



FRAME FOR MOBILITY · POLICY PAPERS

PART III — PERFORMANCE OVER PAVEMENT

Funding follows measured results: targets, a bonus pool, a safety forfeiture, and a single national data standard.

The Framework for Rebuilding America's Mobility Economy (FRAME) Act, as presented in the FRAME Policy Paper (January 2026)

PART III

PERFORMANCE OVER PAVEMENT

Part III is the Act's accountability title. The Policy Paper presents it as the point at which the Department of Transportation stops being a check-writing entity and becomes a performance-driven steward of the public interest. Its instruments are the Pay for Performance framework (Sec. 402), under which states set Secretary-approved targets across the national goals in Sec. 401; a performance bonus pool of five percent of total block grant funds (Sec. 105); a Safety Performance Forfeiture of one percent of formula funds for states that fail, three years running, to make significant progress on safety (Sec. 403); and a data infrastructure — a National Transportation Data Standard (Sec. 409), an annual State Infrastructure Health Report Card (Sec. 407), a Carbon and VMT Scorecard (Sec. 408) and a National Infrastructure Data Portal (Sec. 410) — that makes performance public.

THE POLICY

The policy is that federal surface transportation funding is an investment in measurable outcomes, not an entitlement based on historic formulas. National policy (Sec. 103) already states the ends: the Safe System Approach, with the explicit goal of eliminating all traffic-related fatalities and serious injuries, and accountability for measurable results in safety, reliability and carbon reduction. Part III supplies the machinery. States retain discretion over the targets themselves; the federal government supplies the requirement that targets exist, that they be data-driven and rigorous, that they be approved, and that money — at the margin, in both directions — follows performance against them. The data standard is part of the policy, not an administrative afterthought: without consistent, comparable, machine-readable information across all 50 states, performance management is assertion rather than evidence.

WHAT IT WILL DO

Under Sec. 402, every state sets data-driven performance targets for its own system across safety, infrastructure condition, congestion reduction and system reliability. States coordinate with metropolitan planning organizations and transit providers in setting them, and the Secretary must review and approve them. Sec. 105 then creates the incentive: states that significantly exceed their targets — the paper instances reducing per-capita vehicle miles traveled, increasing transit ridership and reducing traffic fatalities — are eligible for a performance-based apportionment bonus drawn from a pool of five percent of total block grant funds.

Sec. 403 creates the single hard sanction in the Act, and it is reserved for safety. A state failing to make significant progress toward its safety performance targets for three consecutive fiscal years forfeits one percent of its formula

funds. The Secretary reinvests the forfeited amount as competitive grants directly to local entities within that same state, for projects that will most effectively reduce traffic fatalities and serious injuries; nothing returns to the general treasury. Sec. 409 establishes the data standard. Sec. 407 requires the annual public report card summarizing each state system's condition, performance, funding and climate impact. Sec. 408 requires a transparent accounting of induced demand and carbon dioxide emissions for any project adding new general-purpose highway capacity. Sec. 410 establishes the portal through which the public tracks the system.

Two design choices should be noted. First, the sanction is asymmetric by intention: there is a bonus for outperformance across the goal areas, but a forfeiture only for safety, because the paper treats fatalities as the one outcome that may not be traded against progress elsewhere. Second, the forfeiture is recycled inside the state that incurred it, at the local level where safety projects are delivered. A state therefore cannot lose the money to the Treasury or to another state; it loses discretion over it. Both choices follow from the framework's premise — the federal interest is in the outcome, and the instruments are calibrated to keep states working toward it rather than merely penalised for missing it.

WHAT IT SOLVES

The status quo defect is twofold. Funding is divorced from results: apportionments follow historic formulas whether conditions improve or deteriorate, and roadway fatalities persist as a public health crisis treated as an acceptable byproduct of mobility. And the evidence base is fragmented: each state's data are collected and presented differently, so neither Congress nor the public can hold a common picture of the system. Part III answers the first defect by attaching money to targets at both ends — reward for significant outperformance, forfeiture for persistent safety failure, with the forfeiture recycled to the local level where fatality reduction is delivered. It answers the second by making the measurement system itself federal policy: one standard, three public instruments, and a portal that turns every dollar's results into a matter of record.

PLANNED AND MEASURABLE OUTCOMES

STATED IN THE PAPER

- The explicit national goal of eliminating all traffic-related fatalities and serious injuries (Sec. 103).
- Data-driven state targets, coordinated with MPOs and transit providers and approved by the Secretary, across safety, condition, congestion and reliability (Secs. 401–402).
- A bonus pool of five percent of total block grant funds for states significantly exceeding their targets (Sec. 105).
- A forfeiture of one percent of formula funds after three consecutive fiscal years without significant progress on safety, reinvested in-state as competitive local safety grants (Sec. 403).
- An annual public Infrastructure Health Report Card (Sec. 407); a Carbon and VMT Scorecard for every capacity-adding project (Sec. 408); a 50-state National Transportation Data Standard (Sec. 409); a public National Infrastructure Data Portal (Sec. 410).

