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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To authorize funding for Federal-aid highways, bridge construction and rehabilitation, highway safety programs, transit programs, and rail programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GRAVES (for himself and Mr. LARSEN of Washington) introduced the following bill; which was referred to the Committee on

A BILL

To authorize funding for Federal-aid highways, bridge construction and rehabilitation, highway safety programs, transit programs, and rail programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Building Unrivalled Infrastructure and Long-term Devel-

1 opment for America’s 250th Act” or the “BUILD Amer-
 2 ica 250 Act”.

3 (b) TABLE OF CONTENTS.—The table of contents for
 4 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Effective date.
- Sec. 4. Automatic execution of conforming changes.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

- Sec. 1101. Authorization of appropriations.
- Sec. 1102. Obligation limitation.
- Sec. 1103. Definitions.
- Sec. 1104. Apportionment.
- Sec. 1105. Nationally significant multimodal freight and highway projects.
- Sec. 1106. National highway performance program.
- Sec. 1107. Federal share.
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- Sec. 1109. Emergency relief.
- Sec. 1110. Toll roads, bridges, tunnels, and ferries.
- Sec. 1111. Railway-highway grade crossings.
- Sec. 1112. Surface transportation block grant program.
- Sec. 1113. Transportation planning.
- Sec. 1114. Highway use tax evasion projects.
- Sec. 1115. National bridge and tunnel inventory and inspection standards.
- Sec. 1116. Construction of ferry boats and ferry terminal facilities.
- Sec. 1117. Highway safety improvement program.
- Sec. 1118. CMAQ program.
- Sec. 1119. Safe streets and roads for all grant program.
- Sec. 1120. Territorial and Puerto Rico highway program.
- Sec. 1121. HOV facilities.
- Sec. 1122. National highway freight and high priority corridor program.
- Sec. 1123. Wildlife crossings pilot program.
- Sec. 1124. Surface transportation accelerator grant program.
- Sec. 1125. Repeal of program.
- Sec. 1126. PROTECT program.
- Sec. 1127. Codification and improvement of Jason’s Law.
- Sec. 1128. Consolidated funding pilot program.
- Sec. 1129. Registration fee on motor vehicles.
- Sec. 1130. Transfer of real property no longer needed.
- Sec. 1131. Federal lands and tribal transportation programs.
- Sec. 1132. Tribal transportation program.
- Sec. 1133. Federal lands transportation program.
- Sec. 1134. Federal lands access program.
- Sec. 1135. Nationally significant Federal lands and tribal projects program.
- Sec. 1136. Tribal High Priority Projects program.
- Sec. 1137. Consolidation of programs.
- Sec. 1138. Update to nonmotorized trails definition.

Subtitle B—Improved Project Delivery and Environmental Streamlining

- Sec. 1201. Project approval and oversight.
- Sec. 1202. Exemption from review.
- Sec. 1203. Efficient environmental reviews for project decisionmaking and One Federal Decision.
- Sec. 1204. Reporting program.
- Sec. 1205. Termination of environmental review implementation funds program.
- Sec. 1206. Streamlining of environmental document preparation.
- Sec. 1207. State and eligible entity assumption of responsibility for categorical exclusions.
- Sec. 1208. Surface transportation project delivery program.
- Sec. 1209. Program for eliminating duplication of environmental reviews.
- Sec. 1210. Training and education; best practices.
- Sec. 1211. Accelerated decisionmaking in environmental reviews.
- Sec. 1212. Aligning Federal environmental reviews.
- Sec. 1213. FTA allowance of land acquisition.
- Sec. 1214. Categorical exclusion for projects of limited Federal assistance.
- Sec. 1215. Programmatic agreements.
- Sec. 1216. Streamlining Tribal categorical exclusions.
- Sec. 1217. Streamlining small safety projects.
- Sec. 1218. Updates to categorical exclusions for public transportation projects.

Subtitle C—Miscellaneous

- Sec. 1301. Transportation rulemaking committees.
- Sec. 1302. Vehicle weight limits.
- Sec. 1303. Designation of high priority corridors on National Highway System.
- Sec. 1304. Safety coordinators; determination of reasonable cost.
- Sec. 1305. Updates to manual on uniform traffic control devices.
- Sec. 1306. Design standards.
- Sec. 1307. Modernizing roadside safety hardware devices and administration policies.
- Sec. 1308. Audit of FHWA oversight of roadside safety hardware devices.
- Sec. 1309. Interagency bridge strike working group.
- Sec. 1310. Bridge clearance best practices.
- Sec. 1311. U.S. Congressman and Prisoner of War Sam Johnson Memorial Highway.
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- Sec. 1314. Study on effectiveness of discretionary grant programs.
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- Sec. 1317. Review of State and local consultation processes.
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- Sec. 1321. Contracting for engineering and design services.
- Sec. 1322. Advancing projects in cold weather States.
- Sec. 1323. Interagency working group on roadway management in inclement weather.
- Sec. 1324. Termination of neighborhood access and equity grant program.
- Sec. 1325. Task force on developing a 21st century surface transportation workforce.
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- Sec. 1327. Notification on regressive safety targets.
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- Sec. 1330. Funding Federal-aid Highways guidance.

TITLE II—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

- Sec. 2001. Infrastructure finance.
- Sec. 2002. Emergency loan relief due to major disaster.
- Sec. 2003. Personnel management authority.
- Sec. 2004. Study on establishment of Federal Infrastructure Bank.

TITLE III—PUBLIC TRANSPORTATION

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- Sec. 3001. Purpose and declaration of policy.
- Sec. 3002. Definitions.
- Sec. 3003. Transportation planning.
- Sec. 3004. Planning programs.
- Sec. 3005. Urbanized area formula grants.
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- Sec. 3102. Protecting bus operators from risk of assault.
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- Sec. 3104. Special rule for certain transportation services.
- Sec. 3105. Innovative procurement.
- Sec. 3106. Transit award management system improvement.
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- Sec. 3108. Improving transparency in certain urbanized areas.

- Sec. 3109. Extension of capital and preventive maintenance grants to Washington Metropolitan Area Transit Authority.
- Sec. 3110. GAO assessment of project contingency amounts.
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- Sec. 3115. GAO assessment of paratransit software and technologies.

Subtitle C—Reorganization and Consolidation of Chapter 53

- Sec. 3201. Transfer of certain sections in chapter 53 of title 49, United States Code.
- Sec. 3202. Front matter of chapter 53 of title 49, United States Code.
- Sec. 3203. Amendments to chapter 53 of title 49, United States Code, as amended by section 3202 of this Act.
- Sec. 3204. Conforming amendments.

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- Sec. 4001. Authorization of appropriations.
- Sec. 4002. Consolidation and enhancement of highway safety programs.
- Sec. 4003. Highway safety research and development.
- Sec. 4004. High-visibility enforcement program.
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- Sec. 4008. Highway safety program effectiveness transportation rulemaking committee.
- Sec. 4009. Establishment of roadway worker protection interagency working group.
- Sec. 4010. Motoreyele Advisory Council.
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- Sec. 5002. Improvements to enforcement training and support grant program.
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- Sec. 5004. Amendments to commercial motor vehicle operators grant program.
- Sec. 5005. Terms and conditions for exemptions.
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- Sec. 5101. Predatory commercial motor vehicle lease-purchase agreement programs oversight.
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- Sec. 5202. Electronic logging device certification.
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Subtitle E—Safe Integration of Autonomous Commercial Motor Vehicles

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- Sec. 5402. ADS-equipped commercial motor vehicle interstate operation.
- Sec. 5403. Review and preemption of State laws and regulations.
- Sec. 5404. Ensuring regulatory flexibility for safety technologies.
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TITLE VI—INNOVATION

- Sec. 6001. Strengthening mobility and revolutionizing transportation grant program.
- Sec. 6002. Technology deployment.
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- Sec. 10106. National intercity passenger railroad partnership program.
- Sec. 10107. Corridor identification and development program.
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- Sec. 10201. Amtrak economic performance.
- Sec. 10202. Amtrak transparency and accountability for passengers and taxpayers.
- Sec. 10203. Implementing Amtrak Office of Inspector General recommendations to address infrastructure backlog.
- Sec. 10204. Amtrak executive bonus disclosure.
- Sec. 10205. Amtrak and intercity passenger rail workforce assault prevention and response plans.
- Sec. 10206. Baby changing table requirements on Amtrak trains.
- Sec. 10207. Report on Amtrak long-distance equipment maintenance costs.
- Sec. 10208. Inspector general review of Amtrak accounting and reporting practices.
- Sec. 10209. Amtrak annual reporting.
- Sec. 10210. Invoices and reports.
- Sec. 10211. State-supported cost and service policy.
- Sec. 10212. GAO study on Amtrak customer experience.
- Sec. 10213. GAO study on Amtrak service to privately owned rail cars.
- Sec. 10214. The Donald M. Payne, Jr. Transit Center at Newark Penn Station.
- Sec. 10215. Public notice and comment on Amtrak's corporate structure.
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- Sec. 10301. Intercity passenger rail equipment pools.
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- Sec. 10303. Route-specific reports.
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- Sec. 10402. Public availability of federally funded data.
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- Sec. 10405. Installation of image recording devices.
- Sec. 10406. Membership of National Domestic Preparedness Consortium.
- Sec. 10407. Preventing tampering with wayside defect detectors.
- Sec. 10408. Rail technology and asset pilot program.
- Sec. 10409. Vent and burn report updates.
- Sec. 10410. Rail freight cargo security assessment.
- Sec. 10411. 50-year rule revision.
- Sec. 10412. Self-contained propelled freight vehicle.
- Sec. 10413. Railroad Safety Advisory Committee evaluation of National Academies of Sciences, Engineering, and Medicine findings.
- Sec. 10414. Blocked crossings.
- Sec. 10415. Civil penalties.
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- Sec. 10417. Federal Railroad Administration safety workforce.

- Sec. 10418. FRA safety inspector and specialist review.
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- Sec. 10420. Confidential close call reporting.
- Sec. 10421. Wayside employee protection.
- Sec. 10422. Safety enforcement transparency.
- Sec. 10423. Reports on highway-rail grade crossing safety and trespasser prevention.
- Sec. 10424. Locomotive engineer training.
- Sec. 10425. Assessment of track safety.
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- Sec. 10502. Categorical exclusions for projects in existing operational rights-of-way.
- Sec. 10503. Additional categorical exclusions.
- Sec. 10504. State-railroad infrastructure project coordination and process standardization working group.
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- Sec. 10508. Lead agency for environmental review purposes.
- Sec. 10509. Environmental review determination.
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- Sec. 10512. Amendment to allow RRIF direct loans to be structured as interest-only loan.
- Sec. 10513. Use of certain grant funds to pay RRIF credit risk premiums.
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- Sec. 10602. Hazardous materials registration fees.
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- Sec. 10606. Regulation of foreign manufacturers of cylinders used in transporting hazardous materials.
- Sec. 10607. Safety placards.
- Sec. 10608. Study on limited commercial driver's license hazardous materials endorsements.
- Sec. 10609. Real-time train consist information rulemaking evaluation.
- Sec. 10610. Study on exception for intrastate transportation of diesel fuel in support of logging or timber operations.
- Sec. 10611. Safer tank cars.

Sec. 10612. Requirements for safe transport of lithium-ion batteries.

Sec. 10613. Innovative thermal run-away suppression strategies.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COMPTROLLER GENERAL.—The term
4 “Comptroller General” means the Comptroller Gen-
5 eral of the United States.

6 (2) DEPARTMENT.—Unless otherwise specified,
7 the term “Department” means the Department of
8 Transportation.

9 (3) SECRETARY.—Unless otherwise specified,
10 the term “Secretary” means the Secretary of Trans-
11 portation.

12 **SEC. 3. EFFECTIVE DATE.**

13 Except as otherwise provided, this Act, including the
14 amendments made by this Act, shall take effect on Octo-
15 ber 1, 2026.

16 **SEC. 4. AUTOMATIC EXECUTION OF CONFORMING**
17 **CHANGES.**

18 (a) COVERED HIGHWAYS LAWS.—Section 101 of title
19 23, United States Code, is amended by adding at the end
20 the following:

21 “(f) AUTOMATIC EXECUTION OF CONFORMING
22 CHANGES.—

23 “(1) IN GENERAL.—When an amendment to a
24 covered highways law adds a section or larger orga-

1 nizational unit to the covered highways law, repeals
2 or transfers a section or larger organizational unit
3 in the covered highways law, or amends the designa-
4 tion or heading of a section or larger organizational
5 unit in the covered highways law, that amendment
6 also shall have the effect of amending any analysis,
7 table of contents, or similar tabular entries in the
8 covered highways law to alter the table to conform
9 to the changes made by the amendment.

10 “(2) EXCEPTIONS.—Paragraph (1) shall not
11 apply to an amendment described in such paragraph
12 when—

13 “(A) the amendment or a clerical amend-
14 ment enacted at the same time expressly
15 amends a table of sections, table of contents, or
16 similar tabular entries in the covered highways
17 law to alter the table to conform to the changes
18 made by the amendment; or

19 “(B) the amendment otherwise expressly
20 exempts itself from the operation of this sub-
21 section.

22 “(3) COVERED HIGHWAYS LAW DEFINED.—In
23 this subsection, the term ‘covered highways law’
24 means—

25 “(A) this title;

1 “(B) any Act that authorizes amounts to
2 be appropriated out of the Highway Trust
3 Fund; or

4 “(C) any other law designated in the text
5 thereof as a covered highways law for purposes
6 of application of this subsection.”.

7 (b) PURPOSE AND AUTOMATIC EXECUTION OF CON-
8 FORMING CHANGES.—Section 101 of title 49, United
9 States Code, is amended—

10 (1) in the section heading by inserting “**; auto-**
11 **matic execution of conforming changes**”
12 after “**Purpose**”; and

13 (2) by adding at the end the following:

14 “(c) AUTOMATIC EXECUTION OF CONFORMING
15 CHANGES.—

16 “(1) IN GENERAL.—When an amendment to a
17 covered transportation law adds a section or larger
18 organizational unit to the covered transportation
19 law, repeals or transfers a section or larger organi-
20 zational unit in the covered transportation law, or
21 amends the designation or heading of a section or
22 larger organizational unit in the covered transpor-
23 tation law, that amendment also shall have the effect
24 of amending any analysis, table of contents, or simi-
25 lar tabular entries in the covered transportation law

1 to alter the table to conform to the changes made
2 by the amendment.

3 “(2) EXCEPTIONS.—Paragraph (1) shall not
4 apply to an amendment described in such paragraph
5 when—

6 “(A) the amendment or a clerical amend-
7 ment enacted at the same time expressly
8 amends a table of sections, table of contents, or
9 similar tabular entries in the covered transpor-
10 tation law to alter the table to conform to the
11 changes made by the amendment; or

12 “(B) the amendment otherwise expressly
13 exempts itself from the operation of this sub-
14 section.

15 “(3) COVERED TRANSPORTATION LAW.—In this
16 subsection, the term ‘covered transportation law’
17 means—

18 “(A) this title;

19 “(B) any Act that authorizes amounts to
20 be appropriated out of the Airport and Airway
21 Trust Fund; or

22 “(C) any other law designated in the text
23 thereof as a covered transportation law for pur-
24 poses of application of this subsection.”.

1 (c) APPLICATION OF AMENDMENTS.—Section 101(f)
2 of title 23, United States Code, as added by subsection
3 (a), and section 101(c) of title 49, United States Code,
4 as added by subsection (b), shall apply to the amendments
5 made by this section and other amendments made by this
6 Act.

7 **TITLE I—FEDERAL-AID**
8 **HIGHWAYS**
9 **Subtitle A—Authorizations and**
10 **Programs**

11 **SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—The following amounts are au-
13 thorized to be appropriated out of the Highway Trust
14 Fund (other than the Mass Transit Account):

15 (1) FEDERAL-AID HIGHWAY PROGRAM.—For
16 the national highway performance program under
17 section 119 of title 23, United States Code, the sur-
18 face transportation block grant program under sec-
19 tion 133 of such title, section 134 of such title, the
20 highway safety improvement program under section
21 148 of such title, the congestion mitigation and air
22 quality improvement program under section 149 of
23 such title, and the national highway freight and
24 highway priority corridor program of section 167 of
25 such title—

- 1 (A) \$56,934,650,000 for fiscal year 2027;
2 (B) \$57,532,010,000 for fiscal year 2028;
3 (C) \$58,690,676,200 for fiscal year 2029;
4 (D) \$59,785,644,724 for fiscal year 2030;
5 and
6 (E) \$60,943,911,618 for fiscal year 2031.

7 (2) TRANSPORTATION INFRASTRUCTURE FI-
8 NANCE AND INNOVATION PROGRAM.—For credit as-
9 sistance under the transportation infrastructure fi-
10 nance and innovation program under chapter 6 of
11 title 23, United States Code, \$250,000,000 for each
12 of fiscal years 2027 through 2031.

13 (3) BRIDGE PROGRAM.—To carry out the
14 grants for rebuilding America’s vital engineering
15 structures program under section 124(a) of title 23,
16 United States Code, \$9,200,000,000 for each of fis-
17 cal years 2027 through 2031.

18 (4) FEDERAL LANDS AND TRIBAL TRANSPOR-
19 TATION PROGRAMS.—

20 (A) TRIBAL TRANSPORTATION PRO-
21 GRAM.—For the tribal transportation program
22 under section 202 of title 23, United States
23 Code—

- 24 (i) \$643,000,000 for fiscal year 2027;
25 (ii) \$657,000,000 for fiscal year 2028;

1 (iii) \$671,000,000 for fiscal year
2 2029;

3 (iv) \$686,000,000 for fiscal year
4 2030; and

5 (v) \$701,000,000 for fiscal year 2031.

6 (B) FEDERAL LANDS TRANSPORTATION
7 PROGRAM.—

8 (i) IN GENERAL.—For the Federal
9 lands transportation program under sec-
10 tion 203 of title 23, United States Code—

11 (I) \$464,000,000 for fiscal year
12 2027;

13 (II) \$472,000,000 for fiscal year
14 2028;

15 (III) \$480,000,000 for fiscal year
16 2029;

17 (IV) \$488,000,000 for fiscal year
18 2030; and

19 (V) \$496,000,000 for fiscal year
20 2031.

21 (ii) ALLOCATION.—Of the amount
22 made available for a fiscal year under
23 clause (i)—

24 (I) the amount for the National
25 Park Service is—

1 (aa) \$365,000,000 for fiscal
2 year 2027;

3 (bb) \$370,500,000 for fiscal
4 year 2028;

5 (cc) \$376,000,000 for fiscal
6 year 2029;

7 (dd) \$381,500,000 for fiscal
8 year 2030; and

9 (ee) \$387,500,000 for fiscal
10 year 2031;

11 (II) the amount for the United
12 States Fish and Wildlife Service is
13 \$42,000,000 for each of fiscal years
14 2027 through 2031; and

15 (III) the amount for the Forest
16 Service is—

17 (aa) \$29,500,000 for fiscal
18 year 2027;

19 (bb) \$31,000,000 for fiscal
20 year 2028;

21 (cc) \$32,500,000 for fiscal
22 year 2029;

23 (dd) \$34,000,000 for fiscal
24 year 2030; and

1 (ee) \$35,500,000 for fiscal
2 year 2031.

3 (C) FEDERAL LANDS ACCESS PROGRAM.—
4 For the Federal lands access program under
5 section 204 of title 23, United States Code—

6 (i) \$314,000,000 for fiscal year 2027;

7 (ii) \$320,000,000 for fiscal year 2028;

8 (iii) \$326,000,000 for fiscal year
9 2029;

10 (iv) \$332,000,000 for fiscal year
11 2030; and

12 (v) \$338,000,000 for fiscal year 2031.

13 (5) TERRITORIAL AND PUERTO RICO HIGHWAY
14 PROGRAM.—For the territorial and Puerto Rico
15 highway program under section 165 of title 23,
16 United States Code—

17 (A) \$242,200,000 for fiscal year 2027;

18 (B) \$247,400,000 for fiscal year 2028;

19 (C) \$252,600,000 for fiscal year 2029;

20 (D) \$257,800,000 for fiscal year 2030;

21 and

22 (E) \$263,000,000 for fiscal year 2031.

23 (b) OTHER PROGRAMS.—

24 (1) HIGHWAY TRUST FUND.—The following
25 amounts are authorized to be appropriated out of

1 the Highway Trust Fund (other than the Mass
2 Transit Account):

3 (A) SAFE STREETS AND ROADS FOR ALL
4 PROGRAM.—To carry out the safe streets and
5 roads for all program under section 155 of title
6 23, United States Code—

7 (i) \$500,000,000 for fiscal year 2027;

8 (ii) \$625,000,000 for fiscal year 2028;

9 (iii) \$750,000,000 for fiscal year
10 2029;

11 (iv) \$875,000,000 for fiscal year
12 2030; and

13 (v) \$1,000,000,000 for fiscal year
14 2031.

15 (B) SURFACE TRANSPORTATION ACCEL-
16 ERATOR GRANT PROGRAM.—To carry out the
17 surface transportation accelerator grant pro-
18 gram under section 173 of title 23, United
19 States Code, \$2,400,000,000 for each of fiscal
20 years 2027 through 2031.

21 (C) PROTECT GRANTS.—To carry out
22 subsection (d) of the PROTECT program
23 under section 176 of title 23, United States
24 Code, \$500,000,000 for each of fiscal years
25 2027 through 2031.

1 (D) NATIONALLY SIGNIFICANT FEDERAL
2 LANDS AND TRIBAL PROJECTS.—

3 (i) IN GENERAL.—To carry out the
4 nationally significant Federal lands and
5 tribal projects program under section 1123
6 of the FAST Act (23 U.S.C. 201 note;
7 Public Law 114–94), \$55,000,000 for each
8 of fiscal years 2027 through 2031.

9 (ii) TREATMENT.—Amounts made
10 available under clause (i) shall be available
11 for obligation in the same manner as if
12 those amounts were apportioned under
13 chapter 1 of title 23, United States Code.

14 (2) GENERAL FUND.—

15 (A) NATIONALLY SIGNIFICANT
16 MULTIMODAL FREIGHT AND HIGHWAY
17 PROJECTS.—There is authorized to be appro-
18 priated to carry out the nationally significant
19 multimodal freight and highway projects pro-
20 gram under section 117 of title 23, United
21 States Code, \$1,200,000,000 for each of fiscal
22 years 2027 through 2031.

23 (B) BRIDGE COMPLETION PROGRAM.—
24 There is authorized to be appropriated to carry
25 out the bridge completion program under sec-

tion 124(b) of title 23, United States Code,
\$2,000,000,000 for each of fiscal years 2027
through 2031.

(c) RESEARCH, TECHNOLOGY, AND EDUCATION AU-
THORIZATIONS.—

(1) IN GENERAL.—The following amounts are
authorized to be appropriated out of the Highway
Trust Fund (other than the Mass Transit Account):

(A) HIGHWAY RESEARCH AND DEVELOP-
MENT PROGRAM.—To carry out section 503(b)
of title 23, United States Code—

(i) \$149,940,000 for fiscal year 2027;

(ii) \$152,938,800 for fiscal year 2028;

(iii) \$155,997,576 for fiscal year
2029;

(iv) \$159,117,528 for fiscal year
2030; and

(v) \$162,299,878 for fiscal year 2031.

(B) TECHNOLOGY AND INNOVATION DE-
PLOYMENT.—To carry out section 503(c) of
title 23, United States Code—

(i) \$112,200,000 for fiscal year 2027;

(ii) \$114,444,000 for fiscal year 2028;

(iii) \$116,732,880 for fiscal year
2029;

1 (iv) \$119,067,538 for fiscal year
2 2030; and

3 (v) \$121,448,888 for fiscal year 2031.

4 (C) TRAINING AND EDUCATION.—To carry
5 out section 504 of title 23, United States
6 Code—

7 (i) \$26,520,000 for fiscal year 2027;

8 (ii) \$27,050,400 for fiscal year 2028;

9 (iii) \$27,591,408 for fiscal year 2029;

10 (iv) \$28,143,236 for fiscal year 2030;

11 and

12 (v) \$28,706,101 for fiscal year 2031.

13 (D) INTELLIGENT TRANSPORTATION SYS-
14 TEMS PROGRAM.—To carry out sections 512
15 through 518 of title 23, United States Code—

16 (i) \$112,200,000 for fiscal year 2027;

17 (ii) \$114,444,000 for fiscal year 2028;

18 (iii) \$116,732,880 for fiscal year

19 2029;

20 (iv) \$119,067,538 for fiscal year

21 2030; and

22 (v) \$121,448,888 for fiscal year 2031.

23 (E) UNIVERSITY TRANSPORTATION CEN-
24 TERS PROGRAM.—To carry out section 5505 of
25 title 49, United States Code—

- 1 (i) \$83,640,000 for fiscal year 2027;
2 (ii) \$85,312,800 for fiscal year 2028;
3 (iii) \$87,019,056 for fiscal year 2029;
4 (iv) \$88,759,437 for fiscal year 2030;
5 and
6 (v) \$90,534,626 for fiscal year 2031.

7 (F) BUREAU OF TRANSPORTATION STATIS-
8 TICS.—To carry out chapter 63 of title 49,
9 United States Code—

- 10 (i) \$27,250,000 for fiscal year 2027;
11 (ii) \$27,500,000 for fiscal year 2028;
12 (iii) \$27,750,000 for fiscal year 2029;
13 (iv) \$28,000,000 for fiscal year 2030;
14 and
15 (v) \$28,250,000 for fiscal year 2031.

16 (2) ADMINISTRATION.—The Administrator of
17 the Federal Highway Administration shall—

18 (A) administer the programs described in
19 subparagraphs (A), (B), and (C) under para-
20 graph (1); and

21 (B) in consultation with relevant modal ad-
22 ministrations, administer the programs de-
23 scribed in paragraph (1)(D).

1 (3) APPLICABILITY OF TITLE 23, UNITED
2 STATES CODE.—Amounts authorized to be appro-
3 priated by paragraph (1) shall—

4 (A) be available for obligation in the same
5 manner as if those funds were apportioned
6 under chapter 1 of title 23, United States Code,
7 except that the Federal share of the project or
8 activity carried out using those funds shall be
9 80 percent, unless otherwise expressly provided
10 by this Act (including the amendments made by
11 this Act) or otherwise determined by the Sec-
12 retary; and

13 (B) remain available until expended and
14 are not transferable, except as otherwise pro-
15 vided by this Act.

16 (d) PILOT PROGRAMS.—The following amounts are
17 authorized to be appropriated out of the Highway Trust
18 Fund (other than the Mass Transit Account):

19 (1) WILDLIFE CROSSINGS.—For the wildlife
20 crossings pilot program under section 171 of title
21 23, United States Code, \$80,000,000 for each of fis-
22 cal years 2027 through 2031.

23 (2) TRUCK PARKING.—For the truck parking
24 pilot program under section 180 of title 23, United

1 States Code, \$150,000,000 for each of fiscal years
2 2027 through 2031.

3 (e) DISADVANTAGED BUSINESS ENTERPRISES.—

4 (1) FINDINGS.—Congress finds that—

5 (A) while significant progress has occurred
6 due to the establishment of the disadvantaged
7 business enterprise program, social and eco-
8 nomic disadvantage and related barriers con-
9 tinue to pose significant obstacles for businesses
10 owned by socially and economically disadvan-
11 taged individuals seeking to do business in fed-
12 erally assisted surface transportation markets
13 across the United States;

14 (B) the continuing barriers described in
15 subparagraph (A) merit the continuation of the
16 disadvantaged business enterprise program;

17 (C) Congress has received and reviewed
18 documentation of the effects of social and eco-
19 nomic disadvantage on individuals seeking to do
20 business in federally assisted surface transpor-
21 tation markets from numerous sources, includ-
22 ing congressional hearings and roundtables, sci-
23 entific and other reports, news stories, written
24 statements of barriers to participation by dis-
25 advantaged business owners, and related law-

1 suits, which show that efforts that fail to spe-
2 cifically consider socially and economically dis-
3 advantaged individuals are insufficient to ad-
4 dress the problem;

5 (D) the documentation described in sub-
6 paragraph (C) demonstrates that barriers re-
7 main for the full and fair participation in sur-
8 face transportation-related businesses of socially
9 and economically disadvantaged business own-
10 ers and has impacted firm development and
11 many aspects of surface transportation-related
12 business in the public and private markets; and

13 (E) the documentation described in sub-
14 paragraph (C) provides a strong basis that
15 there is a compelling need for the continuation
16 of the disadvantaged business enterprise pro-
17 gram.

18 (2) SMALL BUSINESS CONCERN DEFINED.—In
19 this subsection:

20 (A) IN GENERAL.—The term “small busi-
21 ness concern” means a small business concern
22 (as the term is used in section 3 of the Small
23 Business Act (15 U.S.C. 632)).

24 (B) EXCLUSIONS.—The term “small busi-
25 ness concern” does not include any concern or

1 group of concerns controlled by the same so-
2 cially and economically disadvantaged individual
3 or individuals that have average annual gross
4 receipts during the preceding 3 fiscal years in
5 excess of \$31,840,000, as adjusted annually by
6 the Secretary for inflation.

7 (3) AMOUNTS FOR SMALL BUSINESS CON-
8 CERNS.—A national, aspirational goal of not less
9 than 10 percent of the amounts made available for
10 any program under titles I, II, III, and VI of this
11 Act and section 403 of title 23, United States Code,
12 shall be set for expenditure through good faith ef-
13 forts by recipients of Federal financial assistance
14 through small business concerns owned and con-
15 trolled by socially and economically disadvantaged
16 individuals.

17 (4) DEVELOPMENT OF OBJECTIVE CRITERIA.—

18 (A) IN GENERAL.—Not later than 180
19 days after the date of enactment of this Act,
20 the Secretary shall develop and publish objec-
21 tive criteria to establish how State governments
22 and unified certification programs will evaluate
23 whether an individual qualifies as socially and
24 economically disadvantaged under the program.

1 (B) CONSIDERATIONS.—The criteria devel-
2 oped under subparagraph (A)—

3 (i) shall include the ability for an indi-
4 vidual to demonstrate social and economic
5 disadvantage by submitting evidence that
6 would support a finding of the types of dis-
7 crimination prohibited under Federal law;
8 and

9 (ii) shall include the ability for an in-
10 dividual to submit evidence of specific in-
11 stances of economic hardship, systemic
12 barriers, and denied opportunities that im-
13 peded the individual from achieving edu-
14 cational progress or success, employment
15 opportunities, or business opportunities
16 (including access to capital).

17 (C) PERIODIC REVISION.—The Secretary
18 may periodically revise the objective criteria de-
19 veloped under subparagraph (A).

20 (5) ANNUAL LISTING OF DISADVANTAGED BUSI-
21 NESS ENTERPRISES.—Each State shall annually—

22 (A) survey and compile a list of the small
23 business concerns referred to in paragraph (3)
24 in the State, including the location of the small
25 business concerns in the State;

1 (B) notify the Secretary, in writing, of the
2 number of new small business concerns that
3 have been certified in the State in the previous
4 year; and

5 (C) provide the Secretary with such other
6 information as the Secretary may require re-
7 garding the administration of the disadvantaged
8 business enterprise program.

9 (6) UNIFORM CERTIFICATION.—

10 (A) IN GENERAL.—The Secretary shall es-
11 tablish minimum uniform criteria for use by
12 State governments in certifying whether a con-
13 cern qualifies as a small business concern for
14 the purpose of this subsection.

15 (B) INCLUSIONS.—The minimum uniform
16 criteria established under subparagraph (A)
17 shall include, with respect to a potential small
18 business concern—

- 19 (i) on-site visits;
20 (ii) personal interviews with personnel;
21 (iii) issuance or inspection of licenses;
22 (iv) analyses of stock ownership;
23 (v) listings of equipment;
24 (vi) analyses of bonding capacity;
25 (vii) listings of work completed;

- 1 (viii) examination of the resumes of
2 principal owners;
3 (ix) analyses of financial capacity; and
4 (x) analyses of the type of work pre-
5 ferred.

6 (7) REPORTING.—The Secretary shall establish
7 minimum requirements for use by State govern-
8 ments in reporting to the Secretary—

9 (A) information concerning disadvantaged
10 business enterprise awards, commitments, and
11 achievements;

12 (B) the process utilized and progress made
13 by each unified certification program in the
14 State to evaluate and recertify or decertify a
15 small business concern under the criteria set by
16 the Secretary, including periodic revision of the
17 criteria for certification;

18 (C) the number of existing small business
19 concerns recertified or decertified in fiscal years
20 2026 through 2031; and

21 (D) such other information as the Sec-
22 retary determines to be appropriate for the
23 proper monitoring of the disadvantaged busi-
24 ness enterprise program.

1 (8) COMPLIANCE WITH COURT ORDERS.—Noth-
2 ing in this subsection limits the eligibility of an indi-
3 vidual or entity to receive funds made available
4 under titles I, II, III, and VI of this Act and section
5 403 of title 23, United States Code, if the entity or
6 person is prevented, in whole or in part, from com-
7 plying with paragraph (3) because a Federal court
8 issues a final order in which the court finds that a
9 requirement or the implementation of paragraph (3)
10 is unconstitutional.

11 (9) SENSE OF CONGRESS ON PROMPT PAYMENT
12 OF DBE SUBCONTRACTORS.—It is the sense of Con-
13 gress that—

14 (A) the Secretary should take additional
15 steps to ensure that recipients comply with sec-
16 tion 26.29 of title 49, Code of Federal Regula-
17 tions (the disadvantaged business enterprises
18 prompt payment rule), or any corresponding
19 regulation, in awarding federally funded trans-
20 portation contracts under laws and regulations
21 administered by the Secretary; and

22 (B) such additional steps should include
23 increasing the Department's ability to track
24 and keep records of complaints and to make
25 that information publicly available.

1 (f) GRANT CONDITIONS.—The Secretary may not ter-
2 minate, withhold, or delay the execution of a grant agree-
3 ment for a grant or award (in part or in whole) made
4 using funds made available under this Act (or an amend-
5 ment made by this Act) on the basis that the grant or
6 award no longer effectuates non-statutory program goals
7 or agency priorities, including pursuant to section
8 200.340(a)(4) of title 2, Code of Federal Regulations.

9 **SEC. 1102. OBLIGATION LIMITATION.**

10 (a) GENERAL LIMITATION.—Subject to subsection
11 (e) and notwithstanding any other provision of law, the
12 obligations for the Federal-aid highway and highway safe-
13 ty construction programs shall not exceed—

- 14 (1) \$72,270,000,000 for fiscal year 2027;
15 (2) \$73,045,000,000 for fiscal year 2028;
16 (3) \$74,382,000,000 for fiscal year 2029;
17 (4) \$75,657,000,000 for fiscal year 2030; and
18 (5) \$76,996,000,000 for fiscal year 2031.

19 (b) EXCEPTIONS.—The limitations under subsection
20 (a) shall not apply to obligations under or for—

- 21 (1) section 125 of title 23, United States Code;
22 (2) section 147 of the Surface Transportation
23 Assistance Act of 1978 (23 U.S.C. 144 note; 92
24 Stat. 2714);

1 (3) section 9 of the Federal-Aid Highway Act
2 of 1981 (95 Stat. 1701);

3 (4) subsections (b) and (j) of section 131 of the
4 Surface Transportation Assistance Act of 1982 (96
5 Stat. 2119);

6 (5) subsections (b) and (c) of section 149 of the
7 Surface Transportation and Uniform Relocation As-
8 sistance Act of 1987 (101 Stat. 198);

9 (6) sections 1103 through 1108 of the Inter-
10 modal Surface Transportation Efficiency Act of
11 1991 (105 Stat. 2027);

12 (7) section 157 of title 23, United States Code
13 (as in effect on June 8, 1998);

14 (8) section 105 of title 23, United States Code
15 (as in effect for fiscal years 1998 through 2004, but
16 only in an amount equal to \$639,000,000);

17 (9) Federal-aid highway programs for which ob-
18 ligation authority was made available under the
19 Transportation Equity Act for the 21st Century
20 (112 Stat. 107) or subsequent Acts for multiple
21 years or to remain available until expended, but only
22 to the extent that the obligation authority has not
23 lapsed or been used;

24 (10) section 105 of title 23, United States Code
25 (as in effect for fiscal years 2005 through 2012, but

1 only in an amount equal to \$639,000,000 for each
2 of those fiscal years);

3 (11) section 1603 of the SAFETEA-LU (23
4 U.S.C. 118 note), to the extent that funds obligated
5 in accordance with such section were not subject to
6 a limitation on obligations at the time at which the
7 funds were initially made available for obligation;

8 (12) section 119 of title 23, United States Code
9 (as in effect for fiscal years 2013 through 2015, but
10 only in an amount equal to \$639,000,000 for each
11 of those fiscal years);

12 (13) section 119 of title 23, United States Code
13 (as in effect for fiscal years 2016 through 2021, but
14 only in an amount equal to \$639,000,000 for each
15 of those fiscal years);

16 (14) section 119 of title 23, United States Code
17 (as in effect for fiscal years 2022 through 2026, but
18 only in an amount equal to \$639,000,000 for each
19 of those fiscal years); and

20 (15) section 119 of title 23, United States Code
21 (as in effect for fiscal years 2027 through 2031, but
22 only in an amount equal to \$639,000,000 for each
23 of those fiscal years).

1 (c) DISTRIBUTION OF OBLIGATION AUTHORITY.—

2 For each of fiscal years 2027 through 2031, the Sec-
3 retary—

4 (1) shall not distribute obligation authority pro-
5 vided by subsection (a) for the fiscal year for—

6 (A) amounts authorized for administrative
7 expenses and programs by section 104(a) of
8 title 23, United States Code; and

9 (B) amounts authorized for the Bureau of
10 Transportation Statistics;

11 (2) shall not distribute an amount of obligation
12 authority provided by subsection (a) that is equal to
13 the unobligated balance of amounts—

14 (A) made available from the Highway
15 Trust Fund (other than the Mass Transit Ac-
16 count) for the Federal-aid highway and highway
17 safety construction programs for previous fiscal
18 years the funds for which are allocated by the
19 Secretary (or apportioned by the Secretary
20 under section 202 or 204 of title 23, United
21 States Code); and

22 (B) for which obligation authority was pro-
23 vided in a previous fiscal year;

24 (3) shall determine the proportion that—

1 (A) the obligation authority provided by
2 subsection (a) for the fiscal year, less the aggregate
3 of the amount not distributed under paragraphs
4 (1) and (2) of this subsection; bears to

5 (B) the total of sums authorized to be appropriated
6 for the Federal-aid highway and highway safety
7 construction programs (other than sums authorized to be
8 appropriated for provisions of law described in paragraphs
9 (1) through (14) of subsection (b) and sums authorized
10 to be appropriated for section 119 of title 23, United States
11 Code, equal to the amount referred to in subsection (b)(15) for the
12 fiscal year), less the aggregate of the amounts not distributed
13 under paragraphs (1) and (2) of this subsection;

14 (4) shall distribute the obligation authority provided
15 by subsection (a), less the aggregate amounts not distributed
16 under paragraphs (1) and (2), for each of the programs (other
17 than programs to which paragraph (1) applies) that are allocated
18 by the Secretary under this Act and title 23, United States
19 Code, or apportioned by the Secretary under section
20 202 or 204 of such title, by multiplying—
21
22
23
24

1 (A) the proportion determined under para-
2 graph (3); by

3 (B) the amounts authorized to be appro-
4 priated for each such program for the fiscal
5 year;

6 (5) subject to paragraph (6), shall distribute
7 the obligation authority provided by subsection (a),
8 less the aggregate amount not distributed under
9 paragraphs (1) and (2) and the amounts distributed
10 under paragraph (4), for the Federal-aid highway
11 and highway safety construction programs that are
12 apportioned by the Secretary under title 23, United
13 States Code (other than the amounts apportioned
14 for the national highway performance program in
15 section 119 of title 23, United States Code, that are
16 exempt from limitation under subsection (b)(15) and
17 the amounts apportioned under sections 202 and
18 204 of such title) in the proportion that—

19 (A) amounts authorized to be appropriated
20 for the programs that are apportioned under
21 title 23, United State Code, to each State for
22 the fiscal year; bears to

23 (B) the total of the amounts authorized to
24 be appropriated for the programs that are ap-

1 portioned under title 23, United States Code, to
2 all States for the fiscal year; and

3 (6) of the amounts calculated for a State under
4 paragraph (5), distribute to any direct recipient des-
5 ignated under section 1113(d) located in such State,
6 or proportionally located in such State—

7 (A) for a direct recipient located in 1
8 State, an amount of obligation authority de-
9 scribed in section 1113(d)(4)(B); or

10 (B) for a direct recipient located in more
11 than 1 State, a proportional amount of obliga-
12 tion authority described in section
13 1113(d)(4)(B).

14 (d) REDISTRIBUTION OF UNUSED OBLIGATION AU-
15 THORITY.—Notwithstanding subsection (c), the Secretary
16 shall, after August 1 of each of fiscal years 2027 through
17 2031—

18 (1) revise a distribution of the obligation au-
19 thority made available under subsection (c) if an
20 amount distributed cannot be obligated during the
21 fiscal year; and

22 (2) redistribute sufficient amounts to those
23 States able to obligate amounts in addition to those
24 previously distributed during the fiscal year, giving
25 priority to those States having large unobligated bal-

1 ances of funds apportioned under section 104 of title
2 23, United States Code, and paragraph (1) under
3 the heading “Highway Infrastructure Program” in
4 title VIII of division J of the Infrastructure Invest-
5 ment and Jobs Act (135 Stat. 1420), commonly re-
6 ferred to as the “Bridge Formula Program”.

7 (e) APPLICABILITY OF OBLIGATION LIMITATIONS TO
8 CERTAIN PROGRAMS.—

9 (1) TRANSPORTATION RESEARCH PROGRAMS.—

10 (A) IN GENERAL.—Except as provided in
11 subparagraph (B), obligation limitations im-
12 posed by subsection (a) shall apply to contract
13 authority for transportation research programs
14 carried out under chapter 5 of title 23, United
15 States Code.

16 (B) EXCEPTION.—Obligation authority
17 made available under subparagraph (A) shall—

18 (i) remain available for a period of 4
19 fiscal years; and

20 (ii) be in addition to the amount of
21 any limitation on obligations for the Fed-
22 eral-aid highway and highway safety con-
23 struction programs for future fiscal years.

24 (2) DIRECT RECIPIENT METROPOLITAN PLAN-
25 NING ORGANIZATIONS.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), obligation limitations im-
3 posed by subsection (a) shall apply to contract
4 authority apportioned under section 104(b)(6)
5 of title 23, United States Code, that is directly
6 allocated under section 1113(d)(4)(B) of this
7 Act to a direct recipient designated under such
8 section.

9 (B) EXCEPTION.—Obligation authority
10 made available under subparagraph (A) shall—

11 (i) remain available for a period of 2
12 fiscal years; and

13 (ii) be in addition to the amount of
14 any limitation imposed on obligations for
15 Federal-aid highway and highway safety
16 construction programs for future fiscal
17 years.

18 (f) REDISTRIBUTION OF CERTAIN AUTHORIZED
19 FUNDS.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the date of distribution of obligation authority under
22 subsection (c) for each of fiscal years 2027 through
23 2031, the Secretary shall distribute to the States
24 any funds (excluding funds authorized for the pro-

1 gram under section 202 of title 23, United States
2 Code) that—

3 (A) are authorized to be appropriated for
4 the fiscal year for the Federal-aid highway pro-
5 grams; and

6 (B) the Secretary determines will not be
7 allocated to the States (or will not be appor-
8 tioned to the States under section 204 of title
9 23, United States Code), and will not be avail-
10 able for obligation, for the fiscal year because
11 of the imposition of any obligation limitation for
12 the fiscal year.

13 (2) **RATIO.**—Funds shall be distributed under
14 paragraph (1) in the same proportion as the dis-
15 tribution of obligation authority under subsection
16 (c)(5).

17 (3) **AVAILABILITY.**—Funds distributed to each
18 State under paragraph (1) shall be available for any
19 purpose described in section 133(b) of title 23,
20 United States Code.

21 **SEC. 1103. DEFINITIONS.**

22 Section 101(a) of title 23, United States Code, is
23 amended—

24 (1) in paragraph (18) by striking “and traffic
25 control centers” and inserting “, traffic control cen-

1 ters, and backup power systems for traffic control
2 devices and systems”;

3 (2) by redesignating paragraphs (6) through
4 (36) as paragraphs (7) through (37), respectively;
5 and

6 (3) by inserting after paragraph (5) the fol-
7 lowing:

8 “(6) **DIGITAL INFRASTRUCTURE.**—The term
9 ‘digital infrastructure’ means public and private
10 technology assets, including advanced digital con-
11 struction management systems and related tech-
12 nology, that create, exchange, secure, or use data,
13 including communications systems, servers, routers,
14 hardware, sensors, and software applications.”.

15 **SEC. 1104. APPORTIONMENT.**

16 Section 104 of title 23, United States Code, is
17 amended—

18 (1) in subsection (a)(1) by striking subpara-
19 graphs (A) through (E) and inserting the following:

20 “(A) \$478,000,000 for fiscal year 2027;

21 “(B) \$487,500,000 for fiscal year 2028;

22 “(C) \$497,500,000 for fiscal year 2029;

23 “(D) \$508,000,000 for fiscal year 2030;

24 and

25 “(E) \$519,000,000 for fiscal year 2031.”;

1 (2) in subsection (b)—

2 (A) in the matter preceding paragraph
3 (1)—

4 (i) by inserting “and high priority cor-
5 ridor” after “national highway freight”;
6 and

7 (ii) by striking “the carbon reduction
8 program under section 175, to carry out
9 subsection (c) of the PROTECT program
10 under section 176,”;

11 (B) in paragraph (1) by striking
12 “59.0771195921461 percent” and inserting
13 “62 percent”;

14 (C) in paragraph (2) by striking
15 “28.7402203421251 percent” and inserting
16 “31 percent”;

17 (D) in paragraph (3) by striking
18 “6.70605141316253 percent” and inserting “7
19 percent”;

20 (E) in paragraph (4)—

21 (i) in subparagraph (B) by striking
22 “shall be” and all that follows through
23 “for fiscal year 2026.” and inserting “shall
24 be—

1 “(i) \$2,890,000,000 for fiscal year
2 2027;

3 “(ii) \$2,920,000,000 for fiscal year
4 2028;

5 “(iii) \$3,010,000,000 for fiscal year
6 2029;

7 “(iv) \$3,070,000,000 for fiscal year
8 2030; and

9 “(v) \$3,130,000,000 for fiscal year
10 2031.”; and

11 (ii) in subparagraph (C) by striking
12 “fiscal year 2020” and inserting “fiscal
13 year 2026” each place it appears;

14 (F) in paragraph (5)—

15 (i) in the paragraph heading by in-
16 serting “AND HIGH PRIORITY CORRIDOR”
17 after “NATIONAL HIGHWAY FREIGHT”;

18 (ii) by inserting “and high priority
19 corridor” after “national highway freight”
20 each place it appears; and

21 (iii) in subparagraph (B) by striking
22 clauses (i) through (v) and inserting the
23 following:

24 “(i) \$1,550,000,000 for fiscal year
25 2027;

1 “(ii) \$1,600,000,000 for fiscal year
2 2028;

3 “(iii) \$1,650,000,000 for fiscal year
4 2029;

5 “(iv) \$1,700,000,000 for fiscal year
6 2030; and

7 “(v) \$1,750,000,000 for fiscal year
8 2031.”;

9 (G) in paragraph (6)—

10 (i) in subparagraph (B) by striking
11 clauses (i) through (v) and inserting the
12 following:

13 “(i) \$520,000,000 for fiscal year
14 2027;

15 “(ii) \$540,000,000 for fiscal year
16 2028;

17 “(iii) \$560,000,000 for fiscal year
18 2029;

19 “(iv) \$580,000,000 for fiscal year
20 2030; and

21 “(v) \$600,000,000 for fiscal year
22 2031.”; and

23 (ii) in subparagraph (C) by striking
24 “fiscal year 2020” and inserting “fiscal
25 year 2026” each place it appears; and

1 (H) by striking paragraphs (7) and (8);

2 (3) in subsection (c)—

3 (A) in paragraph (1)—

4 (i) in the matter preceding subpara-
5 graph (A) by striking “fiscal year 2022”
6 and inserting “fiscal year 2027”;

7 (ii) in subparagraph (A)(ii)(I) by
8 striking “fiscal year 2021” and inserting
9 “fiscal year 2026”; and

10 (iii) in subparagraph (B) by striking
11 “that is” and all that follows through “the
12 previous fiscal year.” and inserting “that
13 is equal to at least 95 percent of the esti-
14 mated tax payments attributable to high-
15 way users in the State paid into the High-
16 way Trust Fund (other than the Mass
17 Transit Account) in the most recent fiscal
18 year for which data is available.”; and

19 (B) in paragraph (2)—

20 (i) by striking “fiscal year 2022” and
21 inserting “fiscal year 2027”;

22 (ii) by inserting “and high priority
23 corridor” after “national highway freight”;
24 and

1 (iii) by striking “the carbon reduction
2 program under section 175, to carry out
3 subsection (c) of the PROTECT program
4 under section 176,”; and

5 (4) in subsection (h)—

6 (A) by inserting “and high priority cor-
7 ridor” after “national highway freight”; and

8 (B) by striking “the carbon reduction pro-
9 gram under section 175, to carry out subsection
10 (c) of the PROTECT program under section
11 176,”.

12 **SEC. 1105. NATIONALLY SIGNIFICANT MULTIMODAL**
13 **FREIGHT AND HIGHWAY PROJECTS.**

14 Section 117 of title 23, United States Code, is
15 amended—

16 (1) in subsection (c)(1)(B) by striking
17 “200,000” and inserting “50,000”;

18 (2) in subsection (d)(1)(A)—

19 (A) in clause (ii) by striking “including”
20 and all that follows through “national scenic
21 area;” and inserting “including a project to add
22 capacity to the Interstate System to improve
23 mobility;”;

24 (B) by striking clause (v); and

1 (C) by redesignating clauses (vi) through
2 (viii) as clauses (v) through (vii), respectively;
3 (3) in subsection (e)—

4 (A) in paragraph (1) by striking “15 per-
5 cent” and inserting “10 percent”; and

6 (B) in paragraph (2) by striking
7 “\$5,000,000” and inserting “\$10,000,000”;

8 (4) in subsection (f)(2) by striking “for the pur-
9 pose of improving habitat for aquatic species” and
10 inserting “that is eligible under section 176(d) of
11 title 23”;

12 (5) in subsection (n)—

13 (A) by striking “NOTIFICATION.— (1) IN
14 GENERAL.—Not later than 60 days” and insert-
15 ing “NOTIFICATION.—Not later than 3 days”;

16 (B) by striking paragraph (2); and

17 (C) by redesignating subparagraphs (A)
18 and (B) as paragraphs (1) and (2), respectively;
19 (6) in subsection (p) by striking paragraph (3);
20 (7) in subsection (q)—

21 (A) in paragraph (3)(A) by inserting “and
22 except as provided in paragraph (7)” after
23 “other provision of law”;

1 (B) in paragraph (4)(A) by striking
2 “\$150,000,000” and inserting “10 percent of
3 such amounts”; and

4 (C) by adding at the end the following:

5 “(7) LIMITED WAIVER AUTHORITY FOR
6 PREAPPROVAL RISK.—

7 “(A) AUTHORITY.—The Secretary may in-
8 crease the Federal share for a project receiving
9 a grant under this subsection to not more than
10 100 percent, solely with respect to eligible costs
11 described in subparagraph (C), if the Sec-
12 retary—

13 “(i) finds that the project that in-
14 cludes construction activities has not re-
15 ceived—

16 “(I) a final Federal environ-
17 mental decision under the National
18 Environmental Policy Act of 1969 (42
19 U.S.C. 4321 et seq.); or

20 “(II) a Federal, State, or local
21 permit necessary to commence con-
22 struction; and

23 “(ii) determines that requiring the
24 non-Federal share prior to such decision or
25 permit would materially increase the risk

1 of unreasonable project delay or project
2 nondelivery.

3 “(B) LIMITATIONS.—The Secretary may
4 exercise the authority under subparagraph
5 (A)—

6 “(i) for not more than 5 projects in a
7 fiscal year; and

8 “(ii) only to the extent that the aggre-
9 gate amount of Federal participation ap-
10 plied pursuant to subparagraph (A) for the
11 eligible costs described in subparagraph
12 (C) does not exceed \$30,000,000 for a
13 project.

14 “(C) ELIGIBLE COSTS.—The authority
15 under this paragraph may be applied only to
16 nonconstruction costs the Secretary determines
17 are reasonably necessary to advance the project
18 to receipt of the approvals described in subpara-
19 graph (A)(i), including planning, preliminary
20 engineering, environmental review, and permit-
21 ting activities.

22 “(D) TOTAL AWARD.—Nothing in this
23 paragraph shall be construed to authorize the
24 Secretary to increase the total amount of a
25 grant awarded under this subsection.

1 “(E) NOTICE AND REPORT.—Not later
2 than 15 days prior to exercising authority
3 under this paragraph, the Secretary shall sub-
4 mit to the Committee on Transportation and
5 Infrastructure of the House of Representatives
6 and the Committee on Environment and Public
7 Works of the Senate a notification that includes
8 the basis for the determination under subpara-
9 graph (A).

10 “(F) OVERSIGHT AND RECOVERY.—

11 “(i) LIMITATION.—The Secretary may
12 exercise the authority under this para-
13 graph only if the Secretary determines that
14 the recipient has established appropriate
15 accounting, internal control, and record-
16 keeping procedures to ensure that amounts
17 made available under this paragraph are
18 used only for the eligible costs described in
19 subparagraph (C).

20 “(ii) REPAYMENT REQUIRED.—If the
21 Secretary determines that amounts made
22 available under this paragraph were ex-
23 pended for costs that are not eligible under
24 this paragraph, the Secretary shall require
25 repayment of such amounts and may take

1 such other action as the Secretary deter-
2 mines appropriate under the grant agree-
3 ment.

4 “(G) SUNSET.—This paragraph shall cease
5 to be effective on October 1, 2031.”; and
6 (8) by striking subsection (s).

7 **SEC. 1106. NATIONAL HIGHWAY PERFORMANCE PROGRAM.**

8 (a) IN GENERAL.—Section 119(e) of title 23, United
9 States Code, is amended—

10 (1) by striking paragraph (5) and inserting the
11 following:

12 “(5) REQUIREMENT FOR PLAN.—

13 “(A) IN GENERAL.—

14 “(i) DETERMINATION OF COMPLI-
15 ANCE.—Once every 2 years, the Secretary
16 shall make a determination as to whether
17 each State has developed and implemented
18 a State asset management plan consistent
19 with this section.

20 “(ii) FEDERAL SHARE FOR NON-
21 COMPLIANT STATE.—Notwithstanding sec-
22 tion 120, for any State the Secretary has
23 determined has not developed and imple-
24 mented such a plan, the Federal share
25 payable on account of any project or activ-

1 ity for which funds are obligated by the
2 State under this section shall be 65 per-
3 cent.

4 “(B) APPLICATION.—

5 “(i) COMPLIANT STATES.—A deter-
6 mination of compliance under subpara-
7 graph (A) shall apply until the next recer-
8 tification date under such subparagraph
9 and paragraph (6)(B).

10 “(ii) NONCOMPLIANT STATES.—A de-
11 termination of noncompliance under sub-
12 paragraph (A) shall apply during the pe-
13 riod beginning on the date of the deter-
14 mination and ending on the date on which
15 the Secretary determines that the State is
16 in compliance pursuant to subparagraph
17 (E)(i).

18 “(C) SUBMISSION.—

19 “(i) IN GENERAL.—A State shall sub-
20 mit to the Secretary information to sup-
21 port a determination under subparagraph
22 (A) in conjunction with a submission with
23 respect to recertification under paragraph
24 (6)(B).

1 “(ii) REQUIREMENTS.—For purposes
2 of subparagraph (A) and paragraph
3 (6)(B), a submission of a State shall—

4 “(I) be considered sufficient with
5 respect to the time period if the sub-
6 mission is for the most recent year;
7 and

8 “(II) for applicable years other
9 than the most recent year, include a
10 certification by the State that the
11 asset management undertaken in such
12 applicable years by the State meets
13 the requirements of this subsection.

14 “(D) OPPORTUNITY TO CURE.—

15 “(i) IN GENERAL.—If the Secretary
16 determines that a State is not in compli-
17 ance under subparagraph (A), the Sec-
18 retary shall provide to the State—

19 “(I) a written statement of the
20 specific actions the Secretary deter-
21 mines to be necessary for the State to
22 come into compliance with this sec-
23 tion; and

24 “(II) a period of not less than 90
25 days to cure the deficiencies, during

1 which all penalties and other legal im-
2 pacts of a determination of non-
3 compliance shall be stayed.

4 “(ii) EXTENSION.—The Secretary,
5 upon request of a State, may extend the
6 time period described in clause (i)(II), in-
7 cluding the stay of all penalties and other
8 legal impacts of a determination of non-
9 compliance.”; and

10 (2) in paragraph (6) by striking subparagraph
11 (C) and inserting the following:

12 “(C) OPPORTUNITY TO CURE.—

13 “(i) IN GENERAL.—If the Secretary
14 denies certification under subparagraph
15 (A), the Secretary shall provide the State
16 with—

17 “(I) not less than 90 days to
18 cure the deficiencies of the plan, dur-
19 ing which time period all penalties
20 and other legal impacts of a denial of
21 certification shall be stayed; and

22 “(II) a written statement of the
23 specific actions the Secretary deter-
24 mines to be necessary for the State to
25 cure the plan.

1 “(ii) EXTENSION.—The Secretary,
2 upon request of a State, may extend the
3 time period described in clause (i)(I), in-
4 cluding the stay of all penalties and other
5 legal impacts of a denial of certification.”.

6 (b) REGIONAL ADVANCE MITIGATION.—Section
7 119(g) of title 23, United States Code, is amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (A)(ii) by inserting
10 “and regional advance mitigation programs”
11 after “banks”;

12 (B) in subparagraph (B)—

13 (i) by inserting “and the establish-
14 ment of” after “contributions to”; and

15 (ii) by inserting “, plans, and pro-
16 grams” after “efforts”; and

17 (C) in subparagraph (C)—

18 (i) by inserting “and programs” after
19 “protection plans”; and

20 (ii) by inserting “and advance mitiga-
21 tion programs” after “restoration plans”;

22 (2) in paragraph (2) by striking “and plans”
23 and inserting “plans, and programs” each place it
24 appears; and

25 (3) in paragraph (3)(B)—

1 (A) by inserting “or State- or regionally-
2 sponsored advance mitigation program” after
3 “agency-sponsored mitigation bank”;

4 (B) by striking “funded” and inserting “el-
5 igible” each place it appears; and

6 (C) by inserting “or advance mitigation
7 program credits” after “credits” each place it
8 appears.

9 (c) REGULATIONS REQUIRED.—Not later than 1 year
10 after the date of enactment of this Act, the Secretary shall
11 revise any regulations necessary to carry out the amend-
12 ments made by subsection (a).

13 **SEC. 1107. FEDERAL SHARE.**

14 Section 120(c) of title 23, United States Code, is
15 amended—

16 (1) in paragraph (1) by striking “closure” and
17 inserting “closure or improvements”; and

18 (2) by adding at the end the following:

19 “(5) METROPOLITAN PLANNING.—Except as
20 otherwise provided under this title, the Federal
21 share payable for an activity carried out under sec-
22 tion 134 shall be 90 percent.”.

23 **SEC. 1108. BRIDGE PROGRAMS.**

24 (a) IN GENERAL.—Section 124 of title 23, United
25 States Code, is amended to read as follows:

1 **“§ 124. Grants for rebuilding America’s vital engi-**
2 **neering structures program**

3 “(a) STATE APPORTIONMENT MECHANISM.—

4 “(1) IN GENERAL.—The Secretary shall estab-
5 lish a program to provide grants to each State in ac-
6 cordance with the apportionment formula described
7 in paragraph (3) for the construction of new bridges
8 and to improve the safety, efficiency, reliability, ca-
9 pacity, and utility of bridges and other structures in
10 the United States.

11 “(2) ELIGIBLE PROJECTS.—

12 “(A) IN GENERAL.—Funds apportioned to
13 a State under this subsection may only be obli-
14 gated for projects to construct, replace, rehabili-
15 tate, preserve, protect, expand, or improve—

16 “(i) a bridge on a public road; or

17 “(ii) a culvert.

18 “(B) COSTS.—A grant provided for an eli-
19 gible project described in subparagraph (A)
20 may be used for—

21 “(i) development phase activities, in-
22 cluding planning, feasibility analysis, rev-
23 enue forecasting, environmental review,
24 preliminary engineering and design work,
25 and other preconstruction activities;

1 “(ii) construction, reconstruction, re-
2 habilitation, acquisition of real property
3 (including land related to the project and
4 improvements to the land), environmental
5 mitigation, construction contingencies, ac-
6 quisition of equipment, and operational im-
7 provements directly related to improving
8 system performance; and

9 “(iii) expenses relating to the protec-
10 tion of a bridge (including as described in
11 section 133(b)(10)).

12 “(C) BUNDLING OF BRIDGE PROJECTS.—
13 Projects bundled pursuant to section 144(j)
14 shall be considered eligible under subparagraph
15 (A).

16 “(3) APPORTIONMENT.—

17 “(A) IN GENERAL.—Amounts made avail-
18 able to carry out this subsection for a fiscal
19 year shall be apportioned among each State as
20 follows:

21 “(i) \$75,000,000 shall be apportioned
22 to each State.

23 “(ii) The remainder of amounts not
24 otherwise distributed under clause (i) shall

1 be apportioned among each State as fol-
2 lows:

3 “(I) 25 percent by the proportion
4 of the total bridge deck area in such
5 State that bears to the sum of total
6 bridge deck area in all States.

7 “(II) 25 percent by the propor-
8 tion of the total bridge deck area clas-
9 sified as in poor condition in such
10 State that bears to the sum of the
11 total bridge deck area classified in
12 poor condition in all States.

13 “(III) 25 percent by the propor-
14 tion of the total bridge deck area of
15 bridges on the National Highway Sys-
16 tem in such State that bears to the
17 sum of the total National Highway
18 System bridge deck area in all States.

19 “(IV) 25 percent by the propor-
20 tion of the total bridge deck area of
21 bridges on the National Highway Sys-
22 tem that is classified as in poor condi-
23 tion in such State that bears to the
24 sum of the total bridge deck area of
25 bridges on the National Highway Sys-

1 tem that is classified as in poor condi-
2 tion in all States.

3 “(B) MINIMUM APPORTIONMENT.—Not-
4 withstanding subparagraph (A), the Secretary
5 shall adjust the amounts apportioned to each
6 State to ensure that each State receives an
7 amount equal to at least the amount such State
8 received in fiscal year 2026 under paragraph
9 (1) under the heading ‘Highway Infrastructure
10 Programs’ in title VIII of division J of the In-
11 frastructure Investment and Jobs Act (135
12 Stat. 1420), commonly referred to as the
13 ‘Bridge Formula Program’.

14 “(C) SET ASIDE FOR OFF-SYSTEM
15 BRIDGES.—

16 “(i) IN GENERAL.—Except as pro-
17 vided under clause (ii), of the amounts ap-
18 portioned to a State under this paragraph
19 for each fiscal year, the State shall ensure
20 that not less than 20 percent of such
21 amounts are used for purposes relating to
22 off-system bridges (as defined in section
23 133(f)(1)).

24 “(ii) EXCEPTION.—The Secretary, in
25 consultation with relevant State and local

1 officials, may reduce the set aside require-
2 ment for a State under clause (i) if the
3 Secretary determines that the State has an
4 insufficient number of projects relating to
5 off-system bridges.

6 “(iii) LOCAL CONSULTATION.—In de-
7 termining the off-system bridges for which
8 amounts shall be set aside under this sub-
9 paragraph shall be used, each State shall
10 consult with, as applicable, relevant metro-
11 politan planning organizations, regional
12 transportation planning organizations, and
13 other non-State owners of off-system
14 bridges.

15 “(iv) INCLUSION OF LOCALLY-OWNED
16 BRIDGES.—Amounts set aside under sub-
17 paragraph (D) that are used for purposes
18 relating to locally-owned bridges that are
19 off-system bridges shall count towards the
20 amount required to be used for off-system
21 bridges by a State under clause (i).

22 “(D) SET ASIDE FOR LOCALLY-OWNED
23 BRIDGES.—

24 “(i) IN GENERAL.—Except as pro-
25 vided under clause (ii), of the amounts ap-

1 portioned to a State under this paragraph
2 for each fiscal year, the State shall set
3 aside not less than 25 percent to fund a
4 competitive process for locally-owned
5 bridges as described in clause (iv) of this
6 subparagraph.

7 “(ii) EXCEPTION.—The Secretary, in
8 consultation with relevant State and local
9 officials, may reduce the set aside require-
10 ment for a State under clause (i) only if
11 the Secretary determines that the State
12 has an insufficient number of projects re-
13 lating to locally-owned bridges.

14 “(iii) COMPETITIVE PROCESS.—A
15 State required to obligate funds in accord-
16 ance with this subparagraph shall conduct
17 a competitive process to select projects for
18 funding.

19 “(iv) LOCALLY-OWNED BRIDGE DE-
20 FINED.—In this subsection, the term ‘lo-
21 cally-owned bridge’ means a bridge owned
22 by a county, town, township, city, munici-
23 pality, or other local entity.

24 “(E) LIMITATION.—

1 “(i) IN GENERAL.—Except as pro-
2 vided in clause (ii), of the amounts appor-
3 tioned to a State under this paragraph for
4 each fiscal year, the State may use not
5 more than 5 percent of such amounts for
6 projects that consist solely of culvert re-
7 placement or rehabilitation.

8 “(ii) EXCEPTION.—The limitation
9 under clause (i) shall not apply if a State
10 is required by an injunction issued by a
11 Federal court to modify or replace culverts.

12 “(F) NATIONAL BRIDGE INVENTORY.—For
13 purposes of determining the amount appor-
14 tioned to each State pursuant to subparagraph
15 (A), the Secretary shall calculate such formula
16 using the most recently available data from the
17 national bridge inventory established under sec-
18 tion 144(b).

19 “(G) NON-APPLICABILITY.—Section
20 165(b)(3) shall not apply to amounts appor-
21 tioned under this subsection.

22 “(4) COST SHARE.—The Federal share of the
23 cost of a project carried out under this subsection
24 shall be determined in accordance with section 120,
25 except that, in the case of such a project for an off-

1 system bridge that is a locally-owned bridge or is
2 owned by a federally-recognized Tribe, the Federal
3 share shall be 95 percent.

4 “(5) TRANSFERS.—A State may only transfer
5 amounts apportioned under this subsection if the
6 Secretary determines that the State has an insuffi-
7 cient number of eligible projects for which such
8 amounts may be used.

9 “(6) TREATMENT OF PROJECTS.—Notwith-
10 standing any other provision of law, a project car-
11 ried out with amounts apportioned under this sub-
12 section shall be treated as a project on a Federal-
13 aid highway under this chapter.

14 “(7) SET ASIDE FOR TRIBAL TRANSPORTATION
15 FACILITY BRIDGES.—Of the amounts made available
16 to carry out this subsection, the Secretary shall set
17 aside 3 percent to carry out section 202(d).

18 “(8) SET-ASIDE FOR CULVERTS.—Of amounts
19 made available to carry out this subsection,
20 \$200,000,000 for each fiscal year through fiscal year
21 2031 shall be available to the Secretary, through the
22 Administrator of the Federal Highway Administra-
23 tion, to make competitive grants under section 6703
24 of title 49.

25 “(9) REPORTS.—

1 “(A) REPORTS TO SECRETARY.—

2 “(i) IN GENERAL.—Each State that
3 receives a grant under this section shall
4 submit to the Secretary, on an annual
5 basis, a report describing—

6 “(I) progress made in completing
7 projects with funds apportioned under
8 this subsection; and

9 “(II) the effectiveness of such
10 projects in reducing the number of
11 bridges in poor condition and that re-
12 quire posted weight restrictions.

13 “(ii) PUBLICATION.—The Secretary
14 shall publish each report submitted under
15 clause (i) on a publicly available website of
16 the Secretary.

17 “(B) REPORT TO CONGRESS.—The Sec-
18 retary shall submit to the Committee on Trans-
19 portation and Infrastructure of the House of
20 Representatives and the Committee on Environ-
21 ment and Public Works of the Senate, and
22 make publicly available, an annual report de-
23 scribing—

24 “(i) projects carried out under this
25 subsection;

1 “(ii) national trends regarding the
2 condition of bridges, including the effec-
3 tiveness of such projects in reducing the
4 number of bridges in poor condition and
5 that require posted weight restrictions; and

6 “(iii) policy recommendations to im-
7 prove the effectiveness of the State appor-
8 tionment mechanism established under this
9 subsection.

10 “(b) BRIDGE COMPLETION PROGRAM.—

11 “(1) IN GENERAL.—The Secretary shall estab-
12 lish a program for the purpose of awarding grants,
13 on a competitive basis, to eligible entities to improve
14 the safety, efficiency, reliability, capacity, and utility
15 of bridges in the United States.

16 “(2) ELIGIBLE PROJECTS.—

17 “(A) IN GENERAL.—A grant provided
18 under this subsection may only be used for
19 projects to construct, replace, rehabilitate, pre-
20 serve, protect, expand, or improve a bridge on
21 the National Highway System.

22 “(B) INCLUSION.—In this subsection, the
23 term ‘eligible project’ includes—

24 “(i) a bundle of projects described in
25 subparagraph (A), regardless of whether

1 the bundle of projects meets the require-
2 ments of section 144(j)(5); and

3 “(ii) a project to replace or rehabili-
4 tate culverts that is eligible under section
5 176(d).

6 “(C) COSTS.—A grant provided for a
7 project described in subparagraph (A) may be
8 used for—

9 “(i) development phase activities, in-
10 cluding planning, feasibility analysis, rev-
11 enue forecasting, environmental review,
12 preliminary engineering and design work,
13 and other preconstruction activities;

14 “(ii) construction, reconstruction, re-
15 habilitation, acquisition of real property
16 (including land related to the project and
17 improvements to the land), environmental
18 mitigation, construction contingencies, ac-
19 quisition of equipment, and operational im-
20 provements directly related to improving
21 system performance; and

22 “(iii) expenses related to the protec-
23 tion of a bridge as described in section
24 133(b)(10).

1 “(3) GRANT AMOUNTS.—A grant provided
2 under this subsection shall be—

3 “(A) in an amount that is sufficient (in
4 combination with other financial resources identified in the application for such grant) to fully
5 fund the project for which the grant is awarded;
6 and
7

8 “(B) not less than \$50,000,000.

9 “(4) COST SHARE.—

10 “(A) FEDERAL SHARE.—The amount of
11 assistance provided by the Secretary under this
12 subsection for a project shall not exceed 50 per-
13 cent of the total cost of the project.

14 “(B) OTHER FUNDS.—Federal assistance
15 other than a grant provided under this sub-
16 section may be used to satisfy the non-Federal
17 share of the cost of a project for which a grant
18 is provided under this subsection, except that
19 the total Federal assistance provided for such a
20 project may not exceed the applicable Federal
21 share for the project under section 120.

22 “(C) FEDERAL LAND MANAGEMENT AGEN-
23 CIES AND TRIBAL GOVERNMENTS.—Notwith-
24 standing any other provision of law, Federal as-
25 sistance other than a grant provided under this

1 subsection may be used to pay the remaining
2 share of the cost of a project carried out with
3 a grant provided under this subsection by a
4 Federal land management agency or a Tribal
5 government or consortium of Tribal govern-
6 ments.

7 “(5) COMPETITIVE PROCESS AND EVALUA-
8 TION.—

9 “(A) APPLICATIONS.—To be eligible for a
10 grant under this subsection, an eligible entity
11 shall submit to the Secretary an application at
12 such time, in such manner, and containing such
13 information as the Secretary may require, in-
14 cluding all necessary information required for
15 the Secretary to—

16 “(i) determine that the project meets
17 and will continue to meet the applicable re-
18 quirements under this subsection; and

19 “(ii) otherwise evaluate the project,
20 including using the criteria described in
21 subparagraph (B).

22 “(B) CONSIDERATIONS.—In selecting
23 projects for which to provide a grant under this
24 subsection, the Secretary shall consider the fol-
25 lowing:

1 “(i) The average daily person and
2 freight throughput expected to be sup-
3 ported by the project.

4 “(ii) The expected safety benefits of
5 the project.

6 “(iii) The expected national or re-
7 gional economic benefits of the project.

8 “(iv) In the case of a project that is
9 bundled with related projects, the extent to
10 which the project will demonstrate cost
11 savings.

12 “(v) In the case of a project proposed
13 to be carried out by a Federal land man-
14 agement agency, the extent to which the
15 grant would reduce a Federal liability or
16 Federal infrastructure maintenance back-
17 log.

18 “(vi) Geographic diversity among
19 grant recipients, including the need to bal-
20 ance between the needs of rural and urban
21 communities.

22 “(vii) The extent to which the project
23 is for a bridge in poor condition or at risk
24 of falling into poor condition.

1 “(viii) The extent to which the project
2 is for a bridge that does not meet the most
3 up-to-date geometric design standards
4 based on the type and use of the bridge.

5 “(ix) The extent to which the project
6 is for a bridge that does not meet the most
7 up-to-date seismic design standards or in-
8 corporate adequate impact protection
9 measures.

10 “(6) TIFIA PROGRAM.—On the request of an
11 eligible entity carrying out a project with a grant
12 provided under this subsection, the Secretary may
13 use amounts awarded to the entity to pay subsidy
14 and administrative costs necessary to provide to the
15 entity Federal credit assistance under chapter 6 with
16 respect to the project for which the grant was
17 awarded.

18 “(7) MULTIYEAR AGREEMENTS.—

19 “(A) IN GENERAL.—A project carried out
20 with a grant provided under this subsection
21 may be carried out through a multiyear grant
22 agreement in accordance with this paragraph.

23 “(B) REQUIREMENTS.—A multiyear grant
24 agreement for a project described in subpara-
25 graph (A) shall—

1 “(i) establish the terms of participa-
2 tion by the Federal Government in the
3 project;

4 “(ii) establish the maximum amount
5 of Federal financial assistance for the
6 project in accordance with paragraph (4);

7 “(iii) establish a payout schedule for
8 the project that provides for disbursement
9 of the full grant amount by not later than
10 4 fiscal years after the fiscal year in which
11 the initial amount is provided;

12 “(iv) determine the period of time for
13 completing the project, even if the period
14 extends beyond the period of an authoriza-
15 tion; and

16 “(v) attempt to improve timely and ef-
17 ficient management of the project, con-
18 sistent with all applicable Federal laws (in-
19 cluding regulations).

20 “(C) SPECIAL FINANCIAL RULES.—

21 “(i) IN GENERAL.—A multiyear grant
22 agreement under this paragraph—

23 “(I) shall obligate an amount of
24 available budget authority specified in
25 law; and

1 “(II) may include a commitment,
2 contingent on an amount to be speci-
3 fied in law in advance for commit-
4 ments under this paragraph, to obli-
5 gate an additional amount from fu-
6 ture available budget authority speci-
7 fied in law.

8 “(ii) STATEMENT OF CONTINGENT
9 COMMITMENT.—The agreement shall state
10 that the contingent commitment is not an
11 obligation of the Federal Government.

12 “(iii) INTERESTS AND OTHER FINANC-
13 ING COSTS.—

14 “(I) IN GENERAL.—Interest and
15 other financing costs of carrying out a
16 part of the project within a reasonable
17 time shall be considered a cost of car-
18 rying out the project under a
19 multiyear grant agreement, except
20 that the eligible costs may not be
21 more than the cost of the most favor-
22 able financing terms reasonably avail-
23 able for the project at the time of bor-
24 rowing.

1 “(II) CERTIFICATION.—The ap-
2 plicant shall certify to the Secretary
3 that the applicant has shown reason-
4 able diligence in seeking the most fa-
5 vorable financing terms.

6 “(iv) ADVANCE PAYMENT.—Notwith-
7 standing any other provision of law, an eli-
8 gible entity carrying out a project under a
9 multiyear grant agreement—

10 “(I) may use funds made avail-
11 able to the entity under this title for
12 eligible project costs of the project
13 until the amount specified in the
14 multiyear grant agreement for the
15 project for that fiscal year becomes
16 available for obligation; and

17 “(II) if the eligible entity uses
18 funds described in subclause (I), the
19 funds used shall be reimbursed from
20 the amount made available under the
21 multiyear grant agreement for the
22 project.

23 “(8) UNDERTAKING PARTS OF PROJECTS IN
24 ADVANCE UNDER LETTERS OF NO PREJUDICE.—

1 “(A) IN GENERAL.—The Secretary may
2 pay to an eligible entity all eligible project costs
3 described in paragraph (2)(B), including costs
4 for an activity for a project incurred prior to
5 the date on which the project receives funding
6 under this subsection if—

7 “(i) before the eligible entity carries
8 out the activity, the Secretary approves
9 through a letter to the applicant the activ-
10 ity in the same manner as the Secretary
11 approves other activities as eligible under
12 this subsection;

13 “(ii) a record of decision, a finding of
14 no significant impact, or a categorical ex-
15 clusion under the National Environmental
16 Policy Act of 1969 (42 U.S.C. 4321 et
17 seq.) has been issued for the project; and

18 “(iii) the activity is initially carried
19 out without Federal assistance and in ac-
20 cordance with all applicable procedures and
21 requirements.

22 “(B) INTERESTS AND OTHER FINANCING
23 COSTS.—

24 “(i) IN GENERAL.—For the purposes
25 of subparagraph (A), the cost of carrying

1 out an activity for a project under this
2 subsection includes the amount of interest
3 and other financing costs, including any in-
4 terest earned and payable on bonds, to the
5 extent the interest and other financing
6 costs are expended in carrying out the ac-
7 tivity for the project, except that interest
8 and other financing costs may not be more
9 than the cost of the most favorable financ-
10 ing terms reasonably available for the
11 project at the time of borrowing.

12 “(ii) CERTIFICATION.—The applicant
13 shall certify to the Secretary that the ap-
14 plicant has shown reasonable diligence in
15 seeking the most favorable financing terms
16 under clause (i).

17 “(C) NO OBLIGATION.—An approval by
18 the Secretary under subparagraph (A)(i) shall
19 not constitute an obligation of the Federal Gov-
20 ernment.

21 “(9) DIVESTITURE CONSIDERATION FOR FED-
22 ERALLY-OWNED BRIDGES.—In the case of a bridge
23 owned by a Federal land management agency for
24 which the agency applies for a grant under this sub-
25 section, the agency—

1 “(A) shall consider options to divest the
2 bridge to a State or local entity after comple-
3 tion of the project; and

4 “(B) may apply jointly with the State or
5 local entity to which the bridge may be divested.

6 “(10) TREATMENT OF PROJECTS.—Notwith-
7 standing any other provision of law, a project as-
8 sisted under this subsection shall be treated as a
9 project on a Federal-aid highway under this chapter.

10 “(11) CONGRESSIONAL NOTIFICATION.—Not
11 later than 3 days before providing a grant for a
12 project under this subsection, the Secretary shall
13 submit to the Committee on Transportation and In-
14 frastructure of the House of Representatives and the
15 Committee on Environment and Public Works of the
16 Senate a written notification of such grant.

17 “(12) ELIGIBLE ENTITY DEFINED.—In this
18 subsection, the term ‘eligible entity’ means any of
19 the following:

20 “(A) A State or a group of States.

21 “(B) A metropolitan planning organization
22 that serves an urbanized area (as designated by
23 the Bureau of Census) with a population over
24 200,000.

1 “(C) A unit of local government or group
2 of local governments.

3 “(D) A political subdivision of a State or
4 local government.

5 “(E) A special purpose district or public
6 authority with a transportation function.

7 “(F) A Federal land management agency.

8 “(G) A Tribal government or a consortium
9 of Tribal governments.

10 “(H) A multistate or multijurisdictional
11 group of entities described in subparagraphs
12 (A) through (G).”.

13 (b) CLERICAL AMENDMENT.—The analysis for chap-
14 ter 1 of title 23, United States Code, is amended by strik-
15 ing the item relating to section 124 and inserting the fol-
16 lowing:

“124. Grants for rebuilding America’s vital engineering structures program.”.

17 **SEC. 1109. EMERGENCY RELIEF.**

18 (a) IN GENERAL.—Section 125 of title 23, United
19 States Code, is amended—

20 (1) in subsection (d)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (A)(ii) by insert-
23 ing “or is a protective feature described in
24 paragraph (3)(B)” after “natural disas-
25 ters”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(C) IMPROVEMENT.—An improvement
4 that is part of a project under this section shall
5 be considered economically justifiable by the
6 Secretary if a State transportation department
7 includes, with an application submitted under
8 this section, a supporting narrative explanation
9 demonstrating that the anticipated benefits of
10 the improvement will exceed the costs.”;

11 (B) in paragraph (3)(A) by striking “that
12 will mitigate the risk of recurring damage or
13 the cost of future repair from extreme weather,
14 flooding, and other natural disasters” and in-
15 serting “described in subparagraph (B)”;

16 (C) by adding at the end the following:

17 “(6) EXCEPTION TO APPLICATION DEADLINE.—
18 Notwithstanding paragraph (1)(B), the Secretary
19 may accept an application from a State transpor-
20 tation department after the 2-year deadline de-
21 scribed in such paragraph if the Secretary finds that
22 such application was delayed due to the lack of nec-
23 essary permits or approvals relating to the repair or
24 reconstruction of highways on Federal-aid high-
25 ways.”; and

1 (2) by adding at the end the following:

2 “(h) DEADLINE FOR CONSTRUCTION OBLIGATION.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of law, the Secretary may not require any
5 project funded under this section to advance to the
6 construction obligation stage before the date that is
7 the last day of the fourth fiscal year after the later
8 of—

9 “(A) the date on which the Governor of the
10 State declared the emergency, as described in
11 subsection (d)(1)(A); or

12 “(B) the date on which the President de-
13 clared a major disaster, as described in sub-
14 section (d)(1)(A).

15 “(2) EXTENSION OF DEADLINE.—The Sec-
16 retary may extend the deadline under paragraph (1)
17 for not more than 1 year, and may issue additional
18 extensions for a period of not more than 1 year after
19 the expiration of any extension, if the Secretary de-
20 termines the Governor of the State has provided
21 suitable justification to warrant such an extension.

22 “(3) REQUIREMENT.—Notwithstanding para-
23 graph (2), the Secretary shall extend the deadline
24 under paragraph (1) for not more than 1 year, and
25 shall issue additional extensions for a period of not

1 more than 1 year after the expiration of any exten-
2 sion, if the Secretary finds that a project under this
3 section has been delayed due to the lack of necessary
4 permits or approvals relating to the repair or recon-
5 structing of highways on Federal-aid highways.”.

6 (b) UPDATES TO EMERGENCY RELIEF MANUAL.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of enactment of this Act, the Secretary
9 shall revise the emergency relief manual of the Fed-
10 eral Highway Administration to—

11 (A) reflect amendments made by sub-
12 section (a); and

13 (B) to include objective reimbursement
14 thresholds and measurement procedures for de-
15 bris removal and signal repairs.

16 (2) TRAINING FOR STATES.—The Secretary,
17 acting through the Administrator of the Federal
18 Highway Administration, shall provide to State de-
19 partments of transportation training relating to revi-
20 sions made to the emergency relief manual pursuant
21 to paragraph (1).

22 (3) FUTURE UPDATES TO EMERGENCY RELIEF
23 MANUAL.—After completing the revisions required
24 under paragraph (1), the Secretary shall update the
25 emergency relief manual of the Federal Highway

1 Administration not less frequently than once every 3
2 years.

3 **SEC. 1110. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.**

4 Section 129 of title 23, United States Code, is
5 amended—

6 (1) in subsection (a)—

7 (A) in paragraph (9)(A) by striking “that
8 serves the public” and inserting “in scheduled
9 or charter service”; and

10 (B) in paragraph (11) by adding at the
11 end the following:

12 “(F) CHARTER SERVICE.—The term ‘char-
13 ter service’ has the meaning given the term in
14 section 604.3 of title 49, Code of Federal Regu-
15 lations.”; and

16 (2) by striking subsection (d) and inserting the
17 following:

18 “(d) EXCEPTION.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of this title, or any regulation thereunder,
21 Presidio County, Texas, may impose and collect tolls
22 on the Presidio-Ojinaga International Bridge or for
23 the use thereof, provided that Presidio County ob-
24 tains the ownership interest of the State of Texas
25 before imposing and collecting such tolls.

1 “(2) USE OF REVENUES.—Presidio County,
2 Texas, shall use any revenues received under the au-
3 thority of this subsection for preventative and rou-
4 tine maintenance of roadways located in such Coun-
5 ty and related costs.”.

6 **SEC. 1111. RAILWAY-HIGHWAY GRADE CROSSINGS.**

7 (a) IN GENERAL.—Section 130 of title 23, United
8 States Code, is amended—

9 (1) in subsection (a) by striking “elimination of
10 hazards of railway-highway crossings” and inserting
11 “reduction or elimination of hazards of railway-high-
12 way crossings, including installing protective devices
13 such as quad gates,”;

14 (2) in subsection (e)(1)(A) by striking “2022
15 through 2026” and inserting “2027 through 2031”;

16 (3) in subsection (i)(3)(B) by inserting “(as ad-
17 justed annually by the Secretary beginning in fiscal
18 year 2027 to reflect any increases in the Consumer
19 Price Index prepared by the Department of Labor)”
20 after “\$100,000”; and

21 (4) in subsection (k) by striking “8” and insert-
22 ing “4”.

23 (b) GUIDANCE.—Not later than 1 year after the date
24 of enactment of this Act, the Secretary, acting through
25 the Administrator of the Federal Highway Administration,

1 shall issue guidance describing the types of projects under
2 section 130(e)(1)(B) of title 23, United States Code, for
3 which a State may use funds set aside under section
4 130(e)(1)(A) of such title.

5 **SEC. 1112. SURFACE TRANSPORTATION BLOCK GRANT PRO-**
6 **GRAM.**

7 (a) IN GENERAL.—Section 133 of title 23, United
8 States Code, is amended—

9 (1) by striking “low water crossing” and insert-
10 ing “low-water crossing” each place it appears;

11 (2) in subsection (b)—

12 (A) in paragraph (1)—

13 (i) in subparagraph (E) by striking
14 “section 1401 of MAP–21 (23 U.S.C. 137
15 note)” and inserting “section 180”;

16 (ii) in subparagraph (F) by striking
17 “and” at the end;

18 (iii) in subparagraph (G) by striking
19 the period and inserting “; and”; and

20 (iv) by adding at the end the fol-
21 lowing:

22 “(H) infrastructure to improve the ability
23 of an existing surface transportation asset to—

24 “(i) withstand 1 or more elements of
25 a weather event or natural disaster; or

1 “(ii) increase the resilience of surface
2 transportation infrastructure from the im-
3 pacts of natural disasters.”;

4 (B) in paragraph (7) by striking “,” and
5 inserting a comma;

6 (C) in paragraph (11) by inserting “and
7 rail” before “planning”;

8 (D) in paragraph (16) by inserting “, and
9 digital infrastructure” before the period at the
10 end;

11 (E) by redesignating paragraphs (5)
12 through (24) as paragraphs (4) through (23),
13 respectively; and

14 (F) by adding at the end the following:

15 “(24) Projects described in subsections (a), (d),
16 and (e) of section 176.

17 “(25) Planning, design, construction, and im-
18 provements associated with a passenger rail station
19 or equipment that serves a State-supported route (as
20 such term is defined in section 24102 of title 49).”;

21 (3) in subsection (c)—

22 (A) in paragraph (1) by striking “a new
23 bridge or”;

24 (B) in paragraph (2) by striking “para-
25 graphs (5) through (15) and paragraph (23) of

1 subsection (b)” and inserting “paragraphs (4)
2 through (14) and paragraph (22) of subsection
3 (b)”;

4 (C) in paragraph (5) by striking “by the
5 Secretary” and inserting “in subsection (f)(1)”;
6 (4) in subsection (d)—

7 (A) in paragraph (1)(A) by striking “2022
8 through 2026” and inserting “2027 through
9 2031”; and

10 (B) in paragraph (3)(A)(ii) by striking
11 “2022 through 2026” and inserting “2027
12 through 2031”;

13 (5) in subsection (e)(1) by striking “2022
14 through 2026” and inserting “2027 through 2031”;
15 (6) in subsection (f)—

16 (A) by striking paragraph (1) and insert-
17 ing the following:

18 “(1) DEFINITIONS.—In this subsection:

19 “(A) LOW-WATER CROSSING.—The term
20 ‘low-water crossing’ means a waterway crossing
21 for a public road (other than a bridge) that has
22 been improved to be—

23 “(i) passable by vehicles during peri-
24 ods of ordinary stream flow; and

1 “(ii) impassable by vehicles during pe-
2 riods of high stream flow.

3 “(B) OFF-SYSTEM BRIDGE.—The term
4 ‘off-system bridge’ means a bridge or low water
5 crossing that—

6 “(i) is located on a public road that is
7 not a Federal-aid highway; and

8 “(ii) is greater than 6 feet in length.”;
9 (B) in paragraph (2)—

10 (i) by striking “and (10) of subsection
11 (b)” and inserting “and (9) of subsection
12 (b)”;

13 (ii) by striking “low water crossings
14 with” and inserting “low-water crossings
15 with”; and

16 (iii) by striking “subsection (b)(10)
17 for low water crossings (as defined by the
18 Secretary)” and inserting “subsection
19 (b)(9) for low-water crossings”; and

20 (C) in paragraph (3) by striking “(as de-
21 fined by the Secretary)”;

22 (7) in subsection (h)(7)—

23 (A) by redesignating subparagraph (C) as
24 subparagraph (E); and

1 (B) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) FLEXIBLE FINANCING.—Notwith-
4 standing section 120—

5 “(i) the non-Federal share for a
6 project under this subsection may be cal-
7 culated on a project, multiple-project, or
8 program basis; and

9 “(ii) the Federal share of the cost of
10 an individual project under this subsection
11 may be up to 100 percent.

12 “(C) TREATMENT AS NON-FEDERAL
13 SHARE.—Notwithstanding any other provision
14 of law, funds made available to carry out sec-
15 tion 148 may be credited toward the non-Fed-
16 eral share of the costs of a project under this
17 subsection if—

18 “(i) a project that is otherwise eligible
19 under this subsection includes a Proven
20 Safety Countermeasure for bicyclists or pe-
21 destrians, as determined by the Adminis-
22 trator of the Federal Highway Administra-
23 tion on the day before the date of enact-
24 ment of the BUILD America 250 Act; and

25 “(ii) the proposed project—

1 “(I) supports State highway safe-
2 ty objectives as determined by—

3 “(aa) the inclusion of an
4 emphasis area related to vulner-
5 able road users within a relevant
6 State strategic highway safety
7 plan; or

8 “(bb) a description of the
9 proposed project in a program of
10 projects or strategies developed
11 pursuant to section 148(l); or

12 “(II) is included in a data-driven
13 local roadway safety plan, including—

14 “(aa) a complete streets
15 prioritization plan described in
16 section 11206 of the Surface
17 Transportation Reauthorization
18 Act of 2021 (23 U.S.C. 134
19 note);

20 “(bb) a transition plan de-
21 scribed in section 35.150(d) of
22 title 28, Code of Federal Regula-
23 tions (or successor regulations)
24 (commonly known as an ‘ADA
25 Transition Plan’);

1 “(cc) a Tribal transportation
2 safety plan; or

3 “(dd) a comprehensive safe-
4 ty action plan (as defined in sec-
5 tion 155).”;

6 (8) in subsection (j)(2) by inserting “, a com-
7 munity in an urban area with a population of less
8 than 10,000,” after “rural community”;

9 (9) in subsection (k)(1)(B)(i) by striking
10 “14501” and inserting “section 14501”; and

11 (10) by adding at the end the following:

12 “(l) LIMITATION ON PLANNING REQUIREMENTS.—
13 Nothing in this section requires a metropolitan planning
14 organization or a State to develop a resilience improve-
15 ment plan or to include a resilience improvement plan in
16 a metropolitan transportation plan under section 134 or
17 a long-range statewide transportation plan under section
18 135, as applicable.

19 “(m) RAIL LIMITATION.—Not more than 5 percent
20 of the funds apportioned to a State under section
21 104(b)(2) may be used for a project described in sub-
22 section (b)(25) that was not eligible under this section on
23 the date prior to the date of enactment of the BUILD
24 America 250 Act.”.

1 (b) TRANSFERABILITY.—Section 126(b)(2)(B) of
2 title 23, United States Code, is amended—

3 (1) in clause (i) by striking the semicolon at the
4 end and inserting a period;

5 (2) by striking “Secretary” and all that follows
6 through “held” and inserting “State certifies to the
7 Secretary that the State held”; and

8 (3) by striking clauses (ii) and (iii).

9 (c) CONFORMING AMENDMENT.—Section 165(c)(7)
10 of title 23, United States Code, is amended by striking
11 “section 133(b)(13)” and inserting “section 133(b)(12)”.

12 **SEC. 1113. TRANSPORTATION PLANNING.**

13 (a) METROPOLITAN TRANSPORTATION PLANNING.—
14 Section 134 of title 23, United States Code, is amended—

15 (1) in subsection (b)—

16 (A) by redesignating paragraphs (5)
17 through (7) as paragraphs (6) through (8), re-
18 spectively; and

19 (B) by inserting after paragraph (4) the
20 following:

21 “(5) PRIMARY URBANIZED AREA.—The term
22 ‘primary urbanized area’ means an urbanized area
23 that—

1 “(A) has a population of at least
2 3,500,000 individuals, as determined by the
3 Bureau of Census; or

4 “(B) extends into more than 1 State and
5 has a population of at least 200,000, as deter-
6 mined by the Bureau of Census.”;

7 (2) in subsection (f)(1) by striking “metropoli-
8 tan area and” and inserting “metropolitan area, in-
9 cluding primary urbanized areas that extend into
10 more than 1 State in accordance with section 5308
11 of title 49, and”;

12 (3) in subsection (j)—

13 (A) in paragraph (1) by adding at the end
14 the following:

15 “(E) EXCEPTION.—Notwithstanding any
16 other provision of law, the amendment of an ap-
17 proved TIP to add a project or an identified
18 phase of a project shall not require public re-
19 view and comment if the added project or the
20 identified phase—

21 “(i) was in the approved TIP that im-
22 mediately preceded the current TIP; and

23 “(ii) is unchanged from the project or
24 the identified phase in the preceding
25 TIP.”; and

1 (B) in paragraph (5)(A) by striking “sub-
2 section (k)(4)” and inserting “subsection
3 (k)(5)”;

4 (4) in subsection (k)(4)—

5 (A) in subparagraph (A) by striking “IN
6 GENERAL.” and inserting “HOUSING COORDINA-
7 TION PROCESS.”;

8 (B) by striking subparagraph (B);

9 (C) in subparagraph (C)—

10 (i) by striking “PLAN” and all that
11 follows through “A metropolitan planning
12 organization” and inserting “PLAN.—A
13 metropolitan planning organization”; and

14 (ii) by striking clause (ii); and

15 (D) by redesignating subparagraph (C), as
16 amended, as subparagraph (B); and

17 (5) by adding at the end the following:

18 “(s) ADDITIONAL USES OF METROPOLITAN PLAN-
19 NING FUNDING.—In addition to carrying out the purposes
20 of this section, funds apportioned under section 104(b)(6)
21 of this title and section 5313(f) of title 49 to States and
22 metropolitan planning organizations may be used for—

23 “(1) fiscal administration of local projects;

24 “(2) preliminary design;

25 “(3) local technical assistance;

1 “(4) studies directly linked to transportation;
2 and
3 “(5) critical data procurement.”.

4 (b) STATEWIDE AND NONMETROPOLITAN TRANSPOR-
5 TATION PLANNING.—Section 135 of title 23, United
6 States Code, is amended—

7 (1) in subsection (e)(3) by striking the period
8 at the end and inserting “, including primary urban-
9 ized areas that extend to more than 1 State in ac-
10 cordance with section 5308 of title 49.”; and

11 (2) in subsection (g)—

12 (A) by redesignating paragraph (9) as
13 paragraph (10); and

14 (B) by inserting after paragraph (8) the
15 following:

16 “(9) EXCEPTION.—Notwithstanding any other
17 provision of law, the amendment of an approved
18 transportation improvement program to add a
19 project or an identified phase of a project shall not
20 require public review and comment if the added
21 project or the identified phase—

22 “(A) was in the approved transportation
23 improvement program that immediately pre-
24 ceded the current transportation improvement
25 program; and

1 “(B) is unchanged from the project or the
2 identified phase in the preceding transportation
3 improvement program.”.

4 (c) TRAVEL DEMAND DATA MODELING.—Section
5 11205(b) of the Surface Transportation Reauthorization
6 Act of 2021 (23 U.S.C. 134 note) is amended—

7 (1) in paragraph (1), in the matter preceding
8 subparagraph (A), by striking “Not later than 2
9 years after the date of enactment of this Act,” and
10 inserting “Not later than 1 year after the date of
11 enactment of BUILD America 250 Act,”;

12 (2) in paragraph (3) by striking “The Sec-
13 retary” and inserting “Not later than 1 year after
14 the date of enactment of BUILD America 250 Act,
15 the Secretary”; and

16 (3) by adding at the end the following:

17 “(4) NOTIFICATION TO CONGRESS.—The Sec-
18 retary shall notify the Committee on Transportation
19 and Infrastructure of the House of Representatives
20 and the Committee on Environment and Public
21 Works of the Senate when the requirements of this
22 subsection have been met.

23 “(5) REPORT ON DELAY.—If the Secretary will
24 not meet the deadline under paragraph (1) or para-
25 graph (3), before the date on which such deadline

1 has not been met, the Secretary shall submit to the
2 Committee on Transportation and Infrastructure of
3 the House of Representatives and the Committee on
4 Environment and Public Works of the Senate a re-
5 port stating the reason for the delay and actions
6 taken to meet the requirements of this subsection.”.

7 (d) DIRECT RECIPIENT STATUS OF METROPOLITAN
8 PLANNING ORGANIZATIONS.—

9 (1) DIRECT RECIPIENT STATUS.—Not later
10 than 180 days after the date of enactment of this
11 Act, the Secretary shall establish a process by which
12 a metropolitan planning organization may qualify as
13 a direct recipient of funds apportioned or made
14 available under section 104(b)(6) of title 23, United
15 States Code.

16 (2) PROCESS.—The process under paragraph
17 (1)—

18 (A) shall ensure metropolitan planning or-
19 ganizations may apply on a rolling basis to be-
20 come direct recipients under this subsection;

21 (B) shall evaluate whether a metropolitan
22 planning organization qualifies as a direct re-
23 cipient based on the legal, technical, and finan-
24 cial capacity of such organization to receive and

1 appropriately manage Federal funding and
2 funding requirements;

3 (C) may occur concurrently with the recer-
4 tification process under section 134(k)(6) of
5 title 23, United States Code; and

6 (D) shall, not later than 1 year after the
7 date of enactment of the BUILD America 250
8 Act, establish a process to enable a direct re-
9 cipient designated under this subsection to use
10 a Federal-aid financial management system,
11 subject to paragraph (4), in a manner similar
12 to a State.

13 (3) DIRECT ALLOCATION OF FEDERAL PLAN-
14 NING FUNDS.—When the Secretary annually appor-
15 tions or makes available funds described in para-
16 graph (1), the Secretary shall directly allocate to any
17 direct recipient designated under this subsection—

18 (A) contract authority apportioned under
19 section 104(b)(6) of title 23, United States
20 Code, in an amount consistent with the alloca-
21 tion process under section 104(d)(2) of such
22 title for such direct recipient; and

23 (B) an amount of obligation authority dis-
24 tributed to the State for Federal-aid highways
25 and highway safety construction programs that

1 is equal to the amounts specified in subpara-
2 graph (A).

3 (4) RESPONSIBILITIES.—As determined to be
4 appropriate by the Secretary, a direct recipient of
5 funds under this subsection shall be responsible for
6 compliance with all legal requirements associated
7 with such funding, including any requirements appli-
8 cable to a State under section 106 of title 23,
9 United States Code.

10 **SEC. 1114. HIGHWAY USE TAX EVASION PROJECTS.**

11 Section 143(b)(2)(A) of title 23, United States Code,
12 is amended by striking “fiscal years 2022 through 2026”
13 and inserting “fiscal years 2027 through 2031”.

14 **SEC. 1115. NATIONAL BRIDGE AND TUNNEL INVENTORY**
15 **AND INSPECTION STANDARDS.**

16 (a) IN GENERAL.—Section 144 of title 23, United
17 States Code, is amended—

18 (1) in subsection (a)(1)(A) by striking “the con-
19 dition of the bridges” and all that follows through
20 “bridge conditions” and inserting “the continuous
21 improvement of bridge conditions in the United
22 States”;

23 (2) in subsection (b)—

24 (A) in paragraph (3) by adding “and” at
25 the end;

1 (B) in paragraph (4) by striking the semi-
2 colon at the end and inserting a period; and

3 (C) by striking paragraphs (5) and (6);
4 (3) in subsection (h)(4)—

5 (A) in subparagraph (A) by striking “an-
6 nually” and inserting “biennially”; and

7 (B) in subparagraph (B) by striking “an
8 annual” and inserting “a biennial”; and
9 (4) in subsection (j)—

10 (A) in paragraph (2) by striking “or 133.”
11 and inserting “, 124, or 133.”;

12 (B) in paragraph (3)(A) by striking “or
13 133;” and inserting “, 124, or 133;” and

14 (C) by striking paragraph (5).

15 (b) CONFORMING REGULATIONS.—The Secretary
16 shall revise subparts C and E of part 650 of subchapter
17 G of chapter 1 of title 23, Code of Federal Regulations,
18 as necessary to conform to the amendments made by sub-
19 section (a)(3).

20 **SEC. 1116. CONSTRUCTION OF FERRY BOATS AND FERRY**
21 **TERMINAL FACILITIES.**

22 Section 147 of title 23, United States Code, is
23 amended by striking subsection (h) and inserting the fol-
24 lowing:

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated out of the Highway Trust
3 Fund (other than the Mass Transit Account) to carry out
4 this section—

5 “(1) \$182,000,000 for fiscal year 2027;

6 “(2) \$184,000,000 for fiscal year 2028;

7 “(3) \$186,000,000 for fiscal year 2029;

8 “(4) \$189,000,000 for fiscal year 2030; and

9 “(5) \$191,000,000 for fiscal year 2031.”.

10 **SEC. 1117. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

11 (a) IN GENERAL.—Section 148 of title 23, United
12 States Code, is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (4)(B)—

15 (i) by amending clause (xvi) to read
16 as follows:

17 “(xvi) Installation of guardrails, bar-
18 riers (including suicide barriers and bar-
19 riers between construction work zones and
20 traffic lanes for the safety of road users
21 and roadway workers), and crash attenu-
22 ators.”;

23 (ii) in clause (xxiii) by striking “sec-
24 tion 1401 of the MAP-21” and inserting
25 “section 180”;

1 (iii) in clause (xxvii)—

2 (I) by inserting “bollards,” after
3 “medians,”;

4 (II) by striking “and protected”
5 and inserting “protected”; and

6 (III) by striking “features.” and
7 inserting “features, or infrastructure
8 that connects 2 or more existing seg-
9 ments of such roadway improve-
10 ments.”;

11 (iv) by redesignating clause (xxix) as
12 clause (xxxii); and

13 (v) by inserting after clause (xxviii)
14 the following:

15 “(xxix) The acquisition, development,
16 or deployment of safety data and systems,
17 including predictive analytics, telematics,
18 and additional validated methodology tools.

19 “(xxx) The purchase, installation, and
20 performance improvements of digital infra-
21 structure technologies, including digital
22 alerting systems and electronic ticketing
23 (or e-ticketing) technology.

1 “(xxxi) A project or strategy described
2 in a program developed pursuant to sub-
3 section (l)(2)(B).”;

4 (B) in paragraph (8) by inserting “road-
5 way worker or” after “, including a”; and

6 (C) in paragraph (10) by striking “traffic
7 data” and inserting “other traffic data (includ-
8 ing predictive analytics, telematics, and addi-
9 tional validated methodology tools used for risk
10 modeling and planning)”;

11 (2) in subsection (c)(2)—

12 (A) in subparagraph (A)—

13 (i) in clause (v) by striking “; and”
14 and inserting a semicolon;

15 (ii) in clause (vi) by inserting “and”
16 after the semicolon; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(vii) to evaluate project effectiveness
20 using both post-crash data and predictive
21 analytics, telematics, or additional vali-
22 dated methodology tools;”;

23 (B) in subparagraph (B)(i)—

24 (i) by inserting “construction work
25 zones,” after “roadside obstacles,”; and

- 1 (ii) by inserting “, and roadway work-
2 ers” after “pedestrians”; and
3 (C) in subparagraph (D)—
4 (i) in clause (iii)—
5 (I) by striking “(including motor-
6 cyclists)” and inserting “, motorcy-
7 clists”; and
8 (II) by inserting “roadway work-
9 ers,” after “pedestrians,”; and
10 (ii) in clause (vi) by striking “and pe-
11 destrians,” and inserting “pedestrians, and
12 roadway workers,”;
13 (3) in subsection (d)(2)(A)(i) by inserting
14 “every 3 years” after “of the State”;
15 (4) in subsection (g)(1)—
16 (A) by striking “next fiscal year” and in-
17 serting “next 3 fiscal years”;
18 (B) by inserting “annual” before “amount
19 equal to”; and
20 (C) by striking “200” and inserting
21 “300”;
22 (5) in subsection (h)(1)(C)—
23 (A) in clause (ii) by striking “; and” and
24 inserting a semicolon;

1 (B) in clause (iii) by striking the period at
2 the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(iv) the occurrences of fatalities and
5 serious injuries at construction work
6 zones.”;

7 (6) in subsection (l)(2)(A)—

8 (A) in clause (ii)—

9 (i) by striking “of the locations”; and

10 (ii) by striking “; and” and inserting
11 a semicolon;

12 (B) by redesignating clause (iii) as clause
13 (iv); and

14 (C) by inserting after clause (ii) the fol-
15 lowing:

16 “(iii) considers the location of fatali-
17 ties and serious injuries, including roadside
18 obstacles, construction work zones, rail-
19 way-highway crossing needs, the presence
20 of or absence of dedicated infrastructure
21 for vulnerable road users, and unmarked
22 or poorly marked roads; and”; and

23 (7) in subsection (l)(2)(B) by striking “sub-
24 paragraph (A)(iii)” and inserting “subparagraph
25 (A)(iv)”.

1 (b) REPORT.—In implementing the amendment to
2 section 148(d)(2) of title 23, United States Code, the Sec-
3 retary may permit a State to take such actions as are nec-
4 essary to align the submission of the strategic highway
5 safety plan with the submission of the triennial highway
6 safety plan, pursuant to section 402(k) of title 23, United
7 States Code.

8 **SEC. 1118. CMAQ PROGRAM.**

9 (a) IN GENERAL.—Section 149 of title 23, United
10 States Code, is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (10)(B) by striking “or”
13 at the end;

14 (B) in paragraph (11)(B) by striking the
15 period at the end and inserting a semicolon;
16 and

17 (C) by adding at the end the following:

18 “(12) if the project deploys advanced transpor-
19 tation and congestion management technologies that
20 reduce traffic congestion or improve air quality; or

21 “(13) if the project supports digital infrastruc-
22 ture and reduces traffic congestion or improves traf-
23 fic flow.”;

24 (2) in subsection (c) by adding at the end the
25 following:

1 “(5) REDUCTION IN MINIMUM SPENDING.—

2 Notwithstanding any other provision of this section,
3 a State—

4 “(A) may obligate funds apportioned under
5 section 104(b)(4) at any location in the State
6 for projects described in section 151(f)(6) or
7 section 151(f)(8)(D) at any location in the
8 State;

9 “(B) shall consider for such projects the
10 considerations described in section
11 151(f)(4)(A)(iii); and

12 “(C) shall obligate not less than the fol-
13 lowing amounts of such funds for such projects:

14 “(i) 10 percent of funds in fiscal year
15 2027.

16 “(ii) 9 percent of funds in fiscal year
17 2028.

18 “(iii) 8 percent of funds in fiscal year
19 2029.

20 “(iv) 7 percent of funds in fiscal year
21 2030.”;

22 (3) in subsection (i)(2)—

23 (A) in subparagraph (C) by inserting “, in-
24 cluding by considering the cost-effectiveness of
25 a project as it relates to improving air quality

1 and incorporating any recommendations made
2 by the Secretary” after “subsection (l)”; and

3 (B) by adding at the end the following:

4 “(D) UPDATES.—The Secretary, in con-
5 sultation with the Administrator, shall update
6 the table described in subparagraph (A) not less
7 frequently than once every 2 years.”; and

8 (4) in subsection (k)(1) by amending subpara-
9 graph (B) to read as follows:

10 “(B) to the extent practicable, prioritize
11 benefits to populations living in, or immediately
12 adjacent to, such area.”.

13 (b) NOTIFICATION.—Not later than 90 days after the
14 date of enactment of this Act, and annually thereafter,
15 the Secretary shall provide written notification to State
16 transportation departments and relevant metropolitan
17 planning organizations regarding—

18 (1) information about the cost-effectiveness of
19 projects obtained through the evaluation conducted
20 pursuant to section 149(i)(2) of title 23, United
21 States Code; and

22 (2) the requirement under subparagraph (C) of
23 such section that States and metropolitan planning
24 organizations shall consider such information when
25 selecting projects.

1 (c) REPEALS.—Sections 11402 and 11406 of the In-
2 frastructure Investment and Jobs Act (23 U.S.C. 149
3 note), and the items relating to such section in the table
4 of contents under section 1(b) of such Act, are repealed.

5 **SEC. 1119. SAFE STREETS AND ROADS FOR ALL GRANT**
6 **PROGRAM.**

7 (a) IN GENERAL.—Section 24112 of the Infrastruc-
8 ture Investment and Jobs Act (23 U.S.C. 402 note) is
9 amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) in the matter preceding subpara-
13 graph (A) by striking “, commonly referred
14 to as a ‘Vision Zero’ or ‘Toward Zero
15 Deaths’ plan,”; and

16 (ii) in subparagraph (E) by striking “,
17 including the means by which that effec-
18 tiveness will be reported to residents in a
19 locality”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (B) by inserting
22 “or territory” after “State”;

23 (ii) by redesignating subparagraph
24 (D) as subparagraph (E);

1 (iii) by inserting after subparagraph
2 (C) the following:

3 “(D) the District of Columbia;”; and

4 (iv) in subparagraph (E), as so redes-
5 ignated, by striking “subparagraphs (A)
6 through (C)” and inserting “subpara-
7 graphs (A) through (D)”;

8 (2) in subsection (b)—

9 (A) by inserting “, acting through the Ad-
10 ministrator of the Federal Highway Adminis-
11 tration,” after “Secretary”; and

12 (B) by striking “, commonly referred to as
13 ‘Vision Zero’ or ‘Toward Zero Deaths’ initia-
14 tives”;

15 (3) in subsection (c)(2)—

16 (A) in subparagraph (B), by striking “less
17 than 40 percent” and inserting “more than 5
18 percent”; and

19 (B) by adding at the end the following:

20 “(C) RURAL SET-ASIDE.—Of the total
21 amount made available to carry out the pro-
22 gram for each fiscal year, not less than 30 per-
23 cent shall be awarded for grants for eligible
24 projects located in areas with a population of
25 50,000 or fewer.

1 “(D) PRIORITIZATION.—The Secretary
2 shall prioritize applicants that have developed a
3 comprehensive safety action plan when selecting
4 projects under subparagraphs (B) and (C) of
5 subsection (a)(3).”;

6 (4) in subsection (d)(3)—

7 (A) in subparagraph (A) by inserting
8 “roadway workers,” after “pedestrians,”; and

9 (B) in subparagraph (E)—

10 (i) by striking “, or will ensure, equi-
11 table”; and

12 (ii) by inserting “rural or” after
13 “safety needs of”;

14 (5) in subsection (e) by striking “80” and in-
15 serting “90”;

16 (6) in subsection (f)(1) by striking “fiscal years
17 2022 through 2026” and inserting “fiscal years
18 2027 through 2031”; and

19 (7) in subsection (h) by striking “120 days”
20 and inserting “1 year”.

21 (b) TRANSFER.—

22 (1) IN GENERAL.—Section 24112 of the Infra-
23 structure Investment and Jobs Act (23 U.S.C. 402
24 note), as amended by subsection (a), is transferred

1 to appear after section 154 of title 23, United States
2 Code, and redesignated as section 155.

3 (2) CLERICAL AMENDMENT.—The analysis for
4 chapter 1 of title 23, United States Code, is amend-
5 ed by striking the item relating to section 155 and
6 inserting the following:

“155. Safe streets and roads for all grant program.”.

7 (3) CONFORMING AMENDMENT.—The table of
8 contents for the Infrastructure Investment and Jobs
9 Act (Public Law 117–58) in section 1(b) of such Act
10 is amended by striking the item relating to section
11 24112.

12 **SEC. 1120. TERRITORIAL AND PUERTO RICO HIGHWAY PRO-**
13 **GRAM.**

14 (a) IN GENERAL.—Section 165(a) of title 23, United
15 States Code, is amended by striking paragraphs (1) and
16 (2) and inserting the following:

17 “(1) for the Puerto Rico highway program
18 under subsection (b)—

19 “(A) \$191,000,000 shall be for fiscal year
20 2027;

21 “(B) \$195,000,000 shall be for fiscal year
22 2028;

23 “(C) \$199,000,000 shall be for fiscal year
24 2029;

1 “(D) \$203,000,000 shall be for fiscal year
2 2030; and

3 “(E) \$207,000,000 shall be for fiscal year
4 2031; and

5 “(2) for the territorial highway program under
6 subsection (c)—

7 “(A) \$51,200,000 shall be for fiscal year
8 2027;

9 “(B) \$52,400,000 shall be for fiscal year
10 2028;

11 “(C) \$53,600,000 shall be for fiscal year
12 2029;

13 “(D) \$54,800,000 shall be for fiscal year
14 2030; and

15 “(E) \$56,000,000 shall be for fiscal year
16 2031.”.

17 (b) LOCATION OF PROJECTS.—Section 165(c)(7) of
18 title 23, United States Code, is further amended by strik-
19 ing “paragraphs (1), (2), (3), and (5) of”.

20 **SEC. 1121. HOV FACILITIES.**

21 Section 166 of title 23, United States Code, is
22 amended—

23 (1) in subsection (b)—

1 (A) in paragraph (3)(C) by striking “serv-
2 ing the public” and inserting “in scheduled or
3 charter service”; and

4 (B) in paragraph (5)(A) by striking
5 “2025” and inserting “2031”; and

6 (2) in subsection (f) by adding at the end the
7 following:

8 “(7) CHARTER SERVICE.—The term ‘charter
9 service’ has the meaning given the term in section
10 604.3 of title 49, Code of Federal Regulations.”.

11 **SEC. 1122. NATIONAL HIGHWAY FREIGHT AND HIGH PRI-**
12 **ORITY CORRIDOR PROGRAM.**

13 (a) IN GENERAL.—Section 167 of title 23, United
14 States Code, is amended—

15 (1) in the section heading by inserting “**and**
16 **high priority corridor**” after “**freight**”;

17 (2) in subsection (a)—

18 (A) in paragraph (1) by striking “under
19 this section to ensure that the Network pro-
20 vides” and inserting “under this section and
21 high priority corridors identified under section
22 1105 of the Intermodal Surface Transportation
23 Efficiency Act of 1991 (105 Stat. 2031) to en-
24 sure that the Network and high priority cor-
25 ridors provide”; and

1 (B) in paragraph (2) by striking “with this
2 section to improve the efficient movement of
3 freight on the National Highway Freight Net-
4 work.” and inserting “with this section to—

5 “(A) improve the efficient movement of
6 freight on the National Highway Freight Net-
7 work; and

8 “(B) improve high priority corridors to
9 meet the design standards and specifications of
10 the Interstate System and connect to the exist-
11 ing Interstate System.”;

12 (3) in subsection (b)—

13 (A) by redesignating paragraphs (2)
14 through (7) as paragraphs (3) through (8), re-
15 spectively; and

16 (B) by inserting after paragraph (1) the
17 following:

18 “(2) to increase the capacity of the National
19 Highway Freight Network to improve freight trans-
20 portation, including through improving and increas-
21 ing the capacity of the Interstate System and the
22 improvement of high priority corridors;”;

23 (4) in subsection (c)(2)—

24 (A) in subparagraph (C) by striking “and”
25 at the end;

1 (B) in subparagraph (D) by striking the
2 period and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(E) high priority corridors identified
5 under section 1105 of the Intermodal Surface
6 Transportation Efficiency Act of 1991 (105
7 Stat. 2031).”;

8 (5) in subsection (d)(2)—

9 (A) in subparagraph (B) by striking “3
10 percent” and inserting “5 percent”; and

11 (B) in subparagraph (E)—

12 (i) by redesignating clauses (vi)
13 through (xi) as clauses (vii) through (xii),
14 respectively; and

15 (ii) by inserting after clause (v) the
16 following:

17 “(vi) the movement of agricultural
18 products and access to agriculture facili-
19 ties;”;

20 (6) in subsection (e)—

21 (A) by redesignating paragraphs (2) and
22 (3) as paragraphs (3) and (4), respectively;

23 (B) in paragraph (1) by striking “A State”
24 and all that follows through “and—” and in-

1 serting “A State shall designate critical rural
2 freight corridors within the border of the State.

3 “(2) REQUIREMENTS FOR DESIGNATION.—A
4 State may designate a public road as a critical
5 freight corridor, pursuant to paragraph (1), if such
6 road is not in an urbanized area and—”; and

7 (C) in paragraph (4), as so redesignated,
8 by striking “paragraph (2)” and inserting
9 “paragraph (3)”;
10 (7) in subsection (h)—

11 (A) in paragraph (3)—

12 (i) in subparagraph (A) by striking “2
13 percent” and inserting “2.5 percent”; and

14 (ii) in subparagraph (B) by striking
15 “2 percent” and inserting “2.5 percent”;
16 and

17 (B) in paragraph (5)—

18 (i) in subparagraph (B)—

19 (I) by striking clause (iii) and in-
20 serting the following:

21 “(iii) for the modernization or reha-
22 bilitation of a lock and dam, if the Sec-
23 retary determines that the project is func-
24 tionally connected to the National Highway
25 Freight Network; and”; and

1 (II) in clause (iv) by striking
2 “project—” and all that follows
3 through the period at the end and in-
4 serting “project is functionally con-
5 nected to the National Highway
6 Freight Network.”; and

7 (ii) in subparagraph (C)—

8 (I) in clause (iii) by striking “In-
9 telligent transportation systems” and
10 inserting “Digital infrastructure, in-
11 telligent transportation systems,”;

12 (II) in clause (xi) by striking
13 “section 1401 of MAP-21 (23 U.S.C.
14 137 note)” and inserting “section
15 180”;

16 (III) by redesignating clauses
17 (xxii) and (xxiii) as clauses (xxiv) and
18 (xxv), respectively;

19 (IV) by inserting after clause
20 (xxi) the following:

21 “(xxii) A highway or bridge project to
22 improve or increase the capacity of the Na-
23 tional Highway Freight Network, including
24 by increasing the capacity of the Interstate
25 System.

1 “(xxiii) A highway or bridge project to
2 improve a high priority corridor, including
3 a project to improve facilities to meet de-
4 sign standards and specifications for the
5 Interstate System.”; and

6 (V) in clause (xxiv), as so redes-
7 ignated, by striking “clauses (i)
8 through (xxi)” and inserting “clauses
9 (i) through (xxiii)”;

10 (8) in subsection (j)(1)(A)(ii) by striking
11 “ports-of entry” and inserting “ports of entry”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 1 of title 23, United States Code, is amended by strik-
14 ing the item relating to section 167 and inserting the fol-
15 lowing:

“167. National highway freight and high priority corridor program.”.

16 **SEC. 1123. WILDLIFE CROSSINGS PILOT PROGRAM.**

17 Section 171 of title 23, United States Code, is
18 amended—

19 (1) in subsection (a) by striking “public interest
20 because” and all that follows through the period at
21 the end and inserting “public interest.”;

22 (2) in subsection (b)(1) by striking “collisions;
23 and” and inserting “collisions, including through—
24 “(A) construction projects; and

1 “(B) non-construction projects (including
2 planning and research); and”;

3 (3) in subsection (e)—

4 (A) by striking subparagraph (D); and

5 (B) by redesignating subparagraphs (E)
6 and (F) as subparagraphs (D) and (E), respec-
7 tively;

8 (4) in subsection (g) by striking “60 percent”
9 and inserting “75 percent”;

10 (5) by redesignating subsection (i) as subsection
11 (j); and

12 (6) by striking subsection (h) and inserting the
13 following:

14 “(h) LIMITATION.—Of the amounts made available to
15 carry out the pilot program each fiscal year, not more than
16 5 percent may be used for non-construction activities de-
17 scribed in subsection (b)(1)(B).

18 “(i) REPORTS.—The Secretary shall submit to Con-
19 gress an annual report through fiscal year 2031 that in-
20 cludes—

21 “(1) a detailed description of activities carried
22 out under the pilot program;

23 “(2) an evaluation of the effectiveness of the
24 pilot program in meeting the purposes described in
25 subsection (b); and

1 “(3) policy recommendations to improve the ef-
2 fectiveness of the pilot program.”.

3 **SEC. 1124. SURFACE TRANSPORTATION ACCELERATOR**
4 **GRANT PROGRAM.**

5 Section 173 of title 23, United States Code, is
6 amended to read as follows:

7 **“SEC. 173 SURFACE TRANSPORTATION ACCELERATOR**
8 **GRANT PROGRAM.**

9 “(a) IN GENERAL.—There is established a rural,
10 urban, local, and regional surface transportation grant
11 program, which shall consist of the programs established
12 under subsections (c), (d), and (e) to provide financial as-
13 sistance for projects eligible under such subsections.

14 “(b) ADMINISTRATIVE PROVISIONS.—

15 “(1) GRANT ADMINISTRATION.—The Secretary
16 may—

17 “(A) retain not more than a total of 2 per-
18 cent of the funds made available to carry out
19 this section and to review applications for
20 grants under this section; and

21 “(B) transfer portions of the funds re-
22 tained under subparagraph (A) to the relevant
23 Administrators to fund the award and oversight
24 of grants provided under this section.

1 “(2) APPLICATION.—To be eligible to receive a
2 grant under this section, an eligible entity under
3 subsections (c), (d), or (e) shall submit to the Sec-
4 retary an application in such form, at such time,
5 and containing such information as the Secretary
6 may require.

7 “(3) ELIGIBLE PROJECT COSTS.—An eligible
8 entity may use funds from a grant under this sec-
9 tion for—

10 “(A) development phase activities, includ-
11 ing planning, feasibility analysis, revenue fore-
12 casting, environmental review, preliminary engi-
13 neering and design work, and other
14 preconstruction activities; and

15 “(B) construction, reconstruction, rehabili-
16 tation, acquisition of real property (including
17 land related to the project and improvements to
18 the land), environmental mitigation, construc-
19 tion contingencies, acquisition of equipment,
20 and operational improvements.

21 “(4) GRANTS.—

22 “(A) IN GENERAL.—In carrying out this
23 section, the Secretary may make grants to eligi-
24 ble entities, on a competitive basis, in accord-
25 ance with this section.

1 “(B) SET-ASIDES.—Of amounts made
2 available to carry out this section for each fiscal
3 year—

4 “(i) 25 percent shall be for grants
5 under the rural surface transportation
6 grant program under subsection (c);

7 “(ii) 25 percent shall be for grants
8 under the urban surface transportation
9 grant program under subsection (d); and

10 “(iii) 50 percent shall be for grants
11 under the local and regional surface trans-
12 portation grant program under subsection
13 (e).

14 “(5) FEDERAL SHARE.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B), the Federal share of the cost
17 of a project carried out with a grant adminis-
18 tered under this section may not exceed 80 per-
19 cent.

20 “(B) EXCEPTIONS.—

21 “(i) The Federal share of the cost of
22 an eligible project that furthers the com-
23 pletion of a designated segment of the Ap-
24 palachian Development Highway System
25 under section 14501 of title 40, or ad-

1 dresses a surface transportation infrastruc-
2 ture need identified for the Denali access
3 system program under section 309 of the
4 Denali Commission Act of 1998 (42
5 U.S.C. 3121 note; Public Law 105–277)
6 shall be up to 100 percent, as determined
7 by the State.

8 “(ii) The Federal share of the cost of
9 an eligible project for a grant carried out
10 in an area of persistent poverty (as defined
11 in section 6702(a) of title 49) may exceed
12 80 percent, at the discretion of the Sec-
13 retary.

14 “(C) USE OF OTHER FEDERAL ASSIST-
15 ANCE.—Federal assistance other than a grant
16 under the program may be used to satisfy the
17 non-Federal share of the cost of a project car-
18 ried out with a grant under the program.

19 “(D) ADDITIONAL REQUIREMENTS.—

20 “(i) MODAL REQUIREMENTS.—

21 “(I) IN GENERAL.—Except as
22 otherwise provided in subclause (II),
23 projects funded under this section
24 shall be treated as projects on a Fed-
25 eral-aid highway under this chapter.

1 “(II) EXCEPTIONS.—The Sec-
2 retary shall—

3 “(aa) for a transit project,
4 apply the requirements of chap-
5 ter 53 of title 49;

6 “(bb) for a rail project,
7 apply the requirements of section
8 22905 of title 49.

9 “(ii) MULTIMODAL PROJECTS.—

10 “(I) IN GENERAL.—Except as
11 otherwise provided in this clause, if an
12 eligible project is a multimodal
13 project, the Secretary shall—

14 “(aa) determine the pre-
15 dominant modal component of
16 the project; and

17 “(bb) apply the applicable
18 requirements described in item
19 (aa) of the predominant modal
20 component to the project.

21 “(II) EXCEPTIONS.—

22 “(aa) PASSENGER OR
23 FREIGHT RAIL COMPONENT.—

24 The requirements of section
25 22905 of title 49 shall apply to

1 any passenger or freight rail
2 component of a project.

3 “(bb) PUBLIC TRANSPORTATION COMPONENT.—The re-
4 quirements of section 5333 of
5 title 49 shall apply to any public
6 transportation component of a
7 project.
8

9 “(6) CONGRESSIONAL REVIEW.—Not later than
10 3 days before providing a grant under this section,
11 the Secretary shall submit to the Committee on
12 Transportation and Infrastructure of the House of
13 Representatives and Committee on Environment and
14 Public Works of the Senate—

15 “(A) a list of all applications determined to
16 be eligible for a grant by the Secretary;

17 “(B) each application proposed to be se-
18 lected for a grant, including a justification for
19 the selection; and

20 “(C) proposed grant amounts.

21 “(7) TRANSPARENCY.—

22 “(A) IN GENERAL.—Not later than 30
23 days after providing a grant for a project under
24 this section, the Secretary shall provide to all
25 applicants, and publish on the website of the

1 Department of Transportation, the information
2 described in paragraph (6).

3 “(B) BRIEFING.—The Secretary shall pro-
4 vide, on the request of an eligible entity, the op-
5 portunity to receive a briefing to explain any
6 reasons the eligible entity was not selected to
7 receive a grant under this section.

