

SUMMARY OF SURFACE TRANSPORTATION REAUTHORIZATION LEGISLATION

*BUILD America 250 Act; the Surface Transportation Research and Development Act of
2026; and the Motor Vehicle Modernization Act*

May 29, 2026

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SURFACE TRANSPORTATION (HOUSE TRANSPORTATION & INFRASTRUCTURE)

H.R. 8870: BUILD America 250 Act (as amended and agreed to by the House Committee on Transportation and Infrastructure – May 22, 2026)

This bill reauthorizes surface transportation programs at USDOT for five years, beginning in Fiscal Year (FY) 2027 through FY2031, including highways, transit, rail, and pipelines. The bill, which was approved by the Committee on a nearly unanimous bipartisan vote (62-2), has a topline spending total of \$580 billion over five years. For the first time in three decades, the Highway Trust Fund would get a new stream of revenue as part of the bill, with new funding coming from an electric vehicle and plug-in hybrid vehicle registration fee. Some of the programs in this bill are funded through the Highway Trust Fund and contract authority (subject to obligation limitations), while others were authorized but subject to annual appropriations from Congress making their actual funding availability less certain from year-to-year. The bill now awaits a floor vote from the full House of Representatives. Prior to any floor consideration, it will likely be merged in some capacity with the other bills in this summary as part of a bigger surface reauthorization package.

Innovation and Technology

Section 1101: Intelligent Transportation Systems Joint Program Office

- Authorizes funding for the ITS Joint Program Office (JPO) for another five years for \$582M total, exceeding IIJA levels by \$32M. Funding comes from the Highway Trust Fund.

Section 1103 - Definitions

- Adds a definition of digital infrastructure into law – defined as:
 - The term ‘digital infrastructure’ means public and private technology assets, including advanced digital construction management systems, data, and related technologies that create, exchange, secure, or use data, including communications systems, servers, routers, hardware, sensors, and software applications.

Funding Eligibilities

- Adds digital infrastructure and expanded technology eligibilities into the following formula programs:

- Surface Transportation Block Grant Program (STBG – Section 1112)
- Highway Safety Improvement Program (HSIP – Section 117)
- Congestion Mitigation and Air Quality Program (CMAQ – Section 1118)
- National Highway Freight and Highway Priority Corridors (NHFP – 1122)

Section 6001: Strengthening Mobility and Revolutionizing Transportation (SMART) Grants

- Reauthorizes the SMART Grant Program for five years, a key win for transportation technology investment. This program is now subject to annual appropriations by Congress.
- Removes a requirement that applicant projects address access to “underserved or disadvantaged populations” and removes eligibility for smart grid projects that are solely to support electric vehicle deployment.
- Introduces a new priority area for applications for “new and not widely deployed technologies”.
- Directs DOT to submit an annual report to Congress on the program.

Section 6002: Advanced Transportation (ATTAIN) Grants

- Reauthorizes the ATTAIN Grant Program for five years, authorizing \$60M per year through Highway Trust Fund funding. This amount is unchanged from IJA.
- Adds a new eligibility: cybersecurity activities.
- Modifies the amount of funding that can be provided to any single recipient, setting a ceiling of 10% of total funds (down from the previous 20%).

Section 6004: Motor Vehicle Per-Mile User Fee Pilot

- Reauthorizes the national motor vehicle per-mile user fee pilot program through FY2031.
- Directs DOT to carry out a public awareness campaign about the pilot.
- Expands the objectives of the program to include data collection and reporting on the differences between a national per-mile road usage charge and the Federal motor fuels tax for rural and urban drivers, as well as the interoperability of road usage charge collections between multiple states.

Section 6005: ITS Program Advisory Committee

- Requires the appointment of a representative from a labor organization representing transportation workers to the ITS Program Advisory Committee.
 - Currently, a representative from a labor organization is on the ITSPAC member list but is not technically required.

Section 6008: University Transportation Centers

- Reauthorizes the University Transportation Centers program for five years at about \$434M in total funding, slightly lower than IJA levels.
- Requires no less than 20 centers to be selected.

Section 6009: Foreign Adversary LiDAR

- Prohibits the use of federal transportation dollars for LiDAR purchases from foreign countries of concern, including through grants, cooperative agreements, and other contracting mechanisms.
- This includes funding awarded through the Federal-aid highway program.

Section 6011: Department Report on Department Technology Strategy and Impacts

- Directs the Transportation Research Board to review the Department's new and emerging technologies strategy, including digital project delivery tools and ITS, with a focus on cost, safety, and workforce impacts.

