



ASSESSMENT OF  
HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
FAST ACT REAUTHORIZATION  
“INVEST IN AMERICA ACT”

H.R. 2

*(JUNE 26, 2020)*

After more than 24 hours of debate that included the consideration of 177 amendments, the House Committee on Transportation and Infrastructure approved the Investing in a New Vision for the Environment and Surface Transportation in America (INVEST in America) Act late in the evening on June 18. The massive bill now becomes the key piece of the House Democrats’ \$1.5 trillion infrastructure proposal, the Moving Forward Act. Floor vote will likely take place the week of June 29. The bill includes many ITS America FAST Act reauthorization platform priorities.

The INVEST in America Act provides \$494 billion over five years for surface and rail transportation investments. Included is \$411 billion over five years from the Highway Trust Fund for highway, transit, safety, and research programs, a 46 percent increase over current investment levels. It provides \$319 billion for the Federal-aid highway program under the Federal Highway Administration, \$105 billion for transit programs under the Federal Transit Administration, \$4.6 billion for highway safety programs under the National Highway Traffic Safety Administration, and \$5.3 billion for motor carrier safety programs under the Federal Motor Carrier Safety Administration.

The bill maintains FAST Act ITS eligibilities and expands those eligibilities to new programs including the Gridlock Reduction Grant, Projects of National and Regional Significance, Community Transportation Investment Grant, Pre-disaster Mitigation Program, Community Climate Innovation Grant, Carbon Pollution Reduction Program, Safe, Efficient Mobility through Advanced Technologies program, Parking for Commercial Motor Vehicles program, Pre-disaster Hazard Mitigation Program, and the Third-Party Data Integration Pilot Program.



Intelligent Transportation Systems are eligible under the following programs:

#### EMERGENCY ASSISTANCE: EXTENSION OF FEDERAL SURFACE TRANSPORTATION PROGRAMS

The bill provides \$83.1 billion at a 100 percent federal share in FY21 to ensure states, cities, and transit agencies can administer programs, advance projects, and preserve jobs in the aftermath of the COVID-19 crisis by extending FY20 enacted levels for Federal-aid highway, transit, and safety programs through FY21. The bill provides additional administrative expenses out of the Highway Trust Fund for FHWA and NHTSA and out of the General Fund for FTA. Highway, transit, and safety funds are made available at 100 percent federal share to eliminate the need for a match in FY21. The first year is, in many ways, an extension of the FAST Act with all programs at existing levels. This is an ITS America priority.

#### INNOVATION

The bill increases funding to \$144 million for FY22 through FY25 for the Highway Research and Development Program and removes set-asides that previously took funding away from critical research activities, including ATCMTD. The program is funded at \$125 million per year under the FAST Act. It increases funding to \$96 million for FY22 through FY25 bringing the total over the five years to \$461.5 million for the University Transportation Centers Program. The bill more than doubles funding to \$152 million for FY22 through FY25, bringing the total over five years to \$675 million for the Technology and Innovation Deployment Program. The program is funded at \$67 million per year under the FAST Act. The Intelligent Transportation Systems Program would receive \$100 million for FY21 through FY25 bringing the total funding to \$500 million. It reauthorizes the ITS Program Advisory Committee and removes set-asides that previously took funding away from intelligent transportation activities.

The bill establishes a national clearinghouse to research the impacts of highly automated vehicles and mobility innovation on land use, urban design, transportation, real estate, accessibility, municipal budgets, social equity, and the environment.

HR 2 nearly doubles funding for state-level VMT pilot programs to \$160 million over five years. It adds cybersecurity to the scope of the pilot programs and establishes a National Surface Transportation System funding pilot as well as a new five-year national VMT pilot program funded at \$40 million over the five years.



HR 2 renames the ATCMTD program to the Safe, Efficient Mobility through Advanced Technology (SEMAT) Program. It expands eligible uses of funds to include vehicle-to-pedestrian technology, vulnerable road user safety systems, and Mobility on Demand (MOD) activities. The bill increases funding to \$70 million per year from the Technology Innovation Deployment Program and expands the federal share of the program to 80 percent. SEMAT is no longer a set-aside in Highway Research and Development Program and Intelligent Transportation Systems Program.