8 “(C) TREATMENT.—Assistance provided
9 under subparagraph (B) shall not be considered
10 a guarantee of future selection of an applicable
11 project under the program.

12 “(8) ANNUAL REPORT.—The Secretary shall
13 make available on the website of the Department of
14 Transportation at the end of each fiscal year an an-
15 nual report that lists each project for which a grant
16 has been provided under this section during that fis-
17 cal year.

18 “(9) TREATMENT OF PROJECTS.—Notwith-
19 standing any other provision of law, a project as-
20 sisted under this section shall be treated as a project
21 on a Federal-aid highway under this chapter.

22 “(10) PRE-AWARD AUTHORITY.—

23 “(A) IN GENERAL.—The Secretary shall
24 provide pre-award authority for eligible pre-
25 award activities to permit expenses to be in-

1 curred by a recipient during the period begin-
2 ning on the date on which the recipient is se-
3 lected and ending on the date on which the
4 grant agreement is signed.

5 “(B) ELIGIBLE PRE-AWARD ACTIVITIES.—

6 The Secretary shall make publicly available in
7 the notice of funding opportunity the eligible
8 pre-award activities for an award under this
9 section which shall be similar in nature to eligi-
10 ble pre-award activities granted to applicants
11 under section 5309 of title 49.

12 “(c) RURAL SURFACE TRANSPORTATION GRANTS.—

13 “(1) DEFINITIONS.—In this subsection:

14 “(A) PROGRAM.—The term ‘program’
15 means the program established under para-
16 graph (2)(A).

17 “(B) COVERED RURAL AREA.—The term
18 ‘covered rural area’ means an area that is out-
19 side an urban area with a population of over
20 50,000.

21 “(2) ESTABLISHMENT.—

22 “(A) IN GENERAL.—The Secretary shall
23 establish a rural surface transportation grant
24 program to provide grants, on a competitive
25 basis, to eligible entities to improve and expand

1 the surface transportation infrastructure in cov-
2 ered rural areas.

3 “(B) GOALS.—The goals of the program
4 shall be—

5 “(i) to increase connectivity;

6 “(ii) to improve the safety and reli-
7 ability of the movement of people and
8 freight; and

9 “(iii) to generate regional economic
10 growth and improve quality of life in cov-
11 ered rural areas.

12 “(3) ELIGIBLE ENTITIES.—The Secretary may
13 make a grant under the program to—

14 “(A) a State;

15 “(B) a regional transportation planning or-
16 ganization;

17 “(C) a unit of local government;

18 “(D) a Tribal government or a consortium
19 of Tribal governments; and

20 “(E) a multijurisdictional group of entities
21 described in subparagraphs (A) through (D).

22 “(4) ELIGIBLE PROJECTS.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (B), the Secretary may make a

1 grant under the program only for a project that
2 is—

3 “(i) a highway, bridge, or tunnel
4 project eligible under section 119(d);

5 “(ii) a highway, bridge, or tunnel
6 project eligible under section 133(b);

7 “(iii) a project eligible under section
8 202(a);

9 “(iv) a highway freight project eligible
10 under section 167(h)(5);

11 “(v) a highway safety improvement
12 project, including a project to improve a
13 high risk rural road (as those terms are
14 defined in section 148(a));

15 “(vi) a project on a publicly-owned
16 highway, road, or bridge that provides or
17 increases access to an agricultural, com-
18 mercial, energy, water storage or inter-
19 modal facility that supports the economy
20 of a covered rural area; or

21 “(vii) a project to develop, establish,
22 or maintain an integrated mobility man-
23 agement system, a transportation demand
24 management system, or on-demand mobil-
25 ity services.

1 “(B) BUNDLING OF ELIGIBLE
2 PROJECTS.—

3 “(i) IN GENERAL.—An eligible entity
4 may bundle 2 or more similar eligible
5 projects under the program that are—

6 “(I) included as a bundled
7 project in a statewide transportation
8 improvement program under section
9 135; and

10 “(II) awarded to a single con-
11 tractor or consultant pursuant to a
12 contract for engineering and design or
13 construction between the contractor
14 and the eligible entity.

15 “(ii) ITEMIZATION.—Notwithstanding
16 any other provision of law (including regu-
17 lations), a bundling of eligible projects
18 under this paragraph may be considered to
19 be a single project, including for purposes
20 of section 135.

21 “(5) PROJECT REQUIREMENTS.—The Secretary
22 may provide a grant under the program to an eligi-
23 ble project only if the Secretary determines that the
24 project—

1 “(A) will generate regional economic, mo-
2 bility, or safety benefits;

3 “(B) will be cost effective;

4 “(C) will contribute to the accomplishment
5 of 1 or more of the national goals under section
6 150;

7 “(D) is based on the results of preliminary
8 engineering; and

9 “(E) is reasonably expected to begin con-
10 struction not later than 18 months after the
11 date of obligation of funds for the project.

12 “(6) ADDITIONAL CONSIDERATIONS.—In pro-
13 viding grants under the program, the Secretary shall
14 consider the extent to which an eligible project
15 will—

16 “(A) improve the state of good repair of
17 existing transportation facilities;

18 “(B) increase the capacity or connectivity
19 of the surface transportation system and im-
20 prove mobility for residents of covered rural
21 areas;

22 “(C) address economic development and
23 job creation challenges;

24 “(D) enhance recreational and tourism op-
25 portunities by providing access to Federal land,

1 national parks, national forests, national recre-
2 ation areas, national wildlife refuges, wilderness
3 areas, or State parks;

4 “(E) contribute to geographic diversity
5 among grant recipients;

6 “(F) utilize innovative project delivery ap-
7 proaches or incorporate transportation tech-
8 nologies;

9 “(G) coordinate with projects to address
10 broadband infrastructure needs; or

11 “(H) improve access to emergency care, es-
12 sential services, healthcare providers, or drug
13 and alcohol treatment and rehabilitation re-
14 sources.

15 “(I) address disaster preparedness, resil-
16 ience, or support an evacuation route (as such
17 term is defined in section 176(a));

18 “(J) support the movement of agricultural
19 products through and from covered rural areas,
20 including by improving or rebuilding bridges
21 (including improvements that allow for the re-
22 moval or increase of a posted weight restric-
23 tion);

24 “(K) support access to Federal or Tribal
25 lands;

1 “(L) support access to utility infrastruc-
2 ture, including energy infrastructure or water
3 storage facilities; and

4 “(M) improve the seismic safety or struc-
5 tural resilience of transportation infrastructure
6 located in areas of high seismic risk.

7 “(7) GRANT AMOUNT.—Except as provided in
8 paragraph (8)(A), a grant under the program shall
9 be in an amount that is not less than \$5,000,000.

10 “(8) SET ASIDES.—

11 “(A) SMALL PROJECTS.—The Secretary
12 shall use not more than 10 percent of the
13 amounts made available for the program for
14 each fiscal year to provide grants for eligible
15 projects in an amount that is less than
16 \$5,000,000.

17 “(B) APPALACHIAN DEVELOPMENT HIGH-
18 WAY SYSTEM.—The Secretary shall reserve no
19 more than 15 percent of the amounts made
20 available for the program for each fiscal year
21 for eligible projects that further the completion
22 of designated routes of the Appalachian Devel-
23 opment Highway System under section 14501
24 of title 40.

1 “(C) RURAL ROADWAY LANE DEPAR-
2 TURES.—The Secretary shall reserve 15 percent
3 of the amounts made available for the program
4 for each fiscal year to provide grants for eligible
5 projects located in States that have rural road-
6 way fatalities as a result of lane departures that
7 are greater than the average of rural roadway
8 fatalities as a result of lane departures in the
9 United States, based on the latest available
10 data from the Secretary.

11 “(D) MOVEMENT OF AGRICULTURAL
12 PRODUCTS FROM RURAL AREAS.—The Sec-
13 retary shall reserve 10 percent of the amounts
14 made available for the program for each fiscal
15 year to provide grants for eligible projects that
16 support the movement of agricultural products
17 from covered rural areas.

18 “(E) PROJECTS IN SMALL COMMU-
19 NITIES.—The Secretary shall reserve 5 percent
20 of the amounts made available for the program
21 for each fiscal year to provide grants for eligible
22 projects in areas with a population of not more
23 than 5,000.

24 “(F) EXCESS FUNDING.—In any fiscal
25 year in which qualified applications for grants

1 under this subsection do not allow for the
2 amounts reserved under subparagraphs (A)
3 through (E) to be fully utilized, the Secretary
4 shall use the unutilized amounts to make other
5 grants under the program.

6 “(d) URBAN SURFACE TRANSPORTATION GRANTS.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) PROGRAM.—The term ‘program’
9 means the program established under para-
10 graph (2)(A).

11 “(B) COVERED URBAN AREA.—The term
12 ‘covered urban area’ means an area with a pop-
13 ulation of not less than 50,000.

14 “(2) ESTABLISHMENT.—

15 “(A) IN GENERAL.—The Secretary shall
16 establish an urban surface transportation grant
17 program to provide grants, on a competitive
18 basis, to eligible entities to improve and expand
19 the surface transportation infrastructure in
20 urban areas.

21 “(B) GOALS.—The goals of the program
22 shall be—

23 “(i) to increase connectivity;

1 “(ii) to improve the safety and reli-
2 ability of the movement of people and
3 freight; and

4 “(iii) to generate regional economic
5 growth and improve quality of life in urban
6 areas.

7 “(3) ELIGIBLE ENTITIES.—The Secretary may
8 make a grant under the program to—

9 “(A) a State;

10 “(B) the District of Columbia;

11 “(C) any territory or possession of the
12 United States;

13 “(D) a unit of local government;

14 “(E) a public agency or publicly chartered
15 authority established by 1 or more States;

16 “(F) a special purpose district or public
17 authority with a transportation function or a
18 lessee of a Federal surface transportation hub,
19 including a port authority;

20 “(G) a transit agency;

21 “(H) a Tribal government or a consortium
22 of Tribal governments; and

23 “(I) a multi-State or multijurisdictional
24 group of entities described in any of subpara-
25 graphs (A) through (H).

1 “(4) ELIGIBLE PROJECTS.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (B), the Secretary may make a
4 grant under the program only for a project that
5 is—

6 “(i) a surface transportation project
7 eligible under this title;

8 “(ii) a public transportation project
9 eligible for assistance under chapter 53 of
10 title 49;

11 “(iii) a passenger rail or freight rail
12 transportation project eligible for assist-
13 ance under title 49;

14 “(iv) a project eligible under section
15 6702 and 6703 of title 49;

16 “(v) a project eligible for a grant pro-
17 gram established under subtitle E of title
18 I of the Surface Transportation Reauthor-
19 ization Act of 2021 (135 Stat. 578 et.
20 seq.); or

21 “(vi) a project to develop, establish, or
22 maintain an integrated mobility manage-
23 ment system, a transportation demand
24 management system, or on-demand mobil-
25 ity services.

1 “(B) BUNDLING OF ELIGIBLE
2 PROJECTS.—

3 “(i) IN GENERAL.—An eligible entity
4 may bundle 2 or more similar eligible
5 projects under the program that are—

6 “(I) included as a bundled
7 project in a statewide transportation
8 improvement program under section
9 135; and

10 “(II) awarded to a single con-
11 tractor or consultant pursuant to a
12 contract for engineering and design or
13 construction between the contractor
14 and the eligible entity.

15 “(ii) ITEMIZATION.—Notwithstanding
16 any other provision of law (including regu-
17 lations), a bundling of eligible projects
18 under this paragraph may be considered to
19 be a single project, including for purposes
20 of section 135.

21 “(5) PROJECT REQUIREMENTS.—The Secretary
22 may provide a grant under the program to an eligi-
23 ble project only if the Secretary determines that the
24 project—

1 “(A) will generate regional economic, mo-
2 bility, or safety benefits;

3 “(B) will be cost effective;

4 “(C) will contribute to the accomplishment
5 of 1 or more of the national goals under section
6 150;

7 “(D) is based on the results of preliminary
8 engineering; and

9 “(E) is reasonably expected to begin con-
10 struction not later than 18 months after the
11 date of obligation of funds for the project.

12 “(6) ADDITIONAL CONSIDERATIONS.—In pro-
13 viding grants under the program, the Secretary shall
14 consider the extent to which an eligible project
15 will—

16 “(A) improve the state of good repair of
17 existing transportation facilities;

18 “(B) increase surface transportation sys-
19 tem or local connectivity and improve mobility
20 for residents of urban areas;

21 “(C) address economic development and
22 job creation challenges;

23 “(D) contribute to geographic diversity
24 among grant recipients;

1 “(E) improve safety, including the antici-
2 pated reduction of accidents and related costs;

3 “(F) include resilience benefits against
4 natural disasters, including the ability to with-
5 stand disruptions from a seismic event;

6 “(G) incorporate environmental benefits;

7 “(H) provide safety and mobility benefits
8 to multiple users of the project;

9 “(I) utilize innovative project delivery ap-
10 proaches or incorporate transportation tech-
11 nologies; or

12 “(J) improve access to emergency care, es-
13 sential services, healthcare providers, or drug
14 and alcohol treatment and rehabilitation re-
15 sources, or a facility or organization that pro-
16 vides community support services.

17 “(7) GRANT AMOUNT.—Except as provided in
18 paragraph (8)(A), a grant under the program shall
19 be in an amount that is not less than \$5,000,000.

20 “(8) SET ASIDES.—

21 “(A) SMALL PROJECTS.—The Secretary
22 shall use not more than 10 percent of the
23 amounts made available for the program for
24 each fiscal year to provide grants for eligible

1 projects in an amount that is less than
2 \$5,000,000.

3 “(B) AREAS OF PERSISTENT POVERTY.—
4 Of the total amount made available to carry out
5 the program for each fiscal year, not less than
6 1 percent shall be awarded for projects in areas
7 of persistent poverty (as defined in section
8 6702(a) of title 49).

9 “(e) LOCAL AND REGIONAL SURFACE TRANSPOR-
10 TATION GRANTS.—

11 “(1) DEFINITIONS.—In this subsection:

12 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
13 ble entity’ means—

14 “(i) a State;

15 “(ii) the District of Columbia;

16 “(iii) any territory or possession of
17 the United States;

18 “(iv) a unit of local government;

19 “(v) a public agency or publicly char-
20 tered authority established by 1 or more
21 States;

22 “(vi) a special purpose district or pub-
23 lic authority with a transportation function
24 or a lessee of a Federal surface transpor-
25 tation hub, including a port authority;

1 “(vii) a federally recognized Indian
2 Tribe or a consortium of such Indian
3 Tribes;

4 “(viii) a transit agency; and

5 “(ix) a multi-State or multijuris-
6 dictional group of entities described in any
7 of clauses (i) through (viii).

8 “(B) ELIGIBLE PROJECT.—The term ‘eli-
9 gible project’ means—

10 “(i) a highway or bridge project eligi-
11 ble for assistance under this title, includ-
12 ing—

13 “(I) improvement of a high pri-
14 ority corridor to meet the design
15 standards and specifications of the
16 Interstate System and connect to the
17 existing Interstate System; and

18 “(II) infrastructure improve-
19 ments to address freight bottlenecks;

20 “(ii) a public transportation project
21 eligible for assistance under chapter 53 of
22 title 49;

23 “(iii) a passenger rail or freight rail
24 transportation project eligible for assist-
25 ance under title 49;

1 “(iv) a port infrastructure investment,
2 including—

3 “(I) inland port infrastructure;
4 and

5 “(II) a land port-of-entry;

6 “(v) the surface transportation com-
7 ponents of an airport project eligible for
8 assistance under part B of subtitle VII of
9 title 49;

10 “(vi) a project for investment in a
11 surface transportation facility located on
12 Tribal land, the title or maintenance re-
13 sponsibility of which is vested in the Fed-
14 eral Government;

15 “(vii) a project to replace or rehabili-
16 tate a culvert or prevent stormwater runoff
17 that is eligible under section 176(d) and
18 will advance the goal of the program estab-
19 lished under this subsection; and

20 “(viii) any other surface transpor-
21 tation infrastructure project that the Sec-
22 retary considers to be necessary to advance
23 the goal of the program.

1 “(C) PROGRAM.—The term ‘program’
2 means the program established under para-
3 graph (2)(A).

4 “(D) SPECIFIED RURAL AREA.—The term
5 ‘specified rural area’ means an area that is lo-
6 cated outside of a specified urban area.

7 “(E) SPECIFIED URBAN AREA.—The term
8 ‘specified urban area’ means an area with a
9 population of more than 200,000 residents,
10 based on the most recent decennial census.

11 “(2) ESTABLISHMENT.—

12 “(A) IN GENERAL.—The Secretary shall
13 establish and carry out a local and regional sur-
14 face transportation grant program to provide
15 for capital investments in surface transpor-
16 tation infrastructure on a competitive basis.

17 “(B) GOAL.—The goal of the program
18 shall be to fund eligible projects that will have
19 a significant local or regional impact and im-
20 prove surface transportation infrastructure.

21 “(3) GRANTS.—

22 “(A) AMOUNT.—Except as otherwise pro-
23 vided in this subsection, each grant made under
24 this subsection shall be in an amount equal
25 to—

1 “(i) not less than \$5,000,000 for a
2 specified urban area;

3 “(ii) not less than \$1,000,000 for a
4 specified rural area; and

5 “(iii) not more than \$25,000,000.

6 “(B) LIMITATION.—Not more than 15 per-
7 cent of the funds made available to carry out
8 this subsection for a fiscal year may be awarded
9 to eligible projects in a single State during such
10 fiscal year.

11 “(4) SELECTION OF ELIGIBLE PROJECTS.—

12 “(A) NOTICE OF FUNDING OPPOR-
13 TUNITY.—Not later than 60 days after the date
14 on which funds are made available to carry out
15 this subsection, the Secretary shall publish a
16 notice of funding opportunity for the funds.

17 “(B) PRIMARY SELECTION CRITERIA.—In
18 awarding grants under this subsection, the Sec-
19 retary shall evaluate the extent to which a
20 project—

21 “(i) improves safety;

22 “(ii) improves environmental sustain-
23 ability;

24 “(iii) improves quality of life;

1 “(iv) increases economic competitive-
2 ness and opportunity, including tourism
3 opportunities;

4 “(v) contributes to a state of good re-
5 pair; and

6 “(vi) improves mobility and commu-
7 nity connectivity.

8 “(C) ADDITIONAL SELECTION CONSIDER-
9 ATIONS.—In selecting projects to receive grants
10 under the program, the Secretary shall take
11 into consideration the extent to which—

12 “(i) the eligible entity collaborated
13 with other public and private entities;

14 “(ii) the project adopts innovative
15 technologies or techniques, including—

16 “(I) innovative technology;

17 “(II) innovative project delivery
18 techniques; and

19 “(III) innovative project financ-
20 ing;

21 “(iii) construction of the project is
22 reasonably expected to begin not later than
23 18 months after the date on which the
24 project is selected;

1 “(iv) the eligible entity includes docu-
2 mentation certifying such entity has noti-
3 fied a State transportation department if
4 the project is located on a State-owned or
5 State-managed facility; and

6 “(v) the project is cost effective.

7 “(D) LIMITATION.—In awarding grants
8 under the program, the Secretary shall select
9 grant recipients based only on the selection cri-
10 teria described in subparagraphs (C) and (D).

11 “(E) TRANSPARENCY.—

12 “(i) IN GENERAL.—The Secretary,
13 shall evaluate, through a methodology that
14 is discernible and transparent to the pub-
15 lic, the means by which each application
16 submitted under paragraph (4) addresses
17 the criteria under subparagraphs (C) or
18 (D) of such paragraph or otherwise estab-
19 lished by the Secretary.

20 “(ii) PUBLICATION.—The method-
21 ology under clause (i) shall be published by
22 the Secretary as part of the notice of fund-
23 ing opportunity under the program.

24 “(F) AWARDS.—Not later than 270 days
25 after the date on which amounts are made

1 available to provide grants under the program
2 for a fiscal year, the Secretary shall announce
3 the selection by the Secretary of eligible
4 projects to receive the grants in accordance
5 with this section.

6 “(5) TREATMENT OF OTHER FEDERAL
7 FUNDS.—Amounts provided under any of the fol-
8 lowing programs shall be considered to be a part of
9 the non-Federal share for a project under this sub-
10 section:

11 “(A) The tribal transportation program
12 under section 202.

13 “(B) The Federal lands transportation
14 program under section 203.

15 “(C) The TIFIA program (as defined in
16 section 601(a)).

17 “(D) The Railroad Rehabilitation and Im-
18 provement Financing Program under chapter
19 224 of title 49.

20 “(6) OTHER CONSIDERATIONS.—

21 “(A) IN GENERAL.—Of the total amount
22 made available to carry out the program under
23 this subsection for each fiscal year—

1 “(i) not more than 50 percent shall be
2 allocated for eligible projects located in
3 specified rural areas; and

4 “(ii) not more than 50 percent shall
5 be allocated for eligible projects located in
6 specified urban areas.

7 “(B) PROJECTS FOR REGIONAL HUBS.—Of
8 the total amount made available for eligible
9 projects under subparagraph (A)(i) for each fis-
10 cal year, the Secretary shall reserve 10 percent
11 for eligible projects located in communities with
12 a population between 50,000 and 100,000.

13 “(C) AREAS OF PERSISTENT POVERTY.—
14 Of the total amount made available to carry out
15 the program for each fiscal year, not less than
16 1 percent shall be awarded for projects in areas
17 of persistent poverty (as defined in section
18 6702(a) of title 49).

19 “(D) MULTIMODAL AND GEOGRAPHICAL
20 CONSIDERATIONS.—In selecting projects to re-
21 ceive grants under the program, the Secretary
22 shall take into consideration geographical and
23 modal diversity.

24 “(7) PROJECT PLANNING.—

1 “(A) IN GENERAL.—Of the amounts made
2 available to carry out the program for each fis-
3 cal year, not less than 5 percent shall be made
4 available for the planning, preparation, or de-
5 sign of eligible projects.

6 “(B) NONAPPLICABILITY OF CERTAIN LIM-
7 ITATIONS.—Clauses (i) and (ii) of paragraph
8 (3)(A) shall not apply with respect to amounts
9 made available for planning, preparation, or de-
10 sign under subparagraph (A).

11 “(8) TRANSFER OF AUTHORITY.—Of the
12 amounts made available to carry out the program
13 for each fiscal year, the Administrator may transfer
14 not more than 2 percent for a fiscal year to the Ad-
15 ministrator of any of the Federal Transit Adminis-
16 tration, the Federal Railroad Administration, or the
17 Maritime Administration to award and oversee
18 grants and credit assistance in accordance with this
19 subsection.

20 “(9) CREDIT PROGRAM COSTS.—

21 “(A) IN GENERAL.—Subject to subpara-
22 graph (B), at the request of an eligible entity,
23 the Secretary may use a grant provided to the
24 eligible entity under the program to pay the
25 subsidy or credit risk premium, and the admin-

1 istrative costs, of an eligible project that is eli-
2 gible for Federal credit assistance under—

3 “(i) chapter 6; or

4 “(ii) chapter 224 of title 49.

5 “(B) LIMITATION.—Not more than 20 per-
6 cent of the funds made available to carry out
7 the program for a fiscal year may be used to
8 carry out subparagraph (A).

9 “(10) REPORTS.—Not later than 1 year after
10 the date on which the initial grants are awarded for
11 eligible projects under the program, the Comptroller
12 General of the United States shall—

13 “(A) review the administration of the pro-
14 gram, including—

15 “(i) the solicitation process; and

16 “(ii) the selection process, including—

17 “(I) the adequacy and fairness of
18 the process; and

19 “(II) the selection criteria; and

20 “(B) submit to the Committee on Trans-
21 portation and Infrastructure of the House of
22 Representatives and Committee on Environ-
23 ment and Public Works of the Senate a report
24 describing the findings of the review under sub-
25 paragraph (A), including recommendations for

1 improving the administration of the program, if
2 any.”.

3 **SEC. 1125. REPEAL OF PROGRAM.**

4 (a) REPEAL.—Section 175 of title 23, United States
5 Code, is repealed.

6 (b) TECHNICAL AND CONFORMING AMENDMENT.—
7 The analysis for chapter 1 of title 23, United States Code,
8 is amended by striking the item relating to section 175.

9 **SEC. 1126. PROTECT PROGRAM.**

10 Section 176 of title 23, United States Code, is
11 amended—

12 (1) in subsection (b)(2)—

13 (A) by striking subparagraph (A); and

14 (B) by redesignating subparagraphs (B)
15 and (C) as subparagraphs (A) and (B), respec-
16 tively;

17 (2) by striking subsection (c);

18 (3) by redesignating subsection (h) as sub-
19 section (c);

20 (4) in subsection (d) by striking “In addition to
21 funds apportioned to States under section 104(b)(8)
22 to carry out activities under subsection (c), the” and
23 inserting “The”;

24 (5) in subsection (e)—

25 (A) in paragraph (1)—

1 (i) in subparagraph (A)—

2 (I) by striking “A State that re-
3 ceives funds apportioned to the State
4 under section 104(b)(8) or an” and
5 inserting “An”; and

6 (II) by striking “if the State or
7 eligible entity” and inserting “if the
8 eligible entity”; and

9 (ii) in subparagraph (B)—

10 (I) in clause (i) by striking
11 “funds apportioned to a State under
12 section 104(b)(8) or”;

13 (II) in clause (ii) by striking
14 “carried out with funds under sub-
15 section (c) or a grant” and inserting
16 “carried out with a grant”; and

17 (III) in clause (iii)—

18 (aa) in subclause (I) by
19 striking “carried out with funds
20 under subsection (c) or a grant”
21 and inserting “carried out with a
22 grant”; and

23 (bb) in subclause (II) by
24 striking “funds under subsection
25 (c) or”; and

1 (B) in paragraph (2)(D)(iv)(II) by striking
2 “apportioned to the State under section
3 104(b)(8) or”; and
4 (6) in subsection (f)(1) by striking “Not later
5 than 18 months after the date of enactment of this
6 section, the” and inserting “The”.

7 **SEC. 1127. CODIFICATION AND IMPROVEMENT OF JASON’S**
8 **LAW.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that it is a national priority to address projects
11 under this section for the shortage of parking for commer-
12 cial motor vehicles on the National Highway System to
13 improve the safety of motorized and nonmotorized users
14 and for commercial motor vehicle operators.

15 (b) PARKING FOR COMMERCIAL MOTOR VEHICLES.—
16 Chapter 1 of title 23, United States Code, is amended by
17 adding at the end the following:

18 **“§ 180. Parking for commercial motor vehicles**

19 “(a) DEFINITIONS.—In this section:

20 “(1) COMMERCIAL MOTOR VEHICLE.—The term
21 ‘commercial motor vehicle’ has the meaning given
22 such term in section 31132 of title 49.

23 “(2) SAFETY REST AREA.—The term ‘safety
24 rest area’ has the meaning given such term in sec-
25 tion 120(c)(1).

1 “(b) GRANT AUTHORITY.—The Secretary shall make
2 grants, on a competitive basis, to eligible entities for
3 projects to provide public parking for commercial motor
4 vehicles and improve the safety of commercial motor vehi-
5 cle drivers.

6 “(c) ELIGIBLE ENTITIES.—

7 “(1) IN GENERAL.—An entity eligible to receive
8 a grant under this section is any of the following:

9 “(A) A State.

10 “(B) A metropolitan planning organiza-
11 tion.

12 “(C) A unit of local government.

13 “(D) A political subdivision of a State or
14 local government carrying out responsibilities
15 relating to commercial motor vehicle parking.

16 “(E) A Tribal government or a consortium
17 of Tribal governments.

18 “(F) A multistate or multijurisdictional
19 group of entities described in subparagraphs
20 (A) through (E).

21 “(2) PRIVATE SECTOR PARTICIPATION.—An eli-
22 gible entity that receives a grant under this section
23 may partner with a private entity to carry out a
24 project under this section.

25 “(d) ELIGIBLE PROJECTS.—

1 “(1) IN GENERAL.—An eligible entity may use
2 a grant provided under this section for a project de-
3 scribed in paragraph (2) that is on—

4 “(A) a Federal-aid highway; or

5 “(B) a facility with reasonable access (as
6 described in section 658.19 of title 23, Code of
7 Federal Regulations (or a successor regulation))
8 to—

9 “(i) a Federal-aid highway; or

10 “(ii) a freight facility.

11 “(2) PROJECTS DESCRIBED.—A project re-
12 ferred to in paragraph (1) is a project—

13 “(A) to construct a safety rest area that
14 includes parking for commercial motor vehicles;

15 “(B) to construct additional commercial
16 motor vehicle parking capacity—

17 “(i) adjacent to a private commercial
18 truck stop or travel plaza;

19 “(ii) within the boundaries of, or adja-
20 cent to, a publicly owned freight facility,
21 including a port terminal operated by a
22 public authority;

23 “(iii) at an existing facility, including
24 an inspection or weigh station and a park-
25 and-ride location; or

1 “(iv) at another suitable facility, as
2 determined by the eligible entity, in con-
3 currence with the Secretary;

4 “(C) to reopen an existing weigh station,
5 safety rest area, park-and-ride facility, or other
6 government-owned facility, that is not in use,
7 for commercial motor vehicle parking;

8 “(D) to construct or make capital improve-
9 ments to an existing public commercial motor
10 vehicle parking facility to expand parking use
11 and availability, including at a seasonal facility;

12 “(E) to identify, promote, and manage the
13 availability of publicly and privately provided
14 commercial motor vehicle parking, such as
15 through the use of intelligent transportation
16 systems;

17 “(F) to improve the personal safety of
18 commercial motor vehicle drivers at a parking
19 facility as part of a project described in sub-
20 paragraphs (A) through (D);

21 “(G) to improve a parking facility, includ-
22 ing through truck stop electrification systems,
23 as part of a project described in subparagraphs
24 (A) through (D);

1 “(H) to construct turnouts for commercial
2 motor vehicles; or

3 “(I) to improve the geometric designs of
4 interchanges to improve access to safety rest
5 areas and commercial motor vehicle parking fa-
6 cilities.

7 “(e) APPLICATION.—To be eligible to receive a grant
8 under this section, an eligible entity shall submit to the
9 Secretary an application at such time, in such manner,
10 and containing such information as the Secretary may re-
11 quire, including—

12 “(1) a description of the proposed project; and

13 “(2) any other information that the Secretary
14 determines to be necessary.

15 “(f) SELECTION CRITERIA.—The Secretary may se-
16 lect a project to receive a grant under this section only
17 if the Secretary determines that—

18 “(1) there is a shortage of commercial motor
19 vehicle parking capacity in the corridor in which the
20 project is located;

21 “(2) the eligible entity has consulted with motor
22 carriers, commercial motor vehicle drivers, public
23 safety officials, and private providers of commercial
24 motor vehicle parking regarding the project;

25 “(3) the project will likely—

1 “(A) increase the availability or utilization
2 of commercial motor vehicle parking;

3 “(B) facilitate the efficient movement of
4 freight; or

5 “(C) improve highway safety, traffic con-
6 gestion, and air quality; and

7 “(4) the eligible entity demonstrates the ability
8 to provide for the maintenance and operation of the
9 facility.

10 “(g) ADDITIONAL CONSIDERATION.—To the max-
11 imum extent practicable, the Secretary shall select
12 projects to receive grants under the program in a manner
13 that—

14 “(1) prioritizes projects based on the severity of
15 the commercial motor vehicle parking capacity short-
16 age in the area and the degree to which such
17 projects would alleviate such shortage; and

18 “(2) maximizes the geographic distribution
19 among grant recipients, including a balance between
20 the need of new commercial motor vehicle parking
21 capacity across rural and urban communities.

22 “(h) USE OF FUNDS.—

23 “(1) IN GENERAL.—In accordance with the lim-
24 itations in paragraph (2), an eligible entity may use
25 a grant under this section for—

1 “(A) development phase activities, includ-
2 ing planning, feasibility analysis, benefit-cost
3 analysis, environmental review, preliminary en-
4 gineering and design work, and other
5 preconstruction activities necessary to advance
6 a project under this section; and

7 “(B) construction and operational improve-
8 ments.

9 “(2) LIMITATIONS.—

10 “(A) PLANNING AND PRELIMINARY
11 WORK.—An eligible entity may use not more
12 than 20 percent of the amount of a grant under
13 this section for activities described in paragraph
14 (1)(A).

15 “(B) PARKING AVAILABILITY MANAGE-
16 MENT.—

17 “(i) IN GENERAL.—Except as pro-
18 vided in clause (ii), not more than 10 per-
19 cent of the amounts made available for
20 each fiscal year for grants under this sec-
21 tion may be used for projects described in
22 subsection (d)(2)(E) that solely identify,
23 promote, and manage the availability of ex-
24 isting commercial motor vehicle parking.

1 “(ii) EXCEPTION.—Clause (i) shall
2 not apply to a project described in sub-
3 section (d)(2)(E) that is part of a larger
4 project to expand commercial motor vehicle
5 parking capacity.

6 “(3) PROHIBITION.—

7 “(A) IN GENERAL.—No amounts made
8 available to an eligible entity pursuant to this
9 section may be used for construction or develop-
10 ment phase activities that would enable the con-
11 struction of charging or fueling infrastructure
12 for the propulsion of a vehicle, including a com-
13 mercial motor vehicle.

14 “(B) SAVINGS PROVISION.—Nothing in
15 this paragraph limits the use of funds other
16 than funds made available to carry out this sec-
17 tion.

18 “(i) REQUIREMENTS.—

19 “(1) PUBLICLY ACCESSIBLE PARKING.—Com-
20 mercial motor vehicle parking constructed, opened,
21 or improved with funds from a grant under this sec-
22 tion shall be open and accessible to all commercial
23 motor vehicle drivers.

24 “(2) PROHIBITION ON CHARGING FEES.—No
25 fee may be charged by an eligible entity to a com-

1 mercial motor vehicle driver to gain access to park-
2 ing constructed, opened, maintained, or improved
3 with a grant under this section.

4 “(j) TREATMENT OF PROJECTS.—Notwithstanding
5 any other provision of law, a project carried out under this
6 section shall be treated as a project on a Federal-aid high-
7 way under this chapter.

8 “(k) PERIOD OF AVAILABILITY OF FUNDS.—
9 Amounts made available for a project under this section
10 shall remain available for a period of 3 years after the
11 last day of the fiscal year in which the amounts are made
12 available.

13 “(l) SURVEY AND COMPARATIVE ASSESSMENT.—

14 “(1) IN GENERAL.—Not later than 4 years
15 after the date of enactment of this section, and every
16 2 years thereafter, the Secretary, in consultation
17 with appropriate State motor carrier safety per-
18 sonnel, motor carriers, State departments of trans-
19 portation, and private providers of commercial motor
20 vehicle parking, shall submit to the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives and the Committee on Environment
23 and Public Works of the Senate a report that—

24 “(A) evaluates the availability of adequate
25 parking and rest facilities, taking into account

1 both private and public facilities, for commer-
2 cial motor vehicles engaged in interstate trans-
3 portation;

4 “(B) evaluates the effectiveness of the
5 projects funded under this section in improving
6 access to commercial motor vehicle parking;

7 “(C) evaluates the ability of recipients of a
8 grant under this section to sustain the oper-
9 ation of parking facilities constructed with
10 funds provided under this section; and

11 “(D) reports on the status of ongoing
12 projects to provide adequate commercial motor
13 vehicle parking facilities.

14 “(2) RESULTS.—The Secretary shall make each
15 report under paragraph (1) available to the public
16 on the website of the Department of Transportation.

17 “(3) ALIGNMENT OF REPORTS.—In carrying
18 out this subsection, the Secretary shall—

19 “(A) consider the results of the commercial
20 motor vehicle parking facilities assessments of
21 States under subsection (f) of section 70202 of
22 title 49; and

23 “(B) seek to align the contents of each re-
24 port under paragraph (1) and the submission
25 and publication of such reports with the State

1 freight plans developed and updated under such
2 section.”.

3 (c) CLERICAL AND CONFORMING AMENDMENTS.—

4 (1) CLERICAL AMENDMENT.—The analysis for
5 chapter 1 of title 23, United States Code, is amend-
6 ed by adding at the end the following:

“180. Parking for commercial motor vehicles.”.

7 (2) CONFORMING AMENDMENT.—Section 1401
8 of MAP-21 (23 U.S.C. 137 note), and the item re-
9 lating to such provision in the table of contents
10 under section 1(c) of such Act, are repealed.

11 **SEC. 1128. CONSOLIDATED FUNDING PILOT PROGRAM.**

12 (a) IN GENERAL.—Chapter 1 of title 23, United
13 States Code, is further amended by adding at the end the
14 following:

15 **“§ 181. Consolidated funding pilot program**

16 “(a) IN GENERAL.—Beginning in fiscal year 2028,
17 the Secretary shall establish and carry out a pilot program
18 to allow not more than 10 States to receive the base ap-
19 portionment for the State in a lump sum, to be obligated
20 and expended in accordance with this section.

21 “(b) CRITERIA.—The Secretary shall develop criteria
22 for the selection of a State to receive a block grant under
23 this Act, including requiring that each recipient State—

1 “(1) meets minimum levels for the condition of
2 pavement established by the Secretary under section
3 150(c)(3);

4 “(2) meets minimum levels for the condition for
5 bridges on the National Highway System as de-
6 scribed in section 119(f)(2);

7 “(3) uses a performance-based approach to
8 transportation planning and programming for state-
9 wide and metropolitan planning areas to meet the
10 requirements of sections 134, 135, and 150; and

11 “(4) meets recertification requirements for
12 State asset management plans for the National
13 Highway System as described in section 119(e).

14 “(c) APPLICATIONS.—

15 “(1) REQUEST.—The Secretary shall request
16 applications for participation under this section in
17 accordance with paragraph (2).

18 “(2) CONTENTS.—An application submitted to
19 the Secretary under this paragraph shall include a
20 plan on how the State and each affected metropoli-
21 tan planning organization will continue to meet, or
22 make significant progress toward meeting, perform-
23 ance measures and standards under section 150(c).

24 “(d) USE OF BLOCK GRANT FUNDS.—

1 “(1) ELIGIBILITY.—Funds made available to a
2 State under this program shall be eligible for use for
3 any project eligible—

4 “(A) under the national highway perform-
5 ance program under section 119;

6 “(B) under the surface transportation
7 block grant program under section 133;

8 “(C) under the highway safety improve-
9 ment program under section 148;

10 “(D) under the congestion mitigation and
11 air quality improvement program under section
12 149;

13 “(E) for metropolitan planning under sec-
14 tion 134; and

15 “(F) under the national highway freight
16 and high priority corridor program under sec-
17 tion 167.

18 “(2) ALLOCATIONS OF APPORTIONED FUNDS TO
19 AREAS BASED ON POPULATION.—

20 “(A) ALLOCATION.—Of the total amount
21 of funds provided under this section in a fiscal
22 year for projects described under paragraph
23 (1)—

24 “(i) 25 percent shall be obligated
25 under this section, in proportion to their

1 relative shares of the population of the
2 State—

3 “(I) in urbanized areas of the
4 State with an urbanized area popu-
5 lation of over 200,000;

6 “(II) in urbanized areas of the
7 State with an urbanized area popu-
8 lation of not less than 50,000 and not
9 more than 200,000;

10 “(III) in urban areas of the State
11 with a population not less than 5,000
12 and not more than 49,999; and

13 “(IV) in other areas of the State
14 with a population less than 5,000; and

15 “(ii) the remainder may be obligated
16 in any area of the State.

17 “(B) METROPOLITAN AREAS.—Funds at-
18 tributed to an urbanized area under subpara-
19 graph (A)(i)(I) may be obligated in the metro-
20 politan area established under section 134 that
21 encompasses the urbanized area.

22 “(C) LOCAL CONSULTATION.—

23 “(i) CONSULTATION WITH METRO-
24 POLITAN PLANNING ORGANIZATIONS.—For

1 purposes of subclause (II) of subparagraph
2 (A)(i), a State shall—

3 “(I) establish a new process or
4 utilize the process established under
5 clause (i) of section 133(d)(3)(A) to
6 consult with all metropolitan planning
7 organizations in the State that rep-
8 resent an urbanized area described in
9 such clause; and

10 “(II) describe how funds allo-
11 cated for areas described in such
12 clause will be allocated equitably
13 among the applicable urbanized areas.

14 “(ii) CONSULTATION WITH REGIONAL
15 TRANSPORTATION PLANNING ORGANIZA-
16 TIONS.—For purposes of subclauses (III)
17 and (IV) of subparagraph (A)(i), before
18 obligating funding attributed to an area
19 with a population less than 50,000, a State
20 shall consult with the regional transpor-
21 tation planning organizations that rep-
22 resent the area, if any.

23 “(D) DISTRIBUTION AMONG URBANIZED
24 AREAS OF OVER 200,000 POPULATION.—

1 “(i) IN GENERAL.—Except as pro-
2 vided in clause (ii), the amount of funds
3 that a State is required to obligate under
4 subparagraph (A)(i)(I) shall be obligated
5 in urbanized areas described in subpara-
6 graph (A)(i)(I) based on the relative popu-
7 lation of the areas.

8 “(ii) OTHER FACTORS.—The State
9 may obligate the funds described in clause
10 (i) based on other factors if the State and
11 the relevant metropolitan planning organi-
12 zations jointly apply to the Secretary for
13 the permission to base the obligation on
14 other factors and the Secretary grants the
15 request.

16 “(E) APPLICABILITY FOR PLANNING RE-
17 QUIREMENTS.—Programming and expenditure
18 of funds for projects under this section shall be
19 consistent with sections 134 and 135.

20 “(3) OBLIGATION AUTHORITY.—

21 “(A) IN GENERAL.—A State that is re-
22 quired to obligate in an urbanized area with an
23 urbanized area population of over 200,000 indi-
24 viduals funds referred to under paragraph
25 (2)(A)(i)(I) shall make available an amount of

1 obligation authority distributed to the State for
2 Federal-aid highways and highway safety con-
3 struction programs for use in the area that is
4 equal to the amount obtained by multiplying—

5 “(i) the aggregate amount of funds
6 that the State is required to obligate in the
7 area under paragraph (2) during the pe-
8 riod; and

9 “(ii) the ratio that—

10 “(I) the aggregate amount of ob-
11 ligation authority distributed to the
12 State for Federal-aid highways and
13 highway safety construction programs
14 during the period; bears to

15 “(II) the total of the sums appor-
16 tioned to the State for Federal-aid
17 highways and highway safety con-
18 struction programs (excluding sums
19 not subject to an obligation limitation)
20 during the period.

21 “(B) JOINT RESPONSIBILITY.—Each
22 State, each affected metropolitan planning or-
23 ganization, and the Secretary shall jointly en-
24 sure compliance with subparagraph (A).

25 “(e) BLOCK GRANT SELECTION.—

1 “(1) ISSUANCE.—The Secretary shall provide
2 grants under this section beginning with fiscal year
3 2028.

4 “(2) OBLIGATION AUTHORITY.—Nothing in this
5 section shall be construed to increase an obligation
6 limitation applied to funds made available under this
7 section.

8 “(3) SUBSEQUENT FISCAL YEARS.—Subject to
9 subsection (g)(2), the Secretary shall continue to ap-
10 portion block grants to the awarded States.

11 “(4) SUNSET.—The authority to provide grants
12 under this section shall terminate on October 1,
13 2031.

14 “(f) PROGRESS REPORT.—

15 “(1) IN GENERAL.—Not later than 2 years
16 after the first fiscal year in which funds are provided
17 under this section, a State receiving funds shall sub-
18 mit to the Secretary a progress report on meeting,
19 or making significant progress toward meeting, per-
20 formance measures and standards under section
21 150(c).

22 “(2) GUIDANCE.—Not later than 1 year after
23 the initial funds are provided under this section, the
24 Secretary shall promulgate guidance to lump sum

1 recipients on requirements for submitting a progress
2 report under paragraph (1).

3 “(3) REVIEW.—If the Secretary finds that a
4 State that received funds under this section did not
5 meet, or achieve significant progress (as defined by
6 the Secretary) toward target achievement of, all per-
7 formance targets set in the report required under
8 paragraph (1), the Secretary may not provide funds
9 to such State under the program in the following fis-
10 cal year or 6 months after determination that the
11 State failed to meet, or make significant progress to-
12 ward target achievement, whichever is later.

13 “(4) TRANSMISSION TO CONGRESS.—Not later
14 than 30 days after the date on which the Secretary
15 receives a report from a State under paragraph (1),
16 the Secretary shall transmit the progress report to
17 the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee
19 on Environment and Public Works of the Senate.

20 “(5) RULE OF CONSTRUCTION.—Nothing in
21 this section shall be construed to exempt a State
22 from completing any other transportation plans re-
23 quired under this title.

24 “(g) TREATMENT OF LAW.—Notwithstanding any
25 other provision of law, projects funded under this section

1 shall be treated as projects on a Federal-aid highway
2 under this chapter.

3 “(h) DEFINITION OF BASE APPORTIONMENT.—In
4 this section, the term ‘base apportionment’ has the mean-
5 ing given the term in section 104(h).”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 1 of title 23, United States Code, is further amended
8 by adding at the end the following:

“181. Consolidated funding pilot program.”.

9 **SEC. 1129. REGISTRATION FEE ON MOTOR VEHICLES.**

10 (a) IN GENERAL.—Chapter 1 of title 23, United
11 States Code, is further amended by adding at the end the
12 following:

13 **“§ 182. Registration fee on motor vehicles**

14 “(a) IN GENERAL.—The Administrator of the Fed-
15 eral Highway Administration shall impose for each year
16 the following registration fee amounts on the owner of a
17 vehicle registered for operation by a State motor vehicle
18 department:

19 “(1) \$130 for a covered electric vehicle.

20 “(2) \$35 for a covered plug-in hybrid vehicle.

21 “(b) WITHHOLDING OF FUNDS FOR NONCOMPLI-
22 ANCE.—

23 “(1) IN GENERAL.—If a State fails to comply
24 with the requirements under subsection (c), the Ad-
25 ministrator shall withhold, from amounts required to

1 be apportioned to any State under section 104(b),
2 an amount equal to 125 percent to the amount re-
3 quired to be remitted under subsection (c)(2).

4 “(2) TIMING.—The Administrator shall with-
5 hold the amount on the first day of each fiscal year
6 beginning after September 30, 2027, in which the
7 State does not meet the requirements of subsection
8 (c) until the date that is 30 days after the date on
9 which the State meets such requirements.

10 “(c) COLLECTION AND REMITTANCE OF FEE.—

11 “(1) COLLECTION OF FEE.—A State motor ve-
12 hicle department, or an equivalent to such depart-
13 ment, shall—

14 “(A) incorporate the collection of the fees
15 established under subsection (a) into the vehicle
16 registration and renewal processes administered
17 by such department, so long as such fees are
18 imposed for each year in which the fees are re-
19 quired; or

20 “(B) obtain approval from the Adminis-
21 trator to establish an alternate means of com-
22 pliance for the collection of such fees that is ac-
23 ceptable to the Administrator.

24 “(2) REMITTANCE OF FEE.—Not later than 30
25 days after the last day of each month, a State motor

1 vehicle department shall remit to the Administrator
2 the balance of the total fee amounts collected under
3 this section in the preceding month less the portion
4 reserved for administrative expenses under sub-
5 section (e).

6 “(d) FREE ADJUSTMENT.—

7 “(1) IN GENERAL.—Subject to the limitations
8 in paragraph (2), beginning in 2029, the Adminis-
9 trator shall biennially increase the amounts specified
10 in subsection (a) by \$5.

11 “(2) LIMITATIONS.—The amount specified in—

12 “(A) subsection (a)(1) shall not be in-
13 creased to an amount that exceeds \$150; and

14 “(B) subsection (a)(2) shall not be in-
15 creased to an amount that exceeds \$50.

16 “(e) ADMINISTRATIVE EXPENSES.—In any fiscal
17 year in which a State is in compliance with this section,
18 such State may retain an amount not to exceed 1 percent
19 of the total fees collected under this section for adminis-
20 trative expenses.

21 “(f) APPLICABILITY OF FEES.—The fees imposed
22 under paragraphs (1) and (2) of subsection (a) shall ter-
23 minate on October 1, 2036.

24 “(g) DEFINITIONS.—In this section:

1 “(1) COVERED ELECTRIC VEHICLE.—The term
2 ‘covered electric vehicle’ means a covered motor vehi-
3 cle that meets the definition of ‘electric vehicle’
4 under section 86.1803–01 of title 40, Code of Fed-
5 eral Regulations (as in effect on the date of enact-
6 ment of the BUILD America 250 Act).

7 “(2) COVERED MOTOR VEHICLE.—The term
8 ‘covered motor vehicle’ has the meaning given the
9 term ‘motor vehicle’ under section 154(a) but ex-
10 cludes a motor vehicle that is a covered farm vehicle
11 or commercial motor vehicle (as such terms are de-
12 fined in section 390.5 of title 49, Code of Federal
13 Regulations).

14 “(3) COVERED PLUG-IN HYBRID VEHICLE.—
15 The term ‘covered hybrid vehicle’ means a covered
16 motor vehicle that meets the definition of ‘plug-in
17 hybrid electric vehicle’ under section 86.1803–01 of
18 title 40, Code of Federal Regulations (as in effect on
19 the date of enactment of the BUILD America 250
20 Act).”.

21 (b) IMPLEMENTATION OF CERTAIN PROCESSES.—

22 (1) IMPLEMENTATION.—The Administrator of
23 the Federal Highway Administration may provide
24 grants to State motor vehicle departments, or equiv-

1 alent departments, to implement a process to carry
2 out section 182 of title 23, United States Code.

3 (2) FUNDING.—There is authorized to be ap-
4 propriated \$104,000,000 to carry out this sub-
5 section, to remain available until September 30,
6 2030.

7 (3) ELIGIBLE AMOUNTS.—Each State motor ve-
8 hicle department may receive not more than
9 \$2,000,000 under this subsection.

10 (c) REGULATIONS.—The Administrator shall issue
11 such regulations and guidance as are necessary to—

12 (1) carry out section 182 of title 23, United
13 States Code (as added by this section); and

14 (2) establish a process for the timely and accu-
15 rate remittance of fees collected under such section
16 through an electronic method.

17 (d) REPORT.—Not later than 2 years after the date
18 of enactment of this Act, the Administrator shall submit
19 to the Committee on Transportation and Infrastructure
20 of the House of Representatives and the Committee on
21 Environment and Public Works of the Senate a report on
22 the status of the implementation of section 182 of title
23 23, United States Code (as added by this section).

24 (e) SENSE OF THE COMMITTEE.—It is the sense of
25 the Committee on Transportation and Infrastructure of

1 the House of Representatives that registration fees col-
2 lected under section 182 of title 23, United States Code
3 (as added by this Act), should be deposited into the High-
4 way Trust Fund and divided between accounts of such
5 Trust Fund in the same manner as excise taxes enacted
6 after 1982 are deposited into such Trust Fund.

7 (f) CLERICAL AMENDMENT.—The analysis for chap-
8 ter 1 of title 23, United States Code, is amended by add-
9 ing at the end the following:

182. Registration fee on motor vehicles.

10 **SEC. 1130. TRANSFER OF REAL PROPERTY NO LONGER**
11 **NEEDED.**

12 (a) IN GENERAL.—Chapter 1 of title 23, United
13 States Code, is further amended by adding at the end the
14 following:

15 **“§ 183. Transfer of real property no longer needed**

16 “(a) IN GENERAL.—If a recipient of assistance under
17 this chapter determines real property acquired at least in
18 part with such assistance is no longer necessary for the
19 purpose for which such real property was acquired, the
20 Secretary may authorize the recipient to transfer such real
21 property, with no further obligation to the Government.

22 “(b) CONDITIONS.—The Secretary may only author-
23 ize the transfer described under subsection (a) if the Sec-
24 retary determines—

1 “(1) there is no longer a purpose for the real
2 property eligible for assistance under this chapter
3 for which such property should be used;

4 “(2) the overall benefit of allowing the transfer
5 is greater than the interest of the Government in liq-
6 uidation and return of the financial interest of the
7 Government in the real property, after considering
8 fair market value and other factors; and

9 “(3) through an appropriate screening or sur-
10 vey process, that there is no interest in acquiring the
11 real property for Government use.

12 “(c) RECIPIENTS.—The Secretary may only author-
13 ize a transfer described under subsection (a) to—

14 “(1) a local governmental authority if such real
15 property will remain a public asset for at least 10
16 years after the date on which the real property is
17 transferred;

18 “(2) a local governmental authority or nonprofit
19 organization for the development of the real prop-
20 erty; or

21 “(3) a third-party entity for the development of
22 the real property, if the Secretary determines that—

23 “(A) a local governmental authority or
24 nonprofit organization is unable to receive the
25 real property;

1 “(B) the overall benefit of allowing the
2 transfer of the real property is greater than the
3 interest of the Government in selling the prop-
4 erty, after considering fair market value and
5 other factors; and

6 “(C) the third-party entity has dem-
7 onstrated a satisfactory history of construction
8 or operating an affordable housing develop-
9 ment.”.

10 (b) CLERICAL AMENDMENT.—The analysis for chap-
11 ter 1 of title 23, United States Code, is further amended
12 by adding at the end the following:

“183. Transfer of real property no longer needed.”.

13 **SEC. 1131. FEDERAL LANDS AND TRIBAL TRANSPORTATION**
14 **PROGRAMS.**

15 Section 201(b)(7) of title 23, United States Code, is
16 amended—

17 (1) in subparagraph (A)—

18 (A) by striking “program or the” and in-
19 serting “program, the”; and

20 (B) by striking “program shall” and in-
21 serting “program, or any project carried out
22 using funds awarded to an Indian Tribe under
23 a competitive grant program under this title or
24 chapter 67 of title 49 shall”; and

1 (2) in subparagraph (B) by striking “be be”
2 and inserting “be”.

3 **SEC. 1132. TRIBAL TRANSPORTATION PROGRAM.**

4 Section 202 of title 23, United States Code, is
5 amended—

6 (1) in subsection (a)(8)(A) by inserting “grad-
7 ing and” after “excluding road”;

8 (2) in subsection (e)(1) by striking “section
9 148(a)(4).” and inserting “paragraphs (4) and (11)
10 of section 148(a).”; and

11 (3) by adding at the end the following:

12 “(g) CONSOLIDATED DELIVERY.—

13 “(1) IN GENERAL.—Notwithstanding any other
14 provision of law and subject to paragraph (2), grant
15 funds awarded to an Indian Tribe from a competi-
16 tive grant program administered by the Federal
17 Highway Administration and made available to an
18 Indian Tribe under a competitive program adminis-
19 tered by the Federal Highway Administration or the
20 Secretary may, at the request of such Indian Tribe,
21 be administered as if allocated under this section.

22 “(2) SET-ASIDES NOT APPLICABLE.—The fol-
23 lowing set-asides shall not apply to funds described
24 in paragraph (1):

1 “(A) The set-aside described in subpara-
2 graph (C) of subsection (b)(3).

3 “(B) The set-asides described in sub-
4 sections (a)(6), (c), and (e).

5 “(C) The set-aside described in section
6 1123(h)(1) of MAP-21 (23 U.S.C. 202 note).”.

7 **SEC. 1133. FEDERAL LANDS TRANSPORTATION PROGRAM.**

8 Section 203 of title 23, United States Code, is
9 amended—

10 (1) in subsection (a)(1)—

11 (A) in subparagraph (A)—

12 (i) by redesignating clauses (iv), (v),
13 (vi), and (vii) as clauses (v), (vi), (viii),
14 and (ix), respectively;

15 (ii) by inserting after clause (iii) the
16 following:

17 “(iv) provisions for individuals with
18 disabilities;”; and

19 (iii) by inserting after clause (vi) (as
20 so redesignated) the following:

21 “(vii) projects to improve the resil-
22 ience of Federal lands transportation facili-
23 ties; and”; and

24 (B) in subparagraph (D)—

- 1 (i) by inserting “than” after “not
2 more”; and
3 (ii) by striking “(A)(iv)(I)” and in-
4 serting “(A)(v)(I)”; and
5 (2) in subsection (b)(1)—
6 (A) by striking “October 1, 2011, and on”;
7 and
8 (B) by striking “thereafter”.

9 **SEC. 1134. FEDERAL LANDS ACCESS PROGRAM.**

10 Section 204(a) of title 23, United States Code, is
11 amended—

- 12 (1) in paragraph (1)—
13 (A) in subparagraph (A)—
14 (i) by redesignating clauses (iv)
15 through (ix) as clauses (v) through (x), re-
16 spectively; and
17 (ii) by inserting after clause (iii) the
18 following:
19 “(iv) provisions for individuals with
20 disabilities;”; and
21 (B) in subparagraph (C) by inserting “, in-
22 cluding a project to improve the resilience of
23 such a transportation facility” after “Federal
24 land”; and
25 (2) by striking paragraph (6).

1 **SEC. 1135. NATIONALLY SIGNIFICANT FEDERAL LANDS AND**
2 **TRIBAL PROJECTS PROGRAM.**

3 Section 1123(c)(3) of the FAST Act (23 U.S.C. 201
4 note) is amended by striking “\$12,500,000” and inserting
5 “\$5,000,000”.

6 **SEC. 1136. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.**

7 Section 1123(h) of MAP-21 (23 U.S.C. 202 note)
8 is amended—

9 (1) in paragraph (1) by striking “fiscal years
10 2022 through 2026” and inserting “fiscal years
11 2027 through 2031”; and

12 (2) in paragraph (2) by striking “fiscal years
13 2022 through 2026” and inserting “fiscal years
14 2027 through 2031”.

15 **SEC. 1137. CONSOLIDATION OF PROGRAMS.**

16 Section 1519(a) of MAP-21 (Public Law 112-141;
17 126 Stat. 574) is amended, in the matter preceding para-
18 graph (1), by striking “fiscal years 2022 through 2026”
19 and inserting “fiscal years 2027 through 2031”.

20 **SEC. 1138. UPDATE TO NONMOTORIZED TRAILS DEFINI-**
21 **TION.**

22 Section 206 of title 23, United States Code, is
23 amended—

24 (1) in subsection (a)(1) by striking “except for
25 a motorized wheelchair.” and inserting “except for
26 “(A) a motorized wheelchair; and

1 “(B) an electric bicycle (as such term is
2 defined in section 217(j)).”; and

3 (2) by adding at the end the following:

4 “(j) **AUTHORITY TO LIMIT USE.**—Notwithstanding
5 subsection (a)(1)(B), a State or local government may re-
6 strict or prohibit the operation of an electric bicycle, in-
7 cluding a specific class of electric bicycle, on a non-
8 motorized recreational trail.”.

9 **Subtitle B—Improved Project De-**
10 **livery and Environmental**
11 **Streamlining**

12 **SEC. 1201. PROJECT APPROVAL AND OVERSIGHT.**

13 Section 106 of title 23, United States Code, is
14 amended—

15 (1) in subsection (e)(2)—

16 (A) in subparagraph (A)—

17 (i) by striking “\$50,000,000” and in-
18 serting “\$100,000,000”; and

19 (ii) by adding “and” at the end;

20 (B) by striking subparagraph (B); and

21 (C) by redesignating subparagraph (C) as
22 subparagraph (B); and

23 (2) in subsection (h)—

1 (A) in paragraph (1) by striking
2 “\$500,000,000” and inserting
3 “\$1,000,000,000”; and

4 (B) by adding at the end the following:

5 “(4) TOTAL COST.—The estimated total cost
6 for a major project described in paragraph (1) shall
7 be adjusted annually to reflect increases in the rate
8 of inflation as measured by Consumer Price Index
9 for All Urban Consumers published by the Depart-
10 ment of Labor.”.

11 **SEC. 1202. EXEMPTION FROM REVIEW.**

12 (a) TITLE 23.—Section 138 of title 23, United States
13 Code, is amended by adding at the end the following:

14 “(g) CERTAIN UNDERTAKINGS.—

15 “(1) IN GENERAL.—An undertaking described
16 in appendix A or that has received the appropriate
17 determination described in appendix B of the notice
18 of approval issued by the Advisory Council on His-
19 toric Preservation titled ‘Program Comment on Cer-
20 tain Housing, Building, and Transportation Under-
21 takings’, published on April 2, 2025 (90 Fed. Reg.
22 14526) that is part of a transportation program or
23 project shall not be considered use under subsection
24 (a).

1 “(2) RULE OF CONSTRUCTION.—The exemption
2 under paragraph (1) shall not be construed to apply
3 to any other aspect of a transportation program or
4 project that is not an undertaking described in such
5 paragraph.

6 “(3) APPLICABILITY ON TRIBAL LAND.—The
7 exemption under this subsection shall not apply to
8 undertakings located on Tribal lands, or to under-
9 takings that may affect historic properties located on
10 Tribal lands, unless the applicable Tribal historic
11 preservation officer or a designated representative of
12 the applicable Indian Tribe has provided prior writ-
13 ten notification to the Secretary that the Tribe con-
14 sents to the use of the exemption under this sub-
15 section.”.

16 (b) TITLE 49.—Section 303 of title 49, United States
17 Code, is amended—

18 (1) in subsection (d)(2)(A) by striking “,
19 United States Code”; and

20 (2) by adding at the end the following:

21 “(i) CERTAIN UNDERTAKINGS.—

22 “(1) IN GENERAL.—An undertaking described
23 in appendix A or that has received the appropriate
24 determination described in appendix B of the notice
25 of approval issued by the Advisory Council on His-

1 toric Preservation titled ‘Program Comment on Cer-
2 tain Housing, Building, and Transportation Under-
3 takings’, published on April 2, 2025, (90 Fed. Reg.
4 14526) that is part of a transportation program or
5 project shall not be considered use under subsection
6 (a).

7 “(2) RULE OF CONSTRUCTION.—The exemption
8 under paragraph (1) shall not be construed to apply
9 to any other aspect of a transportation program or
10 project that is not an undertaking described in such
11 paragraph.

12 “(3) APPLICABILITY ON TRIBAL LAND.—The
13 exemption under this subsection shall not apply to
14 undertakings located on Tribal lands, or to under-
15 takings that may affect historic properties located on
16 Tribal lands, unless the applicable Tribal historic
17 preservation officer or a designated representative of
18 the applicable Indian Tribe has provided prior writ-
19 ten notification to the Secretary that the Tribe con-
20 sents to the use of the exemption under this sub-
21 section.”.

1 **SEC. 1203. EFFICIENT ENVIRONMENTAL REVIEWS FOR**
2 **PROJECT DECISIONMAKING AND ONE FED-**
3 **ERAL DECISION.**

4 Section 139 of title 23, United States Code, is
5 amended—

6 (1) in subsection (c)—

7 (A) in paragraph (1)(B) by striking “may”
8 and inserting “shall”; and

9 (B) in paragraph (7)—

10 (i) in subparagraph (A) by striking
11 “shall review” and inserting “shall bienni-
12 ally review”; and

13 (ii) in subparagraph (C)—

14 (I) in the heading by striking
15 “REPORT” and inserting “BRIEFING”;
16 and

17 (II) by striking “Not later than”
18 and all that follows through “that in-
19 cludes” and inserting “Not later than
20 30 days after the completion of each
21 review required under subparagraph
22 (A), the Secretary shall provide to the
23 Committee on Transportation and In-
24 frastructure of the House of Rep-
25 resentatives and the Committee on

1 Environment and Public Works of the
2 Senate a briefing that includes”;

3 (2) in subsection (d)—

4 (A) in paragraph (2) by striking “45 days”
5 and inserting “30 days”;

6 (B) in paragraph (8)(D) by striking
7 “project if” and inserting “project only if”; and

8 (C) in paragraph (10)—

9 (i) in subparagraph (B) by striking
10 “final”; and

11 (ii) in subparagraph (C) by striking
12 “subparagraph (A) if” and inserting “sub-
13 paragraph (A) only if”;

14 (3) in subsection (f)—

15 (A) in paragraph (1) by striking “process”
16 and inserting “process and before the definition
17 of a project’s purpose and need in paragraph
18 (2)”;

19 (B) by striking paragraph (2) and insert-
20 ing the following:

21 “(2) DEFINITION.—

22 “(A) IN GENERAL.—The lead agency shall
23 define such project’s purpose and need for pur-
24 poses of any document which the lead agency is
25 responsible for preparing for the project.

1 “(B) DEADLINE.—The lead agency shall
2 define such project’s purpose and need not later
3 than 45 days after—

4 “(i) the submission by the project
5 sponsor of the appropriate information to
6 inform the purpose and need description;
7 or

8 “(ii) any appropriately completed pro-
9 posed revision to a project that affects the
10 purpose and need description previously
11 prepared or accepted by the lead agency.

12 “(C) TECHNICAL ASSISTANCE.—The Sec-
13 retary may provide a project sponsor with tech-
14 nical assistance in drafting—

15 “(i) a purpose and need statement;
16 and

17 “(ii) any necessary supporting docu-
18 mentation for projects involving Federal
19 approvals from more than 1 Federal agen-
20 cy.”;

21 (4) in subsection (g)(1)—

22 (A) in subparagraph (B) by striking clause
23 (iii) and inserting the following:

24 “(iii) MAJOR PROJECT SCHEDULE.—
25 To the maximum extent practicable and

1 consistent with applicable Federal law, in
2 the case of a major project, the lead agen-
3 cy shall develop, in concurrence with the
4 project sponsor, a schedule for the major
5 project that is consistent with the following
6 agency averages for the completion of the
7 environmental review process for major
8 projects—

9 “(I) not more than 2 years for an
10 environmental impact statement, as
11 measured from the date of publication
12 of a notice of intent to prepare an en-
13 vironmental impact statement to the
14 record of decision; or

15 “(II) not more than 1 year for an
16 environmental assessment, as meas-
17 ured from the date on which the head
18 of the lead agency determines that an
19 environmental assessment is required
20 to a finding of no significant impact.”;
21 and

22 (B) by striking subparagraph (D) and in-
23 serting the following:

24 “(D) MODIFICATION.—

1 “(i) IN GENERAL.—Subject to the
2 provisions of this subparagraph, the lead
3 agency may not lengthen or shorten a
4 schedule established under subparagraph
5 (B) except for good cause.

6 “(ii) PROVISIONS.—

7 “(I) LENGTHENED SCHED-
8 ULES.—The lead agency may only
9 lengthen a schedule under clause (i)
10 for a cooperating Federal agency by
11 not more than 1 year after the latest
12 deadline established for the major
13 project by the lead agency.

14 “(II) SHORTENED SCHED-
15 ULES.—The lead agency may not
16 shorten a schedule under clause (i) if
17 doing so would impair the ability of a
18 cooperating Federal agency to conduct
19 necessary analyses or otherwise carry
20 out relevant obligations of the Federal
21 agency for the project.”;

22 (5) in subsection (h)—

23 (A) in paragraph (4) by striking “unless
24 significant” and inserting “unless, as deter-

1 mined by the lead agency, significant and rel-
2 evant”;

3 (B) in paragraph (7)(D) by striking “cer-
4 tifies that” and inserting “certifies to the Com-
5 mittee on Transportation and Infrastructure of
6 the House of Representatives and the Com-
7 mittee on Environment and Public Works of the
8 Senate that”; and

9 (C) in paragraph (8)(B)—

10 (i) in the matter preceding clause (i)
11 by striking “120 days after the date of en-
12 actment of the MAP-21” and inserting
13 “90 days”; and

14 (ii) by striking clause (ii) and insert-
15 ing the following:

16 “(ii) A project that requires the prep-
17 aration of an environmental impact state-
18 ment.

19 “(iii) A sample of not less than 5 per-
20 cent of the projects requiring preparation
21 of an environmental assessment in each
22 State.”;

23 (6) in subsection (i) by striking “establish” and
24 inserting “establish, maintain, and continuously im-
25 prove”;

1 (7) in subsection (j)(3) by striking “section
2 204” and inserting “section 203 or section 204”;

3 (8) in subsection (l)(1) by striking “highway or
4 public transportation” and inserting “highway, pub-
5 lic transportation, or rail”;

6 (9) in subsection (n) by striking paragraph (3)
7 and inserting the following:

8 “(3) LENGTH OF ENVIRONMENTAL DOCU-
9 MENTS.—

10 “(A) ENVIRONMENTAL IMPACT STATE-
11 MENTS.—

12 “(i) IN GENERAL.—Except as pro-
13 vided in clause (ii), an environmental im-
14 pact statement shall not exceed 150 pages,
15 not including any citations or appendices.

16 “(ii) EXTRAORDINARY COM-
17 PLEXITY.—An environmental impact state-
18 ment for a proposed action of extraor-
19 dinary complexity, as determined by the
20 lead agency, shall not exceed 300 pages,
21 not including any citations or appendices.

22 “(B) ENVIRONMENTAL ASSESSMENTS.—
23 An environmental assessment shall not exceed
24 75 pages, not including any citations or appen-
25 dices.”; and

1 (10) in subsection (q)—

2 (A) in paragraph (1) by striking “Not
3 later than 60 days after the date of enactment
4 of this subsection, and every 4 years thereafter,
5 the Secretary shall” and inserting “Not less
6 than every 3 years, the Secretary shall”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (F) by striking
9 “and” at the end;

10 (ii) by redesignating subparagraph
11 (G) as subparagraph (H); and

12 (iii) by inserting after subparagraph
13 (F) the following:

14 “(G) the Environmental Protection Agen-
15 cy; and”.

16 **SEC. 1204. REPORTING PROGRAM.**

17 Section 157(b) of title 23, United States Code, is
18 amended by adding at the end the following:

19 “(4) PUBLIC AVAILABILITY.—The Secretary
20 shall make any report issued pursuant to this sub-
21 section publicly available on the website of the De-
22 partment not later than 30 days after submission of
23 the report under paragraph (1).”.

1 **SEC. 1205. TERMINATION OF ENVIRONMENTAL REVIEW IM-**
2 **PLEMENTATION FUNDS PROGRAM.**

3 Section 178 of title 23, United States Code, and the
4 item relating to such section in the analysis for chapter
5 1 of such title, are repealed.

6 **SEC. 1206. STREAMLINING OF ENVIRONMENTAL DOCU-**
7 **MENT PREPARATION.**

8 (a) USE OF PLANNING INFORMATION.—Section 304a
9 of title 49, United States Code, is amended by adding at
10 the end the following:

11 “(d) USE OF PLANNING INFORMATION.—An oper-
12 ating administration of the Department of Transportation
13 that is the lead agency for the preparation of an environ-
14 mental impact statement may eliminate an alternative for
15 a project proposed in the environmental impact statement
16 from detailed consideration if—

17 “(1) the alternative was previously considered
18 in—

19 “(A) a metropolitan planning process by a
20 metropolitan planning organization;

21 “(B) an environmental review process car-
22 ried out under State law by a State or local
23 transportation agency; or

24 “(C) a State rail plan under chapter 227
25 that has been approved by the Secretary;

1 “(2) the lead agency provided guidance to the
2 applicable planning or review entity regarding anal-
3 ysis of alternatives in the applicable planning or re-
4 view process, including guidance on the requirements
5 of the National Environmental Policy Act of 1969
6 (42 U.S.C. 4321 et seq.) and any other Federal law
7 necessary for approval of the project;

8 “(3) the applicable metropolitan planning proc-
9 ess or State environmental review process included
10 an opportunity for public review and comment that
11 is comparable to the applicable public review and
12 comment requirements of the National Environ-
13 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

14 “(4) the applicable planning or review entity
15 considered and, after considering public comments
16 gathered pursuant to paragraph (3), rejected the al-
17 ternative;

18 “(5) the Federal lead agency independently re-
19 viewed the alternative evaluation approved by the
20 applicable planning or review entity; and

21 “(6) the Federal lead agency determined—

22 “(A) in consultation with Federal partici-
23 pating or cooperating agencies, that the alter-
24 native to be eliminated from consideration is
25 not necessary for compliance with the National

1 Environmental Policy Act of 1969 (42 U.S.C.
2 4321 et seq.); or

3 “(B) with the concurrence of Federal agen-
4 cies with jurisdiction over a permit or approval
5 required for a project, that the alternative to be
6 eliminated from consideration is not necessary
7 for any permit or approval under any other
8 Federal law.”.

9 (b) PLANNING PRODUCT DEFINITION.—Section
10 168(a)(3) of title 23, United States Code, is amended to
11 read as follows:

12 “(3) PLANNING PRODUCT.—The term ‘planning
13 product’ means a decision, analysis, study, or other
14 documented information that is the result of an eval-
15 uation or decision-making process of—

16 “(A) a metropolitan planning process by a
17 metropolitan planning organization under sec-
18 tion 134;

19 “(B) a State transportation planning proc-
20 ess under section 135;

21 “(C) an environmental review process car-
22 ried out under State law by a State or local
23 transportation agency;

1 “(D) a State rail plan under chapter 227
2 of title 49 that has been approved by the Sec-
3 retary; or

4 “(E) any other transportation planning
5 process authorized by State law.”.

6 (c) ALTERNATIVE ANALYSIS.—Section 139(f)(4)(E)
7 of title 23, United States Code, is amended—

8 (1) by striking clause (i)(II) and inserting the
9 following:

10 “(II) the evaluations of alter-
11 natives in a planning or review proc-
12 ess described in clause (ii)(I).”; and

13 (2) in clause (ii)—

14 (A) by striking subclause (I) and inserting
15 the following:

16 “(I) the alternative was consid-
17 ered in—

18 “(aa) a metropolitan plan-
19 ning process by a metropolitan
20 planning organization;

21 “(bb) a State environmental
22 review process by a State or local
23 transportation agency; or

24 “(cc) a State rail plan under
25 chapter 227 of title 49 that has

1 been approved by the Sec-
2 retary;”;

3 (B) in subclause (II) by striking “metro-
4 politan planning organization or State or local
5 transportation agency, as applicable,” and in-
6 serting “applicable planning or review entity”;

7 (C) in subclause (III) by striking “metro-
8 politan planning process or State environmental
9 review process” and inserting “planning or re-
10 view process”;

11 (D) in subclause (IV) by striking “metro-
12 politan planning organization or State or local
13 transportation agency” and inserting “planning
14 or review entity”; and

15 (E) in subclause (V) by striking “metro-
16 politan planning organization or State or local
17 transportation agency” and inserting “planning
18 or review entity”.

19 **SEC. 1207. STATE AND ELIGIBLE ENTITY ASSUMPTION OF**
20 **RESPONSIBILITY FOR CATEGORICAL EXCLU-**
21 **SIONS.**

22 Section 326 of title 23, United States Code, is
23 amended—

24 (1) in the section heading by inserting “**and**
25 **eligible entities**” after “**State**”;

1 (2) by striking “a State” and inserting “an eli-
2 gible entity” each place it appears (excluding sub-
3 section (c)(2));

4 (3) by striking “States” and inserting “eligible
5 entities” each place it appears;

6 (4) by striking “the State” and inserting “the
7 eligible entity” each place it appears (excluding sub-
8 section (d)(1)(B)(iii));

9 (5) in subsection (a)—

10 (A) in paragraph (1) by striking “pursuant
11 to regulations promulgated by the Council on
12 Environmental Quality under part 1500 of title
13 40, Code of Federal Regulations (as in effect on
14 October 1, 2003)” and inserting “pursuant to
15 the National Environmental Policy Act of 1969
16 (42 U.S.C. 4321 et seq.)”;

17 (B) in paragraph (4) by inserting “, public
18 transportation, or rail” after “highway”; and

19 (C) by adding at the end the following:

20 “(5) QUALIFICATIONS.—For an eligible entity
21 that is not a State, the Secretary shall establish
22 qualifications relating to the demonstration of legal,
23 technical, and financial capabilities before permitting
24 such eligible entity to assume responsibility under
25 this subsection.”;

1 (6) in subsection (c)—

2 (A) in paragraph (2)—

3 (i) in the paragraph heading by strik-
4 ing “STATES” and inserting “ELIGIBLE
5 ENTITIES”; and

6 (ii) by striking “Governor of a State”
7 and inserting “chief executive of an eligible
8 entity”; and

9 (B) in paragraph (3)—

10 (i) in subparagraph (A) by striking “3
11 years” and inserting “5 years”; and

12 (ii) in subparagraph (C) by striking
13 “5 years” and inserting “10 years”;

14 (7) in subsection (d)—

15 (A) in paragraph (1)(B)(iii) by striking
16 “Governor of the State” and inserting “chief
17 executive of the eligible entity”; and

18 (B) in paragraph (2)—

19 (i) in the paragraph heading by strik-
20 ing “STATE” and inserting “ELIGIBLE EN-
21 TITY”; and

22 (ii) by striking “90 days” and insert-
23 ing “180 days”;

1 (8) in subsection (e) in the subsection heading
2 by striking “STATE AGENCY” and inserting “AGEN-
3 CY”; and

4 (9) by adding at the end the following:

5 “(g) RELATIONSHIP TO LOCALLY ADMINISTERED
6 PROJECTS.—An eligible entity granted authority under
7 this section may, as appropriate and at the request of a
8 local government—

9 “(1) exercise such authority on behalf of the
10 local government for a locally administered project;
11 or

12 “(2) provide guidance and training on consoli-
13 dating and minimizing the documentation and envi-
14 ronmental analyses necessary for sponsors of a lo-
15 cally administered project to comply with the Na-
16 tional Environmental Policy Act of 1969 (42 U.S.C.
17 4321 et seq.) and any comparable requirements
18 under State law.

19 “(h) ELIGIBLE ENTITY DEFINED.—In this section,
20 the term ‘eligible entity’ means—

21 “(1) a State; or

22 “(2) a direct recipient of funds under chapter
23 53 of title 49 that is located in an urbanized area
24 with a population of more than 200,000 individ-
25 uals.”.

1 **SEC. 1208. SURFACE TRANSPORTATION PROJECT DELIV-**
2 **ERY PROGRAM.**

3 Section 327 of title 23, United States Code, is
4 amended—

5 (1) in subsection (a)(2)—

6 (A) in subparagraph (A) by inserting “or
7 partially within, including projects that cross
8 State boundaries and projects that are adjacent
9 to international boundaries,” after “projects
10 within”; and

11 (B) by adding at the end the following:

12 “(H) PROJECTS CROSSING STATE BOUND-
13 ARIES.—For any project crossing a State
14 boundary, a State assuming the responsibilities
15 of the Secretary under this section shall receive
16 concurrence from the impacted State or States
17 through which the project crosses.”;

18 (2) in subsection (b)(2) in the matter preceding
19 subparagraph (A)—

20 (A) by striking “Not later than 270 days
21 after the date on which amendments to this sec-
22 tion by the MAP–21 take effect, the” and in-
23 serting “The”; and

24 (B) by striking “amend, as appropriate,”
25 and inserting “maintain and, as appropriate,
26 update”;

1 (3) in subsection (c)—

2 (A) in paragraph (6) by striking “and”;

3 (B) in paragraph (7) by striking “10
4 years, have a term of 10 years.” and inserting
5 “5 years, have a term of 10 years; and”; and

6 (C) by adding at the end the following:

7 “(8) include only requirements of the State de-
8 scribed in this section.”;

9 (4) in subsection (g)—

10 (A) in paragraph (1)(D) by striking “(in-
11 cluding public comment and responses to those
12 comments)”;

13 (B) by amending paragraph (2) to read as
14 follows:

15 “(2) PUBLIC AVAILABILITY.—An audit con-
16 ducted under paragraph (1) shall be made publicly
17 available by the Secretary on the website of the De-
18 partment.”;

19 (5) in subsection (i) by striking “Congress” and
20 inserting “the Committee on Transportation and In-
21 frastructure of the House of Representatives and the
22 Committee on Environment and Public Works of the
23 Senate”;

24 (6) in subsection (j)(2) by striking “90 days”
25 and inserting “180 days”.

1 **SEC. 1209. PROGRAM FOR ELIMINATING DUPLICATION OF**
2 **ENVIRONMENTAL REVIEWS.**

3 Section 330 of title 23, United States Code, is
4 amended—

5 (1) by striking subsection (k); and

6 (2) by redesignating subsection (l) as subsection
7 (k).

8 **SEC. 1210. TRAINING AND EDUCATION; BEST PRACTICES.**

9 (a) IN GENERAL.—Section 504(a) of title 23, United
10 States Code, is amended—

11 (1) in paragraph (3)(A)(i)—

12 (A) by striking “asset management,” and
13 inserting “contracting, procurement, and asset
14 management,”;

15 (B) by redesignating subclauses (I)
16 through (IV) as subclauses (IV) through (VII);
17 and

18 (C) by inserting after the matter preceding
19 subclause (IV) (as redesignated by this section)
20 the following:

21 “(I) contract management
22 throughout all stages of procurement;

23 “(II) the need for specificity in
24 initial contract scoping and language
25 to reduce project uncertainty, the po-
26 tential for project scope changes after

1 a contract has been awarded, and the
2 risk of cost overruns;

3 “(III) the importance of competi-
4 tion in contracting and how State
5 transportation departments or trans-
6 portation agencies should advertise
7 and conduct outreach to potential bid-
8 ders to increase the bidder pool for
9 projects;”;

10 (2) in paragraph (3)(A)(ii)—

11 (A) in subclause (V) by striking “and” at
12 the end;

13 (B) in subclause (VI) by striking the pe-
14 riod at the end and inserting “; and”; and

15 (C) by adding at the end the following:

16 “(VII) managing contracting offi-
17 cers and engineers and measuring the
18 performance of such contracting offi-
19 cers and engineers as such perform-
20 ance relates to the relative costs of
21 projects compared to projects of com-
22 parable scopes that are supervised by
23 other contracting officers and engi-
24 neers.”; and

1 (3) in paragraph (3)(B) by striking “and fi-
2 nance.” and inserting “finance, and such other
3 courses the Secretary determines appropriate.”.

4 (b) BEST PRACTICES.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of enactment of this Act, the Sec-
7 retary shall develop and transmit to each State
8 transportation department best practices on—

9 (A) improving specificity in initial contract
10 scoping and language to reduce project uncer-
11 tainty, the potential for project scope changes
12 after a contract has been awarded, and the risk
13 of cost overruns;

14 (B) increasing competition in projects
15 funded with Federal grants;

16 (C) improving contract advertisement and
17 conducting outreach to potential bidders to in-
18 crease the bidder pool for projects; and

19 (D) improving contracting officer and engi-
20 neer performance to ensure the greatest value
21 in contracting by a State department of trans-
22 portation.

23 (2) PLANS.—Not later than 1 year after the
24 date of enactment of this Act, each State transpor-
25 tation department shall submit to the Secretary—

1 (A) a plan to incorporate the best practices
2 developed under paragraph (1) into State trans-
3 portation department procurement and manage-
4 ment processes; and

5 (B) other best practices of the State trans-
6 portation department that achieve the items
7 specified in subparagraphs (A) through (D) of
8 paragraph (1).

9 (3) PERIODIC REVISION.—The Secretary shall
10 periodically review and, if appropriate, revise the
11 best practices developed under paragraph (1) and
12 transmit such revisions to each State department of
13 transportation.

14 **SEC. 1211. ACCELERATED DECISIONMAKING IN ENVIRON-**
15 **MENTAL REVIEWS.**

16 Section 304a(c) of title 49, United States Code, is
17 amended—

18 (1) in paragraph (2)—

19 (A) by striking “a draft environmental im-
20 pact statement, an environmental assessment,
21 or a final environmental impact statement” and
22 inserting “an environmental assessment or envi-
23 ronmental impact statement”; and

24 (B) by striking “or final” and inserting
25 “or”; and

1 (2) in paragraph (3)—

2 (A) by striking “a draft environmental im-
3 pact statement, an environmental assessment,
4 or a final environmental impact statement” and
5 inserting “an environmental assessment or envi-
6 ronmental impact statement”; and

7 (B) by striking “or final” and inserting
8 “or” in each place it appears.

9 **SEC. 1212. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.**

10 Section 310 of title 49, United States Code, is
11 amended—

12 (1) in subsection (a)—

13 (A) by striking “Not later than 1 year
14 after the date of enactment of this section, the”
15 and inserting “The”; and

16 (B) by striking “develop” and inserting
17 “establish and periodically update”;

18 (2) in subsection (b) in the matter preceding
19 paragraph (1) by striking “developed” and inserting
20 “established”;

21 (3) in subsection (c)(1)—

22 (A) by striking “Not later than 90 days
23 after the date of enactment of this section, the”
24 and inserting “The”; and

1 (B) by inserting “and continuously main-
2 tain” after “jointly develop”;

3 (4) in subsection (d)—

4 (A) in paragraph (2)(B) by inserting “to
5 the maximum extent practicable” after “uti-
6 lizing”; and

7 (B) in paragraph (4) by inserting “rel-
8 evant” before “groups”;

9 (5) in subsection (e) by striking “Not later than
10 1 year after the date of enactment of this section,
11 the” and inserting “The”; and

12 (6) in subsection (f)—

13 (A) by striking paragraph (2);

14 (B) in paragraph (1)—

15 (i) in subparagraph (A) by striking
16 “and” at the end;

17 (ii) in subparagraph (B) by striking
18 the period at the end and inserting “;
19 and”; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(3) challenges in aligning Federal environ-
23 mental reviews under this section.”;

1 (C) by striking “REPORTS” and all that
2 follows through “Not later than” and inserting
3 “REPORTS.—Not later than”; and

4 (D) by redesignating subparagraphs (A)
5 and (B) as paragraphs (1) and (2), respectively.

6 **SEC. 1213. FTA ALLOWANCE OF LAND ACQUISITION.**

7 Section 5323(q) of title 49, United States Code, is
8 amended—

9 (1) in the subsection heading by inserting “;
10 LAND ACQUISITION” after “PRESERVATION”;

11 (2) in paragraph (1)—

12 (A) by striking the period at the end and
13 inserting “; and”;

14 (B) by striking “may assist” and inserting
15 “may—

16 “(A) assist”; and

17 (C) by adding at the end the following:

18 “(B) pursuant to paragraph (3)(B), reim-
19 burse a recipient for the acquisition of real
20 property interests before completion of such en-
21 vironmental reviews without affecting subse-
22 quent approvals required for any project by the
23 State or any Federal agency.”;

24 (3) in paragraph (2)—

1 (A) by inserting “and real property inter-
2 ests” before “acquired under”; and

3 (B) by striking “anticipation of the
4 project” and inserting “anticipation of a
5 project”; and

6 (4) by adding at the end the following:

7 “(3) RECIPIENT-FUNDED EARLY ACQUISITION
8 OF REAL PROPERTY INTERESTS.—

9 “(A) IN GENERAL.—A recipient may carry
10 out, at the expense of the recipient, acquisitions
11 of interests in real property for a project before
12 completion of the review process required for a
13 project under the National Environmental Pol-
14 icy Act of 1969 (42 U.S.C. 4321 et seq.) with-
15 out affecting subsequent approvals required for
16 a project by the State or any Federal agency.

17 “(B) ELIGIBILITY FOR REIMBURSE-
18 MENT.—Financial assistance awarded pursuant
19 to this chapter may be used by a recipient to
20 participate in the payment of costs incurred by
21 the recipient for acquisition of real property in-
22 terests, acquired in advance of any Federal ap-
23 proval or authorization, if the real property in-
24 terests are subsequently incorporated into a

1 capital project eligible for financial assistance
2 pursuant to this chapter.”.

3 **SEC. 1214. CATEGORICAL EXCLUSION FOR PROJECTS OF**
4 **LIMITED FEDERAL ASSISTANCE.**

5 (a) IN GENERAL.—Section 1317(1) of MAP–21 (23
6 U.S.C. 109 note) is amended—

7 (1) in the matter preceding subparagraph (A)
8 by striking “Regulations, and section 771.117(c) of
9 title 23, Code of Federal Regulations” and inserting
10 “Regulations, and sections 771.116(c), 771.117(c),
11 and 771.118(c) of title 23, Code of Federal Regula-
12 tions (or any successor regulations or policies relat-
13 ing to categorical exclusions)”;

14 (2) in subparagraph (A) by striking
15 “\$6,000,000” and inserting “\$12,000,000”; and

16 (3) in subparagraph (B) by striking
17 “\$35,000,000” and inserting “\$70,000,000”.

18 (b) CODIFICATION.—Not later than 60 days after the
19 date of enactment of this Act, the Secretary shall issue
20 a final rule revising part 771 of title 23, Code of Federal
21 Regulations, to reflect the amendments made by sub-
22 section (a).

23 (c) ADOPTION BY OTHER FEDERAL AGENCIES.—

24 (1) LIMITATION.—Notwithstanding any other
25 provision of law, after the date of enactment of this

1 Act, a categorical exclusion described in section
2 1317(1) of MAP-21 (23 U.S.C. 109 note) may be
3 used only by the Department.

4 (2) RULE OF CONSTRUCTION.—Nothing in this
5 section shall be construed to affect the adoption or
6 use of such categorical exclusion by any Federal
7 agency as it was in effect on the date before the date
8 of enactment of this Act.

9 **SEC. 1215. PROGRAMMATIC AGREEMENTS.**

10 (a) IN GENERAL.—Section 1318 of MAP-21 (23
11 U.S.C. 109 note) is amended—

12 (1) in subsection (d)—

13 (A) in paragraph (2) by striking “Federal
14 Highway Administration” and inserting “Sec-
15 retary”; and

16 (B) by striking paragraph (3) and insert-
17 ing the following:

18 “(3) DETERMINATIONS.—An agreement de-
19 scribed in paragraph (2) may include determinations
20 by the Secretary of the types of projects categori-
21 cally excluded (consistent with the National Environ-
22 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.))
23 in the State in addition to the types listed in appli-
24 cable regulations and orders.”; and

25 (2) in subsection (e)—

1 (A) in paragraph (1) by striking “de-
2 scribed in section 771.117(c)” and all that fol-
3 lows through “this subsection)” and inserting
4 “described in sections 771.116, 771.117, and
5 771.118 of title 23, Code of Federal Regula-
6 tions”; and

7 (B) in paragraph (3) by striking “de-
8 scribed in section 771.117(c)” and all that fol-
9 lows through “this subsection),” and inserting
10 “described in sections 771.116, 771.117, and
11 771.118 of title 23, Code of Federal Regula-
12 tions,”.

13 (b) REVISION OF TEMPLATES.—Not later than 90
14 days after the date of enactment of this Act, the Sec-
15 retary, in consultation with the heads of State transpor-
16 tation departments and any other entities determined ap-
17 propriate by the Secretary, shall—

18 (1) review the template programmatic agree-
19 ment developed under section 1318(e) of MAP-21
20 (23 U.S.C. 109 note) and identify each type of
21 project that—

22 (A) may be subject to a programmatic
23 agreement authorized under section 1318(d)(1)
24 of MAP-21 (23 U.S.C. 109 note);

1 (B) is not included in the template as part
2 of a determination of the Secretary under sec-
3 tion 1318(d)(3) of MAP-21 (23 U.S.C. 109
4 note); and

5 (C) is categorically excluded from the prep-
6 aration of an environmental assessment or envi-
7 ronmental impact statement under the National
8 Environmental Policy Act of 1969 (42 U.S.C.
9 4321 et seq.); and

10 (2) revise the template programmatic agree-
11 ment to include each type of project identified under
12 paragraph (1) that the Secretary determines appro-
13 priate to increase flexibility for States that enter
14 into a programmatic agreement to carry out environ-
15 mental and other required project reviews.

16 **SEC. 1216. STREAMLINING TRIBAL CATEGORICAL EXCLU-**
17 **SIONS.**

18 Not later than 180 days after the date of enactment
19 of this Act, the Secretary shall seek to develop a set of
20 shared procedures with the head of a relevant Federal
21 agency to allow, to the maximum extent practicable, spon-
22 sors of projects eligible for assistance under section 202
23 of title 23, United States Code, to submit 1 document to
24 demonstrate that the conditions for any categorical exclu-
25 sion under the National Environmental Policy Act of 1969

1 (42 U.S.C. 4321 et seq.), that has been adopted by the
2 Secretary, or such head, are satisfied.

3 **SEC. 1217. STREAMLINING SMALL SAFETY PROJECTS.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary shall publish, and amend as ap-
6 propriate, a uniform checklist to help project sponsors de-
7 termine whether certain safety projects qualify for a cat-
8 egorical exclusion under paragraph (3) or (23) of section
9 771.117(c) of title 23, Code of Federal Regulations.

10 **SEC. 1218. UPDATES TO CATEGORICAL EXCLUSIONS FOR**
11 **PUBLIC TRANSPORTATION PROJECTS.**

12 (a) CATEGORICAL EXCLUSIONS FOR PUBLIC TRANS-
13 PORTATION PROJECTS.—Not later than 18 months after
14 the date of enactment of this Act, the Secretary shall take
15 such action as may be necessary to—

16 (1) establish such categorical exclusions as the
17 Secretary determines to be relevant and appropriate
18 for use by the Federal Transit Administration with
19 respect to public transportation projects after re-
20 viewing categorical exclusions—

21 (A) adopted by agencies within the Depart-
22 ment; and

23 (B) identified in the most recently con-
24 ducted process pursuant to section 139(q) of
25 title 23, United States Code;

1 (2) clarify the application of categorical exclu-
2 sions under section 771.118 of title 23, Code of Fed-
3 eral Regulations (or any successor regulations), that
4 are explicitly applicable to the assembly, construc-
5 tion, repair, or replacement of transit shelters (or
6 other transit-related shelters) located predominantly
7 within an existing right-of-way; and

8 (3) minimize, to the greatest extent allowable
9 by law, the requirements for a recipient of assistance
10 under chapter 53 of title 49, United States Code, to
11 complete documentation or studies for use by the
12 Secretary in determining if a project for which such
13 assistance is awarded is subject to—

14 (A) a categorical exclusion established
15 under paragraph (1);

16 (B) a categorical exclusion described in
17 paragraph (2); or

18 (C) the requirements of section 306108 of
19 title 54, United States Code.

20 (b) GUIDANCE REGARDING NATIONAL HISTORIC
21 PRESERVATION ACT REVIEW.—Not later than 180 days
22 after the date of enactment of this Act, the Secretary, tak-
23 ing into consideration the notice of approval issued by the
24 Advisory Council on Historic Preservation titled “Pro-
25 gram Comment on Certain Housing, Building, and Trans-

1 portation Undertakings”, published on April 2, 2025, (90
2 Fed. Reg. 14526), shall issue guidance for recipients of
3 assistance described in subsection (a)(3) with respect to
4 the processes and procedures such recipients may experi-
5 ence in attaining, if applicable, review pursuant to section
6 306108 of title 54, United States Code.

7 (c) BRIEFING.—Not later than 2 years after the date
8 of enactment of this Act, the Secretary shall brief the
9 Committee on Transportation and Infrastructure of the
10 House of Representatives and the Committee on Banking,
11 Housing, and Urban Affairs of the Senate on the actions
12 undertaken by the Secretary to carry out this section.

13 (d) TRANSIT SHELTER DEFINED.—In this section,
14 the term “transit shelter” means a canopy structure or
15 other structure open to the elements on at least 1 side
16 and provides partial weather protection for users of public
17 transportation.

18 **Subtitle C—Miscellaneous**

19 **SEC. 1301. TRANSPORTATION RULEMAKING COMMITTEES.**

20 (a) IN GENERAL.—Section 102 of title 49, United
21 States Code, is amended by adding at the end the fol-
22 lowing:

23 “(k) TRANSPORTATION RULEMAKING COMMIT-
24 TEES.—Chapter 10 of title 5 shall not apply to such trans-
25 portation rulemaking committees as the Secretary or the

1 head of a modal administration of the Department shall
2 designate.”.

3 (b) ADOPTION OF EXISTING PROCEDURES.—

4 (1) IN GENERAL.—In issuing guidance for the
5 processes and procedures relating to transportation
6 rulemaking committees enabled by the amendment
7 under subsection (a), the Secretary shall, to the
8 maximum extent practicable, adopt the same proc-
9 esses and procedures applicable to aviation rule-
10 making committees (as such term is referenced in
11 section 106(p)(5)(B) of title 49, United States
12 Code) as such processes and procedures are pre-
13 scribed in the document entitled “The Federal Avia-
14 tion Administration Rulemaking and Federal Advi-
15 sory Committee Manual”, approved June 6, 2024.

16 (2) CLARIFICATION.—In issuing guidance under
17 paragraph (1), the Secretary shall clarify that—

18 (A) a transportation rulemaking committee
19 may have more than 1 Industry Co-Chair; and

20 (B) an individual representing any relevant
21 non-Federal stakeholder (including an indi-
22 vidual representing the interests of State or
23 local governments or public interest organiza-
24 tions) may not be precluded from serving as an

1 Industry Co-Chair of a transportation rule-
2 making committee.

3 (c) REQUIREMENTS.—

4 (1) TRANSPARENCY.—The Secretary shall make
5 all reports and recommendations of a transportation
6 rulemaking committee required to be established
7 under this Act publicly available prior to initiating
8 an applicable rulemaking, if applicable.

9 (2) RULEMAKING.—The Secretary shall ensure
10 that any rulemaking that results from any regu-
11 latory recommendation of a transportation rule-
12 making committee required to be established under
13 this Act is promulgated by a Notice of Proposed
14 Rulemaking.

15 (d) RULE OF CONSTRUCTION.—The amendment
16 made by subsection (a) may not be construed to restrict
17 the authority of the Administrator of the Federal Aviation
18 Administration under section 106(p)(5) of title 49, United
19 States Code, as such authority existed on the day before
20 the date of enactment of this Act.

21 **SEC. 1302. VEHICLE WEIGHT LIMITS.**

22 (a) COVERED HEAVY-DUTY TOW AND RECOVERY VE-
23 HICLES.—Section 127(m) of title 23, United States Code,
24 is amended—

1 (1) by striking paragraph (1) and inserting the
2 following:

3 “(1) IN GENERAL.—The vehicle weight limita-
4 tions set forth in this section do not apply to a cov-
5 ered heavy-duty tow and recovery vehicle operating
6 in a State under a permit—

7 “(A) issued by such State in accordance
8 with State law; and

9 “(B) that includes routing or similar infor-
10 mation to ensure safe operation of such vehicle
11 on highway bridges and tunnels.”; and

12 (2) in paragraph (2)(B)—

13 (A) by striking “a gross vehicle weight”
14 and inserting “a gross combined weight rat-
15 ing”; and

16 (B) by inserting “rating” after “the gross
17 vehicle weight”.

18 (b) OPERATION OF CERTAIN SPECIALIZED VEHICLES
19 ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—
20 Section 127(p) of title 23, United States Code, is amended
21 by inserting “and United States Highway 67 between the
22 exits for county road 315 and highway 224” before “in
23 the State of Arkansas”.

24 (c) EMERGENCY VEHICLES.—Section 127(r) of title
25 23, United States Code, is amended—

1 (1) in paragraph (1), in the matter preceding
2 subparagraph (A), by striking “a State” and all that
3 follows through “less than” and inserting “a State
4 shall issue a permit for the operation of an emer-
5 gency vehicle with a vehicle weight up to 86,000
6 pounds and a maximum of”;

7 (2) by redesignating paragraph (2) as para-
8 graph (3); and

9 (3) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) PERMITTING REQUIREMENT.—Any permit
12 issued pursuant to this subsection shall be issued in
13 accordance with State law and shall include routing
14 or similar information to ensure safe operation of an
15 emergency vehicle on highway bridges.”.

16 (d) HYDROGEN VEHICLES.—Section 127(s) of title
17 23, United States Code, is amended—

18 (1) in the subsection heading by striking “GAS
19 AND ELECTRIC BATTERY VEHICLES” and inserting
20 “GAS, ELECTRIC BATTERY, AND HYDROGEN VEHI-
21 CLES”;

22 (2) by striking “gas or” and inserting “gas,”;
23 and

1 (3) by inserting “fueled primarily by hydrogen,
2 or fueled or powered by a combination thereof,” be-
3 fore “may exceed”.

4 (e) DRY BULK AXLE WEIGHT VARIANCE.—Section
5 127 of title 23, United States Code, is further amended
6 by adding at the end the following:

7 “(z) DRY BULK AXLE WEIGHT VARIANCE.—

8 “(1) WEIGHT VARIANCE.—Notwithstanding any
9 other provision of this section, except for the max-
10 imum gross vehicle weight limitation, a commercial
11 motor vehicle transporting dry bulk goods may not
12 exceed 110 percent of the maximum weight on any
13 axle or axle group described in subsection (a), in-
14 cluding any enforcement tolerance.

15 “(2) DRY BULK GOODS DEFINED.—In this sub-
16 section, the term ‘dry bulk goods’ means any homo-
17 geneous unmarked, unpackaged, non-liquid cargo
18 being transported in a trailer specifically designed
19 for that purpose.”.

20 (f) OPERATION OF CERTAIN AGRICULTURAL VEHI-
21 CLES IN THE STATE OF LOUISIANA.—Section 127 of title
22 23, United States Code, is further amended by adding at
23 the end the following:

24 “(aa) OPERATION OF CERTAIN AGRICULTURAL VE-
25 HICLES IN THE STATE OF LOUISIANA.—

1 “(1) IN GENERAL.—The State of Louisiana
2 may allow, by special permit, the operation of a cov-
3 ered agricultural vehicle on the Interstate System in
4 the State of Louisiana if such vehicle—

5 “(A) does not exceed a gross vehicle weight
6 of 88,000 pounds;

7 “(B) does not exceed 110 percent of the
8 maximum weight on any axle or axle group de-
9 scribed in subsection (a)(2), including any en-
10 forcement tolerance; and

11 “(C) has no fewer than 5 axles.

12 “(2) COVERED AGRICULTURAL VEHICLE DE-
13 FINED.—In this subsection, the term ‘covered agri-
14 cultural vehicle’ means a vehicle that is transporting
15 unprocessed agricultural crops used for food, feed or
16 fiber, or raw or unfinished forest products, including
17 logs, pulpwood, biomass, or woodchips.”.

18 (g) OPERATION OF CERTAIN LOGGING VEHICLES IN
19 THE STATE OF ARKANSAS.—Section 127 of title 23,
20 United States Code, is further amended by adding at the
21 end the following:

22 “(bb) OPERATION OF CERTAIN LOGGING VEHICLES
23 IN THE STATE OF ARKANSAS.—

24 “(1) IN GENERAL.—The State of Arkansas may
25 allow, by special permit, the operation of a covered

1 logging vehicle on the Interstate System in the State
2 of Arkansas if such vehicle—

3 “(A) does not exceed a gross vehicle weight
4 of 85,000 pounds;

5 “(B) has no fewer than 5 axles; and

6 “(C) travels a maximum distance of 20
7 miles on the Interstate System from origin to a
8 storage or processing facility.

9 “(2) COVERED LOGGING VEHICLE DEFINED.—

10 In this subsection, the term ‘covered logging vehicle’
11 means a vehicle that is transporting raw or unfin-
12 ished forest products, including logs, pulpwood, bio-
13 mass, or wood chips.”.

14 (h) OPERATION OF CERTAIN VEHICLES IN THE
15 STATE OF IOWA.—Section 127 of title 23, United States
16 Code, is further amended by adding at the end the fol-
17 lowing:

18 “(cc) OPERATION OF CERTAIN VEHICLES IN THE
19 STATE OF IOWA.—

20 “(1) INTERSTATE DESIGNATION.—If any seg-
21 ment of Iowa State Route 5 in Iowa from the inter-
22 change with Interstate Route 35 to the interchange
23 with United States Route 65, or United States
24 Route 65 in Iowa from the interchange with Iowa
25 State Route 5 and United States Route 69 to the

1 interchange with Interstate Route 80, is designated
2 as a route on the Interstate System, a vehicle that
3 could operate legally on such segment before the
4 date of such designation may continue to operate on
5 such segment, without regard to any requirement
6 under this section.

7 “(2) SPECIAL PERMITS.—The State of Iowa
8 may allow, by special permit, the operation of vehi-
9 cles with a gross vehicle weight of up to 108,000
10 pounds for the hauling of divisible loads on a seg-
11 ment of Interstate Route 380 in the State of Iowa
12 from the west interchange with United States Route
13 20 and United States Route 218 to the east inter-
14 change with United States Route 20.”.

15 **SEC. 1303. DESIGNATION OF HIGH PRIORITY CORRIDORS**
16 **ON NATIONAL HIGHWAY SYSTEM.**

17 (a) DESIGNATION AS HIGH PRIORITY CORRIDOR.—
18 Section 1105(c) of the Intermodal Surface Transportation
19 Efficiency Act of 1991 (Public Law 102–240) is amended
20 by adding at the end the following:

21 “(103) United States Route 74 from I–26 in
22 the vicinity of Columbus, North Carolina to I–85 in
23 the vicinity of Kings Mountain, North Carolina.

1 “(104) United States Route 421 from
2 Wilkesboro, North Carolina, to Winston-Salem,
3 North Carolina.”.

4 (b) DESIGNATION AS FUTURE INTERSTATE.—Sec-
5 tion 1105(e)(5) of the Intermodal Surface Transportation
6 Efficiency Act of 1991 (Public Law 102–240) is amend-
7 ed—

8 (1) in subparagraph (A) by striking “and sub-
9 section (c)(102)” and inserting “subsection (c)(102),
10 subsection (c)(103), and subsection (c)(104)”; and

11 (2) in subparagraph (C)(i) by adding at the end
12 the following: “The route referred to in subsection
13 (c)(104) is designated as Interstate Route I–777.”.

14 **SEC. 1304. SAFETY COORDINATORS; DETERMINATION OF**
15 **REASONABLE COST.**

16 (a) IN GENERAL.—Section 217 of title 23, United
17 States Code, is amended—

18 (1) in subsection (d)—

19 (A) in the subsection heading by inserting
20 “SAFETY” before “COORDINATORS”; and

21 (B) by striking “the increased use” and all
22 that follows through “transportation, including”
23 and inserting “nonmotorized transportation
24 safety, including by”; and

25 (2) in subsection (e)—

1 (A) by striking “can be provided” and in-
2 serting “was not included in the original project
3 scope and can be provided”; and

4 (B) by striking “then such bridge shall”
5 and inserting “then the Secretary may require
6 such bridge”.

7 (b) REPEAL.—Section 11529 of the Infrastructure
8 Investment and Jobs Act (23 U.S.C. 217 note), and the
9 item relating to such provision in the table of contents
10 under section 1(b) of such Act, are repealed.

11 **SEC. 1305. UPDATES TO MANUAL ON UNIFORM TRAFFIC**
12 **CONTROL DEVICES.**

13 In updating the Manual on Uniform Traffic Control
14 Devices under section 109(d)(2) of title 23, United States
15 Code, for the first time after the date of enactment of this
16 Act, the Secretary shall include updates necessary to—

17 (1) establish a standard for the minimum level
18 of required retroreflectivity of traffic control devices
19 and pavement markings, ensuring the standard re-
20 quires that traffic control devices and pavement
21 markings meet the minimum level of required
22 retroreflectivity in wet conditions; and

23 (2) standardize bordered and lag contrast pave-
24 ment markings on light-colored pavements and
25 bridges.

1 **SEC. 1306. DESIGN STANDARDS.**

2 (a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of this Act, the Administrator of the
4 Federal Highway Administration shall develop a list of
5 categorical design exceptions from standards developed
6 under section 109(c) of title 23, United States Code, for
7 categories of multimodal projects and features on Federal-
8 aid highways.

9 (b) INCLUSIONS.—The list developed under sub-
10 section (a) shall include categories of multimodal projects
11 and features that—

12 (1) are recommended by the Federal Highway
13 Administration, including Proven Safety Counter-
14 measures;

15 (2) improve safety for vulnerable road users;
16 and

17 (3) are currently subject to the design exception
18 process.

19 **SEC. 1307. MODERNIZING ROADSIDE SAFETY HARDWARE**
20 **DEVICES AND ADMINISTRATION POLICIES.**

21 (a) MODERNIZING ROADSIDE SAFETY HARDWARE
22 POLICIES.—

23 (1) IN GENERAL.—The Secretary may not issue
24 a Federal-aid reimbursement eligibility letter under
25 the Federal-aid highway program to a person or en-
26 tity for a new roadside safety hardware device that

1 does not meet the applicable crash test criteria set
2 forth in the most recent version of the manual of the
3 American Association of State Highway and Trans-
4 portation Officials titled “Manual for Assessing
5 Safety Hardware, Second Edition” (referred to in
6 this section as “MASH”) or any successor industry
7 standard.

8 (2) TERMINATION OF PROHIBITION.—Para-
9 graph (1) shall cease to apply on the date that the
10 final rule associated with the rulemaking described
11 in subsection (b)(5)(B) is effective.

12 (3) SUPPLEMENTAL MATERIALS.—In addition
13 to materials specified by the Secretary, beginning on
14 the date of enactment of this Act, a requestor for a
15 letter described in paragraph (1) shall certify, in a
16 manner satisfactory to the Secretary, that all instal-
17 lation manuals or instructions relating to a roadside
18 safety hardware device are up-to-date and publicly
19 available and utilize plain writing (as such term is
20 defined in section 3 of the Plain Writing Act of
21 2010 (5 U.S.C. 301 note)) for use by individuals in
22 States and territories.

23 (b) TRANSPORTATION RULEMAKING COMMITTEE.—

24 (1) ESTABLISHMENT.—Not later than 1 year
25 after the date of enactment of this Act, the Sec-

1 retary shall establish a transportation rulemaking
2 committee, pursuant to section 102(k) of title 49,
3 United States Code, to review and develop findings
4 and recommendations to increase the safety and per-
5 formance of roadside safety hardware devices.

6 (2) MEMBERSHIP.—The transportation rule-
7 making committee convened under paragraph (1)
8 shall consist of members appointed by the Secretary,
9 including—

10 (A) representatives of an association rep-
11 resenting State highway officials;

12 (B) representatives of the traffic safety in-
13 dustry, including manufacturers of roadside
14 safety hardware devices and roadside safety
15 hardware technologies;

16 (C) representatives from up to 4 State
17 highway safety offices from different geographic
18 regions;

19 (D) representatives of roadway safety ad-
20 vocacy organizations;

21 (E) representatives of relevant research or-
22 ganizations or academia;

23 (F) representatives of labor organizations
24 representing roadway construction workers;

1 (G) representatives of transportation con-
2 struction associations; and

3 (H) other representatives, as determined
4 appropriate by the Secretary.

5 (3) CONSIDERATIONS.—The transportation
6 rulemaking committee convened under paragraph
7 (1) shall consider, at a minimum, the following:

8 (A) The extent to which roadside safety
9 hardware devices on the National Highway Sys-
10 tem utilize MASH crash test standards, includ-
11 ing such devices procured and installed with
12 Federal and non-Federal funds.

13 (B) The extent to which plain writing (as
14 such term is defined in section 3 of the Plain
15 Writing Act of 2010 (5 U.S.C. 301 note)) is
16 utilized in installation manuals or instructions
17 associated with a roadside safety hardware de-
18 vice for use by individuals responsible for in-
19 stalling such devices.

20 (C) Potential changes to administrative
21 guidance documents and policies as such
22 changes relate to roadside safety hardware de-
23 vices to improve Federal agency oversight of
24 such devices and communication with State de-
25 partments of transportation, including exam-

1 ining how data is collected following in service
2 performance evaluations.

3 (D) Whether the Federal Highway Admin-
4 istration should require third-party verification
5 of laboratory testing of roadside safety hard-
6 ware devices to determine crashworthiness.

7 (E) Whether the most up-to-date MASH
8 crash test standards for roadside safety hard-
9 ware devices effectively mitigate roadway vehicle
10 departure for a modern vehicle fleet and road-
11 way conditions and ensure vehicle occupant pro-
12 tection in the event of a crash.

13 (4) RANDOM SAMPLING.—In carrying out sub-
14 paragraphs (A) and (B) of paragraph (3), the rule-
15 making committee may evaluate a random sampling
16 of roadside safety hardware devices, including such
17 devices procured and installed with Federal and non-
18 Federal funds, from across all regions.

19 (5) REPORT AND REGULATIONS.—

20 (A) REPORT.—Not later than 1 year after
21 the transportation rulemaking committee under
22 paragraph (1) convenes, the Secretary shall
23 submit to the Committee on Transportation and
24 Infrastructure of the House of Representatives
25 and the Committee on Commerce, Science, and

1 Transportation of the Senate a report based on
2 the findings of the transportation rulemaking
3 committee.

4 (B) RULEMAKING REQUIRED.—Not later
5 than 1 year after the Secretary submits the re-
6 port under subparagraph (A), the Secretary
7 shall issue an advanced notice of proposed rule-
8 making establishing regulations to require the
9 installation of roadside safety hardware devices
10 on the National Highway System that are com-
11 pliant with the most up-to-date crashworthiness
12 standards, among other requirements.

13 (C) CONTENTS OF RULEMAKING.—In
14 issuing the notice of proposed rulemaking re-
15 quired under subparagraph (B), the Sec-
16 retary—

17 (i) shall require, at a minimum—

18 (I) roadside safety hardware de-
19 vices to be compliant with the most
20 up-to-date crashworthiness standards,
21 as determined by the Secretary;

22 (II) the adoption of laboratory
23 testing of roadside safety hardware
24 devices to determine crashworthiness
25 and safety performance;

1 (III) the adoption of in-service
2 maintenance standards for such de-
3 vices; and

4 (IV) the adoption of a standard-
5 ized means of collection of perform-
6 ance data resulting from in-service
7 performance evaluations of such de-
8 vices; and

9 (ii) may incorporate by reference 1 or
10 more requirement under clause (i).

11 (c) ELIGIBILITY LETTERS.—The Secretary, upon
12 issuance of the final rule associated with the rulemaking
13 described in subsection (b)(5)(B), may not issue a Fed-
14 eral-aid reimbursement eligibility letter under the Federal-
15 aid highway program to a person or entity for a roadside
16 safety hardware device.

17 (d) ROADSIDE SAFETY HARDWARE DEVICE DE-
18 FINED.—In this section, the term “roadside safety hard-
19 ware device” means a device that reduces the con-
20 sequences of a vehicle departure from the roadway by con-
21 taining, redirecting, or decelerating such vehicle to a safe
22 stop, including guardrails, cable barriers, bridge barriers,
23 crash cushions, support structures, and work zone devices.

1 **SEC. 1308. AUDIT OF FHWA OVERSIGHT OF ROADSIDE**
2 **SAFETY HARDWARE DEVICES.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the inspector general of the
5 Department shall initiate an audit of the Federal Highway
6 Administration’s oversight of roadside safety hardware de-
7 vices, including crash testing of such devices, oversight of
8 in-service performance evaluations of such devices con-
9 ducted by State departments of transportation, and other
10 oversight related activities carried out by the agency in
11 relation to such devices.

12 (b) CONTENTS.—In conducting the audit described in
13 subsection (a), the inspector general shall, at a min-
14 imum—

15 (1) assess the Federal Highway Administra-
16 tion’s oversight of—

17 (A) the standards and design specifications
18 of a State or territory for roadside safety hard-
19 ware devices, including the written policies of
20 the State or territory relating to the installation
21 of crash-tested roadside hardware safety de-
22 vices, if applicable;

23 (B) the roadside safety hardware device
24 crash-testing and safety performance process,
25 including how such devices perform in actual

1 conditions through in-service performance eval-
2 uations; and

3 (C) the progress of a State or territory in
4 transitioning to roadside safety hardware de-
5 vices that comply with crash testing standards
6 set forth in the most recent version of the man-
7 ual of the American Association of State High-
8 way and Transportation Officials titled “Man-
9 ual for Assessing Safety Hardware, Second Edi-
10 tion”; and

11 (2) make recommendations, if applicable, for
12 additional actions the Federal Highway Administra-
13 tion shall take to improve oversight processes relat-
14 ing to roadside safety hardware devices.

15 (c) REPORT.—Not later than 1 year after the date
16 of initiation of the audit described in subsection (a), the
17 inspector general shall submit to the Committee on Trans-
18 portation and Infrastructure of the House of Representa-
19 tives and the Committee on Environment and Public
20 Works of the Senate a report on the results of such audit,
21 including findings and recommendations to improve the
22 oversight of roadside hardware safety devices.

1 **SEC. 1309. INTERAGENCY BRIDGE STRIKE WORKING**
2 **GROUP.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Secretary shall establish
5 an interagency bridge strike working group—

6 (1) to coordinate between the Department and
7 other agencies;

8 (2) to provide guidance and assistance to bridge
9 owners on evaluating and reducing the risk of bridge
10 collapse from a vessel collision; and

11 (3) to provide guidance to bridge owners on mo-
12 torist warning systems.

13 (b) MEMBERSHIP.—The interagency working group
14 established under subsection (a) shall consist of represent-
15 atives from—

16 (1) the Federal Highway Administration;

17 (2) the Coast Guard;

18 (3) the Army Corps of Engineers; and

19 (4) any other entities determined appropriate
20 by the Secretary.

21 (c) REPORT.—Not later than 1 year after the date
22 of enactment of this Act, the interagency working group
23 established under subsection (a) shall submit to the Com-
24 mittee on Transportation and Infrastructure of the House
25 of Representatives and the Committee on Environment
26 and Public Works and the Committee on Commerce,

1 Science, and Transportation of the Senate a report that
2 includes—

3 (1) an analysis of current bridge vulnerabilities
4 that risk leading to a bridge collapse from a vessel
5 collision;

6 (2) recommendations for bridge owners to
7 evaluate and reduce the risk of bridge collapse from
8 a vessel collision;

9 (3) recommendations on any policy changes
10 necessary to prevent the risk of bridge collapses due
11 to vessel strikes; and

12 (4) any other information the working group
13 determines appropriate.

14 (d) **TERMINATION OF WORKING GROUP.**—The inter-
15 agency working group established under subsection (a)
16 shall terminate on the date that is 3 months after the date
17 of submission of the report required under subsection (c).

18 **SEC. 1310. BRIDGE CLEARANCE BEST PRACTICES.**

19 (a) **ESTABLISHMENT.**—The Secretary shall establish
20 a bridge clearance strike working group to make rec-
21 ommendations on ways to improve public-private data
22 sharing regarding bridge clearance height and the routing
23 of commercial motor vehicles and rental vehicles.

24 (b) **MEMBERSHIP.**—The working group established
25 under subsection (a) shall include representatives from—

- 1 (1) the Federal Highway Administration;
- 2 (2) the Federal Railroad Administration;
- 3 (3) the Federal Motor Carrier Safety Adminis-
- 4 tration;
- 5 (4) State departments of transportation;
- 6 (5) trucking organizations;
- 7 (6) producers of GPS navigation systems;
- 8 (7) law enforcement agencies;
- 9 (8) companies that rent or lease rental vehicles
- 10 directly to consumers; and
- 11 (9) Class I, II, and III railroad carriers.

12 (c) REPORT.—Not later than 1 year after the date
13 of the establishment of the interagency working group
14 under subsection (a), the Secretary shall submit to the
15 Committee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on Environ-
17 ment and Public Works and the Committee on Commerce,
18 Science, and Transportation of the Senate a report that
19 includes—

- 20 (1) recommendations to—
 - 21 (A) improve the availability of information
 - 22 and route signs specific to commercial motor
 - 23 vehicles or rental vehicles on GPS navigation
 - 24 systems;

1 (B) improve driver knowledge and aware-
2 ness about bridge clearance strikes;

3 (C) encourage companies that rent out
4 rental vehicles to clearly label such vehicles with
5 height and weight restriction information; and

6 (D) include ways for companies that rent
7 or lease vehicles to provide notice to individuals
8 who rent or lease such a vehicle, whether orally
9 or written, of vehicle height and warn such indi-
10 viduals to look out for road signs about vehicle
11 height; and

12 (2) any other recommendations by the working
13 group to address bridge clearance strikes.

14 **SEC. 1311. U.S. CONGRESSMAN AND PRISONER OF WAR SAM**
15 **JOHNSON MEMORIAL HIGHWAY.**

16 (a) DESIGNATION.—The portion of United States
17 Highway 75 between President George Bush Turnpike
18 and United States Highway 380 previously designated as
19 “Sam Johnson Highway” shall, after the date of enact-
20 ment of this Act, be known and redesignated as the “U.S.
21 Congressman and Prisoner of War Sam Johnson Memo-
22 rial Highway”.

23 (b) REFERENCE.—Any reference in any law, regula-
24 tion, map, document, paper, or other record of the United
25 States to the portion of highway referred to in subsection

1 (a) shall be considered to be a reference to the U.S. Con-
2 gressman and Prisoner of War Sam Johnson Memorial
3 Highway.

4 **SEC. 1312. TECHNICAL ASSISTANCE FOR CONTRACTING.**

5 The Secretary may provide technical assistance to,
6 and develop guidance and best practices for, State depart-
7 ments of transportation regarding the use of the lump sum
8 payment method in the procurement and administration
9 of engineering and design services for transportation
10 projects funded using Federal grants, including the poten-
11 tial benefits and risks associated with such payment meth-
12 od.

13 **SEC. 1313. PREVENTING ANTICOMPETITIVE BIDDING PRAC-**
14 **TICES.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of enactment of this Act, the Secretary shall issue
17 guidance to State departments of transportation on
18 proactively preventing anticompetitive bidding practices on
19 Federal-aid highway projects.

20 (b) CONTENTS.—In issuing guidance under sub-
21 section (a), the Secretary shall—

22 (1) advise States on how to conduct frequent,
23 regular, and systematic reviews and audits of pro-
24 curements made over multiple years using specific

1 statistics to identify anticompetitive bidding pat-
2 terns; and

3 (2) encourage, to the maximum extent prac-
4 ticable, reduced reliance on historical data when de-
5 veloping engineer's estimates.

6 (c) TRANSPORTATION RULEMAKING COMMITTEE.—

7 (1) ESTABLISHMENT.—Not later than 1 year
8 after the date of enactment of this Act, the Sec-
9 retary shall establish a transportation rulemaking
10 committee to provide recommendations to revise
11 Federal regulations to prevent and protect against
12 anticompetitive practices in bidding on Federal-aid
13 highway projects.

14 (2) MEMBERSHIP.—The transportation rule-
15 making committee convened under paragraph (1)
16 shall consist of members appointed by the Secretary,
17 including representatives of—

18 (A) State departments of transportation;

19 (B) engineering associations;

20 (C) transportation construction associa-
21 tions;

22 (D) construction materials associations;

23 (E) labor organizations representing trans-
24 portation workers;

1 (F) technology associations providing con-
2 struction management software;

3 (G) an association representing businesses
4 that participate in the program described in
5 section 1101(e); and

6 (H) other stakeholders the Secretary deter-
7 mines appropriate.

8 (3) REPORT.—Not later than 18 months after
9 the date on which the transportation rulemaking
10 committee is established under paragraph (1), the
11 transportation rulemaking committee shall submit to
12 the Secretary a report detailing the findings and rec-
13 ommendations developed under paragraph (1) on
14 how to revise the regulations under sections
15 635.111, 635.112(f), 635.113, 635.114, and
16 635.115 of title 23, Code of Federal Regulations, or
17 other related regulations, considering the following:

18 (A) Methods to reduce or eliminate reli-
19 ance on historical data as the sole basis of engi-
20 neer's estimates when developing such esti-
21 mates.

22 (B) Best practices for States to routinely
23 review and audit procurements to identify anti-
24 competitive bidding patterns.

1 (C) Techniques for States to address po-
2 tential instances of anticompetitive bidding on
3 Federal-aid highway projects.

4 (D) Costs associated with potential anti-
5 competitive bidding patterns.

6 (4) RECOMMENDATIONS.—Not later than 9
7 months after the date on which the transportation
8 rulemaking committee submits the report under
9 paragraph (3), the Secretary shall submit to the
10 Committee on Transportation and Infrastructure of
11 the House of Representatives and the Committee on
12 Environment and Public Works of the Senate—

13 (A) a summary of the findings and rec-
14 ommendations described in such report; and

15 (B) for each such recommendation—

16 (i) the Secretary intends to imple-
17 ment, a description for the implementation
18 plan of the Secretary and a timeline for
19 implementation; and

20 (ii) the Secretary does not plan to im-
21 plement, an explanation as to why the Sec-
22 retary does not intend to implement such
23 recommendation.

24 (5) NOTICE OF PROPOSED RULEMAKING.—The
25 Secretary shall issue a notice of proposed rule-

1 making for any regulatory changes recommended by
2 the transportation rulemaking committee that the
3 Secretary intends to implement.

4 **SEC. 1314. STUDY ON EFFECTIVENESS OF DISCRETIONARY**
5 **GRANT PROGRAMS.**

6 (a) IN GENERAL.—Not later than 6 months after the
7 date of enactment of this Act, the Comptroller General
8 shall initiate a study on the effectiveness of highway-re-
9 lated discretionary grant programs administered by the
10 Department.

11 (b) CONSIDERATIONS.—In conducting the study re-
12 quired under subsection (a), the Comptroller General shall
13 review—

14 (1) the criteria used by the Department to
15 evaluate and select projects for funding, including—

16 (A) the alignment of funding decisions
17 with statutory program objectives; and

18 (B) the transparency and consistency of
19 the application review and award process;

20 (2) trends in funding allocation across project
21 types, geographic regions, and jurisdictions, includ-
22 ing a comparison of various Department funding
23 sources;

1 (3) the average timeline from application sub-
2 mission to award notification and obligation of
3 funds, including—

4 (A) the prevalence and source of cost over-
5 runs, schedule delays, and project scope
6 changes or cancellations, and the contributing
7 factors; and

8 (B) effective practices that led to success-
9 ful project completion within budget and on
10 schedule;

11 (4) the outcome of projects completed using dis-
12 cretionary funding compared to formula funding;
13 and

14 (5) the frequency with which grant recipients at
15 the local government level attempted to seek funding
16 for a project with alternative funding sources, in-
17 cluding Federal formula funds, before receiving a
18 grant.

19 (c) CONSULTATION.—In conducting the study re-
20 quired under subsection (a), the Comptroller General shall
21 consult with relevant stakeholders, including—

22 (1) State departments of transportation;

23 (2) transit agencies;

24 (3) metropolitan planning organizations;

1 (4) local governments, including at least 1 rep-
2 representative each from a city, town, and county;

3 (5) Tribal governments;

4 (6) a representative from a labor organization
5 representing transportation construction workers;

6 (7) representatives of the construction industry,
7 including representatives with experience con-
8 structing highway infrastructure systems and public
9 transportation infrastructure systems;

10 (8) representatives from the design and engi-
11 neering industry; and

12 (9) relevant Federal agencies and any other
13 stakeholders the Comptroller General determines to
14 be appropriate.

15 (d) REPORT.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of enactment of this Act, the Comptroller
18 General shall submit to the Committee on Transpor-
19 tation and Infrastructure of the House of Represent-
20 atives and the Committee on Environment and Pub-
21 lic Works of the Senate a report on the results of
22 the study conducted under subsection (a).

23 (2) RECOMMENDATIONS.—The Comptroller
24 General shall include in the report submitted under

1 paragraph (1) recommendations associated with the
2 results of the study, including recommendations to—

3 (A) enhance project selection criteria to
4 achieve grant program objectives;

5 (B) minimize cost overruns and delays in
6 project delivery;

7 (C) better align discretionary grant pro-
8 gram criteria with statutory program require-
9 ments and objectives; and

10 (D) improve the efficiency and administra-
11 tion of the discretionary grant programs of the
12 Department.

13 **SEC. 1315. STUDY ON EFFECTIVENESS OF FORMULA GRANT**
14 **PROGRAMS.**

15 (a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this Act, the Comptroller General
17 shall initiate a study on the effectiveness of highway for-
18 mula grant programs administered by State departments
19 of transportation.

