

The BUILD America 250 Act Legislative Guide

On May 17, the House T&I Committee released the [text](#) for the next surface transportation reauthorization bill. Titled the Building Unrivaled Infrastructure and Long-term Development (BUILD) for America’s 250th Act, the legislation introduced topline funding levels and policies for surface transportation programs from Fiscal Year 2027 to 2031.

On May 21, the House T&I Committee held a nearly 15-hour long markup, reviewing both a manager’s amendment that made technical changes to the legislation and nearly 300 additional amendments brought forward by House Members. The legislation passed out of committee with a vote of **62-2**. It now awaits direction from leadership on when it will be introduced for consideration on the House floor.

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Congressional Support

During markup, local governments and MPOs received significant support through both amendments and opening statements from Members of Congress. Below are excerpts of support from the markup:



Rep. Salud Carbajal (D-CA)

“This legislation reflects many of those priorities that I have consistently pushed for on behalf of my constituents and communities. ... It increases funding for the Surface Transportation Block Grant program, preserves the Safe Streets and Roads for All Program and PROTECT grant programs, expands investments in the bridge formula program, including a dedicated set aside for locally owned bridges. ... These are real victories for local governments that are on the front lines of maintaining roads, transit systems, and critical infrastructure that improve mobility for our constituents. For communities like the ones I represent, this bill also helps ensure local leaders have greater flexibility to prioritize projects that reflect local needs.”



Rep. Marilyn Strickland (D-WA)

“I’m also pleased to have secured provisions to support Metropolitan Planning Organizations, which are essential partners to help local communities develop and deliver federal aid transportation projects. These provision will provide greater flexibility and support for administrative and planning activities to carry out that work more efficiently and more effectively.”



Rep. Rob Bresnahan (R-PA)

“The bill dedicates a significant portion of those investments to locally owned bridges, a concept taken right from the bipartisan BASICS act which I was proud to lead with Rep. McDonald Rivet to return infrastructure investment to our local communities. The people who know what their communities need are the ones who live and drive every single day, this bill finally invests in them.”



Rep. Maxwell Frost (D-FL)

“Our local elected officials and metro planning organizations are the decision makers closest to their constituents. Nobody knows the transportation infrastructure needs better than the people who take the local bus, who drive our local roads and bridges, or have to navigate our neighborhoods by foot or bike. ... Local needs must not be ignored at the state level.”



Rep. Kristen McDonald Rivet (D-MI)

“What we’re hearing from communities is that they need a system that actually works and a federal partner they can rely on. The fix is simple, have more funds that go directly to local governments to make critical road and bridge repairs without taking on massive debt. That’s why my amendment would add the full BASICS Act, a bipartisan push led by myself and Congressman Bresnahan. Our bill would help local communities repair and rebuild crumbling infrastructure, expand funding for bridge repairs, make travel safer for our rural communities, and ensure local governments can better access federal funds for their infrastructure projects.”

MPO Priorities and the BASICS Act

Wins

Multiple provisions were included in the base text of the BUILD America 250 Act that would benefit local governments and MPOs. For MPOs, there was bipartisan support and interest



to strengthen PL funding and eligibility, a longtime AMPO priority and BASICS Act provision. The following were notable outcomes that will benefit MPOs:

| | | | | |
|--------------------------|----------------------------|----------------------------------|--------------------|---------------------------------------|
| PL Funds Increase | Local Match Reduced | Expanded PL Eligibilities | FMIS Access | Direct Recipient Status for PL |
|--------------------------|----------------------------|----------------------------------|--------------------|---------------------------------------|

Increase in Metropolitan Planning Funds

Planning funds overall would increase by 9.6 percent from FY 2026 (\$474m) to FY 2027 (\$520m). Compared to the other core formula programs, **PL funds saw the largest percentage increase.** Over five years, this would be a 22.8 percent increase – roughly a \$520 million increase compared to IJJA (\$2.8 billion under BUILD 250 over five years compared to \$2.28 billion over five years under IJJA).

| Fiscal Year | PL Funding |
|-------------|---------------|
| FY 2027 | \$520 million |
| FY 2028 | \$540 million |
| FY 2029 | \$560 million |
| FY 2030 | \$580 million |
| FY 2031 | \$600 million |

Local Match Reduced to 10 Percent

In a major victory for MPOs, **the House-introduced bill would increase the federal cost share for planning funds to 90 percent** (currently 80 percent). This will significantly reduce burdens for MPOs and local governments in identifying funding for planning projects, ultimately helping regions deliver more projects.

PL Eligibilities Expand

Echoed in both AMPO and the BASICS Act priorities, **the BUILD 250 Act would expand eligibilities to include:**

Funding Opportunities

MPOs would also be eligible entities for funding opportunities and consultation roles:

Eligible Applicants:

- Nationally Significant Multimodal Freight and Highway Projects (MPOs > 50,000)
- The Competitive /Discretionary Bridge program (limited to TMAs)
- Jason’s Law / the Truck Parking Program
- Olympics / FIFA World Cup Assistance
- INFRA program
- SS4A program

Consultation Role:

- Formula Bridge Program for off-system bridges under 20% set-aside
- Consolidated Transit Block Grant Program
- Consolidated Funding Pilot Program

Study Consultation:

- GAO study on state and local consultation processes
- GAO study on discretionary grant programs
- NEPA streamlining processes



- Fiscal administration of local projects
- Preliminary design
- Local technical assistance
- Studies directly linked to transportation
- Critical data procurement

With increased planning funds, MPOs will have greater flexibility and certainty when using their PL funding. Additionally, the inclusion of preliminary design and data procurement as eligible activities will allow regions to better prepare for and advance local transportation projects.

Improved Federal Funding Transparency for Direct-Recipient MPOs

The bill would **require USDOT to establish a process allowing MPOs that become direct recipients of PL funds to access the Federal-aid financial management system (FMIS)**, allowing them greater transparency when tracking federal funding.

While some MPOs already have access to FMIS, this is an important transparency improvement. Access to FMIS can help direct-recipient MPOs track the status of their funds more clearly, identify delays earlier, and better understand whether funding has been authorized, obligated, and advanced as intended.

MPOs are Eligible to be Direct Recipients of PL Funds

MPOs would be eligible to become direct recipients of PL funding based on a voluntary basis. MPOs could qualify based on their legal, technical, and financial capacity to receive and manage federal transportation funding and their ability to follow federal funding requirements.

MPOs may apply on a rolling basis and the review may occur concurrently with certification. Additionally, MPOs would:

- Be able to use FMIS in a manner similar to a state
- Be allocated contract authority and obligation authority for their PL funds
- Assign the MPO responsibility for complying with applicable federal requirements associated with the funding

Increases in STBG Funding

STBG funding would increase by 7.5 percent from FY 2026 (\$15b) to FY 2027 (\$16.1b). Since STBG is one of the most flexible federal highway programs accessible to local and regional entities, expanded funding for this program allows locals and MPOs to address the additional infrastructure needs of their communities.

The bill would also expand STBG eligible projects further to include:

- Projects focused on infrastructure to improve existing surface transportation assets from one or more weather elements/natural disasters or to increase infrastructure resiliency from natural disaster impacts.



- Additional eligibility is allotted to projects that plan, design, construct, and improve passenger rail stations or rail equipment that serves state-supported routes.

Additionally, now **HSIP funding can be used toward the local match of eligible Transportation Alternatives Set-Aside projects**. Although this is a targeted change, it may help communities advance bicycle, pedestrian, and other safety-related projects by reducing the local match burden when the project aligns with highway safety priorities

MPO Eligibility for INFRA Expands

The bill would also broaden eligibility for the INFRA program by allowing MPOs serving urbanized areas with populations of at least 50,000 to apply. Expanding MPO eligibility recognizes the role regional planning agencies can play in advancing significant freight and multimodal projects that cross jurisdictional boundaries and support regional economic activity.

Streamlined TIP and STIP Amendments

The bill includes a targeted streamlining provision for TIPs. If a project, or an identified phase of a project, appeared in the immediately preceding TIP or STIP and has not changed, it may be added to the current program through an amendment without requiring another round of public review and comment. This practical administrative improvement can reduce duplicative paperwork and avoid unnecessary delays for projects that have already undergone public review.

GAO Reviews Could Improve Transparency, Consultation, and Project Delivery

The bill includes three GAO reviews focused on how transportation funding reaches communities and how projects are selected. Under Sections 1314 and 1315, GAO must evaluate the effectiveness of discretionary and formula funding programs, including project-selection criteria, timelines, outcomes, and the procedures states use to provide funding to regional and local governments.

Under Section 1317, GAO must review consultation and communication between states, MPOs, and RTPOs, including how funding amounts are communicated and how projects are selected for suballocated funds. Together, these reviews could help identify opportunities to improve transparency, strengthen local and regional coordination, and support more efficient project delivery.

Wins for Locals

The most significant win for locals is that they will have access to nearly **22 percent of federal transportation funding** – previously approximately 21 percent under IIJA. This is a major victory for local governments and MPOs, especially as the BUILD 250 Act shifted significantly away from the competitive grant program focus of the IIJA and toward a formula focused bill, with 90% of funding available through formula programs.

Significant programs for locals:

| | | |
|---|---|--|
| <p>The Bridge Program</p> <hr/> <p>Authorizes a formula-based bridge program and a discretionary bridge program</p> <p>Formula Program:</p> <ul style="list-style-type: none"> • 20% set-aside for off-system bridges <ul style="list-style-type: none"> ○ Requires MPO consultation • 25% set-aside for locally owned bridges available through a competitive grant process • \$200 million for a competitive culvert grant program • 5% local cost share for projects involving an off-system bridge that is locally owned or a bridge owned by a federally recognized Tribe. <p>Discretionary Program:</p> <ul style="list-style-type: none"> • Minimum grant size of \$50 million • TMA MPOs are eligible applicants | <p>Safe Streets and Roads for All</p> <hr/> <ul style="list-style-type: none"> • Removes language surrounding “Vision Zero” and “Toward Zero Deaths” • The planning set-aside is reduced to 5% (was 40%) • Introduces 30% rural set-aside for areas under 50,000 population • Applicants with comprehensive safety action plans are prioritized • Federal cost share increases to 90% (was 80%) • The program is codified in Title 23, no longer remaining as a standalone program • \$500 million available in FY 2027, increasing incrementally | <p>Surface Transportation Accelerator Grant (STAG) Program</p> <hr/> <ul style="list-style-type: none"> • Flexible program with funding divided three ways: <ul style="list-style-type: none"> ○ Rural: 25% ○ Urban: 25% ○ Regional: 50% • Each program includes a wide range of eligibilities, including: <ul style="list-style-type: none"> ○ Rail, safety, public transportation, surface transportation, ports, freight, TDM • The Local and Regional Funding includes a 5% planning set-aside |
|---|---|--|

Provisions we are tracking

Consolidation of programs:

For both highway formula funding and transit formula funding, two consolidation provisions were included, allowing recipients of formula funding to receive apportionments as a lump sum block grant.



The Consolidated Funding Pilot Program would allow up to 10 states to receive their base apportionment as a lump sum block grant, rather than distributing formula funds through typical processes (this includes NHPP, STBG, TAP, HSIP, PL, and CMAQ funding). Participating states would have to meet specific performance and infrastructure condition criteria, and they would be required to develop plans on how they will ensure that MPOs are still able to complete their performance metrics.

