



April 28, 2022

The Honorable Stephanie Pollack  
Deputy Administrator  
Federal Highway Administration  
1200 New Jersey Avenue SE  
Washington, DC 20590

*Submitted electronically at <http://www.regulations.gov>*

Re: Docket No. FHWA-2021-0021, Request for Information: Infrastructure Investment and Jobs Act

Dear Deputy Administrator Pollack:

On behalf of our nearly 38 million members and all older Americans nationwide, AARP appreciates the opportunity to respond to the request for information on the Federal Highway Administration's (FHWA) implementation of the Infrastructure Investment and Jobs Act (IIJA). Older adults, like people of all ages, ability levels, and incomes, need a variety of safe, affordable, and convenient transportation options in their communities. The significant levels of investment provided by the IIJA offers a historic opportunity to provide a safer and more accessible transportation system to help meet the diverse needs of our members and all Americans.

AARP believes that [transportation should help meet five key goals](#): enhancing mobility, ensuring affordability, securing equity, prioritizing accessibility, and supporting sustainability and healthy living. By focusing on these goals, FHWA can ensure that transportation promotes independence and access to economic and social opportunity, not only for older Americans, but for all people regardless of age, income level, ability, and background.

The IIJA includes more than \$100 billion in competitive grant programs at the U.S. Department of Transportation (USDOT), some of which will be administered by FHWA and others by the Office of the Secretary with input from the modal administrations. Competitive programs offer a prime opportunity for USDOT and FHWA to advance the goals of mobility, affordability, equity, accessibility, and sustainability through project evaluation and selection processes. This letter will focus on AARP's recommendations for administering these competitive programs.

First and foremost, project evaluation criteria and their relative weights should be designed to promote the goals listed above. It is essential that the IIJA deliver high-quality mobility options that support a safe and healthy environment where residents can age in place. FHWA should

ensure that, to the extent allowed by law, competitive grant programs support infrastructure improvements to benefit motorists and non-motorists alike, such as speed management or traffic calming techniques, wide sidewalks, ample bike lanes, and accessible public transportation offerings. Competitive programs should be designed in such a way that projects which support a livable travel environment score well.

Second, we recommend that USDOT and FHWA require applicants for competitive funds to include specific data in their applications regarding the demographics of individuals and communities affected by proposed projects. This data should include both potential users of those projects and others who might be affected, such as those living in adjacent neighborhoods. At a minimum, this data should include age, income level, race/ethnicity, and ability. While race and income are commonly included in such analyses, age and ability are equally important to understanding the impacts of transportation projects on a significant portion of the population.

We also offer the following recommendations for two specific programs for which Notices of Funding Opportunity (NOFOs) are currently in development: Safe Streets and Roads for All and Reconnecting Communities.

#### *Safe Streets and Roads for All*

AARP strongly supports the new Safe Streets and Roads for All competitive grant program. Its focus on making streets safer for all users will benefit older Americans who drive, walk, roll, or bike. This program will help to combat the rising number of pedestrian fatalities; between 2014 and 2018, pedestrian deaths rose 29 percent<sup>1</sup>, and have disproportionately affected older adults, people of color, and people with low incomes. In fact, pedestrians age 65 and above accounted for 21 percent of all pedestrian fatalities in 2019 while comprising only 16 percent of the population<sup>2</sup>.

As USDOT develops the NOFO for this program, we offer the following recommendations:

- 1) Ensure that the needs of older adults are specifically considered in project development. IIJA Section 24112(d)(3) lists evaluation criteria for the program, including the extent to which the proposed project “is likely to significantly reduce or eliminate transportation-related fatalities and serious injuries involving various road users, including pedestrians, bicyclists, public transportation users, motorists, and commercial operators.” These categories of road users are not monolithic; persons of varying age and ability can be pedestrians, transit riders, drivers, wheelchair users and users of other mobility aids, etc., and may have different needs as a result. For example, as noted above, older adults have

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<sup>1</sup> See AARP Policy Book 2021-22, “Safe Driving and Livable Travel Environments,” available at: <https://policybook.aarp.org/policy-book/transportation/safe-driving-and-livable-travel-environments>.

<sup>2</sup> NHTSA, Traffic Safety Facts – Pedestrians, 2019 Data. Published May 2021. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813079>

been disproportionately impacted by unsafe streets. Consequently, full consideration of older adult demographics and needs should be included in all phases of project development, including planning and implementation.

To ensure that projects proposed for this new funding are responsive to a variety of needs, USDOT should specifically list older Americans as a category of road users for whom this funding should be used. Similarly, older Americans should be included in the definition of “underserved communities” to receive equitable investment under section 24112(d)(3)(E). Explicitly including older adults in the definitions of these terms would help to ensure that applicants consider older adults’ needs in developing projects. USDOT should also require that project reporting includes measurement of outcomes for this demographic group.