20 (b) CONSIDERATIONS.—In conducting the study re-
21 quired under subsection (a), the Comptroller General shall
22 review—

23 (1) the criteria used by State departments of
24 transportation to evaluate and select projects to re-
25 ceive highway formula funding, including—

1 (A) the alignment of funding decisions
2 with the national goals under section 150(b) of
3 title 23, United States Code; and

4 (B) procedures used by different State de-
5 partments of transportation to provide formula
6 grants to regional or local governments within
7 the State, when appropriate; and

8 (2) the extent to which highway formula fund-
9 ing increases have or have not led to the attainment
10 of the goals under section 150(b) of title 23, United
11 States Code.

12 (c) REPORT.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, the Comptroller
15 General shall submit to the Committee on Transpor-
16 tation and Infrastructure of the House of Represent-
17 atives and the Committee on Environment and Pub-
18 lic Works of the Senate a report on the results of
19 the study conducted under subsection (a).

20 (2) RECOMMENDATIONS.—The Comptroller
21 General shall include in the report submitted under
22 paragraph (1) recommendations associated with the
23 results of the study.

1 **SEC. 1316. NATIONAL ACADEMIES REVIEW OF HIGHWAY**
2 **SYSTEMS.**

3 (a) STUDY.—Not later than 1 year after the date of
4 enactment of this Act, the Secretary shall seek to enter
5 into an agreement with the Transportation Research
6 Board of the National Academy of Science to conduct a
7 comprehensive study to review the necessity of, interaction
8 of, and coordination between various Federal Highway
9 Administration recognized highway networks and systems,
10 including—

- 11 (1) the National Highway System;
- 12 (2) the Interstate System;
- 13 (3) the strategic highway network;
- 14 (4) the National Network;
- 15 (5) the National Highway Freight Network;
- 16 (6) the primary highway freight system;
- 17 (7) critical urban freight corridors;
- 18 (8) critical rural freight corridors;
- 19 (9) intermodal connectors;
- 20 (10) alternative fuel corridors;
- 21 (11) the Appalachian Development Highway
22 System;
- 23 (12) the Alaska Marine Highway System;
- 24 (13) the Denali access system;
- 25 (14) Marine highway transportation routes;
- 26 (15) high priority corridors;

1 (16) designated future parts of the Interstate
2 System; and

3 (17) any other highway systems the Transpor-
4 tation Research Board determines to be relevant.

5 (b) CONSULTATION.—In conducting the study under
6 subsection (a), the Transportation Research Board shall
7 consult with—

8 (1) the Federal Highway Administration;

9 (2) the Maritime Administration;

10 (3) the Office of Multimodal Freight Infrastruc-
11 ture and Policy;

12 (4) State departments of transportation; and

13 (5) any other entities the Transportation Re-
14 search Board determines to be relevant.

15 (c) CONTENTS.—In conducting the study under sub-
16 section (a), the Transportation Research Board shall con-
17 sider, at a minimum, the following:

18 (1) The overlap of the various highway net-
19 works and systems, including which systems are en-
20 compassed on larger or multiple networks.

21 (2) Departmental funding availability for each
22 highway network and system.

23 (3) The role of State and local governments in
24 designating a public road to a highway network and
25 system.

1 (4) The Federal rationale for each highway net-
2 work and system.

3 (d) REPORT.—If the Transportation Research Board
4 enters into an agreement under subsection (a), not later
5 than 18 months after the date of enactment of this Act,
6 the Transportation Research Board shall submit to the
7 Secretary, the Committee on Transportation and Infra-
8 structure of the House of Representatives, and the Com-
9 mittee on Environment and Public Works of the Senate
10 a report describing the results of the study conducted pur-
11 suant to such subsection.

12 **SEC. 1317. REVIEW OF STATE AND LOCAL CONSULTATION**
13 **PROCESSES.**

14 (a) IN GENERAL.—The Comptroller General shall
15 conduct a review of the surface transportation block grant
16 program under section 133 of title 23, United States Code
17 (referred to in this section as the “Program”).

18 (b) CONTENTS.—In conducting the review required
19 under subsection (a), the Comptroller General shall evalu-
20 ate—

21 (1) the process by which the Federal Highway
22 Administration notifies States and metropolitan
23 planning organizations of amounts apportioned to
24 States to be obligated in areas based on population;

1 (2) amounts apportioned to States required to
2 be obligated in areas based on population, including
3 unobligated balances of the amounts and factors
4 that may be contributing to such balances;

5 (3) consultation processes established by States
6 to consult with metropolitan planning organizations
7 and regional transportation planning organizations
8 for amounts required to be obligated in such areas
9 based on population; and

10 (4) State selection processes for projects funded
11 by amounts required to be obligated in areas based
12 on population.

13 (c) REPORT.—Not later than 2 years after the date
14 of enactment of this Act, the Comptroller General shall
15 submit to the Committee on Transportation and Infra-
16 structure of the House of Representatives and the Com-
17 mittee on Environment and Public Works of the Senate
18 a report that describes—

19 (1) the findings of the review required under
20 subsection (a); and

21 (2) any recommendations to improve consulta-
22 tion processes and communication between States,
23 metropolitan planning organizations, and regional
24 transportation planning organizations under the

1 Program to address State and local infrastructure
2 needs.

3 **SEC. 1318. EMERGENCY RELIEF WORKING GROUP.**

4 (a) ESTABLISHMENT.—Not later than 1 year after
5 the date of enactment of this Act, the Secretary shall con-
6 vene a working group to provide recommendations for sup-
7 porting emergency relief efforts following natural disasters
8 and assessing vulnerabilities in surface transportation as-
9 sets.

10 (b) MEMBERSHIP.—The working group shall be com-
11 posed of representatives from—

12 (1) the Federal Highway Administration;

13 (2) the Federal Motor Carrier Safety Adminis-
14 tration;

15 (3) the Federal Transit Administration;

16 (4) the Federal Emergency Management Agen-
17 cy;

18 (5) State departments of transportation;

19 (6) transit agencies; and

20 (7) any other stakeholders that the Secretary
21 determines appropriate.

22 (c) DUTIES.—The working group convened under
23 this section shall analyze and make recommendations, as
24 appropriate, regarding—

1 (1) the ability of a State or transit agency to
2 assess vulnerabilities of surface transportation assets
3 in response to natural disasters and severe weather
4 events;

5 (2) best practices for a State or transit agency
6 to facilitate projects to mitigate the risk of recurring
7 damage or the cost of future repair from extreme
8 weather, flooding, and other natural disasters;

9 (3) opportunities to expedite the timeline for el-
10 igible activities under section 125 of title 23, United
11 States Code, or section 5324 of title 49, United
12 States Code;

13 (4) opportunities within and potential revisions
14 to section 390.23 of title 49, Code of Federal Regu-
15 lations, to increase flexibility for commercial motor
16 vehicle operators assisting in emergency relief efforts
17 that achieve safety levels equivalent to or greater
18 than existing Federal motor carrier safety regula-
19 tions; and

20 (5) opportunities for coordination between the
21 Department and the Federal Emergency Manage-
22 ment Agency to provide emergency relief following
23 natural disasters.

24 (d) REPORT.—Not later than 1 year after the date
25 on which the working group is established under this sec-

tion, the working group shall submit to the Secretary a report that includes a summary of the findings and recommendations developed under subsection (c).

(e) RECOMMENDATIONS.—Not later than 90 days after the date on which the Secretary receives the report under subsection (d), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a summary of the findings and recommendations under the report; and

(2) for each recommendation—

(A) the Secretary intends to implement, a description of the plan and timeline for implementation; and

(B) the Secretary does not intend to implement, an explanation as to why the Secretary does not intend to implement such recommendation.

(f) TERMINATION.—The working group shall terminate on the date that is 180 days after the date on which the Secretary receives the report required under subsection (d).

1 **SEC. 1319. STOPPING THREATS ON PEDESTRIANS.**

2 Section 11502(f) of the Infrastructure Investment
3 and Jobs Act (23 U.S.C. 148 note) is amended by striking
4 “fiscal years 2022 through 2026” and inserting “fiscal
5 years 2027 through 2031”.

6 **SEC. 1320. ELIMINATING UNNECESSARY REPORTING AND**
7 **REQUIREMENTS.**

8 (a) STATE FLEXIBILITY FOR NATIONAL HIGHWAY
9 SYSTEM MODIFICATIONS.—Section 1122(d) of FAST Act
10 (23 U.S.C. 103 note), and the item relating to such sec-
11 tion in the table of contents in section 1(b) of such Act,
12 are repealed.

13 (b) ROADSIDE BARRIER TECHNOLOGY.—Section
14 1058 of the Intermodal Surface Transportation Efficiency
15 Act of 1991 (23 U.S.C. 109 note) is repealed.

16 **SEC. 1321. CONTRACTING FOR ENGINEERING AND DESIGN**
17 **SERVICES.**

18 (a) IN GENERAL.—Section 112(b)(2)(F) of title 23,
19 United States Code, is amended by striking “the States
20 of West Virginia or Minnesota” and inserting “the State
21 of West Virginia”.

22 (b) APPLICABILITY.—The amendment made by sub-
23 section (a) shall apply to contracts entered into after the
24 date of enactment of this Act.

1 **SEC. 1322. ADVANCING PROJECTS IN COLD WEATHER**
2 **STATES.**

3 (a) REVIEW.—The Secretary shall review policies and
4 procedures of the Federal Highway Administration relat-
5 ing to the Federal-aid highway program to ensure that
6 such policies and procedures sufficiently prioritize reviews
7 of construction projects in States in which construction
8 season may be limited by cold weather.

9 (b) TECHNICAL ASSISTANCE.—The Secretary shall
10 provide technical assistance and best practices to State de-
11 partments of transportation for advancing Federal-aid
12 projects in States in which construction may be limited
13 by cold weather.

14 **SEC. 1323. INTERAGENCY WORKING GROUP ON ROADWAY**
15 **MANAGEMENT IN INCLEMENT WEATHER.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of enactment of this Act, the Secretary shall establish
18 an interagency working group with other appropriate Fed-
19 eral agencies to develop best practices for roadway man-
20 agement in inclement weather.

21 (b) SUBMISSION TO CONGRESS.—Not later than 180
22 days after the date on which the best practices required
23 under subsection (a) are established, the Secretary shall
24 submit to the Committee on Transportation and Infra-
25 structure of the House of Representatives and the Com-

1 mittee on Environment and Public Works of the Senate
2 such best practices.

3 (c) SUNSET.—The interagency working group estab-
4 lished under subsection (a) shall terminate on the date
5 that is 30 days after the date on which the best practices
6 required under subsection (b) are submitted to Congress.

7 **SEC. 1324. TERMINATION OF NEIGHBORHOOD ACCESS AND**
8 **EQUITY GRANT PROGRAM.**

9 Section 177 of title 23, United States Code, and the
10 item relating to such section in the analysis for chapter
11 1 of such title, are repealed.

12 **SEC. 1325. TASK FORCE ON DEVELOPING A 21ST CENTURY**
13 **SURFACE TRANSPORTATION WORKFORCE.**

14 (a) STUDY.—Not later than 90 days after the date
15 of enactment of this Act, the Secretary shall establish a
16 task force on developing a 21st century surface transpor-
17 tation workforce (in this section referred to as the “Task
18 Force”).

19 (b) DUTIES.—Not later than 1 year after the estab-
20 lishment of the Task Force under subsection (a), the Task
21 Force shall develop and submit to the Secretary rec-
22 ommendations and strategies for the Department to—

23 (1) evaluate the current and future state of the
24 surface transportation workforce, including projected
25 job needs in the surface transportation sector;

1 (2) identify factors influencing individuals pur-
2 suing careers in surface transportation, including
3 barriers to attracting individuals in surface trans-
4 portation careers;

5 (3) address barriers to retaining individuals in
6 surface transportation careers;

7 (4) identify and address potential impacts of
8 emerging technologies on the surface transportation
9 workforce;

10 (5) facilitate and encourage elementary, sec-
11 ondary, and post-secondary students in the United
12 States to pursue careers in the surface transpor-
13 tation sector; and

14 (6) identify and develop pathways for students
15 and individuals to secure pre-apprenticeships, reg-
16 istered apprenticeships, and other work-based learn-
17 ing opportunities in the surface transportation sector
18 of the United States.

19 (c) CONSIDERATIONS.—In developing recommenda-
20 tions and strategies under subsection (b), the Task Force
21 shall—

22 (1) identify factors that influence whether
23 young people pursue careers in surface transpor-
24 tation;

1 (2) consider how the Department, businesses,
2 industry, labor, educators, and other stakeholders
3 can coordinate efforts to support qualified individ-
4 uals in pursuing careers in the surface transpor-
5 tation sector;

6 (3) identify methods of enhancing surface
7 transportation pre-apprenticeships and registered
8 apprenticeships, job skills training, mentorship, edu-
9 cation, and outreach programs that are exclusive to
10 youth in the United States;

11 (4) identify potential sources of funding, includ-
12 ing grants and scholarships, that may be used to
13 support youth and other qualified individuals in pur-
14 suing careers in the surface transportation sector;
15 and

16 (5) consider opportunities to update programs
17 administered by the Department to support the
18 transportation workforce.

19 (d) CONSULTATION.—In developing the recommenda-
20 tions and strategies required under subsection (b), the
21 Task Force may consult with—

22 (1) local educational agencies and institutions
23 of higher education, including community colleges
24 and vocational schools; and

25 (2) State workforce development boards.

1 (e) REPORT.—Not later than 60 days after the sub-
2 mission of the recommendations and strategies under sub-
3 section (b), the Secretary shall submit to the Committee
4 on Transportation and Infrastructure of the House of
5 Representatives and the Committee on Environment and
6 Public Works of the Senate a report containing such rec-
7 ommendations and strategies.

8 (f) COMPOSITION OF TASK FORCE.—The Secretary
9 shall appoint members of the Task Force whose diverse
10 backgrounds and expertise allow such members to con-
11 tribute balanced points of view and ideas in carrying out
12 this section, comprised of equal representation from each
13 of the following:

14 (1) Industries in the surface transportation sec-
15 tor.

16 (2) Representatives from labor organizations
17 representing surface transportation workers.

18 (3) Such other surface transportation stake-
19 holders and experts as the Secretary considers ap-
20 propriate.

21 (g) PERIOD OF APPOINTMENT.—Members shall be
22 appointed to the Task Force for the duration of the exist-
23 ence of the Task Force.

24 (h) COMPENSATION.—Members of the Task Force
25 shall serve without compensation.

1 (i) SUNSET.—The Task Force shall terminate upon
2 the submission of the report required under subsection (e).

3 (j) DEFINITIONS.—In this section:

4 (1) PRE-APPRENTICESHIP.—The term “pre-ap-
5 prenticeship” means a training model or program
6 that prepares individuals for acceptance into a reg-
7 istered apprenticeship and has demonstrated part-
8 nership with 1 or more registered apprenticeships.

9 (2) REGISTERED APPRENTICESHIP.—The term
10 “registered apprenticeship” means an apprenticeship
11 program registered under the Act of August 16,
12 1937 (29 U.S. 50 et seq.; commonly known as the
13 “National Apprenticeship Act”), that satisfies the
14 requirements of parts 29 and 30 of title 29, Code
15 of Federal Regulations (as in effect on January 1,
16 2020).

17 **SEC. 1326. STUDY ON NATIONAL COMMUTING TRENDS.**

18 (a) IN GENERAL.—Not later than 6 months after the
19 date of enactment of this Act, the Secretary shall seek
20 to enter into an agreement with the Transportation Re-
21 search Board of the National Academy of Science to con-
22 duct a study on national trends related to commuting.

23 (b) CONTENTS.—In conducting the study under sub-
24 section (a), the Transportation Research Board shall—

1 (1) conduct research on national commuting
2 trends, including telework and hybrid-work arrange-
3 ments;

4 (2) evaluate the impact of such trends on trans-
5 portation demand, congestion, air quality, economic
6 vitality of business districts, and commuter quality
7 of life; and

8 (3) develop best practices or planning guidance
9 to help State departments of transportation and
10 metropolitan planning organizations incorporate
11 such trends into transportation planning and travel
12 demand modeling.

13 (c) REPORT.—If the Transportation Research Board
14 enters into an agreement under subsection (a), not later
15 than 18 months after the date of enactment of this Act,
16 the Transportation Research Board shall submit to the
17 Secretary, the Committee on Transportation and Infra-
18 structure of the House of Representatives, and the Com-
19 mittee on Environment and Public Works of the Senate
20 a report containing the results of the study under sub-
21 section (a), including—

22 (1) the findings of the research conducted
23 under subsection (b)(1);

24 (2) an analysis of the impacts on commuting
25 trends evaluated under subsection (b)(2); and

1 (3) recommendations for State departments of
2 transportation and metropolitan planning organiza-
3 tions, including the best practices and planning
4 guidance developed under subsection (b)(3).

5 **SEC. 1327. NOTIFICATION ON REGRESSIVE SAFETY TAR-**
6 **GETS.**

7 When a State sets a regressive performance target
8 under section 150(c)(4) of title 23, United States Code,
9 the Secretary shall—

10 (1) notify the Committee on Transportation
11 and Infrastructure of the House of Representatives
12 and the Committee on Environment and Public
13 Works of the Senate; and

14 (2) make a list of States that set such a target
15 publicly available on the website of the Department.

16 **SEC. 1328. STUDY ON DOMESTIC AVAILABILITY OF YELLOW**
17 **PAINT.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, the Secretary shall study
20 the feasibility of requiring yellow paint (including the pig-
21 ment used to produce water-based paint) for road and
22 highway surface markings to be manufactured domesti-
23 cally.

24 (b) CONSIDERATIONS.—In conducting the study
25 under subsection (a), the Secretary shall consider—

1 (1) the domestic availability of yellow paint de-
2 scribed in such subsection;

3 (2) the domestic manufacturing capacity to
4 produce the amount of yellow paint necessary to
5 meet the needs of States and local governments;

6 (3) the number of domestic manufacturers pro-
7 ducing such yellow paint;

8 (4) the current share of yellow paint produced
9 by domestic manufacturers to meet road and high-
10 way surface marking needs;

11 (5) the costs associated with requiring the do-
12 mestic manufacturing of such yellow paint; and

13 (6) the amount of yellow paint necessary to
14 maintain all road and highway surface markings in
15 the United States.

16 (c) REPORT.—The Secretary shall report to the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives and the Committee on Environment
19 and Public Works of the Senate on the findings of the
20 study required under subsection (a).

21 (d) AUTHORITY.—Following the study under sub-
22 section (a), if the Secretary determines that there is suffi-
23 cient domestic manufacturing capacity of yellow paint to
24 address the needs of all road and highway surface mark-
25 ings in the United States, the Secretary shall recommend

1 to the Director of the Office of Management and Budget
2 to update relevant Buy America guidance, including the
3 implementation guidance of the Made in America Office,
4 to reflect such determination.

5 **SEC. 1329. STUDY ON CORROSION PREVENTION FOR**
6 **BRIDGES.**

7 Not later than 18 months after the date of enactment
8 of this Act, the Secretary shall—

9 (1) carry out a study on best practices for—

10 (A) the frequency and method of inspect-
11 ing corrosion on weathering steel bridges; and

12 (B) addressing corrosion on weathering
13 steel bridges;

14 (2) submit to the Committee on Transportation
15 and Infrastructure of the House of Representatives
16 and Committee on Environment and Public Works a
17 report on the results of the study under paragraph
18 (1); and

19 (3) make the report under paragraph (2) avail-
20 able to State departments of transportation, metro-
21 politan planning organizations (as such term is de-
22 fined in section 134(b) of title 23, United States
23 Code), regional transportation planning organiza-
24 tions (as such term is defined in section 134(b) of

1 title 23, United States Code), and units of local gov-
2 ernment that own bridge assets.

3 **SEC. 1330. FUNDING FEDERAL-AID HIGHWAYS GUIDANCE.**

4 Not later than 18 months after the date of enactment
5 of this Act, the Secretary shall revise, update, and make
6 publicly available the Federal Highway Administration
7 publication titled “Funding Federal-aid Highways”,
8 issued January 2017 (Publication Number FHWA-PL-
9 17-011) to account for—

10 (1) changes in law since the publication date of
11 such publication; and

12 (2) the provisions of this Act, including any
13 amendments made by this Act.

14 **TITLE II—TRANSPORTATION IN-**
15 **FRASTRUCTURE FINANCE**
16 **AND INNOVATION**

17 **SEC. 2001. INFRASTRUCTURE FINANCE.**

18 (a) DEFINITIONS.—

19 (1) IN GENERAL.—Section 601(a) of title 23,
20 United States Code, is amended—

21 (A) in paragraph (12)—

22 (i) in subparagraph (E)—

23 (I) in the matter preceding clause

24 (i) by striking “infrastructure” and

25 inserting “infrastructure that is”;

1 (II) by striking clause (ii); and
2 (III) in clause (i)—
3 (aa) by striking “that—
4 “(I) is”;
5 (bb) in subclause (II)—
6 (AA) by striking “is a
7 project” and inserting “a
8 project”; and
9 (BB) in item (dd) by
10 striking “and” and the end;
11 and
12 (cc) by redesignating sub-
13 clause (II) as clause (ii) (and re-
14 designating items (aa) through
15 (dd) of such subclause as sub-
16 clauses (I) through (IV), respec-
17 tively);
18 (ii) in subparagraph (G) by striking
19 “for which” and all that follows through
20 “for assistance”; and
21 (iii) by striking subparagraph (H) and
22 inserting the following:
23 “(H) purchasing or leasing of drayage
24 trucks.”;

1 (B) by redesignating paragraphs (14)
2 through (22) as paragraphs (16) through (24),
3 respectively;

4 (C) by redesignating paragraphs (2)
5 through (13) as paragraphs (3) through (14),
6 respectively;

7 (D) by inserting after paragraph (1) the
8 following:

9 “(2) DRAYAGE TRUCK.—The term ‘drayage
10 truck’ means any in-use on-road vehicle that—

11 “(A) has a gross vehicle weight rating
12 greater than 26,000 pounds;

13 “(B) is used for transporting cargo; and

14 “(C) operates on, moves through, or oper-
15 ates in transit to or from, a seaport or an inter-
16 modal freight transfer facility to load, unload,
17 or transport cargo, including empty containers
18 or chassis.”; and

19 (E) by inserting after paragraph (14), as
20 so redesignated, the following:

21 “(15) QUALIFIED FINANCIAL INSTITUTION.—

22 The term ‘qualified financial institution’ means—

23 “(A) an insured depository institution as
24 defined in section 3(c)(2) of the Federal De-
25 posit Insurance Act (12 U.S.C. 1813(c)(2));

1 “(B) an insured credit union as defined in
2 section 101 of the Federal Credit Union Act
3 (12 U.S.C. 1752); and

4 “(C) any other financial institution that—
5 “(i) is regulated or supervised by—

6 “(I) the Board of Governors of
7 the Federal Reserve System;

8 “(II) the Securities and Ex-
9 change Commission;

10 “(III) the Federal Housing Fi-
11 nance Agency;

12 “(IV) the Farm Credit Adminis-
13 tration; or

14 “(V) any other Federal financial
15 regulatory agency;

16 “(ii) is regularly engaged in the busi-
17 ness of extending credit or making credit
18 determinations; and

19 “(iii) the Secretary determines has
20 demonstrated experience in the under-
21 writing or provision of credit.”.

22 (2) CONFORMING AMENDMENTS.—

23 (A) DETERMINATION OF ELIGIBILITY AND
24 PROJECT SELECTION.—Section 602 of title 23,
25 United States Code, is amended—

1 (i) in subsection (a)(5)(B)(ii) by strik-
2 ing “section 601(a)(12)(E)” and inserting
3 “section 601(a)(13)(E)”; and

4 (ii) in subsection (e) by striking “sec-
5 tion 601(a)(2)(A)” and inserting “section
6 601(a)(3)(A)”.

7 (B) FUNDING.—Section 608(a)(4) of title
8 23, United States Code, is amended by striking
9 “section 601(a)(12)(E)” and inserting “section
10 601(a)(13)(E)” each place it appears.

11 (b) DETERMINATION OF ELIGIBILITY AND PROJECT
12 SELECTION.—Section 602 of title 23, United States Code,
13 is further amended—

14 (1) in subsection (a)—

15 (A) in paragraph (2) by adding at the end
16 the following:

17 “(C) ALTERNATIVE CREDIT ASSESS-
18 MENT.—The Secretary shall accept a due dili-
19 gence analysis and underwriting analysis pre-
20 pared by a qualified financial institution pro-
21 viding debt for a project as evidence of credit-
22 worthiness of the project supplemental to the
23 applicable creditworthiness standards described
24 in subparagraph (A).”; and

25 (B) in paragraph (5)(B)—

1 (i) in clause (i) by striking
2 “\$15,000,000” and inserting
3 “\$10,000,000”; and

4 (ii) in clause (iii)—

5 (I) by striking “In the case” and
6 inserting “(I) IN GENERAL.—In the
7 case”;

8 (II) by striking “\$100,000,000”
9 and inserting “\$150,000,000”; and

10 (III) by adding at the end the
11 following:

12 “(II) ANNUAL ADJUSTMENT FOR
13 INFLATION.—Beginning in the first
14 year after the date of enactment of
15 this subclause, the Secretary shall ad-
16 just annually the \$150,000,000 limit
17 on eligible project costs in subclause
18 (I) to reflect any increase in the Con-
19 sumer Price Index for All Urban Con-
20 sumers published by the Department
21 of Labor.”; and

22 (2) in subsection (c)—

23 (A) in paragraph (1)(B) by striking the
24 period at the end and inserting “, subject to
25 paragraph (2).”; and

1 (B) in paragraph (2)—

2 (i) by striking “No funding” and in-
3 serting “(A) IN GENERAL.—No funding”;
4 and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(B) EXEMPTION.—

8 “(i) IN GENERAL.—Subject to clause
9 (ii), notwithstanding section 102(2)(C) of
10 the National Environmental Policy Act of
11 1969 (42 U.S.C. 4332(2)(C)), a finding of
12 no significant impact, a record of decision,
13 and any similar analysis under the Na-
14 tional Environmental Policy Act of 1969
15 prepared for purposes of complying with
16 subparagraph (A) shall not include an
17 evaluation of the environmental effects of
18 the acquisition of real property by a non-
19 public entity for use in a project described
20 in section 601(a)(13)(E), for which an ap-
21 plication for credit assistance under the
22 TIFIA program has not been submitted as
23 of the date of such acquisition.

24 “(ii) PUBLIC ENTITY OWNERSHIP.—

25 Clause (i) shall not apply with respect to

1 any component of a project described in
2 clause (i) that is located within the geo-
3 graphic boundaries of the real property ac-
4 quired and that will be owned, in full or in
5 part, by a public entity for a majority of
6 the term of a secured loan issued for such
7 project.

8 “(C) CATEGORICAL EXCLUSIONS.—The fol-
9 lowing activities, if carried out on or after the
10 date of enactment of this subparagraph as a
11 project (or part of a project) described in sec-
12 tion 601(a)(13)(E), are a category of activities
13 hereby designated as being categorically ex-
14 cluded from the preparation of an environ-
15 mental assessment or an environmental impact
16 statement under the National Environmental
17 Policy Act of 1969 (42 U.S.C. 4321 et seq.):

18 “(i) Rehabilitation or conversion of an
19 existing office building to a residential or
20 mixed-use building occupying substantially
21 the same geographic footprint.

22 “(ii) Construction or reconstruction of
23 a new commercial building—

24 “(I) consistent with existing land
25 use and zoning requirements; and

1 “(II) on land disturbed for trans-
2 portation use (as such phrase is used
3 in section 771.118(c)(9) of title 23,
4 Code of Federal Regulations, or any
5 successor regulations) or disturbed
6 land adjacent to land disturbed for
7 transportation use.”.

8 (c) SECURED LOANS.—Section 603(a) of title 23,
9 United States Code, is amended by adding at the end the
10 following:

11 “(4) LOAN DISBURSEMENT.—Upon request
12 from the obligor, the Secretary may delay issuance
13 of the secured loan funds until a date, to be speci-
14 fied by the obligor, during the 2-year period begin-
15 ning on the date that the project is determined to
16 be in substantial completion, so long as the obligor
17 is compliant with the credit agreement on the date
18 of issuance.”.

19 (d) PROGRAM ADMINISTRATION.—Section 605(f)(1)
20 of title 23, United States Code, is amended by striking
21 “\$2,000,000” and inserting “\$3,000,000”.

22 (e) FUNDING.—Section 608(a) of title 23, United
23 States Code, is amended—

24 (1) in paragraph (4)(B)—

1 (A) in clause (i) by striking “under the
2 Surface Transportation Reauthorization Act of
3 2021”; and

4 (B) in clause (ii)—

5 (i) by striking “fiscal years 2022
6 through 2026” and inserting “fiscal years
7 2027 through 2031”; and

8 (ii) by striking “(as of October 1,
9 2021)” and inserting “(as of October 1,
10 2026)”; and

11 (2) in paragraph (6) by striking “fiscal years
12 2022 through 2026” and inserting “fiscal years
13 2027 through 2031”.

14 (f) STATE INFRASTRUCTURE BANK PROGRAM.—Sec-
15 tion 610 of title 23, United States Code, is amended—

16 (1) in subsection (d) by striking “fiscal years
17 2022 through 2026” and inserting “fiscal years
18 2027 through 2031” each place it appears; and

19 (2) in subsection (k) by striking “fiscal years
20 2022 through 2026” and inserting “fiscal years
21 2027 through 2031”.

1 **SEC. 2002. EMERGENCY LOAN RELIEF DUE TO MAJOR DIS-**
2 **ASTER.**

3 (a) IN GENERAL.—Chapter 6 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 612. Emergency loan relief due to major disaster**

7 “(a) DEFINITIONS.—In this section:

8 “(1) COST; MODIFICATION.—The terms ‘cost’
9 and ‘modification’ have the meanings given such
10 terms, respectively, in section 502 of the Federal
11 Credit Reform Act of 1990 (2 U.S.C. 661a), and the
12 term ‘modification’ shall include an interest rate
13 reset under this section.

14 “(2) ELIGIBLE BORROWER.—The term ‘eligible
15 borrower’ means a recipient of an eligible loan ad-
16 ministered under the TIFIA program.

17 “(3) ELIGIBLE LOAN.—The term ‘eligible loan’
18 means a loan issued under the TIFIA program.

19 “(4) MAJOR DISASTER.—The term ‘major dis-
20 aster’ means a major disaster declared by the Presi-
21 dent pursuant to section 401 of the Robert T. Staf-
22 ford Disaster Relief and Emergency Assistance Act
23 (42 U.S.C. 5170).

24 “(5) OBLIGOR; TIFIA PROGRAM.—The terms
25 ‘obligor’ and ‘TIFIA program’ have the meanings
26 given such terms, respectively, in section 601(a).

1 “(b) EMERGENCY INTEREST RATE RESET.—

2 “(1) IN GENERAL.—Notwithstanding section
3 603(b)(4), if at any time after the date of execution
4 of a credit agreement for an eligible loan entered
5 into after the date of enactment of the BUILD
6 America 250 Act, the eligible borrower of the eligible
7 loan is unable, as a result of a major disaster, to
8 generate sufficient revenues from all dedicated rev-
9 enue sources such that the eligible borrower is un-
10 able to pay the scheduled repayments of principal
11 and interest on the eligible loan—

12 “(A) the eligible borrower may submit to
13 the Secretary a request, in such manner and
14 containing such information as the Secretary
15 may require, to reset the interest rate of the eli-
16 gible loan; and

17 “(B) the Secretary—

18 “(i) shall determine whether the eligi-
19 ble borrower meets criteria established
20 under subsection (d); and

21 “(ii) if the eligible borrower meets
22 such criteria and provided that sufficient
23 budget authority is available to accommo-
24 date the cost of the modification, may
25 reset the interest rate of the eligible loan

1 (including through amendment of the cred-
2 it agreement for the eligible loan) to a
3 lower interest rate that is not less than the
4 yield on United States Treasury securities
5 of a similar maturity to the maturity of
6 the eligible loan on the date of the reset,
7 if lower than the existing interest rate on
8 the eligible loan.

9 “(2) APPLICABILITY.—A lower interest rate
10 provided with respect to an eligible loan pursuant to
11 paragraph (1)(B)(ii) may be for a period of time the
12 Secretary determines appropriate, including through
13 the final maturity date of the eligible loan.

14 “(c) OTHER LOAN MODIFICATIONS.—With respect to
15 an eligible borrower described in paragraph (1) of sub-
16 section (b), the Secretary, in carrying out subparagraph
17 (B) of such paragraph, may—

18 “(1) allow, for a maximum aggregate period of
19 not more than 5 years, an obligor to add unpaid
20 principal and interest to the outstanding balance of
21 the loan, subject to the requirements under section
22 603(c)(3)(B), as applicable; and

23 “(2) notwithstanding section 603(a), extend any
24 applicable disbursement period established under an

1 agreement for credit assistance made pursuant to
2 section 603, as applicable.

3 “(d) CRITERIA.—

4 “(1) IN GENERAL.—The Secretary shall estab-
5 lish criteria for an eligible borrower to be eligible to
6 receive a lower interest rate or other loan modifica-
7 tion under this section.

8 “(2) FACTORS FOR CONSIDERATION.—In estab-
9 lishing criteria under paragraph (1), the Secretary—

10 “(A) shall establish objective metrics to
11 measure whether an eligible borrower is unable
12 to generate sufficient revenues as a result of a
13 major disaster; and

14 “(B) may take into consideration such fac-
15 tors as the Secretary determines to be relevant,
16 including whether the lowering of an interest
17 rate or the modification of a loan under this
18 section would achieve any of—

19 “(i) maintaining the operation of a
20 project carried out by an eligible borrower
21 in a disaster, emergency, or other extenu-
22 ating circumstance;

23 “(ii) mitigating the financial impact
24 on an eligible borrower of a disaster, emer-

1 gency, or other extenuating circumstance;
2 or
3 “(iii) protecting the interests of the
4 Federal Government in critical infrastruc-
5 ture.”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 6 of title 23, United States Code, is amended by add-
8 ing at the end the following:

“612. Emergency loan relief due to major disaster.”.

9 **SEC. 2003. PERSONNEL MANAGEMENT AUTHORITY.**

10 Section 116 of title 49, United States Code, is
11 amended—

12 (1) by redesignating subsections (i) and (j) as
13 subsections (j) and (k), respectively; and

14 (2) by inserting after subsection (h) the fol-
15 lowing:

16 “(i) PERSONNEL MANAGEMENT AUTHORITY.—

17 “(1) IN GENERAL.—The Secretary may carry
18 out a program of personnel management authority
19 provided in paragraph (2) in order to facilitate the
20 recruitment or retention of experts in finance and
21 investment for the Bureau.

22 “(2) SALARIES AND RELOCATION EXPENSES.—

23 Under the program under this subsection, the offi-
24 cial responsible for the program may—

1 “(A) without regard to any provision of
2 title 5 governing the appointment of employees
3 in the civil service, in the case of the Bureau,
4 appoint individuals to a total of not more than
5 20 positions in the Bureau;

6 “(B) notwithstanding any provision of title
7 5 governing the rates of pay or classification of
8 employees in the executive branch, prescribe the
9 rates of basic pay for positions to which em-
10 ployees are appointed under subparagraph (A)
11 at a rate to be determined by the head of the
12 organization concerned up to 150 percent of the
13 total annual compensation payable to the Vice
14 President under section 104 of title 3; and

15 “(C) during any fiscal year, pay up to 5
16 individuals newly appointed pursuant to sub-
17 paragraph (A) the travel, transportation, and
18 relocation expenses and services described
19 under sections 5724, 5724a, and 5724c of title
20 5.”.

21 **SEC. 2004. STUDY ON ESTABLISHMENT OF FEDERAL INFRA-**
22 **STRUCTURE BANK.**

23 (a) STUDY.—Not later than 120 days after the date
24 of enactment of this Act, the Secretary shall seek to enter
25 into an agreement with the National Academies to conduct

1 a study on the establishment of a Federal Infrastructure
2 Bank to facilitate investment in, and the long-term financ-
3 ing of, economically viable United States infrastructure
4 projects that provide a public benefit, including best prac-
5 tices for implementing such bank.

6 (b) ELEMENTS.—The study conducted pursuant to
7 subsection (a) shall—

8 (1) identify potential forms of credit assistance
9 a Federal Infrastructure Bank could provide, includ-
10 ing loans, loan guarantees, lines of credit, and equity
11 investments;

12 (2) examine how a Federal Infrastructure Bank
13 could—

14 (A) increase State, local, and Tribal gov-
15 ernment investment in infrastructure projects,
16 including transportation, water, and energy
17 projects;

18 (B) reduce average financing timelines rel-
19 ative to other Federal credit assistance pro-
20 grams; and

21 (C) increase the lending capacity of exist-
22 ing State infrastructure banks;

23 (3) analyze the opportunities a Federal Infra-
24 structure Bank presents in—

1 (A) reducing barriers to the financing of
2 multimodal or multijurisdictional projects;

3 (B) attracting foreign investment from a
4 country other than a covered foreign country;

5 (C) financing nonrevenue infrastructure
6 projects and projects located in rural and eco-
7 nomically disadvantaged areas; and

8 (D) complementing but not duplicating ex-
9 isting Federal credit assistance programs for
10 infrastructure projects;

11 (4) examine how a national infrastructure bank
12 that is substantially owned or controlled by the Fed-
13 eral Government would be subject to Federal budget
14 laws and accounting rules and procedures; and

15 (5) identify best practices of other infrastruc-
16 ture banks, including—

17 (A) national infrastructure banks or other
18 specialized development banks located in a
19 country other than a covered foreign country;
20 and

21 (B) the California Infrastructure and Eco-
22 nomic Development Bank.

23 (c) CONSULTATION.—In preparing the study required
24 under subsection (a), the National Academies shall consult
25 with—

1 (1) the Secretary and other heads of relevant
2 Federal agencies;

3 (2) State infrastructure banks; and

4 (3) stakeholders with expertise in financial mar-
5 kets and infrastructure financing.

6 (d) REPORT.—An agreement entered into under sub-
7 section (a) shall require that, not later than 2 years after
8 the date of enactment of this Act, the National Academies
9 submit a report detailing the findings of the study re-
10 quired under subsection (a) to—

11 (1) the Committee on Transportation and In-
12 frastructure of the House of Representatives;

13 (2) the Committee on Financial Services of the
14 House of Representatives;

15 (3) the Committee on Environment and Public
16 Works of the Senate;

17 (4) the Committee on Commerce, Science, and
18 Transportation of the Senate; and

19 (5) the Committee on Banking, Housing, and
20 Urban Development of the Senate.

21 (e) DEFINITIONS.—In this section:

22 (1) COVERED ENTITY.—The term “covered en-
23 tity” means—

24 (A) a State;

1 (B) any other governmental entity, includ-
2 ing a political subdivision or any other instru-
3 mentality of a State;

4 (C) a State infrastructure bank;

5 (D) a partnership, including a public-pri-
6 vate partnership;

7 (E) a corporation, limited liability com-
8 pany, or any other legally established corporate
9 form;

10 (F) a joint venture;

11 (G) a trust; or

12 (H) a revolving fund.

13 (2) COVERED FOREIGN COUNTRY.—The term
14 “covered foreign country” has the meaning given
15 that term in section 164(e) of the Servicemember
16 Quality of Life Improvement and National Defense
17 Authorization Act for Fiscal Year 2025 (10 U.S.C.
18 note prec. 4651).

19 (3) FEDERAL INFRASTRUCTURE BANK.—The
20 term “Federal Infrastructure Bank” means a feder-
21 ally-chartered and privately-funded bank established
22 to provide to a covered entity credit assistance, in-
23 cluding equity investments, direct loans, indirect
24 loans, and loan guarantees, for the planning,
25 predevelopment, design, construction, operations, or

1 maintenance of infrastructure projects in the United
2 States.

3 (4) STATE.—The term “State” means a State
4 of the United States, the District of Columbia, the
5 Commonwealth of Puerto Rico, the Northern Mar-
6 iana Islands, the United States Virgin Islands,
7 Guam, American Samoa, and any other territory or
8 possession of the United States.

9 (5) STATE INFRASTRUCTURE BANK.—The term
10 “State infrastructure bank” means a State infra-
11 structure bank or multistate infrastructure bank es-
12 tablished pursuant to—

13 (A) section 350 of the National Highway
14 System Designation Act of 1995 (23 U.S.C.
15 101 note);

16 (B) section 1511 of the Transportation
17 Equity Act for the 21st Century (23 U.S.C.
18 181 note);

19 (C) section 610 of title 23, United States
20 Code; or

21 (D) any State law that establishes such
22 bank as an agency, component unit, or other
23 governmental entity of the State.

**TITLE III—PUBLIC
TRANSPORTATION
Subtitle A—Reforms**

SEC. 3001. PURPOSE AND DECLARATION OF POLICY.

Section 5301 of title 49, United States Code, is amended to read as follows:

“§ 5301. Purpose and declaration of policy

“(a) GENERAL PURPOSE.—The purpose of this chapter is to foster the delivery of safe, high-quality transit services by public transportation providers to individuals, including individuals with disabilities, seniors, and individuals who depend on public transportation, including through Federal funding to public transportation systems.

“(b) DECLARATION OF POLICY.—It is in the interest of the United States, including the economic interest of the United States, that authorities granted to the Secretary under this chapter facilitate—

“(1) the safe transportation of passengers, workers, and property on public transportation systems;

“(2) projects to develop and revitalize public transportation systems in a manner that—

“(A) provides safe, efficient, and convenient public transportation at the lowest cost; and

1 “(B) fosters cooperation of both public
2 transportation companies and private compa-
3 nies engaged in public transportation;

4 “(3) the development of intermodal connections
5 between transit services and other transportation
6 modes and systems to serve public transportation
7 passengers efficiently and effectively;

8 “(4) the research, development, demonstration,
9 and deployment of projects dedicated to improving
10 the delivery of safe and effective public transpor-
11 tation services;

12 “(5) the development of the public transpor-
13 tation workforce;

14 “(6) the maintenance of a state of good repair
15 of public transportation infrastructure and vehicles;

16 “(7) the adoption of innovative technology, con-
17 cepts, and approaches to promote safety, capacity,
18 and efficiency improvements for projects funded by
19 a fixed guideway capital investment grant;

20 “(8) economic development;

21 “(9) the development and delivery of capital
22 projects;

23 “(10) cooperative and comprehensive planning
24 that improves the performance of the transportation
25 network; and

1 “(11) technical assistance for recipients of as-
2 sistance under this chapter to more effectively and
3 efficiently provide public transportation service.”.

4 **SEC. 3002. DEFINITIONS.**

5 (a) IN GENERAL.—Section 5302 of title 49, United
6 States Code, is amended—

7 (1) in paragraph (2)—

8 (A) by striking “or use and that are phys-
9 ically or functionally related” and inserting
10 “use, accessibility, navigability, or safety and
11 that are physically or functionally related”;

12 (B) by redesignating subparagraphs (A)
13 through (G) as clauses (i) through (vii), respec-
14 tively;

15 (C) by striking “‘associated transit im-
16 provement’ means, with respect to any project
17 or an area to be served by a project, projects”
18 and inserting “‘associated transit improve-
19 ment’—

20 “(A) means, with respect to any project or
21 an area served by a project, projects”;

22 (D) by striking “facilities. Eligible projects
23 are—” and inserting “facilities; and

24 “(B) are projects related to—”; and

- 1 (E) in clause (i), as so redesignated, by
2 striking “intended” and inserting “planned”;
3 (2) by striking paragraph (16);
4 (3) by redesignating paragraphs (4) through
5 (15) as paragraphs (5) through (16), respectively;
6 (4) by inserting after paragraph (3) the fol-
7 lowing new paragraph:
8 “(4) CAPITAL ASSET.—The term ‘capital asset’
9 means a unit of rolling stock, a facility, a unit of
10 equipment, or an element of infrastructure used for
11 providing public transportation owned, operated, or
12 managed by a recipient of financial assistance under
13 this chapter.”;
14 (5) in paragraph (5), as so redesignated—
15 (A) in subparagraph (I)—
16 (i) in clause (i) by striking “or” at the
17 end;
18 (ii) in clause (ii)(III) by striking the
19 period at the end and inserting “; or”; and
20 (iii) by adding at the end the fol-
21 lowing:
22 “(iii) under section 5308.”;
23 (B) in subparagraph (M) by striking “im-
24 provements; or” and inserting “improvements—

1 “(i) within 2.5 miles of a transit facil-
2 ity for projects described in clauses (v) and
3 (vii) of paragraph (2)(B);

4 “(ii) within a half mile of a transit fa-
5 cility for projects described in clauses (i),
6 (iii), and (iv) of paragraph (2)(B); and

7 “(iii) at any location within the serv-
8 ice area of a public transportation provider
9 for projects described in clauses (ii) and
10 (vi) of paragraph (2)(B);”;

11 (C) in subparagraph (N) by striking the
12 period at the end and inserting “; or”; and

13 (D) by adding at the end the following new
14 subparagraph:

15 “(O) software, contracted or wholly owned,
16 that is related to the delivery of public trans-
17 portation services, including software as a serv-
18 ice and cloud-based software.”;

19 (6) in paragraph (21) by striking “The term”
20 and all that follows through the period at the end
21 and inserting “With respect to a capital asset, the
22 term ‘state of good repair’ means the condition of
23 the capital asset at which the capital asset is able
24 to operate at a full level of performance, as such
25 condition is determined by the standards prescribed

1 by the Secretary in subpart D of part 625 of title
2 49, Code of Federal Regulations, or any successor
3 regulation.”;

4 (7) by redesignating paragraphs (22) through
5 (25) as paragraphs (23) through (26), respectively;
6 and

7 (8) by inserting after paragraph (21) the fol-
8 lowing new paragraph:

9 “(22) TRANSIT ASSET MANAGEMENT PLAN.—
10 The term ‘transit asset management plan’ means a
11 plan—

12 “(A) developed by a recipient of funding
13 under this chapter;

14 “(B) that includes, at a minimum, capital
15 asset inventories and condition assessments, de-
16 cision support tools, and investment
17 prioritization; and

18 “(C) in which the recipient certifies com-
19 pliance with part 625 of title 49, Code of Fed-
20 eral Regulations, or any successor regulation.”.

21 (b) TECHNICAL AMENDMENTS.—Section 5323(e)(3)
22 of title 49, United States Code, is amended by striking
23 “5302(4)(J)” and inserting “5302(5)(J)”.

1 **SEC. 3003. TRANSPORTATION PLANNING.**

2 (a) METROPOLITAN TRANSPORTATION PLANNING.—

3 Section 5303 of title 49, United States Code, is amend-
4 ed—

5 (1) in subsection (b)—

6 (A) by redesignating paragraphs (5)
7 through (7) as paragraphs (6) through (8), re-
8 spectively; and

9 (B) by inserting after paragraph (4) the
10 following:

11 “(5) PRIMARY URBANIZED AREA.—The term
12 ‘primary urbanized area’ means an urbanized area
13 that—

14 “(A) has a population of at least
15 3,500,000 individuals, as determined by the
16 Bureau of Census; or

17 “(B) extends into more than 1 State and
18 has a population of at least 200,000, as deter-
19 mined by the Bureau of Census.”;

20 (2) in subsection (f)(1) by striking “metropoli-
21 tan area and” and inserting “metropolitan area, in-
22 cluding primary urbanized areas that extend into
23 more than 1 State in accordance with section 5308,
24 and”;

25 (3) in subsection (j)—

1 (A) in paragraph (1) by adding at the end
2 the following:

3 “(E) EXCEPTION.—Notwithstanding any
4 other provision of law, the amendment of an ap-
5 proved TIP to add a project or an identified
6 phase of a project shall not require public re-
7 view and comment if the added project or the
8 identified phase—

9 “(i) was in the approved TIP that im-
10 mediately preceded the current TIP; and

11 “(ii) is unchanged from the project or
12 the identified phase in the preceding
13 TIP.”; and

14 (B) in paragraph (5)(A) by striking “sub-
15 section (k)(4)” and inserting “subsection
16 (k)(5)”;
17 (4) in subsection (k)(4)—

18 (A) in subparagraph (A) by striking “IN
19 GENERAL” and inserting “HOUSING COORDINA-
20 TION PROCESS”;

21 (B) by striking subparagraph (B);

22 (C) in subparagraph (C)—

23 (i) in clause (i) by striking the enu-
24 merator and the heading; and

25 (ii) by striking clause (ii); and

1 (D) by redesignating subparagraph (C), as
2 amended, as subparagraph (B); and

3 (5) by adding at the end the following:

4 “(s) ADDITIONAL USES OF METROPOLITAN PLAN-
5 NING FUNDING.—In addition to carrying out the purposes
6 of this section, funds appropriated under section
7 104(b)(6) of title 23 and section 5305(f) to States and
8 metropolitan planning organizations to carry out this sec-
9 tion may be used for—

10 “(1) fiscal administration of local projects;

11 “(2) preliminary design;

12 “(3) local technical assistance;

13 “(4) studies directly linked to transportation;

14 and

15 “(5) critical data procurement.”.

16 (b) STATEWIDE AND NONMETROPOLITAN TRANSPOR-
17 TATION PLANNING.—Section 5304 of title 49, United
18 States Code, is amended—

19 (1) in subsection (e)(3) by striking the period
20 at the end and inserting “, including primary urban-
21 ized areas that extend to more than 1 State in ac-
22 cordance with section 5308.”; and

23 (2) in subsection (g)—

24 (A) by redesignating paragraph (9) as
25 paragraph (10); and

1 (B) by inserting after paragraph (8) the
2 following:

3 “(9) EXCEPTION.—Notwithstanding any other
4 provision of law, the amendment of an approved
5 transportation improvement program to add a
6 project or an identified phase of a project shall not
7 require public review and comment if the added
8 project or the identified phase—

9 “(A) was in the approved transportation
10 improvement program that immediately pre-
11 ceded the current transportation improvement
12 program; and

13 “(B) is unchanged from the project or the
14 identified phase in the preceding transportation
15 improvement program.”.

16 **SEC. 3004. PLANNING PROGRAMS.**

17 (a) IN GENERAL.—Section 5305 of title 49, United
18 States Code, is amended—

19 (1) in subsection (d)(1)(A) by striking “sub-
20 section (g)(1)” and inserting “subsection (f)(1)”;

21 (2) in subsection (d)(3)(A) by striking “sub-
22 section (g)(1)” and inserting “subsection (f)(1)”;

23 (3) in subsection (e)(1)(A) by striking “sub-
24 section (g)(2)” and inserting “subsection (f)(2)”;

1 (4) in subsection (e)(2) by striking “subsection
2 (d)” and inserting “subsection (c)”;

3 (5) in subsection (g)—

4 (A) by striking “fiscal year” and inserting
5 “fiscal year, less the amount set aside for such
6 fiscal year for the program under subsection
7 (i)”;

8 (B) in paragraph (1) by striking “sub-
9 section (d)” and inserting “subsection (c)”;

10 (C) in paragraph (2) by striking “sub-
11 section (e)” and inserting “subsection (d)”;

12 (6) by striking subsection (a);

13 (7) by redesignating subsections (b) through (h)
14 as subsections (a) through (g), respectively; and

15 (8) by adding at the end the following new sub-
16 section:

17 “(h) EXEMPTIONS TO COVERED TERRITORIES.—

18 “(1) IN GENERAL.—Beginning on the date of
19 enactment of this subsection, the Secretary may
20 award a grant to a covered territory as if the cov-
21 ered territory is a State, except if the Secretary de-
22 termines that a requirement of section 5303, 5304,
23 or this section is inconsistent with the needs of the
24 covered territory, the Secretary may exempt the ter-
25 ritory from such requirement.

1 “(2) COVERED TERRITORY DEFINED.—In this
2 subsection, the term ‘covered territory’ means Amer-
3 ican Samoa, the Northern Mariana Islands, Guam,
4 and the Virgin Islands.”.

5 (b) AMENDMENTS TO PILOT PROGRAM FOR TRAN-
6 SIT-ORIENTED DEVELOPMENT PLANNING.—Subsection
7 (b) of section 20005 of MAP–21 (49 U.S.C. 5303 note)
8 is amended—

9 (1) in the subsection heading by striking
10 “PILOT”;

11 (2) by striking paragraph (1);

12 (3) by redesignating paragraphs (2) and (3) as
13 paragraphs (1) and (2), respectively; and

14 (4) by adding at the end the following new
15 paragraph:

16 “(3) ELIGIBLE PROJECT DEFINED.—In this
17 subsection, the term ‘eligible project’ means a new
18 fixed guideway capital project or a core capacity im-
19 provement project, as those terms are defined in sec-
20 tion 5309.”.

21 (c) TRANSFER OF PROGRAM FOR TRANSIT-ORI-
22 ENTED DEVELOPMENT PLANNING.—Subsection (b) of
23 section 20005 of MAP–21 (49 U.S.C. 5303 note), as
24 amended, is transferred to appear as subsection (i) of sec-
25 tion 5305 of title 49, United States Code.

1 **SEC. 3005. URBANIZED AREA FORMULA GRANTS.**

2 (a) IN GENERAL.—Section 5307 of title 49, United
3 States Code, is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (2)(A)—

6 (i) in clause (i) by striking “; or” at
7 the end; and

8 (ii) by adding at the end the fol-
9 lowing:

10 “(iii) operate a minimum of 101 buses
11 and a maximum of 125 buses in fixed
12 route or demand response service, exclud-
13 ing ADA complementary paratransit serv-
14 ice, during peak hours, in an amount not
15 to exceed 25 percent of the share of the
16 apportionment which is attributable to
17 such systems within the urbanized area, as
18 measured by vehicle revenue hours; or”;
19 and

20 (B) in paragraph (2)(B)—

21 (i) in clause (i) by striking “; or” and
22 inserting a semicolon;

23 (ii) in clause (ii) by striking the pe-
24 riod at the end and inserting “; or”; and

25 (iii) by adding at the end the fol-
26 lowing:

1 “(iii) operate a minimum of 101 buses
2 and a maximum of 125 buses in fixed
3 route or demand response service, exclud-
4 ing ADA complementary paratransit serv-
5 ice, during peak hours, in an amount not
6 to exceed 25 percent of the share of the
7 apportionment allocated to such systems
8 within the urbanized area, as determined
9 by the local planning process and including
10 in the designated recipient’s final program
11 of projects prepared under subsection
12 (b).”;

13 (2) in subsection (b)—

14 (A) by striking paragraph (4); and

15 (B) by redesignating paragraphs (5)
16 through (7) as paragraphs (4) through (6), re-
17 spectively;

18 (3) in subsection (c)(1)—

19 (A) in subparagraph (I) by inserting “or
20 eliminating” after “raising”;

21 (B) by striking subparagraph (J) and in-
22 serting the following:

23 “(J) will expend not less than 1 percent of
24 the amount the recipient receives for each fiscal
25 year under section 5336 for crime prevention

1 and security projects described in section
2 5321;”; and

3 (C) by striking subparagraph (K) and in-
4 serting:

5 “(K) will expend not less than 1 percent of
6 the amount the recipient receives for each fiscal
7 year under section 5336 to further meet or ex-
8 ceed the requirements described in part 37 or
9 38 of title 49, Code of Federal Regulations;
10 and”;

11 (4) by striking subsection (f) and inserting the
12 following:

13 “(f) RECORDS, AUDITS, AND EVALUATIONS.—

14 “(1) RECORDS.—The Secretary shall require a
15 recipient of a grant under this section to keep
16 records that—

17 “(A) disclose—

18 “(i) the amount and disposition by the
19 recipient of the proceeds of the grant;

20 “(ii) the total cost of the plan or pro-
21 gram for which the grant is given or used;
22 and

23 “(iii) the amounts and kinds of re-
24 maining costs of the plan or program, as
25 described under subsection (d)(3); and

1 “(B) enable the Secretary or another ap-
2 propriate entity to audit such recipient.

3 “(2) AUDITS AND EXAMINATIONS.—The Sec-
4 retary and the Comptroller General may audit and
5 examine any records of a recipient that are related
6 to a grant made under this section.

7 “(3) ANNUAL AUDIT.—

8 “(A) IN GENERAL.—At least annually, the
9 Secretary shall carry out, or authorize a recipi-
10 ent to carry out independently, an audit of
11 records for each grant to establish whether the
12 recipient—

13 “(i) has carried out the requirements
14 prescribed in subsection (c) for each grant
15 made pursuant to this section;

16 “(ii) is prepared to continue to fulfill
17 such requirements for the duration of the
18 grant; and

19 “(iii) has administered the grant and
20 all amounts of the Government in accord-
21 ance with all applicable laws and regula-
22 tions.

23 “(B) INDEPENDENT AUDIT PROCEDURES
24 AND REQUIREMENT.—A recipient authorized by

1 the Secretary to carry out an independent re-
2 view and audit under subparagraph (A) shall—

3 “(i) ensure that an independent audit
4 complies with the auditing procedures of
5 the Comptroller General; and

6 “(ii) submit a certified copy of the
7 audit to the Secretary not more than 6
8 months after the end of the fiscal year for
9 which the audit was made.

10 “(4) TRIENNIAL REVIEW.—Except as otherwise
11 provided by paragraph (5), the Secretary shall—

12 “(A) not less than once every 3 calendar
13 years—

14 “(i) review and evaluate the findings
15 from each annual audit; and

16 “(ii) assess the extent to which actual
17 program activities are consistent with—

18 “(I) the activities proposed under
19 subsection (b); and

20 “(II) the planning process re-
21 quired under sections 5303, 5304,
22 and 5305;

23 “(B) to the extent practicable, coordinate
24 such review with any related State or local re-
25 views; and

1 “(C) prioritize, as appropriate, the primary
2 scope of the review on—

3 “(i) any previously identified defi-
4 ciencies by the recipient; and

5 “(ii) the most common deficiencies by
6 all recipients, as identified by the Sec-
7 retary.

8 “(5) WAIVER OF REVIEW.—

9 “(A) IN GENERAL.—Except as otherwise
10 provided in subparagraph (C), the Secretary
11 may waive the review described in paragraph
12 (4) if the Secretary, upon a review of findings
13 from the annual audits required under para-
14 graph (3), determines that the recipient has—

15 “(i) not established a pattern of defi-
16 ciency in meeting all applicable grant re-
17 quirements as prescribed by law; and

18 “(ii) complied, to the satisfaction of
19 the Secretary, with all relevant directives
20 issued by the Federal Transit Administra-
21 tion and attributable to the recipient, as
22 applicable.

23 “(B) CONSECUTIVE WAIVERS.—The Sec-
24 retary may consecutively waive the review de-
25 scribed in paragraph (4) after determining pur-

1 suant to paragraph (5) that a waiver is justi-
2 fied, however, the Secretary must conduct at
3 least 1 review every 10 calendar years.

4 “(C) REQUESTED REVIEWS.—The Sec-
5 retary shall conduct all regularly scheduled tri-
6 ennial reviews for a recipient if the recipient re-
7 quests such scheduled review be conducted.

8 “(6) ACTIONS RESULTING FROM REVIEW,
9 AUDIT, OR EVALUATION.—The Secretary may take
10 appropriate action in response to a finding from a
11 review or an audit conducted under this subsection,
12 including adjusting the amount of a grant or with-
13 drawing a grant.”; and

14 (5) by striking subsection (h) and inserting the
15 following:

16 “(h) ALL STATIONS ACCESSIBILITY PROGRAM.—

17 “(1) IN GENERAL.—The Secretary may make
18 competitive grants to covered entities for use financ-
19 ing capital and planning projects to upgrade the ac-
20 cessibility of legacy rail fixed guideway public trans-
21 portation systems for individuals with disabilities, in-
22 cluding individuals who use wheelchairs, by increas-
23 ing the number of existing (as of the date of enact-
24 ment of this subsection) stations or facilities for pas-
25 senger use that meet or exceed the new construction

1 standards of title II of the Americans with Disabil-
2 ities Act of 1990 (42 U.S.C. 12131 et seq.).

3 “(2) APPLICATION.—

4 “(A) IN GENERAL.—To be eligible to re-
5 ceive a grant under this subsection, a covered
6 entity that has complied with subparagraph (B)
7 shall submit to the Secretary an application—

8 “(i) in such form and containing such
9 information as the Secretary may require;
10 and

11 “(ii) including a certification by the
12 applicant that the project for which a
13 grant is requested will meet or exceed the
14 new construction standards of title II of
15 the Americans with Disabilities Act of
16 1990 (42 U.S.C. 12131 et seq.).

17 “(B) CONSULTATION REQUIREMENT.—

18 Prior to submitting an application under sub-
19 paragraph (A), a covered entity shall consult
20 with appropriate stakeholders and the sur-
21 rounding community to ensure accessibility for
22 individuals with disabilities, including individ-
23 uals with physical, intellectual, developmental,
24 or sensory disabilities and individuals who use
25 wheelchairs.

1 “(3) COMPETITIVE PROCESS.—The Secretary
2 shall—

3 “(A) not later than 90 days after the date
4 on which amounts are made available for obli-
5 gation under this subsection for a full fiscal
6 year, solicit grant applications for projects on a
7 competitive basis; and

8 “(B) award a grant under this subsection
9 based on the solicitation under subparagraph
10 (A) not later than the earlier of—

11 “(i) 90 days after the date on which
12 the solicitation expires; or

13 “(ii) the end of the fiscal year in
14 which the Secretary solicited the grant ap-
15 plications.

16 “(4) ELIGIBLE PROJECTS.—A recipient of a
17 grant under this subsection may use the grant for
18 the following projects:

19 “(A) A capital project to repair, improve,
20 modify, retrofit, or relocate infrastructure of
21 stations or facilities for passenger use, includ-
22 ing load-bearing members that are an essential
23 part of the structural frame of the station or
24 facility.

1 “(B) A planning project to develop or mod-
2 ify a plan for 1 or more public transportation
3 accessibility projects, an assessment of accessi-
4 bility, or an assessment of a planned modifica-
5 tion to stations or facilities for passenger use.

6 “(5) PROHIBITED USES.—A recipient of a
7 grant under this subsection may not use such grant
8 to upgrade a station or facility for passenger use
9 that is accessible to and usable by individuals with
10 disabilities, including individuals who use wheel-
11 chairs, and that meet or exceed the new construction
12 standards under title II of the Americans with Dis-
13 abilities Act of 1990 (42 U.S.C. 12131 et seq.).

14 “(6) FEDERAL SHARE.—The Federal share of a
15 project for which a grant is issued under this sub-
16 section shall not exceed 80 percent of the net project
17 cost.

18 “(7) REQUIRED DISCLOSURES.—The Secretary
19 shall—

20 “(A) upon issuance of the notice of fund-
21 ing opportunity in the Federal Register with re-
22 spect to the program under paragraph (1), pub-
23 licly disclose all metrics and evaluation proce-
24 dures to be used in considering applications
25 submitted under paragraph (2); and

1 “(B) make publicly available a summary of
2 final scores for projects funded by a grant
3 under this subsection, metrics, and other eval-
4 uations used in awarding grants under this sub-
5 section.

6 “(8) COVERED ENTITY DEFINED.—In this sub-
7 section, the term ‘covered entity’ means—

8 “(A) a designated recipient that allocates
9 funds awarded under this chapter to 1 or more
10 legacy rail fixed guideway public transportation
11 systems; and

12 “(B) a State or local governmental entity
13 that operates 1 or more legacy rail fixed guide-
14 way public transportation systems.”.

15 (b) REPEALS.—

16 (1) ELECTRIC OR LOW-EMITTING FERRY PILOT
17 PROGRAM.—Section 71102 of the Infrastructure In-
18 vestment and Jobs Act (Public Law 117–58), and
19 the item relating to such section in the table of con-
20 tents in section 1(b) of such Act, are repealed.

21 (2) FERRY SERVICE FOR RURAL COMMU-
22 NITIES.—Subsections (a) through (f) of section
23 71103 of the Infrastructure Investment and Jobs
24 Act (23 U.S.C. 147 note) are repealed.

1 **SEC. 3006. CONSOLIDATED STATE BLOCK GRANT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Chapter 53 of title 49, United
4 States Code, is amended by inserting after section 5307
5 the following:

6 **“§ 5308. Consolidated State block grant program**

7 “(a) IN GENERAL.—Excluding the amounts made
8 available for primary urbanized areas with respect to
9 which a State is not a designated recipient for Federal
10 assistance pursuant to a financial assistance program or
11 grant program referenced in section 5338(a)(2), the Sec-
12 retary shall, subject to the requirements of subsection (b),
13 consolidate grant amounts made available in a fiscal year
14 pursuant to the formulas set forth in sections 5310,
15 5311(c)(5), 5336, 5337, 5339(a), and 5340.

16 “(b) APPLICATION REQUIREMENTS AND SELEC-
17 TION.—

18 “(1) APPLICATION REQUIREMENTS.—

19 “(A) CERTIFICATION.—In applying to par-
20 ticipate in the consolidated block grant program
21 established under this section, a State shall—

22 “(i) provide written notice to all des-
23 ignated recipients within the State (other
24 than those designated recipients located in
25 a primary urbanized area) of the intent of
26 such State to apply to such program;

1 “(ii) afford affected designated recipi-
2 ents an opportunity pursuant to subpara-
3 graph (B) to affirmatively elect or to deny
4 participation in the program prior to the
5 date on which the State intends to submit
6 the application; and

7 “(iii) provide to the Secretary in the
8 application a list of—

9 “(I) designated recipients that
10 affirmatively elect to participate in the
11 program; and

12 “(II) direct recipients in the rel-
13 evant urbanized areas of such des-
14 ignated recipients.

15 “(B) ROLE OF DESIGNATED RECIPI-
16 ENTS.—

17 “(i) IN GENERAL.—A designated re-
18 cipient shall, not later than 60 days after
19 receiving written notice from the State de-
20 scribed in subparagraph (A)(i), inform the
21 State as to whether the recipient elects to
22 participate in the program established
23 under this section.

24 “(ii) DETERMINATION IN COORDINA-
25 TION WITH DIRECT RECIPIENTS.—Within

1 the time period specified in clause (i), a
2 designated recipient shall coordinate with
3 all direct recipients in the relevant urban-
4 ized area in determining whether to par-
5 ticipate in such program.

6 “(iii) MAJORITY CONCURRENCE.—A
7 designated recipient of an urbanized area
8 in which a majority of direct recipients in
9 the relevant urbanized area elect to affirm-
10 atively participate in the block grant pro-
11 gram established under this section shall—

12 “(I) be required to participate in
13 the program established under this
14 section; and

15 “(II) affirmatively notify the
16 State of participation in the program.

17 “(iv) FAILURE TO RESPOND.—A des-
18 ignated recipient of an urbanized area that
19 fails to inform a State of an election under
20 clause (i) within the time period specified
21 in such clause shall be deemed by the
22 State to have affirmatively provided noti-
23 fied the State of its participation in the
24 program established under this section.

1 “(C) NON-PARTICIPATION.—A designated
2 recipient of an urbanized area that informs a
3 State of its determination to refuse participa-
4 tion in the block grant program under this sec-
5 tion in a fiscal year may not participate in such
6 program for the following 3 fiscal years.

7 “(2) SELECTION.—The Secretary shall allocate
8 the amount described in subsection (a) to a State if
9 the Secretary has—

10 “(A) received an application from the
11 State;

12 “(B) determined that the State has an or-
13 ganization capable of effectively administering a
14 block grant made under this section;

15 “(C) determined that the State uses a sat-
16 isfactory—

17 “(i) transportation system planning
18 process; and

19 “(ii) programming process;

20 “(D) calculated—

21 “(i) the total amount to consolidate
22 and allocate to the State in accordance
23 with subsection (a); and

24 “(ii) from the amount described in
25 clause (i), the minimum amounts a State

1 shall obligate, based on the amounts that
2 would otherwise be allocated to such areas
3 in a State under sections 5307, 5310, and
4 5311(c)(5), 5337, 5339(a), and 5340, to—

5 “(I) rural and urban areas; and

6 “(II) areas of different popu-
7 lation levels; and

8 “(E) entered into an agreement with the
9 State whereby the State agrees—

10 “(i) to comply with applicable Federal
11 law, regulations, and requirements for ad-
12 ministering the block grant;

13 “(ii) to provide the Secretary with
14 such program information as the Secretary
15 may require; and

16 “(iii) to comply with the record and
17 audit requirements under subsection (c).

18 “(c) RECORDS, AUDITS, AND EVALUATIONS.—The
19 requirements set forth in section 5307(f) shall apply to
20 a State participating in the block grant program under
21 this section.

22 “(d) PROHIBITION; RULE OF CONSTRUCTION.—

23 “(1) PROHIBITION.—A provider of public trans-
24 portation in a primary urbanized area may not re-

1 ceive funding made available to a State pursuant to
2 this section.

3 “(2) RULE OF CONSTRUCTION.—Nothing in
4 this subsection shall be construed to prohibit a pro-
5 vider of public transportation in a primary urbanized
6 area from receiving funding from a State if the rel-
7 evant State is the designated recipient for assistance
8 pursuant to sections 5307, 5310, 5311, 5337, 5339,
9 or 5340.

10 “(e) ELIGIBLE PROJECTS.—Amounts allocated to a
11 State for assistance pursuant to this section may be used
12 for—

13 “(1) capital projects;

14 “(2) planning;

15 “(3) job access and reverse commute projects;

16 “(4) operating costs of equipment and facilities
17 for use in public transportation, notwithstanding
18 section 5307(a)(1)(D);

19 “(5) public transportation projects planned, de-
20 signed, and carried out to meet the special needs of
21 seniors and individuals with disabilities when public
22 transportation is insufficient, inappropriate, or un-
23 available;

1 “(6) public transportation projects that exceed
2 the requirements of the Americans with Disabilities
3 Act of 1990 (42 U.S.C. 12101 et seq.);

4 “(7) public transportation projects that improve
5 access to fixed route service and decrease reliance by
6 individuals with disabilities on complementary para-
7 transit;

8 “(8) alternatives to public transportation that
9 assist seniors and individuals with disabilities with
10 transportation;

11 “(9) the acquisition of public transportation
12 services, including service agreements with private
13 providers of public transportation service;

14 “(10) intercity bus transportation and related
15 activities described in section 5311(f)(1);

16 “(11) financing capital projects to—

17 “(A) maintain public transportation sys-
18 tems in a state of good repair, including
19 projects to replace and rehabilitate—

20 “(i) rolling stock;

21 “(ii) track;

22 “(iii) line equipment and structures;

23 “(iv) signals and communications;

24 “(v) power equipment and sub-
25 stations;

1 “(vi) passenger stations and termi-
2 nals;

3 “(vii) security equipment and systems;

4 “(viii) maintenance facilities and
5 equipment;

6 “(ix) operational support equipment,
7 including computer hardware and software;

8 “(x) development and implementation
9 of a transit asset management plan; and

10 “(xi) other replacement and rehabili-
11 tation projects the Secretary determines
12 appropriate;

13 “(B) replace, rehabilitate, and purchase
14 buses and related equipment, including techno-
15 logical changes or innovations to modify vehi-
16 cles described in section 5339(c)(5) or related
17 facilities; and

18 “(C) construct bus-related facilities; and

19 “(12) any other activity eligible for assistance
20 pursuant to sections 5307, 5310, 5311, 5337,
21 5339(a), and 5340 of this chapter.

22 “(f) ROLES AND RESPONSIBILITIES OF PARTICI-
23 PATING STATES.—

24 “(1) PROGRAM DOCUMENTATION.—

1 “(A) IN GENERAL.—Any grant agreement
2 providing funds to be administered under such
3 program shall be documented in a manner de-
4 termined acceptable to the Secretary.

5 “(B) PARITY.—The Secretary shall provide
6 parity to States and shall only require the same
7 type of information and level of detail for any
8 program agreements and documentation that
9 the Secretary would perform with respect to
10 such action if the State did not receive assist-
11 ance in the form of a block grant under this
12 section.

13 “(C) RESPONSIBILITIES.—Unless the
14 State expressly agrees to retain responsibility,
15 the Secretary shall assume responsibility for
16 grant compliance investigations, determinations,
17 and enforcement.

18 “(2) REPORTING REQUIREMENTS.—

19 “(A) IN GENERAL.—Each State partici-
20 pating in the block grant program shall submit
21 to the Secretary an annual report that in-
22 cludes—

23 “(i) the number of project applica-
24 tions received for each fiscal year, includ-
25 ing—

1 “(I) the aggregate cost of the
2 projects for which applications are re-
3 ceived; and

4 “(II) the types of projects to be
5 carried out, expressed as percentages
6 of the total consolidated amount allo-
7 cated to the State under this section;
8 and

9 “(ii) a list of each project selected for
10 funding for each fiscal year, including, for
11 each project—

12 “(I) the fiscal year during which
13 the project was selected;

14 “(II) the fiscal year in which the
15 project is anticipated to be funded;

16 “(III) the recipient;

17 “(IV) the location, including the
18 congressional district;

19 “(V) the type;

20 “(VI) the cost; and

21 “(VII) a brief description.

22 “(B) PUBLIC AVAILABILITY.—The Sec-
23 retary shall make available to the public, in a
24 user-friendly format on the website of the De-

1 partment of Transportation, a copy of each an-
2 nual report submitted under subparagraph (A).

3 “(g) CONSULTATION WITH CERTAIN PLANNING OR-
4 GANIZATIONS.—For purposes of carrying out a block
5 grant program under this section, a State shall—

6 “(1) as applicable, consult with relevant metro-
7 politan planning organizations in an urbanized area
8 that is not a primary urbanized area; or

9 “(2) as applicable, consult with relevant re-
10 gional transportation planning organizations in rural
11 areas.

12 “(h) TREATMENT OF PROJECTS.—Projects funded
13 under this section shall be treated as public transportation
14 projects for purposes of this chapter.

15 “(i) COST SHARE.—

16 “(1) IN GENERAL.—Except as provided in para-
17 graphs (2) and (3), the Federal share of an allow-
18 able project cost for a project funded under this sec-
19 tion shall not exceed 80 percent.

20 “(2) SLIDING SCALE.—The Federal share rate
21 provided under paragraphs (1) and (2) of section
22 120(b) of title 23 shall apply to a project under this
23 section if such rate is applicable to the State in
24 which such project is carried out.

1 “(3) CERTAIN PROJECTS.—Section 5323(i) ap-
2 plies to projects carried out under this subsection,
3 unless a lower share percentage is requested.

4 “(j) PRIMARY URBANIZED AREA.—In this section,
5 the term ‘primary urbanized area’ means an urbanized
6 area that—

7 “(1) has a population of at least 3,500,000, as
8 determined by the Bureau of Census; or

9 “(2) extends into more than 1 State and has a
10 population of at least 200,000, as determined by the
11 Bureau of Census.”.

12 (b) RULEMAKING AUTHORITY.—The Secretary may
13 issue such regulations as may be necessary to carry out
14 section 5308, as added by subsection (a).

15 **SEC. 3007. FIXED GUIDEWAY CAPITAL INVESTMENT**
16 **GRANTS.**

17 (a) AMENDMENTS TO FIXED GUIDEWAY CAPITAL IN-
18 VESTMENT GRANT PROGRAM.—Section 5309 of title 49,
19 United States Code, is amended—

20 (1) in subsection (a)—

21 (A) in the matter preceding paragraph (1)
22 by striking “, the following definitions shall
23 apply”;

24 (B) by striking paragraph (2) and insert-
25 ing the following:

1 “(2) CORE CAPACITY IMPROVEMENT
2 PROJECT.—The term ‘core capacity improvement
3 project’—

4 “(A)(i) means a capital investment in an
5 existing fixed guideway system that—

6 “(I) increases the capacity of a
7 corridor by not less than 10 percent;
8 or

9 “(II) substantially increases the
10 capacity of such system (in part or in
11 whole); and

12 “(ii) includes a project that—

13 “(I) is primarily intended to in-
14 crease capacity by reducing passenger
15 travel time in a corridor or in an ex-
16 isting fixed guideway system, includ-
17 ing for passengers with disabilities
18 and those who use wheelchairs; and

19 “(II) otherwise meets the re-
20 quirements of clause (i); and

21 “(B) does not include—

22 “(i) elements designed to maintain a
23 state of good repair of the existing fixed
24 guideway system;

1 “(ii) elements to improve general sta-
2 tion facilities (other than stairs, elevators,
3 ramps, or escalators for passenger use) or
4 parking; and

5 “(iii) acquisition of rolling stock
6 alone.”;

7 (C) in paragraph (3) by striking “small
8 start” and inserting “streamlined start”; and

9 (D) in paragraph (6)—

10 (i) in the paragraph heading by strik-
11 ing “SMALL START” and inserting
12 “STREAMLINED START”;

13 (ii) in the matter preceding subpara-
14 graph (A) by striking “small start” and in-
15 serting “streamlined start”; and

16 (iii) by striking subparagraphs (A)
17 and (B) and inserting the following:

18 “(A) the total estimated net capital cost is
19 less than \$1,000,000,000 (adjusted annually for
20 inflation); and

21 “(B) Federal assistance provided or re-
22 quested under this section is less than or equal
23 to 50 percent of the dollar amount specified in
24 subparagraph (A).”;

25 (2) in subsection (b)—

1 (A) in paragraph (1) by striking “small
2 start” and inserting “streamlined start”; and

3 (B) by striking paragraph (2) and insert-
4 ing the following:

5 “(2) core capacity improvement projects, includ-
6 ing—

7 “(A) acquisition of real property;

8 “(B) acquisition of rights-of-way;

9 “(C) double tracking;

10 “(D) signalization improvements;

11 “(E) electrification;

12 “(F) expanding system platforms;

13 “(G) acquisition of rolling stock associated
14 with corridor or system-wide improvements in-
15 creasing capacity;

16 “(H) construction of infill stations;

17 “(I) construction, renovation, and improve-
18 ment of stairs, ramps, elevators, and escalators
19 to improve accessibility of the system or cor-
20 ridor for individuals with disabilities, including
21 individuals who use wheelchairs; and

22 “(J) other capacity improvements the Sec-
23 retary determines are appropriate to increase
24 the capacity of the system or corridor.”;

25 (3) in subsection (c)—

1 (A) in paragraph (1)—

2 (i) in the matter preceding subpara-
3 graph (A) by striking “small start” and in-
4 serting “streamlined start”; and

5 (ii) in subparagraph (C)—

6 (I) by striking “the applicant”
7 and inserting “if applicable, the appli-
8 cant”;

9 (II) by striking “the performance
10 targets” and inserting “a performance
11 target”; and

12 (III) by striking “in section
13 5326(c)(2)” and inserting “described
14 in section 5326(b)(2)(A)”; and

15 (B) in paragraph (3) to read as follows:

16 “(3) TECHNICAL CAPACITY.—The Secretary
17 shall use an expedited technical capacity review
18 process for a project if the applicant—

19 “(A) has—

20 “(i) during the 5-year period imme-
21 diately preceding the date on which the ap-
22 plicant requests funds for the project—

23 “(I) successfully completed at
24 least 1 project pursuant to this sec-
25 tion that is similar in complexity to

1 the project for which the applicant is
2 seeking an expedited review; and

3 “(II) demonstrates that the ap-
4 plicant continues to have the staff ex-
5 pertise and other resources necessary
6 to implement a new project; or

7 “(ii) during the 3-year period imme-
8 diately preceding the date on which the ap-
9 plicant requests funds for the project—

10 “(I) successfully completed at
11 least 1 project pursuant to this sec-
12 tion; or

13 “(II) fulfilled readiness require-
14 ments related to technical capacity for
15 a comparable project sponsored by the
16 applicant; and

17 “(B) certifies, in a manner determined by
18 the Secretary, that all project oversight require-
19 ments applicable to the project will be ful-
20 filled.”;

21 (4) in subsection (d)(1)(A)—

22 (A) in clause (i)(II) by striking “initiates”
23 and inserting “has initiated”; and

24 (B) in clause (ii)—

1 (i) by redesignating subclauses (I) and
2 (II) as subclauses (II) and (III), respec-
3 tively; and

4 (ii) by inserting before subclause (II),
5 as so redesignated, the following:

6 “(I) determines that the appli-
7 cant has completed 30 percent of de-
8 sign and engineering for the project;”;

9 (5) in subsection (e)—

10 (A) in paragraph (1)(A)—

11 (i) in clause (i)(II) by striking “initi-
12 ates” and inserting “has initiated”; and

13 (ii) in clause (ii)—

14 (I) by redesignating subclauses
15 (I) and (II) as subclauses (II) and
16 (III), respectively; and

17 (II) by inserting before subclause
18 (II), as so redesignated, the following:

19 “(I) determines that the appli-
20 cant has completed 30 percent of de-
21 sign and engineering for the project;”;

22 and

23 (B) in paragraph (2)—

24 (i) in subparagraph (A)—

25 (I) by striking clause (iii);

1 (II) by redesignating clauses (iv)
2 and (v) as clauses (iii) and (iv), re-
3 spectively; and

4 (III) in clause (iii), as so redesign-
5 nated, by striking “needs of the cor-
6 ridor” and all that follows through the
7 semicolon and inserting “needs of the
8 system or corridor;”;

9 (ii) in subparagraph (B)—

10 (I) in the matter preceding clause
11 (i) by striking “subparagraph (A)(iv)”
12 and inserting “subparagraph (A)(iii)”;
13 and

14 (II) by striking clause (ii) and in-
15 serting the following:

16 “(ii) whether the project will increase
17 capacity of a corridor by at least 10 per-
18 cent or substantially increase capacity sys-
19 tem-wide (in whole or in part), including in
20 the manner described in subsection
21 (a)(2)(A)(ii);”;

22 (6) in subsection (f)—

23 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-
2 graph (A) by striking “ or (e)(2)(A)(v)”
3 and inserting “or (e)(2)(A)(iv)”; and

4 (ii) in subparagraph (C) by striking
5 “local resources” and inserting “the appli-
6 cant demonstrate that local resources”;
7 and

8 (B) in paragraph (2) by striking “or
9 (e)(2)(A)(v)” and inserting “or (e)(2)(A)(iv)”;
10 (7) in subsection (g)—

11 (A) in paragraph (2)—

12 (i) in subparagraph (A)(ii) by striking
13 “subsection (e)(2)(A)(iv)” and inserting
14 “subsection (e)(2)(A)(iii)”;

15 (ii) in subparagraph (B) by striking
16 “or (e)(2)(A)(iv)” each place it appears
17 and inserting “or (e)(2)(A)(iii)” and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(D) ELIGIBILITY FOR ADJUSTMENT OF
21 CERTAIN CRITERION.—

22 “(i) IN GENERAL.—In evaluating and
23 rating the economic development criterion
24 referenced in subsection (d)(2)(A)(iii) and
25 (e)(2)(A)(iii), the Secretary may increase 1

1 point on the 5-point scale (high, medium-
2 high, medium, medium-low, or low) the
3 rating for the economic development cri-
4 terion if the applicant submits documented
5 evidence that enacted local policies promote
6 housing development for areas accessible to
7 transit facilities along the project route.

8 “(ii) CONSIDERATION; CONSULTA-
9 TION.—In carrying out clause (i), the Sec-
10 retary shall—

11 “(I) consider whether the evi-
12 dence submitted by the applicant will
13 result in development appropriate to
14 expected housing demand in the
15 project area; and

16 “(II) consult with the Secretary
17 of Housing and Urban Develop-
18 ment.”;

19 (B) by amending paragraph (5) to read as
20 follows:

21 “(5) POLICY GUIDANCE.—

22 “(A) IN GENERAL.—The Secretary shall
23 issue policy guidance regarding the review and
24 evaluation process and criteria each time the
25 Secretary makes significant changes to the

1 process and criteria, but not less frequently
2 than once every 2 years.

3 “(B) REQUIREMENT.—In carrying out
4 subparagraph (A), the Secretary shall—

5 “(i) ensure that the policy guidance
6 for streamlined start projects is reflective
7 of any differences in project scope, cost,
8 risk, and source of local financial commit-
9 ment compared to projects under sub-
10 sections (d) and (e); and

11 “(ii) for core capacity improvement
12 projects that propose to increase capacity
13 in the manner described in subsection
14 (a)(2)(A)(ii), issue specific policy guidance
15 for evaluating how such projects may in-
16 crease the capacity of the system or cor-
17 ridor.

18 “(C) NONSUBSTANTIVE POLICY UP-
19 DATES.—Notwithstanding the requirements of
20 section 5334(k), the Secretary may issue or
21 publish an update to the policy guidance de-
22 scribed in subparagraph (A) provided that such
23 update does not—

24 “(i) impose a binding obligation on an
25 applicant under this section; or

1 “(ii) significantly change the adminis-
2 tration of the existing policy.”;

3 (C) in paragraph (6)—

4 (i) by striking “Not later than 1
5 year” and all that follows through “shall
6 issue” and inserting “The Secretary shall
7 maintain”; and

8 (ii) in subparagraph (B) by striking
9 “corridor” and inserting “corridor or sys-
10 tem”; and

11 (D) in paragraph (8) by striking “the date
12 of enactment of the Federal Public Transpor-
13 tation Act of 2012” and inserting “October 1,
14 2012”;

15 (8) in subsection (h)—

16 (A) in the subsection heading by striking
17 “SMALL START” and inserting “STREAMLINED
18 START”;

19 (B) by striking “small start” in each place
20 it occurs and inserting “streamlined start”;

21 (C) by striking “small starts” in each
22 place it occurs and inserting “streamlined
23 start”;

24 (D) in paragraph (2)(A)—

1 (i) in clause (i)(II) by striking “initiates” and inserting “has initiated”; and

2
3 (ii) in clause (ii)—

4 (I) by redesignating subclauses
5 (I) and (II) as subclauses (II) and
6 (III), respectively; and

7 (II) by inserting before subclause
8 (II), as so redesignated, the following:

9 “(I) determines that the appli-
10 cant has completed 30 percent of de-
11 sign and engineering for the project;”;

12 (E) in paragraph (6) by adding at the end
13 the following:

14 “(C) ELIGIBILITY FOR ADJUSTMENT OF
15 CERTAIN CRITERION.—

16 “(i) IN GENERAL.—In evaluating and
17 rating the economic development criterion
18 referenced in paragraph (4), the Secretary
19 may increase 1 point on the 5-point scale
20 (high, medium-high, medium, medium-low,
21 or low) the rating for the economic devel-
22 opment criterion if the applicant submits
23 documented evidence that enacted local
24 policies promote housing development for

1 areas accessible to transit facilities along
2 the project route.

3 “(ii) CONSIDERATION; CONSULTA-
4 TION.—In carrying out clause (i), the Sec-
5 retary shall—

6 “(I) consider whether the evi-
7 dence submitted by the applicant will
8 result in development appropriate to
9 expected housing demand in the
10 project area; and

11 “(II) consult with the Secretary
12 of Housing and Urban Develop-
13 ment.”; and

14 (F) in paragraph (7)(C) by striking “10
15 days” and inserting “3 business days”;
16 (9) in subsection (i)(4)—

17 (A) in subparagraph (B)—

18 (i) in the subparagraph heading by
19 striking “SMALL START” and inserting
20 “STREAMLINED START”; and

21 (ii) by striking “small start” and in-
22 serting “streamlined start”; and

23 (B) in subparagraph (C)(iii) by striking
24 “small start” and inserting “streamlined start”;

1 (10) in subsection (j) by striking “the date of
2 enactment of the Federal Public Transportation Act
3 of 2012” and inserting “October 1, 2012”;

4 (11) in subsection (k)—

5 (A) in paragraph (2)—

6 (i) in subparagraph (E)(i) by striking
7 “Applicants” and inserting “Unless other-
8 wise provided by subparagraph (G), appli-
9 cants”;

10 (ii) in subparagraph (F) by striking
11 “To be eligible” and inserting “Unless oth-
12 erwise provided by subparagraph (G), to be
13 eligible”; and

14 (iii) by adding at the end the fol-
15 lowing new subparagraph:

16 “(G) SPECIAL RULE.—An applicant seek-
17 ing a full funding grant agreement under this
18 paragraph for a project that has a local finan-
19 cial commitment of not less than 50 percent of
20 the total net cost of the project may not be re-
21 quired by the Secretary to submit a plan de-
22 scribed in subparagraph (E) or to collect data
23 on the current system described in subpara-
24 graph (F).”; and

1 (B) in paragraph (5) by striking “15
2 days” and inserting “3 business days”;

3 (12) in subsection (l)—

4 (A) in paragraph (1)(B)—

5 (i) in clause (iii) by striking “in the
6 corridor” and inserting “of the system or
7 corridor”; and

8 (ii) in clause (iv)—

9 (I) in the clause heading by strik-
10 ing “SMALL START” and “STREAM-
11 LINED START”; and

12 (II) by striking “small start” and
13 inserting “streamlined start”; and

14 (B) in paragraph (7) by striking “the date
15 of enactment of the Federal Public Transpor-
16 tation Act of 2012” and inserting “October 1,
17 2012”;

18 (13) in subsection (m) by adding at the end the
19 following new paragraph:

20 “(3) PRE-PROJECT DEVELOPMENT PHASE
21 COSTS.—The Secretary shall pay the Government
22 share of project costs incurred by a State or local
23 governmental authority that carries out any part of
24 a project described in this section without the aid of

1 amounts of the Government and according to all ap-
2 plicable procedures and requirements, if—

3 “(A) the project development costs of the
4 project were incurred by the State or local gov-
5 ernmental authority before the date on which
6 the project entered into the project development
7 phase;

8 “(B) the project—

9 “(i) in the case of a project under
10 subsections (d) or (e), advances to the en-
11 gineering phase; or

12 “(ii) in the case of a project under
13 subsection (h), advances to the construc-
14 tion phase; and

15 “(C) the State or local governmental au-
16 thority applies for payment of such Government
17 share.”;

18 (14) in subsection (o)—

19 (A) in paragraph (1)—

20 (i) by striking subparagraph (B);

21 (ii) by striking subparagraph (C) and
22 inserting the following:

23 “(C) recommendations of such projects for
24 funding—

1 “(i) based on the evaluations and rat-
2 ings and on existing commitments and an-
3 ticipated funding levels for the next 3 fis-
4 cal years based on information currently
5 available to the Secretary; and

6 “(ii) prioritizing projects submitted
7 under subsection (u); and”;

8 (iii) by redesignating subparagraph
9 (C), as amended, as subparagraph (B);
10 and

11 (iv) by adding at the end the following
12 new subparagraph:

13 “(C) a narrative summary for projects for
14 which the Secretary adjusted the rating of the
15 economic development criterion pursuant to
16 subsection (g)(2)(D) or (h)(6)(C).”;

17 (B) in paragraph (2)(A)(i)(I) by striking
18 “and section 3005(b) of the Federal Public
19 Transportation Act of 2015 (49 U.S.C. 5309
20 note; Public Law 114–94)”;

21 (C) by adding at the end the following new
22 paragraph:

23 “(3) EVALUATIONS AND RATING.—Concurrently
24 with updates made pursuant to subsection (r)(2),
25 the Secretary shall submit to Congress, and make

1 available to the public, report evaluations and rat-
2 ings, as required under subsections (d), (e), and (h),
3 for each such project that—

4 “(A) is in the project development phase;

5 “(B) is in the engineering phase; or

6 “(C) has received a full funding grant
7 agreement.”;

8 (15) in subsection (p)—

9 (A) in the subsection heading by striking
10 “RULE” and inserting “RULES REGARDING
11 COST EFFECTIVENESS”;

12 (B) by striking “For the purposes” and in-
13 serting “(1) TREATMENT OF CERTAIN CAPITAL
14 COSTS.—For the purposes”; and

15 (C) by adding at the end the following new
16 paragraph:

17 “(2) ALTERNATIVE METRIC CONSIDERATION.—

18 In making a determination regarding the cost effec-
19 tiveness of a project under subsection (d)(2)(A)(iii)
20 or (e)(2)(A)(iii), the Secretary may consider, in ad-
21 dition to the measurement of cost per rider, upon re-
22 quest of the project sponsor, an alternative metric
23 for cost effectiveness determined appropriate by the
24 Secretary.”; and

25 (16) by adding at the end the following:

1 “(s) ALTERNATIVE PROJECT DELIVERY.—

2 “(1) IN GENERAL.—Notwithstanding contract
3 requirements in section 5325, the Secretary may
4 allow an applicant to enter into a covered project de-
5 livery contract with respect to a project for which
6 the applicant requests funds under this section.

7 “(2) COVERED PROJECT DELIVERY CONTRACT
8 DEFINED.—In this subsection, the term ‘covered
9 project delivery contract’ means—

10 “(A) an agreement that provides for both
11 design and construction of a project by 1 or
12 more contractors through alternative project de-
13 livery methods, including construction manager/
14 general contractor, construction manager-at-
15 risk, progressive design build, or any other al-
16 ternative project delivery method; or

17 “(B) a single contract for the delivery of a
18 whole project that—

19 “(i) includes, at a minimum, the spon-
20 sor, builder, and designer as parties sub-
21 ject to the terms of the contract;

22 “(ii) aligns the interests of all parties
23 to the contract with respect to the project
24 costs and project outcomes; and

1 “(iii) includes processes to ensure
2 transparency and collaboration among all
3 parties to the contract with respect to the
4 project costs and project outcomes.

5 “(t) SPECIAL RULE FOR RISK ASSESSMENT AND
6 LOCK-IN DATE.—With respect to core capacity improve-
7 ment projects and new fixed guideway capital projects, the
8 Secretary may not determine a maximum Capital Invest-
9 ment Grant contribution or conduct a risk assessment
10 until 120 days after the project enters into the engineering
11 phase, except the Secretary may conduct a risk assessment
12 earlier upon request from the project sponsor.”.

13 (b) AMENDMENTS TO EXPEDITED PROJECT DELIV-
14 ERY FOR CAPITAL INVESTMENT GRANTS PILOT PRO-
15 GRAM.—Section 3005(b) of the FAST Act (49 U.S.C.
16 5309 note) is amended—

17 (1) in the heading by striking “PILOT”;
18 (2) by striking paragraph (1) and inserting the
19 following:

20 “(1) DEFINITION OF SPECIFIED CORE CAPAC-
21 ITY IMPROVEMENT PROJECT.—In this subsection,
22 the term ‘specified core capacity improvement
23 project’—

24 “(A)(i) means a capital investment in an
25 existing fixed guideway system that—

1 “(I) increases the capacity of a
2 corridor by not less than 10 percent;
3 or

4 “(II) substantially increases the
5 capacity of such system (in part or in
6 whole); and

7 “(ii) includes a project that—

8 “(I) is primarily intended to in-
9 crease capacity by reducing passenger
10 travel time in a corridor or in an ex-
11 isting fixed guideway system, includ-
12 ing for passengers with disabilities
13 and passengers who use wheelchairs;
14 and

15 “(II) otherwise meets the re-
16 quirements of clause (i);

17 “(B) may include project elements de-
18 signed to achieve a state of good repair of the
19 existing fixed guideway system; and

20 “(C) does not include—

21 “(i) elements designed to maintain a
22 state of good repair of the existing fixed
23 guideway system;

24 “(ii) elements to improve general sta-
25 tion facilities (other than stairs, elevators,

1 ramps, or escalators for passenger use) or
2 parking; and

3 “(iii) acquisition of rolling stock
4 alone.”;

5 (3) in paragraph (2)—

6 (A) in subparagraph (A) by striking “small
7 start” and inserting “streamlined start”; and

8 (B) by striking subparagraph (B) and in-
9 serting the following:

10 “(B) specified core capacity improvement
11 projects, including—

12 “(i) acquisition of real property;

13 “(ii) acquisition of rights-of-way;

14 “(iii) double tracking;

15 “(iv) signalization improvements;

16 “(v) electrification;

17 “(vi) expanding system platforms;

18 “(vii) acquisition of rolling stock asso-
19 ciated with corridor improvements increas-
20 ing capacity;

21 “(viii) construction of infill stations;

22 “(ix) construction, renovation, and im-
23 provement of stairs, ramps, elevators, and
24 escalators to improve accessibility of the
25 system or corridor for individuals with dis-

1 abilities, including individuals who use
2 wheelchairs; and

3 “(x) other capacity improvements the
4 Secretary determines are appropriate to in-
5 crease the capacity of the system or cor-
6 ridor.”;

7 (4) in paragraph (3)—

8 (A) in subparagraph (A)—

9 (i) by striking “not more than 8
10 grants under this subsection for eligible
11 projects if the Secretary determines that”
12 and inserting “grants under this sub-
13 section to State and local governmental au-
14 thorities to assist in financing a new fixed
15 guideway capital project, a streamlined
16 start project, or a specified core capacity
17 improvement project if the Secretary deter-
18 mines that”;

19 (ii) in clause (i) by striking “of title
20 49, United States Code”;

21 (iii) by striking clause (iii) and insert-
22 ing the following:

23 “(iii) there are private contributions
24 to the project, which may include cost-ef-
25 fective project delivery, management or

1 transfer of project risks, expedited project
2 schedule, financial partnering, and other
3 public-private partnership strategies, pro-
4 vided such elements are determined by
5 local policies, criteria, and decisionmaking
6 under section 5306(a);” and

7 (iv) in clauses (i) through (vi) by
8 striking “eligible” each place it appears;

9 (B) in subparagraph (B) by striking “of
10 title 49, United States Code,”;

11 (C) in subparagraph (C) by striking “for
12 applicants that have” and all that follows
13 through the period and inserting “as prescribed
14 in subsection (c)(3).”;

15 (D) in subparagraph (D)—

16 (i) in clause (i)—

17 (I) in the matter preceding sub-
18 clause (I) by striking “an eligible
19 project” and inserting “a project”;
20 and

21 (II) in subclause (I) by striking
22 “eligible”; and

23 (ii) in clause (ii) by striking “eligible”
24 each place it appears;

1 (E) in subparagraph (E) by striking “of
2 title 49, United States Code,”; and

3 (F) by adding at the end the following new
4 subparagraph:

5 “(F) CONSIDERATION FOR SPECIFIED
6 CORE CAPACITY PROJECT.—For purposes of
7 making a determination under this paragraph
8 for a specified core capacity project, the Sec-
9 retary shall determine whether the project will
10 increase capacity of a corridor by at least 10
11 percent or substantially increase capacity sys-
12 tem-wide (in whole or in part), including in the
13 manner described in paragraph (1)(A)(ii).”;
14 (5) in paragraph (4)—

15 (A) in subparagraph (A) by striking “an
16 eligible” and inserting “a”;

17 (B) in subparagraphs (B) and (C) by
18 striking “eligible” each place it appears; and

19 (C) in subparagraph (C)(i) by striking
20 “public-private partnership required” and in-
21 serting “private contributions required”;

22 (6) in paragraph (5)(A) by striking “120 days”
23 and inserting “180 days”;

24 (7) in paragraph (6)—

1 (A) by striking “eligible” each place it ap-
2 pears; and

3 (B) by inserting “specified” before “core
4 capacity”;

5 (8) in paragraph (7) by striking “an eligible”
6 and inserting “a”;

7 (9) in paragraph (8)—

8 (A) in subparagraph (A)(i)—

9 (i) by striking “an eligible” each place
10 it appears and inserting “a”; and

11 (ii) by striking “the eligible” and in-
12 serting “the”;

13 (B) in subparagraph (B)—

14 (i) in clauses (i) and (ii) by striking
15 “an eligible” and inserting “a”;

16 (ii) in clause (iii)—

17 (I) by striking “eligible” each
18 place it appears; and

19 (II) in subclause (III) by striking
20 “, consistent with the terms of the
21 public-private partnership agree-
22 ment”;

23 (iii) in clause (iv)—

- 1 (I) in subclause (III) by striking
2 “eligible project” each place it ap-
3 pears and inserting “project”; and
4 (II) in subclause (IV)—
5 (aa) by inserting “specified”
6 before “core capacity”; and
7 (bb) by striking “small
8 start” and inserting “streamlined
9 start”; and
10 (iv) in clause (v) by striking “small
11 start” and inserting “streamlined start”;
12 (C) in subparagraph (C)(i) by striking “eli-
13 gible”; and
14 (D) in subparagraph (D)—
15 (i) in clause (i)—
16 (I) by striking “15 days” and in-
17 serting “3 business days”; and
18 (II) by striking “an eligible” and
19 inserting “a”; and
20 (ii) in clause (ii) by striking “eligible”;
21 (10) in paragraph (9)—
22 (A) in subparagraph (A)—
23 (i) by striking “an eligible” and in-
24 serting “a”; and

1 (ii) by striking “25 percent” and in-
2 serting “40 percent”;

3 (B) in subparagraph (C) by striking “75
4 percent” and inserting “60 percent”; and

5 (C) in subparagraph (E)—

6 (i) by striking “an eligible project”
7 and inserting “a project”;

8 (ii) by striking “the applicant shall
9 repay” and inserting “as determined by
10 the Secretary, the applicant shall repay”;

11 (iii) by striking “the eligible project”
12 and inserting “the project”; and

13 (iv) by striking “all eligible project”
14 and inserting “all project”;

15 (11) in paragraph (10)(A)—

16 (A) by striking “an eligible project” and
17 inserting “a project”;

18 (B) by striking “that eligible project” and
19 inserting “the project”; and

20 (C) by striking “the eligible project” and
21 inserting “the project”;

22 (12) in paragraph (11) by striking “Not later
23 than” and all that follows through the period at the
24 end and inserting “In each annual report described
25 in subsection (o)(1), the Secretary shall include a

1 proposed amount to be available to finance grants
2 for anticipated projects under this subsection.”; and

3 (13) in paragraph (12)—

4 (A) in subparagraph (B) by striking the
5 semicolon and inserting “; or”;

6 (B) in subparagraph (C) by striking “; or”
7 and inserting a period; and

8 (C) by striking subparagraph (D).

9 (c) TRANSFER OF EXPEDITED PROJECT DELIVERY
10 FOR CAPITAL INVESTMENT GRANTS PROGRAM.—Section
11 3005(b) of the FAST Act, as amended by subsection (b),
12 is transferred to appear as subsection (u) of section 5309
13 of title 49, United States Code.

14 (d) ENSURING FLEXIBILITY IN CIG PROJECT PIPE-
15 LINES.—The Secretary shall, to the greatest extent prac-
16 ticable and in accordance with applicable statutory re-
17 quirements—

18 (1) ensure that an applicant in the capital in-
19 vestment grant program has flexibility to move be-
20 tween project pipelines provided under subsections
21 (d), (e), (h), and (u) of section 5309; and

22 (2) minimize the administrative burden associ-
23 ated with utilizing such flexibility.

24 (e) APPLICABILITY.—The amendments made by sub-
25 sections (a) through (c) shall only apply to a grant appli-

1 cation under section 5309 of title 49, United States Code,
2 that—

3 (1) is submitted on or after the date of enact-
4 ment of this Act;

5 (2) is moved by the Secretary between project
6 pipelines provided under subsections (d), (e), (h),
7 and (u) of such section after the date of enactment
8 of this Act; or

9 (3) is for a project—

10 (A) that prior to the date of enactment of
11 this Act—

12 (i) entered into the project develop-
13 ment phase provided under subsections (d),
14 (e), or (h) of such section; or

15 (ii) has submitted a complete applica-
16 tion under subsection (u) of such section to
17 the Secretary; and

18 (B) with a project sponsor that has elected
19 to subject such application to the amendments
20 made by subsections (a) through (c).

21 **SEC. 3008. FORMULA GRANTS FOR ENHANCED MOBILITY**
22 **OF SENIORS AND INDIVIDUALS WITH DIS-**
23 **ABILITIES.**

24 (a) TRANSFER OF SECTION 3006(B) OF THE FIXING
25 AMERICA'S SURFACE TRANSPORTATION ACT.—Section

1 3006(b) of the Fixing America’s Surface Transportation
2 Act (49 U.S.C. 5310 note) is transferred to appear as sec-
3 tion 5310(j) of title 49, United States Code.

4 (b) AMENDMENTS.—Section 5310(j) of title 49,
5 United States Code, as transferred by subsection (a), is
6 amended—

7 (1) in the subsection heading by striking
8 “PILOT”;

9 (2) by striking paragraph (1);

10 (3) by redesignating paragraphs (2) through
11 (6) as (1) through (5), respectively;

12 (4) in paragraph (1), as so redesignated—

13 (A) in the matter preceding subparagraph

14 (A) by striking “eligible recipients” and insert-
15 ing “recipients”;

16 (B) in subparagraph (B) by striking “and”
17 at the end;

18 (C) by redesignating subparagraph (C) as
19 subparagraph (D); and

20 (D) by inserting after subparagraph (B)
21 the following new subparagraph:

22 “(C) projects that improve access to a fa-
23 cility of the Department of Veterans Affairs or
24 an organization or a facility that provides serv-

1 ices to veterans using funds provided by the
2 Department of Veterans Affairs; and”;

3 (5) in paragraph (2), as so redesignated—

4 (A) by striking “An eligible recipient” and
5 inserting “A recipient”; and

6 (B) by striking “eligible project” in each
7 place it occurs and inserting “capital project”;

8 (6) by striking paragraph (3), as so redesignated,
9 and inserting:

10 “(3) BRIEFING.—Annually during the period
11 between October 1 and December 31, the Secretary
12 shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the
13 Committee on Banking, Housing, and Urban Affairs
14 of the Senate on projects carried out during the
15 most recently completed fiscal year using grant
16 funds issued under this subsection, including—

17 “(A) an evaluation of the program under
18 this subsection, including an evaluation of the
19 specific performance measures identified by
20 each recipient pursuant to paragraph (2)(D);
21 and
22

23 “(B) if applicable, a detailed description of
24 each project, including any activities therein,

1 carried out during such fiscal year using grant
2 funds issued under this subsection.”;

3 (7) in paragraph (4), as so redesignated, by
4 striking “an eligible project” in each place it occurs
5 and inserting “a capital project”; and

6 (8) in paragraph (5), as so redesignated, by
7 striking “chapter 53 of title 49, United States
8 Code” and inserting “this chapter”.

9 (c) ADDITIONAL AMENDMENTS.—Section 5310 of
10 title 49, United States Code, is further amended—

11 (1) in subsection (b)(1)(A) by striking “spe-
12 cial”; and

13 (2) in subsection (d)(3)(B)(ii) by striking
14 “highways program” and all that follows through
15 the period and inserting “transportation program
16 under section 203 of title 23.”.

17 **SEC. 3009. FORMULA GRANTS FOR RURAL AREAS.**

18 Section 5311 of title 49, United States Code, is
19 amended—

20 (1) in subsection (a)—

21 (A) by redesignating paragraphs (1) and
22 (2) as paragraphs (2) and (3), respectively; and

23 (B) by inserting before paragraph (2), as
24 so redesignated, the following:

1 “(1) INSULAR AREA.—The term ‘insular area’
2 means the United States Virgin Islands, Guam,
3 American Samoa, and the Northern Mariana Is-
4 lands.”;

5 (2) in subsection (b)(3)(B) by striking
6 “5338(a)(2)(F)” and inserting “5338(a)(2)(D)”;

7 (3) in subsection (c)—

8 (A) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A) by striking “section
11 5338(a)(2)(F)” and inserting “section
12 5338(a)(2)(D)”;

13 (ii) in subparagraph (A) by striking
14 “and” at the end;

15 (iii) in subparagraph (B) by striking
16 the period at the end and inserting a semi-
17 colon; and

18 (iv) by adding at the end the fol-
19 lowing:

20 “(C) 1 percent shall be available to carry
21 out paragraph (4); and

22 “(D) \$25,000,000 shall be set aside each
23 fiscal year to carry out the rural and insular
24 ferry competitive program under section

1 5339(d) as such grants relate to an area de-
2 scribed under section 5339(d)(2)(B).”;

3 (B) in paragraph (3)(C) by striking
4 “5338(a)(2)(F)” and inserting
5 “5338(a)(2)(D)”;

6 (C) in paragraph (4)(A) by striking “sec-
7 tion 5338(a)(2)(F) that are not apportioned
8 under paragraph (1) or (2)” and inserting “sec-
9 tion 5338(a)(2)(D) that are not apportioned in
10 accordance with paragraph (1)”;

11 (D) by redesignating paragraph (4) as
12 paragraph (5); and

13 (E) by inserting after paragraph (3) the
14 following:

15 “(4) INSULAR AREA PUBLIC TRANSPORTATION
16 ASSISTANCE PROGRAM.—For each fiscal year, the
17 amounts made available under paragraph (1)(C)
18 shall be equally apportioned for grants to insular
19 areas for any purpose eligible under this section
20 under such terms and conditions as may be estab-
21 lished by the Secretary.”;

22 (4) in subsection (f)(1)(B) by striking “facili-
23 ties;” and inserting “facilities, which provided the
24 project supports intercity bus service to or from

1 rural areas, includes all portions of such facilities re-
2 gardless of—

3 “(i) the geographic area in which such
4 facilities are located; or

5 “(ii) whether or not such facilities are
6 used exclusively for intercity bus service to
7 and from rural areas;”;

8 (5) in subsection (g)—

9 (A) in paragraph (3)—

10 (i) by striking subparagraph (E) and
11 inserting the following:

12 “(E) notwithstanding subparagraph (D),
13 may be derived from amounts made available to
14 carry out the Federal lands transportation pro-
15 gram established by section 203 of title 23;
16 and”; and

17 (ii) in subparagraph (F) by striking
18 “to which” and inserting “(regardless of
19 whether such a service operates in 1 or
20 more States) to which”; and

21 (B) in paragraph (4)—

22 (i) by striking “For purposes of” and
23 inserting “(A) ADVERTISING AND CONCES-
24 SION REVENUES.—For purposes of”; and

1 (ii) by adding at the end the following
2 new subparagraph:

3 “(B) IN-KIND MATCH.—With respect to an
4 amount used as an in-kind match pursuant to
5 paragraph (3)(F), such amount may not be
6 used by any other recipient of a Federal award,
7 including another Federal award under this sec-
8 tion, to satisfy an in-kind or cost-share require-
9 ment for such Federal award.”; and
10 (6) in subsection (j)—

11 (A) in paragraph (1)—

12 (i) by redesignating subparagraphs
13 (B) through (E) as subparagraphs (C)
14 through (F), respectively; and

15 (ii) by inserting after subparagraph
16 (A) the following:

17 “(B) MINIMUM APPORTIONMENT.—Not-
18 withstanding clause (i) of subparagraph (A), an
19 Indian tribe that receives an apportionment
20 under such clause may not receive less than
21 0.05 percent of the amount apportioned under
22 such clause.”; and

23 (B) by adding at the end the following new
24 paragraph:

1 “(3) ELIGIBILITY.—Notwithstanding any other
2 provision of law, funds apportioned pursuant to this
3 subsection may be used by an Indian tribe in the
4 same manner as a recipient of Federal assistance
5 under section 5308.”.

6 **SEC. 3010. TECHNICAL ASSISTANCE AND WORKFORCE DE-**
7 **VELOPMENT.**

8 Section 5314 of title 49, United States Code, is
9 amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) in subsection (B)(ii)—

13 (I) by striking “the development
14 of” inserting “advance the develop-
15 ment of”; and

16 (II) by striking the period at the
17 end and inserting “; and”; and

18 (ii) by striking “(1) TECHNICAL AS-
19 SISTANCE” and all that follows through
20 “technical assistance; and” and inserting
21 the following:

22 “(1) IN GENERAL.—The Secretary may—

23 “(A) make grants and enter into contracts,
24 cooperative agreements, and other agreements
25 (including agreements with departments, agen-

1 cies, and instrumentalities of the Government)
2 to—

3 “(i) provide technical assistance to re-
4 cipients of assistance under this chapter
5 for purposes of enabling recipients to—

6 “(I) more effectively and effi-
7 ciently provide public transportation
8 service;

9 “(II) administer assistance under
10 this chapter in compliance with Fed-
11 eral law; and

12 “(III) improve public transpor-
13 tation; and”;

14 (B) in paragraph (2)—

15 (i) by striking the heading and all
16 that follows through “competitive bid proc-
17 ess, may” and inserting “through a com-
18 petitive bid process,”; and

19 (ii) by striking “public-transportation-
20 related technical assistance under this sub-
21 section” and inserting “technical assist-
22 ance under subparagraph (A)(i)”;

23 (C) by redesignating paragraph (2) as sub-
24 paragraph (B) of paragraph (1) (and redesign-
25 nating subparagraphs (A) through (I) of such

1 paragraph as clauses (i) through (ix), respec-
2 tively);

3 (D) in paragraph (3)(D) by striking “sub-
4 sections (b) and (c)” and inserting “this sub-
5 section”; and

6 (E) by redesignating paragraphs (3) and
7 (4) as paragraphs (2) and (3), respectively;

8 (2) by amending subsection (b) to read as fol-
9 lows:

10 “(b) TRANSIT WORKFORCE DEVELOPMENT CEN-
11 TER.—

12 “(1) ESTABLISHMENT.—The Secretary shall es-
13 tablish a national transit workforce development cen-
14 ter and award grants to a national nonprofit organi-
15 zation for purposes of supporting the workforce de-
16 velopment needs of urban, suburban, Tribal, and
17 rural public transportation authorities across the
18 United States.

19 “(2) DUTIES.—In cooperation with the Sec-
20 retary, public transportation authorities, and labor
21 organizations representing public transportation
22 workers, the center established under paragraph (1)
23 shall perform the following duties:

24 “(A) Improve access to on-the-job edu-
25 cation and related skills training for frontline

1 transit workers by serving as a centralized re-
2 source that provides comprehensive and rel-
3 evant information on—

4 “(i) transit-related education, pathway
5 programs, and professional development
6 opportunities; or

7 “(ii) transit-related apprenticeship,
8 scholarship, internship, and mentorship
9 programs.

10 “(B) Develop and maintain a comprehen-
11 sive workforce strategy to help coordinate work-
12 force development initiatives for the frontline
13 transit workforce, including by—

14 “(i) serving as a repository for re-
15 search conducted by institutions of higher
16 education, research institutions, or other
17 stakeholders regarding the transit work-
18 force and related technical and skill devel-
19 opment;

20 “(ii) providing a forum to support col-
21 laboration and cooperation between govern-
22 mental, nongovernmental, and private pub-
23 lic transportation sector stakeholders re-
24 garding the advancement of the frontline
25 transit workforce;

1 “(iii) providing instructors with the
2 necessary instructional, leadership, and
3 communication skills to better educate
4 frontline transit workers;

5 “(iv) supporting personnel or veterans
6 of the Armed Forces seeking to transition
7 to a career in public transportation; and

8 “(v) promoting the recruitment, reten-
9 tion, job readiness and preparation of a
10 skilled frontline workforce capable of work-
11 ing with new and emerging technologies
12 that serve transit communities.

13 “(C) Conduct and implement technical as-
14 sistance activities that promote more effective
15 and efficient training of frontline workers in-
16 volved in public transportation maintenance and
17 operations.

18 “(D) Build awareness of youth-oriented
19 programs and other robust outreach programs,
20 including for primary, secondary, and post-sec-
21 ondary school students to enable such students
22 to learn about public transportation occupa-
23 tions.

24 “(3) DUTY TO MAINTAIN TAX-EXEMPT STA-
25 TUS.—The center established in paragraph (1) shall

1 be operated in a manner and for purposes that qual-
2 ify the center for exemption from taxation under the
3 Internal Revenue Code as an organization described
4 in section 501(c)(3) of such Code.

5 “(4) POLITICAL ACTIVITIES.—The center estab-
6 lished in paragraph (1)—

7 “(A) shall be nonpolitical and may not pro-
8 vide financial aid or assistance to, or otherwise
9 contribute to or promote the candidacy of, any
10 individual seeking elective public office or polit-
11 ical party; and

12 “(B) may not engage in activities that are,
13 directly, or indirectly, intended to be or likely to
14 be perceived as advocating or influencing the
15 legislative process.”;

16 (3) in subsection (c)—

17 (A) in paragraph (1) by striking “, as de-
18 fined in section 101(a) of the Higher Education
19 Act of 1965 (20 U.S.C. 1001(a)), in order”;
20 and

21 (B) in paragraph (4)(A) by inserting
22 “5308, 5311,” after “sections 5307,”; and
23 (4) by adding at the end the following:

1 “(d) ALLOCATION OF FUNDS.—Of the funds made
2 available for each fiscal year under section 5338(a)(2)(F)
3 to carry out this section—

4 “(1) 28.57 percent shall be made available to
5 carry out subsection (a); and

6 “(2) 71.43 percent shall be split equally and be
7 made available to carry out each of subsections (b)
8 and (c).

9 “(e) DEFINITIONS.—In this section:

10 “(1) ARMED FORCES.—The term ‘armed forces’
11 has the meaning given such term in section 101 of
12 title 10.

13 “(2) HIGH SCHOOL; SECONDARY SCHOOL.—The
14 terms ‘high school’ and ‘secondary school’ have the
15 meanings given such terms in section 8101 of the
16 Elementary and Secondary Education Act of 1965
17 (20 U.S.C. 7801).

18 “(3) INSTITUTION OF HIGHER EDUCATION.—
19 The term ‘institution of higher education’ has the
20 meaning given such term in section 101(a) of the
21 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

22 “(4) POSTSECONDARY VOCATIONAL INSTITU-
23 TION.—The term ‘postsecondary vocational institu-
24 tion’ has the meaning given such term in section

1 102(c) of the Higher Education Act of 1965 (20
2 U.S.C. 1002(c)).”.

3 **SEC. 3011. BUS TESTING FACILITY.**

4 (a) IN GENERAL.—Section 5318 of title 49, United
5 States Code, is amended—

6 (1) in subsection (a)—

7 (A) by striking the period at the end and
8 inserting “; and”;

9 (B) by striking “facility for” and inserting
10 “facility for—”

11 (C) by striking “testing” and inserting
12 “(1) testing”; and

13 (D) by adding at the end the following new
14 paragraph:

15 “(2) in the case that a bus model is equipped
16 with an automated driving system (as defined in sec-
17 tion 31132), testing for the competencies described
18 under section 31140(b)(1)(B)(x).”;

19 (2) in subsection (d)—

20 (A) by striking “80 percent” and inserting
21 “60 percent”; and

22 (B) by striking “20 percent” and inserting
23 “40 percent”;

24 (3) in subsection (e)—

25 (A) in paragraph (1)—

1 (i) in the matter preceding subpara-
2 graph (A), by inserting “described in this
3 section” after “model”; and

4 (ii) in subparagraph (A), by striking
5 “authorized under subsection (a)” and in-
6 serting “maintained under subsection (a)
7 or authorized for testing pursuant to sub-
8 section (g)”; and

9 (B) by amending paragraph (2) to read as
10 follows:

11 “(2) BUS TEST ‘PASS/FAIL’ STANDARD.—

12 “(A) IN GENERAL.—The Secretary shall—

13 “(i) maintain the performance stand-
14 ards under paragraph (1)(B)(i) that in-
15 cludes—

16 “(I) a bus model scoring system
17 that results in a weighted, aggregate
18 score that uses the testing categories
19 under subsection (a); and

20 “(II) consideration of the relative
21 importance of each such testing cat-
22 egory; and

23 “(ii) establish a ‘pass/fail’ standard
24 that uses the aggregate score described in
25 clause (i)(I).

1 “(B) LIMITATION ON USE OF FUNDS.—

2 “(i) NEW BUS MODELS.—Amounts
3 appropriated or otherwise made available
4 under this chapter may be obligated or ex-
5 pended to acquire a new bus model only if
6 such model has received a passing score
7 under the standard established under sub-
8 paragraph (A)(ii).

9 “(ii) RULE OF INTERPRETATION.—
10 Such a passing score shall not be inter-
11 preted by any person or entity as a war-
12 ranty or guarantee that a new bus model
13 meet any specific requirement of a pur-
14 chaser.

15 “(C) SCORING SYSTEM.—The Secretary
16 shall collaborate with the bus testing facility
17 maintained under subsection (a), bus manufac-
18 turers, and transit agencies to develop and up-
19 date, as appropriate, the bus model scoring sys-
20 tem described in subparagraph (A)(i)(I).”; and
21 (4) by adding at the end the following:

22 “(g) ADVANCED BUS TECHNOLOGIES AND TEST-
23 ING.—

24 “(1) IN GENERAL.—The Secretary may,
25 through the facility maintained under subsection (a),

1 subcontract the testing of new bus models equipped
2 with advanced bus technologies, including new bus
3 models equipped with automated driving systems, for
4 each of the testing categories and competencies list-
5 ed under subsection (a) to a person or entity experi-
6 enced in testing such new bus models, provided such
7 person or entity is not a manufacturer of a new bus
8 model equipped with such advanced bus tech-
9 nologies.

10 “(2) LOCATION OF TESTING.—The testing de-
11 scribed in paragraph (1) may be conducted at a fa-
12 cility other than the facility maintained under sub-
13 section (a) if the Secretary has determined that the
14 facility maintained under subsection (a)—

15 “(A) is not equipped to test such new bus
16 models;

17 “(B) does not have the knowledge or ex-
18 pertise to properly and efficiently test such new
19 bus models; or

20 “(C) would, due to the additional testing of
21 such new bus models, experience unreasonable
22 delays in the testing of bus models that are not
23 equipped with advanced bus technologies.

24 “(3) SAVINGS CLAUSE.—In carrying out this
25 subsection, the Secretary shall ensure that the test-

1 ing of bus models without advanced bus technologies
2 under this section is not adversely affected.”.

3 (b) RULEMAKING.—Not later than 36 months after
4 the date of enactment of this Act, the Secretary shall up-
5 date part 665 of title 49, Code of Federal Regulations,
6 as necessary, to implement the amendments made by this
7 section.

8 **SEC. 3012. CRIME PREVENTION AND SECURITY.**

9 Section 5321 of title 49, United States Code, is
10 amended to read as follows:

11 **“§ 5321. Crime prevention and security**

12 “(a) ELIGIBLE EXPENSE.—For purposes of expend-
13 ing financial assistance described under section
14 5307(c)(1)(J), the following activities and projects shall
15 be considered by the Secretary to be an eligible expense:

16 “(1) A project to increase lighting in or adja-
17 cent to a public transportation system, including the
18 intercity bus portion of a federally funded public
19 transportation facility and joint-use facility (includ-
20 ing bus stops, subway stations, parking lots, and ga-
21 rages).

22 “(2) A project to increase camera surveillance
23 of an area in or adjacent to such system.

1 “(3) A project that provides an emergency tele-
2 phone line to contact law enforcement or security
3 personnel in an area in or adjacent to such system.

4 “(4) A project to improve farebox infrastruc-
5 ture across such system.

6 “(5) A project to improve the cybersecurity of
7 such system.

8 “(6) A project to improve technology, including
9 any hardware or software investments designed to
10 combat or report crime or improve security.

11 “(7) A project intended to increase the security
12 and safety of an existing or planned public transpor-
13 tation system.

14 “(8) A project, including a project for operating
15 costs notwithstanding section 5307(a)(1)(D), related
16 to—

17 “(A) fare enforcement and the prevention
18 of fare evasion;

19 “(B) hiring transit officers to police on
20 public transportation and transit stations, in-
21 cluding in the immediate vicinity of such sta-
22 tions;

23 “(C) contracting with local police depart-
24 ments to increase officer presence on public

1 transportation systems and related facilities, in-
2 cluding in the immediate vicinity of stations;

3 “(D) hiring transit support specialists; or

4 “(E) other activities to reduce criminal ac-
5 tivities on public transportation systems, includ-
6 ing intercity bus portions of federally funded
7 public transportation facilities and joint-use fa-
8 cilities.

9 “(b) SPECIAL RULE.—Not more than the lesser of
10 the following amounts may be expended by a recipient
11 under section 5307(c)(1)(J) for eligible expenses described
12 in subsection (a)(8):

13 “(1) An amount equal to the amount expended
14 for eligible expenses described in paragraphs (1)
15 through (7) of subsection (a).

16 “(2) 1.5 percent of the amount the recipient re-
17 ceives for each fiscal year under section 5336.

18 “(c) TRANSIT SUPPORT SPECIALIST DEFINED.—In
19 this section, the term ‘transit support specialist’ means an
20 individual who may be a non-sworn officer and is ade-
21 quately trained to carry out a variety of duties designed
22 to improve the security of public transportation systems
23 through the known presence of such individual within a
24 public transportation system, including physical presence
25 aboard vehicles, and through engagement with the public.

1 “(d) RULE OF CONSTRUCTION.—Nothing in this
2 chapter shall be construed by the Secretary to prevent the
3 financing of a project described in subsection (a) in any
4 case in which a local governmental authority other than
5 the recipient has law enforcement responsibilities.

6 “(e) MANDATORY FARE EVASION PENALTIES.—

7 “(1) IN GENERAL.—Beginning with fiscal year
8 2028, the Secretary shall withhold 10 percent of the
9 assistance available to a direct recipient, as allocated
10 in a split letter or other similar determination of the
11 annual apportionment of funds by a designated re-
12 cipient under section 5307 for an urbanized area, in
13 each fiscal year in which a State or local government
14 is not in compliance with paragraph (2).

15 “(2) STATE OR LOCAL GOVERNMENT COMPLI-
16 ANCE.—A State or local government is not in com-
17 pliance with this paragraph if the act of evading a
18 fare payment for public transportation services on
19 any mode of public transportation in the urbanized
20 area for which a direct recipient receives assistance
21 described under paragraph (1) is not either a crimi-
22 nal or civil offense under the laws of such State or
23 local government.

24 “(3) PUBLIC TRANSPORTATION SERVICES IN
25 MULTIPLE JURISDICTIONS.—In any case in which a

1 direct recipient provides public transportation serv-
2 ices to more than 1 State or jurisdiction of a local
3 government, the Secretary shall ensure that the
4 withholding of funds under paragraph (1) does not
5 adversely affect any State or local government juris-
6 diction that is in compliance with the requirements
7 of paragraph (2).

8 “(4) RULE OF CONSTRUCTION.—The Secretary
9 may not withhold funds under paragraph (1) to any
10 recipient for which all of its service area is covered
11 by a State or local policy, or a collection of State or
12 local policies, that is in compliance with paragraph
13 (2).

14 “(5) WITHHOLDING OF FUNDS.—

15 “(A) IN GENERAL.—If the Secretary deter-
16 mines a State or local government comes into
17 compliance with paragraph (2) in a fiscal year
18 in which funds are withheld to a direct recipient
19 under paragraph (1), the Secretary shall make
20 the amount withheld available for apportion-
21 ment to the direct recipient.

22 “(B) LAPSE.—Any amounts withheld to a
23 direct recipient under paragraph (1) and not re-
24 stored under subparagraph (A) in a fiscal year
25 shall lapse.”.