MPO funding could be altered depending on how participating states allocate core formula program funding. For example, STBG funding currently allocates 55% of funding towards locals. Under the consolidated program, states would be required to suballocate 25% of total aggregated funding. Suballocating 25% of formula funding to locals would be an increase in local guaranteed funding compared to IIJA (16%), but whether this program benefits locals and MPOs is dependent on how participating states would structure the program, ultimately meaning that there could still be significant variation in how individual programs are funded at the state level.

The Consolidated Transit Block Grant program differs from the highway consolidated pilot program as it allows states to opt-in and apply for participation, with impacted in-state recipients of funding receiving the option to either participate or not participate. The following transit funds would be consolidated into a lump sum block grant:

- Section 5310 (Enhanced Mobility of Seniors and Individuals with Disabilities)
- Section 5311(c)(5) (Rural transit formula funds)
- Section 5336 (Urbanized Area Formula Grants)
- Section 5337 (State of Good Repair Grants)
- Section 5339(a) (Bus and Bus Facilities Formula Program)
- Section 5340 (Growing States and High-Density States Formula Program)

The legislation included language regarding “Primary Urbanized Areas” that have populations greater than 3.5 million or populations greater than 200,000 and cross state jurisdictions. This definition was included within this consolidated program, excluding primary urbanized areas from participation in states that choose to consolidate. This most likely protects large urban areas and their transit systems from changes to transit formula programs.

Broadly, funding from the program could be used for transit operations and planning; mobility for seniors and individuals with disabilities; rural transit and intercity bus service; state of good repair projects, bus and bus facility projects; and records, audits, and evaluations.

Repealed Programs

Consistent with the consolidation of federal formula programs, the BUILD 250 Act also repealed specific formula programs and discretionary grant programs. Of significance for MPOs includes the elimination of the NEVI program. As a result, projects eligible under the NEVI program would be continued under CMAQ as eligible uses of funds. As a result, in FY 2027, NEVI eligible activities are required to receive 10% of total CMAQ program funding.



This could ultimately diminish or “water down” the ~5% increase in CMAQ funding from FY 2026 to FY 2027.

Similarly, the Carbon Reduction Program and the PROTECT formula program were repealed, leaving only the PROTECT discretionary grant program – subject to annual appropriations. Although the PROTECT formula program was repealed, the legislation would increase total STBG funding and expand the use of STBG funding to cover resiliency efforts for surface transportation assets. Additionally, other formula and competitive programs may cover eligibilities related to PROTECT (i.e. CMAQ).

It is also important to note that repealing a program and rescinding program funding are different. CRP funding will remain available until IIJA CRP funding is depleted and obligated. From a long-term perspective, if this provision is included in the final surface transportation reauthorization bill, projects previously funded using CRP funding should consider alternative funding sources through STBG or CMAQ.

Lastly, regarding active transportation, the BUILD 250 Act repeals the Active Transportation Infrastructure Investment Program (ATIIP). While this is a significant loss in active transportation infrastructure funding, the Recreational Trails Program (TRP) and TAP funding are maintained. RTP would be authorized \$84 million annually and TAP would be authorized at \$1.6 billion annually – but the program would face less stringent guardrails against states transferring TAP funding away from active transportation.

Highway Title Overview

The BUILD America 250 Act made substantial changes to the highway title and authorized funding for the core federal formula programs at approximately \$294 billion from FY 2027 to FY 2031. As communicated by Rep. Sam Graves (R-MO) last year, the bill was focused on shifting funding away from competitive grant programs and into formula programs. This is evident, as formula funding makes up nearly 90% of all total authorized funding in the bill. Likewise, a shift towards formula funding meant that the committee would look to consolidate some of the federal programs. This was reflected in the bill with new consolidated grant programs and recissions to existing grant and formula programs.

Notable changes included the repealing of CRP and PROTECT, and the inclusion of two new consolidation efforts through the Consolidated Funding Pilot Program and the STAG Program. Nevertheless, locals still performed strongly despite significant changes and revisions to existing statute.

Locals maintained a significant share of transportation funding, with access to nearly 22% of total transportation funding (previously 21%). This includes the reauthorization of SS4A and the Bridge formula and discretionary program (which saw a historic \$9.2 billion investment). As for MPOs, PL funding and eligibilities grew significantly, in addition to reductions in local match for PL funds and the option to become direct recipients of PL funding.



Other notable provisions include a new EV and hybrid vehicle registration fee to grow HTF revenues, and the inclusion of grant protection language, protecting awarded discretionary funding from being terminated or withheld due to reasons not specified in statute – an effort potentially linked to IIJA grant cancellations by USDOT.

Transit Title Overview

The BUILD America 250 Act reauthorizes federal transit programs at approximately \$87.6 billion over five years (a decrease compared to IIJA levels), with significant structural changes that shift how funds flow to states, regions, and transit agencies. The most consequential change for MPOs is the creation of the Consolidated Transit Block Grant Program, which allows states to consolidate funding from six existing FTA formula programs into a single lump-sum grant. Critically, funding associated with primary urbanized areas (populations of 3.5 million or more, or multi-state areas over 200,000) is excluded from consolidation, meaning the largest metro areas retain their direct FTA relationships. However, MPOs in participating urbanized areas that are not primary urbanized areas must be consulted by the state before funds are distributed, preserving a formal role in the process.

The Urbanized Area Formula Grant program is also updated, expanding operating assistance eligibility to transit systems operating 101–125 buses during peak hours, replacing the public hearing requirement with a publish-and-comment process, and establishing mandatory 1% spending floors for both security and ADA accessibility improvements. The Capital Investment Grant (CIG) program is streamlined, renaming Small Starts as "Streamlined Starts" and raising the eligibility threshold to projects under \$1 billion, while also incentivizing transit-oriented housing development through improved economic development ratings.

From an MPO planning perspective, transit planning changes mirror those in the highway title, maintaining consistency across modal planning processes. Lastly, the Transit-Oriented Development Planning program is made permanent and expanded to include new fixed guideway and core capacity projects.

Permitting and Project Readiness Title Overview

The BUILD America 250 Act includes a broad set of NEPA streamlining provisions aimed at accelerating project delivery across all transportation modes. Most notably for MPOs, prior planning analyses, including those conducted through an MPO planning process, can now be used to eliminate alternatives from detailed consideration in an Environmental Impact Statement.

The bill also significantly broadens when projects can skip the full environmental review process through categorical exclusions (CEs). The dollar thresholds that allow a project to qualify for this streamlined review are doubled, the federal share raised from \$6M to \$12M and total project cost from \$35M to \$70M, and the Secretary is directed to reduce the paperwork burden for projects that qualify. Transit agencies in larger urbanized areas over 200,000 may take on the responsibility of making these determinations themselves, and

the construction or repair of transit shelters in existing right-of-way is automatically exempt from full review. States can now use streamlined review agreements across all transportation modes, not just highways, and the length of those agreements is extended from 3 to 5 years, with up to 10-year terms available for states with a strong track record. Finally, FTA may now reimburse recipients for property acquisition that happens before an environmental review is finished, as long as the property is ultimately used for an eligible project.

Amendments

The House T&I Committee held a nearly 15-hour markup for the bill, passing the legislation with a vote of 62-2, reflecting strong bipartisan support. The markup began with adoption of a [manager's amendment](#) that made many technical adjustments to the BUILD America 250 Act, covering everything from reshuffling highway funding timelines to adding new program eligibilities, study requirements, and sense-of-Congress resolutions. The changes touch nearly every mode of transportation, with notable provisions on bridge safety, wildlife crossings, trucking weight exemptions, transit funding, and new interdisciplinary safety teams.

- Of significance, a “Geographic Consideration” amendment was included in the manager’s amendment. Under the new Bridge formula program, the amendment would help ensure that states account for additional considerations for projects of different geographic diversity, balancing both rural and urban needs.
 - Offered by both Rep. Rob Bresnahan (R-PA) and Rep. Maxwell Frost (D-FL)

In addition to the manager’s amendment, nearly 300 amendments were filed. Several notable amendments were adopted:

- **Freight Rail:** The full [Railway Safety Act](#) was added, bringing new FRA regulations on hazardous materials tank cars (including speed limits), data-sharing mandates with local emergency responders, a two-person crew requirement for main line operations, and new funding mechanisms including a dedicated Hazardous Materials Emergency Preparedness Fund. A separate amendment (Titus_294) from Rep. Dina Titus (D-NV) adds mandatory twice-weekly visual track inspections with immediate remediation requirements – an amendment inclusive of language included in the legislation introduced by Titus, [the Secure Tracks Act](#).
 - This was one of the more closely watched amendments during markup. The White House publicly weighed in ahead of the vote, urging support for the measure, and the proposal has been the subject of fierce debate since the 2023 derailment in East Palestine, Ohio, with supporters arguing it is a



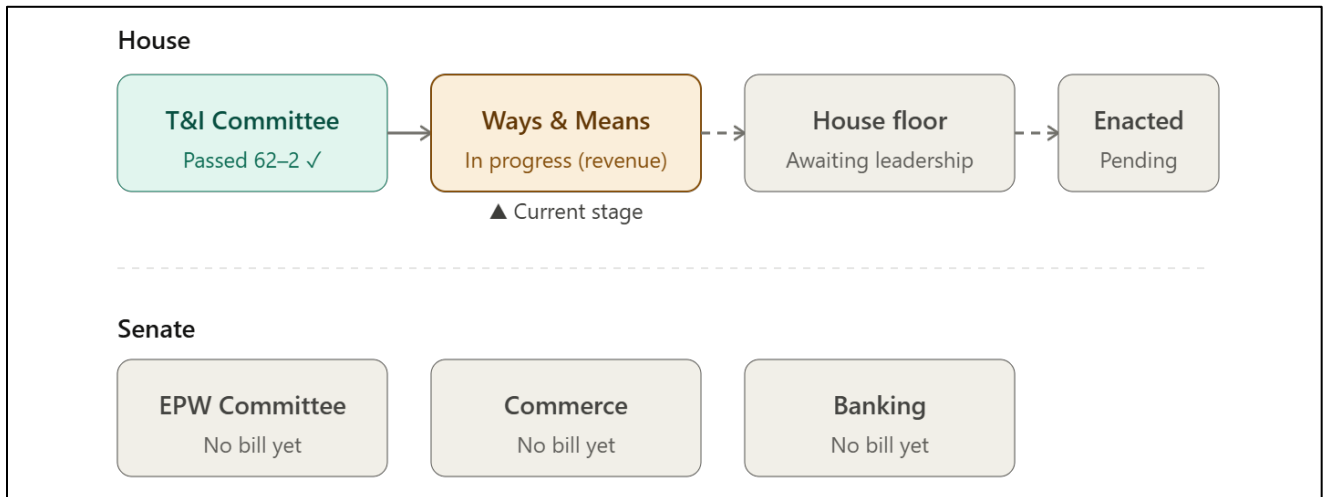
necessary safety response and opponents raising concerns about prescriptive federal operating mandates.

- Trucking:** Several weight and size exemptions were expanded, including a pilot program to raise Interstate weight limits to 91,000 pounds for six-axle vehicles, a nationwide weight waiver for stinger-steered auto transporters up to 88,000 pounds, and a ban on state taxes on commercial motor vehicles. Amendments also addressed fraud detection in FMCSA's registration system and removed retrofit obligations for pre-FMVSS safety equipment after crashes.
 - Note: Certain amendments expanded truck weight and size exemptions. While these provisions are intended to support freight movement and operational flexibility, heavier vehicles may also create additional wear on local roads and bridges, particularly where designated-route access extends beyond Interstate facilities.*

This [amendment tracker](#) has more on the amendments.

