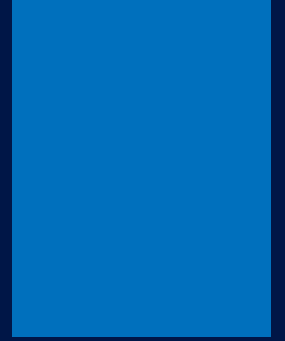




Bipartisan Infrastructure Law



U.S. Department of Transportation
Federal Motor Carrier Safety Administration



Overview

- Infrastructure Investment & Jobs Act (IIJA) – also called Bipartisan Infrastructure Law (BIL)
- Signed November 15, 2021
- Provides nearly \$1.2 trillion dollars for infrastructure
- Provides authorization for Fiscal Years (FY) 2022 through 2026
- Funding and FTE to be provided through FY 2022 appropriations
 - DOT currently operating under a Continuing Resolution (CR)
 - CR currently expires February 18, 2022
 - Still operating under FY 2020 levels

Funding Impacts for FMCSA

- Provides more than \$3.2 billion in resources over 5 years
- Formula grant funding provided through Motor Carrier Safety Assistance Program (MCSAP) increases by approximately 61%
- Discretionary funding increased by approximately 90%
- BIL provides supplemental grant and general operating expense funds
- Agency's staff increasing significantly
 - 134 new Safety Investigators including Household Goods

BIPARTISAN INFRASTRUCTURE LAW GRANT FUND BREAKDOWNS (assumes full appropriations)

Grant	FY22	FY23	FY24	FY25	FY26
MCSAP BIL	\$390,500,000	\$398,500,000	\$406,500,000	\$414,500,000	\$422,500,000
MCSAP Supplemental	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000
HP BIL	\$57,600,000	\$58,800,000	\$60,000,000	\$61,200,000	\$62,400,000
HP Supplemental	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000	\$26,500,000
CDLPI BIL	\$41,800,000	\$42,650,000	\$43,500,000	\$44,350,000	\$45,200,000
CDLPI Supplemental	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000
CMVOST BIL	\$1,100,000	\$1,200,000	\$1,300,000	\$1,400,000	\$1,500,000
CMVOST Supplemental	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
SET BIL	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000

Cumulative Totals

Grant	Total	Program + Supplemental
MCSAP BIL	\$2,032,500,000	\$2,432,500,000
MCSAP Supplemental	\$400,000,000	
HP BIL	\$300,000,000	\$432,500,000
HP Supplemental	\$132,500,000	
CDLPI BIL	\$217,500,000	\$297,500,000
CDLPI Supplemental	\$80,000,000	
CMVOST BIL	\$6,500,000	\$16,500,000
CMVOST Supplemental	\$10,000,000	
SET BIL	\$25,000,000	\$25,000,000
	Total:	\$3,204,000,000

Grant Program Changes in BIL

MCSAP

- Prioritizes the prevention and detection of human trafficking
- Maintenance of Effort calculation baseline changed to FY 2014-2015
- Adds a year of performance

High Priority Grant Program:

- Eligible Cost - Detect and immobilize unsafe large trucks and passenger carrying vehicles operating on nation's roadways

Safety Enforcement Training (SET) Grant

- SET grants provide \$5 million/year for 5 years (Totaling \$25 million)
- Program supports state and local commercial motor vehicle (CMV) safety enforcement professionals
- Available for non-profit organizations that have expertise in training and CMV safety-related efforts

Special BIL Initiatives

Human Trafficking

- Priority for the High Priority (HP) Commercial Motor Vehicle (CMV) grant program
- Now allowable under MCSAP, HP CMV, and Commercial Driver's License Program Implementation (CDLPI) grants
- Prioritized in FMCSA's Outreach programs
- Report (with OST) on Human Trafficking Violations Involving CMVs:
- Every 3 years - first report due November 15, 2024
- Recommendations for countering human trafficking, in coordination with Department of Justice

Motor Carrier Safety Advisory Committee (MCSAC)