#### ALTERNATIVE FUEL VEHICLE CHARGING INFRASTRUCTURE

HR 2 provides \$1.4 billion in alternative fuel charging infrastructure. It requires electric vehicle charging stations that receive title 23 funds to be usable by the majority of EV drivers and accessible to all members of the public. Establishes a \$350 million annual competitive grant program to deploy electric vehicle charging, hydrogen, natural gas, and propane fueling infrastructure. It requires consideration of projects in freight corridors near ports and freight hubs. INVEST in America Section 149 of title 23, USC, is amended to include hydrogen vehicle, natural gas, and propane fueling stations. HR2 also allows EV charging stations in Interstate rest areas, Interstate fringe or corridor parking facilities, and Interstate park and ride facilities.

#### MOBILITY ON DEMAND

The bill establishes rules that integrate MOD with transit. MOD is an eligible activity under Urbanized Area Formula Grants – 5307, Formula Grants for Rural Areas – 5311, and Enhanced Mobility of Seniors & Individuals with Disabilities - Section 5310. The federal share for MOD and MaaS is 80% unless the transit agency contracts with a third party for mobility on demand service - then the Federal share is reduced by 25 percent. The bill retains basic requirements for safety, Buy America, and labor. HR 2 includes restrictions on single passenger trips and carbon and particulate emissions, and requires a negotiated rulemaking on an open data standard. Workforce planning requirements apply to automated vehicle transit deployments as well as Mobility-on-Demand. The bill makes permanent the MOD Sandbox at \$5 million per year. Shared micromobility is now eligible under CMAQ. MOD is also eligible under the Safe, Efficient Mobility through Advanced Technology (SEMAT) Program.

#### TECHNOLOGY TO ADDRESS CONGESTION

HR 2 maintains congestion pricing programs to reduce congestion and raise revenue to support transportation improvements and improve trip time reliability. It authorizes congestion pricing



subject to congestion and air quality impacts, planned investments to improve public transportation, environmental justice and equity impacts, impacts on freight movement, and economic impacts. The bill establishes a Projects of National and Regional Significance (PNRS) program, which provides more than \$9 billion over the life of the bill for large highway, transit, and passenger and freight rail projects that reduce congestion on roadways and that cannot be funded through annual apportionments or other discretionary sources. It establishes a \$600 million per year Community Transportation Investment Grants grant program to support local investments in projects to improve safety, state of good repair, accessibility, environmental quality through infrastructure investments, and establishes a \$250 million in FY22 grant program to reduce traffic gridlock in large metropolitan areas. As the result of markup, the bill includes a pilot program to leverage anonymous real-time crowd-sourced traffic data from third-party entities to improve transportation management capabilities.

#### TECHNOLOGY SOLUTIONS FOR CLIMATE CHANGE

HR 2 creates a new \$8.3 billion carbon pollution reduction program with broad flexibility to fund highway, transit, and rail projects that will reduce greenhouse gases. Provides \$250 million per year for Community Climate Innovation Grants to projects that reduce greenhouse gases. The bill establishes a new pre-disaster mitigation program, providing \$6.25 billion to help prepare for and mitigate the impacts of climate change and extreme weather, including through natural infrastructure. As a result of the markup, the bill establishes a pre-disaster hazard mitigation program, term limited to five years, that gives states receiving ER money over the previous six months a bonus equal to five percent of that amount, to be used for resilience activities.

#### SMART TRUCK PARKING

HR 2 establishes a \$250 million in FY23 grant program to address the shortage of parking for commercial motor vehicles to improve safety for drivers. Eligible projects include the use of intelligent transportation systems to facilitate access to publicly and privately provided commercial motor vehicle parking. The program would prohibit grant recipients from charging fees for CMV parking facilities created by the grants.



## HIGHLIGHTS

Investing in a New Vision for the Environment and Surface Transportation in America (INVEST in America) Act

- Nearly \$500 billion over five years for surface and rail transportation.
- Highways Investments: \$320 Billion
- Transit Investments: \$105 Billion
- NHTSA Highway Safety: \$4.6 billion
- FMCSA Motor Carrier Safety: \$5.3 billion
- 46% increase over FAST Act levels

### Senate vs. House Highway Bills

- Formula:
- Senate ATIA: \$259 Billion
- House INVEST: \$284 Billion
- Competitive Grants:
- Senate ATIA: \$13 Billion
- House INVEST: \$17 Billion
- Research:
- Senate ATIA: \$2.8 Billion
- House INVEST: \$3.1 Billion
- Totals:
- Senate ATIA: \$287 Billion
- House INVEST: \$320 Billion

ITS America Policy: Urgent flexible funding to offset the loss in revenues for state, county, and city transportation agencies, transit agencies, and public authorities.

