

BUILD America 250 Act – Overview of Key Provisions for Local Governments, Transit Agencies, & Transportation Authorities

May 20, 2026

Executive Summary

On Sunday, May 17, the House Transportation & Infrastructure (T&I) Committee introduced the bipartisan Building Unrivaled Infrastructure and Long-term Development (BUILD) for America's 250th Act ([BUILD America 250 Act](#)), a legislative package to reauthorize and reform federal surface transportation programs and laws. The legislation authorizes nearly \$580 billion in total spending from FY 2027 – FY 2031, including:

- \$392.324 billion for the Federal-Aid Highways programs;
- \$102.74 billion for Public Transportation;
- \$64.656 billion for Railroads/Hazardous Materials programs;
- \$17.75 billion for freight/multimodal transportation programs;
- \$5.675 billion for highway traffic safety programs; and
- \$5.04 billion for motor carrier safety programs.

Furthermore, local governments are estimated to have access to nearly 22 percent of funding included within the bill.

Reauthorization for surface transportation programs sets the funding levels, policy directives, and programmatic requirements for the Federal Highway Administration (FHWA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Railroad Administration (FRA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), and the Pipeline and Hazardous Materials Safety Administration (PHMSA). Typically passed every five to six years, the most recent surface transportation reauthorization was enacted as part of the Infrastructure Investment and Jobs Act (IIJA) in 2021. IIJA provided \$1.2 trillion in advanced appropriations for transportation and infrastructure programs and is set to expire on September 30, 2026.

The programs created and reauthorized by the surface transportation reauthorization bill are critical to local government funding streams. Under the IIJA, local governments competed for

billions in competitive funding for transit, highway, port, airport, and bridge projects. New programs and increased funding levels allowed local governments across the United States to address critical infrastructure needs and modernize their transportation systems. The Build America 250 Act reauthorizes many of the programs local governments interact with and would update federal surface transportation laws. The following summary highlights key provisions in the draft reauthorization bill that are relevant to local governments.

Key Takeaways

Programs Preserved	Programs Repealed	New Programs
<ul style="list-style-type: none"> • Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program • Railroad Crossing Safety Improvements and Elimination Program • National Intercity Passenger Railroad Partnership Program • Safe Streets and Roads for All Program • Wildlife Crossings Pilot Program • Bridge Investment Program • Bus and Bus Facilities Program • SMART Grant Program • Mega Grant Program • INFRA Grant Program 	<ul style="list-style-type: none"> • Healthy Streets Program • PROTECT Formula Funding • Charging and Fueling Infrastructure Grant Program • National Electric Vehicle Infrastructure (NEVI) Formula Program • Carbon Reduction Program 	<ul style="list-style-type: none"> • Surface Transportation Accelerator Grant Program (STAG) • Transportation assistance for international games grant program

Additional Highlights

- **Increased eligibilities for Metropolitan Planning Organizations (MPOs):** MPOs are now included as an eligible applicant for additional programs, such as the Nationally Significant Multimodal Freight & Highway Projects (INFRA) program.
- **Increased focus on digital infrastructure:** Adds digital infrastructure technologies designed to improve roadway safety and prevent crashes as an eligible research and development activity within NHTSA. The bill also reauthorizes technology deployment

programs – such as the Accelerated Implementation and Deployment of Pavement Technologies (AID-PT) and Advanced Digital Construction Management Systems (ADCMS) programs – through FY 2031.

- **New EV Fee:** Requires states to impose an annual registration fee of \$130 for electric vehicles (EVs) and \$35 for covered plug-in hybrid vehicles to generate revenue for the Highway Trust Fund.
- **Build More Housing Near Transit Act Included:** Allows for Capital Investment Grant (CIG) applicants to receive an additional point on their overall application score if said project also promotes housing development along the project route.
- **Preserves the Railroad Crossing Elimination Program:** Reauthorizes the program formerly known as the Railroad Crossing Elimination Program.
- **Bridge programs, 25% set-aside:** The program also requires that states set-aside 25 percent of funds to run a competitive process to fund locally-owned bridge projects. (up from 15%).
- **New security / accessibility requirements for UZA formula funds:** Amends Urbanized Area Formula grants to require recipients to allocate a minimum amount of funding to security and accessibility.
- **Fare Evasion Policy Enforcement:** Allows DOT to withhold ten percent of urban area transit grant funds if said local jurisdiction does not have criminal or civil enforcement mechanisms to protect against fare evasion.
- **National Transit Database (NTD):** Includes technical changes to the NTD and requires transit agencies to report two new types of data for inclusion in the NTD: revenue loss because of fare evasion for each mode of transportation; and (2) data on assaults and other violent crimes on transit passengers while onboard public transportation and within transit facilities.
- **Repeal of Climate Title:** Repeals funding for climate programs included within the Infrastructure Investment and Jobs Act, such as the Healthy Streets and Charging Fueling and Infrastructure (CFI) programs.
- **Funding for International Games:** Authorizes \$50 million in annual funding to support planning, capital, and operations needs for international games, such as the Olympics, Paralympics, and FIFA World Cup events.

