

FACT SHEET

SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 (P. L. 97-424) (Enacted January 6, 1983)

Title I:	Highway Improvement Act of 1982
Title II:	Highway Safety Act of 1982
Title III:	Federal Public Transportation Act of 1982
Title IV:	Part A: Commercial Motor Vehicle Safety Part B: Commercial Motor Vehicle Length Limitation Part C: Other Provisions
Title V:	Highway Revenue Act of 1982

SCOPE OF BILL

- o 5-cent increase in motor fuels tax (gasoline and diesel) to 9 cents beginning April 1, 1983.
- o 4-year authorization period, beginning with extension of full-year authorizations for FY 1983, through FY 1986.
- o See attached table for authorizations.

TITLE I

I. Interstate System

- o Increases authorizations for Interstate System. (Section 102)
- o Retains one-half percent minimum apportionment to States for Interstate construction. (Section 103)
- o Increases Interstate construction discretionary fund by \$300 million through annual set aside. Discretionary funds supplemented by an amount equal to the apportionments for withdrawn Interstate routes. Establishes priorities for distribution of Interstate discretionary. (Section 115)
- o States may transfer an amount equivalent to the cost to complete of open-to-traffic Interstate segments to Interstate 4R. No more than 50 percent of a State's Interstate construction apportionment can be transferred during a fiscal year. Subsequent estimates of Interstate completion costs will be reduced by amounts transferred. (Section 116)
- o Retains Interstate 4R minimum apportionment formula. (No provision necessary.)
- o Creates Interstate 4R Discretionary Fund from 4R funds which have not been obligated by the end of the 4-year availability period. (Section 115)

- o Provides contract authority for Interstate highway substitute projects, which are to be financed from the Highway Trust Fund. Transit substitutes continue to be general funded and require appropriations. (Section 107)
- o Beginning in FY 1984, provides new distribution method for funds for transit and highway Interstate substitutes. Highway substitute authority is distributed 75 percent on the basis of a cost estimate and 25 percent on a discretionary basis. Transit substitute appropriations are distributed 50 percent on the basis of a cost estimate and 50 percent on a discretionary basis. (Section 107)
- o Expands eligible routes for Interstate withdrawal to rural areas. (Section 107)
- o Interstate substitute costs may be escalated up to and including the 1983 ICE, or until June 30, 1980 (whichever is higher). (Section 107)

II. Bridge Replacement and Rehabilitation

- o Changes apportionment formula (for each subcategory of on- and off-system) to reflect replacement and rehabilitation needs and unit costs. Ceilings on State shares of apportionments are increased to 10 percent. Off-system minimum and maximum requirements are retained. (Section 121)
- o Retains current program structure with its \$200 million takedown for discretionary bridges. (Section 122)
- o Secretary directed to develop a selection process for discretionary bridges, incorporating stated criteria into a formula resulting in a rating factor. Eligible bridges will then be limited to bridges with a rating factor of one hundred or less. (Section 161)

III. Primary Program

- o Revises apportionment method to incorporate two formulas: one containing the current factors of area, rural and urban population and postal route mileage; the other based on urban and rural population. Apportionments will be derived from the more advantageous of the two formulas mentioned above and a one-half percent minimum. (Section 108)
- o Provides a one-half percent minimum primary apportionment for the territories (taken together as one State). (Section 108)
- o Repeals connector primary demonstration project. (Section 105)
- o Does not fund priority primary separately, but establishes priority for use of primary funds at 95 percent Federal share on certain designated projects. (Section 117)