- 2) Require consultation with representatives of older adults in planning and project development. IIJA Section 24112(d)(3)(B) requires applicants for funds under this program to “[demonstrate] engagement with a variety of public and private stakeholders.” It is unclear whether this requirement refers to engagement already conducted as part of the application process, or future engagement conducted during the course of the project after funding is awarded. We encourage USDOT to require public engagement at both stages: during the application process as well as during implementation of the project. Gaining input and buy-in during the application phase makes it more likely that the project, if funded, will have the political and community support required to succeed. As the project moves forward after a grant award, it is equally important to continue engaging with the public to ensure that implementation proceeds according to community needs. USDOT should also specify that this type of engagement is an eligible use of program funds.

In addition, USDOT should provide guidance to prospective applicants on how meaningful engagement can be conducted. It is not enough to inform the public of decisions made, nor is it sufficient to post an announcement for a public meeting and hope residents show up. Specific efforts should be made by project sponsors to meet with representatives of older adults – including but not limited to those active in the [AARP Network of Age-Friendly States and Communities](#) -- and members of historically disadvantaged groups, such as communities of color and people with disabilities. Outreach should be conducted through a variety of traditional and innovative means in order to ensure that all groups have an opportunity to provide input. Such efforts should be documented in the grant application and post-grant reporting.

- 3) Ensure that road design takes precedence in project selection and implementation. The USDOT’s National Roadway Safety Strategy recognizes that people will inevitably make mistakes and decisions that can lead or contribute to crashes, but system design and operation can result in avoidance of deaths and serious injuries in these events. Road

design has a significant impact on the safety of older pedestrians. Well-designed intersections, sidewalks, bike lanes, crosswalks, speed reduction, road diets, and other features that accommodate all modes of travel can significantly reduce older pedestrian deaths and injuries.

- 4) Ensure that projects in low-wealth communities and communities of color are prioritized through technical assistance provided during the application and implementation processes, and in project selection. Persons of color, often older, are disproportionately represented in pedestrian and bicycle fatalities and serious injuries. At the same time, dangerous high-speed arterials dominate their neighborhoods. Remedying these inequities should be a focus of this grant program.

### *Reconnecting Communities*

The Reconnecting Communities program promises to restore connectivity to communities divided by highways or other transportation infrastructure. We strongly support this program, as residents of all communities deserve to have safe and convenient access to destinations throughout their region. Older people of color have borne the burden of ill-considered highway placement decisions of the past. They have endured the destruction of cohesive communities, displacement, redlining, and the loss of opportunity to build wealth from homes and businesses in those communities.

As USDOT develops the NOFO for this program, we offer the following recommendations:

- 1) Encourage project elements that support walking, biking, and public transportation connections to employment, health, educational, economic development, and recreational opportunities. The IIJA provides little guidance as to what types of projects can be constructed to replace the divisive infrastructure. USDOT should make clear that restoring community connectivity means more than just restoring the street grid or replacing a highway with a slower-speed road. It also means providing new opportunities for people to safely walk, bike, roll, or take transit to life-enhancing destinations. Applicants should be encouraged to include sidewalks, bike lanes, and other elements to support non-motorized travel in any replacement roads and to demonstrate how they will connect residents to important destinations. USDOT should make clear that planning for and building these elements are not only eligible uses of Reconnecting Communities funds, but also that projects including such elements will be viewed favorably in the selection process. Failure to do so could lead to project sponsors leaving them out under the guise of “cost savings,” missing an opportunity to truly transform these neighborhoods into livable communities.
- 2) Consider the needs of older adults in project designs. IIJA Section 11509(d)(3)(B)(ii)(I) states that projects constructed with Reconnecting Communities funds must be “sensitive

to the context of the surrounding community.” USDOT should consider providing guidance to prospective applicants on complying with this provision. As part of that guidance, USDOT should require applicants to analyze the characteristics of the people who live or work in the surrounding community including, among other things, age and ability. Having that information available will enable project planners to design infrastructure appropriate to that context. For example, in a community with a high proportion of older residents or residents with disabilities, wider sidewalks and longer times for crossing streets may be needed.

- 3) Require consultation with representatives of older adults. Section (c)(2)(B) specifies that public engagement activities are an eligible use of planning funds under this program. As with the Safe Streets and Roads for All program, it is important that these activities be meaningful, rather than check-the-box exercises. USDOT should provide guidance to project sponsors regarding expectations for this engagement and examples of best practices. Project sponsors should be required to document their engagement efforts, including outreach to specific groups, including older adults, individuals with disabilities, and communities of color.
- 4) Provide technical assistance to state and local planners developing future road construction projects. The Reconnecting Communities program will repair damage done to communities from past infrastructure siting decisions. To help prevent similar damage from occurring to other communities in the future, USDOT should consider developing resources to assist transportation planners in determining whether proposed infrastructure projects would create new barriers to connectivity. Demand for the Reconnecting Communities program is already expected to be high; USDOT and state and local planners should do whatever is possible to eliminate new needs for this program as a result of contemporary road and highway decisions.

AARP appreciates the opportunity to provide our recommendations for implementation of the IIJA’s competitive grant programs. We look forward to working with you as you continue to implement these important programs. If you have any questions, please contact Debra Alvarez in Government Affairs at (202) 434-4814.

Sincerely,



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Government Affairs