Overview of Key Provisions

Federal-Aid Highways Highlights:			
<ul style="list-style-type: none"> • Adds metropolitan planning organizations (MPOs) as eligible entities under INFRA. • Repeals the Reduction of Truck Emissions at Port Facilities Program. • Repeals the Healthy Streets Program. • Codifies the Safe Streets and Roads for All grant program. Reduces the set aside for planning grants to five percent, adding a 30 percent set aside for rural communities, and providing parity with the Federal cost share of other safety projects. • Repeals the Carbon Reduction Program. • Repeals the PROTECT Program formula funding component. • Directs the FHWA Administrator to impose an annual registration fee of \$130 for a covered electric vehicle (EV) and \$35 for a covered plug-in hybrid vehicle. Beginning in 2029, both fee amounts are to be increased biennially by \$5, stipulating that the fee for covered EVs will not exceed \$150 and the fee for covered plug-in hybrids will not exceed \$50. The FHWA Administrator is directed to withhold an amount equal to 125 percent of the amount owed from the state’s highway apportionment if a state does not comply. 			
Sec.	Title	Summary	+/- IJJA (Five-Year Funding Total)
1104	Apportionment	Updates administrative expenses for the Federal Highway Administration (FHWA) and prescribes the apportionment of Federal highway funds, including how funds are to be divided across programs when apportioned to the states.	-\$64 million
1105	Nationally significant multimodal freight and highway projects	Amends the Nationally Significant Multimodal Freight and Highway Projects (INFRA) program by broadening program eligibility to metropolitan planning organizations (MPOs) serving urbanized areas with a population of at least 50,000. This section also eliminates the 30 percent cap on multimodal projects.	+\$1 billion
1106	National highway performance program	Changes the National Highway Performance Program (NHPP), including requiring the Secretary to determine compliance of asset management plans every two years, up from every year.	+18 billion
1107	Federal share	Amends current law to allow for an increased Federal share for rail-highway grade crossing improvements, as well as activities eligible under the Metropolitan	N/A

		Planning Program (MPP). Also increases the federal cost-share for the MPP program to 90 percent.	
1108	Bridge programs	<p>Authorizes formula and competitive programs to fund bridge improvement projects. Under the formula program established in this section, each state will receive an annual apportionment. To address off-system bridges, the formula program requires that states set-aside 20 percent of annual funding amounts for such projects. The program also requires that states set-aside 25 percent of funds to run a competitive process to fund locally-owned bridge projects. The program provides that states may count off-system bridge projects funded by the set-aside for locally-owned bridges towards the off-system set-aside. Under the formula program, the Federal share for locally-owned bridges is 95 percent.</p> <p>Also authorizes a competitive program to provide grants to improve the safety, efficiency, reliability, capacity, and utility of bridges on the National Highway System. The program stipulates that grant amounts shall be not less than \$50 million and that the Federal share of any project shall not exceed 50 percent. Directs the Secretary to consider several factors when providing grants under this section, including the average daily person and freight throughput expected to be supported by the project, the safety benefits of the project, the national or regional economic benefits of the project, geographic diversity, and the extent to which the project is for a bridge in poor condition or at risk of falling into poor condition, among other considerations. Under the program, projects may be carried out through a multiyear grant agreement.</p>	Bridge Formula Program: +\$17.5 billion
1109	Emergency relief	Changes to the Emergency Relief (ER) program intended to ensure resilience	N/A

		improvements are eligible under the program. Makes additional project delivery changes.	
1111	Railway-highway grade crossings	Extends the Railway-Highway Grade Crossings program through FY 2031.	Same levels as IJJA.
1112	Surface transportation block grant program	Changes the STBG program to include infrastructure improvements to existing facilities to withstand natural disasters and increase resilience. This section also provides a definition for a “low-water crossing.” Also updates existing language intended to allow for Highway Safety Improvement Program (HSIP) funds to be counted towards the nonfederal share for a Transportation Alternatives (TA) project provided that certain conditions are met.	+\$9.9 billion
1116	Construction of ferry boats and ferry terminal facilities	Reauthorizes the Ferry Boats and Ferry Terminal Facilities through FY 2031.	+\$362 million
1117	Highway safety improvement program	Broadens eligibility under HSIP, including by adding bollards, infrastructure that connects two or more existing segments of roadway safety infrastructure improvements, and digital infrastructure technologies, such as digital alerting systems and electronic ticketing (or e-ticketing). Also makes changes to emphasize the safety of roadway workers.	+1.7 billion
1118	CMAQ program	Changes to the Congestion Mitigation and Air Quality Improvement (CMAQ) program by broadening eligibility to include projects that deploy advanced transportation and congestion management technologies and projects supporting digital infrastructure. Requires states to obligate specified percentages of CMAQ funding on eligible alternative fueling projects for four years. This section also requires the Secretary to, not less frequently than every two years, update a table illustrating the cost-effectiveness of a range of projects eligible	+\$1.6 billion

