

Equity, Housing, Transit & the Next Federal Reauthorization

WEBINAR
Thursday,
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1pm Eastern

Rail~Volution

Building Livable Communities
with Transit

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Rail~Volution Webinar: **Equity, Housing, Transit & the Next Federal Reauthorization**



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Agenda

- **Transportation Reauthorization Process and Status**
- **Transit Oriented Development Legislation Introduced in Congress**

Transportation Reauthorization Process & Status

Surface transportation programs under the FAST Act were set to expire on Sept. 30 although have been extended one year under the Continuing Resolution

- Lawmakers on at least six congressional committees play a role in transportation reauthorization
- TIFIA and RRIF TOD authorities extended
- Key issue: financing, with the Highway Trust Fund facing insolvency after fiscal 2021

Work has begun in Congress, but there's still no plan to pay for it

- House Democrats passed the Moving Forward Act (H.R. 2), a far reaching infrastructure bill, with transportation portions included in the Invest in America Act
- The Senate Environment and Public Works Committee advanced a transportation reauthorization measure in 2019 that the White House supports

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Transportation Reauthorization Process & Status

Committees Responsible for Surface Transportation Reauthorization

Several panels will play a role in a long-term reauthorization.

HOUSE

Financing



Highway, transit, rail,
and other programs



Surface
Transportation
Bill



SENATE



Highways



Public
transportation



Safety, rail,
and freight



Financing

Source: Bloomberg Government

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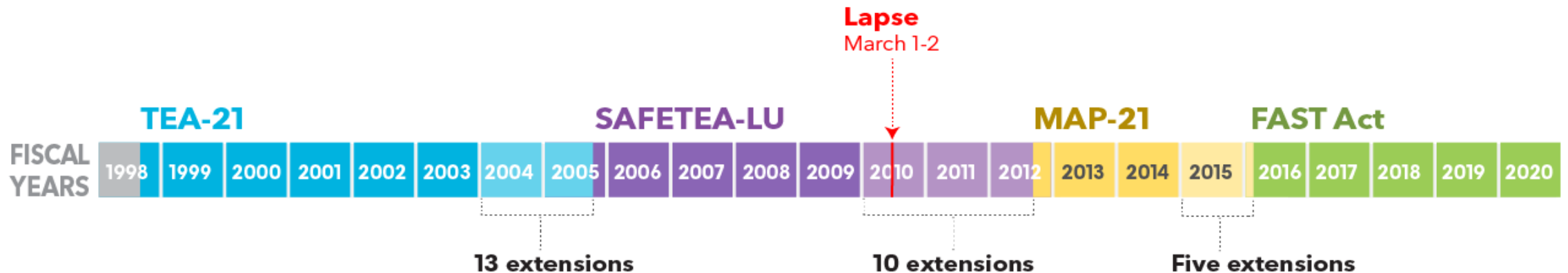
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Transportation Reauthorization Process & Status

- An authorization has to be in place to keep money flowing to state highway and transit agencies in absence of a longer-term law
- A lapse can cause furloughs at transportation agencies

Reauthorizing Surface Transportation Programs Isn't Easy

Recent long-term laws were preceded by multiple short-term extensions.



Source: Bloomberg Government

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TOD Legislation Introduced in Congress

House passed the Moving Forward Act (H.R. 2), which includes transportation (almost \$500B) and other infrastructure provisions (\$1T), including housing, child care, broadband, energy, and others.

TOD Provisions in H.R. 2:

- **Sec. 2701. Transit-supportive communities.** Establishes an Office of Transit Supportive Communities to make grants, provide technical assistance, coordinate transit-housing policies across the government, and incorporate strategies to promote equity for underrepresented and underserved communities. The office will make grants available under the Transit Oriented Development Planning grant program, for eligible grantees who are designing or building a fixed guideway transit line, or serving an existing fixed guideway transit line, a station that is part of a fixed guideway transit system, or the immediate corridor surrounding a high-frequency transit line.

