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**RE: Rhode Island Division of Statewide Planning's Draft State
Transportation Improvement Program 2026 -2035**

Dear Director Brady,

The Attorney General offers the following comments on the State of Rhode Island's Draft State Transportation Improvement Program 2026 – 2035 ("Draft STIP"). As set forth more fully below, the STIP is critical to shaping this State's efforts to comply with the Act on Climate. As currently drafted, the STIP fails to take a forward-looking approach to achieving the State's long-term goals, and falls far short of meaningfully furthering compliance with the Act on Climate. These deficiencies should be addressed in the next iteration of the STIP, and the Attorney General urges Statewide Planning to consider the recommendations contained in this submission as it continues the drafting process.

I. Background

The State Transportation Improvement Program ("STIP") is a critical planning document that identifies projects to be implemented under federal programs from 2026 to 2029 and for programs under which federal funds may become available from 2030 to 2035. 23 U.S.C. §§ 134 – 35. The development and update of the STIP every four years is required by federal law. 49 U.S.C. §§ 5303-04; 23 C.F.R. § 450; 23 U.S.C. §§ 134 - 35. All transportation projects in the State that intend to use federal funds must be included in the STIP. See Draft STIP at 1-1. Federal funding enables a significant portion of Rhode Island's spending in the transportation sector, given that "[a] majority of RIDOT funding is federal ..." and the "[Rhode Island Public Transit Authority's] Capital Program is heavily supported by federal funds." *Id.* at 1-13,16.¹

¹ Federal funding for STIP projects arises from a number of sources including the Surface Transportation Block Grant, Urbanized Area Formula Grants, and Bus and Bus

In meeting this opportunity to leverage federal funds, the STIP must further the goals and objectives of Rhode Island's Long Range Transportation Plan ("LRTP"), a key planning document setting forth the long-term vision for transportation in the State. Draft STIP at 1-4; 23 U.S.C.A. § 134. Rhode Island's LRTP is currently being updated by the Rhode Island Division of Statewide Planning ("Statewide Planning") and will "set the vision for [the State's] multi-modal transportation system over the next 25 years."² The update to the Long Range Transportation Plan is entitled *Moving Forward RI 2050*, and a draft version of this update ("Draft LRTP Update") was previously posted for public comment until July 11. Following updates, an additional public comment period for the Draft LRTP Update is expected to open sometime in mid-August. The Draft LRTP Update contains new goals, objectives, and projects, with many of its changes aimed at furthering compliance with the 2021 Act on Climate, which was passed after the adoption of the current LRTP and the current STIP.

II. The STIP is critical to shaping this State's efforts to comply with the Act on Climate

The Act on Climate requires the State to reduce greenhouse gas emissions to 45% below 1990 levels by 2030, 80% below 1990 levels by 2040, and ultimately achieve net zero emissions by 2050. See R.I. Gen. Laws § 42-6.2-9. As discussed in the Executive Climate Change Coordinating Council's ("EC4") 2022 Climate Update, transportation is Rhode Island's most carbon-intensive sector, accounting for about 39.7% of overall greenhouse gas emissions.³ Notably, Rhode Island's transportation sector is not currently positioned to meet the State's legally-binding 2040 and 2050 mandates. See Draft LRTP Update, *State Supplement*, at 33.

Statewide Planning, like all Rhode Island state agencies and instrumentalities, is required to exercise its existing authority, including drafting strategy documents, to address "climate change mitigation, adaptation, and resilience" and achieve Rhode Island's greenhouse gas emissions reduction mandates.⁴

The STIP presents a critical opportunity to bridge the gap between aspiration and concrete progress, as the State aims to further its long-term transportation vision through identification of specific transportation projects eligible for federal (and state) funding. See Draft STIP at 1-4. Accordingly, it is imperative that the final STIP identify transportation projects and programs that can be implemented within the next ten years to reduce Rhode Island's emissions in the near and long term with the aim of achieving compliance with the Act on Climate's emission reduction mandates while balancing applicable federal requirements. 49 U.S.C. §§ 5303-04; 23

Facilities Grants. See Draft STIP at 1-13. Additionally, several state funding sources are available to implement projects, including the RI Green Economy Bond. See *id.* at 1-12.

² See Rhode Island Division of Statewide Planning, "Long Range Transportation Plan - *Moving Forward RI 2050*", <https://planning.ri.gov/planning-areas/transportation/long-range-transportation-plan> (last accessed July 25, 2025).