INDICATORS THE PAPER IMPLIES (NOT STATED TARGETS)

- Fatality and serious-injury trends against each state's approved target path.
- Per-capita VMT and transit ridership movement in bonus-receiving states.
- The frequency of Sec. 403 triggers and the measured safety effect of the local grants they fund.
- Report-card completeness and publication timeliness by state.
- Induced-demand and CO₂ disclosures filed under Sec. 408.

FRAME for Mobility is a project supported by the Institute for Civic Service.

THE PROBLEM IN NUMBERS

The problems this Part answers: projects delivered late and over budget, safety targets set but not met, and money that does not get spent on schedule.

9 of 10.

Across 258 transport infrastructure projects in 20 countries, nine out of ten experienced cost overruns; average cost escalation was 45 percent for rail, 34 percent for fixed links (bridges and tunnels), 20 percent for roads, and 28 percent overall — with no improvement over the 70 years studied.

Flyvbjerg, Holm & Buhl, "How Common and How Large Are Cost Overruns in Transport Infrastructure Projects?" *Transport Reviews* (2003).

40,901 deaths (2023); 39,345 estimated (2024).

U.S. traffic fatalities totalled 40,901 in 2023 on final figures. NHTSA's early estimate for 2024 is 39,345 — down 3.8 percent, a fatality rate of 1.20 per 100 million vehicle-miles, and the first year below 40,000 since 2020.

National Highway Traffic Safety Administration, 2024 early estimates, as reported by the AASHTO Journal (2025).

Targets missed, and no power to reject weak ones.

Reviewing 2014–2017, GAO found states did not achieve most of the fatality-related targets they had set, and nearly half of states did not provide the required assessment of progress. Under the current regime the weakness is structural: FHWA's own guidance states that "MAP-21 does not provide FHWA the authority to approve or reject State DOT or MPO established targets," and that states "may establish constant or declining targets."

U.S. Government Accountability Office, *Traffic Safety* (GAO-20-53, 2019), ; Federal Highway Administration, *Transportation Performance Management FAQ*.

\$7.62 billion.

In FY2025, \$7,624,372,190 of federal-aid obligation limitation had to be redistributed in August to states able to use it, against \$8.198 billion requested; FY2023 saw \$7.9 billion redistributed and FY2026 just over \$7.5 billion. Billions in buying power sit idle in some states while others wait — money authorised but not moving on schedule. — Federal Highway Administration, Notice N4520.291 (FY2025 August Redistribution). <https://highways.dot.gov/media/69361> ; AASHTO Journal (FY2026). <https://aashtojournal.transportation.org/fhwa-unveils-august-redistribution-for-state-dots-2/> *The human cost behind figure 2 is stated in the Presentation Deck: pedestrian deaths are up 57 percent since 2000 (NHTSA/GHSA)

see Part VI.*

WHY THIS APPROACH IS THE MODERN ONE

The legacy regime measures performance but attaches nothing to the measurement. Targets are self-set, may legally decline year over year, cannot be rejected by FHWA, and — GAO's finding (figure 3) — are mostly missed with incomplete reporting of the miss. Meanwhile the delivery literature (figure 1) shows cost overrun is not bad luck but a systematic pattern that better appraisal discipline, reference-class thinking and accountability are designed to counter. FRAME rebuilds the regime around consequences: state performance targets require the Secretary's approval (Sec. 402); a Performance Bonus Pool equal to 5 percent of block grants rewards states that exceed approved targets (Sec. 105); a 1 percent Safety Performance Forfeiture follows three consecutive years of missed safety targets and is reinvested in-state as local safety grants (Sec. 403); and a public Transportation Report Card, a Carbon & VMT

Scorecard and a National Transportation Data Standard (Secs. 407–410) make performance visible on common definitions. The August redistribution figures (figure 4) make the same point from the spending side: a system that must re-route more than \$7.5 billion a year at the eleventh hour is not managing delivery — FRAME's obligation discipline and data standards are aimed at exactly that failure.

The international evidence supports pairing a zero goal with system redesign rather than exhortation. Sweden adopted Vision Zero in 1997 and cut road deaths from 541 in 1997 to under 200 a year by the early 2020s (192 in 2021) while traffic grew — the Safe System model FRAME writes into national policy at Sec. 103. — World Economic Forum, "Sweden's Vision Zero" summary. <https://www.weforum.org/stories/industries-in-depth/sweden-zero-vision-traffic-road-deaths>

EVIDENCE CHECK

Sweden missed its interim targets (a 50 percent reduction was sought by 2007; roughly 13 percent was achieved by 2009), and there is no U.S. precedent for a bonus-and-forfeiture regime of FRAME's design — the case rests on the documented failure of targets without consequences, not on a proven domestic model.

SOURCES

1. <http://ideas.repec.org/a/taf/transr/v23y2003i1p71-88.html>
2. <https://aashtojournal.transportation.org/nhtsa-projects-decline-in-traffic-fatalities-for-2024/>
3. https://www.gao.gov/product_recommendations/GAO-20-53
4. <https://www.fhwa.dot.gov/tpm/faq.cfm>



FRAME for Mobility

A project supported by the Institute for Civic Service. This paper presents Part III of the FRAME Act as set out in the FRAME Policy Paper (January 2026), with the evidence on which it rests. Figures follow the Policy Paper; research figures are attributed to their sources.