....
(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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Building Unrivaled Infrastructure and Long-term Development for America's 250th Act'' or the ''BUILD America 250 Act''.

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

Subtitle B—Improved Project Delivery and Environmental Streamlining

Subtitle C—Miscellaneous

SEC. 2. DEFINITIONS.

In this Act:

(1) COMPTROLLER GENERAL.—The term ‘‘Comptroller General’’ means the Comptroller General of the United States.

(2) DEPARTMENT.—Unless otherwise specified, the term ‘‘Department’’ means the Department of Transportation.

(3) SECRETARY.—Unless otherwise specified, the term ‘‘Secretary’’ means the Secretary of Transportation.

SEC. 3. EFFECTIVE DATE.

Except as otherwise provided, this Act, including the amendments made by this Act, shall take effect on October 1, 2026.

SEC. 4. AUTOMATIC EXECUTION OF CONFORMING CHANGES.

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

‘‘(f) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—

‘‘(1) IN GENERAL.—When an amendment to a covered highways law adds a section or larger organizational unit to the covered highways law, repeals or transfers a section or larger organizational unit in the covered highways law, or amends the designation or heading of a section or larger organizational unit in the covered highways law, that amendment also shall have the effect of amending any analysis, table of contents, or similar tabular entries in the covered highways law to alter the table to conform to the changes made by the amendment.

"(2) EXCEPTIONS.—Paragraph (1) shall not apply to an amendment described in such paragraph when—

"(A) the amendment or a clerical amendment enacted at the same time expressly amends a table of sections, table of contents, or similar tabular entries in the covered highways law to alter the table to conform to the changes made by the amendment; or

"(B) the amendment otherwise expressly exempts itself from the operation of this subsection.

"(3) COVERED HIGHWAYS LAW DEFINED.—In this subsection, the term 'covered highways law' means—

"(A) this title;

"(B) any Act that authorizes amounts to be appropriated out of the Highway Trust Fund; or

"(C) any other law designated in the text thereof as a covered highways law for purposes of application of this subsection.".

(b) PURPOSE AND AUTOMATIC EXECUTION OF CONFORMING CHANGES.—Section 101 of title 49, United States Code, is amended—

(1) in the section heading by inserting "**; automatic execution of conforming changes**" after "**Purpose**"; and

(2) by adding at the end the following:

"(c) AUTOMATIC EXECUTION OF CONFORMING CHANGES.—

"(1) IN GENERAL.—When an amendment to a covered transportation law adds a section or larger organizational unit to the covered transportation law, repeals or transfers a section or larger organizational unit in the covered transportation law, or amends the designation or heading of a section or larger organizational unit in the covered transportation law, that amendment also shall have the effect of amending any analysis, table of contents, or similar tabular entries in the covered transportation law to alter the table to conform to the changes made by the amendment.

"(2) EXCEPTIONS.—Paragraph (1) shall not apply to an amendment described in such paragraph when—

"(A) the amendment or a clerical amendment enacted at the same time expressly amends a table of sections, table of contents, or similar tabular entries in the covered transportation law to alter the table to conform to the changes made by the amendment; or

"(B) the amendment otherwise expressly exempts itself from the operation of this subsection.

"(3) COVERED TRANSPORTATION LAW.—In this subsection, the term 'covered transportation law' means—

"(A) this title;

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

"(C) any other law designated in the text thereof as a covered transportation law for purposes of application of this subsection.".

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

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

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

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation block grant program under section 133 of such title, section 134 of such title, the highway safety improvement program under section 148 of such title, the congestion mitigation and air quality improvement program under section 149 of such title, and the national highway freight and highway priority corridor program of section 167 of such title—

(A) $56,934,650,000 for fiscal year 2027;

(B) $57,532,010,000 for fiscal year 2028;

(C) $58,690,676,200 for fiscal year 2029;

(D) $59,785,644,724 for fiscal year 2030; and

(E) $60,943,911,618 for fiscal year 2031.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $250,000,000 for each of fiscal years 2027 through 2031.

(3) BRIDGE PROGRAM.—To carry out the grants for rebuilding America's vital engineering structures program under section 124(a) of title 23, United States Code, $9,200,000,000 for each of fiscal years 2027 through 2031.

(4) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $643,000,000 for fiscal year 2027;

(ii) $657,000,000 for fiscal year 2028;

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

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

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

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code—

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

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

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

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

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

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

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

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

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

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

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

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

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

(III) the amount for the Forest Service is—

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

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

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

(dd) $34,000,000 for fiscal year 2030; and (ee) $35,500,000 for fiscal year 2031.

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

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

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

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

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

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

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

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

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

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

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

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

(b) OTHER PROGRAMS.—

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

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

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

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

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

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

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

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

(B) SURFACE TRANSPORTATION ACCELERATOR GRANT PROGRAM.—To carry out the surface transportation accelerator grant program under section 173 of title 23, United States Code, $2,400,000,000 for each of fiscal years 2027 through 2031.

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

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

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

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

(2) GENERAL FUND.—

(A) NATIONALLY SIGNIFICANT MULTIMODAL FREIGHT AND HIGHWAY PROJECTS.—There is authorized to be appropriated to carry out the nationally significant multimodal freight and highway projects program under section 117 of title 23, United States Code, $1,200,000,000 for each of fiscal years 2027 through 2031.

(B) BRIDGE COMPLETION PROGRAM.—There is authorized to be appropriated to carry out the bridge completion program under section 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 AUTHORIZATIONS.—

(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 DEVELOPMENT 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 DEPLOYMENT.—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;

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

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

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

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

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

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

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

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

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 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;

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

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

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code—

(i) $83,640,000 for fiscal year 2027;

(ii) $85,312,800 for fiscal year 2028;

(iii) $87,019,056 for fiscal year 2029;

(iv) $88,759,437 for fiscal year 2030; and

(v) $90,534,626 for fiscal year 2031.

(F) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code—

(i) $27,250,000 for fiscal year 2027;

(ii) $27,500,000 for fiscal year 2028;

(iii) $27,750,000 for fiscal year 2029;

(iv) $28,000,000 for fiscal year 2030; and

(v) $28,250,000 for fiscal year 2031.

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

(A) administer the programs described in subparagraphs (A), (B), and (C) under paragraph (1); and

(B) in consultation with relevant modal administrations, administer the programs described in paragraph (1)(D).

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

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

(B) remain available until expended and are not transferable, except as otherwise provided by this Act.

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

(1) WILDLIFE CROSSINGS.—For the wildlife crossings pilot program under section 171 of title 23, United States Code, $80,000,000 for each of fiscal years 2027 through 2031.

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

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

(e) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, social and economic disadvantage and related barriers continue to pose significant obstacles for businesses owned by socially and economically disadvantaged individuals seeking to do business in federally assisted surface transportation markets across the United States;

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

(C) Congress has received and reviewed documentation of the effects of social and economic disadvantage on individuals seeking to do business in federally assisted surface transportation markets from numerous sources, including congressional hearings and roundtables, scientific and other reports, news stories, written statements of barriers to participation by disadvantaged business owners, and related lawsuits, which show that efforts that fail to specifically consider socially and economically disadvantaged individuals are insufficient to address the problem;

(D) the documentation described in subparagraph (C) demonstrates that barriers remain for the full and fair participation in surface transportation-related businesses of socially and economically disadvantaged business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the documentation described in subparagraph (C) provides a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program.

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

(A) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(B) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $31,840,000, as adjusted annually by the Secretary for inflation.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—A national, aspirational goal of not less than 10 percent of the amounts made available for any program under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, shall be set for expenditure through good faith efforts by recipients of Federal financial assistance through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) DEVELOPMENT OF OBJECTIVE CRITERIA.—

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

(B) CONSIDERATIONS.—The criteria developed under subparagraph (A)—

(i) shall include the ability for an individual to demonstrate social and economic disadvantage by submitting evidence that would support a finding of the types of discrimination prohibited under Federal law; and

(ii) shall include the ability for an individual to submit evidence of specific instances of economic hardship, systemic barriers, and denied opportunities that impeded the individual from achieving educational progress or success, employment opportunities, or business opportunities (including access to capital).

(C) PERIODIC REVISION.—The Secretary may periodically revise the objective criteria developed under subparagraph (A).

(5) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

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

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

(C) provide the Secretary with such other information as the Secretary may require regarding the administration of the disadvantaged business enterprise program.

(6) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

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

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(7) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

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

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

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

(D) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(8) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

(9) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

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

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

SEC. 1102. OBLIGATION LIMITATION.

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

(1) $72,270,000,000 for fiscal year 2027;

(2) $73,045,000,000 for fiscal year 2028;

(3) $74,382,000,000 for fiscal year 2029;

(4) $75,657,000,000 for fiscal year 2030; and

(5) $76,996,000,000 for fiscal year 2031.

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

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

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

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

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

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

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

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

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

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

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2027 through 2031, the Secretary—

(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

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

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

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

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

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

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

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

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

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year;

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

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year; and

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

(A) for a direct recipient located in 1 State, an amount of obligation authority described in section 1113(d)(4)(B); or

(B) for a direct recipient located in more than 1 State, a proportional amount of obligation authority described in section 1113(d)(4)(B).

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2027 through 2031—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during the fiscal year; and

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

ances of funds apportioned under section 104 of title 23, United States Code, and paragraph (1) under the heading ''Highway Infrastructure Program'' in title VIII of division J of the Infrastructure Investment and Jobs Act (135 Stat. 1420), commonly referred to as the ''Bridge Formula Program''.

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

(1) TRANSPORTATION RESEARCH PROGRAMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

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

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

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

(2) DIRECT RECIPIENT METROPOLITAN PLANNING ORGANIZATIONS.—

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

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

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

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

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

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

(A) are authorized to be appropriated for the fiscal year for the Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

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

SEC. 1103. DEFINITIONS.

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

(1) in paragraph (18) by striking ‘‘and traffic control centers’’ and inserting ‘‘, traffic control cen-

ters, and backup power systems for traffic control devices and systems'';

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

(3) by inserting after paragraph (5) the following:

``(6) DIGITAL INFRASTRUCTURE.—The term 'digital infrastructure' means public and private technology assets, including advanced digital construction management systems and related technology, that create, exchange, secure, or use data, including communications systems, servers, routers, hardware, sensors, and software applications.''.

SEC. 1104. APPORTIONMENT.

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

(1) in subsection (a)(1) by striking subparagraphs (A) through (E) and inserting the following:

``(A) $478,000,000 for fiscal year 2027;

``(B) $487,500,000 for fiscal year 2028;

``(C) $497,500,000 for fiscal year 2029;

``(D) $508,000,000 for fiscal year 2030; and

``(E) $519,000,000 for fiscal year 2031.'';

(2) in subsection (b)—

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

(i) by inserting "and high priority corridor" after "national highway freight"; and

(ii) by striking "the carbon reduction program under section 175, to carry out subsection (c) of the PROTECT program under section 176,";

(B) in paragraph (1) by striking "59.0771195921461 percent" and inserting "62 percent";

(C) in paragraph (2) by striking "28.7402203421251 percent" and inserting "31 percent";

(D) in paragraph (3) by striking "6.70605141316253 percent" and inserting "7 percent";

(E) in paragraph (4)—

(i) in subparagraph (B) by striking "shall be" and all that follows through "for fiscal year 2026." and inserting "shall be—

"(i) $2,890,000,000 for fiscal year 2027;

"(ii) $2,920,000,000 for fiscal year 2028;

"(iii) $3,010,000,000 for fiscal year 2029;

"(iv) $3,070,000,000 for fiscal year 2030; and

"(v) $3,130,000,000 for fiscal year 2031."; and

(ii) in subparagraph (C) by striking "fiscal year 2020" and inserting "fiscal year 2026" each place it appears;

(F) in paragraph (5)—

(i) in the paragraph heading by inserting "AND HIGH PRIORITY CORRIDOR" after "NATIONAL HIGHWAY FREIGHT";

(ii) by inserting "and high priority corridor" after "national highway freight" each place it appears; and

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

"(i) $1,550,000,000 for fiscal year 2027;

"(ii) $1,600,000,000 for fiscal year 2028;

"(iii) $1,650,000,000 for fiscal year 2029;

"(iv) $1,700,000,000 for fiscal year 2030; and

"(v) $1,750,000,000 for fiscal year 2031.";

(G) in paragraph (6)—

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

"(i) $520,000,000 for fiscal year 2027;

"(ii) $540,000,000 for fiscal year 2028;

"(iii) $560,000,000 for fiscal year 2029;

"(iv) $580,000,000 for fiscal year 2030; and

"(v) $600,000,000 for fiscal year 2031."; and

(ii) in subparagraph (C) by striking "fiscal year 2020" and inserting "fiscal year 2026" each place it appears; and

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

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking "fiscal year 2022" and inserting "fiscal year 2027";

(ii) in subparagraph (A)(ii)(I) by striking "fiscal year 2021" and inserting "fiscal year 2026"; and

(iii) in subparagraph (B) by striking "that is" and all that follows through "the previous fiscal year." and inserting "that is equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data is available."; and

(B) in paragraph (2)—

(i) by striking "fiscal year 2022" and inserting "fiscal year 2027";

(ii) by inserting "and high priority corridor" after "national highway freight"; and

(iii) by striking "the carbon reduction program under section 175, to carry out subsection (c) of the PROTECT program under section 176,"; and

(4) in subsection (h)—

(A) by inserting "and high priority corridor" after "national highway freight"; and

(B) by striking "the carbon reduction program under section 175, to carry out subsection (c) of the PROTECT program under section 176,".

SEC. 1105. NATIONALLY SIGNIFICANT MULTIMODAL FREIGHT AND HIGHWAY PROJECTS.

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

(1) in subsection (c)(1)(B) by striking "200,000" and inserting "50,000";

(2) in subsection (d)(1)(A)—

(A) in clause (ii) by striking "including" and all that follows through "national scenic area;" and inserting "including a project to add capacity to the Interstate System to improve mobility;";

(B) by striking clause (v); and

(C) by redesignating clauses (vi) through (viii) as clauses (v) through (vii), respectively;

(3) in subsection (e)—

(A) in paragraph (1) by striking ‘‘15 percent’’ and inserting ‘‘10 percent’’; and

(B) in paragraph (2) by striking ‘‘$5,000,000’’ and inserting ‘‘$10,000,000’’;

(4) in subsection (f)(2) by striking ‘‘for the purpose of improving habitat for aquatic species’’ and inserting ‘‘that is eligible under section 176(d) of title 23’’;

(5) in subsection (n)—

(A) by striking ‘‘NOTIFICATION.— (1) IN GENERAL.—Not later than 60 days’’ and inserting ‘‘NOTIFICATION.—Not later than 3 days’’;

(B) by striking paragraph (2); and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(6) in subsection (p) by striking paragraph (3);

(7) in subsection (q)—

(A) in paragraph (3)(A) by inserting ‘‘and except as provided in paragraph (7)’’ after ‘‘other provision of law’’;

(B) in paragraph (4)(A) by striking "$150,000,000" and inserting "10 percent of such amounts"; and

(C) by adding at the end the following:

"(7) LIMITED WAIVER AUTHORITY FOR PREAPPROVAL RISK.—

"(A) AUTHORITY.—The Secretary may increase the Federal share for a project receiving a grant under this subsection to not more than 100 percent, solely with respect to eligible costs described in subparagraph (C), if the Secretary—

"(i) finds that the project that includes construction activities has not received—

"(I) a final Federal environmental decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

"(II) a Federal, State, or local permit necessary to commence construction; and

"(ii) determines that requiring the non-Federal share prior to such decision or permit would materially increase the risk of unreasonable project delay or project nondelivery.

"(B) LIMITATIONS.—The Secretary may exercise the authority under subparagraph (A)—

"(i) for not more than 5 projects in a fiscal year; and

"(ii) only to the extent that the aggregate amount of Federal participation applied pursuant to subparagraph (A) for the eligible costs described in subparagraph (C) does not exceed $30,000,000 for a project.

"(C) ELIGIBLE COSTS.—The authority under this paragraph may be applied only to nonconstruction costs the Secretary determines are reasonably necessary to advance the project to receipt of the approvals described in subparagraph (A)(i), including planning, preliminary engineering, environmental review, and permitting activities.

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

"(E) NOTICE AND REPORT.—Not later than 15 days prior to exercising authority under this paragraph, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a notification that includes the basis for the determination under subparagraph (A).

"(F) OVERSIGHT AND RECOVERY.—

"(i) LIMITATION.—The Secretary may exercise the authority under this paragraph only if the Secretary determines that the recipient has established appropriate accounting, internal control, and recordkeeping procedures to ensure that amounts made available under this paragraph are used only for the eligible costs described in subparagraph (C).

"(ii) REPAYMENT REQUIRED.—If the Secretary determines that amounts made available under this paragraph were expended for costs that are not eligible under this paragraph, the Secretary shall require repayment of such amounts and may take such other action as the Secretary determines appropriate under the grant agreement.

"(G) SUNSET.—This paragraph shall cease to be effective on October 1, 2031."; and

(8) by striking subsection (s).

SEC. 1106. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

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

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

"(5) REQUIREMENT FOR PLAN.—

"(A) IN GENERAL.—

"(i) DETERMINATION OF COMPLIANCE.—Once every 2 years, the Secretary shall make a determination as to whether each State has developed and implemented a State asset management plan consistent with this section.

"(ii) FEDERAL SHARE FOR NON-COMPLIANT STATE.—Notwithstanding section 120, for any State the Secretary has determined has not developed and implemented such a plan, the Federal share payable on account of any project or activity for which funds are obligated by the State under this section shall be 65 percent.

‘‘(B) APPLICATION.—

‘‘(i) COMPLIANT STATES.—A determination of compliance under subparagraph (A) shall apply until the next recertification date under such subparagraph and paragraph (6)(B).

‘‘(ii) NONCOMPLIANT STATES.—A determination of noncompliance under subparagraph (A) shall apply during the period beginning on the date of the determination and ending on the date on which the Secretary determines that the State is in compliance pursuant to subparagraph (E)(i).

‘‘(C) SUBMISSION.—

‘‘(i) IN GENERAL.—A State shall submit to the Secretary information to support a determination under subparagraph (A) in conjunction with a submission with respect to recertification under paragraph (6)(B).

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

"(I) be considered sufficient with respect to the time period if the submission is for the most recent year; and

"(II) for applicable years other than the most recent year, include a certification by the State that the asset management undertaken in such applicable years by the State meets the requirements of this subsection.

"(D) OPPORTUNITY TO CURE.—

"(i) IN GENERAL.—If the Secretary determines that a State is not in compliance under subparagraph (A), the Secretary shall provide to the State—

"(I) a written statement of the specific actions the Secretary determines to be necessary for the State to come into compliance with this section; and

"(II) a period of not less than 90 days to cure the deficiencies, during which all penalties and other legal impacts of a determination of noncompliance shall be stayed.

"(ii) EXTENSION.—The Secretary, upon request of a State, may extend the time period described in clause (i)(II), including the stay of all penalties and other legal impacts of a determination of noncompliance."; and

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

"(C) OPPORTUNITY TO CURE.—

"(i) IN GENERAL.—If the Secretary denies certification under subparagraph (A), the Secretary shall provide the State with—

"(I) not less than 90 days to cure the deficiencies of the plan, during which time period all penalties and other legal impacts of a denial of certification shall be stayed; and

"(II) a written statement of the specific actions the Secretary determines to be necessary for the State to cure the plan.

"(ii) EXTENSION.—The Secretary, upon request of a State, may extend the time period described in clause (i)(I), including the stay of all penalties and other legal impacts of a denial of certification.".

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

(1) in paragraph (1)—

(A) in subparagraph (A)(ii) by inserting "and regional advance mitigation programs" after "banks";

(B) in subparagraph (B)—

(i) by inserting "and the establishment of" after "contributions to"; and

(ii) by inserting ", plans, and programs" after "efforts"; and

(C) in subparagraph (C)—

(i) by inserting "and programs" after "protection plans"; and

(ii) by inserting "and advance mitigation programs" after "restoration plans";

(2) in paragraph (2) by striking "and plans" and inserting "plans, and programs" each place it appears; and

(3) in paragraph (3)(B)—

(A) by inserting ‘‘or State- or regionally-sponsored advance mitigation program’’ after ‘‘agency-sponsored mitigation bank’’;

(B) by striking ‘‘funded’’ and inserting ‘‘eligible’’ each place it appears; and

(C) by inserting ‘‘or advance mitigation program credits’’ after ‘‘credits’’ each place it appears.

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

SEC. 1107. FEDERAL SHARE.

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

(1) in paragraph (1) by striking ‘‘closure’’ and inserting ‘‘closure or improvements’’; and

(2) by adding at the end the following:

‘‘(5) METROPOLITAN PLANNING.—Except as otherwise provided under this title, the Federal share payable for an activity carried out under section 134 shall be 90 percent.’’.

SEC. 1108. BRIDGE PROGRAMS.

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

"§ 124. Grants for rebuilding America's vital engineering structures program

"(a) STATE APPORTIONMENT MECHANISM.—

"(1) IN GENERAL.—The Secretary shall establish a program to provide grants to each State in accordance with the apportionment formula described in paragraph (3) for the construction of new bridges and to improve the safety, efficiency, reliability, capacity, and utility of bridges and other structures in the United States.

"(2) ELIGIBLE PROJECTS.—

"(A) IN GENERAL.—Funds apportioned to a State under this subsection may only be obligated for projects to construct, replace, rehabilitate, preserve, protect, expand, or improve—

"(i) a bridge on a public road; or

"(ii) a culvert.

"(B) COSTS.—A grant provided for an eligible project described in subparagraph (A) may be used for—

"(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;

"(ii) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance; and

"(iii) expenses relating to the protection of a bridge (including as described in section 133(b)(10)).

"(C) BUNDLING OF BRIDGE PROJECTS.—Projects bundled pursuant to section 144(j) shall be considered eligible under subparagraph (A).

"(3) APPORTIONMENT.—

"(A) IN GENERAL.—Amounts made available to carry out this subsection for a fiscal year shall be apportioned among each State as follows:

"(i) $75,000,000 shall be apportioned to each State.

"(ii) The remainder of amounts not otherwise distributed under clause (i) shall be apportioned among each State as follows:

"(I) 25 percent by the proportion of the total bridge deck area in such State that bears to the sum of total bridge deck area in all States.

"(II) 25 percent by the proportion of the total bridge deck area classified as in poor condition in such State that bears to the sum of the total bridge deck area classified in poor condition in all States.

"(III) 25 percent by the proportion of the total bridge deck area of bridges on the National Highway System in such State that bears to the sum of the total National Highway System bridge deck area in all States.

"(IV) 25 percent by the proportion of the total bridge deck area of bridges on the National Highway System that is classified as in poor condition in such State that bears to the sum of the total bridge deck area of bridges on the National Highway System that is classified as in poor condition in all States.

"(B) MINIMUM APPORTIONMENT.—Notwithstanding subparagraph (A), the Secretary shall adjust the amounts apportioned to each State to ensure that each State receives an amount equal to at least the amount such State received in fiscal year 2026 under paragraph (1) under the heading 'Highway Infrastructure Programs' in title VIII of division J of the Infrastructure Investment and Jobs Act (135 Stat. 1420), commonly referred to as the 'Bridge Formula Program'.

"(C) SET ASIDE FOR OFF-SYSTEM BRIDGES.—

"(i) IN GENERAL.—Except as provided under clause (ii), of the amounts apportioned to a State under this paragraph for each fiscal year, the State shall ensure that not less than 20 percent of such amounts are used for purposes relating to off-system bridges (as defined in section 133(f)(1)).

"(ii) EXCEPTION.—The Secretary, in consultation with relevant State and local officials, may reduce the set aside requirement for a State under clause (i) if the Secretary determines that the State has an insufficient number of projects relating to off-system bridges.

"(iii) LOCAL CONSULTATION.—In determining the off-system bridges for which amounts shall be set aside under this subparagraph shall be used, each State shall consult with, as applicable, relevant metropolitan planning organizations, regional transportation planning organizations, and other non-State owners of off-system bridges.

"(iv) INCLUSION OF LOCALLY-OWNED BRIDGES.—Amounts set aside under subparagraph (D) that are used for purposes relating to locally-owned bridges that are off-system bridges shall count towards the amount required to be used for off-system bridges by a State under clause (i).

"(D) SET ASIDE FOR LOCALLY-OWNED BRIDGES.—

"(i) IN GENERAL.—Except as provided under clause (ii), of the amounts apportioned to a State under this paragraph for each fiscal year, the State shall set aside not less than 25 percent to fund a competitive process for locally-owned bridges as described in clause (iv) of this subparagraph.

"(ii) EXCEPTION.—The Secretary, in consultation with relevant State and local officials, may reduce the set aside requirement for a State under clause (i) only if the Secretary determines that the State has an insufficient number of projects relating to locally-owned bridges.

"(iii) COMPETITIVE PROCESS.—A State required to obligate funds in accordance with this subparagraph shall conduct a competitive process to select projects for funding.

"(iv) LOCALLY-OWNED BRIDGE DEFINED.—In this subsection, the term 'locally-owned bridge' means a bridge owned by a county, town, township, city, municipality, or other local entity.

"(E) LIMITATION.—

"(i) IN GENERAL.—Except as provided in clause (ii), of the amounts apportioned to a State under this paragraph for each fiscal year, the State may use not more than 5 percent of such amounts for projects that consist solely of culvert replacement or rehabilitation.

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

"(F) NATIONAL BRIDGE INVENTORY.—For purposes of determining the amount apportioned to each State pursuant to subparagraph (A), the Secretary shall calculate such formula using the most recently available data from the national bridge inventory established under section 144(b).

"(G) NON-APPLICABILITY.—Section 165(b)(3) shall not apply to amounts apportioned under this subsection.

"(4) COST SHARE.—The Federal share of the cost of a project carried out under this subsection shall be determined in accordance with section 120, except that, in the case of such a project for an off-system bridge that is a locally-owned bridge or is owned by a federally-recognized Tribe, the Federal share shall be 95 percent.

"(5) TRANSFERS.—A State may only transfer amounts apportioned under this subsection if the Secretary determines that the State has an insufficient number of eligible projects for which such amounts may be used.

"(6) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project carried out with amounts apportioned under this subsection shall be treated as a project on a Federal-aid highway under this chapter.

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

"(8) SET-ASIDE FOR CULVERTS.—Of amounts made available to carry out this subsection, $200,000,000 for each fiscal year through fiscal year 2031 shall be available to the Secretary, through the Administrator of the Federal Highway Administration, to make competitive grants under section 6703 of title 49.

"(9) REPORTS.—

"(A) REPORTS TO SECRETARY.—

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

"(I) progress made in completing projects with funds apportioned under this subsection; and

"(II) the effectiveness of such projects in reducing the number of bridges in poor condition and that require posted weight restrictions.

"(ii) PUBLICATION.—The Secretary shall publish each report submitted under clause (i) on a publicly available website of the Secretary.

"(B) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available, an annual report describing—

"(i) projects carried out under this subsection;

"(ii) national trends regarding the condition of bridges, including the effectiveness of such projects in reducing the number of bridges in poor condition and that require posted weight restrictions; and

"(iii) policy recommendations to improve the effectiveness of the State apportionment mechanism established under this subsection.

"(b) BRIDGE COMPLETION PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a program for the purpose of awarding grants, on a competitive basis, to eligible entities to improve the safety, efficiency, reliability, capacity, and utility of bridges in the United States.

"(2) ELIGIBLE PROJECTS.—

"(A) IN GENERAL.—A grant provided under this subsection may only be used for projects to construct, replace, rehabilitate, preserve, protect, expand, or improve a bridge on the National Highway System.

"(B) INCLUSION.—In this subsection, the term 'eligible project' includes—

"(i) a bundle of projects described in subparagraph (A), regardless of whether the bundle of projects meets the requirements of section 144(j)(5); and

"(ii) a project to replace or rehabilitate culverts that is eligible under section 176(d).

"(C) COSTS.—A grant provided for a project described in subparagraph (A) may be used for—

"(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;

"(ii) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance; and

"(iii) expenses related to the protection of a bridge as described in section 133(b)(10).

''(3) GRANT AMOUNTS.—A grant provided under this subsection shall be—

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

''(B) not less than $50,000,000.

''(4) COST SHARE.—

''(A) FEDERAL SHARE.—The amount of assistance provided by the Secretary under this subsection for a project shall not exceed 50 percent of the total cost of the project.

''(B) OTHER FUNDS.—Federal assistance other than a grant provided under this subsection may be used to satisfy the non-Federal share of the cost of a project for which a grant is provided under this subsection, except that the total Federal assistance provided for such a project may not exceed the applicable Federal share for the project under section 120.

''(C) FEDERAL LAND MANAGEMENT AGENCIES AND TRIBAL GOVERNMENTS.—Notwithstanding any other provision of law, Federal assistance other than a grant provided under this subsection may be used to pay the remaining share of the cost of a project carried out with a grant provided under this subsection by a Federal land management agency or a Tribal government or consortium of Tribal governments.

"(5) COMPETITIVE PROCESS AND EVALUATION.—

"(A) APPLICATIONS.—To be eligible for a grant under this subsection, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including all necessary information required for the Secretary to—

"(i) determine that the project meets and will continue to meet the applicable requirements under this subsection; and

"(ii) otherwise evaluate the project, including using the criteria described in subparagraph (B).

"(B) CONSIDERATIONS.—In selecting projects for which to provide a grant under this subsection, the Secretary shall consider the following:

"(i) The average daily person and freight throughput expected to be supported by the project.

"(ii) The expected safety benefits of the project.

"(iii) The expected national or regional economic benefits of the project.

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

"(v) In the case of a project proposed to be carried out by a Federal land management agency, the extent to which the grant would reduce a Federal liability or Federal infrastructure maintenance backlog.

"(vi) Geographic diversity among grant recipients, including the need to balance between the needs of rural and urban communities.

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

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

"(ix) The extent to which the project is for a bridge that does not meet the most up-to-date seismic design standards or incorporate adequate impact protection measures.

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

"(7) MULTIYEAR AGREEMENTS.—

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

"(B) REQUIREMENTS.—A multiyear grant agreement for a project described in subparagraph (A) shall—

"(i) establish the terms of participation by the Federal Government in the project;

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

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

"(iv) determine the period of time for completing the project, even if the period extends beyond the period of an authorization; and

"(v) attempt to improve timely and efficient management of the project, consistent with all applicable Federal laws (including regulations).

"(C) SPECIAL FINANCIAL RULES.—

"(i) IN GENERAL.—A multiyear grant agreement under this paragraph—

"(I) shall obligate an amount of available budget authority specified in law; and

"(II) may include a commitment, contingent on an amount to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

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

"(iii) INTERESTS AND OTHER FINANCING COSTS.—

"(I) IN GENERAL.—Interest and other financing costs of carrying out a part of the project within a reasonable time shall be considered a cost of carrying out the project under a multiyear grant agreement, except that the eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing.

"(II) CERTIFICATION.—The applicant shall certify to the Secretary that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

"(iv) ADVANCE PAYMENT.—Notwithstanding any other provision of law, an eligible entity carrying out a project under a multiyear grant agreement—

"(I) may use funds made available to the entity under this title for eligible project costs of the project until the amount specified in the multiyear grant agreement for the project for that fiscal year becomes available for obligation; and

"(II) if the eligible entity uses funds described in subclause (I), the funds used shall be reimbursed from the amount made available under the multiyear grant agreement for the project.

"(8) UNDERTAKING PARTS OF PROJECTS IN ADVANCE UNDER LETTERS OF NO PREJUDICE.—

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

"(i) before the eligible entity carries out the activity, the Secretary approves through a letter to the applicant the activity in the same manner as the Secretary approves other activities as eligible under this subsection;

"(ii) a record of decision, a finding of no significant impact, or a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued for the project; and

"(iii) the activity is initially carried out without Federal assistance and in accordance with all applicable procedures and requirements.

"(B) INTERESTS AND OTHER FINANCING COSTS.—

"(i) IN GENERAL.—For the purposes of subparagraph (A), the cost of carrying out an activity for a project under this subsection includes the amount of interest and other financing costs, including any interest earned and payable on bonds, to the extent the interest and other financing costs are expended in carrying out the activity for the project, except that interest and other financing costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing.

"(ii) CERTIFICATION.—The applicant shall certify to the Secretary that the applicant has shown reasonable diligence in seeking the most favorable financing terms under clause (i).

"(C) NO OBLIGATION.—An approval by the Secretary under subparagraph (A)(i) shall not constitute an obligation of the Federal Government.

"(9) DIVESTITURE CONSIDERATION FOR FEDERALLY-OWNED BRIDGES.—In the case of a bridge owned by a Federal land management agency for which the agency applies for a grant under this subsection, the agency—

"(A) shall consider options to divest the bridge to a State or local entity after completion of the project; and

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

"(10) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project assisted under this subsection shall be treated as a project on a Federal-aid highway under this chapter.

"(11) CONGRESSIONAL NOTIFICATION.—Not later than 3 days before providing a grant for a project under this subsection, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a written notification of such grant.

"(12) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means any of the following:

"(A) A State or a group of States.

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

"(C) A unit of local government or group of local governments.

"(D) A political subdivision of a State or local government.

"(E) A special purpose district or public authority with a transportation function.

"(F) A Federal land management agency.

"(G) A Tribal government or a consortium of Tribal governments.

"(H) A multistate or multijurisdictional group of entities described in subparagraphs (A) through (G).".

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 124 and inserting the following:

"124. Grants for rebuilding America's vital engineering structures program.".

SEC. 1109. EMERGENCY RELIEF.

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

(1) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii) by inserting "or is a protective feature described in paragraph (3)(B)" after "natural disasters"; and

(ii) by adding at the end the following:

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

(B) in paragraph (3)(A) by striking "that will mitigate the risk of recurring damage or the cost of future repair from extreme weather, flooding, and other natural disasters" and inserting "described in subparagraph (B)"; and

(C) by adding at the end the following:

"(6) EXCEPTION TO APPLICATION DEADLINE.—Notwithstanding paragraph (1)(B), the Secretary may accept an application from a State transportation department after the 2-year deadline described in such paragraph if the Secretary finds that such application was delayed due to the lack of necessary permits or approvals relating to the repair or reconstruction of highways on Federal-aid highways."; and

(2) by adding at the end the following:

"(h) DEADLINE FOR CONSTRUCTION OBLIGATION.—

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

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

"(B) the date on which the President declared a major disaster, as described in subsection (d)(1)(A).

"(2) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under paragraph (1) for not more than 1 year, and may issue additional extensions for a period of not more than 1 year after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.

"(3) REQUIREMENT.—Notwithstanding paragraph (2), the Secretary shall extend the deadline under paragraph (1) for not more than 1 year, and shall issue additional extensions for a period of not more than 1 year after the expiration of any extension, if the Secretary finds that a project under this section has been delayed due to the lack of necessary permits or approvals relating to the repair or reconstructing of highways on Federal-aid highways.''.

(b) UPDATES TO EMERGENCY RELIEF MANUAL.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall revise the emergency relief manual of the Federal Highway Administration to—

(A) reflect amendments made by subsection (a); and

(B) to include objective reimbursement thresholds and measurement procedures for debris removal and signal repairs.

(2) TRAINING FOR STATES.—The Secretary, acting through the Administrator of the Federal Highway Administration, shall provide to State departments of transportation training relating to revisions made to the emergency relief manual pursuant to paragraph (1).

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

Administration not less frequently than once every 3 years.

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

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

(1) in subsection (a)—

(A) in paragraph (9)(A) by striking ‘‘that serves the public’’ and inserting ‘‘in scheduled or charter service’’; and

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

‘‘(F) CHARTER SERVICE.—The term ‘charter service’ has the meaning given the term in section 604.3 of title 49, Code of Federal Regulations.’’; and

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

‘‘(d) EXCEPTION.—

‘‘(1) IN GENERAL.—Notwithstanding any other provision of this title, or any regulation thereunder, Presidio County, Texas, may impose and collect tolls on the Presidio-Ojinaga International Bridge or for the use thereof, provided that Presidio County obtains the ownership interest of the State of Texas before imposing and collecting such tolls.

"(2) USE OF REVENUES.—Presidio County, Texas, shall use any revenues received under the authority of this subsection for preventative and routine maintenance of roadways located in such County and related costs.".

SEC. 1111. RAILWAY-HIGHWAY GRADE CROSSINGS.

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

(1) in subsection (a) by striking "elimination of hazards of railway-highway crossings" and inserting "reduction or elimination of hazards of railway-highway crossings, including installing protective devices such as quad gates,";

(2) in subsection (e)(1)(A) by striking "2022 through 2026" and inserting "2027 through 2031";

(3) in subsection (i)(3)(B) by inserting "(as adjusted annually by the Secretary beginning in fiscal year 2027 to reflect any increases in the Consumer Price Index prepared by the Department of Labor)" after "$100,000"; and

(4) in subsection (k) by striking "8" and inserting "4".

(b) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Federal Highway Administration, shall issue guidance describing the types of projects under section 130(e)(1)(B) of title 23, United States Code, for which a State may use funds set aside under section 130(e)(1)(A) of such title.

SEC. 1112. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.

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

(1) by striking ‘‘low water crossing’’ and inserting ‘‘low-water crossing’’ each place it appears;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (E) by striking ‘‘section 1401 of MAP–21 (23 U.S.C. 137 note)’’ and inserting ‘‘section 180’’;

(ii) in subparagraph (F) by striking ‘‘and’’ at the end;

(iii) in subparagraph (G) by striking the period and inserting ‘‘; and’’; and

(iv) by adding at the end the following:

‘‘(H) infrastructure to improve the ability of an existing surface transportation asset to—

‘‘(i) withstand 1 or more elements of a weather event or natural disaster; or "(ii) increase the resilience of surface transportation infrastructure from the impacts of natural disasters.";

(B) in paragraph (7) by striking ",," and inserting a comma;

(C) in paragraph (11) by inserting "and rail" before "planning";

(D) in paragraph (16) by inserting ", and digital infrastructure" before the period at the end;

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

(F) by adding at the end the following:

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

"(25) Planning, design, construction, and improvements associated with a passenger rail station or equipment that serves a State-supported route (as such term is defined in section 24102 of title 49).";

(3) in subsection (c)—

(A) in paragraph (1) by striking "a new bridge or";

(B) in paragraph (2) by striking "paragraphs (5) through (15) and paragraph (23) of subsection (b)'' and inserting ''paragraphs (4) through (14) and paragraph (22) of subsection (b)''; and

(C) in paragraph (5) by striking ''by the Secretary'' and inserting ''in subsection (f)(1)'';

(4) in subsection (d)—

(A) in paragraph (1)(A) by striking ''2022 through 2026'' and inserting ''2027 through 2031''; and

(B) in paragraph (3)(A)(ii) by striking ''2022 through 2026'' and inserting ''2027 through 2031'';

(5) in subsection (e)(1) by striking ''2022 through 2026'' and inserting ''2027 through 2031'';

(6) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) LOW-WATER CROSSING.—The term 'low-water crossing' means a waterway crossing for a public road (other than a bridge) that has been improved to be—

''(i) passable by vehicles during periods of ordinary stream flow; and "(ii) impassable by vehicles during periods of high stream flow.

"(B) OFF-SYSTEM BRIDGE.—The term 'off-system bridge' means a bridge or low water crossing that—

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

"(ii) is greater than 6 feet in length.";

(B) in paragraph (2)—

(i) by striking "and (10) of subsection (b)" and inserting "and (9) of subsection (b)";

(ii) by striking "low water crossings with" and inserting "low-water crossings with"; and

(iii) by striking "subsection (b)(10) for low water crossings (as defined by the Secretary)" and inserting "subsection (b)(9) for low-water crossings"; and

(C) in paragraph (3) by striking "(as defined by the Secretary)";

(7) in subsection (h)(7)—

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

(B) by striking subparagraph (B) and inserting the following:

"(B) FLEXIBLE FINANCING.—Notwithstanding section 120—

"(i) the non-Federal share for a project under this subsection may be calculated on a project, multiple-project, or program basis; and

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

"(C) TREATMENT AS NON-FEDERAL SHARE.—Notwithstanding any other provision of law, funds made available to carry out section 148 may be credited toward the non-Federal share of the costs of a project under this subsection if—

"(i) a project that is otherwise eligible under this subsection includes a Proven Safety Countermeasure for bicyclists or pedestrians, as determined by the Administrator of the Federal Highway Administration on the day before the date of enactment of the BUILD America 250 Act; and

"(ii) the proposed project—

"(I) supports State highway safety objectives as determined by—

"(aa) the inclusion of an emphasis area related to vulnerable road users within a relevant State strategic highway safety plan; or

"(bb) a description of the proposed project in a program of projects or strategies developed pursuant to section 148(l); or

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

"(aa) a complete streets prioritization plan described in section 11206 of the Surface Transportation Reauthorization Act of 2021 (23 U.S.C. 134 note);

"(bb) a transition plan described in section 35.150(d) of title 28, Code of Federal Regulations (or successor regulations) (commonly known as an 'ADA Transition Plan');

"(cc) a Tribal transportation safety plan; or

"(dd) a comprehensive safety action plan (as defined in section 155).";

(8) in subsection (j)(2) by inserting ", a community in an urban area with a population of less than 10,000," after "rural community";

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

(10) by adding at the end the following:

"(l) LIMITATION ON PLANNING REQUIREMENTS.—Nothing in this section requires a metropolitan planning organization or a State to develop a resilience improvement plan or to include a resilience improvement plan in a metropolitan transportation plan under section 134 or a long-range statewide transportation plan under section 135, as applicable.

"(m) RAIL LIMITATION.—Not more than 5 percent of the funds apportioned to a State under section 104(b)(2) may be used for a project described in subsection (b)(25) that was not eligible under this section on the date prior to the date of enactment of the BUILD America 250 Act.".

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

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

(2) by striking "Secretary" and all that follows through "held" and inserting "State certifies to the Secretary that the State held"; and

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

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

SEC. 1113. TRANSPORTATION PLANNING.

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

(1) in subsection (b)—

(A) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

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

"(5) PRIMARY URBANIZED AREA.—The term 'primary urbanized area' means an urbanized area that—

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

"(B) extends into more than 1 State and has a population of at least 200,000, as determined by the Bureau of Census.";

(2) in subsection (f)(1) by striking "metropolitan area and" and inserting "metropolitan area, including primary urbanized areas that extend into more than 1 State in accordance with section 5308 of title 49, and";

(3) in subsection (j)—

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

"(E) EXCEPTION.—Notwithstanding any other provision of law, the amendment of an approved TIP to add a project or an identified phase of a project shall not require public review and comment if the added project or the identified phase—

"(i) was in the approved TIP that immediately preceded the current TIP; and

"(ii) is unchanged from the project or the identified phase in the preceding TIP."; and

(B) in paragraph (5)(A) by striking "subsection (k)(4)" and inserting "subsection (k)(5)";

(4) in subsection (k)(4)—

(A) in subparagraph (A) by striking "IN GENERAL." and inserting "HOUSING COORDINATION PROCESS.";

(B) by striking subparagraph (B);

(C) in subparagraph (C)—

(i) by striking "PLAN" and all that follows through "A metropolitan planning organization" and inserting "PLAN.—A metropolitan planning organization"; and

(ii) by striking clause (ii); and

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

(5) by adding at the end the following:

"(s) ADDITIONAL USES OF METROPOLITAN PLANNING FUNDING.—In addition to carrying out the purposes of this section, funds apportioned under section 104(b)(6) of this title and section 5313(f) of title 49 to States and metropolitan planning organizations may be used for—

"(1) fiscal administration of local projects;

"(2) preliminary design;

"(3) local technical assistance;

"(4) studies directly linked to transportation; and

"(5) critical data procurement.".

(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (e)(3) by striking the period at the end and inserting ", including primary urbanized areas that extend to more than 1 State in accordance with section 5308 of title 49."; and

(2) in subsection (g)—

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

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

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

"(A) was in the approved transportation improvement program that immediately preceded the current transportation improvement program; and

"(B) is unchanged from the project or the identified phase in the preceding transportation improvement program.".

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

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "Not later than 2 years after the date of enactment of this Act," and inserting "Not later than 1 year after the date of enactment of BUILD America 250 Act,";

(2) in paragraph (3) by striking "The Secretary" and inserting "Not later than 1 year after the date of enactment of BUILD America 250 Act, the Secretary"; and

(3) by adding at the end the following:

"(4) NOTIFICATION TO CONGRESS.—The Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate when the requirements of this subsection have been met.

"(5) REPORT ON DELAY.—If the Secretary will not meet the deadline under paragraph (1) or paragraph (3), before the date on which such deadline has not been met, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report stating the reason for the delay and actions taken to meet the requirements of this subsection.''.

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

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

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

(A) shall ensure metropolitan planning organizations may apply on a rolling basis to become direct recipients under this subsection;

(B) shall evaluate whether a metropolitan planning organization qualifies as a direct recipient based on the legal, technical, and financial capacity of such organization to receive and appropriately manage Federal funding and funding requirements;

(C) may occur concurrently with the recertification process under section 134(k)(6) of title 23, United States Code; and

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

(3) DIRECT ALLOCATION OF FEDERAL PLANNING FUNDS.—When the Secretary annually apportions or makes available funds described in paragraph (1), the Secretary shall directly allocate to any direct recipient designated under this subsection—

(A) contract authority apportioned under section 104(b)(6) of title 23, United States Code, in an amount consistent with the allocation process under section 104(d)(2) of such title for such direct recipient; and

(B) an amount of obligation authority distributed to the State for Federal-aid highways and highway safety construction programs that is equal to the amounts specified in subparagraph (A).

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

SEC. 1114. HIGHWAY USE TAX EVASION PROJECTS.

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

SEC. 1115. NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.

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

(1) in subsection (a)(1)(A) by striking ''the condition of the bridges'' and all that follows through ''bridge conditions'' and inserting ''the continuous improvement of bridge conditions in the United States'';

(2) in subsection (b)—

(A) in paragraph (3) by adding ''and'' at the end;

(B) in paragraph (4) by striking the semicolon at the end and inserting a period; and

(C) by striking paragraphs (5) and (6);

(3) in subsection (h)(4)—

(A) in subparagraph (A) by striking ''annually'' and inserting ''biennially''; and

(B) in subparagraph (B) by striking ''an annual'' and inserting ''a biennial''; and

(4) in subsection (j)—

(A) in paragraph (2) by striking ''or 133.'' and inserting '', 124, or 133.'';

(B) in paragraph (3)(A) by striking ''or 133;'' and inserting '', 124, or 133;'' and

(C) by striking paragraph (5).

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

SEC. 1116. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

Section 147 of title 23, United States Code, is amended by striking subsection (h) and inserting the following:

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

"(1) $182,000,000 for fiscal year 2027;

"(2) $184,000,000 for fiscal year 2028;

"(3) $186,000,000 for fiscal year 2029;

"(4) $189,000,000 for fiscal year 2030; and

"(5) $191,000,000 for fiscal year 2031.".