IV. Earmarkings, Federal Share, and State Match

- o Temporarily waives State matching fund requirement (FY 1983 and FY 1984) for obligations in excess of the FY 1982 obligation ceiling where matching funds are unavailable, with requirement for repayment. In cases where repayment is not made, deductions would be taken from FY 1985 and FY 1986 apportionments. Deducted amounts would be reapportioned to States which have not taken advantage of the waiver and to States which have made cash repayment. (Section 145)
- o Beginning with FY 1984 funds, earmarks a minimum of 40 percent of each State's Primary, Secondary, and Urban apportionments for 4R purposes. (Section 105)
- o Unless the Secretary determines otherwise, requires 10 percent of the funds provided by the Act for each State to be expended with small business concerns owned by socially and economically disadvantaged individuals. (Section 105)
- o Provides a 90 percent Federal share for projects financed with Primary System apportionments for 4R purposes on an Interstate route. (Section 117)
- o Provides 100 percent Federal funding, from system apportionments, for carpool and vanpool, bicycle and pedestrian walkway projects. (Sections 123 and 126)
- o Provides an 85 percent Federal share for projects which make 4R improvements to roads on Federal-aid systems which incur a substantial use as a result of transportation activities to meet national energy requirements, as agreed to by the Secretary. (Section 109)

V. Truck Weight

- o Makes mandatory the previously permissive maximum weight limits of 80,000 pounds gross, 20,000 pounds single axle, and 34,000 pounds tandem axle on Interstate System only (with reasonable access to be permitted from the Interstate to terminals). Application of "Bridge Formula" continues. (Section 133)
- o Sanction (withholding Interstate construction apportionment) effective upon enactment. Administrative grace period will be allowed to give States time to come into compliance. (Section 133)
- o Permits States to initially determine their grandfather rights. (Section 133)
- o Effective September 30, 1984, States must require proof of payment of the heavy use tax before registering vehicles. Failure results in withholding of up to 25 percent of Interstate apportionments. (Section 143)

VII. Other Provisions

- o Provides minimum allocation grants such that each State's percentage share of apportionments shall be at least 85 percent of its percentage of estimated Highway Trust Fund contributions. (Section 150)
- o Establishes obligation ceilings for FY 1983-1986 ranging from \$12.1 billion to \$14.45 billion for Federal-aid highways. Distribution of this ceiling each year will be based upon both apportioned and allocated funds. (Section 104)
- o Permits transfer of Urban System attributable allocations from urbanized areas of 200,000 or more population to another urbanized area in the State or to the State for use in any urban area at the request of the Governor and with approval of the affected local officials and the Secretary. (Section 124)
- o Establishes a coordinated Federal Lands Highway Program consisting of forest highways, public lands highways, park roads and parkways, and Indian reservation roads. Jurisdiction of these Federal roads would not be transferred; rather DOT would be involved in coordination with the land managing agency, in the planning studies and program development, and provision for design and construction assistance. (Section 126)
- o Applies Davis-Bacon rules regarding prevailing wage rates to 3R and 4R projects as well as initial construction. (Section 149)
- o Clarifies Emergency Relief program provisions, restricting funding to repairs due to external catastrophic failures. Limits each State to \$30 million per disaster. All expenditures will come from the Highway Trust Fund and the Federal share is established at 100 percent. (Section 153)
- o Allows maintenance sanctions to be applied to smaller governmental units within States rather than entire States. (Section 114)
- o Special provisions for demonstrations in particular localities include: (Section 131)
 - Port freight transportation: Los Angeles
 - State-of-the-Art construction demo: Altoona
 - Shoreline erosion: Buhne Point-Humboldt Bay, California
 - Congestion reduction: East Baton Rouge, Louisiana
 - Accelerated construction: Louisville, Kentucky
 - State procedures certification: Vermont
 - Lake erosion: Devil's Lake, North Dakota
 - Downtown congestion relief: Miami, Florida
 - Truck Safety and Railroad Crossing: Idaho
 - High Volume Facilities: Illinois
- o Modifies Buy America requirement by raising the differential at which foreign products can be used from 10 percent to 25 percent, except for the acquisition of rolling stock. (Section 165)