Section 6013: ITS Security Risks

- Directs a GAO study on the physical and cybersecurity risks associated with ITS and technologies, including data privacy and government procurement of foreign devices.

Section 4003: Highway Safety Research and Development

- Expands NHTSA R&D activities to include digital infrastructure technologies designed to improve roadway safety and prevent crashes.

Highway Programs

Section 1101: Federal-aid Highway Program

- Reauthorizes and funds core Federal-aid highway programs.

Section 1105: INFRA Grant Program

- Reauthorizes the INFRA grant program for five years, authorized at a level of \$1.2B per year. This is subject to annual Congressional appropriations.

Section 1108: Bridge Formula Program

- Replaces the old bridge formula program with a new program for State DOTs, including a 20% annual set aside for off-system bridges and a 25% set aside for States to run a competitive process to fund locally owned bridge projects.
- Funded through the Highway Trust Fund at \$46B total over five years.

Section 1112: Surface Transportation Block Grant Program (STBG)

- Expands eligibility to include projects that are primarily technology for advanced detection of situations with substantially elevated risk of accidents and injury.

Section 1117: Highway Safety Improvement Program (HSIP)

- Expands eligibility to include digital alerting, as well as digital infrastructure (mentioned above) and e-ticketing.

Section 1118: Congestion Mitigation and Air Quality Improvement Program (CMAQ)

- Establishes a set-aside within the CMAQ program for eligible alternative fueling projects for four years (i.e., EV charging).
- Expanded use of funds for technical assistance relating to the procurement of and deployment of transportation technologies and digital infrastructure.
 - This complements the new eligibilities in CMAQ for digital infrastructure and advanced transportation technologies.

Section 1119: Safe Streets and Roads for All (SS4A) Program

- Reauthorizes and funds the Safe Streets and Roads for All (SS4A) program for \$3.75B over five years, while codifying the program into law within the Highway Trust Fund.
- This program has significant ITS project eligibility currently.
- Reduces set-aside for planning grants to 5% from 40%, while increasing federal share to 90% from 80%.

Section 1124: Surface Transportation Accelerator Grant

- Establishes a new Surface Transportation Accelerator Grant (STAG) program, consolidating multiple transportation grants into one program for rural, urban, and regional areas.

- Authorized at \$12B total for five years and funded through the Highway Trust Fund.
- Eligible projects include many currently eligible Federal-aid highway and transit projects, many of which include ITS and now digital infrastructure technologies as eligible uses of funds. This program seems to serve as a “catch-all” grant for many previously authorized programs.
- Projects that are ready within 18 months of award would be prioritized, with this program looking to fund “shovel-ready” projects and speed up the grantmaking process.
- The use of innovative technologies is an “additional project consideration” during the grant selection process.

Section 1126: PROTECT Program

- Removes the formula elements of the PROTECT program, transitioning it to a discretionary grant program totaling \$2.5B over five years through the Highway Trust Fund.

Section 1201: Project Approval and Oversight

- Increases the cost threshold for which value engineering is required for projects on the National Highway System to \$100M. It also increases the cost threshold for major projects to \$1B and indexes the cost threshold to inflation.

Section 1203: Efficient Environmental Reviews

- Requires the Secretary to designate a single modal administration to serve as the Federal lead agency and to biennially review environmental review practices and regulations for areas of improvement.
- Clarifies review timelines and page limits for NEPA reviews.

Section 1207: State and Eligible Entity Assumption of Responsibility

- Allows certain transit agencies in urbanized areas to assume responsibility for determining the applicability of categorical exclusions. The Secretary is required to establish qualifications for permit a transit agency to assume responsibility.

Section 1209: Avoiding Duplication of Environmental Reviews

- Permanently extends the program that allows states that have assumed the responsibility for environmental reviews to make approvals for projects under state environmental laws rather than under NEPA.

Section 1214: Limited Federal Assistance

- Increases the cost thresholds under which projects can qualify for the categorical exclusion for projects of limited Federal assistance. Projects that receive less than \$12M in Federal assistance can now qualify (up from \$6M), as can and projects with a total cost of \$70M (up from \$35M).

Section 4002: NHTSA Highway Safety Grants

- Expands eligibility in highway safety grants to include digital alerting technologies, predictive analytics, and telematics data.

Section 4009: Work Zone Safety

- Establishes an interagency working group to develop best practices, address data gaps, and improve worker protections.