SEC. 1117. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

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

(1) in subsection (a)—

(A) in paragraph (4)(B)—

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

"(xvi) Installation of guardrails, barriers (including suicide barriers and barriers between construction work zones and traffic lanes for the safety of road users and roadway workers), and crash attenuators.";

(ii) in clause (xxiii) by striking "section 1401 of the MAP–21" and inserting "section 180";

(iii) in clause (xxvii)—

(I) by inserting ''bollards,'' after ''medians,'';

(II) by striking ''and protected'' and inserting ''protected''; and

(III) by striking ''features.'' and inserting ''features, or infrastructure that connects 2 or more existing segments of such roadway improvements.'';

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

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

''(xxix) The acquisition, development, or deployment of safety data and systems, including predictive analytics, telematics, and additional validated methodology tools.

''(xxx) The purchase, installation, and performance improvements of digital infrastructure technologies, including digital alerting systems and electronic ticketing (or e-ticketing) technology.

"(xxxi) A project or strategy described in a program developed pursuant to subsection (l)(2)(B).";

(B) in paragraph (8) by inserting "roadway worker or" after ", including a"; and

(C) in paragraph (10) by striking "traffic data" and inserting "other traffic data (including predictive analytics, telematics, and additional validated methodology tools used for risk modeling and planning)";

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in clause (v) by striking "; and" and inserting a semicolon;

(ii) in clause (vi) by inserting "and" after the semicolon; and

(iii) by adding at the end the following:

"(vii) to evaluate project effectiveness using both post-crash data and predictive analytics, telematics, or additional validated methodology tools;";

(B) in subparagraph (B)(i)—

(i) by inserting "construction work zones," after "roadside obstacles,"; and

(ii) by inserting ", and roadway workers" after "pedestrians"; and

(C) in subparagraph (D)—

(i) in clause (iii)—

(I) by striking "(including motorcyclists)" and inserting ", motorcyclists"; and

(II) by inserting "roadway workers," after "pedestrians,"; and

(ii) in clause (vi) by striking "and pedestrians," and inserting "pedestrians, and roadway workers,";

(3) in subsection (d)(2)(A)(i) by inserting "every 3 years" after "of the State";

(4) in subsection (g)(1)—

(A) by striking "next fiscal year" and inserting "next 3 fiscal years";

(B) by inserting "annual" before "amount equal to"; and

(C) by striking "200" and inserting "300";

(5) in subsection (h)(1)(C)—

(A) in clause (ii) by striking "; and" and inserting a semicolon;

(B) in clause (iii) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(iv) the occurrences of fatalities and serious injuries at construction work zones.";

(6) in subsection (l)(2)(A)—

(A) in clause (ii)—

(i) by striking "of the locations"; and

(ii) by striking "; and" and inserting a semicolon;

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

(C) by inserting after clause (ii) the following:

"(iii) considers the location of fatalities and serious injuries, including roadside obstacles, construction work zones, railway-highway crossing needs, the presence of or absence of dedicated infrastructure for vulnerable road users, and unmarked or poorly marked roads; and"; and

(7) in subsection (l)(2)(B) by striking "subparagraph (A)(iii)" and inserting "subparagraph (A)(iv)".

(b) REPORT.—In implementing the amendment to section 148(d)(2) of title 23, United States Code, the Secretary may permit a State to take such actions as are necessary to align the submission of the strategic highway safety plan with the submission of the triennial highway safety plan, pursuant to section 402(k) of title 23, United States Code.

SEC. 1118. CMAQ PROGRAM.

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

(1) in subsection (b)—

(A) in paragraph (10)(B) by striking "or" at the end;

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

(C) by adding at the end the following:

"(12) if the project deploys advanced transportation and congestion management technologies that reduce traffic congestion or improve air quality; or

"(13) if the project supports digital infrastructure and reduces traffic congestion or improves traffic flow.";

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

"(5) REDUCTION IN MINIMUM SPENDING.—Notwithstanding any other provision of this section, a State—

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

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

"(C) shall obligate not less than the following amounts of such funds for such projects:

"(i) 10 percent of funds in fiscal year 2027.

"(ii) 9 percent of funds in fiscal year 2028.

"(iii) 8 percent of funds in fiscal year 2029.

"(iv) 7 percent of funds in fiscal year 2030.";

(3) in subsection (i)(2)—

(A) in subparagraph (C) by inserting ", including by considering the cost-effectiveness of a project as it relates to improving air quality and incorporating any recommendations made by the Secretary'' after ''subsection (l)''; and

(B) by adding at the end the following:

''(D) UPDATES.—The Secretary, in consultation with the Administrator, shall update the table described in subparagraph (A) not less frequently than once every 2 years.''; and

(4) in subsection (k)(1) by amending subparagraph (B) to read as follows:

''(B) to the extent practicable, prioritize benefits to populations living in, or immediately adjacent to, such area.''.

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

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

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

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

SEC. 1119. SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM.

(a) IN GENERAL.—Section 24112 of the Infrastructure Investment and Jobs Act (23 U.S.C. 402 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ", commonly referred to as a 'Vision Zero' or 'Toward Zero Deaths' plan,"; and

(ii) in subparagraph (E) by striking ", including the means by which that effectiveness will be reported to residents in a locality"; and

(B) in paragraph (2)—

(i) in subparagraph (B) by inserting "or territory" after "State";

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

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

"(D) the District of Columbia;"; and

(iv) in subparagraph (E), as so redesignated, by striking "subparagraphs (A) through (C)" and inserting "subparagraphs (A) through (D)";

(2) in subsection (b)—

(A) by inserting ", acting through the Administrator of the Federal Highway Administration," after "Secretary"; and

(B) by striking ", commonly referred to as 'Vision Zero' or 'Toward Zero Deaths' initiatives";

(3) in subsection (c)(2)—

(A) in subparagraph (B), by striking "less than 40 percent" and inserting "more than 5 percent"; and

(B) by adding at the end the following:

"(C) RURAL SET-ASIDE.—Of the total amount made available to carry out the program for each fiscal year, not less than 30 percent shall be awarded for grants for eligible projects located in areas with a population of 50,000 or fewer.

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

(4) in subsection (d)(3)—

(A) in subparagraph (A) by inserting "roadway workers," after "pedestrians,"; and

(B) in subparagraph (E)—

(i) by striking ", or will ensure, equitable"; and

(ii) by inserting "rural or" after "safety needs of";

(5) in subsection (e) by striking "80" and inserting "90";

(6) in subsection (f)(1) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(7) in subsection (h) by striking "120 days" and inserting "1 year".

(b) TRANSFER.—

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

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

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

"155. Safe streets and roads for all grant program.".

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

SEC. 1120. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.

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

"(1) for the Puerto Rico highway program under subsection (b)—

"(A) $191,000,000 shall be for fiscal year 2027;

"(B) $195,000,000 shall be for fiscal year 2028;

"(C) $199,000,000 shall be for fiscal year 2029;

"(D) $203,000,000 shall be for fiscal year 2030; and

"(E) $207,000,000 shall be for fiscal year 2031; and

"(2) for the territorial highway program under subsection (c)—

"(A) $51,200,000 shall be for fiscal year 2027;

"(B) $52,400,000 shall be for fiscal year 2028;

"(C) $53,600,000 shall be for fiscal year 2029;

"(D) $54,800,000 shall be for fiscal year 2030; and

"(E) $56,000,000 shall be for fiscal year 2031.".

(b) LOCATION OF PROJECTS.—Section 165(c)(7) of title 23, United States Code, is further amended by striking "paragraphs (1), (2), (3), and (5) of".

SEC. 1121. HOV FACILITIES.

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

(1) in subsection (b)—

(A) in paragraph (3)(C) by striking "serving the public" and inserting "in scheduled or charter service"; and

(B) in paragraph (5)(A) by striking "2025" and inserting "2031"; and

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

"(7) CHARTER SERVICE.—The term 'charter service' has the meaning given the term in section 604.3 of title 49, Code of Federal Regulations.".

SEC. 1122. NATIONAL HIGHWAY FREIGHT AND HIGH PRIORITY CORRIDOR PROGRAM.

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

(1) in the section heading by inserting "**and high priority corridor**" after "**freight**";

(2) in subsection (a)—

(A) in paragraph (1) by striking "under this section to ensure that the Network provides" and inserting "under this section and high priority corridors identified under section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) to ensure that the Network and high priority corridors provide"; and

(B) in paragraph (2) by striking "with this section to improve the efficient movement of freight on the National Highway Freight Network." and inserting "with this section to—

"(A) improve the efficient movement of freight on the National Highway Freight Network; and

"(B) improve high priority corridors to meet the design standards and specifications of the Interstate System and connect to the existing Interstate System.";

(3) in subsection (b)—

(A) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively; and

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

"(2) to increase the capacity of the National Highway Freight Network to improve freight transportation, including through improving and increasing the capacity of the Interstate System and the improvement of high priority corridors;";

(4) in subsection (c)(2)—

(A) in subparagraph (C) by striking "and" at the end;

(B) in subparagraph (D) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(E) high priority corridors identified under section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031).'';

(5) in subsection (d)(2)—

(A) in subparagraph (B) by striking ''3 percent'' and inserting ''5 percent''; and

(B) in subparagraph (E)—

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

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

''(vi) the movement of agricultural products and access to agriculture facilities;'';

(6) in subsection (e)—

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

(B) in paragraph (1) by striking ''A State'' and all that follows through ''and—'' and inserting "A State shall designate critical rural freight corridors within the border of the State.

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

(C) in paragraph (4), as so redesignated, by striking "paragraph (2)" and inserting "paragraph (3)";

(7) in subsection (h)—

(A) in paragraph (3)—

(i) in subparagraph (A) by striking "2 percent" and inserting "2.5 percent"; and

(ii) in subparagraph (B) by striking "2 percent" and inserting "2.5 percent"; and

(B) in paragraph (5)—

(i) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

"(iii) for the modernization or rehabilitation of a lock and dam, if the Secretary determines that the project is functionally connected to the National Highway Freight Network; and"; and

(II) in clause (iv) by striking "project—" and all that follows through the period at the end and inserting "project is functionally connected to the National Highway Freight Network."; and

(ii) in subparagraph (C)—

(I) in clause (iii) by striking "Intelligent transportation systems" and inserting "Digital infrastructure, intelligent transportation systems,";

(II) in clause (xi) by striking "section 1401 of MAP–21 (23 U.S.C. 137 note)" and inserting "section 180";

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

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

"(xxii) A highway or bridge project to improve or increase the capacity of the National Highway Freight Network, including by increasing the capacity of the Interstate System.

"(xxiii) A highway or bridge project to improve a high priority corridor, including a project to improve facilities to meet design standards and specifications for the Interstate System."; and

(V) in clause (xxiv), as so redesignated, by striking "clauses (i) through (xxi)" and inserting "clauses (i) through (xxiii)"; and

(8) in subsection (j)(1)(A)(ii) by striking "ports-of entry" and inserting "ports of entry".

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following:

"167. National highway freight and high priority corridor program.".

SEC. 1123. WILDLIFE CROSSINGS PILOT PROGRAM.

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

(1) in subsection (a) by striking "public interest because" and all that follows through the period at the end and inserting "public interest.";

(2) in subsection (b)(1) by striking "collisions; and" and inserting "collisions, including through—

"(A) construction projects; and

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

(3) in subsection (e)—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively;

(4) in subsection (g) by striking “60 percent” and inserting “75 percent”;

(5) by redesignating subsection (i) as subsection (j); and

(6) by striking subsection (h) and inserting the following:

“(h) LIMITATION.—Of the amounts made available to carry out the pilot program each fiscal year, not more than 5 percent may be used for non-construction activities described in subsection (b)(1)(B).

“(i) REPORTS.—The Secretary shall submit to Congress an annual report through fiscal year 2031 that includes—

“(1) a detailed description of activities carried out under the pilot program;

“(2) an evaluation of the effectiveness of the pilot program in meeting the purposes described in subsection (b); and

"(3) policy recommendations to improve the effectiveness of the pilot program.".

SEC. 1124. SURFACE TRANSPORTATION ACCELERATOR GRANT PROGRAM.

Section 173 of title 23, United States Code, is amended to read as follows:

"SEC. 173 SURFACE TRANSPORTATION ACCELERATOR GRANT PROGRAM.

"(a) IN GENERAL.—There is established a rural, urban, local, and regional surface transportation grant program, which shall consist of the programs established under subsections (c), (d), and (e) to provide financial assistance for projects eligible under such subsections.

"(b) ADMINISTRATIVE PROVISIONS.—

"(1) GRANT ADMINISTRATION.—The Secretary may—

"(A) retain not more than a total of 2 percent of the funds made available to carry out this section and to review applications for grants under this section; and

"(B) transfer portions of the funds retained under subparagraph (A) to the relevant Administrators to fund the award and oversight of grants provided under this section.

"(2) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity under subsections (c), (d), or (e) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

"(3) ELIGIBLE PROJECT COSTS.—An eligible entity may use funds from a grant under this section for—

"(A) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

"(B) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

"(4) GRANTS.—

"(A) IN GENERAL.—In carrying out this section, the Secretary may make grants to eligible entities, on a competitive basis, in accordance with this section.

"(B) SET-ASIDES.—Of amounts made available to carry out this section for each fiscal year—

"(i) 25 percent shall be for grants under the rural surface transportation grant program under subsection (c);

"(ii) 25 percent shall be for grants under the urban surface transportation grant program under subsection (d); and

"(iii) 50 percent shall be for grants under the local and regional surface transportation grant program under subsection (e).

"(5) FEDERAL SHARE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of a project carried out with a grant administered under this section may not exceed 80 percent.

"(B) EXCEPTIONS.—

"(i) The Federal share of the cost of an eligible project that furthers the completion of a designated segment of the Appalachian Development Highway System under section 14501 of title 40, or addresses a surface transportation infrastructure need identified for the Denali access system program under section 309 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) shall be up to 100 percent, as determined by the State.

"(ii) The Federal share of the cost of an eligible project for a grant carried out in an area of persistent poverty (as defined in section 6702(a) of title 49) may exceed 80 percent, at the discretion of the Secretary.

"(C) USE OF OTHER FEDERAL ASSISTANCE.—Federal assistance other than a grant under the program may be used to satisfy the non-Federal share of the cost of a project carried out with a grant under the program.

"(D) ADDITIONAL REQUIREMENTS.—

"(i) MODAL REQUIREMENTS.—

"(I) IN GENERAL.—Except as otherwise provided in subclause (II), projects funded under this section shall be treated as projects on a Federal-aid highway under this chapter.

"(II) EXCEPTIONS.—The Secretary shall—

"(aa) for a transit project, apply the requirements of chapter 53 of title 49;

"(bb) for a rail project, apply the requirements of section 22905 of title 49.

"(ii) MULTIMODAL PROJECTS.—

"(I) IN GENERAL.—Except as otherwise provided in this clause, if an eligible project is a multimodal project, the Secretary shall—

"(aa) determine the predominant modal component of the project; and

"(bb) apply the applicable requirements described in item (aa) of the predominant modal component to the project.

"(II) EXCEPTIONS.—

"(aa) PASSENGER OR FREIGHT RAIL COMPONENT.—The requirements of section 22905 of title 49 shall apply to any passenger or freight rail component of a project.

"(bb) PUBLIC TRANSPORTATION COMPONENT.—The requirements of section 5333 of title 49 shall apply to any public transportation component of a project.

"(6) CONGRESSIONAL REVIEW.—Not later than 3 days before providing a grant under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate—

"(A) a list of all applications determined to be eligible for a grant by the Secretary;

"(B) each application proposed to be selected for a grant, including a justification for the selection; and

"(C) proposed grant amounts.

"(7) TRANSPARENCY.—

"(A) IN GENERAL.—Not later than 30 days after providing a grant for a project under this section, the Secretary shall provide to all applicants, and publish on the website of the

Department of Transportation, the information described in paragraph (6).

"(B) BRIEFING.—The Secretary shall provide, on the request of an eligible entity, the opportunity to receive a briefing to explain any reasons the eligible entity was not selected to receive a grant under this section.

"(C) TREATMENT.—Assistance provided under subparagraph (B) shall not be considered a guarantee of future selection of an applicable project under the program.

"(8) ANNUAL REPORT.—The Secretary shall make available on the website of the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

"(9) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project assisted under this section shall be treated as a project on a Federal-aid highway under this chapter.

"(10) PRE-AWARD AUTHORITY.—

"(A) IN GENERAL.—The Secretary shall provide pre-award authority for eligible pre-award activities to permit expenses to be incurred by a recipient during the period beginning on the date on which the recipient is selected and ending on the date on which the grant agreement is signed.

"(B) ELIGIBLE PRE-AWARD ACTIVITIES.—The Secretary shall make publicly available in the notice of funding opportunity the eligible pre-award activities for an award under this section which shall be similar in nature to eligible pre-award activities granted to applicants under section 5309 of title 49.

"(c) RURAL SURFACE TRANSPORTATION GRANTS.—

"(1) DEFINITIONS.—In this subsection:

"(A) PROGRAM.—The term 'program' means the program established under paragraph (2)(A).

"(B) COVERED RURAL AREA.—The term 'covered rural area' means an area that is outside an urban area with a population of over 50,000.

"(2) ESTABLISHMENT.—

"(A) IN GENERAL.—The Secretary shall establish a rural surface transportation grant program to provide grants, on a competitive basis, to eligible entities to improve and expand the surface transportation infrastructure in covered rural areas.

"(B) GOALS.—The goals of the program shall be—

"(i) to increase connectivity;

"(ii) to improve the safety and reliability of the movement of people and freight; and

"(iii) to generate regional economic growth and improve quality of life in covered rural areas.

"(3) ELIGIBLE ENTITIES.—The Secretary may make a grant under the program to—

"(A) a State;

"(B) a regional transportation planning organization;

"(C) a unit of local government;

"(D) a Tribal government or a consortium of Tribal governments; and

"(E) a multijurisdictional group of entities described in subparagraphs (A) through (D).

"(4) ELIGIBLE PROJECTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may make a grant under the program only for a project that is—

"(i) a highway, bridge, or tunnel project eligible under section 119(d);

"(ii) a highway, bridge, or tunnel project eligible under section 133(b);

"(iii) a project eligible under section 202(a);

"(iv) a highway freight project eligible under section 167(h)(5);

"(v) a highway safety improvement project, including a project to improve a high risk rural road (as those terms are defined in section 148(a));

"(vi) a project on a publicly-owned highway, road, or bridge that provides or increases access to an agricultural, commercial, energy, water storage or intermodal facility that supports the economy of a covered rural area; or

"(vii) a project to develop, establish, or maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services.

"(B) BUNDLING OF ELIGIBLE PROJECTS.—

"(i) IN GENERAL.—An eligible entity may bundle 2 or more similar eligible projects under the program that are—

"(I) included as a bundled project in a statewide transportation improvement program under section 135; and

"(II) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and the eligible entity.

"(ii) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of eligible projects under this paragraph may be considered to be a single project, including for purposes of section 135.

"(5) PROJECT REQUIREMENTS.—The Secretary may provide a grant under the program to an eligible project only if the Secretary determines that the project—

"(A) will generate regional economic, mobility, or safety benefits;

"(B) will be cost effective;

"(C) will contribute to the accomplishment of 1 or more of the national goals under section 150;

"(D) is based on the results of preliminary engineering; and

"(E) is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

"(6) ADDITIONAL CONSIDERATIONS.—In providing grants under the program, the Secretary shall consider the extent to which an eligible project will—

"(A) improve the state of good repair of existing transportation facilities;

"(B) increase the capacity or connectivity of the surface transportation system and improve mobility for residents of covered rural areas;

"(C) address economic development and job creation challenges;

"(D) enhance recreational and tourism opportunities by providing access to Federal land, national parks, national forests, national recreation areas, national wildlife refuges, wilderness areas, or State parks;

"(E) contribute to geographic diversity among grant recipients;

"(F) utilize innovative project delivery approaches or incorporate transportation technologies;

"(G) coordinate with projects to address broadband infrastructure needs; or

"(H) improve access to emergency care, essential services, healthcare providers, or drug and alcohol treatment and rehabilitation resources.

"(I) address disaster preparedness, resilience, or support an evacuation route (as such term is defined in section 176(a));

"(J) support the movement of agricultural products through and from covered rural areas, including by improving or rebuilding bridges (including improvements that allow for the removal or increase of a posted weight restriction);

"(K) support access to Federal or Tribal lands;

"(L) support access to utility infrastructure, including energy infrastructure or water storage facilities; and

"(M) improve the seismic safety or structural resilience of transportation infrastructure located in areas of high seismic risk.

"(7) GRANT AMOUNT.—Except as provided in paragraph (8)(A), a grant under the program shall be in an amount that is not less than $5,000,000.

"(8) SET ASIDES.—

"(A) SMALL PROJECTS.—The Secretary shall use not more than 10 percent of the amounts made available for the program for each fiscal year to provide grants for eligible projects in an amount that is less than $5,000,000.

"(B) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—The Secretary shall reserve no more than 15 percent of the amounts made available for the program for each fiscal year for eligible projects that further the completion of designated routes of the Appalachian Development Highway System under section 14501 of title 40.

"(C) Rural roadway lane departures.—The Secretary shall reserve 15 percent of the amounts made available for the program for each fiscal year to provide grants for eligible projects located in States that have rural roadway fatalities as a result of lane departures that are greater than the average of rural roadway fatalities as a result of lane departures in the United States, based on the latest available data from the Secretary.

"(D) Movement of agricultural products from rural areas.—The Secretary shall reserve 10 percent of the amounts made available for the program for each fiscal year to provide grants for eligible projects that support the movement of agricultural products from covered rural areas.

"(E) Projects in small communities.—The Secretary shall reserve 5 percent of the amounts made available for the program for each fiscal year to provide grants for eligible projects in areas with a population of not more than 5,000.

"(F) Excess funding.—In any fiscal year in which qualified applications for grants under this subsection do not allow for the amounts reserved under subparagraphs (A) through (E) to be fully utilized, the Secretary shall use the unutilized amounts to make other grants under the program.

"(d) URBAN SURFACE TRANSPORTATION GRANTS.—

"(1) DEFINITIONS.—In this subsection:

"(A) PROGRAM.—The term 'program' means the program established under paragraph (2)(A).

"(B) COVERED URBAN AREA.—The term 'covered urban area' means an area with a population of not less than 50,000.

"(2) ESTABLISHMENT.—

"(A) IN GENERAL.—The Secretary shall establish an urban surface transportation grant program to provide grants, on a competitive basis, to eligible entities to improve and expand the surface transportation infrastructure in urban areas.

"(B) GOALS.—The goals of the program shall be—

"(i) to increase connectivity;

"(ii) to improve the safety and reliability of the movement of people and freight; and

"(iii) to generate regional economic growth and improve quality of life in urban areas.

"(3) ELIGIBLE ENTITIES.—The Secretary may make a grant under the program to—

"(A) a State;

"(B) the District of Columbia;

"(C) any territory or possession of the United States;

"(D) a unit of local government;

"(E) a public agency or publicly chartered authority established by 1 or more States;

"(F) a special purpose district or public authority with a transportation function or a lessee of a Federal surface transportation hub, including a port authority;

"(G) a transit agency;

"(H) a Tribal government or a consortium of Tribal governments; and

"(I) a multi-State or multijurisdictional group of entities described in any of subparagraphs (A) through (H).

"(4) ELIGIBLE PROJECTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may make a grant under the program only for a project that is—

"(i) a surface transportation project eligible under this title;

"(ii) a public transportation project eligible for assistance under chapter 53 of title 49;

"(iii) a passenger rail or freight rail transportation project eligible for assistance under title 49;

"(iv) a project eligible under section 6702 and 6703 of title 49;

"(v) a project eligible for a grant program established under subtitle E of title I of the Surface Transportation Reauthorization Act of 2021 (135 Stat. 578 et. seq.); or

"(vi) a project to develop, establish, or maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services.

"(B) BUNDLING OF ELIGIBLE PROJECTS.—

"(i) IN GENERAL.—An eligible entity may bundle 2 or more similar eligible projects under the program that are—

"(I) included as a bundled project in a statewide transportation improvement program under section 135; and

"(II) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and the eligible entity.

"(ii) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of eligible projects under this paragraph may be considered to be a single project, including for purposes of section 135.

"(5) PROJECT REQUIREMENTS.—The Secretary may provide a grant under the program to an eligible project only if the Secretary determines that the project—

"(A) will generate regional economic, mobility, or safety benefits;

"(B) will be cost effective;

"(C) will contribute to the accomplishment of 1 or more of the national goals under section 150;

"(D) is based on the results of preliminary engineering; and

"(E) is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

"(6) ADDITIONAL CONSIDERATIONS.—In providing grants under the program, the Secretary shall consider the extent to which an eligible project will—

"(A) improve the state of good repair of existing transportation facilities;

"(B) increase surface transportation system or local connectivity and improve mobility for residents of urban areas;

"(C) address economic development and job creation challenges;

"(D) contribute to geographic diversity among grant recipients;

"(E) improve safety, including the anticipated reduction of accidents and related costs;

"(F) include resilience benefits against natural disasters, including the ability to withstand disruptions from a seismic event;

"(G) incorporate environmental benefits;

"(H) provide safety and mobility benefits to multiple users of the project;

"(I) utilize innovative project delivery approaches or incorporate transportation technologies; or

"(J) improve access to emergency care, essential services, healthcare providers, or drug and alcohol treatment and rehabilitation resources, or a facility or organization that provides community support services.

"(7) GRANT AMOUNT.—Except as provided in paragraph (8)(A), a grant under the program shall be in an amount that is not less than $5,000,000.

"(8) SET ASIDES.—

"(A) SMALL PROJECTS.—The Secretary shall use not more than 10 percent of the amounts made available for the program for each fiscal year to provide grants for eligible projects in an amount that is less than $5,000,000.

"(B) AREAS OF PERSISTENT POVERTY.—Of the total amount made available to carry out the program for each fiscal year, not less than 1 percent shall be awarded for projects in areas of persistent poverty (as defined in section 6702(a) of title 49).

"(e) LOCAL AND REGIONAL SURFACE TRANSPORTATION GRANTS.—

"(1) DEFINITIONS.—In this subsection:

"(A) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(i) a State;

"(ii) the District of Columbia;

"(iii) any territory or possession of the United States;

"(iv) a unit of local government;

"(v) a public agency or publicly chartered authority established by 1 or more States;

"(vi) a special purpose district or public authority with a transportation function or a lessee of a Federal surface transportation hub, including a port authority;

"(vii) a federally recognized Indian Tribe or a consortium of such Indian Tribes;

"(viii) a transit agency; and

"(ix) a multi-State or multijurisdictional group of entities described in any of clauses (i) through (viii).

"(B) ELIGIBLE PROJECT.—The term 'eligible project' means—

"(i) a highway or bridge project eligible for assistance under this title, including—

"(I) improvement of a high priority corridor to meet the design standards and specifications of the Interstate System and connect to the existing Interstate System; and

"(II) infrastructure improvements to address freight bottlenecks;

"(ii) a public transportation project eligible for assistance under chapter 53 of title 49;

"(iii) a passenger rail or freight rail transportation project eligible for assistance under title 49;

"(iv) a port infrastructure investment, including—

"(I) inland port infrastructure; and

"(II) a land port-of-entry;

"(v) the surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49;

"(vi) a project for investment in a surface transportation facility located on Tribal land, the title or maintenance responsibility of which is vested in the Federal Government;

"(vii) a project to replace or rehabilitate a culvert or prevent stormwater runoff that is eligible under section 176(d) and will advance the goal of the program established under this subsection; and

"(viii) any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goal of the program.

"(C) PROGRAM.—The term 'program' means the program established under paragraph (2)(A).

"(D) SPECIFIED RURAL AREA.—The term 'specified rural area' means an area that is located outside of a specified urban area.

"(E) SPECIFIED URBAN AREA.—The term 'specified urban area' means an area with a population of more than 200,000 residents, based on the most recent decennial census.

"(2) ESTABLISHMENT.—

"(A) IN GENERAL.—The Secretary shall establish and carry out a local and regional surface transportation grant program to provide for capital investments in surface transportation infrastructure on a competitive basis.

"(B) GOAL.—The goal of the program shall be to fund eligible projects that will have a significant local or regional impact and improve surface transportation infrastructure.

"(3) GRANTS.—

"(A) AMOUNT.—Except as otherwise provided in this subsection, each grant made under this subsection shall be in an amount equal to—

"(i) not less than $5,000,000 for a specified urban area;

"(ii) not less than $1,000,000 for a specified rural area; and

"(iii) not more than $25,000,000.

"(B) LIMITATION.—Not more than 15 percent of the funds made available to carry out this subsection for a fiscal year may be awarded to eligible projects in a single State during such fiscal year.

"(4) SELECTION OF ELIGIBLE PROJECTS.—

"(A) NOTICE OF FUNDING OPPORTUNITY.—Not later than 60 days after the date on which funds are made available to carry out this subsection, the Secretary shall publish a notice of funding opportunity for the funds.

"(B) PRIMARY SELECTION CRITERIA.—In awarding grants under this subsection, the Secretary shall evaluate the extent to which a project—

"(i) improves safety;

"(ii) improves environmental sustainability;

"(iii) improves quality of life;

"(iv) increases economic competitiveness and opportunity, including tourism opportunities;

"(v) contributes to a state of good repair; and

"(vi) improves mobility and community connectivity.

"(C) ADDITIONAL SELECTION CONSIDERATIONS.—In selecting projects to receive grants under the program, the Secretary shall take into consideration the extent to which—

"(i) the eligible entity collaborated with other public and private entities;

"(ii) the project adopts innovative technologies or techniques, including—

"(I) innovative technology;

"(II) innovative project delivery techniques; and

"(III) innovative project financing;

"(iii) construction of the project is reasonably expected to begin not later than 18 months after the date on which the project is selected;

"(iv) the eligible entity includes documentation certifying such entity has notified a State transportation department if the project is located on a State-owned or State-managed facility; and

"(v) the project is cost effective.

"(D) LIMITATION.—In awarding grants under the program, the Secretary shall select grant recipients based only on the selection criteria described in subparagraphs (C) and (D).

"(E) TRANSPARENCY.—

"(i) IN GENERAL.—The Secretary, shall evaluate, through a methodology that is discernible and transparent to the public, the means by which each application submitted under paragraph (4) addresses the criteria under subparagraphs (C) or (D) of such paragraph or otherwise established by the Secretary.

"(ii) PUBLICATION.—The methodology under clause (i) shall be published by the Secretary as part of the notice of funding opportunity under the program.

"(F) AWARDS.—Not later than 270 days after the date on which amounts are made available to provide grants under the program for a fiscal year, the Secretary shall announce the selection by the Secretary of eligible projects to receive the grants in accordance with this section.

"(5) TREATMENT OF OTHER FEDERAL FUNDS.—Amounts provided under any of the following programs shall be considered to be a part of the non-Federal share for a project under this subsection:

"(A) The tribal transportation program under section 202.

"(B) The Federal lands transportation program under section 203.

"(C) The TIFIA program (as defined in section 601(a)).

"(D) The Railroad Rehabilitation and Improvement Financing Program under chapter 224 of title 49.

"(6) OTHER CONSIDERATIONS.—

"(A) IN GENERAL.—Of the total amount made available to carry out the program under this subsection for each fiscal year—

"(i) not more than 50 percent shall be allocated for eligible projects located in specified rural areas; and

"(ii) not more than 50 percent shall be allocated for eligible projects located in specified urban areas.

"(B) PROJECTS FOR REGIONAL HUBS.—Of the total amount made available for eligible projects under subparagraph (A)(i) for each fiscal year, the Secretary shall reserve 10 percent for eligible projects located in communities with a population between 50,000 and 100,000.

"(C) AREAS OF PERSISTENT POVERTY.—Of the total amount made available to carry out the program for each fiscal year, not less than 1 percent shall be awarded for projects in areas of persistent poverty (as defined in section 6702(a) of title 49).

"(D) MULTIMODAL AND GEOGRAPHICAL CONSIDERATIONS.—In selecting projects to receive grants under the program, the Secretary shall take into consideration geographical and modal diversity.

"(7) PROJECT PLANNING.—

“(A) IN GENERAL.—Of the amounts made available to carry out the program for each fiscal year, not less than 5 percent shall be made available for the planning, preparation, or design of eligible projects.

“(B) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Clauses (i) and (ii) of paragraph (3)(A) shall not apply with respect to amounts made available for planning, preparation, or design under subparagraph (A).

“(8) TRANSFER OF AUTHORITY.—Of the amounts made available to carry out the program for each fiscal year, the Administrator may transfer not more than 2 percent for a fiscal year to the Administrator of any of the Federal Transit Administration, the Federal Railroad Administration, or the Maritime Administration to award and oversee grants and credit assistance in accordance with this subsection.

“(9) CREDIT PROGRAM COSTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), at the request of an eligible entity, the Secretary may use a grant provided to the eligible entity under the program to pay the subsidy or credit risk premium, and the administrative costs, of an eligible project that is eligible for Federal credit assistance under—

"(i) chapter 6; or

"(ii) chapter 224 of title 49.

"(B) LIMITATION.—Not more than 20 percent of the funds made available to carry out the program for a fiscal year may be used to carry out subparagraph (A).

"(10) REPORTS.—Not later than 1 year after the date on which the initial grants are awarded for eligible projects under the program, the Comptroller General of the United States shall—

"(A) review the administration of the program, including—

"(i) the solicitation process; and

"(ii) the selection process, including—

"(I) the adequacy and fairness of the process; and

"(II) the selection criteria; and

"(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate a report describing the findings of the review under subparagraph (A), including recommendations for improving the administration of the program, if any.''.

SEC. 1125. REPEAL OF PROGRAM.

(a) REPEAL.—Section 175 of title 23, United States Code, is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 175.

SEC. 1126. PROTECT PROGRAM.

Section 176 of title 23, United States Code, is amended—

(1) in subsection (b)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(2) by striking subsection (c);

(3) by redesignating subsection (h) as subsection (c);

(4) in subsection (d) by striking ''In addition to funds apportioned to States under section 104(b)(8) to carry out activities under subsection (c), the'' and inserting ''The'';

(5) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking "A State that receives funds apportioned to the State under section 104(b)(8) or an" and inserting "An"; and

(II) by striking "if the State or eligible entity" and inserting "if the eligible entity"; and

(ii) in subparagraph (B)—

(I) in clause (i) by striking "funds apportioned to a State under section 104(b)(8) or";

(II) in clause (ii) by striking "carried out with funds under subsection (c) or a grant" and inserting "carried out with a grant"; and

(III) in clause (iii)—

(aa) in subclause (I) by striking "carried out with funds under subsection (c) or a grant" and inserting "carried out with a grant"; and

(bb) in subclause (II) by striking "funds under subsection (c) or"; and

(B) in paragraph (2)(D)(iv)(II) by striking "apportioned to the State under section 104(b)(8) or"; and

(6) in subsection (f)(1) by striking "Not later than 18 months after the date of enactment of this section, the" and inserting "The".

SEC. 1127. CODIFICATION AND IMPROVEMENT OF JASON'S LAW.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is a national priority to address projects under this section for the shortage of parking for commercial motor vehicles on the National Highway System to improve the safety of motorized and nonmotorized users and for commercial motor vehicle operators.

(b) PARKING FOR COMMERCIAL MOTOR VEHICLES.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 180. Parking for commercial motor vehicles

"(a) DEFINITIONS.—In this section:

"(1) COMMERCIAL MOTOR VEHICLE.—The term 'commercial motor vehicle' has the meaning given such term in section 31132 of title 49.

"(2) SAFETY REST AREA.—The term 'safety rest area' has the meaning given such term in section 120(c)(1).

"(b) GRANT AUTHORITY.—The Secretary shall make grants, on a competitive basis, to eligible entities for projects to provide public parking for commercial motor vehicles and improve the safety of commercial motor vehicle drivers.

"(c) ELIGIBLE ENTITIES.—

"(1) IN GENERAL.—An entity eligible to receive a grant under this section is any of the following:

"(A) A State.

"(B) A metropolitan planning organization.

"(C) A unit of local government.

"(D) A political subdivision of a State or local government carrying out responsibilities relating to commercial motor vehicle parking.

"(E) A Tribal government or a consortium of Tribal governments.

"(F) A multistate or multijurisdictional group of entities described in subparagraphs (A) through (E).

"(2) PRIVATE SECTOR PARTICIPATION.—An eligible entity that receives a grant under this section may partner with a private entity to carry out a project under this section.

"(d) ELIGIBLE PROJECTS.—

"(1) IN GENERAL.—An eligible entity may use a grant provided under this section for a project described in paragraph (2) that is on—

"(A) a Federal-aid highway; or

"(B) a facility with reasonable access (as described in section 658.19 of title 23, Code of Federal Regulations (or a successor regulation)) to—

"(i) a Federal-aid highway; or

"(ii) a freight facility.

"(2) PROJECTS DESCRIBED.—A project referred to in paragraph (1) is a project—

"(A) to construct a safety rest area that includes parking for commercial motor vehicles;

"(B) to construct additional commercial motor vehicle parking capacity—

"(i) adjacent to a private commercial truck stop or travel plaza;

"(ii) within the boundaries of, or adjacent to, a publicly owned freight facility, including a port terminal operated by a public authority;

"(iii) at an existing facility, including an inspection or weigh station and a park-and-ride location; or "(iv) at another suitable facility, as determined by the eligible entity, in concurrence with the Secretary;

"(C) to reopen an existing weigh station, safety rest area, park-and-ride facility, or other government-owned facility, that is not in use, for commercial motor vehicle parking;

"(D) to construct or make capital improvements to an existing public commercial motor vehicle parking facility to expand parking use and availability, including at a seasonal facility;

"(E) to identify, promote, and manage the availability of publicly and privately provided commercial motor vehicle parking, such as through the use of intelligent transportation systems;

"(F) to improve the personal safety of commercial motor vehicle drivers at a parking facility as part of a project described in subparagraphs (A) through (D);

"(G) to improve a parking facility, including through truck stop electrification systems, as part of a project described in subparagraphs (A) through (D);

"(H) to construct turnouts for commercial motor vehicles; or

"(I) to improve the geometric designs of interchanges to improve access to safety rest areas and commercial motor vehicle parking facilities.

"(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

"(1) a description of the proposed project; and

"(2) any other information that the Secretary determines to be necessary.

"(f) SELECTION CRITERIA.—The Secretary may select a project to receive a grant under this section only if the Secretary determines that—

"(1) there is a shortage of commercial motor vehicle parking capacity in the corridor in which the project is located;

"(2) the eligible entity has consulted with motor carriers, commercial motor vehicle drivers, public safety officials, and private providers of commercial motor vehicle parking regarding the project;

"(3) the project will likely—

"(A) increase the availability or utilization of commercial motor vehicle parking;

"(B) facilitate the efficient movement of freight; or

"(C) improve highway safety, traffic congestion, and air quality; and

"(4) the eligible entity demonstrates the ability to provide for the maintenance and operation of the facility.

"(g) ADDITIONAL CONSIDERATION.—To the maximum extent practicable, the Secretary shall select projects to receive grants under the program in a manner that—

"(1) prioritizes projects based on the severity of the commercial motor vehicle parking capacity shortage in the area and the degree to which such projects would alleviate such shortage; and

"(2) maximizes the geographic distribution among grant recipients, including a balance between the need of new commercial motor vehicle parking capacity across rural and urban communities.

"(h) USE OF FUNDS.—

"(1) IN GENERAL.—In accordance with the limitations in paragraph (2), an eligible entity may use a grant under this section for—

"(A) development phase activities, including planning, feasibility analysis, benefit-cost analysis, environmental review, preliminary engineering and design work, and other preconstruction activities necessary to advance a project under this section; and

"(B) construction and operational improvements.

"(2) LIMITATIONS.—

"(A) PLANNING AND PRELIMINARY WORK.—An eligible entity may use not more than 20 percent of the amount of a grant under this section for activities described in paragraph (1)(A).

"(B) PARKING AVAILABILITY MANAGEMENT.—

"(i) IN GENERAL.—Except as provided in clause (ii), not more than 10 percent of the amounts made available for each fiscal year for grants under this section may be used for projects described in subsection (d)(2)(E) that solely identify, promote, and manage the availability of existing commercial motor vehicle parking.

"(ii) EXCEPTION.—Clause (i) shall not apply to a project described in subsection (d)(2)(E) that is part of a larger project to expand commercial motor vehicle parking capacity.

"(3) PROHIBITION.—

"(A) IN GENERAL.—No amounts made available to an eligible entity pursuant to this section may be used for construction or development phase activities that would enable the construction of charging or fueling infrastructure for the propulsion of a vehicle, including a commercial motor vehicle.

"(B) SAVINGS PROVISION.—Nothing in this paragraph limits the use of funds other than funds made available to carry out this section.

"(i) REQUIREMENTS.—

"(1) PUBLICLY ACCESSIBLE PARKING.—Commercial motor vehicle parking constructed, opened, or improved with funds from a grant under this section shall be open and accessible to all commercial motor vehicle drivers.

"(2) PROHIBITION ON CHARGING FEES.—No fee may be charged by an eligible entity to a commercial motor vehicle driver to gain access to parking constructed, opened, maintained, or improved with a grant under this section.

"(j) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, a project carried out under this section shall be treated as a project on a Federal-aid highway under this chapter.

"(k) PERIOD OF AVAILABILITY OF FUNDS.—Amounts made available for a project under this section shall remain available for a period of 3 years after the last day of the fiscal year in which the amounts are made available.

"(l) SURVEY AND COMPARATIVE ASSESSMENT.—

"(1) IN GENERAL.—Not later than 4 years after the date of enactment of this section, and every 2 years thereafter, the Secretary, in consultation with appropriate State motor carrier safety personnel, motor carriers, State departments of transportation, and private providers of commercial motor vehicle parking, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

"(A) evaluates the availability of adequate parking and rest facilities, taking into account both private and public facilities, for commercial motor vehicles engaged in interstate transportation;

"(B) evaluates the effectiveness of the projects funded under this section in improving access to commercial motor vehicle parking;

"(C) evaluates the ability of recipients of a grant under this section to sustain the operation of parking facilities constructed with funds provided under this section; and

"(D) reports on the status of ongoing projects to provide adequate commercial motor vehicle parking facilities.

"(2) RESULTS.—The Secretary shall make each report under paragraph (1) available to the public on the website of the Department of Transportation.

"(3) ALIGNMENT OF REPORTS.—In carrying out this subsection, the Secretary shall—

"(A) consider the results of the commercial motor vehicle parking facilities assessments of States under subsection (f) of section 70202 of title 49; and

"(B) seek to align the contents of each report under paragraph (1) and the submission and publication of such reports with the State freight plans developed and updated under such section.''.

(c) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''180. Parking for commercial motor vehicles.''.

(2) CONFORMING AMENDMENT.—Section 1401 of MAP–21 (23 U.S.C. 137 note), and the item relating to such provision in the table of contents under section 1(c) of such Act, are repealed.

SEC. 1128. CONSOLIDATED FUNDING PILOT PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

''§ 181. Consolidated funding pilot program

''(a) IN GENERAL.—Beginning in fiscal year 2028, the Secretary shall establish and carry out a pilot program to allow not more than 10 States to receive the base apportionment for the State in a lump sum, to be obligated and expended in accordance with this section.

''(b) CRITERIA.—The Secretary shall develop criteria for the selection of a State to receive a block grant under this Act, including requiring that each recipient State—

"(1) meets minimum levels for the condition of pavement established by the Secretary under section 150(c)(3);

"(2) meets minimum levels for the condition for bridges on the National Highway System as described in section 119(f)(2);

"(3) uses a performance-based approach to transportation planning and programming for statewide and metropolitan planning areas to meet the requirements of sections 134, 135, and 150; and

"(4) meets recertification requirements for State asset management plans for the National Highway System as described in section 119(e).

"(c) APPLICATIONS.—

"(1) REQUEST.—The Secretary shall request applications for participation under this section in accordance with paragraph (2).

"(2) CONTENTS.—An application submitted to the Secretary under this paragraph shall include a plan on how the State and each affected metropolitan planning organization will continue to meet, or make significant progress toward meeting, performance measures and standards under section 150(c).

"(d) USE OF BLOCK GRANT FUNDS.—

"(1) ELIGIBILITY.—Funds made available to a State under this program shall be eligible for use for any project eligible—

"(A) under the national highway performance program under section 119;

"(B) under the surface transportation block grant program under section 133;

"(C) under the highway safety improvement program under section 148;

"(D) under the congestion mitigation and air quality improvement program under section 149;

"(E) for metropolitan planning under section 134; and

"(F) under the national highway freight and high priority corridor program under section 167.

"(2) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.—

"(A) ALLOCATION.—Of the total amount of funds provided under this section in a fiscal year for projects described under paragraph (1)—

"(i) 25 percent shall be obligated under this section, in proportion to their relative shares of the population of the State—

"(I) in urbanized areas of the State with an urbanized area population of over 200,000;

"(II) in urbanized areas of the State with an urbanized area population of not less than 50,000 and not more than 200,000;

"(III) in urban areas of the State with a population not less than 5,000 and not more than 49,999; and

"(IV) in other areas of the State with a population less than 5,000; and

"(ii) the remainder may be obligated in any area of the State.

"(B) METROPOLITAN AREAS.—Funds attributed to an urbanized area under subparagraph (A)(i)(I) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

"(C) LOCAL CONSULTATION.—

"(i) CONSULTATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—For purposes of subclause (II) of subparagraph (A)(i), a State shall—

"(I) establish a new process or utilize the process established under clause (i) of section 133(d)(3)(A) to consult with all metropolitan planning organizations in the State that represent an urbanized area described in such clause; and

"(II) describe how funds allocated for areas described in such clause will be allocated equitably among the applicable urbanized areas.

"(ii) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of subclauses (III) and (IV) of subparagraph (A)(i), before obligating funding attributed to an area with a population less than 50,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

"(D) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—

"(i) IN GENERAL.—Except as provided in clause (ii), the amount of funds that a State is required to obligate under subparagraph (A)(i)(I) shall be obligated in urbanized areas described in subparagraph (A)(i)(I) based on the relative population of the areas.

"(ii) OTHER FACTORS.—The State may obligate the funds described in clause (i) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

"(E) APPLICABILITY FOR PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.

"(3) OBLIGATION AUTHORITY.—

"(A) IN GENERAL.—A State that is required to obligate in an urbanized area with an urbanized area population of over 200,000 individuals funds referred to under paragraph (2)(A)(i)(I) shall make available an amount of obligation authority distributed to the State for Federal-aid highways and highway safety construction programs for use in the area that is equal to the amount obtained by multiplying—

"(i) the aggregate amount of funds that the State is required to obligate in the area under paragraph (2) during the period; and

"(ii) the ratio that—

"(I) the aggregate amount of obligation authority distributed to the State for Federal-aid highways and highway safety construction programs during the period; bears to

"(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to an obligation limitation) during the period.

"(B) JOINT RESPONSIBILITY.—Each State, each affected metropolitan planning organization, and the Secretary shall jointly ensure compliance with subparagraph (A).

"(e) BLOCK GRANT SELECTION.—

"(1) ISSUANCE.—The Secretary shall provide grants under this section beginning with fiscal year 2028.

"(2) OBLIGATION AUTHORITY.—Nothing in this section shall be construed to increase an obligation limitation applied to funds made available under this section.

"(3) SUBSEQUENT FISCAL YEARS.—Subject to subsection (g)(2), the Secretary shall continue to apportion block grants to the awarded States.

"(4) SUNSET.—The authority to provide grants under this section shall terminate on October 1, 2031.

