

FEDERAL BIKE TRAILS

QUICK STATS

- ✘ **CONFERENCE:** Regulation
- ✘ **TEAM:** Department of Transportation
- **FUMBLE:** Requirement to spend two percent of highway funding on non-motorized transportation infrastructure
- **HOW TO RECOVER THE BALL:** Put fewer requirements on how state transportation departments must spend infrastructure dollars

Road and bridge maintenance and construction is typically funded through a user fee system—each time Americans fill up their car’s tank, 18.3 cents from the sale of every gallon of gasoline and 24.3 cents of every gallon of diesel goes into the federal highway trust fund for states to spend on the infrastructure drivers use to get home every day.¹³⁶ This system allows individuals who use the roads and bridges to pay for them to be in good condition without charging those who do not use them. Or at least that is how user fee systems work in theory. Instead the federally collected dollars in the highway trust fund are used to fund bike paths, scenic viewing areas, and the conversion of abandoned railroad routes into pedestrian paths, all while roads in many states continue to deteriorate.

This is all happening because DOT requires states to spend about two percent of their highway funding on a program called Transportation Alternatives—infrastructure for non-motorized and non-gas tax-contributing transportation infrastructure.¹³⁷ This two percent is not an insignificant amount of money. In 2015 two percent of each state’s combined allotment amounted to about \$820 million.¹³⁸ By comparison, the massive undertaking of the I-40 Crosstown reconstruction, a multi-year project that

updated a four-mile stretch of I-40 in Oklahoma City from a three-lane highway built to carry 76,000 vehicles daily to a five-lane highway that could handle up to 173,000 vehicles daily, clocked in at about \$680 million.¹³⁹ Without these federal requirements, states could be empowered to take on more multi-year, significant projects that help shorten the commutes of thousands of people and ease the movement of goods through the vast economy.

RECOVERY

The process to determine which projects are the federal government’s responsibility and how Americans can cover those costs is in need of reform to be sustainable into the future. Over the past few years, the highway trust fund has needed an influx of general revenue funding to continue to pay for road projects that are authorized under the law.¹⁴⁰ However, the federal government can implement small changes to make it easier for states to patch potholes and build bridges. Not requiring them to use highway money meant for roads to build bike paths would be a start. The next step is to stop the constant expansion of the federal highway inventory. More miles of road are added each year to the interstate system; the U.S. cannot continue to expand the federal footprint with the same amount of money.

[For more information, please visit:](#)

[Federal Highway Authority: Transportation Alternatives Program \(TAP\)](#)

[Oklahoma DOT: I-40 Crosstown](#)

[CRS Report: The Federal Excise Tax on Motor Fuels and the Highway Trust Fund: Current Law and Legislative History](#)