Next Steps

With the legislation passing out of House T&I with a vote of 62-2, the surface bill now awaits additional consideration in the House and for the Senate to introduce their version of a surface transportation reauthorization bill.



As legislation develops in both the House and the Senate, it is important to note that significant changes will be made to the House base text, and reauthorization provisions will vary significantly between both House and Senate versions of the bill, and ultimately the final surface transportation reauthorization bill. AMPO will update members throughout the reauthorization process, identifying how provisions change over time.

What Can MPOs Do?

While the House has introduced its version of the next surface transportation bill, the reauthorization process is far from over. The legislation must still be considered on the House floor, and the Senate has yet to introduce a companion bill. MPO and local



government engagement helped shape the House version to include many positive provisions supporting both local governments and MPO planning activities, and that engagement must continue, with attention now turning toward the Senate while we maintain our presence with House members.

The current bill should serve as a strong baseline for continued engagement. A greater increase to PL funding and a lower local match requirement remain meaningful priorities worth pursuing, even as the bill delivers on many existing goals. Local stories, sustained relationship-building with congressional offices, and proactive engagement will be essential as the Senate develops its version of the bill, and as we monitor whether the House moves forward or the process extends into next year. Additionally, AMPO will continue to provide resources and support for our membership, specifically tailored for Senate education and engagement. If you have any questions, please contact AMPO's Legislative Director [Katie Economou](#).



Appendix: Line-by-Line Analysis

In addition to an overview of key provisions included in the House surface bill, the attached appendix provides a detailed analysis of the key provisions under the Highway title of the BUILD America 250 Act. Additional analyses were completed for transit provisions included in the bill, along with overviews of the rail programs, NEPA/environmental streamlining provisions, and active transportation funding.

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Highway Title Provisions:

Sec. 1101: Authorizations of Appropriations (pg. 14)

From FY 2027 to FY 2031, the core federal formula programs that include NHPP, STBG, HSIP, CMAQ, and PL were authorized funding of approximately \$294 billion. Annual funding tables are below:

Core Formula Funding:

| | |
|--------------|--------------------------|
| 2027 | \$ 56,934,650,000 |
| 2028 | \$ 57,532,010,000 |
| 2029 | \$ 58,690,676,200 |
| 2030 | \$ 59,785,644,724 |
| 2031 | \$ 60,943,911,618 |
| Total | \$293,886,892,542 |

Grant Protections: The legislation would also include language to protect funding allocated through grant programs. Most likely in response to previous attempts at rescinding award discretionary funding, the text would protect grants from “being terminated, withheld, or delayed by the Secretary for reasons not specific to statute or due to inconsistencies with agency priorities.”

Sec. 1102 – Obligation Limitation (pg. 40)

MPOs are eligible to become direct recipients of Metropolitan Planning (PL) funds.

While direct recipients remain subject to annual obligation limitation rules, their obligation authority is available for two fiscal years rather than the standard one. This means MPOs are no longer pressured to plan, execute, and obligate all funds by September 30 each year. Critically, any authority carried into Year 2 is additive, it sits on top of that year's obligation limitation rather than counting against it, ensuring that MPO carry-in funds do not crowd out other federal highway spending.

Sec. 1103 – Definitions (pg. 41)

A common theme throughout the BUILD America 250 Act is the inclusion and defining of digital infrastructure. Digital infrastructure is defined as “public and private technology assets, including advanced digital construction management systems and related technology, that create, exchange, secure, or use data, including communications systems, servers, routers, hardware, sensors, and software applications.”

Digital infrastructure is included under the following programs:

- STBG
- The National Highway Freight and High Priority Corridor Program
- Highway Safety Research and Development

sec. 1104 – Apportionment (pg. 42)

The apportionment section of the bill defines funding levels from FY 2027 to FY 2031 for key highway formula programs. These include NHPP, STBG, HSIP, CMAQ, PL, and the National Highway Freight Program.



The following are funding levels for FY 2027 – FY 2031 along with the comparison of funding levels in FY 2026 and relative changes in US Code compared to IJJA.

| Program | FY 26 | FY 27 | Change | FY 28 | FY 29 | FY 30 | FY 31 | Code IJJA | |
|---------|-----------------------------|------------------|--------|------------------|------------------|------------------|------------------|-----------|-------|
| NHPP | \$30,783,800,000 | \$32,224,283,000 | 4.68% | \$32,532,646,200 | \$33,151,819,244 | \$33,750,099,729 | \$34,387,625,729 | 62% | 59.08 |
| STBG | \$14,975,900,000 | \$16,112,141,500 | 7.59% | \$16,266,323,100 | \$16,575,909,622 | \$16,875,049,864 | \$17,193,812,602 | 31% | 28.74 |
| HSIP | \$ 3,245,900,000 | \$ 3,389,700,000 | 4.43% | \$ 3,424,500,000 | \$ 3,494,400,000 | \$ 3,562,000,000 | \$ 3,634,000,000 | 7% | 6.706 |
| CMAQ | \$ 2,745,600,000 | \$ 2,890,000,000 | 5.26% | \$ 2,920,000,000 | \$ 3,010,000,000 | \$ 3,070,000,000 | \$ 3,130,000,000 | | |
| PL | \$ 474,200,000 | \$ 520,000,000 | 9.66% | \$ 540,000,000 | \$ 560,000,000 | \$ 580,000,000 | \$ 600,000,000 | | |
| NHFP | \$ 1,487,200,000 | \$ 1,550,000,000 | 4.22% | \$ 1,600,000,000 | \$ 1,650,000,000 | \$ 1,700,000,000 | \$ 1,750,000,000 | | |
| ERP | \$ 1,335,300,000 | \$ - | | \$ - | \$ - | \$ - | \$ - | | |
| PROTECT | \$ 1,518,400,000 | \$ - | | \$ - | \$ - | \$ - | \$ - | | |

Substantial changes to this section include:

- Expanding the National Highway Freight Program to be the “National Highway Freight and High Priority Corridor Program.”
- The Carbon Reduction Program and PROTECT Program are struck from the core formula programs and as a result, their funding apportionment from Section 104 is also removed.
 - **Note:** the PROTECT discretionary program is maintained – only the PROTECT formula funding is repealed.

Sec. 1105 – Nationally Significant Multimodal Freight and Highway Projects (pg. 47)

Eligibility for the grant program (commonly referred to as INFRA) is amended, **allowing MPOs serving urbanized areas with populations of more than 50,000 to apply (previously 200,000).**

Expands eligible projects to include those that add capacity to the Interstate System to improve mobility but removes wildlife crossing projects as eligible projects.

There are three changes to the existing State Incentives Pilot Program:

1. Shifts the annual funding reservation from a fixed \$150 million to 10 percent of total program amounts.
2. Adds a new waiver authority that allows the Secretary to cover up to 100% of pre-construction costs, including planning, environmental review, and permitting, on up to 5 projects per fiscal year, capped at \$30 million per project. The waiver is available when requiring a local match upfront would put a project at serious risk of delay or failure before all necessary approvals are in hand.
3. The total grant award cannot increase under the waiver, recipients must maintain proper accounting controls, Congress must be notified 15 days in advance, and any misspent funds must be repaid. The waiver authority sunsets October 1, 2031.

Sec. 1106 – NHPP (pg. 52)

Two changes are made to the NHPP section of US Code.



1. Restructures the asset management plan compliance process by shifting from an annual determination to a 2-year review cycle, while keeping the 65% federal share penalty for noncompliant states.
 - a. Strengthens due process protections by giving noncompliant states a written explanation of deficiencies, a minimum 90-day cure period with all penalties stayed during that window, and the option to request an extension, provisions that now apply to both the compliance determination and the certification process.
2. Expands the environmental mitigation provisions to explicitly recognize regional advance mitigation programs alongside the existing mitigation banking framework, allowing states to establish and contribute to these programs as an eligible mitigation tool, and clarifying that credits from state or regionally-sponsored advance mitigation programs are subject to the same use restrictions as mitigation bank credits.
 - a. The Secretary is required to revise relevant regulations within one year of enactment.

Sec. 1107 – Federal Share (pg. 57)

Notable change for MPOs is that the federal share for eligible planning funds is increased to 90 percent (previously 80 percent [80/20]).

Sec. 1108 – Bridge Program (pg. 57)

Renamed as the “Grants for rebuilding America’s vital engineering structures (GRAVES) Program”, the following changes were made:

Formula Bridge Program:

Eligible Projects:

States can use funds for construction, replacement, rehabilitation, preservation, or improvement of bridges on public roads and culverts, covering everything from planning and environmental review through construction and equipment acquisition.

Apportionment Formula:

Every state first receives a flat \$75 million base guarantee. Remaining funds are then distributed based on factors such as total bridge deck area, poor condition bridge deck area, NHS bridge deck area, and poor condition NHS bridge deck area. Importantly, no state can receive less than they received under the IJA Bridge Formula Program in FY2026.

Set-Asides and Carve-Outs:

- **20% for off-system bridges:** states must spend at least 20% on off-system bridges, **with MPO consultation required in determining which bridges are selected.** The Secretary can waive this if a state has insufficient projects.



- **25% for locally-owned bridges:** states must run a **competitive grant process** for county, city, township, and municipal bridges. Again, waivable if insufficient projects exist.
- **5% cap on culvert-only projects**
- **3% set-aside for tribal transportation facility bridges**
- **\$200 million annually for culvert competitive grants:** administered by FHWA through a separate competitive program.

Cost Share:

Standard federal share rules apply, **except locally owned off-system bridges** and tribally-owned bridges **receive a 95% federal share (5% local match).**

Transfer Restriction:

States can only transfer funds out of this program if the Secretary determines the state has an insufficient number of eligible bridge projects, significantly limiting the flexibility states typically have to move highway funds around.

Discretionary Program:

Eligible Projects:

Limited exclusively to bridges on the National Highway System. Covers the full project lifecycle from planning through construction.

Grant Size:

Minimum grant of \$50 million and must be sufficient to fully fund the project in combination with other identified resources.

Cost Share:

Federal share capped at 50% of total project cost. Other federal funds can be used toward the non-federal share, but total federal participation cannot exceed the standard Section 120 federal share for the project. Federal land management agencies and tribal governments can use other federal funds to cover their remaining share.

Selection Criteria:

The Secretary evaluates applications based on person and freight throughput, safety benefits, economic benefits, cost savings from bundling, **geographic diversity (rural/urban balance)**, bridge condition, and whether bridges meet current geometric and seismic design standards.

Multiyear Agreements:

Large projects can be structured as multiyear grant agreements spanning up to 4 fiscal years, with financing costs counted as eligible project costs and advance payment



provisions allowing recipients to use other federal funds while waiting for grant disbursement.

Letters of No Prejudice:

Recipients can begin eligible project activities before the grant is awarded, and be reimbursed later, as long as the Secretary pre-approves the activity, NEPA clearance has been issued, and the work is initially done without federal assistance.

MPO Eligibility:

Notably, MPOs serving urbanized areas over 200,000 are explicitly listed as eligible entities for the competitive program, meaning large MPOs can apply directly for NHS bridge grants without going through their state DOT.

Congressional Notification:

Secretary must notify the relevant House and Senate committees 3 days before awarding any competitive grant.

