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**Statement for the Record of**  
**The American Society of Civil Engineers**  
**on**  
**"Advancing Public Transportation Under the Bipartisan**  
**Infrastructure Law"**  
**Committee on Banking, Housing, and Urban Affairs**  
**U.S. Senate**

**March 15, 2022**

## **Introduction**

The American Society of Civil Engineers (ASCE) appreciates the opportunity to submit a statement for the record regarding the Senate Committee on Banking, Housing, and Urban Affairs' hearing on advancing public transportation under the bipartisan infrastructure law.

Public transportation services form an important fabric for communities across the country, providing access to jobs, schools, and healthcare facilities. The bipartisan Infrastructure Investment and Jobs Act (IIJA), enacted in November 2021, represents a significant opportunity to improve the nation's transit networks. The legislation contains \$91 billion for transit, including spending for development planning, State of Good Repair Grants, and low-emission vehicles. The investment included in the IIJA can help reduce the transit backlog and address some of the challenges associated with public transportation infrastructure, such as aging systems.

ASCE commends the Committee on Banking, Housing, and Urban Affairs for examining this subject and hearing from transportation industry experts and transit authority representatives. These witnesses bring valuable experience from the transit sector and will be important helping to implement the IIJA.

### **ASCE's 2021 Report Card for America's Infrastructure**

Every four years, ASCE publishes its *Report Card for America's Infrastructure*, which grades the nation's major infrastructure categories using an A to F school report card format. While the most recent report card<sup>1</sup>, released in March 2021, reflected a mediocre overall C- grade, the transit category received a poor D- grade<sup>2</sup> - the lowest grade given, reflecting decades of underinvestment and a severe backlog of needed projects.

Although many Americans rely on public transportation to get to work and school, almost half of the U.S. population lacks access to any transit options. Meanwhile, the existing transit system is aging and transit agencies often lack sufficient funding to keep their assets in good working order. Over a 10-year period across the country, 18.5% of transit vehicles and 6.4% of fixed guideway elements like tracks and tunnels were rated in "poor" condition. These deficiencies cause trip delays and travel time uncertainty, which will likely perpetuate ridership declines and, as a result, reduce funding available for operation and maintenance.

Currently, there is a \$176 billion transit backlog, a deficit that is expected to grow to more than \$270 billion through 2029. Exacerbating these funding challenges are the effects of the COVID-19 pandemic, which impacted nearly every aspect of transportation and travel. Transit systems suffered drastically, as ridership plummeted

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<sup>1</sup> <https://infrastructurereportcard.org/>

<sup>2</sup> <https://infrastructurereportcard.org/cat-item/transit/>

and continues to climb back to pre-pandemic levels. Nationally, transit ridership and fare revenues were down in April 2020 from April 2019 by 73% and 86%, respectively.

ASCE was pleased that the IIJA addresses several of the Report Card's recommendations concerning transit, such as increasing investment, integrating transit and micro-mobility options with equitable access for all, and implementing new technology to leverage innovation and mobility options.

### **Infrastructure Investment Actions**

ASCE encourages investment in public transportation from all levels of government to reduce the backlog of rehabilitation needs.

The IIJA represents a major investment that could significantly improve the nation's transit infrastructure, and ASCE suggests the following key actions as implementation gets underway:

- Strong leadership between various government and private sector representatives in implementing the legislation and a continued focus on finding ways to invest in infrastructure. The IIJA is a significant injection of funding, and federal communication and partnership will be critical to ensuring these projects progress in communities throughout the country.
- Encourage the continued implementation of new technologies into our transit systems to leverage innovation and mobility options. Leveraging new technologies will help systems continue to expand and enhance the transit ecosystem to provide better access for communities.
- Government agencies and transit systems must budget for and fund critical operation and maintenance projects, not just capital expenses.
- As new competitive grant programs are developed by the agencies, ASCE believes these programs should incentivize asset management and life-cycle cost analysis as a routine part of the planning process. There have already been a growing number of state and local governments, as well as examples in the private sector, that are demonstrating the tremendous long-term advantages to employing sophisticated asset management practices.
- Workforce development programs will be critical to the effective implementation of the IIJA. As a nation we must ensure that we have the civil engineering and construction workforce that will be required to design, build, and maintain our transit systems. Agencies like state departments of transportation cannot effectively utilize new resources if the workforce is not in place, so the construction skilled labor shortage will have to be addressed.

### **Long-term Funding for Infrastructure**

While the IIJA is a landmark piece of legislation for infrastructure investment, it is important that the law is not a one-time infusion of funding. ASCE urges Congress to

develop a long-term solution to guarantee the revenue needed to maintain infrastructure going forward.

Fixing the federal Highway Trust Fund (HTF) is a key component of long-term plans to sustain and modernize the nation's infrastructure. Supported by the federal fuel tax, the HTF funds many transit, road, and bridge projects. Many states have been proactive with raising their own fuel tax rates, yet the federal motor fuel tax has stagnated at 18.4 cents per gallon since 1993, meaning it has teetered on the brink of insolvency for over a decade.

Recently, there has been troubling legislative activity that threatens fuel tax rates. At the federal level, the Gas Prices Relief Act, which proposes suspending the current federal gasoline tax through the end of 2022, has been introduced. Taking a gas tax "holiday" – even for a temporary amount of time – would result in the loss of over \$20 billion from the Highway Trust Fund. ASCE opposes any effort to pause federal, state, or local gas taxes, as the resulting loss of revenue would deal a serious blow to the bipartisan infrastructure law – and to transit agencies. In fact, suspending the federal gas tax would hinder the commitments that Congress made to improve the nation's infrastructure, mere months after lawmakers passed the Infrastructure Investment and Jobs Act. The bipartisan infrastructure law is the largest federal investment in a generation and now is the time to capitalize on the momentum from that legislation and finally make long-overdue investments in our most critical assets. Therefore, ASCE strongly urges Congress to reject any action that would put the federal fuel tax rate on hold and which would put infrastructure projects in jeopardy before they can even break ground.

### **Conclusion**

ASCE thanks the Committee on Banking, Housing, and Urban Affairs for hearing from a group of experts on advancing public transportation through the IIJA.

Transit infrastructure is vital to many Americans' travel patterns and is in serious need of improvement. The bipartisan infrastructure law includes a significant boost for transit systems, and experts such as the panelists scheduled to appear before the committee today will be helpful in shepherding its successful implementation.