Section 4015: Micromobility Safety

- Directs DOT to conduct a study on the safety of micromobility transportation devices and technology, considering crash data, state laws regarding operator age, helmet use, and insurance or registration requirements, the type of micromobility device, and consumer education efforts.

Freight Programs

Section 1127: Commercial Motor Vehicle Parking

- Creates a formal grant program for the construction and improvement of commercial motor vehicle parking.
- ITS is an eligible use of funds to improve truck parking availability.
- Authorized at \$150M per year for five years with funding from the Highway Trust Fund.

Section 5401: Autonomous Commercial Motor Vehicles

- Establishes a safety standard framework for **autonomous commercial motor vehicles**, data reporting requirements, and rulemakings to safely integrate autonomous trucking into interstate commerce. This includes the creation of a rulemaking committee and other provisions to support the safe integration of AV freight operations.

- Requires OEMs to develop a safety case, in accordance with standard industry-supported safety case contents.
- Requires remote human assistants or DDT fallback ready users to hold a Commercial Drivers License (CDL) and be located in the U.S.
- Requires human operators in vehicles during the transportation of minors (i.e., school buses) and hazardous materials.
- Crash data reporting should align with the current NHTSA 3rd Amended Standing General Order (SGO).
- Gives FMCSA and DOT preemption authority over states for autonomous CMV safety in the same manner it does for non-autonomous CMVs.

Section 5407: Workforce Development

- Establishes a new FMCSA workforce development program related to supporting the CMV workforce in adapting to new vehicle technologies, including ADS.

Public Transportation Programs

Title III, Subtitle A: Mass Transit Formula and Grant Programs

- Reauthorizes and funds Mass Transit programs and other core transit formula and grant programs, with funding at \$87.5B over five years.

Section 3002: Capital Asset Definitions

- Expands the definition of a capital asset and therefore clarifies that funding for capital assets includes software, including software as a service and cloud-based software.

Section 3005: Crime Prevention and Security Funding

- Expands eligible use of funds for Urbanized Area Formula Grants to include camera surveillance technologies, cybersecurity improvements, emergency telephones, farebox infrastructure, and technology (both hardware and software) designed to combat or report crime or improve security.

Section 3011: Bus Testing Facilities

- Establishes updated bus testing facilities for ADS-equipped transit vehicles, with updated testing standards.

Section 3023: Public Transportation Innovation

- Reauthorizes and funds the public transportation innovation program, exceeding IIJA levels for a total of \$232M over five years.

Sections 3021, 3023: All Stations Accessibility Program (ASAP)

- Reauthorizes and funds the All-Stations Accessibility Program for five years.
- This program includes technology eligibility to improve transit station accessibility and wayfinding.

Sections 3110-3115: Transit Studies

- Authorizes numerous studies on transit rider safety, universal design, and paratransit software.

Transportation Infrastructure Finance and Innovation Act (TIFIA)

Section 2001: TIFIA Reauthorization

- Reauthorizes the TIFIA program for \$1.25 billion over five years, while continuing TIFIA credit subsidies at flat levels from FY26.
- Funded through the Highway Trust Fund.

Other Authorizations

Section 7104: Transportation Assistance for International Games

- Establishes a new program to support planning, capital, and operating needs for major international sporting events, including Olympic, Paralympic, and FIFA World Cup events.
- Authorizes \$50 million annually for the program for FYs 2027 through 2031 – subject to annual Congressional appropriations.

Section 7105: Mega Grants

- Reauthorizes the Mega grant program within the Office of the Secretary for five years. This program would be subject to annual appropriations by Congress.
- Adds consideration of innovative construction materials and population growth for grant selection.

Section 7106: BUILD Grant Program

- Reauthorizes the BUILD grant program (formerly known as RAISE) within the Office of the Secretary for five years. This program would be subject to annual appropriations by Congress.
- Updates the definition of “area of persistent poverty” and requires DOT to consider if a project may begin within 18 months of award, expediting project delivery timelines.

Section 1129: Electric Vehicle Registration Fees

- Establishes an annual registration fee for electric vehicles (\$130) and plug-in hybrid vehicles (\$35) to be deposited in the Highway Trust Fund, escalating in 2029. Administered through FHWA.

