

LEGAL ALERTS | JUL 26, 2018

Federal Draft Infrastructure Bill Released

Aims to Provide Revenue to Repair Failing Infrastructure



A draft infrastructure bill, which aims to address the state of America's infrastructure and remove some of the major federal roadblocks to funding, was introduced this week by U.S. House of Representatives Transportation & Infrastructure Committee Chairman Bill

Shuster. Infrastructure is a topic at the top of everyone's minds — especially since President Trump assumed office and made it a goal to rebuild the nation's infrastructure with an investment of more than **\$1 trillion over the next 10 years**. To date, no formal legislation has been introduced in connection to the President's legislative outline.

According to the American Road & Transportation Builders Association, the proposed Shuster Infrastructure Bill would aid the ailing Highway Trust Fund by adding an estimated \$123 billion over 10 years. The bill includes a temporary tax increase of 15 cents per gallon of gas and 20 cents per gallon of diesel, which would expire in 2028. Gas and diesel taxes have not increased since 1993. Additional taxes are proposed for electric vehicle batteries, bicycle tires and alternative fuels, such as liquefied petroleum and compressed natural gases.

The proposed legislation would grant U.S. Department of Transportation Secretary Elaine Chao authority to establish a National Infrastructure Investment Program to make capital investments in transportation infrastructure. The program would provide grants of at least \$25 million to states, counties, cities, transit agencies and other government entities. Eligible projects for this program include:

- highway or bridge projects
- public transportation projects
- passenger or freight rail transportation projects
- port projects
- airport projects or

People



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- transformative transportation projects.

The Shuster Infrastructure Bill reauthorizes the Water Infrastructure Finance and Innovation Act program. The bill would increase WIFIA's assistance to rural, small and tribal municipalities for technical assistance and training on publicly owned treatment works and wastewater treatment systems for compliance with the Clean Water Act. The bill also includes funding for watershed-based plans and would inject \$3 billion annually for 5 years for the Clean Water State Revolving Funds.

Overall, the Shuster Infrastructure Bill would provide states and local governments with a necessary injection of revenue to repair failing infrastructure. Not only would the bill address much-needed highway and bridge repairs, but it would also fund public transportation, water systems and port repairs and improvements.

Chairman Shuster, who is retiring after this term, said that this bill is far from final and that it was meant to reignite the discussion around infrastructure improvements. He hopes that this bill goes from a discussion item to providing much-needed relief to our ailing infrastructure.

Additional Reading

- [The Shuster Infrastructure Proposal](#)
- [Transportation & Infrastructure Committee Analysis](#)
- [White House Legislative Outline for Rebuilding Infrastructure in America](#)

To learn more about the legislation and how your agency can be involved, and potentially benefit from, its implementation, contact the authors of this Legal Alert to the right in the firm's [Government Relations](#) and [Municipal Law](#) groups, or your [BB&K attorney](#).

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