		<p>under the program for the consideration of states.</p> <p>Requires the Secretary to provide written notification to states and MPOs regarding the cost-effectiveness table and the requirement under the program that states and MPOs consider such information when selecting projects. Repeals the Reduction of Truck Emissions at Port Facilities and Healthy Streets programs.</p>	
1119	Safe streets and roads for all grant program	Codifies the Safe Streets and Roads for All grant program. Reduces the set aside for planning grants to five percent, adding a 30 percent set aside for rural communities, and providing parity with the Federal cost share of other safety projects.	-\$1.25 billion
1123	Wildlife crossings pilot program	Amends the Wildlife Crossings Pilot Program by increasing the minimum amount required to be obligated on rural projects to 75 percent and placing a limitation of not more than five percent of funds to be used on non-construction activities.	+\$50 million
1124	Surface transportation accelerator grant program (STAG)	<p>Establishes the Surface Transportation Accelerator Grant (STAG) discretionary program to fund surface transportation projects in local, regional, rural, and urban communities.</p> <p>Under the program, 50 percent of funding is for local and regional grants, 25 percent is for rural grants, and 25 percent is for urban grants. The rural component defines a covered rural area as having a population of 50,000 or less and funds surface transportation projects in such areas. The rural component sets a minimum grant amount of \$5,000,000, while allowing the Secretary to use not more than 10 percent of available funds per fiscal year for grants with a smaller award size.</p>	+12 billion

		<p>The urban component defines a covered urban area as having a population of not less than 50,000 and funds surface transportation projects in such areas. The urban component sets a minimum grant amount of \$5,000,000, while allowing the Secretary to use not more than 10 percent of available funding per fiscal year for grants with a smaller award size. The local and regional component defines a specified urban area as having a population of more than 200,000 and a specified rural area as those located outside of specified urban areas.</p> <p>The goal of the local and regional component is to fund eligible projects that will have a significant local or regional impact and improve surface transportation infrastructure. Under the local and regional component, grant amounts are specified as not less than \$5,000,000 for a specified urban area, not less than \$1,000,000 for a specified rural area, and are capped at \$25,000,000.</p> <p>A single state may not receive more than 15 percent of funds per fiscal year. The local and regional component requires that for each fiscal year, not more than 50 percent of funds shall be allocated for eligible projects in specified rural areas and not more than 50 percent of funds shall be allocated for eligible projects in specified urban areas.</p>	
1125	Carbon Reduction Program	Repeals the Carbon Reduction Program	-\$6.4 billion
1126	PROTECT program	Repeals the PROTECT Program formula funding component.	-\$7.3 billion
1127	Codification and improvement of Jason's law	Creates a competitive grant program for projects that provide public parking for commercial motor vehicles (CMVs) to improve the safety of CMV drivers. Under	N/A

		the program, projects must be located on a Federal-aid highway or be a facility with reasonable access to a Federal-aid highway or freight facility.	
1128	Consolidated funding pilot program	Creates a pilot program to allow up to ten states to receive their base apportionment in a lump sum. Under the pilot program, funds would be eligible for use for any project under existing highway formula programs. Participating states are required to obligate 25 percent of funding to regional and local areas in proportion to their relative shares of the population of the state and, are required to consult with MPOs and regional transportation planning organizations representing such areas, if any.	
1129	Registration fee on motor vehicles	Directs the FHWA Administrator to impose an annual registration fee to be collected by each state of \$130 for a covered electric vehicle (EV) and \$35 for a covered plug-in hybrid vehicle. Beginning in 2029, the Administrator is required to biennially increase both fee amounts by \$5, stipulating that the fee for covered EVs will not exceed \$150 and the fee for covered plug-in hybrids will not exceed \$50. To ensure compliance with the requirements of this section, the Administrator is directed to withhold an amount equal to 125 percent of the amount owed from the state's highway apportionment if a state does not comply.	+\$10 billion <i>(estimated)</i>
1130	Transfer of real property no longer needed	Provides for a process to transfer real property acquired with Federal-aid funds. It provides several conditions that must be met for the Secretary to authorize a transfer, including that there is no longer a need for the real property, that the overall benefit of allowing the transfer is greater than the interest of the Federal Government in liquidation, and that there is no interest in acquiring the real property for Federal Government use.	

Innovation Highlights:

- Reauthorizes the SMART grant program.
- Reauthorizes University Transportation Centers
- Reauthorizes the Advanced Digital Construction Management Systems (ADCMS) program
- Directs TRB to conduct autonomous vehicle accessibility study.

Sec.	Title	Summary	+/- IJA
1103	Definitions	Provides a definition for the term “digital infrastructure.” Expands the definition of “operating costs for traffic monitoring, management, and control,” to include backup power systems, ensuring such projects are eligible under the Surface Transportation Block Grant (STBG) program.	N/A
6001	Strengthening mobility and revolutionizing transportation grant program.	Reauthorizes the Strengthening Mobility and Revolutionizing Transportation (SMART) grant program through FY 2031. This section also consolidates funding for the SMART grant program into a single funding stream for both development and implementation phase activities for eligible projects. This section also ensures that the Secretary prioritizes projects under this grant that promote new and emerging technologies that are not widely deployed.	Same authorization levels as IJA.
6002	Technology deployment.	Reauthorizes the Accelerated Implementation and Deployment of Pavement Technologies Program (AID-PT), which supports innovative pavement technologies, as well as the Advanced Digital Construction Management Systems program (ADCMS), which provides grants to develop and support ADCMS technologies through FY 2031. For the ADCMS program, a single entity may not receive more than 10 percent of funds and requires the Secretary to publish recommendations to	N/A

		encourage wider deployment and implementation of ADCMS by states.	
6008	University transportation centers program	Reauthorizes the university transportation centers through FY 2031 and ensures funding for this program is awarded to applicants with a demonstrated ability to disseminate results to state and local transportation officials.	N/A
6012	Autonomous vehicle accessibility study	Requires the Transportation Research Board (TRB) to study infrastructure changes, such as curb management, sidewalk and roadway design, pick-up zones, curb extension, and infrastructure design, to improve accessibility of autonomous ride-hail vehicles for people with disabilities, particularly wheelchair users.	N/A