³ The 2022 Climate Update is available at <https://climatechange.ri.gov/ri-executive-climate-change-coordinating-council-ec4/publications-reports>.

⁴ R.I. Gen. Laws § 42-6.2-8.

III. Recommendations

Unfortunately, as it currently stands, the Draft STIP fails to take a forward-looking approach to achieving the State's long-term goals, and falls far short of meaningfully furthering compliance with the Act on Climate. These deficiencies should be addressed in the next iteration of the STIP, and the Attorney General urges Statewide Planning to consider the below recommendations as it continues the drafting process.

A. Future Draft STIPs should anticipate and reflect the most up-to-date Long Range Transportation Plan.

The Draft STIP “must be consistent with the LRTP and help implement the goals of the LRTP”; however, in its present form, the Draft STIP’s “themes and priorities” reflect the goals and objectives of a soon to be outdated LRTP that was created prior to the passage of the Act on Climate and the development of other plans designed to reduce emissions in the state of Rhode Island instead of the LRTP under concurrent development. Draft STIP at 1-4. The “themes and priorities” identify the “main drivers of the projects that appear in the STIP and . . . help to achieve the State’s long-term goals.” *Id* at 1-6,18. Since 2020, the passage of the 2021 Act on Climate has dramatically changed the State’s obligations with respect to addressing climate change. As is apparent in the Draft LRTP Update, this has also necessarily shifted the State’s long term transportation vision. Importantly, the Draft LRTP Update’s “planning framework” sets a goal of achieving compliance with the Act on Climate. *See* LRTP Draft Update Appendix L, at 3.

That is, in anticipation of this new goal to achieve compliance with Act on Climate, certain aspects of the current LRTP should be emphasized. For example, the current LRTP sets a goal to “[p]romote [e]nvironmental [s]ustainability by prioritizing non-single occupancy vehicle focused strategies and investments.” LRTP at 6. To meet this goal, the LRTP identifies “objectives” to “reduce vehicle miles traveled”, and “reduce transportation greenhouse gas emissions.” *Id*. The LRTP also sets goals to “connect people and places” as well as “strengthen communities” through strategies that among others, “focus on intermodal connections such as improved pedestrian and bicycle connections to transit stations” and seek to “[e]nsure that public transportation is accessible, affordable, frequent.” LRTP at 33, 36.

This Draft STIP should prioritize those goals and objectives that further Act on Climate compliance as anticipated in the Draft LRTP Update, like the ones highlighted above. Statewide Planning should still be looking to coordinate the two plans to incorporate and consider emission-reduction goals. Where plans such as the LRTP and STIP are updated in parallel as was done here, efforts must be undertaken to ensure that these plans are coordinated and approved according to a timeline that meaningfully utilizes public input, and furthers the State’s goals and legal obligations.

B. The Draft STIP should incorporate a greater number of projects

that meaningfully reduce emissions and vehicle miles travelled.

The Draft STIP should identify more projects aimed at “reduc[ing] vehicle miles traveled,” “reduc[ing] transportation greenhouse gas emissions,” and promoting public transportation, in furtherance of the State’s efforts to comply with the Act on Climate. See LRTP at 6; Draft LRTP Update Appendix L, at 3. Many of these projects have already been identified in the Draft LRTP Update and should be incorporated into the Draft STIP to the maximum extent practicable. See Draft LRTP Update Pool of Projects Appendix at 9-17. For instance, the Draft LRTP Update identifies numerous projects that are sourced from the Transit Master Plan and the Bicycle Mobility Plan, two plans that are “consistent with th[e] LRTP[,]” received considerable community engagement and input, and help establish ways to reduce emissions and vehicle miles travelled. See LRTP at 7; Draft LRTP Update Pool of Projects Appendix at 9-17. Accordingly, the STIP should incorporate more projects sourced from these plans. Where federal funds can be appropriately leveraged, the Draft STIP should incorporate more public transit-oriented projects including those that enhance bus and rail services and facilities in a way that serves community needs to encourage mode shift and reduce transportation-related emissions in the State. See Draft LRTP Update Pool of Projects Appendix at 9-17. To the extent that existing prioritized projects cannot be included in the STIP, the STIP should explain or note the limitations on federal funding criteria.