SCIENCE & RESEARCH (HOUSE SCIENCE, SPACE, and TECHNOLOGY)

H.R. 8748: Surface Transportation Research and Development (as amended and agreed to by the House Committee on Science, Space, and Technology – May 20, 2026)

This bill reauthorizes multiple DOT research programs, while initiating new programs and studies that pertain to R&D. Portions of this bill may be merged with the BUILD America 250 Act and voted on as one package on the House floor. The inclusion of the below provisions, however, is not guaranteed in a final surface transportation reauthorization package, and some of the provisions overlap with the BUILD America 250 Act.

Sections 3, 4: Transportation Statistics Programs

- Establishes an office/council tasked with coordinating statistics activities across modal administrations, supporting the Bureau of Transportation Statistics and avoiding duplication across offices.

Section 6: Open Research Initiative

- Directs DOT to act upon its Open Research Initiative established in 2021 in the Infrastructure Investment and Jobs Act.

Section 7: Vehicle LED Headlamps

- Directs a study on the effects of advanced LED headlamps on vehicles, including its impacts on driver behavior.

Section 8: Reclaimed Asphalt

- Directs an FHWA study on the cost savings of using reclaimed asphalt in infrastructure projects, including recommendations on implementing its use.

Section 9: Rail Research Programs

- Reauthorizes certain rail research programs at the Federal Railroad Administration.

Digital Infrastructure and Construction

- Directs a study on decentralized, interoperable, vendor neutral digital infrastructure to improve transportation planning, environmental review, construction, and engineering processes.
 - This was added as an amendment during the Committee markup.

Federal Highway Research & Development

- Expands FHWA's long-term research initiatives to collaborate with the National Science Foundation and NIST, as well as award grants and cooperative agreements to universities and nonprofit research organizations.
 - This was added as an amendment during the Committee markup.

Transit Vehicle Innovation

- Authorizes a Transit Vehicle Innovation Deployment Centers program at FTA to coordinate advanced transit bus technology and award grants for the testing, development, and demonstration of transit bus technologies (i.e., ADAS capabilities, AEB, accessibility, propulsion technologies, energy storage, and public safety).
 - This was added as an amendment during the Committee markup.

PASSENGER VEHICLE SAFETY (HOUSE ENERGY & COMMERCE)

H.R. 7389: Motor Vehicle Modernization Act (as amended and agreed to by the House Committee on Energy and Commerce– May 21, 2026)

The House Energy and Commerce Committee advanced the Motor Vehicle Modernization Act which is intended to advance policies to support vehicle and road user safety, while addressing vehicle technology topics. This bill is intended to serve as the vehicle safety title from the E&C Committee as it contributes to the surface transportation reauthorization package with jurisdiction over the National Highway Traffic Safety Administration (NHTSA).

Section 108: Automation Education Working Group

- Establishes an Automation Education Consumer Working Group at NHTSA to focus on consumer education related to automated vehicles, including differences between automation levels, vehicle capabilities, taxonomy, safety ratings, and education initiatives.

Section 109: Study on Vehicle Ownership and Costs

- Directs a study on vehicle ownership, including vehicle age and costs, as well as policies and economic factors that impact vehicle costs.

Section 115: In-Vehicle Technology Safety

- Directs a study on the safety impact of in-vehicle touchscreen technologies and infotainment systems, with particular emphasis on its impacts to vulnerable road user safety, driver distraction, and any changes needed to improve safety with respect to infotainment systems.

Section 116: Magnus White and Safe Streets for Everyone Act

- Requires bicycle and motorcycle AEB within three years through a rulemaking from NHTSA.

Section 120: Consumer Information on AVs

- Requires certain information on partial automation capabilities in vehicle manuals for consumers, via a NHTSA rulemaking process. This includes capabilities, limitations, and description of driver responsibilities during automation engagement.

Section 231: Misleading Claims (“Know Before You Drive”)

- Directs the FTC to enforce rules and levy penalties against misleading OEM claims about partial automation systems or other technology capabilities in their vehicles.

Section 251: Safe Vehicle Access for Survivors Act

- Provides rights and protections to survivors of domestic abuse or violence with respect to connected vehicle services and related data. Requires automotive OEMs to act within two business days to terminate or disable access to connected vehicle services for domestic abusers identified in a survivor’s request. Includes other various policies related to OEM liability, data minimization, and confidentiality.

Section 301: Protecting the Automotive Industry from Foreign Adversaries

- Prohibits the sale, manufacture, or importation of vehicles from foreign adversary countries, such as China. Provides exemptions for vehicles used for testing or evaluation purposes by entities organized under the laws of the U.S. and not controlled by a foreign adversary, as well as a manufacturer that was controlled by China but has sold cars in the U.S. for the past five years (or more).