Motor Carrier Safety Highlights:

- Authorizes appropriations out of the Highway Trust Fund for the Federal Motor Carrier Safety Administration (FMCSA) through FY 2031 to carry out motor carrier safety assistance programs, the high priority program, the commercial motor vehicle enforcement training and support grant program, the commercial motor vehicle operators safety training grant program, the financial assistance program for commercial driver's license implementation, and to pay the administrative expenses of FMCSA.

Sec.	Title	Summary	+/- IJA
5001	Authorization of appropriations	Authorizes appropriations out of the Highway Trust Fund for the Federal Motor Carrier Safety Administration (FMCSA) through FY 2031 to carry out motor carrier safety assistance programs, the high priority program, the commercial motor vehicle enforcement training and support grant program, the commercial motor vehicle operators safety training grant program, the financial assistance program for commercial driver's license implementation, and to pay the administrative expenses of FMCSA.	+\$407.5 million

5402	ADS-equipped commercial motor vehicle interstate operation.	Creates a safety standard for commercial motor vehicles equipped with autonomous driving systems (ADS) operating in interstate commerce. The safety standard requires manufacturers of ADS and ADS-equipped commercial motor vehicles to meet all applicable regulations, demonstrate competencies through a safety case, and adhere to reporting requirements. The section also establishes requirements for operators of ADS-equipped commercial motor vehicles.	N/A
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Public Transportation Highlights:

- Amends Urbanized Area Formula grants to require recipients to allocate a minimum amount of funding to security and accessibility.
- Establishes a consolidated state block grant program that allows the Secretary to allocate a lump sum to participating states to fund public transportation services in rural and urbanized areas.
- Amends the Capital Investment Grants Program to require the Secretary to consider whether proposed projects will promote housing development along the project route.
- Consolidates the low-no emission bus and bus and bus facilities grant programs into one program. Modifies the bus and bus facilities competitive program and ensures that all vehicle propulsion types remain eligible.

Sec.	Title	Summary	+/- IJA
3002	Definitions	Amends the definition of the term “associated transit improvement” to require that a transit improvement project be carried out within a specified distance from a transit facility depending on the type of project. This section also amends the chapter-wide definition of “capital project” to clarify that certain software is eligible as a capital project for purposes of Federal transit law.	N/A
3005	Urbanized area formula grants	Amends the urbanized area formula grant program to <ol style="list-style-type: none"> 1. Allow transit agencies operating a maximum of 125 buses to use a portion of their urbanized area 	+\$6.852 billion

		<p>formula funds for operating expenses;</p> <ol style="list-style-type: none"> 2. Eliminate some public hearing requirements; 3. Require all transit agencies receiving urbanized area formula funds to spend at least one percent of that funding on crime prevention and security projects; 4. Require all transit agencies receiving to spend at least one percent of their urbanized area formula funds on projects to improve accessibility for individuals with disabilities; 5. Streamline required audits provided the Secretary determines that the recipient has not established a pattern of deficiency in fulfilling grant requirements; 6. Consolidate various passenger ferry programs. 	
3006	Consolidated state block grant program	<p>Establishes a consolidated state block grant program that allows the Secretary to allocate a lump sum to participating states to fund public transportation services in rural and urbanized areas. A state must first notify designated recipients of the state's intent to participate in the block grant program and afford them the chance to opt in or out, and designated recipients are subsequently required to coordinate with direct recipients in the relevant urbanized area. Primary urbanized areas are prohibited from receiving block grant assistance from a state, rather, such areas will continue to obtain formula funding from the FTA in the same manner provided prior to the establishment of this program.</p>	N/A