TOD Legislation Introduced in Congress

TOD Provisions in H.R. 2:

Sec. 2702. Property disposition for affordable housing. Allows a grantee to transfer property no longer needed to a local government authority, non-profit, or other third party for the purpose of transit-oriented development and releases the Federal interest in that asset. Requires that at least 40 percent of the housing units in such a project be offered as affordable housing.

Sec. 2703. Affordable housing incentives in capital investment grants. Provides multiple incentives in the CIG ratings process if the project preserves or encourages higher density affordable housing near the project. Allows Economic Development Administration Public Works grants and Department of Housing and Urban Development Community Development Block Grants to be counted as part of the local share, provided that the funds are used in conjunction with an affordable housing development.

TOD Legislation Introduced in Congress

Other TOD Bills:

H.R. 7074, Promoting Equitable Transit-Oriented Development and Mobility Corridors Act. The legislation establishes an Office of Equitable TOD in the Department of Transportation, promotes affordable housing near transit, and reduces vehicle miles traveled and carbon emissions. It will also allow rural, suburban, and urban governments to develop priority investment areas to promote equitable revitalization efforts near public transit.

TOD Legislation Introduced in Congress

Other TOD Bills:

H.R. 5641, Incentivizing Value Capture for Greener Transportation Act. This legislation would (1) provide grants to localities to develop value capture mechanism to support equitable TOD and green infrastructure; and (2) develop a national value capture policy

H.R.5255, MORE TOD Act. This legislation expands the TOD Planning Grant grantee eligibility to include communities with existing stations (vs. new stations).



TOD Legislation Introduced in Congress

Other TOD Bills:

H.R. 6175, The Revitalizing Economies, Housing and Businesses (REHAB) Act of 2020. This legislation would create a new a 15% tax rehab credit for buildings that are more than 50 years old, not certified historic structures, and are within one-half of a mile of a public transportation station; expands credit eligibility to include building expansion on the same block; and a bonus credit of 25% for expenses related to public infrastructure upgrades and rent-restricted housing (bonus credit also available to HTC projects).

S.B. 2805, TOD Advancement of 2019 (Reforms RRIF TOD). This legislation would let local communities' access RRIF TOD by extending the sunset provision from December 4, 2019 to December 4, 2021, though it's widely recognized the sunset provision should be removed. Additionally, this legislation will make improvements to the program to improve its utility for local communities, specifically the bill instructs the Department of Transportation to establish—within 90 days—a TOD policy that provides clear eligibility guidelines and reduces regulatory barriers for TOD projects that support the creation of mixed-income, mixed-use development, affordable housing, and increased transit ridership.

TOD Legislation Introduced in Congress

Other TOD Bills:

H.R. 4307, Build More Housing Near Transit Act. This legislation would provide fast-track approval incentives to transit agencies who conduct housing feasibility studies for New Starts Capital Investment Grant projects. It would also provide bonus points in scoring applications for transit agencies who secure commitments of local land use policies in station areas that improve the financial and physical feasibility of housing development. Finally, the bill would allow transit agencies to count federal affordable housing funding sources as part of their local funding match requirement, as long as the funding supports affordable housing in the project walksheds.

H.R. 4351/S.1919, The Yes In My Backyard (YIMBY) Act. This legislation would require Community Development Block Grant (CDBG) recipients to report on the extent to which their localities are implementing pro-housing policies. The 21 land use and housing policies enumerated in the bill include the creation of TOD zones and the reduction or elimination of parking requirements. The legislation is designed to increase transparency in planning, shed light on exclusionary policies, and help localities implement land use policies and reforms that encourage the creation of more housing.

TOD Legislation Introduced in Congress

Other TOD Bills:

H.R. 5783, The Equitable Transit Oriented Development Act would make community development financial institutions (CDFIs) eligible to receive federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loans for equitable TOD projects, such as affordable housing, community facilities, and small business.