

BIPARTISAN INFRASTRUCTURE LAW (BIL)*

Overview of Highway Provisions



U.S. Department
of Transportation

**Federal Highway
Administration**

*Also known as the “Infrastructure Investment and Jobs Act”

CONTENT

- Highlights of BIL Highway Provisions
- Funding for Highway Programs
- Summary of Bridge Programs
- <https://www.fhwa.dot.gov/bipartisan-infrastructure-law>

Milestones Toward Enactment of BIL

Date	Milestone
July 2021	Senators released bipartisan infrastructure framework
August 10, 2021	Senate passed Bipartisan Infrastructure Deal (BIL)
November 5, 2021	House passed BIL
November 15, 2021	President Biden signed BIL into law (Public Law No: 117-58)

BIL Goes Beyond Transportation

- Once-in-a-generation investment in infrastructure
- Grows the economy, enhances U.S. competitiveness, creates good jobs, and makes the U.S. economy more sustainable, resilient, and equitable
- Around \$550 B in new Federal infrastructure investment, including—
 - Largest federal investment in public transit ever
 - Largest federal investment in passenger rail since the creation of Amtrak
 - Largest dedicated bridge investment since the construction of the Interstate System
 - Largest investment in clean drinking water & wastewater infrastructure in U.S. history
 - Largest investment in clean energy transmission & electric vehicle infrastructure in history
 - Ensuring every American has access to reliable high-speed internet
- On average, around 2 million jobs per year

Includes \$567.1 B (All DOT Modes) Over FY 22-26

Program	Contract Authority (CA) (\$ B, FY 22-26)	Advance appropriations (\$ B, FY 22-26)
Federal Aviation Administration	---	25.0
Federal Highway Administration	303.5	47.3
Federal Motor Carrier Safety Administration	4.5	0.7
Federal Railroad Administration / Amtrak	---	66.0
Federal Transit Administration	69.9	21.3
Maritime Administration	---	2.3
National Highway Traffic Safety Administration	5.1	1.6
Office of the Secretary	---	19.0
Pipeline & Hazardous Materials Safety Admin.	---	1.0
Total	383.0	184.1

Note: Table does not include amounts that BIL authorizes subject to [future] appropriation

High Points of BIL Highway Provisions

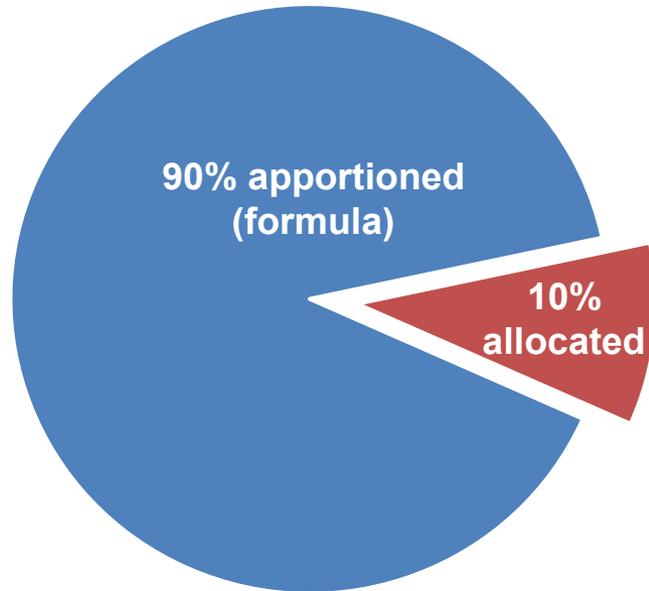
- **Funds highway programs for five years** (FY 22-26)
- **\$350.8 B (FY 22-26) for highway programs**
 - \$303.5 B in Contract Authority (CA) from the Highway Trust Fund (HTF)
 - +\$47.3 B in advance appropriations from the General Fund (GF)
- **More than a dozen new highway programs**, including—
 - **Formula:** resilience, carbon reduction, bridges and electric vehicle (EV) charging infrastructure
 - **Discretionary:** bridges, EV charging infrastructure, rural projects, resilience, wildlife crossings, and reconnecting communities
- Focus on safety, bridges, climate change, resilience, and project delivery
- **More opportunities for local governments and other non-traditional entities** to access new funding
- \$90 B transfer (GF->HTF) to **keep the HTF Highway Account solvent for years**

\$350.8 B (FY 22-26) FOR HIGHWAY PROGRAMS

- \$303.5 B in Contract Authority from the HTF
- +\$47.3 B from the General Fund (GF) for “Highway Infrastructure Programs” (HIP)
- Nine Categories of HIP Funding Under BIL (from the GF)
- Funding Available to a Range of Recipients

