

Building on TEA-21

Four Challenges for TEA-3



One of the most important issues facing the 108th Congress when they convene in 2003 will be the renewal of the nation's surface transportation law. The bill is crucial in that it provides states with both the money – revenues from the 18.4 cent federal gasoline tax and other federal excise taxes which will total more than \$200 billion for the next five to six years – and the rules by which to spend it.



The last two federal transportation spending bills – ISTEA in 1991 and TEA-21 in 1998 – provided significant increases in funding but also heralded dramatic changes in the nation's transportation policy. They finished construction on the 45,000 mile Interstate highway system, leveled the playing field among different transportation modes (most projects are now an 80 percent federal match regardless of type, correcting a past inequity that disadvantaged mass transit), made highway funds eligible for use on mass transit projects, expanded responsibilities and funding for metropolitan planning, created new targeted funding categories for environmental protection and community enhancements, and started to direct more federal transportation funds to the local and regional level.



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ISTEA and TEA-21 also created the legitimate expectation for a bold new approach to transportation in the post-Interstate era. But the bills came with little in the way of guarantees to back it up. While some states have indeed seized new opportunities made available under ISTEA and TEA-21, many others have not. Innovation is happening, but at a much slower pace than many expected, and where it is happening, it's all too often an uphill struggle that is seldom rewarded or encouraged by federal or state agencies overseeing transportation



programs. It's the strong belief of STPP and the Alliance for a New Transportation Charter (ANTC) – the growing public interest coalition that is working on the renewal of the transportation bill known for now as “TEA-3” – that it's time to talk about outcomes. It's time to put some teeth into the intent of ISTEA and TEA-21, to demand success and reward innovation, and to focus on getting more out of our existing transportation investments.

Of course, before we can go too much further with what's to be gained in TEA-3, we have to also understand what's at risk. A small cadre of traditional transportation interests are trying to use TEA-3 to weaken environmental, equity and public health laws like the the Clean Air Act, the National Environmental Policy Act (NEPA), Section 4(f) of the DOT Act of 1966, Title VI of the Civil Rights Act, and Section 106 of the National Historic Preservation Act. It is unacceptable to turn our backs on environmental, civil rights, and public health protections, especially at a time when we are learning about the effects of smog on children's asthma rates, how the lack of safe places for walking and bicycling may be linked to the increase in “lifestyle diseases” like obesity, heart disease and diabetes, and how bad air is bad for business.

Ironically, while some interests cite environmental and health regulations as a reason that large transportation projects get delayed, analysis from the Federal Highway Administration (FHWA) contradicts this assertion. Instead, FHWA points to a lack of funding for projects, low priority for the projects within the state transportation department, or a lack of local consensus as the main reasons for transportation project delays. There are indeed many ways that TEA-3 can improve project delivery and cut red tape around federal programs – but

slashing environmental and health protections aren't among them.

Congress must enhance environmental and health protections in TEA-3 while addressing the new transportation challenges the nation now faces at the dawn of the twenty-first century. The Interstate highway system was indeed an impressive public works project appropriate to the challenges of the 1950s. Now, lawmakers must look to TEA-3 to help create a more balanced transportation system that public opinion polls show Americans want and need more than ever. The four core principles outlined in the New Transportation Charter – endorsed by over 500 organizations and elected leaders across the country – should serve as the priority goals and outcomes for the next \$200 billion of federal transportation investments made under TEA-3:

- **Enhanced Public Health, Safety & Security**
- **Sustained Economic Prosperity**
- **Promotion of Social Equity and Livable Communities**
- **Improved Energy Use and Environmental Protection**



While STPP and ANTC are in the process of developing a more detailed blueprint for TEA-3, we strongly feel that the following four challenges outlined in the New Transportation Charter provide an important framework for the renewal of the bill:

1 REQUIRE ACCOUNTABILITY & REWARD PERFORMANCE

While the passage of the 1998 TEA-21 bill represented over a 40 percent increase in federal funding for transportation programs there has not been a similar increase in performance: traffic congestion continues unabated, our streets and sidewalks are in urgent need of repair, pedestrian fatality and injury rates remain stagnant, mass transit systems are struggling to meet the growing demands for increased service, greenhouse gas emissions from transportation continue to soar, and new evidence suggests transportation-related smog contributes to asthma and other health problems. The public deserves more from its \$200 billion investment. The renewal of the federal transportation bill must require that state and local transportation agencies keep track of a range of crucial transportation performance measures – including public health, social equity, land use impacts and other environmental indicators – and hold agencies accountable for meeting goals and targets. Performance must be accurately measured and funding and other incentives should be attached to both success and failure. It's time once and for all to open up the books on transportation finance and performance in a way that makes sense to the average American, to tell the public where its money is going and what it's getting spent on.

