



CMAQ Program Interim Guidance

The Federal Highway Administration (FHWA) is announcing the availability of the 2024 CMAQ Program Interim Guidance to incorporate requirements and changes enacted under the Bipartisan Infrastructure Law (BIL) as well as previous transportation legislation and congressional actions. The Interim Guidance provides information and guidance on eligibility, funds transfer, and other CMAQ Program requirements.

The 2024 Interim Guidance replaces the November 12, 2013, Interim CMAQ Program Guidance under MAP-21 (2013 Interim Guidance) and the July 2014 Revised Interim Guidance on CMAQ Operating Assistance under MAP-21. Because the CMAQ Program requirements in BIL are in effect and the Interim Guidance contains information that is needed to administer the CMAQ Program, the 2024 Interim Guidance is effective on November 6, 2024, the date of publication of the notice in the Federal Register.

What is the CMAQ Program?

The primary goal of the CMAQ program is to provide funding to State and local governments to support transportation projects and programs that reduce emissions of criteria pollutants and to help improve air quality for areas that are designated non attainment or maintenance for the National Ambient Air Quality Standards for ozone, carbon monoxide, or particulate matter.

Key Changes in the 2024 Interim Guidance

While much of the 2013 Interim Guidance is retained, the 2024 Interim Guidance has been reorganized to better reflect eligible CMAQ project categories. Section II of the 2024 Interim Guidance is new and lists the governing authorities. The 2024 Interim Guidance adds new language in Section III.B.4 to address a limitation added in BIL that caps State obligations for lock and dam and marine highway projects. Project eligibility material has been reorganized in Section (V)(C) of the 2024 Interim Guidance to better reflect the logical grouping of projects and their method to reduce emissions and congestion.

In addition, the reorganization better highlights the many types of eligible projects. New language is added in the “other” projects grouping to clarify the eligibility of project incentives. New eligibilities as described under Key Changes to the CMAQ Program under BIL have been added. Appendix A to the Interim Guidance is new and includes a list of the transportation control measures listed in section 108(f)(1)(A) of the Clean Air Act (42 U.S.C. §7408(f)(1)(A)), that are eligible for CMAQ funds.

Key Changes to the CMAQ Program under BIL

- New eligibility for shared micromobility (23 U.S.C. §149(b)(7))
- Explicit eligibility for the purchase of medium- or heavy-duty zero emissions vehicles and related charging equipment (23 U.S.C. §149(b)(8)(C))
- New eligibility for lock and dam and marine highway projects (23 U.S.C. §149(b)(10) and (11))
- Limitation that caps State obligations for lock and dam and marine highway projects at 10% (23 U.S.C. §149(c)(4))
- New requirement that in PM2.5 set-aside areas, projects must be selected that prioritize benefits to disadvantaged communities or low-income populations to the extent practicable (23 U.S.C. §149(k)(1)(B))
- Availability for operating assistance with no time limitation for transit systems located in non-urbanized areas or in urbanized areas with a population of 200,000 or fewer. (23 U.S.C. §149(m)(2))
- Availability for DOT assistance to MPOs to assist in tracking progress made in minority or low-income populations as part of an MPO CMAQ performance plan (23 U.S.C. §149(l)(3)(A))

Submit Comments

The 2024 Interim Guidance is available at the docket and it is effective on November 6, 2024. The 60-day comment period ends on January 6, 2025. The FHWA will consider all timely comments submitted to the docket in developing the final guidance. The FHWA anticipates publishing a notice of availability of the final guidance in the Federal Register.

CMAQ Webinars

- **CMAQ Public Webinar 1:** November 13, 2024 (3:00 – 4:00pm EST).
- **CMAQ Public Webinar 2:** November 20, 2024 (11:00am – 12:00pm EST).

Registration Link: https://usdot.zoomgov.com/webinar/register/WN_rwd7TzZ5TxuTfdTv0g5OyA

Presentation and recordings of webinars will be available on the CMAQ Program website.

For more information, please contact:

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1200 New Jersey Avenue, S.E., Washington, D.C. 20590

Federal Register for the 2024 Interim Guidance:

<https://www.federalregister.gov/documents/2024/11/06/2024-25523/notice-of-availability-of-interim-congestion-mitigation-and-air-quality-improvement-cmaq-program>

CMAQ Program Website: https://www.fhwa.dot.gov/environment/air_quality/cmaq/

23 CFR §149: <https://www.govinfo.gov/content/pkg/USCODE-2012-title23/html/USCODE-2012-title23-chap1-sec149.htm>