Sec. 1109 – Emergency Relief (pg. 79)

- Changes explicitly qualify protective features as economically justifiable eligible costs when states demonstrate benefits exceed costs
- Allows late applications beyond the 2-year deadline when permitting delays are the cause
- Establishes a new 4-fiscal-year window for states to advance projects to construction obligation after a disaster declaration, with mandatory extensions for permitting delays and discretionary extensions for other justified reasons
- Requires FHWA to update its Emergency Relief Manual within 90 days to reflect these changes, add objective debris removal and signal repair reimbursement thresholds, and update the manual every 3 years thereafter.

Sec. 1111 – Railway-Highway Grade Crossings (pg. 84)

Updates to the program include allowing for the installation of quad gates at railway-highway crossings.

Sec. 1112 – STBG Program (pg. 85)

- Updates eligible projects to include those eligible under the new Section 180 truck parking program.
- Expands eligibility further by including projects focused on infrastructure to improve existing surface transportation assets from one or more weather elements/natural disasters or to increase infrastructure resiliency from natural disaster impacts.
- **Additional eligibility is allotted to projects that plan, design, construct, and improve passenger rail stations or rail equipment that serves state-supported routes.**



- As amended by Rep. Laura Gillen (D-NY) through the manager’s amendment, STBG eligibilities expand to include roundabouts as eligible projects.

This section also defines low-water crossings as a waterway crossing for a public road (other than a bridge) that has been improved to be passable for vehicles during periods of ordinary stream flow and impassable for vehicles during high stream flow (this definition was previously left to the interpretation of the secretary).

Off-system bridge definitions are also updated to mean a bridge or low water crossing that meets the following criteria:

- Located on public road not a part of Federal-aid highway
- **Over 6ft in length**

Additional changes include:

A restructuring of the federal share flexibility provisions by expanding the conditions under which HSIP funds (Section 148) can be credited toward the non-federal share, now explicitly covering projects with:

- Proven Safety Countermeasures for bicyclists or pedestrians that are tied to vulnerable road user emphasis areas in State Strategic Highway Safety Plans
- data-driven local roadway safety plans
- Complete Streets prioritization plans
- ADA Transition Plans
- Tribal transportation safety plans
- Comprehensive safety action plans.

It also allows the non-federal share to be calculated on a project, multiple-project, or program basis, and permits the federal share of individual projects to reach 100%.

The bill expands the definition of communities eligible for rural barge landing and waterfront infrastructure projects to include small urban communities under 10,000 population, not just rural communities.

It adds a new planning limitation explicitly clarifying that nothing in the STBG program requires MPOs or states to develop resilience improvement plans or incorporate them into metropolitan or statewide long-range transportation plans.

Finally, it caps the use of STBG funds for newly eligible passenger rail projects at 5% of a state's STBG funding.

Sec. 1113 – Transportation Planning (pg. 92)

Includes definition of “Primary Urbanized Area”, which is an area with:

- A population of at least 3.5 million, or
- Extends into more than one state and has a population of at least 200,000



Primary Urbanized Area's where mostly identified for the creation of the new [Consolidated Transit Block Grant Program](#) (see link). Primary Urbanized Area's, unlike in the highway consolidated program, would not be included in the transit consolidated program. The bill specifically excludes funding associated with primary urbanized areas from the new state block grant.

That means transit funds that would normally go to very large metro areas continue to flow through existing FTA programs rather than being folded into a state-controlled block grant.

TIP Public Engagement Change – a TIP amendment will not require public review or comment if the project or approved project phase:

- Was in the approved TIP in the previous TIP and
- If the project or phase is unchanged from the project or identified phase in the preceding TIP

Defines the Housing Coordination process as follows:

Within a metropolitan planning area serving a TMA, the transportation planning process under this section may address the integration of housing, transportation, and economic development strategies through a process that provides for effective integration, based on a cooperatively developed and implemented strategy, of new and existing transportation facilities eligible for funding through both FHWA and FTA planning funds.

Expands eligible PL uses to:

- Fiscal administration of local projects
- Preliminary design
- Local technical assistance
- Studies directly linked to transportation
- Critical data procurement

MPOs will also be able to qualify as direct recipients of PL funds based on their legal, technical, and financial capacity.

- MPOs that qualify will receive both contract authority and matching obligation authority that bypasses the state.
- Direct recipients will assume the full responsibility for federal compliance requirements, including those otherwise applicable to states under Sec. 106.
- MPOs will also be given access to FMIS.

Regarding non-metropolitan planning processes. Similar changes are made for statewide planning requirements with, again, the inclusion of primary urbanized areas and STIP amendment exceptions for public engagement, mirroring those seen with the TIP.

This section additionally accelerates the travel demand data modeling requirements from IJJA, shortening the Secretary's deadline to 1 year after BUILD Act enactment, adding a congressional notification requirement when those requirements are met, and requiring



the Secretary to proactively report to Congress with an explanation and corrective actions if deadlines will be missed.

Sec. 1116 – Construction of Ferry Boats and Ferry Terminal Facilities (pg. 100)

The program will be funded at the following authorization levels out of the HTF:

| Year | Funding |
|-------------|----------------|
| 2027 | \$182,000,000 |
| 2028 | \$184,000,000 |
| 2029 | \$186,000,000 |
| 2030 | \$189,000,000 |
| 2031 | \$191,000,000 |

Sec. 1117 – HSIP (pg. 101)

Expands the types of projects eligible for safety funding to include suicide barriers, work zone barriers protecting both drivers and roadway workers, and crash attenuators. Truck parking projects under the new Section 180 program are also now eligible. For projects aimed at separating pedestrians from vehicle traffic, bollards are added as an eligible safety measure, and the definition is broadened to include projects that connect two or more existing segments of a pedestrian improvement. Lastly, the following projects were added:

- The acquisition, development, or deployment of safety data and systems, including predictive analytics, telematics, and additional validated methodology tools.
- The purchase, installation, and performance improvements of digital infrastructure technologies, including digital alerting systems and electronic ticketing (or e-ticketing) technology.
- For projects or strategies developed pursuant to vulnerable road user safety assessments

The bill modernizes how states collect and use safety data by expanding the definition of safety data beyond traditional crash history to include predictive analytics, telematics, and other data-driven tools used for risk modeling and planning. States must also use these tools to evaluate whether safety projects are actually working, a new requirement that shifts the focus from simply tracking crashes to measuring outcomes.

Construction work zones and roadway workers are added to the list of hazardous locations and vulnerable users that states must identify and analyze, joining pedestrians, motorcyclists, and bicyclists. States will also be required to report work zone fatalities and serious injuries as a distinct category in their progress reports. The Strategic Highway Safety Plan update cycle is standardized to every three years, replacing the previous open-ended schedule.



Penalties for states that underinvest in high-risk rural roads are significantly strengthened. The period a state must maintain increased spending is extended from 1 year to 3 consecutive fiscal years, and the required spending level jumps from 200% to 300% of each state's 2009 baseline.

Finally, when states conduct vulnerable road user safety assessments to identify high-risk areas, they must now consider a broader set of location factors including roadside obstacles, work zones, railway crossings, the presence or absence of dedicated infrastructure, and unmarked roads.

Sec. 1118 – CMAQ Program (pg. 106)

Expands eligible projects to include:

- If the project deploys advanced transportation and congestion management technologies that reduce traffic congestion or improve air quality
- If the project supports digital infrastructure and reduces traffic congestion or improves traffic flow

Adds new special rule for the program on reducing minimum spending. States can obligate CMAQ funds at any location in the state for projects described in 151(f)(6) or section 151(f)(8)(D) at any location in the state – this is projects under the NEVI program and the NEVI “use of funds section” or the “Community Grants” section under the NEVI program. This funding needs to be used following the location of station or fueling site considerations under the NEVI program:

- the availability of onsite amenities for vehicle operators, such as restrooms or food facilities;
- access in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);
- height and fueling capacity requirements for facilities that charge or refuel large vehicles, such as semi-trailer trucks; and
- appropriate distribution to avoid redundancy and fill charging or fueling gaps;

While the NEVI formula program would be repealed, certain NEVI eligible activities would receive the following set-aside within CMAQ, under “Alternative Fueling Projects.”:

- 10 percent of funds in FY2027
- 9 percent of funds in FY2028
- 8 percent of funds in FY2029
- 7 percent of funds in FY2030

Directs the Secretary to work with the Administrator for the EPA to update the table on cost-effectiveness ranges for project types eligible for funding under CMAQ on how to mitigate congestion and improve air quality every 2 years.



Removes language in the “Priority for use of funds in PM2.5 Areas”, removing that projects should prioritize benefits to disadvantaged communities or low-income populations living in, or immediately adjacent to, such areas, to instead the following, “to the extent practicable, prioritize benefits to populations living in, or immediately adjacent to, such area.” This information will need to be provided to state DOTs and MPOs within 90 days of the bill being passed.

Sec. 1119 – SS4A Program (pg. 109)

The House bill reauthorizes and significantly restructures the SS4A program for FY2027–2031 while moving it from IIJA into Title 23 as both a formula and as Sec. 155 in US Code. The changes include:

- Removing the "Vision Zero" and "Toward Zero Deaths" branding from both the program definition and establishment language;
- Expanding eligible entities to include the District of Columbia and territories;
- Transferring program administration explicitly to FHWA; and flipping the planning grant set-aside from a minimum 40% floor to a maximum 5% cap, a shift that redirects funding away from planning and towards implementation projects.
- A new 30% rural set-aside is added for projects in areas under 50,000 population, and
- Applicants with existing comprehensive safety action plans are prioritized for implementation and rural grants.

Roadway workers are added as a protected road user category in project selection criteria, and the equity requirement is softened by removing the "will ensure equitable" language while adding rural communities as a target population.

The federal share increases from 80% to 90%, the post-grant reporting deadline is extended from 120 days to 1 year, and the program is permanently codified in Title 23 rather than remaining as a standalone IIJA provision.

Annually, the program is funded as follows:

| Year | Funding |
|---------------|-----------------|
| FY2027 | \$500,000,000 |
| FY2028 | \$625,000,000 |
| FY2029 | \$750,000,000 |
| FY2030 | \$875,000,000 |
| FY2031 | \$1,000,000,000 |

Sec. 1122 – National Highway Freight and High Priority Corridor Program (pg. 114)

Most significantly, changes integrate high priority corridors from the 1991 Intermodal Surface Transportation Efficiency Act throughout the program, adding them to the policy



statement, program establishment, network components, and eligible projects, effectively expanding the program's scope beyond the existing freight network to include upgrading these corridors to Interstate design standards.

A new program goal is added to increase the capacity of the National Highway Freight Network, including the Interstate System and high priority corridors. The primary highway freight system redesignation mileage cap is increased from 3% to 5% per cycle, and agricultural product movement and access to agriculture facilities is added as a new redesignation factor.

Critical rural freight corridor designation is changed from discretionary to mandatory, states *shall* designate corridors rather than *may*, while the designation requirements otherwise remain intact.

The threshold distinguishing high and low primary freight system mileage states shifts from 2% to 2.5%. Eligible project requirements for lock and dam modernization and marine highway projects are simplified by removing the emissions reduction requirement, requiring only functional connection to the freight network.

The eligible project list is expanded to add digital infrastructure alongside intelligent transportation systems, highway and bridge projects to increase freight network and Interstate capacity, and projects to improve high priority corridors to Interstate design standards.

Sec. 1124 – Surface Transportation Accelerator Grant (STAG) Program (pg. 121)

Establishes the STAG Program, amending Sec. 173 of US Code (Previously the Rural Surface Transportation Program).