3007	Fixed guideway capital investment grants	<p>Amends the Capital Investment Grants (CIG) program to</p> <ol style="list-style-type: none">1. Expand the definition of “core capacity” to include projects that substantially increase the capacity of a system (in part or in whole) as well as makes eligible projects that reduce passenger travel time, including for passengers with disabilities and those who use wheelchairs;2. Rename “small starts” to “streamlined starts” and raise the maximum Federal assistance in a manner that captures most bus rapid transit projects as streamlined start projects;3. Require applicants for new start, core capacity, and streamlined start projects to have initiated NEPA and have completed 30 percent of design and engineering prior to entering Project Development;4. Allow applicants to receive a rating adjustment in rating certain criteria if the project will promote housing development along the project route;5. Require the Secretary to update the CIG policy guidance every two years and to issue specific policy guidance for core capacity projects that improve accessibility of the system;6. Prohibit the Secretary from locking in the government’s contribution until 120 days after the project enters the engineering phase;7. Codify the Expedited Project Delivery program established	Same as authorized levels under IIJA.
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		<p>under the Fixing America's Surface Transportation (FAST) Act, make project elements designed to achieve a state of good repair eligible, and raise the award amount to 40 percent of the net capital project cost.</p>	
3008	<p>Formula grants for enhanced mobility of seniors and individuals with disabilities</p>	<p>Codifies the Innovative Coordinated Access and Mobility Program (ICAM). This section also amends the ICAM program to allow for projects to improve access to a facility of the Department of Veterans Affairs or an organization or facility that provides services to veterans using funds provided by the Department of Veterans Affairs.</p>	N/A
3010	<p>Technical assistance and workforce development</p>	<p>Allows the Secretary to issue grants to provide technical assistance to transit agencies and to advance the development of voluntary and consensus-based standards.</p>	N/A
3011	<p>Bus testing facility</p>	<p>Amends Federal bus testing requirements to allow the Secretary to test new bus models equipped with advanced bus technologies. Reduces the Federal cost share of bus testing to 60 percent (down from 80 percent) and provides for a technical rewrite of the bus test pass/fail standard in the underlying code.</p>	N/A
3012	<p>Crime prevention and security</p>	<p>Rewrites the underlying crime prevention and security section in code for purposes of specifying eligible activities a transit agency may undertake to address crime and safety through expending the required crime prevention and security set-aside in urbanized area formula grants.</p> <p>Broadens transit funding eligibility to allow a transit agency to contract with local law enforcement and to hire transit support specialists to improve</p>	N/A

		<p>the security of public transportation systems.</p> <p>Allows a transit agency to expend up to 1.5 percent of urbanized area formula funds on operating costs for projects that reduce crime and improve security. Lastly, this section allows the Secretary to withhold 10 percent of urban area transit grant money if a jurisdiction lacks criminal or civil enforcement mechanisms to protect against fare evasion and unauthorized transit system access.</p>	
3013	General provisions	<p>Makes various amendments to chapter 53, of title 49, United States Code:</p> <ul style="list-style-type: none"> • Allows for a 90 percent cost share for the procurement of vehicles or vessels (ferryboats) that comply with the Americans with Disabilities Act of 1990 (ADA), among other statutes • Requires the Secretary to issue Buy America waiver determinations within 180 days from the date on which an applicant submits a waiver request to the Secretary while simultaneously providing authority to extend the deadline for six months • Prohibits federal assistance from being used to purchase rolling stock or powertrain components from companies under China’s influence and eliminates the lifetime exemption to purchase rolling stock from a state-owned enterprise provided under current law to certain transit agencies 	N/A

		<ul style="list-style-type: none"> • Codifies FTA policy allowing for advance payments for bus rolling stock; • Establishes a maximum Federal contribution for buses procured using Federal funds. The maximum Federal contribution varies by bus length and propulsion type and does not apply in instances where vehicles are being procured through a specified State procurement schedule. 	
3014	Public transportation emergency relief program	Establishes a six-year period of availability for the obligation of emergency relief grants.	N/A
3015	Contract requirements	Amends procurement requirements related to the acquisition of rolling stock. Specifically, this section requires a recipient that acquires bus rolling stock through the competitive procurement process to utilize performance specifications in the procurement process to the greatest extent practicable.	N/A
3016	Transit asset management.	Updates the transit asset management section in chapter 53 of title 49, United States Code, to account for the 2016 transit asset management rulemaking the code statutorily required. Prohibits the Secretary from construing the changes made to the law as requiring updates to the transit asset management regulations in part 625 of title 49, Code of Federal Regulations, or imposing new requirements on tier II providers beyond what the regulations require present day.	N/A
3017	Project management oversight	Requires the Secretary to update regulations in part 633 of title 49, Code of Federal Regulations, to modify the term “major capital project” and	N/A

		provide that compliance reviews may occur annually rather than quarterly. The section amends the term “major capital project” to specify that the term excludes a project to maintain or rehabilitate a vehicle or a project a project with an estimated total cost of less than \$1,000,000,000, unless the Secretary determines project management oversight will benefit the Federal Government or the recipient.	
3018	Public transportation safety program	Amends the risk reduction program required for transit agencies in large urbanized areas to clarify that the programs must improve workplace safety for frontline employees; and requires these programs to improve passenger safety systemwide, including through a reduction in the number and rates of assaults and other violent crimes on transit passengers and mitigating fare evasion.	
3019	Administrative provisions	Allows recipients and subrecipients of FTA assistance to retain asset disposition proceeds provided the proceeds are reinvested in capital projects.	N/A
3020	National transit database	Provides for a technical rewrite of the national transit database (NTD) section in chapter 53 of title 49, United States Code, and establishes two new required data sets that transit agencies must report for inclusion in the NTD: <ol style="list-style-type: none"> 1. Data relating to a public transportation system’s revenue loss because of fare evasion for each mode 2. Data on assaults and other violent crimes on transit passengers while onboard public transportation vehicles and in public transportation facilities. 	N/A