1 **SEC. 3013. GENERAL PROVISIONS.**

2 (a) IN GENERAL.—Section 5323 of title 49, United
3 States Code, is amended—

4 (1) in subsection (d)(2)—

5 (A) in subparagraph (A)—

6 (i) in the subparagraph heading by in-
7 serting “; NOTICE OF DETERMINATION”
8 after “INVESTIGATIONS”;

9 (ii) by striking “On receiving a com-
10 plaint about a violation of the agreement
11 required under” and inserting “Not later
12 than 120 days after the receipt of any
13 complaint of a violation of an agreement
14 described in”;

15 (iii) by striking “shall investigate and
16 decide whether a violation has occurred.”
17 and inserting “shall—

18 “(i) investigate such complaint; and

19 “(ii) provide, in writing, to the indi-
20 vidual that filed the complaint and the re-
21 cipient of financial assistance alleged to
22 have violated such an agreement or a regu-
23 lation prescribed in accordance with this
24 section, the determination of the Secretary
25 with respect to—

1 “(I) whether the recipient of such
2 assistance violated this section or a
3 regulation prescribed in accordance
4 with this section;

5 “(II) the facts underlying the
6 complaint; and

7 “(III) any action the Secretary is
8 taking in response to the complaint.”;

9 (B) in subparagraph (C) by striking “rem-
10 edy specified in the agreement” and inserting
11 “action the Secretary takes to remedy a viola-
12 tion of an agreement described in paragraph
13 (1)”;

14 (C) by striking subparagraph (B); and

15 (D) by redesignating subparagraph (C) as
16 subparagraph (B);

17 (2) in subsection (e)(1) by inserting “5308,”
18 after “5307,”;

19 (3) in subsection (f)—

20 (A) in the heading by striking “SCHOOL-
21 BUS” and inserting “SCHOOL BUS”; and

22 (B) by striking “schoolbus” each place it
23 appears and inserting “school bus”;

24 (4) in subsection (i)(1)(A)—

1 (A) by striking “acquiring vehicles” and
2 inserting “acquiring vehicles or vessels”;

3 (B) by striking “et seq.) or” and inserting
4 “et seq.), with”; and

5 (C) by striking “is for 85 percent” and all
6 that follows through the period and inserting “,
7 or as an eligible project (as defined in section
8 5339(e)(2)) under section 5339 of this chapter
9 is for 90 percent of the net project cost.”;
10 (5) in subsection (j)(3)—

11 (A) in subparagraph (A) by inserting “and
12 not later than 180 days after the date on which
13 an applicant submits a request to the Secretary
14 to waive the requirements of paragraph (1)”
15 after “paragraph (2)”;

16 (B) in subparagraph (B)—

17 (i) by striking “Not later than 1 year
18 after the date of enactment of the Federal
19 Public Transportation Act of 2012, and
20 annually thereafter, the” and inserting the
21 following:

22 “(i) IN GENERAL.—Except as other-
23 wise provided in clause (ii), the”;

24 (ii) by inserting “, on an annual
25 basis,” after “shall”;

1 (iii) by striking “a report listing any
2 waiver” and inserting “a report listing—

3 “(I) any waiver”;

4 (iv) by striking the period at the end
5 and inserting “; and”; and

6 (v) by adding at the end the following:

7 “(II) any extensions of an appli-
8 cation to waive the requirements de-
9 scribed in paragraph (1) and the ra-
10 tionale as to why a determination re-
11 quires additional time consider prior
12 to issuing a written determination.

13 “(ii) EXCEPTION.—In the event the
14 Secretary issues fewer than 3 or no waiv-
15 ers provided for under paragraph (2) dur-
16 ing the preceding year, the Secretary may
17 brief the Committees described in clause
18 (i) in lieu of submitting a report under
19 such clause.”;

20 (C) by redesignating subparagraph (B) as
21 subparagraph (C); and

22 (D) by inserting after subparagraph (A)
23 the following:

24 “(B) EXTENSION.—If, upon review of the
25 facts and status of an application to waive the

1 requirements described in paragraph (1), the
2 Secretary determines that the time provided to
3 make a written determination is insufficient,
4 the Secretary may approve an extension of such
5 determination deadline by not more than 6
6 months.”;

7 (6) in subsection (r)—

8 (A) by striking “A recipient” and inserting
9 “(1) IN GENERAL.—A recipient”; and

10 (B) by striking “In determining” and all
11 that follows through the period at the end and
12 inserting the following:

13 “(2) REQUIREMENTS.—In determining reason-
14 able access under paragraph (1), a recipient of as-
15 sistance shall—

16 “(A) consider capacity requirements of the
17 recipient of assistance and the extent to which
18 access would be detrimental to existing public
19 transportation services; and

20 “(B) not later than 90 days after receiving
21 a request for access to such facility from a pri-
22 vate intercity or charter transportation oper-
23 ator—

24 “(i) provide a written response to the
25 requestor; and

1 “(ii) simultaneously provide a copy of
2 such response to the Secretary.

3 “(3) SAVINGS CLAUSE.—Nothing in this sub-
4 section shall be construed to—

5 “(A) limit the authority of the Secretary to
6 act as otherwise authorized by law to ensure
7 proper use of, and authorize access to, federally
8 funded public transportation facilities; or

9 “(B) require a recipient of federal assist-
10 ance under this chapter to fund special facilities
11 for private intercity or charter operators.”;

12 (7) in subsection (u)—

13 (A) by striking paragraphs (1) and (2) and
14 inserting the following:

15 “(1) DEFINITIONS.—In this subsection:

16 “(A) COVERED ENTITY.—The term ‘cov-
17 ered entity’ means an entity (including a cor-
18 poration, partnership, association, organization,
19 or other entity)—

20 “(i) the principal place of business of
21 which is in a covered nation;

22 “(ii) that is headquartered in, incor-
23 porated in, or otherwise organized under
24 the laws of a covered nation;

1 “(iii) that, regardless of where the en-
2 tity is organized or doing business, is
3 owned or controlled by a covered nation or
4 covered individual, including circumstances
5 in which a covered individual possesses the
6 power to determine, direct, or decide mat-
7 ters affecting the entity—

8 “(I) through—

9 “(aa) the ownership of a
10 majority of the total outstanding
11 voting interest in the entity;

12 “(bb) board representation;

13 “(cc) proxy voting;

14 “(dd) a special share;

15 “(ee) contractual arrange-
16 ments;

17 “(ff) formal or informal ar-
18 rangements to act in concert; or

19 “(gg) other means; and

20 “(II) regardless of whether the
21 power is—

22 “(aa) direct; or

23 “(bb) exercised or
24 unexercised;

1 “(iv) is owned or controlled by a sub-
2 sidiary or affiliate of an entity described in
3 clause (i), (ii), or (iii), or that is the major-
4 ity owner of a joint venture with an entity
5 described in clause (i), (ii), or (iii);

6 “(v) is a manufacturer from which the
7 procurement of rolling stock was ever pro-
8 hibited under this subsection; or

9 “(vi) is an owner of, successor of, sub-
10 sidiary of, or affiliate of a manufacturer
11 described in clause (v), or is the majority
12 owner of a joint venture with such a manu-
13 facturer.

14 “(B) COVERED FUNDING.—The term ‘cov-
15 ered funding’ means any financial assistance
16 administered in accordance with the require-
17 ments of this chapter.

18 “(C) COVERED INDIVIDUAL.—The term
19 ‘covered individual’ means any individual, wher-
20 ever located—

21 “(i) whose activities are directly or su-
22 pervised, directed, controlled, financed, or
23 subsidized, in whole or in majority part, by
24 a covered nation or covered entity;

1 “(ii) who acts as an agent, representa-
2 tive, or employee of a covered nation or an
3 individual described in clause (i);

4 “(iii) who acts in any other capacity
5 at the order of, at the request of, or under
6 the direction or control of a covered nation
7 or an individual described in clause (i); or

8 “(iv) who—

9 “(I) is a citizen or resident of a
10 covered nation or a country controlled
11 by a covered nation; and

12 “(II) is not a citizen or perma-
13 nent resident of the United States.

14 “(D) COVERED NATION.—The term ‘cov-
15 ered nation’ has the meaning given the term in
16 section 4872(d) of title 10.

17 “(E) COVERED VEHICLE.—The term ‘cov-
18 ered vehicle’ means rolling stock that—

19 “(i) is produced or provided by a cov-
20 ered entity included on the list developed
21 under paragraph (2)(B); or

22 “(ii) incorporates an electric power
23 train manufactured or provided by a cov-
24 ered entity included on the list developed
25 under paragraph (2)(B).

1 “(F) ELECTRIC POWER TRAIN.—The term
2 ‘electric power train’ has the meaning given the
3 term in section 571.305 of title 49, Code of
4 Federal Regulations (as in effect on the date of
5 enactment of the BUILD America 250 Act).

6 “(2) PROHIBITION.—

7 “(A) IN GENERAL.—Subject to subpara-
8 graph (C), on and after the date of enactment
9 of the BUILD America 250 Act, the Secretary
10 may not award or obligate covered funding—

11 “(i) for a contract or subcontract for
12 the procurement of a covered vehicle; or

13 “(ii) for the construction, installation,
14 or maintenance of infrastructure to fuel or
15 charge a covered vehicle that is a bus, if
16 the applicable covered vehicle is procured
17 under a contract or subcontract executed
18 on or after the date of enactment of the
19 BUILD America 250 Act.

20 “(B) LIST OF COVERED ENTITIES.—

21 “(i) IN GENERAL.—Not later than 30
22 days after the date of enactment of the
23 BUILD America 250 Act, the United
24 States Trade Representative, in consulta-
25 tion with the Attorney General and the

1 Secretary, shall make publicly available, in-
2 cluding on a publicly accessible website, a
3 list of covered entities that produce or pro-
4 vide—

5 “(I) rolling stock to which the
6 prohibition under subparagraph (A)
7 applies; or

8 “(II) electric power trains the in-
9 corporation of which into rolling stock
10 would render the rolling stock subject
11 to the prohibition under subparagraph
12 (A).

13 “(ii) UPDATES.—The United States
14 Trade Representative shall update the list
15 required under clause (i)—

16 “(I) based on information pro-
17 vided to the United States Trade Rep-
18 resentative by the Attorney General
19 and the Secretary; and

20 “(II) not less frequently than—

21 “(aa) once every 90 days
22 during the 180-day period begin-
23 ning on the date of initial publi-
24 cation of the list under such
25 clause; and

1 “(bb) annually thereafter.

2 “(C) EXCEPTION.—Notwithstanding sub-
3 paragraph (A), the Secretary may procure a
4 covered vehicle or construct, install, or maintain
5 infrastructure to fuel or charge a covered vehi-
6 cle for purposes of—

7 “(i) the inspection or investigation of
8 a motor vehicle or equipment; or

9 “(ii) motor vehicle safety research, de-
10 velopment, or testing.”;

11 (B) in paragraph (4) by striking “para-
12 graph (1)” each place it appears and inserting
13 “paragraph (2)”;

14 (C) in paragraph (5)—

15 (i) in subparagraph (A)—

16 (I) by striking “This subsection,
17 including the” and inserting “The”;

18 (II) by striking “(4),” and insert-
19 ing “(4)”;

20 (III) by inserting “that does not
21 utilize covered funds” after “sub-
22 contract”;

23 (IV) by striking “rail rolling
24 stock manufacturer described in para-

1 graph (1)” and inserting “covered en-
2 tity”;

3 (V) by striking “the manufac-
4 turer” and inserting “the covered en-
5 tity”; and

6 (VI) by striking “date of enact-
7 ment of this subsection” and inserting
8 “date of enactment of the BUILD
9 America 250 Act”;

10 (ii) by striking subparagraph (B) and
11 inserting the following:

12 “(B) CONTRACT COMPLETION.—Notwith-
13 standing paragraph (2), covered funds may be
14 obligated for a contract or subcontract that was
15 eligible for assistance under this chapter under
16 the provisions of this subsection prior to the
17 date of enactment of the BUILD America 250
18 Act until the delivery of rolling stock is com-
19 plete under such contract and throughout the
20 completion of all contract warranties under
21 such contract.”; and

22 (iii) by striking subparagraph (C);
23 and

24 (D) by adding at the end the following:

1 “(6) SEVERABILITY.—If any provision of this
2 subsection, or the application of this subsection to
3 any person or circumstance, is held to be unconstitu-
4 tional or otherwise invalid, the remainder of this
5 subsection, and the application of the provision to
6 any other person or circumstance, shall not be af-
7 fected.”; and

8 (8) by adding at the end the following:

9 “(w) BUS PROCUREMENT ASSESSMENT AND MAX-
10 IMUM FEDERAL PAYMENT.—

11 “(1) IN GENERAL.—The Secretary shall—

12 “(A) immediately upon enactment of this
13 subsection and at least once every 5 years
14 thereafter, carry out a review of—

15 “(i) all applicable Federal laws and
16 policies relating to the procurement of bus
17 rolling stock by a recipient of Federal as-
18 sistance under this chapter, including poli-
19 cies, processes, and procedures relating to
20 such procurement set forth by the Federal
21 Transit Administration; and

22 “(ii) relevant awards to recipients of
23 such assistance that resulted in completed
24 procurement of bus rolling stock for use in
25 public transportation within the most re-

1 cent 5 years, including a comparative anal-
2 ysis of vehicle components, designs, use of
3 performance specifications in contracting,
4 use of State and local purchasing sched-
5 ules, and total costs associated with the
6 procurement of such vehicles;

7 “(B) update, as necessary, policies, proc-
8 esses, procedures, administrative guidance, and
9 best practices of the Secretary to ensure the
10 timely, cost-effective, and efficient procurement
11 of bus rolling stock by a recipient of such as-
12 sistance; and

13 “(C) beginning in fiscal year 2029, and on
14 an annual basis thereafter, publish a schedule
15 listing the maximum amounts of Federal funds
16 that may be used by a recipient, on a per unit
17 basis and notwithstanding the applicable Fed-
18 eral cost share, to procure different combina-
19 tions of propulsion types and lengths of bus
20 rolling stock, as such amounts are determined
21 under paragraph (2).

22 “(2) MAXIMUM FEDERAL PAYMENT AMOUNT.—

23 “(A) IN GENERAL.—Each maximum fed-
24 eral payment amount published by the Sec-
25 retary in accordance with paragraph (1)(C) and

1 allowed to be used in the procurement of bus
2 rolling stock by a recipient of Federal assist-
3 ance shall—

4 “(i) account for all applicable Federal
5 procurement laws and administrative poli-
6 cies;

7 “(ii) not be construed to constrain the
8 price of such bus rolling stock that a re-
9 cipient of federal assistance may procure
10 using non-Federal funds; and

11 “(iii) ensure the procurement of safe
12 and reliable bus rolling stock for use in
13 public transportation.

14 “(B) MAXIMUM FEDERAL PAYMENT FOR-
15 MULA.—For each unique combination of vehicle
16 length and propulsion type for which bus rolling
17 stock is commercially available, the maximum
18 federal payment shall equal an amount accord-
19 ing to the following formulas:

20 “(i) FISCAL YEAR 2029.—For fiscal
21 year 2029, the maximum Federal payment
22 amount shall equal the average of all of
23 the products of 80 percent multiplied by
24 the price of each procurement for a bus
25 rolling stock combination of similar propul-

1 sion type and vehicle length procured with-
2 in the most recent 5 years.

3 “(ii) FISCAL YEAR 2030.—For fiscal
4 year 2030, the maximum Federal payment
5 amount shall equal the average of all of
6 the products of 75 percent multiplied by
7 the price of each procurement for a bus
8 rolling stock combination of similar propul-
9 sion type and vehicle length procured with-
10 in the most recent 5 years.

11 “(iii) FISCAL YEAR 2031.—For fiscal
12 year 2031 and in each fiscal year there-
13 after, the maximum Federal payment
14 amount shall equal the average of all of
15 the products of 70 percent multiplied by
16 the price of each procurement for a bus
17 rolling stock combination of similar propul-
18 sion type and vehicle length procured with-
19 in the most recent 5 years.

20 “(3) SPECIAL RULES FOR MAXIMUM FEDERAL
21 PAYMENT SCHEDULE.—

22 “(A) PUBLISH DATE.—The schedule de-
23 scribed in paragraph (1)(C) shall be published
24 not later than October 1 of each year in which
25 the maximum Federal payment amount is in ef-

1 fect pursuant to the formulas in paragraph
2 (2)(B).

3 “(B) REQUIREMENT.—The schedule de-
4 scribed in paragraph (1)(C) shall include a
5 maximum Federal payment amount for each
6 unique combination of propulsion type and vehi-
7 cle length for which bus rolling stock is com-
8 mercially available.

9 “(C) FAILURE TO PUBLISH.—In the event
10 the Secretary fails to publish the schedule de-
11 scribed in paragraph (1)(C) by the date pro-
12 vided under subparagraph (A), the most re-
13 cently published schedule shall remain in effect,
14 adjusted for inflation based on the Producer
15 Price Index prepared by the Department of
16 Labor.

17 “(D) FAILURE TO PUBLISH ALL COMMER-
18 CIALY AVAILABLE COMBINATIONS.—A sched-
19 ule that omits a maximum Federal payment
20 amount for any combination of propulsion type
21 and vehicle length of bus rolling stock that is
22 commercially available shall be considered in-
23 complete and subject to paragraph (C).

24 “(4) SAVINGS CLAUSE.—Nothing in this sub-
25 section shall limit the authority of the Secretary to

1 apply the applicable Federal cost share for an award
2 made under this chapter as such cost share applies
3 to an award for purposes of procuring or purchasing
4 bus rolling stock.

5 “(5) REPORT TO CONGRESS.—The Secretary
6 shall issue a report to the Committee on Transpor-
7 tation and Infrastructure of the House of Represent-
8 atives and the Committee on Banking, Housing, and
9 Urban Affairs of the Senate on the results of each
10 review required under paragraph (1)(A).

11 “(6) STATE PURCHASING SCHEDULE.—

12 “(A) IN GENERAL.—Notwithstanding para-
13 graph (1)(C), the Secretary shall exempt a re-
14 cipient of financial assistance under this chap-
15 ter from being subject to the maximum Federal
16 payment amount relating to the procurement of
17 a unit of bus rolling stock if—

18 “(i) the recipient of such assistance—

19 “(I) procures a unit or more of
20 bus rolling stock using a State Coop-
21 erative Procurement Schedule pursu-
22 ant to section 3019 of the FAST Act
23 (Public Law 114–94); and

24 “(II) such cooperative procure-
25 ment schedule ensures the procure-

1 ment complies with applicable Federal
2 procurement laws and administrative
3 policies, including subsections (j) and
4 (u) of this section; and

5 “(ii) the cooperative procurement
6 schedule described in clause (i)—

7 “(I) allows a recipient to select
8 from a State-developed schedule of
9 standardized vehicle models;

10 “(II) reduces or eliminates vehi-
11 cle customization options for the re-
12 cipient, except for vehicle modifica-
13 tions based on performance specifica-
14 tions (as defined under section
15 5325(f)(3)); and

16 “(III) in the estimation of the re-
17 cipient, reduces the per unit cost of
18 bus rolling stock for the combination
19 of propulsion type and vehicle length
20 being procured below what such re-
21 cipient would otherwise expect to pay
22 through a standalone procurement.

23 “(B) TECHNICAL ASSISTANCE.—The Sec-
24 retary shall provide technical assistance to a
25 State that seeks to develop a State Cooperative

1 Procurement Schedule pursuant to section 3019
2 of the FAST Act (Public Law 114–94).

3 “(C) JOINT PROCUREMENT CLEARING-
4 HOUSE.—The Secretary shall maintain an up-
5 dated list of State Cooperative Procurement
6 Schedules that comply with the requirements
7 under subparagraph (A) on the joint procure-
8 ment clearinghouse established pursuant to sec-
9 tion 3019(b)(4) of the FAST Act (Public Law
10 114–94).

11 “(x) ADVANCED PAYMENTS FOR BUS ROLLING
12 STOCK.—

13 “(1) IN GENERAL.—Notwithstanding any provi-
14 sion of this chapter or part 200 of title 2, Code of
15 Federal Regulations, or any successor regulation, a
16 recipient may use assistance made available under
17 this chapter to make an advance payment on a bus
18 rolling stock vehicle without the transit vehicle man-
19 ufacturer obtaining a performance bond or similar
20 financial arrangement.

21 “(2) REQUIREMENTS FOR ADVANCED PAY-
22 MENT.—A recipient may make an advance payment
23 under paragraph (1) only if—

24 “(A) such recipient has a signed purchase
25 order and executed contract with a transit vehi-

1 cle manufacturer that includes advance pay-
2 ment provisions;

3 “(B) the grant with respect to which such
4 payment is being made has received preaward
5 authority pursuant to subsection (m); and

6 “(C) in the case of an advance payment for
7 bus rolling stock, such model meets the require-
8 ments of section 5318(e).

9 “(3) LIMITATION ON ADVANCED PAYMENT.—A
10 recipient may not make an advanced payment under
11 paragraph (1) that is more than 20 percent of the
12 total purchase order value.”.

13 (b) REASONABLE ACCESS STANDARD.—

14 (1) IN GENERAL.—Not later than 18 months
15 after the date of enactment of this Act, the Sec-
16 retary shall establish and make publicly available a
17 reasonable access standard to ensure recipients of
18 assistance under chapter 53 of title 49, United
19 States Code, comply with the requirements of sec-
20 tion 5323 of such chapter.

21 (2) CONSULTATION.—In carrying out this sub-
22 section, the Secretary shall consult with, and solicit
23 feedback from, industry stakeholders and recipients
24 of such assistance, including representatives from—

25 (A) public transportation agencies;

- 1 (B) private intercity bus operators;
2 (C) charter operators;
3 (D) federally funded public transportation
4 facilities; and
5 (E) other stakeholders the Secretary con-
6 siders appropriate.

7 (3) BRIEFING.—Not later than 90 days after
8 publishing the standard required by this subsection,
9 the Secretary shall brief the Committee on Trans-
10 portation and Infrastructure of the House of Rep-
11 resentatives and the Committee on Banking, Hous-
12 ing, and Urban Affairs of the Senate on the contents
13 of such standard.

14 **SEC. 3014. PUBLIC TRANSPORTATION EMERGENCY RELIEF**
15 **PROGRAM.**

16 Section 5324 of title 49, United States Code, is
17 amended—

18 (1) in subsection (c)(1) by striking “to carry”
19 and inserting “or otherwise made available to
20 carry”; and

21 (2) by adding at the end the following:

22 “(g) PERIOD OF AVAILABILITY.—

23 “(1) IN GENERAL.—Any amounts made avail-
24 able to an applicant after the date of enactment of

1 the BUILD America 250 Act to carry out a project
2 under this section—

3 “(A) shall remain available for not more
4 than 5 fiscal years after the fiscal year for
5 which the amount is made available; and

6 “(B) that remain unobligated at the end of
7 the period described in subparagraph (A) shall
8 be recouped by the Secretary to remain avail-
9 able for future applicants.

10 “(2) EXTENSION.—The Secretary may extend
11 the period of availability under paragraph (1)(A) if
12 an insurance claim made by an applicant related to
13 a project that has received funding under this sec-
14 tion has not been settled within the period provided
15 under paragraph (1)(A).”.

16 **SEC. 3015. CONTRACT REQUIREMENTS.**

17 Section 5325(f) of title 49, United States Code, is
18 amended—

19 (1) by redesignating subparagraphs (A) and
20 (B) of paragraph (1) as clauses (i) and (ii), respec-
21 tively;

22 (2) by redesignating paragraphs (1) and (2) as
23 subparagraphs (A) and (B), respectively;

24 (3) by striking “A recipient” and inserting “(1)

25 IN GENERAL.—A recipient”; and

1 (4) by adding at the end the following:

2 “(2) PERFORMANCE SPECIFICATIONS IN COM-
3 PETITIVE PROCUREMENT FOR BUS ROLLING
4 STOCK.—A recipient of financial assistance under
5 this chapter that enters into a contract pursuant to
6 paragraph (1)(B) for purposes of procuring bus roll-
7 ing stock shall, to the maximum extent practicable,
8 utilize performance specifications in the procurement
9 process to acquire bus rolling stock.

10 “(3) PERFORMANCE SPECIFICATIONS DE-
11 FINED.—In this subsection, the term ‘performance
12 specifications’—

13 “(A) means specifications—

14 “(i) based on the function and per-
15 formance of bus rolling stock under speci-
16 fied conditions, and such specifications
17 may include useful life, reliability in terms
18 of average intervals between failure, and
19 capacity; and

20 “(ii) that comply with the procure-
21 ment process referenced in paragraph
22 (1)(B); and

23 “(B) may include additional criteria as the
24 criteria described in subparagraph (A), as de-

1 terminated by a recipient of Federal assistance in
2 a competitive procurement process.”.

3 **SEC. 3016. TRANSIT ASSET MANAGEMENT.**

4 (a) IN GENERAL.—Section 5326 of title 49, United
5 States Code, is amended to read as follows:

6 **“§ 5326. Transit asset management**

7 “(a) IN GENERAL.—The Secretary shall maintain—

8 “(1) a national transit asset management sys-
9 tem for purposes of monitoring and managing public
10 transportation capital assets to enhance safety, re-
11 duce maintenance costs, increase reliability, and im-
12 prove performance of public transportation systems;
13 and

14 “(2) objective standards for measuring the con-
15 dition of capital assets of recipients, including equip-
16 ment, rolling stock, infrastructure, and facilities, for
17 purposes of determining state of good repair.

18 “(b) REQUIREMENTS.—In carrying out subsection
19 (a), the Secretary shall require a transit provider to—

20 “(1) develop a transit asset management plan;

21 “(2) not less frequently than once per fiscal
22 year in which the transit provider receives Federal
23 assistance—

24 “(A) establish performance targets with re-
25 spect to the state of good repair standards pre-

1 scribed by the Secretary under part 625 of title
2 49, Code of Federal Regulations (or any suc-
3 cessor regulation);

4 “(B) submit to the Secretary a data report
5 that details—

6 “(i) condition information for all as-
7 sets of the public transportation system of
8 such provider; and

9 “(ii) the performance targets estab-
10 lished pursuant to subparagraph (A) for
11 the subsequent fiscal year; and

12 “(C) submit to the Secretary a narrative
13 report that—

14 “(i) describes any change in the con-
15 dition of the public transportation system
16 from the year immediately preceding the
17 year for which the report is submitted; and

18 “(ii) describes the progress made dur-
19 ing the period covered by the report toward
20 meeting each performance target estab-
21 lished by the transit provider pursuant to
22 subparagraph (B) with respect to such pe-
23 riod; and

24 “(3) report any additional information the Sec-
25 retary determines appropriate to demonstrate com-

1 pliance with the state of good repair standards pre-
2 scribed by the Secretary under part 625 of title 49,
3 Code of Federal Regulations (or any successor regu-
4 lation).

5 “(c) TRANSIT ASSET MANAGEMENT FOR CERTAIN
6 TRANSIT PROVIDERS.—For purposes of complying with
7 the requirements under subsection (b), a tier II provider
8 may, at the discretion of the Secretary, coordinate with
9 a sponsor.

10 “(d) SUPPORT TOOLS AND TECHNICAL ASSIST-
11 ANCE.—In carrying out this section, the Secretary shall—

12 “(1) develop an analytical process or decision
13 support tool for use by a transit provider subject to
14 the requirements of subsection (b) that—

15 “(A) aids in estimating the amount of cap-
16 ital investment needed for a public transpor-
17 tation system over time;

18 “(B) assists with asset investment
19 prioritization within a public transportation sys-
20 tem; and

21 “(C) enables continuous monitoring of cap-
22 ital assets and the real-time performance of
23 such assets;

24 “(2) provide technical assistance to such pro-
25 viders; and

1 “(3) maintain, and periodically update, a tran-
2 sit asset management system guide to foster consist-
3 ency in transit system asset management practices
4 by such providers.

5 “(e) DEFINITIONS.—In this section:

6 “(1) SPONSOR.—The term ‘sponsor’ means a
7 State, a designated recipient, or a direct recipient
8 that develops a group transportation asset manage-
9 ment plan on behalf of at least 1 tier II provider.

10 “(2) TIER II PROVIDER.—The term ‘tier II pro-
11 vider’ has the meaning prescribed by part 625.5 of
12 title 49, Code of Federal Regulations, or any suc-
13 cessor regulation.

14 “(3) TRANSIT ASSET MANAGEMENT SYSTEM.—
15 The term ‘transit asset management system’ means
16 a strategic and systematic process of operating,
17 maintaining, and improving public transportation
18 capital assets effectively throughout the life cycle of
19 such assets.

20 “(4) TRANSIT PROVIDER.—The term ‘transit
21 provider’ means a recipient or subrecipient of Fed-
22 eral financial assistance under this chapter that
23 owns, operates, or manages capital assets used in
24 providing public transportation.”.

1 (b) SAVINGS CLAUSE.—The amendments made by
2 this section to section 5326 of title 49, United States
3 Code, shall not be construed by the Secretary to—

4 (1) require any updates to the regulations pro-
5 mulgated in part 625 of title 49, Code of Federal
6 Regulations, (or any successor regulation) for pur-
7 poses of administering such section, as amended;
8 and

9 (2) impose any requirements on a tier II pro-
10 vider (as such term is prescribed by part 625.5 of
11 title 49, Code of Federal Regulations, or any suc-
12 cessor regulation) that is in addition to the require-
13 ments imposed on such a provider under such part,
14 as of the date of enactment of this Act.

15 **SEC. 3017. PROJECT MANAGEMENT OVERSIGHT.**

16 Section 5327 of title 49, United States Code, is
17 amended—

18 (1) in subsection (a)(12) by striking “quar-
19 terly” and inserting “annually”; and

20 (2) in subsection (d)—

21 (A) in paragraph (1) by striking “section
22 5338(f)” and all that follows through the semi-
23 colon and inserting “section 5338(c) that ex-
24 cludes—

1 “(A) a project to maintain or rehabilitate
2 a vehicle; or

3 “(B) a project with an estimated total cost
4 of less than \$1,000,000,000 except if the Sec-
5 retary determines project management over-
6 sight will benefit the Federal Government or
7 the recipient;”; and

8 (B) by striking “quarterly” in each place it
9 appears and inserting “annual”.

10 **SEC. 3018. PUBLIC TRANSPORTATION SAFETY PROGRAM.**

11 (a) IN GENERAL.—Section 5329 of title 49, United
12 States Code, is amended—

13 (1) by striking subsection (a) and inserting the
14 following:

15 “(a) DEFINITION OF RECIPIENT.—In this section,
16 the term ‘recipient’ means a State or local governmental
17 authority, or any other operator of a public transportation
18 system, that receives financial assistance under this chap-
19 ter.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1) by striking “create
22 and implement” and inserting “maintain”;

23 (B) in paragraph (2)—

24 (i) in the matter preceding subpara-
25 graph (A) by striking “include”;

1 (ii) in subparagraph (A) by inserting
2 “include” before “safety performance cri-
3 teria”;

4 (iii) by striking subparagraph (B) and
5 inserting the following:

6 “(B) consider transit asset management
7 plans, including the state of good repair of cap-
8 ital assets, as such plans relate to the safety
9 performance of public transportation systems;”;

10 (iv) in subparagraph (C) by inserting
11 “include” before “minimum safety per-
12 formance”;

13 (v) in subparagraph (D) by inserting
14 “provide information sources on” before
15 “precautionary and reactive”;

16 (vi) in subparagraph (E) by inserting
17 “establish voluntary” before “minimum
18 safety standards to ensure”;

19 (vii) in subparagraph (F) by striking
20 “a public” and inserting “provide informa-
21 tion sources on the public”; and

22 (viii) in subparagraph (G) by striking
23 “consideration, where appropriate, of” and
24 inserting “encourage, where appropriate,”;
25 and

1 (C) in paragraph (3) by striking “under
2 paragraph (1) as necessary” and all that fol-
3 lows through the period at the end and insert-
4 ing “described in paragraph (1) at least once
5 every 5 years.”;

6 (3) in subsection (c) by striking “establish” and
7 all that follows through the period at the end and
8 inserting “maintain a public transportation safety
9 certification training program and curriculum for—
10 “(1) Federal and State employees, or other des-
11 ignated personnel, who conduct safety audits and ex-
12 aminations of public transportation systems; and

13 “(2) employees of public transportation agen-
14 cies directly responsible for safety oversight.”;

15 (4) in subsection (d)—

16 (A) in paragraph (1)—

17 (i) in the matter preceding subpara-
18 graph (A) by striking “Each recipient or
19 State, as described in paragraph (3), shall
20 certify that the recipient or State” and in-
21 serting “Except as provided in paragraphs
22 (2) and (3), each recipient shall certify
23 that such recipient”;

1 (ii) in subparagraph (B) by striking
2 “cooperation” and inserting “consulta-
3 tion”; and

4 (iii) in subparagraph (I)—

5 (I) by redesignating clauses (i)
6 and (ii) as subclauses (I) and (II), re-
7 spectively;

8 (II) by striking “operations to
9 improve safety by reducing” and in-
10 serting “operations to—

11 “(i) improve workplace safety for
12 frontline employees by reducing”;

13 (III) in subclause (II), as so re-
14 designated, by striking the period and
15 inserting a semicolon; and

16 (IV) by adding at the end the fol-
17 lowing:

18 “(ii) improve passenger safety system-
19 wide, including through a reduction in the
20 number and rates of assaults and other
21 violent crimes on transit passengers while
22 onboard public transportation vehicles and
23 in public transportation facilities, including
24 intercity bus portions of such facilities and
25 joint-use facilities where appropriate; and

1 “(iii) mitigate fare evasion system-
2 wide, to the greatest extent practicable.”;

3 (B) by striking paragraphs (2) and (3) and
4 inserting the following:

5 “(2) PTASP DRAFTING AND CERTIFICATION
6 FOR SMALL PUBLIC TRANSPORTATION PROVIDERS.—
7 A State shall draft and certify an agency safety plan
8 described in this subsection on behalf of any small
9 public transportation provider (as defined in part
10 673.5 of title 49, Code of Federal Regulations) that
11 is in that State unless such small public transpor-
12 tation provider notifies the State of intent to draft
13 and certify an agency safety plan specific to such
14 provider.

15 “(3) CERTAIN EXEMPT OPERATORS.—This sub-
16 section shall not apply to an operator of a public
17 transportation system that—

18 “(A) only receives Federal financial assist-
19 ance under section 5310 or 5311; and

20 “(B) does not operate a rail fixed guideway
21 public transportation system.”; and

22 (C) in paragraph (4)—

23 (i) by striking “rolling average of”
24 and all that follows through the period at
25 the end and inserting “rolling average of—

1 “(i) the data submitted by the recipi-
2 ent to the national transit database under
3 section 5335; and

4 “(ii) any other data related to system
5 operations and revenues, as such data per-
6 tains to the safety of the transit system,
7 captured by the recipient.”;

8 (ii) in subparagraph (B) by striking
9 “0.75 percent” and inserting “1 percent”;
10 and

11 (iii) in subparagraph (D) by striking
12 “including modifications to rolling stock
13 and de-escalation training.” and inserting
14 “including modifications to—

15 “(i) rolling stock;

16 “(ii) farebox infrastructure; and

17 “(iii) de-escalation training.”;

18 (5) in subsection (e)(3) by striking “In order to
19 obligate funds apportioned under section 5338 to
20 carry out this chapter, effective 3 years after the
21 date on which a final rule under this subsection be-
22 comes effective” and inserting “For purposes of obli-
23 gating Federal assistance pursuant to this chapter”;
24 and

1 (6) in subsection (i) by striking “consult with
2 the” and inserting “obtain the concurrence of the”.

3 (b) REGULATIONS; GUIDANCE.—Not later than 36
4 months after the date of enactment of this Act, the Sec-
5 retary shall issue or update such regulations and guidance
6 as may be necessary to implement the amendments made
7 by this section.

8 **SEC. 3019. ADMINISTRATIVE PROVISIONS.**

9 Section 5334 of title 49, United States Code, is
10 amended in subsection (h)(4)(B)(ii)(II)(bb) by striking
11 the period at the end and inserting “, except the recipient
12 may retain such amounts if the recipient or a subrecipient
13 certify to the Secretary that the amounts will be used in
14 a capital project under section 5307, 5308, 5310, or
15 5311.”.

16 **SEC. 3020. NATIONAL TRANSIT DATABASE.**

17 (a) IN GENERAL.—Section 5335 of title 49, United
18 States Code, is amended to read as follows:

19 **“§ 5335. National transit database**

20 “(a) IN GENERAL.—The Secretary shall maintain a
21 reporting system, using a uniform system of accounts, to
22 help meet the needs of individual public transportation
23 systems, the Federal Government, State and local govern-
24 ments, and the public, as such needs relate to having ac-

1 cess to adequate information on which to base public
2 transportation service planning.

3 “(b) INFORMATION REQUIRED.—The reporting sys-
4 tem described in subsection (a) shall—

5 “(1) use uniform categories to accumulate pub-
6 lic transportation—

7 “(A) financial information;

8 “(B) operating information;

9 “(C) geographic service area coverage in-
10 formation; and

11 “(D) asset condition information; and

12 “(2) contain appropriate information, as deter-
13 mined by the Secretary, to aid Federal, State, or
14 local governmental authorities in making a public
15 sector investment decisions.

16 “(c) REQUIRED REPORTERS.—The Secretary shall
17 subject a recipient of Federal financial assistance pursu-
18 ant to sections 5307 and 5311, and any person receiving
19 benefits directly from such assistance, to the requirements
20 of this section.

21 “(d) DATA REQUIRED TO BE REPORTED.—The Sec-
22 retary shall, at a minimum, require a recipient described
23 in subsection (c) to report for inclusion in the national
24 transit database the following information:

“(1) Information relating to a transit asset in-
ventory or condition assessment conducted by the re-
cipient.

1 (1) in the section heading by inserting “**ur-**
2 **banized area**” before “**formula**”;

3 (2) in subsection (a) by striking “subsection
4 (h)(5)” and inserting “subsection (h)(6)”;

5 (3) in subsection (b)(2)(E) by striking “section
6 5337(c)(3)” and inserting “section 5337(b)(3)”;

7 (4) in subsection (d)(1) by striking “section
8 5338(a)(2)(C)” and inserting “section
9 5338(a)(2)(B)”;

10 (5) in subsection (f) by striking “section
11 5311(c)(3)” in each place it occurs and inserting
12 “section 5311(c)(5)”;

13 (6) in subsection (h)—

14 (A) in the matter preceding paragraph (1)
15 by striking “section 5338(a)(2)(C)” and insert-
16 ing “section 5338(a)(2)(B)”;

17 (B) in paragraph (1)—

18 (i) by striking “\$30,000,000” and in-
19 serting “\$125,000,000”; and

20 (ii) by striking “section 5307(h)” and
21 inserting “the competitive passenger ferry
22 grants in section 5339(d) as such grants
23 relate to an area described under section
24 5339(d)(2)(A)”;

1 (C) by redesignating paragraphs (2)
2 through (5) as paragraphs (3) through (6), re-
3 spectively;

4 (D) by inserting before paragraph (3), as
5 so redesignated, the following:

6 “(2) \$400,000,000 shall be set aside each fiscal
7 year to carry out the all stations accessibility pro-
8 gram under section 5307(h)”;

9 (E) in paragraph (4), as so redesignated,
10 by striking “3 percent” and inserting “5 per-
11 cent”; and

12 (F) in paragraph (6), as so redesignated,
13 by striking “and (4)” and inserting “(4), and
14 (5)”;

15 (7) in subsection (i)(2)(A) by striking “sub-
16 section (h)(3)” and inserting “subsection (h)(4)”;

17 (8) in subsection (j) by striking “subsection
18 (h)(2)” and inserting “subsection (h)(3)”;

19 (9) by adding at the end the following:

20 “(k) ALL STATIONS ACCESSIBILITY REQUIRED.—

21 “(1) IN GENERAL.—In addition to the amounts
22 required to be expended under section
23 5307(c)(1)(K), beginning on October 1, 2028, the
24 Secretary shall, on an annual basis, determine, as
25 applicable, the amount under paragraph (2) that a

1 direct recipient shall expend on covered projects
2 from the total amount made available to the relevant
3 direct recipient pursuant to the formulas in this sec-
4 tion to carry out section 5307.

5 “(2) AMOUNT FOR COVERED PROJECTS.—A di-
6 rect recipient that allocates assistance made avail-
7 able under section 5307 to an inaccessible rail fixed
8 guideway public transportation system that is deter-
9 mined by the Secretary to have, with respect to all
10 stations or facilities for passenger use that are under
11 the direct control of the direct recipient—

12 “(A) 30 percent or fewer of such stations
13 or facilities that are covered stations or facili-
14 ties for passenger use, the direct recipient shall
15 expend 3 percent of the total amount of such
16 assistance made available to the direct recipi-
17 ent;

18 “(B) between 31 and 50 percent of such
19 stations or facilities that are covered stations or
20 facilities for passenger use, the direct recipient
21 shall expend 4 percent of the total amount of
22 such assistance made available to the direct re-
23 cipient; or

24 “(C) more than 51 percent of such stations
25 or facilities that are covered stations or facili-

1 ties for passenger use, the direct recipient shall
2 expend 5 percent of the total amount of such
3 assistance made available to the direct recipi-
4 ent.

5 “(3) BRIEFING TO CONGRESS.—Not less fre-
6 quently than annually, the Secretary shall brief the
7 Committee on Transportation and Infrastructure of
8 the House of Representatives and the Committee on
9 Banking, Housing, and Urban Affairs of the Senate
10 on—

11 “(A) the status and types of covered
12 projects initiated by direct recipients using
13 amounts determined under paragraph (2); and

14 “(B) any other information the Secretary
15 determines relevant.

16 “(4) DEFINITIONS.—In this subsection:

17 “(A) COVERED PROJECT.—The term ‘cov-
18 ered project’ means a capital project to further
19 meet or exceed the requirements described in
20 part 37 or part 38 of title 49, Code of Federal
21 Regulations.

22 “(B) COVERED STATION OR FACILITY FOR
23 PASSENGER USE.—The term ‘covered station or
24 facility for passenger use’ means a station or
25 facility—

1 “(i) construction of which began be-
2 fore January 26, 1992;

3 “(ii) which the Secretary determines
4 has not been made accessible to and usable
5 by persons with disabilities, including indi-
6 viduals who use wheelchairs; and

7 “(iii) which is in use for the provision
8 of a rail fixed guideway public transpor-
9 tation.

10 “(C) DIRECT RECIPIENT.—The term ‘di-
11 rect recipient’ means a public entity that re-
12 ceives funding directly from the Federal Transit
13 Administration to carry out grants in urbanized
14 areas pursuant to section 5307, which may in-
15 clude a designated recipient.

16 “(D) INACCESSIBLE RAIL FIXED GUIDE-
17 WAY PUBLIC TRANSPORTATION SYSTEM.—The
18 term ‘inaccessible rail fixed guideway public
19 transportation system’ means a rail fixed guide-
20 way public transportation system with at least
21 1 covered station or facility for passenger use.”.

22 (b) CONFORMING AMENDMENT.—The analysis for
23 chapter 53 of title 49, United States Code, is amended
24 by striking the item relating to section 5336 and inserting
25 the following:

“5336. Apportionment of appropriations for urbanized area formula grants.”.

1 **SEC. 3022. STATE OF GOOD REPAIR GRANTS.**

2 Section 5337 of title 49, United States Code, is
3 amended—

4 (1) by striking subsection (a);

5 (2) in subsection (b)(1)—

6 (A) by striking “The Secretary” and in-
7 serting “For purposes of ensuring the safety of
8 public transportation systems, the Secretary”;
9 and

10 (B) by striking “to maintain public trans-
11 portation systems” and inserting “to maintain
12 such public transportation systems”;

13 (3) in subsection (c)—

14 (A) in paragraph (1) by striking “author-
15 ized or”; and

16 (B) in paragraph (4) to read as follows:

17 “(4) LIMITATION.—The share of the total
18 amount apportioned under this subsection that is
19 apportioned to an area under this subsection shall
20 not decrease by more than 0.25 percentage points
21 compared to the share apportioned to the area under
22 this subsection in the previous fiscal year.”;

23 (4) in subsection (d)—

24 (A) in paragraph (2) by striking “author-
25 ized or”; and

1 (B) in paragraph (5) by striking “sub-
2 section (b)(1)” and inserting “subsection
3 (a)(1)”;
4 (5) by striking subsection (f); and
5 (6) by redesignating subsections (b) through
6 (e), as amended, as subsections (a) through (d), re-
7 spectively.

8 **SEC. 3023. AUTHORIZATIONS.**

9 Section 5338 of title 49, United States Code, is
10 amended to read as follows:

11 **“§ 5338. Authorizations.**

12 “(a) GRANTS.—

13 “(1) IN GENERAL.—There shall be available
14 from the Mass Transit Account of the Highway
15 Trust Fund to carry out sections 5305, 5307, 5310,
16 5311, 5312, 5314, 5318, 5324, 5334, 5335, 5337,
17 5339, and 5340—

18 “(A) \$16,868,000,000 for fiscal year 2027;

19 “(B) \$17,205,000,000 for fiscal year 2028;

20 “(C) \$17,527,000,000 for fiscal year 2029;

21 “(D) \$17,835,000,000 for fiscal year
22 2030; and

23 “(E) \$18,157,000,000 for fiscal year 2031.

1 “(2) ALLOCATION OF FUNDS.—Of the amounts
2 made available to the Secretary under paragraph
3 (1), the following allocations apply:

4 “(A) PLANNING PROGRAMS.—To carry out
5 section 5305—

6 “(i) \$222,930,000 for fiscal year
7 2027, of which \$15,000,000 is to carry out
8 section 5305(i);

9 “(ii) \$225,820,000 for fiscal year
10 2028, of which \$15,200,000 is to carry out
11 section 5305(i);

12 “(iii) \$228,760,000 for fiscal year
13 2029, of which \$15,400,000 is to carry out
14 section 5305(i);

15 “(iv) \$231,730,000 for fiscal year
16 2030, of which \$15,600,000 is to carry out
17 section 5305(i); and

18 “(v) \$234,750,000 for fiscal year
19 2031, of which \$15,800,000 is to carry out
20 section 5305(i).

21 “(B) URBANIZED AREA GRANTS.—To
22 carry out, in accordance with the formulas set
23 for forth in section 5336, section 5307—

24 “(i) \$7,745,474,000 for fiscal year
25 2027;

1 “(ii) \$7,869,922,000 for fiscal year
2 2028;

3 “(iii) \$7,996,361,000 for fiscal year
4 2029;

5 “(iv) \$8,124,823,000 for fiscal year
6 2030; and

7 “(v) \$8,255,340,000 for fiscal year
8 2031.

9 “(C) GRANTS FOR ENHANCED MOBILITY
10 OF SENIORS AND INDIVIDUALS WITH DISABIL-
11 ITIES.—To carry out section 5310—

12 “(i) \$447,300,000 for fiscal year
13 2027, of which \$10,000,000 is to carry out
14 section 5310(j);

15 “(ii) \$453,100,000 for fiscal year
16 2028, of which \$10,100,000 is to carry out
17 section 5310(j);

18 “(iii) \$459,000,000 for fiscal year
19 2029, of which \$10,200,000 is to carry out
20 section 5310(j);

21 “(iv) \$465,000,000 for fiscal year
22 2030, of which \$10,300,000 is to carry out
23 section 5310(j); and

1 “(v) \$471,000,000 for fiscal year
2 2031, of which \$10,400,000 is to carry out
3 section 5310(j).

4 “(D) RURAL AREA GRANTS.—To carry out
5 section 5311—

6 “(i) \$1,007,622,000 for fiscal year
7 2027;

8 “(ii) \$1,023,742,000 for fiscal year
9 2028;

10 “(iii) \$1,040,122,000 for fiscal year
11 2029;

12 “(iv) \$1,056,764,000 for fiscal year
13 2030; and

14 “(v) \$1,073,672,000 for fiscal year
15 2031.

16 “(E) PUBLIC TRANSPORTATION INNOVA-
17 TION.—To carry out section 5312—

18 “(i) \$45,240,000 for fiscal year 2027,
19 of which—

20 “(I) \$5,000,000 to carry out sec-
21 tion 5312(h); and

22 “(II) \$7,371,000 to carry out
23 section 5312(i);

24 “(ii) \$45,960,000 for fiscal year 2028,
25 of which—

1 “(I) \$4,000,000 to carry out sec-
2 tion 5312(h); and

3 “(II) \$7,489,000 to carry out
4 section 5312(i);

5 “(iii) \$46,700,000 for fiscal year
6 2029, of which—

7 “(I) \$3,000,000 to carry out sec-
8 tion 5312(h); and

9 “(II) \$7,609,000 to carry out
10 section 5312(i);

11 “(iv) \$47,440,000 for fiscal year
12 2030, of which—

13 “(I) \$2,000,000 to carry out sec-
14 tion 5312(h); and

15 “(II) \$7,731,000 to carry out
16 section 5312(i); and

17 “(v) \$48,200,000 for fiscal year 2031,
18 of which—

19 “(I) \$0 to carry out section
20 5312(h); and

21 “(II) \$7,854,000 to carry out
22 section 5312(i).

23 “(F) TECHNICAL ASSISTANCE AND WORK-
24 FORCE DEVELOPMENT.—To carry out section
25 5314—

1 “(i) \$20,499,000 for fiscal year 2027;

2 “(ii) \$20,806,000 for fiscal year 2028;

3 “(iii) \$21,118,000 for fiscal year

4 2029;

5 “(iv) \$21,434,000 for fiscal year

6 2030; and

7 “(v) \$21,756,000 for fiscal year 2031.

8 “(G) BUS TESTING FACILITY.—To carry

9 out section 5318—

10 “(i) \$7,000,000 for fiscal year 2027;

11 “(ii) \$7,105,000 for fiscal year 2028;

12 “(iii) \$7,212,000 for fiscal year 2029;

13 “(iv) \$7,320,000 for fiscal year 2030;

14 and

15 “(v) \$7,430,000 for fiscal year 2031.

16 “(H) EMERGENCY RELIEF PROGRAM.—To

17 carry out section 5324—

18 “(i) \$25,000,000 for fiscal year 2027;

19 “(ii) \$25,000,000 for fiscal year 2028;

20 “(iii) \$25,000,000 for fiscal year

21 2029;

22 “(iv) \$25,000,000 for fiscal year

23 2030; and

24 “(v) \$25,000,000 for fiscal year 2031.

1 “(I) ADMINISTRATIVE EXPENSES.—To
2 carry out section 5334—

3 “(i) \$132,700,000 for fiscal year
4 2027;

5 “(ii) \$135,400,000 for fiscal year
6 2028;

7 “(iii) \$138,100,000 for fiscal year
8 2029;

9 “(iv) \$140,800,000 for fiscal year
10 2030; and

11 “(v) \$143,600,000 for fiscal year
12 2031.

13 “(J) NATIONAL TRANSIT DATABASE.—To
14 carry out section 5335—

15 “(i) \$6,235,000 for fiscal year 2027;

16 “(ii) \$6,335,000 for fiscal year 2028;

17 “(iii) \$6,436,000 for fiscal year 2029;

18 “(iv) \$6,539,000 for fiscal year 2030;

19 and

20 “(v) \$6,644,000 for fiscal year 2031.

21 “(K) STATE OF GOOD REPAIR GRANTS.—

22 To carry out section 5337—

23 “(i) \$4,640,000,000 for fiscal year
24 2027;

1 “(ii) \$4,645,000,000 for fiscal year
2 2028;

3 “(iii) \$4,650,000,000 for fiscal year
4 2029;

5 “(iv) \$4,655,000,000 for fiscal year
6 2030; and

7 “(v) \$4,660,000,000 for fiscal year
8 2031.

9 “(L) GRANTS FOR BUSES, BUS FACILITIES,
10 AND FERRIES.—To carry out section 5339 (ex-
11 cept subsection (d))—

12 “(i) \$1,695,000,000 for fiscal year
13 2027;

14 “(ii) \$1,863,710,000 for fiscal year
15 2028;

16 “(iii) \$2,014,891,000 for fiscal year
17 2029;

18 “(iv) \$2,149,550,000 for fiscal year
19 2030; and

20 “(v) \$2,295,508,000 for fiscal year
21 2031.

22 “(M) GROWING STATES AND HIGH DEN-
23 SITY STATES.—To carry out section 5340—

24 “(i) \$873,000,000 for fiscal year
25 2027, of which—

1 “(I) \$445,230,000 to carry out
2 section 5340(b); and

3 “(II) \$427,770,000 to carry out
4 section 5340(c);

5 “(ii) \$883,100,000 for fiscal year
6 2028, of which—

7 “(I) \$450,381,000 to carry out
8 section 5340(b); and

9 “(II) \$432,719,000 to carry out
10 section 5340(c);

11 “(iii) \$893,300,000 for fiscal year
12 2029, of which—

13 “(I) \$455,583,000 to carry out
14 section 5340(b); and

15 “(II) \$437,717,000 to carry out
16 section 5340(c);

17 “(iv) \$903,600,000 for fiscal year
18 2030, of which—

19 “(I) \$460,836,000 to carry out
20 section 5340(b); and

21 “(II) \$442,764,000 to carry out
22 section 5340(c); and

23 “(v) \$914,100,000 for fiscal year
24 2031, of which—

1 “(I) \$466,191,000 to carry out
2 section 5340(b); and

3 “(II) \$447,909,000 to carry out
4 section 5340(c).

5 “(b) CAPITAL INVESTMENT GRANTS.—There is au-
6 thorized to be appropriated to the Secretary to carry out
7 section 5309 of this title—

8 “(1) \$3,000,000,000 for fiscal year 2027;

9 “(2) \$3,000,000,000 for fiscal year 2028;

10 “(3) \$3,000,000,000 for fiscal year 2029;

11 “(4) \$3,000,000,000 for fiscal year 2030; and

12 “(5) \$3,000,000,000 for fiscal year 2031.

13 “(c) OVERSIGHT.—

14 “(1) IN GENERAL.—Of the amounts made
15 available under subsection (a)(1) to carry out a fi-
16 nancial assistance program or a grant program ref-
17 erenced in subsection (a)(2) for a fiscal year, the
18 Secretary may use not more than 0.7 percent of
19 such amounts in such fiscal year to conduct over-
20 sight activities for each respective program, section
21 5308, and section 5329, including the activities de-
22 scribed in paragraph (3).

23 “(2) ADDITIONAL OVERSIGHT.—

24 “(A) CIG PROGRAM.—Of the amount
25 made available under subsection (b) for a fiscal

1 year, the Secretary may use not more than 1
2 percent of such amount in such fiscal year to
3 conduct oversight activities for the fixed guide-
4 way capital investment grants program, includ-
5 ing activities described in paragraph (3).

6 “(B) OTHER.—Of the amounts made
7 available under section 601(f) of the Passenger
8 Rail Investment and Improvement Act of 2008
9 (Public Law 110–432; 122 Stat. 4970), the
10 Secretary may use not more than 1 percent in
11 a given fiscal year to conduct oversight activi-
12 ties, including the activities described in para-
13 graph (3).

14 “(3) ACTIVITIES.—The activities described in
15 this paragraph are as follows:

16 “(A) Activities to oversee the construction
17 of a major capital project.

18 “(B) Activities to review and audit the
19 safety and security, procurement, management,
20 and financial compliance of a recipient or sub-
21 recipient of funds under this chapter.

22 “(C) Activities to provide technical assist-
23 ance generally, and to provide technical assist-
24 ance to correct deficiencies identified in compli-

1 ance reviews and audits carried out under this
2 section.

3 “(D) Activities to carry out section 5334.

4 “(4) GOVERNMENT SHARE OF COSTS.—The
5 Government shall pay the entire cost of carrying out
6 a contract under this subsection.

7 “(5) AVAILABILITY OF CERTAIN FUNDS.—
8 Funds made available under paragraph (2) to con-
9 duct oversight activities related to the fixed guide-
10 way capital investment grants program shall be
11 made available to the Secretary before allocating the
12 funds appropriated to carry out any project under a
13 full funding grant agreement.

14 “(d) GRANTS AS CONTRACTUAL OBLIGATIONS.—

15 “(1) GRANTS FINANCED FROM HIGHWAY TRUST
16 FUND.—A grant or contract that is approved by the
17 Secretary and financed with amounts made available
18 from the Mass Transit Account of the Highway
19 Trust Fund pursuant to this section is a contractual
20 obligation of the Government to pay the Government
21 share of the cost of the project.

22 “(2) GRANTS FINANCED FROM GENERAL
23 FUND.—A grant or contract that is approved by the
24 Secretary and financed with amounts appropriated
25 in advance from the General Fund of the Treasury

1 pursuant to this section is a contractual obligation
2 of the Government to pay the Government share of
3 the cost of the project only to the extent that
4 amounts are appropriated for such purpose by an
5 Act of Congress.

6 “(e) AVAILABILITY OF AMOUNTS.—Amounts made
7 available by or appropriated under this section shall re-
8 main available until expended.”.

9 **SEC. 3024. GRANTS FOR BUSES, BUS FACILITIES, AND FER-**
10 **RIES.**

11 (a) IN GENERAL.—Section 5339 of title 49, United
12 States Code, is amended—

13 (1) in the section heading by striking “**and**
14 **bus facilities**” and inserting “**, bus facilities,**
15 **and ferries**”;

16 (2) in subsection (a)—

17 (A) by striking paragraph (1);

18 (B) in paragraph (2) by striking “para-
19 graph (4)(A)” and inserting “paragraph
20 (3)(A)”;

21 (C) in paragraph (4)—

22 (i) in subparagraph (A) by striking
23 the heading and inserting “IN GENERAL”;
24 and

25 (ii) in subparagraph (B)—

1 (I) by striking “A recipient” and
2 inserting “An eligible recipient”; and

3 (II) by striking “public agencies”
4 and inserting “local governmental au-
5 thorities, public agencies,”;

6 (D) in paragraph (5)—

7 (i) in the matter preceding subpara-
8 graph (A) by striking “under section” and
9 all that follows through “shall be” and in-
10 sserting “under section 5338(a)(2)(L) shall
11 be”;

12 (ii) in subparagraph (A)—

13 (I) by striking “\$206,000,000”
14 and inserting “\$336,000,000”; and

15 (II) by striking “to all States”
16 and all that follows through the period
17 and inserting “equally to each
18 State.”; and

19 (iii) by striking subparagraph (B) and
20 inserting the following:

21 “(B) DISTRIBUTION OF REMAINING
22 FUNDS.—The remainder of the funds not other-
23 wise distributed under subparagraph (A) shall
24 be allocated in the following manner:

1 “(i) 62 percent shall be apportioned
2 pursuant to subparagraph (C).

3 “(ii) 38 percent shall be distributed by
4 the Secretary in accordance with sub-
5 section (b).

6 “(C) FORMULAS.—Of amounts allocated
7 under subparagraph (B)(i)—

8 “(i) 50 percent shall be allocated for
9 use in urbanized areas pursuant to the for-
10 mula set forth in section 5336(c)(1)(A);

11 “(ii) 30 percent shall be allocated for
12 use in urbanized areas pursuant to the for-
13 mula set forth in section 5336(c)(1)(B);

14 “(iii) 15 percent shall be allocated for
15 use in urbanized areas pursuant to the for-
16 mula set forth in section 5336(a)(1); and

17 “(iv) 5 percent shall be allocated for
18 use in rural areas pursuant to the formula
19 set forth in section 5311(c)(5).”;

20 (E) in paragraph (6)—

21 (i) in subparagraph (A)—

22 (I) by striking “(A) TRANSFER
23 FLEXIBILITY FOR NATIONAL DIS-
24 TRIBUTION FUNDS.—”; and

- 1 (II) by striking “paragraph
2 (5)(A)” and inserting “paragraph
3 (4)(A)”; and
4 (ii) by striking subparagraph (B);
5 (F) in paragraph (8)—
6 (i) by striking “3 fiscal years” and in-
7 serting “5 fiscal years”; and
8 (ii) by striking “3-fiscal-year” and in-
9 serting “5-fiscal-year”;
10 (G) by striking paragraph (9);
11 (H) in paragraph (10)—
12 (i) in subparagraph (A)—
13 (I) by striking “(A) IN GEN-
14 ERAL.—”; and
15 (II) by striking “; Public Law
16 114–94”; and
17 (ii) by striking subparagraph (B);
18 (I) by redesignating paragraphs (2)
19 through (8), as amended, as paragraphs (1)
20 through (7), respectively;
21 (J) by redesignating paragraph (10) as
22 paragraph (8); and
23 (K) by adding at the end the following:
24 “(9) SPECIAL RULE FOR TERRITORIES.—

1 “(A) IN GENERAL.—A territory may use
2 amounts received pursuant to subsection
3 (a)(4)(A) for any purpose eligible under section
4 5311 as such purpose relates to the provision of
5 passenger ferry service, including the acquisi-
6 tion of a vessel to provide such ferry service.

7 “(B) TERRITORY DEFINED.—In this para-
8 graph, the term ‘territory’ means any of the fol-
9 lowing territories of the United States:

10 “(i) American Samoa.

11 “(ii) The Commonwealth of the
12 Northern Mariana Islands.

13 “(iii) Guam.

14 “(iv) The United States Virgin Is-
15 lands.”;

16 (3) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) by striking “The Secretary” and
19 inserting “Subject to the availability of
20 funds, the Secretary”;

21 (ii) by striking “under this sub-
22 section” and inserting “on a competitive
23 basis”;

24 (iii) by striking “subsection (a)(4)”
25 and inserting “subsection (a)(3)”;

1 (iv) by striking “buses and bus facili-
2 ties capital projects, including”; and

3 (v) by striking subparagraphs (A) and
4 (B) and inserting the following:

5 “(A) buses and bus facilities capital
6 projects, including—

7 “(i) replacing, rehabilitating, pur-
8 chasing, or leasing buses or related equip-
9 ment; and

10 “(ii) rehabilitating, purchasing, con-
11 structing, or leasing bus-related facilities;
12 and

13 “(B) eligible projects.”;

14 (B) by striking paragraph (2);

15 (C) in paragraph (3)—

16 (i) by inserting “(A) IN GENERAL.—”
17 before “A State”;

18 (ii) by inserting “for a grant described
19 in paragraph (1)” before “on behalf of”;
20 and

21 (iii) by striking “The submission of a
22 statewide application” and all that follows
23 through the period at the end and insert-
24 ing the following:

1 “(B) SAVINGS CLAUSE.—The submission
2 by a State of an application under subpara-
3 graph (A) shall not preclude the Secretary from
4 considering any application submitted by an eli-
5 gible recipient (as described in subsection
6 (a)(3)) in an urbanized area of such State.”;

7 (D) in paragraph (4)—

8 (i) in subparagraph (A)—

9 (I) by inserting “publicly” before
10 “disclose”; and

11 (II) by striking “availability in
12 the Federal Register” and inserting
13 “opportunity”; and

14 (ii) in subparagraph (B)—

15 (I) by inserting “publicly avail-
16 able” before “summary”; and

17 (II) by striking “in the Federal
18 Register”;

19 (E) in paragraph (5)(A) by inserting “for
20 grants” before “under this subsection”;

21 (F) in paragraph (6)—

22 (i) in subparagraph (B)—

23 (I) by striking “The Govern-
24 ment” and inserting “Except as pro-

1 vided in section 5323(i), the Govern-
2 ment”; and

3 (II) by striking “an eligible
4 project” and inserting “a project”;
5 and

6 (ii) by adding at the end the following
7 new subparagraph:

8 “(C) NON-FEDERAL SHARE.—The non-
9 Federal share of the cost of a project carried
10 out using a grant under this subsection may be
11 derived from in-kind contributions.”;

12 (G) in paragraph (8) by inserting “for
13 grants” before “under this subsection”;

14 (H) in paragraph (9)(A) by striking “eligi-
15 ble”;

16 (I) in paragraph (10) by striking “and
17 subsection (c)”;

18 (J) in paragraph (11)—

19 (i) in subparagraph (A)—

20 (I) by striking “(A) IN GEN-
21 ERAL.—”; and

22 (II) by striking “; Public Law
23 114–94”; and

24 (ii) by striking subparagraph (B); and

1 (K) by redesignating paragraphs (3)
2 through (11) as paragraphs (2) through (10),
3 respectively;
4 (4) in subsection (c)—
5 (A) by striking paragraph (2);
6 (B) in paragraph (3)—
7 (i) in subparagraph (C)—
8 (I) in clause (i) by striking “An
9 eligible project” and inserting “A
10 project”; and
11 (II) in clause (ii)—
12 (aa) by striking “subpara-
13 graph” and inserting “para-
14 graph”; and
15 (bb) by striking “paragraph
16 (7)” and inserting “paragraph
17 (5)”;
18 (ii) by transferring and redesignating
19 subparagraph (C), as amended, to appear
20 as subsection (b)(11) (and redesignating
21 clauses (i) and (ii) of subsection (b)(11),
22 as so transferred and redesignating, as
23 subparagraphs (A) and (B), respectively);

1 (iii) in subparagraph (D) by striking
2 “or under subsection (b) for projects” and
3 inserting “for eligible projects”; and

4 (iv) by transferring and redesignating
5 subparagraph (D), as amended, to appear
6 as subsection (b)(12) (and redesignating
7 clauses (i) through (vi) of subsection
8 (b)(12), as so transferred and redesign-
9 nated, as subparagraphs (A) through (F),
10 respectively);

11 (C) by striking paragraph (3), as amended;

12 (D) by striking paragraph (4);

13 (E) in paragraph (5)—

14 (i) in the matter preceding subpara-
15 graph (A) by inserting “shall” after “Sec-
16 retary”;

17 (ii) in subparagraph (A)—

18 (I) by striking “shall consider”
19 and inserting “for eligible projects de-
20 scribed in paragraph (1)(B), give con-
21 sideration to”; and

22 (II) by striking “; and” and in-
23 serting a period;

24 (iii) by striking subparagraph (B);

1 (iv) by redesignating subparagraph
2 (A) as subparagraph (B); and

3 (v) by inserting before subparagraph
4 (B), as so redesignated, the following new
5 subparagraph:

6 “(A) for projects described under para-
7 graph (1)(A), consider the age and condition of
8 buses, bus fleets, related equipment, and bus-re-
9 lated facilities; and”;

10 (F) by transferring and redesignating
11 paragraph (5), as amended, to appear as sub-
12 section (b)(13);

13 (G) by striking paragraphs (6) through
14 (8);

15 (H) by striking the subsection heading and
16 inserting “DEFINITIONS.—In this section:”;
17 and

18 (I) in paragraph (1)—

19 (i) by striking the enumerator and all
20 that follows through “In this subsection—
21 ”;

22 (ii) in subparagraph (B) by striking
23 “in an eligible area”;

24 (iii) in subparagraph (E)(ii) by strik-
25 ing the semicolon and inserting “; and”;

1 (iv) by striking subparagraph (F); and
2 (v) by redesignating—

3 (I) subparagraph (A) as para-
4 graph (1);

5 (II) subparagraph (B), as
6 amended, as paragraph (2) (and re-
7 designating clauses (i) through (vii) of
8 paragraph (2), as so redesignated, as
9 subparagraphs (A) through (G), re-
10 spectively);

11 (III) subparagraphs (C) and (D)
12 as paragraphs (3) and (4), respec-
13 tively;

14 (IV) subparagraph (E), as
15 amended, as paragraph (5) (and re-
16 designating clauses (i) and (ii) of
17 paragraph (5), as so redesignated, as
18 subparagraphs (A) and (B), respec-
19 tively); and

20 (V) subparagraph (G) as para-
21 graph (6);

22 (5) in subsection (d)—

23 (A) by striking “(as defined in subsection
24 (c)(1)) or related infrastructure under sub-
25 section (b) or (c)” and inserting “(as defined in

1 subsection (e)) or related infrastructure under
2 subsection (b)”;

3 (B) by striking “as described in section
4 5314(b)(2) (including” and inserting “, includ-
5 ing”;

6 (C) by striking “programs)” and inserting
7 “programs,”; and

8 (D) by striking “subsection (c)(3)(D)” and
9 inserting “subsection (b)(12)”;

10 (6) by redesignating subsection (c) as sub-
11 section (e);

12 (7) by redesignating subsection (d) as sub-
13 section (c); and

14 (8) by inserting after subsection (c) the fol-
15 lowing:

16 “(d) COMPETITIVE PASSENGER FERRY GRANTS.—

17 “(1) IN GENERAL.—The Secretary may make
18 grants under this subsection to assist designated re-
19 cipients, States, and local governmental entities in
20 financing passenger ferry projects as such projects
21 relate to capital projects to purchase, replace, or re-
22 habilitate passenger ferries, terminals, and related
23 facilities and equipment.

24 “(2) AMOUNTS AVAILABLE.—For purposes of
25 carrying out paragraph (1)—

1 “(A) \$125,000,000 is made available each
2 fiscal year pursuant to section 5336(h)(1) for
3 recipients of—

4 “(i) grants made in urbanized areas;
5 and

6 “(ii) grants made in areas that are
7 determined by the Secretary to serve rural
8 and urbanized areas; and

9 “(B) \$25,000,000 is made available each
10 fiscal year pursuant to section 5311(c)(1)(D)
11 for recipients of grants in rural and insular
12 areas.

13 “(3) GRANT REQUIREMENTS.—

14 “(A) IN GENERAL.—A grant under this
15 subsection shall be subject to the requirements
16 of—

17 “(i) section 5307 for recipients of
18 grants described in paragraph (2)(A); and

19 “(ii) section 5311 for recipients of
20 grants described in paragraph (2)(B).

21 “(B) FEDERAL SHARE OF COSTS.—Except
22 as otherwise provided under this chapter, the
23 Federal share of the cost of a project carried
24 out under this subsection shall not exceed 80
25 percent.

1 “(4) AWARD PERIOD.—An amount made avail-
2 able to an applicant to carry out a project under this
3 subsection—

4 “(A) shall remain available for 3 fiscal
5 years after the fiscal year for which the amount
6 is made available; and

7 “(B) that remain unobligated at the end of
8 the period described in subparagraph (A) shall
9 be recouped by the Secretary to remain avail-
10 able for future applicants.

11 “(5) LIMITATIONS.—

12 “(A) MAXIMUM AWARD AMOUNT.—Of the
13 amounts made available under paragraphs
14 (2)(A) and (2)(B), not more than 10 percent
15 may be awarded to a single applicant.

16 “(B) APPLICANTS IN CERTAIN AREAS.—An
17 applicant for an award in an area described
18 under paragraph (2)(A)(ii) may not compete for
19 amounts made available to an area referenced
20 in paragraph (2)(B) unless the project for
21 which the application is made serves solely rural
22 areas).

23 “(6) COMPETITIVE PROCESS.—The Secretary
24 shall—

1 “(A) not later than 90 days after the date
2 on which amounts are made available for obli-
3 gation under this subsection for a full fiscal
4 year, solicit grant applications for projects on a
5 competitive basis;

6 “(B) award a grant under this subsection
7 based on the solicitation under subparagraph
8 (A) not later than the earlier of—

9 “(i) 75 days after the date on which
10 the solicitation expires; or

11 “(ii) the end of the fiscal year in
12 which the Secretary solicited the grant ap-
13 plications, and

14 “(C) if insufficient eligible applications are
15 received for projects in areas referenced in
16 paragraph (2), the Secretary shall reapportion
17 any remaining amounts of—

18 “(i) the amounts described in para-
19 graph (2)(A) to designated recipients
20 under the urbanized area formula program
21 in section 5336 in the following fiscal year;
22 and

23 “(ii) the amounts described in para-
24 graph (2)(B) to States under section 5311
25 in the following fiscal year.

1 “(7) REQUIRED DISCLOSURE.—The Secretary
2 shall—

3 “(A) publicly disclose all metrics and eval-
4 uation procedures to be used in considering
5 grant applications under this subsection upon
6 issuance of the notice of funding opportunity;
7 and

8 “(B) publish a publicly available summary
9 of final scores for selected projects, metrics, and
10 other evaluations used in awarding grants
11 under this subsection.

12 “(8) RURAL SET-ASIDE FOR NEW FERRY SERV-
13 ICE.—Of the amounts made available for rural and
14 insular areas under paragraph (2)(B), the Secretary
15 may award not less than 10 percent of such amount
16 for projects to establish passenger ferry service in
17 rural areas and insular areas, unless the Secretary
18 does not receive enough qualified applications for
19 such projects.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 53 of title 49, United States Code, is amended by
22 striking the item relating to section 5339 and inserting
23 the following:

“5339. Grants for buses, bus facilities, and ferries.”.

1 **SEC. 3025. APPORTIONMENTS BASED ON GROWING STATES**
2 **AND HIGH DENSITY STATES FORMULA FAC-**
3 **TORS.**

4 Section 5340 of title 49, United States Code, is
5 amended—

6 (1) by striking subsection (a);

7 (2) by redesignating subsections (b) through (d)
8 as subsections (a) through (c), respectively;

9 (3) in subsection (a), as so redesignated, by
10 striking “section 5338(b)(2)(N)” and all that follows
11 through the period at the end and inserting “section
12 5338(a)(2)(M) in accordance with subsections (b)
13 and (c).”;

14 (4) in subsection (b), as so redesignated, by
15 striking “subsection (b)(1)” and inserting “sub-
16 section (a)”; and

17 (5) in subsection (c), as so redesignated, by
18 striking “subsection (b)(2)” and inserting “sub-
19 section (a)”.

20 **Subtitle B—Miscellaneous**

21 **SEC. 3101. DEFINITIONS.**

22 In this title:

23 (1) APPROPRIATE COMMITTEES OF CON-
24 GRESS.—The term “appropriate committees of Con-
25 gress” means—

1 (A) the Committee on Transportation and
2 Infrastructure of the House of Representatives;
3 and

4 (B) the Committee on Banking, Housing,
5 and Urban Affairs of the Senate.

6 (2) TRANSIT AGENCY.—The term “transit
7 agency” means an operator of a public transpor-
8 tation system that is a recipient of Federal financial
9 assistance under chapter 53 of title 49, United
10 States Code.

11 **SEC. 3102. PROTECTING BUS OPERATORS FROM RISK OF**
12 **ASSAULT.**

13 (a) BUS DRIVER SAFETY WORKING GROUP.—

14 (1) ESTABLISHMENT.—Not later than 60 days
15 after the date of enactment of this Act, the Sec-
16 retary shall establish a working group (in this sec-
17 tion referred to as the “Working Group”) to re-
18 view—

19 (A) transit bus design and safety stand-
20 ards; and

21 (B) transit agency practices and protocols
22 relating to the retrofitting and procurement of
23 transit buses with workstation barriers to pro-
24 tect operators from the risk of assault on a
25 transit worker.

1 (2) MEMBERSHIP.—The Secretary shall appoint
2 a Chair and members of the Working Group, which
3 shall be comprised of at least 1 representative from
4 the constituencies of—

5 (A) transit bus manufacturers, including
6 original equipment manufacturers;

7 (B) rural transit agencies;

8 (C) urban transit agencies;

9 (D) transit bus workers;

10 (E) transit bus maintenance technicians;

11 (F) labor unions representing transit work-
12 ers; and

13 (G) other stakeholders the Secretary deter-
14 mines appropriate.

15 (3) DUTIES AND RECOMMENDATIONS.—The
16 Working Group shall—

17 (A) evaluate workstation barrier designs,
18 including factors relating to—

19 (i) the airflow and ventilation of fully
20 enclosed workstation barrier designs;

21 (ii) the development, certification,
22 testing, manufacturing, installation, and
23 training associated with various designs of
24 such barriers;

1 (iii) the safe egress of operators and
2 passengers in the event of an emergency;

3 (iv) the accessibility of workstation
4 areas for operators with disabilities when
5 such barriers are installed;

6 (v) the cost of procuring and install-
7 ing various designs of such barriers—

8 (I) on newly manufactured vehi-
9 cles; and

10 (II) to retrofit existing vehicles;
11 and

12 (vi) any other workstation barrier de-
13 sign factors the Secretary determines ap-
14 propriate;

15 (B) solicit feedback and insights from
16 transit agencies and operators that use or are
17 testing workstation barriers to mitigate assault
18 on a transit worker, including transit agencies
19 that have retrofitted existing vehicles with
20 workstation barriers;

21 (C) assess a random sample of safety man-
22 agement systems required pursuant to part 673
23 of title 49, Code of Federal Regulations, and
24 developed by transit agencies of various sizes,
25 to determine the efficacy of such systems in

1 successfully identifying the risk of assault on a
2 transit worker and applying mitigations, includ-
3 ing workstation barrier vehicle retrofits, to re-
4 duce the likelihood and severity of occurrences
5 of such assault;

6 (D) review and assess other optional phys-
7 ical features of transit buses, including tele-
8 vision monitors in the passenger area of the bus
9 that displays the security monitor feed of such
10 area, to determine whether such features im-
11 prove transit worker or passenger safety;

12 (E) evaluate the cost, feasibility, and safe-
13 ty benefits associated with requiring the instal-
14 lation of workstation barriers on fixed route
15 transit buses less than 30 feet in length; and

16 (F) make recommendations to the Sec-
17 retary on requiring—

18 (i) the Secretary to develop perform-
19 ance specifications, in addition to the spec-
20 ifications referenced in subsection (b)(1),
21 for driver workstation barriers installed on
22 fixed route transit buses 30 feet or more in
23 length to protect operators from the risk of
24 assault on a transit worker; and

1 (ii) as appropriate, transit agencies to
2 retrofit vehicles in revenue service with
3 workstation barriers to protect transit bus
4 operators from such risk.

5 (4) REPORTS TO CONGRESS.—

6 (A) WORKING GROUP FINDINGS.—Not
7 later than 12 months after the Working Group
8 is established, the Chair of such group shall
9 submit to the appropriate committees of Con-
10 gress a report—

11 (i) detailing all findings and rec-
12 ommendations of the Working Group; and

13 (ii) summarizing any dissenting posi-
14 tions of individual Working Group mem-
15 bers, if applicable, on the final findings
16 and recommendations issued by such
17 group.

18 (B) DOT RESPONSE.—Not later than 3
19 months after the date on which the Chair sub-
20 mits the report under subparagraph (A), the
21 Secretary shall transmit to the appropriate
22 committees of Congress the position of the Ad-
23 ministration with regards to each of the rec-
24 ommendations in such report, including the ra-
25 tionale for disagreement, if applicable.

1 (5) SUPPORT.—The Secretary shall seek to
2 enter into the appropriate arrangements with the
3 National Academies to support the activities of the
4 Working Group.

5 (b) BUS OPERATOR SAFETY AND SECURITY RE-
6 QUIREMENT.—

7 (1) IN GENERAL.—Beginning 2 years after the
8 date of enactment of this Act, the operator
9 workstation of a newly manufactured fixed route
10 transit bus which is 30 feet or more in length and
11 purchased with Federal funds by a recipient of as-
12 sistance under chapter 53 of title 49, United States
13 Code, shall be equipped with a workstation barrier
14 that, at a minimum—

15 (A) reaches from the bus floor to the bus
16 ceiling;

17 (B) is capable of fully enclosing the oper-
18 ator workstation and preventing the unwanted
19 entry of unauthorized persons, fluids, and ob-
20 jects into the workstation; and

21 (C) does not impede the lines of sight of
22 the operator from the workstation to the exte-
23 rior of the bus.

24 (2) POLICY GUIDANCE.—Not later than 2 years
25 after the date of enactment of this Act, the Sec-

1 retary shall issue policy guidance requiring the in-
2 stallation of workstation barriers to protect opera-
3 tors from the risk of assault on such transit buses
4 in accordance with the requirement under paragraph
5 (1), and in doing so, to the extent practicable, take
6 into consideration the findings and recommendations
7 of the Working Group under subsection (a)(3)(F).

8 (3) UPDATES.—The Secretary may update the
9 guidance required under this subsection as deter-
10 mined necessary to protect operators from the risk
11 of such assault.

12 (c) DEFINITIONS.—In this section:

13 (1) ASSAULT ON A TRANSIT WORKER.—The
14 term “assault on a transit worker” has the meaning
15 given such term in section 5302 of title 49, United
16 States Code.

17 (2) WORKSTATION BARRIER.—The term
18 “workstation barrier” means a physical barrier that
19 separates a transit operator workstation area from
20 the passenger area on a public transportation vehi-
21 cle.

22 **SEC. 3103. SPARE RATIO MODIFICATION.**

23 (a) IN GENERAL.—Notwithstanding any other provi-
24 sion of law, the Secretary may not issue policy, regula-
25 tions, or guidance setting a transit vehicle spare ratio.

1 (b) RULE OF CONSTRUCTION.—Subsection (a) shall
2 not be construed by the Secretary to—

3 (1) prohibit a transit agency applying for as-
4 sistance under such chapter from providing a jus-
5 tification for the acquisition of new rolling stock at
6 the time of an award application; or

7 (2) preclude a transit agency from using Fed-
8 eral assistance, as applicable, to acquire a reasonable
9 number of spare vehicles based on the operational
10 needs of such transit agency.

11 (c) DEADLINE.—Not later than 180 days after the
12 date of enactment of this Act, the Secretary shall update
13 Federal Transit Administration Circular 5010.1F titled
14 “Award Management Requirements” (or any successor
15 document), and any related circulars, policy, and guidance
16 to conform with the requirements of this section.

17 **SEC. 3104. SPECIAL RULE FOR CERTAIN TRANSPORTATION**
18 **SERVICES.**

19 (a) IN GENERAL.—Solely for purposes of admin-
20 istering part 655 of title 49, Code of Federal Regulations
21 (or any successor regulation), the Secretary may not con-
22 sider a driver for a transportation network company or
23 a taxicab service to be a covered individual, unless a recipi-
24 ent that is a contractee of such transportation network
25 company or taxicab service fails to—

1 (1) make available to a customer for each ride
2 more than 1 company providing transportation serv-
3 ices, including by a transportation network company,
4 a taxicab service, or a provider of public transpor-
5 tation; and

6 (2) provide a written or verbal explanation to
7 the customer on the differences between the alcohol
8 and controlled substances testing requirements, as
9 applicable, for drivers of each company providing
10 transportation services, including providers of public
11 transportation, made available to the customer.

12 (b) LIMITATION ON TRANSPORTATION SERVICES
13 PROVIDED UNDER SPECIAL RULE.—A recipient of finan-
14 cial assistance under section 5307, 5308, 5309, or 5311
15 of title 49, United States Code, that enters into an agree-
16 ment with a transportation network company or a taxicab
17 service to provide transportation services described in sub-
18 section (a) shall ensure that such transportation services
19 solely serve to supplement, not supplant, fixed route or
20 route-based public transportation provided by the recipi-
21 ent.

22 (c) DEFINITIONS.—In this section:

23 (1) COVERED INDIVIDUAL.—The term “covered
24 individual” means—

1 (A) an employee of a recipient receiving fi-
2 nancial assistance described in section 5331(b)
3 of title 49, United States Code; and

4 (B) a contractor of a recipient of financial
5 assistance under section 5307, 5308, 5309, or
6 5311 of such title.

7 (2) PUBLIC TRANSPORTATION.—The term
8 “public transportation” has the meaning given such
9 term in section 5302 of title 49, United States Code.

10 (3) TAXICAB SERVICE.—The term “taxicab
11 service” has the meaning given the term in section
12 13102 of title 49, United States Code.

13 (4) TRANSPORTATION NETWORK COMPANY.—
14 The term “transportation network company” means
15 a corporation, partnership, sole proprietorship, or
16 other entity that uses a digital network to connect
17 individuals to drivers for prearranged transportation
18 services, as defined under applicable State or local
19 law.

20 **SEC. 3105. INNOVATIVE PROCUREMENT.**

21 (a) IN GENERAL.—Section 3019 of the FAST Act
22 (49 U.S.C. 5325 note) is amended—

23 (1) by inserting “or local” before “government”
24 each place it appears;

1 (2) by striking “and related equipment” each
2 place it appears and inserting “, rolling stock related
3 equipment, and any other goods, technologies, or
4 software services”;

5 (3) in subsection (b)(2) in the paragraph head-
6 ing by inserting “or local government” before “coop-
7 erative procurement”; and

8 (4) in subsection (c) by striking paragraph (5).

9 (b) UPDATES.—The Secretary shall update applicable
10 policy, guidance, and regulations, as necessary, to imple-
11 ment the amendments made by this section.

12 **SEC. 3106. TRANSIT AWARD MANAGEMENT SYSTEM IM-**
13 **PROVEMENT.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Secretary shall, to the greatest extent
16 practicable, ensure that the transit award management
17 system, as it is used by the Federal Transit Administra-
18 tion to ensure that financial assistance specified in section
19 5333(b) of title 49, United States Code, complies with the
20 requirements of such section, notifies only persons and en-
21 tities affected by the relevant financial assistance specified
22 in such section.

1 **SEC. 3107. PUBLIC TRANSIT FIRST AID AND EMERGENCY**
2 **MEDICAL KIT EQUIPMENT AND TRAINING.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Secretary shall convene
5 a transportation rulemaking committee, and designate
6 such committee pursuant to section 102(k) of title 49,
7 United States Code, to review and develop findings and
8 recommendations relating to whether or not covered re-
9 cipients should equip covered public transportation vehi-
10 cles and public transportation stations with first aid kits
11 and emergency medical kits.

12 (b) MEMBERSHIP.—The transportation rulemaking
13 committee convened under subsection (a) shall consist of
14 members appointed by the Secretary, including represent-
15 atives of—

- 16 (1) rolling stock manufacturers, including origi-
17 nal equipment manufacturers;
- 18 (2) rural transit agencies;
- 19 (3) urban transit agencies;
- 20 (4) transit workers;
- 21 (5) labor unions representing transit workers;
- 22 (6) licensed physicians; and
- 23 (7) other stakeholders the Secretary determines
24 appropriate.

1 (c) CONSIDERATIONS.—The transportation rule-
2 making committee convened under subsection (a) shall
3 consider—

4 (1) the benefits and costs (including the costs
5 of route diversions and emergency stoppages) of re-
6 quiring covered public transportation vehicles and
7 public transportation stations to be equipped with—

8 (A) basic first aid kits; and

9 (B) medications or equipment necessary to
10 be included in emergency medical kits;

11 (2) whether the contents of the emergency med-
12 ical kit should include, at a minimum, appropriate
13 medications and equipment that can practicably be
14 administered to address—

15 (A) the emergency medical needs of chil-
16 dren and pregnant women;

17 (B) opioid overdose;

18 (C) anaphylaxis; and

19 (D) cardiac arrest;

20 (3) what contents of the emergency medical kits
21 should be readily available, to the extent practicable,
22 for use by public transportation operators or the
23 general public without prior approval by a medical
24 professional;

1 (4) training requirements, including recurring
2 training, for frontline employees of public transpor-
3 tation agencies regarding use of first aid kits and
4 emergency medical kits; and

5 (5) the storage location of first aid kits and
6 emergency medical kits on board covered public
7 transportation vehicles and at public transportation
8 stations.

9 (d) REPORT TO CONGRESS.—

10 (1) IN GENERAL.—Not later than 12 months
11 after the date on which the rulemaking committee
12 described in subsection (a) is convened, the Sec-
13 retary shall submit to the appropriate committees of
14 Congress a report based on the findings of such
15 rulemaking committee.

16 (2) CONTENTS.—The Secretary shall include in
17 the report required under paragraph (1)—

18 (A) any findings or recommendations sub-
19 mitted by the transportation rulemaking com-
20 mittee convened under subsection (a) to the
21 Secretary;

22 (B) if applicable, any dissenting positions
23 of individual representatives of such rulemaking
24 committee on the findings or recommendations

1 described in subparagraph (A) and the rationale
2 for each dissenting position; and

3 (C) any actions the Secretary intends to
4 initiate, if necessary, as a result of such find-
5 ings and recommendations.

6 (e) DEFINITIONS.—In this section:

7 (1) COVERED PUBLIC TRANSPORTATION VEHI-
8 CLE.—The term “covered public transportation vehi-
9 cle” means rolling stock used in revenue service by
10 a covered recipient.

11 (2) COVERED RECIPIENT.—The term “covered
12 recipient” means a public transit agency required to
13 establish a comprehensive agency safety plan in ac-
14 cordance with section 5329(d) of title 49, United
15 States Code.

16 **SEC. 3108. IMPROVING TRANSPARENCY IN CERTAIN UR-**
17 **BANIZED AREAS.**

18 (a) RATIONALE REQUIRED.—

19 (1) IN GENERAL.—The Secretary shall require
20 a designated recipient of financial assistance pro-
21 vided under section 5307, 5310, 5337, or 5339 of
22 title 49, United States Code, to provide a letter de-
23 tailing the rationale for the split allocation amount
24 determined for each direct recipient in an urbanized
25 area with a population of at least 200,000 individ-

1 uals, as determined by the Bureau of the Census,
2 if—

3 (A) a formula other than the Federal ap-
4 portionment formula set forth in section 5336
5 of such title, including a modified version of the
6 Federal apportionment formula, is used by the
7 designated recipient to suballocate the total ap-
8 portionment amount for the relevant urbanized
9 area to each direct recipient for purposes of
10 carrying out grants under such section 5307; or

11 (B) population data other than data pub-
12 lished by the Bureau of the Census is used to
13 suballocate the total apportionment amount for
14 the relevant urbanized area to each direct re-
15 cipient for purposes of carrying out grants
16 under section 5307.

17 (2) FAILURE TO PROVIDE RATIONALE.—The
18 Secretary may withhold funds made available to a
19 designated recipient for grants described in section
20 5307 of title 49, United States Code, if such recipi-
21 ent fails to provide a letter detailing the rationale
22 for the split allocation amounts pursuant to para-
23 graph (1).

24 (3) TERM OF APPLICABILITY.—A letter of ra-
25 tionale under this subsection shall be updated not

1 later than 30 days after a change is made to a split
2 allocation process.

3 (4) SAVINGS CLAUSE.—Solely for purposes of
4 withholding funds under paragraph (2), the Sec-
5 retary may not withhold such funds to a designated
6 recipient that submits a letter of rationale under this
7 subsection.

8 (b) PUBLICATION OF SPLIT LETTERS.—The Sec-
9 retary shall publish on the website of the Federal Transit
10 Administration each split letter received from a designated
11 recipient of financial assistance provided under section
12 5307, 5310, 5337, or 5339 of title 49, United States
13 Code, for each fiscal year in which Federal assistance is
14 apportioned pursuant to such sections.

15 (c) DESIGNATED RECIPIENT.—In this section, the
16 term “designated recipient” has the meaning given that
17 term in section 5302 of title 49, United States Code.

18 **SEC. 3109. EXTENSION OF CAPITAL AND PREVENTIVE MAIN-**
19 **TENANCE GRANTS TO WASHINGTON METRO-**
20 **POLITAN AREA TRANSIT AUTHORITY.**

21 Section 601(f) of the Passenger Rail Investment and
22 Improvement Act of 2008 (Public Law 110–432) is
23 amended by striking “2030” and inserting “2031”.

1 **SEC. 3110. GAO ASSESSMENT OF PROJECT CONTINGENCY**
2 **AMOUNTS.**

3 (a) IN GENERAL.—For the period beginning on the
4 date of enactment of this Act and ending on September
5 30, 2031, the Comptroller General shall include with each
6 report required under section 5309(o)(2)(B) of title 49,
7 United States Code, an assessment by the Comptroller
8 General of—

9 (1) the project contingency amounts determined
10 to be reasonable by the Secretary under section
11 5309(f)(1)(A) of title 49, United States Code, with
12 respect to each project for which funds were award-
13 ed under section 5309 of such title during the 3-year
14 period immediately preceding the report; and

15 (2) the relationship between each such project
16 contingency amount and—

17 (A) the total capital cost of the cor-
18 responding project; and

19 (B) the capital investment grant program
20 requirements applicable to such project, includ-
21 ing whether such project is a core capacity
22 project, a new start project, a streamlined start
23 project, or an expedited delivery project.

24 (b) SOLICITATION OF FEEDBACK.—In carrying out
25 an assessment under subsection (a), the Comptroller Gen-
26 eral shall solicit from relevant stakeholders feedback on

1 project contingency amounts for projects for which funds
2 were awarded under section 5309 of title 49, United
3 States Code.

4 **SEC. 3111. GAO REPORT ON UNIVERSAL DESIGN TO IM-**
5 **PROVE ACCESSIBILITY.**

6 Not later than 180 days after the date of enactment
7 of this Act, the Comptroller General shall assess the extent
8 to which transit agencies utilize universal design concepts
9 in Federally funded capital projects and submit to Con-
10 gress a report on the results of the assessment that in-
11 cludes—

12 (1) a review of applicable Federal Transit Ad-
13 ministration policy guidance and best practices re-
14 lated to improving accessibility; and

15 (2) recommendations for any such legislative
16 and administrative action as the Comptroller Gen-
17 eral determines appropriate to improve accessibility
18 in public transportation.

19 **SEC. 3112. GAO STUDY AND REPORT ON NATIONAL TRANSIT**
20 **DATABASE DATA QUALITY.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this Act, the Comptroller General
23 shall initiate a study to evaluate the accuracy and consist-
24 ency of data reported to the National Transit Database

1 and assess the efficacy of current protocols for gathering
2 and verifying reported data.

3 (b) CONSIDERATIONS.—In conducting the study re-
4 quired under subsection (a), the Comptroller General shall
5 review—

6 (1) processes undertaken by transit agencies for
7 purposes of collecting and reporting required data to
8 the National Transit Database in accordance with
9 section 5335 of title 49, United States Code, includ-
10 ing an assessment of transit agency revenue report-
11 ing;

12 (2) the protocols of the Federal Transit Admin-
13 istration for gathering and verifying reported data,
14 including automated validation checks and manual
15 review procedures;

16 (3) transit agency compliance with National
17 Transit Database reporting requirements;

18 (4) the impact of National Transit Database
19 data quality on—

20 (A) public transit safety;

21 (B) Federal formula apportionments and
22 competitive funding decisions, as applicable;
23 and

24 (C) the decision-making of the Federal
25 Transit Administration as such decision-making

1 relates to award management and safety over-
2 sight;

3 (5) policies of the Federal Transit Administra-
4 tion that protect the personally identifiable informa-
5 tion of persons involved in reportable security inci-
6 dents; and

7 (6) for those public transportation systems
8 studied, the community value of the public transpor-
9 tation services provided, including a review of service
10 utilization rates and accessibility of the system for
11 families and individuals with disabilities, including
12 individuals who use wheelchairs.

13 (c) CONSULTATION.—In conducting the study re-
14 quired under subsection (a), the Comptroller General shall
15 consult with representatives of—

16 (1) the Federal Transit Administration;

17 (2) urban, rural, and Tribal transit agencies;

18 (3) labor unions representing transit workers;

19 and

20 (4) any other relevant stakeholders as deter-
21 mined by Comptroller General.

22 (d) REPORT.—Not later than 2 years after the date
23 of enactment of this Act, the Comptroller General shall
24 submit to the Committee on Transportation and Infra-
25 structure of the House of Representatives and the Com-

1 mittee on Banking, Housing, and Urban Affairs of the
2 Senate a report on the results of the study conducted
3 under subsection (a) and any associated recommendations.

4 **SEC. 3113. GAO STUDY ON TRANSIT SYSTEM RIDER SAFETY.**

5 (a) IN GENERAL.—Not later than 2 years after the
6 date of enactment of this Act, the Comptroller General
7 shall initiate a study to assess the efforts of the Federal
8 Transit Administration to improve rider safety on feder-
9 ally-funded public transit systems, including efforts to pre-
10 vent assaults, harassment, and other security threats to
11 passengers and transit employees.

12 (b) CONSIDERATIONS.—In conducting the study re-
13 quired under subsection (a), the Comptroller General shall
14 assess the following matters related to transit system safe-
15 ty:

16 (1) National data trends and insights into the
17 causes, risks, and consequences of transit-related as-
18 saults.

19 (2) The primary Federal funding sources used
20 for transit system safety and security improvements.

21 (3) The effectiveness of common risk reduction
22 strategies to improve safety, including—

23 (A) de-escalation training, trauma-in-
24 formed responses, and passenger safety proto-
25 cols;

1 (B) vehicle design standards, including bus
2 driver workstation barriers;

3 (C) transit rider education and awareness
4 campaigns;

5 (D) bus stop design standards;

6 (E) the deployment of law enforcement of-
7 ficers or transit ambassadors; and

8 (F) partnerships with mental health pro-
9 fessionals.

10 (4) The extent to which there are barriers to
11 the implementation of safety improvements and chal-
12 lenges transit operators face in improving safety,
13 which may include—

14 (A) limitations on eligible use of Federal
15 assistance;

16 (B) transit agency financial constraints,
17 including as a result of changes in Federal,
18 State, and local assistance;

19 (C) the effectiveness of risk mitigation
20 strategies that transit agencies have adopted;

21 (D) procurement barriers; and

22 (E) coordination between Federal agencies,
23 local agencies, social service providers and local
24 law enforcement agencies.

1 (c) CONSULTATION.—In conducting the study re-
2 quired under subsection (a), the Comptroller General shall
3 consult with—

4 (1) State transportation officials;

5 (2) academic experts in transportation safety,
6 criminology, and public health; and

7 (3) representatives of—

8 (A) transit operators, including, as applica-
9 ble, transit police or contracted security of such
10 operators;

11 (B) transit riders; and

12 (C) urban, rural, and Tribal transit agen-
13 cies.

14 (d) REPORT TO CONGRESS.—Not later than 1 year
15 after the date of the initiation of the study described under
16 subsection (a), the Comptroller General shall submit to the
17 Committee on Transportation and Infrastructure of the
18 House of Representatives and the Committee on Banking,
19 Housing, and Urban Affairs of the Senate a report on the
20 results of the study conducted under subsection (a).

21 **SEC. 3114. GAO STUDY ON CIG DATA COLLECTION AND RE-**
22 **PORTING REQUIREMENTS.**

23 (a) IN GENERAL.—Not later than 1 year after the
24 date of enactment of this Act, the Comptroller General
25 shall initiate a study to assess the efficacy of data collec-

1 tion and analysis requirements under the capital invest-
2 ment grants program pursuant to subparagraphs (E) and
3 (F) of section 5309(k)(2) of title 49, United States Code,
4 and make recommendations to reduce the reporting bur-
5 den on project sponsors.

6 (b) CONSIDERATIONS.—In conducting the study re-
7 quired under subsection (a), the Comptroller General shall
8 assess the following matters related to the requirements
9 under subparagraphs (E) and (F) of section 5309(k)(2)
10 of such title:

11 (1) The typical cost of preparing an informa-
12 tion collection and analysis plan, as required under
13 section 5309(k)(2)(E) of such title.

14 (2) The extent to which preparing the plan de-
15 scribed in paragraph (1) or the collection of data
16 contributes to project delays.

17 (3) The extent to which project sponsors apply
18 insights gained from the plan described in paragraph
19 (1) to public transportation related activities other
20 than activities carried out under the capital invest-
21 ment grants program.

22 (4) The extent to which the Federal Transit
23 Administration utilizes data collected and submitted
24 by a project sponsor in the plan referenced in para-
25 graph (1) for purposes of—

1 (A) determining eligibility for a full fund-
2 ing grant agreement under the capital invest-
3 ment grants program; and

4 (B) assessing public transportation related
5 activities other than activities carried out under
6 the capital investment grants program.

7 (5) Any relevant policy guidance or circulars
8 issued by the Federal Transit Administration.

9 (c) RECOMMENDATIONS.—In making the rec-
10 ommendations required under subsection (a), the Comp-
11 troller General shall consider the following:

12 (1) Opportunities to reduce data collection and
13 reporting requirements pursuant to subparagraphs
14 (E) and (F) of section 5309(k)(2) of such title for
15 project sponsors with a significant amount of local
16 financial commitment.

17 (2) Criteria other than the amount of local fi-
18 nancial commitment secured by a project sponsor
19 that the Federal Transit Administration may use to
20 apply reduced data collection and reporting require-
21 ments on project sponsors.

22 (3) The existence of any redundancies between
23 the data collection and reporting requirements ref-
24 erenced in paragraph (1) and other Federal Transit
25 Administration programs or data-related reporting

1 requirements imposed on recipients of assistance
2 under chapter 53 of such title.

3 (d) CONSULTATION.—In conducting the study re-
4 quired under subsection (a), the Comptroller General shall
5 consult with—

6 (1) industry associations representing public
7 transportation providers;

8 (2) transit agencies that completed a capital in-
9 vestment grants project in the last 10 years and ful-
10 filled the requirements of subparagraphs (E) and
11 (F) of section 5309(k)(2) of such title; and

12 (3) engineering or design firms that partici-
13 pated in delivering projects described in paragraph
14 (2).

15 (e) REPORT TO CONGRESS.—Not later than 1 year
16 after the date of initiation of the study described under
17 section (a), the Comptroller General shall submit to the
18 appropriate committees of Congress a report on the re-
19 sults of the study and recommendations under subsection
20 (a).

21 **SEC. 3115. GAO ASSESSMENT OF PARATRANSIT SOFTWARE**
22 **AND TECHNOLOGIES.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of enactment of this Act, the Comptroller General
25 shall assess Americans with Disabilities Act compliant

1 paratransit software and technologies procured with Fed-
2 eral funds and make recommendations to improve service
3 efficiency, access, and quality of life for paratransit riders
4 while protecting sensitive rider and system data from cy-
5 bersecurity threats.

6 (b) CONSULTATION.—In carrying out the assessment
7 required under subsection (a), the Comptroller General
8 shall consult the following:

9 (1) Paratransit riders.

10 (2) Organizations representing riders with dis-
11 abilities, including individuals who use wheelchairs.

12 (3) Rural transit agencies.

13 (4) Urban transit agencies.

14 (5) The United States Access Board.

15 (6) Labor organizations representing frontline
16 public transportation workers.

17 (7) Third-party providers of paratransit service.

18 (8) Paratransit technology manufacturers.

19 (9) For-hire transportation providers.

20 (10) Cybersecurity experts and standards bod-
21 ies.

22 (11) Other stakeholders the Comptroller Gen-
23 eral determines appropriate.

24 (c) CONSIDERATIONS.—

1 (1) IN GENERAL.—In carrying out the assess-
2 ment under subsection (a), the Comptroller General
3 shall consider the following:

4 (A) The extent to which paratransit soft-
5 ware and digital interfaces provide effective ac-
6 cess for riders with disabilities, including dif-
7 fering visual, auditory, cognitive, and physical
8 needs.

9 (B) The cybersecurity of paratransit soft-
10 ware and technologies, including—

11 (i) methods to ensure that paratransit
12 software and data is protected from cyber-
13 attacks, and whether there are appropriate
14 outcomes-based objectives for protecting
15 the confidentiality, integrity, and avail-
16 ability of systems and data; and

17 (ii) whether existing cybersecurity
18 frameworks and audit regimes (including
19 SOC 2 and ISO 27001, or successor stand-
20 ards) are used as potential references or
21 models for minimum cybersecurity expecta-
22 tions.

23 (C) The technical capabilities of para-
24 transit software and technologies, including—

1 (i) the role of application program-
2 ming interfaces or related mechanisms in
3 enabling integration of multiple service
4 providers and supporting efficient move-
5 ment of trips between providers;

6 (ii) how real-time route optimization
7 and dynamic trip scheduling capabilities
8 impact paratransit service; and

9 (iii) the ability of paratransit software
10 to support digital booking interfaces that
11 aggregate multiple providers.

12 (d) REPORT.—Not later than 1 year after the date
13 on which the assessment under subsection (a) is initiated,
14 the Comptroller General shall submit to the appropriate
15 committees of Congress a report detailing the findings and
16 recommendations required under subsection (a).

17 **Subtitle C—Reorganization and** 18 **Consolidation of Chapter 53**

19 **SEC. 3201. TRANSFER OF CERTAIN SECTIONS IN CHAPTER** 20 **53 OF TITLE 49, UNITED STATES CODE.**

21 (a) TRANSFERS TO SECTION 5323.—

22 (1) SECTION 5306.—Section 5306 of title 49,
23 United States Code, is transferred and redesignated
24 to appear as section 5323(y) and is amended—

1 (A) in subsection (b) by redesignating
2 paragraphs (1) and (2) as subparagraphs (A)
3 and (B), respectively; and

4 (B) by redesignating subsections (a) and
5 (b) as paragraphs (1) and (2), respectively.

6 (2) SECTION 5325.—Section 5325 of title 49,
7 United States Code, is transferred and redesignated
8 to appear as section 5323(z) and is amended—

9 (A) in subsection (b)—

10 (i) in paragraph (2)—

11 (I) in the matter preceding sub-
12 paragraph (A) by striking “paragraph
13 (1)” and inserting “subparagraph
14 (A)”;

15 (II) in subparagraph (C) by
16 striking “subparagraph (B)” and in-
17 serting “clause (ii)”;

18 (III) in subparagraph (D)—

19 (aa) by striking “subpara-
20 graph (C)” and inserting “clause
21 (iii)”;

22 (bb) by striking “this sub-
23 paragraph” and inserting “this
24 clause”; and

1 (IV) by redesignating subpara-
2 graphs (A) through (D), as amended,
3 as clauses (i) through (iv), respec-
4 tively; and

5 (ii) by redesignating paragraphs (1)
6 and (2) as subparagraphs (A) and (B), re-
7 spectively;

8 (B) in subsection (d)—

9 (i) in paragraph (1)—

10 (I) by striking “subsection” and
11 inserting “paragraph”; and

12 (II) by redesignating subpara-
13 graphs (A) and (B) as clauses (i) and
14 (ii), respectively; and

15 (ii) by redesignating paragraphs (1)
16 and (2), as amended, as subparagraphs
17 (A) and (B);

18 (C) in subsection (e)—

19 (i) in paragraph (1) by redesignating
20 subparagraphs (A) and (B) as clauses (i)
21 and (ii), respectively;

22 (ii) in paragraph (2) by striking “sub-
23 section” and inserting “paragraph”; and

- 1 (iii) by redesignating paragraphs (1)
2 and (2), as amended, as subparagraphs
3 (A) and (B), respectively;
4 (D) in subsection (f)—
5 (i) in paragraph (1)—
6 (I) in subparagraph (A) by redesi-
7 gnating clauses (i) and (ii) as sub-
8 clauses (I) and (II), respectively; and
9 (II) by redesignating subpara-
10 graphs (A) and (B) as clauses (i) and
11 (ii), respectively;
12 (ii) in paragraph (2) by striking
13 “paragraph (1)(B)” and inserting “sub-
14 paragraph (A)(ii)”;
15 (iii) in paragraph (3)—
16 (I) in the matter preceding sub-
17 paragraph (A) by striking “sub-
18 section” and inserting “paragraph”;
19 (II) in subparagraph (A)—
20 (aa) in clause (ii) by striking
21 “paragraph (1)(B)” and insert-
22 ing “subparagraph (A)(ii)”;
23 (bb) by redesignating
24 clauses (i) and (ii), as amended,

1 as subclauses (I) and (II), re-
2 spectively;

3 (III) in subparagraph (B) by
4 striking “subparagraph (A)” and in-
5 serting “clause (i)”; and

6 (IV) by redesignating subpara-
7 graphs (A) and (B), as amended, as
8 clauses (i) and (ii), respectively; and

9 (iv) by redesignating paragraphs (1)
10 through (3), as amended, as subpara-
11 graphs (A) through (C), respectively;

12 (E) in subsection (j)—

13 (i) in paragraph (2)—

14 (I) by striking “paragraph (1)”
15 and inserting “subparagraph (A)”;
16 and

17 (II) by redesignating subpara-
18 graphs (A) through (D) as clauses (i)
19 through (iv), respectively; and

20 (ii) by redesignating paragraphs (1)
21 and (2), as amended, as subparagraphs
22 (A) and (B), respectively;

23 (F) in subsection (k) by striking “sub-
24 section” and inserting “paragraph”; and

1 (G) by redesignating subsections (a)
2 through (k), as amended, as paragraphs (1)
3 through (11), respectively.

4 (3) SECTION 5327.—Section 5327 of title 49,
5 United States Code, is transferred and redesignated
6 to appear as section 5323(aa) and is amended—

7 (A) in subsection (a) by redesignating
8 paragraphs (1) through (13) as subparagraphs
9 (A) through (M), respectively;

10 (B) in subsection (b) by redesignating
11 paragraphs (1) and (2) as subparagraphs (A)
12 and (B), respectively;

13 (C) in subsection (d)—

14 (i) in paragraph (1) by redesignating
15 subparagraphs (A) and (B) as clauses (i)
16 and (ii), respectively;

17 (ii) in paragraph (2)—

18 (I) in subparagraph (B) by strik-
19 ing “subsection (b)” and inserting
20 “paragraph (2)”; and

21 (II) by redesignating subpara-
22 graphs (A) and (B), as amended, as
23 clauses (i) and (ii), respectively;

1 (iii) in paragraph (3) by striking
2 “paragraph (2)(B)” and inserting “sub-
3 paragraph (B)(ii)”; and

4 (iv) by redesignating paragraphs (1)
5 through (3), as amended, as subpara-
6 graphs (A) through (C), respectively; and

7 (D) by redesignating subsections (a)
8 through (d) as paragraphs (1) through (4), re-
9 spectively.

10 (4) SECTION 5332.—Section 5332 of title 49,
11 United States Code, is transferred and redesignated
12 to appear as section 5323(bb) and is amended—

13 (A) by striking “subsection (b)” in each
14 place it occurs and inserting “paragraph (2)”;
15

16 (B) by striking “of this section” in each
17 place it occurs;

18 (C) in subsection (a) by striking “section”
19 and inserting “subsection”;

20 (D) in subsection (c) by redesignating
21 paragraphs (1) and (2) as subparagraphs (A)
22 and (B), respectively;

23 (E) in subsection (d) by redesignating
24 paragraphs (1) through (4) as subparagraphs
25 (A) through (D), respectively;

(F) in subsection (e)—

1 (i) in paragraph (1) by striking “sub-
2 section (d)(2)” and inserting “paragraph
3 (4)(B)”; and

4 (ii) by redesignating paragraphs (1)
5 and (2) as subparagraphs (A) and (B), re-
6 spectively; and

7 (G) by redesignating subsections (a)
8 through (f) as paragraphs (1) through (6), re-
9 spectively.

10 (b) SECTION 5315 TRANSFER TO SECTION 5334.—
11 Section 5315 of title 49, United States Code, is trans-
12 ferred and redesignated to appear as section 5334(l) and
13 is amended—

14 (1) in subsection (a) by redesignating para-
15 graphs (1) through (3) as subparagraphs (A)
16 through (C), respectively;

17 (2) in subsection (b) by redesignating para-
18 graphs (1) and (2) as subparagraphs (A) and (B),
19 respectively;

20 (3) in subsection (c) by redesignating para-
21 graphs (1) through (3) as subparagraphs (A)
22 through (C), respectively;

23 (4) in subsection (d) by redesignating para-
24 graphs (1) and (2) as subparagraphs (A) and (B),
25 respectively; and

1 (5) by redesignating subsections (a) through (d)
2 as paragraphs (1) through (4), respectively.

3 **SEC. 3202. FRONT MATTER OF CHAPTER 53 OF TITLE 49,**
4 **UNITED STATES CODE.**

5 (a) TABLE OF SECTIONS.—Chapter 53 of title 49,
6 United States Code, is amended by striking the table of
7 sections in the front matter at the beginning and inserting
8 the following:

“SUBCHAPTER I—GENERAL AUTHORITIES AND GRANT PROGRAMS

“Sec.

“5301. Purpose and declaration of policy.

“5302. Definitions.

“5303. Authorizations.

“5304. Apportionment of appropriations for urbanized area formula grants.

“5305. Administrative provisions.

“5306. General provisions.

“5307. Urbanized area formula grants.

“5308. Consolidated State block grant.

“5309. Fixed guideway capital investment grants.

“5310. Formula grants for the enhanced mobility of seniors and individuals with
disabilities.

“5311. Formula grants for rural areas.

“5312. Public transportation innovation.

“5313. Planning programs.

“5314. Technical assistance and workforce development.

“5315. National transit database.

“5316. State of good repair grants.

“5317. Grants for buses, bus facilities, and ferries.

“5318. Bus testing facility.

“5319. Apportionments based on growing States and high density States for-
mula factors.

“5320. Public transportation emergency relief programs.

“SUBCHAPTER II—PLANNING AND REQUIREMENTS

“5331. Metropolitan transportation planning.

“5332. Statewide and nonmetropolitan transportation planning.

“5333. Labor standards.

“SUBCHAPTER III—SAFETY

“5351. Crime prevention and security.

“5352. Public transportation safety program.

“5353. Alcohol and controlled substances testing.

“5354. Transit asset management.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of chapter
3 53 of title 49, United States Code, identified in the
4 table provided in paragraph (2) are amended—

5 (A) by redesignating the sections as de-
6 scribed in the table; and

7 (B) by transferring the sections, as nec-
8 essary, so that the sections appear after the
9 table of sections for chapter 53 of such title (as
10 added by subsection (a)), in the order in which
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph
13 (1) is the following:

Chapter 53 section number before redesignation	Section heading (provided for identification purposes only)	Chapter 53 section number after redesignation
5301	Purpose and declaration of policy.	5301
5302	Definitions.	5302
5338	Authorizations.	5303
5336	Apportionment of appropriations for urbanized area formula grants.	5304
5334	Administrative provisions.	5305
5323	General provisions.	5306
5307	Urbanized area formula grants.	5307
5308	Consolidated State block grant.	5308
5309	Fixed guideway capital investment grants.	5309
5310	Formula grants for the enhanced mobility of seniors and individuals with disabilities.	5310

Chapter 53 section number before redesignation	Section heading (provided for identification purposes only)	Chapter 53 section number after redesignation
5311	Formula grants for rural areas.	5311
5312	Public transportation innovation.	5312
5305	Planning programs.	5313
5314	Technical assistance and workforce development.	5314
5335	National transit database.	5315
5337	State of good repair grants.	5316
5339	Grants for buses, bus facilities, and ferries.	5317
5318	Bus testing facility.	5318
5340	Apportionments based on growing States and high density States formula factors.	5319
5324	Public transportation emergency relief program.	5320
5303	Metropolitan transportation planning.	5331
5304	Statewide and nonmetropolitan transportation planning.	5332
5333	Labor standards.	5333
5321	Crime prevention and security.	5351
5329	Public transportation safety program.	5352
5331	Alcohol and controlled substances testing.	5353
5326	Transit asset management.	5354

1 SEC. 3203. AMENDMENTS TO CHAPTER 53 OF TITLE 49,
2 UNITED STATES CODE, AS AMENDED BY SEC-
3 TION 3202 OF THIS ACT.

4 (a) IN GENERAL.—Except as otherwise expressly
5 provided, whenever in this section an amendment or repeal
6 is expressed in terms of an amendment to, or a repeal

1 of, a section or other provision of chapter 53 of title 49,
2 United States Code, the reference shall be considered to
3 be made to chapter 53 of such title, as amended by section
4 3202 of this Act.

5 (b) GENERAL AMENDMENT TO SECTION 5303.—
6 Chapter 53 of title 49, United States Code, is amended
7 by inserting after section 5302 the following:

8 **“§ 5303. Authorizations.**

9 “(a) GRANTS.—

10 “(1) IN GENERAL.—There shall be available
11 from the Mass Transit Account of the Highway
12 Trust Fund to carry out sections 5305, 5307, and
13 5310 through 5320—

14 “(A) \$16,868,000,000 for fiscal year 2027;

15 “(B) \$17,205,000,000 for fiscal year 2028;

16 “(C) \$17,527,000,000 for fiscal year 2029;

17 “(D) \$17,835,000,000 for fiscal year
18 2030; and

19 “(E) \$18,157,000,000 for fiscal year 2031.

20 “(2) ALLOCATION OF FUNDS.—Of the amounts
21 made available to the Secretary under paragraph
22 (1), the following allocations apply:

23 “(A) ADMINISTRATIVE PROVISIONS.—To
24 carry out section 5305—

1 “(i) \$132,700,000 for fiscal year
2 2027;

3 “(ii) \$135,400,000 for fiscal year
4 2028;

5 “(iii) \$138,100,000 for fiscal year
6 2029;

7 “(iv) \$140,800,000 for fiscal year
8 2030; and

9 “(v) \$143,600,000 for fiscal year
10 2031.

11 “(B) URBANIZED AREA GRANTS.—To
12 carry out, in accordance with the formulas set
13 for forth in section 5304, section 5307—

14 “(i) \$7,745,474,000 for fiscal year
15 2027;

16 “(ii) \$7,869,922,000 for fiscal year
17 2028;

18 “(iii) \$7,996,361,000 for fiscal year
19 2029;

20 “(iv) \$8,124,823,000 for fiscal year
21 2030; and

22 “(v) \$8,255,340,000 for fiscal year
23 2031.

1 “(C) GRANTS FOR ENHANCED MOBILITY
2 OF SENIORS AND INDIVIDUALS WITH DISABIL-
3 ITIES.—To carry out section 5310—

4 “(i) \$447,300,000 for fiscal year
5 2027, of which \$10,000,000 is to carry out
6 section 5310(j);

7 “(ii) \$453,100,000 for fiscal year
8 2028, of which \$10,100,000 is to carry out
9 section 5310(j);

10 “(iii) \$459,000,000 for fiscal year
11 2029, of which \$10,200,000 is to carry out
12 section 5310(j);

13 “(iv) \$465,000,000 for fiscal year
14 2030, of which \$10,300,000 is to carry out
15 section 5310(j); and

16 “(v) \$471,000,000 for fiscal year
17 2031, of which \$10,400,000 is to carry out
18 section 5310(j).

19 “(D) RURAL AREA GRANTS.—To carry out
20 section 5311—

21 “(i) \$1,007,622,000 for fiscal year
22 2027;

23 “(ii) \$1,023,742,000 for fiscal year
24 2028;

1 “(iii) \$1,040,122,000 for fiscal year
2 2029;

3 “(iv) \$1,056,764,000 for fiscal year
4 2030; and

5 “(v) \$1,073,672,000 for fiscal year
6 2031.

7 “(E) PUBLIC TRANSPORTATION INNOVA-
8 TION.—To carry out section 5312—

9 “(i) \$45,240,000 for fiscal year 2027,
10 of which—

11 “(I) \$5,000,000 to carry out sec-
12 tion 5312(h); and

13 “(II) \$7,371,000 to carry out
14 section 5312(i);

15 “(ii) \$45,960,000 for fiscal year 2028,
16 of which—

17 “(I) \$4,000,000 to carry out sec-
18 tion 5312(h); and

19 “(II) \$7,489,000 to carry out
20 section 5312(i);

21 “(iii) \$46,700,000 for fiscal year
22 2029, of which—

23 “(I) \$3,000,000 to carry out sec-
24 tion 5312(h); and

1 “(II) \$7,609,000 to carry out
2 section 5312(i);

3 “(iv) \$47,440,000 for fiscal year
4 2030, of which—

5 “(I) \$2,000,000 to carry out sec-
6 tion 5312(h); and

7 “(II) \$7,731,000 to carry out
8 section 5312(i); and

9 “(v) \$48,200,000 for fiscal year 2031,
10 of which—

11 “(I) \$0 to carry out section
12 5312(h); and

13 “(II) \$7,854,000 to carry out
14 section 5312(i).

15 “(F) PLANNING PROGRAMS.—To carry out
16 section 5313—

17 “(i) \$222,930,000 for fiscal year
18 2027, of which \$15,000,000 is to carry out
19 section 5305(i);

20 “(ii) \$225,820,000 for fiscal year
21 2028, of which \$15,200,000 is to carry out
22 section 5305(i);

23 “(iii) \$228,760,000 for fiscal year
24 2029, of which \$15,400,000 is to carry out
25 section 5305(i);

1 “(iv) \$231,730,000 for fiscal year
2 2030, of which \$15,600,000 is to carry out
3 section 5305(i); and

4 “(v) \$234,750,000 for fiscal year
5 2031, of which \$15,800,000 is to carry out
6 section 5305(i).

7 “(G) TECHNICAL ASSISTANCE AND WORK-
8 FORCE DEVELOPMENT.—To carry out section
9 5314—

10 “(i) \$20,499,000 for fiscal year 2027;

11 “(ii) \$20,806,000 for fiscal year 2028;

12 “(iii) \$21,118,000 for fiscal year
13 2029;

14 “(iv) \$21,434,000 for fiscal year
15 2030; and

16 “(v) \$21,756,000 for fiscal year 2031.

17 “(H) NATIONAL TRANSIT DATABASE.—To
18 carry out section 5315—

19 “(i) \$6,235,000 for fiscal year 2027;

20 “(ii) \$6,335,000 for fiscal year 2028;

21 “(iii) \$6,436,000 for fiscal year 2029;

22 “(iv) \$6,539,000 for fiscal year 2030;

23 and

24 “(v) \$6,644,000 for fiscal year 2031.

1 “(I) STATE OF GOOD REPAIR GRANTS.—To
2 carry out section 5316—

3 “(i) \$4,640,000,000 for fiscal year
4 2027;

5 “(ii) \$4,645,000,000 for fiscal year
6 2028;

7 “(iii) \$4,650,000,000 for fiscal year
8 2029;

9 “(iv) \$4,655,000,000 for fiscal year
10 2030; and

11 “(v) \$4,660,000,000 for fiscal year
12 2031.

13 “(J) GRANTS FOR BUS AND BUS FACILI-
14 TIES.—To carry out section 5317 (except for
15 subsection (d))—

16 “(i) \$1,695,000,000 for fiscal year
17 2027;

18 “(ii) \$1,863,710,000 for fiscal year
19 2028;

20 “(iii) \$2,014,891,000 for fiscal year
21 2029;

22 “(iv) \$2,149,550,000 for fiscal year
23 2030; and

24 “(v) \$2,295,508,000 for fiscal year
25 2031.

1 “(K) BUS TESTING FACILITY.—To carry
2 out section 5318—

3 “(i) \$7,000,000 for fiscal year 2027;

4 “(ii) \$7,105,000 for fiscal year 2028;

5 “(iii) \$7,212,000 for fiscal year 2029;

6 “(iv) \$7,320,000 for fiscal year 2030;

7 and

8 “(v) \$7,430,000 for fiscal year 2031.

9 “(L) GROWING STATES AND HIGH DEN-
10 SITY STATES.—To carry out section 5319—

11 “(i) \$873,000,000 for fiscal year
12 2027, of which—

13 “(I) \$445,230,000 to carry out
14 section 5319(b); and

15 “(II) \$427,770,000 to carry out
16 section 5319(c);

17 “(ii) \$883,100,000 for fiscal year
18 2028, of which—

19 “(I) \$450,381,000 to carry out
20 section 5319(b); and

21 “(II) \$432,719,000 to carry out
22 section 5319(c);

23 “(iii) \$893,300,000 for fiscal year
24 2029, of which—

1 “(I) \$455,583,000 to carry out
2 section 5319(b); and

3 “(II) \$437,717,000 to carry out
4 section 5319(c);

5 “(iv) \$903,600,000 for fiscal year
6 2030, of which—

7 “(I) \$460,836,000 to carry out
8 section 5319(b); and

9 “(II) \$442,764,000 to carry out
10 section 5319(c); and

11 “(v) \$914,100,000 for fiscal year
12 2031, of which—

13 “(I) \$466,191,000 to carry out
14 section 5319(b); and

15 “(II) \$447,909,000 to carry out
16 section 5319(c).

17 “(M) EMERGENCY RELIEF PROGRAM.—To
18 carry out section 5320—

19 “(i) \$25,000,000 for fiscal year 2027;

20 “(ii) \$25,000,000 for fiscal year 2028;

21 “(iii) \$25,000,000 for fiscal year
22 2029;

23 “(iv) \$25,000,000 for fiscal year
24 2030; and

25 “(v) \$25,000,000 for fiscal year 2031.

1 “(b) CAPITAL INVESTMENT GRANTS.—There is au-
2 thorized to be appropriated to the Secretary to carry out
3 section 5309 of this title—

4 “(1) \$3,000,000,000 for fiscal year 2027;

5 “(2) \$3,000,000,000 for fiscal year 2028;

6 “(3) \$3,000,000,000 for fiscal year 2029;

7 “(4) \$3,000,000,000 for fiscal year 2030; and

8 “(5) \$3,000,000,000 for fiscal year 2031.

9 “(c) OVERSIGHT.—

10 “(1) IN GENERAL.—Of the amounts made
11 available under subsection (a)(1) to carry out a fi-
12 nancial assistance program or a grant program ref-
13 erenced in subsection (a)(2) for a fiscal year, the
14 Secretary may use not more than 0.7 percent of
15 such amount in such fiscal year to conduct oversight
16 activities for each respective program and for sec-
17 tions 5308 and 5329, including the activities de-
18 scribed in paragraph (3).

19 “(2) ADDITIONAL OVERSIGHT.—

20 “(A) CIG PROGRAM.—Of the amounts
21 made available under subsection (b) for a fiscal
22 year, the Secretary may use not more than 1
23 percent of such amount in such fiscal year to
24 conduct oversight activities for the fixed guide-

1 way capital investment grants program, includ-
2 ing activities described in paragraph (3).

3 “(B) OTHER.—Of the amounts made
4 available under Section 601(f) of the Passenger
5 Rail Investment and Improvement Act of 2008
6 (Public Law 110–432; 122 Stat. 4970), the
7 Secretary may use not more than 1 percent in
8 a given fiscal year to conduct oversight activi-
9 ties, including the activities described in para-
10 graph (3).

11 “(3) ACTIVITIES.—The activities described in
12 this paragraph are as follows:

13 “(A) Activities to oversee the construction
14 of a major capital project.

15 “(B) Activities to review and audit the
16 safety and security, procurement, management,
17 and financial compliance of a recipient or sub-
18 recipient of funds under this chapter.

19 “(C) Activities to provide technical assist-
20 ance generally, and to provide technical assist-
21 ance to correct deficiencies identified in compli-
22 ance reviews and audits carried out under this
23 section.

24 “(D) Activities to carry out section 5305.

1 “(4) GOVERNMENT SHARE OF COSTS.—The
2 Government shall pay the entire cost of carrying out
3 a contract under this subsection.

4 “(5) AVAILABILITY OF CERTAIN FUNDS.—
5 Funds made available under paragraph (2) to con-
6 duct oversight activities related to the fixed guide-
7 way capital investment grants program shall be
8 made available to the Secretary before allocating the
9 funds appropriated to carry out any project under a
10 full funding grant agreement.

11 “(d) GRANTS AS CONTRACTUAL OBLIGATIONS.—

12 “(1) GRANTS FINANCED FROM HIGHWAY TRUST
13 FUND.—A grant or contract that is approved by the
14 Secretary and financed with amounts made available
15 from the Mass Transit Account of the Highway
16 Trust Fund pursuant to this section is a contractual
17 obligation of the Government to pay the Government
18 share of the cost of the project.

19 “(2) GRANTS FINANCED FROM GENERAL
20 FUND.—A grant or contract that is approved by the
21 Secretary and financed with amounts appropriated
22 in advance from the General Fund of the Treasury
23 pursuant to this section is a contractual obligation
24 of the Government to pay the Government share of
25 the cost of the project only to the extent that

1 amounts are appropriated for such purpose by an
2 Act of Congress.

3 “(e) AVAILABILITY OF AMOUNTS.—Amounts made
4 available by or appropriated under this section shall re-
5 main available until expended.”.