"(f) PROGRESS REPORT.—

"(1) IN GENERAL.—Not later than 2 years after the first fiscal year in which funds are provided under this section, a State receiving funds shall submit to the Secretary a progress report on meeting, or making significant progress toward meeting, performance measures and standards under section 150(c).

"(2) GUIDANCE.—Not later than 1 year after the initial funds are provided under this section, the Secretary shall promulgate guidance to lump sum recipients on requirements for submitting a progress report under paragraph (1).

"(3) REVIEW.—If the Secretary finds that a State that received funds under this section did not meet, or achieve significant progress (as defined by the Secretary) toward target achievement of, all performance targets set in the report required under paragraph (1), the Secretary may not provide funds to such State under the program in the following fiscal year or 6 months after determination that the State failed to meet, or make significant progress toward target achievement, whichever is later.

"(4) TRANSMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives a report from a State under paragraph (1), the Secretary shall transmit the progress report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

"(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to exempt a State from completing any other transportation plans required under this title.

"(g) TREATMENT OF LAW.—Notwithstanding any other provision of law, projects funded under this section shall be treated as projects on a Federal-aid highway under this chapter.

"(h) DEFINITION OF BASE APPORTIONMENT.—In this section, the term 'base apportionment' has the meaning given the term in section 104(h).".

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"181. Consolidated funding pilot program.".

SEC. 1129. REGISTRATION FEE ON MOTOR VEHICLES.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"§ 182. Registration fee on motor vehicles

"(a) IN GENERAL.—The Administrator of the Federal Highway Administration shall impose for each year the following registration fee amounts on the owner of a vehicle registered for operation by a State motor vehicle department:

"(1) $130 for a covered electric vehicle.

"(2) $35 for a covered plug-in hybrid vehicle.

"(b) WITHHOLDING OF FUNDS FOR NONCOMPLIANCE.—

"(1) IN GENERAL.—If a State fails to comply with the requirements under subsection (c), the Administrator shall withhold, from amounts required to be apportioned to any State under section 104(b), an amount equal to 125 percent to the amount required to be remitted under subsection (c)(2).

"(2) TIMING.—The Administrator shall withhold the amount on the first day of each fiscal year beginning after September 30, 2027, in which the State does not meet the requirements of subsection (c) until the date that is 30 days after the date on which the State meets such requirements.

"(c) COLLECTION AND REMITTANCE OF FEE.—

"(1) COLLECTION OF FEE.—A State motor vehicle department, or an equivalent to such department, shall—

"(A) incorporate the collection of the fees established under subsection (a) into the vehicle registration and renewal processes administered by such department, so long as such fees are imposed for each year in which the fees are required; or

"(B) obtain approval from the Administrator to establish an alternate means of compliance for the collection of such fees that is acceptable to the Administrator.

"(2) REMITTANCE OF FEE.—Not later than 30 days after the last day of each month, a State motor vehicle department shall remit to the Administrator the balance of the total fee amounts collected under this section in the preceding month less the portion reserved for administrative expenses under subsection (e).

"(d) FEE ADJUSTMENT.—

"(1) IN GENERAL.—Subject to the limitations in paragraph (2), beginning in 2029, the Administrator shall biennially increase the amounts specified in subsection (a) by $5.

"(2) LIMITATIONS.—The amount specified in—

"(A) subsection (a)(1) shall not be increased to an amount that exceeds $150; and

"(B) subsection (a)(2) shall not be increased to an amount that exceeds $50.

"(e) ADMINISTRATIVE EXPENSES.—In any fiscal year in which a State is in compliance with this section, such State may retain an amount not to exceed 1 percent of the total fees collected under this section for administrative expenses.

"(f) APPLICABILITY OF FEES.—The fees imposed under paragraphs (1) and (2) of subsection (a) shall terminate on October 1, 2036.

"(g) DEFINITIONS.—In this section:

"(1) COVERED ELECTRIC VEHICLE.—The term 'covered electric vehicle' means a covered motor vehicle that meets the definition of 'electric vehicle' under section 86.1803–01 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the BUILD America 250 Act).

"(2) COVERED MOTOR VEHICLE.—The term 'covered motor vehicle' has the meaning given the term 'motor vehicle' under section 154(a) but excludes a motor vehicle that is a covered farm vehicle or commercial motor vehicle (as such terms are defined in section 390.5 of title 49, Code of Federal Regulations).

"(3) COVERED PLUG-IN HYBRID VEHICLE.—The term 'covered hybrid vehicle' means a covered motor vehicle that meets the definition of 'plug-in hybrid electric vehicle' under section 86.1803–01 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the BUILD America 250 Act).".

(b) IMPLEMENTATION OF CERTAIN PROCESSES.—

(1) IMPLEMENTATION.—The Administrator of the Federal Highway Administration may provide grants to State motor vehicle departments, or equiv-

alent departments, to implement a process to carry out section 182 of title 23, United States Code.

(2) FUNDING.—There is authorized to be appropriated $104,000,000 to carry out this subsection, to remain available until September 30, 2030.

(3) ELIGIBLE AMOUNTS.—Each State motor vehicle department may receive not more than $2,000,000 under this subsection.

(c) REGULATIONS.—The Administrator shall issue such regulations and guidance as are necessary to—

(1) carry out section 182 of title 23, United States Code (as added by this section); and

(2) establish a process for the timely and accurate remittance of fees collected under such section through an electronic method.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the status of the implementation of section 182 of title 23, United States Code (as added by this section).

(e) SENSE OF THE COMMITTEE.—It is the sense of the Committee on Transportation and Infrastructure of the House of Representatives that registration fees collected under section 182 of title 23, United States Code (as added by this Act), should be deposited into the Highway Trust Fund and divided between accounts of such Trust Fund in the same manner as excise taxes enacted after 1982 are deposited into such Trust Fund.

(f) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

182. Registration fee on motor vehicles.

SEC. 1130. TRANSFER OF REAL PROPERTY NO LONGER NEEDED.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"§ 183. Transfer of real property no longer needed

"(a) IN GENERAL.—If a recipient of assistance under this chapter determines real property acquired at least in part with such assistance is no longer necessary for the purpose for which such real property was acquired, the Secretary may authorize the recipient to transfer such real property, with no further obligation to the Government.

"(b) CONDITIONS.—The Secretary may only authorize the transfer described under subsection (a) if the Secretary determines—

"(1) there is no longer a purpose for the real property eligible for assistance under this chapter for which such property should be used;

"(2) the overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the real property, after considering fair market value and other factors; and

"(3) through an appropriate screening or survey process, that there is no interest in acquiring the real property for Government use.

"(c) RECIPIENTS.—The Secretary may only authorize a transfer described under subsection (a) to—

"(1) a local governmental authority if such real property will remain a public asset for at least 10 years after the date on which the real property is transferred;

"(2) a local governmental authority or nonprofit organization for the development of the real property; or

"(3) a third-party entity for the development of the real property, if the Secretary determines that—

"(A) a local governmental authority or nonprofit organization is unable to receive the real property;

"(B) the overall benefit of allowing the transfer of the real property is greater than the interest of the Government in selling the property, after considering fair market value and other factors; and

"(C) the third-party entity has demonstrated a satisfactory history of construction or operating an affordable housing development.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"183. Transfer of real property no longer needed.".

SEC. 1131. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.

Section 201(b)(7) of title 23, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking "program or the" and inserting "program, the"; and

(B) by striking "program shall" and inserting "program, or any project carried out using funds awarded to an Indian Tribe under a competitive grant program under this title or chapter 67 of title 49 shall"; and

(2) in subparagraph (B) by striking ‘‘be be’’ and inserting ‘‘be’’.

SEC. 1132. TRIBAL TRANSPORTATION PROGRAM.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(8)(A) by inserting ‘‘grading and’’ after ‘‘excluding road’’;

(2) in subsection (e)(1) by striking ‘‘section 148(a)(4).’’ and inserting ‘‘paragraphs (4) and (11) of section 148(a).’’; and

(3) by adding at the end the following:

‘‘(g) CONSOLIDATED DELIVERY.—

‘‘(1) IN GENERAL.—Notwithstanding any other provision of law and subject to paragraph (2), grant funds awarded to an Indian Tribe from a competitive grant program administered by the Federal Highway Administration and made available to an Indian Tribe under a competitive program administered by the Federal Highway Administration or the Secretary may, at the request of such Indian Tribe, be administered as if allocated under this section.

‘‘(2) SET-ASIDES NOT APPLICABLE.—The following set-asides shall not apply to funds described in paragraph (1):

"(A) The set-aside described in subparagraph (C) of subsection (b)(3).

"(B) The set-asides described in subsections (a)(6), (c), and (e).

"(C) The set-aside described in section 1123(h)(1) of MAP–21 (23 U.S.C. 202 note).".

SEC. 1133. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)—

(i) by redesignating clauses (iv), (v), (vi), and (vii) as clauses (v), (vi), (viii), and (ix), respectively;

(ii) by inserting after clause (iii) the following:

"(iv) provisions for individuals with disabilities;"; and

(iii) by inserting after clause (vi) (as so redesignated) the following:

"(vii) projects to improve the resilience of Federal lands transportation facilities; and"; and

(B) in subparagraph (D)—

(i) by inserting "than" after "not more"; and

(ii) by striking "(A)(iv)(I)" and inserting "(A)(v)(I)"; and

(2) in subsection (b)(1)—

(A) by striking "October 1, 2011, and on"; and

(B) by striking "thereafter".

SEC. 1134. FEDERAL LANDS ACCESS PROGRAM.

Section 204(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by redesignating clauses (iv) through (ix) as clauses (v) through (x), respectively; and

(ii) by inserting after clause (iii) the following:

"(iv) provisions for individuals with disabilities;"; and

(B) in subparagraph (C) by inserting ", including a project to improve the resilience of such a transportation facility" after "Federal land"; and

(2) by striking paragraph (6).

SEC. 1135. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

Section 1123(c)(3) of the FAST Act (23 U.S.C. 201 note) is amended by striking ‘‘$12,500,000’’ and inserting ‘‘$5,000,000’’.

SEC. 1136. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.

Section 1123(h) of MAP–21 (23 U.S.C. 202 note) is amended—

(1) in paragraph (1) by striking ‘‘fiscal years 2022 through 2026’’ and inserting ‘‘fiscal years 2027 through 2031’’; and

(2) in paragraph (2) by striking ‘‘fiscal years 2022 through 2026’’ and inserting ‘‘fiscal years 2027 through 2031’’.

SEC. 1137. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended, in the matter preceding paragraph (1), by striking ‘‘fiscal years 2022 through 2026’’ and inserting ‘‘fiscal years 2027 through 2031’’.

SEC. 1138. UPDATE TO NONMOTORIZED TRAILS DEFINITION.

Section 206 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking ‘‘except for a motorized wheelchair.’’ and inserting ‘‘except for

‘‘(A) a motorized wheelchair; and

"(B) an electric bicycle (as such term is defined in section 217(j))."; and

(2) by adding at the end the following:

"(j) AUTHORITY TO LIMIT USE.—Notwithstanding subsection (a)(1)(B), a State or local government may restrict or prohibit the operation of an electric bicycle, including a specific class of electric bicycle, on a non-motorized recreational trail.".

Subtitle B—Improved Project Delivery and Environmental Streamlining

SEC. 1201. PROJECT APPROVAL AND OVERSIGHT.

Section 106 of title 23, United States Code, is amended—

(1) in subsection (e)(2)—

(A) in subparagraph (A)—

(i) by striking "$50,000,000" and inserting "$100,000,000"; and

(ii) by adding "and" at the end;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B); and

(2) in subsection (h)—

(A) in paragraph (1) by striking "$500,000,000" and inserting "$1,000,000,000"; and

(B) by adding at the end the following:

"(4) TOTAL COST.—The estimated total cost for a major project described in paragraph (1) shall be adjusted annually to reflect increases in the rate of inflation as measured by Consumer Price Index for All Urban Consumers published by the Department of Labor.".

SEC. 1202. EXEMPTION FROM REVIEW.

(a) TITLE 23.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

"(g) CERTAIN UNDERTAKINGS.—

"(1) IN GENERAL.—An undertaking described in appendix A or that has received the appropriate determination described in appendix B of the notice of approval issued by the Advisory Council on Historic Preservation titled 'Program Comment on Certain Housing, Building, and Transportation Undertakings', published on April 2, 2025 (90 Fed. Reg. 14526) that is part of a transportation program or project shall not be considered use under subsection (a).

"(2) RULE OF CONSTRUCTION.—The exemption under paragraph (1) shall not be construed to apply to any other aspect of a transportation program or project that is not an undertaking described in such paragraph.

"(3) APPLICABILITY ON TRIBAL LAND.—The exemption under this subsection shall not apply to undertakings located on Tribal lands, or to undertakings that may affect historic properties located on Tribal lands, unless the applicable Tribal historic preservation officer or a designated representative of the applicable Indian Tribe has provided prior written notification to the Secretary that the Tribe consents to the use of the exemption under this subsection.".

(b) TITLE 49.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (d)(2)(A) by striking ", United States Code"; and

(2) by adding at the end the following:

"(i) CERTAIN UNDERTAKINGS.—

"(1) IN GENERAL.—An undertaking described in appendix A or that has received the appropriate determination described in appendix B of the notice of approval issued by the Advisory Council on Historic Preservation titled ‘Program Comment on Certain Housing, Building, and Transportation Undertakings’, published on April 2, 2025, (90 Fed. Reg. 14526) that is part of a transportation program or project shall not be considered use under subsection (a).

“(2) RULE OF CONSTRUCTION.—The exemption under paragraph (1) shall not be construed to apply to any other aspect of a transportation program or project that is not an undertaking described in such paragraph.

“(3) APPLICABILITY ON TRIBAL LAND.—The exemption under this subsection shall not apply to undertakings located on Tribal lands, or to undertakings that may affect historic properties located on Tribal lands, unless the applicable Tribal historic preservation officer or a designated representative of the applicable Indian Tribe has provided prior written notification to the Secretary that the Tribe consents to the use of the exemption under this subsection.”.

SEC. 1203. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING AND ONE FEDERAL DECISION.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)(B) by striking “may” and inserting “shall”; and

(B) in paragraph (7)—

(i) in subparagraph (A) by striking “shall review” and inserting “shall biennially review”; and

(ii) in subparagraph (C)—

(I) in the heading by striking “REPORT” and inserting “BRIEFING”; and

(II) by striking “Not later than” and all that follows through “that includes” and inserting “Not later than 30 days after the completion of each review required under subparagraph (A), the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Environment and Public Works of the Senate a briefing that includes'';

(2) in subsection (d)—

(A) in paragraph (2) by striking ''45 days'' and inserting ''30 days'';

(B) in paragraph (8)(D) by striking ''project if'' and inserting ''project only if''; and

(C) in paragraph (10)—

(i) in subparagraph (B) by striking ''final''; and

(ii) in subparagraph (C) by striking ''subparagraph (A) if'' and inserting ''subparagraph (A) only if'';

(3) in subsection (f)—

(A) in paragraph (1) by striking ''process'' and inserting ''process and before the definition of a project's purpose and need in paragraph (2)''; and

(B) by striking paragraph (2) and inserting the following:

''(2) DEFINITION.—

''(A) IN GENERAL.—The lead agency shall define such project's purpose and need for purposes of any document which the lead agency is responsible for preparing for the project.

"(B) DEADLINE.—The lead agency shall define such project's purpose and need not later than 45 days after—

"(i) the submission by the project sponsor of the appropriate information to inform the purpose and need description; or

"(ii) any appropriately completed proposed revision to a project that affects the purpose and need description previously prepared or accepted by the lead agency.

"(C) TECHNICAL ASSISTANCE.—The Secretary may provide a project sponsor with technical assistance in drafting—

"(i) a purpose and need statement; and

"(ii) any necessary supporting documentation for projects involving Federal approvals from more than 1 Federal agency.";

(4) in subsection (g)(1)—

(A) in subparagraph (B) by striking clause (iii) and inserting the following:

"(iii) MAJOR PROJECT SCHEDULE.— To the maximum extent practicable and consistent with applicable Federal law, in the case of a major project, the lead agency shall develop, in concurrence with the project sponsor, a schedule for the major project that is consistent with the following agency averages for the completion of the environmental review process for major projects—

"(I) not more than 2 years for an environmental impact statement, as measured from the date of publication of a notice of intent to prepare an environmental impact statement to the record of decision; or

"(II) not more than 1 year for an environmental assessment, as measured from the date on which the head of the lead agency determines that an environmental assessment is required to a finding of no significant impact."; and

(B) by striking subparagraph (D) and inserting the following:

"(D) MODIFICATION.—

"(i) IN GENERAL.—Subject to the provisions of this subparagraph, the lead agency may not lengthen or shorten a schedule established under subparagraph (B) except for good cause.

"(ii) PROVISIONS.—

"(I) LENGTHENED SCHEDULES.—The lead agency may only lengthen a schedule under clause (i) for a cooperating Federal agency by not more than 1 year after the latest deadline established for the major project by the lead agency.

"(II) SHORTENED SCHEDULES.—The lead agency may not shorten a schedule under clause (i) if doing so would impair the ability of a cooperating Federal agency to conduct necessary analyses or otherwise carry out relevant obligations of the Federal agency for the project.";

(5) in subsection (h)—

(A) in paragraph (4) by striking "unless significant" and inserting "unless, as determined by the lead agency, significant and relevant'';

(B) in paragraph (7)(D) by striking ''certifies that'' and inserting ''certifies to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate that''; and

(C) in paragraph (8)(B)—

(i) in the matter preceding clause (i) by striking ''120 days after the date of enactment of the MAP–21'' and inserting ''90 days''; and

(ii) by striking clause (ii) and inserting the following:

''(ii) A project that requires the preparation of an environmental impact statement.

''(iii) A sample of not less than 5 percent of the projects requiring preparation of an environmental assessment in each State.'';

(6) in subsection (i) by striking ''establish'' and inserting ''establish, maintain, and continuously improve'';

(7) in subsection (j)(3) by striking ‘‘section 204’’ and inserting ‘‘section 203 or section 204’’;

(8) in subsection (l)(1) by striking ‘‘highway or public transportation’’ and inserting ‘‘highway, public transportation, or rail’’;

(9) in subsection (n) by striking paragraph (3) and inserting the following:

‘‘(3) LENGTH OF ENVIRONMENTAL DOCUMENTS.—

‘‘(A) ENVIRONMENTAL IMPACT STATEMENTS.—

‘‘(i) IN GENERAL.—Except as provided in clause (ii), an environmental impact statement shall not exceed 150 pages, not including any citations or appendices.

‘‘(ii) EXTRAORDINARY COMPLEXITY.—An environmental impact statement for a proposed action of extraordinary complexity, as determined by the lead agency, shall not exceed 300 pages, not including any citations or appendices.

‘‘(B) ENVIRONMENTAL ASSESSMENTS.—An environmental assessment shall not exceed 75 pages, not including any citations or appendices.’’; and

(10) in subsection (q)—

(A) in paragraph (1) by striking ‘‘Not later than 60 days after the date of enactment of this subsection, and every 4 years thereafter, the Secretary shall’’ and inserting ‘‘Not less than every 3 years, the Secretary shall’’; and

(B) in paragraph (2)—

(i) in subparagraph (F) by striking ‘‘and’’ at the end;

(ii) by redesignating subparagraph (G) as subparagraph (H); and

(iii) by inserting after subparagraph (F) the following:

‘‘(G) the Environmental Protection Agency; and’’.

SEC. 1204. REPORTING PROGRAM.

Section 157(b) of title 23, United States Code, is amended by adding at the end the following:

‘‘(4) PUBLIC AVAILABILITY.—The Secretary shall make any report issued pursuant to this subsection publicly available on the website of the Department not later than 30 days after submission of the report under paragraph (1).’’.

SEC. 1205. TERMINATION OF ENVIRONMENTAL REVIEW IMPLEMENTATION FUNDS PROGRAM.

Section 178 of title 23, United States Code, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.

SEC. 1206. STREAMLINING OF ENVIRONMENTAL DOCUMENT PREPARATION.

(a) USE OF PLANNING INFORMATION.—Section 304a of title 49, United States Code, is amended by adding at the end the following:

"(d) USE OF PLANNING INFORMATION.—An operating administration of the Department of Transportation that is the lead agency for the preparation of an environmental impact statement may eliminate an alternative for a project proposed in the environmental impact statement from detailed consideration if—

"(1) the alternative was previously considered in—

"(A) a metropolitan planning process by a metropolitan planning organization;

"(B) an environmental review process carried out under State law by a State or local transportation agency; or

"(C) a State rail plan under chapter 227 that has been approved by the Secretary;

"(2) the lead agency provided guidance to the applicable planning or review entity regarding analysis of alternatives in the applicable planning or review process, including guidance on the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal law necessary for approval of the project;

"(3) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment that is comparable to the applicable public review and comment requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

"(4) the applicable planning or review entity considered and, after considering public comments gathered pursuant to paragraph (3), rejected the alternative;

"(5) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable planning or review entity; and

"(6) the Federal lead agency determined—

"(A) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National

Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

"(B) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.".

(b) PLANNING PRODUCT DEFINITION.—Section 168(a)(3) of title 23, United States Code, is amended to read as follows:

"(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decision-making process of—

"(A) a metropolitan planning process by a metropolitan planning organization under section 134;

"(B) a State transportation planning process under section 135;

"(C) an environmental review process carried out under State law by a State or local transportation agency;

"(D) a State rail plan under chapter 227 of title 49 that has been approved by the Secretary; or

"(E) any other transportation planning process authorized by State law.".

(c) ALTERNATIVE ANALYSIS.—Section 139(f)(4)(E) of title 23, United States Code, is amended—

(1) by striking clause (i)(II) and inserting the following:

"(II) the evaluations of alternatives in a planning or review process described in clause (ii)(I)."; and

(2) in clause (ii)—

(A) by striking subclause (I) and inserting the following:

"(I) the alternative was considered in—

"(aa) a metropolitan planning process by a metropolitan planning organization;

"(bb) a State environmental review process by a State or local transportation agency; or

"(cc) a State rail plan under chapter 227 of title 49 that has been approved by the Secretary;'';

(B) in subclause (II) by striking ''metropolitan planning organization or State or local transportation agency, as applicable,'' and inserting ''applicable planning or review entity'';

(C) in subclause (III) by striking ''metropolitan planning process or State environmental review process'' and inserting ''planning or review process'';

(D) in subclause (IV) by striking ''metropolitan planning organization or State or local transportation agency'' and inserting ''planning or review entity''; and

(E) in subclause (V) by striking ''metropolitan planning organization or State or local transportation agency'' and inserting ''planning or review entity''.

SEC. 1207. STATE AND ELIGIBLE ENTITY ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326 of title 23, United States Code, is amended—

(1) in the section heading by inserting ''**and eligible entities**'' after ''**State**'';

(2) by striking ''a State'' and inserting ''an eligible entity'' each place it appears (excluding subsection (c)(2));

(3) by striking ''States'' and inserting ''eligible entities'' each place it appears;

(4) by striking ''the State'' and inserting ''the eligible entity'' each place it appears (excluding subsection (d)(1)(B)(iii));

(5) in subsection (a)—

(A) in paragraph (1) by striking ''pursuant to regulations promulgated by the Council on Environmental Quality under part 1500 of title 40, Code of Federal Regulations (as in effect on October 1, 2003)'' and inserting ''pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)'';

(B) in paragraph (4) by inserting '', public transportation, or rail'' after ''highway''; and

(C) by adding at the end the following:

''(5) QUALIFICATIONS.—For an eligible entity that is not a State, the Secretary shall establish qualifications relating to the demonstration of legal, technical, and financial capabilities before permitting such eligible entity to assume responsibility under this subsection.'';

(6) in subsection (c)—

(A) in paragraph (2)—

(i) in the paragraph heading by striking "STATES" and inserting "ELIGIBLE ENTITIES"; and

(ii) by striking "Governor of a State" and inserting "chief executive of an eligible entity"; and

(B) in paragraph (3)—

(i) in subparagraph (A) by striking "3 years" and inserting "5 years"; and

(ii) in subparagraph (C) by striking "5 years" and inserting "10 years";

(7) in subsection (d)—

(A) in paragraph (1)(B)(iii) by striking "Governor of the State" and inserting "chief executive of the eligible entity"; and

(B) in paragraph (2)—

(i) in the paragraph heading by striking "STATE" and inserting "ELIGIBLE ENTITY"; and

(ii) by striking "90 days" and inserting "180 days";

(8) in subsection (e) in the subsection heading by striking "STATE AGENCY" and inserting "AGENCY"; and

(9) by adding at the end the following:

"(g) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—An eligible entity granted authority under this section may, as appropriate and at the request of a local government—

"(1) exercise such authority on behalf of the local government for a locally administered project; or

"(2) provide guidance and training on consolidating and minimizing the documentation and environmental analyses necessary for sponsors of a locally administered project to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any comparable requirements under State law.

"(h) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

"(1) a State; or

"(2) a direct recipient of funds under chapter 53 of title 49 that is located in an urbanized area with a population of more than 200,000 individuals.".

SEC. 1208. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327 of title 23, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A) by inserting "or partially within, including projects that cross State boundaries and projects that are adjacent to international boundaries," after "projects within"; and

(B) by adding at the end the following:

"(H) PROJECTS CROSSING STATE BOUNDARIES.—For any project crossing a State boundary, a State assuming the responsibilities of the Secretary under this section shall receive concurrence from the impacted State or States through which the project crosses.";

(2) in subsection (b)(2) in the matter preceding subparagraph (A)—

(A) by striking "Not later than 270 days after the date on which amendments to this section by the MAP–21 take effect, the" and inserting "The"; and

(B) by striking "amend, as appropriate," and inserting "maintain and, as appropriate, update";

(3) in subsection (c)—

(A) in paragraph (6) by striking "and";

(B) in paragraph (7) by striking "10 years, have a term of 10 years." and inserting "5 years, have a term of 10 years; and"; and

(C) by adding at the end the following:

"(8) include only requirements of the State described in this section.";

(4) in subsection (g)—

(A) in paragraph (1)(D) by striking "(including public comment and responses to those comments)"; and

(B) by amending paragraph (2) to read as follows:

"(2) PUBLIC AVAILABILITY.—An audit conducted under paragraph (1) shall be made publicly available by the Secretary on the website of the Department.";

(5) in subsection (i) by striking "Congress" and inserting "the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate"; and

(6) in subsection (j)(2) by striking "90 days" and inserting "180 days".

SEC. 1209. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

Section 330 of title 23, United States Code, is amended—

(1) by striking subsection (k); and

(2) by redesignating subsection (l) as subsection (k).

SEC. 1210. TRAINING AND EDUCATION; BEST PRACTICES.

(a) IN GENERAL.—Section 504(a) of title 23, United States Code, is amended—

(1) in paragraph (3)(A)(i)—

(A) by striking ‘‘asset management,’’ and inserting ‘‘contracting, procurement, and asset management,’’;

(B) by redesignating subclauses (I) through (IV) as subclauses (IV) through (VII); and

(C) by inserting after the matter preceding subclause (IV) (as redesignated by this section) the following:

‘‘(I) contract management throughout all stages of procurement;

‘‘(II) the need for specificity in initial contract scoping and language to reduce project uncertainty, the potential for project scope changes after a contract has been awarded, and the risk of cost overruns;

"(III) the importance of competition in contracting and how State transportation departments or transportation agencies should advertise and conduct outreach to potential bidders to increase the bidder pool for projects;";

(2) in paragraph (3)(A)(ii)—

(A) in subclause (V) by striking "and" at the end;

(B) in subclause (VI) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(VII) managing contracting officers and engineers and measuring the performance of such contracting officers and engineers as such performance relates to the relative costs of projects compared to projects of comparable scopes that are supervised by other contracting officers and engineers."; and

(3) in paragraph (3)(B) by striking "and finance." and inserting "finance, and such other courses the Secretary determines appropriate.".

(b) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop and transmit to each State transportation department best practices on—

(A) improving specificity in initial contract scoping and language to reduce project uncertainty, the potential for project scope changes after a contract has been awarded, and the risk of cost overruns;

(B) increasing competition in projects funded with Federal grants;

(C) improving contract advertisement and conducting outreach to potential bidders to increase the bidder pool for projects; and

(D) improving contracting officer and engineer performance to ensure the greatest value in contracting by a State department of transportation.

(2) PLANS.—Not later than 1 year after the date of enactment of this Act, each State transportation department shall submit to the Secretary—

(A) a plan to incorporate the best practices developed under paragraph (1) into State transportation department procurement and management processes; and

(B) other best practices of the State transportation department that achieve the items specified in subparagraphs (A) through (D) of paragraph (1).

(3) PERIODIC REVISION.—The Secretary shall periodically review and, if appropriate, revise the best practices developed under paragraph (1) and transmit such revisions to each State department of transportation.

SEC. 1211. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

Section 304a(c) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking "a draft environmental impact statement, an environmental assessment, or a final environmental impact statement" and inserting "an environmental assessment or environmental impact statement"; and

(B) by striking "or final" and inserting "or"; and

(2) in paragraph (3)—

(A) by striking ‘‘a draft environmental impact statement, an environmental assessment, or a final environmental impact statement’’ and inserting ‘‘an environmental assessment or environmental impact statement’’; and

(B) by striking ‘‘or final’’ and inserting ‘‘or’’ in each place it appears.

SEC. 1212. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.

Section 310 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ‘‘Not later than 1 year after the date of enactment of this section, the’’ and inserting ‘‘The’’; and

(B) by striking ‘‘develop’’ and inserting ‘‘establish and periodically update’’;

(2) in subsection (b) in the matter preceding paragraph (1) by striking ‘‘developed’’ and inserting ‘‘established’’;

(3) in subsection (c)(1)—

(A) by striking ‘‘Not later than 90 days after the date of enactment of this section, the’’ and inserting ‘‘The’’; and

(B) by inserting "and continuously maintain" after "jointly develop";

(4) in subsection (d)—

(A) in paragraph (2)(B) by inserting "to the maximum extent practicable" after "utilizing"; and

(B) in paragraph (4) by inserting "relevant" before "groups";

(5) in subsection (e) by striking "Not later than 1 year after the date of enactment of this section, the" and inserting "The"; and

(6) in subsection (f)—

(A) by striking paragraph (2);

(B) in paragraph (1)—

(i) in subparagraph (A) by striking "and" at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(3) challenges in aligning Federal environmental reviews under this section.";

(C) by striking "REPORTS" and all that follows through "Not later than" and inserting "REPORTS.—Not later than"; and

(D) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

SEC. 1213. FTA ALLOWANCE OF LAND ACQUISITION.

Section 5323(q) of title 49, United States Code, is amended—

(1) in the subsection heading by inserting "; LAND ACQUISITION" after "PRESERVATION";

(2) in paragraph (1)—

(A) by striking the period at the end and inserting "; and";

(B) by striking "may assist" and inserting "may—

"(A) assist"; and

(C) by adding at the end the following:

"(B) pursuant to paragraph (3)(B), reimburse a recipient for the acquisition of real property interests before completion of such environmental reviews without affecting subsequent approvals required for any project by the State or any Federal agency.";

(3) in paragraph (2)—

(A) by inserting "and real property interests" before "acquired under"; and

(B) by striking "anticipation of the project" and inserting "anticipation of a project"; and

(4) by adding at the end the following:

"(3) RECIPIENT-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

"(A) IN GENERAL.—A recipient may carry out, at the expense of the recipient, acquisitions of interests in real property for a project before completion of the review process required for a project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for a project by the State or any Federal agency.

"(B) ELIGIBILITY FOR REIMBURSEMENT.—Financial assistance awarded pursuant to this chapter may be used by a recipient to participate in the payment of costs incurred by the recipient for acquisition of real property interests, acquired in advance of any Federal approval or authorization, if the real property interests are subsequently incorporated into a capital project eligible for financial assistance pursuant to this chapter.''.

SEC. 1214. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

(a) IN GENERAL.—Section 1317(1) of MAP–21 (23 U.S.C. 109 note) is amended—

(1) in the matter preceding subparagraph (A) by striking ''Regulations, and section 771.117(c) of title 23, Code of Federal Regulations'' and inserting ''Regulations, and sections 771.116(c), 771.117(c), and 771.118(c) of title 23, Code of Federal Regulations (or any successor regulations or policies relating to categorical exclusions)'';

(2) in subparagraph (A) by striking ''$6,000,000'' and inserting ''$12,000,000''; and

(3) in subparagraph (B) by striking ''$35,000,000'' and inserting ''$70,000,000''.

(b) CODIFICATION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall issue a final rule revising part 771 of title 23, Code of Federal Regulations, to reflect the amendments made by subsection (a).

(c) ADOPTION BY OTHER FEDERAL AGENCIES.—

(1) LIMITATION.—Notwithstanding any other provision of law, after the date of enactment of this

Act, a categorical exclusion described in section 1317(1) of MAP–21 (23 U.S.C. 109 note) may be used only by the Department.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the adoption or use of such categorical exclusion by any Federal agency as it was in effect on the date before the date of enactment of this Act.

SEC. 1215. PROGRAMMATIC AGREEMENTS.

(a) IN GENERAL.—Section 1318 of MAP–21 (23 U.S.C. 109 note) is amended—

(1) in subsection (d)—

(A) in paragraph (2) by striking "Federal Highway Administration" and inserting "Secretary"; and

(B) by striking paragraph (3) and inserting the following:

"(3) DETERMINATIONS.—An agreement described in paragraph (2) may include determinations by the Secretary of the types of projects categorically excluded (consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) in the State in addition to the types listed in applicable regulations and orders."; and

(2) in subsection (e)—

(A) in paragraph (1) by striking "described in section 771.117(c)" and all that follows through "this subsection)" and inserting "described in sections 771.116, 771.117, and 771.118 of title 23, Code of Federal Regulations"; and

(B) in paragraph (3) by striking "described in section 771.117(c)" and all that follows through "this subsection)," and inserting "described in sections 771.116, 771.117, and 771.118 of title 23, Code of Federal Regulations,".

(b) REVISION OF TEMPLATES.—Not later than 90 days after the date of enactment of this Act, the Secretary, in consultation with the heads of State transportation departments and any other entities determined appropriate by the Secretary, shall—

(1) review the template programmatic agreement developed under section 1318(e) of MAP–21 (23 U.S.C. 109 note) and identify each type of project that—

(A) may be subject to a programmatic agreement authorized under section 1318(d)(1) of MAP–21 (23 U.S.C. 109 note);

(B) is not included in the template as part of a determination of the Secretary under section 1318(d)(3) of MAP–21 (23 U.S.C. 109 note); and

(C) is categorically excluded from the preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) revise the template programmatic agreement to include each type of project identified under paragraph (1) that the Secretary determines appropriate to increase flexibility for States that enter into a programmatic agreement to carry out environmental and other required project reviews.

SEC. 1216. STREAMLINING TRIBAL CATEGORICAL EXCLUSIONS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall seek to develop a set of shared procedures with the head of a relevant Federal agency to allow, to the maximum extent practicable, sponsors of projects eligible for assistance under section 202 of title 23, United States Code, to submit 1 document to demonstrate that the conditions for any categorical exclusion under the National Environmental Policy Act of 1969

(42 U.S.C. 4321 et seq.), that has been adopted by the Secretary, or such head, are satisfied.

SEC. 1217. STREAMLINING SMALL SAFETY PROJECTS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall publish, and amend as appropriate, a uniform checklist to help project sponsors determine whether certain safety projects qualify for a categorical exclusion under paragraph (3) or (23) of section 771.117(c) of title 23, Code of Federal Regulations.

SEC. 1218. UPDATES TO CATEGORICAL EXCLUSIONS FOR PUBLIC TRANSPORTATION PROJECTS.

(a) CATEGORICAL EXCLUSIONS FOR PUBLIC TRANSPORTATION PROJECTS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall take such action as may be necessary to—

(1) establish such categorical exclusions as the Secretary determines to be relevant and appropriate for use by the Federal Transit Administration with respect to public transportation projects after reviewing categorical exclusions—

(A) adopted by agencies within the Department; and

(B) identified in the most recently conducted process pursuant to section 139(q) of title 23, United States Code;

(2) clarify the application of categorical exclusions under section 771.118 of title 23, Code of Federal Regulations (or any successor regulations), that are explicitly applicable to the assembly, construction, repair, or replacement of transit shelters (or other transit-related shelters) located predominantly within an existing right-of-way; and

(3) minimize, to the greatest extent allowable by law, the requirements for a recipient of assistance under chapter 53 of title 49, United States Code, to complete documentation or studies for use by the Secretary in determining if a project for which such assistance is awarded is subject to—

(A) a categorical exclusion established under paragraph (1);

(B) a categorical exclusion described in paragraph (2); or

(C) the requirements of section 306108 of title 54, United States Code.

(b) GUIDANCE REGARDING NATIONAL HISTORIC PRESERVATION ACT REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary, taking into consideration the notice of approval issued by the Advisory Council on Historic Preservation titled ''Program Comment on Certain Housing, Building, and Transportation Undertakings'', published on April 2, 2025, (90 Fed. Reg. 14526), shall issue guidance for recipients of assistance described in subsection (a)(3) with respect to the processes and procedures such recipients may experience in attaining, if applicable, review pursuant to section 306108 of title 54, United States Code.

(c) BRIEFING.—Not later than 2 years after the date of enactment of this Act, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the actions undertaken by the Secretary to carry out this section.

(d) TRANSIT SHELTER DEFINED.—In this section, the term ''transit shelter'' means a canopy structure or other structure open to the elements on at least 1 side and provides partial weather protection for users of public transportation.

Subtitle C—Miscellaneous

SEC. 1301. TRANSPORTATION RULEMAKING COMMITTEES.

(a) IN GENERAL.—Section 102 of title 49, United States Code, is amended by adding at the end the following:

''(k) TRANSPORTATION RULEMAKING COMMITTEES.—Chapter 10 of title 5 shall not apply to such transportation rulemaking committees as the Secretary or the head of a modal administration of the Department shall designate.''.

(b) ADOPTION OF EXISTING PROCEDURES.—

(1) IN GENERAL.—In issuing guidance for the processes and procedures relating to transportation rulemaking committees enabled by the amendment under subsection (a), the Secretary shall, to the maximum extent practicable, adopt the same processes and procedures applicable to aviation rulemaking committees (as such term is referenced in section 106(p)(5)(B) of title 49, United States Code) as such processes and procedures are prescribed in the document entitled ''The Federal Aviation Administration Rulemaking and Federal Advisory Committee Manual'', approved June 6, 2024.

(2) CLARIFICATION.—In issuing guidance under paragraph (1), the Secretary shall clarify that—

(A) a transportation rulemaking committee may have more than 1 Industry Co-Chair; and

(B) an individual representing any relevant non-Federal stakeholder (including an individual representing the interests of State or local governments or public interest organizations) may not be precluded from serving as an

Industry Co-Chair of a transportation rulemaking committee.

(c) REQUIREMENTS.—

(1) TRANSPARENCY.—The Secretary shall make all reports and recommendations of a transportation rulemaking committee required to be established under this Act publicly available prior to initiating an applicable rulemaking, if applicable.

(2) RULEMAKING.—The Secretary shall ensure that any rulemaking that results from any regulatory recommendation of a transportation rulemaking committee required to be established under this Act is promulgated by a Notice of Proposed Rulemaking.

(d) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to restrict the authority of the Administrator of the Federal Aviation Administration under section 106(p)(5) of title 49, United States Code, as such authority existed on the day before the date of enactment of this Act.

SEC. 1302. VEHICLE WEIGHT LIMITS.

(a) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLES.—Section 127(m) of title 23, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—The vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle operating in a State under a permit—

"(A) issued by such State in accordance with State law; and

"(B) that includes routing or similar information to ensure safe operation of such vehicle on highway bridges and tunnels."; and

(2) in paragraph (2)(B)—

(A) by striking "a gross vehicle weight" and inserting "a gross combined weight rating"; and

(B) by inserting "rating" after "the gross vehicle weight".

(b) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—Section 127(p) of title 23, United States Code, is amended by inserting "and United States Highway 67 between the exits for county road 315 and highway 224" before "in the State of Arkansas".

(c) EMERGENCY VEHICLES.—Section 127(r) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "a State" and all that follows through "less than" and inserting "a State shall issue a permit for the operation of an emergency vehicle with a vehicle weight up to 86,000 pounds and a maximum of";

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) PERMITTING REQUIREMENT.—Any permit issued pursuant to this subsection shall be issued in accordance with State law and shall include routing or similar information to ensure safe operation of an emergency vehicle on highway bridges.".

(d) HYDROGEN VEHICLES.—Section 127(s) of title 23, United States Code, is amended—

(1) in the subsection heading by striking "GAS AND ELECTRIC BATTERY VEHICLES" and inserting "GAS, ELECTRIC BATTERY, AND HYDROGEN VEHICLES";

(2) by striking "gas or" and inserting "gas,"; and

(3) by inserting "fueled primarily by hydrogen, or fueled or powered by a combination thereof," before "may exceed".

(e) DRY BULK AXLE WEIGHT VARIANCE.—Section 127 of title 23, United States Code, is further amended by adding at the end the following:

"(z) DRY BULK AXLE WEIGHT VARIANCE.—

"(1) WEIGHT VARIANCE.—Notwithstanding any other provision of this section, except for the maximum gross vehicle weight limitation, a commercial motor vehicle transporting dry bulk goods may not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a), including any enforcement tolerance.

"(2) DRY BULK GOODS DEFINED.—In this subsection, the term 'dry bulk goods' means any homogeneous unmarked, unpackaged, non-liquid cargo being transported in a trailer specifically designed for that purpose.".

(f) OPERATION OF CERTAIN AGRICULTURAL VEHICLES IN THE STATE OF LOUISIANA.—Section 127 of title 23, United States Code, is further amended by adding at the end the following:

"(aa) OPERATION OF CERTAIN AGRICULTURAL VEHICLES IN THE STATE OF LOUISIANA.—

"(1) IN GENERAL.—The State of Louisiana may allow, by special permit, the operation of a covered agricultural vehicle on the Interstate System in the State of Louisiana if such vehicle—

"(A) does not exceed a gross vehicle weight of 88,000 pounds;

"(B) does not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a)(2), including any enforcement tolerance; and

"(C) has no fewer than 5 axles.

"(2) COVERED AGRICULTURAL VEHICLE DEFINED.—In this subsection, the term 'covered agricultural vehicle' means a vehicle that is transporting unprocessed agricultural crops used for food, feed or fiber, or raw or unfinished forest products, including logs, pulpwood, biomass, or woodchips.".

(g) OPERATION OF CERTAIN LOGGING VEHICLES IN THE STATE OF ARKANSAS.—Section 127 of title 23, United States Code, is further amended by adding at the end the following:

"(bb) OPERATION OF CERTAIN LOGGING VEHICLES IN THE STATE OF ARKANSAS.—

"(1) IN GENERAL.—The State of Arkansas may allow, by special permit, the operation of a covered logging vehicle on the Interstate System in the State of Arkansas if such vehicle—

"(A) does not exceed a gross vehicle weight of 85,000 pounds;

"(B) has no fewer than 5 axles; and

"(C) travels a maximum distance of 20 miles on the Interstate System from origin to a storage or processing facility.

"(2) COVERED LOGGING VEHICLE DEFINED.— In this subsection, the term 'covered logging vehicle' means a vehicle that is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips.".

(h) OPERATION OF CERTAIN VEHICLES IN THE STATE OF IOWA.—Section 127 of title 23, United States Code, is further amended by adding at the end the following:

"(cc) OPERATION OF CERTAIN VEHICLES IN THE STATE OF IOWA.—

"(1) INTERSTATE DESIGNATION.—If any segment of Iowa State Route 5 in Iowa from the interchange with Interstate Route 35 to the interchange with United States Route 65, or United States Route 65 in Iowa from the interchange with Iowa State Route 5 and United States Route 69 to the interchange with Interstate Route 80, is designated as a route on the Interstate System, a vehicle that could operate legally on such segment before the date of such designation may continue to operate on such segment, without regard to any requirement under this section.

"(2) SPECIAL PERMITS.—The State of Iowa may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 108,000 pounds for the hauling of divisible loads on a segment of Interstate Route 380 in the State of Iowa from the west interchange with United States Route 20 and United States Route 218 to the east interchange with United States Route 20.".

SEC. 1303. DESIGNATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) DESIGNATION AS HIGH PRIORITY CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240) is amended by adding at the end the following:

"(103) United States Route 74 from I–26 in the vicinity of Columbus, North Carolina to I–85 in the vicinity of Kings Mountain, North Carolina.

"(104) United States Route 421 from Wilkesboro, North Carolina, to Winston-Salem, North Carolina.".

(b) DESIGNATION AS FUTURE INTERSTATE.—Section 1105(e)(5) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240) is amended—

(1) in subparagraph (A) by striking "and subsection (c)(102)" and inserting "subsection (c)(102), subsection (c)(103), and subsection (c)(104)"; and

(2) in subparagraph (C)(i) by adding at the end the following: "The route referred to in subsection (c)(104) is designated as Interstate Route I–777.".

SEC. 1304. SAFETY COORDINATORS; DETERMINATION OF REASONABLE COST.

(a) IN GENERAL.—Section 217 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in the subsection heading by inserting "SAFETY" before "COORDINATORS"; and

(B) by striking "the increased use" and all that follows through "transportation, including" and inserting "nonmotorized transportation safety, including by"; and

(2) in subsection (e)—

(A) by striking ''can be provided'' and inserting ''was not included in the original project scope and can be provided''; and

(B) by striking ''then such bridge shall'' and inserting ''then the Secretary may require such bridge''.

(b) REPEAL.—Section 11529 of the Infrastructure Investment and Jobs Act (23 U.S.C. 217 note), and the item relating to such provision in the table of contents under section 1(b) of such Act, are repealed.

SEC. 1305. UPDATES TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

In updating the Manual on Uniform Traffic Control Devices under section 109(d)(2) of title 23, United States Code, for the first time after the date of enactment of this Act, the Secretary shall include updates necessary to—

(1) establish a standard for the minimum level of required retroreflectivity of traffic control devices and pavement markings, ensuring the standard requires that traffic control devices and pavement markings meet the minimum level of required retroreflectivity in wet conditions; and

(2) standardize bordered and lag contrast pavement markings on light-colored pavements and bridges.

SEC. 1306. DESIGN STANDARDS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Highway Administration shall develop a list of categorical design exceptions from standards developed under section 109(c) of title 23, United States Code, for categories of multimodal projects and features on Federal-aid highways.

(b) INCLUSIONS.—The list developed under subsection (a) shall include categories of multimodal projects and features that—

(1) are recommended by the Federal Highway Administration, including Proven Safety Countermeasures;

(2) improve safety for vulnerable road users; and

(3) are currently subject to the design exception process.

SEC. 1307. MODERNIZING ROADSIDE SAFETY HARDWARE DEVICES AND ADMINISTRATION POLICIES.

(a) MODERNIZING ROADSIDE SAFETY HARDWARE POLICIES.—

(1) IN GENERAL.—The Secretary may not issue a Federal-aid reimbursement eligibility letter under the Federal-aid highway program to a person or entity for a new roadside safety hardware device that

does not meet the applicable crash test criteria set forth in the most recent version of the manual of the American Association of State Highway and Transportation Officials titled ''Manual for Assessing Safety Hardware, Second Edition'' (referred to in this section as ''MASH'') or any successor industry standard.

