



## S. 2302, America’s Transportation Infrastructure Act (ATIA) Summary of Pavement-Related Provisions

The National Asphalt Pavement Association applauds the bipartisan leadership of the Senate Committee on Environment and Public Works (EPW) for the introduction and unanimous approval of *S. 2302, America’s Transportation Infrastructure Act (ATIA)*, a \$287 billion, five-year surface transportation reauthorization that will repair and maintain critical highways, roads, and bridges across America.

### **NEXT STEPS**

While EPW Committee leadership is dedicated to paying for S. 2302 with user-fees, securing revenue for the Highway Trust Fund (HTF) does not fall within the EPW Committee’s jurisdiction. Finding “pay-fors” for the bill must be handled by the Senate Committee on Finance led by Sen. Charles Grassley (R-IA).

Senate Majority Leader Mitch McConnell (R-KY) has indicated he will make time for S. 2302 to be considered by the full U.S. Senate. Transit and non-highway safety titles will be added to the bill as amendments during the floor debate.

The following is a summary of current provisions in the legislation that impact the asphalt pavement industry.

### **FUNDING AND FORMULAS**

The America’s Transportation Infrastructure Act (ATIA) will grow annual federal highway investment by 27.4 percent from \$46.4 billion in FY2020 to \$59.1 billion by FY2025, providing five years of predictable funding for state departments of transportation and the asphalt pavement industry. The ATIA Act retains FAST Act formula distribution methods with some changes to the state-by-state formulas and programmatic distributions within a state.

Specifically, the new state-by-state formula guarantees that each state obtains the same funding it received in FY2020, and then adjusts the minimum to ensure that each state receives at least a 95 percent rate of return for every dollar paid into the Highway Trust Fund Account based on associated taxes in existence on July 1, 2019.

<b>ATIA Act Annual Obligation Limitation</b>	
<b>2020*</b>	\$46.37 Billion
<b>2021</b>	\$54.39 Billion
<b>2022</b>	\$55.48 Billion
<b>2023</b>	\$56.67 Billion
<b>2024</b>	\$57.93 Billion
<b>2025</b>	\$59.10 Billion

\* final year of the FAST Act

The table (right) shows annual obligation limitations (budget ceilings) for the Federal-Aid Highway Program. There will be a substantial boost to highway spending in FY2021 — \$8 billion (17 percent) — above FY2020 levels. For existing formula programs, the bill allocates significant increases over FAST Act levels by \$4.5 billion and \$1.9 billion for new formula programs in year one.

The legislation does not make many substantive policy changes to existing programs. However, the bill does grow the freight program from \$1.48 billion in FY2020 to \$1.78 billion by FY2025, and alternative transportation set-asides under the Surface Transportation Block Grant program rise from \$850 million in FY2020 to \$1.3 billion by FY2025.

### **BRIDGE INVESTMENT PROGRAM**

The largest new non-formula grant program authorized under the bill is a “Bridge Investment Program” to replace, rehabilitate, preserve, or protect bridges in the National Bridge Inventory and allowing states to bundle such projects in one obligation. The program is funded at \$653 million per year from Highway Trust Fund contracting authority and \$653 million in discretionary appropriations from the general fund.

### **RESILIENT INFRASTRUCTURE**

The legislation defines the term “resilience” with respect to an infrastructure project as a “project with the ability to anticipate, prepare for, or adapt to conditions or withstand, respond to, or recover rapidly from disruptions, including the ability... to have the absorptive capacity, adaptive capacity, and recoverability to decrease project vulnerability to weather events or other natural disasters.” The bill establishes two major new programs:

**National Highway Performance Program** — The legislation authorizes states to use up to 15 percent of their National Highway Performance Program allocation to add protective features designed to mitigate the risk of recurring damage or the cost of future repairs due to extreme weather events and natural disasters to a federal-aid highway.

**PROTECT Formula and Grant Program** — The new PROTECT formula and grant program is funded annually at \$786 million and can be used for construction activities that enable existing surface transportation assets to withstand extreme weather events and natural disasters. The program also includes \$200 million per year in competitive grants for resiliency improvements. Projects that may be funded under this program include:

- Resurfacing, restoration, rehabilitation, reconstruction, replacement, improvement, or realignment of an existing highway;
- Upgrade of an existing highway to meet or exceed FHWA’s approved design standards;
- Strengthening systems that remove rainwater for surface transportation facilities; and
- Relocating roadways.

### **CLIMATE CHANGE**

The ATIA includes new programs aimed at reducing carbon emissions, making it the first surface transportation bill to address climate change. Eligible construction activities and strategies to reduce carbon emissions may include alternate approaches to transportation asset construction and maintenance that result in lower transportation emissions.

**Carbon Reduction Performance Program** — The bill establishes a new formula grant program averaging \$600 million per year to encourage projects that reduce carbon emissions.

**Carbon Reduction Performance and Planning Recognition Awards** — The bill creates a new grant program to states and local governments that adopt strategies that successfully

demonstrate performance in reducing transportation emissions. The program is funded at \$100 million per year.

### **WORKFORCE DEVELOPMENT**

The bill establishes a program allowing the Secretary of Transportation to make grants to educational institutions or state departments of transportation, in partnership with industry, to develop, test, and review new curricula and educational programs for training, as well as to provide hands-on career opportunities, to meet current and future workforce needs at all levels of activity, including work on construction projects.

### **PAVEMENT RESEARCH**

**Accelerated Implementation and Deployment of Pavement Technologies (AID-PT) Program** — The AID-PT Program is reauthorized at \$12 million annually with \$6 million designated for asphalt and \$6 million for concrete. The bill adds the following research and deployment topics for consideration:

- Pavement monitoring and data collection practices;
- Pavement durability and resilience;
- Stormwater management;
- Impacts on vehicle efficiency;
- The energy efficiency of the production of paving materials and the ability of paving materials to enhance the environment and promote sustainability; and
- The integration of renewable energy in pavement designs.

**Emerging Technologies Research Pilot Program** — The bill allocates \$5 million annually to research and development activities relating to:

- Leveraging advancements in additive manufacturing technologies to increase structural integrity and cost-effectiveness of surface transportation; and
- Laboratory- and test track-supported accelerated pavement testing research regarding the impacts of connected, autonomous, and platooned vehicles on pavement performance.

### **PAVEMENT STUDIES**

**Most Effective Upgrades to Roadway Infrastructure Study** — The Transportation Research Board is required to conduct a study identifying specific immediate and long-term improvements to roadway infrastructure that would benefit the largest segment of road users, autonomous vehicles, and automated driving systems.

**Permeable Pavements Study** — The U.S. DOT is required to conduct a study on the effects of permeable pavements on flood control and to develop models and best practices for designing permeable pavements to meet flood control requirements.

**High-Friction Surface Treatment Study** — The U.S. DOT is required to enter into a contract with an institution to study the use of natural and synthetic bauxite as a high-friction surface treatment application on pavement.

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