6 (c) TECHNICAL AMENDMENTS.—Chapter 53 of title
7 49, United States Code, is amended—

8 (1) in section 5302—

9 (A) in paragraph (5)(N) by striking
10 “5339(c)” and inserting “5317(e)”;

11 (B) in paragraph (6)(A)—

12 (i) by striking “5303 and 5304” and
13 inserting “5331 and 5332”; and

14 (ii) by striking “5336” and inserting
15 “5304”; and

16 (C) in paragraph (8)(A) by striking
17 “5334(c)” and inserting “5305(c)”;

18 (2) in section 5304—

19 (A) in subsection (b)(2)(E) by striking
20 “5337(b)(3)” and inserting “5316(b)(3)”;

21 (B) in subsection (d)(1) by striking
22 “5338(a)(2)(B)” and inserting
23 “5303(a)(2)(B)”;

24 (C) in subsection (h)—

1 (i) in the matter preceding paragraph
2 (1) by striking “5338(a)(2)(B)” and in-
3 serting “5303(a)(2)(B)”;

4 (ii) in paragraph (1)—

5 (I) by striking “5339(d)” and in-
6 serting “5317(d)”;

7 (II) by striking “5339(d)(2)(A)”
8 and inserting “5317(d)(2)(A)”;

9 (iii) in paragraph (5) by striking
10 “5329(e)(6)” and inserting “5352(e)(6)”;

11 (3) in section 5305—

12 (A) in subsection (b)(1) by striking
13 “5329” and inserting “5352”;

14 (B) in subsection (l)—

15 (i) in paragraph (1) by striking “gen-
16 eral purposes of this chapter under section
17 5301(b)” and inserting “purpose of this
18 chapter described in section 5301(a)”;

19 (ii) in paragraph (4)(B) by striking
20 “5306(a)” and inserting “5306(y)(1)”;

21 (4) in section 5306—

22 (A) in subsection (a)(1)(A) by striking
23 “sections 5303, 5304, and 5306” and inserting
24 “section 5331, section 5332, and subsection (y)
25 of this section”;

1 (B) in subsection (e)—

2 (i) in paragraph (1) by striking
3 “5337” and inserting “5316”; and

4 (ii) in paragraph (2) by striking
5 “5304” and inserting “5332”;

6 (C) in subsection (i)(1)(A)—

7 (i) by striking “5339(e)(2)” and in-
8 serting “5317(e)(2)”; and

9 (ii) by striking “5339 of this chapter”
10 and inserting “5317 of this chapter”;

11 (D) in subsection (n) by striking
12 “5336(d)(2)” and inserting “5304(d)(2)”;

13 (E) in subsection (o) by striking “5337”
14 and inserting “5316”;

15 (F) in subsection (t)(2) by striking “5336”
16 and inserting “5304”;

17 (G) in subsection (u)(4)(A) by striking
18 “5337” and inserting “5316”;

19 (H) in subsection (v)(3)(B) by striking
20 “5329” and inserting “5352”;

21 (I) in subsection (w)(6)—

22 (i) by striking “(49 U.S.C. 5325
23 note)” each place it appears; and

1 (ii) in subparagraph (A)(ii)(II) by
2 striking “5325(f)(3)” and inserting
3 “5306(z)(6)(C”;

4 (J) in subsection (y)—

5 (i) in paragraph (1) by striking
6 “5303, 5304, or 5305” and inserting
7 “5313, 5331, or 5332”; and

8 (ii) in paragraph (2) by striking
9 “5303–5305” and inserting “5313, 5331,
10 and 5332”; and

11 (K) in subsection (aa)—

12 (i) in paragraph (3) by striking
13 “5338(f)” and inserting “5303(c”;

14 (ii) in paragraph (4)(A) by striking
15 “5338(c)” and inserting “5303(c”;

16 (5) in section 5307—

17 (A) in subsection (b)(4) by striking
18 “5336” and inserting “5304”;

19 (B) in subsection (c)(1)—

20 (i) in subparagraph (E) by striking
21 “5323 and 5325” and inserting “5306 and
22 5306(z”;

23 (ii) in subparagraph (H) by striking
24 “5303 and 5304” and inserting “5331 and
25 5332”;

1 (iii) in subparagraph (J)—

2 (I) by striking “5336” and in-
3 serting “5304”; and

4 (II) by striking “5321” and in-
5 serting “5351”;

6 (iv) in subparagraph (K) by striking
7 “5336” and inserting “5304”; and

8 (v) in subparagraph (L) by striking
9 “5329(d)” and inserting “5352(d)”;

10 (C) in subsection (e)(2)(A) by striking
11 “5336” and inserting “5304”; and

12 (D) in subsection (f)(4)(A)(ii)(II) by strik-
13 ing “5303, 5304, and 5305” and inserting
14 “5313, 5331, and 5332”;

15 (6) in section 5308—

16 (A) in subsection (a)—

17 (i) by striking “5338(a)(2)” and in-
18 serting “5303(a)(2)”;

19 (ii) by striking “5310, 5311(c)(5),
20 5336, 5337, 5339(a), and 5340” and in-
21 serting “5304, 5310, 5311(c)(5), 5316,
22 5317(a), and 5319”;

23 (B) in subsection (b)(2)(D)(ii) by striking
24 “5337, 5339(a), and 5340” and inserting
25 “5316, 5317(a), and 5319”;

1 (C) in subsection (d)(2) by striking “5337,
2 5339, or 5340” and inserting “5316, 5317, or
3 5319”;

4 (D) in subsection (e)—

5 (i) paragraph (11)(B) by striking
6 “5339(c)(5)” and inserting “5317(e)(5)”;
7 and

8 (ii) paragraph (12) by striking “5337,
9 5339(a), and 5340” and inserting “5316,
10 5317(a), and 5319”; and

11 (E) in subsection (i)(3) by striking
12 “5323(i)” and inserting “5306(i)”;
13 (7) in section 5309—

14 (A) in subsection (c)(1)—

15 (i) in subparagraph (A) by striking
16 “5303 and 5304” and inserting “5331 and
17 5332”; and

18 (ii) in subparagraph (C) by striking
19 “5326(b)(2)(A)” and inserting
20 “5354(b)(2)(A)”;

21 (B) in subsection (d)(2)(A)(ii) by striking
22 “5303” and inserting “5331”;

23 (C) in subsection (e)(2)(A)(ii) by striking
24 “5303” and inserting “5331”;

1 (D) in subsection (g)(5)(C) by striking
2 “5334(k)” and inserting “5305(k)”;

3 (E) in subsection (h)(3)(A) by striking
4 “5303” and inserting “5331”;

5 (F) in subsection (i) by striking “5303(i)”
6 in each place it occurs and inserting “5331(i)”;

7 (G) in subsection (s)(1) by striking “5325”
8 and inserting “5306(z)”;

9 (H) in subsection (u)—

10 (i) in paragraph (3)(A)—

11 (I) in clause (i) by striking
12 “5303 and 5304” and inserting
13 “5331 and 5332”; and

14 (II) in clause (iii) by striking
15 “5306(a)” and inserting
16 “5306(y)(1)”;

17 (ii) in paragraph (12)—

18 (I) in subparagraph (B) by strik-
19 ing “5306(a)” and inserting
20 “5306(y)(1)”;

21 (II) in subparagraph (C) by
22 striking “5303 and 5304” and insert-
23 ing “5331 and 5332”;

24 (8) in section 5311—

25 (A) in subsection (b)—

1 (i) in paragraph (1)(A) by striking
2 “5305” and inserting “5313”; and

3 (ii) in paragraph (3)(B) by striking
4 “5338(a)(2)(D)” and inserting
5 “5303(a)(2)(D)”; and
6 (B) in subsection (c)—

7 (i) in paragraph (1)—

8 (I) in the matter preceding sub-
9 paragraph (A) by striking
10 “5338(a)(2)(D)” and inserting
11 “5303(a)(2)(D)”; and

12 (II) in subparagraph (D)—

13 (aa) by striking “5339(d)”
14 and inserting “5317(d)”; and

15 (bb) by striking
16 “5339(d)(2)(B)” and inserting
17 “5317(d)(2)(B)”; and

18 (ii) in paragraph (3)(C) by striking
19 “5338(a)(2)(D)” and inserting
20 “5303(a)(2)(D)”; and

21 (iii) in paragraph (5)(A) by striking
22 “5338(a)(2)(D)” and inserting
23 “5303(a)(2)(D)”; and

24 (9) in section 5312(i)(1) by striking “The
25 amounts made available under section

1 5338(a)(2)(G)(ii)” and inserting “The amounts
2 specified under 5303(a)(2)(E) for this subsection”;

3 (10) in section 5313—

4 (A) in subsection (b)—

5 (i) by striking “5338” and inserting
6 “5303”; and

7 (ii) by striking “5303, 5304, and
8 5306” and inserting “5331, 5332, and
9 5306(y)”;

10 (B) in subsection (c) by striking “5303
11 and 5306” in each place it occurs and inserting
12 “5331 and 5306(y)”;

13 (C) in subsection (d)(1)(A) by striking
14 “5304 and 5306” and inserting “5332 and
15 5306(y)”;

16 (D) in subsection (f) by striking
17 “5338(a)(2)(A)” and inserting
18 “5303(a)(2)(F)”;

19 (E) in subsection (h)(1) by striking “5303,
20 5304” and inserting “5331, 5332”;

21 (11) in section 5314—

22 (A) in subsection (a)(1)(B)—

23 (i) in clause (vii) by striking “5323(j)
24 and 5323(m)” and inserting “5306(j) and
25 5306(m)”;

1 (ii) in clause (viii) by striking
2 “5339(c)(1)” and inserting “5317(e)(5”;

3 (B) in subsection (c)(4)(A) by striking
4 “5337, and 5339” and inserting “5316, and
5 5317”; and

6 (C) in subsection (d) by striking
7 “5338(a)(2)(F)” and inserting
8 “5303(a)(2)(G”;
9 (12) in section 5316—

10 (A) in subsection (b)—

11 (i) in paragraph (1) by striking
12 “5338(a)(2)(K)” and inserting
13 “5303(a)(2)(I”;

14 (ii) in paragraph (2)(B) by striking
15 “5336(b)(1)” and inserting “5304(b)(1”;
16 and

17 (B) in subsection (c)(2) by striking
18 “5338(a)(2)(K)” and inserting
19 “5303(a)(2)(I”;

20 (13) in section 5317—

21 (A) in subsection (a)—

22 (i) in paragraph (4)—

23 (I) in the matter preceding sub-
24 paragraph (A) by striking

1 “5338(a)(2)(L)” and inserting
2 “5303(a)(2)(J)”; and
3 (II) in subparagraph (C)—
4 (aa) in clause (i) by striking
5 “5336(c)(1)(A)” and inserting
6 “5304(c)(1)(A)”;
7 (bb) in clause (ii) by striking
8 “5336(c)(1)(B)” and inserting
9 “5304(c)(1)(B)”; and
10 (cc) in clause (iii) by strik-
11 ing “5336(a)(1)” and inserting
12 “5304(a)(1)”;
13 (ii) in paragraph (5) by striking
14 “5336” and inserting “5304”; and
15 (iii) in paragraph (8) by striking “(49
16 U.S.C. 5325 note)”;
17 (B) in subsection (b)—
18 (i) in paragraph (5)(B) by striking
19 “5323(i)” and inserting “5306(i)”;
20 (ii) in paragraph (9)(B) by striking
21 “5325” and inserting “5306(z)”; and
22 (iii) in paragraph (10) by striking
23 “(49 U.S.C. 5325 note)”; and
24 (C) in subsection (d)—

- 1 (i) in paragraph (2)(A) by striking
2 “5336(h)(1)” and inserting “5304(h)(1)”;
3 and
4 (ii) in paragraph (6)(C)(i) by striking
5 “5336” and inserting “5304”;
6 (14) in section 5318(e)(1)(B)(ii) by striking
7 “5329(b)” and inserting “5352(b)”;
8 (15) in section 5319—
9 (A) in subsection (a) by striking
10 “5338(a)(2)(M)” and inserting
11 “5303(a)(2)(L)”;
12 (B) in subsection (b)(3) by striking
13 “5336” and inserting “5304”; and
14 (C) in subsection (c)(5) by striking “5336”
15 and inserting “5304”;
16 (16) in section 5331—
17 (A) in subsection (a)(2) by striking
18 “5304(d)” and inserting “5332(d)”;
19 (B) in subsection (b)—
20 (i) in the matter preceding paragraph
21 (1) by striking “5304” and inserting
22 “5332”; and
23 (ii) in paragraph (6) by striking
24 “5304(l)” and inserting “5332(l)”;

1 (C) in subsection (h)(2)(B)(ii) by striking
2 “5326(c) and 5329(d)” and inserting “5352(d)
3 and 5354(b)”;

4 (D) in subsection (p) by striking
5 “5305(g)” and inserting “5313(f)”;

6 (E) in subsection (s) by striking “5305(f)”
7 and inserting “5313(f)”;

8 (17) in section 5332—

9 (A) in subsection (a)—

10 (i) in paragraph (1) by striking
11 “5303, to accomplish the objectives stated
12 in section 5303(a),” and inserting “5331,
13 to accomplish the objectives stated in
14 5331(a),”; and

15 (ii) in paragraph (3) by striking
16 “5303(a)” and inserting “5331(a)”;

17 (B) in subsection (b)(1) by striking
18 “5303” and inserting “5331”;

19 (C) in subsection (d)(2)(B)(ii) by striking
20 “5326(c) and 5329(d)” and inserting “5352(d)
21 and 5354(b)”;

22 (D) in subsection (f)(2)(A) by striking
23 “5303” and inserting “5331”;

24 (E) in subsection (g) by striking “5303” in
25 each place it appears and inserting “5331”; and

1 (F) in subsection (i) by striking “5303”
2 each place it appears and inserting “5331”; and
3 (18) in section 5333(b) by striking “5307–
4 5312, 5316, 5318, 5323(a)(1), 5323(b), 5323(d),
5 5328, 5337, and 5338(b)” each place it appears and
6 inserting “5306(a)(1), 5306(b), 5306(d), 5307,
7 5308, 5309, 5310, 5311, 5312, 5316, and 5318”;
8 (19) in section 5352—
9 (A) in subsection (b)(2)(D) by striking
10 “5324(a)” and inserting “5320(a”;
11 (B) in subsection (d) by striking “5335” in
12 each place it occurs and inserting “5315”;
13 (C) in subsection (e)(6)(B)(i) by striking
14 “5336(h)” and inserting “5304(h”); and
15 (D) in subsection (h)(1) by striking
16 “5334(c)” and inserting “5305(c”.

17 **SEC. 3204. CONFORMING AMENDMENTS.**

18 (a) TITLE 10 CONFORMING AMENDMENT.—Section
19 2864(e)(2) of title 10, United States Code, is amended
20 by striking “section 5303(b)” and inserting “section
21 5331(b)”.

22 (b) TITLE 23 CONFORMING AMENDMENTS.—Title
23 23, United States Code, is amended—

1 (1) in section 108(d)(5)(A) by striking “sec-
2 tions 5303 and 5304” and inserting “sections 5331
3 and 5332”;

4 (2) in section 134—

5 (A) in subsection (h)(2)(B)(ii) by striking
6 “sections 5326(c) and 5329(d)” and inserting
7 “sections 5352(d) and 5354(b)”; and

8 (B) in subsection (p) by striking “section
9 5305(g)” and inserting “section 5313(f)”;

10 (3) in section 135—

11 (A) in subsection (d)(2)(B)(ii) by striking
12 “sections 5326(c) and 5329(d)” and inserting
13 “sections 5352(d) and 5354(b)”;

14 (B) in subsection (i) by striking “section
15 5305(g)” and inserting “section 5313(f)”; and

16 (C) in subsection (j) by striking “sections
17 5303 and 5304” in each instance and inserting
18 “sections 5331 and 5332”; and

19 (4) in section 327(a)(2)(B)(iv)(I) by striking
20 “section 5303 or 5304” and inserting “section 5331
21 or 5332”;

22 (c) TITLE 49 CONFORMING AMENDMENTS.—Section
23 24904(d)(2)(A) of title 49, United States Code, is amend-
24 ed by striking “section 5326(a)(3)” and inserting “section
25 5354(e)(3)”.

1 (d) LIMITATIONS ON CERTAIN FEDERAL ASSIST-
2 ANCE.—Section 176(c) of the Clean Air Act (42 U.S.C.
3 7506(c)) is amended—

4 (1) by striking “section 5303(i)” each place it
5 appears and inserting “section 5331(i)”; and

6 (2) in paragraph (9) by striking “section
7 5303(j)” and inserting “section 5331(j)”.

8 (e) GRANTS FOR CAPITAL IMPROVEMENTS TO PRE-
9 VENT CRIME IN PUBLIC TRANSPORTATION.—Section
10 40131(f) of the Violent Crime Control and Law Enforce-
11 ment Act of 1994 (34 U.S.C. 12301) is amended by strik-
12 ing “section 5321” and inserting “section 5351”.

13 (f) PRIORITIZATION PROCESS PILOT PROGRAM.—
14 Section 11204(c)(2) of the Surface Transportation Reau-
15 thorization Act of 2021 (23 U.S.C. 134 note) is amend-
16 ed—

17 (1) in subparagraph (A)—

18 (A) in clause (i) by striking “section
19 5303(i)” and inserting “section 5331(i)”;

20 (B) in clause (i)(I)(aa) by striking “section
21 5303(h)” and inserting “section 5331(h)”; and

22 (C) in clause (ii) by striking “section
23 5303(j)(2)(A)” and inserting “5331(j)(2)(A)”;

24 and

25 (2) in subparagraph (B)—

1 (A) in clause (i)(I)(aa) by striking “section
2 5304(d)” and inserting “section 5332(d)”; and
3 (B) in clause (ii) by striking “section
4 5304(g)” and inserting “section 5332(g)”.

5 (g) ADVANCED AIR MOBILITY INFRASTRUCTURE
6 PILOT PROGRAM.—Section 101(e)(5) of division Q of the
7 Consolidated Appropriations Act, 2023 (49 U.S.C. 40101
8 note) is amended by striking “section 5303(b)” and in-
9 serting “section 5331(b)”.

10 **TITLE IV—HIGHWAY SAFETY**

11 **SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—The following amounts are au-
13 thorized to be appropriated out of the Highway Trust
14 Fund (other than the Mass Transit Account):

15 (1) HIGHWAY SAFETY PROGRAMS.—To carry
16 out section 402 of title 23, United States Code—

17 (A) \$777,000,000 for fiscal year 2027;

18 (B) \$792,500,000 for fiscal year 2028;

19 (C) \$808,000,000 for fiscal year 2029;

20 (D) \$825,000,000 for fiscal year 2030;

21 and

22 (E) \$842,400,000 for fiscal year 2031.

23 (2) HIGHWAY SAFETY RESEARCH AND DEVEL-
24 OPMENT.—To carry out section 403 of title 23,
25 United States Code—

- 1 (A) \$211,000,000 for fiscal year 2027;
2 (B) \$219,300,000 for fiscal year 2028;
3 (C) \$225,600,000 for fiscal year 2029;
4 (D) \$229,000,000 for fiscal year 2030;
5 and
6 (E) \$233,500,000 for fiscal year 2031.

7 (3) HIGH-VISIBILITY ENFORCEMENT PRO-
8 GRAM.—To carry out section 404 of title 23, United
9 States Code—

- 10 (A) \$50,000,000 for fiscal year 2027;
11 (B) \$51,000,000 for fiscal year 2028;
12 (C) \$52,000,000 for fiscal year 2029;
13 (D) \$53,400,000 for fiscal year 2030; and
14 (E) \$54,300,000 for fiscal year 2031.

15 (4) ADMINISTRATIVE EXPENSES.—For adminis-
16 trative and related operating expenses of the Na-
17 tional Highway Traffic Safety Administration in car-
18 rying out chapter 4 of title 23, United States Code,
19 and this title—

- 20 (A) \$40,200,000 for fiscal year 2027;
21 (B) \$41,200,000 for fiscal year 2028;
22 (C) \$42,200,000 for fiscal year 2029;
23 (D) \$43,200,000 for fiscal year 2030; and
24 (E) \$44,200,000 for fiscal year 2031.

1 (5) NATIONAL DRIVER REGISTER.—For the Na-
2 tional Highway Traffic Safety Administration to
3 carry out chapter 303 of title 49, United States
4 Code—

5 (A) \$7,800,000 for fiscal year 2027;

6 (B) \$8,000,000 for fiscal year 2028;

7 (C) \$8,200,000 for fiscal year 2029;

8 (D) \$8,400,000 for fiscal year 2030; and

9 (E) \$8,600,000 for fiscal year 2031.

10 (b) PROHIBITION ON OTHER USES.—Except as oth-
11 erwise provided in chapter 4 of title 23, United States
12 Code, and chapter 303 of title 49, United States Code,
13 the amounts made available under subsection (a) or any
14 other provision of law from the Highway Trust Fund
15 (other than the Mass Transit Account) for a program
16 under such chapters—

17 (1) shall only be used to carry out such pro-
18 gram; and

19 (2) may not be used by a State or local govern-
20 ment for construction purposes.

21 (c) APPLICABILITY OF TITLE 23.—Except as other-
22 wise provided in chapter 4 of title 23, United States Code,
23 and chapter 303 of title 49, United States Code, the
24 amounts made available under subsection (a) for fiscal
25 years 2027 through 2031 shall be available for obligation

1 in the same manner as if such amounts were apportioned
2 under chapter 1 of title 23, United States Code.

3 **SEC. 4002. CONSOLIDATION AND ENHANCEMENT OF HIGH-**
4 **WAY SAFETY PROGRAMS.**

5 (a) IN GENERAL.—Section 402 of title 23, United
6 States Code, is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by redesignating clause (i) as sub-
10 paragraph (A) (and adjusting the margins
11 accordingly);

12 (ii) in subparagraph (A), as so redes-
13 ignated, by redesignating subclauses (I)
14 and (II) as clauses (i) and (ii), respec-
15 tively;

16 (iii) by redesignating clauses (ii)
17 through (iv) as subparagraphs (C) through
18 (E), respectively (and adjusting the mar-
19 gins accordingly);

20 (iv) by inserting after subparagraph
21 (A), as so redesignated, the following:

22 “(B) addresses national priority safety ini-
23 tiatives;”;

24 (v) in subparagraph (C), as so redes-
25 ignated—

1 (I) by redesignating subclauses
2 (I) and (II) as clauses (i) and (ii), re-
3 spectively;

4 (II) in clause (i), as so redesign-
5 nated, by striking “subsection (k)”
6 and inserting “subsection (l)”; and

7 (III) in clause (ii), as so redesign-
8 nated, by striking “subsection (l)”
9 and inserting “subsection (m)”; and
10 (vi) in subparagraph (D), as so redesi-
11 gnated, by striking “subsection (b)(1)”
12 and inserting “subsection (c)(1)”; and

13 (B) in paragraph (2)—

14 (i) in subparagraph (A)—

15 (I) in clause (i) by inserting “,
16 including law enforcement costs relat-
17 ing to enforcing State laws on posted
18 speed limits” after “posted speed lim-
19 its”;

20 (II) in clause (vi) by inserting
21 “and traffic incidents in school zones”
22 after “buses”;

23 (III) by redesignating clauses (x)
24 through (xiv) as clauses (xi) through
25 (xv), respectively;

1 (IV) by inserting after clause (ix)
2 the following:

3 “(x) to increase driver awareness of
4 work zone safety to prevent crashes and
5 reduce injuries and fatalities;”;

6 (V) in clause (xiv), as so redesign-
7 nated, by striking “; and” and insert-
8 ing a semicolon;

9 (VI) in clause (xv), as so redesign-
10 nated, by striking “vehicle loads” and
11 inserting “vehicle loads, prevent im-
12 proper and unsafe use of light-duty
13 and medium-duty trailers, and edu-
14 cate the public about required trailer
15 safety equipment and preventative
16 maintenance”; and

17 (VII) by adding at the end the
18 following:

19 “(xvi) to purchase and deploy digital
20 alert technology that—

21 “(I) is capable of receiving alerts
22 regarding nearby first responders; and

23 “(II) in the case of a motor vehi-
24 cle that is used for emergency re-
25 sponse activities, is capable of sending

1 alerts to civilian drivers to protect
2 first responders on the scene and en
3 route;

4 “(xvii) to educate the public regarding
5 the safety of vehicles and individuals
6 stopped at the roadside in the State
7 through public information campaigns for
8 the purpose of reducing roadside deaths
9 and injury;

10 “(xviii) to cover law enforcement costs
11 relating to enforcing State laws to protect
12 the safety of vehicles and individuals
13 stopped at the roadside;

14 “(xix) to cover costs associated with
15 developing and implementing a program to
16 train law enforcement on facilitating safe
17 traffic stops utilizing standards established
18 by a State Police Officer Standards and
19 Training Board or a similar association;

20 “(xx) to cover costs associated with
21 developing and implementing a program to
22 improve interactions between a law en-
23 forcement officer and a motor vehicle oper-
24 ator who has a speech-related disability
25 that may affect communication during a

1 traffic stop, including autism spectrum dis-
2 order, commonly referred to as a ‘blue en-
3 velope program’;

4 “(xxi) to identify, collect, and report
5 to State and local government agencies
6 data relating to crashes involving vehicles
7 and individuals stopped at the roadside;
8 and

9 “(xxii) to pilot and incentivize meas-
10 ures, including optical visibility measures,
11 to increase the visibility of stopped and
12 disabled vehicles;”;

13 (ii) in subparagraph (B)(i) by insert-
14 ing “including education on a driver’s re-
15 sponsibilities and rights during a traffic
16 stop” after “driver education”;

17 (iii) by redesignating subparagraphs
18 (D) and (E) as subparagraphs (E) and
19 (F), respectively; and

20 (iv) by inserting after subparagraph
21 (C) the following:

22 “(D) improve State safety data systems,
23 including through—

24 “(i) software or applications to iden-
25 tify, collect, and report data to State and

1 local government agencies, and enter data
2 into State core highway safety databases,
3 including crash, citation or adjudication,
4 driver, emergency medical services or in-
5 jury surveillance system, roadway, and ve-
6 hicle data;

7 “(ii) purchasing equipment to improve
8 a process by which data are identified, col-
9 lated, and reported to State and local gov-
10 ernment agencies, including technology for
11 use by law enforcement for near-real time,
12 electronic reporting of crash data;

13 “(iii) improving the compatibility and
14 interoperability of the core highway safety
15 databases of the State with national data
16 systems and data systems of other States,
17 including the National EMS Information
18 System;

19 “(iv) enhancing the ability of a State
20 and the Secretary to observe and analyze
21 local, State, and national trends in crash
22 occurrences, rates, outcomes, and cir-
23 cumstances;

24 “(v) supporting traffic records im-
25 provement training and expenditures for

1 law enforcement, emergency medical, judi-
2 cial, prosecutorial, and traffic records pro-
3 fessionals;

4 “(vi) hiring traffic records profes-
5 sionals for the purpose of improving traffic
6 information systems (including a State
7 Fatal Accident Reporting System (FAR)
8 liaison);

9 “(vii) adoption of the Model Minimum
10 Uniform Crash Criteria, or providing to
11 the public information regarding why any
12 of those criteria will not be used, if appli-
13 cable;

14 “(viii) supporting reporting criteria
15 relating to emerging topics, including—

16 “(I) impaired driving as a result
17 of drug, alcohol, or polysubstance con-
18 sumption; and

19 “(II) advanced technologies
20 present on motor vehicles; and

21 “(ix) conducting research relating to
22 State traffic safety information systems,
23 including developing programs to improve
24 core highway safety databases and proc-
25 esses by which data are identified, col-

1 lected, reported to State and local govern-
2 ment agencies, and entered into State core
3 safety databases;”;

4 (2) by redesignating subsections (b) through (o)
5 as subsections (c) through (p), respectively;

6 (3) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) NATIONAL PRIORITY SAFETY INITIATIVES.—

9 “(1) IN GENERAL.—Each State that meets the
10 relevant fatality rate threshold shall have a highway
11 safety program that addresses national priority safe-
12 ty initiatives.

13 “(2) FLEXIBILITY.—Funds not required to be
14 expended by a State in accordance with any provi-
15 sion of this subsection may be used by a State for
16 any eligible activity under this subsection or sub-
17 section (a).

18 “(3) REQUIREMENTS.—In carrying out a high-
19 way safety program required under subsection (a), a
20 State shall adhere to the following requirements:

21 “(A) OCCUPANT PROTECTION.—

22 “(i) IN GENERAL.—In any case in
23 which a State has an average occupant
24 protection fatality rate that is greater than
25 75 percent of the national average, such

1 State shall expend not less than 6 percent
2 of the funds provided under this section to
3 implement occupant protection programs
4 to reduce highway deaths and injuries re-
5 sulting from individuals riding unre-
6 strained in motor vehicles.

7 “(ii) ELIGIBLE ACTIVITIES.—Funds
8 required to be expended in accordance with
9 this subparagraph may be used to—

10 “(I) carry out a program to sup-
11 port high-visibility enforcement mobi-
12 lizations, including paid media that
13 emphasizes publicity for the program,
14 and law enforcement;

15 “(II) carry out a program to
16 train occupant protection safety pro-
17 fessionals, police officers, fire and
18 other first responders, emergency
19 medical personnel, educators, parents,
20 and caregivers concerning all aspects
21 of the use of child restraints and oc-
22 cupant protection;

23 “(III) carry out a program to
24 educate the public concerning the
25 proper use and installation of child re-

1 strains, including related equipment
2 and information systems;

3 “(IV) carry out a program to
4 provide community child passenger
5 safety services, including programs
6 about proper seating positions for
7 children and how to reduce the im-
8 proper use of child restraints;

9 “(V) implement programs—

10 “(aa) to recruit and train
11 nationally certified child pas-
12 senger safety technicians among
13 police officers, fire and other first
14 responders, emergency medical
15 personnel, and other individuals
16 or organizations serving low-in-
17 come and underserved popu-
18 lations;

19 “(bb) to educate parents
20 and caregivers in low-income and
21 underserved populations regard-
22 ing the importance of proper use
23 and correct installation of child
24 restraints on every trip in a
25 motor vehicle; and

1 “(cc) to purchase and dis-
2 tribute child restraints to low-in-
3 come and underserved popu-
4 lations;

5 “(VI) establish and maintain in-
6 formation systems containing data
7 concerning occupant protection, in-
8 cluding the collection and administra-
9 tion of child passenger safety and oc-
10 cupant protection surveys; and

11 “(VII) cover law enforcement
12 costs related to the enforcement of oc-
13 cupant protection laws.

14 “(iii) DEFINITIONS.—In this subpara-
15 graph:

16 “(I) AVERAGE OCCUPANT PRO-
17 TECTION FATALITY RATE.—The term
18 ‘average occupant protection fatality
19 rate’ means the number of motor ve-
20 hicle crash fatalities in a State that
21 involve unrestrained individuals per
22 every 100,000,000 vehicle miles trav-
23 eled in the State, based on the aver-
24 age of the most recently reported 3

1 calendar years of final data from the
2 Fatality Analysis Reporting System.

3 “(II) CHILD RESTRAINT.—The
4 term ‘child restraint’ means any de-
5 vice (including child safety seat,
6 booster seat, harness, and excepting
7 seat belts) that is—

8 “(aa) designed for use in a
9 motor vehicle to restrain, seat, or
10 position a child who weighs 65
11 pounds (30 kilograms) or less;
12 and

13 “(bb) certified to comply
14 with the Federal Motor Vehicle
15 Safety Standard Number 213,
16 contained in section 571.213 of
17 title 49, Code of Federal Regula-
18 tions, or any succeeding stand-
19 ard.

20 “(III) SEAT BELT.—The term
21 ‘seat belt’ means—

22 “(aa) with respect to open-
23 body motor vehicles, including
24 convertibles, an occupant re-
25 straint system consisting of a lap

1 belt or a lap belt and a detach-
2 able shoulder belt; and

3 “(bb) with respect to other
4 motor vehicles, an occupant re-
5 straint system consisting of inte-
6 grated lap and shoulder belts.

7 “(B) IMPAIRED DRIVING COUNTER-
8 MEASURES.—

9 “(i) IN GENERAL.—In any case in
10 which a State has an average impaired
11 driving fatality rate that is greater than 75
12 percent of the national average, such State
13 shall expend not less than 26 percent of
14 the funds provided under this section to
15 implement programs to reduce driving
16 under the influence of alcohol, drugs, or a
17 combination of alcohol and drugs.

18 “(ii) ADDITIONAL REQUIREMENT.—In
19 any case in which a State that is required
20 to expend funds pursuant to clause (i) does
21 not have a repeat intoxicated driver law
22 (as such law is described in section
23 164(a)(5)(A)(ii)), the Secretary shall apply
24 clause (i) by substituting “30 percent” for
25 “26 percent”.

1 “(iii) ELIGIBLE ACTIVITIES.—Funds
2 required to be expended in accordance with
3 this subparagraph may be used by a State
4 for—

5 “(I) high-visibility enforcement
6 efforts;

7 “(II) hiring a full-time or part-
8 time impaired driving coordinator of
9 the activities of the State to address
10 the enforcement and adjudication of
11 laws regarding driving while impaired
12 by alcohol, drugs, or a combination of
13 alcohol and drugs;

14 “(III) court support of impaired
15 driving prevention efforts, including—

16 “(aa) hiring criminal justice
17 professionals, including law en-
18 forcement officers, prosecutors,
19 traffic safety resource prosecu-
20 tors, judges, judicial outreach li-
21 aisons, and probation officers;

22 “(bb) training and education
23 of the professionals in subclause
24 (I) to assist such professionals in
25 preventing impaired driving and

1 handling impaired driving cases,
2 including by providing compensa-
3 tion to a law enforcement officer
4 to carry out safety grant activi-
5 ties to replace a law enforcement
6 officer who is receiving drug rec-
7 ognition expert training or par-
8 ticipating as an instructor in
9 such drug recognition expert
10 training; and

11 “(cc) establishing driving
12 while intoxicated courts;

13 “(IV) alcohol ignition interlock
14 programs;

15 “(V) improving blood alcohol and
16 drug concentration screening and test-
17 ing, detection of potentially impairing
18 drugs (including through the use of
19 oral fluid as a specimen), and report-
20 ing relating to testing and detection;

21 “(VI) media in support of high-
22 visibility enforcement efforts, con-
23 ducting initial and continuing stand-
24 ardized field sobriety training, ad-
25 vanced roadside impaired driving eval-

1 uation training, law enforcement phle-
2 botomy training, and drug recognition
3 expert training for law enforcement,
4 and equipment and related expendi-
5 tures used in connection with im-
6 paired driving enforcement in accord-
7 ance with criteria established by the
8 National Highway Traffic Safety Ad-
9 ministration;

10 “(VII) training on the use of al-
11 cohol and drug screening and brief
12 intervention;

13 “(VIII) training for and imple-
14 mentation of impaired driving assess-
15 ment programs or other tools designed
16 to increase the probability of identi-
17 fying the recidivism risk of a person
18 convicted of driving under the influ-
19 ence of alcohol, drugs, or a combina-
20 tion of alcohol and drugs and to de-
21 termine the most effective mental
22 health or substance abuse treatment
23 or sanction that will reduce such risk;

24 “(IX) developing impaired driv-
25 ing information systems;

1 “(X) costs associated with a 24–
2 7 sobriety program;

3 “(XI) testing and implementing
4 programs, and purchasing tech-
5 nologies, to better identify, monitor,
6 or treat impaired drivers, including—

7 “(aa) oral fluid screening
8 technologies;

9 “(bb) electronic warrant
10 programs;

11 “(cc) equipment to increase
12 the scope, quantity, quality, and
13 timeliness of forensic toxicology
14 chemical testing;

15 “(dd) case management
16 software to support the manage-
17 ment of impaired driving offend-
18 ers; and

19 “(ee) technology to monitor
20 impaired-driving offenders, and
21 equipment and related expendi-
22 tures used in connection with im-
23 paired-driving enforcement in ac-
24 cordance with criteria established

1 by the National Highway Traffic
2 Safety Administration;

3 “(XII) increasing the timely and
4 accurate reporting to Federal, State,
5 and local databases of—

6 “(aa) crash information, in-
7 cluding electronic crash reporting
8 systems that allow accurate real-
9 or near-real-time uploading of
10 crash information; and

11 “(bb) impaired driving
12 criminal justice information;

13 “(XIII) researching and evalu-
14 ating impaired driving counter-
15 measures; and

16 “(XIV) funding law enforcement
17 costs related to the enforcement of
18 impaired driving laws, including law
19 enforcement costs associated with en-
20 forcing the legal limit for blood alco-
21 hol concentration while driving.

22 “(iv) DEFINITIONS.—In this subpara-
23 graph:

24 “(I) 24–7 SOBRIETY PROGRAM.—
25 The term ‘24–7 sobriety program’

1 means a State law or program that
2 authorizes a State or local court or an
3 agency with jurisdiction, as a condi-
4 tion of bond, sentence, probation, pa-
5 role, or work permit, to—

6 “(aa) require an individual
7 who was arrested for, plead
8 guilty to, or was convicted of
9 driving under the influence of al-
10 cohol or drugs to totally abstain
11 from alcohol or drugs for a pe-
12 riod of time; and

13 “(bb) require the individual
14 to be subject to testing for alco-
15 hol or drugs—

16 “(AA) at least twice per
17 day at a testing location;

18 “(BB) by continuous
19 transdermal alcohol moni-
20 toring via an electronic mon-
21 itoring device; or

22 “(CC) by an alternate
23 method with the concurrence
24 of the Secretary.

1 “(II) AVERAGE IMPAIRED DRIV-
2 ING FATALITY RATE.—The term ‘av-
3 erage impaired driving fatality rate’
4 means the number of motor vehicle
5 crash fatalities in a State that involve
6 a driver with a blood alcohol con-
7 centration of at least 0.08 percent per
8 every 100,000,000 vehicle miles trav-
9 eled in the State, based on the aver-
10 age of the most recently reported 3
11 calendar years of final data from the
12 Fatality Analysis Reporting System.

13 “(C) DISTRACTED DRIVING.—

14 “(i) IN GENERAL.—Each State shall
15 expend not less than 4 percent of the
16 funds provided under this section to imple-
17 ment effective programs to reduce the
18 prevalence of distracted driving.

19 “(ii) ELIGIBLE ACTIVITIES.—Funds
20 required to be expended in accordance with
21 this subparagraph may be used—

22 “(I) to educate the public
23 through advertising containing infor-
24 mation about the dangers of texting
25 or using a cell phone while driving;

1 “(II) for traffic signs that notify
2 drivers about the distracted driving
3 law of the State; and

4 “(III) for law enforcement costs
5 related to the enforcement of the dis-
6 tracted driving law.

7 “(D) MOTORCYCLIST SAFETY.—

8 “(i) IN GENERAL.—In any case in
9 which a State has an average motorcyclist
10 fatality rate that is greater than 75 per-
11 cent of the national average, such State
12 shall expend not less than 0.7 percent of
13 the funds provided under this section to
14 implement programs to improve motorcy-
15 clist safety.

16 “(ii) ELIGIBLE ACTIVITIES.—Funds
17 required to be expended in accordance with
18 this subparagraph may be used only for
19 motorcyclist safety training and motorcy-
20 clist awareness programs, including—

21 “(I) improvements to motorcy-
22 clist safety training curricula;

23 “(II) improvements in program
24 delivery of motorcyclist training to

1 both urban and rural areas, includ-
2 ing—

3 “(aa) procurement or repair
4 of practice motorcycles;

5 “(bb) instructional mate-
6 rials;

7 “(cc) mobile training units;
8 and

9 “(dd) leasing or purchasing
10 facilities for closed-course motor-
11 cyclist skill training;

12 “(III) measures designed to in-
13 crease the recruitment or retention of
14 motorcyclist safety training instruc-
15 tors;

16 “(IV) public awareness, public
17 service announcements, and other out-
18 reach programs to enhance driver
19 awareness of motorcyclists, including
20 ‘share-the-road’ safety messages; and

21 “(V) law enforcement costs re-
22 lated to the enforcement of motorcy-
23 clist safety laws.

24 “(iii) DEFINITIONS.—In this subpara-
25 graph:

1 “(I) AVERAGE MOTORCYCLIST
2 FATALITY RATE.—The term ‘average
3 motorcyclist fatality rate’ means the
4 number of motor vehicle crash fatali-
5 ties in a State that involve a motor-
6 cycle per 100,000 registered motor-
7 cycles by State, based on the average
8 of the most recently reported 3 cal-
9 endar years of final data from the Fa-
10 tality Analysis Reporting System.

11 “(II) MOTORCYCLIST AWARE-
12 NESS.—The term ‘motorcyclist aware-
13 ness’ means individual or collective
14 awareness of—

15 “(aa) the presence of motor-
16 cyclists on or near roadways; and

17 “(bb) safe driving practices
18 to avoid injury to motorcyclists.

19 “(III) MOTORCYCLIST AWARE-
20 NESS PROGRAM.—The term ‘motorcy-
21 clist awareness program’ means an in-
22 formational or public awareness pro-
23 gram designed to enhance motorcy-
24 clist awareness that is developed by or
25 in coordination with the designated

1 State authority having jurisdiction
2 over motorcyclist safety issues, which
3 may include the State motorcycle
4 safety administrator or a motorcycle
5 advisory council appointed by the
6 Governor of the State.

7 “(IV) MOTORCYCLIST SAFETY
8 TRAINING.—The term ‘motorcyclist
9 safety training’ means a formal pro-
10 gram of instruction that is approved
11 for use in a State by the designated
12 State authority having jurisdiction
13 over motorcyclist safety issues, which
14 may include the State motorcycle
15 safety administrator or a motorcycle
16 advisory council appointed by the
17 Governor of the State.

18 “(E) NONMOTORIST SAFETY.—

19 “(i) IN GENERAL.—In any case in
20 which the annual combined nonmotorist fa-
21 talities in a State exceed 15 percent of the
22 total annual crash fatalities in the State,
23 based on the most recently reported final
24 data from the Fatality Analysis Reporting
25 System, such State shall expend not less

1 than 3 percent of the funds provided under
2 this section to implement programs to im-
3 prove the safety of nonmotorists.

4 “(ii) ELIGIBLE ACTIVITIES.—Funds
5 required to be expended in accordance with
6 this subparagraph may be used for —

7 “(I) training of law enforcement
8 officials relating to—

9 “(aa) nonmotorist safety;

10 “(bb) State laws applicable
11 to nonmotorist safety; and

12 “(cc) infrastructure designed
13 to improve nonmotorist safety;

14 “(II) carrying out a program to
15 support enforcement mobilizations
16 and campaigns designed to enforce
17 State traffic laws applicable to non-
18 motorist safety;

19 “(III) public education and
20 awareness programs designed to in-
21 form motorists and nonmotorists re-
22 garding—

23 “(aa) nonmotorist safety, in-
24 cluding information relating to
25 nonmotorist mobility and the im-

1 portance of speed management
2 for the safety of nonmotorists;

3 “(bb) the value of the use of
4 nonmotorist safety equipment, in-
5 cluding lighting, conspicuity
6 equipment, mirrors, helmets, and
7 other protective equipment, and
8 compliance with any State or
9 local laws requiring the use of
10 such equipment;

11 “(cc) State traffic laws ap-
12 plicable to nonmotorist safety, in-
13 cluding the responsibilities of mo-
14 torists with respect to nonmotor-
15 ists;

16 “(dd) the safety of vehicles
17 and nonmotorists stopped at the
18 roadside;

19 “(ee) infrastructure designed
20 to improve nonmotorist safety;
21 and

22 “(ff) safe navigation through
23 work zones;

24 “(IV) the collection of data, and
25 the establishment and maintenance of

1 data systems, relating to nonmotorist
2 traffic fatalities;

3 “(V) preventing roadside death
4 and injury from crashes involving
5 motor vehicles striking other vehicles
6 and individuals stopped at the road-
7 side through the purchase and deploy-
8 ment of digital alert technology, in-
9 cluding hardware purchases, installa-
10 tions, and software subscriptions;

11 “(VI) nonmotorist safety with re-
12 spect to emerging micromobility tech-
13 nology issues; and

14 “(VII) providing on-bicycle edu-
15 cation to elementary school and sec-
16 ondary school students.

17 “(iii) NONMOTORIST DEFINED.—In
18 this subparagraph, the term ‘nonmotorist’
19 means—

20 “(I) a pedestrian, including a
21 roadway worker;

22 “(II) an individual using a bicy-
23 cle or other cycle solely propelled by
24 human power, and those than can be

1 propelled by human power and by
2 motor;

3 “(III) an individual using a de-
4 vice designed for low-speed transpor-
5 tation, personal mobility assistance, or
6 recreation, which can be motorized
7 and human-powered, but not propelled
8 by pedaling; and

9 “(IV) other nonoccupant road
10 users.

11 “(F) SPEEDING.—

12 “(i) IN GENERAL.—In any case in
13 which a State has an average speeding fa-
14 tality rate that is greater than 75 percent
15 of the national average fatality rate, such
16 State shall expend not less than 6.3 per-
17 cent of the funds provided under this sec-
18 tion to implement programs to reduce the
19 prevalence of speeding.

20 “(ii) ELIGIBLE ACTIVITIES.—Funds
21 required to be expended in accordance with
22 this subparagraph may be used by a State
23 for—

24 “(I) high-visibility enforcement
25 efforts;

1 “(II) educating the public
2 through advertising containing infor-
3 mation about the dangers of speeding;

4 “(III) funding law enforcement
5 costs related to the enforcement of
6 posted speed limits;

7 “(IV) purchasing and deploying
8 dynamic speed displays and feedback
9 signs that inform motorists about the
10 speed of their vehicle; and

11 “(V) costs associated with updat-
12 ing roadway signage to reflect the
13 speed limit.

14 “(iii) PROHIBITION.—A State may
15 not use funds required to be expended in
16 accordance with this subparagraph to pur-
17 chase or deploy automated traffic enforce-
18 ment systems that are operated outside of
19 a school zone or work zone.

20 “(iv) AVERAGE SPEEDING FATALITY
21 RATE DEFINED.—In this subparagraph,
22 the term ‘average speeding fatality rate’
23 means the number of motor vehicle crash
24 fatalities in a State that involve speeding
25 per every 100,000,000 vehicle miles trav-

1 eled in the State, based on the average of
2 the most recently reported 3 calendar
3 years of final data from the Fatality Anal-
4 ysis Reporting System.”;

5 (4) in subsection (c), as so redesignated—

6 (A) in paragraph (1)—

7 (i) by redesignating subparagraphs
8 (C) through (F) as subparagraphs (D)
9 through (G), respectively;

10 (ii) by inserting after subparagraph
11 (B) the following:

12 “(C) provide for a statewide plan to reduce
13 driving under the influence of alcohol, drugs, or
14 the combination of alcohol and drugs;”;

15 (iii) in subparagraph (D), as so redesi-
16 gnated, by striking “40 percent” and in-
17 serting “20 percent”; and

18 (iv) in subparagraph (G)(ii), as so re-
19 designated, by inserting “distracted driv-
20 ing,” after “impaired driving,”; and

21 (B) by inserting after paragraph (2) the
22 following:

23 “(3) TECHNICAL ASSISTANCE.—

24 “(A) IN GENERAL.—The Secretary shall
25 provide technical assistance to States and local

1 governments with respect to improving the
2 timeliness, accuracy, completeness, uniformity,
3 integration, and public accessibility of State
4 safety data that is needed to identify priorities
5 for highway traffic safety programs, includ-
6 ing—

7 “(i) tracking and analyzing the role of
8 drugs in serious injury and fatal traffic
9 crashes;

10 “(ii) aligning a State’s data collection
11 system with the Model Minimum Uniform
12 Crash Criteria;

13 “(iii) assisting local governments in
14 accessing and integrating State safety data
15 into transportation planning; and

16 “(iv) reporting override crashes.

17 “(B) UNDERRIDE CRASH DEFINED.—In
18 this paragraph, the term ‘override crash’
19 means—

20 “(i) a crash in which a trailer,
21 semitrailer, or single unit truck intrudes
22 into the passenger compartment of a pas-
23 senger motor vehicle; or

24 “(ii) a crash in which a vulnerable
25 road user (as the term is defined in section

1 148(a)), slides under a trailer, semitrailer,
2 or single unit truck.”;

3 (5) in subsection (d), as so redesignated—

4 (A) in paragraph (2)(C)(ii) by striking “2
5 percent” and inserting “1 percent”; and

6 (B) in paragraph (4)(A) by striking “para-
7 graph” and inserting “section”;

8 (6) in subsection (m), as so redesignated—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A)(ii) by insert-
11 ing “including addressing national priority
12 safety initiatives, if applicable” after
13 “under this subsection”; and

14 (ii) in subparagraph (C)—

15 (I) by redesignating clauses (ii)
16 through (iv) as clauses (iii) through
17 (v), respectively;

18 (II) by inserting after clause (i)
19 the following:

20 “(ii) for each national priority safety
21 initiative, a comparison of a State’s
22 achieved safety level with the national av-
23 erage fatality rate and the Secretary’s de-
24 termination of whether a State shall be

1 subject to a minimum expenditure required
2 under subsection (b);” and

3 (III) in clause (iii), as so redesign-
4 nated, by inserting “including projects
5 and subrecipients that address na-
6 tional priority safety initiatives, if ap-
7 plicable,” after “upcoming grant
8 year”; and

9 (B) in paragraph (2)(A) by inserting “and
10 addressing national priority safety initiatives, if
11 applicable” after “of the State”;

12 (7) in subsection (n)(2)(B), as so redesign-
13 nated—

14 (A) in clause (ix)—

15 (i) by striking “increase” and insert-
16 ing “increasing”; and

17 (ii) by striking “and” at the end;

18 (B) by redesignating clause (x) as clause
19 (xi); and

20 (C) by inserting after clause (ix) the fol-
21 lowing:

22 “(x) increasing teen driver awareness
23 of work zone safety to prevent crashes and
24 reduce injuries and fatalities; and”; and

1 (8) in subsection (o), as so redesignated, by
2 adding at the end the following:

3 “(3) PUBLIC DASHBOARD.—In carrying out
4 paragraph (1), the Secretary shall make publicly
5 available in an easily identifiable location on the
6 website of the Department of Transportation a dash-
7 board that displays the following information by fis-
8 cal year:

9 “(A) A detailed analysis of the projects
10 funded by each State in carrying out programs
11 pursuant to subsection (a)(2)(A).

12 “(B) A detailed analysis of the projects
13 funded by each State in administering State
14 highway safety programs pursuant to sub-
15 section (b).

16 “(C) A detailed analysis of the projects
17 funded nationwide under subsections (a)(2)(A)
18 and (b), respectively.

19 “(D) Each State’s safety performance tar-
20 gets in each of the preceding 10 years.

21 “(E) Each State’s achieved safety level for
22 each performance measure in each of the pre-
23 ceding 10 years.

24 “(F) Each State’s annual activity measure
25 targets in each of the preceding 10 years.

1 “(G) Each State’s achieved activity level
2 for each activity measure in each of the pre-
3 ceding 10 years.”.

4 (b) NATIONAL PRIORITY SAFETY PROGRAMS.—

5 (1) REPEAL.—Section 405 of title 23, United
6 States Code, and the item relating to such section
7 in the analysis for chapter 4 of such title are re-
8 pealed.

9 (2) CONFORMING AMENDMENTS.—

10 (A) MINIMUM PENALTIES FOR REPEAT OF-
11 FENDERS FOR DRIVING WHILE INTOXICATED
12 OR DRIVING UNDER THE INFLUENCE.—Section
13 164(a)(1) of title 23, United States Code, is
14 amended by striking “section 405(d)(7)(A)”
15 and inserting “section 402(b)(3)(iv)(I)”.

16 (B) HIGH-VISIBILITY ENFORCEMENT PRO-
17 GRAM.—Section 404(d)(1) of title 23, United
18 States Code, is amended by striking “sections
19 402 and 405” and inserting “section 402”.

20 (C) GENERAL REQUIREMENTS FOR FED-
21 ERAL ASSISTANCE.—Section 406(a) of title 23,
22 United States Code, is amended by striking
23 “section 402 or 405” and inserting “section
24 402”.

1 (D) NATIONAL PRIORITY SAFETY PROGRAM
2 GRANT ELIGIBILITY.—Section 4010 of the
3 FAST Act (129 Stat. 1511) is repealed.

4 (c) REVIEW OF CONSOLIDATION.—

5 (1) IN GENERAL.—Not later than 4 years after
6 the date of enactment of this Act, the Comptroller
7 General shall conduct a study to assess the efficacy
8 and roadway safety impact of combining the High-
9 way Safety and National Priority Safety grant pro-
10 grams.

11 (2) REPORT.—Not later than 4 years after the
12 date of enactment of this Act, the Comptroller Gen-
13 eral shall submit to the Committee on Commerce,
14 Science, and Transportation of the Senate and the
15 Committee on Transportation and Infrastructure of
16 the House of Representatives a report on the results
17 of the study conducted under paragraph (1), includ-
18 ing—

19 (A) a recommendation on if the Highway
20 Safety and National Priority Safety grant pro-
21 grams should remain consolidated;

22 (B) an assessment of whether the grant
23 consolidation described in paragraph (1) coin-
24 cides with a reduction in roadway crashes,
25 deaths, and injuries; and

1 (C) recommendations to improve the trans-
2 parency and efficacy of the Highway Safety
3 Grant program under section 402 of title 23,
4 United States Code.

5 **SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOP-**
6 **MENT.**

7 (a) IN GENERAL.—Section 403 of title 23, United
8 States Code, is amended—

9 (1) in subsection (b)(1)—

10 (A) in subparagraph (F) by striking “(E)”
11 and inserting “(F)”;

12 (B) by redesignating subparagraphs (E)
13 and (F) as subparagraphs (F) and (G), respec-
14 tively; and

15 (C) by inserting after subparagraph (D)
16 the following:

17 “(E) digital infrastructure technologies de-
18 signed to improve roadway safety and prevent
19 crashes;”;

20 (2) by striking subsection (h)(5) and inserting
21 the following:

22 “(5) REPORT.—Not later than 1 year after the
23 date of enactment of the BUILD America 250 Act,
24 the Administrator shall submit to the Committee on
25 Transportation and Infrastructure of the House of

1 Representatives, the Committee on Science, Space,
2 and Technology of the House of Representatives,
3 and the Committee on Commerce, Science, and
4 Transportation of the Senate, a report on the ac-
5 tions taken by—

6 “(A) the Administrator in carrying out the
7 collaborative research effort described in para-
8 graph (2) to transfer the research findings and
9 technology developed under this subsection to
10 the automotive manufacturing industry; and

11 “(B) the National Highway Traffic Safety
12 Administration and the automotive manufac-
13 turing industry to deploy the research findings
14 and technology developed under this subsection
15 in consumer-ready vehicles.”;

16 (3) by redesignating subsections (i) through
17 (m) as subsections (k), (l), (m), (n), and (o), respec-
18 tively;

19 (4) by inserting after subsection (h) the fol-
20 lowing:

21 “(i) MARIJUANA AND POLYSUBSTANCE IMPAIRMENT
22 RESEARCH.—

23 “(1) IN GENERAL.—The Secretary shall carry
24 out, in coordination with heads of relevant Federal
25 agencies, a collaborative research effort to—

1 “(A) study the effect that marijuana and
2 polysubstance impairment has on driving;

3 “(B) analyze measures to detect and re-
4 duce incidences of driving under the influence
5 of marijuana or polysubstance use, utilizing—

6 “(i) law enforcement training;

7 “(ii) roadside testing technologies;

8 “(iii) toxicology labs; and

9 “(iv) education campaigns; and

10 “(C) propose evidence-based impairment
11 standards for marijuana or polysubstance use.

12 “(2) REPORTS.—The Secretary shall submit to
13 the Committee on Transportation and Infrastructure
14 of the House of Representatives, the Committee on
15 Science, Space, and Technology of the House of
16 Representatives, and the Committee on Commerce,
17 Science, and Transportation of the Senate an annual
18 report that—

19 “(A) describes the progress made in car-
20 rying out the collaborative research effort; and

21 “(B) includes an accounting for the use of
22 Federal funds obligated or expended in carrying
23 out such effort.

24 “(3) POLYSUBSTANCE DEFINED.—In this sub-
25 section, the term ‘polysubstance’ means consumption

1 by an individual of 2 or more potentially impairing
2 substances simultaneously, or within a short period,
3 including—

4 “(A) alcohol;

5 “(B) marijuana;

6 “(C) prescription medications;

7 “(D) over-the-counter medications; or

8 “(E) illicit drugs.

9 “(j) NATIONAL DRUG INVOLVED CRASH DATA COL-
10 LECTION SYSTEM.—

11 “(1) ESTABLISHMENT.—The Secretary shall es-
12 tablish a national drug involved crash data collection
13 system (in this subsection referred to as the ‘sys-
14 tem’) to—

15 “(A) collect standardized toxicology data
16 from States for fatal and serious injury crashes;

17 “(B) link crash data with medical, coroner,
18 hospital, and emergency medical services
19 records; and

20 “(C) provide model protocols for specimen
21 collection, testing, and reporting.

22 “(2) GRANT AUTHORITY.—In establishing the
23 system, the Secretary may award grants to States
24 to—

25 “(A) pilot enhanced data collection; and

1 “(B) support toxicology labs, specimen col-
2 lection, training, data systems, and data link-
3 age.

4 “(3) PRIVACY PROTECTIONS.—Any data made
5 available to the public pursuant to this subsection
6 shall be deidentified before such data is made avail-
7 able to the public and used in compliance with Fed-
8 eral and State privacy laws, including the Health In-
9 surance Portability and Accountability Act of 1996
10 (Public Law 104–191), as applicable.

11 “(4) REPORT.—The Secretary shall—

12 “(A) analyze trends, substance types, and
13 geographic patterns collected under the system;

14 “(B) submit to the Committee on Trans-
15 portation and Infrastructure of the House of
16 Representatives, the Committee on Science,
17 Space, and Technology of the House of Rep-
18 resentatives, and the Committee on Commerce,
19 Science, and Transportation of the Senate an
20 annual report for each of fiscal years 2027
21 through 2031 on the results of the analysis
22 under subparagraph (A); and

23 “(C) make such report publicly available.

1 “(5) FUNDING.—To carry out this subsection,
2 the Secretary shall obligate from funds made avail-
3 able to carry out this section—

4 “(A) \$20,000,000 for fiscal year 2027;

5 “(B) \$21,000,000 for fiscal year 2028;

6 “(C) \$22,000,000 for fiscal year 2029;

7 “(D) \$23,000,000 for fiscal year 2030;

8 and

9 “(E) \$24,000,000 for fiscal year 2031.”;

10 (5) in subsection (n), as so redesignated—

11 (A) in paragraph (2)(B)(ii)(I) by inserting
12 “via mail or electronically” after “that motor
13 vehicle”; and

14 (B) in paragraph (4)(A) by striking “fiscal
15 years 2022 through 2026” and inserting “fiscal
16 years 2027 through 2031”; and

17 (6) in subsection (o)(1), as so redesignated, by
18 striking “, other than traffic enforcement,” and in-
19 serting “including such countermeasures used in co-
20 ordination with traffic enforcement”.

21 (b) IMPAIRED DRIVING TECHNOLOGY INDUSTRY
22 ROUNDTABLE.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of enactment of this Act, the Sec-
25 retary shall host an industry roundtable to discuss—

1 (A) the latest innovations in in-vehicle
2 technology to prevent alcohol-impaired driving;

3 (B) the efforts of the Department to trans-
4 fer the research findings and technology devel-
5 oped under section 403(h)(2) of title 23, United
6 States Code, to the automotive manufacturing
7 industry; and

8 (C) the plans of the Department to edu-
9 cate consumers about the technology.

10 (2) ATTENDEES.—In hosting the roundtable
11 described under this subsection, the Secretary shall
12 invite—

13 (A) representatives of the automotive man-
14 ufacturing industry;

15 (B) representatives of automotive suppliers
16 of vehicle impairment prevention technology;

17 (C) highway safety researchers;

18 (D) victims and survivors of impaired driv-
19 ing crashes;

20 (E) representatives of the vehicle insurance
21 industry;

22 (F) representatives of the alcohol industry;
23 and

24 (G) representatives of anti-impaired driv-
25 ing advocacy organizations.

1 (3) CONSIDERATION.—In carrying out the re-
2 port under section 403(h)(5) of title 23, United
3 States Code (as amended by this Act), the Secretary
4 shall consider the findings of the roundtable hosted
5 under this subsection.

6 (c) BRIEFING.—Not later than 15 days after the sub-
7 mission of the report required under section 403(h)(5) of
8 title 23, United States Code (as amended by this Act),
9 the Secretary shall brief the Committees on Transpor-
10 tation and Infrastructure and Science, Space, and Tech-
11 nology of the House of Representatives and the Committee
12 on Commerce, Science, and Transportation of the Senate
13 on the contents of the report.

14 (d) IMPLEMENTATION TIMELINE.—

15 (1) MODEL PROTOCOLS.—Not later than 1 year
16 after the date of enactment of this Act, the Sec-
17 retary shall publish the model protocols required
18 pursuant to section 403(j)(1)(C) of title 23, United
19 States Code (as amended by this Act).

20 (2) SUBMISSION OF DATA.—Not later than 3
21 years after the date of enactment of this Act, the
22 Secretary shall ensure that the system established
23 under subsection (j) of section 403 of title 23,
24 United States Code (as amended by this Act), has
25 begun collecting standardized toxicology data from

1 States for fatal and serious injury crashes pursuant
2 to paragraph (1)(A) of such subsection.

3 **SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.**

4 (a) IN GENERAL.—Section 404 of title 23, United
5 States Code, is amended—

6 (1) in subsection (a) by striking “2022 through
7 2026” and inserting “2027 through 2031”;

8 (2) in subsection (b) by adding at the end the
9 following:

10 “(3) Reduce motor vehicle speeding in excess of
11 the posted speed limit.”;

12 (3) by redesignating subsection (f) as sub-
13 section (i); and

14 (4) by inserting after subsection (e) the fol-
15 lowing:

16 “(f) SCHOOL BUS SAFETY CAMPAIGN.—

17 “(1) IN GENERAL.—The Secretary shall estab-
18 lish and implement a public safety messaging cam-
19 paign that uses public safety media messages, post-
20 ers, digital media messages, and other media mes-
21 sages distributed to States, State departments of
22 motor vehicles, schools, and other public outlets to—

23 “(A) highlight the importance of address-
24 ing the illegal passing of school buses; and

1 “(B) educate students and the public re-
2 garding the safe loading and unloading of
3 school buses.

4 “(2) CONSULTATION.—In carrying out para-
5 graph (1), the Secretary shall consult with—

6 “(A) representatives of the school bus in-
7 dustry from the public and private sectors;

8 “(B) State highway safety offices; and

9 “(C) any other stakeholder determined ap-
10 propriate by the Secretary.

11 “(3) REQUIREMENTS.—In producing and dis-
12 tributing the national public safety messaging cam-
13 paign under paragraph (1), the Secretary shall—

14 “(A) include television advertising and ad-
15 vertising time on key national broadcasts with
16 a wide audience as part of the campaign;

17 “(B) include radio, social media, and edge
18 service advertising as part of the campaign; and

19 “(C) ensure that the campaign is not lim-
20 ited to digital downloads or regional distribu-
21 tion.

22 “(4) UPDATES.—The Secretary shall periodi-
23 cally update the materials used in the campaign
24 under paragraph (1).

1 “(5) ADVERTISING.—The Secretary may use, or
2 authorize the use of, funds made available to carry
3 out this section to pay for the development, produc-
4 tion, and use of broadcast and print media adver-
5 tising and internet-based outreach for the education
6 campaign under paragraph (1).

7 “(g) CAR SEAT SAFETY CAMPAIGN.—

8 “(1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of the BUILD America 250
10 Act, the Secretary of Transportation shall carry out
11 an education campaign on the dangers associated
12 with noncompliant or counterfeit child restraint sys-
13 tems, including—

14 “(A) information on car seats and booster
15 seats that do not meet Federal safety standards
16 under sections 571.213 and 571.213b of title
17 49, Code of Federal Regulations, or any suc-
18 cessor regulations; and

19 “(B) methods for identifying and avoiding
20 such systems.

21 “(2) ADVERTISING.—The Secretary may use, or
22 authorize the use of, funds made available to carry
23 out this section to pay for the development, produc-
24 tion, and use of broadcast, print, and digital adver-

1 tising and outreach for the education campaign
2 under paragraph (1).

3 “(3) COORDINATION.—In carrying out the edu-
4 cation campaign under paragraph (1), the Secretary
5 shall coordinate with—

6 “(A) interested State and local govern-
7 ments;

8 “(B) private industry; and

9 “(C) other parties, as determined by the
10 Secretary.

11 “(h) TRAFFIC SAFETY ENFORCEMENT CENTER OF
12 EXCELLENCE.—

13 “(1) ESTABLISHMENT.—Not later than 2 years
14 after the date of enactment of the BUILD America
15 250 Act, the Secretary shall establish, in coordina-
16 tion with relevant Federal agencies, a Traffic Safety
17 Enforcement Center of Excellence (referred to in
18 this subsection as the ‘Center’).

19 “(2) PURPOSE.—The purpose of the Center
20 shall be to provide technical assistance to State
21 highway safety offices and law enforcement agencies
22 on maximizing efficient and effective traffic safety
23 enforcement of hazardous driving behaviors to re-
24 duce fatalities and injuries on public roads.

1 “(3) PARTNERSHIPS.—In establishing the Cen-
2 ter, the Secretary shall enter into appropriate part-
3 nerships with any institution of higher education (as
4 defined in section 101 of the Higher Education Act
5 of 1965 (20 U.S.C. 1001)) or public or private re-
6 search entity.

7 “(4) DUTIES.—The duties of the Center shall
8 include—

9 “(A) providing State highway safety offices
10 and law enforcement agencies with expertise,
11 tools, and support relating to traffic safety en-
12 forcement;

13 “(B) promoting evidence-based strategies
14 and best practice protocols for enforcement
15 against hazardous driving, including targeted,
16 cost-effective drunk-driving patrols, alcohol- and
17 drug-impaired driving, speeding, and distracted
18 driving enforcement, and coordinated traffic
19 safety campaigns proven to reduce roadway fa-
20 talities and injuries;

21 “(C) assisting State highway safety offices
22 and law enforcement agencies with—

23 “(i) using real-time data systems to
24 identify high-crash corridors and target en-
25 forcement resources in the most efficient

1 manner, including by delivering standard-
2 ized training;

3 “(ii) assessing current enforcement
4 practices and identifying gaps in enforce-
5 ment; and

6 “(iii) leveraging programs under sec-
7 tion 402 by providing technical assistance
8 on program development and outcome
9 measurement tools;

10 “(D) assessing and demonstrating new
11 roadside technologies, data-driven deployment
12 models, and enforcement strategies, and shar-
13 ing the results of such assessments and dem-
14 onstrations to increase adoption of effective
15 tools; and

16 “(E) collaborating with, and providing sup-
17 port on, traffic safety enforcement to all oper-
18 ating administrations of the Department.

19 “(5) FUNDING.—The Secretary shall obligate
20 from funds made available to carry out this section
21 for fiscal years 2027 through 2031 not more than
22 \$5,000,000 to establish the Center.”.

23 (b) REPORT ON STAFFING NEEDS.—Not later than
24 90 days after the date of enactment of this Act, the Sec-
25 retary shall report to the Committee on Transportation

1 and Infrastructure of the House of Representatives and
2 the Committee of Commerce, Science, and Transportation
3 of the Senate on staffing needs and the staffing plan for
4 the Traffic Safety Enforcement Center of Excellence es-
5 tablished under section 404(h) of title 23, United States
6 Code (as added by this section), including a plan to ap-
7 point detailees from relevant modal operating administra-
8 tions to support the staff of such Center of Excellence.

9 (c) CONFORMING AMENDMENT.—Section 24110 of
10 the Infrastructure Investment and Jobs Act (23 U.S.C.
11 402 note) is amended by striking subsection (b).

12 **SEC. 4005. PROTECTION OF SAFETY DATA.**

13 Section 407 of title 23, United States Code, is
14 amended—

15 (1) by striking “compiled or collected” and in-
16 serting “that are compiled, collected, or provided by
17 a unit of State or local government”;

18 (2) by inserting “or for the purpose of devel-
19 oping and implementing a State strategic highway
20 safety plan (as such term is defined in section
21 148(a))” after “crossings”;

22 (3) by inserting “134, 135,” before “144,”; and

23 (4) by striking “developing any highway” and
24 inserting “developing or planning for any highway”.

1 **SEC. 4006. ANNUAL REPORTING REQUIREMENTS.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date of enactment of this Act, the Secretary shall review
4 the implementation of section 1300.35(b) of title 23, Code
5 of Federal Regulations, to ensure the administrative bur-
6 den is appropriate relative to the amount of Federal fund-
7 ing provided.

8 (b) BRIEFING.—Not later than 1 year after the date
9 of enactment of this Act, the Secretary shall brief the
10 Committee on Transportation and Infrastructure of the
11 House of Representatives and the Committee on Com-
12 merce, Science, and Transportation of the Senate on the
13 review conducted under subsection (a).

14 (c) SAVINGS CLAUSE.—Nothing in subsection (a)
15 shall be construed to direct the Secretary to change the
16 substance of the reporting requirements in section
17 1300.35(b) of title 23, Code of Federal Regulations.

18 **SEC. 4007. COORDINATION OF FEDERAL HIGHWAY AND**
19 **TRAFFIC SAFETY PROGRAMS.**

20 (a) IMPROVED ALIGNMENT OF PROGRAM REQUIRE-
21 MENTS AND TIMELINES.—The Secretary shall, in coordi-
22 nation with State departments of transportation and State
23 highway safety offices, take such actions, consistent with
24 statute, to enhance roadway safety through improving co-
25 ordination and data sharing between—

1 (1) the Highway Safety Improvement Program
2 under section 148 of title 23, United States Code;

3 (2) the highway safety grant programs adminis-
4 tered by the National Highway Traffic Safety Ad-
5 ministration under section 402 of title 23, United
6 States Code; and

7 (3) the Highway Performance Monitoring Sys-
8 tem.

9 (b) REQUIREMENTS.—In carrying out subsection (a),
10 the Secretary shall—

11 (1) promote a unified, data-driven approach to
12 the reduction and elimination of traffic fatalities and
13 serious injuries;

14 (2) better align Federal program requirements,
15 planning cycles, and reporting timelines to reduce
16 administrative burden on States;

17 (3) increase flexibility for States to achieve ap-
18 proved State Strategic Highway Safety Plans and
19 Highway Safety Plans performance targets; and

20 (4) ensure that data collection, analysis, and re-
21 porting requirements meaningfully contribute to
22 safety outcomes.

23 (c) ACTIONS TO REDUCE ADMINISTRATIVE BUR-
24 DEN.—In carrying out this section, the Secretary shall—

1 (1) evaluate and revise administrative and re-
2 porting requirements under the programs described
3 in subsection (a) to ensure that such requirements—

4 (A) meaningfully contribute to safety out-
5 comes; and

6 (B) appropriately use Federal funds.

7 (2) conduct an objective analysis, in consulta-
8 tion with State departments of transportation and
9 State highway safety offices, of the cost estimates
10 and burden impacts of planning, coordination, and
11 public engagement requirements, including such re-
12 quirements related to data collection, Federal inter-
13 agency coordination, and target setting, and update
14 such cost estimates based on actual State experi-
15 ences;

16 (3) review and revise, as appropriate, perform-
17 ance target-setting and compliance procedures con-
18 sistent with the statutory requirement for States to
19 establish safety performance targets; and

20 (4) ensure the protection of data, analyses, re-
21 ports, and related materials submitted by States
22 pursuant to section 148(h) of title 23, United States
23 Code, from legal discovery or use in liability pro-
24 ceedings, to the maximum extent permitted under
25 Federal law.

1 (d) REPORT TO CONGRESS.—Not later than 1 year
2 after the date of enactment of this Act, the Secretary shall
3 submit to the Committee on Transportation and Infra-
4 structure of the House of Representatives, the Committee
5 on Environment and Public Works of the Senate, and the
6 Committee on Commerce, Science, and Transportation of
7 the Senate a summary report of the findings under sub-
8 section (c).

9 (e) SAVINGS CLAUSE.—Nothing in this section shall
10 be construed to direct the Secretary to alter or amend the
11 content of the performance targets associated with any of
12 the programs described in subsection (a).

13 **SEC. 4008. HIGHWAY SAFETY PROGRAM EFFECTIVENESS**
14 **TRANSPORTATION RULEMAKING COM-**
15 **MITTEE.**

16 (a) ESTABLISHMENT.—Not later than 2 years after
17 the date of enactment of this Act, the Secretary shall es-
18 tablish a transportation rulemaking committee, and des-
19 ignate such committee pursuant to section 102(k) of title
20 49, United States Code, to—

21 (1) analyze the efficiency and effectiveness of
22 the administration of highway safety grants under
23 chapter 4 of title 23, United States Code; and

24 (2) recommend regulatory changes to promote a
25 unified, data-driven approach to the reduction and

1 elimination of traffic fatalities and serious injuries
2 under part 1200 of title 23, Code of Federal Regula-
3 tions.

4 (b) MEMBERSHIP.—The transportation rulemaking
5 committee established under subsection (a) shall consist
6 of the following members appointed by the Secretary:

7 (1) Traffic safety industry professionals.

8 (2) Representatives from up to 4 State highway
9 safety offices from different geographic regions.

10 (3) Roadway safety advocates, including—

11 (A) at least 1 representative of an anti-im-
12 paired driving advocacy organization;

13 (B) at least 1 representative of a general
14 roadway safety advocacy organization;

15 (C) at least 1 representative of a non-
16 motorized safety advocacy organization; and

17 (D) at least 1 representative of a motorcy-
18 clist safety advocacy organization.

19 (4) At least 1 representative of a State law en-
20 forcement organization.

21 (5) At least 1 member of local government or
22 a local government advocacy organization.

23 (c) REPORT.—Not later than 1 year after the date
24 on which the transportation rulemaking committee under
25 subsection (a) is established, the transportation rule-

1 making committee shall submit to the Secretary a report
2 detailing the findings and recommendations developed
3 under subsection (a), including recommendations to—

4 (1) streamline review and approval procedures
5 of State highway safety plans under subpart B of
6 part 1200 of title 23, Code of Federal Regulations;
7 and

8 (2) reduce the administrative resources nec-
9 essary for compliance with grant requirements under
10 subpart D of such part.

11 (d) RECOMMENDATIONS.—Not later than 90 days
12 after the date on which the Secretary receives the report
13 under subsection (c), the Secretary shall submit to the
14 Committee on Transportation and Infrastructure of the
15 House of Representatives and the Committee on Com-
16 merce, Science, and Transportation of the Senate—

17 (1) a summary of the findings and rec-
18 ommendations under the report, including—

19 (A) if applicable, any dissenting positions
20 on the findings and the rationale for each posi-
21 tion; and

22 (B) any disagreements with the rec-
23 ommendations, including the rationale for each
24 disagreement and the reasons for the disagree-
25 ment; and

1 (2) for each recommendation—

2 (A) the Secretary intends to implement, a
3 description of the implementation plan of the
4 Secretary and timeline for implementation; and

5 (B) the Secretary does not intend to imple-
6 ment, an explanation as to why the Secretary
7 does not intend to implement such rec-
8 ommendation.

9 **SEC. 4009. ESTABLISHMENT OF ROADWAY WORKER PRO-**
10 **TECTION INTERAGENCY WORKING GROUP.**

11 (a) **ESTABLISHMENT.**—Not later than 1 year after
12 the date of enactment of this Act, the Secretary shall es-
13 tablish or designate an interagency working group to make
14 recommendations regarding the protection of roadway
15 workers.

16 (b) **MEMBERSHIP.**—The interagency working group
17 under subsection (a) shall be comprised of representatives
18 from—

19 (1) the Federal Highway Administration;

20 (2) the National Highway Traffic Safety Ad-
21 ministration;

22 (3) the Occupational Safety and Health Admin-
23 istration; and

24 (4) such other Federal agencies as the Sec-
25 retary determines appropriate.

1 (c) DUTIES.—The interagency working group under
2 subsection (a) shall—

3 (1) review and analyze any limitations regard-
4 ing data collection for fatal and non-fatal motor ve-
5 hicle crashes in work zones; and

6 (2) provide recommendations to—

7 (A) address any limitations in data collec-
8 tion identified under paragraph (1);

9 (B) increase the use and effectiveness of
10 work zone safety contingency funds;

11 (C) encourage local adoption of the Model
12 Minimum Uniform Crash Criteria;

13 (D) improve local data sharing on work
14 zone crashes with the National Highway Traffic
15 Safety Administration; and

16 (E) update educational materials and pub-
17 lic awareness campaigns to improve work zone
18 safety.

19 (d) CONSULTATION.—In conducting the activities
20 under subsection (c), the interagency working group shall
21 consult with—

22 (1) State transportation officials;

23 (2) non-governmental entities, including—

24 (A) roadway contractors;

25 (B) roadway pavers;

1 (C) roadway engineers;

2 (D) representatives from labor organiza-
3 tions representing transportation workers; and

4 (E) traffic safety industry professionals;

5 and

6 (3) any other stakeholders the Secretary deter-
7 mines appropriate.

8 (e) REPORT.—Not later than 1 year after the date
9 on which the interagency working group is established
10 under subsection (a), the interagency working group shall
11 submit to the Secretary a report on the recommendations
12 of the working group based on the identification and anal-
13 ysis under subsection (c).

14 (f) RECOMMENDATIONS.—Not later than 90 days
15 after the date on which the Secretary receives the report
16 under subsection (d), the Secretary shall submit to the
17 Committee on Transportation and Infrastructure of the
18 House of Representatives, the Committee on Commerce,
19 Science, and Transportation of the Senate, and the Com-
20 mittee on Environment and Public Works of the Senate—

21 (1) a summary of the findings and rec-
22 ommendations under the report; and

23 (2) for each recommendation—

1 (A) the Secretary intends to implement, a
2 description of the implementation plan of the
3 Secretary and timeline for implementation; and

4 (B) the Secretary does not intend to imple-
5 ment, an explanation as to why the Secretary
6 does not intend to implement such rec-
7 ommendation.

8 (g) TERMINATION.—The interagency working group
9 under subsection (a) shall terminate on the date that is
10 180 days after the date on which the Secretary receives
11 the report under subsection (e).

12 **SEC. 4010. MOTORCYCLE ADVISORY COUNCIL.**

13 Section 355(e) of title 49, United States Code, is
14 amended to read as follows:

15 “(e) SUNSET.—The Council shall terminate on Octo-
16 ber 1, 2031.”.

17 **SEC. 4011. MOTORCYCLE CHECKPOINT FUNDING.**

18 Section 4007 of the FAST Act (23 U.S.C. 153 note)
19 is amended—

20 (1) in paragraph (1) by striking “or” at the
21 end;

22 (2) in paragraph (2) by striking the period at
23 the end and inserting “; or”; and

24 (3) by adding at the end the following new
25 paragraph:

1 “(3) that otherwise profiles and stops motor-
2 cycle operators or motorcycle passengers solely on
3 the basis of the mode of transportation of such oper-
4 ators or passengers.”.

5 **SEC. 4012. PULSATING LIGHT SYSTEMS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Secretary shall convene
8 a transportation rulemaking committee, and designate
9 such committee pursuant to section 102(k) of title 49,
10 United States Code, to consider—

11 (1) whether pulsating light systems are compli-
12 ant with Federal Motor Vehicle Safety Standard
13 Number 108, contained in section 571.108 of title
14 49, Code of Federal Regulations; and

15 (2) if there is sufficient evidence to demonstrate
16 pulsating light systems reduce traffic crashes and
17 associated deaths and injuries resulting from traffic
18 crashes.

19 (b) MEMBERSHIP.—The transportation rulemaking
20 committee established under subsection (a) shall consist
21 of members appointed by the Secretary, including—

22 (1) automotive industry professionals;
23 (2) experts in human distraction and attention;
24 (3) experts in vehicle technology safety;
25 (4) highway safety professionals; and

1 (5) other stakeholders the Secretary determines
2 appropriate.

3 (c) REPORT.—Not later than 1 year after the date
4 on which the transportation rulemaking committee under
5 subsection (a) is established, the transportation rule-
6 making committee shall submit to the Secretary a report
7 detailing the findings and recommendations developed
8 under subsection (a), including a determination on if
9 changes to Federal Motor Vehicle Safety Standard 108
10 are warranted and, if so determined, recommendations for
11 such changes.

12 (d) RECOMMENDATIONS.—Not later than 90 days
13 after the date on which the Secretary receives the report
14 under subsection (c), the Secretary shall submit to the
15 Committee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on Com-
17 merce, Science, and Transportation of the Senate—

18 (1) a summary of the findings and rec-
19 ommendations under the report; and

20 (2) for each recommendation—

21 (A) the Secretary intends to implement, a
22 description of the implementation plan of the
23 Secretary and timeline for implementation; and

24 (B) the Secretary does not intend to imple-
25 ment, an explanation as to why the Secretary

1 does not intend to implement such rec-
2 ommendation.

3 (e) PULSATING LIGHT SYSTEM DEFINED.—In this
4 section, the term “pulsating light system” means a system
5 for a high-mounted stop lamp in which—

6 (1) when the brake of the vehicle is applied, the
7 lamp pulses rapidly not more than 4 times and for
8 not more than 1.2 seconds, after which such lamp
9 converts to a continuous light as a normal stop lamp
10 until the time such brake is released; and

11 (2) the pulses described in paragraph (1) do
12 not repeat upon a subsequent application of the
13 brake of the vehicle for a lock-out period of at least
14 5 seconds after the release of the brake described in
15 paragraph (1).

16 **SEC. 4013. MINIMALLY OBSTRUCTED FORWARD-FACING**
17 **VIEW IN MOTORCOACHES.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of enactment of this Act, the Secretary, acting
20 through the Administrator of the National Highway Traf-
21 fic Safety Administration, shall prescribe motor vehicle
22 safety standards to require that all new covered
23 motorcoaches manufactured for sale in the United States
24 have a minimally obstructed forward-facing view from the
25 driver’s seat of the covered motorcoach.

1 (b) EXCEPTION.—In prescribing motor vehicle safety
2 standards under subsection (a), the Secretary, acting
3 through the Administrator of the National Highway Traf-
4 fic Safety Administration, shall ensure that a covered mo-
5 torcoach satisfies such standards if the covered motor-
6 coach utilizes a camera or other technological means—

7 (1) to allow for a minimally obstructed forward-
8 facing view from the driver’s seat of the covered mo-
9 torcoach that expands the range of the forward-fac-
10 ing view of the driver or provides a view of an ob-
11 structed area; and

12 (2) that complies with Standard 101.

13 (c) DEFINITIONS.—In this section:

14 (1) COVERED MOTORCOACH.—The term “cov-
15 ered motorcoach” has the meaning given the term
16 “bus” in section 571.3(b) of title 49, Code of Fed-
17 eral Regulations.

18 (2) STANDARD 101.—The term “Standard 101”
19 means Federal Motor Vehicle Safety Standard Num-
20 ber 101, contained in section 571.101 of title 49,
21 Code of Federal Regulations.

22 **SEC. 4014. REVISION OF STUDENT SAFETY GUIDELINES.**

23 (a) IN GENERAL.—Not later than 1 year after the
24 date of enactment of this Act, the Secretary shall revise
25 the Highway Safety Program Guideline Number 14 to en-

1 courage nonmotorist safety education for elementary and
2 secondary school students. In revising the guidelines, the
3 Secretary shall ensure that such guidelines—

4 (1) encourage on-bicycle training that promotes
5 bicycling skills and safe practices;

6 (2) increase awareness and proficiency in navi-
7 gating roadways;

8 (3) emphasize traffic rules;

9 (4) describe safety precautions; and

10 (5) emphasize the importance of helmet use.

11 (b) CONSULTATION AND DISSEMINATION.—In car-
12 rying out the revision under subsection (a), the Secretary
13 shall—

14 (1) consult with practitioners involved in non-
15 motorist safety education efforts to update any exist-
16 ing nonmotorist safety materials and curriculum for
17 elementary and secondary schools; and

18 (2) disseminate new model curriculum and
19 guidelines on nonmotorist safety education for ele-
20 mentary and secondary school students to State edu-
21 cational agencies.

22 (c) REPORT REQUIRED.—Not later than 2 years
23 after the Secretary revises guidelines under subsection (a),
24 the Secretary shall submit to the Committee on Transpor-
25 tation and Infrastructure of the House of Representatives

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate a report on—

3 (1) the status of implementation of the updated
4 guidelines described in subsection (a), including—

5 (A) any materials and curriculum revised
6 under this section; and

7 (B) a process for tracking implementation;

8 (2) consultation efforts to revise such guidelines
9 and related materials; and

10 (3) efforts to disseminate the guidance to State
11 educational agencies, including training efforts and
12 promotion, including opportunities for States to
13 share implementation challenges and successes.

14 **SEC. 4015. MICROMOBILITY SAFETY.**

15 (a) STUDY.—Not later than 2 years after the date
16 of enactment of this Act, the Secretary shall conduct a
17 study on the safety of micromobility transportation devices
18 and technology, with a focus on children and young adults.

19 (b) CONSIDERATIONS.—In conducting the study
20 under paragraph (1), the Secretary shall consider the fol-
21 lowing:

22 (1) Relevant crash data, including the micro-
23 mobility transportation device and technology type
24 and speed involved in a crash, the type of infrastruc-

1 ture on which a crash occurred, and, if vehicles were
2 involved in such crashes, the speed of such vehicles.

3 (2) State laws that may govern operator age,
4 helmet use, insurance, or registration requirements.

5 (3) How different micromobility transportation
6 devices and technologies impact safety, including—

7 (A) motor power of the technology or de-
8 vice; and

9 (B) maximum speed of the technology or
10 device on a paved level surface when powered
11 solely by a motor.

12 (4) Consumer education efforts on how non-
13 motorized road users may safely navigate streets.

14 (c) REPORT.—The Secretary shall submit to the
15 Committee on Transportation and Infrastructure of the
16 House of Representatives and the Committee on Com-
17 merce, Science, and Transportation of the Senate a report
18 that details the findings of the study conducted under sub-
19 section (a).

20 (d) MICROMOBILITY TRANSPORTATION DEVICE AND
21 TECHNOLOGY DEFINED.—In this section, the term
22 “micromobility transportation device and technology”
23 means a small, low-speed, personal transportation device,
24 including a device defined under section 217(j)(2)(A) of
25 title 23, United States Code, that is—

- 1 (1) electric or human-powered;
- 2 (2) primarily used for a short-distance trip or
- 3 urban travel; and
- 4 (3) has a maximum speed of not more than 20
- 5 miles per hour on a paved level surface when pow-
- 6 ered solely by a motor.

7 **SEC. 4016. GAO STUDY ON HIGHWAY SAFETY DATA QUAL-**
8 **ITY.**

9 (a) STUDY.—Not later than 1 year after the date of
10 enactment of this Act, the Comptroller General shall con-
11 duct a study on the quality of highway safety data col-
12 lected and utilized for programs administered by the Sec-
13 retary under title 23, United States Code, including an
14 evaluation of the accuracy and consistency of data re-
15 ported to the Fatality Analysis Reporting System (in this
16 section referred to as the “FARS”).

17 (b) CONSIDERATIONS.—In conducting the study re-
18 quired under subsection (a), the Comptroller General shall
19 review—

- 20 (1) highway safety data reporting requirements
- 21 and timelines;
- 22 (2) State and local law enforcement agency
- 23 compliance with FARS reporting requirements, in-
- 24 cluding level of adoption of the most recent Model
- 25 Minimum Uniform Crash Criteria guidelines;

1 (3) processes undertaken by States and local
2 law enforcement agencies to collect and report data
3 to FARS, including override crash data and poten-
4 tial inconsistencies in identifying override crashes;

5 (4) the oversight mechanisms of the Secretary
6 for data collection and quality assurance of State-
7 submitted safety data, including protocols for—

8 (A) evaluating the accuracy, completeness,
9 uniformity, integration, and accessibility of
10 highway safety data;

11 (B) identifying and correcting errors in
12 State-submitted safety data; and

13 (C) verifying reported data on override
14 crashes, including override crashes that in-
15 volve a vulnerable road user;

16 (5) reliability, transparency, and accountability
17 in the use of predictive analytics, telematics, and
18 other data-driven tools used to collect highway safety
19 data;

20 (6) data security measures and protections for
21 personally identifiable information in highway safety
22 data systems;

23 (7) adherence to information dissemination
24 quality guidelines;

1 (8) the effects of data quality on the ability of
2 the Secretary to assess State safety performance tar-
3 gets, including such targets linked to Federal fund-
4 ing; and

5 (9) the potential effects of FARS override
6 crash data quality on related National Highway
7 Traffic Safety Administration activities.

8 (c) CONSULTATION.—In conducting the study re-
9 quired under subsection (a), the Comptroller General shall
10 consult with relevant stakeholders, including—

11 (1) State departments of transportation;

12 (2) State highway safety offices;

13 (3) a non-profit scientific and educational orga-
14 nization focused on improving highway safety and
15 reducing roadway deaths;

16 (4) representatives of roadway safety advocacy
17 organizations, including representatives of motor
18 carrier safety organizations;

19 (5) local law enforcement;

20 (6) the National Highway Traffic Safety Ad-
21 ministration; and

22 (7) any other relevant stakeholders, as deter-
23 mined by the Comptroller General.

24 (d) REPORT.—Not later than 3 years after the date
25 of enactment of this Act, the Comptroller General shall

1 submit to the Committee on Transportation and Infra-
2 structure of the House of Representatives and the Com-
3 mittee on Commerce, Science, and Transportation of the
4 Senate a report on the results of the study conducted
5 under subsection (a) and any associated recommendations.

6 **TITLE V—MOTOR CARRIERS**

7 **Subtitle A—General Provisions**

8 **SEC. 5001. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) FINANCIAL ASSISTANCE PROGRAMS.—Section
10 31104 of title 49, United States Code, is amended by
11 striking subsection (a) and inserting the following:

12 “(a) FINANCIAL ASSISTANCE PROGRAMS.—There are
13 authorized to be appropriated from the Highway Trust
14 Fund (other than the Mass Transit Account)—

15 “(1) subject to subsection (c), to carry out the
16 motor carrier safety assistance program under sec-
17 tion 31102 (other than the high priority program
18 under subsection (l) of such section)—

19 “(A) \$435,000,000 for fiscal year 2027;

20 “(B) \$446,500,000 for fiscal year 2028;

21 “(C) \$456,000,000 for fiscal year 2029;

22 “(D) \$467,000,000 for fiscal year 2030;

23 and

24 “(E) \$478,000,000 for fiscal year 2031;

1 “(2) subject to subsection (c), to carry out the
2 high priority program under section 31102(l) (other
3 than the commercial motor vehicle enforcement
4 training and support grant program under para-
5 graph (5) of such section)—

6 “(A) \$66,000,000 for fiscal year 2027;

7 “(B) \$69,000,000 for fiscal year 2028;

8 “(C) \$72,000,000 for fiscal year 2029;

9 “(D) \$75,000,000 for fiscal year 2030;

10 and

11 “(E) \$78,000,000 for fiscal year 2031;

12 “(3) to carry out the multiyear commercial
13 motor vehicle enforcement training and support
14 grant program under section 31102(l)(5),
15 \$5,000,000 for each of fiscal years 2027 through
16 2031;

17 “(4) to carry out the commercial motor vehicle
18 operator safety training grant program under sec-
19 tion 31103, \$5,000,000 for each of fiscal years 2027
20 through 2031; and

21 “(5) subject to subsection (c), to carry out the
22 financial assistance program for commercial driver’s
23 license implementation under section 31313—

24 “(A) \$48,000,000 for fiscal year 2027;

25 “(B) \$51,000,000 for fiscal year 2028;

1 “(C) \$53,000,000 for fiscal year 2029;

2 “(D) \$54,000,000 for fiscal year 2030;

3 and

4 “(E) \$56,000,000 for fiscal year 2031.”.

5 (b) ADMINISTRATIVE EXPENSES.—Section 31110 of
6 title 49, United States Code, is amended by striking sub-
7 section (a) and inserting the following:

8 “(a) ADMINISTRATIVE EXPENSES.—There are au-
9 thorized to be appropriated from the Highway Trust Fund
10 (other than the Mass Transit Account) to pay administra-
11 tive expenses of the Federal Motor Carrier Safety Admin-
12 istration—

13 “(1) \$400,000,000 for fiscal year 2027;

14 “(2) \$407,500,000 for fiscal year 2028;

15 “(3) \$417,000,000 for fiscal year 2029;

16 “(4) \$426,000,000 for fiscal year 2030; and

17 “(5) \$435,000,000 for fiscal year 2031.”.

18 **SEC. 5002. IMPROVEMENTS TO ENFORCEMENT TRAINING**

19 **AND SUPPORT GRANT PROGRAM.**

20 (a) IN GENERAL.—Section 31102(l)(5)(B) of title
21 49, United States Code, is amended to read as follows:

22 “(B) PURPOSES.—The purposes of the
23 grant program under subparagraph (A) are—

24 “(i) to train non-Federal employees
25 who—

1 “(I) conduct commercial motor
2 vehicle enforcement activities; or

3 “(II) instruct and train non-Fed-
4 eral employees described in subclause
5 (I); and

6 “(ii) to develop related training mate-
7 rials.”.

8 (b) INSPECTOR STANDARDS.—Not later than 90 days
9 after the date of enactment of this Act, the Administrator
10 of the Federal Motor Carrier Safety Administration shall
11 issue such regulations as are necessary to revise part 385
12 of title 49, Code of Federal Regulations, to incorporate
13 by reference the relevant certification and training stand-
14 ards for roadside inspectors and instructors issued by the
15 Commercial Vehicle Safety Alliance as of the date of en-
16 actment of this Act.

17 **SEC. 5003. MAINTENANCE OF EFFORT.**

18 Section 31102(f)(2) of title 49, United States Code,
19 is amended—

20 (1) in the paragraph heading by striking
21 “AFTER FISCAL YEAR 2017”; and

22 (2) by striking “baseline after the year in which
23 the Secretary implements a new allocation formula
24 under section 5106 of the FAST Act, and this” and
25 inserting “. This”.

1 **SEC. 5004. AMENDMENTS TO COMMERCIAL MOTOR VEHI-**
2 **CLE OPERATORS GRANT PROGRAM.**

3 (a) IN GENERAL.—Section 31103 of title 49, United
4 States Code, is amended—

5 (1) by striking the section heading and insert-
6 ing “**Commercial motor vehicle operator**
7 **safety training grant program**”; and

8 (2) by adding at the end the following:

9 “(d) HIGH QUALITY TRAINING PROVIDERS.—The
10 Secretary may develop additional quality and performance
11 metrics to identify and prioritize awards to high quality
12 training providers.

13 “(e) BEHIND THE WHEEL TRAINING HOURS SET
14 ASIDE.—Of the total amount made available to carry out
15 the program under this section for each fiscal year, not
16 less than 50 percent shall be awarded for entities that re-
17 quire—

18 “(1) Class A commercial driver’s license driver-
19 trainees to receive a minimum of 30 hours of be-
20 hind-the-wheel training, with a minimum of 10
21 hours on a driving range; and

22 “(2) Class B commercial driver’s license driver-
23 trainees to receive a minimum of 15 hours of be-
24 hind-the-wheel training, with a minimum of 7 hours
25 of public road driving.

1 “(f) ELIGIBLE ENTITIES.—Only entities listed on the
2 State employment and training provider list maintained
3 under section 122 of the Workforce Innovation and Oppor-
4 tunity Act (29 U.S.C. 3152) shall be eligible to receive
5 funding under this section.”.

6 (b) CONFORMING AMENDMENT.—The analysis for
7 chapter 311 of title 49, United States Code, is amended
8 by striking the item relating to section 31103 and insert-
9 ing the following:

“31103. Commercial motor vehicle operator safety training grant program.”.

10 **SEC. 5005. TERMS AND CONDITIONS FOR EXEMPTIONS.**

11 Section 31315 of title 49, United States Code, is
12 amended—

13 (1) in subsection (b)—

14 (A) in paragraph (4)(A) by inserting “, in-
15 cluding data submission requirements,” after
16 “terms and conditions”; and

17 (B) by striking paragraph (8) and insert-
18 ing the following:

19 “(8) TERMS AND CONDITIONS.—

20 “(A) IN GENERAL.—The Secretary shall
21 establish terms and conditions for each exemp-
22 tion to ensure that the exemption will not likely
23 degrade the level of safety achieved by the per-
24 son or class of persons granted the exemption
25 and allow the Secretary to evaluate whether an

1 equivalent level of safety is maintained while
2 the person or class of persons is operating
3 under such exemption.

4 “(B) REQUIREMENTS.—The terms and
5 conditions established under this section shall
6 require—

7 “(i) the regular submission of relevant
8 accident and incident data to the Sec-
9 retary;

10 “(ii) immediate notification to the
11 Secretary in the event of a crash that re-
12 sults in a fatality or serious bodily injury;
13 and

14 “(iii) each person or class of persons
15 operating under an exemption to maintain
16 and produce upon inspection, either phys-
17 ically or electronically, official documenta-
18 tion from the Federal Motor Carrier Safety
19 Administration of each exemption under
20 which they are operating.

21 “(C) IMPLEMENTATION.—The Secretary
22 shall monitor the implementation of the exemp-
23 tion to ensure compliance with the terms and
24 conditions of such exemption.”; and

1 (2) in subsection (e) by inserting “, based on an
2 analysis of data collected by the Secretary and sub-
3 mitted to the Secretary under subsection (b)(8)”
4 after “safety”.

5 **SEC. 5006. BROKER QUALIFICATIONS.**

6 (a) FINAL RULE.—Not later than 2 years after the
7 date of enactment of this Act, the Secretary shall issue
8 a final rule implementing the requirements described in
9 sections 13903(c) and 13904(c) of title 49, United States
10 Code, relating to experience or qualifications for officers
11 of freight brokers and freight forwarders.

12 (b) REPORT.—Not later than 1 year after the date
13 of enactment of this Act, and at least once every 6 months
14 until the final rule required under subsection (a) is issued,
15 the Secretary shall brief the Committee on Transportation
16 and Infrastructure of the House of Representatives and
17 the Committee on Commerce, Science, and Transportation
18 of the Senate on the status of the rulemaking required
19 under subsection (a).

20 **SEC. 5007. MOTOR CARRIER COMPLAINTS.**

21 Not later than 1 year after the date of enactment
22 of this Act, the Secretary shall implement the rec-
23 ommendations of the Comptroller General in the report
24 titled “Motor Carrier Operations: Improvements Needed
25 to Federal System for Collecting and Addressing Com-

1 plaints against Truck, Moving, and Bus Companies”,
2 issued on September 19, 2023 (GAO–23–105972), by—
3 (1) making all categories of complaint data
4 public, as appropriate;
5 (2) updating complaint review guidance;
6 (3) ensuring the complaint website follows lead-
7 ing practices; and
8 (4) developing an outreach plan for the com-
9 plaint website.

10 **SEC. 5008. CABOTAGE STUDY.**

11 (a) IN GENERAL.—Not later than 1 year after the
12 date of enactment of this Act, the Secretary shall seek
13 to enter into appropriate arrangements with the Transpor-
14 tation Research Board of the National Academies to con-
15 duct a study of the safety and economic impacts of cabo-
16 tage violations using commercial motor vehicles.

17 (b) CONSULTATION.—In conducting the study de-
18 scribed in subsection (a), the Transportation Research
19 Board shall consult with—

20 (1) representatives of the motor carrier indus-
21 try, including owner-operators;
22 (2) representatives of law enforcement agencies;
23 (3) labor organizations representing commercial
24 motor vehicle drivers; and

1 (4) such other stakeholders as the Transpor-
2 tation Research Board determines to be relevant.

3 **Subtitle B—Commercial Motor**
4 **Vehicle Operators**

5 **SEC. 5101. PREDATORY COMMERCIAL MOTOR VEHICLE**
6 **LEASE-PURCHASE AGREEMENT PROGRAMS**
7 **OVERSIGHT.**

8 (a) IN GENERAL.—Section 14102 of title 49, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 “(c) DISCLOSURE FORM.—

12 “(1) IN GENERAL.—The Secretary shall require
13 a motor carrier providing transportation subject to
14 jurisdiction under subchapter I of chapter 135 that
15 uses motor vehicles not owned by such carrier to
16 transport property under an arrangement with an-
17 other party to provide a disclosure form to each
18 party entering into such arrangement.

19 “(2) CONTENTS.—The disclosure form under
20 paragraph (1) shall include, at a minimum, informa-
21 tion on—

22 “(A) weekly compensation for drivers;

23 “(B) average weekly mileage and the
24 schedule for drivers;

1 “(C) the number of drivers who enter into
2 the arrangement each year;

3 “(D) the number of drivers who complete
4 the lease term;

5 “(E) the number of drivers who buy out a
6 truck; and

7 “(F) the average for each deduction cat-
8 egory in settlements, including fuel, insurance,
9 registration, maintenance, and escrow.

10 “(3) TEMPLATE.—The Secretary shall publish
11 and periodically update a disclosure form template
12 on a website of the Federal Motor Carrier Safety
13 Administration.

14 “(d) PUBLIC AWARENESS CAMPAIGN.—

15 “(1) IN GENERAL.—The Secretary may carry
16 out a public awareness campaign to increase aware-
17 ness of how standard lease-purchase programs work,
18 including distributing information related to—

19 “(A) data on driver pay and experiences;
20 and

21 “(B) the prevalence of predatory commer-
22 cial motor vehicle lease-purchase agreement
23 programs.

24 “(2) PREDATORY COMMERCIAL MOTOR VEHICLE
25 LEASE-PURCHASE AGREEMENT PROGRAM DE-

1 FINED.—In this subsection, the term ‘predatory
2 commercial motor vehicle lease-purchase agreement
3 program’ means the framework of the motor carrier-
4 driver relationship, including the lease-purchase
5 agreement, the contract for the driver’s work for the
6 motor carrier, and the practices of the motor carrier
7 in implementing the contracts that are not provided
8 in the contract, including the motor carrier’s recruit-
9 ment practices, operational practices, and tax and fi-
10 nance practices, whereby the motor carrier controls
11 the work, compensation, and debts of the driver, and
12 the driver accrues no equity or is forced to give up
13 equity accrued in the contracted truck.

14 “(e) PROHIBITION ON PREDATORY COMMERCIAL
15 MOTOR VEHICLE LEASE-PURCHASE AGREEMENT PRO-
16 GRAMS.—Not later than 2 years after the date of enact-
17 ment of this subsection, the Secretary shall issue regula-
18 tions to prohibit the use of predatory commercial motor
19 vehicle lease-purchase programs by motor carriers pro-
20 viding transportation subject to jurisdiction under sub-
21 chapter I of chapter 135.”.

22 (b) REGULATIONS.—Not later than 1 year after the
23 date of enactment of this Act, the Secretary shall issue
24 such regulations as are necessary to require motor carriers
25 offering lease-purchase programs to maintain detailed

1 records on the outcomes of such programs, including in-
2 formation described in section 14102(c) of title 49, United
3 States Code (as added by this section).

4 **SEC. 5102. RESTROOM ACCESS.**

5 (a) RESTROOM ACCESS FOR DRIVERS.—

6 (1) IN GENERAL.—Subchapter I of chapter 141
7 of title 49, United States Code, is amended by add-
8 ing at the end the following:

9 **“§ 14105. Restroom access for drivers**

10 “(a) IN GENERAL.—A covered driver shall be granted
11 access to any covered restroom facility at any covered es-
12 tablishment to which such driver—

13 “(1) delivers any goods or cargo to such covered
14 establishment; or

15 “(2) is waiting at such covered establishment to
16 transport goods or for cargo to be loaded.

17 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to require a covered establishment
19 to make any physical changes to a covered restroom facil-
20 ity to be in compliance with this section.

21 “(c) DEFINITIONS.—In this section:

22 “(1) COVERED DRIVER.—The term ‘covered
23 driver’ means any commercial motor vehicle operator
24 with respect to whom the Secretary of Transpor-
25 tation has power to establish qualifications and max-

1 imum hours of service pursuant to the provisions of
2 section 31502.

3 “(2) COVERED ESTABLISHMENT.—The term
4 ‘covered establishment’—

5 “(A) means—

6 “(i) a place of business open to the
7 general public for the sale of goods or serv-
8 ices; and

9 “(ii) a shipper, receiver, manufac-
10 turer, warehouse, distribution center, or
11 any other business entity that is receiving
12 or sending goods by commercial motor ve-
13 hicle; and

14 “(B) does not include any structure such
15 as a filling station, service station, or res-
16 taurant of 800 square feet or less that has a
17 restroom located within such structure that is
18 only intended for use by employees.

19 “(3) COVERED RESTROOM FACILITY.—The
20 term ‘covered restroom facility’ means a restroom lo-
21 cated on the premises of a covered establishment
22 that is intended for use by customers or employees
23 of the establishment and that is—

1 “(A) located in an area where providing
2 access would not create an obvious health or
3 safety risk to a covered driver; and

4 “(B) located in an area where providing
5 access would not pose an obvious security risk
6 to the covered establishment.”.

7 (2) CLERICAL AMENDMENT.—The analysis for
8 chapter 141 of title 49, United States Code, is
9 amended by inserting after the item relating to sec-
10 tion 14104 the following new item:

 “14105. Restroom access for drivers.”.

11 (b) RESTROOM ACCESS FOR DRAYAGE TRUCK OPER-
12 ATORS.—

13 (1) IN GENERAL.—A terminal operator shall
14 provide a sufficient number of covered restrooms for
15 use by covered drayage truck operators in areas of
16 the terminal to which such operators typically have
17 access.

18 (2) REQUIREMENTS.—To be in compliance with
19 paragraph (1), a terminal operator shall provide—

20 (A) access to existing restrooms for cov-
21 ered drayage truck operators when such opera-
22 tors are on port property and when such access
23 does not pose an obvious safety risk to such
24 truck operators and other employees of the ter-
25 minal operator in the area; and

1 (B) a place for covered drayage truck oper-
2 ators to park vehicles while accessing such rest-
3 rooms.

4 (3) DEFINITIONS.—In this subsection:

5 (A) COVERED DRAYAGE TRUCK OPER-
6 ATOR.—The term “covered drayage truck oper-
7 ator” means the driver of any in-use on road
8 vehicle with a gross vehicle weight rating of
9 greater than 33,000 pounds operating on or
10 moving through port or intermodal rail yard
11 property for the purpose of loading, unloading,
12 or transporting cargo, including containerized,
13 bulk, or break-bulk goods.

14 (B) COVERED RESTROOM.—The term
15 “covered restroom” means a restroom or port-
16 able chemical toilet that is located in an area
17 that does not pose an obvious health or safety
18 risk to a covered drayage truck operator.

19 (C) TERMINAL OPERATOR.—The term
20 “terminal operator”—

21 (i) means the business entity oper-
22 ating a marine terminal for loading and
23 unloading cargo to and from marine ves-
24 sels; and

1 (ii) includes the port authority if the
2 port is directly operating the marine ter-
3 minal in loading and unloading cargo to
4 and from marine vessels.

5 **SEC. 5103. APPLICATION OF COMMERCIAL MOTOR VEHICLE**
6 **SAFETY.**

7 (a) DEFINITIONS.—Section 31301(14) of title 49,
8 United States Code, is amended—

9 (1) by striking “and” and inserting a comma;
10 and

11 (2) by inserting “, the United States Virgin Is-
12 lands, and Puerto Rico” before the period.

13 (b) PENALTY.—Section 165(c) of title 23, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

16 “(8) PENALTY.—The amounts treated as being
17 apportioned to the United States Virgin Islands
18 under this subsection shall be deemed to be required
19 to be apportioned to the United States Virgin Is-
20 lands under section 104(b) for purposes of the impo-
21 sition of any penalty under this title or title 49.”.

22 (c) IMPLEMENTATION.—The Administrator of the
23 Federal Motor Carrier Safety Administration shall assist
24 the United States Virgin Islands and Puerto Rico in ob-
25 taining full compliance with chapter 313 of title 49,

1 United States Code, and regulations adopted under such
2 chapter.

3 (d) GRACE PERIOD.—Notwithstanding section
4 31311(a) of title 49, United States Code, during the pe-
5 riod beginning on the date of enactment of this Act and
6 ending on the date that is 5 years after such date of enact-
7 ment, the United States Virgin Islands and Puerto Rico
8 shall not be subject to a withholding of an apportionment
9 of funds under section 31314 of title 49, United States
10 Code, for failure to comply with any requirement under
11 section 31311(a) of such title.

12 (e) EXCEPTION.—Puerto Rico may issue a commer-
13 cial driver’s license to an applicant unable to comply with
14 the requirements under paragraph (5) of subsection (c)
15 of section 383.133 of title 49, Code of Federal Regulations
16 (or any successor regulation), provided any commercial
17 driver’s license issued by Puerto Rico under this exception
18 shall be—

19 (1) valid only in Puerto Rico; and

20 (2) not transferable to any other State.

21 **SEC. 5104. EXTENSION OF APPRENTICESHIP PILOT PRO-**
22 **GRAM.**

23 Section 23022 of the Infrastructure Investment and
24 Jobs Act (Public Law 117–58) is amended—

1 (1) in subsection (b)(3) by inserting “, includ-
2 ing the transportation of goods to and from a port,”
3 after “interstate commerce” each place it appears;

4 (2) in subsection (c)—

5 (A) by striking “the date that is 3 years
6 after the date of establishment of the pilot pro-
7 gram under subsection (b)(1)” and inserting
8 “September 30, 2031”; and

9 (B) by inserting “, including the transpor-
10 tation of goods to and from a port,” after
11 “interstate commerce”;

12 (3) by redesignating subsections (g), (h), and
13 (i), as subsections (h), (i), and (j), respectively; and

14 (4) by inserting after subsection (f) the fol-
15 lowing:

16 “(g) SAVINGS CLAUSE.—Notwithstanding any other
17 provision of law, the Secretary may not condition employer
18 or driver participation in the apprenticeship program on
19 any factors not included in this section.”.

20 **SEC. 5105. CODIFICATION OF EXEMPTION.**

21 (a) IN GENERAL.—A covered livestock hauling vehi-
22 cle, including the individual operating such vehicle, shall
23 be exempt from—

1 (1) any requirement relating to hours of service,
2 within a 150 air-mile radius from the final destina-
3 tion of the livestock, as established under—

4 (A) subchapter III of chapter 311 of title
5 49, United States Code; or

6 (B) chapter 315 of title 49, United States
7 Code; and

8 (2) any requirement relating to electronic log-
9 ging devices established under section 31137 of title
10 49, United States Code.

11 (b) DOCUMENTATION.—The Secretary shall require
12 that each exempt operator maintain and produce upon in-
13 spection, either physically or electronically, official docu-
14 mentation from the Federal Motor Carrier Safety Admin-
15 istration of each exemption under which they are oper-
16 ating.

17 (c) DEFINITIONS.—In this section:

18 (1) COMMERCIAL MOTOR VEHICLE.—The term
19 “commercial motor vehicle” has the meaning given
20 such term in section 31132 of title 49, United
21 States Code.

22 (2) COVERED LIVESTOCK HAULING VEHICLE.—
23 The term “covered livestock hauling vehicle”
24 means—

1 (A) a commercial motor vehicle trans-
2 porting livestock; or

3 (B) an unladen commercial motor vehicle
4 en route to pick up livestock or returning from
5 transporting livestock, as long as the commer-
6 cial motor vehicle does not involve transporting
7 any non-livestock cargo and the sole purpose of
8 the trip is to make a pick-up or delivery of live-
9 stock.

10 (3) LIVESTOCK.—The term “livestock” means
11 livestock (as such term is defined in section 602 of
12 the Emergency Livestock Feed Assistance Act of
13 1988 (7 U.S.C. 1471)), including insects.

14 **SEC. 5106. MODERNIZATION OF FARM-RELATED SERVICE**
15 **INDUSTRIES RESTRICTED COMMERCIAL**
16 **DRIVER’S LICENSES.**

17 (a) ONLINE RENEWAL SYSTEM.—Not later than 1
18 year after the date of enactment of this Act, the Secretary
19 shall issue such regulations as are necessary to amend sec-
20 tion 383.3(f)(3)(ii) of title 49, Code of Federal Regula-
21 tions (or any successor regulation), to allow each State
22 to develop and make available an online registration and
23 renewal system for eligible employees in farm-related serv-
24 ice industries participating in the seasonal restricted com-
25 mercial driver’s license program.

1 (b) DEFINITIONS.—In this section:

2 (1) ELIGIBLE EMPLOYEE.—The term “eligible
3 employee” means an employee that is eligible for
4 and seeks to acquire a restricted commercial driver’s
5 license.

6 (2) FARM-RELATED SERVICE INDUSTRIES.—
7 The term “farm-related service industries” has the
8 meaning given such term in section 383.3(f)(1) of
9 title 49, Code of Federal Regulations (or any suc-
10 cessor regulation).

11 (3) RESTRICTED COMMERCIAL DRIVER’S LI-
12 CENSE.—The term “restricted commercial driver’s
13 license” has the meaning given such term in section
14 383.3(f) of title 49, Code of Federal Regulations (or
15 any successor regulation).

16 **SEC. 5107. IMPLEMENTS OF HUSBANDRY COMPILATION.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of enactment of this Act, the Secretary shall initiate
19 a review of—

20 (1) how States define implements of husbandry
21 under State law;

22 (2) whether States consider implements of hus-
23 bandry to be commercial motor vehicles under State
24 law; and

1 (3) what relevant State laws apply to imple-
2 ments of husbandry.

3 (b) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Secretary shall submit to
5 the Committee on Transportation and Infrastructure of
6 the House of Representatives and the Committee on Com-
7 merce, Science, and Transportation of the Senate a report
8 containing—

9 (1) the results of the review required under
10 subsection (a); and

11 (2) based on such results, a determination of
12 whether or not it is appropriate to modify Federal
13 regulations to clarify that implements of husbandry
14 are not considered to be commercial motor vehicles.

15 (c) IMPLEMENTS OF HUSBANDRY DEFINED.—In this
16 section, the term “implements of husbandry” means vehi-
17 cles or equipment, whether self-propelled or towed, that
18 are either specifically designed or adapted exclusively for
19 agricultural operations or services.

20 **SEC. 5108. PRE-TRIP VEHICLE INSPECTION TESTING WAIV-**
21 **ER.**

22 (a) IN GENERAL.—Notwithstanding the require-
23 ments of section 383.113(a)(1) of title 49, Code of Federal
24 Regulations, a State may waive the engine compartment
25 pre-trip vehicle inspection skills testing requirement, set

1 forth in section 383.113(a)(1)(i) of title 49, Code of Fed-
2 eral Regulations, for a commercial driver's license appli-
3 cant seeking to operate a school bus or vehicle for use in
4 public transportation only in—

5 (1) intrastate commerce; or

6 (2) interstate commerce—

7 (A) if the operation of such bus or vehicle
8 occurs within a 150-air mile radius from the
9 point of origination; and

10 (B) each State in which such operation oc-
11 curs has elected to issue a waiver under this
12 section to applicants seeking a commercial driv-
13 er's license by such State.

14 (b) CONDITIONS.—Prior to issuing a waiver described
15 in subsection (a), a State shall ensure, at a minimum, that
16 the following conditions are met:

17 (1) A State's driver's licensing agency shall doc-
18 ument for recordkeeping purposes the names and
19 commercial driver's license numbers of operators
20 issued a commercial driver's license under the waiv-
21 er.

22 (2) The commercial driver's license credential
23 shall conform to the requirements under subpart J
24 of part 383 of title 49, Code of Federal Regulations
25 (or any successor regulation).

1 (3) When issuing a restricted commercial driv-
2 er's license with school bus or passenger endorse-
3 ments pursuant to such waiver, a State shall—

4 (A) continue to comply with the applicable
5 provisions set forth in section 383.73 of title
6 49, Code of Federal Regulations (or any suc-
7 cessor regulation); and

8 (B) place a school bus-only or transit bus-
9 only restriction on the commercial driver's li-
10 cense in accordance with section
11 383.153(a)(10)(ix) of title 49, Code of Federal
12 Regulations (or any successor regulation).

13 (4) A State shall conduct the remaining pre-trip
14 vehicle inspection components of the skills test for
15 drivers subject to such waiver, as set forth in section
16 383.113(a)(1)(ii-ix) of title 49, Code of Federal Reg-
17 ulations (or any successor regulation).

18 (c) DATA COLLECTION.—For each calendar year
19 through 2031 in which a State has issued the waiver de-
20 scribed in subsection (a), the State shall provide a report
21 to the Secretary containing—

22 (1) the number of operators who obtained com-
23 mercial driver's licenses under such waiver; and

1 (2) data relating to any safety incidents involv-
2 ing an operator issued a commercial driver’s license
3 under such waiver.

4 (d) DEFINITIONS.—In this section:

5 (1) COMMERCIAL DRIVER’S LICENSE.—The
6 term “commercial driver’s license” has the meaning
7 given such term in section 31301 of title 49, United
8 States Code.

9 (2) PUBLIC TRANSPORTATION.—The term
10 “public transportation” has the meaning given such
11 term in section 5302 of title 49, United States Code.

12 **SEC. 5109. MODIFICATIONS TO CERTAIN COMMERCIAL**
13 **DRIVER’S LICENSE REGULATIONS.**

14 Not later than 90 days after the date of enactment
15 of this Act, the Secretary shall issue a notice of proposed
16 rulemaking to—

17 (1) revise section 383.79 of title 49, Code of
18 Federal Regulations, to allow a State to administer
19 a driving skills test to any commercial driver’s li-
20 cense applicant, regardless of the State of domicile
21 of the applicant or where the applicant received driv-
22 er training; and

23 (2) revise section 384.228 of title 49, Code of
24 Federal Regulations, to allow a State or third-party

1 examiner to administer the commercial driver’s li-
2 cense knowledge test only if the examiner—

3 (A) maintains a valid commercial driver’s
4 license test examiner certification;

5 (B) completes a commercial driver’s license
6 skills test examiner training course that meets
7 the requirements of subsection (d) of such sec-
8 tion; and

9 (C) completes 1 unit of instruction de-
10 scribed in subsection (c)(3) of such section.

11 **Subtitle C—Commercial Motor** 12 **Vehicle Safety**

13 **SEC. 5201. MOTOR CARRIER SAFETY ADVISORY COM-** 14 **MITTEE.**

15 Section 4144(d) of the SAFETEA-LU (49 U.S.C.
16 31100 note) is amended by striking “September 30,
17 2025” and inserting “September 30, 2031”.

18 **SEC. 5202. ELECTRONIC LOGGING DEVICE CERTIFICATION.**

19 Section 31137(c) of title 49, United States Code, is
20 amended—

21 (1) by redesignating paragraph (2) as para-
22 graph (4); and

23 (2) by inserting after paragraph (1) the fol-
24 lowing:

1 “(2) REQUIREMENTS.—The certification proc-
2 ess, referred to in paragraph (1), shall require the
3 Secretary to—

4 “(A) verify the contact information of the
5 certification applicant and the technical speci-
6 fications of the proposed electronic logging de-
7 vice; and

8 “(B) cross reference the certification appli-
9 cation against revoked electronic logging devices
10 that do not meet the certification criteria re-
11 ferred to in paragraph (4).

12 “(3) PUBLICATION OF CERTIFIED DEVICES.—
13 The Secretary shall publish and maintain on a pub-
14 licly available website—

15 “(A) a list of registered electronic logging
16 devices that meet the certification criteria es-
17 tablished under this section; and

18 “(B) a list of revoked electronic logging de-
19 vices that do not meet the certification criteria
20 referred to in paragraph (4).”.

21 **SEC. 5203. SAFETY PERFORMANCE HISTORY SCREENING**
22 **AND DATAQS IMPROVEMENT.**

23 (a) SAFETY PERFORMANCE HISTORY SCREENING.—
24 Section 31150 of title 49, United States Code, is amend-
25 ed—

1 (1) in subsection (a), in the matter preceding
2 paragraph (1), by inserting “or employment” after
3 “preemployment”;

4 (2) in subsection (b)—

5 (A) by inserting “operator or” before “op-
6 erator-applicant” each place it appears; and

7 (B) in paragraph (2), by inserting “opera-
8 tor’s or” before “operator-applicant’s written
9 consent”; and

10 (3) in subsection (c)—

11 (A) in the second sentence—

12 (i) by striking “preemployment”;

13 (ii) by inserting “operator or” before
14 “operator-applicant”; and

15 (iii) by striking “Use” and inserting
16 the following:

17 “(2) VOLUNTARY USE; LIMITATION.—Use”;

18 (B) in the first sentence—

19 (i) by inserting “driver-related” after
20 “serious”;

21 (ii) by striking “as a preemployment
22 condition”;

23 (iii) by inserting “or operator appli-
24 cant’s” after “individual operator’s”; and

1 (iv) by striking “The process” and in-
2 serting the following:

3 “(1) IN GENERAL.—The process”; and

4 (C) by adding at the end the following:

5 “(3) ADVERSE ACTIONS.—A person may not
6 take an adverse action (as defined in section 603(k)
7 of the Consumer Credit Protection Act (15 U.S.C.
8 1681a(k))) with respect to an operator or operator-
9 applicant based in whole or in part on the data in
10 the reports provided under subsection (a) from the
11 Motor Carrier Management Information System un-
12 less the person provides—

13 “(A) notice to the operator or operator-ap-
14 plicant consistent with section 604(b)(3) of
15 such Act (15 U.S.C. 1681b(b)(3)); and

16 “(B) a reasonable period of time for—

17 “(i) the operator to initiate an appeal
18 under subsection (e); and

19 “(ii) any appeal process initiated
20 under such subsection to conclude pursu-
21 ant to the issuance of a final disposition.”.

22 (b) DATAQS IMPROVEMENT.—Section 31150 of title
23 49, United States Code, is amended—

24 (1) in subsection (d), by inserting “safety”
25 after “serious driver-related”;

1 (2) by redesignating subsection (d) as sub-
2 section (f); and

3 (3) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) DATA SUBJECT TO REVIEW.—Not later than 1
6 year after the date of enactment of the BUILD America
7 250 Act, the Secretary shall ensure that during any period
8 in which a safety violation is being contested, the report
9 on such violation is labeled in a manner that indicates
10 such violation is being contested in the Motor Carrier
11 Management Information System and in any other rel-
12 evant databases, including the Employment Screening
13 Program, the Safety Measurement System, and Analysis
14 and Information Online, until the review of the contested
15 violation is complete.

16 “(e) DATAQS APPEALS PROCESS.—Not later than 1
17 year after the date of enactment of the BUILD America
18 250 Act, the Secretary shall promulgate DataQs program
19 participation guidelines that direct States receiving funds
20 under the motor carrier safety assistance program under
21 section 31102 to provide for an appeals process by
22 which—

23 “(1) following the conclusion of a request for
24 data review, an affected party may appeal the dis-
25 position of the review; and

1 “(2) an appeal of the disposition is decided in
2 a reasonable period of time by a person or persons
3 other than the person that issued the violation.”.

4 **SEC. 5204. NONCOMPLIANT TRAINING ENTITIES.**

5 (a) IN GENERAL.—Section 31305(c) of title 49,
6 United States Code, is amended—

7 (1) in the matter preceding paragraph (1) by
8 striking “Not later than” and all that follows
9 through “final regulations” and inserting “The Sec-
10 retary shall issue regulations”;

11 (2) in paragraph (4) by striking “and” at the
12 end;

13 (3) in paragraph (5) by striking the period and
14 inserting “; and”; and

15 (4) by adding at the end the following:

16 “(6) providing a process for the Administrator
17 of the Federal Motor Carrier Safety Administration
18 to—

19 “(A) receive complaints relating to the
20 noncompliance of a training provider described
21 in paragraph (5) with the requirements under
22 such paragraph; and

23 “(B) not later than 90 days after the re-
24 ceipt of a complaint, if the Administrator deter-
25 mines that such provider is noncompliant, re-

1 move such provider from the list of training
2 providers that may issue a certification under
3 paragraph (4).”.

4 (b) REMOVAL.—Not later than 90 days after the date
5 of enactment of this Act, the Secretary shall revise section
6 380.721 of title 49, Code of Federal Regulations, to clarify
7 that the Federal Motor Carrier Safety Administration may
8 remove a training provider from the Training Provider
9 Registry, if such provider—

10 (1) fails to disclose a relationship, including
11 common ownership, management, control, or familial
12 ties, with another provider who was removed from
13 the Training Provider Registry; and

14 (2) fails to maintain and enforce policies relat-
15 ing to sexual assault and sexual harassment.

16 **SEC. 5205. DRUG AND ALCOHOL CLEARINGHOUSE FEES.**

17 Section 31306a(e)(2) of title 49, United States Code,
18 is amended by striking “operation and” and inserting “de-
19 velopment, modernization, enhancement, operation, and”.

20 **SEC. 5206. FEDERAL HAIR TESTING GUIDELINES.**

21 Not later than 1 year after the Secretary of Health
22 and Human Services issues scientific and technical guide-
23 lines for hair testing as a method of detecting the use of
24 a controlled substance as described in section 31306(c) of
25 title 49, United States Code, the Secretary shall revise

1 part 40 of title 49, Code of Federal Regulations, and other
2 regulations as necessary, to recognize hair as an approved
3 specimen type to be collected under transportation work-
4 place drug and alcohol testing programs required under
5 such part.

6 **SEC. 5207. DRUG AND ALCOHOL TESTING COMPLIANCE.**

7 (a) GUIDANCE.—Not later than 180 days after the
8 date of enactment of this Act, the Secretary shall publish
9 updated guidance on who may act as a specimen collector
10 for Department drug testing under part 40 of title 49,
11 Code of Federal Regulations, including what constitutes
12 a close personal friend, as referenced under section 40.31
13 of such title.

14 (b) CONSULTATION.—In issuing the guidance under
15 subsection (a), the Secretary shall, at a minimum, consult
16 with representatives of small motor carriers.

17 **SEC. 5208. FATAL TRUCK CRASH DRUG AND SUBSTANCE**
18 **ABUSE TESTING ACCOUNTABILITY.**

19 Not later than 90 days after the date of enactment
20 of this Act, the Secretary shall revise parts 382, 385, and
21 392 of title 49, Code of Federal Regulations, and other
22 regulations as necessary, to—

23 (1) require employers to maintain records of all
24 post-accident alcohol or controlled substance tests

1 required under section 382.303 of such title for a
2 minimum of 5 years;

3 (2) consider it a violation if an employer fails
4 to furnish proof of post-accident alcohol or con-
5 trolled substance testing within the prescribed time-
6 frame, as outlined in subsections (a) and (b) of sec-
7 tion 382.303 of title 49, Code of Federal Regula-
8 tions; and

9 (3) ensure such violations under paragraph (2)
10 are reflected in the Safety Measurement System for
11 the purposes of the Compliance, Safety, and Ac-
12 countability Program.

13 **SEC. 5209. REVIEW OF NEW ENTRANT SAFETY ASSURANCE**
14 **PROGRAM.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of enactment of this Act, the inspector general of the
17 Department shall conduct a review of the New Entrant
18 Safety Assurance Program (in this section referred to as
19 the “Program”) under subpart D of part 385 of title 49,
20 Code of Federal Regulations, to evaluate—

21 (1) whether the Program effectively provides
22 educational and technical assistance to new entrant
23 motor carriers;

1 (2) opportunities to improve the efficiency and
2 timeliness of safety audits conducted under the Pro-
3 gram;

4 (3) if the Program has adequate staff to con-
5 duct the safety audits and compliance reviews in an
6 efficient and timely manner;

7 (4) opportunities to implement proactive out-
8 reach strategies to engage a greater number of new
9 entrant motor carriers early in the application and
10 operational process;

11 (5) whether the requirements, processes, and
12 timeframes of the Program are aligned with the pur-
13 pose described in section 385.309 of title 49, Code
14 of Federal Regulations;

15 (6) strategies to ensure greater uniformity and
16 consistency in the application of the Program to all
17 new entrant motor carriers, regardless of assignment
18 type; and

19 (7) potential improvements to ensure that safe-
20 ty data is effectively gathered and used to assess the
21 safety performance of new entrant motor carriers.