(2) TERMINATION OF PROHIBITION.—Paragraph (1) shall cease to apply on the date that the final rule associated with the rulemaking described in subsection (b)(5)(B) is effective.

(3) SUPPLEMENTAL MATERIALS.—In addition to materials specified by the Secretary, beginning on the date of enactment of this Act, a requestor for a letter described in paragraph (1) shall certify, in a manner satisfactory to the Secretary, that all installation manuals or instructions relating to a roadside safety hardware device are up-to-date and publicly available and utilize plain writing (as such term is defined in section 3 of the Plain Writing Act of 2010 (5 U.S.C. 301 note)) for use by individuals in States and territories.

(b) TRANSPORTATION RULEMAKING COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Sec-

retary shall establish a transportation rulemaking committee, pursuant to section 102(k) of title 49, United States Code, to review and develop findings and recommendations to increase the safety and performance of roadside safety hardware devices.

(2) MEMBERSHIP.—The transportation rulemaking committee convened under paragraph (1) shall consist of members appointed by the Secretary, including—

(A) representatives of an association representing State highway officials;

(B) representatives of the traffic safety industry, including manufacturers of roadside safety hardware devices and roadside safety hardware technologies;

(C) representatives from up to 4 State highway safety offices from different geographic regions;

(D) representatives of roadway safety advocacy organizations;

(E) representatives of relevant research organizations or academia;

(F) representatives of labor organizations representing roadway construction workers;

(G) representatives of transportation construction associations; and

(H) other representatives, as determined appropriate by the Secretary.

(3) CONSIDERATIONS.—The transportation rulemaking committee convened under paragraph (1) shall consider, at a minimum, the following:

(A) The extent to which roadside safety hardware devices on the National Highway System utilize MASH crash test standards, including such devices procured and installed with Federal and non-Federal funds.

(B) The extent to which plain writing (as such term is defined in section 3 of the Plain Writing Act of 2010 (5 U.S.C. 301 note)) is utilized in installation manuals or instructions associated with a roadside safety hardware device for use by individuals responsible for installing such devices.

(C) Potential changes to administrative guidance documents and policies as such changes relate to roadside safety hardware devices to improve Federal agency oversight of such devices and communication with State departments of transportation, including examining how data is collected following in service performance evaluations.

(D) Whether the Federal Highway Administration should require third-party verification of laboratory testing of roadside safety hardware devices to determine crashworthiness.

(E) Whether the most up-to-date MASH crash test standards for roadside safety hardware devices effectively mitigate roadway vehicle departure for a modern vehicle fleet and roadway conditions and ensure vehicle occupant protection in the event of a crash.

(4) RANDOM SAMPLING.—In carrying out subparagraphs (A) and (B) of paragraph (3), the rulemaking committee may evaluate a random sampling of roadside safety hardware devices, including such devices procured and installed with Federal and non-Federal funds, from across all regions.

(5) REPORT AND REGULATIONS.—

(A) REPORT.—Not later than 1 year after the transportation rulemaking committee under paragraph (1) convenes, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and

Transportation of the Senate a report based on the findings of the transportation rulemaking committee.

(B) RULEMAKING REQUIRED.—Not later than 1 year after the Secretary submits the report under subparagraph (A), the Secretary shall issue an advanced notice of proposed rulemaking establishing regulations to require the installation of roadside safety hardware devices on the National Highway System that are compliant with the most up-to-date crashworthiness standards, among other requirements.

(C) CONTENTS OF RULEMAKING.—In issuing the notice of proposed rulemaking required under subparagraph (B), the Secretary—

(i) shall require, at a minimum—

(I) roadside safety hardware devices to be compliant with the most up-to-date crashworthiness standards, as determined by the Secretary;

(II) the adoption of laboratory testing of roadside safety hardware devices to determine crashworthiness and safety performance;

(III) the adoption of in-service maintenance standards for such devices; and

(IV) the adoption of a standardized means of collection of performance data resulting from in-service performance evaluations of such devices; and

(ii) may incorporate by reference 1 or more requirement under clause (i).

(c) ELIGIBILITY LETTERS.—The Secretary, upon issuance of the final rule associated with the rulemaking described in subsection (b)(5)(B), may not issue a Federal-aid reimbursement eligibility letter under the Federal-aid highway program to a person or entity for a roadside safety hardware device.

(d) ROADSIDE SAFETY HARDWARE DEVICE DEFINED.—In this section, the term ''roadside safety hardware device'' means a device that reduces the consequences of a vehicle departure from the roadway by containing, redirecting, or decelerating such vehicle to a safe stop, including guardrails, cable barriers, bridge barriers, crash cushions, support structures, and work zone devices.

SEC. 1308. AUDIT OF FHWA OVERSIGHT OF ROADSIDE SAFETY HARDWARE DEVICES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department shall initiate an audit of the Federal Highway Administration's oversight of roadside safety hardware devices, including crash testing of such devices, oversight of in-service performance evaluations of such devices conducted by State departments of transportation, and other oversight related activities carried out by the agency in relation to such devices.

(b) CONTENTS.—In conducting the audit described in subsection (a), the inspector general shall, at a minimum—

(1) assess the Federal Highway Administration's oversight of—

(A) the standards and design specifications of a State or territory for roadside safety hardware devices, including the written policies of the State or territory relating to the installation of crash-tested roadside hardware safety devices, if applicable;

(B) the roadside safety hardware device crash-testing and safety performance process, including how such devices perform in actual conditions through in-service performance evaluations; and

(C) the progress of a State or territory in transitioning to roadside safety hardware devices that comply with crash testing standards set forth in the most recent version of the manual of the American Association of State Highway and Transportation Officials titled ''Manual for Assessing Safety Hardware, Second Edition''; and

(2) make recommendations, if applicable, for additional actions the Federal Highway Administration shall take to improve oversight processes relating to roadside safety hardware devices.

(c) REPORT.—Not later than 1 year after the date of initiation of the audit described in subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of such audit, including findings and recommendations to improve the oversight of roadside hardware safety devices.

SEC. 1309. INTERAGENCY BRIDGE STRIKE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish an interagency bridge strike working group—

(1) to coordinate between the Department and other agencies;

(2) to provide guidance and assistance to bridge owners on evaluating and reducing the risk of bridge collapse from a vessel collision; and

(3) to provide guidance to bridge owners on motorist warning systems.

(b) MEMBERSHIP.—The interagency working group established under subsection (a) shall consist of representatives from—

(1) the Federal Highway Administration;

(2) the Coast Guard;

(3) the Army Corps of Engineers; and

(4) any other entities determined appropriate by the Secretary.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the interagency working group established under subsection (a) 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 a report that includes—

(1) an analysis of current bridge vulnerabilities that risk leading to a bridge collapse from a vessel collision;

(2) recommendations for bridge owners to evaluate and reduce the risk of bridge collapse from a vessel collision;

(3) recommendations on any policy changes necessary to prevent the risk of bridge collapses due to vessel strikes; and

(4) any other information the working group determines appropriate.

(d) TERMINATION OF WORKING GROUP.—The interagency working group established under subsection (a) shall terminate on the date that is 3 months after the date of submission of the report required under subsection (c).

SEC. 1310. BRIDGE CLEARANCE BEST PRACTICES.

(a) ESTABLISHMENT.—The Secretary shall establish a bridge clearance strike working group to make recommendations on ways to improve public-private data sharing regarding bridge clearance height and the routing of commercial motor vehicles and rental vehicles.

(b) MEMBERSHIP.—The working group established under subsection (a) shall include representatives from—

(1) the Federal Highway Administration;

(2) the Federal Railroad Administration;

(3) the Federal Motor Carrier Safety Administration;

(4) State departments of transportation;

(5) trucking organizations;

(6) producers of GPS navigation systems;

(7) law enforcement agencies;

(8) companies that rent or lease rental vehicles directly to consumers; and

(9) Class I, II, and III railroad carriers.

(c) REPORT.—Not later than 1 year after the date of the establishment of the interagency working group under subsection (a), 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 a report that includes—

(1) recommendations to—

(A) improve the availability of information and route signs specific to commercial motor vehicles or rental vehicles on GPS navigation systems;

(B) improve driver knowledge and awareness about bridge clearance strikes;

(C) encourage companies that rent out rental vehicles to clearly label such vehicles with height and weight restriction information; and

(D) include ways for companies that rent or lease vehicles to provide notice to individuals who rent or lease such a vehicle, whether orally or written, of vehicle height and warn such individuals to look out for road signs about vehicle height; and

(2) any other recommendations by the working group to address bridge clearance strikes.

SEC. 1311. U.S. CONGRESSMAN AND PRISONER OF WAR SAM JOHNSON MEMORIAL HIGHWAY.

(a) DESIGNATION.—The portion of United States Highway 75 between President George Bush Turnpike and United States Highway 380 previously designated as "Sam Johnson Highway" shall, after the date of enactment of this Act, be known and redesignated as the "U.S. Congressman and Prisoner of War Sam Johnson Memorial Highway".

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the portion of highway referred to in subsection

(a) shall be considered to be a reference to the U.S. Congressman and Prisoner of War Sam Johnson Memorial Highway.

SEC. 1312. TECHNICAL ASSISTANCE FOR CONTRACTING.

The Secretary may provide technical assistance to, and develop guidance and best practices for, State departments of transportation regarding the use of the lump sum payment method in the procurement and administration of engineering and design services for transportation projects funded using Federal grants, including the potential benefits and risks associated with such payment method.

SEC. 1313. PREVENTING ANTICOMPETITIVE BIDDING PRACTICES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance to State departments of transportation on proactively preventing anticompetitive bidding practices on Federal-aid highway projects.

(b) CONTENTS.—In issuing guidance under subsection (a), the Secretary shall—

(1) advise States on how to conduct frequent, regular, and systematic reviews and audits of procurements made over multiple years using specific

statistics to identify anticompetitive bidding patterns; and

(2) encourage, to the maximum extent practicable, reduced reliance on historical data when developing engineer's estimates.

(c) TRANSPORTATION RULEMAKING COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a transportation rulemaking committee to provide recommendations to revise Federal regulations to prevent and protect against anticompetitive practices in bidding on Federal-aid highway projects.

(2) MEMBERSHIP.—The transportation rulemaking committee convened under paragraph (1) shall consist of members appointed by the Secretary, including representatives of—

(A) State departments of transportation;

(B) engineering associations;

(C) transportation construction associations;

(D) construction materials associations;

(E) labor organizations representing transportation workers;

(F) technology associations providing construction management software;

(G) an association representing businesses that participate in the program described in section 1101(e); and

(H) other stakeholders the Secretary determines appropriate.

(3) REPORT.—Not later than 18 months after the date on which the transportation rulemaking committee is established under paragraph (1), the transportation rulemaking committee shall submit to the Secretary a report detailing the findings and recommendations developed under paragraph (1) on how to revise the regulations under sections 635.111, 635.112(f), 635.113, 635.114, and 635.115 of title 23, Code of Federal Regulations, or other related regulations, considering the following:

(A) Methods to reduce or eliminate reliance on historical data as the sole basis of engineer's estimates when developing such estimates.

(B) Best practices for States to routinely review and audit procurements to identify anticompetitive bidding patterns.

(C) Techniques for States to address potential instances of anticompetitive bidding on Federal-aid highway projects.

(D) Costs associated with potential anticompetitive bidding patterns.

(4) RECOMMENDATIONS.—Not later than 9 months after the date on which the transportation rulemaking committee submits the report under paragraph (3), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate—

(A) a summary of the findings and recommendations described in such report; and

(B) for each such recommendation—

(i) the Secretary intends to implement, a description for the implementation plan of the Secretary and a timeline for implementation; and

(ii) the Secretary does not plan to implement, an explanation as to why the Secretary does not intend to implement such recommendation.

(5) NOTICE OF PROPOSED RULEMAKING.—The Secretary shall issue a notice of proposed rule-

making for any regulatory changes recommended by the transportation rulemaking committee that the Secretary intends to implement.

SEC. 1314. STUDY ON EFFECTIVENESS OF DISCRETIONARY GRANT PROGRAMS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall initiate a study on the effectiveness of highway-related discretionary grant programs administered by the Department.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) the criteria used by the Department to evaluate and select projects for funding, including—

(A) the alignment of funding decisions with statutory program objectives; and

(B) the transparency and consistency of the application review and award process;

(2) trends in funding allocation across project types, geographic regions, and jurisdictions, including a comparison of various Department funding sources;

(3) the average timeline from application submission to award notification and obligation of funds, including—

(A) the prevalence and source of cost overruns, schedule delays, and project scope changes or cancellations, and the contributing factors; and

(B) effective practices that led to successful project completion within budget and on schedule;

(4) the outcome of projects completed using discretionary funding compared to formula funding; and

(5) the frequency with which grant recipients at the local government level attempted to seek funding for a project with alternative funding sources, including Federal formula funds, before receiving a grant.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with relevant stakeholders, including—

(1) State departments of transportation;

(2) transit agencies;

(3) metropolitan planning organizations;

(4) local governments, including at least 1 representative each from a city, town, and county;

(5) Tribal governments;

(6) a representative from a labor organization representing transportation construction workers;

(7) representatives of the construction industry, including representatives with experience constructing highway infrastructure systems and public transportation infrastructure systems;

(8) representatives from the design and engineering industry; and

(9) relevant Federal agencies and any other stakeholders the Comptroller General determines to be appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under subsection (a).

(2) RECOMMENDATIONS.—The Comptroller General shall include in the report submitted under

paragraph (1) recommendations associated with the results of the study, including recommendations to—

(A) enhance project selection criteria to achieve grant program objectives;

(B) minimize cost overruns and delays in project delivery;

(C) better align discretionary grant program criteria with statutory program requirements and objectives; and

(D) improve the efficiency and administration of the discretionary grant programs of the Department.

SEC. 1315. STUDY ON EFFECTIVENESS OF FORMULA GRANT PROGRAMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a study on the effectiveness of highway formula grant programs administered by State departments of transportation.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) the criteria used by State departments of transportation to evaluate and select projects to receive highway formula funding, including—

(A) the alignment of funding decisions with the national goals under section 150(b) of title 23, United States Code; and

(B) procedures used by different State departments of transportation to provide formula grants to regional or local governments within the State, when appropriate; and

(2) the extent to which highway formula funding increases have or have not led to the attainment of the goals under section 150(b) of title 23, United States Code.

(c) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under subsection (a).

(2) RECOMMENDATIONS.—The Comptroller General shall include in the report submitted under paragraph (1) recommendations associated with the results of the study.

SEC. 1316. NATIONAL ACADEMIES REVIEW OF HIGHWAY SYSTEMS.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the Transportation Research Board of the National Academy of Science to conduct a comprehensive study to review the necessity of, interaction of, and coordination between various Federal Highway Administration recognized highway networks and systems, including—

(1) the National Highway System;

(2) the Interstate System;

(3) the strategic highway network;

(4) the National Network;

(5) the National Highway Freight Network;

(6) the primary highway freight system;

(7) critical urban freight corridors;

(8) critical rural freight corridors;

(9) intermodal connectors;

(10) alternative fuel corridors;

(11) the Appalachian Development Highway System;

(12) the Alaska Marine Highway System;

(13) the Denali access system;

(14) Marine highway transportation routes;

(15) high priority corridors;

(16) designated future parts of the Interstate System; and

(17) any other highway systems the Transportation Research Board determines to be relevant.

(b) CONSULTATION.—In conducting the study under subsection (a), the Transportation Research Board shall consult with—

(1) the Federal Highway Administration;

(2) the Maritime Administration;

(3) the Office of Multimodal Freight Infrastructure and Policy;

(4) State departments of transportation; and

(5) any other entities the Transportation Research Board determines to be relevant.

(c) CONTENTS.—In conducting the study under subsection (a), the Transportation Research Board shall consider, at a minimum, the following:

(1) The overlap of the various highway networks and systems, including which systems are encompassed on larger or multiple networks.

(2) Departmental funding availability for each highway network and system.

(3) The role of State and local governments in designating a public road to a highway network and system.

(4) The Federal rationale for each highway network and system.

(d) REPORT.—If the Transportation Research Board enters into an agreement under subsection (a), not later than 18 months after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report describing the results of the study conducted pursuant to such subsection.

SEC. 1317. REVIEW OF STATE AND LOCAL CONSULTATION PROCESSES.

(a) IN GENERAL.—The Comptroller General shall conduct a review of the surface transportation block grant program under section 133 of title 23, United States Code (referred to in this section as the ‘‘Program’’).

(b) CONTENTS.—In conducting the review required under subsection (a), the Comptroller General shall evaluate—

(1) the process by which the Federal Highway Administration notifies States and metropolitan planning organizations of amounts apportioned to States to be obligated in areas based on population;

(2) amounts apportioned to States required to be obligated in areas based on population, including unobligated balances of the amounts and factors that may be contributing to such balances;

(3) consultation processes established by States to consult with metropolitan planning organizations and regional transportation planning organizations for amounts required to be obligated in such areas based on population; and

(4) State selection processes for projects funded by amounts required to be obligated in areas based on population.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

(1) the findings of the review required under subsection (a); and

(2) any recommendations to improve consultation processes and communication between States, metropolitan planning organizations, and regional transportation planning organizations under the

Program to address State and local infrastructure needs.

SEC. 1318. EMERGENCY RELIEF WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall convene a working group to provide recommendations for supporting emergency relief efforts following natural disasters and assessing vulnerabilities in surface transportation assets.

(b) MEMBERSHIP.—The working group shall be composed of representatives from—

(1) the Federal Highway Administration;

(2) the Federal Motor Carrier Safety Administration;

(3) the Federal Transit Administration;

(4) the Federal Emergency Management Agency;

(5) State departments of transportation;

(6) transit agencies; and

(7) any other stakeholders that the Secretary determines appropriate.

(c) DUTIES.—The working group convened under this section shall analyze and make recommendations, as appropriate, regarding—

(1) the ability of a State or transit agency to assess vulnerabilities of surface transportation assets in response to natural disasters and severe weather events;

(2) best practices for a State or transit agency to facilitate projects to mitigate the risk of recurring damage or the cost of future repair from extreme weather, flooding, and other natural disasters;

(3) opportunities to expedite the timeline for eligible activities under section 125 of title 23, United States Code, or section 5324 of title 49, United States Code;

(4) opportunities within and potential revisions to section 390.23 of title 49, Code of Federal Regulations, to increase flexibility for commercial motor vehicle operators assisting in emergency relief efforts that achieve safety levels equivalent to or greater than existing Federal motor carrier safety regulations; and

(5) opportunities for coordination between the Department and the Federal Emergency Management Agency to provide emergency relief following natural disasters.

(d) REPORT.—Not later than 1 year after the date on which the working group is established under this section, 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).

SEC. 1319. STOPPING THREATS ON PEDESTRIANS.

Section 11502(f) of the Infrastructure Investment and Jobs Act (23 U.S.C. 148 note) is amended by striking ‘‘fiscal years 2022 through 2026’’ and inserting ‘‘fiscal years 2027 through 2031’’.

SEC. 1320. ELIMINATING UNNECESSARY REPORTING AND REQUIREMENTS.

(a) STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.—Section 1122(d) of FAST Act (23 U.S.C. 103 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(b) ROADSIDE BARRIER TECHNOLOGY.—Section 1058 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note) is repealed.

SEC. 1321. CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.

(a) IN GENERAL.—Section 112(b)(2)(F) of title 23, United States Code, is amended by striking ‘‘the States of West Virginia or Minnesota’’ and inserting ‘‘the State of West Virginia’’.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to contracts entered into after the date of enactment of this Act.

SEC. 1322. ADVANCING PROJECTS IN COLD WEATHER STATES.

(a) Review.—The Secretary shall review policies and procedures of the Federal Highway Administration relating to the Federal-aid highway program to ensure that such policies and procedures sufficiently prioritize reviews of construction projects in States in which construction season may be limited by cold weather.

(b) Technical Assistance.—The Secretary shall provide technical assistance and best practices to State departments of transportation for advancing Federal-aid projects in States in which construction may be limited by cold weather.

SEC. 1323. INTERAGENCY WORKING GROUP ON ROADWAY MANAGEMENT IN INCLEMENT WEATHER.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an interagency working group with other appropriate Federal agencies to develop best practices for roadway management in inclement weather.

(b) Submission to Congress.—Not later than 180 days after the date on which the best practices required under subsection (a) are established, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate such best practices.

(c) SUNSET.—The interagency working group established under subsection (a) shall terminate on the date that is 30 days after the date on which the best practices required under subsection (b) are submitted to Congress.

SEC. 1324. TERMINATION OF NEIGHBORHOOD ACCESS AND EQUITY GRANT PROGRAM.

Section 177 of title 23, United States Code, and the item relating to such section in the analysis for chapter 1 of such title, are repealed.

SEC. 1325. TASK FORCE ON DEVELOPING A 21ST CENTURY SURFACE TRANSPORTATION WORKFORCE.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a task force on developing a 21st century surface transportation workforce (in this section referred to as the ‘‘Task Force’’).

(b) DUTIES.—Not later than 1 year after the establishment of the Task Force under subsection (a), the Task Force shall develop and submit to the Secretary recommendations and strategies for the Department to—

(1) evaluate the current and future state of the surface transportation workforce, including projected job needs in the surface transportation sector;

(2) identify factors influencing individuals pursuing careers in surface transportation, including barriers to attracting individuals in surface transportation careers;

(3) address barriers to retaining individuals in surface transportation careers;

(4) identify and address potential impacts of emerging technologies on the surface transportation workforce;

(5) facilitate and encourage elementary, secondary, and post-secondary students in the United States to pursue careers in the surface transportation sector; and

(6) identify and develop pathways for students and individuals to secure pre-apprenticeships, registered apprenticeships, and other work-based learning opportunities in the surface transportation sector of the United States.

(c) CONSIDERATIONS.—In developing recommendations and strategies under subsection (b), the Task Force shall—

(1) identify factors that influence whether young people pursue careers in surface transportation;

(2) consider how the Department, businesses, industry, labor, educators, and other stakeholders can coordinate efforts to support qualified individuals in pursuing careers in the surface transportation sector;

(3) identify methods of enhancing surface transportation pre-apprenticeships and registered apprenticeships, job skills training, mentorship, education, and outreach programs that are exclusive to youth in the United States;

(4) identify potential sources of funding, including grants and scholarships, that may be used to support youth and other qualified individuals in pursuing careers in the surface transportation sector; and

(5) consider opportunities to update programs administered by the Department to support the transportation workforce.

(d) CONSULTATION.—In developing the recommendations and strategies required under subsection (b), the Task Force may consult with—

(1) local educational agencies and institutions of higher education, including community colleges and vocational schools; and

(2) State workforce development boards.

(e) REPORT.—Not later than 60 days after the submission of the recommendations and strategies under subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing such recommendations and strategies.

(f) COMPOSITION OF TASK FORCE.—The Secretary shall appoint members of the Task Force whose diverse backgrounds and expertise allow such members to contribute balanced points of view and ideas in carrying out this section, comprised of equal representation from each of the following:

(1) Industries in the surface transportation sector.

(2) Representatives from labor organizations representing surface transportation workers.

(3) Such other surface transportation stakeholders and experts as the Secretary considers appropriate.

(g) PERIOD OF APPOINTMENT.—Members shall be appointed to the Task Force for the duration of the existence of the Task Force.

(h) COMPENSATION.—Members of the Task Force shall serve without compensation.

(i) SUNSET.—The Task Force shall terminate upon the submission of the report required under subsection (e).

(j) DEFINITIONS.—In this section:

(1) PRE-APPRENTICESHIP.—The term ''pre-apprenticeship'' means a training model or program that prepares individuals for acceptance into a registered apprenticeship and has demonstrated partnership with 1 or more registered apprenticeships.

(2) REGISTERED APPRENTICESHIP.—The term ''registered apprenticeship'' means an apprenticeship program registered under the Act of August 16, 1937 (29 U.S. 50 et seq.; commonly known as the ''National Apprenticeship Act''), that satisfies the requirements of parts 29 and 30 of title 29, Code of Federal Regulations (as in effect on January 1, 2020).

SEC. 1326. STUDY ON NATIONAL COMMUTING TRENDS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the Transportation Research Board of the National Academy of Science to conduct a study on national trends related to commuting.

(b) CONTENTS.—In conducting the study under subsection (a), the Transportation Research Board shall—

(1) conduct research on national commuting trends, including telework and hybrid-work arrangements;

(2) evaluate the impact of such trends on transportation demand, congestion, air quality, economic vitality of business districts, and commuter quality of life; and

(3) develop best practices or planning guidance to help State departments of transportation and metropolitan planning organizations incorporate such trends into transportation planning and travel demand modeling.

(c) REPORT.—If the Transportation Research Board enters into an agreement under subsection (a), not later than 18 months after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report containing the results of the study under subsection (a), including—

(1) the findings of the research conducted under subsection (b)(1);

(2) an analysis of the impacts on commuting trends evaluated under subsection (b)(2); and

(3) recommendations for State departments of transportation and metropolitan planning organizations, including the best practices and planning guidance developed under subsection (b)(3).

SEC. 1327. NOTIFICATION ON REGRESSIVE SAFETY TARGETS.

When a State sets a regressive performance target under section 150(c)(4) of title 23, United States Code, the Secretary shall—

(1) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate; and

(2) make a list of States that set such a target publicly available on the website of the Department.

SEC. 1328. STUDY ON DOMESTIC AVAILABILITY OF YELLOW PAINT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall study the feasibility of requiring yellow paint (including the pigment used to produce water-based paint) for road and highway surface markings to be manufactured domestically.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Secretary shall consider—

(1) the domestic availability of yellow paint described in such subsection;

(2) the domestic manufacturing capacity to produce the amount of yellow paint necessary to meet the needs of States and local governments;

(3) the number of domestic manufacturers producing such yellow paint;

(4) the current share of yellow paint produced by domestic manufacturers to meet road and highway surface marking needs;

(5) the costs associated with requiring the domestic manufacturing of such yellow paint; and

(6) the amount of yellow paint necessary to maintain all road and highway surface markings in the United States.

(c) REPORT.—The Secretary shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the findings of the study required under subsection (a).

(d) AUTHORITY.—Following the study under subsection (a), if the Secretary determines that there is sufficient domestic manufacturing capacity of yellow paint to address the needs of all road and highway surface markings in the United States, the Secretary shall recommend to the Director of the Office of Management and Budget to update relevant Buy America guidance, including the implementation guidance of the Made in America Office, to reflect such determination.

SEC. 1329. STUDY ON CORROSION PREVENTION FOR BRIDGES.

Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(1) carry out a study on best practices for—

(A) the frequency and method of inspecting corrosion on weathering steel bridges; and

(B) addressing corrosion on weathering steel bridges;

(2) submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works a report on the results of the study under paragraph (1); and

(3) make the report under paragraph (2) available to State departments of transportation, metropolitan planning organizations (as such term is defined in section 134(b) of title 23, United States Code), regional transportation planning organizations (as such term is defined in section 134(b) of

title 23, United States Code), and units of local government that own bridge assets.

SEC. 1330. FUNDING FEDERAL-AID HIGHWAYS GUIDANCE.

Not later than 18 months after the date of enactment of this Act, the Secretary shall revise, update, and make publicly available the Federal Highway Administration publication titled ‘‘Funding Federal-aid Highways’’, issued January 2017 (Publication Number FHWA–PL–17–011) to account for—

(1) changes in law since the publication date of such publication; and

(2) the provisions of this Act, including any amendments made by this Act.

TITLE II—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

SEC. 2001. INFRASTRUCTURE FINANCE.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 601(a) of title 23, United States Code, is amended—

(A) in paragraph (12)—

(i) in subparagraph (E)—

(I) in the matter preceding clause (i) by striking ‘‘infrastructure’’ and inserting ‘‘infrastructure that is’’;

(II) by striking clause (ii); and

(III) in clause (i)—

(aa) by striking “that—

“(I) is”;

(bb) in subclause (II)—

(AA) by striking “is a project” and inserting “a project”; and

(BB) in item (dd) by striking “and” and the end; and

(cc) by redesignating subclause (II) as clause (ii) (and redesignating items (aa) through (dd) of such subclause as subclauses (I) through (IV), respectively);

(ii) in subparagraph (G) by striking “for which” and all that follows through “for assistance”; and

(iii) by striking subparagraph (H) and inserting the following:

“(H) purchasing or leasing of drayage trucks.”;

(B) by redesignating paragraphs (14) through (22) as paragraphs (16) through (24), respectively;

(C) by redesignating paragraphs (2) through (13) as paragraphs (3) through (14), respectively;

(D) by inserting after paragraph (1) the following:

"(2) DRAYAGE TRUCK.—The term 'drayage truck' means any in-use on-road vehicle that—

"(A) has a gross vehicle weight rating greater than 26,000 pounds;

"(B) is used for transporting cargo; and

"(C) operates on, moves through, or operates in transit to or from, a seaport or an intermodal freight transfer facility to load, unload, or transport cargo, including empty containers or chassis."; and

(E) by inserting after paragraph (14), as so redesignated, the following:

"(15) QUALIFIED FINANCIAL INSTITUTION.—The term 'qualified financial institution' means—

"(A) an insured depository institution as defined in section 3(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)(2));

"(B) an insured credit union as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); and

"(C) any other financial institution that—

"(i) is regulated or supervised by—

"(I) the Board of Governors of the Federal Reserve System;

"(II) the Securities and Exchange Commission;

"(III) the Federal Housing Finance Agency;

"(IV) the Farm Credit Administration; or

"(V) any other Federal financial regulatory agency;

"(ii) is regularly engaged in the business of extending credit or making credit determinations; and

"(iii) the Secretary determines has demonstrated experience in the underwriting or provision of credit.".

(2) CONFORMING AMENDMENTS.—

(A) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(i) in subsection (a)(5)(B)(ii) by striking "section 601(a)(12)(E)" and inserting "section 601(a)(13)(E)"; and

(ii) in subsection (e) by striking "section 601(a)(2)(A)" and inserting "section 601(a)(3)(A)".

(B) FUNDING.—Section 608(a)(4) of title 23, United States Code, is amended by striking "section 601(a)(12)(E)" and inserting "section 601(a)(13)(E)" each place it appears.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is further amended—

(1) in subsection (a)—

(A) in paragraph (2) by adding at the end the following:

"(C) ALTERNATIVE CREDIT ASSESSMENT.—The Secretary shall accept a due diligence analysis and underwriting analysis prepared by a qualified financial institution providing debt for a project as evidence of creditworthiness of the project supplemental to the applicable creditworthiness standards described in subparagraph (A)."; and

(B) in paragraph (5)(B)—

(i) in clause (i) by striking "$15,000,000" and inserting "$10,000,000"; and

(ii) in clause (iii)—

(I) by striking "In the case" and inserting "(I) IN GENERAL.—In the case";

(II) by striking "$100,000,000" and inserting "$150,000,000"; and

(III) by adding at the end the following:

"(II) ANNUAL ADJUSTMENT FOR INFLATION.—Beginning in the first year after the date of enactment of this subclause, the Secretary shall adjust annually the $150,000,000 limit on eligible project costs in subclause (I) to reflect any increase in the Consumer Price Index for All Urban Consumers published by the Department of Labor."; and

(2) in subsection (c)—

(A) in paragraph (1)(B) by striking the period at the end and inserting ", subject to paragraph (2)."; and

(B) in paragraph (2)—

(i) by striking ‘‘No funding’’ and inserting ‘‘(A) IN GENERAL.—No funding’’; and

(ii) by adding at the end the following:

‘‘(B) EXEMPTION.—

‘‘(i) IN GENERAL.—Subject to clause (ii), notwithstanding section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), a finding of no significant impact, a record of decision, and any similar analysis under the National Environmental Policy Act of 1969 prepared for purposes of complying with subparagraph (A) shall not include an evaluation of the environmental effects of the acquisition of real property by a non-public entity for use in a project described in section 601(a)(13)(E), for which an application for credit assistance under the TIFIA program has not been submitted as of the date of such acquisition.

‘‘(ii) PUBLIC ENTITY OWNERSHIP.—Clause (i) shall not apply with respect to any component of a project described in clause (i) that is located within the geographic boundaries of the real property acquired and that will be owned, in full or in part, by a public entity for a majority of the term of a secured loan issued for such project.

"(C) CATEGORICAL EXCLUSIONS.—The following activities, if carried out on or after the date of enactment of this subparagraph as a project (or part of a project) described in section 601(a)(13)(E), are a category of activities hereby designated as being categorically excluded from the preparation of an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.):

"(i) Rehabilitation or conversion of an existing office building to a residential or mixed-use building occupying substantially the same geographic footprint.

"(ii) Construction or reconstruction of a new commercial building—

"(I) consistent with existing land use and zoning requirements; and

"(II) on land disturbed for transportation use (as such phrase is used in section 771.118(c)(9) of title 23, Code of Federal Regulations, or any successor regulations) or disturbed land adjacent to land disturbed for transportation use.".

(c) SECURED LOANS.—Section 603(a) of title 23, United States Code, is amended by adding at the end the following:

"(4) LOAN DISBURSEMENT.—Upon request from the obligor, the Secretary may delay issuance of the secured loan funds until a date, to be specified by the obligor, during the 2-year period beginning on the date that the project is determined to be in substantial completion, so long as the obligor is compliant with the credit agreement on the date of issuance.".

(d) PROGRAM ADMINISTRATION.—Section 605(f)(1) of title 23, United States Code, is amended by striking "$2,000,000" and inserting "$3,000,000".

(e) FUNDING.—Section 608(a) of title 23, United States Code, is amended—

(1) in paragraph (4)(B)—

(A) in clause (i) by striking "under the Surface Transportation Reauthorization Act of 2021"; and

(B) in clause (ii)—

(i) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(ii) by striking "(as of October 1, 2021)" and inserting "(as of October 1, 2026)"; and

(2) in paragraph (6) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031".

(f) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (d) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031" each place it appears; and

(2) in subsection (k) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031".

SEC. 2002. EMERGENCY LOAN RELIEF DUE TO MAJOR DISASTER.

(a) IN GENERAL.—Chapter 6 of title 23, United States Code, is amended by adding at the end the following:

"§ 612. Emergency loan relief due to major disaster

"(a) DEFINITIONS.—In this section:

"(1) COST; MODIFICATION.—The terms 'cost' and 'modification' have the meanings given such terms, respectively, in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), and the term 'modification' shall include an interest rate reset under this section.

"(2) ELIGIBLE BORROWER.—The term 'eligible borrower' means a recipient of an eligible loan administered under the TIFIA program.

"(3) ELIGIBLE LOAN.—The term 'eligible loan' means a loan issued under the TIFIA program.

"(4) MAJOR DISASTER.—The term 'major disaster' means a major disaster declared by the President pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

"(5) OBLIGOR; TIFIA PROGRAM.—The terms 'obligor' and 'TIFIA program' have the meanings given such terms, respectively, in section 601(a).

''(b) EMERGENCY INTEREST RATE RESET.—

''(1) IN GENERAL.—Notwithstanding section 603(b)(4), if at any time after the date of execution of a credit agreement for an eligible loan entered into after the date of enactment of the BUILD America 250 Act, the eligible borrower of the eligible loan is unable, as a result of a major disaster, to generate sufficient revenues from all dedicated revenue sources such that the eligible borrower is unable to pay the scheduled repayments of principal and interest on the eligible loan—

''(A) the eligible borrower may submit to the Secretary a request, in such manner and containing such information as the Secretary may require, to reset the interest rate of the eligible loan; and

''(B) the Secretary—

''(i) shall determine whether the eligible borrower meets criteria established under subsection (d); and

''(ii) if the eligible borrower meets such criteria and provided that sufficient budget authority is available to accommodate the cost of the modification, may reset the interest rate of the eligible loan (including through amendment of the credit agreement for the eligible loan) to a lower interest rate that is not less than the yield on United States Treasury securities of a similar maturity to the maturity of the eligible loan on the date of the reset, if lower than the existing interest rate on the eligible loan.

"(2) APPLICABILITY.—A lower interest rate provided with respect to an eligible loan pursuant to paragraph (1)(B)(ii) may be for a period of time the Secretary determines appropriate, including through the final maturity date of the eligible loan.

"(c) OTHER LOAN MODIFICATIONS.—With respect to an eligible borrower described in paragraph (1) of subsection (b), the Secretary, in carrying out subparagraph (B) of such paragraph, may—

"(1) allow, for a maximum aggregate period of not more than 5 years, an obligor to add unpaid principal and interest to the outstanding balance of the loan, subject to the requirements under section 603(c)(3)(B), as applicable; and

"(2) notwithstanding section 603(a), extend any applicable disbursement period established under an agreement for credit assistance made pursuant to section 603, as applicable.

"(d) CRITERIA.—

"(1) IN GENERAL.—The Secretary shall establish criteria for an eligible borrower to be eligible to receive a lower interest rate or other loan modification under this section.

"(2) FACTORS FOR CONSIDERATION.—In establishing criteria under paragraph (1), the Secretary—

"(A) shall establish objective metrics to measure whether an eligible borrower is unable to generate sufficient revenues as a result of a major disaster; and

"(B) may take into consideration such factors as the Secretary determines to be relevant, including whether the lowering of an interest rate or the modification of a loan under this section would achieve any of—

"(i) maintaining the operation of a project carried out by an eligible borrower in a disaster, emergency, or other extenuating circumstance;

"(ii) mitigating the financial impact on an eligible borrower of a disaster, emergency, or other extenuating circumstance; or

"(iii) protecting the interests of the Federal Government in critical infrastructure.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 6 of title 23, United States Code, is amended by adding at the end the following:

"612. Emergency loan relief due to major disaster.".

SEC. 2003. PERSONNEL MANAGEMENT AUTHORITY.

Section 116 of title 49, United States Code, is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following:

"(i) PERSONNEL MANAGEMENT AUTHORITY.—

"(1) IN GENERAL.—The Secretary may carry out a program of personnel management authority provided in paragraph (2) in order to facilitate the recruitment or retention of experts in finance and investment for the Bureau.

"(2) SALARIES AND RELOCATION EXPENSES.—Under the program under this subsection, the official responsible for the program may—

"(A) without regard to any provision of title 5 governing the appointment of employees in the civil service, in the case of the Bureau, appoint individuals to a total of not more than 20 positions in the Bureau;

"(B) notwithstanding any provision of title 5 governing the rates of pay or classification of employees in the executive branch, prescribe the rates of basic pay for positions to which employees are appointed under subparagraph (A) at a rate to be determined by the head of the organization concerned up to 150 percent of the total annual compensation payable to the Vice President under section 104 of title 3; and

"(C) during any fiscal year, pay up to 5 individuals newly appointed pursuant to subparagraph (A) the travel, transportation, and relocation expenses and services described under sections 5724, 5724a, and 5724c of title 5.".

SEC. 2004. STUDY ON ESTABLISHMENT OF FEDERAL INFRASTRUCTURE BANK.

(a) STUDY.—Not later than 120 days after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the National Academies to conduct a study on the establishment of a Federal Infrastructure Bank to facilitate investment in, and the long-term financing of, economically viable United States infrastructure projects that provide a public benefit, including best practices for implementing such bank.

(b) ELEMENTS.—The study conducted pursuant to subsection (a) shall—

(1) identify potential forms of credit assistance a Federal Infrastructure Bank could provide, including loans, loan guarantees, lines of credit, and equity investments;

(2) examine how a Federal Infrastructure Bank could—

(A) increase State, local, and Tribal government investment in infrastructure projects, including transportation, water, and energy projects;

(B) reduce average financing timelines relative to other Federal credit assistance programs; and

(C) increase the lending capacity of existing State infrastructure banks;

(3) analyze the opportunities a Federal Infrastructure Bank presents in—

(A) reducing barriers to the financing of multimodal or multijurisdictional projects;

(B) attracting foreign investment from a country other than a covered foreign country;

(C) financing nonrevenue infrastructure projects and projects located in rural and economically disadvantaged areas; and

(D) complementing but not duplicating existing Federal credit assistance programs for infrastructure projects;

(4) examine how a national infrastructure bank that is substantially owned or controlled by the Federal Government would be subject to Federal budget laws and accounting rules and procedures; and

(5) identify best practices of other infrastructure banks, including—

(A) national infrastructure banks or other specialized development banks located in a country other than a covered foreign country; and

(B) the California Infrastructure and Economic Development Bank.

(c) CONSULTATION.—In preparing the study required under subsection (a), the National Academies shall consult with—

(1) the Secretary and other heads of relevant Federal agencies;

(2) State infrastructure banks; and

(3) stakeholders with expertise in financial markets and infrastructure financing.

(d) REPORT.—An agreement entered into under subsection (a) shall require that, not later than 2 years after the date of enactment of this Act, the National Academies submit a report detailing the findings of the study required under subsection (a) to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives;

(2) the Committee on Financial Services of the House of Representatives;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) the Committee on Banking, Housing, and Urban Development of the Senate.

(e) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' means—

(A) a State;

(B) any other governmental entity, including a political subdivision or any other instrumentality of a State;

(C) a State infrastructure bank;

(D) a partnership, including a public-private partnership;

(E) a corporation, limited liability company, or any other legally established corporate form;

(F) a joint venture;

(G) a trust; or

(H) a revolving fund.

(2) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' has the meaning given that term in section 164(e) of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (10 U.S.C. note prec. 4651).

(3) FEDERAL INFRASTRUCTURE BANK.—The term ''Federal Infrastructure Bank'' means a federally-chartered and privately-funded bank established to provide to a covered entity credit assistance, including equity investments, direct loans, indirect loans, and loan guarantees, for the planning, predevelopment, design, construction, operations, or

maintenance of infrastructure projects in the United States.

(4) STATE.—The term ''State'' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(5) STATE INFRASTRUCTURE BANK.—The term ''State infrastructure bank'' means a State infrastructure bank or multistate infrastructure bank established pursuant to—

(A) section 350 of the National Highway System Designation Act of 1995 (23 U.S.C. 101 note);

(B) section 1511 of the Transportation Equity Act for the 21st Century (23 U.S.C. 181 note);

(C) section 610 of title 23, United States Code; or

(D) any State law that establishes such bank as an agency, component unit, or other 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

"(B) fosters cooperation of both public transportation companies and private companies engaged in public transportation;

"(3) the development of intermodal connections between transit services and other transportation modes and systems to serve public transportation passengers efficiently and effectively;

"(4) the research, development, demonstration, and deployment of projects dedicated to improving the delivery of safe and effective public transportation services;

"(5) the development of the public transportation workforce;

"(6) the maintenance of a state of good repair of public transportation infrastructure and vehicles;

"(7) the adoption of innovative technology, concepts, and approaches to promote safety, capacity, and efficiency improvements for projects funded by a fixed guideway capital investment grant;

"(8) economic development;

"(9) the development and delivery of capital projects;

"(10) cooperative and comprehensive planning that improves the performance of the transportation network; and

"(11) technical assistance for recipients of assistance under this chapter to more effectively and efficiently provide public transportation service.".

SEC. 3002. DEFINITIONS.

(a) IN GENERAL.—Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking "or use and that are physically or functionally related" and inserting "use, accessibility, navigability, or safety and that are physically or functionally related";

(B) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii), respectively;

(C) by striking "'associated transit improvement' means, with respect to any project or an area to be served by a project, projects" and inserting "'associated transit improvement'—

"(A) means, with respect to any project or an area served by a project, projects";

(D) by striking "facilities. Eligible projects are—" and inserting "facilities; and

"(B) are projects related to—"; and

(E) in clause (i), as so redesignated, by striking "intended" and inserting "planned";

(2) by striking paragraph (16);

(3) by redesignating paragraphs (4) through (15) as paragraphs (5) through (16), respectively;

(4) by inserting after paragraph (3) the following new paragraph:

"(4) CAPITAL ASSET.—The term 'capital asset' means a unit of rolling stock, a facility, a unit of equipment, or an element of infrastructure used for providing public transportation owned, operated, or managed by a recipient of financial assistance under this chapter.";

(5) in paragraph (5), as so redesignated—

(A) in subparagraph (I)—

(i) in clause (i) by striking "or" at the end;

(ii) in clause (ii)(III) by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(iii) under section 5308.";

(B) in subparagraph (M) by striking "improvements; or" and inserting "improvements—

"(i) within 2.5 miles of a transit facility for projects described in clauses (v) and (vii) of paragraph (2)(B);

"(ii) within a half mile of a transit facility for projects described in clauses (i), (iii), and (iv) of paragraph (2)(B); and

"(iii) at any location within the service area of a public transportation provider for projects described in clauses (ii) and (vi) of paragraph (2)(B);";

(C) in subparagraph (N) by striking the period at the end and inserting "; or"; and

(D) by adding at the end the following new subparagraph:

"(O) software, contracted or wholly owned, that is related to the delivery of public transportation services, including software as a service and cloud-based software.";

(6) in paragraph (21) by striking "The term" and all that follows through the period at the end and inserting "With respect to a capital asset, the term 'state of good repair' means the condition of the capital asset at which the capital asset is able to operate at a full level of performance, as such condition is determined by the standards prescribed

by the Secretary in subpart D of part 625 of title 49, Code of Federal Regulations, or any successor regulation.'';

(7) by redesignating paragraphs (22) through (25) as paragraphs (23) through (26), respectively; and

(8) by inserting after paragraph (21) the following new paragraph:

``(22) TRANSIT ASSET MANAGEMENT PLAN.—The term 'transit asset management plan' means a plan—

``(A) developed by a recipient of funding under this chapter;

``(B) that includes, at a minimum, capital asset inventories and condition assessments, decision support tools, and investment prioritization; and

``(C) in which the recipient certifies compliance with part 625 of title 49, Code of Federal Regulations, or any successor regulation.''.

(b) TECHNICAL AMENDMENTS.—Section 5323(e)(3) of title 49, United States Code, is amended by striking ``5302(4)(J)'' and inserting ``5302(5)(J)''.

SEC. 3003. TRANSPORTATION PLANNING.

(a) METROPOLITAN TRANSPORTATION PLANNING.—Section 5303 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

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

"(5) PRIMARY URBANIZED AREA.—The term 'primary urbanized area' means an urbanized area that—

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

"(B) extends into more than 1 State and has a population of at least 200,000, as determined by the Bureau of Census.";

(2) in subsection (f)(1) by striking "metropolitan area and" and inserting "metropolitan area, including primary urbanized areas that extend into more than 1 State in accordance with section 5308, and";

(3) in subsection (j)—

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

"(E) EXCEPTION.—Notwithstanding any other provision of law, the amendment of an approved TIP to add a project or an identified phase of a project shall not require public review and comment if the added project or the identified phase—

"(i) was in the approved TIP that immediately preceded the current TIP; and

"(ii) is unchanged from the project or the identified phase in the preceding TIP."; and

(B) in paragraph (5)(A) by striking "subsection (k)(4)" and inserting "subsection (k)(5)";

(4) in subsection (k)(4)—

(A) in subparagraph (A) by striking "IN GENERAL" and inserting "HOUSING COORDINATION PROCESS";

(B) by striking subparagraph (B);

(C) in subparagraph (C)—

(i) in clause (i) by striking the enumerator and the heading; and

(ii) by striking clause (ii); and

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

(5) by adding at the end the following:

"(s) ADDITIONAL USES OF METROPOLITAN PLANNING FUNDING.—In addition to carrying out the purposes of this section, funds appropriated under section 104(b)(6) of title 23 and section 5305(f) to States and metropolitan planning organizations to carry out this section may be used for—

"(1) fiscal administration of local projects;

"(2) preliminary design;

"(3) local technical assistance;

"(4) studies directly linked to transportation; and

"(5) critical data procurement.".

