



## FREIGHT PLANNING AND POLICY PROVISIONS

### Program purpose

The FAST Act includes several provisions to improve the condition and performance of the national freight network and to support investment in freight-related surface transportation projects.

**Statutory citations:** FAST Act § 8001; 49 U.S.C. 70101-70103, 70201-70204

### Freight Policy and Strategic Plan

#### National Multimodal Freight Policy

The FAST Act establishes a national policy of maintaining and improving the condition and performance of the National Multimodal Freight Network (“the Network”), described below, to ensure that the Network provides a foundation for the U.S. to compete in the global economy. The FAST Act specifies goals associated with this national policy related to the condition, safety, security, efficiency, productivity, resiliency, and reliability of the Network, and also to reduce the adverse environmental impacts of freight movement on the Network. These goals are to be pursued in a manner that is not burdensome to State and local governments. [49 U.S.C. 70101]

#### National Freight Strategic Plan

Within 2 years of enactment, the FAST Act requires DOT to establish (and publish on its website) a national freight strategic plan. DOT will develop (and update) the plan in consultation with State DOTs, MPOs, and other appropriate public and private transportation stakeholders. [49 U.S.C. 70102]

The national freight strategic plan will include—

- an assessment of—
  - the condition and performance of the Network; and
  - barriers to improved freight transportation performance (and opportunities to overcome the barriers);
- forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;
- an identification of—
  - major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;
  - bottlenecks on the Network that create significant freight congestion;
  - corridors that access energy exploration, development, installation, or production areas;
  - corridors that access major areas for manufacturing, agriculture, or natural resources;
  - best practices for improving the performance of the Network, including critical commerce corridors and rural and urban access to critical freight corridors; and
  - best practices to mitigate the impacts of freight movement on communities;
- a process for addressing multistate projects and encouraging jurisdictions to collaborate; and
- strategies to improve freight intermodal connectivity.

Within 5 years of completing the national freight strategic plan, and every 5 years thereafter, DOT must update the plan and publish it on its website. [49 U.S.C. 70102]

### National Multimodal Freight Network [49 U.S.C. 70103]

#### Goals of the Network

The FAST Act directs DOT to establish a National Multimodal Freight Network to—

- assist States in strategically directing resources toward improved system performance for the efficient movement of freight on the Network;
- inform freight transportation planning;
- assist in the prioritization of Federal investment; and

- assess and support Federal investments to achieve the goals of the National Multimodal Freight Policy established in 49 U.S.C. 70101 and of the National Highway Freight Program described in 23 U.S.C. 167.

#### Establishment of Interim Network

Within 180 days of enactment, DOT must establish an interim Network, to include—

- the National Highway Freight Network that DOT establishes under the National Highway Freight Program (23 U.S.C. 167);
- the freight rail systems of Class I railroads;
- U.S. public ports that have total annual foreign and domestic trade of at least 2 million short tons;
- U.S. inland and intracoastal waterways;
- the Great Lakes, the St. Lawrence Seaway, and coastal and ocean domestic freight routes;
- the 50 U.S. airports with the highest annual landed weight; and
- other strategic freight assets, including strategic intermodal facilities and other freight rail lines.

#### Designation (and redesignation) of final Network

Within one year of enactment, DOT must designate a final National Multimodal Freight Network. Within 5 years after initial designation, and every 5 years thereafter, DOT must redesignate the Network.

When designating a final Network, DOT must solicit input from stakeholders, including multimodal freight system users, transportation providers, MPOs, local governments, ports, airports, railroads, and States through a public process. [49 U.S.C. 70103(c)]

### **Other Freight Provisions**

#### State freight advisory committees

The FAST Act requires DOT to encourage each State to establish a State freight advisory committee, to consist of a representative cross-section of public and private freight stakeholders. The role of a State freight advisory committee is to—

- advise the State on freight-related priorities, issues, projects, and funding needs;
- serve as a forum for discussion for State transportation decisions affecting freight mobility;
- communicate and coordinate regional priorities with other organizations;
- promote the sharing of information between the private and public sectors on freight issues; and
- participate in the development of the freight plan of the State.

[49 U.S.C. 70201]

#### State freight plans

To receive funding under the National Highway Freight Program (23 U.S.C. 167), the FAST Act requires each State to develop a State freight plan, which must comprehensively address the State's freight planning activities and investments (both immediate and long-range). A State may develop its freight plan either separately from, or incorporated within, its statewide strategic long-range transportation plan required by 23 U.S.C. 135. Among other requirements, a State freight plan must—

- cover a five-year forecast period;
- be fiscally constrained;
- include a "freight investment plan" with a list of priority projects; and
- describe how the State will invest and match its National Highway Freight Program funds.

The State must update its freight plan at least every five years, and may update its freight investment plan more frequently than the overall freight plan. [49 U.S.C. 70202(e)]

#### Transportation investment data and planning tools

Within one year of enactment, the FAST Act requires DOT to begin developing new tools (and improving existing tools) to support an outcome-oriented, performance-based approach to the evaluation of proposed freight-related and other transportation projects. [49 U.S.C. 70203]

Freight conditions and performance report

The FAST Act continues the requirement for DOT to provide Congress with a biennial report on the condition and performance of the National Highway Freight Network.

[FAST Act § 1116; 23 U.S.C. 167(h)]