22 (b) CONSULTATION.—In conducting the review under
23 subsection (a), the inspector general shall consult with—

24 (1) State motor carrier safety enforcement
25 agencies;

1 (2) representatives of the motor carrier indus-
2 try, including owner-operators;

3 (3) commercial motor vehicle safety advocates;

4 (4) truck safety organizations;

5 (5) labor organizations representing commercial
6 motor vehicle drivers; and

7 (6) other stakeholders, as determined appro-
8 prium by the Secretary.

9 (c) INSPECTOR GENERAL REPORT.—Not later than
10 1 year after the date of enactment of this Act, the inspec-
11 tor general shall submit to the Secretary a report that in-
12 cludes—

13 (1) the findings of the review conducted under
14 subsection (a); and

15 (2) recommendations for the Federal Motor
16 Carrier Safety Administration to improve the effec-
17 tiveness of the Program, including actions to—

18 (A) enhance educational and technical as-
19 sistance provided to new entrant motor carriers
20 during the safety monitoring period;

21 (B) improve efficiency and timeliness of
22 safety audits; and

23 (C) ensure uniformity in new entrant safe-
24 ty monitoring procedures.

1 (d) RECOMMENDATIONS.—Not later than 6 months
2 after the date on which the inspector general submits the
3 report under subsection (c), the Secretary shall submit to
4 the Committee on Transportation and Infrastructure of
5 the House of Representatives and the Committee on Com-
6 merce, Science, and Transportation of the Senate—

7 (1) a summary of the findings and rec-
8 ommendations of the report; and

9 (2) for each recommendation—

10 (A) the Secretary intends to implement, a
11 description of the implementation plan of the
12 Secretary and timeline for implementation; and

13 (B) the Secretary does not intend to imple-
14 ment, an explanation as to why the Secretary
15 does not intend to implement such rec-
16 ommendation.

17 **SEC. 5210. NEW ENTRANT REGISTRATION STANDARDS**
18 **TRANSPORTATION RULEMAKING COM-**
19 **MITTEE.**

20 (a) ESTABLISHMENT.—Not later than 1 year after
21 the date of enactment of this Act, the Secretary shall es-
22 tablish a transportation rulemaking committee to develop
23 findings and recommendations on the necessity of estab-
24 lishing minimum requirements for entities seeking to ob-
25 tain registration from the Department as a motor carrier

1 of property or passengers under chapter 315 of title 49,
2 United States Code.

3 (b) MEMBERSHIP.—The Secretary shall appoint the
4 members of the transportation rulemaking committee,
5 which shall be comprised of—

6 (1) State motor carrier safety enforcement
7 agencies;

8 (2) representatives of the motor carrier indus-
9 try;

10 (3) commercial motor vehicle law enforcement
11 associations;

12 (4) labor organizations representing commercial
13 motor vehicle operators;

14 (5) truck safety organizations; and

15 (6) other stakeholders determined appropriate
16 by the Secretary.

17 (c) CONSIDERATIONS.—In developing findings and
18 recommendations under subsection (a), the transportation
19 rulemaking committee shall consider—

20 (1) the existing requirements for registration as
21 a motor carrier of property and passengers under
22 parts 365 and 390 of title 49, Code of Federal Reg-
23 ulations; and

1 (2) the appropriateness of additional minimum
2 motor carrier registration requirements, including
3 requirements associated with the following:

4 (A) Knowledge of applicable safety regula-
5 tions, standards, and requirements under Fed-
6 eral law and regulations.

7 (B) Familiarity with the duties of employ-
8 ers and motor carriers under the Federal Motor
9 Carrier Safety Regulations, including require-
10 ments relating to—

11 (i) driver qualifications;

12 (ii) vehicle maintenance;

13 (iii) hours of service;

14 (iv) drug and alcohol testing; and

15 (v) safety management controls.

16 (C) An understanding of the importance of
17 establishing and maintaining a safety manage-
18 ment program appropriate for the size and
19 scope of the intended operations of the appli-
20 cant.

21 (D) Completion of a training program ap-
22 proved by the Secretary, or demonstration of
23 equivalent knowledge, as determined by the
24 Secretary.

25 (d) REPORT.—

1 (1) IN GENERAL.—Not later than 18 months
2 after the date on which the transportation rule-
3 making committee is established, the committee shall
4 submit to the Secretary a report detailing the find-
5 ings and recommendations developed under sub-
6 section (a).

7 (2) CONTENTS.—In the report submitted under
8 paragraph (1), the transportation rulemaking com-
9 mittee shall include recommendations—

10 (A) on how to revise the regulations under
11 parts 365 and 390 of title 49, Code of Federal
12 Regulations, if additional minimum motor car-
13 rier registration requirements are determined
14 appropriate; and

15 (B) for any other necessary updates to reg-
16 ulations or requirements determined appro-
17 priate by the transportation rulemaking com-
18 mittee.

19 (e) RECOMMENDATIONS.—Not later than 6 months
20 after the date on which the transportation rulemaking
21 committee submits the report under subsection (d), the
22 Secretary shall submit to the Committee on Transpor-
23 tation and Infrastructure of the House of Representatives
24 and the Committee on Commerce, Science, and Transpor-
25 tation of the Senate—

1 (1) a summary of the findings and rec-
2 ommendations of the report; and

3 (2) for each recommendation—

4 (A) the Secretary intends to implement, a
5 description of the implementation plan of the
6 Secretary and timeline for implementation; and

7 (B) the Secretary does not intend to imple-
8 ment, an explanation as to why the Secretary
9 does not intend to implement such rec-
10 ommendation.

11 **SEC. 5211. BEYOND COMPLIANCE.**

12 (a) FINAL RULE.—Not later than 2 years after the
13 date of enactment of this Act, the Secretary shall issue
14 a final rule implementing section 5222 of the FAST Act
15 (49 U.S.C. 31100 note).

16 (b) CONSIDERATION.—In issuing the final rule under
17 subsection (a), the Secretary shall consider driver training
18 and experience as a recognized safety standard.

19 (c) REPORT.—Not later than 1 year after the date
20 of enactment of this Act, and at least once every 6 months
21 thereafter until the final rule required under subsection
22 (a) is issued, the Secretary shall brief the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives and the Committee on Commerce, Science,

1 and Transportation of the Senate on the status of the
2 rulemaking required under subsection (a).

3 **Subtitle D—Household Goods Ship-**
4 **ping Consumer Protection Re-**
5 **form**

6 **SEC. 5301. ADMINISTRATIVE ASSESSMENT OF CIVIL PEN-**
7 **ALTIES FOR VIOLATIONS OF COMMERCIAL**
8 **REGULATIONS.**

9 (a) ENFORCEMENT BY SECRETARY.—Section 14914
10 of title 49, United States Code, is amended—

11 (1) by redesignating subsections (b), (c), and
12 (d) as subsections (c), (d), and (e), respectively;

13 (2) by inserting after subsection (a) the fol-
14 lowing:

15 “(b) ENFORCEMENT BY SECRETARY.—If, after no-
16 tice and an opportunity for a hearing, the Secretary finds
17 that a person violated a provision of part B of subtitle
18 IV of this title, or a regulation or order issued pursuant
19 to such part, the Secretary shall assess a civil penalty by
20 written notice.”;

21 (3) in subsection (c), as redesignated by para-
22 graph (1), by inserting “or the Secretary” after
23 “Board”; and

1 (4) in subsection (d), as redesignated by para-
2 graph (1), by inserting “or the Secretary” after
3 “Board”.

4 (b) APPLICATION.—Section 501(b) of title 49, United
5 States Code, is amended—

6 (1) by inserting “5,” after “20303 and chap-
7 ters”; and

8 (2) by inserting “311, 313,” after “chapters),”.

9 **SEC. 5302. STATE USE OF GRANT FUNDS FOR COMMERCIAL**
10 **ENFORCEMENT AND CONSUMER PROTEC-**
11 **TION.**

12 Section 31102 of title 49, United States Code, is
13 amended—

14 (1) in subsection (h)—

15 (A) in paragraph (1)(B) by striking “and”
16 at the end;

17 (B) in paragraph (2)(B) by striking the
18 period at the end and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(3) for the enforcement of Federal household
21 goods statutes and regulations for the interstate
22 transportation of household goods by household
23 goods motor carriers and brokers, and for the intra-
24 state transportation of household goods by household
25 goods motor carriers if the State has adopted laws

1 or regulations that are compatible with Federal
2 household goods regulations.”;

3 (2) in subsection (l)(2)—

4 (A) in subparagraph (I) by striking “and”
5 at the end;

6 (B) by redesignating subparagraph (J) as
7 subparagraph (K); and

8 (C) by inserting after subparagraph (I) the
9 following:

10 “(J) enforce Federal household goods stat-
11 utes and regulations for the interstate transpor-
12 tation of household goods by household goods
13 motor carriers and brokers, and for the intra-
14 state transportation of household goods by
15 household goods motor carriers if the State has
16 adopted laws or regulations that are compatible
17 with Federal household goods regulations; and”;
18 and

19 (3) by adding at the end the following:

20 “(m) STATE DISCRETION.—The activities described
21 in subsections (h)(3) and (l)(2)(J) are—

22 “(1) optional at the discretion of a State; and

23 “(2) not a condition on funds received under
24 this section.”.

1 **SEC. 5303. STATE RETENTION OF PENALTIES AND FINES.**

2 Section 14711 of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(g) PENALTIES.—Notwithstanding any other provi-
5 sion of law, any fine or penalty imposed on a carrier or
6 broker in a proceeding under this section shall be paid
7 to, and retained by, the State that imposed such fine or
8 penalty.”.

9 **SEC. 5304. REGISTRATION REQUIREMENTS.**

10 (a) DEFINITIONS.—Section 13102 of title 49, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 “(28) PRINCIPAL PLACE OF BUSINESS.—The
14 term ‘principal place of business’ means a single
15 physical business location of a specified entity
16 where—

17 “(A) management officials of such speci-
18 fied entity report to work;

19 “(B) such specified entity conducts a sig-
20 nificant portion of its business relating to the
21 transportation of persons or property; and

22 “(C) such specified entity maintains
23 records required by part B of subtitle IV or
24 part B of subtitle VI.

25 “(29) SPECIFIED ENTITY.—The term ‘specified
26 entity’ means—

1 “(A) an employer, as such term is defined
2 in section 31132;

3 “(B) a person;

4 “(C) a motor carrier, including a foreign
5 motor carrier or foreign motor private carrier;

6 “(D) a broker; or

7 “(E) a freight forwarder.”.

8 (b) MOTOR CARRIER GENERALLY.—Section
9 13902(a)(1) of title 49, United States Code, is amended—

10 (1) in subparagraph (C) by striking “and” at
11 the end;

12 (2) in subparagraph (D) by striking the period
13 at the end and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(E) has designated a principal place of
16 business.”.

17 (c) REGISTRATION OF FREIGHT FORWARDERS.—
18 Section 13903(a) of title 49, United States Code, is
19 amended—

20 (1) in paragraph (1) by striking “and” at the
21 end;

22 (2) in paragraph (2) by striking the period at
23 the end and inserting a semicolon; and

24 (3) by adding at the end the following:

1 “(3) has designated a principal place of busi-
2 ness; and

3 “(4) has disclosed any relationship involving
4 common ownership, common management, common
5 control, or common familial relationship between
6 such person and any other motor carrier, freight for-
7 warder, broker, or any other applicant for motor
8 carrier, freight forwarder, or broker registration, if
9 the relationship occurred in the 3-year period pre-
10 ceding the date of the filing of the application for
11 registration.”.

12 (d) REGISTRATION OF BROKERS.—Section 13904(a)
13 of title 49, United States Code, is amended—

14 (1) in subsection (1) by striking “and” after
15 the semicolon;

16 (2) in subsection (2) by striking the period and
17 inserting a semicolon; and

18 (3) by adding at the end the following:

19 “(3) has designated a principal place of busi-
20 ness; and

21 “(4) has disclosed any relationship involving
22 common ownership, common management, common
23 control, or common familial relationship between
24 such person and any other motor carrier, freight for-
25 warder, or broker, or any other applicant for motor

1 carrier, freight forwarder, or broker registration, if
2 the relationship occurred in the 3-year period pre-
3 ceding the date of the filing of the application for
4 registration.”.

5 (e) COMPLAINTS AND ACTIONS ON SECRETARY INI-
6 TIATIVES.—Section 13905(d)(2) of title 49, United States
7 Code, is amended—

8 (1) in subparagraph (C)(iii) by striking “or” at
9 the end;

10 (2) in subparagraph (D) by striking the period
11 at the end and inserting “; or”; and

12 (3) by adding at the end the following:

13 “(E) withhold, suspend, amend, or revoke
14 any part of a registration of a motor carrier,
15 foreign motor carrier, foreign motor private car-
16 rier, broker, or freight forwarder if the Sec-
17 retary finds that the motor carrier, foreign
18 motor carrier, foreign motor private carrier,
19 broker, or freight forwarder failed to designate
20 a valid principal place of business.”.

21 (f) REQUIREMENT FOR REGISTRATION AND USDOT
22 NUMBER.—Section 31134 of title 49, United States Code,
23 is amended—

24 (1) in subsection (b)—

1 (A) in paragraph (2) by striking “or” at
2 the end;

3 (B) in paragraph (3) by striking the period
4 at the end and inserting “; or”; and

5 (C) by adding at the end the following:

6 “(4) the employer or person seeking registra-
7 tion has designated a principal place of business, as
8 defined in section 13102.”; and

9 (2) in subsection (c)(2) by striking “subsection
10 (b)(1)” and inserting “subsection (b)”.

11 **SEC. 5305. HOUSEHOLD GOODS CONSUMER PROTECTION**
12 **WORKING GROUP.**

13 (a) ESTABLISHMENT.—Not later than 1 year after
14 the date of enactment of this Act, the Secretary shall es-
15 tablish a working group to develop findings and rec-
16 ommendations on the modernization of Federal consumer
17 protection regulations relating to the interstate transpor-
18 tation of household goods by a motor carrier, including
19 such transportation that is arranged by a broker of house-
20 hold goods.

21 (b) MEMBERSHIP.—The working group shall be com-
22 prised of—

23 (1) individuals with expertise in consumer af-
24 fairs;

1 (2) representatives of household goods motor
2 carriers;

3 (3) representatives of household goods brokers;

4 (4) representatives of State moving and storage
5 associations;

6 (5) representatives of consumer organizations;

7 (6) representatives from truck safety organiza-
8 tions; and

9 (7) other stakeholders the Secretary determines
10 appropriate.

11 (c) RECOMMENDATIONS.—The working group estab-
12 lished under this section shall analyze and make rec-
13 ommendations regarding—

14 (1) the effect of technology and consumer pur-
15 chasing habits in the sale and servicing of interstate
16 shipments of household goods;

17 (2) the number, type, and elements of paper-
18 work required of carriers and shippers in interstate
19 transportation;

20 (3) the use of state-of-the-art education tech-
21 niques and technologies, including the internet and
22 artificial intelligence;

23 (4) the status of the implementation of the rec-
24 ommendations included in the report “Recommendations
25 to Improves Household Goods Consumer Edu-

1 cation”, issued pursuant to section 5503 of the
2 FAST Act (Public Law 114–94); and

3 (5) the impact and frequency of “name spoof-
4 ing” whereby a registered entity seeks to take ad-
5 vantage of consumers by registering under a name
6 that is deceptively similar to an established reg-
7 istered entity.

8 (d) REPORT.—Not later than 1 year after the date
9 on which the working group is established under this sec-
10 tion, the working group shall submit to the Secretary a
11 report that includes a summary of the findings and rec-
12 ommendations developed under subsection (c).

13 (e) RECOMMENDATIONS.—Not later than 18 months
14 after the date on which the Secretary receives the report
15 under subsection (d), the Secretary shall submit to the
16 Committee on Transportation and Infrastructure of the
17 House of Representatives and the Committee on Com-
18 merce, Science, and Transportation of the Senate—

19 (1) a summary of the findings and rec-
20 ommendations of the report; and

21 (2) for each recommendation—

22 (A) the Secretary intends to implement, a
23 description of the implementation plan of the
24 Secretary and timeline for implementation;

1 (B) if the Secretary does not intend to im-
2 plement the recommendation, an explanation as
3 to why the Secretary does not intend to imple-
4 ment such recommendation; or

5 (C) a notification if the Secretary lacks the
6 statutory authority to implement such rec-
7 ommendation.

8 (f) TERMINATION.—The working group shall termi-
9 nate 1 year after the date on which the working group
10 submits the report under subsection (d).

11 **Subtitle E—Safe Integration of Au-**
12 **tonomous Commercial Motor**
13 **Vehicles**

14 **SEC. 5401. DEFINITIONS.**

15 Section 31132 of title 49, United States Code, is
16 amended—

17 (1) by redesignating paragraphs (1) through
18 (11) as paragraphs (3), (5), (6), (8), (9), (10), (11),
19 (12), (13), (14), and (15), respectively;

20 (2) by inserting before paragraph (5), as so re-
21 designated, the following:

22 “(1) ‘ADS’ or ‘automated driving system’
23 means hardware and software systems on a commer-
24 cial motor vehicle that—

1 “(A) are collectively capable of performing
2 the entire dynamic driving task on a sustained
3 basis, regardless of whether such hardware or
4 software systems are limited to a specific oper-
5 ational design domain; and

6 “(B) collectively meet the definition of au-
7 tomation Level 3, Level 4, or Level 5.

8 “(2) ‘ADS-equipped commercial motor vehicle’
9 means a commercial motor vehicle equipped with an
10 ADS.”;

11 (3) in paragraph (3), as so redesignated—

12 (A) in subparagraph (B) by striking “in-
13 cluding the” and inserting “including, if appli-
14 cable, the”; and

15 (B) in subparagraph (C) by striking “in-
16 cluding the” and inserting “including, if appli-
17 cable, the”;

18 (4) by inserting after paragraph (3), as so re-
19 designated, the following:

20 “(4) ‘DDT fallback’, ‘DDT fallback-ready user’,
21 ‘DDT performance-relevant system failure’, ‘driver-
22 less operations dispatcher’, ‘dynamic driving task’,
23 ‘DDT’, ‘Level 3’, ‘Level 4’, ‘Level 5’, ‘remote assist-
24 ant’, ‘remote driver’, ‘minimal risk condition’,

1 ‘MRC’, ‘ODD’, and ‘operational design domain’ have
2 the meaning of the terms as provided in—

3 “(A) the April 2021 edition of rec-
4 ommended practice J3016 of SAE International
5 titled ‘Taxonomy and Definitions for Terms Re-
6 lated to Driving Automation Systems for On-
7 Road Motor Vehicles’;

8 “(B) a subsequent edition of recommended
9 practice J3016 adopted by the Secretary; or

10 “(C) a substantially similar successor rec-
11 ommended practice or standard of SAE Inter-
12 national adopted by the Secretary.”; and

13 (5) by inserting after paragraph (6), as so re-
14 designated, the following:

15 “(7) ‘integrated service operations’ means com-
16 mercial motor vehicle operations that involve non-
17 driving tasks relevant to the operation of such vehi-
18 cle, including—

19 “(A) the transportation primarily of mi-
20 nors, such as school bus transportation;

21 “(B) public transportation, as defined in
22 section 5302;

23 “(C) passenger transportation via motor-
24 coach;

1 “(D) carriage of placarded hazardous ma-
2 terials described in part 397 of title 49, Code
3 of Federal Regulations; and

4 “(E) other operations as determined by the
5 Secretary.”.

6 **SEC. 5402. ADS-EQUIPPED COMMERCIAL MOTOR VEHICLE**
7 **INTERSTATE OPERATION.**

8 (a) ADS-EQUIPPED COMMERCIAL MOTOR VEHICLE
9 OPERATION.—

10 (1) IN GENERAL.—Subchapter III of chapter
11 311 of title 49, United States Code, is amended by
12 inserting after section 31139 the following:

13 **“§ 31140. ADS-equipped commercial motor vehicle op-**
14 **eration**

15 “(a) SAFETY STANDARD.—

16 “(1) IN GENERAL.—Not later than 2 years
17 after the date of enactment of the BUILD America
18 250 Act, the Secretary shall issue such regulations
19 as are necessary to establish and maintain a per-
20 formance-based safety standard for ADS-equipped
21 commercial motor vehicles to operate in interstate
22 commerce.

23 “(2) APPLICABILITY.—In issuing the regula-
24 tions under paragraph (1), the Secretary shall deter-
25 mine how such standard applies to Level 3, Level 4,

1 and Level 5 ADS-equipped commercial motor vehi-
2 cles.

3 “(3) OPERATING REQUIREMENT.—After the ef-
4 fective date of regulations issued pursuant to para-
5 graph (1), an ADS-equipped commercial motor vehi-
6 cle may not be operated in interstate commerce un-
7 less—

8 “(A) the manufacturer has certified to the
9 Secretary that such vehicle has met the safety
10 standard established in paragraph (1);

11 “(B) the manufacturer and operator of
12 such vehicle meet the applicable regulations
13 issued pursuant to this chapter; and

14 “(C) such vehicle has not been materially
15 altered in such a manner that the vehicle does
16 not comply with such safety standard.

17 “(b) REQUIREMENTS FOR SAFETY STANDARD.—

18 “(1) SAFETY CASE.—The safety standard es-
19 tablished under subsection (a)(1) shall require a
20 manufacturer of an ADS or ADS-equipped commer-
21 cial motor vehicle to meet the standard through a
22 safety case, which shall be updated prior to making
23 any significant material changes to the ADS or
24 ADS-equipped commercial motor vehicle that—

1 “(A) provides claims, supported by argu-
2 ments and evidence, that support the conclusion
3 of the manufacturer that the design, construc-
4 tion, and performance of the ADS or ADS-
5 equipped commercial motor vehicle will provide
6 an equivalent or greater level of safety as a
7 non-ADS -equipped commercial motor vehicle
8 subject to the requirements of this title; and

9 “(B) includes the following components:

10 “(i) A description of each hardware
11 and software element of the ADS required
12 for—

13 “(I) braking, steering, propul-
14 sion, and computing capability;

15 “(II) redundancies;

16 “(III) each capability of the suite
17 of sensors of the ADS; and

18 “(IV) the integration of the ADS
19 into the vehicle platform.

20 “(ii) A complete description of the
21 ODD of the ADS, including how the ADS
22 performs each element within such ODD.

23 “(iii) An explanation of each engineer-
24 ing methodology used to design and assess
25 the performance of the ADS and ensure

1 commercial motor vehicle safety, includ-
2 ing—

3 “(I) each hazard analysis and as-
4 sociated verification and validation
5 process;

6 “(II) the credibility and limita-
7 tions of the tools, simulations, and
8 test environments employed for such
9 methodology, and the measures taken
10 to mitigate such limitations; and

11 “(III) the acceptance criteria
12 used by the manufacturer to assess
13 competencies in normal driving and
14 crash avoidance capability.

15 “(iv) An explanation of how the ADS
16 anticipates and responds to potential
17 crashes.

18 “(v) A description of any vehicle-inte-
19 grated system that provides visual or dig-
20 ital hazard alerting to a nearby road user
21 when the vehicle executes or enters a mini-
22 mal risk condition, including any system
23 that automatically activates high-con-
24 spicuity lighting patterns or transmits dig-

1 ital hazard messages to connected vehicles
2 and roadway infrastructure.

3 “(vi) A description of the cybersecu-
4 rity plan that includes—

5 “(I) a written cybersecurity pol-
6 icy with respect to the practices of the
7 manufacturer to detect and respond to
8 cyber attacks, unauthorized intru-
9 sions, and false vehicle control com-
10 mands;

11 “(II) a process to identify, as-
12 sess, and mitigate reasonably foresee-
13 able cyber risks related to commercial
14 motor vehicle safety from cyber at-
15 tacks or unauthorized intrusions, in-
16 cluding false and malicious vehicle
17 control commands;

18 “(III) a process to take preven-
19 tive and corrective action to mitigate
20 against reasonably foreseeable cyber
21 risks related to commercial motor ve-
22 hicle safety in the ADS or ADS-
23 equipped commercial motor vehicle,
24 including incident response plans, un-
25 authorized intrusion detection and

1 prevention systems that safeguard key
2 controls, systems, and procedures
3 through testing or monitoring, and
4 updates to such process based on
5 changed circumstances;

6 “(IV) the identification of an of-
7 ficer or other individual of the manu-
8 facturer as the point of contact with
9 responsibility for the management of
10 cybersecurity; and

11 “(V) a process for employee
12 training and supervision for imple-
13 mentation and maintenance of the
14 policies and procedures required by
15 this section, including controls on em-
16 ployee access to the ADS.

17 “(vii) A description of the manufac-
18 turer’s safety management system, includ-
19 ing organizational roles and responsibil-
20 ities, and the processes used to systemati-
21 cally address and audit safety throughout
22 the design, testing, deployment, and oper-
23 ation of the ADS.

24 “(viii) A description of the in-use
25 safety monitoring processes utilized by the

1 manufacturer, including safety perform-
2 ance indicators, thresholds for intervention,
3 and procedures for investigating and ad-
4 dressing safety-relevant incidents and
5 near-misses.

6 “(ix) A description of how the manu-
7 facturer incorporates operational data from
8 in-service operations, including feedback
9 loops from incidents and safety-critical sce-
10 narios into the design and validation of the
11 ADS, to ensure continuous improvement of
12 commercial motor vehicle safety.

13 “(x) An explanation of how the ADS-
14 equipped vehicle meets each of the fol-
15 lowing competencies:

16 “(I) The ADS performs the en-
17 tire DDT within the ODD of the ADS
18 and is able to recognize the bound-
19 aries of the ODD.

20 “(II) The ADS detects and re-
21 sponds appropriately to any vulner-
22 able road user in proximity to the
23 ADS in the relevant ODD.

24 “(III) In the case of a Level 3
25 ADS, the ability of the ADS to clearly

1 and unambiguously communicate
2 ADS status and user role to the DDT
3 fallback-ready user and, during any
4 transfer of control to the DDT fall-
5 back-ready user, provide sufficient
6 lead time for the DDT fallback-ready
7 user to safely assume the DDT, and
8 safely maintain vehicle control until
9 the ADS fallback user has assumed
10 control and the transfer is completed.

11 “(IV) The ability of the ADS to
12 safely achieve a MRC and safely allow
13 any occupants inside the vehicle to
14 exit the vehicle.

15 “(V) The ADS detects the limits
16 of the ODD of the ADS and respond
17 appropriately when 1 or more condi-
18 tions of the ODD are no longer met
19 by achieving an MRC.

20 “(VI) The ADS detects and re-
21 sponds to relevant objects or events,
22 including emergency vehicles and per-
23 sonnel, and school buses in proximity
24 to the ADS in the relevant ODD and

1 relevant to the driving decisions of the
2 ADS.

3 “(VII) The ADS can comply with
4 applicable local traffic laws and laws
5 relevant to the performance of the
6 DDT.

7 “(xi) Any additional information the
8 Secretary determines to be appropriate.

9 “(2) INCIDENT REPORTING.—

10 “(A) IN GENERAL.—The Secretary shall
11 prescribe reporting requirements for ADS-
12 equipped commercial motor vehicles that align
13 with reporting requirements issued by the Na-
14 tional Highway Traffic Safety Administration
15 under such Administration’s Third Amended
16 Standing General Order 2021–01 (signed April
17 24, 2025), and at a minimum, require the re-
18 porting of any crash that resulted in a—

19 “(i) fatality;

20 “(ii) serious injury;

21 “(iii) strike of a vulnerable road user;

22 “(iv) air bag deployment; or

23 “(v) vehicle tow-away.

24 “(B) ADDITIONAL REQUIREMENTS.—The
25 Secretary may require additional reporting re-

1 requirements if the Secretary determines such re-
2 quirements are necessary to effectively evaluate
3 or improve the safety of ADS-equipped com-
4 mercial motor vehicles.

5 “(C) REVISIONS.—The Secretary—

6 “(i) may periodically revise the report-
7 ing requirements prescribed under sub-
8 paragraph (A); and

9 “(ii) shall update such requirements if
10 the Secretary establishes a single Federal
11 database for autonomous vehicle-related in-
12 cidents.

13 “(3) ROLES AND RESPONSIBILITIES.—

14 “(A) IN GENERAL.—The safety standard
15 established under subsection (a)(1) shall require
16 the manufacturer of a Level 4 or Level 5 ADS
17 to assume and observe duties otherwise applica-
18 ble to a human driver to the extent such duties
19 relate to the real-time operation of such vehicle
20 and the performance of the DDT when—

21 “(i) the ADS is engaged and the vehi-
22 cle is operating within its ODD; or

23 “(ii) the ADS is engaged and such
24 ADS—

1 “(I) fails to detect that 1 or more
2 conditions of its ODD are no longer
3 met; or

4 “(II) after detecting that 1 or
5 more conditions of its ODD are no
6 longer met, fails to achieve an MRC.

7 “(B) RULE OF CONSTRUCTION.—Nothing
8 in this paragraph shall be construed to—

9 “(i) create, expand, or limit strict li-
10 ability under Federal or State law;

11 “(ii) create a cause of action; or

12 “(iii) affect the availability of any de-
13 fense or doctrine under otherwise applica-
14 ble law, including comparative fault, con-
15 tributory negligence, product liability prin-
16 ciples, or proximate causation.

17 “(4) OPERATOR ON BOARD.—The safety stand-
18 ard established under subsection (a)(1) shall require
19 a human operator to be located within the vehicle
20 during the operation of any ADS-equipped commer-
21 cial motor vehicle transporting—

22 “(A) primarily minors, such as school bus
23 transportation; or

1 “(B) placarded hazardous materials, as de-
2 scribed in part 397 of title 49, Code of Federal
3 Regulations.

4 “(5) ADDITIONAL STANDARDS FOR INTE-
5 GRATED SERVICE OPERATIONS.—In establishing the
6 safety standard under subsection (a)(1), if the Sec-
7 retary determines additional standards are necessary
8 to maintain the existing level of safety following the
9 introduction of ADS-equipped commercial motor ve-
10 hicles within integrated service operations, the Sec-
11 retary may apply additional requirements to such ve-
12 hicles, including ensuring that remote assistants per-
13 forming covered aspects of the dynamic driving task,
14 DDT fallback-ready users, or remote drivers have
15 the appropriate endorsement on their commercial
16 drivers’ license or have received relevant training
17 necessary for operation.

18 “(c) OPERATOR QUALIFICATIONS.—

19 “(1) IN GENERAL.—The Secretary shall require
20 a DDT fallback-ready user, remote driver, or remote
21 assistant who is performing covered aspects of the
22 dynamic driving task, as described in paragraph (5),
23 of an ADS-equipped commercial motor vehicle be
24 properly qualified and licensed to operate a commer-
25 cial motor vehicle, subject to the requirements of

1 parts 350 through 399 of title 49, Code of Federal
2 Regulations.

3 “(2) LEVEL 3 REQUIREMENTS.—The Secretary
4 shall require a DDT fallback-ready user to be phys-
5 ically located within the driver’s seat of the vehicle
6 for Level 3 ADS-equipped commercial motor vehi-
7 cles.

8 “(3) LOCATION.—The Secretary shall require
9 all remote assistants, driverless operations dis-
10 patchers, and remote drivers to be physically located
11 within the United States or any territory of the
12 United States.

13 “(4) DRIVING TIME.—Any period in which a re-
14 mote assistant performing covered aspects of the
15 DDT, DDT fallback-ready user, or remote driver
16 must monitor 1 or more ADS-equipped commercial
17 motor vehicles shall be considered driving time under
18 part 395 of title 49, Code of Federal Regulations.

19 “(5) COVERED ASPECTS OF THE DDT.—A re-
20 mote assistant is subject to the requirements of
21 paragraphs (1) and (4) when conducting any of the
22 following aspects of the DDT:

23 “(A) Lateral vehicle motion control via
24 steering.

1 “(B) Longitudinal vehicle motion control
2 via acceleration and deceleration.

3 “(C) Object and event response execution,
4 when the ADS cannot override an ordered re-
5 sponse in reaction to real-time conditions at its
6 location.

7 “(D) Maneuver planning, when the ADS
8 cannot override a plan in reaction to real-time
9 conditions at its location.

10 “(E) Enhancing conspicuity including via
11 lighting, sounding, the horn, signaling, and ges-
12 turing.

13 “(d) RULES OF CONSTRUCTION.—

14 “(1) Nothing in this section shall be construed
15 to prohibit a State from maintaining, enforcing, pre-
16 scribing, or continuing in effect any law or regula-
17 tion regarding cybersecurity or privacy.

18 “(2) Nothing in this section, including meeting
19 the requirements of subsection (a)(1) or any rules
20 implementing this section, shall be construed to re-
21 lieve a person or manufacturer from liability which
22 may exist under another Federal or State law or
23 supplant, displace, preempt another Federal or State
24 law relating to remedies for civil relief, including

1 Federal or State laws for civil damage, or penalties
2 for criminal actions.

3 “(3) Nothing in this section shall be construed
4 to require the Secretary to require a commercial
5 motor vehicle to be equipped with an ADS.”.

6 (2) CLERICAL AMENDMENT.—The analysis for
7 chapter 311 of title 49, United States Code, is
8 amended by inserting after the item relating to sec-
9 tion 31139 the following:

“31140. ADS-equipped commercial motor vehicle operation.”.

10 (b) TRANSPORTATION RULEMAKING COMMITTEE.—

11 (1) ESTABLISHMENT.—Not later than 90 days
12 after the date of enactment of this Act, the Sec-
13 retary shall establish a transportation rulemaking
14 committee, pursuant to section 102(k) of title 49,
15 United States Code, to make recommendations on
16 the implementation of section 31140 of such title (as
17 added by this section) and on the applicability of
18 parts 350 through 399 of title 49, Code of Federal
19 Regulations, to ADS-equipped commercial motor ve-
20 hicles and related DDT fallback-ready users, remote
21 drivers, remote assistants, and driverless dispatch
22 operators.

23 (2) MEMBERSHIP.—The transportation rule-
24 making committee convened under paragraph (1)
25 shall consist of not more than 18 members ap-

1 pointed by the Secretary, including representatives
2 of—

3 (A) autonomous commercial motor vehicle
4 technology providers;

5 (B) autonomous commercial motor vehicle
6 original equipment manufacturers;

7 (C) commercial motor vehicle law enforce-
8 ment associations;

9 (D) traffic safety professionals;

10 (E) roadway safety advocates;

11 (F) the trucking industry, including both
12 small and large motor carriers;

13 (G) the shipping industry;

14 (H) labor organizations representing driv-
15 ers of commercial motor vehicles in interstate
16 commerce;

17 (I) labor organizations representing transit
18 vehicle operators;

19 (J) labor organizations representing first
20 responders, including law enforcement and fire
21 fighters;

22 (K) State highway safety offices;

23 (L) insurers of commercial motor vehicles;

1 (M) independent research and testing or-
2 ganizations of ADS-equipped commercial motor
3 vehicles; and

4 (N) others as determined appropriate by
5 the Secretary.

6 (3) CONSIDERATIONS.—The transportation
7 rulemaking committee convened under paragraph
8 (1) shall consider, at a minimum, recommendations
9 on the following:

10 (A) Updates necessary to implement sec-
11 tion 31140 of title 49, United States Code (as
12 added by this section).

13 (B) The applicability of parts 350 through
14 399 of title 49, Code of Federal Regulations, to
15 ADS-equipped commercial motor vehicles, in-
16 cluding—

17 (i) updates to parts 392.7, 396.11,
18 and 396. 9 of such title to develop stand-
19 ards and procedures for vehicle inspections
20 specific to ADS-equipped commercial
21 motor vehicles; and

22 (ii) updates to part 385 of such title
23 to—

1 (I) incorporate ADS-equipped
2 commercial motor vehicles into safety
3 fitness determination procedures; and

4 (II) publish safety fitness infor-
5 mation for ADS-equipped commercial
6 motor vehicles separately from non-
7 ADS equipped commercial motor vehi-
8 cles.

9 (C) Workforce implications, including what
10 additional qualifications may be necessary for
11 DDT fallback-ready users and remote drivers
12 and the necessity of workforce programs to
13 train human-in-vehicle operators, DDT fall-
14 back-ready users, remote drivers, remote assist-
15 ants, and driverless operations dispatchers.

16 (D) A process for determining the roles
17 and responsibilities for the manufacturer, oper-
18 ator, DDT fallback-ready user, remote driver,
19 remote assistant, and driverless dispatch officer
20 of an ADS-equipped commercial motor vehicle
21 when the ADS is engaged.

22 (E) Restrictions related to the transpor-
23 tation of placarded hazardous materials, as de-
24 scribed in part 397 of title 49, Code of Federal

1 Regulations, by ADS-equipped commercial
2 motor vehicles.

3 (F) The quantity of ADS-equipped com-
4 mercial motor vehicles a DDT fallback-ready
5 user, remote driver, remote assistant, or driver-
6 less operations dispatcher may be responsible
7 for without reducing the level of public safety.

8 (G) Additional training requirements for
9 DDT fallback-ready users, remote drivers, re-
10 mote assistants, or driverless operation dis-
11 patchers.

12 (H) Any additional requirements to ensure
13 the ADS or ADS-equipped commercial motor
14 vehicle may allow occupants inside the vehicle
15 to, at any time, command the vehicle to safely
16 achieve an MRC and allow the occupants inside
17 the vehicle to exit the vehicle.

18 (4) REPORT AND REGULATIONS.—

19 (A) REPORT.—Not later than 1 year after
20 the transportation rulemaking committee under
21 paragraph (1) convenes, the Secretary shall
22 submit to the Committee on Transportation and
23 Infrastructure of the House of Representatives
24 and the Committee on Commerce, Science, and
25 Transportation of the Senate a report based on

1 the findings of the transportation rulemaking
2 committee.

3 (B) RULEMAKING REQUIRED.—Not later
4 than 6 months after the Secretary submits the
5 report under subparagraph (A), the Secretary
6 shall issue such regulations as are necessary to
7 implement section 31140 of title 49, United
8 States Code (as added by this section), and
9 make necessary updates to parts 350 through
10 399 of title 49, Code of Federal Regulations,
11 related to the applicability of such regulations
12 to ADS-equipped commercial motor vehicles,
13 DDT fallback-ready users, remote drivers, re-
14 mote assistants, and driverless operations dis-
15 patchers.

16 (C) CONTENTS OF RULEMAKING.—In
17 issuing the rulemaking required under subpara-
18 graph (B), the Secretary shall, at a minimum—

19 (i) make necessary updates to comply
20 with the requirements set forth under sec-
21 tion 31140 of title 49, United States Code
22 (as added by this section);

23 (ii) update part 385 of title 49, Code
24 of Federal Regulations, to—

1 (I) incorporate ADS-equipped
2 commercial motor vehicles into safety
3 fitness determination procedures;

4 (II) publish safety fitness deter-
5 mination information for ADS-
6 equipped commercial motor vehicles
7 separately from non-ADS-equipped
8 commercial motor vehicles; and

9 (III) authorize the revocation of
10 operating authority specifically and
11 individually for either the non-ADS
12 equipped or ADS-equipped compo-
13 nents of a motor carrier;

14 (iii) update standards and procedures
15 for vehicle inspection specific to ADS-
16 equipped commercial motor vehicles;

17 (iv) consider any additional qualifica-
18 tions or licensing requirements, such as an
19 appropriate endorsement or additional
20 training, necessary for DDT fallback-ready
21 users, remote drivers, remote assistants,
22 and driverless operations dispatchers in
23 ADS-equipped commercial motor vehicles;

24 (v) establish a limit on the respective
25 quantity of ADS-equipped commercial

1 motor vehicles a remote assistant or driver-
2 less operations dispatcher may be respon-
3 sible for without reducing the level of pub-
4 lic safety;

5 (vi) provide standards for ADS-
6 equipped commercial motor vehicles to in-
7 clude visual or digital hazard alerting to
8 nearby road users when the vehicle exe-
9 cutes or enters a minimal risk condition,
10 including by automatically activating high-
11 conspicuity lighting patterns or transmit-
12 ting digital hazard messages to connected
13 vehicles or roadway infrastructure;

14 (vii) provide standards for data collec-
15 tion, data standardization, and record-
16 keeping, including, at a minimum, record-
17 keeping of sensor and ADS engagement
18 and disengagement status data, for manu-
19 facturers of ADS-equipped commercial
20 motor vehicles when such a vehicle is in-
21 volved in a crash;

22 (viii) provide minimum standards and
23 requirements for manufacturers to dem-
24 onstrate that an ADS or ADS-equipped ve-
25 hicle meets the competencies described in

1 section 31140(b)(1)(B)(x) of title 49,
2 United States Code;

3 (ix) update requirements and proce-
4 dures for the Compliance, Safety, and Ac-
5 countability program of the Federal Motor
6 Carrier Safety Administration and the
7 Safety Measurement System utilized by the
8 Compliance, Safety, and Accountability
9 program to account for ADS-equipped
10 commercial motor vehicles;

11 (x) provide additional limitations or
12 restrictions for ADS-equipped commercial
13 motor vehicles engaged in integrated serv-
14 ice operations; and

15 (xi) consider the applicability of part
16 395 of title 49, Code of Federal Regula-
17 tions, to remote assistants and driverless
18 operations dispatchers, and make any nec-
19 essary updates to the requirements and
20 procedures to account for such assistants
21 and dispatchers.

22 (5) PROHIBITION.—In issuing the rulemaking
23 under subparagraph (B), the Secretary shall not—

24 (A) exempt any vehicle operating under
25 section 5112 of title 49, United States Code,

1 from being subject to the attendance and sur-
2 veillance requirements under part 397.5 of title
3 49, Code of Federal Regulations;

4 (B) exempt the operator of an ADS-
5 equipped commercial motor vehicle from any
6 applicable inspections required by parts 392.7,
7 396.11, or 396.9 of title 49, Code of Federal
8 Regulations; or

9 (C) exempt DDT fallback-ready users, re-
10 mote drivers, or remote assistants capable of
11 issuing commands to an ADS-equipped vehicle
12 from being subject to relevant requirements
13 under 350 through 399 of title 49, Code of
14 Federal Regulations.

15 (6) RULES OF CONSTRUCTION.—The rules of
16 construction under section 31140(d) of title 49,
17 United States Code (as added by this section), shall
18 apply to this subsection.

19 (7) DEFINITIONS.—In this subsection:

20 (A) APPLICABLE TERMS.—The terms
21 “ADS”, “ADS-equipped commercial motor ve-
22 hicle”, “DDT fallback-ready user”, “driverless
23 operations dispatcher”, “MRC”, “remote driv-
24 er”, “remote assistant”, “Level 4”, and “Level

1 5” have the meanings given such terms in sec-
2 tion 31132 of title 49, United States Code.

3 (B) LABOR ORGANIZATION.—The term
4 “labor organization” has the meaning given the
5 term in section 10002(15) of the Research and
6 Development, Competition, and Innovation Act
7 (42 U.S.C. 18901(15)).

8 **SEC. 5403. REVIEW AND PREEMPTION OF STATE LAWS AND**
9 **REGULATIONS.**

10 Section 31141(a) of title 49, United States Code, is
11 amended by inserting “, including ADS-equipped commer-
12 cial motor vehicle safety,” after “commercial motor vehicle
13 safety”.

14 **SEC. 5404. ENSURING REGULATORY FLEXIBILITY FOR**
15 **SAFETY TECHNOLOGIES.**

16 Section 31113(b) of title 49, United States Code, is
17 amended—

18 (1) by striking “include a safety” and inserting
19 the following: “include—

20 “(1) a safety”;

21 (2) by striking the period at the end and insert-
22 ing “; or”; and

23 (3) by adding at the end the following:

24 “(2) automated driving system technologies or
25 equipment.”.

1 **SEC. 5405. REGULATORY INTERPRETATIONS.**

2 (a) IN GENERAL.—Notwithstanding sections
3 392.22(b), 393.95(f), and 393.25(e) of title 49, Code of
4 Federal Regulations, or any successor regulations, cab-
5 mounted warning beacons shall be considered permissible
6 warning devices for a commercial motor vehicle stopped
7 upon the traveled portion or the shoulder of a highway
8 for any cause other than necessary traffic stops and may
9 be used in lieu of warning devices required under section
10 393.95(f) of such title.

11 (b) PROHIBITION.—The Administrator of the Federal
12 Motor Carrier Safety Administration shall only take ad-
13 ministrative action that is consistent with the require-
14 ments of this section and that may be necessary to make
15 technical or conforming amendments.

16 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to require a commercial motor vehi-
18 cle to be equipped with, or use, cab-mounted warning bea-
19 cons.

20 (d) CAB-MOUNTED WARNING BEACONS DEFINED.—
21 In this section, the term “cab-mounted warning beacons”
22 means auxiliary, exterior lamps that are mounted on the
23 cab of a commercial motor vehicle in a position where such
24 lamps are visible to approaching traffic, and are amber
25 in color, flash, and meet the class 1 photometric perform-
26 ance requirements of the standard of the Society of Auto-

1 motive Engineers International titled “Directional Flash-
2 ing Optical Warning Devices for Authorized Emergency,
3 Maintenance and Service Vehicles”.

4 **SEC. 5406. NATIONAL CONSUMER COMPLAINT DATABASE.**

5 Section 4214(a) of SAFETEA-LU (49 U.S.C. 14701
6 note) is amended—

7 (1) in paragraph (2) by striking “and” at the
8 end;

9 (2) in paragraph (3) by striking the period and
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(4) collect information on safety violations spe-
13 cific to ADS-equipped commercial motor vehicles (as
14 such term is defined in section 31132 of title 49,
15 United States Code) and display such information in
16 a manner that allows the information to be displayed
17 both separately and aggregated with information col-
18 lected under paragraph (1).”.

19 **SEC. 5407. COMMERCIAL MOTOR VEHICLE WORKFORCE DE-**
20 **VELOPMENT.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this Act, the Secretary shall establish
23 a workforce development program to make grants for eligi-
24 ble projects to support the commercial motor vehicle work-
25 force, including—

1 (1) strengthening employment opportunities for
2 professional drivers, mechanics, and related occupa-
3 tions whose duties affect the safety and operation of
4 commercial motor vehicles within the transportation
5 industry; and

6 (2) training individuals to safely operate and
7 maintain ADS-equipped commercial motor vehicles.

8 (b) ELIGIBLE PROJECTS.—For purposes of the pro-
9 gram established under subsection (a), an eligible project
10 is a project—

11 (1) to train current commercial driver’s license
12 holders on safe operation and maintenance of ADS-
13 equipped commercial motor vehicles;

14 (2) to establish or improve a registered appren-
15 ticeship, internship, or scholarship program for indi-
16 viduals pursuing employment in the trucking work-
17 force, including vehicle maintenance technicians, and
18 interested in working with new and emerging tech-
19 nologies;

20 (3) to support targeted outreach and partner-
21 ships with the transportation industry, economic de-
22 velopment organizations, workforce development
23 boards, and labor organizations to support the com-
24 mercial motor vehicle workforce;

1 (4) to support the current workforce in adapt-
2 ing to the impacts of new and emerging technologies
3 on the transportation, transit, and logistics indus-
4 tries; and

5 (5) to otherwise enhance or expand the com-
6 mercial motor vehicle workforce.

7 (c) APPLICATIONS.—An application for a grant made
8 under the program established in subsection (a) may be
9 submitted, in such form as the Secretary may specify,
10 by—

11 (1) a State, local, territorial, or Tribal govern-
12 mental agency;

13 (2) an institution of higher education or a post-
14 secondary vocational institution;

15 (3) a labor organization representing commer-
16 cial motor vehicle operators or mechanics and other
17 maintenance user for commercial motor vehicles;

18 (4) a non-profit organization described in sec-
19 tion 501(c)(3) of the Internal Revenue Code of 1986
20 that is exempt from taxation under section 401(a) of
21 such Code.

22 (d) TECHNICAL ASSISTANCE.—The Secretary may
23 set aside up to 2 percent of the funds appropriated to
24 carry out this section to provide technical assistance to
25 eligible applicants for a grant under this section.

1 (e) REPORT.—Not later than 1 year after the pro-
2 gram is established under subsection (a), and annually
3 thereafter, the Secretary shall submit to the Committee
4 on Transportation and Infrastructure of the House of
5 Representatives and the Committee on Commerce,
6 Science, and Transportation of the Senate a report on the
7 administration of the program that includes—

8 (1) a summary of projects awarded grants
9 under this section and the progress of each recipient
10 towards fulfilling program expectations; and

11 (2) recommendations to Congress, governmental
12 agencies, educational institutions, labor organiza-
13 tions representing transportation workers, the au-
14 tonomous commercial motor vehicle industry, and
15 other stakeholders to better support the commercial
16 motor vehicle workforce.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this sec-
19 tion—

20 (1) \$27,500,000 for fiscal year 2027;

21 (2) \$28,000,000 for fiscal year 2028;

22 (3) \$28,600,000 for fiscal year 2029;

23 (4) \$29,200,000 for fiscal year 2030; and

24 (5) \$29,800,000 for fiscal year 2031.

25 (g) DEFINITIONS.—In this section:

1 (1) ADS-EQUIPPED COMMERCIAL MOTOR VEHI-
2 CLE.—The term “ADS-equipped commercial motor
3 vehicle” has the meaning given such term in section
4 31132 of title 49, United States Code.

5 (2) INSTITUTION OF HIGHER EDUCATION.—The
6 term “institution of higher education” has the
7 meaning given such term in section 101(a) of the
8 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

9 (3) POSTSECONDARY VOCATIONAL INSTITU-
10 TION.—The term “postsecondary vocational institu-
11 tion” has the meaning given such term in section
12 102(c) of the Higher Education Act of 1965 (20
13 U.S.C. 1002(c)).

14 **TITLE VI—INNOVATION**

15 **SEC. 6001. STRENGTHENING MOBILITY AND REVOLUTION-** 16 **IZING TRANSPORTATION GRANT PROGRAM.**

17 Section 25005 of the Infrastructure Investment and
18 Jobs Act (23 U.S.C. 502 note) is amended—

19 (1) in subsection (d)(3)—

20 (A) in subparagraph (A)—

21 (i) in clause (i)—

22 (I) by striking subclause (III);

23 and

1 (II) by redesignating subclauses
2 (IV) and (V) as subclauses (III) and
3 (IV), respectively; and
4 (ii) in clause (ii)(IV) by striking “con-
5 nect or expand access for underserved or
6 disadvantaged populations and”; and
7 (B) in subparagraph (B)—
8 (i) by redesignating clauses (ii)
9 through (viii) as clauses (iii) through (ix),
10 respectively; and
11 (ii) by inserting after clause (i) the
12 following:
13 “(ii) promote new and emerging tech-
14 nologies that have not been widely de-
15 ployed;”;
16 (2) in subsection (e)(1)(A)(vii) by striking “to
17 support” through the period at the end and insert-
18 ing “that is predominantly used in or to support
19 transportation activities”;
20 (3) in subsection (f)(3) by inserting “and annu-
21 ally thereafter through 2031,” after “under this sec-
22 tion,”; and
23 (4) in subsection (g)(1) by striking “each of the
24 first 5 fiscal years beginning after the date of enact-

1 ment of this Act” and inserting “each of fiscal years
2 2027 through 2031”.

3 **SEC. 6002. TECHNOLOGY DEPLOYMENT.**

4 Section 503(c) of title 23, United States Code, is
5 amended—

6 (1) in paragraph (3)(D) by striking “fiscal
7 years 2022 through 2026” and inserting “fiscal
8 years 2027 through 2031”;

9 (2) in paragraph (3)(E) by striking “3 years”
10 and inserting “2 years”;

11 (3) in paragraph (4)—

12 (A) in the heading by striking “AND INNO-
13 VATIVE MOBILITY”;

14 (B) in subparagraph (B)—

15 (i) in clause (iv) by striking “protect
16 the environment and”;

17 (ii) by striking clause (xii);

18 (iii) in clause (x) by adding “or” at
19 the end; and

20 (iv) in clause (xi) by striking “; or”
21 and inserting a period;

22 (C) in subparagraph (E)—

23 (i) in clause (xv) by striking “; or”
24 and inserting a semicolon;

1 (ii) in clause (xvi) by striking the pe-
2 riod and inserting “; or”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(xvii) cybersecurity protection meas-
6 ures and activities to protect against cyber-
7 security threats.”;

8 (D) in subparagraph (I)(i) by striking “fis-
9 cal years 2022 through 2026” and inserting
10 “fiscal years 2027 through 2031”; and

11 (E) in subparagraph (K) by striking “20
12 percent” and inserting “10 percent”; and
13 (4) in paragraph (5)—

14 (A) in subparagraph (C) by striking “fiscal
15 years 2022 through 2026” and inserting “fiscal
16 years 2027 through 2031”; and

17 (B) in subparagraph (D)(i)—

18 (i) in subclause (I) by striking “and”
19 at the end;

20 (ii) in subclause (II) by striking the
21 period and inserting “; and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(III) any recommendations or
25 best practices to encourage wider de-

1 ployment and implementation of ad-
2 vanced digital management systems
3 by States.”.

4 **SEC. 6003. STRATEGIC INNOVATION FOR REVENUE COL-**
5 **LECTION.**

6 Section 13001 of the Infrastructure Investment and
7 Jobs Act (23 U.S.C. 503 note) is amended—

8 (1) in subsection (b)(3)—

9 (A) in subparagraph (A)—

10 (i) by striking “To test” and all that
11 follows through “including among” and in-
12 serting “To test the design, acceptance,
13 and implementation of user-based alter-
14 native revenue mechanisms at the State
15 and regional level, and with respect to all
16 types of roadway users, including users
17 in”; and

18 (ii) by striking clause (ii) and insert-
19 ing the following:

20 “(ii) urban, suburban, and rural
21 areas.”; and

22 (B) in subparagraph (G) by inserting “and
23 effectiveness” after “the ease”;

24 (2) in subsection (d) by inserting “and annually
25 thereafter,” after “this Act,”; and

1 (3) in subsection (e)(1) by striking “fiscal years
2 2022 through 2026” and inserting “fiscal years
3 2027 through 2031”.

4 **SEC. 6004. NATIONAL MOTOR VEHICLE PER-MILE USER FEE**

5 **PILOT.**

6 Section 13002 of the Infrastructure Investment and
7 Jobs Act (23 U.S.C. 503 note) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A) by striking “demonstrate” and
12 inserting “implement”;

13 (ii) in subparagraph (A) by striking
14 “and” at the end;

15 (iii) in subparagraph (B) by striking
16 the period at the end and inserting “;
17 and”; and

18 (iv) by adding at the end the fol-
19 lowing:

20 “(C) to preserve the ‘user-pays’ principle
21 of the Highway Trust Fund.”; and

22 (B) in paragraph (2)—

23 (i) in subparagraph (B) by striking
24 “and” at the end;

1 (ii) in subparagraph (C) by striking
2 the period at the end and inserting “;
3 and”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(D) to collect and report data on—

7 “(i) the differential effects of a na-
8 tional per-mile road usage charge and the
9 Federal motor fuels tax between urban and
10 rural drivers; and

11 “(ii) the interoperability of road usage
12 charge collection between the States.”;

13 (2) in subsection (d)(1)—

14 (A) in the matter preceding subparagraph
15 (A) by inserting “, testing, and evaluating”
16 after “selecting”;

17 (B) in subparagraph (E) by inserting “and
18 data from the entities that received grants
19 under section 13001” before the period at the
20 end;

21 (C) in subparagraph (F) by striking “sta-
22 tions” and inserting “and motor vehicle inspec-
23 tion stations”;

24 (D) by redesignating subparagraph (G) as
25 subparagraph (I); and

1 (E) by inserting after subparagraph (F)
2 the following:

3 “(G) Reporting by volunteer participants,
4 including reporting through State departments
5 of motor vehicles.

6 “(H) Odometer-based systems.”;

7 (3) in subsection (f)(2)(A) by inserting “and
8 the vehicles of such participants” after “parti-
9 pants”;

10 (4) in subsection (g)—

11 (A) in paragraph (1)—

12 (i) in the matter preceding subpara-
13 graph (A) by striking “Not later than 90
14 days after the date of enactment of this
15 Act” and inserting “Not later than 30
16 days after the date of enactment of the
17 BUILD America 250 Act”;

18 (ii) in subparagraph (B) by striking
19 “and” at the end;

20 (iii) in subparagraph (C) by striking
21 the period at the end and inserting “;
22 and”; and

23 (iv) by adding at the end the fol-
24 lowing:

1 “(D) identifying information gaps to be
2 addressed by the strategic innovation for rev-
3 enue collection program established under sec-
4 tion 13001.”; and

5 (B) in paragraph (3) by inserting “, and
6 the Secretary shall provide such recommenda-
7 tions to the Committee on Transportation and
8 Infrastructure and the Committee on Ways and
9 Means of the House of Representatives and the
10 Committee on Environment and Public Works
11 and the Committee on Finance of the Senate”
12 after “pilot program”;

13 (5) in subsection (h)(1)—

14 (A) in the matter preceding subparagraph
15 (A) by striking “may” and inserting “shall”;
16 and

17 (B) in subparagraph (B) by inserting
18 “strategic innovation for revenue collection pro-
19 gram established under section 13001 and the”
20 after “from the”; and

21 (6) in subsection (n) by striking paragraph (1)
22 and inserting the following:

23 “(1) progress made toward achieving the objec-
24 tives described in subsection (b)(2);”; and

1 (7) in subsection (o)(1) by striking “2022
2 through 2026” and inserting “2027 through 2031”.

3 **SEC. 6005. ITS ADVISORY COMMITTEE.**

4 Section 515(h)(2) of title 23, United States Code, is
5 amended—

6 (1) by redesignating subparagraphs (Q)
7 through (W) as subparagraphs (R) through (X), re-
8 spectively; and

9 (2) by inserting after subparagraph (P) the fol-
10 lowing:

11 “(Q) a representative from a labor organi-
12 zation representing transportation workers;”.

13 **SEC. 6006. ENCOURAGED USE OF DIGITAL PLATFORMS.**

14 (a) IN GENERAL.—Section 102(h) of title 49, United
15 States Code, is amended—

16 (1) in paragraphs (5) and (6) by striking “Cen-
17 ter” each place it appears and inserting “Executive
18 Director”; and

19 (2) by adding at the end the following:

20 “(D) ENCOURAGED USE OF DIGITAL PLAT-
21 FORMS.—The Executive Director, in coordina-
22 tion with the appropriate operating administra-
23 tions within the Department, shall, as appro-
24 priate, encourage recipients of Federal funds
25 provided by the Department to utilize digital

1 platforms, such as interactive cloud-based plat-
2 forms or 3-dimensional digital models of infra-
3 structure project elements, when carrying out
4 environmental reviews under the National Envi-
5 ronmental Policy Act of 1969 (42 U.S.C. 4321
6 et seq.).”.

7 (b) GUIDANCE.—Not later than 1 year after the date
8 of enactment of this Act, the Executive Director of the
9 Interagency Infrastructure Permitting Improvement Cen-
10 ter of the Department shall publish technology-neutral
11 guidance to facilitate the adoption of digital platforms by
12 sponsors of projects that receive Federal funds from the
13 Department that are required to carry out the environ-
14 mental impact analysis and community engagement proc-
15 esses under the National Environmental Policy Act of
16 1969 (42 U.S.C. 4321 et seq.).

17 **SEC. 6007. NONTRADITIONAL AND EMERGING TRANSPOR-**
18 **TATION TECHNOLOGY COUNCIL.**

19 Section 313 of title 49, United States Code, is
20 amended—

21 (1) in subsection (c)—

22 (A) in paragraph (3) by striking “; and”
23 and inserting “, including—

24 “(A) State and local transportation offi-
25 cials;

1 “(B) transportation industry associations;

2 “(C) academia and research institutes;

3 “(D) representatives from labor organiza-
4 tions representing transportation workers; and

5 “(E) other stakeholders as determined ap-
6 propriate by the Council;”;

7 (B) in paragraph (4) by striking the period
8 at the end and inserting “, including digital in-
9 frastructure; and”; and

10 (C) by adding at the end the following:

11 “(5) identify cases where nontraditional and
12 emerging technologies may be beneficial across mul-
13 tiple modal administrations.”; and

14 (2) in subsection (h)—

15 (A) by striking “2026” and inserting
16 “2031”; and

17 (B) by striking “describing” and all that
18 follows through the period at the end and in-
19 serting “describing—

20 “(1) the activities of the Council during the
21 preceding calendar year; and

22 “(2) how each modal administration of the De-
23 partment of Transportation is incorporating non-
24 traditional and emerging technologies the Council

1 has identified as beneficial into the initiatives of the
2 administration.”.

3 **SEC. 6008. UNIVERSITY TRANSPORTATION CENTERS PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Section 5505 of title 49, United
6 States Code, is amended—

7 (1) in subsection (b)(4)(B)(vi) by inserting “to
8 State and local transportation officials” after “dis-
9 seminate results”;

10 (2) in subsection (c)(4)(A) by striking “not
11 more than”; and

12 (3) in subsection (d)(3) by striking “fiscal years
13 2022 through 2026” and inserting “fiscal years
14 2027 through 2031”.

15 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed to require the Secretary to provide
17 a greater number of grants under section 5505 of title
18 49, United States Code, than there are eligible applicants.

19 **SEC. 6009. PROHIBITION RELATED TO CERTAIN FOREIGN-**
20 **MADE LIDAR TECHNOLOGY.**

21 (a) DEFINITIONS.—In this section:

22 (1) COVERED FOREIGN COUNTRY; COVERED
23 LIDAR COMPANY; COVERED LIDAR TECHNOLOGY;
24 LIDAR.—The terms “covered foreign country”, “cov-
25 ered LiDAR company”, “covered LiDAR tech-

1 nology”, and “LiDAR” have the meanings given
2 those terms in section 164(e) of the Servicemember
3 Quality of Life Improvement and National Defense
4 Authorization Act for Fiscal Year 2025 (10 U.S.C.
5 note prec. 4651; Public Law 118–159).

6 (2) RECIPIENT.—The term “recipient” means a
7 person or entity, including a State or local govern-
8 mental authority, that receives Federal financial as-
9 sistance from the Department.

10 (3) SUBRECIPIENT.—The term “subrecipient”
11 means a person or entity, including a State or local
12 governmental authority, that receives Federal finan-
13 cial assistance indirectly from the Department
14 through a recipient for purposes of carrying out a
15 contract or an award agreement, including a loan.

16 (b) PROHIBITION ON USE OR PROCUREMENT OF
17 CERTAIN LiDAR.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (3), the Secretary may not—

20 (A) procure or obtain—

21 (i) any covered LiDAR technology;

22 (ii) any LiDAR technology otherwise
23 produced or provided by a covered LiDAR
24 company; or

1 (iii) any LiDAR technology produced
2 in or provided by a covered foreign coun-
3 try; or

4 (B) enter into, extend, or renew a contract,
5 award agreement, or loan with any entity unless
6 the entity certifies to the Secretary that no re-
7 cipient or subrecipient party to the relevant
8 contract, award agreement, or loan will obligate
9 or expend Federal financial assistance associ-
10 ated with such contract, award agreement, or
11 loan to procure or obtain covered LiDAR tech-
12 nology described in clause (ii) or (iii) of sub-
13 paragraph (A).

14 (2) WAIVER.—The Secretary may waive the
15 prohibition under paragraph (1) on a case-by-case
16 basis by submitting to the Committee on Transpor-
17 tation and Infrastructure of the House of Represent-
18 atives and the Committee on Commerce, Science,
19 and Transportation of the Senate, not later than 15
20 days before the applicable activity is carried out—

21 (A) a written certification that the activity
22 to which the prohibition applies and for which
23 a waiver will be provided is in the national in-
24 terest of the United States; and

1 (B) a description of the activity for which
2 the waiver will be provided.

3 (3) EXEMPTION.—Paragraph (1) shall not
4 apply to any grant, operation, procurement, or con-
5 tracting action that is—

6 (A) performed by a Federal agency or
7 through a contract or subcontract on behalf of
8 a Federal agency;

9 (B) determined by the Secretary to be used
10 for transportation safety purposes, including
11 testing, research, evaluation, analysis, investiga-
12 tion, or training related to transportation safe-
13 ty; and

14 (C) not for commercial operations.

15 (c) EFFECTIVE DATE.—The prohibition under sub-
16 section (b) shall only apply to a written agreement, grant
17 agreement, or contract entered into by the Secretary on
18 or after the date that is 1 year after the date of enactment
19 of this Act.

20 **SEC. 6010. DATA PRIVACY.**

21 (a) IN GENERAL.—In carrying out any activity of the
22 Department related to predictive analytics, telematics, or
23 any other validated methodology tools, the Secretary shall,
24 to the maximum extent practicable, ensure that personally

1 identifiable information is protected in accordance with
2 applicable Federal privacy laws.

3 (b) INTEROFFICE COORDINATION.—In carrying out
4 subsection (a), the Secretary shall ensure that, with re-
5 spect to the use of any tool described in subsection (a),
6 all practices relating to the protection of personally identi-
7 fiable information are consistent across each office and op-
8 erating administration of the Department, including the—

9 (1) Federal Highway Administration;

10 (2) National Highway Traffic Safety Adminis-
11 tration;

12 (3) Office of the Assistant Secretary for Re-
13 search and Technology; and

14 (4) Intelligent Transportation Systems Joint
15 Program Office.

16 (c) GUIDANCE.—Not later than 1 year after the date
17 of enactment of this Act, the Secretary shall develop and
18 issue guidance on best practices for—

19 (1) anonymizing and securing safety-related
20 data and protecting personally identifiable informa-
21 tion;

22 (2) promoting transparency and accountability
23 in the use of predictive analytics, telematics, and
24 other data-driven tools; and

1 (3) ensuring that safety-related data and tech-
2 nologies are grounded in validated methodologies to
3 ensure reliability and effectiveness.

4 (d) **RULE OF CONSTRUCTION.**—Nothing in sub-
5 section (a) shall be construed by the Secretary to preclude
6 the use of innovative technologies or data sources that
7 support safety outcomes and comply with applicable pri-
8 vacy protections.

9 **SEC. 6011. STUDY ON ADOPTION AND DEPLOYMENT OF**
10 **NEW AND EMERGING TECHNOLOGIES.**

11 (a) **STUDY.**—

12 (1) **IN GENERAL.**—Not later than 180 days
13 after the date of enactment of this Act, the Sec-
14 retary shall seek to enter into an agreement with the
15 Transportation Research Board of the National
16 Academies to conduct a study to review the strategy
17 of the Department to encourage the adoption of new
18 and emerging technologies, including digital project
19 delivery tools and intelligent transportation systems.

20 (2) **SCOPE.**—In conducting the study under
21 subsection (a), the Transportation Research Board
22 shall—

23 (A) quantify cost savings and safety bene-
24 fits related to adoption of new and emerging
25 technologies;

1 (B) identify potential cost increases or
2 safety risks related to the adoption of new and
3 emerging technologies;

4 (C) evaluate the positive and negative im-
5 pacts the adoption of new and emerging tech-
6 nologies has on the transportation workforce;
7 and

8 (D) provide recommendations relevant to
9 the findings of the study.

10 (b) CONSULTATION.—In conducting the study under
11 subsection (a), the Transportation Research Board shall
12 consult with—

13 (1) the modal administrations of the Depart-
14 ment;

15 (2) State departments of transportation;

16 (3) a representative from a transportation safe-
17 ty advocacy organization;

18 (4) a representative from a labor organization
19 representing transportation workers; and

20 (5) any other entities the Transportation Re-
21 search Board determines to be relevant.

22 (c) REPORT.—If the Transportation Research Board
23 enters into an agreement under subsection (a), not later
24 than 18 months after the date on which the study under
25 subsection (a) is completed, the Transportation Research

1 Board shall submit to the Secretary, the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives, the Committee on Environment and Public
4 Works of the Senate, and the Committee on Commerce,
5 Science, and Transportation of the Senate a report de-
6 scribing the results of the study conducted under sub-
7 section (a).

8 **SEC. 6012. AUTONOMOUS VEHICLE ACCESSIBILITY STUDY.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of enactment of this Act, the Secretary shall seek
11 to enter into an agreement with the Transportation Re-
12 search Board of the National Academies to conduct a
13 study to determine what changes to transportation infra-
14 structure would most improve the ability of individuals
15 with disabilities, including individuals who use wheel-
16 chairs, to safely access and use ride-hail ADS-equipped
17 vehicles, by considering the following:

- 18 (1) Technological solutions for dynamic curb
19 management.
- 20 (2) Sidewalk and roadway designs.
- 21 (3) Dedicated pick-up and drop-off zones.
- 22 (4) Curb extension.
- 23 (5) Infrastructure design.
- 24 (6) Any other factors relating to transportation
25 infrastructure the Secretary determines should be

1 examined to better enable individuals with disabil-
2 ities to safely access and use ride-hail ADS-equipped
3 vehicles.

4 (b) CONSIDERATIONS.—The Secretary shall ensure
5 that, in conducting the study under subsection (a), the
6 Transportation Research Board considers—

7 (1) the degree to which each change to trans-
8 portation infrastructure considered under such study
9 would improve ADS-equipped vehicle access;

10 (2) the cost-effectiveness of such changes;

11 (3) the applicability or replicability of such
12 changes in urban, suburban, rural, and other areas;
13 and

14 (4) whether existing regulatory or policy re-
15 quirements pose barriers to the efficient adoption of
16 such changes.

17 (c) REPORTS.—

18 (1) REPORT TO SECRETARY.—If the Transpor-
19 tation Research Board enters into an agreement
20 under subsection (a), not later than 180 days after
21 the date on which the study under subsection (a) is
22 completed, the Transportation Research Board shall
23 submit to the Secretary a report on the results of
24 such study, including any recommendations deter-

1 mined appropriate by the Transportation Research
2 Board.

3 (2) REPORT TO CONGRESS.—Not later than 60
4 days after the date on which the Transportation Re-
5 search Board submits the report under paragraph
6 (1), the Secretary shall submit to the Committee on
7 Transportation and Infrastructure of the House of
8 Representatives, the Committee on Environment and
9 Public Works of the Senate, and the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate a report describing the results of the study re-
12 quired under subsection (a), including any rec-
13 ommendations for further action determined appro-
14 priate by the Secretary.

15 (d) DEFINITIONS.—In this section:

16 (1) ADS-EQUIPPED VEHICLE.—The term
17 “ADS-equipped vehicle” has the meaning given to
18 the term as provided in the April 2021 edition of
19 recommended practice J3016 of SAE International
20 titled “Taxonomy and Definitions for Terms Related
21 to Driving Automation Systems for On Road Motor
22 Vehicles”.

23 (2) RIDE-HAIL ADS-EQUIPPED VEHICLES.—The
24 term “ride-hail ADS-equipped vehicles” means an
25 ADS-equipped vehicle that is—

- 1 (A) offered for pre-arranged transportation
2 services for compensation, using an internet-en-
3 abled application or electronic platform to con-
4 nect passengers with vehicles; and
5 (B) dispatched in a driverless operation.

6 **SEC. 6013. GAO STUDY OF INTELLIGENT TRANSPORTATION**
7 **SYSTEMS PHYSICAL AND CYBER**
8 **VULNERABILITIES.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of enactment of this Act, the Comptroller General
11 shall initiate a study on the physical and cybersecurity
12 risks associated with intelligent transportation systems
13 and advanced transportation technology.

14 (b) REQUIREMENTS.—In conducting the study re-
15 quired under subsection (a), the Comptroller General
16 shall—

17 (1) assess physical and cybersecurity
18 vulnerabilities for data and network protection of in-
19 telligent transportation systems;

20 (2) assess Federal, State, and local government
21 procurement of foreign-manufactured devices and
22 undocumented communication features in such de-
23 vices; and

24 (3) include recommendations to the Secretary
25 to reduce the risk of physical or cyber vulnerabilities

1 associated with intelligent transportation systems
2 and advanced transportation technologies.

3 (c) REPORT.—Not later than 2 years after the date
4 of enactment of this Act, the Comptroller General shall
5 submit to the Committee on Transportation and Infra-
6 structure of the House of Representatives, the Committee
7 on Environment and Public Works of the Senate, and the
8 Committee on Commerce, Science, and Transportation of
9 the Senate a report on the results of the study required
10 under subsection (a), including any recommendations as-
11 sociated with such results.

12 (d) CLASSIFICATION.—The report required under
13 subsection (c) shall be submitted in an unclassified form,
14 but may include a classified annex.

15 (e) INTELLIGENT TRANSPORTATION SYSTEM DE-
16 FINED.—In this section, the term “intelligent transpor-
17 tation system” means electronics, communications, or in-
18 formation processing used singly or in combination to im-
19 prove the efficiency or safety of a surface transportation
20 system.

21 **SEC. 6014. GAO STUDY AND REPORT ON AUTOMATED DRIV-**
22 **ING SYSTEMS SAFETY ASSURANCE.**

23 (a) IN GENERAL.—Not later than 6 months after the
24 date of enactment of this Act, the Comptroller General
25 shall initiate a study to assess what changes to surface

1 transportation infrastructure may be necessary for the
2 safe deployment of vehicles equipped with automated driv-
3 ing systems.

4 (b) CONSIDERATIONS.—In conducting the study re-
5 quired under subsection (a), the Comptroller General shall
6 evaluate—

7 (1) if the National Highway Traffic Safety Ad-
8 ministration accurately collects incident data; and

9 (2) if changes are needed to—

10 (A) data standardization requirements;

11 and

12 (B) data sharing and privacy protocols.

13 (c) CONSULTATION.—In conducting the study re-
14 quired under subsection (a), the Comptroller General shall
15 consult with—

16 (1) State departments of transportation;

17 (2) representatives of law enforcement;

18 (3) manufacturers of automated driving sys-
19 tems;

20 (4) transportation safety advocacy organiza-
21 tions; and

22 (5) other stakeholders the Comptroller General
23 determines appropriate.

24 (d) REPORT TO CONGRESS.—Not later than 2 years
25 after the date of enactment of this Act, the Comptroller

1 General shall submit to the Committee on Transportation
2 and Infrastructure of the House of Representatives, the
3 Committee on Energy and Commerce of the House of
4 Representatives, and the Committee on Commerce,
5 Science, and Transportation of the Senate a report on the
6 results of the study conducted under subsection (a).

7 **SEC. 6015. TECHNICAL ASSISTANCE.**

8 The Secretary may provide such guidance as may be
9 necessary, including technical assistance, to State depart-
10 ments of transportation to enable the use of construction
11 materials on Federal-aid projects that are manufactured
12 using a process that—

13 (1) produces materials with—

14 (A) superior durability to conventional ma-
15 terials; and

16 (B) superior performance with respect to—

17 (i) compressive strength;

18 (ii) tensile strength; or

19 (iii) workability; and

20 (2) produces materials that meet the engineer-
21 ing specifications of the State and achieve superior
22 performance with respect to—

23 (A) environmental performance; or

24 (B) energy efficiency.

1 **TITLE VII—FREIGHT AND**
2 **MULTIMODAL TRANSPORTATION PROGRAMS**

3 **Subtitle A—Freight Policy**

4 **SEC. 7001. NATIONAL MULTIMODAL FREIGHT POLICY.**

5 (a) IN GENERAL.—Section 70101 of title 49, United
6 States Code, is amended—

7 (1) in subsection (b)(1)(A) by striking “the
8 contribution of the National Multimodal Freight
9 Network to”;

10 (2) by redesignating subsection (c) as sub-
11 section (d); and

12 (3) by inserting after subsection (b) the fol-
13 lowing:

14 “(c) CONSIDERATION.—In awarding competitive
15 grants under section 6701 of this title and section 117
16 of title 23, the Secretary shall consider, to the maximum
17 extent practicable—

18 “(1) how a project would address or eliminate
19 bottlenecks identified on the National Multimodal
20 Freight Network; and

21 “(2) how a project would improve the move-
22 ment of freight on the National Multimodal Freight
23 Network.”.

1 (b) ASSESSMENT OF NATIONAL MULTIMODAL
2 FREIGHT POLICY.—

3 (1) IN GENERAL.—Not later than 2 years after
4 the date of enactment of this Act, the Comptroller
5 General shall conduct a comprehensive review of the
6 national multimodal freight policy under section
7 70101 of title 49, United States Code, and report to
8 Congress.

9 (2) CONTENTS.—In carrying out the review
10 under paragraph (1), the Comptroller General shall
11 assess—

12 (A) the implementation of the national
13 multimodal freight policy under section 70101
14 of title 49, United States Code;

15 (B) the extent to which the national stra-
16 tegic freight plan is utilized by State transpor-
17 tation departments and relevant stakeholders;

18 (C) requirements under subsections (b)
19 and (c) of section 70103 of title 49, United
20 States Code, relating to the designation and re-
21 designation of the National Multimodal Freight
22 Network and the process for considering input
23 from State transportation departments provided
24 under subsection (b)(4) of such section;

1 (D) efforts made under this Act, the Infra-
2 structure Investment and Jobs Act (Public Law
3 Public Law 117–58), and the Fixing America’s
4 Surface Transportation Act (Public Law 114–
5 94) to improve the movement of freight; and

6 (E) the effectiveness of national
7 multimodal freight policy in addressing freight
8 mobility issues, including bottlenecks on the
9 National Multimodal Freight Network and on
10 other freight systems in the United States, in-
11 cluding such bottlenecks at highway inter-
12 changes.

13 (3) RECOMMENDATIONS.—The report required
14 under paragraph (1) shall include recommendations
15 based on the assessment of the Comptroller General
16 under paragraph (2), which may include rec-
17 ommendations to—

18 (A) strengthen the national multimodal
19 freight policy; and

20 (B) address freight mobility issues through
21 the national multimodal freight policy, including
22 mitigating bottlenecks on the National
23 Multimodal Freight Network and on other high-
24 way systems across the United States.

1 (4) REPORT.—The Comptroller General shall
2 submit to the Committee on Transportation and In-
3 frastructure of the House of Representatives and the
4 Committee on Commerce, Science, and Transpor-
5 tation of the Senate a report containing the assess-
6 ment and recommendations required under this sub-
7 section.

8 **SEC. 7002. NATIONAL FREIGHT STRATEGIC PLAN.**

9 Section 70102 of title 49, United States Code, is
10 amended—

11 (1) in subsection (a) by striking “Internet Web
12 site” and inserting “website”;

13 (2) in subsection (b)—

14 (A) in paragraph (7), by inserting “, in-
15 cluding inland maritime port facilities” after
16 “intermodal connectivity”; and

17 (B) in paragraph (15), by striking “and
18 historically disadvantaged”; and

19 (3) in subsection (c)—

20 (A) by striking “Not later than 5 years
21 after the date of completion of the national
22 freight strategic plan under subsection (a), and
23 every 5 years thereafter,” and inserting “Not
24 less frequently than every 3 years,”; and

1 (B) by striking “Internet Web site” and
2 inserting “website”.

3 **SEC. 7003. NATIONAL MULTIMODAL FREIGHT NETWORK.**

4 Section 70103 of title 49, United States Code, is
5 amended—

6 (1) in subsection (a)—

7 (A) in paragraph (3) by striking “; and”
8 and inserting a semicolon;

9 (B) by redesignating paragraph (4) as
10 paragraph (5); and

11 (C) by inserting after paragraph (3) the
12 following:

13 “(4) to identify and address freight mobility
14 challenges, including bottlenecks; and”;

15 (2) in subsection (b)—

16 (A) in paragraph (1)(A) by inserting “, in-
17 cluding by addressing freight mobility chal-
18 lenges” after “connectivity”;

19 (B) in paragraph (4)—

20 (i) in subparagraph (B)(iii)—

21 (I) in subclause (IV) by striking
22 “; or” and inserting a semicolon;

23 (II) by redesignating subclause
24 (V) as subclause (VII); and

1 (III) by inserting after subclause

2 (IV) the following:

3 “(V) a water storage facility;

4 “(VI) an inland maritime port fa-
5 cility; or”;

6 (ii) in subparagraph (C)—

7 (I) in clause (i) by striking

8 “Under Secretary” and inserting “As-
9 sistant Secretary”; and

10 (II) in clause (ii)—

11 (aa) in the clause heading

12 by striking “UNDER SECRETARY”

13 and inserting “ASSISTANT SEC-
14 RETARY”; and

15 (bb) by striking “Under Sec-

16 retary” and inserting “Assistant

17 Secretary”; and

18 (iii) in subparagraph (D) by striking

19 “Under Secretary” and inserting “Assist-
20 ant Secretary”; and

21 (3) by striking subsection (c) and inserting the

22 following:

23 “(c) REDESIGNATION OF NATIONAL MULTIMODAL

24 FREIGHT NETWORK.—The Assistant Secretary shall, on

25 a triennial basis and using the designation factors de-

1 scribed in subsection (b), redesignate the National
2 Multimodal Freight Network established under subsection
3 (a).”.

4 **SEC. 7004. STATE FREIGHT ADVISORY COMMITTEES.**

5 Section 70201(c) of title 49, United States Code, is
6 amended by striking “shall” and inserting “may”.

7 **SEC. 7005. STATE FREIGHT PLANS.**

8 Section 70202 of title 49, United States Code, is
9 amended—

10 (1) in subsection (b)(8) by striking “any strate-
11 gies” and inserting “strategies and actions the State
12 proposes”;

13 (2) by redesignating subsection (h) as sub-
14 section (i); and

15 (3) by inserting after subsection (g) the fol-
16 lowing:

17 “(h) SOLUTIONS FOR BOTTLENECKS AT HIGHWAY
18 INTERCHANGES.—Each State freight plan under this sec-
19 tion shall include—

20 “(1) a list of freight bottlenecks, including
21 those at highway interchanges, if applicable; and

22 “(2) solutions for addressing freight bottle-
23 necks, including those at highway interchanges,
24 identified under paragraph (1).”.

1 **SEC. 7006. FREIGHT LOGISTICS OPTIMIZATION WORKS PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Chapter 63 of title 49, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 6315. Freight Logistics Optimization Works Pro-**
7 **gram**

8 “(a) ESTABLISHMENT.—The Director, in coordina-
9 tion with the Office of Multimodal Freight Infrastructure
10 and Policy, shall establish and maintain a program to be
11 known as the ‘Freight Logistics Optimization Works Pro-
12 gram’ (in this section referred to as the ‘FLOW Program’)
13 to improve freight system efficiency, resilience, and supply
14 chain visibility through voluntary public-private data shar-
15 ing.

16 “(b) GOALS.—The goals of the FLOW Program shall
17 be to—

18 “(1) enhance visibility into national and re-
19 gional freight flows;

20 “(2) identify and mitigate freight bottlenecks;

21 “(3) improve freight system forecasting and
22 planning;

23 “(4) strengthen supply chain resilience; and

24 “(5) support data-informed freight policy devel-
25 opment.

1 “(c) PARTICIPATION.—Participation in the FLOW
2 Program shall be voluntary and may include—

3 “(1) port authorities;

4 “(2) terminal operators;

5 “(3) ocean carriers;

6 “(4) rail carriers;

7 “(5) motor carriers;

8 “(6) shippers;

9 “(7) logistics providers;

10 “(8) warehouse operators; and

11 “(9) any other freight stakeholders, as deter-
12 mined by the Director.

13 “(d) DATA PROTECTION.—The Director shall ensure
14 that data submitted to the FLOW Program is—

15 “(1) aggregated and anonymized prior to dis-
16 semination;

17 “(2) protected in accordance with section 6307
18 of this title and section 3572 of title 44; and

19 “(3) exempt from disclosure under section 552
20 of title 5.

21 “(e) DATA STEWARDSHIP.—The Bureau shall serve
22 as the neutral data steward and shall develop protocols
23 to ensure data security, integrity, and appropriate access.

24 “(f) USE OF DATA.—Data collected under the
25 FLOW Program may be used to—

1 “(1) produce aggregated freight performance
2 metrics;

3 “(2) inform freight planning and optimization;
4 and

5 “(3) support emergency response and supply
6 chain resilience efforts.”.

7 (b) COORDINATION.—Section 118 of title 49, United
8 States Code, is amended—

9 (1) in subsection (c)—

10 (A) in paragraph (6) by striking “and” at
11 the end;

12 (B) by redesignating paragraph (7) as
13 paragraph (8); and

14 (C) by inserting after paragraph (6) the
15 following:

16 “(7) to carry out the Freight Logistics Optimi-
17 zation Works Program established under section
18 6315, in coordination with the Bureau of Transpor-
19 tation Statistics; and”; and

20 (2) in subsection (d)(5) by inserting “, includ-
21 ing data aggregated through the Freight Logistics
22 Optimization Works Program established under sec-
23 tion 6315” after “planning tools”.

1 **Subtitle B—Multimodal Policy and**
2 **Programs**

3 **SEC. 7101. STREAMLINING POSITIONS WITHIN OFFICE OF**
4 **THE SECRETARY.**

5 (a) IN GENERAL.—Section 102 of title 49, United
6 States Code, is amended—

7 (1) in subsection (e)(1)—

8 (A) in the matter preceding subparagraph

9 (A) by striking “8” and inserting “9”;

10 (B) in subparagraph (A) by striking “an
11 Assistant Secretary for Governmental Affairs,”;

12 (C) in subparagraph (B) by striking “who
13 shall” and inserting “an Assistant Secretary for
14 Governmental Affairs, and an Assistant Sec-
15 retary for Tribal Government Affairs, who shall
16 each”;

17 (D) in subparagraph (C) by adding “and”
18 at the end;

19 (E) by striking subparagraph (D); and

20 (F) by redesignating subparagraph (E) as
21 subparagraph (D); and

22 (2) by striking subsection (g).

23 (b) CONFORMING AMENDMENTS.—

24 (1) COORDINATION.—Section 102(j)(4) of title
25 49, United States Code, is amended by striking

1 “subsection (e)(1)(E)” and inserting “subsection
2 (e)(1)”.

3 (2) POSITIONS AT LEVEL IV.—Section 5315 of
4 title 5, United States Code, is amended by striking
5 “Assistant Secretaries of Transportation (5)” and
6 inserting “Assistant Secretaries of Transportation
7 (9)”.

8 **SEC. 7102. COUNCIL ON CREDIT AND FINANCE TRANS-**
9 **PARENCY.**

10 Section 117 of title 49, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(d) TRANSPARENCY.—Not later than 15 days after
14 a meeting of the Council, the Secretary shall publish on
15 the website of the Department a summary of the meeting,
16 including—

17 “(1) an agenda; and

18 “(2) a record of decisions and actions.”.

19 **SEC. 7103. AMENDMENTS TO WORKING CAPITAL FUND.**

20 Section 327 of title 49, United States Code, is
21 amended—

22 (1) in subsection (a)—

23 (A) in paragraph (4) by striking “; and”
24 and inserting a semicolon;

1 (B) in paragraph (5) by striking the period
2 and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(6) transferring information technology equip-
5 ment, software, and systems from Departmental
6 sources or other entities and collecting and main-
7 taining a reserve at rates which will return the full
8 cost of transferred assets.”; and

9 (2) in subsection (d) by striking “shall be reim-
10 bursed, in advance,” and inserting “may be reim-
11 bursed after performance or paid in advance”.

12 **SEC. 7104. TRANSPORTATION ASSISTANCE FOR INTER-**
13 **NATIONAL GAMES.**

14 (a) IN GENERAL.—Chapter 55 of title 49, United
15 States Code, is amended by inserting after section 5501
16 the following:

17 **“§ 5502. Transportation assistance for international**
18 **games**

19 “(a) DEFINITIONS.—In this section:

20 “(1) COVERED EVENT.—

21 “(A) IN GENERAL.—The term ‘covered
22 event’ means an event that—

23 “(i) in the determination of the Sec-
24 retary, is a multiday international sporting
25 event, including—

1 “(I) an Olympic, Paralympic, or
2 Special Olympics event;

3 “(II) a FIFA Women’s World
4 Cup event; and

5 “(III) a FIFA World Cup event;

6 “(ii) is held at a site located in a
7 State that has been selected by an inter-
8 nationally recognized governing body for
9 the sporting event to hold such event; and
10 “(iii) is not regularly held at such
11 site.

12 “(B) TREATMENT OF MULTIPLE
13 EVENTS.—More than 1 event described in sub-
14 paragraph (A), occurring in the same stadium,
15 city, metropolitan planning area (as defined in
16 section 5331), or metropolitan statistical area
17 (as designated by the Director of the Office of
18 Management and Budget), shall be treated as
19 part of the same overall competition, sporting
20 event, or grouping of competitions or sporting
21 events and shall be considered to be 1 covered
22 event.

23 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’ means—

1 “(A) a State or local government entity or
2 Indian Tribe hosting a covered event;

3 “(B) a State or local government entity or
4 Indian Tribe that—

5 “(i) is supporting a covered event; and

6 “(ii) has jurisdiction over an area that
7 is located within a 100-mile radius of the
8 location in which the applicable covered
9 event is being held;

10 “(C) a metropolitan planning organization
11 (as such term is defined in section 5331) that
12 serves an area that is under the jurisdiction of
13 a State, Indian Tribe, or unit of local govern-
14 ment described in subparagraph (A) or (B);

15 “(D) an entity eligible to receive a grant
16 under section 24911 that operates intercity pas-
17 senger rail service within a 100-mile radius of
18 the location in which the applicable covered
19 event is being held; or

20 “(E) the sponsor of an airport—

21 “(i) receiving a grant under sub-
22 chapter I of chapter 471; and

23 “(ii) that is located within a 100-mile
24 radius of the location in which the applica-
25 ble covered event is being held.

1 “(3) ELIGIBLE PROJECT.—The term ‘eligible
2 project’ means—

3 “(A) a transportation project that is eligi-
4 ble for assistance under any provision of this
5 title or title 23 and that the applicant cer-
6 tifies—

7 “(i) will assist with the movement of
8 individuals and goods for the applicable
9 covered event; or

10 “(ii) will mitigate or prevent any ad-
11 verse effects from the transportation
12 changes resulting from a covered event; or

13 “(B) a transportation planning activity
14 that the applicant certifies will assist with the
15 movement of individuals and goods for the ap-
16 plicable covered event.

17 “(4) INDIAN TRIBE.—The term ‘Indian Tribe’
18 has the meaning given the term in section 4 of the
19 Indian Self-Determination and Education Assistance
20 Act (25 U.S.C. 5304).

21 “(5) SECRETARY.—The term ‘Secretary’ means
22 the Secretary of Transportation.

23 “(6) STATE.—The term ‘State’ has the mean-
24 ing given such term in section 5302.

1 “(b) GRANTS FOR TRANSPORTATION PROJECTS RE-
2 LATING TO INTERNATIONAL GAMES.—

3 “(1) IN GENERAL.—For each fiscal year in
4 which appropriations are provided to carry out this
5 section, the Secretary may make grants under this
6 section to eligible entities to carry out an eligible
7 project.

8 “(2) PROHIBITION.—A grant under this section
9 may not be used by an eligible entity for any activi-
10 ties related to preparing or submitting a bid to be
11 selected to host a covered event.

12 “(3) AWARD REQUIREMENTS.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the Secretary shall, with re-
15 spect to a project funded by a grant under this
16 section, apply—

17 “(i) the requirements of title 23 to a
18 highway, road, or bridge project;

19 “(ii) the requirements of chapter 53
20 to a transit project; or

21 “(iii) the requirements of section
22 22905 to a rail project.

23 “(B) REQUIREMENTS FOR AIRPORTS.—
24 The requirements described under chapters 501
25 and 471 shall apply to any project carried out

1 by an eligible entity described in subsection
2 (a)(2)(E) with amounts made available under
3 this section.

4 “(4) AUTHORIZATION OF APPROPRIATIONS.—
5 There is authorized to be appropriated to the Sec-
6 retary to carry out this section, to remain available
7 until expended—

8 “(A) \$50,000,000 for fiscal year 2027;

9 “(B) \$50,000,000 for fiscal year 2028;

10 “(C) \$50,000,000 for fiscal year 2029;

11 “(D) \$50,000,000 for fiscal year 2030;

12 and

13 “(E) \$50,000,000 for fiscal year 2031.

14 “(c) TRANSPORTATION PLANNING ACTIVITIES.—The
15 Secretary shall provide technical and planning assistance
16 to recipients of a grant under this section, including—

17 “(1) by assisting State or local governmental
18 entities, metropolitan planning organizations, and
19 Indian Tribes with the development of intermodal
20 transportation plans relating to a covered event;

21 “(2) by facilitating and incentivizing programs
22 to temporarily pool and share, for the duration of a
23 covered event, buses and related equipment among
24 State and local governmental entities, Indian Tribes,

1 and other governmental and nongovernmental enti-
2 ties;

3 “(3) by expediting review and comment of any
4 required submissions to the Secretary relating to a
5 covered event;

6 “(4) by assisting with the coordination of trans-
7 portation planning efforts between governments and
8 the private sector; and

9 “(5) by providing any other technical or plan-
10 ning assistance the Secretary determines to be nec-
11 essary.”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 55 of title 49, United States Code, is amended by in-
14 serting after the item relating to section 5501 the fol-
15 lowing:

“5502. Transportation assistance for international games.”.

16 **SEC. 7105. NATIONAL INFRASTRUCTURE PROJECT ASSIST-**
17 **ANCE.**

18 Section 6701 of title 49, United States Code, is
19 amended—

20 (1) in subsection (a)(2)(E) by inserting “, a les-
21 see of a Federal surface transportation hub,” after
22 “special purpose district”;

23 (2) by striking subparagraph (E) of subsection
24 (d)(1) and inserting the following:

25 “(E) a public transportation project—

1 “(i) that is—

2 “(I) eligible for assistance under
3 chapter 53; and

4 “(II) part of a project described
5 in any of subparagraphs (A) through
6 (D); or

7 “(ii) that is—

8 “(I) eligible for assistance under
9 section 5309; and

10 “(II) located in an urbanized
11 area of 200,000 or more population;
12 or”;

13 (3) in subsection (f)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (B)(v) by striking
16 “impacts,” and all that follows through
17 “resilience;” and inserting “impacts;”; and

18 (ii) in subparagraph (E) by striking “,
19 including with respect to short- and long-
20 term job access, growth, or creation”;

21 (B) in paragraph (3)—

22 (i) in subparagraph (C) by striking
23 “uses” and all that follows through “tech-
24 nologies” and inserting “uses innovative
25 construction materials or technologies”;

1 (ii) by redesignating subparagraphs
2 (D) through (F) as subparagraphs (E)
3 through (G), respectively;

4 (iii) by inserting after subparagraph
5 (C) the following:

6 “(D) whether a project would address the
7 impact of population growth on the movement
8 of people and freight; and”; and

9 (iv) in subparagraph (F), as so redes-
10 ignated, by striking “transportation, in-
11 cluding” and all that follows through “rail;
12 and” and inserting “transportation; and”;

13 (4) in subsection (h)(1)(B) by striking “for the
14 purpose of improving habitat for aquatic species”
15 and inserting “that are eligible under section 176(d)
16 of title 23”;

17 (5) in subsection (k) by striking “30 days” and
18 inserting “3 days”; and

19 (6) in subsection (m)—

20 (A) in paragraph (1) by striking “fiscal
21 years 2022 through 2026” and inserting “fiscal
22 years 2027 through 2031”; and

23 (B) in paragraph (2) by striking “50 per-
24 cent” and inserting “25 percent”.

1 **SEC. 7106. LOCAL AND REGIONAL PROJECT ASSISTANCE.**

2 Section 6702 of title 49, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (B) by striking
7 “2014 through 2018; and” and inserting
8 “2019 through 2023;”;

9 (ii) by redesignating subparagraph
10 (C) as subparagraph (D); and

11 (iii) by inserting after subparagraph
12 (B) the following:

13 “(C) any qualified opportunity zone, as
14 such term is defined in section 1400Z–1 of the
15 Internal Revenue Code of 1986; and”;

16 (B) in paragraph (2)(F) by inserting “or a
17 lessee of a Federal surface transportation hub”
18 after “transportation function”;

19 (2) in subsection (a)(3)(G) by striking “for the
20 purpose of improving habitat for aquatic species”
21 and inserting “that is eligible under section 176(d)
22 of title 23 and”;

23 (3) in subsection (b)(2) by inserting “surface”
24 after “impact and improve”;

25 (4) in subsection (d)—

26 (A) in paragraph (4)—

1 (i) in subparagraph (C) by striking
2 “the project has demonstrated readiness;
3 and” and inserting “construction of the
4 project is reasonably expected to begin not
5 later than 18 months after the date on
6 which the grant recipient is selected;”;

7 (ii) by redesignating subparagraph
8 (D) as subparagraph (E); and

9 (iii) by inserting after subparagraph
10 (C) the following:

11 “(D) the project sponsor includes docu-
12 mentation certifying such sponsor has notified a
13 State department of transportation if the
14 project is located on a State-owned or State-
15 managed transportation facility; and”;

16 (B) by redesignating paragraphs (5)
17 through (7) as paragraphs (6) through (8), re-
18 spectively; and

19 (C) by inserting after paragraph (4) the
20 following:

21 “(5) LIMITATION.—In awarding grants under
22 the program established in subsection (b), the Sec-
23 retary shall select grant recipients based only on the
24 selection criteria described in paragraphs (3) and
25 (4).”;

1 (5) in subsection (e)—

2 (A) in paragraph (2) by striking “, a his-
3 torically disadvantaged community,”; and

4 (B) by adding at the end the following:

5 “(4) PRE-AWARD AUTHORITY.—

6 “(A) IN GENERAL.—The Secretary shall
7 provide pre-award authority for eligible pre-
8 award activities to permit expenses to be in-
9 curred by a recipient during the period begin-
10 ning on the date on which the recipient is se-
11 lected and ending on the date on which the
12 grant agreement is signed.

13 “(B) ELIGIBLE PRE-AWARD ACTIVITIES.—
14 The Secretary shall make publicly available in
15 the notice of funding opportunity the eligible
16 pre-award activities for an award under this
17 section which shall be similar in nature to eligi-
18 ble pre-award activities granted to applicants
19 under section 5309.”;

20 (6) in subsection (f)(2)—

21 (A) in the heading by striking “HISTORI-
22 CALLY DISADVANTAGED COMMUNITIES AND
23 AREAS” and inserting “AREAS”; and

24 (B) by striking “historically disadvantaged
25 communities or”;

1 (7) in subsection (g)—

2 (A) by redesignating paragraph (2) as
3 paragraph (3); and

4 (B) by inserting after paragraph (1) the
5 following:

6 “(2) TREATMENT.—Amounts provided under
7 this subsection shall not be considered a guarantee
8 of future selection of the applicable project under
9 the program.”;

10 (8) in subsection (j) by striking “fiscal years
11 2022 through 2026” and inserting “fiscal years
12 2027 through 2031”; and

13 (9) in subsection (k)(2) by striking “Not later
14 than” and all that follows through “shall” and in-
15 serting “Not less frequently than every 2 years, the
16 Comptroller General of the United States shall”.

17 **SEC. 7107. NATIONAL CULVERT REMOVAL, REPLACEMENT,**
18 **AND RESTORATION GRANT PROGRAM.**

19 Section 6703 of title 49, United States Code, is
20 amended—

21 (1) in subsection (b)—

22 (A) in the matter preceding paragraph (1)
23 by striking “or weirs that” and inserting “or
24 weirs, including projects that”; and

1 (B) in paragraph (2) by striking “may in-
2 clude” and all that follows through “weir im-
3 provements” and inserting “shall include infra-
4 structure to facilitate fish passage around or
5 over the weir”; and

6 (2) in subsection (c)—

7 (A) in paragraph (1) by inserting “or the
8 District of Columbia” after “a State”;

9 (B) in paragraph (2) by striking “or” at
10 the end;

11 (C) in paragraph (3) by striking the period
12 and inserting “; or”; and

13 (D) by adding at the end the following:

14 “(4) any combination or consortium of an enti-
15 ty described in paragraphs (1) through (3).”.

16 **SEC. 7108. RURAL AND TRIBAL INFRASTRUCTURE AD-**
17 **VANCEMENT PILOT EXTENSION.**

18 Section 21205 of the Infrastructure Investment and
19 Jobs Act (49 U.S.C. 116 note) is amended—

20 (1) in subsection (f)—

21 (A) in paragraph (1) by striking “2026”
22 and inserting “2031”;

23 (B) by striking paragraph (2); and

24 (C) by redesignating paragraph (3) as
25 paragraph (2); and

1 (2) in subsection (g) by striking “the date that
2 is 5 years after the date of enactment of this Act”
3 and inserting “October 1, 2031”.

4 **SEC. 7109. ADVISORY COMMITTEE ON CARGO THEFT AND**
5 **FREIGHT FRAUD.**

6 (a) ESTABLISHMENT.—Not later than 90 days after
7 the date of enactment of this Act, the Secretary shall es-
8 tablish an advisory committee to provide advice and rec-
9 ommendations to the Secretary on regulations and policies
10 to better deter and address cargo theft and freight fraud.

11 (b) MEMBERSHIP.—The advisory committee estab-
12 lished under subsection (a) shall be composed of not more
13 than 20 members, appointed by the Secretary, including
14 representatives of—

- 15 (1) Federal law enforcement agencies;
- 16 (2) local and State law enforcement agencies;
- 17 (3) motor carriers, including independent
18 owner-operators;
- 19 (4) shipping and logistics companies, including
20 third-party logistics providers;
- 21 (5) brokers;
- 22 (6) multimodal freight operators, including port
23 and marine terminal operators;
- 24 (7) cybersecurity professionals; and

1 (8) other stakeholders that the Secretary deter-
2 mines appropriate.

3 (c) CONSIDERATIONS.—The advisory committee es-
4 tablished under subsection (a) shall consider—

5 (1) the various types of cargo theft, including—

6 (A) theft in which an entire load of cargo
7 is physically stolen from a location;

8 (B) theft in which part of a load of cargo
9 is stolen from an unattended trailer; and

10 (C) theft in which specific cargo is stolen,
11 which may involve fleet impersonation or dou-
12 ble-brokering;

13 (2) the geographic and type of location at which
14 cargo theft occurs;

15 (3) the type of cargo being stolen;

16 (4) the financial costs of cargo theft, includ-
17 ing—

18 (A) the indirect financial costs to con-
19 sumers;

20 (B) supply chain operational disruptions;

21 (C) chain-of-custody responsibilities be-
22 tween carriers and customers; and

23 (D) insurance costs;

24 (5) the role of law enforcement and the cross-
25 jurisdictional nature of freight movement;

1 (6) physical and cybersecurity measures used by
2 carriers to combat cargo theft, including zero trust
3 verification and detection of emulators and voice
4 over internet protocol numbers; and

5 (7) regulations, policies, and guidance of the
6 Department related to motor carriers, including
7 motor carrier registration, data exchange and
8 verification, and supply chain integrity.

9 (d) REPORT TO CONGRESS.—Not later than 1 year
10 after the date of enactment of this Act, and biennially
11 thereafter, the advisory committee established under sub-
12 section (a) shall submit to the Committee on Transpor-
13 tation and Infrastructure of the House of Representatives
14 and the Committee on Commerce, Science, and Transpor-
15 tation of the Senate a report that—

16 (1) describes the advice and recommendations
17 made to the Secretary under subsection (a); and

18 (2) includes an assessment of progress made by
19 the Secretary in addressing cargo theft and freight
20 fraud.

21 **TITLE VIII—MISCELLANEOUS**

22 **SEC. 8001. TITLE 23 TECHNICAL CORRECTIONS.**

23 (a) TITLE 23 CHAPTER ANALYSIS.—The chapter
24 analysis for title 23, United States Code, is amended by

1 striking the item relating to chapter 1 and inserting the
2 following:

“1. Federal-Aid Highways 101.”.

3 (b) METROPOLITAN TRANSPORTATION PLANNING.—
4 Section 134(a)(1) of title 23, United States Code, is
5 amended—

6 (1) by striking “areas” and inserting “areas,”;
7 and

8 (2) by striking “employment,” and inserting
9 “employment,”.

10 (c) ENFORCEMENT OF REQUIREMENTS.—Section
11 141(b) of title 23, United States Code, is amended—

12 (1) in paragraph (1) by striking “subsection (b)
13 of this section” and inserting “subsection (a)”;

14 (2) in paragraph (2) by striking “subsection (b)
15 of this section” and inserting “subsection (a)”;

16 (3) in paragraph (3) by striking “of this sub-
17 section”.

18 (d) SAFETY INCENTIVES TO PREVENT OPERATION
19 OF MOTOR VEHICLES BY INTOXICATED PERSONS.—Sec-
20 tion 163(f) of title 23, United States Code, is amended
21 to read as follows:

22 “(f) AVAILABILITY OF FUNDS.—Notwithstanding
23 section 118(b), funds authorized by this subsection shall
24 remain available until expended.”.

1 **SEC. 8002. TITLE 49 TECHNICAL CORRECTIONS.**

2 (a) REGULATION OF SOLID WASTE RAIL TRANSFER
3 FACILITIES.—Section 10908(a) of title 49, United States
4 Code, is amended by inserting a comma after “(42 U.S.C.
5 6903(29))”.

6 (b) SITUATIONS REQUIRING IMMEDIATE ACTION TO
7 SERVE THE PUBLIC.—Section 11123(f) of title 49, United
8 States Code, is amended by striking “section 24102(4)”
9 and inserting “section 24102”.

10 (c) CHAPTER 117 ANALYSIS.—The analysis for chap-
11 ter 117 of title 49, United States Code, is amended by
12 striking the item relating to section 11708 and inserting
13 the following:

“11708. Voluntary arbitration of certain rail rates and practices disputes.”.

14 (d) MISCELLANEOUS MOTOR CARRIER TRANSPOR-
15 TATION EXEMPTIONS.—Section 13506(a)(14) of title 49,
16 United State Code, is amended by striking “section
17 13904(d)” and inserting “section 13904(f)”.

18 (e) CHAPTER 139 ANALYSIS.—The analysis for chap-
19 ter 139 of title 49, United States Code, is amended by
20 striking the item relating to section 13901 and inserting
21 the following:

“13901. Requirements for registration.”.

22 (f) EFFECTIVE PERIODS OF REGISTRATION.—Sec-
23 tion 13905(d)(2)(B)(iii) of title 49, United States Code,
24 is amended by striking “for failure”.

1 (g) SECURITY OF MOTOR CARRIERS, MOTOR PRI-
2 VATE CARRIERS, BROKERS, AND FREIGHT FOR-
3 WARDERS.—Section 13906 of title 49, United States
4 Code, is amended—

5 (1) in subsection (a)(1) by striking “paragraph
6 (3) of this subsection” and inserting “paragraph
7 (4)”;

8 (2) in subsection (b)(7)(C) by striking “to pro-
9 vider” and inserting “to provide”; and

10 (3) in subsection (c)(2)(A)(ii) by striking “in
11 the case” and inserting “in a case in which”.

12 (h) UNIFIED CARRIER REGISTRATION SYSTEM PLAN
13 AND AGREEMENT.—Section 14504a of title 49, United
14 States Code, is amended—

15 (1) in subsection (b) by striking “section
16 13903(b)” and inserting “section 13903(d)”; and

17 (2) in subsection (c)(2) by striking “which” and
18 inserting “for which”.

19 (i) STATE PARTICIPATION.—Section 20105(a) of title
20 49, United States Code, is amended—

21 (1) by striking “The Secretary concerned” and
22 inserting “A Secretary concerned”;

23 (2) by striking “issued by the Secretary that”
24 and inserting “issued by such Secretary”; and

1 (3) by striking “submits to the Secretary con-
2 cerned” and inserting “submits to such Secretary”.

3 (j) EMPLOYEE PROTECTIONS.—Section 20109 of
4 title 49, United States Code, is amended—

5 (1) in subsection (a)(1)(A) by striking “of title
6 5” and inserting “of title 5”;

7 (2) in subsection (d)(2)(A)(i) by striking
8 “(d)(1)” and inserting “subsection (d)(1)”;

9 (3) in subsection (d)(2)(A)(iii) by striking “in
10 42121.” and inserting “in section 42121.”; and

11 (4) in subsection (d)(4) by striking “42121(b),”
12 and inserting “42121(b)”.

13 (k) SUBTITLE V ANALYSIS.—The chapter analysis
14 for subtitle V of title 49, United States Code, is amend-
15 ed—

16 (1) by striking the item relating to chapter 224
17 and inserting the following:

“224. Railroad Rehabilitation and Improvement Financing22401.”;

18 (2) by striking the item relating to chapter 227
19 and inserting the following:

“227. State Rail Plans22701.”;

20 (3) by striking the item relating to chapter 242
21 and inserting the following:

“242. Project Delivery24201.”; and

1 (4) by striking the item relating to chapter 251
2 and inserting the following:

“251. Passenger Rail Planning25101.”.

3 (l) CHAPTER 201 ANALYSIS.—The analysis for chap-
4 ter 201 of title 49, United States Code, is amended—

5 (1) by striking the item relating to section
6 20106 and inserting the following:

“20106. Preemption.”; and

7 (2) by striking the item relating to section
8 20165 and inserting the following:

“20165. Limitations on non-Federal alcohol and drug testing.”.

9 (m) ENFORCEMENT REPORT.—Section 20120 of title
10 49, United States Code, is amended—

11 (1) in subsection (a) by striking “Beginning”
12 and all that follows through “an annual report that”
13 and inserting “The Secretary of Transportation
14 shall submit an annual report to the Committee on
15 Transportation and Infrastructure of the House of
16 Representatives and the Committee on Commerce,
17 Science, and Transportation of the Senate that—”;

18 (2) in subsection (a)(4) by striking “provide the
19 information” and inserting “provides the informa-
20 tion”; and

21 (3) by adding at the end the following:

22 “(b) PUBLIC AVAILABILITY.—The Secretary shall—

1 “(1) make the report required to be submitted
2 under subsection (a) publicly available; and

3 “(2) publish such report on the website of the
4 Department of Transportation not later than De-
5 cember 31 of each year.”.

6 (n) IMPLEMENTATION OF POSITIVE TRAIN CONTROL
7 SYSTEMS.—Section 20157 of title 49, United States Code,
8 is amended—

9 (1) in subsection (k) by striking “Act” and in-
10 serting “subsection”; and

11 (2) in subsection (l) by striking “subject to
12 (a)(1)” and inserting “subject to subsection (a)(1)”.

13 (o) REQUIREMENTS FOR RAILROAD FREIGHT CARS
14 PLACED INTO SERVICE IN THE UNITED STATES.—Sec-
15 tion 20171(c)(3)(B) of title 49, United States Code, is
16 amended by striking “Railroad’s” and inserting “Rail-
17 roads’”.

18 (p) NONAPPLICATION, EXEMPTION, AND ALTERNATE
19 HOURS OF SERVICE REGIME.—Section 21102(c)(4) of
20 title 49, United States Code, is amended by redesignating
21 subparagraphs (C) and (D) as subparagraphs (B) and
22 (C), respectively.

23 (q) CAPITAL GRANTS FOR CLASS II AND CLASS III
24 RAILROADS.—Section 22301(e)(2) of title 49, United

1 States Code, is amended by striking “the subchapter” and
2 inserting “subchapter”.

3 (r) AUTHORIZATION OF APPROPRIATIONS.—Section
4 22406 of title 49, United States Code, is amended in the
5 section heading by striking “**appropriations.**” and in-
6 serting “**appropriations**”.

7 (s) DEFINITIONS.—Section 22701 of title 49, United
8 States Code, is amended by striking “In this subchapter”
9 and inserting “In this chapter”.

10 (t) CONTENT.—Section 22705(a)(11) of title 49,
11 United States Code, is amended by striking “subchapter”
12 and inserting “chapter”.

13 (u) CHAPTER 229 ANALYSIS.—The analysis for chap-
14 ter 229 of title 49, United States Code, is amended by
15 striking the item relating to 22902 and inserting the fol-
16 lowing:

“22902. Capital investment grants to support intercity passenger rail service.”.

17 (v) CAPITAL INVESTMENT GRANTS TO SUPPORT
18 INTERCITY PASSENGER RAIL SERVICE.—Section 22902
19 of title 49, United States Code, is amended—

20 (1) in subsection (c)(3)(A)(vii) by striking
21 “5302(a)(1)(G)” and inserting “5302(5)”;

22 (2) in subsection (d) by striking “22506” and
23 inserting “22706”;

24 (3) in subsection (e) by striking “22504(a)(5)”
25 and inserting “22705”; and

1 (4) in subsection (k) by striking “section
2 209(d) of that Act” and inserting “chapter 229”.

3 (w) CHAPTER 243 ANALYSIS.—The analysis for
4 chapter 243 of title 49, United States Code, is amended
5 by striking the item relating to section 24316 and insert-
6 ing the following:

“24316. Plans to address needs of families of passengers involved in rail pas-
senger accidents.”.

7 (x) STATUS AND APPLICABLE LAWS.—Section
8 24301(a)(1) of title 49, United States Code, is amended
9 by striking “20102(2)” and inserting “20102”.

10 (y) CHAPTER 247 ANALYSIS.—The analysis for chap-
11 ter 247 of title 49, United States Code, is amended—

12 (1) in the item relating to section 24702 by
13 adding a period at the end; and

14 (2) by striking the item relating to section
15 24710 and inserting the following:

“24710. Long-distance routes.”.

16 (z) STATE-SUPPORTED ROUTES OPERATED BY AM-
17 TRAK.—Section 24712(a)(7)(B)(i) of title 49, United
18 States Code, is amended by striking “20901 note” and
19 inserting “24101 note”.

20 (aa) NORTHEAST CORRIDOR COMMISSION; SAFETY
21 COMMITTEE.—Section 24905 of title 49, United States
22 Code, is amended—

1 (1) in the section heading by striking “**Com-**
2 **mission; safety committee**” and inserting
3 “**Commission**”; and

4 (2) in subsection (c)(1)(D) by striking “sub-
5 paragraph (B);” and inserting “subparagraph (B);
6 and”.

7 (bb) FEDERAL-STATE PARTNERSHIP FOR INTERCITY
8 PASSENGER RAIL.—Section 24911(e) of title 49, United
9 States Code, is amended—

10 (1) in paragraph (3) by striking “24904(a)”
11 and inserting “24904(b)”; and

12 (2) in paragraph (4) by striking “24904(d)”
13 and inserting “24904(a)(3)”.

14 (cc) DEFINITIONS.—Section 26105(1) of title 49,
15 United States Code, is amended by striking “contracts,,”
16 and inserting “contracts,”.

17 (dd) RAIL POLICE OFFICERS.—Section 28101(c)(1)
18 of title 49, United States Code, is amended by striking
19 “police office” and inserting “police officer”.

20 (ee) CHAPTER 285 ANALYSIS.—The analysis for
21 chapter 285 of title 49, United States Code, is amended
22 by striking the item relating to section 28501 and insert-
23 ing the following:

“28501. Definitions.”.

24 (ff) SUBTITLE VI ANALYSIS.—The analysis for sub-
25 title VI of title 49, United States Code, is amended by

1 striking the item relating to chapter 311 and inserting the
2 following:

“311. Commercial Motor Vehicle Safety31100.”.

3 (gg) SPECIAL EXEMPTIONS.—Section 30114(a) of
4 title 49, United States Code, is amended by striking “(a)
5 Vehicles Used for Particular Purposes. The Secretary”
6 and inserting “(a) VEHICLES USED FOR PARTICULAR
7 PURPOSES.—The Secretary”.

8 (hh) RELEASE OF MOTOR VEHICLES AND BONDS.—
9 Section 30146(d) of title 49, United States Code, is
10 amended by striking “misrepresentation” and inserting
11 “misrepresentation”.

12 (ii) INSPECTIONS, INVESTIGATIONS, AND
13 RECORDS.—Section 30166(e) of title 49, United States
14 Code, is amended by striking “distributor dealer,” and in-
15 serting “distributor, dealer,”.

16 (jj) CRIMINAL PENALTIES.—Section 30170 of title
17 49, United States Code, is amended—

18 (1) in the section heading by striking “**Crimi-**
19 **nal Penalties**” and inserting “**Criminal pen-**
20 **alties**”; and

21 (2) in subsection (a)(1) by striking “section
22 1365(g)(3)” and inserting “section 1365(h)(3)”.

23 (kk) POWERS AND DUTIES.—Section 30182(b)(6) of
24 title 49, United States Code, is amended by striking “De-
25 partment” and inserting “the Department”.

1 (ll) CRIMINAL PENALTIES.—Section 30307(a) of title
2 49, United States Code, is amended by striking “section
3 30305(b)(6)” and inserting “section 30305(b)(11)”.

4 (mm) EMPLOYEE PROTECTIONS.—Section 31105(c)
5 of title 49, United States Code, is amended by striking
6 “paragraph (1)” and inserting “subsection (b)(1)”.

7 (nn) PROPERTY-CARRYING UNIT LIMITATION.—Sec-
8 tion 31112 of title 49, United States Code, is amended—
9 (1) in subsection (c)(5) by striking “relevant
10 state” and inserting “relevant State”; and

11 (2) by striking paragraph (4) of subsection (d).

12 (oo) DEFINITIONS.—Paragraph (8) of section 31132
13 of title 49, United States Code, is amended to read as
14 follows:

15 “(8) ‘State’—

16 “(A) means a State of the United States
17 and the District of Columbia; and

18 “(B) in sections 31136, 31141, and 31142,
19 includes a political subdivision of a State.”.

20 (pp) REQUIREMENT FOR REGISTRATION AND
21 USDOT NUMBER.—Section 31134 of title 49, United
22 States Code, is amended—

23 (1) in subsection (b) by striking “(2)(A) dur-
24 ing” and inserting “(2) during”; and

1 (2) in subsection (c)(1) by striking “sections”
2 and inserting “section”.

3 (qq) ELECTRONIC LOGGING DEVICES AND BRAKE
4 MAINTENANCE REGULATIONS.—Section 31137(a)(1) of
5 title 49, United States Code, is amended by striking “be
6 equipped” and inserting “to be equipped”.

7 (rr) CHAPTER 313 ANALYSIS.—The analysis for
8 chapter 313 of title 49, United States Code, is amended
9 by striking the item relating to section 31306a and insert-
10 ing the following:

“31306a. National clearinghouse for controlled substance and alcohol test re-
sults of commercial motor vehicle operators.”.

11 (ss) DISQUALIFICATIONS.—Section 31310(d)(2) of
12 title 49, United States Code, is amended—

13 (1) by striking “paragraph (9)” and inserting
14 “paragraph (12)”; and

15 (2) by striking “7102(9)” and inserting
16 “7102(12)”.

17 (tt) REQUIREMENTS FOR QUALIFICATIONS, HOURS
18 OF SERVICE, SAFETY, AND EQUIPMENT STANDARDS.—
19 Section 31502(e)(4) of title 49, United States Code, is
20 amended—

21 (1) in subparagraph (A) by striking “purposes
22 of section” and all that follows through the period
23 at the end and inserting “purposes of section

1 229(a)(4) of the Motor Carrier Safety Improvement
2 Act of 1999 (49 U.S.C. 31136 note).”; and

3 (2) in subparagraph (B) by striking “under sec-
4 tion 345(e)(6)” and all that follows through the pe-
5 riod at the end and inserting “under section
6 229(e)(6) of the Motor Carrier Safety Improvement
7 Act of 1999 (49 U.S.C. 31136 note).”.

8 (uu) CONSUMER TIRE INFORMATION AND STAND-
9 ARDS.—Section 32304A of title 49, United States Code,
10 is amended—

11 (1) in subsection (a)(2)(D) by striking “pro-
12 gram including,” and inserting “program, includ-
13 ing”;

14 (2) in subsection (b)(2)(A) by striking “this
15 Act” and inserting “the FAST Act (Public Law
16 114–94)”;

17 (3) in subsection (c)(2)(C) by striking “this
18 Act” and inserting “the FAST Act (Public Law
19 114–94)”;

20 (4) in subsection (d)(3)(A) by striking “this
21 Act” and inserting “the FAST Act (Public Law
22 114–94)”.

23 (vv) BUMPER STANDARDS.—Section 32502(c)(3) of
24 title 49, United States Code, is amended by striking “sec-
25 tion 30013(b)” and inserting “section 30113(b)”.

1 (ww) CREDITS.—Section 32903(a)(2) of title 49,
2 United States Code, is amended by striking “paragraph
3 (1)” and inserting “paragraph (1),”.

4 (xx) FUEL ECONOMY INFORMATION.—Section
5 32908(g)(3) of title 49, United States Code, is amended
6 by striking “32905(h)” and inserting “32905(g)”.

7 **TITLE IX—SPORT FISHING AND**
8 **RECREATIONAL BOATING**
9 **SAFETY**

10 **SEC. 9001. DIVISION OF ANNUAL APPROPRIATIONS.**

11 Section 4 of the Dingell-Johnson Sport Fish Restora-
12 tion Act (16 U.S.C. 777c) is amended—

13 (1) in subsection (a) by striking “2026” and in-
14 serting “2031”; and

15 (2) in subsection (b)—

16 (A) in paragraph (1)(A) by striking
17 “2026” and inserting “2031”; and

18 (B) in paragraph (2)(A) by striking “of
19 fiscal years 2022 through 2026” and inserting
20 “fiscal year through 2031”.

21 **SEC. 9002. FUNDING FOR INTERSTATE FISHERIES COMMIS-**
22 **SION ACTIVITIES.**

23 Section 14(e) of the Dingell-Johnson Sport Fish Res-
24 toration Act (16 U.S.C. 777m(e)) is amended—

1 (1) by striking “Not more than \$1,200,000 of
2 each” and inserting “Each”; and

3 (2) in paragraph (1), by striking “\$200,000”
4 and inserting “The greater amount of either 0.0375
5 percent of such appropriation or \$200,000”.

6 **SEC. 9003. BOATING INFRASTRUCTURE PRIORITIES.**

7 (a) IN GENERAL.—Section 8(g) of the Dingell-John-
8 son Sport Fish Restoration Act (16 U.S.C. 777g(g) is
9 amended to read as follows:

10 “(g) BOATING INFRASTRUCTURE GRANTS.—

11 “(1) PURPOSE.—The purpose of this section is
12 to provide funds to States for the development and
13 maintenance of facilities for transient nontrailerable
14 recreational vessels.

15 “(2) PLAN.—A State may develop and submit
16 to the Secretary a plan for the construction, renova-
17 tion, and maintenance of facilities for transient
18 nontrailerable recreational vessels, and access to
19 such facilities, to meet the needs of nontrailerable
20 recreational vessels operating on navigable waters in
21 the State.

22 “(3) GRANTS.—

23 “(A) MATCHING GRANTS.—The Secretary
24 of the Interior shall obligate amounts made
25 available under section 777c(a)(4) 1 of this title

1 to make grants to any State to pay not more
2 than 75 percent of the cost to a State of con-
3 structing, renovating, or maintaining facilities
4 for transient nontrailerable recreational vessels.

5 “(B) PRIORITIES.—In awarding grants
6 under subparagraph (A), the Secretary shall
7 give priority to projects that—

8 “(i) consist of the construction, ren-
9 ovation, or maintenance of facilities for
10 transient nontrailerable recreational vessels
11 in accordance with a plan submitted by a
12 State under paragraph (2);

13 “(ii) provide for public-private part-
14 nership efforts to develop, maintain, and
15 operate facilities for transient
16 nontrailerable recreational vessels;

17 “(iii) propose innovative ways to in-
18 crease the availability of facilities for tran-
19 sient nontrailerable recreational vessels;
20 and

21 “(iv)(I) construct, renovate, or main-
22 tain a strategic maritime fuels station; or

23 “(II) transport strategic maritime
24 fuels to a strategic maritime fuels station

1 for use by transient nontrailerable rec-
2 reational vessels.

3 “(4) DEFINITIONS.—In this section:

4 “(A) NONTRAILERABLE RECREATIONAL
5 VESSEL.—The term ‘nontrailerable recreational
6 vessel’ means a recreational vessel 26 feet in
7 length or longer—

8 “(i) operated primarily for pleasure;
9 or

10 “(ii) leased, rented, or chartered to
11 another for the latter’s pleasure.

12 “(B) FACILITIES FOR TRANSIENT
13 NONTRAILERABLE RECREATIONAL VESSELS.—
14 The term ‘facilities for transient nontrailerable
15 recreational vessels’ includes mooring buoys,
16 day-docks, navigational aids, seasonal slips, safe
17 harbors, or similar structures located on navi-
18 gable waters, that are available to the general
19 public (as determined by the Secretary of the
20 Interior) and designed for temporary use by
21 nontrailerable recreational vessels.

22 “(C) STATE.—The term ‘State’ means
23 each of the several States of the United States,
24 the District of Columbia, the Commonwealth of
25 Puerto Rico, Guam, American Samoa, the Vir-

1 gin Islands, and the Commonwealth of the
2 Northern Mariana Islands.

3 “(D) STRATEGIC MARITIME FUEL STA-
4 TION.—The term ‘strategic maritime fuel sta-
5 tion’ means a facility that has a bulk fuel stor-
6 age tank to dispense drop-in alternative marine
7 fuels into marine vessels.

8 “(E) STRATEGIC MARITIME FUELS.—The
9 term ‘strategic maritime fuels’ means motor
10 fuels derived from cooking oil waste, animal
11 fats, plant-based materials or other production
12 methods that meet the requirements of a drop-
13 in fuel for gasoline or diesel marine engines.

14 “(F) DROP-IN FUELS.—The term ‘drop-in
15 fuels’ means finished gasoline with renewable
16 content of at least 12.5 percent by volume not
17 exceeding 3.7 percent oxygen by weight for use
18 in marine applications meeting ASTM D4814
19 specifications. Renewable diesel up to 100 per-
20 cent by volume and biodiesel blends up to 5
21 percent by volume meeting ASTM D975 par-
22 affinic fuel specifications.”.

23 (b) CONFORMING AMENDMENT.—Section 7404 of the
24 Sportfishing and Boating Safety Act of 1998 (16 U.S.C.
25 777g–1) is repealed.

1 **TITLE X—RAILROADS AND**
2 **HAZARDOUS MATERIALS**
3 **Subtitle A—Authorization of**
4 **Appropriations and Grant Reforms**

5 **SEC. 10101. GRANTS TO AMTRAK.**

6 (a) NORTHEAST CORRIDOR.—There are authorized
7 to be appropriated to the Secretary for grants to Amtrak
8 for activities associated with the Northeast Corridor the
9 following amounts:

10 (1) For fiscal year 2027, \$1,950,000,000.

11 (2) For fiscal year 2028, \$2,010,000,000.

12 (3) For fiscal year 2029, \$2,070,000,000.

13 (4) For fiscal year 2030, \$2,131,667,000.

14 (5) For fiscal year 2031, \$2,193,333,000.

15 (b) NATIONAL NETWORK.—There are authorized to
16 be appropriated to the Secretary for grants to Amtrak for
17 activities associated with the National Network the fol-
18 lowing amounts:

19 (1) For fiscal year 2027, \$3,900,000,000.

20 (2) For fiscal year 2028, \$4,020,000,000.

21 (3) For fiscal year 2029, \$4,140,000,000.

22 (4) For fiscal year 2030, \$4,263,333,000.

23 (5) For fiscal year 2031, \$4,386,667,000.

24 (c) OVERSIGHT.—The Secretary may withhold up to
25 1 percent from the amount appropriated for each fiscal

1 year pursuant to subsections (a) and (b) for the costs of
2 oversight of Amtrak.

3 (d) STATE-SUPPORTED ROUTE COMMITTEE.—The
4 Secretary may withhold up to \$6,000,000 from the
5 amount appropriated for each fiscal year pursuant to sub-
6 section (b) for use by the State-Supported Route Com-
7 mittee established under section 24712(a) of title 49,
8 United States Code.