3021	Apportionment of appropriations for urbanized area formula grants + new competitive ferry program	Increases the apportionment amount for the small transit intensive cities formula to five percent (up from three percent), provides a set-aside of \$125,000,000 million for urban ferry grant recipients under the new competitive ferry grant program, and requires certain transit agencies directing assistance to an inaccessible rail fixed guideway system to expend a specified percentage of transit grant funding on projects to improve accessibility for persons with disabilities, including individuals who use wheelchairs.	
3022	State of good repair grants	Eliminates the competitive rail vehicle replacement grants program and amends the state of good repair grants program to emphasize that such grants are for the purpose of ensuring the safety of public transportation systems.	
3023	Authorizations	Provides for a general rewrite of the authorization section in chapter 53 of title 49, United States Code, to specify funding amounts for all FTA formula and discretionary programs for each of FYs 2027 through 2031.	+\$17.692 billion
3024	Grants for buses, bus facilities, and ferries	<p>Applies the chapter-wide definition of "State" to include territories in the national distribution of bus and bus facility funds and increases the amount of funds reserved for each state through this distribution. It amends the distribution of the remaining formula funds, including by adding a new allotment for transit providers in rural areas. Amends the period of availability for bus formula funds from four to six years.</p> <p>Consolidates the low-no emission bus and bus and bus facilities grant programs into one program. Modifies</p>	<p>Bus Formula Program: +\$700 million (approximately)</p> <p>Combined Competitive Bus and Bus Facilities + Low-No Emission Funding: -\$900 million (approximately)</p>

		the bus and bus facilities competitive program and ensures that all vehicle propulsion types remain eligible.	
3102	Protecting bus operators from risk of assault	Establishes a bus driver safety working group to review and make recommendations to the Secretary on transit bus design and safety standards to protect operators from the risk of assault on a transit worker. Also requires fully enclosed operator workstation barriers in newly manufactured fixed route buses 30 feet or more in length beginning two years after the date of enactment.	N/A
3103	Spare ratio modification	Prohibits the Secretary from issuing policy, regulations, or guidance that sets a transit vehicle spare ratio while simultaneously maintaining the Secretary's authority to require a transit agency to provide a justification for purposes of acquiring new rolling stock.	N/A
3104	Special rule for certain transportation services.	Prohibits the Secretary from considering a driver of a transportation network company or a taxicab service as being an employee and a contractor of a federally funded transit agency unless a transit agency that is a contractee of such transportation network company or taxicab service fails to give customers for each ride more than one choice in companies providing transportation services and provide the customer with a written or verbal explanation on the differences between the alcohol and controlled substances testing requirements that may apply for drivers of each company. Also specifies that a transit agency that enters into an agreement with a transportation network company or a taxicab service shall ensure that such transportation services solely serve to supplement, not supplant, fixed route	N/A

		or route-based public transportation provided by the transit agency.	
3105	Innovative procurement	Amends the innovative procurement program by expanding eligibility for local governments and adding new eligible costs. Amendments also eliminate some agency reporting requirements.	N/A
3106	Transit award management system improvement.	Requires the Secretary to ensure that the transit award management system, as it is used by the FTA to ensure that financial assistance specified in section 5333(b) notifies only persons and entities directly affected by the relevant financial assistance.	N/A
3107	Public transit first aid and emergency medical kit equipment and training	Requires the Secretary to establish a transportation rulemaking committee to review and develop findings and recommendations to be submitted to Congress relating to whether public transit vehicles and stations should be required to carry first aid and emergency medical kits.	N/A
3108	Improving transparency in certain urbanized areas	Requires designated recipients of the Urbanized Area Formula Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program, State of Good Repair Program and Grants for Buses and Bus Facilities (sections 5307, 5310, 5337, 5339 of title 49, United States Code) in urbanized areas of more than a 200,000 population to submit a letter to the Secretary explaining the rationale for how Federal funds are split among direct recipients when a method for allocating assistance other than the Federal apportionment formula is used or when population data not produced by the United States Census is used. If an urban area fails to provide a rationale for its allocation method, the Secretary may withhold urban area grant program funds. Directs the	N/A

		Secretary to publish annually on the FTA website each split allocation letter received from designated recipients for each fiscal year.	
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Highway Traffic Safety Highlights:

- Outlines six core national priority programs for states to address in their highway safety plans: occupant protection, impaired driving, distracted driving, motorcyclist safety, non-motorist safety, and speeding.
- Directs DOT to provide technical assistance to state and local governments to improve safety data.

Sec.	Title	Summary	+/- IJJA
4001	Authorization of appropriations	Authorizes appropriations out of the Highway Trust Fund for the National Highway Traffic Safety Administration (NHTSA) through FY 2031 for highway safety programs, highway safety research and development, the high-visibility enforcement program, administrative expenses, and the national driver register.	-\$30 million
4002	Consolidation and enhancement of highway safety programs	Consolidates the grants under the National Priority Safety Program for states within the State and Community Safety Grants Program. This section also directs DOT to provide technical assistance to state and local governments to improve safety data, including with regard to the role of drugs in serious injuries and fatal crashes, state efforts to align with the Model Minimum Uniform Crash Criteria, the use of safety data in transportation planning, and reporting override crashes.	
4007	Coordination of Federal highway and traffic safety programs	Directs the Secretary to improve coordination between the FHWA's Highway Safety Improvement Program and NHTSA's highway safety grant programs and ensure alignment with other related programs. This section requires the Secretary to align planning cycles, performance targets, and	N/A

		reporting timelines to provide flexibility for states to implement safety strategies consistent with their own safety plans.	
4011	Motorcycle checkpoint funding	Prohibits DOT from providing funds to any state or locality for any program that profiles or stops motorcycle operators solely based on their mode of transportation.	N/A