(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (e)(3) by striking the period at the end and inserting ", including primary urbanized areas that extend to more than 1 State in accordance with section 5308."; and

(2) in subsection (g)—

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

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

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

"(A) was in the approved transportation improvement program that immediately preceded the current transportation improvement program; and

"(B) is unchanged from the project or the identified phase in the preceding transportation improvement program.".

SEC. 3004. PLANNING PROGRAMS.

(a) IN GENERAL.—Section 5305 of title 49, United States Code, is amended—

(1) in subsection (d)(1)(A) by striking "subsection (g)(1)" and inserting "subsection (f)(1)";

(2) in subsection (d)(3)(A) by striking "subsection (g)(1)" and inserting "subsection (f)(1)";

(3) in subsection (e)(1)(A) by striking "subsection (g)(2)" and inserting "subsection (f)(2)";

(4) in subsection (e)(2) by striking ‘‘subsection (d)’’ and inserting ‘‘subsection (c)’’;

(5) in subsection (g)—

(A) by striking ‘‘fiscal year’’ and inserting ‘‘fiscal year, less the amount set aside for such fiscal year for the program under subsection (i)’’;

(B) in paragraph (1) by striking ‘‘subsection (d)’’ and inserting ‘‘subsection (c)’’; and

(C) in paragraph (2) by striking ‘‘subsection (e)’’ and inserting ‘‘subsection (d)’’;

(6) by striking subsection (a);

(7) by redesignating subsections (b) through (h) as subsections (a) through (g), respectively; and

(8) by adding at the end the following new subsection:

‘‘(h) EXEMPTIONS TO COVERED TERRITORIES.—

‘‘(1) IN GENERAL.—Beginning on the date of enactment of this subsection, the Secretary may award a grant to a covered territory as if the covered territory is a State, except if the Secretary determines that a requirement of section 5303, 5304, or this section is inconsistent with the needs of the covered territory, the Secretary may exempt the territory from such requirement.

"(2) COVERED TERRITORY DEFINED.—In this subsection, the term 'covered territory' means American Samoa, the Northern Mariana Islands, Guam, and the Virgin Islands.".

(b) AMENDMENTS TO PILOT PROGRAM FOR TRANSIT-ORIENTED DEVELOPMENT PLANNING.—Subsection (b) of section 20005 of MAP–21 (49 U.S.C. 5303 note) is amended—

(1) in the subsection heading by striking "PILOT";

(2) by striking paragraph (1);

(3) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(4) by adding at the end the following new paragraph:

"(3) ELIGIBLE PROJECT DEFINED.—In this subsection, the term 'eligible project' means a new fixed guideway capital project or a core capacity improvement project, as those terms are defined in section 5309.".

(c) TRANSFER OF PROGRAM FOR TRANSIT-ORIENTED DEVELOPMENT PLANNING.—Subsection (b) of section 20005 of MAP–21 (49 U.S.C. 5303 note), as amended, is transferred to appear as subsection (i) of section 5305 of title 49, United States Code.

SEC. 3005. URBANIZED AREA FORMULA GRANTS.

(a) IN GENERAL.—Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)—

(i) in clause (i) by striking "; or" at the end; and

(ii) by adding at the end the following:

"(iii) operate a minimum of 101 buses and a maximum of 125 buses in fixed route or demand response service, excluding ADA complementary paratransit service, during peak hours, in an amount not to exceed 25 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or"; and

(B) in paragraph (2)(B)—

(i) in clause (i) by striking "; or" and inserting a semicolon;

(ii) in clause (ii) by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(iii) operate a minimum of 101 buses and a maximum of 125 buses in fixed route or demand response service, excluding ADA complementary paratransit service, during peak hours, in an amount not to exceed 25 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and including in the designated recipient's final program of projects prepared under subsection (b).";

(2) in subsection (b)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) through (7) as paragraphs (4) through (6), respectively;

(3) in subsection (c)(1)—

(A) in subparagraph (I) by inserting "or eliminating" after "raising";

(B) by striking subparagraph (J) and inserting the following:

"(J) will expend not less than 1 percent of the amount the recipient receives for each fiscal year under section 5336 for crime prevention and security projects described in section 5321;''; and

(C) by striking subparagraph (K) and inserting:

''(K) will expend not less than 1 percent of the amount the recipient receives for each fiscal year under section 5336 to further meet or exceed the requirements described in part 37 or 38 of title 49, Code of Federal Regulations; and'';

(4) by striking subsection (f) and inserting the following:

''(f) RECORDS, AUDITS, AND EVALUATIONS.—

''(1) RECORDS.—The Secretary shall require a recipient of a grant under this section to keep records that—

''(A) disclose—

''(i) the amount and disposition by the recipient of the proceeds of the grant;

''(ii) the total cost of the plan or program for which the grant is given or used; and

''(iii) the amounts and kinds of remaining costs of the plan or program, as described under subsection (d)(3); and

"(B) enable the Secretary or another appropriate entity to audit such recipient.

"(2) AUDITS AND EXAMINATIONS.—The Secretary and the Comptroller General may audit and examine any records of a recipient that are related to a grant made under this section.

"(3) ANNUAL AUDIT.—

"(A) IN GENERAL.—At least annually, the Secretary shall carry out, or authorize a recipient to carry out independently, an audit of records for each grant to establish whether the recipient—

"(i) has carried out the requirements prescribed in subsection (c) for each grant made pursuant to this section;

"(ii) is prepared to continue to fulfill such requirements for the duration of the grant; and

"(iii) has administered the grant and all amounts of the Government in accordance with all applicable laws and regulations.

"(B) INDEPENDENT AUDIT PROCEDURES AND REQUIREMENT.—A recipient authorized by the Secretary to carry out an independent review and audit under subparagraph (A) shall—

"(i) ensure that an independent audit complies with the auditing procedures of the Comptroller General; and

"(ii) submit a certified copy of the audit to the Secretary not more than 6 months after the end of the fiscal year for which the audit was made.

"(4) TRIENNIAL REVIEW.—Except as otherwise provided by paragraph (5), the Secretary shall—

"(A) not less than once every 3 calendar years—

"(i) review and evaluate the findings from each annual audit; and

"(ii) assess the extent to which actual program activities are consistent with—

"(I) the activities proposed under subsection (b); and

"(II) the planning process required under sections 5303, 5304, and 5305;

"(B) to the extent practicable, coordinate such review with any related State or local reviews; and

"(C) prioritize, as appropriate, the primary scope of the review on—

"(i) any previously identified deficiencies by the recipient; and

"(ii) the most common deficiencies by all recipients, as identified by the Secretary.

"(5) WAIVER OF REVIEW.—

"(A) IN GENERAL.—Except as otherwise provided in subparagraph (C), the Secretary may waive the review described in paragraph (4) if the Secretary, upon a review of findings from the annual audits required under paragraph (3), determines that the recipient has—

"(i) not established a pattern of deficiency in meeting all applicable grant requirements as prescribed by law; and

"(ii) complied, to the satisfaction of the Secretary, with all relevant directives issued by the Federal Transit Administration and attributable to the recipient, as applicable.

"(B) CONSECUTIVE WAIVERS.—The Secretary may consecutively waive the review described in paragraph (4) after determining pursuant to paragraph (5) that a waiver is justified, however, the Secretary must conduct at least 1 review every 10 calendar years.

"(C) REQUESTED REVIEWS.—The Secretary shall conduct all regularly scheduled triennial reviews for a recipient if the recipient requests such scheduled review be conducted.

"(6) ACTIONS RESULTING FROM REVIEW, AUDIT, OR EVALUATION.—The Secretary may take appropriate action in response to a finding from a review or an audit conducted under this subsection, including adjusting the amount of a grant or withdrawing a grant."; and

(5) by striking subsection (h) and inserting the following:

"(h) ALL STATIONS ACCESSIBILITY PROGRAM.—

"(1) IN GENERAL.—The Secretary may make competitive grants to covered entities for use financing capital and planning projects to upgrade the accessibility of legacy rail fixed guideway public transportation systems for individuals with disabilities, including individuals who use wheelchairs, by increasing the number of existing (as of the date of enactment of this subsection) stations or facilities for passenger use that meet or exceed the new construction standards of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

"(2) APPLICATION.—

"(A) IN GENERAL.—To be eligible to receive a grant under this subsection, a covered entity that has complied with subparagraph (B) shall submit to the Secretary an application—

"(i) in such form and containing such information as the Secretary may require; and

"(ii) including a certification by the applicant that the project for which a grant is requested will meet or exceed the new construction standards of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

"(B) CONSULTATION REQUIREMENT.—Prior to submitting an application under subparagraph (A), a covered entity shall consult with appropriate stakeholders and the surrounding community to ensure accessibility for individuals with disabilities, including individuals with physical, intellectual, developmental, or sensory disabilities and individuals who use wheelchairs.

"(3) COMPETITIVE PROCESS.—The Secretary shall—

"(A) not later than 90 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for projects on a competitive basis; and

"(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

"(i) 90 days after the date on which the solicitation expires; or

"(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

"(4) ELIGIBLE PROJECTS.—A recipient of a grant under this subsection may use the grant for the following projects:

"(A) A capital project to repair, improve, modify, retrofit, or relocate infrastructure of stations or facilities for passenger use, including load-bearing members that are an essential part of the structural frame of the station or facility.

"(B) A planning project to develop or modify a plan for 1 or more public transportation accessibility projects, an assessment of accessibility, or an assessment of a planned modification to stations or facilities for passenger use.

"(5) PROHIBITED USES.—A recipient of a grant under this subsection may not use such grant to upgrade a station or facility for passenger use that is accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, and that meet or exceed the new construction standards under title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

"(6) FEDERAL SHARE.—The Federal share of a project for which a grant is issued under this subsection shall not exceed 80 percent of the net project cost.

"(7) REQUIRED DISCLOSURES.—The Secretary shall—

"(A) upon issuance of the notice of funding opportunity in the Federal Register with respect to the program under paragraph (1), publicly disclose all metrics and evaluation procedures to be used in considering applications submitted under paragraph (2); and

"(B) make publicly available a summary of final scores for projects funded by a grant under this subsection, metrics, and other evaluations used in awarding grants under this subsection.

"(8) COVERED ENTITY DEFINED.—In this subsection, the term 'covered entity' means—

"(A) a designated recipient that allocates funds awarded under this chapter to 1 or more legacy rail fixed guideway public transportation systems; and

"(B) a State or local governmental entity that operates 1 or more legacy rail fixed guideway public transportation systems.".

(b) REPEALS.—

(1) ELECTRIC OR LOW-EMITTING FERRY PILOT PROGRAM.—Section 71102 of the Infrastructure Investment and Jobs Act (Public Law 117–58), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(2) FERRY SERVICE FOR RURAL COMMUNITIES.—Subsections (a) through (f) of section 71103 of the Infrastructure Investment and Jobs Act (23 U.S.C. 147 note) are repealed.

SEC. 3006. CONSOLIDATED STATE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5307 the following:

"§ 5308. Consolidated State block grant program

"(a) IN GENERAL.—Excluding the amounts made available for primary urbanized areas with respect to which a State is not a designated recipient for Federal assistance pursuant to a financial assistance program or grant program referenced in section 5338(a)(2), the Secretary shall, subject to the requirements of subsection (b), consolidate grant amounts made available in a fiscal year pursuant to the formulas set forth in sections 5310, 5311(c)(5), 5336, 5337, 5339(a), and 5340.

"(b) APPLICATION REQUIREMENTS AND SELECTION.—

"(1) APPLICATION REQUIREMENTS.—

"(A) CERTIFICATION.—In applying to participate in the consolidated block grant program established under this section, a State shall—

"(i) provide written notice to all designated recipients within the State (other than those designated recipients located in a primary urbanized area) of the intent of such State to apply to such program;

"(ii) afford affected designated recipients an opportunity pursuant to subparagraph (B) to affirmatively elect or to deny participation in the program prior to the date on which the State intends to submit the application; and

"(iii) provide to the Secretary in the application a list of—

"(I) designated recipients that affirmatively elect to participate in the program; and

"(II) direct recipients in the relevant urbanized areas of such designated recipients.

"(B) ROLE OF DESIGNATED RECIPIENTS.—

"(i) IN GENERAL.—A designated recipient shall, not later than 60 days after receiving written notice from the State described in subparagraph (A)(i), inform the State as to whether the recipient elects to participate in the program established under this section.

"(ii) DETERMINATION IN COORDINATION WITH DIRECT RECIPIENTS.—Within the time period specified in clause (i), a designated recipient shall coordinate with all direct recipients in the relevant urbanized area in determining whether to participate in such program.

"(iii) MAJORITY CONCURRENCE.—A designated recipient of an urbanized area in which a majority of direct recipients in the relevant urbanized area elect to affirmatively participate in the block grant program established under this section shall—

"(I) be required to participate in the program established under this section; and

"(II) affirmatively notify the State of participation in the program.

"(iv) FAILURE TO RESPOND.—A designated recipient of an urbanized area that fails to inform a State of an election under clause (i) within the time period specified in such clause shall be deemed by the State to have affirmatively provided notified the State of its participation in the program established under this section.

"(C) NON-PARTICIPATION.—A designated recipient of an urbanized area that informs a State of its determination to refuse participation in the block grant program under this section in a fiscal year may not participate in such program for the following 3 fiscal years.

"(2) SELECTION.—The Secretary shall allocate the amount described in subsection (a) to a State if the Secretary has—

"(A) received an application from the State;

"(B) determined that the State has an organization capable of effectively administering a block grant made under this section;

"(C) determined that the State uses a satisfactory—

"(i) transportation system planning process; and

"(ii) programming process;

"(D) calculated—

"(i) the total amount to consolidate and allocate to the State in accordance with subsection (a); and

"(ii) from the amount described in clause (i), the minimum amounts a State shall obligate, based on the amounts that would otherwise be allocated to such areas in a State under sections 5307, 5310, and 5311(c)(5), 5337, 5339(a), and 5340, to—

"(I) rural and urban areas; and

"(II) areas of different population levels; and

"(E) entered into an agreement with the State whereby the State agrees—

"(i) to comply with applicable Federal law, regulations, and requirements for administering the block grant;

"(ii) to provide the Secretary with such program information as the Secretary may require; and

"(iii) to comply with the record and audit requirements under subsection (c).

"(c) RECORDS, AUDITS, AND EVALUATIONS.—The requirements set forth in section 5307(f) shall apply to a State participating in the block grant program under this section.

"(d) PROHIBITION; RULE OF CONSTRUCTION.—

"(1) PROHIBITION.—A provider of public transportation in a primary urbanized area may not receive funding made available to a State pursuant to this section.

"(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit a provider of public transportation in a primary urbanized area from receiving funding from a State if the relevant State is the designated recipient for assistance pursuant to sections 5307, 5310, 5311, 5337, 5339, or 5340.

"(e) ELIGIBLE PROJECTS.—Amounts allocated to a State for assistance pursuant to this section may be used for—

"(1) capital projects;

"(2) planning;

"(3) job access and reverse commute projects;

"(4) operating costs of equipment and facilities for use in public transportation, notwithstanding section 5307(a)(1)(D);

"(5) public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;

"(6) public transportation projects that exceed the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

"(7) public transportation projects that improve access to fixed route service and decrease reliance by individuals with disabilities on complementary paratransit;

"(8) alternatives to public transportation that assist seniors and individuals with disabilities with transportation;

"(9) the acquisition of public transportation services, including service agreements with private providers of public transportation service;

"(10) intercity bus transportation and related activities described in section 5311(f)(1);

"(11) financing capital projects to—

"(A) maintain public transportation systems in a state of good repair, including projects to replace and rehabilitate—

"(i) rolling stock;

"(ii) track;

"(iii) line equipment and structures;

"(iv) signals and communications;

"(v) power equipment and substations;

"(vi) passenger stations and terminals;

"(vii) security equipment and systems;

"(viii) maintenance facilities and equipment;

"(ix) operational support equipment, including computer hardware and software;

"(x) development and implementation of a transit asset management plan; and

"(xi) other replacement and rehabilitation projects the Secretary determines appropriate;

"(B) replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify vehicles described in section 5339(c)(5) or related facilities; and

"(C) construct bus-related facilities; and

"(12) any other activity eligible for assistance pursuant to sections 5307, 5310, 5311, 5337, 5339(a), and 5340 of this chapter.

"(f) ROLES AND RESPONSIBILITIES OF PARTICIPATING STATES.—

"(1) PROGRAM DOCUMENTATION.—

"(A) IN GENERAL.—Any grant agreement providing funds to be administered under such program shall be documented in a manner determined acceptable to the Secretary.

"(B) PARITY.—The Secretary shall provide parity to States and shall only require the same type of information and level of detail for any program agreements and documentation that the Secretary would perform with respect to such action if the State did not receive assistance in the form of a block grant under this section.

"(C) RESPONSIBILITIES.—Unless the State expressly agrees to retain responsibility, the Secretary shall assume responsibility for grant compliance investigations, determinations, and enforcement.

"(2) REPORTING REQUIREMENTS.—

"(A) IN GENERAL.—Each State participating in the block grant program shall submit to the Secretary an annual report that includes—

"(i) the number of project applications received for each fiscal year, including—

"(I) the aggregate cost of the projects for which applications are received; and

"(II) the types of projects to be carried out, expressed as percentages of the total consolidated amount allocated to the State under this section; and

"(ii) a list of each project selected for funding for each fiscal year, including, for each project—

"(I) the fiscal year during which the project was selected;

"(II) the fiscal year in which the project is anticipated to be funded;

"(III) the recipient;

"(IV) the location, including the congressional district;

"(V) the type;

"(VI) the cost; and

"(VII) a brief description.

"(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department of Transportation, a copy of each annual report submitted under subparagraph (A).

"(g) CONSULTATION WITH CERTAIN PLANNING ORGANIZATIONS.—For purposes of carrying out a block grant program under this section, a State shall—

"(1) as applicable, consult with relevant metropolitan planning organizations in an urbanized area that is not a primary urbanized area; or

"(2) as applicable, consult with relevant regional transportation planning organizations in rural areas.

"(h) TREATMENT OF PROJECTS.—Projects funded under this section shall be treated as public transportation projects for purposes of this chapter.

"(i) COST SHARE.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Federal share of an allowable project cost for a project funded under this section shall not exceed 80 percent.

"(2) SLIDING SCALE.—The Federal share rate provided under paragraphs (1) and (2) of section 120(b) of title 23 shall apply to a project under this section if such rate is applicable to the State in which such project is carried out.

"(3) CERTAIN PROJECTS.—Section 5323(i) applies to projects carried out under this subsection, unless a lower share percentage is requested.

"(j) PRIMARY URBANIZED AREA.—In this section, the term 'primary urbanized area' means an urbanized area that—

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

"(2) extends into more than 1 State and has a population of at least 200,000, as determined by the Bureau of Census.".

(b) RULEMAKING AUTHORITY.—The Secretary may issue such regulations as may be necessary to carry out section 5308, as added by subsection (a).

SEC. 3007. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) AMENDMENTS TO FIXED GUIDEWAY CAPITAL INVESTMENT GRANT PROGRAM.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1) by striking ", the following definitions shall apply";

(B) by striking paragraph (2) and inserting the following:

"(2) CORE CAPACITY IMPROVEMENT PROJECT.—The term 'core capacity improvement project'—

"(A)(i) means a capital investment in an existing fixed guideway system that—

"(I) increases the capacity of a corridor by not less than 10 percent; or

"(II) substantially increases the capacity of such system (in part or in whole); and

"(ii) includes a project that—

"(I) is primarily intended to increase capacity by reducing passenger travel time in a corridor or in an existing fixed guideway system, including for passengers with disabilities and those who use wheelchairs; and

"(II) otherwise meets the requirements of clause (i); and

"(B) does not include—

"(i) elements designed to maintain a state of good repair of the existing fixed guideway system;

"(ii) elements to improve general station facilities (other than stairs, elevators, ramps, or escalators for passenger use) or parking; and

"(iii) acquisition of rolling stock alone.";

(C) in paragraph (3) by striking "small start" and inserting "streamlined start"; and

(D) in paragraph (6)—

(i) in the paragraph heading by striking "SMALL START" and inserting "STREAMLINED START";

(ii) in the matter preceding subparagraph (A) by striking "small start" and inserting "streamlined start"; and

(iii) by striking subparagraphs (A) and (B) and inserting the following:

"(A) the total estimated net capital cost is less than $1,000,000,000 (adjusted annually for inflation); and

"(B) Federal assistance provided or requested under this section is less than or equal to 50 percent of the dollar amount specified in subparagraph (A).";

(2) in subsection (b)—

(A) in paragraph (1) by striking ‘‘small start’’ and inserting ‘‘streamlined start’’; and

(B) by striking paragraph (2) and inserting the following:

‘‘(2) core capacity improvement projects, including—

‘‘(A) acquisition of real property;

‘‘(B) acquisition of rights-of-way;

‘‘(C) double tracking;

‘‘(D) signalization improvements;

‘‘(E) electrification;

‘‘(F) expanding system platforms;

‘‘(G) acquisition of rolling stock associated with corridor or system-wide improvements increasing capacity;

‘‘(H) construction of infill stations;

‘‘(I) construction, renovation, and improvement of stairs, ramps, elevators, and escalators to improve accessibility of the system or corridor for individuals with disabilities, including individuals who use wheelchairs; and

‘‘(J) other capacity improvements the Secretary determines are appropriate to increase the capacity of the system or corridor.’’;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking "small start" and inserting "streamlined start"; and

(ii) in subparagraph (C)—

(I) by striking "the applicant" and inserting "if applicable, the applicant";

(II) by striking "the performance targets" and inserting "a performance target"; and

(III) by striking "in section 5326(c)(2)" and inserting "described in section 5326(b)(2)(A)"; and

(B) in paragraph (3) to read as follows:

"(3) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for a project if the applicant—

"(A) has—

"(i) during the 5-year period immediately preceding the date on which the applicant requests funds for the project—

"(I) successfully completed at least 1 project pursuant to this section that is similar in complexity to the project for which the applicant is seeking an expedited review; and

"(II) demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project; or

"(ii) during the 3-year period immediately preceding the date on which the applicant requests funds for the project—

"(I) successfully completed at least 1 project pursuant to this section; or

"(II) fulfilled readiness requirements related to technical capacity for a comparable project sponsored by the applicant; and

"(B) certifies, in a manner determined by the Secretary, that all project oversight requirements applicable to the project will be fulfilled.";

(4) in subsection (d)(1)(A)—

(A) in clause (i)(II) by striking "initiates" and inserting "has initiated"; and

(B) in clause (ii)—

(i) by redesignating subclauses (I) and (II) as subclauses (II) and (III), respectively; and

(ii) by inserting before subclause (II), as so redesignated, the following:

"(I) determines that the applicant has completed 30 percent of design and engineering for the project;";

(5) in subsection (e)—

(A) in paragraph (1)(A)—

(i) in clause (i)(II) by striking "initiates" and inserting "has initiated"; and

(ii) in clause (ii)—

(I) by redesignating subclauses (I) and (II) as subclauses (II) and (III), respectively; and

(II) by inserting before subclause (II), as so redesignated, the following:

"(I) determines that the applicant has completed 30 percent of design and engineering for the project;"; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking clause (iii);

(II) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively; and

(III) in clause (iii), as so redesignated, by striking ‘‘needs of the corridor’’ and all that follows through the semicolon and inserting ‘‘needs of the system or corridor;’’;

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i) by striking ‘‘subparagraph (A)(iv)’’ and inserting ‘‘subparagraph (A)(iii)’’; and

(II) by striking clause (ii) and inserting the following:

‘‘(ii) whether the project will increase capacity of a corridor by at least 10 percent or substantially increase capacity system-wide (in whole or in part), including in the manner described in subsection (a)(2)(A)(ii);’’;

(6) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking " or (e)(2)(A)(v)" and inserting "or (e)(2)(A)(iv)"; and

(ii) in subparagraph (C) by striking "local resources" and inserting "the applicant demonstrate that local resources"; and

(B) in paragraph (2) by striking "or (e)(2)(A)(v)" and inserting "or (e)(2)(A)(iv)";

(7) in subsection (g)—

(A) in paragraph (2)—

(i) in subparagraph (A)(ii) by striking "subsection (e)(2)(A)(iv)" and inserting "subsection (e)(2)(A)(iii)";

(ii) in subparagraph (B) by striking "or (e)(2)(A)(iv)" each place it appears and inserting "or (e)(2)(A)(iii)" and

(iii) by adding at the end the following:

"(D) ELIGIBILITY FOR ADJUSTMENT OF CERTAIN CRITERION.—

"(i) IN GENERAL.—In evaluating and rating the economic development criterion referenced in subsection (d)(2)(A)(iii) and (e)(2)(A)(iii), the Secretary may increase 1 point on the 5-point scale (high, medium-high, medium, medium-low, or low) the rating for the economic development criterion if the applicant submits documented evidence that enacted local policies promote housing development for areas accessible to transit facilities along the project route.

"(ii) CONSIDERATION; CONSULTATION.—In carrying out clause (i), the Secretary shall—

"(I) consider whether the evidence submitted by the applicant will result in development appropriate to expected housing demand in the project area; and

"(II) consult with the Secretary of Housing and Urban Development.";

(B) by amending paragraph (5) to read as follows:

"(5) POLICY GUIDANCE.—

"(A) IN GENERAL.—The Secretary shall issue policy guidance regarding the review and evaluation process and criteria each time the Secretary makes significant changes to the process and criteria, but not less frequently than once every 2 years.

"(B) REQUIREMENT.—In carrying out subparagraph (A), the Secretary shall—

"(i) ensure that the policy guidance for streamlined start projects is reflective of any differences in project scope, cost, risk, and source of local financial commitment compared to projects under subsections (d) and (e); and

"(ii) for core capacity improvement projects that propose to increase capacity in the manner described in subsection (a)(2)(A)(ii), issue specific policy guidance for evaluating how such projects may increase the capacity of the system or corridor.

"(C) NONSUBSTANTIVE POLICY UPDATES.—Notwithstanding the requirements of section 5334(k), the Secretary may issue or publish an update to the policy guidance described in subparagraph (A) provided that such update does not—

"(i) impose a binding obligation on an applicant under this section; or "(ii) significantly change the administration of the existing policy.";

(C) in paragraph (6)—

(i) by striking "Not later than 1 year" and all that follows through "shall issue" and inserting "The Secretary shall maintain"; and

(ii) in subparagraph (B) by striking "corridor" and inserting "corridor or system"; and

(D) in paragraph (8) by striking "the date of enactment of the Federal Public Transportation Act of 2012" and inserting "October 1, 2012";

(8) in subsection (h)—

(A) in the subsection heading by striking "SMALL START" and inserting "STREAMLINED START";

(B) by striking "small start" in each place it occurs and inserting "streamlined start";

(C) by striking "small starts" in each place it occurs and inserting "streamlined start";

(D) in paragraph (2)(A)—

(i) in clause (i)(II) by striking ‘‘initiates’’ and inserting ‘‘has initiated’’; and

(ii) in clause (ii)—

(I) by redesignating subclauses (I) and (II) as subclauses (II) and (III), respectively; and

(II) by inserting before subclause (II), as so redesignated, the following:

‘‘(I) determines that the applicant has completed 30 percent of design and engineering for the project;’’;

(E) in paragraph (6) by adding at the end the following:

‘‘(C) ELIGIBILITY FOR ADJUSTMENT OF CERTAIN CRITERION.—

‘‘(i) IN GENERAL.—In evaluating and rating the economic development criterion referenced in paragraph (4), the Secretary may increase 1 point on the 5-point scale (high, medium-high, medium, medium-low, or low) the rating for the economic development criterion if the applicant submits documented evidence that enacted local policies promote housing development for areas accessible to transit facilities along the project route.

"(ii) CONSIDERATION; CONSULTATION.—In carrying out clause (i), the Secretary shall—

"(I) consider whether the evidence submitted by the applicant will result in development appropriate to expected housing demand in the project area; and

"(II) consult with the Secretary of Housing and Urban Development."; and

(F) in paragraph (7)(C) by striking "10 days" and inserting "3 business days";

(9) in subsection (i)(4)—

(A) in subparagraph (B)—

(i) in the subparagraph heading by striking "SMALL START" and inserting "STREAMLINED START"; and

(ii) by striking "small start" and inserting "streamlined start"; and

(B) in subparagraph (C)(iii) by striking "small start" and inserting "streamlined start";

(10) in subsection (j) by striking "the date of enactment of the Federal Public Transportation Act of 2012" and inserting "October 1, 2012";

(11) in subsection (k)—

(A) in paragraph (2)—

(i) in subparagraph (E)(i) by striking "Applicants" and inserting "Unless otherwise provided by subparagraph (G), applicants";

(ii) in subparagraph (F) by striking "To be eligible" and inserting "Unless otherwise provided by subparagraph (G), to be eligible"; and

(iii) by adding at the end the following new subparagraph:

"(G) SPECIAL RULE.—An applicant seeking a full funding grant agreement under this paragraph for a project that has a local financial commitment of not less than 50 percent of the total net cost of the project may not be required by the Secretary to submit a plan described in subparagraph (E) or to collect data on the current system described in subparagraph (F)."; and

(B) in paragraph (5) by striking "15 days" and inserting "3 business days";

(12) in subsection (l)—

(A) in paragraph (1)(B)—

(i) in clause (iii) by striking "in the corridor" and inserting "of the system or corridor"; and

(ii) in clause (iv)—

(I) in the clause heading by striking "SMALL START" and "STREAMLINED START"; and

(II) by striking "small start" and inserting "streamlined start"; and

(B) in paragraph (7) by striking "the date of enactment of the Federal Public Transportation Act of 2012" and inserting "October 1, 2012";

(13) in subsection (m) by adding at the end the following new paragraph:

"(3) PRE-PROJECT DEVELOPMENT PHASE COSTS.—The Secretary shall pay the Government share of project costs incurred by a State or local governmental authority that carries out any part of a project described in this section without the aid of amounts of the Government and according to all applicable procedures and requirements, if—

"(A) the project development costs of the project were incurred by the State or local governmental authority before the date on which the project entered into the project development phase;

"(B) the project—

"(i) in the case of a project under subsections (d) or (e), advances to the engineering phase; or

"(ii) in the case of a project under subsection (h), advances to the construction phase; and

"(C) the State or local governmental authority applies for payment of such Government share.";

(14) in subsection (o)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) by striking subparagraph (C) and inserting the following:

"(C) recommendations of such projects for funding—

"(i) based on the evaluations and ratings and on existing commitments and anticipated funding levels for the next 3 fiscal years based on information currently available to the Secretary; and

"(ii) prioritizing projects submitted under subsection (u); and";

(iii) by redesignating subparagraph (C), as amended, as subparagraph (B); and

(iv) by adding at the end the following new subparagraph:

"(C) a narrative summary for projects for which the Secretary adjusted the rating of the economic development criterion pursuant to subsection (g)(2)(D) or (h)(6)(C).";

(B) in paragraph (2)(A)(i)(I) by striking "and section 3005(b) of the Federal Public Transportation Act of 2015 (49 U.S.C. 5309 note; Public Law 114–94)"; and

(C) by adding at the end the following new paragraph:

"(3) EVALUATIONS AND RATING.—Concurrently with updates made pursuant to subsection (r)(2), the Secretary shall submit to Congress, and make available to the public, report evaluations and ratings, as required under subsections (d), (e), and (h), for each such project that—

"(A) is in the project development phase;

"(B) is in the engineering phase; or

"(C) has received a full funding grant agreement.";

(15) in subsection (p)—

(A) in the subsection heading by striking "RULE" and inserting "RULES REGARDING COST EFFECTIVENESS";

(B) by striking "For the purposes" and inserting "(1) TREATMENT OF CERTAIN CAPITAL COSTS.—For the purposes"; and

(C) by adding at the end the following new paragraph:

"(2) ALTERNATIVE METRIC CONSIDERATION.—In making a determination regarding the cost effectiveness of a project under subsection (d)(2)(A)(iii) or (e)(2)(A)(iii), the Secretary may consider, in addition to the measurement of cost per rider, upon request of the project sponsor, an alternative metric for cost effectiveness determined appropriate by the Secretary."; and

(16) by adding at the end the following:

"(s) ALTERNATIVE PROJECT DELIVERY.—

"(1) IN GENERAL.—Notwithstanding contract requirements in section 5325, the Secretary may allow an applicant to enter into a covered project delivery contract with respect to a project for which the applicant requests funds under this section.

"(2) COVERED PROJECT DELIVERY CONTRACT DEFINED.—In this subsection, the term 'covered project delivery contract' means—

"(A) an agreement that provides for both design and construction of a project by 1 or more contractors through alternative project delivery methods, including construction manager/general contractor, construction manager-at-risk, progressive design build, or any other alternative project delivery method; or

"(B) a single contract for the delivery of a whole project that—

"(i) includes, at a minimum, the sponsor, builder, and designer as parties subject to the terms of the contract;

"(ii) aligns the interests of all parties to the contract with respect to the project costs and project outcomes; and "(iii) includes processes to ensure transparency and collaboration among all parties to the contract with respect to the project costs and project outcomes.

"(t) SPECIAL RULE FOR RISK ASSESSMENT AND LOCK-IN DATE.—With respect to core capacity improvement projects and new fixed guideway capital projects, the Secretary may not determine a maximum Capital Investment Grant contribution or conduct a risk assessment until 120 days after the project enters into the engineering phase, except the Secretary may conduct a risk assessment earlier upon request from the project sponsor.".

(b) AMENDMENTS TO EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—Section 3005(b) of the FAST Act (49 U.S.C. 5309 note) is amended—

(1) in the heading by striking "PILOT";

(2) by striking paragraph (1) and inserting the following:

"(1) DEFINITION OF SPECIFIED CORE CAPACITY IMPROVEMENT PROJECT.—In this subsection, the term 'specified core capacity improvement project'—

"(A)(i) means a capital investment in an existing fixed guideway system that—

"(I) increases the capacity of a corridor by not less than 10 percent; or

"(II) substantially increases the capacity of such system (in part or in whole); and

"(ii) includes a project that—

"(I) is primarily intended to increase capacity by reducing passenger travel time in a corridor or in an existing fixed guideway system, including for passengers with disabilities and passengers who use wheelchairs; and

"(II) otherwise meets the requirements of clause (i);

"(B) may include project elements designed to achieve a state of good repair of the existing fixed guideway system; and

"(C) does not include—

"(i) elements designed to maintain a state of good repair of the existing fixed guideway system;

"(ii) elements to improve general station facilities (other than stairs, elevators, ramps, or escalators for passenger use) or parking; and

"(iii) acquisition of rolling stock alone.";

(3) in paragraph (2)—

(A) in subparagraph (A) by striking "small start" and inserting "streamlined start"; and

(B) by striking subparagraph (B) and inserting the following:

"(B) specified core capacity improvement projects, including—

"(i) acquisition of real property;

"(ii) acquisition of rights-of-way;

"(iii) double tracking;

"(iv) signalization improvements;

"(v) electrification;

"(vi) expanding system platforms;

"(vii) acquisition of rolling stock associated with corridor improvements increasing capacity;

"(viii) construction of infill stations;

"(ix) construction, renovation, and improvement of stairs, ramps, elevators, and escalators to improve accessibility of the system or corridor for individuals with disabilities, including individuals who use wheelchairs; and

"(x) other capacity improvements the Secretary determines are appropriate to increase the capacity of the system or corridor.";

(4) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking "not more than 8 grants under this subsection for eligible projects if the Secretary determines that" and inserting "grants under this subsection to State and local governmental authorities to assist in financing a new fixed guideway capital project, a streamlined start project, or a specified core capacity improvement project if the Secretary determines that";

(ii) in clause (i) by striking "of title 49, United States Code";

(iii) by striking clause (iii) and inserting the following:

"(iii) there are private contributions to the project, which may include cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies, provided such elements are determined by local policies, criteria, and decisionmaking under section 5306(a);''; and

(iv) in clauses (i) through (vi) by striking ''eligible'' each place it appears;

(B) in subparagraph (B) by striking ''of title 49, United States Code,'';

(C) in subparagraph (C) by striking ''for applicants that have'' and all that follows through the period and inserting ''as prescribed in subsection (c)(3).'';

(D) in subparagraph (D)—

(i) in clause (i)—

(I) in the matter preceding subclause (I) by striking ''an eligible project'' and inserting ''a project''; and

(II) in subclause (I) by striking ''eligible''; and

(ii) in clause (ii) by striking ''eligible'' each place it appears;

(E) in subparagraph (E) by striking "of title 49, United States Code,"; and

(F) by adding at the end the following new subparagraph:

"(F) CONSIDERATION FOR SPECIFIED CORE CAPACITY PROJECT.—For purposes of making a determination under this paragraph for a specified core capacity project, the Secretary shall determine whether the project will increase capacity of a corridor by at least 10 percent or substantially increase capacity system-wide (in whole or in part), including in the manner described in paragraph (1)(A)(ii).";

(5) in paragraph (4)—

(A) in subparagraph (A) by striking "an eligible" and inserting "a";

(B) in subparagraphs (B) and (C) by striking "eligible" each place it appears; and

(C) in subparagraph (C)(i) by striking "public-private partnership required" and inserting "private contributions required";

(6) in paragraph (5)(A) by striking "120 days" and inserting "180 days";

(7) in paragraph (6)—

(A) by striking ‘‘eligible’’ each place it appears; and

(B) by inserting ‘‘specified’’ before ‘‘core capacity’’;

(8) in paragraph (7) by striking ‘‘an eligible’’ and inserting ‘‘a’’;

(9) in paragraph (8)—

(A) in subparagraph (A)(i)—

(i) by striking ‘‘an eligible’’ each place it appears and inserting ‘‘a’’; and

(ii) by striking ‘‘the eligible’’ and inserting ‘‘the’’;

(B) in subparagraph (B)—

(i) in clauses (i) and (ii) by striking ‘‘an eligible’’ and inserting ‘‘a’’;

(ii) in clause (iii)—

(I) by striking ‘‘eligible’’ each place it appears; and

(II) in subclause (III) by striking ‘‘, consistent with the terms of the public-private partnership agreement’’;

(iii) in clause (iv)—

(I) in subclause (III) by striking "eligible project" each place it appears and inserting "project"; and

(II) in subclause (IV)—

(aa) by inserting "specified" before "core capacity"; and

(bb) by striking "small start" and inserting "streamlined start"; and

(iv) in clause (v) by striking "small start" and inserting "streamlined start";

(C) in subparagraph (C)(i) by striking "eligible"; and

(D) in subparagraph (D)—

(i) in clause (i)—

(I) by striking "15 days" and inserting "3 business days"; and

(II) by striking "an eligible" and inserting "a"; and

(ii) in clause (ii) by striking "eligible";

(10) in paragraph (9)—

(A) in subparagraph (A)—

(i) by striking "an eligible" and inserting "a"; and

(ii) by striking "25 percent" and inserting "40 percent";

(B) in subparagraph (C) by striking "75 percent" and inserting "60 percent"; and

(C) in subparagraph (E)—

(i) by striking "an eligible project" and inserting "a project";

(ii) by striking "the applicant shall repay" and inserting "as determined by the Secretary, the applicant shall repay";

(iii) by striking "the eligible project" and inserting "the project"; and

(iv) by striking "all eligible project" and inserting "all project";

(11) in paragraph (10)(A)—

(A) by striking "an eligible project" and inserting "a project";

(B) by striking "that eligible project" and inserting "the project"; and

(C) by striking "the eligible project" and inserting "the project";

(12) in paragraph (11) by striking "Not later than" and all that follows through the period at the end and inserting "In each annual report described in subsection (o)(1), the Secretary shall include a

proposed amount to be available to finance grants for anticipated projects under this subsection.''; and

(13) in paragraph (12)—

(A) in subparagraph (B) by striking the semicolon and inserting ''; or'';

(B) in subparagraph (C) by striking ''; or'' and inserting a period; and

(C) by striking subparagraph (D).

(c) TRANSFER OF EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PROGRAM.—Section 3005(b) of the FAST Act, as amended by subsection (b), is transferred to appear as subsection (u) of section 5309 of title 49, United States Code.

(d) ENSURING FLEXIBILITY IN CIG PROJECT PIPELINES.—The Secretary shall, to the greatest extent practicable and in accordance with applicable statutory requirements—

(1) ensure that an applicant in the capital investment grant program has flexibility to move between project pipelines provided under subsections (d), (e), (h), and (u) of section 5309; and

(2) minimize the administrative burden associated with utilizing such flexibility.

(e) APPLICABILITY.—The amendments made by subsections (a) through (c) shall only apply to a grant application under section 5309 of title 49, United States Code, that—

(1) is submitted on or after the date of enactment of this Act;

(2) is moved by the Secretary between project pipelines provided under subsections (d), (e), (h), and (u) of such section after the date of enactment of this Act; or

(3) is for a project—

(A) that prior to the date of enactment of this Act—

(i) entered into the project development phase provided under subsections (d), (e), or (h) of such section; or

(ii) has submitted a complete application under subsection (u) of such section to the Secretary; and

(B) with a project sponsor that has elected to subject such application to the amendments made by subsections (a) through (c).

SEC. 3008. FORMULA GRANTS FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) TRANSFER OF SECTION 3006(B) OF THE FIXING AMERICA'S SURFACE TRANSPORTATION ACT.—Section

3006(b) of the Fixing America's Surface Transportation Act (49 U.S.C. 5310 note) is transferred to appear as section 5310(j) of title 49, United States Code.

(b) AMENDMENTS.—Section 5310(j) of title 49, United States Code, as transferred by subsection (a), is amended—

(1) in the subsection heading by striking "PILOT";

(2) by striking paragraph (1);

(3) by redesignating paragraphs (2) through (6) as (1) through (5), respectively;

(4) in paragraph (1), as so redesignated—

(A) in the matter preceding subparagraph (A) by striking "eligible recipients" and inserting "recipients";

(B) in subparagraph (B) by striking "and" at the end;

(C) by redesignating subparagraph (C) as subparagraph (D); and

(D) by inserting after subparagraph (B) the following new subparagraph:

"(C) projects that improve access to a facility of the Department of Veterans Affairs or an organization or a facility that provides services to veterans using funds provided by the Department of Veterans Affairs; and'';

(5) in paragraph (2), as so redesignated—

(A) by striking ''An eligible recipient'' and inserting ''A recipient''; and

(B) by striking ''eligible project'' in each place it occurs and inserting ''capital project'';

(6) by striking paragraph (3), as so redesignated, and inserting:

''(3) BRIEFING.—Annually during the period between October 1 and December 31, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on projects carried out during the most recently completed fiscal year using grant funds issued under this subsection, including—

''(A) an evaluation of the program under this subsection, including an evaluation of the specific performance measures identified by each recipient pursuant to paragraph (2)(D); and

''(B) if applicable, a detailed description of each project, including any activities therein, carried out during such fiscal year using grant funds issued under this subsection.'';

(7) in paragraph (4), as so redesignated, by striking ''an eligible project'' in each place it occurs and inserting ''a capital project''; and

(8) in paragraph (5), as so redesignated, by striking ''chapter 53 of title 49, United States Code'' and inserting ''this chapter''.

(c) ADDITIONAL AMENDMENTS.—Section 5310 of title 49, United States Code, is further amended—

(1) in subsection (b)(1)(A) by striking ''special''; and

(2) in subsection (d)(3)(B)(ii) by striking ''highways program'' and all that follows through the period and inserting ''transportation program under section 203 of title 23.''.

SEC. 3009. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2), as so redesignated, the following:

"(1) INSULAR AREA.—The term 'insular area' means the United States Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.";

(2) in subsection (b)(3)(B) by striking "5338(a)(2)(F)" and inserting "5338(a)(2)(D)";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking "section 5338(a)(2)(F)" and inserting "section 5338(a)(2)(D)";

(ii) in subparagraph (A) by striking "and" at the end;

(iii) in subparagraph (B) by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

"(C) 1 percent shall be available to carry out paragraph (4); and

"(D) $25,000,000 shall be set aside each fiscal year to carry out the rural and insular ferry competitive program under section

5339(d) as such grants relate to an area described under section 5339(d)(2)(B).'';

(B) in paragraph (3)(C) by striking ``5338(a)(2)(F)'' and inserting ``5338(a)(2)(D)'';

(C) in paragraph (4)(A) by striking ``section 5338(a)(2)(F) that are not apportioned under paragraph (1) or (2)'' and inserting ``section 5338(a)(2)(D) that are not apportioned in accordance with paragraph (1)'';

(D) by redesignating paragraph (4) as paragraph (5); and

(E) by inserting after paragraph (3) the following:

``(4) INSULAR AREA PUBLIC TRANSPORTATION ASSISTANCE PROGRAM.—For each fiscal year, the amounts made available under paragraph (1)(C) shall be equally apportioned for grants to insular areas for any purpose eligible under this section under such terms and conditions as may be established by the Secretary.'';

(4) in subsection (f)(1)(B) by striking ``facilities;'' and inserting ``facilities, which provided the project supports intercity bus service to or from

rural areas, includes all portions of such facilities regardless of—

"(i) the geographic area in which such facilities are located; or

"(ii) whether or not such facilities are used exclusively for intercity bus service to and from rural areas;";

(5) in subsection (g)—

(A) in paragraph (3)—

(i) by striking subparagraph (E) and inserting the following:

"(E) notwithstanding subparagraph (D), may be derived from amounts made available to carry out the Federal lands transportation program established by section 203 of title 23; and"; and

(ii) in subparagraph (F) by striking "to which" and inserting "(regardless of whether such a service operates in 1 or more States) to which"; and

(B) in paragraph (4)—

(i) by striking "For purposes of" and inserting "(A) ADVERTISING AND CONCESSION REVENUES.—For purposes of"; and

(ii) by adding at the end the following new subparagraph:

"(B) IN-KIND MATCH.—With respect to an amount used as an in-kind match pursuant to paragraph (3)(F), such amount may not be used by any other recipient of a Federal award, including another Federal award under this section, to satisfy an in-kind or cost-share requirement for such Federal award."; and

(6) in subsection (j)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively; and

(ii) by inserting after subparagraph (A) the following:

"(B) MINIMUM APPORTIONMENT.—Notwithstanding clause (i) of subparagraph (A), an Indian tribe that receives an apportionment under such clause may not receive less than 0.05 percent of the amount apportioned under such clause."; and

(B) by adding at the end the following new paragraph:

''(3) ELIGIBILITY.—Notwithstanding any other provision of law, funds apportioned pursuant to this subsection may be used by an Indian tribe in the same manner as a recipient of Federal assistance under section 5308.''.

SEC. 3010. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.

