

Fixing America's Surface Transportation (FAST) Act

Benefits for South Dakota Secured by Commerce Committee Chairman John Thune

Highways and Transit Generally

- Increased Highway Investment Levels – South Dakota is estimated to receive a \$133 million increase in overall highway spending. South Dakota's apportioned highway funding will grow from \$272 million in 2015 to an estimated \$286 million in 2016 – and ultimately \$312 million in 2020.
- Increased Transit Investment Levels – Funding for transit in South Dakota will grow from \$15.5 million in 2015 to an estimated \$16.6 million in 2016, and approximately \$17.8 million in 2020.
- Bridges – There will be no bridge set aside program within the Highway Program which ensures that South Dakota is not penalized due to the recent state fuel tax increase and state bridge set aside program that was designed to help address bridge improvements
- Unpaved Roads – Reduces the need for states to report on unpaved road safety.
- Milk Products Weight Relief – Provides weight restriction relief for those that transport milk products.
- Increased Tribal Transportation Investment Levels – The existing Tribal Transportation Program that addresses tribal road and bridge infrastructure needs will be funded at \$465 million in 2016, an increase of \$15 million from current levels, and will grow to \$505 million in 2020.

Freight

- Freight Formula Program – Creates a new freight formula funding program in which South Dakota would receive over \$8 million annually.
- Discretionary Freight Program – Creates a national discretionary freight program that contains a 25 percent rural set aside as well as a 10 percent small project set aside.
- Freight Planning & Route Designation – Provides flexibility to South Dakota in both freight planning and designation of important freight routes.
- Port Metrics – Requires the Department of Transportation to issue yearly reports on port metrics allowing for more transparency and better planning to those that utilize our nation's top ports for import or export.

Freight Rail

- Rail Infrastructure and Safety Program – Creates a new freight and passenger rail improvement grant program with a 25 percent rural set-aside.
- Dedicated Funding for States Without Passenger Rail – Adds freight rail eligibility to passenger rail grant programs, requires a 25 percent rural set-aside, and guarantees to states like South Dakota, which have no passenger rail, no less than 1.3 percent of appropriated funds from the programs. The total amount will depend on appropriations; if the program is fully funded, it dedicates to South Dakota no less than \$3 million per year.

- Streamlined Rail Project Permitting – Allows rail projects to engage in an expedited NEPA review processes and exempts the majority of improvements to rail existing infrastructure from certain historic preservation review processes.
- RRIF Loan Process Improvement – Reforms the RRIF loan review process by setting timelines and creating a dashboard to improve program efficiency.

NHTSA Highway Safety

- 24-7 Sobriety – Rewards states for providing a 24-7 sobriety program, started in South Dakota, by creating a new incentive grant under 23 USC 405 for states with a 24-7 sobriety program and by amending the penalty transfer section of 23 USC 164 to allow such states to qualify for meeting the repeat intoxicated driver law.
- Repeat Intoxicated Driver Penalty Transfer – Affords greater flexibility to states, such as South Dakota, under the penalty transfer section of 23 USC 164, to allow state certification of the repeat intoxicated driver length of incarceration, providing a greater opportunity for South Dakota to qualify.
- Highway Safety Grants Flexibility – Emphasizes highway safety grants under 23 USC 402, which afford states greater flexibility in addressing highway safety concerns, by providing a greater increase in section 402 grant authorization amounts and requiring unallocated 405 grant amounts be transferred to 402.
- State Grant Administrative Burden – Removes administrative burdens on states by adjusting maintenance of effort requirements and shortening the Highway Safety Plan review period to allow states time to respond before plans are implemented (largely in response to issues with grant applications this year with South Dakota).
- Distracted Driving Grants – Modifies the additional distracted driving grants under 23 USC 405 to allow states with texting bans with secondary enforcement, such as South Dakota, to qualify for the first year.
- Tribal Transfers – Allows states, such as South Dakota, to transfer incentive safety grant funds to tribal governments.

Motor Carrier

- Longer Combination Vehicle (LCV) Remapping – South Dakota will be afforded the opportunity to re-map the LCV routes established in 1991 due to major infrastructure improvements, including divided highways, that have occurred and have increased safety.
- Motor Carrier Safety Assistance Program (MCSAP) Grant Relief – Immediate relief from the current MCSAP withholding for at least three years, increasing funding for state law enforcement of commercial motor vehicles by over \$750,000 if a state match is available.
- MCSAP Planning Flexibility – Additional flexibility in MCSAP planning, addressing an issue that made South Dakota non-compliant with grant requirements (right of entry).
- Covered Farm Vehicles – Protects states from losing federal funding for granting additional regulatory relief to specially designated farm vehicles and drivers.
- Agriculture Hours of Service (HOS) Relief – Provides HOS relief for truck drivers transporting bees or livestock by making the temporary rest break flexibility option, permanent.
- Construction HOS Relief – Drivers transporting construction materials will have a larger radius they can operate in before logging and hours of service rules apply.

- Motor Carrier Minimum Insurance – A study of the current state of affairs for motor carrier insurance will be required prior to a rulemaking increasing insurance rates, and any rulemaking will consider the impact of an increase on safety and operations.

Hazmat

- Custom Harvesters Relief – Allows states to waive the need for special hazmat licenses for custom harvesters operating diesel tanks (1,000 gallons).
- Real-Time Emergency Response – Requires railroads to provide routing information to State Emergency Response Coordinators (SERCs) on all unit trains carrying flammable liquids and to maintain real-time emergency response information.
- Improved Tank Car Safety – Requires common-sense safety measures such as thermal blankets for crude oil and ethanol tank cars to reduce fire risks.
- Testing of Electronically-Controlled Pneumatic Brakes – Requires a National Academies test on a new rail braking technology for unit trains carrying flammable liquids to ensure it would deliver the intended results and would not lead to network slowdowns.
- Planning and Training Grants – Reforms planning and training grants to increase flexibility for States in deciding the best way to fund and improve emergency response.

Sports Fish Reauthorization – Reauthorizes and reforms the program to ensure more funds go for program uses and that there is adequate oversight.

Restores Cuts to Crop Insurance Program – Legislation passed earlier this year cut \$3 billion from the federal crop insurance program. This bill restores those cuts, ensuring farmers can access necessary crop insurance programs.