- \$83.1 billion in FY21 to ensure state, city, and county transportation agencies, and transit agencies can administer programs, advance projects, and preserve jobs in the aftermath of the COVID-19 by extending FY20 enacted levels through FY21.



- Provides additional administrative expenses out of the Highway Trust Fund for FHWA and NHTSA and out of the General Fund for FTA.
- Highway, transit, and safety funds are made available at 100% federal share to eliminate the need for a match in FY21.
- Higher funding levels take effect immediately.
- No new policy for FY21.

ITS America Policy: Increase investments in research and deployment of Intelligent Transportation Technologies. ITS America Policy: Reauthorize the ITS Program Advisory Committee.

- Increases funding to \$144 million for FY22 through FY25 for the Highway Research and Development Program and removes set-asides that previously took funding away from critical research activities.
- More than doubles funding to \$152 million for FY22 through FY25 bringing the total over five years to \$675 million for the Technology and Innovation Deployment Program.
- The Intelligent Transportation Systems Program would receive \$100 million for FY21 through FY25, bringing the total funding to \$500 million. Removes set-asides that previously took funding away from intelligent transportation activities.
- Reauthorizes the ITS Program Advisory Committee.
- Increases funding to \$96 million for FY22 through FY25, bringing the total over the five years to \$461.5 million for the University Transportation Centers Program.
- Establishes a national clearinghouse on the impacts of highly automated vehicles and mobility innovation.
- Directs USDOT to study how automated vehicles will safely interact with general road users.

ITS America Policy: Expand the existing State Pilot Program. ITS America Policy: Support a National Vehicle Miles Traveled Program.

- Nearly doubles funding for state-level VMT pilot programs to \$160 million over five years and directs program dollars towards implementation of successful state programs.
- Adds cybersecurity to the scope of the pilot programs.



- Establishes a new five-year national VMT pilot program funded at \$40 million over the five years.
- Incorporates passenger and commercial vehicles, including vehicle fleets.

ITS America Policy: Increase funding and federal share to 80% for the Advanced Transportation and Congestion Management Technologies Deployment Program. ITS America Policy: Support policy that makes Vehicle-to-Pedestrian communications an eligible activity.

- Renames the ATCMTD program to the Safe, Efficient Mobility through Advanced Technology (SEMAT) Program.
- Prioritizes programs that will improve mobility, decrease congestion, increase safety, and reduce emissions.
- Expands eligible uses of funds to include vehicle-to-pedestrian technology, vulnerable road user safety systems, and Mobility on Demand activities. Enhances reporting requirements.
- Increases funding to \$70 million per year from the Technology Innovation Deployment Program.
- Doubles funding for the Technology Innovation Deployment Program to \$152 million for FY22 through FY25 and expands the Federal share of the program to 80 percent.
- Is no longer a set-aside in Highway Research and Development Program and Intelligent Transportation Systems Program.
- The funding from FY21 to FY25 is \$280 million.

ITS America Policy: Establish a grant program to invest in alternative fuel vehicle infrastructure.

- \$1.4 billion for alternative fuel charging infrastructure program.
- Requires electric vehicle charging stations that receive title 23 funds to be usable by the majority of EV drivers and accessible to the public.
- Establishes annual competitive grant program to deploy electric vehicle charging, hydrogen, natural gas, and propane fueling infrastructure.
- Requires FHWA, in consultation with the Department of Energy, to provide guidance on the deployment of alternative fueling infrastructure.
- Requires consideration of projects in freight corridors near ports and freight hubs.



- Section 149 of title 23, USC, is amended to include hydrogen vehicle, natural gas, and propane.
- Allows EV charging stations in Interstate rest areas, Interstate fringe or corridor parking facilities, and Interstate park and ride facilities.

ITS America Policy: Establish a Mobility-on-Demand program for the new world of mobility.

