



Why “Eligibility” Isn’t Enough

The case for dedicated bicycle and pedestrian funding in the federal transportation bill

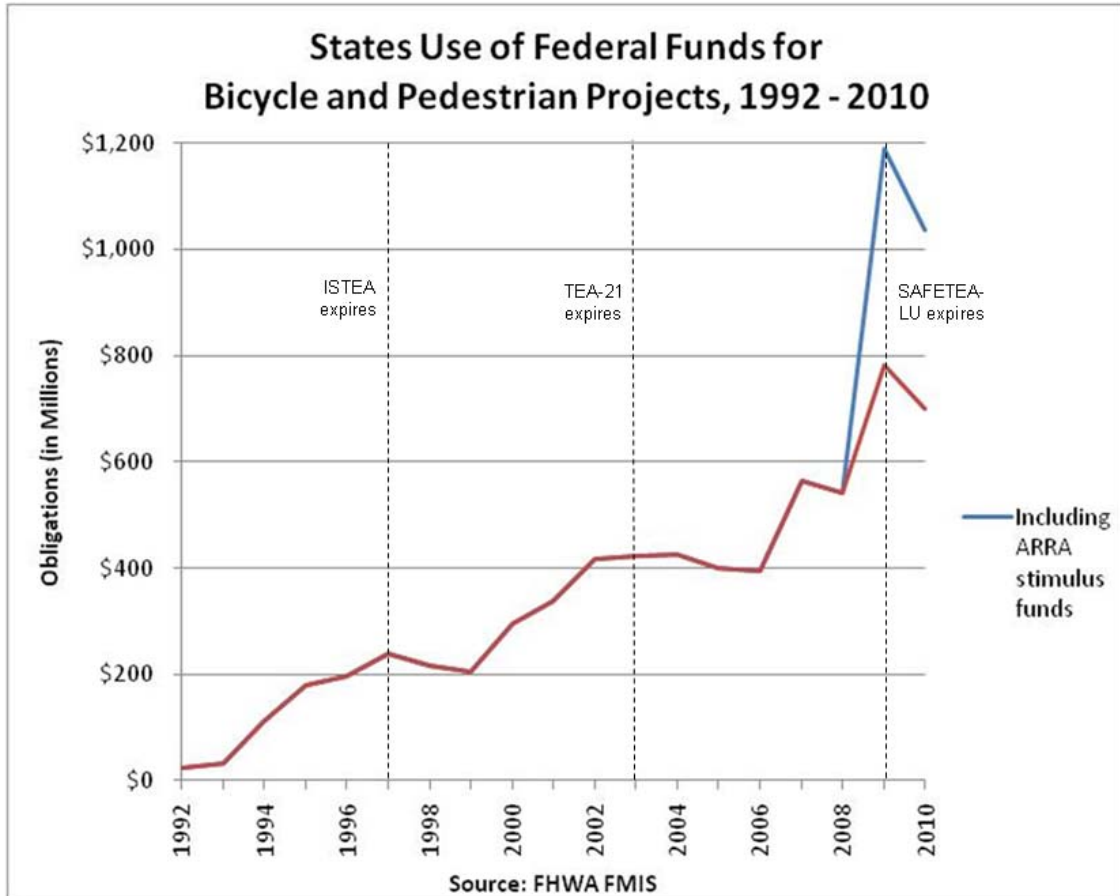
Representative John Mica (R-FL), chairman of the House Transportation and Infrastructure Committee, recently introduced an [outline of his proposed transportation bill](#). The proposal eliminates all dedicated funding for bicycling and walking – programs such as transportation enhancements, recreational trails and safe routes to schools program – and maintains “eligibility” for these activities only if states choose to spend their funds on these kinds of activities and these meet [undetermined] performance measures and are in the national interest.

As supporters of these programs attempt to preserve dedicated funding for bicycling and walking, they may well hear an argument along the lines of “don’t worry, these are still eligible activities, so if States think they are important they will continue”. While it is true that basic eligibility for federal transportation funds is important (it at least removes the argument that “we aren’t allowed to use these funds for bicycling and walking projects”), all the evidence of the past 20 years and beyond suggests that mere eligibility is totally insufficient: most states will simply stop spending any of their Federal transportation funds on anything related to bicycling and walking.

Why do we say that eligibility isn’t enough?

1. **It didn’t work before.** In 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) created the Transportation Enhancement (TE), Recreational Trails (RTP) and Congestion Mitigation and Air Quality programs (CMAQ), all of which have become major sources of funding for bicycling and walking projects. Before ISTEA, states had the option of spending up to \$4.5 million of their highway funds each year on independent bicycling and walking projects (up to a national cap of \$45 million), and the funds required NO state matching funds. In the 18 years before 1991, a total of \$40 million was spent by all 50 states combined – approximately \$2 million a year. [Most states spent nothing](#) between 1988 and 1991.
2. **States seem to wait for programs to end.** The chart below shows how spending on bicycling and walking projects and programs has increased since 1991 – and there are very noticeable dips in spending as each transportation bill has neared expiration. While this may partly be explained by the general level of uncertainty

caused by numerous short-term funding fixes (continuing resolutions), there is also a strong possibility that States are hoping these programs will go away in the new bills – and in 1995-96 and 2003-04 there were active efforts underway to eliminate the Transportation Enhancements program.



