

Proposed National Association of County Engineers

Legislative Language for Next Transportation Authorization

The following legislative language changes/additions to the next Transportation authorization bill to improve the efficiency of implementation of the federal-aid program and access by local government include:

- “Within one year after the enactment of this legislation, each State Transportation Agency shall create an Office of Local Assistance to assist local transportation agencies with the development of federal-aid projects and shall publish a local government assistance manual for federal-aid projects.”
- “FHWA shall provide a Guidance Document to State DOT’s within one year of enactment of this legislation outlining the Federal desire and intent to streamline the processing of Categorically Excluded projects as a means of expediting the delivery and minimizing the costs in implementing these projects which have been deemed to have insignificant impacts to the environment.”
- “Any federal aid highway pavement preservation or rehabilitation, bridge replacement or rehabilitation, safety, sidewalk, bicycle and pedestrian project in the existing right-of-way and not requiring any additional real estate acquisition and under \$1 million dollars in total value only have to comply with State and Local regulations”
- “All federal permitting agencies shall have sixty days to determine if a permit will be required for a federal aid highway, bridge, safety, sidewalk, bicycle and pedestrian project that is designated as a categorical exclusion, is in the existing right-of-way and does not require any additional real estate acquisition. If it is determined by a federal agency that a permit is required, such federal agency shall have an additional sixty days to issue a permit.”
- “Non-NHS projects and low-cost NHS projects.-Any State may request that the Secretary no longer review and approve plans, specifications, and estimates for any project (including any highway project on the National Highway System with an estimated construction cost of less than \$1,000,000 but excluding any other highway project on the National Highway System). After receiving any such notification, the Secretary shall undertake project review only as requested by the State.” **(From ISTEA Section 1016: Program Efficiencies)**