9 (e) NORTHEAST CORRIDOR COMMISSION.—The Sec-
10 retary may withhold up to \$8,000,000 from the amount
11 appropriated for each fiscal year pursuant to subsection
12 (a) for use by the Northeast Corridor Commission estab-
13 lished under section 24905(a) of title 49, United States
14 Code.

15 (f) ACCESSIBILITY UPGRADES.—

16 (1) IN GENERAL.—The Secretary shall withhold
17 from the amount appropriated for each fiscal year
18 pursuant to subsections (a) and (b) \$100,000,000
19 for grants to assist Amtrak with capital projects to
20 improve the accessibility of the national rail pas-
21 senger transportation system by increasing the num-
22 ber of existing Amtrak facilities for which Amtrak
23 has the primary or shared responsibility for compli-
24 ance with the Americans with Disabilities Act of
25 1990 (42 U.S.C. 12101 et seq.) that are compliant

1 with the requirements of such Act and to carry out
2 the action plan required under section
3 24315(b)(1)(D) of title 49, United States Code,
4 until the Secretary determines Amtrak's existing fa-
5 cilities are in compliance with such requirements.

6 (2) SAVINGS PROVISION.—Nothing in para-
7 graph (1) may be construed to prevent Amtrak from
8 using additional funds appropriated pursuant to this
9 section to carry out the activities authorized under
10 such paragraph.

11 **SEC. 10102. FEDERAL RAILROAD ADMINISTRATION.**

12 (a) SAFETY AND OPERATIONS.—There are author-
13 ized to be appropriated to the Secretary for the operations
14 of the Federal Railroad Administration and to carry out
15 railroad safety activities the following amounts:

16 (1) For fiscal year 2027, \$292,780,000.

17 (2) For fiscal year 2028, \$300,520,000.

18 (3) For fiscal year 2029, \$308,460,000.

19 (4) For fiscal year 2030, \$316,620,000.

20 (5) For fiscal year 2031, \$325,000,000.

21 (b) RAILROAD RESEARCH AND DEVELOPMENT.—

22 There are authorized to be appropriated to the Secretary
23 for the use of the Federal Railroad Administration for ac-
24 tivities associated with railroad research and development
25 the following amounts:

1 (1) For fiscal year 2027, \$48,270,000.

2 (2) For fiscal year 2028, \$49,570,000.

3 (3) For fiscal year 2029, \$50,910,000.

4 (4) For fiscal year 2030, \$52,290,000.

5 (5) For fiscal year 2031, \$53,700,000.

6 (c) TRANSPORTATION TECHNOLOGY CENTER.—The
7 Secretary may withhold up to \$3,000,000 from the
8 amount appropriated for each fiscal year pursuant to sub-
9 section (b) for activities described under section 20108(d)
10 of title 49, United States Code.

11 (d) RAIL RESEARCH AND DEVELOPMENT CENTER OF
12 EXCELLENCE.—The Secretary may withhold up to 10 per-
13 cent of the amount appropriated for each fiscal year under
14 subsection (b) for grants authorized under section
15 20108(j) of title 49, United States Code.

16 (e) SAFETY CULTURE GRANTS.—The Secretary may
17 withhold up to \$2,500,000 from the amount appropriated
18 for each fiscal year pursuant to subsection (a) for grants
19 authorized under section 20172 of title 49, United States
20 Code.

21 **SEC. 10103. COMPETITIVE GRANTS.**

22 (a) CONSOLIDATED RAIL INFRASTRUCTURE AND
23 SAFETY IMPROVEMENTS GRANTS.—

24 (1) IN GENERAL.—There is authorized to be
25 appropriated to the Secretary for grants under sec-

1 tion 22907 of title 49, United States Code, the fol-
2 lowing amounts:

3 (A) For fiscal year 2027, \$1,720,500,000.

4 (B) For fiscal year 2028, \$1,770,500,000.

5 (C) For fiscal year 2029, \$1,820,500,000.

6 (D) For fiscal year 2030, \$1,870,600,000.

7 (E) For fiscal year 2031, \$1,920,600,000.

8 (2) RAIL TECHNOLOGY AND ASSET PILOT PRO-
9 GRAM.—Of the amounts authorized to be appro-
10 priated under paragraph (1), up to \$100,000,000
11 for each of fiscal years 2027 through 2031 shall be
12 available to the Secretary to carry out the rail tech-
13 nology and asset pilot program described in section
14 10408.

15 (3) OVERSIGHT.—The Secretary may withhold
16 up to 2 percent of the amount appropriated for each
17 fiscal year pursuant to paragraph (1) for the costs
18 of project management oversight of grants author-
19 ized under title 49, United States Code.

20 (b) RAILROAD CROSSING SAFETY IMPROVEMENTS
21 AND ELIMINATION PROGRAM.—

22 (1) IN GENERAL.—There is authorized to be
23 appropriated to the Secretary for grants under sec-
24 tion 22909 of title 49, United States Code, the fol-
25 lowing amounts:

1 (A) For fiscal year 2027, \$675,000,000.

2 (B) For fiscal year 2028, \$700,000,000.

3 (C) For fiscal year 2029, \$725,000,000.

4 (D) For fiscal year 2030, \$750,000,000.

5 (E) For fiscal year 2031, \$800,000,000.

6 (2) HIGHWAY-RAIL GRADE CROSSING SAFETY
7 INFORMATION AND EDUCATION PROGRAM.—Of the
8 amount appropriated under paragraph (1) in each
9 fiscal year, 0.25 percent shall be used for contracts
10 or grants to carry out a highway-rail grade crossing
11 safety information and education program—

12 (A) to help prevent and reduce pedestrian,
13 motor vehicle, and other accidents, incidents,
14 injuries, and fatalities, including suicides; and

15 (B) to improve awareness for pedestrians
16 and motorists along railroad rights-of-way and
17 at highway-rail grade crossings.

18 (3) OVERSIGHT.—The Secretary may withhold
19 up to 2 percent from the amount appropriated for
20 each fiscal year pursuant to paragraph (1) for the
21 costs of project management and oversight of grants
22 authorized under title 49, United States Code.

23 (c) NATIONAL INTERCITY PASSENGER RAILROAD
24 PARTNERSHIP PROGRAM.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated to the Secretary for grants under sec-
3 tion 24911 of title 49, United States Code, the fol-
4 lowing amounts:

5 (A) For fiscal year 2027, \$3,500,000,000.

6 (B) For fiscal year 2028, \$3,600,000,000.

7 (C) For fiscal year 2029, \$3,700,000,000.

8 (D) For fiscal year 2030, \$3,800,000,000.

9 (E) For fiscal year 2031, \$3,900,000,000.

10 (2) OVERSIGHT.—The Secretary may withhold
11 up to 2 percent of an amount appropriated under
12 paragraph (1) for the costs of project management
13 oversight of grants authorized under title 49, United
14 States Code.

15 (3) INTERSTATE RAIL COMPACTS.—The Sec-
16 retary may withhold up to \$8,000,000 from the
17 amount appropriated for each fiscal year pursuant
18 to paragraph (1) for grants authorized under section
19 22910 of title 49, United States Code.

20 **SEC. 10104. CONSOLIDATED RAIL INFRASTRUCTURE AND**
21 **SAFETY IMPROVEMENTS.**

22 Section 22907 of title 49, United States Code, is
23 amended—

24 (1) in subsection (b)—

1 (A) in paragraph (4) by inserting “or a
2 lessee of a federally-owned transportation hub”
3 after “States”;

4 (B) in paragraph (12) by striking “A Uni-
5 versity transportation center” and inserting
6 “An institution of higher education (as defined
7 in section 101 of the Higher Education Act of
8 1965 (20 U.S.C. 1001))”; and

9 (C) by adding at the end the following:
10 “(14) A State, county, municipal, local, or re-
11 gional law enforcement agency.”;

12 (2) in subsection (c)—

13 (A) in paragraph (3) by inserting “, in-
14 cluding projects that facilitate intercity pas-
15 senger rail ridership growth or improve the
16 movement of freight by reducing rail traffic
17 congestion on shared rail lines or at crossings
18 and junctions” before the period;

19 (B) in paragraph (7) by inserting “and re-
20 lated equipment, including locomotives” before
21 the period;

22 (C) in paragraph (12) by striking “that
23 the Secretary considers necessary” and all that
24 follows through the period and inserting the fol-
25 lowing: “, development, or testing that the Sec-

retary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements, including wayside defect detection technology, rail car and train movement monitoring technology, and advanced systems, that enhance the safety and efficiency of railroad operations and oversight.”;

(D) by striking paragraph (4); and

(E) by redesignating paragraphs (5) through (16) as paragraphs (4) through (15), respectively;

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking “and” at the end;

(ii) in subparagraph (B) by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(C) not consider a cost-benefit analysis as part of the selection criteria under subparagraph (C) for projects described in paragraphs (7), (9), (10), (11), and (12) of subsection (c) for which a cost-benefit analysis may not be necessary, as determined by the Secretary, and

1 may waive any requirement for an application
2 for such projects to include a cost-benefit anal-
3 ysis.”; and

4 (B) in paragraph (2)—

5 (i) by redesignating subparagraph (F)
6 as subparagraph (G); and

7 (ii) by inserting after subparagraph
8 (E) the following:

9 “(F) The extent to which the project in-
10 creases safety or improves the efficient move-
11 ment of freight or passengers.”;

12 (4) in subsection (g)(2) by striking “urbanized
13 area, as defined by the Bureau of the Census” and
14 inserting “urban area, as defined by the Bureau of
15 the Census with a population of 50,000 or less”;

16 (5) in subsection (h)—

17 (A) in paragraph (2) by inserting “, except
18 that the Secretary may waive the non-Federal
19 cost share requirement for a project eligible
20 under subsection (c)(10)” after “80 percent”;
21 and

22 (B) in paragraph (4)—

23 (i) by striking “subsection (c)(5)” and
24 inserting “subsection (c)(4)”; and

1 (ii) by striking “subsection (c)(11)”

2 and inserting “subsection (c)(10)”; and

3 (6) by adding at the end the following:

4 “(m) QUARTERLY REPORT.—

5 “(1) IN GENERAL.—The Secretary shall make
6 available on the website of the Department of Trans-
7 portation at the end of each quarter of each fiscal
8 year a report that describes each eligible project for
9 which a grant was provided under this section.

10 “(2) REQUIREMENTS.—The report under para-
11 graph (1) shall include, for each such grant—

12 “(A) the name, awarded amount, and sta-
13 tus of the grant agreement from award an-
14 nouncement to obligation, to outlay, to closeout;

15 “(B) whether the applicant requested and
16 received pre-award reimbursement and for what
17 amount;

18 “(C) whether the project used a categorical
19 exclusion and which exclusion was used; and

20 “(D) whether the process under section
21 306108 of title 54 has been completed or is ex-
22 pected to be completed.”.

1 **SEC. 10105. RAILROAD CROSSING SAFETY IMPROVEMENTS**
2 **AND ELIMINATION PROGRAM.**

3 Section 22909 of title 49, United States Code, is
4 amended—

5 (1) in subsection (c)—

6 (A) in paragraph (7) by striking “through
7 (6)” and inserting “through (7)”;

8 (B) by redesignating paragraph (7) as
9 paragraph (8); and

10 (C) by inserting after paragraph (6) the
11 following:

12 “(7) A nonprofit organization that specializes in
13 rail safety advocacy and education.”;

14 (2) in subsection (f)(1)—

15 (A) in subparagraph (F) by striking “and”
16 at the end;

17 (B) in subparagraph (G) by striking the
18 period and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(H) if applicable to the project, utilize ad-
21 vanced technology and data to—

22 “(i) augment the scope of the project
23 to increase safety; and

24 “(ii) reduce overall costs of the
25 project.”;

1 (3) in subsection (g) by striking “Except as
2 provided in paragraph (2), the” and inserting
3 “The”;

4 (4) in subsection (j)(2) by striking “shall trans-
5 fer” and inserting “may transfer”; and

6 (5) in subsection (k) by striking “urbanized
7 area” and inserting “urban area”.

8 **SEC. 10106. NATIONAL INTERCITY PASSENGER RAILROAD**
9 **PARTNERSHIP PROGRAM.**

10 (a) IN GENERAL.—Section 24911 of title 49, United
11 States Code, is amended—

12 (1) by striking the heading and inserting “**Na-**
13 **tional intercity passenger railroad part-**
14 **nership program**”;

15 (2) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (H) by striking
18 “through (G)” and inserting “through
19 (H)”;

20 (ii) in subparagraph (F) by inserting
21 “or a lessee of a federally-owned transpor-
22 tation hub” after “States”;

23 (iii) by redesignating subparagraphs
24 (G) and (H) as subparagraphs (H) and
25 (I), respectively; and

1 (iv) by inserting after subparagraph
2 (F) the following:

3 “(G) a rail carrier other than Amtrak that
4 provides intercity rail passenger transpor-
5 tation;”; and

6 (B) by adding at the end the following:

7 “(4) OPERATING ASSISTANCE.—The term ‘oper-
8 ating assistance’, with respect to any route subject
9 to section 209 of the Passenger Rail Investment and
10 Improvement Act of 2008 (Public Law 110–432),
11 means any cost allocated, or that may be allocated,
12 to a route pursuant to the cost methodology estab-
13 lished under such section or under section 24712.”;

14 (3) in subsection (b)—

15 (A) by striking “involved;.” and inserting
16 “involved; and”;

17 (B) by striking “competitive basis, to
18 fund” and inserting the following: “competitive
19 basis, to—

20 “(1) fund”; and

21 (C) by adding at the end the following:

22 “(2) provide operating assistance under sub-
23 section (e) to eligible entities for the purpose of re-
24 storing, enhancing, or initiating intercity rail pas-
25 senger transportation.”;

1 (4) in subsection (c)—

2 (A) in the heading by striking “ELIGIBLE”
3 and inserting “CAPITAL”;

4 (B) in the matter preceding paragraph (1)
5 by striking “under this section” and inserting
6 “pursuant to subsection (b)(1)”; and

7 (C) by adding at the end the following:

8 “(6) By an interstate rail compact, the procure-
9 ment of rolling stock equipment for use in a
10 multistate equipment pool, as well as costs related to
11 the leasing, lease-to-own, maintenance, and storage
12 of such equipment to create an equipment pool.

13 “(7) The lease of equipment from a multistate
14 equipment pool administered by an interstate rail
15 compact, including leasing with an intent to own.”;

16 (5) in subsection (d)—

17 (A) in the heading by inserting “CAPITAL”
18 before “PROJECT”;

19 (B) by striking “under this section” and
20 inserting “under subsection (b)(1)” each place
21 it appears;

22 (C) in paragraph (1)(A) by striking “sub-
23 section (e)(1)” and inserting “subsection
24 (f)(1)”;

1 (D) in paragraph (1)(B)(ii) by striking
2 “before the commencement of the project;” and
3 inserting “and, if applicable, demonstrates such
4 project is supported by an acceptable degree of
5 non-Federal financial commitment before the
6 commencement of the project;”;

7 (E) in paragraph (2)—

8 (i) in subparagraph (A)—

9 (I) in clause (ii) by striking “an
10 Amtrak route” and inserting “an
11 intercity passenger rail route”; and

12 (II) by striking clause (iii) and
13 inserting the following:

14 “(iii) for which an applicant dem-
15 onstrates such project is partially sup-
16 ported by non-Federal financial commit-
17 ment; and”; and

18 (ii) in subparagraph (B)—

19 (I) in clause (i)(II) by inserting
20 “projected operating revenue, that
21 may include ticket prices” after “trip
22 or transit time,”;

23 (II) in clause (ii) by inserting “,
24 which shall include estimates of rider-

1 ship, fare collection, and travel de-
2 mand,” after “business plan”; and

3 (III) in clause (vii) by striking
4 the “and” at the end;

5 (F) by redesignating paragraph (3) as
6 paragraph (4); and

7 (G) by inserting after paragraph (2) the
8 following:

9 “(3) in determining whether a project is sup-
10 ported by an acceptable degree of non-Federal finan-
11 cial commitment for purposes of paragraph (1) and
12 (2), the Secretary shall consider—

13 “(A) the credibility of forecasting methods
14 used to estimate costs and utilization made by
15 an applicant described in subsection (a)(1);

16 “(B) existing grant commitments;

17 “(C) the degree to which financing sources
18 are dedicated to the purposes proposed; and

19 “(D) the extent to which the project has fi-
20 nancial commitment that exceeds the required
21 non-Federal share of the cost of the project;
22 and”;

23 (6) in subsection (f)—

24 (A) by striking “this section” each place it
25 appears and inserting “subsection (b)(1)”;

1 (B) in paragraph (2) by striking “, except
2 as specified under paragraph (4)”;

3 (C) by redesignating paragraphs (1)
4 through (3) as subparagraph (A) through (C),
5 respectively;

6 (D) by inserting before subparagraph (A),
7 as so redesignated, the following:

8 “(1) CAPITAL PROJECTS.—The following shall
9 apply to capital projects described in subsection
10 (b)(1):”; and

11 (E) by adding at the end the following:

12 “(2) OPERATING ASSISTANCE.—

13 “(A) RESTORING OR INITIATING SERV-
14 ICE.—Grants described in subsection (e) for
15 projects for restoring or initiating intercity pas-
16 senger rail service may not exceed—

17 “(i) 70 percent of the projected net
18 operating costs for the first year of service;

19 “(ii) 60 percent of the projected net
20 operating costs for the second year of serv-
21 ice;

22 “(iii) 50 percent of the projected net
23 operating costs for the third year of serv-
24 ice;

1 “(iv) 40 percent of the projected net
2 operating costs for the fourth year of serv-
3 ice; and

4 “(v) 30 percent of the projected net
5 operating costs for the fifth year of service.

6 “(B) ENHANCING SERVICE.—Grants de-
7 scribed in subsection (e) for projects for en-
8 hancing intercity passenger rail service may not
9 exceed—

10 “(i) 60 percent of the projected net
11 operating costs for the first year of service;

12 “(ii) 50 percent of the projected net
13 operating costs for the second year of serv-
14 ice;

15 “(iii) 40 percent of the projected net
16 operating costs for the third year of serv-
17 ice;

18 “(iv) 30 percent of the projected net
19 operating costs for the fourth year of serv-
20 ice; and

21 “(v) 20 percent of the projected net
22 operating costs for the fifth year of serv-
23 ice.”;

24 (7) in subsection (g) by adding at the end the
25 following:

1 “(5) APPLICABILITY.—This subsection shall not
2 apply to projects described under subsection (e).”;

3 (8) in subsection (k)—

4 (A) by striking “The Secretary may with-
5 hold up to” and inserting the following:

6 “(1) IN GENERAL.—The Secretary shall with-
7 hold”;

8 (B) by redesignating paragraphs (1)
9 through (3) as subparagraphs (A) through (C),
10 respectively; and

11 (C) by adding at the end the following:

12 “(2) APPLICABILITY.—This subsection shall not
13 apply to funds appropriated on or after October 1,
14 2031.”;

15 (9) by redesignating subsections (h) through (k)
16 as subsections (j) through (m), respectively;

17 (10) by redesignating subsections (e) through
18 (g) as subsections (f) through (h), respectively;

19 (11) by inserting after subsection (d) the fol-
20 lowing:

21 “(e) OPERATING ASSISTANCE.—

22 “(1) APPLICATION.—An applicant for a grant
23 under this subsection shall submit to the Sec-
24 retary—

1 “(A) a capital and mobilization plan
2 that—

3 “(i) describes any capital investments,
4 service planning actions (including environ-
5 mental reviews), and mobilization actions
6 (including qualification of train crews) re-
7 quired for initiation, enhancement, or res-
8 toration of intercity rail passenger trans-
9 portation; and

10 “(ii) includes the timeline for under-
11 taking and completing each of the invest-
12 ments and actions referred to in clause (i);

13 “(B) an operating plan that describes the
14 planned operation of the service, including—

15 “(i) the identity and qualifications of
16 the train operator;

17 “(ii) the identity and qualifications of
18 any other service providers;

19 “(iii) service frequency;

20 “(iv) the planned routes and sched-
21 ules;

22 “(v) the station facilities that are or
23 will be used;

24 “(vi) projected ridership, revenues,
25 and costs;

1 “(vii) projected operating revenue,
2 which may include ticket prices;

3 “(viii) descriptions of how the projec-
4 tions under clauses (vi) and (vii) were de-
5 veloped;

6 “(ix) the equipment that is or will be
7 used, how such equipment will be acquired
8 or refurbished (if needed to operate new,
9 enhanced, or restored service), and where
10 such equipment is or will be maintained;
11 and

12 “(x) a plan for ensuring safe oper-
13 ations and compliance with applicable safe-
14 ty regulations;

15 “(C) a funding plan that—

16 “(i) describes the funding of initial
17 capital costs and operating costs for the
18 first 5 years of operation;

19 “(ii) includes a commitment by the
20 applicant to provide the funding described
21 in clause (i) to the extent not covered by
22 Federal financial assistance; and

23 “(iii) describes the funding of oper-
24 ating costs and capital costs, to the extent

1 necessary, after the first 5 years of oper-
2 ation; and

3 “(D) a description of the status of negotia-
4 tions and agreements with—

5 “(i) each of the railroads or regional
6 transportation authorities whose tracks or
7 facilities are or would be used by the serv-
8 ice;

9 “(ii) the anticipated railroad carrier,
10 if such carrier is not part of the applicant
11 group; and

12 “(iii) any other service providers or
13 entities expected to provide services or fa-
14 cilities that are or will be used by the serv-
15 ice, including any required access to Am-
16 trak systems, stations, and facilities if Am-
17 trak is not part of the applicant group.

18 “(2) PRIORITIZATION.—In awarding grants
19 under this subsection, the Secretary shall give pri-
20 ority to applications—

21 “(A) for which planning, design, any envi-
22 ronmental reviews, negotiation of agreements,
23 acquisition of equipment, construction, and
24 other actions necessary for initiation of service
25 have been completed or nearly completed;

1 “(B) that include funding (including fund-
2 ing from railroads), or other significant partici-
3 pation by State, local, and regional govern-
4 mental and private entities;

5 “(C) that include a funding plan that dem-
6 onstrates the intercity rail passenger service will
7 be financially sustainable beyond the grant pe-
8 riod;

9 “(D) that would restore service over routes
10 in an area affected by an emergency (as defined
11 in section 5320);

12 “(E) that would enhance connectivity and
13 geographic coverage of the existing national
14 network of intercity passenger rail service; and

15 “(F) for routes selected under the Corridor
16 Identification and Development Program.

17 “(3) LIMITATIONS.—

18 “(A) DURATION.—Federal operating
19 grants authorized under this subsection for any
20 individual intercity rail passenger transpor-
21 tation route may not provide funding for more
22 than 5 years and may not be renewed.

23 “(B) ELIGIBILITY.—The Secretary may
24 not renew operating assistance under this sub-
25 section for any project substantially similar to

1 a project that received financial assistance
2 under section 22908, as in effect on the day be-
3 fore the date of enactment of the BUILD
4 America 250 Act.

5 “(4) USE WITH CAPITAL GRANTS AND OTHER
6 FEDERAL FUNDING.—A recipient of an operating as-
7 sistance grant under this subsection may use such
8 grant in combination with other Federal grants
9 awarded that would benefit the applicable service.

10 “(5) COORDINATION WITH AMTRAK.—If the
11 Secretary awards a grant under this subsection to a
12 rail carrier other than Amtrak, consistent with sec-
13 tion 24711(c)(1), the Secretary may—

14 “(A) require Amtrak to provide access to
15 the Amtrak-owned reservation system, stations,
16 and facilities that are directly related to oper-
17 ations to such carrier, to the extent necessary
18 to carry out the purposes of this subsection;
19 and

20 “(B) award an appropriate portion of the
21 grant to Amtrak as compensation for such ac-
22 cess.

23 “(6) CONDITIONS.—

24 “(A) GRANT AGREEMENT.—The Secretary
25 shall require a grant recipient under this sub-

1 section to enter into a grant agreement that re-
2 quires such recipient to provide information re-
3 garding the route performance, financial, and
4 ridership projections, and capital and business
5 plans that Amtrak is required to provide, and
6 such other data and information as the Sec-
7 retary considers necessary.

8 “(B) TERMINATION.—The Secretary may
9 terminate any grant agreement upon—

10 “(i) the cessation of the applicable
11 service; or

12 “(ii) the violation of terms of the
13 grant agreement.

14 “(C) GRANT CONDITIONS.—

15 “(i) APPLICATION.—The Secretary
16 shall require each recipient of a grant
17 under this subsection to comply with the
18 grant requirements of section 22905.

19 “(ii) EXEMPTION.—The grant re-
20 quirements of section 22903 shall not
21 apply to grants awarded under this sub-
22 section.”; and

23 (12) by inserting after subsection (h), as so re-
24 designated, the following:

1 “(i) LIMITATION ON OPERATING ASSISTANCE.—The
2 Secretary may withhold up to 5 percent of funds appro-
3 priated pursuant to this section in each fiscal year to carry
4 out subsection (e).”.

5 (b) CONFORMING REPEAL OF RESTORATION AND
6 ENHANCEMENT GRANTS.—

7 (1) IN GENERAL.—Section 22908 of title 49,
8 United States Code, is repealed.

9 (2) CLERICAL AMENDMENT.—The analysis for
10 chapter 229 of title 49, United States Code, is
11 amended by striking the item related to section
12 22908.

13 (c) TREATMENT OF PRIOR AWARDS FOR RESTORA-
14 TION AND ENHANCEMENT GRANTS.—The Secretary shall
15 treat grants awarded before the date of enactment of this
16 Act under section 22908 of title 49, United States Code,
17 under the requirements of such section as in effect on the
18 day before the date of enactment of this Act.

19 **SEC. 10107. CORRIDOR IDENTIFICATION AND DEVELOP-**
20 **MENT PROGRAM.**

21 (a) IN GENERAL.—Section 25101 of title 49, United
22 States Code, is amended—

23 (1) in subsection (a)—

24 (A) by striking “Not later than 180 days
25 after the date of enactment of the Passenger

1 Rail Expansion and Rail Safety Act of 2021,
2 the” and inserting “The”;

3 (B) in paragraph (4) by striking “section
4 22210” and inserting “section 22910”;

5 (C) in paragraph (6) by striking “and” at
6 the end;

7 (D) by redesignating paragraph (7) as
8 paragraph (8); and

9 (E) by inserting after paragraph (6) the
10 following:

11 “(7) a process for preparing service develop-
12 ment plans in accordance with subsection (d), while
13 allowing for eligible entities described in subsection
14 (b) to concurrently undertake project development
15 work, including preliminary engineering and environ-
16 mental activities, if the Secretary determines such
17 eligible entity has the capability, authority, and ex-
18 perience to concurrently prepare such plan and un-
19 dertake such work and has secured the required
20 non-Federal funding to undertake such work; and”;

21 (2) in subsection (d)—

22 (A) in paragraph (1) by inserting “pro-
23 jected operating revenue, which may include
24 ticket prices,” after “operating speeds,”;

1 (B) in paragraph (8)(E) by inserting
2 “maintenance” before “costs”;

3 (C) in paragraph (11)—

4 (i) by striking “benefits” and insert-
5 ing “impacts”; and

6 (ii) by striking “and” at the end;

7 (D) in paragraph (12) by striking the pe-
8 riod at the end and inserting a semicolon; and

9 (E) by adding at the end the following:

10 “(13) a description of the methodologies, as-
11 sumptions, and factors used to determine each pro-
12 jection identified under paragraph (8), including a
13 description of how market, economic, and other fac-
14 tors may affect each such projection and, if applica-
15 ble, alternative projections;

16 “(14) a financial contingency plan to account
17 for unforeseen project cost increases or delays;

18 “(15) if applicable, a description of other pro-
19 posed modal alternatives to the proposed corridor,
20 including a no-build alternative;

21 “(16) if applicable, the effect of corridor service
22 on freight rail, including, if necessary, a description
23 of capital investments necessary to avoid conflicts
24 with the movement of freight by rail; and

1 “(17) an analysis of the amounts and identified
2 source of non-Federal financial support for oper-
3 ations and maintenance.”;

4 (3) in subsection (e)—

5 (A) in the subsection heading by inserting
6 “AND REVIEW” after “CONSULTATION”;

7 (B) in paragraph (4) by striking “and” at
8 the end;

9 (C) in paragraph (5) by striking the period
10 and inserting “; and”;

11 (D) by redesignating paragraphs (1), (2),
12 (3), (4), and (5) as subparagraphs (A), (B),
13 (C), (D), and (F), respectively;

14 (E) by inserting after subparagraph (D)
15 (as so redesignated) the following:

16 “(E) entities implementing interstate rail
17 compacts; and”;

18 (F) by striking “shall consult with—” and
19 inserting the following: “shall—

20 “(1) consult with—”; and

21 (G) by adding at the end the following:

22 “(2) review the methodologies, assumptions,
23 and factors used by an eligible entity in development
24 of the financial plan required under subsection
25 (d)(8) and—

1 “(A) concur with such financial plan;

2 “(B) if the Secretary determines that the
3 projections and analysis included in such finan-
4 cial plan are partially supported by the analysis
5 required in this section, grant conditional con-
6 currence with the plan if—

7 “(i) such eligible entity agrees to up-
8 date such financial plan, as determined by
9 the Secretary in coordination with the eli-
10 gible entity; or

11 “(ii) the Secretary determines the al-
12 ternative projections provided pursuant to
13 subsection (d)(13) are sufficient; or

14 “(C) if the Secretary determines the de-
15 scription or alternative projections required
16 under subsection (d)(13) are not supported by
17 the analysis required in this section, allow such
18 eligible entity to solicit a third-party review by
19 a qualified entity with experience in estimating
20 such projections and incorporate the projections
21 from such review into such financial plan, and
22 the Secretary may reimburse such eligible entity
23 for any expenses incurred from such review
24 using funds provided to carry out this section.”;
25 and

1 (4) in subsection (g)—

2 (A) in the subsection heading by striking
3 “PROJECT PIPELINE” and inserting “RE-
4 PORTS”;

5 (B) by redesignating paragraphs (1)
6 through (7) as clauses (i) through (vii), respec-
7 tively;

8 (C) by striking “Not later than 1 year”
9 and inserting the following:
10 “(1) PROJECT PIPELINE REPORT.—

11 “(A) IN GENERAL.—Not later than 1
12 year”; and

13 (D) by adding at the end the following:

14 “(B) CONSIDERATION.—In specifying the
15 order in which the Secretary would provide
16 Federal financial assistance under subpara-
17 graph (A)(iii), the Secretary shall take into con-
18 sideration the degree to which each eligible enti-
19 ty demonstrates that a project is supported by
20 an acceptable degree of non-Federal financial
21 commitment.

22 “(C) FINANCIAL COMMITMENT.—In deter-
23 mining whether a project is supported by an ac-
24 ceptable degree of non-Federal financial com-

1 mitment for purposes of subparagraph (B), the
2 Secretary shall consider—

3 “(i) the credibility of forecasting
4 methods used to estimate costs and utiliza-
5 tion made by an eligible entity described in
6 subsection (b);

7 “(ii) existing grant commitments;

8 “(iii) the degree to which financing
9 sources are dedicated to the purposes pro-
10 posed; and

11 “(iv) the extent to which the project
12 has financial commitment that exceeds the
13 required non-Federal share of the cost of
14 the project.

15 “(2) PROJECT PROGRESS REPORT.—Not later
16 than 1 year after the date of enactment of the
17 BUILD America 250 Act, and quarterly thereafter,
18 the Secretary shall submit to the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives, the Committee on Appropriations of
21 the House of Representatives, the Committee on
22 Commerce, Science, and Transportation of the Sen-
23 ate, and the Committee on Appropriations of the
24 Senate a report that includes—

1 “(A) a list of funds obligated to date for
2 each corridor and corridor sponsor;

3 “(B) a description of the service develop-
4 ment plan for each project, including a sum-
5 mary of the cities to be served, future antici-
6 pated Federal financial and funding needs, and
7 whether the service development plan has been
8 completed or updated and the reason for such
9 update;

10 “(C) an estimated timeline for each cor-
11 ridor to successfully move through the steps of
12 the program; and

13 “(D) other issues identified by the Sec-
14 retary important to the development of the pro-
15 posed corridor and the rail transportation sys-
16 tem.”.

17 (b) LIMITATION ON FUTURE CORRIDORS.—The Sec-
18 retary may not select a proposal for the development of
19 an intercity passenger rail corridor pursuant to section
20 25101(a) of title 49, United States Code, on or after Octo-
21 ber 1, 2031.

22 (c) INCORPORATION OF UPDATED REQUIRE-
23 MENTS.—The Secretary shall require eligible entities de-
24 scribed in section 25101(b) of title 49, United States
25 Code, that have not received a commitment of non-Federal

1 matching funds for a corridor selected prior to the date
2 of enactment of this Act to incorporate into a service de-
3 velopment plan any additional requirements listed under
4 section 25101(d) of such title, as added by subsection (a).

5 **SEC. 10108. EMERGENCY RELIEF.**

6 (a) IN GENERAL.—Chapter 229 of title 49, United
7 States Code, is amended by adding at the end of the fol-
8 lowing:

9 **“§ 22911. Emergency relief**

10 “(a) GENERAL AUTHORITY.—The Secretary of
11 Transportation, in consultation with the Administrator of
12 the Federal Railroad Administration, may make grants
13 and enter into contracts and other agreements with an eli-
14 gible entity for an eligible operating expense or a capital
15 project to replace, rehabilitate, or repair rail infrastruc-
16 ture, equipment, or facilities if the Secretary determines
17 such infrastructure, equipment, or facilities are in a dan-
18 ger of suffering catastrophic damage, or have suffered cat-
19 astrophic damage, as a result of an emergency.

20 “(b) ELIGIBLE ENTITIES.—The following entities are
21 eligible to receive financial assistance under this section:

22 “(1) A State (as such term is defined in section
23 22701).

24 “(2) A public agency.

1 “(3) A publicly chartered authority established
2 by 1 or more States.

3 “(4) A political subdivision of a State.

4 “(5) A Class II railroad or Class III railroad
5 (as such terms are defined in section 20102) or a
6 holding company of such railroad.

7 “(6) An intercity passenger railroad.

8 “(c) TERMS.—In making grants under subsection
9 (a), the Secretary may make grants on a reimbursable
10 basis or advance funding basis.

11 “(d) COORDINATION OF EMERGENCY FUNDS.—

12 “(1) USE OF FUNDS.—Funds appropriated to
13 carry out this section shall be in addition to any
14 other funds available under this chapter.

15 “(2) NO EFFECT ON OTHER GOVERNMENT AC-
16 TIVITY.—The provision of funds under this section
17 shall not affect the ability of any other agency of the
18 Government, a State agency, a local governmental
19 entity or organization, or person to provide any
20 other funds otherwise authorized by law, except that
21 no person, business concern, or other entity shall re-
22 ceive assistance with respect to any part of a loss as
23 to which such person, business concern, or other en-
24 tity has received financial assistance under any other
25 program or from insurance or any other source.

1 “(3) NOTIFICATION.—The Secretary shall no-
2 tify the Administrator of the Federal Emergency
3 Management Agency of the purpose and amount of
4 any grant made or contract or other agreement en-
5 tered into under this section.

6 “(e) GRANT REQUIREMENTS.—

7 “(1) IN GENERAL.—A grant awarded under
8 this section that is made to address an emergency
9 shall be

10 “(A) subject to the terms and conditions
11 the Secretary determines are necessary; and

12 “(B) made only for expenses that are not
13 reimbursed under the Robert T. Stafford Dis-
14 aster Relief and Emergency Assistance Act (42
15 U.S.C. 5121 et seq.).

16 “(2) OVERSIGHT FUNDS.—The Secretary may
17 retain up to one-half of 1 percent of the funds ap-
18 propriated under this section to fund the costs of
19 project management oversight by the Secretary.

20 “(f) GOVERNMENT SHARE OF COSTS.—

21 “(1) CAPITAL PROJECTS.—A grant, contract, or
22 other agreement for a capital project under this sec-
23 tion shall be for not more than 80 percent of the
24 project cost, as determined by the Secretary.

1 “(2) NON-FEDERAL SHARE.—The non-Federal
2 share of the project cost shall be provided in cash,
3 equipment, or supplies.

4 “(3) WAIVER.—The Secretary may waive, in
5 whole or part, the non-Federal share under this sub-
6 section.

7 “(g) LIMITATION.—

8 “(1) IN GENERAL.—Project costs under this
9 section shall be limited to the scope of damage
10 caused by the respective emergency.

11 “(2) DETERMINATION.—In the case of a
12 project that included damage preexisting the respec-
13 tive emergency, the Secretary shall make a deter-
14 mination on the amount or percentage of the dam-
15 age preexisting such emergency.

16 “(3) ELIGIBILITY.—The Secretary may not
17 provide financial assistance under this section to any
18 entity described in paragraphs (1) through (4) of
19 subsection (b) for emergencies described under sub-
20 section (i)(1)(B)

21 “(h) INSURANCE.—

22 “(1) REQUIREMENTS.—As a condition of receiv-
23 ing assistance under this section, an applicant
24 shall—

1 “(A) submit to the Secretary documenta-
2 tion demonstrating proof of insurance required
3 under Federal law for all structures related to
4 the grant application;

5 “(B) certify to the Secretary that the ap-
6 plicant has insurance required under State law
7 for all structures related to the grant applica-
8 tion; and

9 “(C) maintain any insurance required
10 under Federal law, including hazard insurance,
11 flood insurance, or other coverage as applicable.

12 “(2) COMPLIANCE.—A recipient that fails to
13 maintain insurance after receiving assistance under
14 this section shall be ineligible to receive any assist-
15 ance under this program for any future emergency,
16 with respect to the structure or facility for which
17 such insurance is required, until the Secretary deter-
18 mines that the recipient has come into compliance.

19 “(i) DEFINITIONS.—In this section:

20 “(1) EMERGENCY.—The term ‘emergency’
21 means a natural catastrophe affecting a wide area,
22 including any hurricane, tornado, storm, high water,
23 winddriven water, tidal wave, tsunami, earthquake,
24 volcanic eruption, landslide, or wildfire, or a cata-

1 strophic failure from any external cause, as a result
2 of which—

3 “(A) the Governor of a State has declared
4 an emergency and the Secretary has concurred;
5 or

6 “(B) the President has declared a major
7 disaster under section 401 of the Robert T.
8 Stafford Disaster Relief Emergency Assistance
9 Act (42 U.S.C. 5170).

10 “(2) ELIGIBLE CAPITAL PROJECT.—The term
11 ‘eligible capital project’ means a project to bring rail
12 infrastructure, equipment, or facilities used for pro-
13 viding rail service into a state of good repair.

14 “(3) ELIGIBLE OPERATING EXPENSE.—The
15 term ‘eligible operating expense’ means an operating
16 expense related to any evacuation carried out imme-
17 diately prior to or following an emergency.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 229 of title 49, United States Code, is amended by
20 inserting after the item relating to section 22910 the fol-
21 lowing:

 “22911. Emergency relief.”.

22 **SEC. 10109. AMTRAK OFFICE OF INSPECTOR GENERAL.**

23 There are authorized to be appropriated to the Office
24 of Inspector General of Amtrak, the following amounts:

25 (1) For fiscal year 2027, \$31,000,000.

1 (2) For fiscal year 2028, \$31,500,000.

2 (3) For fiscal year 2029, \$32,000,000.

3 (4) For fiscal year 2030, \$32,500,000.

4 (5) For fiscal year 2031, \$33,000,000.

5 **Subtitle B—Amtrak Reforms**

6 **SEC. 10201. AMTRAK ECONOMIC PERFORMANCE.**

7 (a) FINDINGS.—Section 24101(a) of title 49, United
8 States Code, is amended—

9 (1) in paragraph (1)—

10 (A) by inserting “competitive with other
11 modes of transportation” after “transportation”; and
12

13 (B) by inserting “connecting urban and
14 rural communities” before the period at the
15 end; and

16 (2) in paragraph (4) by inserting “and achieve
17 a level of performance comparative to other passenger
18 modes and that promotes operational efficiency” before the period at the end.

20 (b) GOALS.—Section 24101(c) of title 49, United
21 States Code, is amended—

22 (1) in paragraph (1)—

23 (A) by striking “maximize the benefits of
24 Federal investments” and inserting “to maximize
25 services and benefits to the communities

1 Amtrak serves that is competitive with other
2 passenger modes and ensuring Amtrak’s long-
3 term performance”;

4 (B) in subparagraph (D) by adding “and”
5 at the end;

6 (C) in subparagraph (E) by striking “and”
7 at the end; and

8 (D) by striking subparagraph (F); and

9 (2) in paragraph (13) by striking “established
10 long-distance routes” and inserting “a robust North-
11 east Corridor and National Network, including long-
12 distance and State-supported routes,”.

13 (c) **FINANCIAL PERFORMANCE**.—Section 24101(d) of
14 title 49, United States Code, is amended—

15 (1) in the heading by striking “INCREASING
16 REVENUES” and inserting “FINANCIAL PERFORM-
17 ANCE”; and

18 (2) by inserting “practices that promote Am-
19 trak’s long-term financial performance” after “judg-
20 ment”.

21 **SEC. 10202. AMTRAK TRANSPARENCY AND ACCOUNT-**
22 **ABILITY FOR PASSENGERS AND TAXPAYERS.**

23 Section 24301 of title 49, United States Code, is
24 amended—

1 (1) in subsection (a)(1) by striking “section
2 20102(2)” and inserting “section 20102”; and

3 (2) by striking subsection (e) and inserting the
4 following:

5 “(e) APPLICATION OF CERTAIN ADDITIONAL
6 LAWS.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graphs (2) and (3)—

9 “(A) sections 552 and 552b of title 5 apply
10 to the Amtrak Board of Directors for any fiscal
11 year in which Amtrak receives a Federal grant;
12 and

13 “(B) to the extent consistent with this
14 part, the District of Columbia Business Cor-
15 poration Act (D.C. Code §29–301 et seq.) ap-
16 plies to Amtrak.

17 “(2) SCOPE OF APPLICATION.—

18 “(A) EXCLUSIONS.—The second sentence
19 of section 552b(b) of title 5 shall not apply to
20 any portion of an Amtrak Board of Directors
21 meeting, and subsections (d) and (e) of section
22 552b of title 5 shall not apply to any informa-
23 tion pertaining to any portion of an Amtrak
24 Board of Directors meeting otherwise required
25 by section 552b of title 5 to be disclosed to the

1 public, if such Board of Directors properly de-
2 termines that such portion, or the disclosure of
3 such information, is likely to involve—

4 “(i) contract negotiations, including
5 negotiations for procurements and agree-
6 ments that may result in a contract, the
7 disclosure of which would imperil or com-
8 promise the competitive position of Am-
9 trak;

10 “(ii) a collective bargaining agree-
11 ment, or any terms and conditions that are
12 proposed for inclusion in a collective bar-
13 gaining agreement, including the negotia-
14 tion with employees, or representatives of
15 employees, of Amtrak of such terms and
16 conditions;

17 “(iii) with respect to any individual
18 who is an officer, employee, or contractor
19 employed or appointed by Amtrak, or who
20 is a prospective officer, employee, or con-
21 tractor, a matter involving the employ-
22 ment, appointment, termination of employ-
23 ment, terms and conditions of employment,
24 evaluation of the performance of, pro-
25 motion or disciplining of any such indi-

1 vidual, unless all such individuals whose
2 rights could be adversely affected in such
3 matter request in writing that the matter
4 be discussed at a public meeting; or

5 “(iv) confidential commercial informa-
6 tion.

7 “(B) APPLICATION OF OTHER EXCLU-
8 SIONS.—Section 552b(c) of title 5 shall apply to
9 Amtrak meetings.

10 “(3) EXCEPTION.—In carrying out this sub-
11 section, Amtrak—

12 “(A) may not disclose information that
13 could put the safety of Amtrak customers or
14 employees at risk; and

15 “(B) shall take any actions necessary to—

16 “(i) comply with law;

17 “(ii) honor existing contracts or le-
18 gally binding agreements; and

19 “(iii) carry out normal business activi-
20 ties consistent with the statutory mission
21 and goals of Amtrak.”.

1 **SEC. 10203. IMPLEMENTING AMTRAK OFFICE OF INSPEC-**
2 **TOR GENERAL RECOMMENDATIONS TO AD-**
3 **DRESS INFRASTRUCTURE BACKLOG.**

4 (a) IN GENERAL.—Not later than 2 years after the
5 date of enactment of this Act, Amtrak shall implement
6 the recommendations described in the report of the inspec-
7 tor general of Amtrak titled “Asset Management: Better
8 Governance and Data Would Improve Company Efforts
9 to Achieve a State of Good Repair”, published on April
10 10, 2026.

11 (b) INSPECTOR GENERAL EVALUATION.—Not later
12 than 3 years after the date of enactment of this Act, the
13 inspector general of Amtrak shall evaluate the extent to
14 which Amtrak has complied with the recommendations
15 under subsection (a).

16 **SEC. 10204. AMTRAK EXECUTIVE BONUS DISCLOSURE.**

17 Section 24315(a) of title 49, United States Code, is
18 amended—

19 (1) by striking “Congress” and inserting “the
20 Committee on Transportation and Infrastructure of
21 the House of Representatives and the Committee on
22 Commerce, Science, and Transportation of the Sen-
23 ate, and make publicly available on a website of Am-
24 trak,”; and

25 (2) by striking paragraph (2) and inserting the
26 following:

1 “(2) provides the annual base pay and any
2 bonus compensation paid to each member of the ex-
3 ecutive leadership team (including the chief executive
4 officer, president, and each officer) of Amtrak, in-
5 cluding the criteria and metrics used to determine
6 any such bonus compensation;”.

7 **SEC. 10205. AMTRAK AND INTERCITY PASSENGER RAIL**
8 **WORKFORCE ASSAULT PREVENTION AND RE-**
9 **SPONSE PLANS.**

10 (a) PRACTICES AND VOLUNTARY STANDARDS.—

11 (1) IN GENERAL.—Not later than 6 months
12 after the date of enactment of this Act, the Sec-
13 retary shall publish best practices and voluntary
14 standards for the response to assault and harass-
15 ment incidents during the operation of a passenger
16 rail service.

17 (2) CONSULTATION.—In developing best prac-
18 tices and voluntary standards under paragraph (1),
19 the Secretary may consult with the following organi-
20 zations to inform such practices and standards:

- 21 (A) The Amtrak Police Department.
- 22 (B) Other rail police or security personnel.
- 23 (C) State and local law enforcement.
- 24 (D) State and local prosecutors.

1 (E) Labor organizations representing on-
2 board and in station train crew personnel.

3 (F) Passenger rail operators.

4 (3) CONTENTS.—In developing the best prac-
5 tices and voluntary standards under paragraph (1),
6 the Secretary shall address the following issues:

7 (A) Proper incident documentation and re-
8 porting techniques.

9 (B) Recommended de-escalation trainings
10 for crew and law enforcement.

11 (C) Coordination between passenger rail
12 operators and law enforcement.

13 (D) Responding to incidents of assault or
14 harassment, including the removal of disruptive
15 passengers.

16 (E) Strategies for preventing incidents of
17 assault or harassment.

18 (b) SUBMISSION OF RESPONSE PLANS.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, each passenger
21 rail transportation operator shall submit to the Sec-
22 retary a plan to prevent and respond to incidents of
23 assault and harassment.

24 (2) CONTENTS.—The plan under paragraph (1)
25 shall include the following:

1 (A) The operator's policy on assault or
2 harassment incidents.

3 (B) The operator's plan to provide notice
4 to employees on how to report incidents with
5 passengers to the operator, rail law enforce-
6 ment, and local law enforcement.

7 (C) The operator's plan to provide notice
8 to employees on how to remove a passenger or
9 personnel from the train or related area or fa-
10 cility who has committed a transportation as-
11 sault as soon as practicable when appropriate.

12 (D) The operator's plan to provide notice
13 to passengers on how to report an assault or
14 harassment incident.

15 (E) The operator's plan to provide training
16 to employees on how to respond and report as-
17 sault or harassment incidents.

18 (F) The operator's plan to limit or pro-
19 hibit, to the extent practicable, future travel of
20 an individual who interferes with passenger rail
21 personnel and safety on the operator's services.

22 (G) The operator's plan to ensure an em-
23 ployee who is a victim or witness of a transpor-
24 tation assault may participate in the prosecu-
25 tion of a criminal offense of such assault with-

1 out any adverse effect on the victim's or wit-
2 nesses' employment status.

3 (H) A process and timeline for conducting
4 an annual review and update of the plan.

5 (c) PASSENGER INFORMATION.—A passenger rail
6 transportation operator shall display on the website of
7 such operator and through the use of appropriate signage
8 a written statement that informs passengers and per-
9 sonnel of the procedure for reporting an assault or harass-
10 ment incident.

11 (d) DEFINITIONS.—In this section:

12 (1) PASSENGER RAIL TRANSPORTATION.—The
13 term “passenger rail transportation” has the mean-
14 ing given the terms “intercity passenger rail trans-
15 portation” and “commuter rail passenger transpor-
16 tation” in section 24102 of title 49, United States
17 Code.

18 (2) INTERFERENCE WITH PASSENGER RAIL
19 PERSONNEL AND SAFETY.—The term “interference
20 with passenger rail personnel and safety” means—

21 (A) the physical or sexual assault of—

22 (i) any individual on a passenger
23 train;

24 (ii) any individual in a passenger rail
25 station; or

1 (iii) any member of a train crew, sta-
2 tion staff, or rail police or security;

3 (B) threatening to physically or sexually
4 assault any individual described in subpara-
5 graphs (A) through (C) of paragraph (1); and

6 (C) any action that poses an imminent
7 threat to the safety of intercity passenger rail
8 transportation, including the safety of any indi-
9 vidual described in subparagraphs (A) through
10 (C) of paragraph (1).

11 **SEC. 10206. BABY CHANGING TABLE REQUIREMENTS ON**
12 **AMTRAK TRAINS.**

13 (a) IN GENERAL.—Chapter 243 of title 49, United
14 States Code, is amended by inserting after section 24313
15 the following:

16 **“§ 24314. Baby changing tables**

17 **“(a) DEFINITIONS.—In this section:**

18 **“(1) ADA-COMPLIANT RESTROOM.—With re-**
19 **spect to intercity rail transportation, the term ‘ADA-**
20 **compliant restroom’ means a restroom that meets**
21 **the requirements of section 242(a) of the Americans**
22 **with Disabilities Act of 1990 (42 U.S.C. 12162(a)).**

23 **“(2) BABY CHANGING TABLE.—The term ‘baby**
24 **changing table’ means an elevated, freestanding**
25 **structure generally designed to safely support and**

1 retain a child with a body weight of up to 50 pounds
2 in a horizontal position for the purpose of allowing
3 an individual to change a diaper, including pull-out
4 or drop-down changing surfaces.

5 “(3) COVERED PASSENGER RAIL TRAIN.—The
6 term ‘covered passenger rail train’—

7 “(A) means a passenger rail train, owned
8 and operated by Amtrak, that Amtrak pur-
9 chased after the date of enactment of this sec-
10 tion; and

11 “(B) does not include any passenger rail
12 train that Amtrak operates, but does not own.

13 “(b) BABY CHANGING TABLE REQUIREMENT.—Each
14 covered passenger rail train shall have a baby changing
15 table in at least one restroom in each car, including in
16 an ADA-compliant restroom.

17 “(c) SIGNAGE.—Each restroom described in sub-
18 section (b) shall clearly indicate the presence and location
19 of a baby changing table with signage.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 243 of title 49, United States Code, is amended by
22 inserting after the item relating to section 24313 the fol-
23 lowing:

“24314. Baby changing tables.”.

1 **SEC. 10207. REPORT ON AMTRAK LONG-DISTANCE EQUIP-**
2 **MENT MAINTENANCE COSTS.**

3 (a) IN GENERAL.—Not later than 18 months after
4 the date of enactment of this Act, Amtrak shall submit
5 to the Secretary, the Committee on Transportation and
6 Infrastructure of the House of Representatives, and the
7 Committee on Commerce, Science, and Transportation of
8 the Senate a report on the anticipated costs of maintain-
9 ing, rehabilitating, refurbishing, and replacing the existing
10 long-distance equipment of Amtrak to maintain the pas-
11 senger capacity of its long-distance service.

12 (b) CONTENT.—In the report submitted under sub-
13 section (a), Amtrak shall include the following:

14 (1) A current inventory of long-distance equip-
15 ment, including trainsets, baggage cars, dining cars,
16 sleeper cars, and nonsleeper passenger cars.

17 (2) A determination of the minimum amount of
18 equipment necessary to maintain the passenger ca-
19 pacity of the long-distance service of Amtrak.

20 (3) The anticipated cost of maintaining and re-
21 furbishing the amount of equipment determined nec-
22 essary under paragraph (2) to keep such equipment
23 in working order through fiscal year 2033.

24 (4) A description of—

25 (A) specific challenges that Amtrak may
26 experience in maintaining the passenger capac-

1 ity of the long-distance service of Amtrak, in-
2 cluding challenges related to—

3 (i) the availability of maintenance fa-
4 cilities and qualified rehabilitation and re-
5 pair personnel;

6 (ii) the availability of parts and mate-
7 rials for legacy equipment; and

8 (iii) other factors that may impede the
9 maintaining of present levels of service and
10 passenger capacity; and

11 (B) actions to address the challenges de-
12 scribed in subparagraph (A).

13 (5) The potential for and effects of delays in
14 the acquisition of new replacement equipment if
15 such equipment is not acquired until after calendar
16 year 2035.

17 (6) The effect of establishing new or restored
18 long-distance routes on the cost and availability of
19 existing and additional long-distance equipment.

20 **SEC. 10208. INSPECTOR GENERAL REVIEW OF AMTRAK AC-**
21 **COUNTING AND REPORTING PRACTICES.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act, the inspector general of the
24 Department shall review the accounting practices of Am-
25 trak, with specific focus on the use and oversight of the

1 cost accounting and financial accounting systems, includ-
2 ing the Amtrak Performance Tracking (in this section re-
3 ferred to as “APT”) financial management system as re-
4 quired by section 203 of the Passenger Rail Investment
5 and Improvement Act of 2008 (49 U.S.C. 24101 note),
6 the core enterprise resource planning system of Amtrak,
7 and related financial information technology modules.

8 (b) SCOPE.—In carrying out the review described in
9 subsection (a), the inspector general shall determine
10 whether—

11 (1) Amtrak’s use of systems, applications, and
12 products in data processing accurately tracks ex-
13 penditures, revenues, and Federal funds;

14 (2) internal controls within such systems, appli-
15 cations, and products are sufficient to prevent ac-
16 counting errors, manipulation, or misuse of funds;

17 (3) Amtrak’s systems, applications, and prod-
18 ucts in data processing and consolidated financial
19 statements are in compliance with applicable Federal
20 financial management standards and generally ac-
21 cepted accounting principles;

22 (4) Amtrak’s reporting practices accurately re-
23 flects route performance;

1 (5) increased adherence to generally accepted
2 accounting principles for APT would improve cost
3 transparency; and

4 (6) the Federal Railroad Administration's use
5 of systems, applications, and products for Amtrak
6 oversight are in compliance with applicable Federal
7 financial management standards and generally ac-
8 cepted accounting principles.

9 (c) REPORT TO CONGRESS.—Not later than 1 year
10 after the date of enactment of this Act, the inspector gen-
11 eral shall submit to the Committee on Transportation and
12 Infrastructure of the House of Representatives and the
13 Committee on Commerce, Science, and Transportation of
14 the Senate a report containing—

15 (1) the findings made under this section;

16 (2) any evidence of noncompliance, mismanage-
17 ment, or deficiencies in the use of systems, applica-
18 tions, and products in data processing; and

19 (3) recommendations for corrective action, if
20 applicable.

21 **SEC. 10209. AMTRAK ANNUAL REPORTING.**

22 Section 24315 of title 49, United States Code, (as
23 amended by section 10204) is further amended—

24 (1) in subsection (a)—

1 (A) in paragraph (3)(B) by striking the
2 period and inserting “; and”; and

3 (B) by adding at the end the following:

4 “(4) includes a reconciliation of adjusted oper-
5 ating expenses, and any other reported metrics de-
6 rived from such expenses, to Amtrak’s audited gen-
7 erally accepted accounting principles financial state-
8 ments.”;

9 (2) in subsection (f) by striking “subsection (d)
10 or (e)” and inserting “subsection (d) or (f)”;

11 (3) by redesignating subsections (e) through (h)
12 as subsections (f) through (i), respectively; and

13 (4) by inserting after subsection (d) the fol-
14 lowing:

15 “(e) REVIEW OF ANNUAL OPERATIONS REPORT.—
16 Upon completion of the report under subsection (a), an
17 independent certified public accountant or the inspector
18 general of Amtrak shall review the rationale of the rec-
19 onciliation of adjusted operating expenses under sub-
20 section (a)(4).”.

21 **SEC. 10210. INVOICES AND REPORTS.**

22 (a) IN GENERAL.—Section 24712(b) of title 49,
23 United States Code, is amended by adding at the end the
24 following:

25 “(3) INDEPENDENT REVIEW.—

1 “(A) IN GENERAL.—A State may hire or
2 contract with, at the expense of such State, an
3 independent third party to conduct a review for
4 disputes over invoices and the implementation
5 of or compliance with the cost methods under
6 subsection (a)(7).

7 “(B) DATA REQUEST.—Upon the request
8 of such State, Amtrak and the Committee shall
9 make directly available to the State the general
10 ledger data, operating statistics, and other data
11 used to calculate invoices pertaining to the
12 State.

13 “(C) LIABILITY.—In a case where the re-
14 view finds overcharged amounts, Amtrak or the
15 State may request dispute resolution in accord-
16 ance with subsection (c).”.

17 (b) REPORT.—Not later than 180 days after the date
18 of enactment of this Act, the Amtrak inspector general
19 shall update the report of the inspector general titled
20 “Governance: Amtrak Has Begun to Address State Part-
21 ners’ Concerns About Shared Costs But Has More Work
22 to Do to Improve Relationships”, published January 31,
23 2022.

1 **SEC. 10211. STATE-SUPPORTED COST AND SERVICE POLICY.**

2 Section 24712 of title 49, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (2) by adding at the end
6 the following:

7 “(C) COMPENSATION.—Each member of
8 the Committee shall serve without pay but may
9 receive payment for travel expenses, including a
10 per diem allowance, a reimbursement payment,
11 or a combination thereof, in accordance with
12 sections 5702 and 5703 of title 5.”;

13 (B) in paragraph (5)—

14 (i) in the paragraph heading by strik-
15 ing “MEETINGS; RULES AND PROCE-
16 DURES” and inserting “ADMINISTRATIVE
17 REQUIREMENTS AND AUTHORITIES”;

18 (ii) by redesignating subparagraphs
19 (A) and (B) as clauses (i) and (ii), respec-
20 tively;

21 (iii) by striking “The Committee
22 shall” and inserting “(A) RULES AND PRO-
23 CEDURES.—The Committee shall”; and

24 (iv) by adding at the end the fol-
25 lowing:

1 “(B) MEETING SCHEDULE.—The Com-
2 mittee shall—

3 “(i) establish a schedule for meetings
4 of the Committee, which shall be held not
5 less frequently than 4 times per fiscal year;
6 and

7 “(ii) include in such schedule the loca-
8 tion of each such meeting.

9 “(C) SUBGROUPS.—The Committee may
10 establish and oversee subgroups of the Com-
11 mittee as necessary to support the execution of
12 Committee activities.”; and

13 (C) in paragraph (7)—

14 (i) by striking the paragraph heading
15 and inserting “COST AND SERVICE POL-
16 ICY”;

17 (ii) in subparagraph (A)—

18 (I) by striking the period at the
19 end and inserting “; and”;

20 (II) by striking “the Committee
21 may amend the cost methodology pol-
22 icy” and inserting “the Committee—

23 “(i) may amend the cost and service
24 policy”; and

1 (III) by adding at the end the
2 following:

3 “(iii) shall oversee, administer, and
4 update as appropriate the cost and service
5 policy.”;

6 (iii) in subparagraph (B)—

7 (I) by striking the subparagraph
8 heading and inserting “REVISIONS TO
9 COST AND SERVICE POLICY”;

10 (II) in clause (i) by striking “(49
11 U.S.C. 20901 note)” and inserting
12 “(49 U.S.C. 24101 note)”; and

13 (III) in clause (iii)—

14 (aa) by striking the clause
15 heading and inserting “PROCE-
16 DURES FOR CHANGING COST
17 METHODS”; and

18 (bb) by striking “(49 U.S.C.
19 20901 note)” and inserting “(49
20 U.S.C. 24101 note)”; and

21 (iv) by redesignating subparagraph
22 (D) as subparagraph (E); and

23 (v) by inserting after subparagraph
24 (C) the following:

1 “(D) COST METHOD IMPLEMENTATION.—

2 The Committee is responsible for implementa-
3 tion of the cost methods and any related re-
4 quirements, including—

5 “(i) transparency requirements re-
6 garding reporting and invoicing; and

7 “(ii) collaboration and planning re-
8 quirements.”;

9 (2) in subsection (h) by striking the subsection
10 heading and inserting “COST AND SERVICE POLICY
11 UPDATE IMPLEMENTATION REPORT.”;

12 (3) by striking “cost allocation methodology”
13 and inserting “cost methods” each place it appears;
14 and

15 (4) by striking “cost methodology policy” and
16 inserting “cost and service policy” each place it ap-
17 pears.

18 **SEC. 10212. GAO STUDY ON AMTRAK CUSTOMER EXPERI-**
19 **ENCE.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of enactment of this Act, the Comptroller General
22 shall evaluate the customer experience provided by Amtrak
23 across its national passenger rail network.

24 (b) SCOPE OF REVIEW.—In conducting the study re-
25 quired under subsection (a), the Comptroller General shall

1 assess policies, practices, and performance related to cus-
2 tomer experience, including—

3 (1) ticketing and fare transparency, including
4 clarity of pricing and refund policies;

5 (2) on-board services, such as food and bev-
6 erage service, restrooms, internet connectivity, and
7 cleanliness;

8 (3) service reliability and timeliness of oper-
9 ations;

10 (4) passenger communication, particularly in
11 the event of delays, cancellations, or service disrup-
12 tions;

13 (5) station infrastructure, accessibility for per-
14 sons with disabilities, and compliance with the
15 Americans with Disabilities Act of 1990 (42 U.S.C.
16 12101 et seq.);

17 (6) complaint resolution procedures and respon-
18 siveness to customer feedback;

19 (7) differences in customer experience between
20 long-distance routes, State-supported corridors, and
21 the Northeast Corridor; and

22 (8) any other factors the Comptroller General
23 considers appropriate to assess the quality and con-
24 sistency of the customer service of Amtrak.

1 (c) CONSULTATION.—In conducting the study under
2 subsection (a), the Comptroller General may consult with
3 relevant stakeholders, including—

4 (1) State departments of transportation that
5 fund Amtrak services;

6 (2) transportation advocacy organizations, in-
7 cluding those representing intercity passenger rail
8 passengers on Northeast Corridor, State-supported,
9 and long distance routes;

10 (3) national disability rights and accessibility
11 organizations;

12 (4) representatives of Amtrak passengers and
13 workforce; and

14 (5) members of the Northeast Corridor Com-
15 mission.

16 (d) REPORT.—Not later than 1 year after the date
17 on which the study conducted under subsection (a) is initi-
18 ated, the Comptroller General shall submit to the Com-
19 mittee on Transportation and Infrastructure of the House
20 of Representatives and the Committee on Commerce,
21 Science, and Transportation of the Senate a report con-
22 taining the findings of the study and any conclusions and
23 recommendations based on such findings.

1 **SEC. 10213. GAO STUDY ON AMTRAK SERVICE TO PRI-**
2 **VATELY OWNED RAIL CARS.**

3 (a) STUDY.—Not later than 1 year after the date of
4 enactment of this Act, the Comptroller General shall con-
5 duct an assessment of the policies, practices, and perform-
6 ance of Amtrak with respect to services to privately owned
7 rail cars.

8 (b) CONSIDERATIONS.—In conducting the assess-
9 ment under subsection (a), the Comptroller General
10 shall—

11 (1) review how Amtrak identifies and calculates
12 costs relating to the movement of privately owned
13 rail cars, long-term parking of privately owned rail
14 cars, and related services;

15 (2) review how Amtrak factors the costs de-
16 scribed in paragraph (1) into pricing, policy, and
17 program-related decisions of Amtrak;

18 (3) identify the net profits or losses of Amtrak
19 for privately owned rail car services in each of fiscal
20 years 2019 through 2026;

21 (4) review the access points, parking, and ac-
22 cess to Amtrak routes that Amtrak makes available
23 for the switching and usage of privately owned rail
24 cars and determine the effects, if any, of the avail-
25 ability of such access points, parking, and access,

1 and any reduction in such availability, on the finan-
2 cial and operating performance of Amtrak;

3 (5) identify any challenges and opportunities
4 Amtrak is likely to experience if Amtrak implements
5 a dynamic pricing model for privately owned rail car
6 services;

7 (6) review the implementation by Amtrak of
8 recommendations published by the Amtrak Office of
9 Inspector General in the report titled “Train Oper-
10 ations: Opportunities Exist to Improve Private Rail-
11 car Management and Business Practices” (OIG–A–
12 2019–003), published February 6, 2019;

13 (7) analyze whether—

14 (A) privately owned rail car services con-
15 tribute to the ability of Amtrak to earn positive
16 income from rail operations; and

17 (B) the pricing model used by Amtrak for
18 such services reflects fair market value for own-
19 ers and operators of privately owned rail cars;
20 and

21 (8) include any other reviews, analyses, or in-
22 formation the Comptroller General determines ap-
23 propriate.

24 (c) CONSULTATION.—In conducting the assessment
25 under subsection (a), the Comptroller General shall con-

1 sult with relevant stakeholders, including Amtrak, rail car-
2 riers, and organizations representing employees and pri-
3 vately owned rail car owners and operators.

4 (d) REPORT.—Not later than 1 year after initiating
5 the assessment under subsection (a), the Comptroller Gen-
6 eral shall submit to the Committee on Transportation and
7 Infrastructure of the House of Representatives and the
8 Committee on Commerce, Science, and Transportation of
9 the Senate a report containing the findings of the assess-
10 ment, and any recommendations of the Comptroller Gen-
11 eral relating the subject matter covered by the assessment.

12 (e) RAIL CARRIER DEFINED.—In this section, the
13 term “rail carrier” has the meaning given such term in
14 section 10102 of title 49, United States Code.

15 **SEC. 10214. THE DONALD M. PAYNE, JR. TRANSIT CENTER**
16 **AT NEWARK PENN STATION.**

17 (a) DESIGNATION.—Newark Penn Station, located at
18 1 Raymond Plaza West, Newark, New Jersey, shall be
19 known and designated as the “Donald M. Payne, Jr.
20 Transit Center at Newark Penn Station”.

21 (b) REFERENCES.—Any reference in a law, map, reg-
22 ulation, document, paper, or other record of the United
23 States to Newark Penn Station shall be deemed to be a
24 reference to the “Donald M. Payne, Jr. Transit Center
25 at Newark Penn Station”.

1 **SEC. 10215. PUBLIC NOTICE AND COMMENT ON AMTRAK'S**
2 **CORPORATE STRUCTURE.**

3 (a) IN GENERAL.—Not later than 90 days prior to
4 a vote of the Amtrak Board of Directors on any corporate
5 restructuring plan, including changes to Amtrak subsidi-
6 aries, Amtrak shall publish in the Federal Register a no-
7 tice containing such plan and provide an opportunity for
8 public comment for not less than 60 days.

9 (b) NOTICE CONTENTS.—In the notice published
10 under subsection (a), Amtrak shall include—

11 (1) the legal authority for the restructuring;
12 and

13 (2) an explanation of the purpose of the plan
14 and how it would facilitate Amtrak's statutory mis-
15 sion and other goals established by the Amtrak
16 Board of Directors.

17 (c) RESPONSES.—Not later than 30 days after the
18 date on which the public comment period under subsection
19 (a) closes, Amtrak shall provide to the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives and the Committee on Commerce, Science,
22 and Transportation of the Senate responses to the com-
23 ments on the restructuring plan received during such pe-
24 riod, including—

25 (1) a description of the comments that Amtrak
26 intends to implement;

1 (2) a justification for comments that Amtrak
2 does not intend to implement; and

3 (3) an implementation strategy and timeline for
4 the restructuring, including any potential impacts of
5 the restructuring on Amtrak service, capital procure-
6 ment and projects in process or planned as of the
7 date the responses are provided, impacts to its work-
8 force, and any potential legislative changes deter-
9 mined necessary to implement the restructuring.

10 **SEC. 10216. GAO EXAMINATION OF INTERNATIONAL PAS-**
11 **SENGER RAIL.**

12 (a) IN GENERAL.—Not later than 2 years after the
13 date of enactment of this Act, the Comptroller General
14 shall submit to the Committee on Transportation and In-
15 frastructure of the House of Representatives and the Com-
16 mittee on Commerce, Science, and Transportation of the
17 Senate a report that includes the elements described in
18 subsection (b) from a representational sample of inter-
19 national intercity passenger rail carriers to determine gov-
20 ernance and financing practices and the potential applica-
21 tion of such practices to domestic intercity passenger rail
22 operations.

23 (b) ELEMENTS.—The report submitted under sub-
24 section (a) shall include—

1 (1) the number of employees and union rep-
2 resentation for each intercity passenger railroad;

3 (2) the geographic size served by each carrier,
4 and the number of routes operated by each carrier;

5 (3) the organization of each carrier and the na-
6 ture and composition of each carrier's governance;

7 (4) the source and legal authority of the oper-
8 ation, governance, and financing structures of the
9 international representational samples;

10 (5) the amount of government investment in
11 intercity passenger rail operations made over the
12 previous 10 years as well as the sources of funding,
13 and projected investment and source of funding over
14 the next 10 years;

15 (6) the amount of excess fleet or infrastructure
16 capacity to allow for competitive services;

17 (7) the safety record of each carrier over the
18 last 10 years;

19 (8) the on-time performance of each carrier;
20 and

21 (9) governance and financing for intercity pas-
22 senger rail stations that serve varying customer
23 sizes.

1 **SEC. 10217. FOOD AND BEVERAGE SERVICE.**

2 (a) EVALUATION OF AMTRAK FOOD AND BEVERAGE
3 SERVICES.—

4 (1) IN GENERAL.—Not later than 18 months
5 after the date of enactment of this Act, the Comp-
6 troller General shall examine the food and beverage
7 services provided on Amtrak routes and provide rec-
8 ommendations for improvements.

9 (2) ELEMENTS.—In carrying out paragraph
10 (1), the Comptroller General shall examine the fol-
11 lowing:

12 (A) The affordability of current dining op-
13 tions and possible alternatives.

14 (B) The quality of food services provided
15 and possible improvements.

16 (C) The feasibility of providing traditional
17 dining to all passengers.

18 (D) A comparison of current dining op-
19 tions to established dietary guidelines.

20 (b) ANNUAL AMTRAK REPORT.—Section 24321 of
21 title 49, United States Code, is amended—

22 (1) by redesignating subsection (d) as sub-
23 section (f); and

24 (2) by inserting after subsection (c) the fol-
25 lowing:

26 “(d) IMPLEMENTATION ADVISORY COMMITTEE.—

1 “(1) ESTABLISHMENT.—Not later than 1 year
2 after the date of enactment of the BUILD America
3 250 Act, Amtrak shall establish an advisory com-
4 mittee to provide internal review with respect to the
5 implementation by Amtrak of the recommendations
6 contained in the report of the Comptroller General
7 of the United States required under section
8 10217(a) of the BUILD America 250 Act.

9 “(2) MEMBERSHIP.—The advisory committee
10 established under paragraph (1) shall consist of indi-
11 viduals representing—

12 “(A) Amtrak;

13 “(B) the labor organizations representing
14 Amtrak employees who prepare or provide on-
15 board food and beverage service;

16 “(C) nonprofit organizations representing
17 Amtrak passengers; and

18 “(D) States that are providing funding for
19 State-supported routes.

20 “(3) TERMINATION.—The advisory committee
21 established under paragraph (1) shall terminate on
22 the date on which Amtrak submits the final report
23 required under subsection (e)(1).

24 “(e) ANNUAL IMPLEMENTATION STATUS REPORT.—

1 “(1) ANNUAL REPORT.—Not later than 1 year
2 after the date of enactment of the BUILD America
3 250 Act, and annually thereafter until such time as
4 all recommendations contained in the report of the
5 Comptroller General of the United States required
6 under section 10217(a) of the BUILD America 250
7 Act are implemented by Amtrak or determined by
8 Amtrak to be impractical or impossible to imple-
9 ment, Amtrak shall—

10 “(A) submit to the Committee on Trans-
11 portation and Infrastructure of the House of
12 Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Sen-
14 ate a report on the status of the implementa-
15 tion of each such recommendation; and

16 “(B) make the report available on a pub-
17 licly accessible website of Amtrak.

18 “(2) REPORT CONTENTS.—Each report under
19 paragraph (1) shall include—

20 “(A) a description of the progress made by
21 Amtrak in implementing each recommendation
22 contained in the report under subsection (b);

23 “(B) an identification of each such rec-
24 ommendation for which implementation is com-
25 plete;

1 “(C) an identification of each such rec-
2 ommendation that Amtrak determines to be im-
3 practical or impossible to implement;

4 “(D) for each recommendation identified
5 under subparagraph (C)—

6 “(i) the justification for the deter-
7 mination that the recommendation is im-
8 practical or impossible to implement; and

9 “(ii) if the justification is all, or in
10 part, attributable to insufficient funding,
11 an estimated cost of implementing the rec-
12 ommendation;

13 “(E) a description of how, if at all, food
14 and beverage service of Amtrak has changed—

15 “(i) if in the initial report, since the
16 date of enactment of the BUILD America
17 250 Act; and

18 “(ii) if in a subsequent report, since
19 the date on which the previous report was
20 finalized; and

21 “(F) comments submitted by the advisory
22 committee to Amtrak regarding the information
23 included under subparagraphs (A) through
24 (E).”.

1 **Subtitle C—Passenger Rail Policy**

2 **SEC. 10301. INTERCITY PASSENGER RAIL EQUIPMENT** 3 **POOLS.**

4 (a) **CONTRACT AUTHORITY.**—The Secretary may
5 enter into agreements with an interstate rail compact for
6 the purpose of establishing, managing, and financing
7 multistate equipment pools for use in supporting the oper-
8 ation, expansion, and modernization of intercity passenger
9 rail services.

10 (b) **TERMS.**—An agreement entered into under sub-
11 section (a) shall—

12 (1) establish rules governing the management,
13 representation, membership, and financing of a
14 multistate equipment pool among each State party
15 to the interstate rail compact;

16 (2) include terms providing for the staffing, ad-
17 ministrative, and other labor-related needs for the
18 equipment pool;

19 (3) establish procedures through which addi-
20 tional States that join the interstate rail compact
21 may be included in the agreement;

22 (4) include a plan governing the operations and
23 management of the equipment pool, including with
24 respect to each type of equipment in the equipment

1 pool, allowable uses, standard leasing terms, insur-
2 ance, and purchasing and maintenance financing;

3 (5) with respect to the procurement or acquisi-
4 tion of equipment for the equipment pool—

5 (A) include identification of acceptable
6 contracting methods and required contract
7 terms, including such methods and terms as the
8 Secretary determines appropriate to ensure
9 compliance with applicable legal requirements
10 regarding competition and section 22905 of
11 title 49, United States Code (commonly known
12 as “Buy America”); and

13 (B) establish a set of engineering stand-
14 ards, technical standards, and design standards
15 applicable to all such procurement or acquisi-
16 tion of common fleet rolling stock equipment;

17 (6) include such terms as are necessary for the
18 interstate rail compact to—

19 (A) coordinate with manufacturers regard-
20 ing supply chain management applicable to
21 such equipment;

22 (B) facilitate the efficient order and deliv-
23 ery of such equipment; and

24 (C) ensure the design of such equipment
25 meets the standards described in paragraph (5);

1 (7) receive technical support for the interstate
2 rail compact from the Secretary, acting through the
3 Administrator of the Federal Railroad Administra-
4 tion, and Amtrak; and

5 (8) include such additional terms as the Sec-
6 retary determines appropriate.

7 (c) THIRD-PARTY SUPPORT SERVICES.—In entering
8 into an agreement under subsection (a), the Secretary may
9 not prohibit an interstate rail compact from using a third-
10 party entity to support the maintenance, distribution,
11 oversight, and leasing of equipment and to manage the
12 equipment pool.

13 (d) TECHNICAL SUPPORT.—The Secretary may de-
14 velop procedures under which an interstate rail compact
15 that enters into an agreement under subsection (a) may
16 solicit technical support from the Secretary or Amtrak re-
17 lated to the engineering, standards, procurement of, and
18 other matters related to the acquisition and maintenance
19 of a rolling stock equipment pool, provided Amtrak
20 charges a fair market rate for staff time used on providing
21 technical support.

22 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed to—

24 (1) require the National Railroad Passenger
25 Corporation to—

1 (A) make available any rolling stock equip-
2 ment or facilities to any equipment pool estab-
3 lished under this section; or

4 (B) enter into any agreement, contract, or
5 other arrangement relating to the use, sharing,
6 or allocation of such rolling stock, equipment,
7 or facilities; or

8 (2) prohibit such Corporation from voluntarily
9 taking action described in paragraph (1).

10 (f) ADMINISTRATIVE FUNDING.—Section 22910 of
11 title 49, United States Code, is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (4) by striking “and” at
14 the end;

15 (B) in paragraph (5) by striking the period
16 at the end and inserting “; and”; and

17 (C) by adding at the end the following new
18 paragraph:

19 “(6) administration of a multistate equipment
20 pool pursuant to an agreement under section 10301
21 of the BUILD America 250 Act.”;

22 (2) in subsection (b) by striking “section in an
23 amount exceeding \$1,000,000 per year.” and insert-
24 ing “section—

1 “(1) except as provided in paragraph (2), in an
2 amount exceeding \$1,000,000 per year; and

3 “(2) for a grant authorized under subsection
4 (a)(6), in an amount exceeding \$5,000,000 per
5 year.”.

6 (3) in subsection (c)—

7 (A) in paragraph (6) by striking “and” at
8 the end;

9 (B) in paragraph (7) by striking the period
10 at the end and inserting “; and”; and

11 (C) by adding at the end the following new
12 paragraph:

13 “(8) with respect to an applicant that has en-
14 tered into, or intends to enter into, an agreement for
15 the operation of a multistate equipment pool under
16 section 10301 of the BUILD America 250 Act—

17 “(A) the costs related to the administra-
18 tion and operation of the multistate equipment
19 pool;

20 “(B) the size and scope of the entities
21 party to the interstate rail compact that admin-
22 isters the multistate equipment pool; and

23 “(C) any planned procurement and fleet
24 management activities for the multistate equip-
25 ment pool.”; and

1 (4) by striking subsection (e) and inserting the
2 following:

3 “(e) LETTER OF INTENT.—

4 “(1) IN GENERAL.—The Secretary may issue to
5 an applicant responsible for administering a
6 multistate equipment pool under section 10301 of
7 BUILD America 250 Act a letter of intent express-
8 ing the intent of the Secretary to provide multiyear
9 funding under this section, subject to the availability
10 of appropriations, for purposes related to the
11 multistate equipment pool.

12 “(2) LIMITATION.—A letter of intent under
13 paragraph (1) shall not give rise to—

14 “(A) an obligation under sections 1108(c),
15 1501, and 1502(a) of title 31; or

16 “(B) an administrative commitment for fi-
17 nancing.”.

18 (g) RAILROAD REHABILITATION AND IMPROVEMENT
19 FINANCING ELIGIBILITY.—Section 22402 of title 49,
20 United States Code, is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (6) by striking “and” at
23 the end;

24 (B) in paragraph (7) by striking the period
25 at the end and inserting “; and”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(8) an interstate rail compact that administers
4 a multistate equipment pool under section 10301 of
5 BUILD America 250 Act.”; and

6 (2) in subsection (b)(1)—

7 (A) in subparagraph (E) by striking “or”
8 at the end;

9 (B) in subparagraph (F)(iv) by striking
10 the period at the end and inserting a semicolon;
11 and

12 (C) by adding at the end the following:

13 “(G) to acquire or rehabilitate equipment
14 for inclusion in a multistate equipment pool ad-
15 ministered by an interstate rail compact under
16 section 10301 of BUILD America 250 Act;

17 “(H) to lease, or lease-to-own, intercity
18 passenger rail equipment for use in such a
19 multistate equipment pool; or”.

20 **SEC. 10302. CALIFORNIA HIGH-SPEED RAIL WORKING**
21 **GROUP.**

22 (a) IN GENERAL.—Not later than 1 year after the
23 date of enactment of this Act, the Secretary shall establish
24 a working group to conduct an assessment and make rec-

1 ommendations regarding the California High-Speed Rail
2 project.

3 (b) WORKING GROUP.—The working group shall be
4 comprised of individuals appointed with technical quali-
5 fications, professional standing, and demonstrated exper-
6 tise in the field of business management, rail operations,
7 economics, or law, including from the California High-
8 Speed Rail Authority and at least 1 member from a group
9 representing railroad employees, and shall also include—

10 (1) 1 member designated by the Speaker of the
11 House of Representatives;

12 (2) 1 member designated by the majority leader
13 of the Senate;

14 (3) 1 member designated by the minority leader
15 of the House of Representatives;

16 (4) 1 member designated by the minority leader
17 of the Senate; and

18 (5) 4 members designated by the Secretary of
19 Transportation.

20 (c) CONSIDERATIONS.—In the evaluation of the
21 project, the working group shall consider the following:

22 (1) Whether the project will achieve the out-
23 comes and criteria legally required under California
24 Proposition 1A, approved on November 4, 2008, and

1 subsequently codified in California statute, includ-
2 ing—

3 (A) trains capable of sustained maximum
4 operating speeds of not less than 200 miles per
5 hour;

6 (B) maximum nonstop service travel times
7 for each corridor that does not exceed—

8 (i) 160 minutes between San Fran-
9 cisco and Los Angeles;

10 (ii) 160 minutes between Oakland and
11 Los Angeles;

12 (iii) 30 minutes between San Fran-
13 cisco and San Jose;

14 (iv) 130 minutes between San Jose
15 and Los Angeles;

16 (v) 80 minutes between San Diego
17 and Los Angeles; and

18 (vi) 140 minutes between Sacramento
19 and Los Angeles; and

20 (C) a time interval between successive
21 trains that is not more than 5 minutes.

22 (2) Whether the planned passenger service by
23 the California High-Speed Rail Authority in the cor-
24 ridor or usable segment thereof will require a local,
25 State, or Federal operational subsidy, including the

1 initial operating segment between Merced and Ba-
2 kersfield and the Phase 1 system between San Fran-
3 cisco and Los Angeles, and an estimate of the
4 amount of such subsidy.

5 (3) Whether the route alignment reduces high-
6 way and aviation congestion, community impacts,
7 and follows existing transportation or utility cor-
8 ridors.

9 (4) The cost and timeline estimate for com-
10 pleting the Phase 1 system, including—

11 (A) whether the California High-Speed
12 Rail Authority has accurately estimated and
13 planned for potential cost escalation; and

14 (B) whether the suggested discount rate
15 described in the circular of the Office of Man-
16 agement and Budget, titled “Guidelines and
17 Discount Rates for Benefit-Cost Analysis of
18 Federal Programs” (A-94) is appropriate for
19 the project, including the likelihood that such
20 rate will attract private sector investment to the
21 project.

22 (5) Committed sources of funding for the
23 project, including separate estimates for the initial
24 operating segment and the full Phase 1 system.

1 (6) An evaluation of the economic justification
2 for the project.

3 (7) The impact of completion of the project on
4 the ability of California to invest in and address
5 other transportation infrastructure, including infra-
6 structure resilience, and transportation infrastruc-
7 ture important to interstate commerce.

8 (8) Other factors related to the development
9 and operation of the project as specified in Propo-
10 sition 1a or identified by the Working Group.

11 (d) REPORT TO CONGRESS.—Not later than 2 years
12 after the date of enactment of this Act, the working group
13 shall transmit to the Committee on Commerce, Science,
14 and Transportation of the Senate, and the Committee on
15 Transportation and Infrastructure of the House of Rep-
16 resentatives its report containing the assessment and rec-
17 ommendations described in subsection (a). Such report
18 shall be published by the Secretary on a public facing
19 website.

20 (e) FUNDING TO CALIFORNIA HIGH-SPEED RAIL AU-
21 THORITY.—The Secretary may not make a grant or award
22 using funds made available under this Act, or award other
23 Federal financial assistance to the California High-Speed
24 Rail Authority until the due date of the report described
25 in subsection (d).

1 (f) CONSIDERATION OF RECOMMENDATION.—The
2 Secretary shall consider Working Group recommendations
3 in determining future Federal funding requests for the
4 California High-Speed Rail Project.

5 (g) CESSATION.—Upon submission of the report to
6 Congress under subsection (d), or 2 years after the date
7 of enactment of the Act, whichever is earlier, the Working
8 Group shall cease to exist.

9 **SEC. 10303. ROUTE-SPECIFIC REPORTS.**

10 (a) IN GENERAL.—Not later than 2 years after the
11 date of enactment of this Act, the Secretary shall conduct
12 an examination of intercity passenger rail service and an
13 evaluation of the feasibility of establishing or expanding
14 services.

15 (b) CONSIDERATIONS.—In conducting the evaluation
16 under subsection (a), the Secretary shall work with project
17 sponsors to obtain appropriate data and consider the fol-
18 lowing factors to ensure any route recommended is eco-
19 nomically and financially justified:

20 (1) Whether the project will achieve the out-
21 come and goals related to the proposal for route es-
22 tablishment, enhancement, or expansion.

23 (2) Whether the proposal for route establish-
24 ment or expansion will require local, State, or Fed-

1 eral economic support and the degree of such sup-
2 port.

3 (3) A comparative examination of the proposed
4 service to other potential modes of transportation
5 along the same corridor.

6 (4) Whether the proposal for route establish-
7 ment or expansion reduces community impact, in-
8 cluding alleviating highway or aviation congestion,
9 aids with the State's transportation resilience plan,
10 or follows existing transportation or utility corridors.

11 (5) The environmental impacts of the proposed
12 service.

13 (6) The cost and timeline estimate for initiating
14 passenger service.

15 (7) Additional issues related to the costs and
16 benefits of the projects identified.

17 (8) Motive power options for the routes.

18 (c) ROUTES FOR EVALUATION.—In conducting the
19 evaluation under subsection (a), the Secretary may explore
20 potential route establishment or expansion throughout the
21 United States to determine which routes are the most fea-
22 sible for development. The evaluation may include the fol-
23 lowing routes:

24 (1) Between Kansas City, Missouri, and Okla-
25 homa City, Oklahoma, by way of Newton, Kansas.

1 (2) Between Akron, Ohio, and Canton, Ohio.

2 (3) A rail corridor between the District of Co-
3 lumbia and Florida, including an examination of all
4 motive options.

5 (4) Between Los Angeles, San Diego, and San
6 Luis Obispo, California.

7 (5) Between Austin, Texas, and Laredo, Texas,
8 by way of San Antonio, Texas, with an extension to
9 Monterrey, Nuevo Leon, Mexico.

10 (6) Between Scranton, Pennsylvania, and New
11 York City, New York.

12 (7) Additional routes, as identified by the Sec-
13 retary.

14 **SEC. 10304. STUDY ON COMMUTER RAIL PASSENGER**
15 **TRANSPORTATION AND TRANSFERS.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of enactment of this Act, the Comptroller General
18 shall initiate a study identifying the benefits of commuter
19 rail passenger transportation and major obstacles to pro-
20 viding commuter rail passenger transportation that does
21 not involve a transfer for passengers.

22 (b) REQUIREMENTS.—In conducting the study under
23 subsection (a), the Comptroller General shall—

24 (1) consider economic, logistical, and quality of
25 life factors in analyzing the major obstacles to im-

1 plementing single-seat trips on commuter rail pas-
2 senger transportation for as many passengers as
3 possible; and

4 (2) include in such study an analysis of the
5 costs and benefits with respect to single-seat trips on
6 commuter rail passenger transportation on the New
7 Jersey Transit Raritan Valley line during peak
8 hours and the impact such trips would have on other
9 New Jersey Transit lines.

10 (c) REPORT.—Not later than 3 years after the date
11 of enactment of this Act, the Comptroller General shall
12 submit to the Committee on Transportation and Infra-
13 structure of the House of Representatives and the Com-
14 mittee on Banking, Housing, and Urban Affairs of the
15 Senate a report containing the results of the study under
16 subsection (a).

17 (d) COMMUTER RAIL PASSENGER TRANSPORTATION
18 DEFINED.—In this section, the term “commuter rail pas-
19 senger transportation” has the meaning given such term
20 in section 24102 of title 49, United States Code.

21 **SEC. 10305. ADJUSTMENT OF LIABILITY CAP.**

22 (a) IN GENERAL.—Section 28103 of title 49, United
23 States Code, is amended—

24 (1) in subsection (a)(2) by striking
25 “\$200,000,000” and inserting “\$323,000,000”; and

1 (2) in subsection (c) by striking “\$200,000,000
2 per accident or incident” and inserting “the amount
3 described in subsection (a)(2)”.

4 (b) ADJUSTMENT OF LIABILITY CAP.—

5 (1) ADJUSTMENT.—The limit on aggregate al-
6 lowable awards described in section 28103(a)(2) of
7 title 49, United States Code, shall be adjusted pur-
8 suant to this subsection every fifth year after the
9 date of enactment of this Act.

10 (2) WORKING GROUP.—The Secretary shall
11 convene a working group to review the percentage of
12 such adjustment and convene such working group
13 during the third year of each 5-year period.

14 (3) COMPOSITION OF WORKING GROUP.—The
15 Secretary shall ensure that the working group con-
16 sists of representatives of the Federal Railroad Ad-
17 ministration and at least 2 representatives from each
18 of the following entities:

19 (A) Operators of intercity passenger rail
20 services.

21 (B) Operators of commuter railroads or or-
22 ganizations representing commuter railroads.

23 (C) Relevant insurance providers or orga-
24 nizations representing relevant insurance indus-
25 tries.

1 (D) Advocates of victims of rail accidents
2 or incidents or organizations representing those
3 advocates.

4 (E) Organizations representing railroad
5 employees.

6 (4) RECOMMENDATION OF ADJUSTMENT
7 AMOUNT.—Not later than 90 days after a working
8 group is convened under paragraph (2), the working
9 group shall submit to the Secretary a recommenda-
10 tion for a percentage by which the limit on aggre-
11 gate allowable awards described in section
12 28103(a)(2) of title 49, United States Code, should
13 be adjusted, after taking into consideration—

14 (A) any incidents or accidents for which
15 the award reached such amount occurring with-
16 in the previous 5-year period;

17 (B) the effect of safety technology or other
18 changing factors on the risk of rail incidents or
19 accidents within the previous 5-year period; and

20 (C) the severity of each accident or inci-
21 dent examined, including as measured by dam-
22 ages incurred.

23 (5) DETERMINATION.—Not later than 90 days
24 after the working group recommends an adjustment

1 under paragraph (4), the Secretary shall, taking into
2 account such recommendation—

3 (A) determine an appropriate adjustment
4 amount, except that such adjustment may not
5 be an increase of less than 2 percent or greater
6 than 10 percent over the amount in effect as of
7 the date on which the working group is con-
8 vened; and

9 (B) provide public notice of such amount
10 that contains an explanation for the amount de-
11 scribed in subparagraph (A), including any jus-
12 tifications for deviating from the recommenda-
13 tion of the working group.

14 (6) FAILURE TO REACH A DETERMINATION.—If
15 the working group fails to recommend an adjust-
16 ment amount or the Secretary fails to publish an ad-
17 justed limit on aggregate allowable awards, then on
18 January 1 of the fourth year, the limit on aggregate
19 allowable awards shall be automatically increased by
20 10 percent and the Secretary shall provide appro-
21 priate public notice of such adjustment.

22 (7) EFFECTIVE DATE.—Any adjustment made
23 by the Secretary pursuant to this subsection shall
24 take effect on the date that is 1 year after the date

1 on which the Secretary provides notice under para-
2 graph (5)(B).

3 (c) REPEAL.—Section 11415 of the Passenger Rail
4 Reform and Investment Act of 2015 (Public Law 114–
5 94) is amended—

6 (1) in subsection (a) by striking the subsection
7 designation and subsection heading; and

8 (2) by striking subsection (b).

9 **Subtitle D—Rail Safety and**
10 **Innovation**

11 **SEC. 10401. RAIL BRIDGE SAFETY.**

12 (a) RAIL BRIDGE INSPECTIONS.—Section 20105 of
13 title 49, United States Code, is amended—

14 (1) by striking “facilities,” in each place it oc-
15 curs and inserting “facilities, bridges,”; and

16 (2) by striking “facility,” in each place it occurs
17 and inserting “facility, bridges,”.

18 (b) RAILROAD BRIDGE SAFETY ASSURANCE.—Sec-
19 tion 417(d)(2) of the Rail Safety Improvement Act of
20 2008 (49 U.S.C. 20103 note) is amended—

21 (1) by redesignating subparagraphs (B), (C),
22 and (D) as subparagraphs (C), (D), and (E), respec-
23 tively;

24 (2) by striking subparagraph (A) and inserting
25 the following:

1 “(A) REQUESTS FROM COMMITTEES.—The
2 Chairman or Ranking Member of the Com-
3 mittee on Transportation and Infrastructure of
4 the House of Representatives, or the Chairman
5 or Ranking Member of Committee on Com-
6 merce, Science, and Transportation of the Sen-
7 ate, may file a request with the Secretary for
8 a public version of the bridge inspection report
9 generated under subsection (b)(5).

10 “(B) LIMITATION.—A State or political
11 subdivision of a State may file a request with
12 the Secretary for a public version of the bridge
13 inspection report generated under subsection
14 (b)(5), but may not file more than 50 such re-
15 quests during any 6-month period.”; and

16 (3) in subparagraph (C), as so redesignated, by
17 striking “If the Secretary determines that the re-
18 quest is reasonable, the Secretary” and inserting
19 “The Secretary”.

20 (c) RAIL BRIDGE INSPECTION REPORTS.—Not later
21 than 2 years after the date of enactment of this Act, the
22 Secretary shall update applicable regulations concerning
23 inspection reports for railroad bridges under subsections
24 (d)(2)(C) and (b)(5) of section 417 of the Rail Safety Im-
25 provement Act of 2008 (49 U.S.C. 20103 note) to ensure

1 each report reflects whether inspected bridges meet min-
2 imum structural and safety standards, as determined by
3 a qualified railroad inspector.

4 (d) RAIL BRIDGE SAFETY CONCERN REPORTING
5 SYSTEM.—Section 20145 of title 49, United States Code,
6 is amended to read as follows:

7 **“§ 20145. Rail bridge safety concern reporting system**

8 “(a) ESTABLISHMENT.—Not later than 2 years after
9 the date of enactment of the BUILD America 250 Act,
10 the Secretary of Transportation shall establish a system,
11 to be known as the Rail Bridge Safety Concern Reporting
12 System (referred to in this section as the ‘System’),
13 through which State, local, Tribal, and territorial govern-
14 mental entities may report safety concerns about the con-
15 dition of railroad bridges.

16 “(b) SYSTEM DEVELOPMENT.—In developing the
17 System, the Secretary shall—

18 “(1) streamline and simplify the data manage-
19 ment process of the Department of Transportation;
20 and

21 “(2) require an entity making a report under
22 the System to certify that the report is based on an
23 observed or verifiable factor described in subsection
24 (c)(1) by the official filing of the report.

25 “(c) SYSTEM FUNCTIONS.—

1 “(1) REPORTING SAFETY CONCERNS.—The Sec-
2 retary shall permit a State, local, Tribal, and terri-
3 torial governmental entity to use the System to re-
4 port to the Secretary a safety concern, regarding the
5 condition of a railroad bridge, based on certain fac-
6 tors, including—

7 “(A) extreme shaking or excess movement
8 during the passage of a train or an extreme
9 weather event;

10 “(B) components of the railroad bridge
11 falling onto surrounding areas; and

12 “(C) any other factor that the Secretary
13 determines to be significant to the structural or
14 operational safety of the bridge.

15 “(2) INVESTIGATIONS.—If the Secretary deter-
16 mines a report submitted through the System de-
17 scribes a reasonable safety concern regarding the
18 structural or operational safety of a bridge, the Sec-
19 retary shall investigate such safety concern to deter-
20 mine the risk posed by the railroad bridge to—

21 “(A) the operations of the railroad con-
22 cerned;

23 “(B) the safety of railroad workers;

24 “(C) the safety of the general public; and

1 “(D) the safety of individuals who traverse
2 on, under, or near the railroad bridge, including
3 pedestrians, cyclists, and individuals traveling
4 by motor vehicle or boat.

5 “(3) REPAIR OR SUSPENSION OF USE.—If the
6 Secretary determines that a safety concern inves-
7 tigated pursuant to paragraph (2) poses a signifi-
8 cant threat to the structural or operational safety of
9 a railroad bridge or the safety of any of the parties
10 described in subparagraphs (A) through (D) of para-
11 graph (2), the Secretary shall direct the Adminis-
12 trator of the Federal Railroad Administration to co-
13 ordinate with the railroad concerned to establish a
14 plan that addresses the safety concern, which may
15 include—

16 “(A) requiring the immediate repair of the
17 railroad bridge;

18 “(B) imposing weight or speed restrictions
19 on the bridge; and

20 “(C) any restriction or prohibition ordered
21 by the Secretary under section 20104(a), if the
22 Secretary determines that such safety con-
23 cern—

1 “(i) involves an unsafe condition or
2 practice, or a combination of unsafe condi-
3 tions and practices; or

4 “(ii) causes an emergency situation
5 involving an imminent hazard of death,
6 personal injury, or significant harm to the
7 environment.

8 “(d) DEFINITIONS.—In this section:

9 “(1) RAILROAD BRIDGE.—The term ‘railroad
10 bridge’ means any structure with a deck, regardless
11 of length, that supports one or more railroad tracks,
12 or any other undergrade structure with an individual
13 span length of 10 feet or more located at such a
14 depth that is affected by live loads.

15 “(2) STATE.—The term ‘State’ has the mean-
16 ing given the term in section 20167(c).”.

17 **SEC. 10402. PUBLIC AVAILABILITY OF FEDERALLY FUNDED**
18 **DATA.**

19 (a) IN GENERAL.—Section 20108 of title 49, United
20 States Code, is amended—

21 (1) by redesignating subsection (j) as sub-
22 section (k); and

23 (2) by inserting after subsection (i) the fol-
24 lowing:

1 “(j) ACCESSIBILITY OF FEDERALLY FUNDED
2 DATA.—The Secretary shall make freely available and
3 publicly accessible any publications and relevant sup-
4 porting data resulting from research funded pursuant to
5 subsection (a), including peer-reviewed scholarly publica-
6 tions.”.

7 (b) IMPLEMENTATION.—Not later than 120 days
8 after the date of enactment of this Act, the Secretary shall
9 develop a plan to support increased public access to publi-
10 cations and supporting data for research funded pursuant
11 to section 20108 of title 49, United States Code.

12 (c) DATA PROTECTION.—In carrying out section
13 20108(j) of title 49, United States Code, the Secretary
14 may restrict the release of information protected from dis-
15 closure under section 552 of title 5, United States Code.

16 **SEC. 10403. SAFETY CULTURE GRANT PROGRAM.**

17 Chapter 201 of title 49, United States Code, is
18 amended by adding at the end the following:

19 **“§ 20172. Safety culture grant program**

20 “(a) IN GENERAL.—The Secretary, acting through
21 the Administrator of the Federal Railroad Administration,
22 may make grants to nonprofit organizations specializing
23 in railroad safety and safety culture to—

24 “(1) conduct safety culture assessments and
25 safety training for Class II railroads, Class III rail-

1 roads, commuter railroads, and other eligible rail-
2 roads;

3 “(2) provide technical assistance and con-
4 ducting educational programs and courses including
5 leadership and employee development training to the
6 railroads described in paragraph (1);

7 “(3) create and implement safety best practices
8 within the industries of the railroads described in
9 paragraph (1); and

10 “(4) provide safety training equipment—

11 “(A) to Class II railroads and Class III
12 railroads for use in enhancing hazardous mate-
13 rial safety training; and

14 “(B) to public service emergency respond-
15 ers for use in training regarding the safe trans-
16 portation of hazardous materials and response
17 to railroad incidents involving hazardous mate-
18 rials.

19 “(b) DEFINITIONS.—In this section:

20 “(1) COMMUTER RAILROAD.—The term ‘com-
21 muter railroad’ has the meaning given the term
22 ‘commuter rail passenger transportation’ in section
23 24102.

24 “(2) OTHER ELIGIBLE RAILROADS.—The term
25 ‘other eligible railroads’ means railroads that the

1 Secretary determines would benefit from safety cul-
2 ture assessments or safety-related instruction, in-
3 cluding industrial railroads, plant railroads, terminal
4 railroads, historic railroads, tourist railroads, and
5 switching railroads, to the extent such railroads
6 meet the definition of ‘railroad’ under section 20102.

7 “(c) GRANT CONDITIONS.—The provisions of section
8 22905 shall apply to grants made under this section.

9 “(d) STATUTORY CONSTRUCTION.—Nothing in this
10 section shall be construed to—

11 “(1) expand the definition of ‘railroad’ under
12 section 20102; or

13 “(2) limit the authority of the Secretary to con-
14 duct safety culture assessments pursuant to any
15 other provision of law.”.

16 **SEC. 10404. IMPROVED SUPPORTING INFORMATION TRANS-**
17 **PARENCY AND USING PERFORMANCE-BASED**
18 **REGULATIONS DURING RULEMAKING.**

19 (a) SUPPORTING INFORMATION TRANSPARENCY AND
20 QUALITY.—

21 (1) IN GENERAL.—Subchapter I of chapter 201
22 of title 49, United States Code, is amended by add-
23 ing at the end the following:

1 **“§ 20122. Supporting information transparency and**
2 **quality**

3 “(a) SUPPORTING INFORMATION TRANSPARENCY.—

4 “(1) IN GENERAL.—Except as otherwise pro-
5 vided under paragraph (3), the Secretary of Trans-
6 portation shall place, in the appropriate docket, sup-
7 porting information described in paragraph (2), in-
8 cluding associated analysis, that is used by the De-
9 partment of Transportation in relation to a proposed
10 rule issued pursuant to this subtitle on the date such
11 proposed rule is published in the Federal Register.

12 “(2) SUPPORTING INFORMATION.—The sup-
13 porting information and analyses described in para-
14 graph (1) shall include—

15 “(A) the data and sources on which the
16 regulation and regulatory analysis is based; and

17 “(B) relevant technical and scientific find-
18 ings.

19 “(3) EXCEPTION.—The Secretary may not pub-
20 lish supporting information that is security-sensitive,
21 privileged information or confidential business infor-
22 mation pursuant to this subsection.

23 “(b) SUPPORTING INFORMATION QUALITY.—

24 “(1) IN GENERAL.—The Secretary shall, as
25 practicable, ensure that a rule proposed or adopted
26 pursuant to this subtitle is informed by supporting

1 information that the Secretary determines to be rea-
2 sonably obtainable supporting information, and any
3 associated analysis, concerning—

4 “(A) the need to be addressed; and

5 “(B) how the rule addresses the need.

6 “(2) INFORMATION QUALITY.—To the extent
7 practicable, utilizing reasonably obtainable sup-
8 porting information required under paragraph (1),
9 the Secretary shall consider—

10 “(A) up-to-date and relevant data;

11 “(B) validated models and formulas; and

12 “(C) independent, peer-reviewed—

13 “(i) studies, including statistically sig-
14 nificant findings; and

15 “(ii) scientific, technical, and eco-
16 nomic findings, including, statistically sig-
17 nificant findings.”.

18 (2) CLERICAL AMENDMENT.—The analysis for
19 chapter 201 of title 49, United States Code, is
20 amended by inserting after the item relating to sec-
21 tion 20121 the following:

“20122. Supporting information transparency and quality.”.

22 (b) PERFORMANCE-BASED REGULATIONS.—

23 (1) IN GENERAL.—Subchapter I of chapter 201
24 of title 49, United States Code, is further amended
25 by adding at the end the following:

1 **“§ 20123. Performance-based regulations**

2 “(a) IN GENERAL.—In conducting a rulemaking ac-
3 tivity pursuant to this subtitle, the Secretary of Transpor-
4 tation shall consider using an approach to the rule that
5 specifies performance objectives rather than an approach
6 that identifies or requires the specific manner of compli-
7 ance that a regulated person or entity must adopt.

8 “(b) JUSTIFICATION.—If the Secretary does not use
9 the approach described in subsection (a), the Secretary
10 shall include in the summary section of the preamble of
11 the rulemaking—

12 “(1) a statement that the selected approach is
13 prescriptive or nonperformance-based; and

14 “(2) a justification for the prescriptive or non-
15 performance-based approach, as applicable, including
16 an explanation of the reasons for the selection of an
17 approach other than the approach described in para-
18 graph (1).”.

19 (2) CLERICAL AMENDMENT.—The analysis for
20 chapter 201 of title 49, United States Code, is fur-
21 ther amended by inserting after the item relating to
22 section 20122 the following:

“20123. Performance-based regulations.”.

1 **SEC. 10405. INSTALLATION OF IMAGE RECORDING DE-**
2 **VICES.**

3 Section 20168 of title 49, United States Code, is
4 amended—

5 (1) by striking subsection (a) and inserting the
6 following:

7 “(a) IN GENERAL.—Not later than 180 days after
8 the date of enactment of the BUILD America 250 Act,
9 the Secretary of Transportation shall issue regulations to
10 require each Class I railroad to install inward- and out-
11 ward-facing image recording devices in all controlling loco-
12 motive cabs and cab car operating compartments not later
13 than 2 years after the date on which such regulations are
14 issued.”;

15 (2) in subsection (c) by striking “shall establish
16 a process” and all that follows and insert the fol-
17 lowing: “shall—

18 “(1) establish a process to review and approve
19 or disapprove an inward- or outward-facing image
20 recording device for compliance with the standards
21 described in subsection (b); and

22 “(2) deem approved under this section any in-
23 ward-or outward-facing image recording device in-
24 stalled as of the date of enactment of the BUILD
25 America 250 Act that meets the standards described

1 in subsection (b) for 5 years following the date on
2 which regulations are issued under subsection (a).”;

3 (3) in subsection (f)(2) by striking “passenger”
4 each place it appears; and

5 (4) by adding at the end the following:

6 “(k) APPLICABILITY.—This section shall not apply to
7 any railroad carrier covered by this section on the date
8 of enactment of the FAST Act (Public Law 114–94).”.

9 **SEC. 10406. MEMBERSHIP OF NATIONAL DOMESTIC PRE-**
10 **PAREDNESS CONSORTIUM.**

11 Paragraph (6) of section 1204(b) of the Imple-
12 menting Recommendations of the 9/11 Commission Act of
13 2007 (6 U.S.C. 1102(b)) is amended to read as follows:

14 “(6) the MxV Learning Institute; and”.

15 **SEC. 10407. PREVENTING TAMPERING WITH WAYSIDE DE-**
16 **TECT DETECTORS.**

17 (a) REVIEW AND EVALUATION.—The Secretary shall
18 convene a working group to—

19 (1) review and evaluate local, State, and Fed-
20 eral laws regarding tampering with wayside defect
21 detectors and other railroad safety and operational
22 monitoring devices;

23 (2) develop model tamper prevention strategies
24 for the consideration of State and local govern-

1 mental entities, and railroads, to deter wayside de-
2 tector tampering; and

3 (3) review and evaluate existing railroad carrier
4 wayside defect detector installation and maintenance
5 policies.

6 (b) PARTICIPANTS.—The Secretary shall include in
7 the working group established under this subsection at
8 least 1 representative from each of the following:

9 (1) An organization representing Class I rail-
10 roads.

11 (2) An organization representing locomotive en-
12 gineers and conductors.

13 (3) An organization representing employees who
14 install and maintain wayside equipment.

15 (4) An organization representing a State or
16 Federal law enforcement agency responsible for en-
17 forcing laws to prevent damage to wayside equip-
18 ment.

19 (5) A manufacturer or organization rep-
20 resenting manufacturers of wayside equipment.

21 (c) REQUIREMENTS.—The working group established
22 under this subsection shall complete the activities required
23 under paragraph (1) not later than 1 year after the date
24 of enactment of this Act.

1 **SEC. 10408. RAIL TECHNOLOGY AND ASSET PILOT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—The Secretary, in cooperation
4 with the Administrator of the Federal Railroad Adminis-
5 tration, shall establish a pilot program to award grants
6 on a competitive basis to eligible recipients described in
7 subsection (b) for rail technology systems and assets to—

8 (1) improve rail transportation safety and effi-
9 ciency;

10 (2) reduce cargo theft; or

11 (3) monitor rail network fluidity

12 (b) ELIGIBLE RECIPIENTS.—The following entities
13 are eligible to receive a grant under this section:

14 (1) Railroad freight car owners or operators.

15 (2) Railroad freight car manufacturers.

16 (3) Rail network data platform firms.

17 (4) A State or the District of Columbia.

18 (5) A group of States.

19 (6) An interstate compact.

20 (7) A federally recognized Indian Tribe.

21 (8) A public agency or publicly chartered au-
22 thority established by 1 or more States.

23 (9) A political subdivision of a State.

24 (c) ELIGIBLE USE OF FUNDS.—Funds provided
25 under this section may be used by an eligible recipient for

1 a project to carry out activities to purchase, install, main-
2 tain, or replace—

3 (1) telematics systems or gateway devices;

4 (2) positive train control upgrade systems;

5 (3) wheel and bearing integrity and alignment
6 failure detection and monitoring systems;

7 (4) sensor-based systems, including train in-
8 spection portals;

9 (5) locomotives used in switching service;

10 (6) Tier III or higher locomotives used in
11 switching service; and

12 (7) technologies to allow train crew members to
13 communicate while inspecting and riding equipment.

14 (d) APPLICATIONS.—

15 (1) IN GENERAL.—An eligible entity may sub-
16 mit to the Secretary an application for a grant
17 under this section at such time, in such manner, and
18 containing such information as the Secretary may
19 require that relate to the purposes described in sub-
20 section (a).

21 (2) TRANSPARENCY.—The Secretary shall in-
22 clude, in any notice of funding availability relating
23 to a grant under this section, a full description of
24 the method by which applications under paragraph
25 (1) will be evaluated.

1 (e) PRIORITIZATION FOR TELEMATICS SYSTEMS AND
2 GATEWAY DEVICES GRANTS.—

3 (1) IN GENERAL.—In selecting an eligible re-
4 cipient for a grant under this section, the Secretary
5 shall prioritize an eligible recipient that proposes to
6 carry out a project described under subsection
7 (c)(1).

8 (2) PROJECTS.—Of the prioritized projects
9 under paragraph (1), the Secretary shall further
10 prioritize, in the order listed, the following:

11 (A) Newly built railroad freight cars by a
12 qualified manufacturer in a qualified facility.

13 (B) Railroad freight cars entering a certifi-
14 cation event in a qualified facility.

15 (C) Railroad freight cars entering a shop-
16 ping event or maintenance event in a qualified
17 facility.

18 (3) FREIGHT RAILCAR TYPE.—The Secretary
19 shall ensure that each recipient receiving a grant for
20 tank cars selects railroad freight cars for project ac-
21 tivities in the following order of priority:

22 (A) Tank cars in the “TIH/PIH” (toxic in-
23 halation products) service.

24 (B) Tank cars in Class I, II, and III flam-
25 mable service.

1 (C) Tank cars in hazardous materials serv-
2 ice.

3 (D) Tank cars in specialized service.

4 (E) Freight cars in hazardous materials
5 service.

6 (F) Other freight cars.

7 (f) LIMITATIONS.—

8 (1) REQUIREMENTS FOR RAILROAD FREIGHT
9 CARS.—No funds provided by a grant under this sec-
10 tion may be used for an activity relating to railroad
11 freight cars that does not meet the requirements of
12 section 20171 of title 49, United States Code.

13 (2) AWARDS TO ENTITIES.—The Secretary may
14 not award more than 20 percent of amounts made
15 available in this section for grants for each fiscal
16 year to a single recipient.

17 (3) APPLICATION COSTS.—The Secretary may
18 not reimburse an eligible entity that receives funding
19 under this section for any application preparation
20 costs for a grant under this section.

21 (g) REPORTS.—

22 (1) ELIGIBLE ENTITIES.—Not later than 2
23 years after the date on which an eligible entity re-
24 ceives a grant under this section, and annually
25 thereafter until the date on which the grant is ex-

1 pended, the eligible entity shall submit to the Sec-
2 retary an implementation report that describes—

3 (A) the deployment of each project carried
4 out by the eligible entity; and

5 (B) the means by which each project car-
6 ried out by the eligible entity has met or ad-
7 dressed its intended outcome, as projected in
8 the grant application, including—

9 (i) data describing the means by
10 which the project met the specific goals for
11 the project; and

12 (ii) recommendations for future de-
13 ployment strategies to improve safety or
14 reduce cargo theft.

15 (2) SECRETARY.—

16 (A) REPORT TO CONGRESS.—Not later
17 than 3 years after the date of enactment of this
18 Act, the Secretary shall submit to the Com-
19 mittee on Transportation and Infrastructure of
20 the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transpor-
22 tation of the Senate a report on the implemen-
23 tation and effects of the grant pilot program es-
24 tablished under this section.

1 (B) CONTENTS.—The report under sub-
2 paragraph (A) shall include—

3 (i) a description of each eligible entity
4 and award issued pursuant to this section;

5 (ii) the number of railroad freight
6 cars equipped with telematic systems or
7 gateway devices using funds provided
8 under this section;

9 (iii) the number of freight railroad
10 routes equipped with telematic systems or
11 gateway devices using funds provided
12 under this section;

13 (iv) the cost of equipping such cars or
14 rail right-of-way or adjacent right-of-way
15 with such systems or devices referenced in
16 clause (ii) or (iii) and any ongoing soft-
17 ware licensing or other maintenance and
18 lifecycle replacement costs;

19 (v) the number of safety incidents in-
20 volving such railcars reported to the Fed-
21 eral Railroad Administration using funds
22 provided under this section;

23 (vi) anecdotal experience of grant re-
24 cipients relating to the deployment of any

1 technology or asset acquired under this
2 section; and

3 (vii) any legislative recommendations
4 related to the pilot program established
5 under this section.

6 (C) PUBLIC AVAILABILITY.—The report re-
7 quired under subparagraph (A) shall, to the
8 maximum extent practicable, be made publicly
9 available on the website of the Department
10 without compromising confidentiality or secu-
11 rity.

12 (D) CONSULTATION.—In preparing the re-
13 port required under subparagraph (A), the Sec-
14 retary shall consult with Federal agencies and
15 stakeholders, as appropriate, to gather tech-
16 nical, operational, and safety-related data.

17 (h) COST SHARE.—The Federal share of the cost of
18 a grant award under this section shall be 50 percent of
19 the total cost of the project.

20 (i) DEFINITIONS.—In this section:

21 (1) CERTIFICATION EVENT.—The term “certifi-
22 cation event” means a railroad freight car that is re-
23 quired by regulation to be recertified in a mainte-
24 nance facility or qualified facility.

1 (2) GATEWAY DEVICE.—The term “gateway de-
2 vice” means a network hardware or software node
3 used in railroad monitoring telecommunications
4 that—

5 (A) connects at least 2 networks with dif-
6 ferent transmission protocols together;

7 (B) serves as an entry and exit point for
8 a network as all data collected from the railcar
9 must pass through or communicate with the
10 gateway prior to being routed;

11 (C) are distinct from routers or switches in
12 that such nodes communicate using more than
13 1 protocol to connect multiple networks; and

14 (D) may be any device on a railroad
15 freight car that is embedded with electronics,
16 software, sensors, or other connectivity, that en-
17 ables the device to connect to, collect data from,
18 or exchange data with another device, includ-
19 ing—

20 (i) railcar onboard telematics;

21 (ii) global positioning system satellite
22 and cellular location tracking systems;

23 (iii) railcar event status sensors;

1 (iv) railcar predictive component con-
2 dition and performance monitoring sen-
3 sors; and

4 (v) similar technologies embedded into
5 railroad freight car components and sub-
6 assemblies.

7 (3) POSITIVE TRAIN CONTROL SYSTEMS.—The
8 term “positive train control system” has the mean-
9 ing given such term in section 20157(i) of title 49,
10 United States Code.

11 (4) SHOPPING EVENT.—The term “shopping
12 event” means a railroad freight car that is under-
13 going regular or routine maintenance by a railcar
14 maintenance facility or qualified facility.

15 (5) TELEMATICS SYSTEM.—The term
16 “telematics system” means a technology that—

17 (A) relies on telecommunications,
18 informatics, and computer and data processing;

19 (B) generates data and informatics from
20 gateway or sensor devices fixed to railroad
21 freight cars or property on or adjacent to rail
22 right-of-way and provides for the exchange of
23 information over a distance that may use bat-
24 tery or solar-powered wireless connections; and

1 (C) includes the method upon which rail-
2 road freight cars are monitored by using global
3 positioning system technology through a gate-
4 way device or sensor using onboard or wayside
5 camera diagnostics to plot the movements of
6 such cars and, if applicable, gather railcar
7 equipment and train health and condition data
8 from other onboard or wayside camera railcar
9 sensors when applied.

10 (6) OTHER TERMS.—The terms “railroad
11 freight car”, “qualified facility”, “qualified manufac-
12 turer”, and “state-owned enterprise” have the mean-
13 ing given such terms in section 20171(a) of title 49,
14 United States Code.

15 **SEC. 10409. VENT AND BURN REPORT UPDATES.**

16 (a) IMPLEMENTATION.—Not later than 30 days after
17 the date of enactment of this Act, the Secretary shall take
18 such actions as may be necessary to implement the rec-
19 ommendations of the National Transportation Safety
20 Board numbered R–24–08 and R–24–09, issued on June
21 25, 2024.

22 (b) REPORT.—Not later than 1 year after the date
23 of enactment of this Act, the Secretary shall submit to
24 the Committee on Transportation and Infrastructure of
25 the House of Representatives and the Committee on Com-

1 merce, Science, and Transportation of the Senate a report
2 detailing the implementation of the recommendations re-
3 quired under subsection (a).

4 **SEC. 10410. RAIL FREIGHT CARGO SECURITY ASSESSMENT.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Administrator of the
7 Federal Railroad Administration shall initiate an assess-
8 ment of security vulnerabilities affecting freight rail cargo,
9 with a focus on protecting the national supply chain and
10 reducing economic losses from organized theft and sabo-
11 tage.

12 (b) CONTENTS.—The assessment under subsection
13 (a) shall include—

14 (1) an identification of high-risk corridors,
15 yards, sidings, highway-rail grade crossings, and
16 other infrastructure determined by the Adminis-
17 trator to be vulnerable to theft or tampering;

18 (2) an evaluation by the Administrator of phys-
19 ical and operational security protocols and best prac-
20 tices used by freight railroad carriers, including the
21 ability of train crews to monitor and communicate
22 along the length of a train consist;

23 (3) an assessment by the Administrator of the
24 effects of rail cargo theft, including the effects on

1 supply chains, the costs incurred by consumers, and
2 the effects on regional commerce; and

3 (4) recommendations of the Administrator with
4 respect to improving security and resilience of
5 freight rail cargo, including coordination strategies,
6 voluntary guidance, and operational best practices.

7 (c) CONSULTATION.—In conducting the assessment
8 under subsection (a), the Administrator may consult
9 with—

10 (1) freight rail carriers, including short line op-
11 erators, Class I railroads, and Class II railroads (as
12 defined in section 20102 of title 49, United States
13 Code), and the police departments of such freight
14 rail carriers;

15 (2) State and local law enforcement and trans-
16 portation agencies;

17 (3) relevant Federal entities as determined ap-
18 propriate by the Administrator; and

19 (4) shippers, intermodal operators, and private
20 sector supply chain stakeholders, including freight
21 rail insurance providers.

22 (d) REPORT.—Not later than 2 years after the date
23 of enactment of this Act, the Administrator shall submit
24 to the Committee on Transportation and Infrastructure
25 of the House of Representatives and the Committee on

1 Commerce, Science, and Transportation of the Senate a
2 report on the findings of the assessment under subsection
3 (a) and including any recommendations of the Adminis-
4 trator with respect to security vulnerabilities affecting
5 freight rail cargo.

6 **SEC. 10411. 50-YEAR RULE REVISION.**

7 (a) RULEMAKING.—

8 (1) IN GENERAL.—Not later than 90 days after
9 the date of enactment of this Act, the Secretary
10 shall finalize the rulemaking described in the notice
11 of proposed rulemaking issued on July 1, 2025, ti-
12 tled “Repealing Special Approval Requirement for
13 Freight Cars More Than 50 Years Old” (90 Fed.
14 Reg. 28633).

15 (2) LIMITATION.—The rulemaking required
16 under paragraph (1) shall not impose any additional
17 paperwork, testing, or inspection requirements for
18 such railroad freight cars on railcar manufacturers,
19 railcar owners, or railroads than were required for
20 any railroad freight car that is not more than 50
21 years old on July 1, 2025.

22 (b) SAVINGS CLAUSE.—Nothing in this section shall
23 prohibit the Secretary from issuing an emergency order
24 regarding any railroad freight car that is more than 50

1 years old, measured from the date of original construction,
2 under section 20104 of title 49, United States Code.

3 **SEC. 10412. SELF-CONTAINED PROPELLED FREIGHT VEHI-**
4 **CLE.**

5 (a) RULEMAKING.—Not later than the earlier of 1
6 year after the date of enactment of this Act or completion
7 of the self-propelled rail vehicle Test Program in Federal
8 Railroad Administration Docket Number FRA 2023–
9 00666, the Secretary shall issue a notice of proposed rule-
10 making to issue safety regulations for self-contained pro-
11 pelled freight vehicles.

12 (b) SELF-CONTAINED PROPELLED FREIGHT VEHI-
13 CLE.—In issuing a final rule resulting from the proposed
14 rulemaking noticed under subsection (a), the Secretary, in
15 response to public comments, shall consider in the defini-
16 tion of a self-contained propelled freight car, a railcar
17 that—

18 (1) is designed and primarily intended to be
19 used to transport freight;

20 (2) is autonomous or remotely controlled, and
21 does not carry crew or passengers;

22 (3) operates singularly or in coordinated mul-
23 tiple-unit consist that may or may not include tradi-
24 tional railcars or locomotives;

1 (4) is self-propelled and equipped with onboard
2 propulsion and braking technologies on each unit, or
3 on separate units when operated as part of a consist;
4 and

5 (5) does not transport any hazardous materials.

6 **SEC. 10413. RAILROAD SAFETY ADVISORY COMMITTEE**
7 **EVALUATION OF NATIONAL ACADEMIES OF**
8 **SCIENCES, ENGINEERING, AND MEDICINE**
9 **FINDINGS.**

10 (a) IN GENERAL.—The Secretary, acting through the
11 Administrator of the Federal Railroad Administration,
12 shall convene a working group within the Railroad Safety
13 Advisory Committee under section 20124 of title 49,
14 United States Code, to develop recommendations on trains
15 of varying lengths, including—

16 (1) methods and technologies that can be imple-
17 mented by a railroad carrier to improve the capabili-
18 ties, competencies, and training that train crews and
19 other railroad employees require for safe operation,
20 assembly, and inspection; and

21 (2) technological means performance standards
22 to ensure train crew members have the capability to
23 communicate with the entirety of the train, including
24 while inspecting and riding equipment, in a manner

1 that is continuously maintained and does not create
2 personal safety hazards.

3 (b) REGULATORY APPROACH.—In developing rec-
4 ommendations under this section, the working group
5 shall—

6 (1) ensure that such recommendations and
7 findings are—

8 (A) supported by evidence; and

9 (B) support the safe and efficient oper-
10 ation of varying train lengths;

11 (2) consider economic impacts of such rec-
12 ommendations; and

13 (3) evaluate impacts of such recommendations
14 on communities affected by freight rail movements,
15 first responders, and railroad employees.

16 (c) DATA.—For the report required under subsection
17 (d), the Secretary shall evaluate the information provided
18 pursuant to section 22421(b) of the Infrastructure Invest-
19 ment and Jobs Act (49 U.S.C. 20901 note), in conjunction
20 with FRA Safety Advisory 2023–03, issued by the Federal
21 Railroad Administration on May 2, 2023 (88 Fed. Reg.
22 27570), and the recommendations of the Railroad Safety
23 Advisory Committee.

24 (d) REPORT.—Not later than 18 months after the
25 date of enactment of this Act, the Administrator shall sub-

1 mit to the Committee on Transportation and Infrastruc-
2 ture of the House of Representatives and the Committee
3 on Commerce, Science, and Transportation of the Senate,
4 a report containing the findings and recommendations de-
5 veloped under this section, and shall make such findings
6 and recommendations available to the public on the
7 website of the Federal Railroad Administration.

8 **SEC. 10414. BLOCKED CROSSINGS.**

9 (a) **BLOCKED CROSSING PORTAL.**—Section 22404 of
10 the Infrastructure Investment and Jobs Act (49 U.S.C.
11 22907 note) is amended—

12 (1) in subsection (a) by striking “3-year”;

13 (2) by striking subsection (h) and inserting the
14 following:

15 “(h) **USE OF BLOCKED CROSSING PORTAL DATA**
16 **FOR GRANT CONSIDERATIONS.**—

17 “(1) **IN GENERAL.**—The Secretary may use the
18 frequency and severity of verified blocked crossing
19 incidents in the blocked crossing portal maintained
20 under this section to evaluate projects that would re-
21 duce the frequency or severity of such incidents
22 when selecting grant recipients under sections 22907
23 and 22909 of title 49, United States Code.

1 “(2) EVALUATION.—In carrying out this sub-
2 section, the Secretary shall evaluate projects de-
3 scribed in paragraph (1) in the following order:

4 “(A) There are verified delays of more
5 than 10 minutes affecting State or local emer-
6 gency services and there are no alternate public
7 highway-rail grade separation routes within a
8 half mile by road.

9 “(B) There are no alternate public high-
10 way-rail grade separation routes within a half
11 mile by road.

12 “(3) BLOCKED CROSSING INCIDENT DE-
13 FINED.—In this subsection, the term ‘blocked cross-
14 ing incident’ means a circumstance in which a train,
15 locomotive, rail car, or other rail equipment is
16 stopped in a manner that obstructs travel at a public
17 highway-rail grade crossing, not caused by factors
18 beyond the reasonable control of the railway oper-
19 ator.”; and

20 (3) by striking subsections (j) and (k) and in-
21 serting the following:

22 “(j) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion may be construed to invalidate any authority of the
24 Secretary with respect to blocked highway-rail grade
25 crossings.”.

1 (b) INVESTIGATIONS OF FREQUENTLY BLOCKED
2 CROSSINGS.—

3 (1) IN GENERAL.—Based on an analysis of data
4 submitted to the blocked crossing portal established
5 and maintained under section 22404 of the Infra-
6 structure Investment and Jobs Act (49 U.S.C.
7 22907 note), the Secretary shall take the following
8 actions with respect to any public highway-rail grade
9 crossing for which there have been 3 or more re-
10 ported blocked crossing incidents within a 30-day
11 period:

12 (A) Provide electronic notice to the rail-
13 road carrier that owns or operates over the pub-
14 lic highway-rail grade crossing of the number
15 and frequency of reported blocked crossing inci-
16 dents.