- Revises the MCSAC to include small business motor carriers
- Extends the committee through September 2025

Truck Leasing Task Force

- To examine common truck leasing arrangements, including the impact of inequitable leasing agreements, and resources needed to assist CMV drivers in assessing the financial impacts of leasing agreements
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Special BIL Initiatives - Continued

Promoting Women in Trucking Task Force

- Establishes the Women of Trucking Advisory Board to explore trends and barriers that impact women minority groups, supporting training and employment opportunities for women in trucking, and to address safety risks unique to women in trucking.
- 2 years for Board to submit report
- 3 years for FMCSA to submit report to Congress

Underride Protection

- Advisory Committee (with NHTSA) to provide advice and recommendations to reduce underride crashes and fatalities related to underride crashes
- Update minimum periodic inspection standards related to underride protection
- Strengthen rear underride guard standards
- Conduct additional research on the design and development of rear impact guards

Electronic Logging Device (ELD) Oversight

- Submit a report to Congress on the processes used by the FMCSA to review ELD logs and to protect proprietary and Personally Identifiable Information
- Includes an analysis on cost effectiveness

BIL Non-Grant Initiatives - Continued

Study of CMV Crash Causation

- Comprehensive study on causes and contributing factors of crashes
- Includes CMVs over 10,000 pounds or used to transport more than 8 passengers for compensation

Apprenticeship Pilot Program and Driver Compensation Study

- For CDL holders under the age of 21 operating with an “experienced driver”
- Agency announced new program in Federal Register notice - January 14, 2022
 - Program start to be announced on Agency website
- Requires a Driver Compensation Study

Government Accountability Office (GAO) evaluation

- To examine the National Consumer Complaint Database
- To evaluate the effectiveness of efforts to consider and follow-up on complaints

Special BIL Initiatives - Continued

Automatic Emergency Braking (AEB) Inspection Standards

- Update the minimum periodic inspection standards following NHTSA's requirements
- Prescribe safety standard and performance requirements for AEBs for heavy-duty CMVs
- Require that systems installed in such vehicles be in use during operation
- Study equipping other CMVs with AEBs
 - if warranted, develop performance standards for such systems
- Conduct a review of AEB systems used in CMVs and address any identified deficiencies in the rulemaking

State Inspection of Passenger-Carrying Commercial Motor Vehicles

- Complete the rulemaking process to require State inspection programs for passenger-carrying vehicles

Special BIL Initiatives - Continued

Amendments to Regulations Relating to Transportation of Household Goods (HHG) in Interstate Commerce

- Update regulations relating to the interstate transportation of HHG
- Consider changes recommended by the HHG Consumer Protection Working Group

Modification of Restrictions on Certain Commercial Driver's Licenses

- Revise regulations concerning the seasonal periods for restricted CDLs issued to employees in a farm-related service industry

Exemption for Providers of Recreational Activities

- Exempts providers of recreational activities operating 9 to 15 passenger vehicles from federal registration requirements if they operate in interstate commerce within a 150 air-mile radius

Amendment for Transportation of Agricultural Commodities and Farm Supplies

- Includes drivers transporting livestock in interstate commerce within a 150 air-mile radius in the existing exemption

Special BIL Initiatives - Continued

Improving Federal-State Motor Carrier Safety Enforcement Coordination

- Publish in the Federal Register a process to review each out-of-service (OOS) order issued by a State
- Publish a process to review imminent hazard determinations made by States

Broker Guidance Relating to Federal Motor Carrier Safety Regulations

- Issue guidance to clarify the definitions and roles of brokers and bona fide agents
- Consider the impact of technology and the role of dispatch services in the freight transportation industry

Additional Information

BIL Overview:

- www.fmcsa.dot.gov/Bipartisan-Infrastructure-Law

BIL Grants Info

- www.fmcsa.dot.gov/Bipartisan-Infrastructure-Law-Grants

Agency website:

- <https://www.fmcsa.dot.gov>