TITLE II

I. Highway Safety Programs

- o Current programs for Hazard Elimination and Rail-Highway Crossings are continued. Authorizations continued at same level as currently provided. (Sections 202(2) and 205)
- o Authorizations for Section 402 and Section 403 safety programs provided for FY 1985 and FY 1986 at same level as provided for FY 1983 and FY 1984 by 1981 Omnibus Budget Reconciliation Act. (Section 203)
- o Of the \$100 million authorization for NHTSA related 402 activities, \$20 million is to be obligated for the purpose of enforcing the 55 mph speed limit. (Section 203(a)(2))
- o Secretary directed to arrange with the National Academy of Sciences a study of the benefits from the 55 mph National Maximum Speed Limit, associated savings to taxpayers, and whether the laws of each State substantially deter 55 mph violations. (Section 204)
- o A provision providing contract authority for funds authorized for highway safety and information under Section 209 of the Highway Safety Act of 1978. This involves carrying out six pilot projects to develop TV and radio techniques to achieve reductions in traffic accidents, injuries and deaths, which will be followed by a national highway safety campaign. (Section 206)
- o A hortatory statement that the Congress strongly encourages each State to prohibit the sale of alcoholic beverages to persons less than 21 years of age. (Section 209)

TITLE III

The Federal Public Transportation Act of 1982 provides authorizations for 4 years (1983-1986) and will make significant revisions to the transit program.

I. Discretionary Capital Grants

- o ~~Approximately \$1.1 billion will be available annually for transit capital projects from 1-cent of the 5-cent user fee increase. In fiscal year 1983, funds will be made available through a new statutory formula program, but in fiscal years 1984-1986 the funds will be available under the Section 3 urban discretionary capital program. (Section 302(a))~~
- o Federal share of discretionary grants reduced from 80 percent to 75 percent. (Section 302(b))

II. Block Grant Formula Program

- o ~~In fiscal year 1984, a new block grant formula program begins with funds available for capital and operating assistance. Funds are allocated using a~~

formula based on population, density, bus or rail revenue vehicle and route miles. Included in the program are significant self-certification and paperwork reduction features. Authorization levels are \$2.67 billion in FY 1984, \$2.86 billion in FY 1985, and \$2.96 billion in FY 1986. (Sections 302(a) and 303)

- o The Federal share under this program cannot exceed 80 percent for construction projects and 50 percent for operating expenses. (Section 303)
- o Section 9 funds may be used to finance planning, acquisition, construction, improvement, operating costs, equipment, and associated capital maintenance items. (Section 303)
- o The recipient of funds may elect to transfer apportionments to the Governor who can then transfer funds to other areas within the State. (Section 303)
- o Section 9 provides for a reduction in the level of operating assistance available from FY 1982 operating levels: Areas of 1 million or more population are reduced by 20 percent; areas of less than 1 million and more than 200,000 population are reduced by 10 percent; and areas of less than 200,000 population are reduced by 5 percent. (Section 303)
- o Notwithstanding these cuts in operating assistance, for 2 years recipients are able to go up to their FY 1982 operating levels by using funds from their capital apportionment for operating assistance. In so doing, however, the capital funds are discounted by one-third, and the one-third "reductions" are available to the Secretary for discretionary grants. (Section 303)

III. Other Provisions

- o In FY 1984-1986, 2.93 percent per year of the formula grant appropriations are available for the Section 18 rural program. This program continues capital and operating assistance to non-urbanized areas. (Section 302(a))
- o A number of other provisions, including new Buy American requirements, self-certification, and competitive procurement are contained in the legislation. (Sections 165, 303, and 308)

TITLE IV

I. Motor Carrier Program

- o Establishes Motor Carrier Safety Grant Program to assist States in developing programs of commercial motor vehicle safety inspection and enforcement. Federal share is 80 percent. (Section 402)
- o Provides labor protections for drivers who expose unsafe practices. (Section 405)
- o Extends the period of time by which the Secretary of Transportation can lower the minimum financial responsibility requirements by regulation from 2 years to 3 1/2 years. (Section 406)

- o Clarifies that foreign carriers transporting certain hazardous commodities in the U.S. must have evidence of financial responsibility. (Section 406)
- o Exempts lightweight vehicles (that do not transport hazardous cargo) from minimum financial responsibility requirements. (Section 406)