Rail/Multimodal Freight Highlights:			
<ul style="list-style-type: none"> • Reauthorizes CRISI and the Railroad Crossing Safety Improvements and Elimination programs • Consolidates multiple passenger rail programs into a new, National Intercity Passenger Railroad Partnership Program 			
Sec.	Title	Summary	+/- IJJA
7001	National multimodal freight policy	Requires the Secretary to consider how proposed projects under both the Mega and INFRA grant programs would mitigate bottlenecks and improve freight movement on the National Multimodal Freight Network.	N/A
7002	National freight strategic plan	Ensures the National Strategic Freight Plan includes consideration of inland maritime port facilities.	N/A
10101	Grants to Amtrak	This section authorizes annual funding for Amtrak from FY 2027 through FY 2031, authorizing grant programs for both the Northeast Corridor and the National Network. The section sets aside funding for the Northeast Corridor Commission and the State-Supported Route Committee.	+\$11.845 billion
10103	Competitive Grants	Reauthorizes annual funding for multiple discretionary grant programs administered by the Federal Railroad Administration (FRA), including: <ul style="list-style-type: none"> • Consolidated Rail Infrastructure and Safety Improvements (CRISI); 	CRISI: + \$4.102 billion Railroad Crossing Safety Improvements and Elimination: +\$1.15 billion

		<ul style="list-style-type: none"> • Railroad Crossing Safety Improvements and Elimination; and • National Intercity Passenger Railroad Partnership Program 	
10104	Consolidated rail infrastructure and safety improvements	<p>Reauthorizes the CRISI grant program, including the following changes:</p> <ul style="list-style-type: none"> • Expands eligibility to law enforcement; • Enables research and development of technologies to improve railroad safety (i.e. wayside defect detection); • Provides assistance for projects that improve passenger rail ridership and freight service by reducing conflicts on shared lines. 	
10105	Railroad crossing safety improvements and elimination program	<p>Reauthorizes the program formerly known as the Railroad Crossing Elimination Program. The section also makes rail safety nonprofit organizations eligible for grant funding, continues eligibility for safety improvements at grade crossings, and allows for the use of advanced technology to improve safety and to reduce costs.</p>	
10106	National intercity passenger railroad partnership program	<p>This section consolidates three grant programs: the Federal-State Partnership for Intercity Passenger Rail, Restoration and Enhancements, and Interstate Rail Compacts; into a newly created National Intercity Passenger Railroad Partnership Program. Further, this section establishes new cost shares for operating assistance and clarifies an acceptable degree of non-Federal financial commitments.</p>	
10107	Corridor Identification and	<p>This section authorizes the Corridor Identification and Development Program through FY 2031, and revises</p>	

	Development Program	service development plan requirements for new applicants and current applicants that have not yet secured non-Federal funding. It also allows corridors to concurrently undertake various phases of project development work to speed up project completion.	
10108	Emergency relief	Authorizes an Emergency Relief Program at FRA to provide grants for repairing or replacing rail infrastructure of Class II, Class III, and intercity passenger rail carriers damaged by natural disasters or catastrophe. It covers both capital projects and evacuation-related operating expenses that are not otherwise covered by private insurance. This section requires recipients to maintain proper insurance and ensures Federal funds do not duplicate assistance FEMA or private sources.	
10302	California High-Speed Rail Working Group	Creates a working group to conduct a comprehensive assessment of the California High-Speed Rail project, composed of stakeholders and experts appointed by Congressional leadership and the Secretary. The legislation restricts further funding to the project during the working group's assessment or within two years of enactment of this Act, whichever is earlier.	N/A
10304	Study on commuter rail passenger transportation and transfers	Directs the Comptroller General to conduct a study on the benefits of commuter rail and the primary obstacles to implementing "single-seat trips" that eliminate the need for passenger transfers.	N/A
10408	Rail technology and asset pilot program	Creates a pilot program to provide competitive grants to acquire newer, innovative railroad technology systems and equipment that improve safety and efficiency.	

10423	Reports on highway-rail grade crossing safety and trespasser prevention	Requires states to update their highway-rail grade crossing action plans every five years and to include specific strategies for reducing pedestrian fatalities and suicides.	N/A
10501	Pre-award authority	Allows the DOT Secretary to grant pre-award authority that allows grant recipients to procure project-related materials and conduct other activities related to a project for eventual reimbursement.	N/A
10504	State-railroad infrastructure project coordination and process standardization working group.	Requires the Secretary to establish a Working Group to examine and develop recommendations and methods to improve coordination among states, local governments, metropolitan planning organizations and railroads for non-railroad projects that cross a railroad right-of-way.	N/A

Project Delivery and Environmental Streamlining Highlights:

- Specifies that the first agency within DOT to take major action on a proposed project shall be the lead agency for NEPA compliance.
- Establishes a 90-day timeframe for the lead agency of a transportation project to provide decisions on the scope of required NEPA activities.