2 FIX IT FIRST

America's interstate system is approaching middle age, local streets, bridges, and sidewalks are in need of repair, our trains run slower than they did in the 1940s and our mass transit systems are in dire financial straits despite

recent gains in ridership. All too often, politics wins out over potholes, and transportation funds are used on new construction projects even while existing roads, bridges, pedestrian, rail and mass transit systems fall further into disrepair. The reauthorization of the next federal transportation bill must contain a strong "Fix it First" provision that prioritizes maintenance, operations and efficiency over new construction. TEA-3 must also remove current restrictions on the expenditure of federal transportation funds on the maintenance and operation of locally-owned streets, bridges and mass transit systems.

3 CREATE MORE CHOICES & BUILD LIVABLE COMMUNITIES

Whether it's children avoiding traffic hazards on their walk to school, frustrated commuters sitting in traffic, seniors and people with disabilities struggling to maintain their independence, or the working poor trying to

access a job without a car, millions of people are becoming increasingly frustrated with the lack of options for getting where they need to go. Poll after poll shows that Americans want and need better travel choices: a more

balanced transportation system with a healthier mix of investments in mass transit, walking, bicycling, roads, community trails, telecommuting, paratransit and high speed trains. TEA-3 should significantly increase funding for mass transit while boosting funds for popular community-based programs like Transportation Enhancements, Scenic Byways, Jobs Access and Reverse Commute, Recreational Trails and TCSP that are consistently oversubscribed. The bill must also provide planning and funding tools to better coordinate transportation with land use and use new incentives to create affordable housing, jobs, and retail in more walkable areas closer to mass transit.

A new Safe Routes to School program should also be funded in TEA-3 to jump start hundreds of local initiatives around the country aimed at making it safer for children to walk and bike to school, increasing physical activity and reducing obesity among children, and build-

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ing a new generation of more walkable neighborhoods and livable communities by requiring the routine accommodation of bicyclists and pedestrians in every transportation project. The reauthorization of the next federal transportation bill must also make public health, clean air and global warming emissions reduction a priority. The Congestion Mitigation and Air Quality (CMAQ) program should be preserved and expanded to further local governments' efforts to meet federal air quality standards and allow the public to breathe cleaner air.



4 LEARN TO SERVE PEOPLE

ISTEA and TEA 21 established Congressional intent for broad participation in the planning process at the metropolitan and state levels. Implementing regulations, however, provided wide latitude in how this was accomplished. The next federal transportation bill must put real teeth into the requirements for public involvement. Decisions about transportation must be brought out of the back room and into the full view of all stakeholders. Poor communities, seniors and people with disabilities in particular must be given a seat at the table – transportation planning and priorities must more closely follow both the intent and spirit of Title VI of the Civil Rights Act and the 1990 Americans with Disabilities Act (ADA).

New technologies for public participation – much like the public input process in the reconstruction of the World Trade Center site in New York – should be funded as part

of TEA-3. Public involvement should go far beyond the traditional two minutes for comment period at a public meeting to more effective ideas like providing community planning grants to neighborhoods and non-profit groups to help them identify problems and design solutions.

Transportation agencies must also significantly reform their data collection practices to include a broader range of community outcomes. For instance, almost nothing is known about the travel patterns of children or seniors, bicycling and walking trips are often uncounted, and low-income individuals are routinely overlooked in travel surveys. You can't manage it if you don't measure it, and currently what should matter most to transportation agencies never gets counted.

ENFORCING THE LAW — DELIVERING THE PROMISE

It's time to finally make good on the promise of the last two major federal transportation bills. ISTEA is a good law. TEA-21 is a good law. Congress must build on the sound underlying structure of these statutes while at the same time requiring real progress towards their original goals and intent. TEA-3 must ensure more institutional accountability, performance-based outcomes, environmental and health protections, repair & maintenance guarantees, public involvement, and better transportation choices for all Americans.

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surface transportation
policy project

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