- Establishes rules for Mobility-on-Demand (MOD) that integrate MOD with transit.
- MOD is now an eligible activity under Urbanized Area Formula Grants – 5307, Formula Grants for Rural Areas – 5311, and Enhanced Mobility of Seniors & Individuals with Disabilities - Section 5310.
- Makes the Federal share for MOD and MaaS at 80% unless the transit agency contracts with a third party for mobility on demand service, in which case the Federal share is reduced by 25%.
- Retains requirements for safety, Buy America, and labor.
- Includes restrictions on single passenger trips and carbon and particulate emissions.
- Requires a negotiated rulemaking on an open data standard.
- Workforce planning requirements apply to automated vehicle transit deployments as well as MOD.
- Make permanent MOD Sandbox at \$5 million per year.
- Shared micromobility is now eligible under CMAQ.
- MOD is eligible under the Safe, Efficient Mobility through Advanced Technology (SEMAT) Program.

ITS America Policy: Transportation technologies to reduce congestion. ITS America Policy: Maintain congestion pricing programs to reduce congestion and raise revenue to support transportation improvements and improve trip time reliability.

- Establishes a \$2.26 billion per year Projects of National and Regional Significance program for large highway, transit, and passenger and freight rail projects. ITS is an eligible activity.
- Establishes a \$600 million per year grant program to support local investments in projects to improve safety, state of good repair, accessibility, environmental quality through infrastructure investments. ITS is an eligible activity.





- Establishes in FY22 a \$250 million grant program to reduce traffic gridlock in large metropolitan areas. ITS is an eligible activity.
- Establishes a pilot program to leverage anonymous real-time crowd-sourced traffic data from third-party entities to improve transportation management capabilities. ITS is an eligible activity.
- Authorizes congestion pricing subject to congestion and air quality impacts, planned investments to improve public transportation, environmental justice and equity impacts, impacts on freight movement, and economic impacts.

ITS America Policy: Transportation technologies to mitigate climate change.

Creates a new \$8.3 billion carbon pollution reduction program with broad flexibility to fund highway, transit, and rail projects that will reduce greenhouse gases. ITS is an eligible activity.

- Provides \$250 million per year for Community Climate Innovation Grants to projects that reduce greenhouse gases. ITS is an eligible activity.
- Establishes a new Pre-disaster Mitigation Program, providing \$6.25 billion to help prepare for and mitigate the impacts of climate change and extreme weather, including through natural infrastructure. ITS is an eligible activity.
- Establishes a Pre-disaster Hazard Mitigation program, term limited to five years, that gives states receiving ER money over the previous six months a bonus equal to five percent of that amount, to be used for resilience activities. ITS is an eligible activity.

ITS America Policy: Expand investments in advanced mobility Improvements, including smart truck parking.

- Establishes in FY23 a \$250 million grant program to address the shortage of parking for commercial motor vehicles to improve the safety of commercial motor vehicle drivers.
- Projects eligible include the use of intelligent transportation systems to facilitate access to publicly and privately provided commercial motor vehicle parking.
- Prohibits grant recipients from charging fees for commercial motor vehicles parking facilities created by the grants.



ITS America Policy: Maintain investments in intelligent transportation systems, including Vehicle-to-Everything (V2X) technologies. Maintains FAST Act ITS eligibilities, including V2X technology:

- Congestion Mitigation and Air Quality Improvement Program
- Highway Safety Improvement Program
- Surface Transportation Program
- National Highway Performance Program
- Transportation Infrastructure Finance and Innovation Act
- National Highway Freight Program
- Railway Crossings
- Highway Research and Development Program
- Technology and Innovation Deployment Program
- Intelligent Transportation Systems Program

ITS America Policy: Expand investments in intelligent transportation systems, including V2X. Expands ITS eligibilities, including V2X:

- Gridlock Reduction Grants
- Projects of National and Regional Significance
- Community Transportation Investment Grants
- Pre-disaster Mitigation Program
- Community Climate Innovation Grants
- Carbon Pollution Reduction Program
- Safe, Efficient Mobility through Advanced Technologies
- Parking for Commercial Motor Vehicles
- Pre-disaster Hazard Mitigation Program
- Third-Party Data Integration Pilot Program

For more information on INVEST in America, please contact ITS America's Vice President of Legislative Affairs Ron Thaniel at [rthaniel@itsa.org](mailto:rthaniel@itsa.org).