Sec.	Title	Summary	+/- IJA
10508	Lead agency for environmental review purposes	Specifies that the first agency within DOT to take major action on a proposed project shall be the lead agency for NEPA compliance.	N/A
10509	Environmental review determination	Establishes a 90-day timeframe for the lead agency of a transportation project to provide decisions on the scope of required NEPA activities.	N/A

Miscellaneous Highlights:

- Establishes a new \$50 million program to support planning, capital, and operating needs for international or major sporting events, including Olympic, Paralympic, and FIFA World Cup events.
- Reauthorizes the Mega grant program through FY 2031.
- Reauthorizes the TIFIA Program and allows for up to 15 percent of TIFIA funds to be used for airport-related projects.

- Reauthorizes the Local and Regional Project Assistance (BUILD) Program through FY 2031 and prioritizes project readiness.

Sec.	Title	Summary	+/- IJA
2001	Infrastructure Finance	Reauthorizes the Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance program. This section adds the purchase or lease of drayage trucks as an eligible project in the TIFIA program. Additionally, this section requires the Secretary of Transportation to accept a qualified institution's creditworthiness analysis on behalf of a TIFIA applicant in combination with the Build America Bureau's own creditworthiness analysis. This section lowers the threshold for intelligent transportation system projects to qualify, at \$10 million, and increases the project cost threshold for rural projects to \$150 million, adjusted annually for inflation. It clarifies that NEPA is not applicable to land acquisitions by a nonpublic entity if the purchase occurs prior to an application for TIFIA and codifies two categorical exclusions regarding rehabilitation of existing facilities and projects built on land previously disturbed for transportation use. This section also allows for up to 15 percent of TIFIA funds for airport-related projects.	
2004	Study on establishment of Federal Infrastructure Bank	Directs the Secretary to conduct a study with the National Academies on the establishment of a Federal Infrastructure Bank. The study will identify potential forms of credit assistance, examine the potential financial benefits a Federal Infrastructure Bank offers, and analyze best practices of other infrastructure banks. The National Academies is required to consult with the Secretary, state infrastructure banks, and stakeholders with expertise in financial markets and infrastructure financing and submit a report detailing the findings of the study to Congress within two years.	
7104	Transportation assistance for international games	Establishes a new program to support planning, capital, and operating needs for major international sporting events, including Olympic, Paralympic, and FIFA World Cup	+\$250 million

		<p>events. Eligible entities may apply for grants to fund transportation projects and planning activities that facilitate the movement of people and goods associated with a covered event. Authorizes \$50 million annually for the program for FYs 2027 through 2031 and directs the Secretary to provide technical and planning assistance to eligible entities.</p>	
7105	National infrastructure project assistance	<p>Reauthorizes the Mega grant program through FY 2031. Expands project eligibility to include lessees of Federal surface transportation hubs and public transportation projects eligible for assistance under the CIG program in large urbanized areas. Updates the evaluation criteria, including by adding consideration of the use of innovative construction materials and the impact of population growth.</p> <p>Reduces the Congressional notification period from 30 days to three days and reduces the program set-aside to 25 percent from 50 percent for projects that cost between \$100 million and \$500 million.</p>	Same authorization levels as IJA.
7106	Local and regional project assistance	<p>Reauthorizes the Local and Regional Project Assistance (BUILD) Program through FYs 2027 through 2031. Updates the definition of “area of persistent poverty” to include updated census data and qualified opportunity zones and expands eligible applicants to include lessees of Federal surface transportation hubs. Requires the Secretary to consider if a project may reasonably begin construction within 18 months of an award, requiring project sponsors to certify they have notified a state department of transportation if their project is located on a state-owned or state-managed facility, and providing pre-award authority. Requires the Secretary to only select grant recipients based on the program’s selection criteria and clarifies any planning funds provided under this program do not constitute a guarantee of a future grant award.</p>	N/A

7107	National culvert removal, replacement, and restoration grant program	Amends the National Culvert Removal, Replacement, and Restoration Grant Program by expanding eligible projects and entities.	N/A
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Next Steps

The House T&I Committee will hold a markup of the BUILD America 250 Act on Thursday, May 21. Once advanced, the bill would be considered by the House for a full vote, with exact timing to be determined. The House Science, Space, and Technology Committee – which has jurisdiction over research, development and demonstration activities within the Department of Transportation – held a markup of their provisions (known as the [Surface Transportation Research and Development Act](#)) on Wednesday, May 20. The House Energy and Commerce Committee has also released the [Motor Vehicle Modernization Act](#), which includes their jurisdictional provisions – specifically those addressing vehicle safety – on Wednesday, May 20 and will hold a markup on Thursday, May 21.

On the Senate side, Senators and staff across the Senate Environment and Public Works Committee; Banking, Housing, and Urban Affairs Committee; and the Commerce, Science, and Transportation Committee continue to collect priorities and draft their respective surface transportation reauthorization bill, which is expected to be different in scope and substance from the House’s version. These Committees will soon conduct bill markups where Senators will debate sections of the bill; offer, accept, or reject amendments; and vote on whether to advance the bill out of committee to the full chamber.

The Manatt Government Strategies Team will continue to provide clients with updates on key developments throughout the surface transportation reauthorization process.