II. Truck Size

- o Requires States to allow twin trailer combination trucks on any segment of the Interstate System and designated Federal-aid primary highways. (Section 411)
- o Sets minimum trailer length of 28 feet for doubles and 48 feet for single trailer combinations with no length restrictions permitted on the tractor or overall configuration. (Section 411)
- o Enforcement provisions for length requirements rely on injunctive relief and become effective 90 days after enactment. Sanctions which withhold Federal-aid apportionments only apply to weight limitations. (Section 413)
- o NOTE: Mandatory 102" motor vehicle maximum width established by Section 321 of 1983 DOT Appropriation Act (P.L. 97-369).
- o A requirement that the Secretary establish minimum standards with respect to the performance and installation of splash and spray suppression devices for use on truck tractors, semitrailers, or trailers. (Section 414)

III. Other Provisions

- o Amends Federal Boating Safety Act of 1971 providing contract authority for matching grant program with States to implement and administer a national recreational boating safety and facilities improvement program. (Section 421)
- o Amends Merchant Marine Act of 1936 to prohibit limitations imposed on commitments on loan guarantees other than those in authorization acts and to prohibit denial of eligibility because of vessel type. (Section 425)
- o Amends Airport and Airway Improvement Act of 1982 to increase authorizations for airport grant program by establishing supplementary discretionary funds of \$475 million over 1983-1985. (Section 426)

TITLE V

I. Revenue Provisions

- o Extends dedication of taxes to Highway Trust Fund until October 1988.
- o Extends period in which expenditures from Highway Trust Fund can be made up to October 1, 1988.

- o Creates the Mass Transit Account within the Highway Trust Fund for capital mass transit projects. Approximately \$1.1 billion will be available annually through the Urban Mass Transportation Administration for these projects. (Section 531)
- o User tax changes go into effect on April 1, 1983, except for the heavy vehicle use tax (which is phased-in beginning July 1, 1984) and the tire taxes effective January 1, 1984. Elimination of certain taxes is effective on the date of enactment.
- o Increases the limit for transfers from Highway Trust Fund to National Recreational Boating Safety and Facilities Improvement Fund to \$45 million per year. (Section 531)
- o Features of the proposed user tax structure are:
 - o a 9-cent per gallon tax on all motor fuels (Section 511);
 - o gasohol exemption is 5 cents per gallon through 12/31/92 (Section 511);
 - o intercity school and local buses are exempt from 9 cents per gallon tax as are State and local government vehicles;
 - o graduated tire tax on tires over 40 pounds (Section 514);
 - o taxes on the sale price of new trucks of 12 percent at retail and applicable only to vehicles greater than 33,000 pounds gross vehicle weight (GVW) and trailers over 26,000 pounds (Section 512);
 - o deletion of the present taxes on truck parts and accessories, inner tubes, tread rubber, and lubricating oil (Sections 512, 514, and 515);
 - o graduated use fee on heavy vehicles over 33,000 pounds with a phase-in and a top rate of \$1,900 per year effective July 1, 1988 (Section 513), except
 - very low mileage vehicles, such as certain logging trucks and heavy farm trucks, are exempt from the new heavy vehicle-use fee (vehicles with less than 5,000 annual miles); and
 - truck firms with a fleet of 5 or fewer trucks will have an additional year before their heavy vehicle-use taxes take effect.

AUTHORIZATIONS - FY 1983 THROUGH FY 1986
 (In millions of dollars)