Section 5314 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subsection (B)(ii)—

(I) by striking ''the development of'' inserting ''advance the development of''; and

(II) by striking the period at the end and inserting ''; and''; and

(ii) by striking ''(1) TECHNICAL ASSISTANCE'' and all that follows through ''technical assistance; and'' and inserting the following:

''(1) IN GENERAL.—The Secretary may—

''(A) make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to—

"(i) provide technical assistance to recipients of assistance under this chapter for purposes of enabling recipients to—

"(I) more effectively and efficiently provide public transportation service;

"(II) administer assistance under this chapter in compliance with Federal law; and

"(III) improve public transportation; and";

(B) in paragraph (2)—

(i) by striking the heading and all that follows through "competitive bid process, may" and inserting "through a competitive bid process,"; and

(ii) by striking "public-transportation-related technical assistance under this subsection" and inserting "technical assistance under subparagraph (A)(i)";

(C) by redesignating paragraph (2) as subparagraph (B) of paragraph (1) (and redesignating subparagraphs (A) through (I) of such paragraph as clauses (i) through (ix), respectively);

(D) in paragraph (3)(D) by striking "subsections (b) and (c)" and inserting "this subsection"; and

(E) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(2) by amending subsection (b) to read as follows:

"(b) TRANSIT WORKFORCE DEVELOPMENT CENTER.—

"(1) ESTABLISHMENT.—The Secretary shall establish a national transit workforce development center and award grants to a national nonprofit organization for purposes of supporting the workforce development needs of urban, suburban, Tribal, and rural public transportation authorities across the United States.

"(2) DUTIES.—In cooperation with the Secretary, public transportation authorities, and labor organizations representing public transportation workers, the center established under paragraph (1) shall perform the following duties:

"(A) Improve access to on-the-job education and related skills training for frontline transit workers by serving as a centralized resource that provides comprehensive and relevant information on—

"(i) transit-related education, pathway programs, and professional development opportunities; or

"(ii) transit-related apprenticeship, scholarship, internship, and mentorship programs.

"(B) Develop and maintain a comprehensive workforce strategy to help coordinate workforce development initiatives for the frontline transit workforce, including by—

"(i) serving as a repository for research conducted by institutions of higher education, research institutions, or other stakeholders regarding the transit workforce and related technical and skill development;

"(ii) providing a forum to support collaboration and cooperation between governmental, nongovernmental, and private public transportation sector stakeholders regarding the advancement of the frontline transit workforce;

"(iii) providing instructors with the necessary instructional, leadership, and communication skills to better educate frontline transit workers;

"(iv) supporting personnel or veterans of the Armed Forces seeking to transition to a career in public transportation; and

"(v) promoting the recruitment, retention, job readiness and preparation of a skilled frontline workforce capable of working with new and emerging technologies that serve transit communities.

"(C) Conduct and implement technical assistance activities that promote more effective and efficient training of frontline workers involved in public transportation maintenance and operations.

"(D) Build awareness of youth-oriented programs and other robust outreach programs, including for primary, secondary, and post-secondary school students to enable such students to learn about public transportation occupations.

"(3) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—The center established in paragraph (1) shall be operated in a manner and for purposes that qualify the center for exemption from taxation under the Internal Revenue Code as an organization described in section 501(c)(3) of such Code.

"(4) POLITICAL ACTIVITIES.—The center established in paragraph (1)—

"(A) shall be nonpolitical and may not provide financial aid or assistance to, or otherwise contribute to or promote the candidacy of, any individual seeking elective public office or political party; and

"(B) may not engage in activities that are, directly, or indirectly, intended to be or likely to be perceived as advocating or influencing the legislative process.";

(3) in subsection (c)—

(A) in paragraph (1) by striking ", as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order"; and

(B) in paragraph (4)(A) by inserting "5308, 5311," after "sections 5307,"; and

(4) by adding at the end the following:

"(d) ALLOCATION OF FUNDS.—Of the funds made available for each fiscal year under section 5338(a)(2)(F) to carry out this section—

"(1) 28.57 percent shall be made available to carry out subsection (a); and

"(2) 71.43 percent shall be split equally and be made available to carry out each of subsections (b) and (c).

"(e) DEFINITIONS.—In this section:

"(1) ARMED FORCES.—The term 'armed forces' has the meaning given such term in section 101 of title 10.

"(2) HIGH SCHOOL; SECONDARY SCHOOL.—The terms 'high school' and 'secondary school' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

"(4) POSTSECONDARY VOCATIONAL INSTITUTION.—The term 'postsecondary vocational institution' has the meaning given such term in section

102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).''.

SEC. 3011. BUS TESTING FACILITY.

(a) IN GENERAL.—Section 5318 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the period at the end and inserting ''; and'';

(B) by striking ''facility for'' and inserting ''facility for—''

(C) by striking ''testing'' and inserting ''(1) testing''; and

(D) by adding at the end the following new paragraph:

''(2) in the case that a bus model is equipped with an automated driving system (as defined in section 31132), testing for the competencies described under section 31140(b)(1)(B)(x).'';

(2) in subsection (d)—

(A) by striking ''80 percent'' and inserting ''60 percent''; and

(B) by striking ''20 percent'' and inserting ''40 percent'';

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ‘‘described in this section’’ after ‘‘model’’; and

(ii) in subparagraph (A), by striking ‘‘authorized under subsection (a)’’ and inserting ‘‘maintained under subsection (a) or authorized for testing pursuant to subsection (g)’’; and

(B) by amending paragraph (2) to read as follows:

‘‘(2) BUS TEST ‘PASS/FAIL’ STANDARD.—

‘‘(A) IN GENERAL.—The Secretary shall—

‘‘(i) maintain the performance standards under paragraph (1)(B)(i) that includes—

‘‘(I) a bus model scoring system that results in a weighted, aggregate score that uses the testing categories under subsection (a); and

‘‘(II) consideration of the relative importance of each such testing category; and

‘‘(ii) establish a ‘pass/fail’ standard that uses the aggregate score described in clause (i)(I).

"(B) LIMITATION ON USE OF FUNDS.—

"(i) NEW BUS MODELS.—Amounts appropriated or otherwise made available under this chapter may be obligated or expended to acquire a new bus model only if such model has received a passing score under the standard established under subparagraph (A)(ii).

"(ii) RULE OF INTERPRETATION.—Such a passing score shall not be interpreted by any person or entity as a warranty or guarantee that a new bus model meet any specific requirement of a purchaser.

"(C) SCORING SYSTEM.—The Secretary shall collaborate with the bus testing facility maintained under subsection (a), bus manufacturers, and transit agencies to develop and update, as appropriate, the bus model scoring system described in subparagraph (A)(i)(I)."; and

(4) by adding at the end the following:

"(g) ADVANCED BUS TECHNOLOGIES AND TESTING.—

"(1) IN GENERAL.—The Secretary may, through the facility maintained under subsection (a), subcontract the testing of new bus models equipped with advanced bus technologies, including new bus models equipped with automated driving systems, for each of the testing categories and competencies listed under subsection (a) to a person or entity experienced in testing such new bus models, provided such person or entity is not a manufacturer of a new bus model equipped with such advanced bus technologies.

"(2) LOCATION OF TESTING.—The testing described in paragraph (1) may be conducted at a facility other than the facility maintained under subsection (a) if the Secretary has determined that the facility maintained under subsection (a)—

"(A) is not equipped to test such new bus models;

"(B) does not have the knowledge or expertise to properly and efficiently test such new bus models; or

"(C) would, due to the additional testing of such new bus models, experience unreasonable delays in the testing of bus models that are not equipped with advanced bus technologies.

"(3) SAVINGS CLAUSE.—In carrying out this subsection, the Secretary shall ensure that the testing of bus models without advanced bus technologies under this section is not adversely affected.''.

(b) RULEMAKING.—Not later than 36 months after the date of enactment of this Act, the Secretary shall update part 665 of title 49, Code of Federal Regulations, as necessary, to implement the amendments made by this section.

SEC. 3012. CRIME PREVENTION AND SECURITY.

Section 5321 of title 49, United States Code, is amended to read as follows:

''§ 5321. Crime prevention and security

''(a) ELIGIBLE EXPENSE.—For purposes of expending financial assistance described under section 5307(c)(1)(J), the following activities and projects shall be considered by the Secretary to be an eligible expense:

''(1) A project to increase lighting in or adjacent to a public transportation system, including the intercity bus portion of a federally funded public transportation facility and joint-use facility (including bus stops, subway stations, parking lots, and garages).

''(2) A project to increase camera surveillance of an area in or adjacent to such system.

"(3) A project that provides an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to such system.

"(4) A project to improve farebox infrastructure across such system.

"(5) A project to improve the cybersecurity of such system.

"(6) A project to improve technology, including any hardware or software investments designed to combat or report crime or improve security.

"(7) A project intended to increase the security and safety of an existing or planned public transportation system.

"(8) A project, including a project for operating costs notwithstanding section 5307(a)(1)(D), related to—

"(A) fare enforcement and the prevention of fare evasion;

"(B) hiring transit officers to police on public transportation and transit stations, including in the immediate vicinity of such stations;

"(C) contracting with local police departments to increase officer presence on public transportation systems and related facilities, including in the immediate vicinity of stations;

"(D) hiring transit support specialists; or

"(E) other activities to reduce criminal activities on public transportation systems, including intercity bus portions of federally funded public transportation facilities and joint-use facilities.

"(b) SPECIAL RULE.—Not more than the lesser of the following amounts may be expended by a recipient under section 5307(c)(1)(J) for eligible expenses described in subsection (a)(8):

"(1) An amount equal to the amount expended for eligible expenses described in paragraphs (1) through (7) of subsection (a).

"(2) 1.5 percent of the amount the recipient receives for each fiscal year under section 5336.

"(c) TRANSIT SUPPORT SPECIALIST DEFINED.—In this section, the term 'transit support specialist' means an individual who may be a non-sworn officer and is adequately trained to carry out a variety of duties designed to improve the security of public transportation systems through the known presence of such individual within a public transportation system, including physical presence aboard vehicles, and through engagement with the public.

"(d) Rule of Construction.—Nothing in this chapter shall be construed by the Secretary to prevent the financing of a project described in subsection (a) in any case in which a local governmental authority other than the recipient has law enforcement responsibilities.

"(e) Mandatory Fare Evasion Penalties.—

"(1) In general.—Beginning with fiscal year 2028, the Secretary shall withhold 10 percent of the assistance available to a direct recipient, as allocated in a split letter or other similar determination of the annual apportionment of funds by a designated recipient under section 5307 for an urbanized area, in each fiscal year in which a State or local government is not in compliance with paragraph (2).

"(2) State or local government compliance.—A State or local government is not in compliance with this paragraph if the act of evading a fare payment for public transportation services on any mode of public transportation in the urbanized area for which a direct recipient receives assistance described under paragraph (1) is not either a criminal or civil offense under the laws of such State or local government.

"(3) Public transportation services in multiple jurisdictions.—In any case in which a direct recipient provides public transportation services to more than 1 State or jurisdiction of a local government, the Secretary shall ensure that the withholding of funds under paragraph (1) does not adversely affect any State or local government jurisdiction that is in compliance with the requirements of paragraph (2).

"(4) RULE OF CONSTRUCTION.—The Secretary may not withhold funds under paragraph (1) to any recipient for which all of its service area is covered by a State or local policy, or a collection of State or local policies, that is in compliance with paragraph (2).

"(5) WITHHOLDING OF FUNDS.—

"(A) IN GENERAL.—If the Secretary determines a State or local government comes into compliance with paragraph (2) in a fiscal year in which funds are withheld to a direct recipient under paragraph (1), the Secretary shall make the amount withheld available for apportionment to the direct recipient.

"(B) LAPSE.—Any amounts withheld to a direct recipient under paragraph (1) and not restored under subparagraph (A) in a fiscal year shall lapse.".

SEC. 3013. GENERAL PROVISIONS.

(a) IN GENERAL.—Section 5323 of title 49, United States Code, is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (A)—

(i) in the subparagraph heading by inserting "; NOTICE OF DETERMINATION" after "INVESTIGATIONS";

(ii) by striking "On receiving a complaint about a violation of the agreement required under" and inserting "Not later than 120 days after the receipt of any complaint of a violation of an agreement described in";

(iii) by striking "shall investigate and decide whether a violation has occurred." and inserting "shall—

"(i) investigate such complaint; and

"(ii) provide, in writing, to the individual that filed the complaint and the recipient of financial assistance alleged to have violated such an agreement or a regulation prescribed in accordance with this section, the determination of the Secretary with respect to—

"(I) whether the recipient of such assistance violated this section or a regulation prescribed in accordance with this section;

"(II) the facts underlying the complaint; and

"(III) any action the Secretary is taking in response to the complaint.";

(B) in subparagraph (C) by striking "remedy specified in the agreement" and inserting "action the Secretary takes to remedy a violation of an agreement described in paragraph (1)";

(C) by striking subparagraph (B); and

(D) by redesignating subparagraph (C) as subparagraph (B);

(2) in subsection (e)(1) by inserting "5308," after "5307,";

(3) in subsection (f)—

(A) in the heading by striking "SCHOOLBUS" and inserting "SCHOOL BUS"; and

(B) by striking "schoolbus" each place it appears and inserting "school bus";

(4) in subsection (i)(1)(A)—

(A) by striking "acquiring vehicles" and inserting "acquiring vehicles or vessels";

(B) by striking "et seq.) or" and inserting "et seq.), with"; and

(C) by striking "is for 85 percent" and all that follows through the period and inserting ", or as an eligible project (as defined in section 5339(e)(2)) under section 5339 of this chapter is for 90 percent of the net project cost.";

(5) in subsection (j)(3)—

(A) in subparagraph (A) by inserting "and not later than 180 days after the date on which an applicant submits a request to the Secretary to waive the requirements of paragraph (1)" after "paragraph (2)";

(B) in subparagraph (B)—

(i) by striking "Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, and annually thereafter, the" and inserting the following:

"(i) IN GENERAL.—Except as otherwise provided in clause (ii), the";

(ii) by inserting ", on an annual basis," after "shall";

(iii) by striking "a report listing any waiver" and inserting "a report listing—

"(I) any waiver";

(iv) by striking the period at the end and inserting "; and"; and

(v) by adding at the end the following:

"(II) any extensions of an application to waive the requirements described in paragraph (1) and the rationale as to why a determination requires additional time consider prior to issuing a written determination.

"(ii) EXCEPTION.—In the event the Secretary issues fewer than 3 or no waivers provided for under paragraph (2) during the preceding year, the Secretary may brief the Committees described in clause (i) in lieu of submitting a report under such clause.";

(C) by redesignating subparagraph (B) as subparagraph (C); and

(D) by inserting after subparagraph (A) the following:

"(B) EXTENSION.—If, upon review of the facts and status of an application to waive the requirements described in paragraph (1), the Secretary determines that the time provided to make a written determination is insufficient, the Secretary may approve an extension of such determination deadline by not more than 6 months.'';

(6) in subsection (r)—

(A) by striking ''A recipient'' and inserting ''(1) IN GENERAL.—A recipient''; and

(B) by striking ''In determining'' and all that follows through the period at the end and inserting the following:

''(2) REQUIREMENTS.—In determining reasonable access under paragraph (1), a recipient of assistance shall—

''(A) consider capacity requirements of the recipient of assistance and the extent to which access would be detrimental to existing public transportation services; and

''(B) not later than 90 days after receiving a request for access to such facility from a private intercity or charter transportation operator—

''(i) provide a written response to the requestor; and "(ii) simultaneously provide a copy of such response to the Secretary.

"(3) SAVINGS CLAUSE.—Nothing in this subsection shall be construed to—

"(A) limit the authority of the Secretary to act as otherwise authorized by law to ensure proper use of, and authorize access to, federally funded public transportation facilities; or

"(B) require a recipient of federal assistance under this chapter to fund special facilities for private intercity or charter operators.";

(7) in subsection (u)—

(A) by striking paragraphs (1) and (2) and inserting the following:

"(1) DEFINITIONS.—In this subsection:

"(A) COVERED ENTITY.—The term 'covered entity' means an entity (including a corporation, partnership, association, organization, or other entity)—

"(i) the principal place of business of which is in a covered nation;

"(ii) that is headquartered in, incorporated in, or otherwise organized under the laws of a covered nation;

"(iii) that, regardless of where the entity is organized or doing business, is owned or controlled by a covered nation or covered individual, including circumstances in which a covered individual possesses the power to determine, direct, or decide matters affecting the entity—

"(I) through—

"(aa) the ownership of a majority of the total outstanding voting interest in the entity;

"(bb) board representation;

"(cc) proxy voting;

"(dd) a special share;

"(ee) contractual arrangements;

"(ff) formal or informal arrangements to act in concert; or

"(gg) other means; and

"(II) regardless of whether the power is—

"(aa) direct; or

"(bb) exercised or unexercised;

"(iv) is owned or controlled by a subsidiary or affiliate of an entity described in clause (i), (ii), or (iii), or that is the majority owner of a joint venture with an entity described in clause (i), (ii), or (iii);

"(v) is a manufacturer from which the procurement of rolling stock was ever prohibited under this subsection; or

"(vi) is an owner of, successor of, subsidiary of, or affiliate of a manufacturer described in clause (v), or is the majority owner of a joint venture with such a manufacturer.

"(B) COVERED FUNDING.—The term 'covered funding' means any financial assistance administered in accordance with the requirements of this chapter.

"(C) COVERED INDIVIDUAL.—The term 'covered individual' means any individual, wherever located—

"(i) whose activities are directly or supervised, directed, controlled, financed, or subsidized, in whole or in majority part, by a covered nation or covered entity;

"(ii) who acts as an agent, representative, or employee of a covered nation or an individual described in clause (i);

"(iii) who acts in any other capacity at the order of, at the request of, or under the direction or control of a covered nation or an individual described in clause (i); or

"(iv) who—

"(I) is a citizen or resident of a covered nation or a country controlled by a covered nation; and

"(II) is not a citizen or permanent resident of the United States.

"(D) COVERED NATION.—The term 'covered nation' has the meaning given the term in section 4872(d) of title 10.

"(E) COVERED VEHICLE.—The term 'covered vehicle' means rolling stock that—

"(i) is produced or provided by a covered entity included on the list developed under paragraph (2)(B); or

"(ii) incorporates an electric power train manufactured or provided by a covered entity included on the list developed under paragraph (2)(B).

"(F) ELECTRIC POWER TRAIN.—The term 'electric power train' has the meaning given the term in section 571.305 of title 49, Code of Federal Regulations (as in effect on the date of enactment of the BUILD America 250 Act).

"(2) PROHIBITION.—

"(A) IN GENERAL.—Subject to subparagraph (C), on and after the date of enactment of the BUILD America 250 Act, the Secretary may not award or obligate covered funding—

"(i) for a contract or subcontract for the procurement of a covered vehicle; or

"(ii) for the construction, installation, or maintenance of infrastructure to fuel or charge a covered vehicle that is a bus, if the applicable covered vehicle is procured under a contract or subcontract executed on or after the date of enactment of the BUILD America 250 Act.

"(B) LIST OF COVERED ENTITIES.—

"(i) IN GENERAL.—Not later than 30 days after the date of enactment of the BUILD America 250 Act, the United States Trade Representative, in consultation with the Attorney General and the

Secretary, shall make publicly available, including on a publicly accessible website, a list of covered entities that produce or provide—

“(I) rolling stock to which the prohibition under subparagraph (A) applies; or

“(II) electric power trains the incorporation of which into rolling stock would render the rolling stock subject to the prohibition under subparagraph (A).

“(ii) UPDATES.—The United States Trade Representative shall update the list required under clause (i)—

“(I) based on information provided to the United States Trade Representative by the Attorney General and the Secretary; and

“(II) not less frequently than—

“(aa) once every 90 days during the 180-day period beginning on the date of initial publication of the list under such clause; and "(bb) annually thereafter.

"(C) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary may procure a covered vehicle or construct, install, or maintain infrastructure to fuel or charge a covered vehicle for purposes of—

"(i) the inspection or investigation of a motor vehicle or equipment; or

"(ii) motor vehicle safety research, development, or testing.";

(B) in paragraph (4) by striking "paragraph (1)" each place it appears and inserting "paragraph (2)";

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking "This subsection, including the" and inserting "The";

(II) by striking "(4)," and inserting "(4)";

(III) by inserting "that does not utilize covered funds" after "subcontract";

(IV) by striking "rail rolling stock manufacturer described in paragraph (1)'' and inserting ''covered entity'';

(V) by striking ''the manufacturer'' and inserting ''the covered entity''; and

(VI) by striking ''date of enactment of this subsection'' and inserting ''date of enactment of the BUILD America 250 Act'';

(ii) by striking subparagraph (B) and inserting the following:

''(B) CONTRACT COMPLETION.—Notwithstanding paragraph (2), covered funds may be obligated for a contract or subcontract that was eligible for assistance under this chapter under the provisions of this subsection prior to the date of enactment of the BUILD America 250 Act until the delivery of rolling stock is complete under such contract and throughout the completion of all contract warranties under such contract.''; and

(iii) by striking subparagraph (C); and

(D) by adding at the end the following:

"(6) SEVERABILITY.—If any provision of this subsection, or the application of this subsection to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this subsection, and the application of the provision to any other person or circumstance, shall not be affected."; and

(8) by adding at the end the following:

"(w) BUS PROCUREMENT ASSESSMENT AND MAXIMUM FEDERAL PAYMENT.—

"(1) IN GENERAL.—The Secretary shall—

"(A) immediately upon enactment of this subsection and at least once every 5 years thereafter, carry out a review of—

"(i) all applicable Federal laws and policies relating to the procurement of bus rolling stock by a recipient of Federal assistance under this chapter, including policies, processes, and procedures relating to such procurement set forth by the Federal Transit Administration; and

"(ii) relevant awards to recipients of such assistance that resulted in completed procurement of bus rolling stock for use in public transportation within the most recent 5 years, including a comparative analysis of vehicle components, designs, use of performance specifications in contracting, use of State and local purchasing schedules, and total costs associated with the procurement of such vehicles;

"(B) update, as necessary, policies, processes, procedures, administrative guidance, and best practices of the Secretary to ensure the timely, cost-effective, and efficient procurement of bus rolling stock by a recipient of such assistance; and

"(C) beginning in fiscal year 2029, and on an annual basis thereafter, publish a schedule listing the maximum amounts of Federal funds that may be used by a recipient, on a per unit basis and notwithstanding the applicable Federal cost share, to procure different combinations of propulsion types and lengths of bus rolling stock, as such amounts are determined under paragraph (2).

"(2) MAXIMUM FEDERAL PAYMENT AMOUNT.—

"(A) IN GENERAL.—Each maximum federal payment amount published by the Secretary in accordance with paragraph (1)(C) and allowed to be used in the procurement of bus rolling stock by a recipient of Federal assistance shall—

"(i) account for all applicable Federal procurement laws and administrative policies;

"(ii) not be construed to constrain the price of such bus rolling stock that a recipient of federal assistance may procure using non-Federal funds; and

"(iii) ensure the procurement of safe and reliable bus rolling stock for use in public transportation.

"(B) MAXIMUM FEDERAL PAYMENT FORMULA.—For each unique combination of vehicle length and propulsion type for which bus rolling stock is commercially available, the maximum federal payment shall equal an amount according to the following formulas:

"(i) FISCAL YEAR 2029.—For fiscal year 2029, the maximum Federal payment amount shall equal the average of all of the products of 80 percent multiplied by the price of each procurement for a bus rolling stock combination of similar propulsion type and vehicle length procured within the most recent 5 years.

"(ii) FISCAL YEAR 2030.—For fiscal year 2030, the maximum Federal payment amount shall equal the average of all of the products of 75 percent multiplied by the price of each procurement for a bus rolling stock combination of similar propulsion type and vehicle length procured within the most recent 5 years.

"(iii) FISCAL YEAR 2031.—For fiscal year 2031 and in each fiscal year thereafter, the maximum Federal payment amount shall equal the average of all of the products of 70 percent multiplied by the price of each procurement for a bus rolling stock combination of similar propulsion type and vehicle length procured within the most recent 5 years.

"(3) SPECIAL RULES FOR MAXIMUM FEDERAL PAYMENT SCHEDULE.—

"(A) PUBLISH DATE.—The schedule described in paragraph (1)(C) shall be published not later than October 1 of each year in which the maximum Federal payment amount is in effect pursuant to the formulas in paragraph (2)(B).

"(B) REQUIREMENT.—The schedule described in paragraph (1)(C) shall include a maximum Federal payment amount for each unique combination of propulsion type and vehicle length for which bus rolling stock is commercially available.

"(C) FAILURE TO PUBLISH.—In the event the Secretary fails to publish the schedule described in paragraph (1)(C) by the date provided under subparagraph (A), the most recently published schedule shall remain in effect, adjusted for inflation based on the Producer Price Index prepared by the Department of Labor.

"(D) FAILURE TO PUBLISH ALL COMMERCIALLY AVAILABLE COMBINATIONS.—A schedule that omits a maximum Federal payment amount for any combination of propulsion type and vehicle length of bus rolling stock that is commercially available shall be considered incomplete and subject to paragraph (C).

"(4) SAVINGS CLAUSE.—Nothing in this subsection shall limit the authority of the Secretary to apply the applicable Federal cost share for an award made under this chapter as such cost share applies to an award for purposes of procuring or purchasing bus rolling stock.

"(5) REPORT TO CONGRESS.—The Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results of each review required under paragraph (1)(A).

"(6) STATE PURCHASING SCHEDULE.—

"(A) IN GENERAL.—Notwithstanding paragraph (1)(C), the Secretary shall exempt a recipient of financial assistance under this chapter from being subject to the maximum Federal payment amount relating to the procurement of a unit of bus rolling stock if—

"(i) the recipient of such assistance—

"(I) procures a unit or more of bus rolling stock using a State Cooperative Procurement Schedule pursuant to section 3019 of the FAST Act (Public Law 114–94); and

"(II) such cooperative procurement schedule ensures the procurement complies with applicable Federal procurement laws and administrative policies, including subsections (j) and (u) of this section; and

"(ii) the cooperative procurement schedule described in clause (i)—

"(I) allows a recipient to select from a State-developed schedule of standardized vehicle models;

"(II) reduces or eliminates vehicle customization options for the recipient, except for vehicle modifications based on performance specifications (as defined under section 5325(f)(3)); and

"(III) in the estimation of the recipient, reduces the per unit cost of bus rolling stock for the combination of propulsion type and vehicle length being procured below what such recipient would otherwise expect to pay through a standalone procurement.

"(B) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to a State that seeks to develop a State Cooperative

Procurement Schedule pursuant to section 3019 of the FAST Act (Public Law 114–94).

"(C) JOINT PROCUREMENT CLEARINGHOUSE.—The Secretary shall maintain an updated list of State Cooperative Procurement Schedules that comply with the requirements under subparagraph (A) on the joint procurement clearinghouse established pursuant to section 3019(b)(4) of the FAST Act (Public Law 114–94).

"(x) ADVANCED PAYMENTS FOR BUS ROLLING STOCK.—

"(1) IN GENERAL.—Notwithstanding any provision of this chapter or part 200 of title 2, Code of Federal Regulations, or any successor regulation, a recipient may use assistance made available under this chapter to make an advance payment on a bus rolling stock vehicle without the transit vehicle manufacturer obtaining a performance bond or similar financial arrangement.

"(2) REQUIREMENTS FOR ADVANCED PAYMENT.—A recipient may make an advance payment under paragraph (1) only if—

"(A) such recipient has a signed purchase order and executed contract with a transit vehicle manufacturer that includes advance payment provisions;

"(B) the grant with respect to which such payment is being made has received preaward authority pursuant to subsection (m); and

"(C) in the case of an advance payment for bus rolling stock, such model meets the requirements of section 5318(e).

"(3) LIMITATION ON ADVANCED PAYMENT.—A recipient may not make an advanced payment under paragraph (1) that is more than 20 percent of the total purchase order value.".

(b) REASONABLE ACCESS STANDARD.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish and make publicly available a reasonable access standard to ensure recipients of assistance under chapter 53 of title 49, United States Code, comply with the requirements of section 5323 of such chapter.

(2) CONSULTATION.—In carrying out this subsection, the Secretary shall consult with, and solicit feedback from, industry stakeholders and recipients of such assistance, including representatives from—

(A) public transportation agencies;

(B) private intercity bus operators;

(C) charter operators;

(D) federally funded public transportation facilities; and

(E) other stakeholders the Secretary considers appropriate.

(3) BRIEFING.—Not later than 90 days after publishing the standard required by this subsection, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the contents of such standard.

SEC. 3014. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.

Section 5324 of title 49, United States Code, is amended—

(1) in subsection (c)(1) by striking ''to carry'' and inserting ''or otherwise made available to carry''; and

(2) by adding at the end the following:

''(g) PERIOD OF AVAILABILITY.—

''(1) IN GENERAL.—Any amounts made available to an applicant after the date of enactment of the BUILD America 250 Act to carry out a project under this section—

"(A) shall remain available for not more than 5 fiscal years after the fiscal year for which the amount is made available; and

"(B) that remain unobligated at the end of the period described in subparagraph (A) shall be recouped by the Secretary to remain available for future applicants.

"(2) EXTENSION.—The Secretary may extend the period of availability under paragraph (1)(A) if an insurance claim made by an applicant related to a project that has received funding under this section has not been settled within the period provided under paragraph (1)(A).".

SEC. 3015. CONTRACT REQUIREMENTS.

Section 5325(f) of title 49, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) of paragraph (1) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking "A recipient" and inserting "(1) IN GENERAL.—A recipient"; and

(4) by adding at the end the following:

"(2) PERFORMANCE SPECIFICATIONS IN COMPETITIVE PROCUREMENT FOR BUS ROLLING STOCK.—A recipient of financial assistance under this chapter that enters into a contract pursuant to paragraph (1)(B) for purposes of procuring bus rolling stock shall, to the maximum extent practicable, utilize performance specifications in the procurement process to acquire bus rolling stock.

"(3) PERFORMANCE SPECIFICATIONS DEFINED.—In this subsection, the term 'performance specifications'—

"(A) means specifications—

"(i) based on the function and performance of bus rolling stock under specified conditions, and such specifications may include useful life, reliability in terms of average intervals between failure, and capacity; and

"(ii) that comply with the procurement process referenced in paragraph (1)(B); and

"(B) may include additional criteria as the criteria described in subparagraph (A), as determined by a recipient of Federal assistance in a competitive procurement process.''.

SEC. 3016. TRANSIT ASSET MANAGEMENT.

(a) IN GENERAL.—Section 5326 of title 49, United States Code, is amended to read as follows:

''§ 5326. Transit asset management

''(a) IN GENERAL.—The Secretary shall maintain—

''(1) a national transit asset management system for purposes of monitoring and managing public transportation capital assets to enhance safety, reduce maintenance costs, increase reliability, and improve performance of public transportation systems; and

''(2) objective standards for measuring the condition of capital assets of recipients, including equipment, rolling stock, infrastructure, and facilities, for purposes of determining state of good repair.

''(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall require a transit provider to—

''(1) develop a transit asset management plan;

''(2) not less frequently than once per fiscal year in which the transit provider receives Federal assistance—

''(A) establish performance targets with respect to the state of good repair standards prescribed by the Secretary under part 625 of title 49, Code of Federal Regulations (or any successor regulation);

"(B) submit to the Secretary a data report that details—

"(i) condition information for all assets of the public transportation system of such provider; and

"(ii) the performance targets established pursuant to subparagraph (A) for the subsequent fiscal year; and

"(C) submit to the Secretary a narrative report that—

"(i) describes any change in the condition of the public transportation system from the year immediately preceding the year for which the report is submitted; and

"(ii) describes the progress made during the period covered by the report toward meeting each performance target established by the transit provider pursuant to subparagraph (B) with respect to such period; and

"(3) report any additional information the Secretary determines appropriate to demonstrate compliance with the state of good repair standards prescribed by the Secretary under part 625 of title 49, Code of Federal Regulations (or any successor regulation).

"(c) TRANSIT ASSET MANAGEMENT FOR CERTAIN TRANSIT PROVIDERS.—For purposes of complying with the requirements under subsection (b), a tier II provider may, at the discretion of the Secretary, coordinate with a sponsor.

"(d) SUPPORT TOOLS AND TECHNICAL ASSISTANCE.—In carrying out this section, the Secretary shall—

"(1) develop an analytical process or decision support tool for use by a transit provider subject to the requirements of subsection (b) that—

"(A) aids in estimating the amount of capital investment needed for a public transportation system over time;

"(B) assists with asset investment prioritization within a public transportation system; and

"(C) enables continuous monitoring of capital assets and the real-time performance of such assets;

"(2) provide technical assistance to such providers; and

"(3) maintain, and periodically update, a transit asset management system guide to foster consistency in transit system asset management practices by such providers.

"(e) DEFINITIONS.—In this section:

"(1) SPONSOR.—The term 'sponsor' means a State, a designated recipient, or a direct recipient that develops a group transportation asset management plan on behalf of at least 1 tier II provider.

"(2) TIER II PROVIDER.—The term 'tier II provider' has the meaning prescribed by part 625.5 of title 49, Code of Federal Regulations, or any successor regulation.

"(3) TRANSIT ASSET MANAGEMENT SYSTEM.—The term 'transit asset management system' means a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively throughout the life cycle of such assets.

"(4) TRANSIT PROVIDER.—The term 'transit provider' means a recipient or subrecipient of Federal financial assistance under this chapter that owns, operates, or manages capital assets used in providing public transportation.".

(b) SAVINGS CLAUSE.—The amendments made by this section to section 5326 of title 49, United States Code, shall not be construed by the Secretary to—

(1) require any updates to the regulations promulgated in part 625 of title 49, Code of Federal Regulations, (or any successor regulation) for purposes of administering such section, as amended; and

(2) impose any requirements on a tier II provider (as such term is prescribed by part 625.5 of title 49, Code of Federal Regulations, or any successor regulation) that is in addition to the requirements imposed on such a provider under such part, as of the date of enactment of this Act.

SEC. 3017. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (a)(12) by striking ‘‘quarterly’’ and inserting ‘‘annually’’; and

(2) in subsection (d)—

(A) in paragraph (1) by striking ‘‘section 5338(f)’’ and all that follows through the semicolon and inserting ‘‘section 5338(c) that excludes—

"(A) a project to maintain or rehabilitate a vehicle; or

"(B) a project with an estimated total cost of less than $1,000,000,000 except if the Secretary determines project management oversight will benefit the Federal Government or the recipient;"; and

(B) by striking "quarterly" in each place it appears and inserting "annual".

SEC. 3018. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) DEFINITION OF RECIPIENT.—In this section, the term 'recipient' means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under this chapter.";

(2) in subsection (b)—

(A) in paragraph (1) by striking "create and implement" and inserting "maintain";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking "include";

(ii) in subparagraph (A) by inserting "include" before "safety performance criteria";

(iii) by striking subparagraph (B) and inserting the following:

"(B) consider transit asset management plans, including the state of good repair of capital assets, as such plans relate to the safety performance of public transportation systems;";

(iv) in subparagraph (C) by inserting "include" before "minimum safety performance";

(v) in subparagraph (D) by inserting "provide information sources on" before "precautionary and reactive";

(vi) in subparagraph (E) by inserting "establish voluntary" before "minimum safety standards to ensure";

(vii) in subparagraph (F) by striking "a public" and inserting "provide information sources on the public"; and

(viii) in subparagraph (G) by striking "consideration, where appropriate, of" and inserting "encourage, where appropriate,"; and

(C) in paragraph (3) by striking ‘‘under paragraph (1) as necessary’’ and all that follows through the period at the end and inserting ‘‘described in paragraph (1) at least once every 5 years.’’;

(3) in subsection (c) by striking ‘‘establish’’ and all that follows through the period at the end and inserting ‘‘maintain a public transportation safety certification training program and curriculum for—

‘‘(1) Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems; and

‘‘(2) employees of public transportation agencies directly responsible for safety oversight.’’;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ‘‘Each recipient or State, as described in paragraph (3), shall certify that the recipient or State’’ and inserting ‘‘Except as provided in paragraphs (2) and (3), each recipient shall certify that such recipient’’;

(ii) in subparagraph (B) by striking "cooperation" and inserting "consultation"; and

(iii) in subparagraph (I)—

(I) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(II) by striking "operations to improve safety by reducing" and inserting "operations to—

"(i) improve workplace safety for frontline employees by reducing";

(III) in subclause (II), as so redesignated, by striking the period and inserting a semicolon; and

(IV) by adding at the end the following:

"(ii) improve passenger safety systemwide, including through a reduction in the number and rates of assaults and other violent crimes on transit passengers while onboard public transportation vehicles and in public transportation facilities, including intercity bus portions of such facilities and joint-use facilities where appropriate; and "(iii) mitigate fare evasion system-wide, to the greatest extent practicable.";

(B) by striking paragraphs (2) and (3) and inserting the following:

"(2) PTASP DRAFTING AND CERTIFICATION FOR SMALL PUBLIC TRANSPORTATION PROVIDERS.—A State shall draft and certify an agency safety plan described in this subsection on behalf of any small public transportation provider (as defined in part 673.5 of title 49, Code of Federal Regulations) that is in that State unless such small public transportation provider notifies the State of intent to draft and certify an agency safety plan specific to such provider.

"(3) CERTAIN EXEMPT OPERATORS.—This subsection shall not apply to an operator of a public transportation system that—

"(A) only receives Federal financial assistance under section 5310 or 5311; and

"(B) does not operate a rail fixed guideway public transportation system."; and

(C) in paragraph (4)—

(i) by striking "rolling average of" and all that follows through the period at the end and inserting "rolling average of—

"(i) the data submitted by the recipient to the national transit database under section 5335; and

"(ii) any other data related to system operations and revenues, as such data pertains to the safety of the transit system, captured by the recipient.";

(ii) in subparagraph (B) by striking "0.75 percent" and inserting "1 percent"; and

(iii) in subparagraph (D) by striking "including modifications to rolling stock and de-escalation training." and inserting "including modifications to—

"(i) rolling stock;

"(ii) farebox infrastructure; and

"(iii) de-escalation training.";

(5) in subsection (e)(3) by striking "In order to obligate funds apportioned under section 5338 to carry out this chapter, effective 3 years after the date on which a final rule under this subsection becomes effective" and inserting "For purposes of obligating Federal assistance pursuant to this chapter"; and

(6) in subsection (i) by striking ‘‘consult with the’’ and inserting ‘‘obtain the concurrence of the’’.

(b) REGULATIONS; GUIDANCE.—Not later than 36 months after the date of enactment of this Act, the Secretary shall issue or update such regulations and guidance as may be necessary to implement the amendments made by this section.

SEC. 3019. ADMINISTRATIVE PROVISIONS.

Section 5334 of title 49, United States Code, is amended in subsection (h)(4)(B)(ii)(II)(bb) by striking the period at the end and inserting ‘‘, except the recipient may retain such amounts if the recipient or a subrecipient certify to the Secretary that the amounts will be used in a capital project under section 5307, 5308, 5310, or 5311.’’.

SEC. 3020. NATIONAL TRANSIT DATABASE.

(a) IN GENERAL.—Section 5335 of title 49, United States Code, is amended to read as follows:

‘‘§ 5335. National transit database

‘‘(a) IN GENERAL.—The Secretary shall maintain a reporting system, using a uniform system of accounts, to help meet the needs of individual public transportation systems, the Federal Government, State and local governments, and the public, as such needs relate to having access to adequate information on which to base public transportation service planning.

"(b) INFORMATION REQUIRED.—The reporting system described in subsection (a) shall—

"(1) use uniform categories to accumulate public transportation—

"(A) financial information;

"(B) operating information;

"(C) geographic service area coverage information; and

"(D) asset condition information; and

"(2) contain appropriate information, as determined by the Secretary, to aid Federal, State, or local governmental authorities in making a public sector investment decisions.

"(c) REQUIRED REPORTERS.—The Secretary shall subject a recipient of Federal financial assistance pursuant to sections 5307 and 5311, and any person receiving benefits directly from such assistance, to the requirements of this section.

"(d) DATA REQUIRED TO BE REPORTED.—The Secretary shall, at a minimum, require a recipient described in subsection (c) to report for inclusion in the national transit database the following information:

"(1) Information relating to a transit asset inventory or condition assessment conducted by the recipient.

"(2) Data on assaults on transit workers of the recipient.

"(3) Data on fatalities that result from an impact with a bus.

"(4) Information relating to a public transportation system's revenue loss because of fare evasion for each mode.

"(5) Data on assaults and other violent crimes on transit passengers while onboard public transportation vehicles and in public transportation facilities.".

(b) SAVINGS CLAUSE.—The amendment made by this section to section 5335 of title 49, United States Code, shall not be construed by the Secretary to impose any requirements on reduced reporters, including voluntary reporters, that are additional to requirements imposed on such reporters as of the date of enactment of this Act.

SEC. 3021. APPORTIONMENT OF APPROPRIATIONS FOR URBANIZED AREA FORMULA GRANTS.

(a) IN GENERAL.—Section 5336 of title 49, United States Code, is amended—

(1) in the section heading by inserting "**urbanized area**" before "**formula**";

(2) in subsection (a) by striking "subsection (h)(5)" and inserting "subsection (h)(6)";

(3) in subsection (b)(2)(E) by striking "section 5337(c)(3)" and inserting "section 5337(b)(3)";

(4) in subsection (d)(1) by striking "section 5338(a)(2)(C)" and inserting "section 5338(a)(2)(B)";

(5) in subsection (f) by striking "section 5311(c)(3)" in each place it occurs and inserting "section 5311(c)(5)";

(6) in subsection (h)—

(A) in the matter preceding paragraph (1) by striking "section 5338(a)(2)(C)" and inserting "section 5338(a)(2)(B)";

(B) in paragraph (1)—

(i) by striking "$30,000,000" and inserting "$125,000,000"; and

(ii) by striking "section 5307(h)" and inserting "the competitive passenger ferry grants in section 5339(d) as such grants relate to an area described under section 5339(d)(2)(A)";

(C) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(D) by inserting before paragraph (3), as so redesignated, the following:

"(2) $400,000,000 shall be set aside each fiscal year to carry out the all stations accessibility program under section 5307(h)";";

(E) in paragraph (4), as so redesignated, by striking "3 percent" and inserting "5 percent"; and

(F) in paragraph (6), as so redesignated, by striking "and (4)" and inserting "(4), and (5)";

(7) in subsection (i)(2)(A) by striking "subsection (h)(3)" and inserting "subsection (h)(4)";

(8) in subsection (j) by striking "subsection (h)(2)" and inserting "subsection (h)(3)"; and

(9) by adding at the end the following:

"(k) ALL STATIONS ACCESSIBILITY REQUIRED.—

"(1) IN GENERAL.—In addition to the amounts required to be expended under section 5307(c)(1)(K), beginning on October 1, 2028, the Secretary shall, on an annual basis, determine, as applicable, the amount under paragraph (2) that a direct recipient shall expend on covered projects from the total amount made available to the relevant direct recipient pursuant to the formulas in this section to carry out section 5307.

"(2) AMOUNT FOR COVERED PROJECTS.—A direct recipient that allocates assistance made available under section 5307 to an inaccessible rail fixed guideway public transportation system that is determined by the Secretary to have, with respect to all stations or facilities for passenger use that are under the direct control of the direct recipient—

"(A) 30 percent or fewer of such stations or facilities that are covered stations or facilities for passenger use, the direct recipient shall expend 3 percent of the total amount of such assistance made available to the direct recipient;

"(B) between 31 and 50 percent of such stations or facilities that are covered stations or facilities for passenger use, the direct recipient shall expend 4 percent of the total amount of such assistance made available to the direct recipient; or

"(C) more than 51 percent of such stations or facilities that are covered stations or facilities for passenger use, the direct recipient shall expend 5 percent of the total amount of such assistance made available to the direct recipient.

"(3) BRIEFING TO CONGRESS.—Not less frequently than annually, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on—

"(A) the status and types of covered projects initiated by direct recipients using amounts determined under paragraph (2); and

"(B) any other information the Secretary determines relevant.

"(4) DEFINITIONS.—In this subsection:

"(A) COVERED PROJECT.—The term 'covered project' means a capital project to further meet or exceed the requirements described in part 37 or part 38 of title 49, Code of Federal Regulations.

"(B) COVERED STATION OR FACILITY FOR PASSENGER USE.—The term 'covered station or facility for passenger use' means a station or facility—

"(i) construction of which began before January 26, 1992;

"(ii) which the Secretary determines has not been made accessible to and usable by persons with disabilities, including individuals who use wheelchairs; and

"(iii) which is in use for the provision of a rail fixed guideway public transportation.

"(C) DIRECT RECIPIENT.—The term 'direct recipient' means a public entity that receives funding directly from the Federal Transit Administration to carry out grants in urbanized areas pursuant to section 5307, which may include a designated recipient.

"(D) INACCESSIBLE RAIL FIXED GUIDEWAY PUBLIC TRANSPORTATION SYSTEM.—The term 'inaccessible rail fixed guideway public transportation system' means a rail fixed guideway public transportation system with at least 1 covered station or facility for passenger use.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5336 and inserting the following:

"5336. Apportionment of appropriations for urbanized area formula grants.".

SEC. 3022. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) by striking subsection (a);

(2) in subsection (b)(1)—

(A) by striking "The Secretary" and inserting "For purposes of ensuring the safety of public transportation systems, the Secretary"; and

(B) by striking "to maintain public transportation systems" and inserting "to maintain such public transportation systems";

(3) in subsection (c)—

(A) in paragraph (1) by striking "authorized or"; and

(B) in paragraph (4) to read as follows:

"(4) LIMITATION.—The share of the total amount apportioned under this subsection that is apportioned to an area under this subsection shall not decrease by more than 0.25 percentage points compared to the share apportioned to the area under this subsection in the previous fiscal year.";

(4) in subsection (d)—

(A) in paragraph (2) by striking "authorized or"; and

(B) in paragraph (5) by striking "subsection (b)(1)" and inserting "subsection (a)(1)";

(5) by striking subsection (f); and

(6) by redesignating subsections (b) through (e), as amended, as subsections (a) through (d), respectively.

SEC. 3023. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, is amended to read as follows:

"§ 5338. Authorizations.

"(a) GRANTS.—

"(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5324, 5334, 5335, 5337, 5339, and 5340—

"(A) $16,868,000,000 for fiscal year 2027;

"(B) $17,205,000,000 for fiscal year 2028;

"(C) $17,527,000,000 for fiscal year 2029;

"(D) $17,835,000,000 for fiscal year 2030; and

"(E) $18,157,000,000 for fiscal year 2031.

"(2) ALLOCATION OF FUNDS.—Of the amounts made available to the Secretary under paragraph (1), the following allocations apply:

"(A) PLANNING PROGRAMS.—To carry out section 5305—

"(i) $222,930,000 for fiscal year 2027, of which $15,000,000 is to carry out section 5305(i);

"(ii) $225,820,000 for fiscal year 2028, of which $15,200,000 is to carry out section 5305(i);

"(iii) $228,760,000 for fiscal year 2029, of which $15,400,000 is to carry out section 5305(i);

"(iv) $231,730,000 for fiscal year 2030, of which $15,600,000 is to carry out section 5305(i); and

"(v) $234,750,000 for fiscal year 2031, of which $15,800,000 is to carry out section 5305(i).

"(B) URBANIZED AREA GRANTS.—To carry out, in accordance with the formulas set for forth in section 5336, section 5307—

"(i) $7,745,474,000 for fiscal year 2027;

"(ii) $7,869,922,000 for fiscal year 2028;

"(iii) $7,996,361,000 for fiscal year 2029;

"(iv) $8,124,823,000 for fiscal year 2030; and

"(v) $8,255,340,000 for fiscal year 2031.