Full Program Details:

Program Structure

Consolidates discretionary grant funding into one umbrella program with three distinct sub-programs:

- 25% rural, 25% urban, and 50% local and regional

Federal share:

80% (up to 100% for Appalachian Development Highway System and Denali projects; above 80% at Secretary's discretion for persistent poverty areas)

Other federal funds may satisfy the non-federal share

Congressional Notification

3-day congressional notification required before any grant award, including full eligible applicant list, proposed selections with justification, and grant amounts



- 30-day public posting of all award information after grants are made
- Unsuccessful applicants may request a briefing explaining why they were not selected
- Annual report published on DOT website listing all grants awarded

Rural Surface Transportation Grants (25% of total)

Eligible Areas

Outside urban areas with populations over 50,000

Eligible Entities

States, regional transportation planning organizations, units of local government, Tribal governments, and multijurisdictional groups

Eligible Projects

- Highway, bridge, or tunnel projects eligible under NHPP or STBG
- Tribal transportation projects
- Highway freight projects
- HSIP, including high risk rural roads
- Projects on publicly owned roads providing or increasing access to agricultural, commercial, energy, water storage, or intermodal facilities
- Integrated mobility management, transportation demand management, or on-demand mobility services

Project Requirements (all must be met)

- Generates regional economic, mobility, or safety benefits
- Cost effective
- Advances at least one national goal under Sec. 150 (National goals and performance management measures)
- Based on preliminary engineering results
- Expected to begin construction within 18 months of obligation

Selection Considerations

- State of good repair of existing facilities
- Increased capacity or connectivity and improved rural mobility
- Economic development and job creation
- Recreation and tourism access to federal/state lands
- Geographic diversity among recipients
- Innovative project delivery or technology
- Broadband infrastructure coordination
- Access to emergency care, essential services, healthcare, or drug/alcohol treatment
- Disaster preparedness, resilience, or evacuation route support



- Agricultural product movement, including bridge improvements and weight restriction removal
- Access to Federal or Tribal lands
- Access to energy or water storage infrastructure
- Seismic safety or structural resilience in high-risk areas

Grant Amounts

- Minimum \$5 million (except small project set-aside)

Set-Asides

- Up to 10% for small projects under \$5 million
- Up to 15% for Appalachian Development Highway System projects
- 15% reserved for states with above-average rural lane departure fatalities
- 10% reserved for agricultural product movement projects
- 5% reserved for communities with populations of 5,000 or fewer
- Unused set-aside funds redirected to other program grants

Urban Surface Transportation Grants (25% of total)

Eligible Areas

Areas with populations of 50,000 or more

Eligible Entities

States, DC, territories, units of local government, public agencies or publicly chartered authorities, special purpose districts or port authorities, transit agencies, Tribal governments, and multi-state/multijurisdictional groups

Eligible Projects

- Any surface transportation project eligible under Title 23
- Public transportation projects
- Passenger or freight rail projects
- RAISE/BUILD and culvert grant program projects
- Projects eligible under IIJA Subtitle E (including Reconnecting Communities)
- Integrated mobility management, transportation demand management, or on-demand mobility services

Project Requirements (same as rural, all must be met)

- Regional economic, mobility, or safety benefits
- Cost effective
- Advances at least one national goal
- Based on preliminary engineering
- Construction expected within 18 months of obligation



Selection Considerations

- State of good repair
- Increased urban connectivity and mobility
- Economic development and job creation
- Geographic diversity
- Safety improvements and accident reduction
- Resilience against natural disasters including seismic events
- Environmental benefits
- Safety and mobility benefits across multiple user types
- Innovative project delivery or technology
- Access to emergency care, essential services, healthcare, drug/alcohol treatment, or community support services

Grant Amounts

- Minimum \$5 million (except small project set-aside)

Set-Asides

- Up to 10% for small projects under \$5 million
- At least 1% for projects in areas of persistent poverty

Local and Regional Surface Transportation Grants (50% of total)

Eligible Areas

- Split between specified rural areas (outside 200,000+ population areas) and specified urban areas (200,000+ population)

Eligible Entities

- States, DC, territories, units of local government, public agencies or publicly chartered authorities, special purpose districts or port authorities, transit agencies, Tribal governments, and multi-state/multijurisdictional groups

Eligible Projects (broadest eligibility of the three sub-programs)

- Highway or bridge projects under Title 23, including high priority corridor upgrades to Interstate design standards and freight bottleneck improvements
- Public transportation projects
- Passenger or freight rail projects
- Port infrastructure, including inland ports and land ports of entry
- Surface transportation components of airport projects
- Projects on Tribal land facilities with federal title or maintenance responsibility
- Culvert replacement or stormwater projects
- Any other surface transportation infrastructure project the Secretary deems necessary



Grant Amounts

- Minimum \$5 million for specified urban areas
- Minimum \$1 million for specified rural areas
- Maximum \$25 million
- No single state may receive more than 15% of annual program funds

Selection Criteria (Secretary must use only these)

- Safety improvements
- Environmental sustainability
- Quality of life
- Economic competitiveness and tourism
- State of good repair
- Mobility and community connectivity

Additional Selection Considerations

- Public-private collaboration
- Innovative technology, project delivery, or financing
- Construction readiness within 18 months
- State DOT notification for state-owned/managed facilities
- Cost effectiveness

Funding Distribution

- No more than 50% for rural area projects
- No more than 50% for urban area projects
- 10% of rural allocation reserved for communities with populations between 50,000–100,000 (regional hubs)
- At least 1% for areas of persistent poverty
- Secretary must consider geographic and modal diversity

Planning Set-Aside

At least 5% reserved for planning, preparation, or design, minimum grant size requirements waived for these awards

Transfer Authority

Up to 2% may be transferred to FTA, FRA, or Maritime Administration for grant oversight

Credit Program Costs

Grants may be used to pay TIFIA or Railroad Rehabilitation loan subsidy and administrative costs, capped at 20% of annual program funds



GAO Oversight

Comptroller General must review the solicitation and selection process within 1 year of initial awards and report findings and recommendations to Congress

Sec. 1125 – Repeal of Program (pg. 153)

Sec. 175 is repealed, this is the Congestion Relief Program (pg. 153)

Sec. 1126 – PROTECT Program (pg. 153)

The PROTECT Program is altered, eliminating the formula program entirely, keeping only the discretionary grant program that is subject to annual appropriations. This means that funding apportioned to states under Sec. 104(b)(8) was subsequently removed – making PROTECT a fully competitive award structure.

Sec. 1127 – Codification and Improvement of Jason’s Law (pg. 155)

US Code is amended to include a new section, Sec. 180. “Parking for commercial motor vehicles.” This change will remove the MAP-21 truck parking program and now codify Section 180 in Title 23 with MPOs listed as eligible entities.

Eligible Entities

- States
- **Metropolitan planning organizations**
- Units of local government
- Political subdivisions with commercial motor vehicle parking responsibilities
- Tribal governments and consortiums
- Multijurisdictional groups
- Private sector partners allowed in conjunction with any eligible entity

Eligible Projects

Must be located on a Federal-aid highway or a facility with reasonable access to a Federal-aid highway or freight facility. Eligible projects include:

- Construction of safety rest areas with commercial motor vehicle parking
- New parking capacity adjacent to private truck stops or travel plazas, at publicly owned freight facilities or port terminals, at existing inspection/weigh stations or park-and-ride locations, or at other suitable facilities
- Reopening existing but unused weigh stations, rest areas, or government-owned facilities for truck parking
- Capital improvements to existing public commercial motor vehicle parking facilities, including seasonal facilities
- Technology-based parking availability identification and management systems (ITS)
- Driver personal safety improvements at parking facilities
- Truck stop electrification systems as part of a larger parking project
- Construction of commercial motor vehicle turnouts



- Geometric interchange improvements to improve access to rest areas and parking facilities

Selection Criteria (all must be met)

- Demonstrated shortage of commercial motor vehicle parking in the project corridor
- Applicant has consulted with motor carriers, commercial motor vehicle drivers, public safety officials, and private parking providers
- Project will likely increase parking availability or utilization, facilitate freight movement, or improve highway safety, traffic congestion, and air quality
- Applicant demonstrates ability to maintain and operate the facility

Additional Considerations

- Priority given to projects addressing the most severe parking shortages
- Geographic distribution required, including rural/urban balance

Use of Funds

- Development phase activities (planning, feasibility, environmental review, preliminary engineering), capped at 20% of grant amount
- Construction and operational improvements
- Parking availability management projects (ITS-based) capped at 10% of annual program funds unless part of a larger capacity expansion project

Key Prohibition

- No funds may be used for construction or development activities that would enable vehicle charging or fueling infrastructure, this explicitly blocks EV charging from being included in any truck parking project funded under this section

Requirements

- All parking constructed or improved with grant funds must be open and accessible to all commercial motor vehicle drivers
- No fees may be charged to drivers for access to parking built or improved with grant funds

Additional Program Details

- Funds remain available for 3 years after the end of the fiscal year in which they are made available
- Projects treated as Federal-aid highway projects
- Secretary must submit a biennial report to Congress beginning 4 years after enactment evaluating parking availability, project effectiveness, recipient sustainability, and ongoing project status, aligned with state freight plan submissions



Sec. 1128 – Consolidated Funding Pilot Program (pg. 165)

An additional section is added to Title 23 of US Code. Sec. 181 introduces the Consolidated funding pilot program. This will be a new pilot program beginning in FY2028 allowing up to 10 states to receive their entire base apportionment as a lump sum block grant with broad flexibility to spend across major highway programs. The program would sunset on October 1, 2031.

Eligibility Requirements

States must meet all four of the following to qualify:

- Meet minimum pavement condition levels established under Section 150
- Meet minimum NHS bridge condition levels under Section 119(f)(2)
- Use a performance-based approach to transportation planning for both statewide and metropolitan planning areas under Sections 134, 135, and 150
- Meet recertification requirements for State asset management plans under Section 119(e)

Application Requirements

Applications must include a plan describing how the state and each affected MPO will continue to meet or make significant progress toward performance measures and standards under Section 150(c). MPOs are explicitly included in the application, states cannot apply unilaterally without addressing their metro areas.

Eligible Uses of Block Grant Funds

Funds may be used for any project eligible under the following program: NHPP, STBG, HSIP, CMAQ, Metropolitan Planning, and the National Highway Freight and High Priority Corridor Program.

Population-Based Allocation Requirements

Even as a block grant, 25% of funds must still be suballocated by population across four tiers:

- Urbanized areas over 200,000
- Urbanized areas 50,000–200,000
- Urban areas 5,000–49,999
- Areas under 5,000

The remaining 75% may be obligated anywhere in the state. All standard MPO consultation requirements apply for the suballocated portions, and funds attributed to urbanized areas over 200,000 default to population-based distribution among those areas unless the state and MPOs jointly apply to the Secretary for an alternative approach.

Obligation Authority



States must make obligation authority available to urbanized areas over 200,000 proportional to the funds required to be obligated there, the same obligation authority lockstep provision described elsewhere in the bill. State, MPOs, and Secretary share joint responsibility for compliance.

