

Why the League of American Bicyclists doesn't support the RTP Full funding bill.

There has been some back and forth via email alerts about what the Recreational Trails Program bill truly does, and why all organizations that care about active mobility should work together on the bill. Here's a short FAQ on why the League is opposed to the bill.

The League and other local, state and national partners made our choice to oppose the bill based on the legislative language as it is interpreted by the committee authorized to write the next five year transportation reauthorization bill.

Does the League support increased funding for the Recreational Trails Program?

Yes.

Do we support S.811 the RTP Full Funding Act?

No. We do not support the bill as currently written because the language requires the funding come from the Transportation Alternatives program (TAP). The TAP is the only program meant to meet local government priorities such as sidewalks, bike lanes, ADA accessibility projects like curb cuts and widenings, and trails. Here is the language from the bill (last paragraph):

S. 811, Section 2

(3) the recreational trails program under section 206 of title 23, United States Code, should be carried out through funding made available under section 133(h) of that title (commonly known as the "Transportation Alternatives program") without affecting other Federal highway programs.

The Lead sponsors of the bill say the intent of that language is to NOT take the funds out of any other program, including Transportation Alternatives. Why do you think the funding comes out of Transportation Alternatives?

We take the Sponsors at their word, that the intent is not to take the funds away from biking and walking projects like sidewalks, bikeways, trails, accessibility infrastructure like curb cuts or Safe Routes for School projects. However, we read the language to say that it does. There is also no clear language to increase TAP funding to offset the RTP gains.

When we've talked to Congressional staffers whose members serve on the Committee in charge of writing the transportation bill, they read it as we do. We also know that marker bill language often gets incorporated into the larger transportation reauthorization bill 'as is' and without changes.

We would welcome an opportunity to work with the Congressional sponsors and other supporters of the bill to find clear language that we can all agree on. We have done that before. In 2021, when Senators Curtis and Welch were in the House they introduced a bill that would increase the Recreational Trails program while holding TAP funding harmless. We think that can be done again. The League would love to be part of the solution..

The bill is not meant to pass as is, but is instead a ‘marker bill intended to influence the next transportation bill.

We agree that this language reads like a resolution without a “whereas” clause. However, we believe Congress will read the bill to mean the funds should come out of Transportation Alternatives and not out of any other Federal Highway program.

Because of that we are asking the sponsors to find language that is explicit that the funding should not come from the transportation alternatives funds that now flow to local governments to build local priority programs.

What would the effects of this language be if \$281 million dollars were transferred from Transportation Alternatives to Recreational Trails?

It would change the percentage of TAP funds that get transferred to Rec Trails, almost tripling it from 8% to 20% nationally. In some states it would be more than 50% of their TAP going to rec trails. This means it is taken out of the state transportation agencies and moved to the state departments of recreation, meaning states, tribal and local governments would have less funds and less flexibility to address safety projects including sidewalks, bikeways, trails and dangerous intersections and road crossings. The Transportation Alternatives program is also a critical source of funding to local governments to bring their streets up to ADA accessibility requirements, and to build connected sidewalk and bikeway networks.

Transportation Alternatives includes a multitude of eligible projects for which local governments can apply. This bill would require that 20% of that funding be set aside for just one type of project, reducing the flexibility of state, tribal and local governments to direct it to their most pressing needs.

Could a new bill be introduced with clearer language that would ensure TAP funding could remain harmless while increasing Rec Trails funds?

Yes, we believe that could be done. The League would endorse such an approach, and would proactively advocate for such a bill.