

Congestion Relief Program

	FAST Act (extension)	Bipartisan Infrastructure Law (BIL)				
Fiscal year (FY)	2021	2022	2023	2024	2025	2026
Contract authority	---	\$50.0 M	\$50.0 M	\$50.0 M	\$50.0 M	\$50.0 M

Note: Except as indicated, all references in this document are to the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

Program Purpose

The BIL establishes the Congestion Relief Program to provide discretionary grants to eligible entities to advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas of the United States with an urbanized area population greater than 1,000,000. The goals of the program are to reduce highway congestion, reduce economic and environmental costs associated with that congestion, including transportation emissions, and optimize existing highway capacity and usage of highway and transit systems through: (1) improving intermodal integration with highways, highway operations, and highway performance; (2) reducing or shifting highway users to off-peak travel times or to nonhighway travel modes during peak travel times; and (3) pricing of, or based on, as applicable, parking; use of roadways, including in designated geographic zones; or congestion.

Statutory Citation

- § 11404(a); 23 U.S.C. 129(d)

Funding Features

Type of Budget Authority and Authorization of Appropriations

- Contract authority from the Highway Account of the Highway Trust Fund, subject to the overall Federal-aid obligation limitation.

Minimum Award

- Grants must be \$10,000,000 or greater. [§ 11404; 23 U.S.C 129(d)(5)(D)]

Federal Share

- The Federal share of the cost of a project carried out with a grant under the program is not to exceed 80% of the total project cost. [§ 11404; 23 U.S.C 129(d)(5)(C)]

Eligible Activities

- Projects or an integrated collection of projects, including planning, design, implementation, and construction activities, including:
 - deployment and operation of an integrated congestion management system;
 - deployment and operation of a system that implements or enforces high occupancy vehicle toll lanes, cordon pricing, parking pricing, or congestion pricing;
 - deployment and operation of mobility services, including establishing account-based financial systems, commuter buses, commuter vans, express operations, paratransit, and on-demand microtransit; and

- incentive programs that encourage travelers to carpool, use nonhighway travel modes during peak period, or travel during nonpeak periods. [§ 11404; 23 U.S.C. 129(d)(4)]

Program Features

This is a new program established under BIL.

Eligible Entities

- A state, Metropolitan Planning Organization (MPO), city, or municipality carrying out a project in an urbanized area with a population greater than 1,000,000. [§ 11404; 23 U.S.C 129(d)(1)(A)]

Project Selection

- The Secretary shall give priority to projects in urbanized areas that are experiencing a high degree of recurrent congestion. [§ 11404; 23 U.S.C 129(d)(5)(B)]

Use of Tolling

- The Secretary shall allow the use of tolls on the Interstate System as part of a project carried out with a grant under the program if certain statutory requirements [in 23 U.S.C. 129(d)(6)(B)] are met; however, the Secretary may not approve such use of tolling in more than 10 urbanized areas. [§ 11404; 23 U.S.C. 129(d)(6)]

Low-Income Drivers

- Projects must analyze, if appropriate, the potential effects on low-income drivers and may include mitigation measures to address any potential adverse financial effects on those drivers. [§ 11404; 23 U.S.C. 129(d)(7)]

Additional Information and Assistance

- FHWA can connect you with your local FHWA office and support you with technical assistance for planning, design, construction, preserving, and improving public roads and in the stewardship of Federal funds. For assistance, visit:
https://www.fhwa.dot.gov/bipartisan-infrastructure-law/technical_support.cfm