Performance Accountability

- States must submit a progress report within 2 years of first receiving funds on performance target achievement
- Secretary must issue guidance to recipients on reporting requirements within 1 year of initial funding
- If a state fails to meet or make significant progress toward its performance targets, the Secretary may withhold the following year's funding until at least 6 months after the determination of failure
- Progress reports transmitted to Congress within 30 days of receipt
- Participation does not exempt states from any other required transportation plans under Title 23

Key Design Features

- Does not increase a state's obligation limitation
- All projects treated as Federal-aid highway projects
- Secretary must issue block grants beginning FY2028 and continue annual apportionments to selected states subject to performance requirements
- Program is explicitly a pilot — limited to 10 states and sunsets at end of FY2031

Sec. 1129 – Registration Fee on Motor Vehicles (pg. 174)

This section would establish a new annual federal registration fee on EVs and plug-in hybrid electric vehicles (PHEVs) – mostly applies to passenger vehicles and excludes farm vehicles or commercial motor vehicles. Under the proposal, owners of covered EVs would pay \$130 per year, while owners of covered PHEVs would pay \$35 per year. FHWA would oversee the program, but state DMVs would be responsible for collecting the fees as part of vehicle registration and renewal processes or through another FHWA-approved method.

To enforce compliance, the bill would require states to remit collected fees to FHWA on a monthly basis. If a state fails to comply with the collection or remittance requirements, FHWA would withhold an amount equal to 125 percent of the unpaid fees from the state's federal highway formula apportionments. These penalties would begin after September 30, 2027, and remain in effect until the state comes into compliance.

The proposal would also allow states to retain up to 1 percent of collected fees for administrative expenses if they are compliant with the program requirements. Beginning in 2029, the annual fees would increase by \$5 every two years, capped at \$150 for EVs and \$50 for plug-in hybrids. The fees would sunset on October 1, 2036.



To support implementation, the bill authorizes FHWA to provide grants to state motor vehicle departments to update systems and processes needed to administer the program. A total of \$104 million would be authorized through September 30, 2030, with each state eligible to receive up to \$2 million. FHWA would also be required to issue regulations and guidance for electronic fee remittance and submit a report to Congress within two years on implementation progress.

Transit Provisions:

Sec. 3003 – Transportation Planning (pg. 300)

Changes to MPO planning processes mirror changes in Sec. 134.

Sec. 3004 – Planning Programs (pg. 303)

Within the Transit-Oriented Development Planning program, the program is no longer considered a pilot program. Additional, eligible projects under the program expand to include new fixed guideway capital projects or core capacity improvement projects.

Sec. 3005 – Urbanized Area Formula Grants (pg. 306)

This section amends the Urbanized Area Formula Grants program by expanding operating assistance eligibility for certain transit agencies, modifying public participation requirements, establishing new spending requirements for security and accessibility, revising oversight procedures, and replacing the passenger ferry grant program with a new rail station accessibility grant program.

Expanded Operating Assistance Eligibility

The bill expands eligibility for operating assistance in urbanized areas with populations of 200,000 or more by creating a new category of eligible transit systems.

Currently, agencies operating:

- 75 or fewer buses may use up to 75% of their attributable apportionment for operating expenses.
- 76–100 buses may use up to 50% of their attributable apportionment for operating expenses.

The bill adds:

- Transit systems operating 101–125 buses during peak service hours may use up to 25% of their attributable apportionment for operating expenses.

This change applies under both the vehicle revenue hour allocation method and the locally determined allocation method.

Public Participation Changes



The bill removes the requirement that recipients provide an opportunity for a public hearing on the proposed program of projects.

Recipients would still be required to:

- Publish a proposed program of projects.
- Allow public review and comment.
- Consider comments received before finalizing the program.

The bill also modifies the public comment certification requirement by requiring agencies to solicit and consider public comment before:

- Raising fares; or
- Eliminating transportation service.

Security Spending Requirement

The bill replaces the current security certification with a mandatory spending requirement.

Recipients would be required to expend at least 1% of annual Section 5336 formula funds on crime prevention and security projects described in Section 5321.

Unlike current law, agencies would no longer be able to certify that security expenditures are unnecessary in lieu of making the investment.

Accessibility Spending Requirement

The bill replaces the existing reporting requirement for associated transit improvements with a new accessibility investment requirement.

Recipients would be required to expend at least 1% of annual Section 5336 formula funds to further meet or exceed accessibility requirements under Parts 37 and 38 of Title 49 of the Code of Federal Regulations.

Audit and Oversight Reforms

The bill substantially rewrites the audit and review requirements for Section 5307 recipients.

Recordkeeping Requirements

Recipients must maintain records that document:

- Grant expenditures.
- Total project costs.
- Sources of matching funds.
- Other information necessary for federal audits and examinations.

Annual Audits



The Secretary must conduct, or authorize recipients to conduct independently, annual audits to determine whether recipients:

- Have complied with Section 5307 requirements.
- Remain capable of meeting grant requirements.
- Have administered federal funds in accordance with applicable laws and regulations.

Independent audits must:

- Follow Comptroller General auditing procedures.
- Be submitted to FTA within six months after the end of the fiscal year.

Triennial Reviews

The Secretary must continue conducting reviews at least once every three years, but reviews would focus on:

- Previously identified deficiencies.
- Common compliance issues identified across recipients.
- Consistency between actual activities and approved programs and planning requirements.

Review Waivers

The bill authorizes FTA to waive triennial reviews when a recipient:

- Has not demonstrated a pattern of deficiencies; and
- Has complied with applicable FTA directives.

FTA may issue consecutive waivers, but must conduct at least one review every ten years. Recipients may also request that a regularly scheduled triennial review be conducted.

All Stations Accessibility Program

The bill repeals the existing Passenger Ferry Grant Program and replaces it with the All Stations Accessibility (ASAP) competitive grant program. While previously funded through IJA's advance appropriations, the BUILD 250 Act would fold in ASAP under Sec. 5307.

Eligible Applicants

Eligible applicants include:

- Designated recipients that allocate funds to legacy rail fixed-guideway systems.
- State and local governmental entities operating legacy rail fixed-guideway systems.

Eligible Projects



Grant funds may be used for:

Capital Projects

- Repairing, improving, modifying, retrofitting, or relocating station infrastructure.
- Structural improvements necessary to improve accessibility.

Planning Projects

- Accessibility assessments.
- Accessibility improvement plans.
- Planning activities associated with future accessibility projects.

Application Requirements

Applicants must:

- Submit an application in a form prescribed by the Secretary.
- Certify that projects will meet or exceed ADA new-construction accessibility standards.
- Consult with disability stakeholders and surrounding communities before applying.

Federal Share

The federal share may not exceed 80% of total project costs.

Transparency Requirements

The Secretary must:

- Publicly disclose evaluation criteria and scoring metrics when issuing a Notice of Funding Opportunity.
- Publish final project scores and evaluation information for awarded grants.

Prohibited Uses

Funds may not be used to upgrade stations that already meet or exceed ADA new-construction accessibility standards.

Program Repeals

The bill repeals:

- The **Electric or Low-Emitting Ferry Pilot Program** established by the IIJA.
- The **Ferry Service for Rural Communities Program** established by the IIJA.

Sec. 5308 – Consolidated State Block Grant Program (pg. 317)

A new section is added to Chapter 53 establishing a Consolidated Transit Block Grant Program. The program would allow states to receive a single consolidated transit block



grant composed of funding that would otherwise be apportioned under several existing FTA formula programs.

The Secretary would consolidate funding apportioned under:

- Section 5310 (Enhanced Mobility of Seniors and Individuals with Disabilities)
- Section 5311(c)(5) (Rural transit formula funds)
- Section 5336 (Urbanized Area Formula Grants)
- Section 5337 (State of Good Repair Grants)
- Section 5339(a) (Bus and Bus Facilities Formula Program)
- Section 5340 (Growing States and High-Density States Formula Program)

Funding associated with primary urbanized areas where the state is not the designated recipient would be excluded from consolidation.

Application Requirements

A state seeking to participate must:

- Notify all designated recipients within the state, except those in primary urbanized areas, of its intent to apply.
- Provide designated recipients an opportunity to affirmatively elect or decline participation.
- Submit a list of participating designated recipients and associated direct recipients as part of its application.

Role of Designated Recipients

Designated recipients must notify the state within 60 days whether they elect to participate.

Additional provisions include:

- Designated recipients must coordinate with direct recipients before making a participation decision.
- If a majority of direct recipients in an urbanized area support participation, the designated recipient is required to participate.
- Failure to respond within 60 days is treated as participation.
- Designated recipients that decline participation may not join the program for the following three fiscal years.

State Eligibility Requirements

The Secretary may approve a state's participation only if the Secretary determines that the state:

- Has the organizational capacity to administer a block grant program.
- Uses satisfactory transportation planning and programming processes.



- Has calculated the funding amounts that would be consolidated.
- Agrees to comply with applicable federal laws, regulations, reporting requirements, and audit requirements.

The Secretary must also calculate minimum funding amounts that must continue to be obligated to:

- Rural and urban areas; and
- Areas of different population sizes.

Eligible Activities

States may use consolidated block grant funding for any activity eligible under the participating transit programs, including:

Transit Operations and Planning

- Capital projects.
- Planning activities.
- Job access and reverse commute projects.
- Operating expenses for public transportation systems.

Mobility for Seniors and Individuals with Disabilities

- Specialized transportation services.
- ADA-related accessibility improvements.
- Projects that improve access to fixed-route transit.
- Alternatives to traditional public transportation for seniors and individuals with disabilities.
- Acquisition of transit services through public or private providers.

Rural Transit and Intercity Bus Service

- Intercity bus transportation projects and related activities.

State of Good Repair Projects

Funding may be used to maintain transit systems in a state of good repair, including:

- Rolling stock replacement and rehabilitation.
- Track rehabilitation.
- Signals and communications systems.
- Power systems and substations.
- Passenger stations and terminals.
- Security systems and equipment.
- Maintenance facilities and equipment.
- Transit asset management activities.
- Other rehabilitation and replacement projects approved by the Secretary.



Bus and Bus Facility Projects

- Bus replacement and rehabilitation.
- Bus purchases.
- Bus-related technological upgrades.
- Construction of bus facilities.

Records, Audits, and Evaluations

Participating states would be subject to the same audit, review, and recordkeeping requirements established under Section 5307(f), including:

- Annual audits.
- Triennial reviews.
- Federal oversight and compliance monitoring.

Funding Restrictions

Providers located within a primary urbanized area generally may not receive funding distributed through the block grant program.

However, this restriction does not apply when the state is already the designated recipient for the applicable transit program.

State Responsibilities and Program Administration

Grant agreements must be documented in a manner acceptable to the Secretary. The bill directs the Secretary to provide administrative parity by requiring no additional information from participating states than would otherwise be required under existing transit programs. Unless the state agrees to retain responsibility, the Secretary would remain responsible for:

- Compliance investigations.
- Enforcement actions.
- Grant compliance determinations.

Annual Reporting

Participating states must submit annual reports identifying:

- The number of applications received.
- Aggregate project costs.
- The percentage of funding requested by project type.
- Projects selected for funding.

For each funded project, the report must include:

- Fiscal year selected.
- Anticipated funding year.



- Recipient.
- Location and congressional district.
- Project type.
- Cost.
- Brief project description.

The Department of Transportation must make these reports publicly available online.

Consultation Requirements

States must consult with:

- **Metropolitan planning organizations** in participating urbanized areas that are not primary urbanized areas; and
- Regional transportation planning organizations in rural areas, as applicable.

Federal Cost Share

The federal share generally may not exceed 80 percent of project costs.

Exceptions include:

- States eligible for higher federal matching rates under Title 23 sliding-scale provisions.
- Projects eligible for alternative federal shares under Section 5323(i).