"(C) GRANTS FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.—To carry out section 5310—

"(i) $447,300,000 for fiscal year 2027, of which $10,000,000 is to carry out section 5310(j);

"(ii) $453,100,000 for fiscal year 2028, of which $10,100,000 is to carry out section 5310(j);

"(iii) $459,000,000 for fiscal year 2029, of which $10,200,000 is to carry out section 5310(j);

"(iv) $465,000,000 for fiscal year 2030, of which $10,300,000 is to carry out section 5310(j); and "(v) $471,000,000 for fiscal year 2031, of which $10,400,000 is to carry out section 5310(j).

"(D) RURAL AREA GRANTS.—To carry out section 5311—

"(i) $1,007,622,000 for fiscal year 2027;

"(ii) $1,023,742,000 for fiscal year 2028;

"(iii) $1,040,122,000 for fiscal year 2029;

"(iv) $1,056,764,000 for fiscal year 2030; and

"(v) $1,073,672,000 for fiscal year 2031.

"(E) PUBLIC TRANSPORTATION INNOVATION.—To carry out section 5312—

"(i) $45,240,000 for fiscal year 2027, of which—

"(I) $5,000,000 to carry out section 5312(h); and

"(II) $7,371,000 to carry out section 5312(i);

"(ii) $45,960,000 for fiscal year 2028, of which—

"(I) $4,000,000 to carry out section 5312(h); and

"(II) $7,489,000 to carry out section 5312(i);

"(iii) $46,700,000 for fiscal year 2029, of which—

"(I) $3,000,000 to carry out section 5312(h); and

"(II) $7,609,000 to carry out section 5312(i);

"(iv) $47,440,000 for fiscal year 2030, of which—

"(I) $2,000,000 to carry out section 5312(h); and

"(II) $7,731,000 to carry out section 5312(i); and

"(v) $48,200,000 for fiscal year 2031, of which—

"(I) $0 to carry out section 5312(h); and

"(II) $7,854,000 to carry out section 5312(i).

"(F) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—To carry out section 5314—

"(i) $20,499,000 for fiscal year 2027;

"(ii) $20,806,000 for fiscal year 2028;

"(iii) $21,118,000 for fiscal year 2029;

"(iv) $21,434,000 for fiscal year 2030; and

"(v) $21,756,000 for fiscal year 2031.

"(G) BUS TESTING FACILITY.—To carry out section 5318—

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

"(ii) $7,105,000 for fiscal year 2028;

"(iii) $7,212,000 for fiscal year 2029;

"(iv) $7,320,000 for fiscal year 2030; and

"(v) $7,430,000 for fiscal year 2031.

"(H) EMERGENCY RELIEF PROGRAM.—To carry out section 5324—

"(i) $25,000,000 for fiscal year 2027;

"(ii) $25,000,000 for fiscal year 2028;

"(iii) $25,000,000 for fiscal year 2029;

"(iv) $25,000,000 for fiscal year 2030; and

"(v) $25,000,000 for fiscal year 2031.

"(I) ADMINISTRATIVE EXPENSES.—To carry out section 5334—

"(i) $132,700,000 for fiscal year 2027;

"(ii) $135,400,000 for fiscal year 2028;

"(iii) $138,100,000 for fiscal year 2029;

"(iv) $140,800,000 for fiscal year 2030; and

"(v) $143,600,000 for fiscal year 2031.

"(J) NATIONAL TRANSIT DATABASE.—To carry out section 5335—

"(i) $6,235,000 for fiscal year 2027;

"(ii) $6,335,000 for fiscal year 2028;

"(iii) $6,436,000 for fiscal year 2029;

"(iv) $6,539,000 for fiscal year 2030; and

"(v) $6,644,000 for fiscal year 2031.

"(K) STATE OF GOOD REPAIR GRANTS.—To carry out section 5337—

"(i) $4,640,000,000 for fiscal year 2027;

"(ii) $4,645,000,000 for fiscal year 2028;

"(iii) $4,650,000,000 for fiscal year 2029;

"(iv) $4,655,000,000 for fiscal year 2030; and

"(v) $4,660,000,000 for fiscal year 2031.

"(L) GRANTS FOR BUSES, BUS FACILITIES, AND FERRIES.—To carry out section 5339 (except subsection (d))—

"(i) $1,695,000,000 for fiscal year 2027;

"(ii) $1,863,710,000 for fiscal year 2028;

"(iii) $2,014,891,000 for fiscal year 2029;

"(iv) $2,149,550,000 for fiscal year 2030; and

"(v) $2,295,508,000 for fiscal year 2031.

"(M) GROWING STATES AND HIGH DENSITY STATES.—To carry out section 5340—

"(i) $873,000,000 for fiscal year 2027, of which—

"(I) $445,230,000 to carry out section 5340(b); and

"(II) $427,770,000 to carry out section 5340(c);

"(ii) $883,100,000 for fiscal year 2028, of which—

"(I) $450,381,000 to carry out section 5340(b); and

"(II) $432,719,000 to carry out section 5340(c);

"(iii) $893,300,000 for fiscal year 2029, of which—

"(I) $455,583,000 to carry out section 5340(b); and

"(II) $437,717,000 to carry out section 5340(c);

"(iv) $903,600,000 for fiscal year 2030, of which—

"(I) $460,836,000 to carry out section 5340(b); and

"(II) $442,764,000 to carry out section 5340(c); and

"(v) $914,100,000 for fiscal year 2031, of which—

"(I) $466,191,000 to carry out section 5340(b); and

"(II) $447,909,000 to carry out section 5340(c).

"(b) CAPITAL INVESTMENT GRANTS.—There is authorized to be appropriated to the Secretary to carry out section 5309 of this title—

"(1) $3,000,000,000 for fiscal year 2027;

"(2) $3,000,000,000 for fiscal year 2028;

"(3) $3,000,000,000 for fiscal year 2029;

"(4) $3,000,000,000 for fiscal year 2030; and

"(5) $3,000,000,000 for fiscal year 2031.

"(c) OVERSIGHT.—

"(1) IN GENERAL.—Of the amounts made available under subsection (a)(1) to carry out a financial assistance program or a grant program referenced in subsection (a)(2) for a fiscal year, the Secretary may use not more than 0.7 percent of such amounts in such fiscal year to conduct oversight activities for each respective program, section 5308, and section 5329, including the activities described in paragraph (3).

"(2) ADDITIONAL OVERSIGHT.—

"(A) CIG PROGRAM.—Of the amount made available under subsection (b) for a fiscal year, the Secretary may use not more than 1 percent of such amount in such fiscal year to conduct oversight activities for the fixed guideway capital investment grants program, including activities described in paragraph (3).

"(B) OTHER.—Of the amounts made available under section 601(f) of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4970), the Secretary may use not more than 1 percent in a given fiscal year to conduct oversight activities, including the activities described in paragraph (3).

"(3) ACTIVITIES.—The activities described in this paragraph are as follows:

"(A) Activities to oversee the construction of a major capital project.

"(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

"(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

"(D) Activities to carry out section 5334.

"(4) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

"(5) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (2) to conduct oversight activities related to the fixed guideway capital investment grants program shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

"(d) GRANTS AS CONTRACTUAL OBLIGATIONS.—

"(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

"(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

"(e) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.".

SEC. 3024. GRANTS FOR BUSES, BUS FACILITIES, AND FERRIES.

(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended—

(1) in the section heading by striking "**and bus facilities**" and inserting "**, bus facilities, and ferries**";

(2) in subsection (a)—

(A) by striking paragraph (1);

(B) in paragraph (2) by striking "paragraph (4)(A)" and inserting "paragraph (3)(A)";

(C) in paragraph (4)—

(i) in subparagraph (A) by striking the heading and inserting "IN GENERAL"; and

(ii) in subparagraph (B)—

(I) by striking “A recipient” and inserting “An eligible recipient”; and

(II) by striking “public agencies” and inserting “local governmental authorities, public agencies,”;

(D) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by striking “under section” and all that follows through “shall be” and inserting “under section 5338(a)(2)(L) shall be”;

(ii) in subparagraph (A)—

(I) by striking “$206,000,000” and inserting “$336,000,000”; and

(II) by striking “to all States” and all that follows through the period and inserting “equally to each State.”; and

(iii) by striking subparagraph (B) and inserting the following:

“(B) DISTRIBUTION OF REMAINING FUNDS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated in the following manner:

"(i) 62 percent shall be apportioned pursuant to subparagraph (C).

"(ii) 38 percent shall be distributed by the Secretary in accordance with subsection (b).

"(C) FORMULAS.—Of amounts allocated under subparagraph (B)(i)—

"(i) 50 percent shall be allocated for use in urbanized areas pursuant to the formula set forth in section 5336(c)(1)(A);

"(ii) 30 percent shall be allocated for use in urbanized areas pursuant to the formula set forth in section 5336(c)(1)(B);

"(iii) 15 percent shall be allocated for use in urbanized areas pursuant to the formula set forth in section 5336(a)(1); and

"(iv) 5 percent shall be allocated for use in rural areas pursuant to the formula set forth in section 5311(c)(5).";

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by striking "(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—"; and

(II) by striking "paragraph (5)(A)" and inserting "paragraph (4)(A)"; and

(ii) by striking subparagraph (B);

(F) in paragraph (8)—

(i) by striking "3 fiscal years" and inserting "5 fiscal years"; and

(ii) by striking "3-fiscal-year" and inserting "5-fiscal-year";

(G) by striking paragraph (9);

(H) in paragraph (10)—

(i) in subparagraph (A)—

(I) by striking "(A) IN GENERAL.—"; and

(II) by striking "; Public Law 114–94"; and

(ii) by striking subparagraph (B);

(I) by redesignating paragraphs (2) through (8), as amended, as paragraphs (1) through (7), respectively;

(J) by redesignating paragraph (10) as paragraph (8); and

(K) by adding at the end the following:

"(9) SPECIAL RULE FOR TERRITORIES.—

"(A) IN GENERAL.—A territory may use amounts received pursuant to subsection (a)(4)(A) for any purpose eligible under section 5311 as such purpose relates to the provision of passenger ferry service, including the acquisition of a vessel to provide such ferry service.

"(B) TERRITORY DEFINED.—In this paragraph, the term 'territory' means any of the following territories of the United States:

"(i) American Samoa.

"(ii) The Commonwealth of the Northern Mariana Islands.

"(iii) Guam.

"(iv) The United States Virgin Islands.";

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "The Secretary" and inserting "Subject to the availability of funds, the Secretary";

(ii) by striking "under this subsection" and inserting "on a competitive basis";

(iii) by striking "subsection (a)(4)" and inserting "subsection (a)(3)";

(iv) by striking ‘‘buses and bus facilities capital projects, including’’; and

(v) by striking subparagraphs (A) and (B) and inserting the following:

‘‘(A) buses and bus facilities capital projects, including—

‘‘(i) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

‘‘(ii) rehabilitating, purchasing, constructing, or leasing bus-related facilities; and

‘‘(B) eligible projects.’’;

(B) by striking paragraph (2);

(C) in paragraph (3)—

(i) by inserting ‘‘(A) IN GENERAL.—’’ before ‘‘A State’’;

(ii) by inserting ‘‘for a grant described in paragraph (1)’’ before ‘‘on behalf of’’; and

(iii) by striking ‘‘The submission of a statewide application’’ and all that follows through the period at the end and inserting the following:

"(B) SAVINGS CLAUSE.—The submission by a State of an application under subparagraph (A) shall not preclude the Secretary from considering any application submitted by an eligible recipient (as described in subsection (a)(3)) in an urbanized area of such State.";

(D) in paragraph (4)—

(i) in subparagraph (A)—

(I) by inserting "publicly" before "disclose"; and

(II) by striking "availability in the Federal Register" and inserting "opportunity"; and

(ii) in subparagraph (B)—

(I) by inserting "publicly available" before "summary"; and

(II) by striking "in the Federal Register";

(E) in paragraph (5)(A) by inserting "for grants" before "under this subsection";

(F) in paragraph (6)—

(i) in subparagraph (B)—

(I) by striking "The Government" and inserting "Except as provided in section 5323(i), the Government''; and

(II) by striking ''an eligible project'' and inserting ''a project''; and

(ii) by adding at the end the following new subparagraph:

''(C) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project carried out using a grant under this subsection may be derived from in-kind contributions.'';

(G) in paragraph (8) by inserting ''for grants'' before ''under this subsection'';

(H) in paragraph (9)(A) by striking ''eligible'';

(I) in paragraph (10) by striking ''and subsection (c)'';

(J) in paragraph (11)—

(i) in subparagraph (A)—

(I) by striking ''(A) IN GENERAL.—''; and

(II) by striking ''; Public Law 114–94''; and

(ii) by striking subparagraph (B); and

(K) by redesignating paragraphs (3) through (11) as paragraphs (2) through (10), respectively;

(4) in subsection (c)—

(A) by striking paragraph (2);

(B) in paragraph (3)—

(i) in subparagraph (C)—

(I) in clause (i) by striking "An eligible project" and inserting "A project"; and

(II) in clause (ii)—

(aa) by striking "subparagraph" and inserting "paragraph"; and

(bb) by striking "paragraph (7)" and inserting "paragraph (5)";

(ii) by transferring and redesignating subparagraph (C), as amended, to appear as subsection (b)(11) (and redesignating clauses (i) and (ii) of subsection (b)(11), as so transferred and redesignating, as subparagraphs (A) and (B), respectively);

(iii) in subparagraph (D) by striking ‘‘or under subsection (b) for projects’’ and inserting ‘‘for eligible projects’’; and

(iv) by transferring and redesignating subparagraph (D), as amended, to appear as subsection (b)(12) (and redesignating clauses (i) through (vi) of subsection (b)(12), as so transferred and redesignated, as subparagraphs (A) through (F), respectively);

(C) by striking paragraph (3), as amended;

(D) by striking paragraph (4);

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by inserting ‘‘shall’’ after ‘‘Secretary’’;

(ii) in subparagraph (A)—

(I) by striking ‘‘shall consider’’ and inserting ‘‘for eligible projects described in paragraph (1)(B), give consideration to’’; and

(II) by striking ‘‘; and’’ and inserting a period;

(iii) by striking subparagraph (B);

(iv) by redesignating subparagraph (A) as subparagraph (B); and

(v) by inserting before subparagraph (B), as so redesignated, the following new subparagraph:

"(A) for projects described under paragraph (1)(A), consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities; and";

(F) by transferring and redesignating paragraph (5), as amended, to appear as subsection (b)(13);

(G) by striking paragraphs (6) through (8);

(H) by striking the subsection heading and inserting "DEFINITIONS.—In this section:"; and

(I) in paragraph (1)—

(i) by striking the enumerator and all that follows through "In this subsection—";

(ii) in subparagraph (B) by striking "in an eligible area";

(iii) in subparagraph (E)(ii) by striking the semicolon and inserting "; and";

(iv) by striking subparagraph (F); and

(v) by redesignating—

(I) subparagraph (A) as paragraph (1);

(II) subparagraph (B), as amended, as paragraph (2) (and redesignating clauses (i) through (vii) of paragraph (2), as so redesignated, as subparagraphs (A) through (G), respectively);

(III) subparagraphs (C) and (D) as paragraphs (3) and (4), respectively;

(IV) subparagraph (E), as amended, as paragraph (5) (and redesignating clauses (i) and (ii) of paragraph (5), as so redesignated, as subparagraphs (A) and (B), respectively); and

(V) subparagraph (G) as paragraph (6);

(5) in subsection (d)—

(A) by striking "(as defined in subsection (c)(1)) or related infrastructure under subsection (b) or (c)" and inserting "(as defined in subsection (e)) or related infrastructure under subsection (b)'';

(B) by striking ''as described in section 5314(b)(2) (including'' and inserting '', including'';

(C) by striking ''programs)'' and inserting ''programs,''; and

(D) by striking ''subsection (c)(3)(D)'' and inserting ''subsection (b)(12)'';

(6) by redesignating subsection (c) as subsection (e);

(7) by redesignating subsection (d) as subsection (c); and

(8) by inserting after subsection (c) the following:

''(d) COMPETITIVE PASSENGER FERRY GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to assist designated recipients, States, and local governmental entities in financing passenger ferry projects as such projects relate to capital projects to purchase, replace, or rehabilitate passenger ferries, terminals, and related facilities and equipment.

''(2) AMOUNTS AVAILABLE.—For purposes of carrying out paragraph (1)—

"(A) $125,000,000 is made available each fiscal year pursuant to section 5336(h)(1) for recipients of—

"(i) grants made in urbanized areas; and

"(ii) grants made in areas that are determined by the Secretary to serve rural and urbanized areas; and

"(B) $25,000,000 is made available each fiscal year pursuant to section 5311(c)(1)(D) for recipients of grants in rural and insular areas.

"(3) GRANT REQUIREMENTS.—

"(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

"(i) section 5307 for recipients of grants described in paragraph (2)(A); and

"(ii) section 5311 for recipients of grants described in paragraph (2)(B).

"(B) FEDERAL SHARE OF COSTS.—Except as otherwise provided under this chapter, the Federal share of the cost of a project carried out under this subsection shall not exceed 80 percent.

"(4) AWARD PERIOD.—An amount made available to an applicant to carry out a project under this subsection—

"(A) shall remain available for 3 fiscal years after the fiscal year for which the amount is made available; and

"(B) that remain unobligated at the end of the period described in subparagraph (A) shall be recouped by the Secretary to remain available for future applicants.

"(5) LIMITATIONS.—

"(A) MAXIMUM AWARD AMOUNT.—Of the amounts made available under paragraphs (2)(A) and (2)(B), not more than 10 percent may be awarded to a single applicant.

"(B) APPLICANTS IN CERTAIN AREAS.—An applicant for an award in an area described under paragraph (2)(A)(ii) may not compete for amounts made available to an area referenced in paragraph (2)(B) unless the project for which the application is made serves solely rural areas).

"(6) COMPETITIVE PROCESS.—The Secretary shall—

"(A) not later than 90 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for projects on a competitive basis;

"(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

"(i) 75 days after the date on which the solicitation expires; or

"(ii) the end of the fiscal year in which the Secretary solicited the grant applications, and

"(C) if insufficient eligible applications are received for projects in areas referenced in paragraph (2), the Secretary shall reapportion any remaining amounts of—

"(i) the amounts described in paragraph (2)(A) to designated recipients under the urbanized area formula program in section 5336 in the following fiscal year; and

"(ii) the amounts described in paragraph (2)(B) to States under section 5311 in the following fiscal year.

"(7) REQUIRED DISCLOSURE.—The Secretary shall—

"(A) publicly disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding opportunity; and

"(B) publish a publicly available summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection.

"(8) RURAL SET-ASIDE FOR NEW FERRY SERVICE.—Of the amounts made available for rural and insular areas under paragraph (2)(B), the Secretary may award not less than 10 percent of such amount for projects to establish passenger ferry service in rural areas and insular areas, unless the Secretary does not receive enough qualified applications for such projects.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

"5339. Grants for buses, bus facilities, and ferries.".

SEC. 3025. APPORTIONMENTS BASED ON GROWING STATES AND HIGH DENSITY STATES FORMULA FACTORS.

Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively;

(3) in subsection (a), as so redesignated, by striking "section 5338(b)(2)(N)" and all that follows through the period at the end and inserting "section 5338(a)(2)(M) in accordance with subsections (b) and (c).";

(4) in subsection (b), as so redesignated, by striking "subsection (b)(1)" and inserting "subsection (a)"; and

(5) in subsection (c), as so redesignated, by striking "subsection (b)(2)" and inserting "subsection (a)".

Subtitle B—Miscellaneous

SEC. 3101. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) TRANSIT AGENCY.—The term ''transit agency'' means an operator of a public transportation system that is a recipient of Federal financial assistance under chapter 53 of title 49, United States Code.

SEC. 3102. PROTECTING BUS OPERATORS FROM RISK OF ASSAULT.

(a) BUS DRIVER SAFETY WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a working group (in this section referred to as the ''Working Group'') to review—

(A) transit bus design and safety standards; and

(B) transit agency practices and protocols relating to the retrofitting and procurement of transit buses with workstation barriers to protect operators from the risk of assault on a transit worker.

(2) MEMBERSHIP.—The Secretary shall appoint a Chair and members of the Working Group, which shall be comprised of at least 1 representative from the constituencies of—

(A) transit bus manufacturers, including original equipment manufacturers;

(B) rural transit agencies;

(C) urban transit agencies;

(D) transit bus workers;

(E) transit bus maintenance technicians;

(F) labor unions representing transit workers; and

(G) other stakeholders the Secretary determines appropriate.

(3) DUTIES AND RECOMMENDATIONS.—The Working Group shall—

(A) evaluate workstation barrier designs, including factors relating to—

(i) the airflow and ventilation of fully enclosed workstation barrier designs;

(ii) the development, certification, testing, manufacturing, installation, and training associated with various designs of such barriers;

(iii) the safe egress of operators and passengers in the event of an emergency;

(iv) the accessibility of workstation areas for operators with disabilities when such barriers are installed;

(v) the cost of procuring and installing various designs of such barriers—

(I) on newly manufactured vehicles; and

(II) to retrofit existing vehicles; and

(vi) any other workstation barrier design factors the Secretary determines appropriate;

(B) solicit feedback and insights from transit agencies and operators that use or are testing workstation barriers to mitigate assault on a transit worker, including transit agencies that have retrofitted existing vehicles with workstation barriers;

(C) assess a random sample of safety management systems required pursuant to part 673 of title 49, Code of Federal Regulations, and developed by transit agencies of various sizes, to determine the efficacy of such systems in successfully identifying the risk of assault on a transit worker and applying mitigations, including workstation barrier vehicle retrofits, to reduce the likelihood and severity of occurrences of such assault;

(D) review and assess other optional physical features of transit buses, including television monitors in the passenger area of the bus that displays the security monitor feed of such area, to determine whether such features improve transit worker or passenger safety;

(E) evaluate the cost, feasibility, and safety benefits associated with requiring the installation of workstation barriers on fixed route transit buses less than 30 feet in length; and

(F) make recommendations to the Secretary on requiring—

(i) the Secretary to develop performance specifications, in addition to the specifications referenced in subsection (b)(1), for driver workstation barriers installed on fixed route transit buses 30 feet or more in length to protect operators from the risk of assault on a transit worker; and

(ii) as appropriate, transit agencies to retrofit vehicles in revenue service with workstation barriers to protect transit bus operators from such risk.

(4) REPORTS TO CONGRESS.—

(A) WORKING GROUP FINDINGS.—Not later than 12 months after the Working Group is established, the Chair of such group shall submit to the appropriate committees of Congress a report—

(i) detailing all findings and recommendations of the Working Group; and

(ii) summarizing any dissenting positions of individual Working Group members, if applicable, on the final findings and recommendations issued by such group.

(B) DOT RESPONSE.—Not later than 3 months after the date on which the Chair submits the report under subparagraph (A), the Secretary shall transmit to the appropriate committees of Congress the position of the Administration with regards to each of the recommendations in such report, including the rationale for disagreement, if applicable.

(5) SUPPORT.—The Secretary shall seek to enter into the appropriate arrangements with the National Academies to support the activities of the Working Group.

(b) BUS OPERATOR SAFETY AND SECURITY REQUIREMENT.—

(1) IN GENERAL.—Beginning 2 years after the date of enactment of this Act, the operator workstation of a newly manufactured fixed route transit bus which is 30 feet or more in length and purchased with Federal funds by a recipient of assistance under chapter 53 of title 49, United States Code, shall be equipped with a workstation barrier that, at a minimum—

(A) reaches from the bus floor to the bus ceiling;

(B) is capable of fully enclosing the operator workstation and preventing the unwanted entry of unauthorized persons, fluids, and objects into the workstation; and

(C) does not impede the lines of sight of the operator from the workstation to the exterior of the bus.

(2) POLICY GUIDANCE.—Not later than 2 years after the date of enactment of this Act, the Sec-

retary shall issue policy guidance requiring the installation of workstation barriers to protect operators from the risk of assault on such transit buses in accordance with the requirement under paragraph (1), and in doing so, to the extent practicable, take into consideration the findings and recommendations of the Working Group under subsection (a)(3)(F).

(3) UPDATES.—The Secretary may update the guidance required under this subsection as determined necessary to protect operators from the risk of such assault.

(c) DEFINITIONS.—In this section:

(1) ASSAULT ON A TRANSIT WORKER.—The term "assault on a transit worker" has the meaning given such term in section 5302 of title 49, United States Code.

(2) WORKSTATION BARRIER.—The term "workstation barrier" means a physical barrier that separates a transit operator workstation area from the passenger area on a public transportation vehicle.

SEC. 3103. SPARE RATIO MODIFICATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not issue policy, regulations, or guidance setting a transit vehicle spare ratio.

(b) RULE OF CONSTRUCTION.—Subsection (a) shall not be construed by the Secretary to—

(1) prohibit a transit agency applying for assistance under such chapter from providing a justification for the acquisition of new rolling stock at the time of an award application; or

(2) preclude a transit agency from using Federal assistance, as applicable, to acquire a reasonable number of spare vehicles based on the operational needs of such transit agency.

(c) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall update Federal Transit Administration Circular 5010.1F titled "Award Management Requirements" (or any successor document), and any related circulars, policy, and guidance to conform with the requirements of this section.

SEC. 3104. SPECIAL RULE FOR CERTAIN TRANSPORTATION SERVICES.

(a) IN GENERAL.—Solely for purposes of administering part 655 of title 49, Code of Federal Regulations (or any successor regulation), the Secretary may not consider a driver for a transportation network company or a taxicab service to be a covered individual, unless a recipient that is a contractee of such transportation network company or taxicab service fails to—

(1) make available to a customer for each ride more than 1 company providing transportation services, including by a transportation network company, a taxicab service, or a provider of public transportation; and

(2) provide a written or verbal explanation to the customer on the differences between the alcohol and controlled substances testing requirements, as applicable, for drivers of each company providing transportation services, including providers of public transportation, made available to the customer.

(b) LIMITATION ON TRANSPORTATION SERVICES PROVIDED UNDER SPECIAL RULE.—A recipient of financial assistance under section 5307, 5308, 5309, or 5311 of title 49, United States Code, that enters into an agreement with a transportation network company or a taxicab service to provide transportation services described in subsection (a) shall ensure that such transportation services solely serve to supplement, not supplant, fixed route or route-based public transportation provided by the recipient.

(c) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term ‘‘covered individual’’ means—

(A) an employee of a recipient receiving financial assistance described in section 5331(b) of title 49, United States Code; and

(B) a contractor of a recipient of financial assistance under section 5307, 5308, 5309, or 5311 of such title.

(2) PUBLIC TRANSPORTATION.—The term "public transportation" has the meaning given such term in section 5302 of title 49, United States Code.

(3) TAXICAB SERVICE.—The term "taxicab service" has the meaning given the term in section 13102 of title 49, United States Code.

(4) TRANSPORTATION NETWORK COMPANY.—The term "transportation network company" means a corporation, partnership, sole proprietorship, or other entity that uses a digital network to connect individuals to drivers for prearranged transportation services, as defined under applicable State or local law.

SEC. 3105. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Section 3019 of the FAST Act (49 U.S.C. 5325 note) is amended—

(1) by inserting "or local" before "government" each place it appears;

(2) by striking "and related equipment" each place it appears and inserting ", rolling stock related equipment, and any other goods, technologies, or software services";

(3) in subsection (b)(2) in the paragraph heading by inserting "or local government" before "cooperative procurement"; and

(4) in subsection (c) by striking paragraph (5).

(b) UPDATES.—The Secretary shall update applicable policy, guidance, and regulations, as necessary, to implement the amendments made by this section.

SEC. 3106. TRANSIT AWARD MANAGEMENT SYSTEM IMPROVEMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall, to the greatest extent practicable, ensure that the transit award management system, as it is used by the Federal Transit Administration to ensure that financial assistance specified in section 5333(b) of title 49, United States Code, complies with the requirements of such section, notifies only persons and entities affected by the relevant financial assistance specified in such section.

SEC. 3107. PUBLIC TRANSIT FIRST AID AND EMERGENCY MEDICAL KIT EQUIPMENT AND TRAINING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall convene a transportation rulemaking committee, and designate such committee pursuant to section 102(k) of title 49, United States Code, to review and develop findings and recommendations relating to whether or not covered recipients should equip covered public transportation vehicles and public transportation stations with first aid kits and emergency medical kits.

(b) MEMBERSHIP.—The transportation rulemaking committee convened under subsection (a) shall consist of members appointed by the Secretary, including representatives of—

(1) rolling stock manufacturers, including original equipment manufacturers;

(2) rural transit agencies;

(3) urban transit agencies;

(4) transit workers;

(5) labor unions representing transit workers;

(6) licensed physicians; and

(7) other stakeholders the Secretary determines appropriate.

(c) CONSIDERATIONS.—The transportation rulemaking committee convened under subsection (a) shall consider—

(1) the benefits and costs (including the costs of route diversions and emergency stoppages) of requiring covered public transportation vehicles and public transportation stations to be equipped with—

(A) basic first aid kits; and

(B) medications or equipment necessary to be included in emergency medical kits;

(2) whether the contents of the emergency medical kit should include, at a minimum, appropriate medications and equipment that can practicably be administered to address—

(A) the emergency medical needs of children and pregnant women;

(B) opioid overdose;

(C) anaphylaxis; and

(D) cardiac arrest;

(3) what contents of the emergency medical kits should be readily available, to the extent practicable, for use by public transportation operators or the general public without prior approval by a medical professional;

(4) training requirements, including recurring training, for frontline employees of public transportation agencies regarding use of first aid kits and emergency medical kits; and

(5) the storage location of first aid kits and emergency medical kits on board covered public transportation vehicles and at public transportation stations.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 12 months after the date on which the rulemaking committee described in subsection (a) is convened, the Secretary shall submit to the appropriate committees of Congress a report based on the findings of such rulemaking committee.

(2) CONTENTS.—The Secretary shall include in the report required under paragraph (1)—

(A) any findings or recommendations submitted by the transportation rulemaking committee convened under subsection (a) to the Secretary;

(B) if applicable, any dissenting positions of individual representatives of such rulemaking committee on the findings or recommendations described in subparagraph (A) and the rationale for each dissenting position; and

(C) any actions the Secretary intends to initiate, if necessary, as a result of such findings and recommendations.

(e) DEFINITIONS.—In this section:

(1) COVERED PUBLIC TRANSPORTATION VEHICLE.—The term ''covered public transportation vehicle'' means rolling stock used in revenue service by a covered recipient.

(2) COVERED RECIPIENT.—The term ''covered recipient'' means a public transit agency required to establish a comprehensive agency safety plan in accordance with section 5329(d) of title 49, United States Code.

SEC. 3108. IMPROVING TRANSPARENCY IN CERTAIN URBANIZED AREAS.

(a) RATIONALE REQUIRED.—

(1) IN GENERAL.—The Secretary shall require a designated recipient of financial assistance provided under section 5307, 5310, 5337, or 5339 of title 49, United States Code, to provide a letter detailing the rationale for the split allocation amount determined for each direct recipient in an urbanized area with a population of at least 200,000 individ-

uals, as determined by the Bureau of the Census, if—

(A) a formula other than the Federal apportionment formula set forth in section 5336 of such title, including a modified version of the Federal apportionment formula, is used by the designated recipient to suballocate the total apportionment amount for the relevant urbanized area to each direct recipient for purposes of carrying out grants under such section 5307; or

(B) population data other than data published by the Bureau of the Census is used to suballocate the total apportionment amount for the relevant urbanized area to each direct recipient for purposes of carrying out grants under section 5307.

(2) FAILURE TO PROVIDE RATIONALE.—The Secretary may withhold funds made available to a designated recipient for grants described in section 5307 of title 49, United States Code, if such recipient fails to provide a letter detailing the rationale for the split allocation amounts pursuant to paragraph (1).

(3) TERM OF APPLICABILITY.—A letter of rationale under this subsection shall be updated not

later than 30 days after a change is made to a split allocation process.

(4) SAVINGS CLAUSE.—Solely for purposes of withholding funds under paragraph (2), the Secretary may not withhold such funds to a designated recipient that submits a letter of rationale under this subsection.

(b) PUBLICATION OF SPLIT LETTERS.—The Secretary shall publish on the website of the Federal Transit Administration each split letter received from a designated recipient of financial assistance provided under section 5307, 5310, 5337, or 5339 of title 49, United States Code, for each fiscal year in which Federal assistance is apportioned pursuant to such sections.

(c) DESIGNATED RECIPIENT.—In this section, the term ''designated recipient'' has the meaning given that term in section 5302 of title 49, United States Code.

SEC. 3109. EXTENSION OF CAPITAL AND PREVENTIVE MAINTENANCE GRANTS TO WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

Section 601(f) of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432) is amended by striking ''2030'' and inserting ''2031''.

SEC. 3110. GAO ASSESSMENT OF PROJECT CONTINGENCY AMOUNTS.

(a) IN GENERAL.—For the period beginning on the date of enactment of this Act and ending on September 30, 2031, the Comptroller General shall include with each report required under section 5309(o)(2)(B) of title 49, United States Code, an assessment by the Comptroller General of—

(1) the project contingency amounts determined to be reasonable by the Secretary under section 5309(f)(1)(A) of title 49, United States Code, with respect to each project for which funds were awarded under section 5309 of such title during the 3-year period immediately preceding the report; and

(2) the relationship between each such project contingency amount and—

(A) the total capital cost of the corresponding project; and

(B) the capital investment grant program requirements applicable to such project, including whether such project is a core capacity project, a new start project, a streamlined start project, or an expedited delivery project.

(b) SOLICITATION OF FEEDBACK.—In carrying out an assessment under subsection (a), the Comptroller General shall solicit from relevant stakeholders feedback on project contingency amounts for projects for which funds were awarded under section 5309 of title 49, United States Code.

SEC. 3111. GAO REPORT ON UNIVERSAL DESIGN TO IMPROVE ACCESSIBILITY.

Not later than 180 days after the date of enactment of this Act, the Comptroller General shall assess the extent to which transit agencies utilize universal design concepts in Federally funded capital projects and submit to Congress a report on the results of the assessment that includes—

(1) a review of applicable Federal Transit Administration policy guidance and best practices related to improving accessibility; and

(2) recommendations for any such legislative and administrative action as the Comptroller General determines appropriate to improve accessibility in public transportation.

SEC. 3112. GAO STUDY AND REPORT ON NATIONAL TRANSIT DATABASE DATA QUALITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a study to evaluate the accuracy and consistency of data reported to the National Transit Database and assess the efficacy of current protocols for gathering and verifying reported data.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) processes undertaken by transit agencies for purposes of collecting and reporting required data to the National Transit Database in accordance with section 5335 of title 49, United States Code, including an assessment of transit agency revenue reporting;

(2) the protocols of the Federal Transit Administration for gathering and verifying reported data, including automated validation checks and manual review procedures;

(3) transit agency compliance with National Transit Database reporting requirements;

(4) the impact of National Transit Database data quality on—

(A) public transit safety;

(B) Federal formula apportionments and competitive funding decisions, as applicable; and

(C) the decision-making of the Federal Transit Administration as such decision-making relates to award management and safety oversight;

(5) policies of the Federal Transit Administration that protect the personally identifiable information of persons involved in reportable security incidents; and

(6) for those public transportation systems studied, the community value of the public transportation services provided, including a review of service utilization rates and accessibility of the system for families and individuals with disabilities, including individuals who use wheelchairs.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with representatives of—

(1) the Federal Transit Administration;

(2) urban, rural, and Tribal transit agencies;

(3) labor unions representing transit workers; and

(4) any other relevant stakeholders as determined by Comptroller General.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study conducted under subsection (a) and any associated recommendations.

SEC. 3113. GAO STUDY ON TRANSIT SYSTEM RIDER SAFETY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall initiate a study to assess the efforts of the Federal Transit Administration to improve rider safety on federally-funded public transit systems, including efforts to prevent assaults, harassment, and other security threats to passengers and transit employees.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall assess the following matters related to transit system safety:

(1) National data trends and insights into the causes, risks, and consequences of transit-related assaults.

(2) The primary Federal funding sources used for transit system safety and security improvements.

(3) The effectiveness of common risk reduction strategies to improve safety, including—

(A) de-escalation training, trauma-informed responses, and passenger safety protocols;

(B) vehicle design standards, including bus driver workstation barriers;

(C) transit rider education and awareness campaigns;

(D) bus stop design standards;

(E) the deployment of law enforcement officers or transit ambassadors; and

(F) partnerships with mental health professionals.

(4) The extent to which there are barriers to the implementation of safety improvements and challenges transit operators face in improving safety, which may include—

(A) limitations on eligible use of Federal assistance;

(B) transit agency financial constraints, including as a result of changes in Federal, State, and local assistance;

(C) the effectiveness of risk mitigation strategies that transit agencies have adopted;

(D) procurement barriers; and

(E) coordination between Federal agencies, local agencies, social service providers and local law enforcement agencies.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with—

(1) State transportation officials;

(2) academic experts in transportation safety, criminology, and public health; and

(3) representatives of—

(A) transit operators, including, as applicable, transit police or contracted security of such operators;

(B) transit riders; and

(C) urban, rural, and Tribal transit agencies.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of the initiation of the study described under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study conducted under subsection (a).

SEC. 3114. GAO STUDY ON CIG DATA COLLECTION AND REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a study to assess the efficacy of data collection and analysis requirements under the capital investment grants program pursuant to subparagraphs (E) and (F) of section 5309(k)(2) of title 49, United States Code, and make recommendations to reduce the reporting burden on project sponsors.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall assess the following matters related to the requirements under subparagraphs (E) and (F) of section 5309(k)(2) of such title:

(1) The typical cost of preparing an information collection and analysis plan, as required under section 5309(k)(2)(E) of such title.

(2) The extent to which preparing the plan described in paragraph (1) or the collection of data contributes to project delays.

(3) The extent to which project sponsors apply insights gained from the plan described in paragraph (1) to public transportation related activities other than activities carried out under the capital investment grants program.

(4) The extent to which the Federal Transit Administration utilizes data collected and submitted by a project sponsor in the plan referenced in paragraph (1) for purposes of—

(A) determining eligibility for a full funding grant agreement under the capital investment grants program; and

(B) assessing public transportation related activities other than activities carried out under the capital investment grants program.

(5) Any relevant policy guidance or circulars issued by the Federal Transit Administration.

(c) RECOMMENDATIONS.—In making the recommendations required under subsection (a), the Comptroller General shall consider the following:

(1) Opportunities to reduce data collection and reporting requirements pursuant to subparagraphs (E) and (F) of section 5309(k)(2) of such title for project sponsors with a significant amount of local financial commitment.

(2) Criteria other than the amount of local financial commitment secured by a project sponsor that the Federal Transit Administration may use to apply reduced data collection and reporting requirements on project sponsors.

(3) The existence of any redundancies between the data collection and reporting requirements referenced in paragraph (1) and other Federal Transit Administration programs or data-related reporting

requirements imposed on recipients of assistance under chapter 53 of such title.

(d) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with—

(1) industry associations representing public transportation providers;

(2) transit agencies that completed a capital investment grants project in the last 10 years and fulfilled the requirements of subparagraphs (E) and (F) of section 5309(k)(2) of such title; and

(3) engineering or design firms that participated in delivering projects described in paragraph (2).

(e) REPORT TO CONGRESS.—Not later than 1 year after the date of initiation of the study described under section (a), the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study and recommendations under subsection (a).

SEC. 3115. GAO ASSESSMENT OF PARATRANSIT SOFTWARE AND TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall assess Americans with Disabilities Act compliant paratransit software and technologies procured with Federal funds and make recommendations to improve service efficiency, access, and quality of life for paratransit riders while protecting sensitive rider and system data from cybersecurity threats.

(b) CONSULTATION.—In carrying out the assessment required under subsection (a), the Comptroller General shall consult the following:

(1) Paratransit riders.

(2) Organizations representing riders with disabilities, including individuals who use wheelchairs.

(3) Rural transit agencies.

(4) Urban transit agencies.

(5) The United States Access Board.

(6) Labor organizations representing frontline public transportation workers.

(7) Third-party providers of paratransit service.

(8) Paratransit technology manufacturers.

(9) For-hire transportation providers.

(10) Cybersecurity experts and standards bodies.

(11) Other stakeholders the Comptroller General determines appropriate.

(c) CONSIDERATIONS.—

(1) IN GENERAL.—In carrying out the assessment under subsection (a), the Comptroller General shall consider the following:

(A) The extent to which paratransit software and digital interfaces provide effective access for riders with disabilities, including differing visual, auditory, cognitive, and physical needs.

(B) The cybersecurity of paratransit software and technologies, including—

(i) methods to ensure that paratransit software and data is protected from cyberattacks, and whether there are appropriate outcomes-based objectives for protecting the confidentiality, integrity, and availability of systems and data; and

(ii) whether existing cybersecurity frameworks and audit regimes (including SOC 2 and ISO 27001, or successor standards) are used as potential references or models for minimum cybersecurity expectations.

(C) The technical capabilities of paratransit software and technologies, including—

(i) the role of application programming interfaces or related mechanisms in enabling integration of multiple service providers and supporting efficient movement of trips between providers;

(ii) how real-time route optimization and dynamic trip scheduling capabilities impact paratransit service; and

(iii) the ability of paratransit software to support digital booking interfaces that aggregate multiple providers.

(d) REPORT.—Not later than 1 year after the date on which the assessment under subsection (a) is initiated, the Comptroller General shall submit to the appropriate committees of Congress a report detailing the findings and recommendations required under subsection (a).

Subtitle C—Reorganization and Consolidation of Chapter 53

SEC. 3201. TRANSFER OF CERTAIN SECTIONS IN CHAPTER 53 OF TITLE 49, UNITED STATES CODE.

(a) TRANSFERS TO SECTION 5323.—

(1) SECTION 5306.—Section 5306 of title 49, United States Code, is transferred and redesignated to appear as section 5323(y) and is amended—

(A) in subsection (b) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(B) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively.

(2) SECTION 5325.—Section 5325 of title 49, United States Code, is transferred and redesignated to appear as section 5323(z) and is amended—

(A) in subsection (b)—

(i) in paragraph (2)—

(I) in the matter preceding subparagraph (A) by striking "paragraph (1)" and inserting "subparagraph (A)";

(II) in subparagraph (C) by striking "subparagraph (B)" and inserting "clause (ii)";

(III) in subparagraph (D)—

(aa) by striking "subparagraph (C)" and inserting "clause (iii)"; and

(bb) by striking "this subparagraph" and inserting "this clause"; and

(IV) by redesignating subparagraphs (A) through (D), as amended, as clauses (i) through (iv), respectively; and

(ii) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) in subsection (d)—

(i) in paragraph (1)—

(I) by striking ‘‘subsection’’ and inserting ‘‘paragraph’’; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(ii) by redesignating paragraphs (1) and (2), as amended, as subparagraphs (A) and (B);

(C) in subsection (e)—

(i) in paragraph (1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(ii) in paragraph (2) by striking ‘‘subsection’’ and inserting ‘‘paragraph’’; and

(iii) by redesignating paragraphs (1) and (2), as amended, as subparagraphs (A) and (B), respectively;

(D) in subsection (f)—

(i) in paragraph (1)—

(I) in subparagraph (A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(ii) in paragraph (2) by striking "paragraph (1)(B)" and inserting "subparagraph (A)(ii)";

(iii) in paragraph (3)—

(I) in the matter preceding subparagraph (A) by striking "subsection" and inserting "paragraph";

(II) in subparagraph (A)—

(aa) in clause (ii) by striking "paragraph (1)(B)" and inserting "subparagraph (A)(ii)"; and

(bb) by redesignating clauses (i) and (ii), as amended, as subclauses (I) and (II), respectively;

(III) in subparagraph (B) by striking "subparagraph (A)" and inserting "clause (i)"; and

(IV) by redesignating subparagraphs (A) and (B), as amended, as clauses (i) and (ii), respectively; and

(iv) by redesignating paragraphs (1) through (3), as amended, as subparagraphs (A) through (C), respectively;

(E) in subsection (j)—

(i) in paragraph (2)—

(I) by striking "paragraph (1)" and inserting "subparagraph (A)"; and

(II) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively; and

(ii) by redesignating paragraphs (1) and (2), as amended, as subparagraphs (A) and (B), respectively;

(F) in subsection (k) by striking "subsection" and inserting "paragraph"; and

(G) by redesignating subsections (a) through (k), as amended, as paragraphs (1) through (11), respectively.

(3) SECTION 5327.—Section 5327 of title 49, United States Code, is transferred and redesignated to appear as section 5323(aa) and is amended—

(A) in subsection (a) by redesignating paragraphs (1) through (13) as subparagraphs (A) through (M), respectively;

(B) in subsection (b) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(C) in subsection (d)—

(i) in paragraph (1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(ii) in paragraph (2)—

(I) in subparagraph (B) by striking "subsection (b)" and inserting "paragraph (2)"; and

(II) by redesignating subparagraphs (A) and (B), as amended, as clauses (i) and (ii), respectively;

(iii) in paragraph (3) by striking "paragraph (2)(B)" and inserting "subparagraph (B)(ii)"; and

(iv) by redesignating paragraphs (1) through (3), as amended, as subparagraphs (A) through (C), respectively; and

(D) by redesignating subsections (a) through (d) as paragraphs (1) through (4), respectively.

(4) SECTION 5332.—Section 5332 of title 49, United States Code, is transferred and redesignated to appear as section 5323(bb) and is amended—

(A) by striking "subsection (b)" in each place it occurs and inserting "paragraph (2)";

(B) by striking "of this section" in each place it occurs;

(C) in subsection (a) by striking "section" and inserting "subsection";

(D) in subsection (c) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(E) in subsection (d) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(F) in subsection (e)—

(i) in paragraph (1) by striking "subsection (d)(2)" and inserting "paragraph (4)(B)"; and

(ii) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(G) by redesignating subsections (a) through (f) as paragraphs (1) through (6), respectively.

(b) SECTION 5315 TRANSFER TO SECTION 5334.—Section 5315 of title 49, United States Code, is transferred and redesignated to appear as section 5334(l) and is amended—

(1) in subsection (a) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(2) in subsection (b) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) in subsection (c) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(4) in subsection (d) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(5) by redesignating subsections (a) through (d) as paragraphs (1) through (4), respectively.

SEC. 3202. FRONT MATTER OF CHAPTER 53 OF TITLE 49, UNITED STATES CODE.

(a) TABLE OF SECTIONS.—Chapter 53 of title 49, United States Code, is amended by striking the table of sections in the front matter at the beginning and inserting the following:

"SUBCHAPTER I–GENERAL AUTHORITIES AND GRANT PROGRAMS

"SUBCHAPTER II–PLANNING AND REQUIREMENTS

"SUBCHAPTER III–SAFETY

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of chapter 53 of title 49, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 53 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (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

SEC. 3203. AMENDMENTS TO CHAPTER 53 OF TITLE 49, UNITED STATES CODE, AS AMENDED BY SECTION 3202 OF THIS ACT.

(a) IN GENERAL.—Except as otherwise expressly provided, whenever in this section an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision of chapter 53 of title 49, United States Code, the reference shall be considered to be made to chapter 53 of such title, as amended by section 3202 of this Act.

(b) General Amendment to Section 5303.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5302 the following:

"§ 5303. Authorizations.