Program	Fiscal Year			
	1983	1984	1985	1986
TITLE I PROGRAMS				
Interstate ^{1/}	4,000.0	4,000.0	4,000.0	4,000.0
Interstate 4R ^{1/}	1,950.0	2,400.0	2,800.0	3,150.0
Interstate Highway Substitution ^{2/}	257.0	700.0	700.0	725.0
Primary	1,850.0	2,100.0	2,300.0	2,450.0
Primary Minimum ^{3/}	33.4	47.2	51.8	55.1
Secondary	650.0	650.0	650.0	650.0
Urban	800.0	800.0	800.0	800.0
Emergency Relief	100.0	100.0	100.0	100.0
Forest Highways	50.0	50.0	50.0	50.0
Public Lands Highways	50.0	50.0	50.0	50.0
Indian Reservation Roads	75.0	100.0	100.0	100.0
Parkways and Park Highways	75.0	100.0	100.0	100.0
Freight Transshipment Demo (L.A.)	19.0	19.0	20.0	---
State of Art Construction Demo (PA)	5.0	10.0	62.0	---
State of Art Repair Demo (CA)	9.0	---	---	---
East Baton Rouge Interchange Demo	5.0	---	---	---
Accelerated Construction Demo (KY)	25.0	27.0	---	---
Cert. of State Procedures Demo (VT)	50.0	---	---	---
Lake Road Erosion Demo (ND)	4.5	---	---	---
Downtown Congestion Relief Demo (FL) ^{12/}	46.2	---	---	---
Truck Safety Demo (ID)	8.5	---	---	---
High Volume Facilities Demo (IL)	25.0	25.0	25.0	25.0
Rail Highway Crossings Demo*	50.0	50.0	50.0	50.0
By-Pass Highway Demo ^{4/}	55.0	---	---	---
Economic Growth Center ^{5/}	11.0	---	---	---
Great River Road ^{5/}	5.0	---	---	---
Minimum Allocation ^{3/}	515.4	589.0	597.0	631.0
TOTAL TITLE I	10,724.0	11,817.2	12,455.8	12,936.1
TITLE II PROGRAMS				
Bridge R&R	1,600.0	1,650.0	1,750.0	2,050.0
Rail-Highway Crossings	190.0	190.0	190.0	190.0
Hazard Elimination	200.0	200.0	200.0	200.0
NHTSA 402 ^{6/}	100.0	100.0	100.0	100.0
FHWA 402 ^{6/}	10.0	10.0	10.0	10.0
NHTSA 403 ^{6/}	31.0	31.0	31.0	31.0
FHWA 403 ^{6/}	13.0	13.0	13.0	13.0
NHTSA 408 ^{7/}	25.0	50.0	50.0	---
School Bus Driver Training ^{6/}	1.5	---	---	---
National Driver Register ^{8/} *	3.0	1.3	1.6	1.6
Highway Safety Information	16.0	---	---	---
TOTAL TITLE II	2,189.5	2,245.3	2,345.6	2,595.6

Program	Fiscal Year			
	1983	1984	1985	1986
TITLE III PROGRAM				
Block Grants*	---	2,750.0	2,950.0	3,050.0
Large Urbanized Areas ^{9/}	---	(2,432.0)	(2,609.0)	(2,697.0)
Small Urbanized Areas ^{9/}	---	(238.0)	(255.0)	(264.0)
Section 18	---	(80.0)	(86.0)	(89.0)
Mass Transit Account Grants	779.0	1,250.0	1,100.0	1,100.0
Large Urbanized Areas ^{10/}	(689.0)	---	---	---
Small Urbanized Areas ^{10/}	(67.0)	---	---	---
Section 18	(23.0)	---	---	---
Planning and Technical Studies (Sect. 8 of UMT Act)	---	(50.0)	(50.0)	(50.0)
Interstate Transit Substitutions*	365.0	380.0	390.0	400.0
University RD&D, Admin., & Misc.*	86.25	86.0	90.0	90.0
Research & Training Grants*	---	5.0	10.0	10.0
TOTAL TITLE III	1,230.25	4,471.0	4,540.0	4,650.0
TITLE IV PROGRAMS				
Motor Carrier Safety Assistance Program ^{11/}	---	10.0	20.0	30.0
State Recreational Boating ^{13/}	45.0 ^{14/}	45.0	45.0	45.0
Airport Improvement Program ^{15/}	200.0	200.0	75.0	---
TOTAL TITLE IV	245.0	255.0	140.0	75.0
TOTAL ALL AUTHORIZATIONS	14,388.75	18,788.5	19,481.4	20,256.7

* General funded program (only one-third of Rail-Highway Crossing Demo authorization is General Funded).