Sec. 3007 – Fixed guideway capital investment grants (pg. 328)

This section makes extensive changes to the Federal Transit Administration's Capital Investment Grant (CIG) program by expanding project eligibility, streamlining project delivery, reducing administrative requirements, and creating new incentives for transit-oriented housing development.

Core Capacity Improvements

The bill broadens the definition of eligible Core Capacity projects. In addition to projects that increase corridor capacity by at least 10 percent, projects that substantially increase system-wide capacity would become eligible. The legislation also clarifies that projects primarily intended to increase capacity by reducing passenger travel times, including accessibility improvements for passengers with disabilities and wheelchair users, may qualify. Eligible project elements are expanded to include double tracking, signalization improvements, electrification, platform expansions, infill stations, accessibility improvements, and rolling stock associated with capacity-increasing projects.

Streamlined Starts Program

The legislation renames the Small Starts program as the "Streamlined Starts" program and significantly raises eligibility thresholds. Projects with total capital costs below \$1 billion, adjusted annually for inflation, would qualify, provided federal assistance does not exceed



50 percent of project costs. This substantially expands the range of projects eligible for the program's simplified review process.

Project Review and Administration

The bill establishes expedited technical-capacity reviews for project sponsors with demonstrated experience delivering similar projects and reduces several administrative requirements. Applicants would be permitted to advance more quickly through the project development process, while experienced project sponsors would face fewer review requirements. The legislation also shortens certain FTA review timelines from 10 or 15 days to three business days.

Housing and Economic Development Incentives

The Secretary may increase a project's economic development rating by one level on the five-point evaluation scale when applicants demonstrate that local land-use policies support housing development near transit facilities. The Department of Transportation would consult with the Department of Housing and Urban Development when evaluating these submissions.

Alternative Project Delivery

The bill authorizes the use of alternative project delivery methods for CIG-funded projects, including construction manager/general contractor, construction manager-at-risk, progressive design-build, and other innovative contracting approaches. The provision is intended to provide sponsors with greater flexibility in managing costs, schedules, and project risks.

Local Funding Flexibility and Cost Reimbursement

Projects with local financial commitments of at least 50 percent would receive relief from certain data collection and planning requirements. The bill also allows the federal government to reimburse eligible project development costs incurred before a project formally enters project development, provided the project subsequently advances to the next phase and receives federal approval.

Expedited Project Delivery Program

The legislation makes permanent and expands the expedited project delivery program, which was previously structured as a pilot program. The program would be available to New Starts, Streamlined Starts, and Core Capacity projects and would place greater emphasis on private contributions, innovative financing, risk transfer, and public-private partnership strategies.

Program Flexibility

The Secretary is directed to provide greater flexibility for applicants to move projects among the various CIG program categories and to minimize administrative burdens associated with such transfers. The new provisions generally apply to applications



submitted after enactment, projects transferred between pipelines after enactment, and existing applicants that elect to use the revised requirements.

Sec. 3023 – Authorizations (pg. 427)

Transit program authorized funding can be found below:

| Program | FY2027 | FY2028 | FY2029 | FY2030 | FY2031 | Total |
|---|------------------|------------------|------------------|------------------|------------------|------------------|
| Planning Programs (5305) | \$ 222,930,000 | \$ 225,820,000 | \$ 228,760,000 | \$ 231,730,000 | \$ 234,750,000 | \$ 1,143,990,000 |
| - MPO Planning Set-Aside (5305(i)) | \$ 15,000,000 | \$ 15,200,000 | \$ 15,400,000 | \$ 15,600,000 | \$ 15,800,000 | \$ 77,000,000 |
| Urbanized Area Grants (5307) | \$ 7,745,474,000 | \$ 7,869,922,000 | \$ 7,996,361,000 | \$ 8,124,823,000 | \$ 8,255,340,000 | \$39,991,920,000 |
| Enhanced Mobility of Seniors & Individuals with Disabilities (5310) | \$ 447,300,000 | \$ 453,100,000 | \$ 459,000,000 | \$ 465,000,000 | \$ 471,000,000 | \$ 2,295,400,000 |
| - Set-Aside (5310(j)) | \$ 10,000,000 | \$ 10,100,000 | \$ 10,200,000 | \$ 10,300,000 | \$ 10,400,000 | \$ 51,000,000 |
| Rural Area Grants (5311) | \$ 1,007,622,000 | \$ 1,023,742,000 | \$ 1,040,122,000 | \$ 1,056,764,000 | \$ 1,073,672,000 | \$ 5,201,922,000 |
| Public Transportation Innovation (5312) | \$ 45,240,000 | \$ 45,960,000 | \$ 46,700,000 | \$ 47,440,000 | \$ 48,200,000 | \$ 233,540,000 |
| - Innovation Program Set-Aside (5312(h)) | \$ 5,000,000 | \$ 4,000,000 | \$ 3,000,000 | \$ 2,000,000 | \$ - | \$ 14,000,000 |
| - Innovation Program Set-Aside (5312(i)) | \$ 7,371,000 | \$ 7,489,000 | \$ 7,609,000 | \$ 7,731,000 | \$ 7,854,000 | \$ 38,054,000 |
| Technical Assistance & Workforce Development (5314) | \$ 20,499,000 | \$ 20,806,000 | \$ 21,118,000 | \$ 21,434,000 | \$ 21,756,000 | \$ 105,613,000 |
| Bus Testing Facility (5318) | \$ 7,000,000 | \$ 7,105,000 | \$ 7,212,000 | \$ 7,320,000 | \$ 7,430,000 | \$ 36,067,000 |
| Emergency Relief Program (5324) | \$ 25,000,000 | \$ 25,000,000 | \$ 25,000,000 | \$ 25,000,000 | \$ 25,000,000 | \$ 125,000,000 |
| Administrative Expenses (5334) | \$ 132,700,000 | \$ 135,400,000 | \$ 138,100,000 | \$ 140,800,000 | \$ 143,600,000 | \$ 690,600,000 |
| National Transit Database (5335) | \$ 6,235,000 | \$ 6,335,000 | \$ 6,436,000 | \$ 6,539,000 | \$ 6,644,000 | \$ 32,189,000 |
| State of Good Repair Grants (5337) | \$ 4,640,000,000 | \$ 4,645,000,000 | \$ 4,650,000,000 | \$ 4,655,000,000 | \$ 4,660,000,000 | \$23,250,000,000 |
| Buses, Bus Facilities & Ferries (5339) | \$ 1,695,000,000 | \$ 1,863,710,000 | \$ 2,014,891,000 | \$ 2,149,550,000 | \$ 2,295,508,000 | \$10,018,659,000 |
| Growing States & High Density States (5340) | \$ 873,000,000 | \$ 883,100,000 | \$ 893,300,000 | \$ 903,600,000 | \$ 914,100,000 | \$ 4,467,100,000 |
| - Growing States (5340(b)) | \$ 445,230,000 | \$ 450,381,000 | \$ 455,583,000 | \$ 460,836,000 | \$ 466,191,000 | \$ 2,278,221,000 |
| - High Density States (5340(c)) | \$ 427,770,000 | \$ 432,719,000 | \$ 437,717,000 | \$ 442,764,000 | \$ 447,909,000 | \$ 2,188,879,000 |
| Capital Investment Grants (5309) | \$ 3,000,000,000 | \$ 3,000,000,000 | \$ 3,000,000,000 | \$ 3,000,000,000 | \$ 3,000,000,000 | \$15,000,000,000 |
| Total Formula & Other Transit Programs (5338(a)(1)) | \$16,868,000,000 | \$17,205,000,000 | \$17,527,000,000 | \$17,835,000,000 | \$18,157,000,000 | \$87,592,000,000 |

Additional Transit Provisions to Flag:

SaaS Capitalization: Transit agencies may use federal formula funds for Software-as-a-Service expenses tied to delivering public transportation services, reversing the prior requirement to use local operating funds for ongoing cloud-based software subscriptions.

New 5307 Spending Requirements: All 5307 recipients must spend at least 1% of formula funds on crime prevention and security projects (removing the current opt-out) and at least 1% on projects to improve accessibility for individuals with disabilities.

Split Letter Oversight: Designated recipients in urbanized areas over 200,000 must submit a letter to the Secretary explaining how federal funds are split among direct recipients when using a non-formula allocation method or non-Census population data. Failure to provide rationale allows the Secretary to withhold funds. Letters published annually on FTA's website.



Five-Year Availability of Bus Formula Funds: Extends the obligation period for Section 5339 bus formula funds from three to five fiscal years, aligning with the availability period for other FTA formula programs.

STIC Set-Aside Increase: The Small Transit Intensive Cities set-aside is increased from 3% to 5% of Section 5307 formula funds.

Increased Federal Share for ADA and CMAQ: The federal cost share for projects funded through ADA and CMAQ programs increases from 85% to 90%.

Maximum Federal Payment Cap for Bus Procurements: Beginning in FY2029, federal payment is capped at 80% of the 5-year average procurement price for similar buses. The cap decreases to 75% in FY2030 and 70% from FY2031 onward. Caps are unique to each propulsion type and length combination.

Chinese Rolling Stock Prohibition: Incorporates Stop China Act language barring agencies from purchasing buses from Chinese rolling stock or powertrain manufacturers, including owners, subsidiaries, and affiliates. Existing contracts are exempt.

Advance Payments for Rolling Stock: Agencies may provide advance payments of up to 20% of a bus's value without requiring a performance bond.

Performance Specifications: Agencies are directed to use performance specifications in bus procurements to the greatest extent possible.

Buy America Waiver Determination Timeline: The Secretary must issue a determination on Buy America waiver requests within 180 days of submission, with authority to extend by an additional six months.

Charter Bus Determination Timeline: The Secretary must issue a determination on alleged charter bus rule violations within 120 days of receiving a complaint.

Bus Operator Safety Barrier Requirement: Within 2 years of enactment, new transit buses longer than 30 feet must include a floor-to-ceiling barrier that fully encloses the operator. A Bus Driver Safety Working Group will recommend additional design and safety standards to protect operators from assaults.

Motorcoach Forward View Standards: The Secretary must prescribe safety standards to ensure motorcoaches maintain a minimally obstructed forward-facing view from the driver's seat.

NEPA and Project Streamlining Provisions - Overview

Using Planning Documents to Eliminate Alternative Project Proposals: When USDOT operating administration is the lead agency preparing an Environmental Impact Statement (EIS), it is allowed to remove a project alternative from detailed consideration if that alternative was already evaluated earlier in the planning process, but only if several conditions are met.



Specifically, an alternative can be eliminated if:

- **Prior planning review:** The alternative was already analyzed in a MPO planning process, a state or local environmental review process, or a federally approved State Rail Plan.
- **Federal guidance involvement:** The lead federal agency provided guidance during that earlier planning or environmental review process, ensuring it aligned with NEPA requirements and other applicable federal laws.
- **Public participation:** The earlier planning or review process included public review and comment that is comparable to NEPA's public involvement standards.
- **Consideration and rejection:** The planning or review entity actually considered the alternative and formally rejected it after reviewing public comments.
- **Federal validation:** The federal lead agency independently reviews the prior analysis of the alternative.
- **Final determination:** The federal lead agency concludes either that:
 - The alternative is not needed to comply with NEPA (in consultation with other federal agencies), or
 - The alternative is not required for any other federal permit or approval (with concurrence of relevant permitting agencies).

