



FACT SHEET

North Carolina's Strategic Transportation Investments Law

By Kevin DeGood September 1, 2022

The Infrastructure Investment and Jobs Act (IIJA) will deliver more than \$300 billion in highway funding to state departments of transportation (DOTs).¹ Under federal law, state DOTs are responsible for transportation system planning and project selection. The U.S. Department of Transportation serves mostly as a passive funder.² In fact, when it comes to spending federal formula dollars, state DOTs have a “sovereign right ... to determine which projects shall be federally financed.”³ States’ choices will substantially determine the extent to which the IIJA advances inclusive growth and environmental sustainability.

Yet, many states have constitutional provisions, laws, and rules that restrict how highway funds may be spent, requiring that state and federal highway dollars support projects designed to move more cars and trucks to the exclusion of transit, biking, and walking. According to the American Association of State Highways and Transportation Officials, 27 states have either a constitutional provision or a law that restricts the use of fuel tax revenues to road and highway projects.⁴

North Carolina’s strategic transportation investment (STI) law heavily focuses on highway expansion, locking in additional vehicle miles of travel and increased emissions rather than building facilities that would provide people safe, sustainable, and affordable alternatives to driving. In fact, since 2018, 94 percent of all funding subject to STI has flowed to highway projects with an emphasis on construction and expansion.⁵

The North Carolina legislature should reform STI to elevate transportation projects that move people safely and efficiently as opposed to projects focused on vehicle throughput. The following 14 project selection criteria would help the North Carolina Department of Transportation to prioritize projects that would deliver safe, affordable, sustainable, and equitable mobility:

- **Equity/historical disinvestment:** A measure of historic patterns of discrimination, disinvestment, and geographic isolation, with a goal of redressing historical inequity and barriers to opportunity.

- **Household transportation cost:** A measure of the cost burden of transportation, which is the second-largest expense after housing for most Americans. Its goal is to reduce household expenditures on transportation principally by reducing dependence on driving and the need for private vehicle ownership.
- **Greenhouse gas (GHG) emissions:** A measure of total and per capita GHG emissions, with a goal of eliminating GHG emissions from surface transportation.
- **Vehicle miles traveled:** A measure of both the total and per capita amount of driving each year, with a goal of reducing vehicle miles traveled on both a per capita and total basis.
- **Grid connectivity:** A measure of the extent to which the surface transportation system provides alternative routes or funnels users onto a limited number of arterial roadway corridors. Greater grid connectivity typically reduces trip distances and congestion. The goal of this measure is to increase grid connectivity.
- **Efficiency/person throughput:** A measure of the number of people who move through a corridor in a particular interval of time. Transit and nonmotorized facilities move more people through a corridor than facilities designed to principally serve automobiles. The measure's goal is to increase the person throughput of transportation corridors.
- **Nonmotorized mode share:** A measure of the percentage of trips taken other than by driving or public transportation, with a goal of increasing the share of trips taken by biking and walking.
- **Transit mode share:** A measure of the percentage of trips taken on public transportation, with a goal of increasing the share of trips taken by transit.
- **Transit accessibility:** A measure of the share of jobs, housing, and essential services that may be reached by transit within a given travel time, such as 45 minutes. Greater transit accessibility increases ridership. The goal is to increase the share of jobs, housing, and essential services accessible by transit within a reasonable travel time.
- **Average distance to transit:** A measure of the average distance from transit lines to commercial and residential parcels. Greater transit service proximity increases ridership. This measure's goal is to reduce the average distance to high-frequency transit service.
- **Transit headways:** A measure of the peak period and off-peak period wait times between transit vehicles. Frequent transit service is useful transit service. The measure's goal is to reduce transit headways.

- **Nonmotorized facilities:** A measure of the presence of infrastructure dedicated to nonmotorized users, with a goal of increasing the share of roadways with dedicated, robust nonmotorized infrastructure and traffic control systems.
- **Safety:** A measure of the extent to which a project would reduce major injuries and fatalities with additional weight given to those projects that would reduce injuries and fatalities for vulnerable roadway users. The goal is to reduce major injuries and fatalities from transportation accidents—especially those involving vulnerable users.
- **Asset conditions:** A measure of the state of disrepair of surface transportation facilities, including roadways, bridges, transit vehicles, and associated facilities, with a goal of increasing the share of transportation facilities in a state of good repair.

Conclusion

The time for North Carolina to revise STI is now. Without reform, STI will continue to funnel roughly 94 percent of surface transportation spending to highway projects with an emphasis on expansion. This will lock in driving and auto dependence for decades to come. The state legislature should adopt evaluation criteria that elevate transportation projects that move people safely and efficiently as opposed to projects focused on vehicle throughput. In short, STI should reward regions and projects that provide safe, affordable, sustainable, and equitable mobility.

Endnotes

1 U.S. Department of Transportation, “Bipartisan Infrastructure Law,” available at <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/> (last accessed March 2022).

2 Cornell University, “23 U.S. Code § 145 - Federal-State relationship,” available at <https://www.law.cornell.edu/uscode/text/23/145> (last accessed August 2022).

3 Ibid.

4 American Association of State Highways and Transportation Officials, “Transportation Governance and Finance: A 50-State Review of State Legislatures and Departments of Transportation” (Washington: 2016), available at http://www.financingtransportation.org/pdf/50_state_review_nov16.pdf.

5 North Carolina Department of Transportation, “Prioritization 6.0 Submittal Guidance and Resources” (Raleigh: 2019), available at <https://connect.ncdot.gov/projects/planning/Prioritization%20Data/Prioritization%206.0/Submittal%20Guidance/Prioritization%206.0%20Submittal%20Guidance%20and%20Resources%20-%202010-14-19.pdf>.