

Supporting Art in Public Transportation Projects

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Public Art in Transit: Funding Prohibited

- Starting in 1977, the federal government supported and encouraged the inclusion of art on transit projects
- Over the past three decades, transit art has evolved into a distinct field
- Transit agencies have worked with artists, design teams and communities to enhance public transit systems for the last 40 years
- As of December 2015, the use of federal funds for art on new transit projects is prohibited per the Fixing America's Transportation (FAST) Act

FAST Act: Impacts

- Transit agencies receiving federal funding to design and build bus, subway, light rail, commuter rail, trolley or ferry projects, are PROHIBITED from using those federal dollars – *or any local funds* – to incorporate art into the project
- The restriction dates to **December 4, 2015** and impacts all grants or loans entered into with the Federal Transit Administration from that date forward
- This current law affects both transit agencies and communities in significant and numerous ways

FAST Act: Impacts

- The FAST Act signals the end of an era of the role of public art in transit
- The FAST Act puts agencies at odds with their own “Percent for Art” policies
- The FAST Act blocks local jurisdictions from funding public art in transit
- The law has created contradictions and confusion within agencies

FAQs

What FTA programs are now prohibited from funding art?

- This prohibition applies to all FTA programs for which FTA serves as the grant making agency

Can local funds spent on art be used to match the federal grant?

- NO. Local funds used to match FTA funds may be spent only on "eligible expenses", which do not include art



If my project was funded prior to December 4, 2015, can the transit agency still include costs associated with art in the project?

- YES. The prohibition on FTA funds being used to pay for the incremental costs of incorporating art into facilities, including the costs of an artist on a design team, applies to grants entered into on or after December 4, 2015, regardless of the year the funds were made available



Can you provide some examples of project costs that would be allowed?

- Speakers amplifying sound or music
- Commercially available decorative tiles
- Visually appealing signage
- Functionally operable gates or fences designed using materials, images, or techniques inspired by local industries
- Renovation or restoration of historic transportation facilities and restoration of murals or other aesthetic features

Can you provide some examples of project costs that would not be allowed?

- Hiring an artist to develop the design or arrange tiles in such a way as to serve a primarily aesthetic purpose
- Murals, paintings, or other visual installations that are primarily intended to provide visual appeal
- A stone or steel sculpture within a waiting area drawing visitor's attention to the history of local industry
- Commissioning an original musical composition to be played through speakers in the facility

Inherent Contradictions

- The FAST Act draws a line between the concepts of “art” and “design”
- It defines design as the “creative art of executing aesthetic or functional designs”
- The FAST Act acknowledges “architects, engineers, planners, interior and landscape design professionals” within the realm of design, but not artists
- By virtue of the FTA’s own definitions, artists are prohibited from all federal capital projects

FTA Interpretation of “Art”

- “...primarily aesthetic objects that do not have a meaningfully functional structural or transit-related purpose,” to exclude:
Most decorative murals, sculptures, statues, musical installations or similar objects for primarily aesthetic purposes

Inherent Contradictions

- The FAST Act allows for “commercially available” tiles that showcase a city’s history and beauty” but will not reimburse funding for the project if an artist creates a work of art from such material
- The notion of widely available commercial tiles that reflect the hyper-locality of specific projects is nonsensical; these tiles do not exist
- An example of an allowable expense within the FAST Act are tiles with “a southwestern” pattern

This example links a city’s particular “history and beauty” to its much larger geographical region. Such an example insinuates that this tile pattern could easily apply to cities as diverse as Phoenix, Santa Fe, Salt Lake City and Las Vegas



What's at Stake: The Benefits of Arts in Transit

Benefits of Art in Transit

As excerpted from American Public Transportation Association's (APTA) *Best Practices for Integrating Art into Capital Projects*

- Encourages ridership
- Improves customer experience
- Improves perception of transit
- Improves organizational identity
- Conveys customer care
- Deters vandalism
- Enhances community livability
- Increases safety and security

Key Point

- The current law reverses years of systemic enhancement by artists for the beautification and aesthetic enjoyment of our public transit systems to the detriment of riders and non-riders across the U.S.

Key Congressional Ask

Co-sponsor and enact the **Saving Transit Art Resources (STAR) Act**

- Reinststate flexibility and allow transit authorities to incorporate art into federally-funded transit projects and facilities using local funds

Questions?



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