Transit Agency Assumption of Categorical Exclusions: Transit agencies serving urbanized areas with populations over 200,000 may assume responsibility for making categorical exclusion determinations under NEPA.

Property Acquisition Before NEPA Completion: FTA may reimburse recipients for real property acquisition before environmental reviews are complete, without affecting subsequent project approvals, provided the property is incorporated into an eligible capital project.

Safety Project Categorical Exclusions: The Secretary must publish a uniform checklist for project sponsors to determine whether certain safety projects qualify as categorical exclusions.

Transit Shelter Categorical Exclusion: Construction, repair, or replacement of transit shelters in an existing right-of-way is made a categorical exclusion under NEPA.

Minimized CE Documentation: The Secretary must minimize documentation required when a project qualifies as a Categorical Exclusion and must brief Congress on actions taken to carry out this requirement.

Increased CE Cost Thresholds: Thresholds to qualify as a Categorical Exclusion due to limited federal assistance are doubled: federal share raised from \$6M to \$12M; total project cost raised from \$35M to \$70M.

One Federal Decision: The Secretary must designate a single lead agency for projects requiring approvals from more than one modal administration, with a 30-day shot clock to identify participating federal and non-federal agencies.



Historic Preservation Review Streamlining: The Secretary must minimize documentation for Section 106 historic preservation reviews and issue guidance on the review process. Projects already exempt from Section 106 review are also exempt from Section 4(f) review.

Expanded Programmatic Agreements: State programmatic agreements for self-certifying Categorical Exclusions are extended from FHWA to all DOT modes. The Secretary must update the template agreement to expand the list of categorically excluded project types.

Extended Programmatic Agreement Timelines: Agreements allowing states to assume CE certification responsibilities extended from 3 to 5 years. States with 10 or more years of responsibility may extend in 10-year terms.

Passenger Rail Overview:

Rail Funding Structure and Overall Shift

The BUILD America 250 Act shifts passenger rail funding away from the advance appropriations structure used under IIJA and toward authorizations subject to the annual appropriations process, representing a significant structural change that introduces greater uncertainty for rail programs. Under IIJA, approximately \$66 billion in advance appropriations provided a multi-year funding commitment for rail. The new bill authorizes approximately \$63.9 billion over five years, but the practical funding level will depend entirely on future appropriations decisions, as there is no dedicated or advance appropriations support backing that figure. This is a meaningful distinction given that historical annual appropriations for rail programs have hovered around \$3 billion per year, well below the roughly \$13 billion per year that would be needed to fully deliver on the bill's authorized levels.

Consolidation and Restructuring of Rail Programs

The bill consolidates several existing rail programs into a new National Intercity Passenger Railroad Partnership (NIPR) program, including the Federal-State Partnership for Passenger Rail, Restoration & Enhancement grants, and interstate rail compact programs.

The new consolidated program allows funding for capital and limited operating assistance for new, restored, or enhanced intercity passenger rail services, but caps federal operating support on a declining scale over five years.

Eligibility is expanded to include non-Amtrak operators and interstate rail compacts, enabling broader participation in federally supported passenger rail development.

National Intercity Passenger Railroad Partnership (NIPR)

The NIPR program provides approximately \$18.5 billion over five years but shifts emphasis toward competitive project selection, non-federal financial commitment, and detailed business-case justification.



Operating assistance is permitted for up to five years, with federal support declining annually from a higher initial share down to a lower final share in year five.

Projects that demonstrate long-term financial sustainability and prior selection through the Corridor Identification Program receive priority for funding.

A set-aside of up to 5% of program funds is reserved for operating assistance grants.

Corridor Identification (CID) Program Reforms

The Corridor Identification and Development Program is retained but significantly tightened, requiring more detailed financial analysis, including projected operating revenue, maintenance costs, contingency planning, and freight impact analysis.

Applicants must now include explicit “no-build” alternatives and identify other modal options as part of service development plans.

The Federal Railroad Administration is given expanded authority to review and approve financial assumptions and may require third-party review before advancing projects.

New reporting requirements include annual pipeline reports and quarterly progress updates tracking funding, timelines, and project readiness.

The program is closed to new corridor selections after October 1, 2031.

CRISI Program Changes

The Consolidated Rail Infrastructure and Safety Improvements (CRISI) program is reauthorized at approximately \$9.1 billion over five years, with expanded eligibility for applicants and projects.

Eligible projects now include broader freight congestion reduction, intercity passenger rail expansion, and advanced rail safety and monitoring technologies.

Cost-benefit analysis requirements are waived for certain planning and research activities and some freight safety projects.

Selection criteria are expanded to explicitly include safety outcomes and system efficiency improvements.

A portion of funding may be reserved for rail technology and pilot programs if appropriated.

Railroad Crossing Safety (RCE) Program

The Railroad Crossing Safety Improvements and Elimination Program is authorized at approximately \$3.65 billion over five years.

Eligibility is expanded to include rail-safety nonprofit organizations and additional project types aimed at grade crossing elimination and safety upgrades.

The program encourages use of advanced technology and data-driven safety improvements and reduces certain mandatory funding transfer requirements.



Amtrak Structural and Governance Reforms

The bill includes multiple administrative and governance changes aimed at Amtrak accountability, transparency, and financial performance.

Amtrak is directed to emphasize financial sustainability, operational efficiency, and competitiveness with other transportation modes.

Board transparency requirements are expanded, including FOIA-style compliance and open meeting rules, with exceptions for sensitive commercial, safety, and labor matters.

Amtrak must implement Office of Inspector General recommendations related to asset management and state of good repair within two years.

Executive compensation (including bonuses) must be publicly disclosed and reported to Congress.

Amtrak is required to produce multiple studies and reports, including long-distance equipment maintenance costs and system performance reviews.

Equipment Pools and Interstate Rail Compacts

The bill authorizes interstate rail compacts to establish shared passenger rail equipment pools for procurement, leasing, maintenance, and fleet management.

These equipment pools are intended to standardize rolling stock, improve procurement efficiency, and expand fleet availability for intercity rail service.

Funding support is primarily tied to Railroad Rehabilitation and Improvement Financing (RRIF) loans and NIPR eligibility rather than direct appropriations.

Amtrak may participate voluntarily but cannot be compelled to provide equipment or facilities.

Route Studies and Federal Planning Expansion

USDOT is directed to study multiple potential intercity passenger rail corridors, including routes in the Midwest, Texas, California, and the Northeast.

The Secretary may also identify additional corridors for evaluation, expanding federal involvement in early-stage route feasibility analysis.

The bill also creates a broader mandate for USDOT to evaluate intercity passenger rail expansion opportunities nationwide.

Emergency Relief Program

A new emergency relief program is created to fund repair and recovery of rail infrastructure after natural disasters.

Eligible entities include states, public agencies, railroads, and intercity passenger rail operators.



Federal cost share can reach up to 80 percent and may be adjusted or waived under certain conditions.

The program includes oversight rules, insurance requirements, and duplication-of-benefits protections.

Active Transportation Overview:

Transportation Alternatives Program (TAP)

The Transportation Alternatives Program remains the largest dedicated federal funding source for bicycle lanes, trails, sidewalks, and greenways and is reauthorized at approximately \$1.6 billion annually.

The bill makes it easier for states to transfer or reprogram TAP funds away from bicycle and pedestrian infrastructure toward other transportation uses. This change reduces the long-term certainty that TAP dollars will be used for active transportation projects, even though nominal funding is maintained.

Recreational Trails Program (RTP)

The Recreational Trails Program is reauthorized at approximately \$84 million annually and continues to support trail construction and maintenance nationwide.

The bill includes clarifying language allowing the use of electric bicycles on non-motorized RTP-funded trails, providing regulatory certainty for e-bike access.

The program remains relatively stable but does not receive a significant funding increase.

Active Transportation Infrastructure Investment Program (ATIIP) Repeal

The Active Transportation Infrastructure Investment Program is eliminated under the legislation.

Micromobility and E-Bike Safety Policy

The bill includes a federal study on micromobility safety and children but does not include additional provisions addressing high-speed e-motor devices.

Project Delivery and Permitting

The bill directs USDOT to clarify when bicycle and pedestrian infrastructure projects may qualify for accelerated environmental review and permitting.

Vehicle and Battery Safety-Related Active Transportation Impacts

The bill advances separate vehicle safety legislation aimed at improving detection of bicyclists and pedestrians through crash avoidance technologies.

It also supports development of lithium-ion battery safety standards for e-bikes and other micromobility devices.



Notable MPO Provisions:

Sec. 7104 – Transportation Assistance for International Games (pg. 722)

For the Olympic, Paralympic, Special Olympics, and Women or Men’s FIFA World Cup events, MPOs are eligible entities for transportation assistance for international games.

Eligible Activities

- Transportation project that will assist with the movement of individuals and goods for the event
- Transportation project that will mitigate or prevent any adverse effects from the transportation resulting from the event
- Transportation planning activities that will assist with the movement of individuals and goods for the event

Grants

The legislation authorizes appropriations to carry out these activities at the following levels:

| Funding | Year |
|--------------|------|
| \$50,000,000 | 2027 |
| \$50,000,000 | 2028 |
| \$50,000,000 | 2029 |
| \$50,000,000 | 2030 |
| \$50,000,000 | 2031 |

Those awarded funding will receive technical and planning assistance – including MPOs. Assistance includes:

- Developing intermodal transportation plans
- Facilitating and incentivizing programs to pool and share
- Expedite review and comment of required submission to the Secretary related to the event
- Assistance with coordinating transportation planning efforts between governments and the private sector
- Providing general technical or planning assistance.

Comptroller General and GAO Studies (Sec. 1314, Sec. 1315, and Sec. 1317)

Sec. 1314 – Study on Effectiveness of Discretionary Grant Programs (pg. 250)

The Comptroller General will have to complete a study on the effectiveness of highway-related discretionary grant programs under USDOT. This includes reviewing:

- USDOT criteria used to selected projects



- The alignment of funding decisions with statutory project goals
- Transparency and consistency of application review and award process
- Trends in funding allocation across project types, geographic regions, and jurisdictions
- Average timeline from application submission to award and obligation
 - What led to successful project completion (while being on schedule) and what causes projects to be delayed or go over budget
- The outcome of projects completed using discretionary funding compared to formula funding
- The frequency with which grant recipients at the local level attempted to seek funding for a project with alternative funding sources

The Comptroller General shall consult various stakeholders, notably MPOs during this study. The study is to be completed in two years and shall include recommendations.

Sec. 1315 – Study on Effectiveness of Formula Grant Programs (pg. 253)

The Comptroller General will have to complete a study on the effectiveness of highway formula grant programs under USDOT. This includes reviewing:

- The alignment of funding decisions with national performance measures and goals
- Procedures used by state DOTs to provide formula grants to regional or local governments
- The extent to which highway formula funding increases have or have not led to national performance goals

In two years, a report shall be submitted to Congress with recommendations found from the study.

Sec. 1317 – Review of State and Local Consultation Processes (pg. 257)

The Comptroller General shall complete a study on the STBG program. The following will be reviewed:

- The process by which FHWA notified state and Mos of apportionment amounts to be obligated in areas based on population
- The amount apportioned to states required to be obligated in areas based on population, including unobligated balances of the amounts and factors that may be contributing to such balances
- Consultation processes established by states to consult RTPOs and MPOs
- State selection processes

A report is required to be submitted to Congress after two years and it shall include key findings and recommendations on ways to improve communication between states, MPOs, and RTPOs.