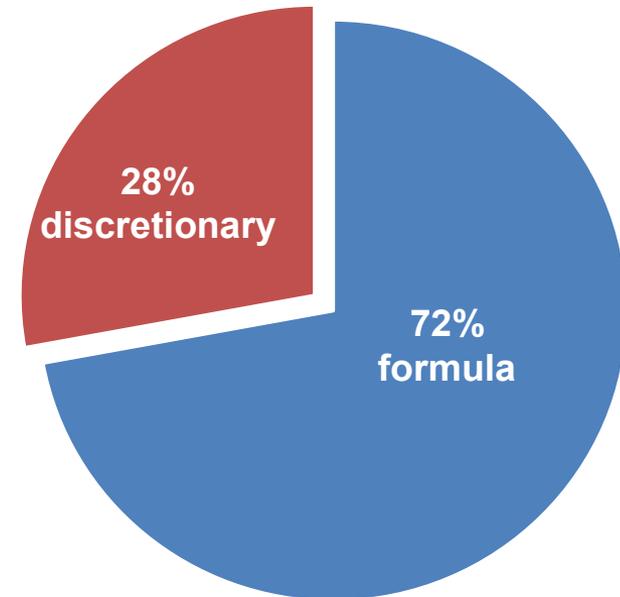
\$350.8 B (FY 22-26) for Highway Programs

**\$303.5 B in CA from the HTF,
apportioned vs. allocated**



- +29% highway CA (avg. annual vs. current law (FY 21))
- All FAST Act continue plus new CA programs (apportioned and allocated)

**+\$47.3 B from GF for HIP,
formula vs. discretionary**



- All provided from the General Fund
- 9 categories of advance appropriations; 6 supplemental to CA

Nine Categories of HIP Funding Under BIL (from the GF)

Total, FY 22-26	Program
\$27.5 B	Bridge Formula Program
\$9.2 B*	Bridge Investment Program (discretionary)
\$5.0 B	National Electric Vehicle Formula Program
\$3.2 B*	INFRA Program
\$1.3 B	Appalachian Development Highway System (ADHS)
\$0.5 B*	Reconnecting Communities Pilot Program
\$0.3 B*	Ferry Boat Program
\$0.2 B*	Reduction of Truck Emissions at Port Facilities
\$0.1 B*	University Transportation Centers (UTCs)

* Supplements CA separately provided by BIL for this program

Funding Available to a Range of Recipients

Program Examples	State	MPO	Local	Tribe	PA*	Territory	FLMA*
Apportioned programs (formula)	✓						
Bridge Program (formula)	✓			✓			
National Electric Vehicle Formula Program	✓		✓				
Safe Streets and Roads for All program		✓	✓	✓			
PROTECT Grants (discretionary)	✓	✓	✓	✓	✓		✓
Charging and Fueling Infrastructure Program	✓	✓	✓	✓	✓	✓	
Congestion Relief Program	✓	✓	✓				
Bridge Investment Program (discretionary)	✓	✓	✓	✓	✓		✓
Reconnecting Communities Pilot Program	✓	✓	✓	✓			
Rural Surface Transportation Grants	✓		✓	✓			
INFRA	✓	✓	✓	✓	✓		✓
Nat'l Infra. Project Assistance	✓	✓	✓	✓	✓		
Local and Regional Project Assistance	✓	✓	✓	✓	✓	✓	