3. **States don't spend available bicycle and pedestrian program funds as quickly as other highway funds.** The obligation rate (percentage of available funds actually spent by states) for the [Transportation Enhancements](#) (see page 13 – 15) and Safe Routes to School (SRTS) programs, and even the CMAQ program, are historically much lower than for “traditional” highway construction programs.
4. **States disproportionately target Transportation Enhancements (TE) and Congestion Mitigation and Air Quality (CMAQ) when sending funds back to Washington.** Several times in recent years, states have had to return “unspent” funds to Washington. These [rescissions](#) have affected all the major transportation funding programs, but the TE and CMAQ funds have [suffered disproportionately](#) – for example, in 2010, 44 percent of a \$2.2 billion rescission came from these two funds even though they comprised just 7.3 percent of the total. States are able to choose which funds are returned – they are clearly choosing to send back more funds from bike/ped programs than any other.

5. **It's not for lack of demand for bicycle and pedestrian projects.** Funding requests for TE, RTP, and SRTS typically outstrip available funding by a factor of three or more. Because of the unique "application" process established for these programs, and the active constituencies that surround non-motorized projects, the TE, SRTS and RTP programs generate remarkable levels of popular support and positive media – they are also very [popular with local elected officials](#). Sixty percent of our Nation's Mayors cite the lack of funding for bicycle and pedestrian projects as one of their biggest challenges in using transportation as part of their city's broader strategies to reduce congestion, improve livability, and increase economic competitiveness.

6. **Demand for bike/ped projects has had to be met other ways.**

There is a huge demand for and backlog of non-motorized projects and programs in part because of the reluctance of State DOTs to fund these things through the current programs:

 - A significant percentage of "high priority projects" requested by individual members of Congress over the years are bicycle/pedestrian projects – often legitimate, ready-to-go projects that state DOTs have refused to fund through the regular planning process. In 2010, \$90 million in bicycle and pedestrian projects were requested as high priority projects.
 - The amount of funds spent on bicycling and walking increased by 50 percent with the [ARRA funding](#) that focused on "shovel-ready" projects.
 - More than half of the [TIGER grants](#) went to projects that included significant non-motorized components.

7. **The more discretion states have, the less they spend on bike/ped projects.** The largest source of funds for non-motorized transportation projects has been the TE program – a program that is limited to [12 specific activities](#), including three bike/pedestrian categories and several others that State DOTs appear to like even less than trails, bike lanes and sidewalks. More than half of TE funds have been allocated to bicycling and walking. All the Safe Routes to Schools funds and one-third of the RTP funds have to go towards non-motorized projects. The CMAQ program, which can be used for wide variety of activities including signal timing, the addition of turn lanes, car-pool and ride-share programs, transit, etc. has seen only [5 percent](#) of funds go towards bicycling and walking – even though these are clearly eligible and effective activities. An even smaller percentage of very flexible Surface Transportation Program funds have gone to bike/ped, and virtually no Highway Safety, National Highway System, Bridge and other "highway" program funds have been spent on bicycling and walking...in twenty years.

8. **States readily admit they don't want to spend on bicycling and walking.** In recent testimony to House and Senate committees considering reauthorization, state DOTs such as Florida, Oklahoma, Utah and Nevada have all specifically said they don't support these programs and don't want to be required to spend any funds at all on bicycling and walking. Their association, the American Association of State Highway and Transportation Officials recently withdrew under pressure [a request to significantly weaken current Federal policy](#) on routinely accommodating bicyclists and pedestrians in transportation projects, programs and plans.

Why *Should* States Care About Bicycling and Walking?

Since 1991, states have spent just over 1% of their transportation funds on bicycling and walking – even though these two modes now account for 12% of all trips and 14% of all fatalities in traffic crashes. These critical transportation modes connect people to jobs, friends and family, goods and services; they provide healthy, clean, efficient, and sustainable ways for kids to get to and from school; and they are increasingly popular and economically vital forms of recreation. Recent studies show that in addition to providing these benefits, investing in bicycling and walking infrastructure is very cost-effective and creates more jobs than traditional highway-only projects.

As our population continues to grow in rural and urban areas alike, providing real transportation choices – especially for short trips – is essential to reducing congestion, improving air quality, achieving energy independence, increasing physical activity levels, and improving traffic safety: critical goals that are squarely in the national interest, and goals that cannot be left to the whim of state Departments of Transportation who have proven unwilling to make these choices unaided.