agency, to issue guidance related to evacuation routes and, should the Administrator determine existing guidance meets the requirements of the section, submit a report detailing how existing guidance addresses such considerations.
- This section requires the Administrator of the Federal Highway Administration, in coordination with the Federal Emergency Management Agency, to study the adequacy of available evacuation routes.

Section 7008 – Definitions

- This section adds a definition of “resilience” with respect to projects under Title 23.

Section 7009 – University Transportation Centers

- This section adds to the existing University Transportation Centers research program a focus on mitigation and resiliency.

Section 7010 – Pre-Disaster Hazard Mitigation Pilot Program

- Establishes a 5-year pre-disaster mitigation pilot program under the Federal Highway Administration providing additional funding to support projects that are cost effective and which substantially reduce the risk of or increase the resiliency to future damage as a result of natural disasters.