Furthermore, efforts should be undertaken to identify opportunities to increase federal funding towards programs and operations administered by the Rhode Island Public Transit Authority (“RIPTA”) in light of the urgent need for more robust and comprehensive funding of the State’s public transit system. The lack of consistent and meaningful investment into RIPTA by the State has been an ongoing and well-known problem with “ridership on RIPTA . . . falling since the early 2010s.” See Draft LRTP Update at 25. Indeed “[t]he need for improvements to the public transit system [has been] clearly communicated . . . from the public. . .” *Id.* Despite Rhode Islanders’ repeated calls for more public transit funding, RIPTA continues to be handicapped by a lack of funds. RIPTA currently operates under a “\$17.6 million dollar deficit for [fiscal year] 2026” and is in the process of issuing extensive reductions in bus routes and services statewide this year.⁵

C. The Draft STIP fails to take concrete and meaningful steps to invest in the reduction of vehicle miles travelled and transportation emissions.

As it currently stands, the Draft STIP allots 84% of funds towards maintaining transit assets in a state of good repair, 7% towards expanding transportation options,

⁵ See Rhode Island Public Transit Authority, “RIPTA to Hold Public Hearings on Proposed Statewide Service Cuts Due to Budget Deficit”, <https://www.ripta.com/ripta-to-hold-public-hearings-on-proposed-statewide-service-cuts-due-to-budget-deficit/> (last accessed July 28, 2025).

and 1% towards improving connectivity. *See* Draft STIP figure at 2-3. Additionally, System Preservation investments comprise 65 % of the planned spending in the STIP between federal fiscal year 2026-2029. The majority of capital spending by mode also shows investment that is heavily spent on roads and bridges. *See* Draft STIP figure at 2-2.

While the importance of safely maintained and improved roads and bridges throughout the State cannot be stressed enough, steps should also be taken to further investments that expand public transit options, promote mode shift away from single vehicle travel, and reduce emissions.

D. The STIP should identify the emission reduction potential of projects in the project tables.

Emissions reduction is a performance measure recognized by the federal STIP requirements; however, this performance measure is not required for Rhode Island in its STIP since Rhode Island technically satisfies the “attainment” designation required for each state under the Clean Air Act. *See* Draft STIP at 5-1. Nonetheless, being able to track the emissions reduction potential of STIP projects is critical to efficiently and comprehensively guide investments in the transportations sector in a way that meaningfully moves the State towards compliance with the Act on Climate. As such, the STIP project tables should be updated and revised to include the anticipated emissions reduction or increases attributable for each project in the Draft STIP.⁶

E. The Draft STIP should aim to identify means for fully funding regionally significant projects that promote public transportation and alternative modes of transit.

Federal regulations require that the STIP contain all regionally significant projects. *See* Draft STIP at 4-1; 23 C.F.R. 450.218. A regionally significant project is “defined by [the] US DOT as a transportation project . . . that is on a facility which serves regional transportation needs ... and would normally be included in the modeling of a metropolitan area’s transportation network.” Draft STIP at 4-1. The Draft STIP identifies certain unfunded and partially funded regionally significant projects which have the potential to meaningfully promote alternative modes of transit. Some of these projects are entitled “Regional Rapid Bus Improvements,” “Rapid Bus Improvements,” “Bus Rapid Transit/Light Rail Improvements on Two Corridors: Providence-CCRI Warwick via TF Green, Central Falls-CCRI Warwick,” “Rhode Island-Boston Regional Rail,” and “The Frequent Transit Network.” Draft STIP at 4-5, 8. To the maximum extent possible, federal (and state) funds should be leveraged to implement these

⁶ The STIPs of other states, such as Massachusetts, include emissions calculations in the state’s STIP project tables. Massachusetts Department of Transportation, “State Transportation Improvement Program”, <https://www.mass.gov/info-details/state-transportation-improvement-program-stip#stip-for-federal-fiscal-years-2026---2030>

projects, as they support investment in the infrastructure and accessibility of the State's public transit system. Draft STIP at 4-5, 8.

In particular, the "Frequent Transit Network" project presents a critical opportunity to meaningfully reduce transit-related emissions in the State. Draft STIP at 4-8. This project develops "[a] network of reliable, high-frequency transit routes [that will] enable individuals to end dependence on single occupancy automobile travel and embrace public transit . . ." as well as "establish a network of 19 frequent routes connecting high-demand locations across greater Providence." Draft STIP at 4-8. Although not currently included, a cost estimate for this project should be identified so that funding sources to implement this project can be harnessed as soon as practicable.

IV. Conclusion

Ultimately, intentional and proactive planning is vital to achieving the State's Act on Climate mandates and developing a more sustainable and resilient multi-modal transportation system. To that end, the Attorney General urges consideration of and incorporation of the above comments into the final version of the Draft STIP.

Sincerely,

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