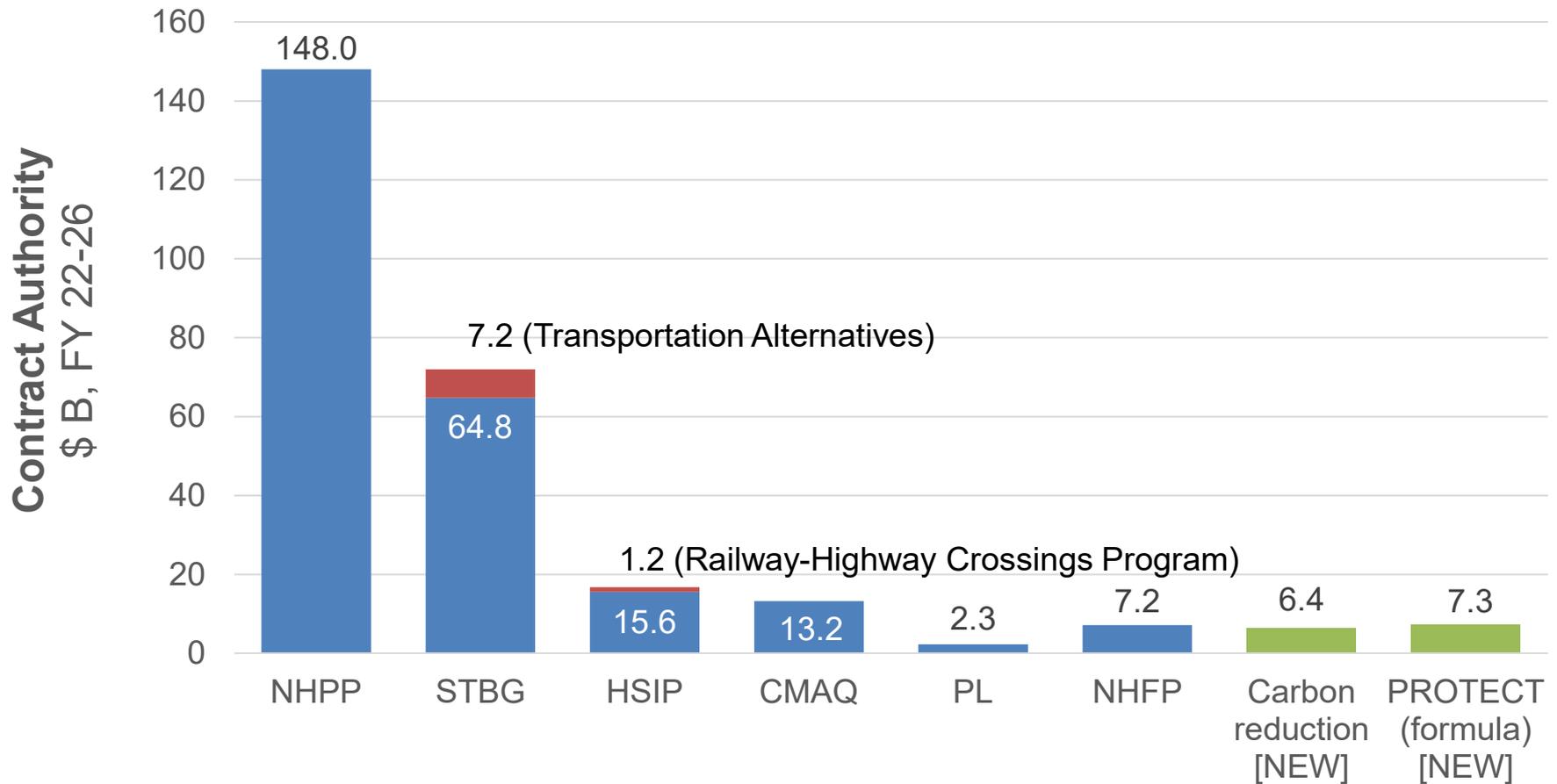
Note: This table does not include all BIL programs or eligible entities, and there are additional nuances not represented in this table. Additional programmatic information is provided in later slides. FHWA will administer most, but not all, programs listed.

* "PA" means a special purpose district or public authority with a transportation function; FLMA means Federal Land Management Agency

APPORTIONED HIGHWAY PROGRAMS

- 8 Apportioned CA Programs (Including 2 New)
- Changes to Existing CA Programs (NHPP, STBG, HSIP, CMAQ, PL, and NHFP)

8 Apportioned CA Programs (Including 2 New)



Federal-aid apportioned programs under BIL

BRIDGES

- Bridge Formula Program
- Bridge Investment Program

[NEW] Bridge Formula Program

Purpose	Replace, rehabilitate, preserve, protect, and construct bridges on public roads
Funding	\$27.5 B (FY 22-26) in advance appropriations from the GF
Recipients	<ul style="list-style-type: none">• States (including DC and Puerto Rico)
Distribution formula	<ul style="list-style-type: none">• 75% based on relative costs of replacing State's poor condition bridges• 25% based on relative costs of rehabilitating State's fair condition bridges• ...but each State receives at least \$45M per FY (22-26)
Other key provisions	<ul style="list-style-type: none">• Benefits for "off-system" (non-Federal-aid highway) bridge projects<ul style="list-style-type: none">◦ 15% of funds reserved for such projects◦ 100% Federal share if owned by a local agency or Federally-recognized Tribe• Sets aside 3% of the funds appropriated for the program for Tribal transportation facility bridges, which shall be administered as if made available under the Tribal Transportation Program

[NEW] Bridge Investment Program (discretionary)

Purpose	Improve bridge (and culvert) condition, safety, efficiency, and reliability
Funding	<p>\$12.5 B (FY 22-26), including—</p> <ul style="list-style-type: none"> • \$3.3 B (FY 22-26) in Contract Authority from the HTF; and • \$9.2 B (FY 22-26) in advance appropriations from the GF
Eligible entities	<ul style="list-style-type: none"> • State • MPO (w/ pop. >200K) • Local government • Special purpose district or public authority with a transportation function • Federal land management agency • Tribal government
Eligible projects	<ul style="list-style-type: none"> • Project to replace, rehabilitate, preserve or protect one or more bridges on the National Bridge Inventory • Project to replace or rehabilitate culverts to improve flood control and improve habitat connectivity for aquatic species
Other key provisions	<ul style="list-style-type: none"> • At least 50% of funding reserved for certain large projects; option for multi-year funding agreements • Different process for funding projects ≤\$100 M cost • Sets aside average of \$40M per FY for Tribal transportation bridges

FOR MORE INFORMATION

- Please visit:
[fhwa.dot.gov/bipartisan-infrastructure-law](https://www.fhwa.dot.gov/bipartisan-infrastructure-law)