17 (B) In consultation with the railroad car-
18 rier, which shall be required to maintain data
19 for blocked crossings for not more than 60
20 days, examine the causes of the blocked cross-
21 ing incidents.

22 (C) Identify and evaluate voluntary, prac-
23 ticable measures to reduce the frequency and
24 duration of blocked crossing incidents at the
25 grade crossing.

1 (D) Assess eligibility for Federal financial
2 assistance, including under sections 22907 and
3 22909 of title 49, United States Code.

4 (E) Consider the availability and adequacy
5 of alternative routes, including whether reason-
6 ably accessible and safe routes exist to allow the
7 traveling public, including emergency respond-
8 ers, to circumvent the blocked crossing.

9 (2) BLOCKED CROSSING INCIDENT DEFINED.—
10 In this subsection, the term “blocked crossing inci-
11 dent” means a circumstance in which a train, loco-
12 motive, rail car, or other rail equipment is stopped
13 in a manner that obstructs travel at a public high-
14 way-rail grade crossing, not caused by factors be-
15 yond the reasonable control of the railway operator.

16 (c) PUBLICATION OF BLOCKED CROSSING INFORMA-
17 TION.—Not later than 60 days after the date of enactment
18 of this Act, the Federal Railroad Administration shall
19 publish on the home page of the publicly-available website
20 of the Administration an active link to the blocked cross-
21 ing portal established and maintained under section 22404
22 of the Infrastructure Investment and Jobs Act (49 U.S.C.
23 22907 note).

24 (d) RAILROAD POINT OF CONTACT FOR BLOCKED
25 CROSSING MATTERS.—Section 20152 of title 49, United

1 States Code, is amended by adding at the end the fol-
2 lowing:

3 “(c) RAILROAD POINT OF CONTACT FOR BLOCKED
4 CROSSING MATTERS.—The Secretary shall make any tele-
5 phone service established under subsection (a) publicly
6 available on the website of the Department of Transpor-
7 tation.”.

8 (e) PUBLIC ENGAGEMENT.—Not later than 1 year
9 after the date of enactment, the Secretary shall engage
10 with State and local emergency services to—

11 (1) provide accessible resources on best prac-
12 tices to reduce first responder delays at rail cross-
13 ings;

14 (2) collaborate with railroads on identifying
15 critical crossings for first responders and possible
16 operational changes; and

17 (3) promote the adoption and increased use of
18 real-time and predictive rail crossing information.

19 **SEC. 10415. CIVIL PENALTIES.**

20 (a) CIVIL PENALTIES RELATED TO TRANSPORTING
21 HAZARDOUS MATERIALS.—Section 5123(a) of title 49,
22 United States Code, is amended—

23 (1) in paragraph (1), in the matter preceding
24 subparagraph (A), by striking “\$75,000” and insert-
25 ing “\$150,000”; and

1 (2) in paragraph (2), by striking “\$175,000”
2 and inserting “\$350,000”.

3 (b) GENERAL VIOLATIONS OF CHAPTER 201.—Sec-
4 tion 21301(a)(2) of title 49, United States Code, is
5 amended—

6 (1) by striking “\$25,000.” and inserting
7 “\$50,000”; and

8 (2) by striking “\$100,000.” and inserting
9 “\$200,000”.

10 (c) ACCIDENT AND INCIDENT VIOLATIONS OF CHAP-
11 TER 201; VIOLATIONS OF CHAPTERS 203 THROUGH
12 209.—Section 21302(a) is amended—

13 (1) in paragraph (1), by striking “203–209”
14 each place it appears and inserting “203 through
15 209”; and

16 (2) in paragraph (2)—

17 (A) by striking “\$25,000” and inserting
18 “\$50,000”; and

19 (B) by striking “\$100,000” and inserting
20 “\$200,000”.

21 (d) VIOLATIONS OF CHAPTER 211.—Section
22 21303(a)(2) is amended—

23 (1) by striking “\$25,000” and inserting
24 “\$50,000”; and

1 (2) by striking “\$100,000” and inserting
2 “\$200,000”.

3 **SEC. 10416. PRESSURE RELIEF DEVICES.**

4 (a) REPORT TO CONGRESS.—Not later than 18
5 months after the date of enactment of this Act, the Ad-
6 ministrator of the Federal Railroad Administration shall
7 submit to the Committee on Transportation and Infra-
8 structure of the House of Representatives and the Com-
9 mittee on Commerce, Science, and Transportation of the
10 Senate a report that includes—

11 (1) the rate and causes of rail tank car pres-
12 sure relief device failures in a derailment event in-
13 cluding information and variables relating to each
14 event, including—

15 (A) the number of tank cars involved in
16 such derailment;

17 (B) whether or not the event included a
18 fire;

19 (C) in the case of a fire, the temperature
20 and duration of the fire;

21 (D) the length of the time of use before,
22 and circumstances of, the failure of a pressure
23 relief device; and

24 (E) with respect to each pressure relief de-
25 vice that failed—

1 (i) an assessment of the compatibility
2 of the device with each commodity trans-
3 ported by a tank car involved in such de-
4 railment;

5 (ii) an assessment of the ability of the
6 device to survive high heat conditions, in-
7 cluding any thermal protection used on the
8 device for such conditions; and

9 (iii) identification of the orientation of
10 the device in each tank car, including
11 whether the orientation is—

12 (I) above or below the vapor line;

13 or

14 (II) in the liquid space;

15 (2) recommendations to prevent or reduce the
16 incidence of rail tank car pressure relief device fail-
17 ures;

18 (3) the status of any recommendations issued
19 by the National Transportation Safety Board, in-
20 cluding any recommendations issued during the pe-
21 riod beginning on the date of enactment of this Act
22 and ending on the date on which the Administrator
23 initiates the report; and

1 (4) additional factors and issues identified by
2 the Administrator upon consultation with entities
3 described in subsection (b).

4 (b) CONSULTATION REQUIRED.—In developing the
5 report under subsection (a), the Administrator shall con-
6 sult with—

7 (1) the Administrator of the Pipeline and Haz-
8 ardous Materials Safety Administration;

9 (2) rail employers;

10 (3) organizations representing rail employees;

11 (4) rail tank car builders, shippers, and owners;

12 and

13 (5) organizations representing rail tank car
14 builders, rail employers, shippers, and owners.

15 **SEC. 10417. FEDERAL RAILROAD ADMINISTRATION SAFETY**
16 **WORKFORCE.**

17 (a) ADDITIONAL RAIL SAFETY EMPLOYEES.—The
18 Administrator of the Federal Railroad Administration
19 shall maintain not less than 713 rail safety employees in
20 the Office of Safety of the Administration, which includes
21 safety inspectors, in the following disciplines:

22 (1) Hazardous Materials.

23 (2) Track.

24 (3) Motive power and equipment.

25 (4) Signals and train control.

1 (5) Operating practices.

2 (6) Rail grade crossings.

3 (b) REPORT TO CONGRESS.—The Administrator of
4 the Federal Railroad Administration shall include a break-
5 down of the Office of Safety personnel by discipline as de-
6 scribed in subsection (a) as part of the annual budget jus-
7 tification of the Federal Railroad Administration, includ-
8 ing an explanation for any variation compared to the au-
9 thorized number of rail safety employees.

10 **SEC. 10418. FRA SAFETY INSPECTOR AND SPECIALIST RE-**
11 **VIEW.**

12 (a) REVIEW.—The Administrator of the Federal
13 Railroad Administration, in consultation with the Director
14 of the Office of Personnel Management, shall review the
15 position descriptions and pay grades of railroad safety in-
16 spection personnel and railroad safety specialist employed
17 by the Office of Railroad Safety.

18 (b) CONTENTS OF REVIEW.—In conducting the re-
19 view under subsection (a), the Administrator shall—

20 (1) consider whether the descriptions of the po-
21 sitions described in subsection (a) accurately reflect
22 the scope of work and duties of the personnel and
23 specialists in such positions, including the role and
24 use of new technologies on such work and duties;

1 (2) compare the pay grades of personnel and
2 specialists in such positions to the pay grades of per-
3 sonnel employed by other Department of Transpor-
4 tation agencies and the National Transportation
5 Safety Board who have comparable scopes of work,
6 responsibilities, and duties;

7 (3) assess whether the Administration experi-
8 ences difficulty in recruiting or retaining personnel
9 and specialists in such positions and identify the
10 reasons for such difficulty;

11 (4) assess differences in pay, benefits, and
12 other relevant factors between personnel and special-
13 ists in such positions and personnel in similar posi-
14 tions in the private railroad sector; and

15 (5) assess whether existing classification au-
16 thorities, pay flexibilities, and retention incentives
17 should be revised to achieve and maintain adequate
18 staffing levels of qualified personnel.

19 (c) REPORT.—Not later than 180 days after the date
20 of enactment of this Act, the Administrator shall submit
21 to the Committee on Transportation and Infrastructure
22 of the House of Representatives and the Committee on
23 Commerce, Science, and Transportation of the Senate a
24 report that—

1 (1) summarizes the findings of the review re-
2 quired under this section;

3 (2) describes how the Administration plans to
4 update the position descriptions of railroad safety in-
5 spection personnel and railroad safety specialists to
6 accurately reflect the scope of the work and duties;
7 and

8 (3) describes any administrative or legislative
9 actions the Administrator determines may be nec-
10 essary to address identified recruitment or retention
11 challenges with respect to the employment of such
12 personnel and specialists.

13 **SEC. 10419. FEDERAL RAILROAD ADMINISTRATION SAFETY**
14 **CULTURE.**

15 (a) REVIEW.—Not later than 1 year after the date
16 of enactment of this Act, the inspector general of the De-
17 partment shall—

18 (1) conduct a review of the safety culture of the
19 Federal Railroad Administration using the frame-
20 work developed by the Nuclear Energy Agency of
21 the Organisation for Economic Co-operation and De-
22 velopment; and

23 (2) submit to the Committee on Commerce,
24 Science, and Transportation of the Senate and the
25 Committee on Transportation and Infrastructure of

1 the House of Representatives a report that contains
2 the findings of such review and includes rec-
3 ommendations for improving the safety culture of
4 the Federal Railroad Administration.

5 (b) CONSIDERATIONS.—In conducting the review
6 under subsection (a)(1), the inspector general shall con-
7 sider the impacts of the Federal Railroad Administra-
8 tion’s—

9 (1) current and previous organization and
10 structure on its statutory mission; and

11 (2) workforce policies.

12 (c) ACTION PLAN.—Not later than 1 year after the
13 date of submission of the report required under subsection
14 (a)(2), the Secretary shall submit to the Committee on
15 Commerce, Science, and Transportation of the Senate and
16 the Committee on Transportation and Infrastructure of
17 the House of Representatives an action plan describing ac-
18 tions the Secretary may undertake in response to the rec-
19 ommendations and findings of such report.

20 **SEC. 10420. CONFIDENTIAL CLOSE CALL REPORTING.**

21 (a) CONFIDENTIAL CLOSE CALL REPORTING SYSTEM
22 REQUIRED.—Not later than 180 days after the date of
23 enactment of this Act, the Secretary shall initiate a rule-
24 making to establish a confidential close call reporting sys-
25 tem that requires each Class I freight railroad carrier to—

1 (1) enter into an implementing memorandum of
2 understanding (in this section referred to as an
3 “IMOU”) with the Secretary and employees (or any
4 nonprofit employee labor organization representing a
5 class or craft of the railroad’s employees) to partici-
6 pate in a confidential close call reporting system pro-
7 gram (in this section referred to as the “C³RS Pro-
8 gram”); and

9 (2) comply with—

10 (A) the requirements of the IMOU; and

11 (B) any additional requirements the Sec-
12 retary may prescribe.

13 (b) CONFIDENTIAL CLOSE CALL REPORTING SYS-
14 TEM.—

15 (1) REPORTING OF UNSAFE EVENTS.—An
16 IMOU entered into under this section shall provide
17 a process for railroad employees to report a close
18 call event to an independent third party, as deter-
19 mined by the Secretary

20 (2) REPORTING PROCEDURES.—

21 (A) REPORT FORM.—The independent
22 third party designated under paragraph (1)
23 shall provide a reporting form to employees cov-
24 ered by a memorandum of understanding under
25 subsection (a) to report each observed close call

1 event in detail, including information such as
2 the date, time, location, contributing factors,
3 actions taken, along with any other information
4 necessary to fully describe the event.

5 (B) MULTIPLE EVENTS.—To report mul-
6 tiple close call events experienced during a sin-
7 gle tour of duty, the IMOU shall require that
8 a separate close call report form is required for
9 each event.

10 (C) PUBLIC FORM.—The designated inde-
11 pendent third party shall make available on a
12 public website a report form for a close call
13 event that includes instructions on the submis-
14 sion of such form.

15 (c) SCREENING REQUIRED.—

16 (1) IN GENERAL.—The designated independent
17 third party shall conduct an initial screening of re-
18 ports submitted under subsection (b) to determine if
19 the initial close call report contains insufficient in-
20 formation to determine acceptance. If the designated
21 independent third party determines that—

22 (A) the report contains insufficient infor-
23 mation, the designated independent third party
24 shall notify the reporting employee that the re-
25 port contains insufficient information; and

1 (B) the report can be accepted, the des-
2 ignated independent third party shall notify the
3 reporting employee with a physical confirmation
4 of the report's acceptance and provide a report
5 number or ID strip as confirmation of the ac-
6 ceptance.

7 (2) CRITERIA FOR CLOSE CALL REPORT AC-
8 CEPTANCE.—In conducting the initial screening
9 under this subsection, the designated independent
10 third party—

11 (A) may accept any report for a close call
12 event; and

13 (B) may reject the following types of re-
14 ports:

15 (i) Any train incident that meets the
16 train incident reporting threshold in effect
17 on the date the reported event occurred.

18 (ii) Any reported close call event that
19 caused or is alleged to have caused any fa-
20 tality, injury, illness, or medical treatment
21 of any kind to any individual (including
22 passengers) involved in the event.

23 (iii) Reports unrelated to the safety of
24 activities performed in support of railroad
25 operations.

1 (iv) Willful violations of part A of
2 subtitle V of title 49, United States Code,
3 and any rules, regulations, orders, and
4 standards issued pursuant to such part, in-
5 cluding violations related to the use of al-
6 cohol and controlled substances.

7 (v) An event resulting in an identifi-
8 able release of hazardous material.

9 (vi) Acts of sabotage or other criminal
10 offenses.

11 (vii) Report that exclusively involve a
12 personal grievance, including—

13 (I) a rejected time slip; or

14 (II) perceived unfairness by a
15 railroad manager or supervisor.

16 (viii) Reports not filed within 3 busi-
17 ness days of the date on which the event
18 occurred.

19 (d) REPORTING EMPLOYEE PROTECTIONS.—

20 (1) CONFIDENTIALITY.—A close call report
21 submitted under this section by an employee shall
22 not be disclosed in a personally identifiable form.

23 (2) PERSONALLY IDENTIFIABLE INFORMA-
24 TION.—For purposes of section 552 of title 5,
25 United States Code, the identity of an employee who

1 submitted a close call report under this section, or
2 information that could lead to the identification of
3 such an employee, shall be exempt from such sec-
4 tion.

5 (e) CONDITION UNDER WHICH A REPORTING EM-
6 PLOYEE IS NOT PROTECTED FROM RAILROAD DIS-
7 CIPLINE, RAILROAD REVOCATION OF CERTIFICATION, OR
8 OTHER FRA CIVIL ENFORCEMENT.—

9 (1) SECOND SCREENING.—For each accepted
10 close call report, a peer review team shall conduct a
11 second screening to determine whether the reporting
12 employee is protected from discipline, revocation of
13 certification, or FRA civil enforcement.

14 (2) DETERMINATION CRITERIA.—The PRT
15 shall determine that the protection described under
16 paragraph (1) is afforded to a reporting employee
17 for a reported event unless 1 or more of the fol-
18 lowing conditions occurred:

19 (A) The report is rejected under subsection
20 (c)(2)(B), or the PRT has information that was
21 unavailable to the designated independent third
22 party during the initial screening indicating the
23 report should have been rejected under sub-
24 section (c)(2)(B).

1 (B) The employee's action or lack of action
2 was intended to damage the railroad or another
3 entity's operations or equipment or to injure
4 other individuals, or intentionally place an indi-
5 vidual in danger, including sabotage.

6 (C) The event is a real time observation
7 not eligible for reporting as described in sub-
8 section (k).

9 (f) REVOCATION OF CERTIFICATION.—The Adminis-
10 trator of the FRA shall not require the railroad employing
11 the reporting employee to revoke the certification of the
12 employee if—

13 (1) such report is accepted by the designated
14 independent third party; and

15 (2) the PRT determines that none of the condi-
16 tions described in subsection (e)(2) occurred.

17 (g) RAILROAD PROTECTIONS.—

18 (1) CIVIL ENFORCEMENT ACTION.—The Admin-
19 istrator of the FRA shall afford the same protection
20 from FRA civil enforcement action to a railroad in-
21 volved in a close call event as the protection afforded
22 to an employee reporting through the confidential
23 close call reporting system for any event for which
24 an accepted close call report is filed.

1 (2) EXCEPTION.—If an employee report falls
2 under an exception under subsection (e)(2) and the
3 reporting employee is not afforded protection, the
4 employing railroad shall not receive protection from
5 FRA civil enforcement.

6 (h) COLLECTION AND CONFIDENTIALITY OF RE-
7 PORTED INFORMATION.—

8 (1) MAINTENANCE OF INFORMATION REPORTED
9 UNDER PROGRAM.—The designated independent
10 third party shall act as the owner of the information
11 a reporting employee reports under the confidential
12 close call reporting program and shall protect the
13 confidentiality of such information.

14 (2) COMPILED CONFIDENTIAL REPORT.—The
15 designated independent third party shall compile
16 into a unified document all information relevant to
17 the reported close call event, including information
18 from the close call report and all other information
19 collected by the designated independent third party
20 through follow-up calls, for further analysis by the
21 PRT.

22 (3) PROTECTION FROM DISCLOSURE.—The des-
23 ignated independent third party shall de-identify the
24 unified document so that the identity of the report-
25 ing employee and any other involved employee, indi-

1 vidual, or third party involved in the report can no
2 longer be determined. At minimum, the following
3 shall be removed:

4 (A) The employee close call report form
5 and the content of such form.

6 (B) The name of the individual reporting
7 on such event.

8 (C) The name of any other employee men-
9 tioned in the report.

10 (D) Any third-party identifying informa-
11 tion.

12 (E) Any information that would make it
13 obvious that fewer than 3 easily identifiable in-
14 dividuals could have submitted the close call re-
15 port, including—

16 (i) the exact location and time of a
17 close call; and

18 (ii) a description of specific, rarely
19 used equipment models.

20 (4) LIMITATION ON PROVISION OF REPORT TO
21 RAILROAD.—In any case in which the designated
22 independent third party is unable to protect the con-
23 fidentiality of the reporter or any other employee, in-
24 dividual, or third party involved in the event the des-

1 ignated independent third party shall not forward
2 the report to the PRT.

3 (5) PUBLICLY-AVAILABLE DATABASE.—After
4 providing a unified document to the PRT, the des-
5 ignated independent third party may upload the re-
6 port to a searchable database available to the public,
7 provided that the report does not contain any infor-
8 mation that could identify the railroad involved.

9 (6) PERPETUITY OF CONFIDENTIALITY.—The
10 confidentiality of the information collected under
11 this section shall be preserved in perpetuity.

12 (7) LIMITATION ON ACCESS AND OWNERSHIP
13 OF INFORMATION.—The designated independent
14 third party may grant all internal third-party C³RS
15 Program staff access to confidential information for
16 internal use only on a need-to-know basis and only
17 for the purposes of completing their work assign-
18 ments.

19 (8) ADDITIONAL.—In any case in which a rail-
20 road employee is unaware that such employee was
21 involved in a close call event that was properly re-
22 ported by another employee, upon notification by the
23 investigating railroad officer, the railroad employee
24 may—

1 (A) complete and submit a close call report
2 containing any information known to such rail-
3 road employee regarding such event; and

4 (B) upon submission of a report described
5 in subparagraph (A), receive the same protec-
6 tions as the individual who initially reported the
7 close call.

8 (i) LIMITATION ON WITNESS TESTIMONY.—An em-
9 ployee who has received protection from the adverse ac-
10 tions described in subsection (e) shall not be required by
11 the railroad to appear as a witness in a railroad investiga-
12 tion of an employee who did not file a close call report.

13 (j) REQUIREMENTS INVOLVING ID STRIP.—

14 (1) LOST OR MISPLACED ID STRIP.—If a re-
15 porting employee facing discipline has lost or mis-
16 placed the ID strip assigned under subsection
17 (c)(1)(C), the reporting employee may request a
18 verification letter from the designated independent
19 third party. The designated independent third party
20 shall provide the letter as soon as is practicable.

21 (2) DISCIPLINE PENDING INVESTIGATION.—In
22 any case in which a railroad initiates an investiga-
23 tion of a close call report, a railroad shall not carry
24 out any disciplinary action until an ID strip is
25 issued with respect to such report.

1 (3) ID STRIP APPLICABILITY.—Upon avail-
2 ability of an ID strip for a close call event, the re-
3 porting employee shall present the ID strip to the
4 charging railroad manager or supervisor. If such
5 railroad manager or supervisor determines that the
6 provided ID strip applies to the event, the railroad
7 shall close the discipline portion of the investigation
8 into the event. If the railroad manager or supervisor
9 and employee do not agree that the ID strip is appli-
10 cable to the event and the employee presents a copy
11 of the ID strip to the PRT, the PRT shall determine
12 whether the event qualifies for protection against
13 discipline, certification revocation, and FRA civil en-
14 forcement under this section.

15 (4) DISMISSAL OF CHARGES.—If the PRT de-
16 termines the event qualifies for discipline protection
17 under this section, the railroad shall dismiss all
18 charges or assessed discipline, including any revoca-
19 tion of certification, and all lost time shall be paid.

20 (5) NONQUALIFICATION FOR CERTAIN PROTEC-
21 TION.—If the PRT determines the event does not
22 qualify for discipline protection, the PRT shall ad-
23 vise the charging railroad manager or supervisor and
24 the time limits for initiating disciplinary proceedings
25 may commence. In the case of a disciplinary pro-

1 ceeding described in the preceding sentence, no
2 party to the applicable IMOU may use or reference
3 the close call report in any disciplinary or revocation
4 proceeding.

5 (6) CIVIL ENFORCEMENT.—Upon receiving no-
6 tice of an FRA civil enforcement for an event cov-
7 ered by an accepted close call report, the reporting
8 employee shall present the ID strip to the FRA for
9 assistance in resolving such notice consistent with
10 the confidential close call reporting system.

11 (k) REAL-TIME OBSERVATIONS.—

12 (1) TIME LIMITATION.—In any case in which a
13 real-time observation is made by a railroad manager
14 or supervisor, the railroad manager or supervisor
15 shall inform the observed employee of the observa-
16 tion as soon as possible, but not to exceed 2 hours
17 from the time of the observation of the event.

18 (2) VIOLATION OF REGULATION OR PROCE-
19 DURE.—A close call event may be considered a real-
20 time observation if an FRA safety inspector notifies
21 the observed employee or the applicable railroad
22 after observing the violation of a regulation or the
23 railroad's operating procedures or practices.

24 (3) REQUIREMENTS.—In reporting a real-time
25 observation under this subsection, an FRA Safety

1 Inspector shall document the time, date, location,
2 and a description of the observation on an FRA in-
3 spection report. Such FRA Safety Inspector shall
4 provide a copy of the inspection report to the appro-
5 priate railroad officer not later than 24 hours after
6 the observation.

7 (l) SPECIAL CRITERIA FOR KNOWN EVENT REPORT-
8 ING.—The following special criteria apply:

9 (1) A report involving a known event is an eligi-
10 ble close call event.

11 (2) An employee shall provide notification of
12 the known event in accordance with the railroad car-
13 rier's operating rules without undue delay.

14 (3) An employee will file a close call report in-
15 volving a known event to designated independent
16 third party within the time limits set forth in sub-
17 section (c).

18 (4) The employing railroad of an employee who
19 files a report involving a known event shall not ini-
20 tiate any discipline for an event such employee re-
21 port to the designated independent third party and
22 that the designated independent third party accepts.

23 (m) OVERSIGHT AND NON-ACCESS REQUIRE-
24 MENTS.—

1 (1) OVERSIGHT BY FRA.—The Administrator of
2 the FRA—

3 (A) shall oversee the scope and quality of
4 the C³RS Program; and

5 (B) shall not seek any information that
6 may reveal the identity of any individuals, orga-
7 nizations, locations, or events included in a
8 close call report.

9 (2) NONACCESS BY RAILROADS.—No Class I
10 railroad may have access to, or seek out, any infor-
11 mation relating to a close call report that may reveal
12 the identity of any individual or third party included
13 in a close call report.

14 (n) FUNCTIONS OF PRT.—A PRT's primary respon-
15 sibility shall be to accept for review de-identified close call
16 reports from the designated independent third party, and
17 to analyze such reports in order to—

18 (1) identify and analyze emerging patterns or
19 trends in close call reports, relate such patterns or
20 trends to corrective actions taken by the railroad
21 carrier, and advise and assist with the implementa-
22 tion of corrective actions;

23 (2) create, review, and discuss a summary re-
24 port comprised of the individual close call reports,

1 emerging trends, identified root causes, and sug-
2 gested corrective actions;

3 (3) assess the association between emerging
4 patterns or trends in close call reports and relate
5 such patterns or trends to corrective actions taken
6 by the railroad carrier;

7 (4) review and determine whether close call re-
8 ports are eligible for protections against discipline,
9 certification revocation, or civil enforcement under
10 this section, including determining whether reported
11 events are ineligible for protection as described in
12 subsection (e)(2); and

13 (5) ensure adherence to time limits within an
14 IMOU.

15 (o) RESPONSIBILITIES OF THE PRT SUPPORT
16 TEAM.—The responsibilities of the PRT and, as applica-
17 ble, the PRT support team shall include—

18 (1) evaluating and, if appropriate, implementing
19 corrective actions the PRT recommends in a timely
20 manner;

21 (2) providing technical support to the PRT, in-
22 cluding during implementation of PRT-rec-
23 ommended corrective actions;

1 (3) reviewing PRT decisions and providing
2 feedback to the PRT, parties to the IMOU, and
3 other stakeholders;

4 (4) reporting corrective actions the railroad car-
5 rier implements to the PRT or reporting why no ac-
6 tion was taken;

7 (5) distributing information regarding the cor-
8 rective actions to the employees at the locations to
9 which an IMOU applies; and

10 (6) reporting on the measured effectiveness of
11 corrective actions to the PRT.

12 (p) DEFINITIONS.—In this section:

13 (1) ADVERSE CONSEQUENCE.—The term “ad-
14 verse consequence” means a negative impact that re-
15 sults from a human error or system failure.

16 (2) CERTIFICATION.—The term “certification”
17 means—

18 (A) the qualification and certification of lo-
19 comotive engineers under part 240 of title 49,
20 Code of Federal Regulations, and the qualifica-
21 tion and certification of conductors under part
22 242 of title 49, Code of Federal Regulations;
23 and

24 (B) the qualification and certification of
25 any other craft of railroad employees under reg-

1 ulations issued by Secretary or Administrator of
2 the FRA.

3 (3) CLASS I FREIGHT RAILROAD.—The term
4 “Class I freight railroad” means a freight railroad
5 that in the last year for which revenues were re-
6 ported exceeded the threshold established under reg-
7 ulations of the Surface Transportation Board under
8 section 1201.1–1 of title 49, Code of Federal Regu-
9 lations.

10 (4) CLOSE CALL.—The term “close call” means
11 a condition, event, or series of events that—

12 (A) if the condition or event recurs, such
13 condition or event has the potential to result in
14 an adverse consequence that is of increased se-
15 riousness to railroad safety; and

16 (B) an action taken to mitigate the recur-
17 rence of such condition or event may improve
18 safety in support of railroad operations.

19 (5) DISCIPLINE.—The term “discipline” means
20 any action taken by a Class I freight railroad that
21 would result in a materially adverse employment ac-
22 tion including documented verbal or written con-
23 ferences, counseling, warnings, suspension, termi-
24 nation, dismissal, and demotion.

1 (6) FRA.—The term “FRA” means the Fed-
2 eral Railroad Administration.

3 (7) FRA SAFETY INSPECTOR.—The term “FRA
4 Safety Inspector” means—

5 (A) an FRA safety inspector;

6 (B) a State inspector participating in rail-
7 road safety investigative and surveillance activi-
8 ties under part 212 of title 49, Code of Federal
9 Regulations; or

10 (C) any other official duly authorized by
11 the Administrator of the FRA.

12 (8) HAZARDOUS MATERIAL.—The term “haz-
13 ardous material” means a commodity designated as
14 a hazardous material under part 72 of title 49, Code
15 of Federal Regulations.

16 (9) ID STRIP.—The term “ID strip” means the
17 information contained in a close call report form
18 that specifies the event location and the reporting
19 employee’s personal and contact information that
20 the designated independent third party dates and
21 time stamps.

22 (10) INTERCITY RAIL PASSENGER TRANSPOR-
23 TATION; COMMUTER AUTHORITY.—The terms “inter-
24 city rail passenger transportation” and “commuter

1 authority” have the meanings given such terms in
2 section 24102 of title 49, United State Code.

3 (11) KNOWN EVENT.—The term “known event”
4 means an event below the train incident reporting
5 threshold that does not involve a fatality, injury, ill-
6 ness, or medical treatment, but would require mana-
7 gerial notification and protection under railroad pol-
8 icy or operating rules.

9 (12) DESIGNATED INDEPENDENT THIRD
10 PARTY.—The term “designated independent third
11 party” means a federal agency designated by the
12 Secretary to administer the C³RS program. Such
13 agency must have with experience managing close
14 call safety reporting programs.

15 (13) NEED-TO-KNOW.—The term “need-to-
16 know” means any case in which internal designated
17 independent third-party C³RS Program staff (in-
18 cluding designated independent third party employ-
19 ees and contractors) may have access to information
20 only if such access is necessary for Program man-
21 agement and programmatic evaluation and analysis
22 that is administered by designated independent third
23 party and access to which is granted in the sole dis-
24 cretion of the designated independent third party
25 Program manager.

1 (14) PEER REVIEW TEAM; PRT.—The terms
2 “peer review team” and “PRT” mean a problem-
3 solving team that consists of—

4 (A) representatives from the primary
5 stakeholders to an IMOU, including FRA, the
6 railroad carrier, and representatives of the em-
7 ployees who are part to the IMOU;

8 (B) an equal number of management and
9 labor organization members who will be ap-
10 pointed and approved by their respective orga-
11 nizations, and also consist of FRA personnel;
12 and

13 (C) for each primary stakeholder, at least
14 1 primary PRT representative who attends
15 PRT meetings and 1 secondary PRT represent-
16 ative who serves as a back-up to the primary
17 PRT representative or representatives.

18 (15) PEER REVIEW SUPPORT TEAM; PRT SUP-
19 PORT TEAM.—The terms “peer review support
20 team” and “PRT support team” means a support
21 team that—

22 (A) helps a PRT review and, if appro-
23 priate, recommend non-binding corrective ac-
24 tions based upon the PRT’s analysis of close
25 call reports; and

1 (B) may, in recommending corrective ac-
2 tion, accept, reject, or modify these rec-
3 ommendations;

4 (C) consists of an equal number of man-
5 agement and labor organization members who
6 will be appointed and approved by their respec-
7 tive organizations; and

8 (D) may include FRA representatives that
9 participate in the PRT support team when re-
10 quested, including upon the request of the
11 FRA.

12 (16) RAILROAD MANAGER OR SUPERVISOR.—
13 The term “railroad manager or supervisor” means
14 an individual with direct supervisory authority
15 over—

16 (A) an employee involved in a close call
17 event; or

18 (B) an employee reporting a close call
19 event.

20 (17) RAILROAD OPERATIONS.—The term “rail-
21 road operations” means the movement of equipment
22 over rails and activities that support such movement,
23 including deadheading as defined in section 228.5 of
24 title 49, Code of Federal Regulations.

1 (18) REAL-TIME OBSERVATION.—The term
2 “real-time observation” means a direct visual observ-
3 ance by an FRA safety inspector or a Class I freight
4 railroad manager or supervisor of a violation of FRA
5 regulations or the operating procedures or practices
6 of such Class I freight railroad, including visual ob-
7 servances that occur during operational testing per-
8 formed by a supervisor or member of management
9 of such railroad.

10 (19) TRAIN INCIDENT REPORTING THRESH-
11 OLD.—The term “train incident reporting threshold”
12 means the monetary incident reporting threshold de-
13 scribed in section 225.19(c) of title 49, Code of Fed-
14 eral Regulations.

15 **SEC. 10421. WAYSIDE EMPLOYEE PROTECTION.**

16 Not later than 1 year after the date of enactment
17 of this Act, the Secretary shall issue or update such regu-
18 lations as are necessary to require that all railroads pro-
19 vide task and environment warning equipment to railroad
20 watchmen and lookouts for roadway workers, including—

- 21 (1) whistles;
- 22 (2) air horns;
- 23 (3) white disks or red flags; and
- 24 (4) lanterns.

1 **SEC. 10422. SAFETY ENFORCEMENT TRANSPARENCY.**

2 (a) IN GENERAL.—Subchapter II of chapter 201 of
3 title 49, United States Code, is further amended by adding
4 at the end the following:

5 **“§ 20173. Safety enforcement transparency**

6 “(a) IN GENERAL.—The Secretary shall, on a quar-
7 terly basis, publish a summary of all proposed and final
8 railroad carrier enforcement actions taken by the Sec-
9 retary that result from a reportable incident.

10 “(b) CONTENTS.—In each summary required to be
11 published under subsection (a), the Secretary shall—

12 “(1) identify the railroad carrier involved in the
13 enforcement action, the type of alleged violation, the
14 penalty or penalties proposed, the status of the case,
15 the final assessment amount of each penalty, and
16 the reasons for a reduction in the proposed penalty,
17 if appropriate; and

18 “(2) include materials submitted by a railroad
19 carrier named in an enforcement action that are re-
20 lated to the enforcement action that such railroad
21 carrier requests to be published in the summary.

22 “(c) ELECTRONIC AVAILABILITY.—The Secretary
23 shall make each summary required to be published under
24 subsection (a) available in a publicly searchable online
25 database on a publicly available website.

1 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to require the disclosure of infor-
3 mation or records that are exempt from disclosure under
4 section 552 of title 5.”.

5 (b) CLERICAL AMENDMENT.—The analysis for chap-
6 ter 201 of title 49, United States Code, is further amend-
7 ed by adding at the end:

“20173. Safety enforcement transparency.”.

8 **SEC. 10423. REPORTS ON HIGHWAY-RAIL GRADE CROSSING**
9 **SAFETY AND TRESPASSER PREVENTION.**

10 Section 20167 of title 49, United States Code, is
11 amended—

12 (1) in subsection (a)—

13 (A) in paragraph (4) by striking “and” at
14 the end;

15 (B) by redesignating paragraph (5) as
16 paragraph (6); and

17 (C) by inserting after paragraph (4) the
18 following:

19 “(5) how the State will work with stakeholders,
20 including railroads operating in and across the
21 State, to reduce pedestrian fatalities, including sui-
22 cides, along railroad right of way, in consultation
23 with mental health and law enforcement agencies
24 and entities; and”;

1 (2) in subsection (b) in the matter preceding
2 paragraph (1) by inserting “and every 5 years there-
3 after,” before “the Administrator of the Federal
4 Railroad Administration”.

5 **SEC. 10424. LOCOMOTIVE ENGINEER TRAINING.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 date of enactment of this Act, the Secretary shall update
8 section 240.123 of title 49, Code of Federal Regulations
9 to—

10 (1) require that each railroad carrier subject to
11 such section provides training to all certified loco-
12 motive engineers on the manual operation of loco-
13 motives for the types of operations the employee is
14 to perform;

15 (2) require that each certified locomotive engi-
16 neer receive annual refresher training in manual op-
17 eration in a locomotive cab on a route that engineer
18 is certified to operate on;

19 (3) ensure that systems and controls, including
20 information, indications, and announcements, mini-
21 mize non-emergency, distractions for train crews;

22 (4) allow certified locomotive engineers to oper-
23 ate locomotives in manual mode if, in the determina-
24 tion of the engineer, the engineer needs to operate
25 in manual mode to maintain the safe operation of

1 the train during hazardous safety or security condi-
2 tions;

3 (5) require that no employee certified as a loco-
4 motive engineer shall be subject to discipline from a
5 railroad carrier for opting to operate a locomotive in
6 manual mode per the requirements of this section
7 unless such employee is determined to have com-
8 mitted—

9 (A) a willful violation of part A of subtitle
10 V of title 49, United States Code, and any
11 rules, regulations, orders, and standards issued
12 pursuant to such part, including violations re-
13 lated to the use of alcohol and controlled sub-
14 stances; or

15 (B) an act of sabotage or other criminal
16 offenses; and

17 (6) require a railroad adopt policies related to,
18 and provide appropriate equipment for, an operator
19 of a locomotives to communicate emergency informa-
20 tion to the railroad dispatcher.

21 **SEC. 10425. ASSESSMENT OF TRACK SAFETY.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act, the Comptroller General
24 shall conduct an assessment of track safety standards

1 under section 213.4 of title 49, Code of Federal Regula-
2 tions.

3 (b) SCOPE.—In carrying out the assessment under
4 subsection (a), the Comptroller General shall—

5 (1) assess whether current regulations are suffi-
6 cient to ensure excepted track is properly des-
7 ignated;

8 (2) assess the impact of regulating excepted
9 track on supply chains, potential shifts in modal
10 movements, and railroad operations and infrastruc-
11 ture, including the potential for track abandonment;

12 (3) determine how many rail-miles of track are
13 designated as excepted track at the time of the as-
14 sessment, including how many miles of excepted
15 track—

16 (A) are located in each State; and

17 (B) has been in excepted track status for
18 more than 5 years;

19 (4) evaluate the costs and benefits of requiring
20 excepted track to be inspected at the same frequency
21 as track that has not been designated as excepted;
22 and

23 (5) assess the costs and benefits of prohibiting
24 the movement of hazardous materials on excepted
25 track.

1 (c) REPORT.—Not later than 2 years after initiating
2 the assessment under subsection (a), the Comptroller Gen-
3 eral shall submit to the Committee on Transportation and
4 Infrastructure of the House of Representatives and the
5 Committee on Commerce, Science, and Transportation of
6 the Senate a report containing the results of such assess-
7 ment.

8 **SEC. 10426. REVIEW OF TRAIN DISPATCHING TECH-**
9 **NOLOGIES.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Secretary shall review
12 and evaluate the safety and effectiveness of various com-
13 puterized train-dispatching systems.

14 (b) INCLUSIONS.—In carrying out the review under
15 subsection (a), the Secretary shall include an assessment
16 and evaluation of—

17 (1) with respect to each computerized train dis-
18 patching system—

19 (A) the safety, reliability, and performance
20 of such systems;

21 (B) the cost and benefit of acquiring and
22 operating such systems;

23 (C) the inspection, testing, and mainte-
24 nance of such systems, including verification

1 and evaluation of hardware, software, and
2 human-machine interface components upgrades;

3 (D) the interoperability and integration of
4 such systems with train control systems, includ-
5 ing positive train control where applicable;

6 (E) the current practices used by rail car-
7 riers as backup to address incidents in which
8 such a system is unexpectedly offline; and

9 (2) whether any additional legislative authori-
10 ties or enforcement mechanisms are needed by the
11 Secretary to ensure rail carriers are in compliance
12 with Federal laws and regulations of such systems.

13 (c) CONSULTATION.—In carrying out the review
14 under subsection (a), the Secretary shall consult with—

15 (1) manufacturers of centralized train dis-
16 patching systems;

17 (2) railroad carriers that use such systems; and

18 (3) organizations representing employees who
19 use such systems.

20 (d) REPORT.—The Secretary shall submit to the
21 Committee on Transportation and Infrastructure of the
22 House of Representatives and the Committee on Com-
23 merce, Science, and Transportation of the Senate a report
24 containing the findings of the review under subsection (a).

1 (e) COMPUTERIZED TRAIN-DISPATCHING SYSTEM
2 DEFINED.—In this section, the term “computerized train-
3 dispatching system” means any computer-aided dis-
4 patching platform, centralized traffic control board, or re-
5 lated technology used to authorize, control, protect, or di-
6 rect the movement of trains, on-track equipment, or road-
7 way workers on a railroad.

8 **SEC. 10427. INCIDENT INVESTIGATION REVIEW.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of enactment of this Act, the inspector general of the
11 Department shall complete a study to determine whether
12 current statutes and Federal Railroad Administration
13 practices are sufficient for accident investigators of the
14 agency to complete investigations into railroad safety acci-
15 dents or incidents.

16 (b) CONSULTATION.—In carrying out the study
17 under subsection (a), the inspector general shall consult
18 with—

19 (1) the National Transportation Safety Board;

20 (2) organizations representing agency safety in-
21 spectors; and

22 (3) representatives of railroads.

23 (c) REPORT.—The inspector general shall submit to
24 the Committee on Transportation and Infrastructure of
25 the House of Representatives and the Committee on

1 Science, Commerce and Transportation of the Senate a
2 report containing the results of the study under subsection
3 (a).

4 **SEC. 10428. REVIEW OF RISK REDUCTION PROGRAM PLANS.**

5 Section 20156 of title 49, United States Code, is
6 amended by adding at the end the following:

7 “(i) REVIEW.—

8 “(1) INTERNAL ASSESSMENTS.—The Secretary
9 shall require railroad carriers covered under this sec-
10 tion to annually submit an internal assessments re-
11 port of the carrier’s railroad safety risk reduction
12 program plan.

13 “(2) SUFFICIENCY OF PLAN.—Upon receipt of
14 the report submitted under paragraph (1), the Sec-
15 retary shall determine whether the plan is sufficient
16 to reduce the number and rates of railroad accidents
17 or incidents, injuries, and fatalities.

18 “(3) CONSIDERATIONS.—In making the deter-
19 mination under paragraph (2), the Secretary shall
20 consider—

21 “(A) whether the plan systematically evalu-
22 ates railroad safety hazards involving the oper-
23 ation of a freight train on the carrier’s system,
24 and reflects planned significant operational

1 changes that would impact such safety hazards;
2 and

3 “(B) whether the processes and procedures
4 developed and implemented by the railroad car-
5 rier’s railroad safety risk reduction program
6 plan manages the risks associated with such
7 safety hazards.

8 “(j) SAFETY TREND ANALYSIS.—

9 “(1) ANNUAL REVIEW.—The Secretary shall
10 conduct an annual review of the prior 5 calendar
11 years’ reportable incidents, accidents, injuries, and
12 fatalities and conduct an analysis to determine if
13 any specific safety trends exist in the reportable inci-
14 dents, accidents, injuries, and fatalities.

15 “(2) PUBLICATION.—Upon concluding the safe-
16 ty trend analysis, the Secretary shall publish the
17 analysis on a public website of the Federal Railroad
18 Administration and notify any rail carrier of any
19 specific safety trends and risks present in the oper-
20 ations of such rail carrier.

21 “(3) IDENTIFICATION OF RISKS.—Upon notifi-
22 cation of any specific safety trends, each railroad
23 carrier shall be required to identify if the risk is
24 present in the operations of the carrier, and update
25 the railroad safety risk reduction program plan to

1 reflect how the carrier intends to eliminate or reduce
2 the risks identified by each trend.

3 “(4) EXPLANATION.—If a railroad carrier de-
4 termines a risk is not present, such carrier shall pro-
5 vide an explanation that includes the methods and
6 relevant data used to determine that the risk is not
7 present in the following annual report.

8 “(k) INTERMEDIARY UPDATES.—

9 “(1) SIGNIFICANT OPERATIONAL CHANGE.— If
10 a railroad carrier implements a significant oper-
11 ational change that is not addressed in the current
12 railroad safety risk reduction program plan more
13 than 90 days before the annual submission of the
14 audit of the carrier’s risk reduction program, then
15 the railroad carrier shall submit an intermediary up-
16 date to supplement the current plan.

17 “(2) CONTENTS.—The Secretary shall ensure
18 the intermediary update reflects the significant oper-
19 ational change and details the railroad carrier’s
20 plans to eliminate, reduce, or mitigate any signifi-
21 cant safety risks associated with the change.

22 “(l) SIGNIFICANT OPERATIONAL CHANGE DE-
23 FINED.—In the section, the term ‘significant operational
24 change’ means material changes in policies or processes

1 that may increase the rates of reportable incidents, acci-
2 dents, injuries, or fatalities.”.

3 **SEC. 10429. RAILROAD SAFETY ADVISORY COMMITTEE.**

4 (a) IN GENERAL.—Subchapter I of chapter 201 of
5 title 49, United States Code, is further amended by adding
6 at the end the following new section:

7 **“§ 20124. Railroad Safety Advisory Committee**

8 “(a) IN GENERAL.—The Administrator of the Fed-
9 eral Railroad Administration shall maintain an advisory
10 committee, to be known as the ‘Railroad Safety Advisory
11 Committee’, for the purpose of providing advice and rec-
12 ommendations to the Administrator regarding safety and
13 security problems by identifying the best solutions based
14 on agreed-upon facts and providing advice for collabo-
15 rative rulemaking or by providing non-regulatory rec-
16 ommendations on critical safety issues, the development
17 of railroad safety regulatory programs, including the
18 issuance of new regulations, review and revision of existing
19 regulations, and identification of non-regulatory alter-
20 natives for improving railroad safety.

21 “(b) DUTIES AND SCOPE OF ACTIVITIES.—

22 “(1) IN GENERAL.—The Administrator, or the
23 Designated Federal Officer, shall present the Rail
24 Safety Advisory Committee with tasks relating to
25 railroad safety and security.

1 “(2) RECOMMENDATIONS.—Through the Ad-
2 ministrator, the Rail Safety Advisory Committee
3 shall make recommendations to the Secretary of
4 Transportation regarding rail safety.

5 “(3) REQUIREMENT.—The Rail Safety Advisory
6 Committee shall address safety problems by identi-
7 fying solutions based on agreed-upon facts and,
8 where regulation appears necessary, identifying reg-
9 ulatory changes to implement such solutions.

10 “(4) CAPACITY.—The Rail Safety Advisory
11 Committee shall act solely in an advisory capacity,
12 and the advice and recommendations of the Com-
13 mittee shall be non-binding.

14 “(c) MEMBERS.—

15 “(1) IN GENERAL.—The Administrator shall be
16 responsible for ensuring that the composition of the
17 Rail Safety Advisory Committee consists of rep-
18 resentatives of organizations that have a direct role
19 in issues related to the safe transportation of pas-
20 sengers and freight by rail, including commuter rail-
21 roads, freight railroads, organizations representing
22 manufacturers of railroad equipment, organizations
23 representing shippers, including organizations rep-
24 resenting the shipment of liquid and gaseous flam-
25 mable hazardous materials and other hazardous ma-

1 materials, organizations representing State departments
2 of transportation, organizations representing railway
3 workers, and organizations representing rail pas-
4 sengers, and local communities with rail lines.

5 “(2) REQUIREMENT.—The Rail Safety Advisory
6 Committee shall include an equal number of rep-
7 resentatives of railroad operators and their organiza-
8 tions and representatives of railway workers and
9 their organizations.

10 “(d) STAFF.—The Administrator may identify such
11 staff as is necessary to support the functions of the Rail-
12 road Safety Advisory Committee to carry out the purpose
13 described in subsection (a).

14 “(e) TASK-BASED WORKING GROUPS.—

15 “(1) TASKS.—The Administrator may request
16 the Railroad Safety Advisory Committee establish a
17 working group for the purpose of providing specific
18 advice and recommendations regarding a task with
19 respect to which the Administrator is considering
20 acting.

21 “(2) WORKING GROUPS.—If the Railroad Safe-
22 ty Advisory Committee, based on consideration and
23 consensus of the members of the Committee, accepts
24 a request under paragraph (1), the Railroad Safety
25 Advisory Committee shall—

1 “(A) establish a working group to develop
2 consensus recommendations for the action the
3 Administrator may take with respect to the
4 task; and

5 “(B) ensure the working group includes in-
6 dividuals that—

7 “(i) possess the appropriate expertise
8 to assess and develop such recommenda-
9 tions; and

10 “(ii) are representative of the inter-
11 ests of stakeholders implicated by the task.

12 “(f) FEDERAL RAILROAD ADMINISTRATION RE-
13 QUIRED ENGAGEMENT.—The Administrator shall meet
14 quarterly with the Railroad Safety Advisory Committee
15 to—

16 “(1) consult with the Railroad Safety Advisory
17 Committee regarding the development of railroad
18 safety regulations of the Federal Railroad Adminis-
19 tration;

20 “(2) advise the Railroad Safety Advisory Com-
21 mittee on emerging issues, statutory requirements,
22 and other identified needs with respect to railroad
23 safety; and

24 “(3) receive and discuss the views and rec-
25 ommendations of the Railroad Safety Advisory Com-

1 mittee in determining regulatory priorities of the
2 Federal Railroad Administration.

3 “(g) DESIGNATED FEDERAL OFFICER.—The Des-
4 ignated Federal Officer shall be a full-time or permanent
5 part-time Federal employee responsible for—

6 “(1) ensuring the Rail Safety Advisory Com-
7 mittee activities comply with chapter 10 of title 5,
8 including any rules and regulations implementing
9 such chapter, agency administrative procedures, and
10 any other applicable laws and regulations;

11 “(2) approving or calling all meetings of the
12 Rail Safety Advisory Committee or the subcommit-
13 tees of the Committee;

14 “(3) approving the agenda for the Committee;

15 “(4) attending all Rail Safety and Advisory
16 Committee and Subcommittee meetings for the du-
17 ration of such meetings;

18 “(5) fulfilling the requirements of under section
19 1009 of title 5;

20 “(6) adjourning meetings when the Designated
21 Federal Officer determines it to be in the public in-
22 terest;

23 “(7) chairing any meetings when so directed by
24 the agency head;

1 “(8) maintaining information on Rail Safety
2 Advisory Committee activities and provide such in-
3 formation to the public on the Federal Railroad Ad-
4 ministration’s public facing website, as applicable;
5 and

6 “(9) ensuring Rail Safety Advisory Committee
7 and Subcommittee members, as applicable, receive
8 the appropriate training for efficient operation and
9 compliance with chapter 10 of title 5, including any
10 rules and regulations implementing such chapter.

11 “(h) ANNUAL REPORT TO CONGRESS.—Beginning in
12 the first calendar year after the date of enactment of this
13 section, the Railroad Safety Advisory Committee shall
14 submit to Congress an annual report summarizing the ac-
15 tivities of the Railroad Safety Advisory Committee for the
16 period covered by the report.

17 “(i) APPLICABILITY.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), chapter 10 of title 5 shall apply to the
20 Railroad Safety Advisory Committee.

21 “(2) AUTHORIZATION.—Notwithstanding sec-
22 tion 1013 of title 5, the Railroad Safety Advisory
23 Committee is authorized through September 30,
24 2031.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 201 of title 49, United States Code, is further amended by inserting after the item relating to section 20123 the following:

“20124. Railroad Safety Advisory Committee.”.

SEC. 10430. SAFETY REPORTING EXTENSION.

Section 22421 of the Infrastructure Investment and Jobs Act (Public Law 117–58) is amended by striking “for the following 4 years” and inserting “through December 31, 2032”.

Subtitle E—Project Delivery

SEC. 10501. PRE-AWARD AUTHORITY.

Subchapter I of chapter 3 of title 49, United States Code, is amended by adding at the end the following:

“§ 314. Pre-award authority

“(a) PRE-AWARD AUTHORITY.—For grants awarded under chapters 229 and 249, concurrent with the award announcement, the Secretary may announce if a project is granted pre-award authority consistent with the requirements of part 200 of title 2, Code of Federal Regulations.

“(b) REIMBURSEMENT.—

“(1) IN GENERAL.—The Secretary may reimburse a grant recipient for costs incurred before the start date of an award or subaward that are directly pursuant to an award negotiation and in anticipation of an award in any case in which such costs are

1 necessary for efficient and timely performance of the
2 scope of the project.

3 “(2) ALLOWABLE COSTS.—Costs are allowable
4 for reimbursement under paragraph (1) only—

5 “(A) to the extent that such costs would
6 have been allowed if incurred after the start
7 date of such award; and

8 “(B) with the written approval of the Sec-
9 retary.

10 “(3) INITIAL BUDGET PERIOD.—If reimburse-
11 ment of costs under this subsection is approved,
12 such costs shall be treated as having been expended
13 during the initial budget period of the award unless
14 otherwise specified by the agency or pass-through
15 entity (as defined in section 200.1 of title 2, Code
16 of Federal Regulations).

17 “(4) TIMELINE FOR CONSIDERATION.—For any
18 request for pre-award reimbursement submitted by
19 an eligible recipient in connection with an award
20 provided under this section, the Secretary shall, not
21 later than 60 days after the submission of the re-
22 quest—

23 “(A) make a determination to approve or
24 deny such request; and

1 “(B) provide written notification of such
2 determination to the eligible recipient.

3 “(5) TRANSPARENCY.—If the Secretary makes
4 a determination to deny a request under paragraph
5 (4)(A), the Secretary shall, not later than 3 days
6 after making such determination, provide a written
7 explanation of the denial to—

8 “(A) the eligible recipient that submitted
9 such request;

10 “(B) the Committee on Transportation
11 and Infrastructure of the House of Representa-
12 tives; and

13 “(C) the Committee on Commerce,
14 Science, and Transportation of the Senate.

15 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion may be construed to—

17 “(1) require the Secretary or any instrumen-
18 tality of the Federal Government to obligate an
19 award or reimburse pre-award costs;

20 “(2) require the Secretary to exercise pre-award
21 authority for any project; or

22 “(3) prevent the Administrator of the Federal
23 Railroad Administration from conducting oversight
24 of a project or pre-award project costs.”.

1 **SEC. 10502. CATEGORICAL EXCLUSIONS FOR PROJECTS IN**
2 **EXISTING OPERATIONAL RIGHTS-OF-WAY.**

3 (a) DEFINITIONS.—In this section:

4 (1) COVERED PROJECT.—The term “covered
5 project” means a project or program—

6 (A) described in subparagraphs (A)
7 through (D) of section 22901(2) of title 49,
8 United States Code;

9 (B) located entirely within an existing
10 operational right-of-way of a covered railroad
11 facility; and

12 (C) that—

13 (i) is contained in a State rail plan
14 developed under chapter 227 of title 49,
15 United States Code; or

16 (ii) has received a waiver of the re-
17 quirement of clause (i) pursuant to sub-
18 section (c).

19 (2) COVERED RAILROAD FACILITY.—The term
20 “covered railroad facility” means a facility that is—

21 (A) physically or functionally related to a
22 railroad; and

23 (B) includes the features associated with
24 the physical footprint of such facility, includ-
25 ing—

1 (i) roadways, tracks and track struc-
2 tures, bridges, tunnels, cuts and fills, and
3 at grade crossings;

4 (ii) electrification, communication, sig-
5 naling, and security facilities;

6 (iii) stations, platforms, and loading
7 and unloading facilities for freight or pas-
8 sengers;

9 (iv) maintenance-of-way and mainte-
10 nance-of-equipment facilities;

11 (v) drainage, water control, and land-
12 scaping features and structures;

13 (vi) areas maintained or used for miti-
14 gation, vegetation management, fire safety,
15 visibility, employee access, safety and secu-
16 rity, or other purposes related to the rail
17 facility; and

18 (vii) traffic control signage, parking
19 facilities, transportation power substations,
20 and transportation venting structures.

21 (3) EXISTING OPERATIONAL RIGHT-OF-WAY.—

22 The term “existing operational right-of-way” means
23 all real property interests acquired for the construc-
24 tion, operation, or mitigation of a covered railroad
25 facility.

1 (4) RAILROAD.—The term “railroad” has the
2 same meaning that term in section 20102 of title
3 49, United States Code.

4 (b) IN GENERAL.—The Secretary shall—

5 (1) not later than 120 days after the date of
6 enactment of this Act, amend section 771.116(c) of
7 title 23, Code of Federal Regulations, to add covered
8 projects as a category that may be designated as a
9 categorical exclusion; and

10 (2) issue guidance for project sponsors that de-
11 scribes the documentation and information necessary
12 to establish a project as a covered project.

13 (c) WAIVER AUTHORITY.—Upon the request of a
14 sponsor of a project or program described in subpara-
15 graphs (A) through (D) of section 22901(2) of title 49,
16 United States Code, the Secretary may waive the require-
17 ment that such project or program be contained in a State
18 rail plan developed under chapter 227 of title 49, United
19 States Code, in any case in which such plan has not been
20 updated within the previous 5 years.

21 (d) EXTRAORDINARY CIRCUMSTANCES.—The pre-
22 sumption that an action is covered by a categorical exclu-
23 sion under subsection (b) shall not apply if the Secretary
24 determines that extraordinary circumstances exist with re-
25 spect to such action.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to affect the requirements of part
3 1105 of title 49, Code of Federal Regulations.

4 **SEC. 10503. ADDITIONAL CATEGORICAL EXCLUSIONS.**

5 (a) IN GENERAL.—Not later than 60 days after the
6 date of enactment of this Act, the Secretary shall—

7 (1) survey the use of categorical exclusions by
8 the Secretary and the heads of other Federal agen-
9 cies in transportation, multimodal, and infrastruc-
10 ture projects;

11 (2) notwithstanding subchapter I of chapter 35
12 of title 44, United States Code, solicit recommenda-
13 tions for the establishment of new categorical exclu-
14 sions for actions related to transportation,
15 multimodal, and infrastructure projects from—

16 (A) State departments of transportation;

17 (B) Amtrak or any other rail carrier that
18 provides intercity rail passenger transportation;

19 (C) labor organizations representing rail-
20 road employees;

21 (D) Interstate Compacts;

22 (E) public agencies or publicly chartered
23 authorities established by one or more States;

24 (F) freight rail carriers and holding com-
25 panies of such rail carriers; and

1 (G) any associations representing rail car-
2 riers; and

3 (3) publish to a publicly accessible website of
4 the Department a review describing the information
5 collected pursuant to paragraphs (1) and (2).

6 (b) NEW CATEGORICAL EXCLUSIONS.—

7 (1) PUBLIC NOTICE.—Not later than 180 days
8 after the date of enactment of this Act, the Sec-
9 retary shall publish a notice of proposed rulemaking
10 to establish a categorical exclusion for any action—

11 (A) described in paragraph (2) of sub-
12 section (a);

13 (B) that the Secretary has determined nor-
14 mally does not significantly affect the quality of
15 the human environment; and

16 (C) that the Secretary determines is appro-
17 priate for such a categorical exclusion.

18 (2) FINAL RULE.—Not later than 270 days
19 after the date of enactment of this Act, the Sec-
20 retary shall issue a final rule establishing any cat-
21 egorical exclusions described in paragraph (1) and
22 determined appropriate by the Secretary.

23 (c) DEFINITIONS.—In this section:

24 (1) INTERCITY RAIL PASSENGER TRANSPOR-
25 TATION.—The term “intercity rail passenger trans-

1 portation” has the meaning given such term in sec-
2 tion 24102 of title 49, United States Code.

3 (2) RAIL CARRIER.—The term “rail carrier”
4 has the meaning given such term in section 10102
5 of title 49, United States Code.

6 **SEC. 10504. STATE-RAILROAD INFRASTRUCTURE PROJECT**
7 **COORDINATION AND PROCESS STANDARD-**
8 **IZATION WORKING GROUP.**

9 (a) IN GENERAL.—Not later than 3 months after the
10 date of enactment of this Act, the Secretary shall establish
11 a working group to examine and develop recommendations
12 on opportunities and methods to improve, streamline, and
13 standardize processes, requirements, and timeframes to
14 assist in the review and approval of access agreements be-
15 tween State transportation departments, metropolitan
16 planning organizations, local governments, and railroads
17 involving Federal, State, or locally funded infrastructure
18 projects involving interactions with a railroad right-of-
19 way.

20 (b) DUTIES.—In carrying out the requirements under
21 subsection (a), the working group shall examine and make
22 recommendations related to the following:

23 (1) Opportunities and methods to standardize
24 templates and model access agreements for routine
25 and recurring activities related to infrastructure

1 projects are within or across a railroad right-of-way,
2 including by defining the term “routine and recur-
3 ring activities” and developing template agreements
4 for each identified project type that outlines the
5 minimum information needed by party.

6 (2) Develop a no-cost standardized short form
7 right of entry agreement for non-intrusive activities
8 within or across a railroad right-of-way.

9 (3) Current and needed policies, orders, guid-
10 ance, and regulations for the establishment of agree-
11 ments addressing more complex activities related to
12 infrastructure projects within or across a railroad
13 right-of-way, including criteria and standards to de-
14 fine the term “complex activities”.

15 (4) Current processes, methods, and timeframes
16 for interparty information exchanges, commitments,
17 insurance, indemnification and liability allocation,
18 labor and financial agreements and safety measures
19 and whether such exchanges can be standardized.

20 (5) The impacts of administrative capacities
21 and delays on project completion and solutions to
22 mitigate delays, including ideal timeframes for re-
23 sponses by—

24 (A) Federal, State, and local government
25 representatives; and

1 (B) railroad representatives.

2 (6) Processes and methods to resolve disputes
3 between States, metropolitan planning organizations,
4 local governments, and railroads.

5 (7) Additional issues related to project delivery
6 and coordination determined to be relevant by the
7 Secretary or the working group.

8 (c) MEMBERSHIP.—The working group established
9 under subsection (a) shall be comprised of members ap-
10 pointed by the Secretary, including representatives of the
11 following:

12 (1) State departments of transportation from
13 different regions of the United States.

14 (2) Metropolitan planning organizations from
15 different regions of the United States.

16 (3) Local governments from different regions of
17 the United States.

18 (4) Class I railroads.

19 (5) Class II or Class III railroads.

20 (6) Providers of intercity rail passenger trans-
21 portation (as defined in section 24102 of title 49,
22 United States Code) who own and operate rail serv-
23 ice and public transportation agencies that provide
24 commuter rail passenger transportation (as defined
25 in section 24102 of title 49, United States Code).

1 (7) Nonprofit labor organization representing
2 various classes or crafts of employees of rail carriers.

3 (8) Other stakeholders determined appropriate
4 by the Secretary.

5 (d) APPOINTMENTS.—In appointing members of the
6 working group under subsection (c), the Secretary shall
7 solicit nominations from the entities listed in paragraphs
8 (1) through (8) of such subsection.

9 (e) CONSULTATION.—Members of the working group
10 described in paragraphs (1) through (3) of subsection (c)
11 shall consult with representatives from the respective orga-
12 nization of such member located in each of the 8 geo-
13 graphic regions with a Federal Railroad Administration
14 safety office, as described in section 103 of title 49, United
15 States Code.

16 (f) MEETINGS.—The working group described in sub-
17 section (a) shall meet at least 3 times before submitting
18 the required report in subsection (g).

19 (g) REPORT.—Not later than 1 year after the date
20 on which the working group is established, the working
21 group shall submit to the Secretary, the Committee on
22 Transportation and Infrastructure of the House of Rep-
23 resentatives, and the Committee on Commerce, Science,
24 and Transportation of the Senate a report detailing the

1 findings of the working group relating to its examination
2 under subsection (b) and any associated recommendations.

3 (h) TERMINATION.—The working group shall termi-
4 nate upon submission of the report under subsection (g).

5 **SEC. 10505. RAIL PROJECT ADVANCE ACQUISITION.**

6 Chapter 242 of title 49, United States Code, is
7 amended by adding at the end the following:

8 **“§ 24203. Rail project advance acquisition**

9 “(a) REAL PROPERTY INTERESTS.—The Secretary
10 may, pursuant to subsection (c)(2), reimburse a recipient
11 of financial assistance under chapters 229, 243, or 249
12 for the acquisition through purchase, lease, or otherwise
13 secure or control of real property interests before or dur-
14 ing the completion of the environmental reviews for any
15 project that may use such property interests if the acquisi-
16 tion or related transaction is otherwise permitted by Fed-
17 eral law.

18 “(b) ENVIRONMENTAL REVIEW.—A real property in-
19 terest acquired, leased, or otherwise secured or controlled
20 under this section may not be physically developed or im-
21 proved in anticipation of a proposed project until all re-
22 quired environmental reviews for such project have been
23 completed.

24 “(c) RECIPIENT-FUNDED EARLY ACQUISITION OF
25 REAL PROPERTY INTERESTS.—

1 “(1) IN GENERAL.—A recipient may carry out,
2 at the expense of the such recipient, acquisitions of
3 interests in real property for a project before com-
4 pletion of the review process required for a project
5 under the National Environmental Policy Act of
6 1969 (42 U.S.C. 4321 et seq.) without affecting
7 subsequent approvals required for a project by the
8 State or any Federal agency.

9 “(2) ELIGIBILITY FOR REIMBURSEMENT.—Fi-
10 nancial assistance awarded under chapters 229, 243,
11 or 249 may be used by a recipient to participate in
12 the payment of costs incurred by the recipient for
13 acquisition of real property interests, acquired in ad-
14 vance of any Federal approval or authorization, if
15 the real property interests are subsequently incor-
16 porated into a capital project eligible for financial
17 assistance.”.

18 **SEC. 10506. DIRECT LOANS AND LOAN GUARANTEES.**

19 (a) IN GENERAL.—Section 22402 of title 49, United
20 States Code, is further amended—

21 (1) in subsection (a)—

22 (A) in paragraph (5) by striking “or (6)”
23 and inserting “(6), or (7)”; and

24 (B) by striking paragraph (6) and insert-
25 ing the following:

1 “(6) freight shippers that own or operate a
2 plant or other facility, solely for the purpose of con-
3 structing or enhancing a rail connection between a
4 plant or facility and a railroad or a project eligible
5 under subsection (b)(1)(I); and”;

6 (2) in subsection (b)(1)—

7 (A) in subparagraph (D) by striking “or
8 (C)” and inserting “(C), or (I)”;

9 (B) in subparagraph (E) by striking “or
10 (C); or” and inserting “(C), (F), or (I);”;

11 (C) by adding at the end the following:

12 “(I) to construct, enhance, or relocate a
13 freight shipper plant or facility to increase ca-
14 pacity for freight rail traffic, including a facility
15 for storage, transloading, production, manufac-
16 turing, or assembly, and related infrastructure
17 and activities, served by the railroad if the bor-
18 rower confirms the willingness and ability of a
19 rail carrier to serve the facility.”; and

20 (3) in subsection (d)—

21 (A) by striking “\$35,000,000,000” and in-
22 serting “\$50,000,0000,000”;

23 (B) by striking “EXTENT OF AUTHOR-
24 ITY.—The aggregate unpaid” and insert —
25 “LIMITATION.—

1 “(1) IN GENERAL.—The aggregate unpaid”;
2 and

3 (C) by adding at the end the following:

4 “(2) SPECIAL LIMITATION.—Assistance granted
5 under this section shall not exceed—

6 “(A) \$10,000,000,000 in total aggregate
7 lending for projects described in subsection
8 (b)(1)(I), of which not less than
9 \$2,000,000,000 shall be reserved for shipper
10 projects served by freight railroads other than
11 Class I rail carriers; and

12 “(B) \$10,000,000,000 in total aggregate
13 lending for projects described in subsection
14 (b)(1)(F).”.

15 (b) DEFINITIONS.—Section 22401 of title 49, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 “(16) TRANSPORTATION-ORIENTED DEVELOP-
19 MENT PROJECT.—The term ‘transportation-oriented
20 development project’ means a project—

21 “(A) located within ½ mile walking dis-
22 tance of a fixed guideway transit facility, bus
23 rapid transit facility, passenger rail station, or
24 multimodal facility provided that the location
25 includes service by a passenger railroad;

1 “(B) that consists entirely of or includes
2 residential, commercial, public infrastructure,
3 or mixed-use development or other related in-
4 frastructure, including public or community
5 space;

6 “(C) that incorporates private investment;

7 “(D) that—

8 “(i) enhances the effectiveness of pas-
9 senger rail transportation and is related
10 physically or functionally to passenger rail
11 service; or

12 “(ii) establishes new or enhanced co-
13 ordination between passenger rail transpor-
14 tation and other transportation;

15 “(E) for which the project sponsor dem-
16 onstrates the ability to generate new revenue
17 for the relevant passenger rail station, facility,
18 or service, including by increasing ridership, in-
19 creasing tenant lease payments, providing a fair
20 share of revenue that will be used for passenger
21 rail transportation, or carrying out other activi-
22 ties that generate revenue exceeding costs; and

23 “(F) based on the application for which,
24 the Secretary determines that an appropriate

1 value of the project will be reinvested in the rel-
2 evant passenger rail station or service.”.

3 (c) PRIORITY PROJECTS.—Section 22402 of title 49,
4 United States Code, is amended—

5 (1) in subsection (c)—

6 (A) in paragraph (8) by striking “or” at
7 the end;

8 (B) in paragraph (9) by striking the period
9 at the end and inserting “; or”; and

10 (C) by adding at the end the following:

11 “(10) are transportation-oriented development
12 projects that incorporate housing and that the Sec-
13 retary determines, based on evidence submitted by
14 the project sponsor—

15 “(A) will result in development appropriate
16 to expected housing demand in the project area;
17 or

18 “(B) is located in an area for which local
19 policies promote housing development in loca-
20 tions accessible by passenger rail facilities.”;

21 (2) in subsection (f)(3) by adding at the end
22 the following:

23 “(E) Revenue projected from a transpor-
24 tation-oriented development project.”; and

25 (3) by adding at the end the following:

1 “(o) HOUSING COORDINATION.—The Secretary shall
2 coordinate with the Secretary of Housing and Urban De-
3 velopment in evaluating local policies promoting housing
4 development for purposes of determining whether to
5 prioritize an application for a project described under sub-
6 section (c)(10).”.

7 (d) ADMINISTRATION OF DIRECT LOANS AND GUAR-
8 ANTEES.—Section 22403 of title 49, United States Code,
9 is amended by striking subsection (m) and inserting the
10 following:

11 “(m) FEES AND CHARGES.—

12 “(1) IN GENERAL.—Except as provided in this
13 chapter, the Secretary may not assess any fees, in-
14 cluding user fees, or charges in connection with a di-
15 rect loan or loan guarantee provided under section
16 22402.

17 “(2) DISCLOSURE.—The Secretary shall develop
18 and make publicly available a straightforward, scal-
19 able, and reasonable fee structure with respect to
20 any fees that may apply under this section.

21 “(n) GUIDANCE ON ELIGIBILITY REQUIREMENTS.—
22 The Secretary shall develop and make publicly available
23 guidance on requirements for a project described in sec-
24 tion 22402(b)(1)(F) to be eligible for assistance under
25 such section, including guidance relating to the following:

1 “(1) Factors commonly assessed when deter-
2 mining lender risk, including debt-service coverage
3 ratio.

4 “(2) Financial thresholds commonly evaluated.

5 “(3) Contractual obligations and restrictions as-
6 sociated with the loan.

7 “(o) COMPATIBILITY WITH LOCAL PLANS AND CO-
8 ORDINATION WITH METROPOLITAN PLANNING ORGANI-
9 ZATIONS.—An applicant for a project described under sec-
10 tion 22402(b)(1)(F) may—

11 “(1) coordinate with the relevant metropolitan
12 planning organization, including by—

13 “(A) providing timely notification to the
14 metropolitan planning organization during the
15 planning or entitlement process; and

16 “(B) sharing information on project de-
17 tails, transportation impacts, and mitigation
18 measures; and

19 “(2)(A) provide evidence of a significant nexus
20 with a project on the applicable transportation im-
21 provement program developed by a metropolitan
22 planning organization under section 134(j) of title
23 23 or section 5331(j) of this title, and the applicable
24 statewide transportation improvement program de-

1 veloped by a State under section 135(g) of title 23
2 or section 5332(g) of this title; or

3 “(B) demonstrate compatibility with the
4 long-range transportation plan developed by the
5 applicable metropolitan planning organization
6 under section 134(i) of title 23 or section
7 5331(i) of this title.

8 “(p) APPLICATION OF THE NATIONAL ENVIRON-
9 MENTAL POLICY ACT OF 1969.—

10 “(1) IN GENERAL.—The National Environ-
11 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
12 shall not apply to land acquisition activities with re-
13 spect to a transportation-oriented development
14 project, except for components of the project located
15 within the geographic boundaries of the parcel of
16 land acquired that will be owned, in full or in part,
17 by a public entity for the majority of the loan term.

18 “(2) CATEGORICAL EXCLUSIONS.—

19 “(A) IN GENERAL.—A transportation-ori-
20 ented development project that involves an ac-
21 tivity described in subparagraph (B) shall be
22 categorically excluded from the requirements of
23 the National Environmental Policy Act of 1969
24 (42 U.S.C. 4321 et seq.).

1 “(B) ACTIVITIES DESCRIBED.—An activity
2 described in this subparagraph is any of the fol-
3 lowing:

4 “(i) Rehabilitation or conversion of an
5 existing office building to residential or
6 mixed use within substantially the same
7 footprint.

8 “(ii) Reconstruction or construction of
9 a new commercial building primarily using
10 land disturbed for transportation use as
11 described in section 771.118(c)(9) of title
12 23, Code of Federal Regulations (or suc-
13 cessor regulations) or disturbed land adja-
14 cent to land disturbed for transportation
15 use.”.

16 **SEC. 10507. VETERAN TO SUPPLY CHAIN EMPLOYEE AC-**
17 **TION PLAN.**

18 (a) IN GENERAL.—Not later than 30 days after the
19 date of enactment of this Act, the Secretary, in consulta-
20 tion with the Secretary of Defense, Secretary of Veterans
21 Affairs, and Secretary of Labor, shall develop and make
22 public an action plan to be known as the “Veteran to Sup-
23 ply Chain Employee Action Plan”.

24 (b) CONTENTS.—In developing the Veteran to Supply
25 Chain Action Plan, the Secretary shall—

1 (1) identify—

2 (A) barriers members of the armed forces
3 eligible for preseparation counseling under sec-
4 tion 1142 of title 10, United States Code, and
5 veterans face when searching for employment,
6 during the hiring process, or in training to be-
7 come supply chain employees;

8 (B) challenges supply chain employers face
9 when recruiting, hiring, or retaining members
10 of the armed forces eligible for preseparation
11 counseling under section 1142 of title 10,
12 United States Code, and veterans;

13 (C) regulatory burdens employers face in
14 the hiring of supply chain employees, especially
15 for employees that are members of the armed
16 forces eligible for preseparation counseling
17 under section 1142 of title 10, United States
18 Code, or veterans;

19 (D) regions of the United States which
20 have the greatest workforce need for supply
21 chain employees; and

22 (E) barriers and industry trends that di-
23 rectly or indirectly discourage members of the
24 armed forces eligible for preseparation coun-
25 seling under section 1142 of title 10, United

1 States Code, and veterans from pursuing, at-
2 taining, and remaining in supply chain careers;
3 (2) highlight—

4 (A) the specific knowledge, skills, and abili-
5 ties members of the armed forces eligible for
6 preseparation counseling under section 1142 of
7 title 10, United States Code, and veterans pos-
8 sess that are critical for supply chain careers
9 and any competency gaps that should be ad-
10 dressed;

11 (B) opportunities to expand or enhance ex-
12 isting initiatives for members of the armed
13 forces eligible for preseparation counseling
14 under section 1142 of title 10, United States
15 Code, or veterans to become supply chain em-
16 ployees; and

17 (C) ways to improve supply chain employer
18 outreach programs and enhance existing train-
19 ing, mentorship, education, and advancement
20 programs that would increase the participation
21 and engagement of members of the armed
22 forces eligible for preseparation counseling
23 under section 1142 of title 10, United States
24 Code, and veterans in the supply chain work-
25 force;

(3) recommend specific short- and long-term actions the Department of Transportation, the Department of Defense, the Department of Veterans Affairs, or the Department of Labor can take to help members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, and veterans become supply chain employees; and

(4) consult with the transportation supply chain industry, modal transportation supply chain employers, and organizations representing modal transportation supply chain employees.

(c) SUPPLY CHAIN EMPLOYEE DEFINED.—In this section, the term “supply chain employee” means an individual directly employed in the facilitation of the movement of goods.

17 SEC. 10508. LEAD AGENCY FOR ENVIRONMENTAL REVIEW
18 PURPOSES.

19 Within the Department, the Federal agency that
20 takes the first major Federal action for a proposed rail
21 projects including projects with multiple cooperating agen-
22 cies, shall be the lead agency as described under section
23 107 of the National Environmental Policy Act of 1969 (42
24 U.S.C. 4336a) for carrying out any required environ-
25 mental reviews.

1 **SEC. 10509. ENVIRONMENTAL REVIEW DETERMINATION.**

2 Not later than 90 days after the sponsor of a rail
3 project files a complete environmental review application
4 with the lead agency within the Department, as described
5 under section 107 of the National Environmental Policy
6 Act of 1969 (42 U.S.C. 4336a), the lead agency respon-
7 sible for carrying out any required environmental reviews
8 shall determine whether the project is—

9 (1) categorically excluded;

10 (2) requires the completion of an environmental
11 assessment; or

12 (3) requires the completion of an environmental
13 impact statement.

14 **SEC. 10510. EXPEDITED CONSULTATION PROCESS.**

15 (a) STREAMLINING.—In conducting the process
16 under section 106 of the National Environmental Policy
17 Act of 1969 (42 U.S.C. 4336), in accordance with sections
18 800.3 through 800.6 of title 36, Code of Federal Regula-
19 tions, the Administrator of the Federal Railroad Adminis-
20 tration and the appropriate officer from the State Historic
21 Preservation Office or Tribal Historic Preservation Office
22 shall determine if more than 1 element of such process
23 can be completed simultaneously.

24 (b) SIMULTANEOUS EXECUTION.—If the Adminis-
25 trator and the appropriate officer determine that more
26 than 1 element can be simultaneously completed, the Ad-

1 ministrator and the appropriate officer shall ensure com-
2 pliance with subsections (c) and (d) of section 800.2 of
3 title 36, Code of Federal Regulations.

4 **SEC. 10511. TECHNICAL ASSISTANCE.**

5 Section 20108 of title 49, United States Code, is fur-
6 ther amended by adding at the end the following:

7 “(1) TECHNICAL ASSISTANCE.—

8 “(1) IN GENERAL.—The Secretary may—

9 “(A) at the request of an eligible applicant
10 for a project under chapters 229, 249, and 251
11 of this title, provide technical assistance to such
12 entity for such project; and

13 “(B) through a competitive bid process
14 and subject to appropriations, enter into con-
15 tracts, cooperative agreements, and other agree-
16 ments with national nonprofit organizations
17 that have the appropriate demonstrated capac-
18 ity and expertise to provide rail-related tech-
19 nical assistance under this section.

20 “(2) CONTRACTS AND AGREEMENTS.—Con-
21 tracts, cooperative agreements, and agreements en-
22 tered into pursuant to paragraph (1)(B) shall be
23 used to develop best practices for project develop-
24 ment and grant applications and to—

1 “(A) provide technical assistance to eligible
2 applicants under such chapters to—

3 “(i) improve the safety, efficiency, and
4 reliability of freight and passenger rail
5 transportation;

6 “(ii) reduce congestion and facilitate
7 ridership growth in intercity passenger rail
8 transportation, including through the de-
9 velopment of and around intercity pas-
10 senger rail stations;

11 “(iii) promote employee and passenger
12 safety;

13 “(iv) assist with the compliance of the
14 applicable requirements of—

15 “(I) the National Environmental
16 Policy Act of 1969 (42 U.S.C. 4321
17 et seq.);

18 “(II) the Americans with Disabil-
19 ities Act of 1990 (42 U.S.C. 12101 et
20 seq.); and

21 “(III) section 22905 of this title;

22 “(v) assist with the development, de-
23 ployment, and acquisition of rolling stock,
24 including through multi-state equipment
25 leasing pools;

1 “(vi) administer funds received from
2 the Department of Transportation, in com-
3 pliance with Federal law; and

4 “(vii) assist with eligible grant appli-
5 cations under this section; and

6 “(B) provide training, guidance and edu-
7 cational programs to Federal Railroad Adminis-
8 tration eligible grant applicants and recipients
9 in cooperation with the agency, State transpor-
10 tation departments, metropolitan planning orga-
11 nizations, and national and international enti-
12 ties related to freight and intercity passenger
13 rail transportation, including courses in recent
14 developments, techniques, and procedures re-
15 lated to—

16 “(i) planning;

17 “(ii) management;

18 “(iii) environmental factors;

19 “(iv) acquisition and joint use rights-
20 of-way;

21 “(v) engineering and architectural de-
22 sign;

23 “(vi) procurement strategies and turn-
24 key approaches for freight and intercity
25 passenger rail systems;

1 “(vii) new technologies;
2 “(viii) accessibility improvements for
3 individuals with disabilities;
4 “(ix) construction, construction man-
5 agement, insurance, and risk management;
6 “(x) maintenance;
7 “(xi) contract administration;
8 “(xii) inspection;
9 “(xiii) innovative finance;
10 “(xiv) workplace safety;
11 “(xv) rail transportation security; and
12 “(xvi) eligible grant applications
13 under this section.

14 “(3) TREATMENT.—Technical assistance pro-
15 vided under paragraph (1) shall not be considered a
16 guarantee of future selection of the applicable
17 project under any program under chapters 229, 249,
18 and 251 of this title.

19 “(4) REPORT.—Not later than 1 year after the
20 date of enactment of the BUILD America 250 Act,
21 and every year thereafter, the Secretary shall submit
22 to the Committee on Transportation and Infrastruc-
23 ture of the House of Representatives and the Com-
24 mittee on Commerce, Science, and Transportation of
25 the Senate a report that includes—

1 “(A) a description of each project that re-
2 ceived technical assistance under this subsection
3 during the preceding fiscal year;

4 “(B) an evaluation of the activities carried
5 out by each organization described in paragraph
6 (1)(B); and

7 “(C) measurable outcomes and impacts of
8 the programs funded under this section.

9 “(5) AVAILABILITY OF AMOUNTS.—The Sec-
10 retary shall withhold 5 percent of funds allocated to
11 Project Management Oversight from chapters 229,
12 243, and 249 to pay for the cost of eligible activities
13 under this section.”.

14 **SEC. 10512. AMENDMENT TO ALLOW RRIF DIRECT LOANS**
15 **TO BE STRUCTURED AS INTEREST-ONLY**
16 **LOAN.**

17 Section 22402 of title 49, United States Code, is fur-
18 ther amended—

19 (1) in subsection (b) by adding at the end the
20 following new paragraph:

21 “(3) INTEREST-ONLY LOANS.—

22 “(A) INITIAL REPAYMENT OF DIRECT
23 LOAN.—Except as provided in subparagraph
24 (B), a recipient of a direct loan structured as

1 an interest-only loan under subsection (p) shall
2 use such loan to refinance—

3 “(i) another direct loan issued to the
4 recipient under this section; or

5 “(ii) other debt of the recipient in-
6 curred for purposes of financing the
7 project that is the subject of the applica-
8 tion for the direct loan structured as an in-
9 terest-only loan.

10 “(B) EXCEPTIONS.—

11 “(i) A direct loan structured as an in-
12 terest-only loan under subsection (p) may
13 not be used to refinance any loan struc-
14 tured as an interest-only loan.

15 “(ii) Direct loans structured as inter-
16 est-only loans under this section shall not
17 be used be used to refinance another direct
18 loan or other debt, as described in sub-
19 paragraph (A), for projects described in
20 subparagraphs (F) or (I) of subsection
21 (b)(1) of this section.

22 “(C) ALLOWABLE USES OF EXCESS
23 AMOUNTS.—A recipient of a direct loan struc-
24 tured as an interest-only loan under subsection
25 (p) shall use any funds remaining after the re-

1 payment described in subparagraph (A) in ac-
2 cordance with the purposes described in para-
3 graph (1).

4 “(D) LIMITATIONS ON USE.—A direct loan
5 structured as an interest-only loan under sub-
6 section (p) shall not be used to make discre-
7 tionary dividend payments or to reduce the eq-
8 uity share of the capital structure of the
9 project.”;
10 (2) in subsection (j)—

11 (A) in paragraph (1) by striking “The Sec-
12 retary” and inserting “Except as provided in
13 subsection (p) with respect to a direct loan
14 structured as an interest-only loan, the Sec-
15 retary”;

16 (B) in paragraph (2) by striking “Interest
17 shall” and inserting “Except as provided in
18 subsection (p) with respect to a direct loan
19 structured as an interest-only loan, interest
20 shall”;

21 (C) in paragraph (3) by striking “a direct
22 loan provided under this section” and inserting
23 “a direct loan provided under this section
24 (other than a direct loan structured as an inter-
25 est-only loan under subsection (p))”; and

1 (D) in paragraph (4)(B) by striking “from
2 non-Federal funding sources.” and inserting
3 “from—

4 “(i) non-Federal funding sources; or

5 “(ii) a direct loan under this section
6 that is structured as an interest-only loan
7 under subsection (p).”; and

8 (3) by adding at the end the following:

9 “(p) DIRECT LOANS STRUCTURED AS INTEREST-
10 ONLY LOANS.—

11 “(1) IN GENERAL.—Upon issuance of a direct
12 loan under this section, the Secretary may structure
13 the loan as an interest-only loan if the term of the
14 loan is not longer than 10 years.

15 “(2) REPAYMENT SCHEDULE.—With respect to
16 any direct loan structured as an interest-only loan
17 under paragraph (1), the Secretary shall establish a
18 repayment schedule requiring—

19 “(A) periodic interest-only payments, be-
20 ginning not later than 6 months after the date
21 of disbursement of such loan, on the out-
22 standing balance of the loan; and

23 “(B) that all obligations of the loan are
24 satisfied not later than the final maturity date
25 of the loan.

1 “(3) DEFERRED PAYMENTS.—

2 “(A) IN GENERAL.—If at any time after
3 the date of disbursement of a direct loan struc-
4 tured as an interest-only loan under paragraph
5 (1) the obligor is unable to pay a periodic inter-
6 est-only payment pursuant to the applicable re-
7 payment schedule, the Secretary, subject to
8 subparagraph (B), may allow, for a maximum
9 aggregate time of 1 year over the duration of
10 the loan, the obligor to add the amount of any
11 such unpaid interest-only payment to the out-
12 standing balance of the loan.

13 “(B) INTEREST.—A payment deferred
14 under subparagraph (A) shall accrue interest
15 under paragraph (2) until the loan is fully re-
16 paid.

17 “(4) PENALTIES FOR MISSED OR DEFERRED
18 PAYMENTS.—The Secretary may impose on any re-
19 cipient of a direct loan structured as an interest-only
20 loan under paragraph (1) such penalties or fees as
21 determined appropriate by the Secretary for failure
22 to pay a periodic interest-only payment under the
23 applicable repayment schedule or for deferring a
24 payment under paragraph (4).

1 “(5) LIMITATION.—The secretary shall make
2 interest-only loans only available to projects on a
3 railroad or railroad property.”.

4 **SEC. 10513. USE OF CERTAIN GRANT FUNDS TO PAY RRIF**
5 **CREDIT RISK PREMIUMS.**

6 (a) AMENDMENTS TO RRIF WITH RESPECT TO DI-
7 RECT LOANS.—Section 22402 of title 49, United States
8 Code, is further amended—

9 (1) in subsection (f)—

10 (A) in paragraph (1)—

11 (i) by striking “may accept on behalf
12 of an applicant for assistance under this
13 section” and all that follows and inserting
14 “may—”; and

15 (ii) by striking “In lieu of or in com-
16 bination with” and inserting the following:

17 “(A) IN GENERAL.—Subject to subpara-
18 graph (B), in lieu of or in combination with”;
19 and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(i) with respect to applicants for loan
23 guarantees or a modification thereof under
24 this section, accept on behalf of the appli-
25 cant a commitment from a non-Federal

1 source, including a State or local govern-
2 ment or agency or public benefit corpora-
3 tion or public authority thereof, to fund in
4 whole or in part credit risk premiums and
5 modification costs with respect to the loan
6 guarantee that is the subject of the appli-
7 cation or modification; and

8 “(ii) with respect to applicants for di-
9 rect loans or a modification thereof under
10 this section, accept on behalf of the appli-
11 cant, to fund in whole or in part credit risk
12 premiums and modification costs with re-
13 spect to the loan that is the subject of the
14 application or modification—

15 “(I) a commitment described in
16 clause (i);

17 “(II) grant funds issued under
18 sections 22907 or 24911 or chapter
19 243 of this title; or

20 “(III) a combination of the fund-
21 ing sources described in subclauses (I)
22 and (II).

23 “(B) LIMITATIONS.—

24 “(i) IN GENERAL.—In no event shall
25 the aggregate of appropriations of budget

1 authority and credit risk premiums de-
2 scribed in subparagraph (A) with respect
3 to a direct loan or loan guarantee be less
4 than the cost of that direct loan or loan
5 guarantee.

6 “(ii) APPLICABILITY.—Subparagraph
7 (A) shall only apply to projects on a rail-
8 road or railroad property.”; and

9 (B) in paragraph (7) by striking “The Sec-
10 retary shall return credit risk premiums paid,
11 and interest accrued on such premiums,” and
12 inserting “With respect to each credit risk pre-
13 mium paid with funds other than Federal grant
14 funds issued under section 22907 or 24911, the
15 Secretary shall return each such premium, and
16 interest accrued on each such premium,”;

17 (2) in subsection (i)(4) by adding at the end the
18 following:

19 “(D) COORDINATED APPLICATION PROC-
20 ESS WITH RESPECT TO GRANT PROGRAMS.—
21 The Secretary shall coordinate, to the maximum
22 extent practicable, the application process devel-
23 oped pursuant to this subsection with the appli-
24 cation processes for grants under sections

1 22907 and 24911 to ensure that an entity ap-
2 plying for a direct loan under this section—

3 “(i) may apply sequentially or simul-
4 taneously for any such grant; and

5 “(ii) may indicate on the application
6 for the direct loan that the credit risk pre-
7 mium of the loan, if approved, is to be paid
8 for using any such grant, if the applicant
9 is selected to receive such grant.”; and

10 (3) in subsection (n)—

11 (A) by striking “The proceeds” and insert-
12 ing “Notwithstanding any other provision of
13 law, the proceeds”; and

14 (B) by striking “if such loan is repayable
15 from non-Federal funds.” and inserting “if—

16 “(1) the credit risk premium of such loan was
17 not paid for using Federal grant funds issued under
18 section 22907 or 24911; and

19 “(2) such loan is repayable from non-Federal
20 funds.”.

21 (b) AMENDMENTS TO CRISI GRANT PROGRAM.—

22 Section 22907(c) of title 49, United States Code, is fur-
23 ther amended—

24 (1) by redesignating paragraphs (1) through
25 (15) as subparagraphs (A) through (O), respectively;

1 (2) by striking “The following” and inserting
2 the following:

3 “(1) IN GENERAL.—The following”; and

4 (3) by adding at the end the following new
5 paragraph:

6 “(2) ALLOWABLE USE FOR PAYMENT OF RRIF
7 LOAN CREDIT RISK PREMIUMS.—A project described
8 in paragraph (1) is eligible to receive grant funds
9 under this section for use paying a credit risk pre-
10 mium of a loan under section 22402 of this title if
11 the loan is approved to finance such project.”.

12 (c) AMENDMENTS TO NIPRPP GRANT PROGRAM.—
13 Section 24911(c) of title 49, United States Code, is
14 amended—

15 (1) in paragraph (4) by striking “paragraphs
16 (1) through (3)” and inserting “subparagraphs (A)
17 through (C)”;

18 (2) in paragraph (5) by striking “paragraphs
19 (1) through (4)” and inserting “subparagraphs (A)
20 through (D)”;

21 (3) by redesignating paragraphs (1) through
22 (7) (as amended) as subparagraphs (A) through (G),
23 respectively;

24 (4) by striking “The following” and inserting
25 the following:

1 “(1) IN GENERAL.—The following”; and

2 (5) by adding at the end the following:

3 “(2) ALLOWABLE USE FOR PAYMENT OF RRIF
4 LOAN CREDIT RISK PREMIUMS.—A capital project
5 described in paragraph (1) is eligible to receive
6 grants under this section for use paying a credit risk
7 premium of a loan under section 22402 of this title
8 if the loan is approved to finance such capital
9 project.”.

10 (d) AMENDMENT TO AMTRAK GRANT PROGRAMS.—
11 Section 24305 of title 49, United States Code is amended
12 by adding at the end the following:

13 “(g) ALLOWABLE USE FOR PAYMENT OF RRIF
14 LOAN CREDIT RISK PREMIUMS.—Amtrak is eligible to re-
15 ceive grants for use paying a credit risk premium of a
16 loan under section 22402 of this title if the loan is ap-
17 proved to finance such capital project.”.

18 **SEC. 10514. AMENDMENT TO ESTABLISH ALTERNATIVE**
19 **CREDIT ASSESSMENT PATHWAY FOR RRIF**
20 **LOAN APPLICANTS.**

21 (a) DEFINITIONS.—Section 22401 of title 49, United
22 States Code, is further amended by adding at the end the
23 following:

24 “(17) QUALIFIED FINANCIAL INSTITUTION.—

25 The term ‘qualified financial institution’ means—

1 “(A) an insured depository institution as
2 defined in section 3(c) of the Federal Deposit
3 Insurance Act (12 U.S.C. 1813(c));

4 “(B) an insured credit union as defined in
5 section 101 of the Federal Credit Union Act
6 (12 U.S.C. 1752); or

7 “(C) any other financial institution that—

8 “(i) is regulated or supervised by—

9 “(I) the Board of Governors of
10 the Federal Reserve System;

11 “(II) the Securities and Ex-
12 change Commission;

13 “(III) the Federal Housing Fi-
14 nance Agency;

15 “(IV) the Farm Credit Adminis-
16 tration; or

17 “(V) any other Federal financial
18 regulatory agency;

19 “(ii) is regularly engaged in the busi-
20 ness of extending credit or making credit
21 determinations; and

22 “(iii) the Secretary determines has
23 demonstrated experience in the under-
24 writing or provision of credit.”.

1 (b) DIRECT LOANS AND LOAN GUARANTEES INFRA-
2 STRUCTURE PARTNERS.—Section 22402(f) of title 49,
3 United States Code, is further amended by adding at the
4 end the following:

5 “(8) ADDITIONAL CREDITWORTHINESS CRI-
6 TERIA.—In evaluating a proposal submitted under
7 this section, the Secretary may consider—

8 “(A) the capital structure of the proposed
9 project, including the sufficiency and stability of
10 each non-Federal funding source;

11 “(B) the incorporation of a capital struc-
12 ture of the proposed project with—

13 “(i) a program share, under this
14 chapter, of not more than 49 percent;

15 “(ii) a cash equity contribution of not
16 less than 20 percent of the estimated total
17 project cost; and

18 “(iii) debt provided through qualified
19 financial institutions for an amount not
20 less than 25 percent of the estimated total
21 project cost;

22 “(C) the circumstances of the applicant,
23 including an applicant who has—

1 “(i) executed all construction con-
2 tracts expected to be necessary for the
3 project;

4 “(ii) acquired or otherwise reserved all
5 rights-of-way expected to be necessary for
6 the project; and

7 “(iii) if applicable, received an envi-
8 ronmental categorical exclusion, a finding
9 of no significant impact, or a record of de-
10 cision under the National Environmental
11 Policy Act of 1969 (42 U.S.C. 4321 et
12 seq.) with respect to the project;

13 “(D) any credit risk assessments con-
14 ducted by other participants in the capital
15 structure of the project, including a description
16 of the due diligence and underwriting standards
17 applied qualified financial institutions or other
18 capital providers;

19 “(E) the due diligence and underwriting
20 analysis carried out by qualified financial insti-
21 tutions providing debt under subparagraph
22 (C)(ii), which may be used in combination with
23 a creditworthiness analysis conducted by the
24 Secretary for a loan provided under this sec-
25 tion; and

1 “(F) for a project described in subsection
2 (b)(1)(F), an alternative demonstration of cred-
3 itworthiness, such as—

4 “(i) a joint liability agreement or
5 equivalent between the project lead and a
6 division of a State or local organization
7 with a sufficient credit rating; or

8 “(ii) an alternative rating or certifi-
9 cation by a loan originator-servicer.

10 “(9) APPLICABILITY.—The criteria in subpara-
11 graphs (A) through (E) of paragraph (8) shall only
12 apply to projects on railroads or on railroad prop-
13 erty.”.

14 **SEC. 10515. RAILROAD REHABILITATION AND IMPROVE-**
15 **MENT FINANCING PROGRAM AUTHORIZA-**
16 **TION OF APPROPRIATIONS.**

17 Section 22406 of title 49, United States Code, is
18 amended—

19 (1) in the section heading by striking the period
20 at the end;

21 (2) in subsection (a)(1) by striking “fiscal years
22 2022 through 2026” and inserting “fiscal years
23 2027 through 2031”; and

24 (3) in subsection (b)(2) by striking “3 percent”
25 and inserting “10 percent”.

1 **Subtitle F—Hazardous Materials**
2 **Transportation**

3 **SEC. 10601. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 5128 of title 49, United States Code, is
5 amended—

6 (1) in subsection (a) by striking paragraphs (1)
7 through (5) and inserting the following:

8 “(1) \$75,000,000 for fiscal year 2027;

9 “(2) \$75,500,000 for fiscal year 2028;

10 “(3) \$76,000,000 for fiscal year 2029;

11 “(4) \$76,500,000 for fiscal year 2030; and

12 “(5) \$77,000,000 for fiscal year 2031.”;

13 (2) in subsection (b) by striking “fiscal years
14 2022 through 2026” and inserting “fiscal years
15 2027 through 2031”; and

16 (3) by striking subsection (c) and inserting the
17 following:

18 “(c) HAZARDOUS MATERIALS SAFETY TRAINING
19 GRANTS.—From the Hazardous Materials Emergency
20 Preparedness Fund established pursuant to section
21 5116(h), the Secretary may expend \$8,000,000 for each
22 of fiscal years 2027 through 2031 to carry out section
23 5107(e).”;

24 (4) by striking subsection (d); and

1 (5) by redesignating subsection (e) as sub-
2 section (d).

3 **SEC. 10602. HAZARDOUS MATERIALS REGISTRATION FEES.**

4 Section 5108(g) of title 49, United States Code, is
5 amended—

6 (1) in paragraph (1) by striking “(1) The Sec-
7 retary” and inserting the following:

8 “(1) IN GENERAL.—The Secretary”; and

9 (2) in paragraph (2)—

10 (A) in subparagraph (C) by striking “(C)
11 The Secretary shall” and inserting the fol-
12 lowing:

13 “(D) TRANSFER AND DEPOSIT.—The Sec-
14 retary shall”;

15 (B) in subparagraph (B) by striking “(B)
16 The Secretary” and inserting the following:

17 “(C) ADJUSTMENT.—The Secretary”; and

18 (C) by striking “(2)(A) In addition” and
19 all that follows through the period at the end
20 of clause (ix) of subparagraph (A) and inserting
21 the following:

22 “(2) ANNUAL FEE.—

23 “(A) ESTABLISHMENT.—In addition to a
24 fee established under paragraph (1), the Sec-

1 retary shall establish and impose by regulation
2 and collect an annual fee.

3 “(B) REQUIREMENT.—Subject to subpara-
4 graph (C), the fee established under subpara-
5 graph (A) shall be—

6 “(i) at least \$250 but not more than
7 \$500 from each person that—

8 “(I) is required to file a registra-
9 tion statement under this section; and

10 “(II) is identified as—

11 “(aa) a small business (with-
12 in the meaning of part 121 of
13 title 13, Code of Federal Regula-
14 tions (or successor regulations));
15 or

16 “(bb) a nonprofit organiza-
17 tion that is described in section
18 501(c)(3) of the Internal Rev-
19 enue Code of 1986 and that is
20 exempt from taxation under sec-
21 tion 501(a) of such Code; and

22 “(ii) at least \$500 but not more than
23 \$5,000 from each person that—

24 “(I) is required to file a registra-
25 tion statement under this section; and

1 “(II) is not identified as a small
2 business (within the meaning of part
3 121 of title 13, Code of Federal Regu-
4 lations (or successor regulations)).”.

5 **SEC. 10603. HAZARDOUS MATERIALS SAFETY TRAINING**
6 **GRANTS.**

7 (a) IN GENERAL.—Section 5107 of title 49, United
8 States Code, is amended—

9 (1) in subsection (e)—

10 (A) in the subsection heading by striking
11 “TRAINING” and inserting “HAZARDOUS MATE-
12 RIALS SAFETY TRAINING”;

13 (B) in paragraph (1)—

14 (i) in subparagraph (A) by striking
15 “and” at the end;

16 (ii) in subparagraph (B) by striking
17 the period at the end and inserting a semi-
18 colon; and

19 (iii) by adding at the end of the fol-
20 lowing:

21 “(C) for conducting national outreach and
22 training programs to assist communities in pre-
23 paring for and responding to accidents and inci-
24 dents involving the transportation of hazardous

1 materials, including Class 3 flammable liquids
2 by rail;

3 “(D) for training State and local personnel
4 responsible for enforcing the safe transportation
5 of hazardous materials, including Class 3 flam-
6 mable liquids;

7 “(E) for training emergency responders,
8 including response activities for the transpor-
9 tation of crude oil, ethanol, flammable mate-
10 rials, and other hazardous commodities by rail,
11 consistent with National Fire Protection Asso-
12 ciation standards; and

13 “(F) for training or response gear needed
14 for volunteer or career fire departments, or a
15 combination of such fire departments, to ad-
16 dress thermal runaway, including—

17 “(i) equipment, including blankets to
18 suppress thermal runaway, portable fire
19 suppression agents, and other equipment
20 the Secretary determines appropriate, to
21 support the suppression of thermal run-
22 away resulting from the transportation of
23 lithium-ion cells or batteries;

24 “(ii) field-deployed residual-energy as-
25 sessment and cell-integrity diagnostics;

1 “(iii) devices to monitor environ-
2 mental conditions and runoff control to as-
3 sist with cleanup after a thermal runaway
4 event; and

5 “(iv) access and containment tools,
6 over-pack systems, and packaging for dam-
7 aged, defective, or recalled lithium-ion bat-
8 teries or cells.”;

9 (C) in paragraph (2)—

10 (i) in subparagraph (A) by striking
11 “for hazmat employees” and inserting “on
12 hazardous materials transportation safety,
13 including by a nonprofit organization that
14 represents first responders or public offi-
15 cials responsible for coordinating disaster
16 response and is able to provide training to
17 individuals responsible for responding to
18 accidents and incidents involving haz-
19 ardous materials”; and

20 (ii) in subparagraph (B) by striking
21 “a target population of hazmat employees”
22 and inserting “the target populations ref-
23 erenced in paragraph (1)”; and

24 (D) by adding at the end the following:

1 “(3) GRANT PROJECT SIZE.—Grants made
2 under this subsection shall not be more than
3 \$1,500,000 per award annually.

4 “(4) FUNDING.—

5 “(A) IN GENERAL.—To carry out the
6 grant program under paragraph (1), the Sec-
7 retary may use for each fiscal year any
8 amounts recovered during such fiscal year from
9 grants awarded under this section or section
10 5116 during a prior fiscal year.

11 “(B) OTHER HAZARDOUS MATERIALS
12 TRAINING ACTIVITIES.—For each fiscal year,
13 after providing grants under paragraph (1), if
14 funds remain available, the Secretary may use
15 the amounts described in subparagraph (A)—

16 “(i) to make grants under—

17 “(I) section 5116(a)(1)(C); and

18 “(II) section 5116(i);

19 “(ii) to conduct monitoring and pro-
20 vide technical assistance under section
21 5116(e);

22 “(iii) to publish and distribute the
23 emergency response guidance referred to in
24 section 5116(h)(3); and

1 “(iv) to pay administrative costs in
2 accordance with section 5116(h)(4).

3 “(C) OBLIGATION LIMITATION.—Notwith-
4 standing any other provision of law, for each
5 fiscal year, amounts described in subparagraph
6 (A) shall not be included in the obligation limi-
7 tation for the Hazardous Materials Emergency
8 Preparedness grant program for that fiscal
9 year.”; and

10 (2) by striking subsection (i).

11 (b) CONFORMING CHANGE.—Section 5116 of title 49,
12 United States Code, is amended—

13 (1) by striking subsection (j);

14 (2) by redesignating subsection (k) as sub-
15 section (j); and

16 (3) in subsection (j), as redesignated, by strik-
17 ing “subsections (i) and (j) of this section and under
18 subsections (e) and (i) of section 5107” and insert-
19 ing “subsection (i) of this section and under sub-
20 section (e) of section 5107”.

21 **SEC. 10604. INCORPORATION OF SPECIAL PERMITS INTO**
22 **HAZARDOUS MATERIALS REGULATIONS.**

23 Section 5117 of title 49, United States Code, is
24 amended—

1 (1) in subsection (a)(2) by striking “2 years
2 and may” and inserting “4 years and may”; and
3 (2) in subsection (f) by striking “10-year” and
4 inserting “8-year”.

5 **SEC. 10605. HARMONIZATION OF SAFETY REGULATIONS.**

6 Section 5120 of title 49, United States Code, is
7 amended—

8 (1) by redesignating subsection (c) as sub-
9 section (e); and

10 (2) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) HARMONIZATION OF SAFETY REGULATIONS.—

13 “(1) TIMING OF UPDATE TO OR ISSUANCE OF
14 REGULATORY CHANGES.—In any case in which the
15 Secretary has determined that an update to or
16 issuance of a regulation is necessary due to a change
17 or establishment of an international standard or re-
18 quirement described in subsection (a), including a
19 covered international standard, the Secretary shall
20 issue an interim final rule not later than 6 months
21 before the effective date of the applicable change or
22 establishment.

23 “(2) COVERED INTERNATIONAL STANDARD DE-
24 FINED.—In this subsection, the term ‘covered inter-
25 national standard’ means—

1 “(A) the International Maritime Dan-
2 gerous Goods Code;

3 “(B) the Technical Instructions for the
4 Safe Transport of Dangerous Goods by Air of
5 the International Civil Aviation Organization;
6 and

7 “(C) the United Nations Recommendations
8 on the Transport of Dangerous Goods—Model
9 Regulations.

10 “(d) DISCRETION IN ADOPTING INTERNATIONAL
11 STANDARDS OR REQUIREMENTS.—The Secretary may de-
12 cline to adopt a change or establishment of an inter-
13 national standard or requirement described in subsection
14 (a) if the Secretary determines the standard was impropr-
15 erly influenced by a foreign country of concern (as defined
16 in section 10638 of the Research and Development, Com-
17 petition, and Innovation Act (Public Law 117–167; 42
18 U.S.C. 19237)).”.

19 **SEC. 10606. REGULATION OF FOREIGN MANUFACTURERS**
20 **OF CYLINDERS USED IN TRANSPORTING HAZ-**
21 **ARDOUS MATERIALS.**

22 (a) DEFINITIONS.—In this section:

23 (1) CYLINDER.—The term “cylinder” means
24 any cylinder specified under any of sections 178.36

1 through 178.68 of title 49, Code of Federal Regula-
2 tions (or successor regulations).

3 (2) FOREIGN MANUFACTURER OF CYLINDERS;
4 FMOC.—The term “foreign manufacturer of cyl-
5 inders” or “FMOC” means an entity that manufac-
6 tures cylinders outside of the United States that are
7 intended to be represented, marked, certified, or sold
8 as qualified for use in transporting a hazardous ma-
9 terial in commerce in the United States.

10 (3) IN GOOD STANDING.—The term “in good
11 standing”, with respect to an FMOC, means that
12 the FMOC—

13 (A) is approved by the Secretary pursuant
14 to section 107.807 of title 49, Code of Federal
15 Regulations (or a successor regulation); and

16 (B) has demonstrated 3 years of compli-
17 ance with—

18 (i) part 107 of title 49, Code of Fed-
19 eral Regulations (or successor regulations);
20 and

21 (ii) chapter 51 of title 49, United
22 States Code.

23 (b) APPROVAL OF FOREIGN MANUFACTURERS OF
24 CYLINDERS.—

1 (1) IN GENERAL.—The Secretary shall promul-
2 gate regulations to provide that an approval pro-
3 vided to an FMOC pursuant to section 107.807 of
4 title 49, Code of Federal Regulations (or a successor
5 regulation), shall be for a period of not longer than
6 1 year, except as provided under paragraph (2).

7 (2) 5-YEAR APPROVAL.—The Secretary may
8 provide a 5-year approval of an FMOC pursuant to
9 section 107.807 of title 49, Code of Federal Regula-
10 tions (or a successor regulation), if the following re-
11 quirements are met:

12 (A) The FMOC attests that none of the
13 cylinders made by the FMOC are prohibited
14 from entry to the United States under section
15 307 of the Tariff Act of 1930 (19 U.S.C.
16 1307).

17 (B) The Secretary determines that the
18 FMOC is in good standing.

19 (3) FACILITY INSPECTIONS.—

20 (A) DEFINITION OF OBSTRUCTS.—In this
21 paragraph, the term “obstructs” means taking
22 actions that are known, or reasonably should be
23 known, to prevent, hinder, or impede an inspec-
24 tion.

1 (B) PENALTIES.—The Secretary may sus-
2 pend or terminate an approval of an FMOC if
3 the FMOC obstructs or prevents the Secretary
4 from carrying out an inspection under section
5 107.807(c) of title 49, Code of Federal Regula-
6 tions (or a successor regulation).

7 (4) INTERACTION WITH OTHER STATUTES,
8 AGREEMENTS, REGULATIONS.—Nothing in this sec-
9 tion may be construed to prevent the harmonization
10 of cylinder standards otherwise authorized by law.

11 (5) OTHER CAUSE FOR SUSPENSION OR TERMI-
12 NATION.—The Secretary may suspend or terminate
13 an approval of an FMOC on determination that the
14 FMOC knowingly or intentionally misrepresented re-
15 sponses to the Secretary required by law, including
16 under subsection (e).

17 (c) REEVALUATION BY REQUEST FOR RELATED VIO-
18 LATIONS.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Secretary
21 shall promulgate such regulations as are necessary
22 to establish a process, as determined by the Sec-
23 retary, for any interested party to request a reevalu-
24 ation of the approval of FMOC cylinders under sec-
25 tion 107.807 of title 49, Code of Federal Regula-

1 tions (or a successor regulation), to review the accu-
2 racy and safety of the actions of the FMOC.

3 (2) PETITION FOR REEVALUATION.—The regu-
4 lations promulgated under paragraph (1) shall allow
5 an interested party to file a petition if that party
6 has evidence of inaccurate, changed, or fraudulent
7 attestations or responses made by an FMOC to the
8 Secretary under subsection (e).

9 (d) NOTICE AND COMMENT FOR APPLICATIONS BY
10 FOREIGN MANUFACTURERS OF CYLINDERS.—On receipt
11 of an application for approval under section 107.807 of
12 title 49, Code of Federal Regulations (or a successor regu-
13 lation), the Secretary shall—

14 (1) publish notification of the application on the
15 website of the Pipeline and Hazardous Materials
16 Safety Administration in a timely manner; and

17 (2) provide not less than 30 days for public
18 comment on the application prior to approval.

19 (e) FOREIGN MANUFACTURERS LISTING APPROV-
20 ALS.—Not later than 1 year after the date of enactment
21 of this Act, and annually thereafter, the Secretary shall
22 publish and maintain on the website of the Pipeline and
23 Hazardous Materials Safety Administration a list of ap-
24 proved foreign manufacturers of cylinders and the dura-
25 tion of those approvals.

1 (f) AUTHORIZING FOREIGN INSPECTIONS.—Not later
2 than 18 months after the date of enactment of this Act,
3 the Secretary shall revise section 107.807(d) of title 49,
4 Code of Federal Regulations—

5 (1) to require that in any case in which the
6 Secretary determines there is good cause, an inspec-
7 tion under that section shall be carried out annually
8 for such duration as the Secretary determines appro-
9 priate;

10 (2) to specify that a refusal of inspection under
11 that section shall result in a loss of the status of “in
12 good standing”;

13 (3) to allow the Secretary to request, at the dis-
14 cretion of the Secretary—

15 (A) production of test and production
16 records; and

17 (B) random sample testing; and

18 (4) to allow for the recovery of all associated
19 costs of foreign inspections to include travel, time,
20 and other costs, as determined by the Secretary.

21 **SEC. 10607. SAFETY PLACARDS.**

22 (a) RULEMAKING.—Not later than 90 days after the
23 date of enactment of this Act, the Secretary shall initiate
24 a rulemaking for the ability of placards required by part
25 172 of title 49, Code of Federal Regulations, to withstand

1 temperatures common in the uncontrolled burning of haz-
2 ardous materials transported by rail or by other modes
3 of surface transportation frequently used to transport
4 freight.

5 (b) CONTENTS.—In carrying out subsection (a), the
6 Secretary shall—

7 (1) determine the fire exposure conditions com-
8 mon in the burning of hazardous materials that
9 placards shall be able to withstand, including—

10 (A) temperature thresholds; and

11 (B) length of time; and

12 (2) consider the availability and reliability of
13 testing equipment that can be used to simulate the
14 fire exposure conditions in subparagraph (A).

15 (c) CONSIDERATIONS FOR ADJUSTMENT OF
16 PLACARD MATERIALS.—In developing the rulemaking
17 under this section, the Secretary shall—

18 (1) consider—

19 (A) safety benefits;

20 (B) scientific data;

21 (C) costs, including up front capital costs
22 and ongoing maintenance costs;

23 (D) operational benefits and challenges, in-
24 cluding installation time and component avail-
25 ability; and

1 (E) international, first responder, and
2 other commercial enterprises' experiences uti-
3 lizing such materials; and

4 (2) gather, consider, and, as appropriate, incor-
5 porate input from relevant stakeholders, including—

6 (A) manufacturers of placards;

7 (B) entities conducting fireproof hazmat
8 testing;

9 (C) entities representing first responders;
10 and

11 (D) entities representing operators en-
12 gaged in the transport of hazardous materials.

13 **SEC. 10608. STUDY ON LIMITED COMMERCIAL DRIVER'S LI-**
14 **CENSE HAZARDOUS MATERIALS ENDORSE-**
15 **MENTS.**

16 (a) STUDY AND ASSESSMENT.—The Secretary shall
17 conduct a study and assessment investigating the feasi-
18 bility of issuing material-specific hazardous materials en-
19 dorsements to a commercial driver's license.

20 (b) REQUEST FOR INFORMATION.—Not later than 1
21 year after the date of enactment of this Act, the Secretary
22 shall publish in the Federal Register a request for infor-
23 mation seeking input and comment on the scope of the
24 study and assessment required under subsection (a).

1 (c) CONTENTS.—The study and assessment under
2 subsection (a) shall include—

3 (1) the potential utility of a material-specific
4 hazardous materials endorsement to a commercial
5 driver's license for the movement of hazardous mate-
6 rials in interstate and intrastate commerce;

7 (2) whether such an endorsement achieves
8 equivalent levels of safety for the material being
9 transported and equivalent levels of safety for other
10 highway users;

11 (3) issues related to the safe transportation of
12 hazardous materials, the ability of regulatory agen-
13 cies to monitor compliance, driver qualifications and
14 training, and effects on operator liability;

15 (4) the availability of commercial liability insur-
16 ance for the transportation of hazardous materials,
17 and whether limited endorsements will lower or in-
18 crease the cost of such liability insurance;

19 (5) the potential costs and benefits of such an
20 endorsement; and

21 (6) any other factors identified through the re-
22 quest for information process under subsection (b).

23 (d) REPORT TO CONGRESS.—Not later than 6
24 months after the closing of the public submission period
25 of the request for information required under subsection

1 (b), the Secretary shall submit to the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committee on Commerce, Science,
4 and Transportation of the Senate the study and assess-
5 ment required under subsection (a).

6 **SEC. 10609. REAL-TIME TRAIN CONSIST INFORMATION**
7 **RULEMAKING EVALUATION.**

8 (a) EVALUATION.—Not later than June 24, 2027, the
9 Secretary shall, taking into account the rule titled “Haz-
10 ardous Materials: FAST Act Requirements for Real-Time
11 Train Consist Information” published on June 24, 2024
12 (89 Fed. Reg. 52956), undertake an evaluation regarding
13 whether emergency responders, including volunteers and
14 personnel of emergency communication centers, have ac-
15 cess to real-time train consist information sufficient for
16 purposes of responding to incidents.

17 (b) CONTENTS.—The evaluation under subsection (a)
18 shall include the following:

19 (1) An assessment of outreach to emergency re-
20 sponders and whether the activities of the railroad
21 industry, Pipeline and Hazardous Materials Safety
22 Administration, and other relevant organizations are
23 sufficient to meet the needs of such emergency re-
24 sponders with respect to access and provision of
25 real-time train consist information.

1 (2) Identification of any gaps with respect to
2 access and provision of real-time train consist infor-
3 mation to such emergency responders and the needs
4 of such emergency responders with respect to real-
5 time train consist information.

6 (c) REPORT.—Not later than 90 days after the com-
7 pletion of the evaluation under subsection (a), the Sec-
8 retary shall submit to the Committee on Transportation
9 and Infrastructure of the House of Representatives and
10 the Committee on Commerce, Science, and Transportation
11 of the Senate a report including the results of the evalua-
12 tion and any changes implemented by the Secretary since
13 completion of the evaluation to ensure emergency respond-
14 ers, including volunteers and personnel of emergency com-
15 munication centers, have access to real-time train consist
16 information.

17 (d) CLASS I RAILROAD; CLASS II RAILROAD; CLASS
18 III RAILROAD DEFINED.—In this section, the terms
19 “Class I railroad”, “Class II railroad”, and “Class III
20 railroad” have the meanings given such terms in section
21 20102 of title 49, United States Code.

1 **SEC. 10610. STUDY ON EXCEPTION FOR INTRASTATE**
2 **TRANSPORTATION OF DIESEL FUEL IN SUP-**
3 **PORT OF LOGGING OR TIMBER OPERATIONS.**

4 (a) REPORT REQUIRED.—Not later than 180 days
5 after the date of enactment of this Act, the Comptroller
6 General shall submit to the Committee on Transportation
7 and Infrastructure of the House of Representatives and
8 the Committee on Commerce, Science, and Transportation
9 of the Senate a report on whether to create an exception
10 similar to the exception for agriculture under section
11 173.5 of title 49, Code of Federal Regulations, that ap-
12 plies to the transportation of diesel fuel by a logging or
13 timber company on local roads beginning or ending on log-
14 ging or timber company property.

15 (b) ELEMENTS.—In developing the report under sub-
16 section (a), the Comptroller General shall consider the fol-
17 lowing:

18 (1) What legislative or regulatory revisions
19 would need to be made to create a limited exception
20 for the purposes described in subsection (a).

21 (2) How many States and what road mileage,
22 by State, would be impacted by such a revision.

23 (3) Whether the exception should be limited to
24 roads owned by logging or timber companies.

1 (4) What safety, financial, and environmental
2 impact the 5 States with the largest logging and
3 timber sectors would experience with this change.

4 (5) What legislative, regulatory, or oversight
5 measures should be adopted to ensure this exception
6 only applies to local roads owned by logging or tim-
7 ber companies and that the diesel moved on such
8 roads are for the express purpose of logging and
9 timber operations.

10 **SEC. 10611. SAFER TANK CARS.**

11 (a) PHASE-OUT SCHEDULE.—Beginning on Decem-
12 ber 31, 2028, no railroad tank car, regardless of the con-
13 struction date of the railroad tank car, may be used to
14 transport Class 3 flammable liquid in packing groups II
15 or III (other than Class 3 flammable liquids listed in para-
16 graphs (1) and (2) of section 7304(b) of the Hazardous
17 Materials Transportation Safety Improvement Act of
18 2015 (49 U.S.C. 20155 note)), regardless of the composi-
19 tion of the train consist, unless such tank car meets or
20 exceeds DOT–117, DOT–117P, or DOT–117R specifica-
21 tion requirements, as in effect on the date of enactment
22 of this Act.

23 (b) CONFORMING REGULATORY AMENDMENTS.—

24 (1) IN GENERAL.—The Secretary—

1 (A) shall immediately remove or revise the
2 date-specific deadlines in any applicable regula-
3 tions or orders to the extent necessary to con-
4 form with the requirement under subsection (a);
5 and

6 (B) may not enforce any date-specific
7 deadlines or requirements that are inconsistent
8 with the requirement under subsection (a).

9 (2) RULE OF CONSTRUCTION.—Except as re-
10 quired under paragraph (1), nothing in this section
11 may be construed to require the Secretary to issue
12 regulations to implement this section.

13 (c) AMENDING THE PHASE-OUT DATE.—If the Sec-
14 retary, based on the data contained in the report issued
15 pursuant to subsection (d), determine that the phase-out
16 date under subsection (a) cannot be met due to insuffi-
17 cient manufacturing capacity or would otherwise result in
18 significant impacts to interstate commerce, the Secretary
19 shall delay the phase-out scheduled under subsection (a)
20 to May 1, 2029.

21 (d) GAO REVIEW.—Not later than 18 months after
22 the date of enactment of this Act, the Comptroller General
23 shall issue a report to the Secretary, the Committee on
24 Transportation and Infrastructure of the House of Rep-

1 representatives, and the Committee on Commerce, Science,
2 and Transportation of the Senate that—

3 (1) identifies the manufacturing capacity of
4 tank car manufacturers in North America that man-
5 ufacture tank cars to meet DOT–117 or DOT–117P
6 specification requirements;

7 (2) identifies the retrofit capacity of tank car
8 manufacturers and other entities in North America
9 that can retrofit DOT–111 tank cars to meet DOT–
10 117R specification requirements;

11 (3) estimates the schedule of replacing tank
12 cars currently in service that are reaching the end
13 of their life cycle;

14 (4) identifies the number of tank cars that need
15 to be phased out or retrofitted under subsection (a)
16 and the number that could be retrofitted; and

17 (5) estimates the demand for new tank cars.

18 **SEC. 10612. REQUIREMENTS FOR SAFE TRANSPORT OF**
19 **LITHIUM-ION BATTERIES.**

20 Not later than 2 years after the date of enactment
21 of this Act, the Secretary shall—

22 (1) work with the United Nation Subcommittee
23 of Experts on the Transportation of Dangerous
24 Goods to revise the provisions for design tests in
25 subsection 38.3 of the UN Manual of Tests and Cri-

1 teria to develop an impact test for lithium-ion cells
2 or batteries installed and transported in cargo trans-
3 port units and transported under UN 3536 to allow
4 improved ability to withstand forces experienced in
5 transport accidents without going into thermal run-
6 away;

7 (2) issue such regulations as are necessary to
8 amend section 173.185 of title 49, Code of Federal
9 Regulations to—

10 (A) require lithium-ion cells or batteries
11 (as defined in UN 3480) to be offered for com-
12 mercial transport at a state of charge not ex-
13 ceeding 30 percent of the rated capacity of such
14 cells or batteries (determined through the guid-
15 ance and methodology under section 38.3.2.3 of
16 the Manual of Tests and Criteria of the United
17 Nations); and

18 (B) authorize the transportation of lith-
19 ium-ion cells or batteries at a state of charge
20 greater than 30 percent of the rated capacity of
21 such cells or batteries only under conditions ap-
22 proved by the Associate Administrator for Haz-
23 ardous Materials of the Pipeline and Hazardous
24 Materials Safety Administration in accordance

1 with the requirements in subpart H of part 107
2 of title 49, Code of Regulations;

3 (3) issue such regulations as are necessary or
4 promulgate final guidance on the safe transportation
5 of damaged, defective, or recalled lithium-ion cells or
6 batteries, and such regulations or guidance shall in-
7 clude guidance on the packaging, movement, and
8 disposal of damaged, defective, or recalled lithium-
9 ion cells or batteries; and

10 (4) every 5 years, review the regulations and
11 guidelines under this section and update such regu-
12 lations and guidelines, as appropriate, to account for
13 other emerging batteries or cells that pose a risk of
14 thermal runaway as a result from a fire during com-
15 mercial transport.

16 **SEC. 10613. INNOVATIVE THERMAL RUN-AWAY SUPPRES-**
17 **SION STRATEGIES.**

18 (a) IN GENERAL.—Section 5118(c)(3) of title 49,
19 United States Code, is amended—

20 (1) in subparagraph (F) by striking “and” at
21 the end;

22 (2) in subparagraph (G) by striking the period
23 at the end and inserting “; and”; and

24 (3) by adding at the end the following:

1 “(H) thermal runaway of lithium-ion cells
2 or batteries in commercial transport units, in-
3 cluding—

4 “(i) the effectiveness of innovative
5 technologies and methods to suppress such
6 thermal runaway of lithium-ion cells or
7 batteries in commercial transport units
8 transported under UN 3536, including
9 technologies and methods that do not use
10 materials listed in table 302.4 of section
11 302.4 of title 40, Code of Federal Regula-
12 tions, and identified by chemical abstracts
13 service registry numbers 1763–23–1 and
14 335–67–1;

15 “(ii) the impact of the state of charge
16 of a battery or cell on methods to suppress
17 such thermal runaway; and

18 “(iii) methods for emergency respond-
19 ers to verify the state of charge of a bat-
20 tery or cell experiencing thermal runaway
21 as a result of a fire or crash during com-
22 mercial transport.”.

23 (b) OTHER ENTITIES.—Notwithstanding section
24 5118(c)(2) of title 49, United States Code, in addition to
25 the National Academies, the Secretary may enter into

1 agreements with facilities that specialize in fire suppres-
2 sion testing to carry out section 5118(c)(3)(H) of such
3 title (as added by subsection (a)) and shall require from
4 such facilities a report on the findings of any tests con-
5 ducted pursuant to the agreement.

6 (c) RECOMMENDATIONS.—Not later than 120 days
7 after the receipt of all reports for which an agreement was
8 entered into under subsection (b), the Secretary shall re-
9 view the findings submitted by entities described in sub-
10 section (b) and submit to the Committee on Transpor-
11 tation and Infrastructure of the House of Representatives
12 and the Committee on Commerce, Science, and Transpor-
13 tation of the Senate a report containing—

14 (1) the findings detailed in each report, includ-
15 ing which fire suppression tools and techniques were
16 found to be most effective at suppressing thermal
17 runaway resulting from a lithium-ion cell or battery
18 fire;

19 (2) the impact of the state of charge of a bat-
20 tery on the techniques and tools studied under the
21 agreement;

22 (3) information on the best methods to verify
23 the state of charge of a lithium-ion battery or cell
24 after a nonconsumptive event and how that informa-

1 tion can inform decisions about how to safely miti-
2 gate thermal runaway; and

3 (4) recommendations on whether, based on such
4 review, updated guidance or training of the Pipeline
5 and Hazardous Materials Safety Administration is
6 necessary.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—Of the
8 amounts made available under section 5128(a) of title 49,
9 United States Code, the Secretary shall withhold
10 \$2,000,000 for each of fiscal years 2027 through 2031
11 to enter into an agreement to carry out section
12 5118(c)(3)(H) of title 49, United States Code.