^{1/} Year available (apportioned year in advance); authorization year is year shown plus one.

^{2/} For FY 1983, additional amounts provided by Continuing Resolution signed Oct. 1, 1982 (\$518M for highways).

^{3/} Amounts shown are approximate. Actual amounts needed must be calculated each year.

^{4/} Provided by 1981 Federal-Aid Highway Act.

^{5/} Provided by 1982 Federal-Aid Highway Act.

^{6/} Authorizations for FYs 1983 and 1984 provided by Omnibus Budget Reconciliation Act of 1981.

^{7/} Provided by Alcohol Traffic Safety Programs (P.L. 97-364).

^{8/} Provided by National Driver Register Act of 1982.

^{9/} Section 9 of Urban Mass Transportation Act, as amended.

^{10/} Section 9A of Urban Mass Transportation Act, as amended.

^{11/} Authorizations for FYs 1987 and 1988 of \$30M and \$40M, respectively, also are provided.

^{12/} Continuing Resolution (H.J. Res 631, P.L. 97-377) signed 12/21/82 provided \$23.2M of this amount.

^{13/} Funds from the National Recreational Boating Safety and Facilities Improvement Fund.

^{14/} An additional amount of \$5 million was previously appropriated for FY 1983 by the DOT Appropriations Act (P.L. 97-369)

^{15/} Amounts shown come from Airport and Airway Trust Fund and are in addition to amounts provided by the Airport and Airway Improvement Act of 1982.

COMPARISON OF NEW AND PREVIOUS USER FEE STRUCTURES

<u>User Fee Type</u>	<u>Previous Rate</u>	<u>New Rate</u>
Gasoline	4¢/gallon	9¢/gallon
Diesel	4¢/gallon	9¢/gallon
Gasohol	0	4¢/gallon
Tires	9.75¢/lb., all tires	Tires under 40 lbs., 0 40-70 lbs., 15¢/lb. in excess of 40 70-90 lbs., \$4.50 + 30¢/lb. in excess of 70 Over 90 lbs., \$10.50 + 50¢/lb. in excess of 90.
Tread Rubber	5¢/lb.	0
Inner Tubes	10¢/lb.	0
Lubricating Oil	6¢/gallon	0
Truck Parts	8% at wholesale for all trucks	0
Truck Sales	10% at wholesale for trucks over 10,000 lbs. GVW	12% at retail for trucks over 33,000 lbs. GVW and trailers over 26,000 lbs. GVW
Heavy Vehicle Use Fee	\$3/1,000 lbs. GVW for trucks over 26,000 lbs. GVW	Trucks under 33,000 lbs. GVW, 0 33,000-55,000 lbs. GVW, \$50 + \$25/1,000 lbs. in excess of 33,000 55,000-80,000 lbs. GVW, \$600 + \$40*/1,000 lbs. in excess of 55,000 Over 80,000 lbs. GVW, \$1,600** Vehicles traveling less than 5,000 miles per year on highways are exempt from this tax.

* This rate rises in 4 chronological steps--\$40, \$44, \$48, and \$52.

** This rate also rises in steps--\$1,600, \$1,700, \$1,800, and \$1,900.



EFFECTIVE DATES OF CHANGES IN THE FEDERAL HIGHWAY TRUST FUND USER FEES

- . Motor Fuels (increase) April 1, 1983
- . Lubricating Oil (removal) January 6, 1983
- . Tires, Tubes, Tread Rubber
(all provisions) January 1, 1984
- . New Trucks, Trailers
 - . Exempting trucks
below 33,000 lbs. GVW
and trailers below
26,000 lbs. GVW January 6, 1983
 - . Raising tax rate to 12%
at retail April 1, 1983
- . Truck Parts and Accessories January 6, 1983
- . Heavy Vehicle Use
 - . Exempting vehicles
below 33,000 lbs. GVW July 1, 1984
 - . Raising rates (first
phase, except small
owner-operators) July 1, 1984
 - . Raising rates (first
phase, small owner-
operators) July 1, 1985