"(a) Grants.—

"(1) In general.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, and 5310 through 5320—

"(A) $16,868,000,000 for fiscal year 2027;

"(B) $17,205,000,000 for fiscal year 2028;

"(C) $17,527,000,000 for fiscal year 2029;

"(D) $17,835,000,000 for fiscal year 2030; and

"(E) $18,157,000,000 for fiscal year 2031.

"(2) Allocation of funds.—Of the amounts made available to the Secretary under paragraph (1), the following allocations apply:

"(A) Administrative provisions.—To carry out section 5305—

"(i) $132,700,000 for fiscal year 2027;

"(ii) $135,400,000 for fiscal year 2028;

"(iii) $138,100,000 for fiscal year 2029;

"(iv) $140,800,000 for fiscal year 2030; and

"(v) $143,600,000 for fiscal year 2031.

"(B) URBANIZED AREA GRANTS.—To carry out, in accordance with the formulas set for forth in section 5304, section 5307—

"(i) $7,745,474,000 for fiscal year 2027;

"(ii) $7,869,922,000 for fiscal year 2028;

"(iii) $7,996,361,000 for fiscal year 2029;

"(iv) $8,124,823,000 for fiscal year 2030; and

"(v) $8,255,340,000 for fiscal year 2031.

"(C) GRANTS FOR ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.—To carry out section 5310—

"(i) $447,300,000 for fiscal year 2027, of which $10,000,000 is to carry out section 5310(j);

"(ii) $453,100,000 for fiscal year 2028, of which $10,100,000 is to carry out section 5310(j);

"(iii) $459,000,000 for fiscal year 2029, of which $10,200,000 is to carry out section 5310(j);

"(iv) $465,000,000 for fiscal year 2030, of which $10,300,000 is to carry out section 5310(j); and

"(v) $471,000,000 for fiscal year 2031, of which $10,400,000 is to carry out section 5310(j).

"(D) RURAL AREA GRANTS.—To carry out section 5311—

"(i) $1,007,622,000 for fiscal year 2027;

"(ii) $1,023,742,000 for fiscal year 2028;

"(iii) $1,040,122,000 for fiscal year 2029;

"(iv) $1,056,764,000 for fiscal year 2030; and

"(v) $1,073,672,000 for fiscal year 2031.

"(E) PUBLIC TRANSPORTATION INNOVATION.—To carry out section 5312—

"(i) $45,240,000 for fiscal year 2027, of which—

"(I) $5,000,000 to carry out section 5312(h); and

"(II) $7,371,000 to carry out section 5312(i);

"(ii) $45,960,000 for fiscal year 2028, of which—

"(I) $4,000,000 to carry out section 5312(h); and

"(II) $7,489,000 to carry out section 5312(i);

"(iii) $46,700,000 for fiscal year 2029, of which—

"(I) $3,000,000 to carry out section 5312(h); and

"(II) $7,609,000 to carry out section 5312(i);

"(iv) $47,440,000 for fiscal year 2030, of which—

"(I) $2,000,000 to carry out section 5312(h); and

"(II) $7,731,000 to carry out section 5312(i); and

"(v) $48,200,000 for fiscal year 2031, of which—

"(I) $0 to carry out section 5312(h); and

"(II) $7,854,000 to carry out section 5312(i).

"(F) PLANNING PROGRAMS.—To carry out section 5313—

"(i) $222,930,000 for fiscal year 2027, of which $15,000,000 is to carry out section 5305(i);

"(ii) $225,820,000 for fiscal year 2028, of which $15,200,000 is to carry out section 5305(i);

"(iii) $228,760,000 for fiscal year 2029, of which $15,400,000 is to carry out section 5305(i);

"(iv) $231,730,000 for fiscal year 2030, of which $15,600,000 is to carry out section 5305(i); and

"(v) $234,750,000 for fiscal year 2031, of which $15,800,000 is to carry out section 5305(i).

"(G) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—To carry out section 5314—

"(i) $20,499,000 for fiscal year 2027;

"(ii) $20,806,000 for fiscal year 2028;

"(iii) $21,118,000 for fiscal year 2029;

"(iv) $21,434,000 for fiscal year 2030; and

"(v) $21,756,000 for fiscal year 2031.

"(H) NATIONAL TRANSIT DATABASE.—To carry out section 5315—

"(i) $6,235,000 for fiscal year 2027;

"(ii) $6,335,000 for fiscal year 2028;

"(iii) $6,436,000 for fiscal year 2029;

"(iv) $6,539,000 for fiscal year 2030; and

"(v) $6,644,000 for fiscal year 2031.

"(I) STATE OF GOOD REPAIR GRANTS.—To carry out section 5316—

"(i) $4,640,000,000 for fiscal year 2027;

"(ii) $4,645,000,000 for fiscal year 2028;

"(iii) $4,650,000,000 for fiscal year 2029;

"(iv) $4,655,000,000 for fiscal year 2030; and

"(v) $4,660,000,000 for fiscal year 2031.

"(J) GRANTS FOR BUS AND BUS FACILITIES.—To carry out section 5317 (except for subsection (d))—

"(i) $1,695,000,000 for fiscal year 2027;

"(ii) $1,863,710,000 for fiscal year 2028;

"(iii) $2,014,891,000 for fiscal year 2029;

"(iv) $2,149,550,000 for fiscal year 2030; and

"(v) $2,295,508,000 for fiscal year 2031.

"(K) BUS TESTING FACILITY.—To carry out section 5318—

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

"(ii) $7,105,000 for fiscal year 2028;

"(iii) $7,212,000 for fiscal year 2029;

"(iv) $7,320,000 for fiscal year 2030; and

"(v) $7,430,000 for fiscal year 2031.

"(L) GROWING STATES AND HIGH DENSITY STATES.—To carry out section 5319—

"(i) $873,000,000 for fiscal year 2027, of which—

"(I) $445,230,000 to carry out section 5319(b); and

"(II) $427,770,000 to carry out section 5319(c);

"(ii) $883,100,000 for fiscal year 2028, of which—

"(I) $450,381,000 to carry out section 5319(b); and

"(II) $432,719,000 to carry out section 5319(c);

"(iii) $893,300,000 for fiscal year 2029, of which—

"(I) $455,583,000 to carry out section 5319(b); and

"(II) $437,717,000 to carry out section 5319(c);

"(iv) $903,600,000 for fiscal year 2030, of which—

"(I) $460,836,000 to carry out section 5319(b); and

"(II) $442,764,000 to carry out section 5319(c); and

"(v) $914,100,000 for fiscal year 2031, of which—

"(I) $466,191,000 to carry out section 5319(b); and

"(II) $447,909,000 to carry out section 5319(c).

"(M) EMERGENCY RELIEF PROGRAM.—To carry out section 5320—

"(i) $25,000,000 for fiscal year 2027;

"(ii) $25,000,000 for fiscal year 2028;

"(iii) $25,000,000 for fiscal year 2029;

"(iv) $25,000,000 for fiscal year 2030; and

"(v) $25,000,000 for fiscal year 2031.

"(b) CAPITAL INVESTMENT GRANTS.—There is authorized to be appropriated to the Secretary to carry out section 5309 of this title—

"(1) $3,000,000,000 for fiscal year 2027;

"(2) $3,000,000,000 for fiscal year 2028;

"(3) $3,000,000,000 for fiscal year 2029;

"(4) $3,000,000,000 for fiscal year 2030; and

"(5) $3,000,000,000 for fiscal year 2031.

"(c) OVERSIGHT.—

"(1) IN GENERAL.—Of the amounts made available under subsection (a)(1) to carry out a financial assistance program or a grant program referenced in subsection (a)(2) for a fiscal year, the Secretary may use not more than 0.7 percent of such amount in such fiscal year to conduct oversight activities for each respective program and for sections 5308 and 5329, including the activities described in paragraph (3).

"(2) ADDITIONAL OVERSIGHT.—

"(A) CIG PROGRAM.—Of the amounts made available under subsection (b) for a fiscal year, the Secretary may use not more than 1 percent of such amount in such fiscal year to conduct oversight activities for the fixed guideway capital investment grants program, including activities described in paragraph (3).

"(B) OTHER.—Of the amounts made available under Section 601(f) of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4970), the Secretary may use not more than 1 percent in a given fiscal year to conduct oversight activities, including the activities described in paragraph (3).

"(3) ACTIVITIES.—The activities described in this paragraph are as follows:

"(A) Activities to oversee the construction of a major capital project.

"(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

"(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

"(D) Activities to carry out section 5305.

"(4) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

"(5) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (2) to conduct oversight activities related to the fixed guideway capital investment grants program shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

"(d) GRANTS AS CONTRACTUAL OBLIGATIONS.—

"(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

"(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

"(e) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.".

(c) TECHNICAL AMENDMENTS.—Chapter 53 of title 49, United States Code, is amended—

(1) in section 5302—

(A) in paragraph (5)(N) by striking "5339(c)" and inserting "5317(e)";

(B) in paragraph (6)(A)—

(i) by striking "5303 and 5304" and inserting "5331 and 5332"; and

(ii) by striking "5336" and inserting "5304"; and

(C) in paragraph (8)(A) by striking "5334(c)" and inserting "5305(c)";

(2) in section 5304—

(A) in subsection (b)(2)(E) by striking "5337(b)(3)" and inserting "5316(b)(3)";

(B) in subsection (d)(1) by striking "5338(a)(2)(B)" and inserting "5303(a)(2)(B)"; and

(C) in subsection (h)—

(i) in the matter preceding paragraph (1) by striking "5338(a)(2)(B)" and inserting "5303(a)(2)(B)";

(ii) in paragraph (1)—

(I) by striking "5339(d)" and inserting "5317(d)"; and

(II) by striking "5339(d)(2)(A)" and inserting "5317(d)(2)(A)"; and

(iii) in paragraph (5) by striking "5329(e)(6)" and inserting "5352(e)(6)";

(3) in section 5305—

(A) in subsection (b)(1) by striking "5329" and inserting "5352"; and

(B) in subsection (l)—

(i) in paragraph (1) by striking "general purposes of this chapter under section 5301(b)" and inserting "purpose of this chapter described in section 5301(a)"; and

(ii) in paragraph (4)(B) by striking "5306(a)" and inserting "5306(y)(1)";

(4) in section 5306—

(A) in subsection (a)(1)(A) by striking "sections 5303, 5304, and 5306" and inserting "section 5331, section 5332, and subsection (y) of this section";

(B) in subsection (e)—

(i) in paragraph (1) by striking “5337” and inserting “5316”; and

(ii) in paragraph (2) by striking “5304” and inserting “5332”;

(C) in subsection (i)(1)(A)—

(i) by striking “5339(e)(2)” and inserting “5317(e)(2)”; and

(ii) by striking “5339 of this chapter” and inserting “5317 of this chapter”;

(D) in subsection (n) by striking “5336(d)(2)” and inserting “5304(d)(2)”;

(E) in subsection (o) by striking “5337” and inserting “5316”;

(F) in subsection (t)(2) by striking “5336” and inserting “5304”;

(G) in subsection (u)(4)(A) by striking “5337” and inserting “5316”;

(H) in subsection (v)(3)(B) by striking “5329” and inserting “5352”;

(I) in subsection (w)(6)—

(i) by striking “(49 U.S.C. 5325 note)” each place it appears; and

(ii) in subparagraph (A)(ii)(II) by striking "5325(f)(3)" and inserting "5306(z)(6)(C)";

(J) in subsection (y)—

(i) in paragraph (1) by striking "5303, 5304, or 5305" and inserting "5313, 5331, or 5332"; and

(ii) in paragraph (2) by striking "5303–5305" and inserting "5313, 5331, and 5332"; and

(K) in subsection (aa)—

(i) in paragraph (3) by striking "5338(f)" and inserting "5303(c)"; and

(ii) in paragraph (4)(A) by striking "5338(c)" and inserting "5303(c)";

(5) in section 5307—

(A) in subsection (b)(4) by striking "5336" and inserting "5304";

(B) in subsection (c)(1)—

(i) in subparagraph (E) by striking "5323 and 5325" and inserting "5306 and 5306(z)";

(ii) in subparagraph (H) by striking "5303 and 5304" and inserting "5331 and 5332";

(iii) in subparagraph (J)—

(I) by striking "5336" and inserting "5304"; and

(II) by striking "5321" and inserting "5351";

(iv) in subparagraph (K) by striking "5336" and inserting "5304"; and

(v) in subparagraph (L) by striking "5329(d)" and inserting "5352(d)";

(C) in subsection (e)(2)(A) by striking "5336" and inserting "5304"; and

(D) in subsection (f)(4)(A)(ii)(II) by striking "5303, 5304, and 5305" and inserting "5313, 5331, and 5332";

(6) in section 5308—

(A) in subsection (a)—

(i) by striking "5338(a)(2)" and inserting "5303(a)(2)"; and

(ii) by striking "5310, 5311(c)(5), 5336, 5337, 5339(a), and 5340" and inserting "5304, 5310, 5311(c)(5), 5316, 5317(a), and 5319";

(B) in subsection (b)(2)(D)(ii) by striking "5337, 5339(a), and 5340" and inserting "5316, 5317(a), and 5319";

(C) in subsection (d)(2) by striking "5337, 5339, or 5340" and inserting "5316, 5317, or 5319";

(D) in subsection (e)—

(i) paragraph (11)(B) by striking "5339(c)(5)" and inserting "5317(e)(5)"; and

(ii) paragraph (12) by striking "5337, 5339(a), and 5340" and inserting "5316, 5317(a), and 5319"; and

(E) in subsection (i)(3) by striking "5323(i)" and inserting "5306(i)";

(7) in section 5309—

(A) in subsection (c)(1)—

(i) in subparagraph (A) by striking "5303 and 5304" and inserting "5331 and 5332"; and

(ii) in subparagraph (C) by striking "5326(b)(2)(A)" and inserting "5354(b)(2)(A)";

(B) in subsection (d)(2)(A)(ii) by striking "5303" and inserting "5331";

(C) in subsection (e)(2)(A)(ii) by striking "5303" and inserting "5331";

(D) in subsection (g)(5)(C) by striking "5334(k)" and inserting "5305(k)";

(E) in subsection (h)(3)(A) by striking "5303" and inserting "5331";

(F) in subsection (i) by striking "5303(i)" in each place it occurs and inserting "5331(i)";

(G) in subsection (s)(1) by striking "5325" and inserting "5306(z)"; and

(H) in subsection (u)—

(i) in paragraph (3)(A)—

(I) in clause (i) by striking "5303 and 5304" and inserting "5331 and 5332"; and

(II) in clause (iii) by striking "5306(a)" and inserting "5306(y)(1)"; and

(ii) in paragraph (12)—

(I) in subparagraph (B) by striking "5306(a)" and inserting "5306(y)(1)"; and

(II) in subparagraph (C) by striking "5303 and 5304" and inserting "5331 and 5332";

(8) in section 5311—

(A) in subsection (b)—

(i) in paragraph (1)(A) by striking "5305" and inserting "5313"; and

(ii) in paragraph (3)(B) by striking "5338(a)(2)(D)" and inserting "5303(a)(2)(D)"; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A) by striking "5338(a)(2)(D)" and inserting "5303(a)(2)(D)"; and

(II) in subparagraph (D)—

(aa) by striking "5339(d)" and inserting "5317(d)"; and

(bb) by striking "5339(d)(2)(B)" and inserting "5317(d)(2)(B)"; and

(ii) in paragraph (3)(C) by striking "5338(a)(2)(D)" and inserting "5303(a)(2)(D)"; and

(iii) in paragraph (5)(A) by striking "5338(a)(2)(D)" and inserting "5303(a)(2)(D)";

(9) in section 5312(i)(1) by striking "The amounts made available under section

5338(a)(2)(G)(ii)" and inserting "The amounts specified under 5303(a)(2)(E) for this subsection";

(10) in section 5313—

(A) in subsection (b)—

(i) by striking "5338" and inserting "5303"; and

(ii) by striking "5303, 5304, and 5306" and inserting "5331, 5332, and 5306(y)";

(B) in subsection (c) by striking "5303 and 5306" in each place it occurs and inserting "5331 and 5306(y)";

(C) in subsection (d)(1)(A) by striking "5304 and 5306" and inserting "5332 and 5306(y)";

(D) in subsection (f) by striking "5338(a)(2)(A)" and inserting "5303(a)(2)(F)"; and

(E) in subsection (h)(1) by striking "5303, 5304" and inserting "5331, 5332";

(11) in section 5314—

(A) in subsection (a)(1)(B)—

(i) in clause (vii) by striking "5323(j) and 5323(m)" and inserting "5306(j) and 5306(m)"; and

(ii) in clause (viii) by striking "5339(c)(1)" and inserting "5317(e)(5)";

(B) in subsection (c)(4)(A) by striking "5337, and 5339" and inserting "5316, and 5317"; and

(C) in subsection (d) by striking "5338(a)(2)(F)" and inserting "5303(a)(2)(G)";

(12) in section 5316—

(A) in subsection (b)—

(i) in paragraph (1) by striking "5338(a)(2)(K)" and inserting "5303(a)(2)(I)"; and

(ii) in paragraph (2)(B) by striking "5336(b)(1)" and inserting "5304(b)(1)"; and

(B) in subsection (c)(2) by striking "5338(a)(2)(K)" and inserting "5303(a)(2)(I)";

(13) in section 5317—

(A) in subsection (a)—

(i) in paragraph (4)—

(I) in the matter preceding subparagraph (A) by striking

"5338(a)(2)(L)" and inserting "5303(a)(2)(J)"; and

(II) in subparagraph (C)—

(aa) in clause (i) by striking "5336(c)(1)(A)" and inserting "5304(c)(1)(A)";

(bb) in clause (ii) by striking "5336(c)(1)(B)" and inserting "5304(c)(1)(B)"; and

(cc) in clause (iii) by striking "5336(a)(1)" and inserting "5304(a)(1)";

(ii) in paragraph (5) by striking "5336" and inserting "5304"; and

(iii) in paragraph (8) by striking "(49 U.S.C. 5325 note)";

(B) in subsection (b)—

(i) in paragraph (5)(B) by striking "5323(i)" and inserting "5306(i)";

(ii) in paragraph (9)(B) by striking "5325" and inserting "5306(z)"; and

(iii) in paragraph (10) by striking "(49 U.S.C. 5325 note)"; and

(C) in subsection (d)—

(i) in paragraph (2)(A) by striking "5336(h)(1)" and inserting "5304(h)(1)"; and

(ii) in paragraph (6)(C)(i) by striking "5336" and inserting "5304";

(14) in section 5318(e)(1)(B)(ii) by striking "5329(b)" and inserting "5352(b)";

(15) in section 5319—

(A) in subsection (a) by striking "5338(a)(2)(M)" and inserting "5303(a)(2)(L)";

(B) in subsection (b)(3) by striking "5336" and inserting "5304"; and

(C) in subsection (c)(5) by striking "5336" and inserting "5304";

(16) in section 5331—

(A) in subsection (a)(2) by striking "5304(d)" and inserting "5332(d)";

(B) in subsection (b)—

(i) in the matter preceding paragraph (1) by striking "5304" and inserting "5332"; and

(ii) in paragraph (6) by striking "5304(l)" and inserting "5332(l)";

(C) in subsection (h)(2)(B)(ii) by striking "5326(c) and 5329(d)" and inserting "5352(d) and 5354(b)";

(D) in subsection (p) by striking "5305(g)" and inserting "5313(f)"; and

(E) in subsection (s) by striking "5305(f)" and inserting "5313(f)"; and

(17) in section 5332—

(A) in subsection (a)—

(i) in paragraph (1) by striking "5303, to accomplish the objectives stated in section 5303(a)," and inserting "5331, to accomplish the objectives stated in 5331(a),"; and

(ii) in paragraph (3) by striking "5303(a)" and inserting "5331(a)";

(B) in subsection (b)(1) by striking "5303" and inserting "5331";

(C) in subsection (d)(2)(B)(ii) by striking "5326(c) and 5329(d)" and inserting "5352(d) and 5354(b)";

(D) in subsection (f)(2)(A) by striking "5303" and inserting "5331";

(E) in subsection (g) by striking "5303" in each place it appears and inserting "5331"; and

(F) in subsection (i) by striking "5303" each place it appears and inserting "5331"; and

(18) in section 5333(b) by striking "5307–5312, 5316, 5318, 5323(a)(1), 5323(b), 5323(d), 5328, 5337, and 5338(b)" each place it appears and inserting "5306(a)(1), 5306(b), 5306(d), 5307, 5308, 5309, 5310, 5311, 5312, 5316, and 5318";

(19) in section 5352—

(A) in subsection (b)(2)(D) by striking "5324(a)" and inserting "5320(a)";

(B) in subsection (d) by striking "5335" in each place it occurs and inserting "5315";

(C) in subsection (e)(6)(B)(i) by striking "5336(h)" and inserting "5304(h)"; and

(D) in subsection (h)(1) by striking "5334(c)" and inserting "5305(c)".

SEC. 3204. CONFORMING AMENDMENTS.

(a) TITLE 10 CONFORMING AMENDMENT.—Section 2864(e)(2) of title 10, United States Code, is amended by striking "section 5303(b)" and inserting "section 5331(b)".

(b) TITLE 23 CONFORMING AMENDMENTS.—Title 23, United States Code, is amended—

(1) in section 108(d)(5)(A) by striking ‘‘sections 5303 and 5304’’ and inserting ‘‘sections 5331 and 5332’’;

(2) in section 134—

(A) in subsection (h)(2)(B)(ii) by striking ‘‘sections 5326(c) and 5329(d)’’ and inserting ‘‘sections 5352(d) and 5354(b)’’; and

(B) in subsection (p) by striking ‘‘section 5305(g)’’ and inserting ‘‘section 5313(f)’’;

(3) in section 135—

(A) in subsection (d)(2)(B)(ii) by striking ‘‘sections 5326(c) and 5329(d)’’ and inserting ‘‘sections 5352(d) and 5354(b)’’;

(B) in subsection (i) by striking ‘‘section 5305(g)’’ and inserting ‘‘section 5313(f)’’; and

(C) in subsection (j) by striking ‘‘sections 5303 and 5304’’ in each instance and inserting ‘‘sections 5331 and 5332’’; and

(4) in section 327(a)(2)(B)(iv)(I) by striking ‘‘section 5303 or 5304’’ and inserting ‘‘section 5331 or 5332’’;

(c) TITLE 49 CONFORMING AMENDMENTS.—Section 24904(d)(2)(A) of title 49, United States Code, is amended by striking ‘‘section 5326(a)(3)’’ and inserting ‘‘section 5354(e)(3)’’.

(d) LIMITATIONS ON CERTAIN FEDERAL ASSISTANCE.—Section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) is amended—

(1) by striking ‘‘section 5303(i)’’ each place it appears and inserting ‘‘section 5331(i)’’; and

(2) in paragraph (9) by striking ‘‘section 5303(j)’’ and inserting ‘‘section 5331(j)’’.

(e) GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT CRIME IN PUBLIC TRANSPORTATION.—Section 40131(f) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12301) is amended by striking ‘‘section 5321’’ and inserting ‘‘section 5351’’.

(f) PRIORITIZATION PROCESS PILOT PROGRAM.—Section 11204(c)(2) of the Surface Transportation Reauthorization Act of 2021 (23 U.S.C. 134 note) is amended—

(1) in subparagraph (A)—

(A) in clause (i) by striking ‘‘section 5303(i)’’ and inserting ‘‘section 5331(i)’’;

(B) in clause (i)(I)(aa) by striking ‘‘section 5303(h)’’ and inserting ‘‘section 5331(h)’’; and

(C) in clause (ii) by striking ‘‘section 5303(j)(2)(A)’’ and inserting ‘‘5331(j)(2)(A)’’; and

(2) in subparagraph (B)—

(A) in clause (i)(I)(aa) by striking "section 5304(d)" and inserting "section 5332(d)"; and

(B) in clause (ii) by striking "section 5304(g)" and inserting "section 5332(g)".

(g) ADVANCED AIR MOBILITY INFRASTRUCTURE PILOT PROGRAM.—Section 101(e)(5) of division Q of the Consolidated Appropriations Act, 2023 (49 U.S.C. 40101 note) is amended by striking "section 5303(b)" and inserting "section 5331(b)".

TITLE IV—HIGHWAY SAFETY

SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.

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

(1) HIGHWAY SAFETY PROGRAMS.—To carry out section 402 of title 23, United States Code—

(A) $777,000,000 for fiscal year 2027;

(B) $792,500,000 for fiscal year 2028;

(C) $808,000,000 for fiscal year 2029;

(D) $825,000,000 for fiscal year 2030; and

(E) $842,400,000 for fiscal year 2031.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—To carry out section 403 of title 23, United States Code—

(A) $211,000,000 for fiscal year 2027;

(B) $219,300,000 for fiscal year 2028;

(C) $225,600,000 for fiscal year 2029;

(D) $229,000,000 for fiscal year 2030; and

(E) $233,500,000 for fiscal year 2031.

(3) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—To carry out section 404 of title 23, United States Code—

(A) $50,000,000 for fiscal year 2027;

(B) $51,000,000 for fiscal year 2028;

(C) $52,000,000 for fiscal year 2029;

(D) $53,400,000 for fiscal year 2030; and

(E) $54,300,000 for fiscal year 2031.

(4) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this title—

(A) $40,200,000 for fiscal year 2027;

(B) $41,200,000 for fiscal year 2028;

(C) $42,200,000 for fiscal year 2029;

(D) $43,200,000 for fiscal year 2030; and

(E) $44,200,000 for fiscal year 2031.

(5) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $7,800,000 for fiscal year 2027;

(B) $8,000,000 for fiscal year 2028;

(C) $8,200,000 for fiscal year 2029;

(D) $8,400,000 for fiscal year 2030; and

(E) $8,600,000 for fiscal year 2031.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available under subsection (a) or any other provision of law from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—

(1) shall only be used to carry out such program; and

(2) may not be used by a State or local government for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available under subsection (a) for fiscal years 2027 through 2031 shall be available for obligation in the same manner as if such amounts were apportioned under chapter 1 of title 23, United States Code.

SEC. 4002. CONSOLIDATION AND ENHANCEMENT OF HIGHWAY SAFETY PROGRAMS.

(a) IN GENERAL.—Section 402 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating clause (i) as subparagraph (A) (and adjusting the margins accordingly);

(ii) in subparagraph (A), as so redesignated, by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively;

(iii) by redesignating clauses (ii) through (iv) as subparagraphs (C) through (E), respectively (and adjusting the margins accordingly);

(iv) by inserting after subparagraph (A), as so redesignated, the following:

"(B) addresses national priority safety initiatives;";

(v) in subparagraph (C), as so redesignated—

(I) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively;

(II) in clause (i), as so redesignated, by striking ‘‘subsection (k)’’ and inserting ‘‘subsection (l)’’; and

(III) in clause (ii), as so redesignated, by striking ‘‘subsection (l)’’ and inserting ‘‘subsection (m)’’; and

(vi) in subparagraph (D), as so redesignated, by striking ‘‘subsection (b)(1)’’ and inserting ‘‘subsection (c)(1)’’; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i) by inserting ‘‘, including law enforcement costs relating to enforcing State laws on posted speed limits’’ after ‘‘posted speed limits’’;

(II) in clause (vi) by inserting ‘‘and traffic incidents in school zones’’ after ‘‘buses’’;

(III) by redesignating clauses (x) through (xiv) as clauses (xi) through (xv), respectively;

(IV) by inserting after clause (ix) the following:

"(x) to increase driver awareness of work zone safety to prevent crashes and reduce injuries and fatalities;";

(V) in clause (xiv), as so redesignated, by striking "; and" and inserting a semicolon;

(VI) in clause (xv), as so redesignated, by striking "vehicle loads" and inserting "vehicle loads, prevent improper and unsafe use of light-duty and medium-duty trailers, and educate the public about required trailer safety equipment and preventative maintenance"; and

(VII) by adding at the end the following:

"(xvi) to purchase and deploy digital alert technology that—

"(I) is capable of receiving alerts regarding nearby first responders; and

"(II) in the case of a motor vehicle that is used for emergency response activities, is capable of sending alerts to civilian drivers to protect first responders on the scene and en route;

"(xvii) to educate the public regarding the safety of vehicles and individuals stopped at the roadside in the State through public information campaigns for the purpose of reducing roadside deaths and injury;

"(xviii) to cover law enforcement costs relating to enforcing State laws to protect the safety of vehicles and individuals stopped at the roadside;

"(xix) to cover costs associated with developing and implementing a program to train law enforcement on facilitating safe traffic stops utilizing standards established by a State Police Officer Standards and Training Board or a similar association;

"(xx) to cover costs associated with developing and implementing a program to improve interactions between a law enforcement officer and a motor vehicle operator who has a speech-related disability that may affect communication during a traffic stop, including autism spectrum disorder, commonly referred to as a 'blue envelope program';

"(xxi) to identify, collect, and report to State and local government agencies data relating to crashes involving vehicles and individuals stopped at the roadside; and

"(xxii) to pilot and incentivize measures, including optical visibility measures, to increase the visibility of stopped and disabled vehicles;";

(ii) in subparagraph (B)(i) by inserting "including education on a driver's responsibilities and rights during a traffic stop" after "driver education";

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

"(D) improve State safety data systems, including through—

"(i) software or applications to identify, collect, and report data to State and local government agencies, and enter data into State core highway safety databases, including crash, citation or adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle data;

"(ii) purchasing equipment to improve a process by which data are identified, collated, and reported to State and local government agencies, including technology for use by law enforcement for near-real time, electronic reporting of crash data;

"(iii) improving the compatibility and interoperability of the core highway safety databases of the State with national data systems and data systems of other States, including the National EMS Information System;

"(iv) enhancing the ability of a State and the Secretary to observe and analyze local, State, and national trends in crash occurrences, rates, outcomes, and circumstances;

"(v) supporting traffic records improvement training and expenditures for law enforcement, emergency medical, judicial, prosecutorial, and traffic records professionals;

"(vi) hiring traffic records professionals for the purpose of improving traffic information systems (including a State Fatal Accident Reporting System (FAR) liaison);

"(vii) adoption of the Model Minimum Uniform Crash Criteria, or providing to the public information regarding why any of those criteria will not be used, if applicable;

"(viii) supporting reporting criteria relating to emerging topics, including—

"(I) impaired driving as a result of drug, alcohol, or polysubstance consumption; and

"(II) advanced technologies present on motor vehicles; and

"(ix) conducting research relating to State traffic safety information systems, including developing programs to improve core highway safety databases and processes by which data are identified, collected, reported to State and local government agencies, and entered into State core safety databases;'';

(2) by redesignating subsections (b) through (o) as subsections (c) through (p), respectively;

(3) by inserting after subsection (a) the following:

''(b) NATIONAL PRIORITY SAFETY INITIATIVES.—

''(1) IN GENERAL.—Each State that meets the relevant fatality rate threshold shall have a highway safety program that addresses national priority safety initiatives.

''(2) FLEXIBILITY.—Funds not required to be expended by a State in accordance with any provision of this subsection may be used by a State for any eligible activity under this subsection or subsection (a).

''(3) REQUIREMENTS.—In carrying out a highway safety program required under subsection (a), a State shall adhere to the following requirements:

''(A) OCCUPANT PROTECTION.—

''(i) IN GENERAL.—In any case in which a State has an average occupant protection fatality rate that is greater than 75 percent of the national average, such

State shall expend not less than 6 percent of the funds provided under this section to implement occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained in motor vehicles.

"(ii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used to—

"(I) carry out a program to support high-visibility enforcement mobilizations, including paid media that emphasizes publicity for the program, and law enforcement;

"(II) carry out a program to train occupant protection safety professionals, police officers, fire and other first responders, emergency medical personnel, educators, parents, and caregivers concerning all aspects of the use of child restraints and occupant protection;

"(III) carry out a program to educate the public concerning the proper use and installation of child restraints, including related equipment and information systems;

"(IV) carry out a program to provide community child passenger safety services, including programs about proper seating positions for children and how to reduce the improper use of child restraints;

"(V) implement programs—

"(aa) to recruit and train nationally certified child passenger safety technicians among police officers, fire and other first responders, emergency medical personnel, and other individuals or organizations serving low-income and underserved populations;

"(bb) to educate parents and caregivers in low-income and underserved populations regarding the importance of proper use and correct installation of child restraints on every trip in a motor vehicle; and "(cc) to purchase and distribute child restraints to low-income and underserved populations;

"(VI) establish and maintain information systems containing data concerning occupant protection, including the collection and administration of child passenger safety and occupant protection surveys; and

"(VII) cover law enforcement costs related to the enforcement of occupant protection laws.

"(iii) DEFINITIONS.—In this subparagraph:

"(I) AVERAGE OCCUPANT PROTECTION FATALITY RATE.—The term 'average occupant protection fatality rate' means the number of motor vehicle crash fatalities in a State that involve unrestrained individuals per every 100,000,000 vehicle miles traveled in the State, based on the average of the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System.

"(II) CHILD RESTRAINT.—The term 'child restraint' means any device (including child safety seat, booster seat, harness, and excepting seat belts) that is—

"(aa) designed for use in a motor vehicle to restrain, seat, or position a child who weighs 65 pounds (30 kilograms) or less; and

"(bb) certified to comply with the Federal Motor Vehicle Safety Standard Number 213, contained in section 571.213 of title 49, Code of Federal Regulations, or any succeeding standard.

"(III) SEAT BELT.—The term 'seat belt' means—

"(aa) with respect to open-body motor vehicles, including convertibles, an occupant restraint system consisting of a lap belt or a lap belt and a detachable shoulder belt; and

"(bb) with respect to other motor vehicles, an occupant restraint system consisting of integrated lap and shoulder belts.

"(B) IMPAIRED DRIVING COUNTERMEASURES.—

"(i) IN GENERAL.—In any case in which a State has an average impaired driving fatality rate that is greater than 75 percent of the national average, such State shall expend not less than 26 percent of the funds provided under this section to implement programs to reduce driving under the influence of alcohol, drugs, or a combination of alcohol and drugs.

"(ii) ADDITIONAL REQUIREMENT.—In any case in which a State that is required to expend funds pursuant to clause (i) does not have a repeat intoxicated driver law (as such law is described in section 164(a)(5)(A)(ii)), the Secretary shall apply clause (i) by substituting "30 percent" for "26 percent".

"(iii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used by a State for—

"(I) high-visibility enforcement efforts;

"(II) hiring a full-time or part-time impaired driving coordinator of the activities of the State to address the enforcement and adjudication of laws regarding driving while impaired by alcohol, drugs, or a combination of alcohol and drugs;

"(III) court support of impaired driving prevention efforts, including—

"(aa) hiring criminal justice professionals, including law enforcement officers, prosecutors, traffic safety resource prosecutors, judges, judicial outreach liaisons, and probation officers;

"(bb) training and education of the professionals in subclause (I) to assist such professionals in preventing impaired driving and handling impaired driving cases, including by providing compensation to a law enforcement officer to carry out safety grant activities to replace a law enforcement officer who is receiving drug recognition expert training or participating as an instructor in such drug recognition expert training; and

"(cc) establishing driving while intoxicated courts;

"(IV) alcohol ignition interlock programs;

"(V) improving blood alcohol and drug concentration screening and testing, detection of potentially impairing drugs (including through the use of oral fluid as a specimen), and reporting relating to testing and detection;

"(VI) media in support of high-visibility enforcement efforts, conducting initial and continuing standardized field sobriety training, advanced roadside impaired driving evaluation training, law enforcement phlebotomy training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

“(VII) training on the use of alcohol and drug screening and brief intervention;

“(VIII) training for and implementation of impaired driving assessment programs or other tools designed to increase the probability of identifying the recidivism risk of a person convicted of driving under the influence of alcohol, drugs, or a combination of alcohol and drugs and to determine the most effective mental health or substance abuse treatment or sanction that will reduce such risk;

“(IX) developing impaired driving information systems;

"(X) costs associated with a 24–7 sobriety program;

"(XI) testing and implementing programs, and purchasing technologies, to better identify, monitor, or treat impaired drivers, including—

"(aa) oral fluid screening technologies;

"(bb) electronic warrant programs;

"(cc) equipment to increase the scope, quantity, quality, and timeliness of forensic toxicology chemical testing;

"(dd) case management software to support the management of impaired driving offenders; and

"(ee) technology to monitor impaired-driving offenders, and equipment and related expenditures used in connection with impaired-driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

"(XII) increasing the timely and accurate reporting to Federal, State, and local databases of—

"(aa) crash information, including electronic crash reporting systems that allow accurate real- or near-real-time uploading of crash information; and

"(bb) impaired driving criminal justice information;

"(XIII) researching and evaluating impaired driving countermeasures; and

"(XIV) funding law enforcement costs related to the enforcement of impaired driving laws, including law enforcement costs associated with enforcing the legal limit for blood alcohol concentration while driving.

"(iv) DEFINITIONS.—In this subparagraph:

"(I) 24–7 SOBRIETY PROGRAM.—The term '24–7 sobriety program' means a State law or program that authorizes a State or local court or an agency with jurisdiction, as a condition of bond, sentence, probation, parole, or work permit, to—

"(aa) require an individual who was arrested for, plead guilty to, or was convicted of driving under the influence of alcohol or drugs to totally abstain from alcohol or drugs for a period of time; and

"(bb) require the individual to be subject to testing for alcohol or drugs—

"(AA) at least twice per day at a testing location;

"(BB) by continuous transdermal alcohol monitoring via an electronic monitoring device; or

"(CC) by an alternate method with the concurrence of the Secretary.

"(II) AVERAGE IMPAIRED DRIVING FATALITY RATE.—The term 'average impaired driving fatality rate' means the number of motor vehicle crash fatalities in a State that involve a driver with a blood alcohol concentration of at least 0.08 percent per every 100,000,000 vehicle miles traveled in the State, based on the average of the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System.

"(C) DISTRACTED DRIVING.—

"(i) IN GENERAL.—Each State shall expend not less than 4 percent of the funds provided under this section to implement effective programs to reduce the prevalence of distracted driving.

"(ii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used—

"(I) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

"(II) for traffic signs that notify drivers about the distracted driving law of the State; and

"(III) for law enforcement costs related to the enforcement of the distracted driving law.

"(D) MOTORCYCLIST SAFETY.—

"(i) IN GENERAL.—In any case in which a State has an average motorcyclist fatality rate that is greater than 75 percent of the national average, such State shall expend not less than 0.7 percent of the funds provided under this section to implement programs to improve motorcyclist safety.

"(ii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used only for motorcyclist safety training and motorcyclist awareness programs, including—

"(I) improvements to motorcyclist safety training curricula;

"(II) improvements in program delivery of motorcyclist training to both urban and rural areas, including—

“(aa) procurement or repair of practice motorcycles;

“(bb) instructional materials;

“(cc) mobile training units; and

“(dd) leasing or purchasing facilities for closed-course motorcyclist skill training;

“(III) measures designed to increase the recruitment or retention of motorcyclist safety training instructors;

“(IV) public awareness, public service announcements, and other outreach programs to enhance driver awareness of motorcyclists, including ‘share-the-road’ safety messages; and

“(V) law enforcement costs related to the enforcement of motorcyclist safety laws.

“(iii) DEFINITIONS.—In this subparagraph:

"(I) AVERAGE MOTORCYCLIST FATALITY RATE.—The term 'average motorcyclist fatality rate' means the number of motor vehicle crash fatalities in a State that involve a motorcycle per 100,000 registered motorcycles by State, based on the average of the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System.

"(II) MOTORCYCLIST AWARENESS.—The term 'motorcyclist awareness' means individual or collective awareness of—

"(aa) the presence of motorcyclists on or near roadways; and

"(bb) safe driving practices to avoid injury to motorcyclists.

"(III) MOTORCYCLIST AWARENESS PROGRAM.—The term 'motorcyclist awareness program' means an informational or public awareness program designed to enhance motorcyclist awareness that is developed by or in coordination with the designated

State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the Governor of the State.

"(IV) MOTORCYCLIST SAFETY TRAINING.—The term 'motorcyclist safety training' means a formal program of instruction that is approved for use in a State by the designated State authority having jurisdiction over motorcyclist safety issues, which may include the State motorcycle safety administrator or a motorcycle advisory council appointed by the Governor of the State.

"(E) NONMOTORIST SAFETY.—

"(i) IN GENERAL.—In any case in which the annual combined nonmotorist fatalities in a State exceed 15 percent of the total annual crash fatalities in the State, based on the most recently reported final data from the Fatality Analysis Reporting System, such State shall expend not less than 3 percent of the funds provided under this section to implement programs to improve the safety of nonmotorists.

"(ii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used for —

"(I) training of law enforcement officials relating to—

"(aa) nonmotorist safety;

"(bb) State laws applicable to nonmotorist safety; and

"(cc) infrastructure designed to improve nonmotorist safety;

"(II) carrying out a program to support enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to nonmotorist safety;

"(III) public education and awareness programs designed to inform motorists and nonmotorists regarding—

"(aa) nonmotorist safety, including information relating to nonmotorist mobility and the importance of speed management for the safety of nonmotorists;

"(bb) the value of the use of nonmotorist safety equipment, including lighting, conspicuity equipment, mirrors, helmets, and other protective equipment, and compliance with any State or local laws requiring the use of such equipment;

"(cc) State traffic laws applicable to nonmotorist safety, including the responsibilities of motorists with respect to nonmotorists;

"(dd) the safety of vehicles and nonmotorists stopped at the roadside;

"(ee) infrastructure designed to improve nonmotorist safety; and

"(ff) safe navigation through work zones;

"(IV) the collection of data, and the establishment and maintenance of data systems, relating to nonmotorist traffic fatalities;

"(V) preventing roadside death and injury from crashes involving motor vehicles striking other vehicles and individuals stopped at the roadside through the purchase and deployment of digital alert technology, including hardware purchases, installations, and software subscriptions;

"(VI) nonmotorist safety with respect to emerging micromobility technology issues; and

"(VII) providing on-bicycle education to elementary school and secondary school students.

"(iii) NONMOTORIST DEFINED.—In this subparagraph, the term 'nonmotorist' means—

"(I) a pedestrian, including a roadway worker;

"(II) an individual using a bicycle or other cycle solely propelled by human power, and those than can be propelled by human power and by motor;

"(III) an individual using a device designed for low-speed transportation, personal mobility assistance, or recreation, which can be motorized and human-powered, but not propelled by pedaling; and

"(IV) other nonoccupant road users.

"(F) SPEEDING.—

"(i) IN GENERAL.—In any case in which a State has an average speeding fatality rate that is greater than 75 percent of the national average fatality rate, such State shall expend not less than 6.3 percent of the funds provided under this section to implement programs to reduce the prevalence of speeding.

"(ii) ELIGIBLE ACTIVITIES.—Funds required to be expended in accordance with this subparagraph may be used by a State for—

"(I) high-visibility enforcement efforts;

"(II) educating the public through advertising containing information about the dangers of speeding;

"(III) funding law enforcement costs related to the enforcement of posted speed limits;

"(IV) purchasing and deploying dynamic speed displays and feedback signs that inform motorists about the speed of their vehicle; and

"(V) costs associated with updating roadway signage to reflect the speed limit.

"(iii) PROHIBITION.—A State may not use funds required to be expended in accordance with this subparagraph to purchase or deploy automated traffic enforcement systems that are operated outside of a school zone or work zone.

"(iv) AVERAGE SPEEDING FATALITY RATE DEFINED.—In this subparagraph, the term 'average speeding fatality rate' means the number of motor vehicle crash fatalities in a State that involve speeding per every 100,000,000 vehicle miles traveled in the State, based on the average of the most recently reported 3 calendar years of final data from the Fatality Analysis Reporting System.";

(4) in subsection (c), as so redesignated—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(ii) by inserting after subparagraph (B) the following:

"(C) provide for a statewide plan to reduce driving under the influence of alcohol, drugs, or the combination of alcohol and drugs;";

(iii) in subparagraph (D), as so redesignated, by striking "40 percent" and inserting "20 percent"; and

(iv) in subparagraph (G)(ii), as so redesignated, by inserting "distracted driving," after "impaired driving,"; and

(B) by inserting after paragraph (2) the following:

"(3) TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—The Secretary shall provide technical assistance to States and local governments with respect to improving the timeliness, accuracy, completeness, uniformity, integration, and public accessibility of State safety data that is needed to identify priorities for highway traffic safety programs, including—

"(i) tracking and analyzing the role of drugs in serious injury and fatal traffic crashes;

"(ii) aligning a State's data collection system with the Model Minimum Uniform Crash Criteria;

"(iii) assisting local governments in accessing and integrating State safety data into transportation planning; and

"(iv) reporting underride crashes.

"(B) UNDERRIDE CRASH DEFINED.—In this paragraph, the term 'underride crash' means—

"(i) a crash in which a trailer, semitrailer, or single unit truck intrudes into the passenger compartment of a passenger motor vehicle; or

"(ii) a crash in which a vulnerable road user (as the term is defined in section

148(a)), slides under a trailer, semitrailer, or single unit truck.'';

(5) in subsection (d), as so redesignated—

(A) in paragraph (2)(C)(ii) by striking ''2 percent'' and inserting ''1 percent''; and

(B) in paragraph (4)(A) by striking ''paragraph'' and inserting ''section'';

(6) in subsection (m), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)(ii) by inserting ''including addressing national priority safety initiatives, if applicable'' after ''under this subsection''; and

(ii) in subparagraph (C)—

(I) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively;

(II) by inserting after clause (i) the following:

''(ii) for each national priority safety initiative, a comparison of a State's achieved safety level with the national average fatality rate and the Secretary's determination of whether a State shall be subject to a minimum expenditure required under subsection (b);''; and

(III) in clause (iii), as so redesignated, by inserting ''including projects and subrecipients that address national priority safety initiatives, if applicable,'' after ''upcoming grant year''; and

(B) in paragraph (2)(A) by inserting ''and addressing national priority safety initiatives, if applicable'' after ''of the State'';

(7) in subsection (n)(2)(B), as so redesignated—

(A) in clause (ix)—

(i) by striking ''increase'' and inserting ''increasing''; and

(ii) by striking ''and'' at the end;

(B) by redesignating clause (x) as clause (xi); and

(C) by inserting after clause (ix) the following:

''(x) increasing teen driver awareness of work zone safety to prevent crashes and reduce injuries and fatalities; and''; and

(8) in subsection (o), as so redesignated, by adding at the end the following:

"(3) PUBLIC DASHBOARD.—In carrying out paragraph (1), the Secretary shall make publicly available in an easily identifiable location on the website of the Department of Transportation a dashboard that displays the following information by fiscal year:

"(A) A detailed analysis of the projects funded by each State in carrying out programs pursuant to subsection (a)(2)(A).

"(B) A detailed analysis of the projects funded by each State in administering State highway safety programs pursuant to subsection (b).

"(C) A detailed analysis of the projects funded nationwide under subsections (a)(2)(A) and (b), respectively.

"(D) Each State's safety performance targets in each of the preceding 10 years.

"(E) Each State's achieved safety level for each performance measure in each of the preceding 10 years.

"(F) Each State's annual activity measure targets in each of the preceding 10 years.

"(G) Each State's achieved activity level for each activity measure in each of the preceding 10 years.".

(b) NATIONAL PRIORITY SAFETY PROGRAMS.—

(1) REPEAL.—Section 405 of title 23, United States Code, and the item relating to such section in the analysis for chapter 4 of such title are repealed.

(2) CONFORMING AMENDMENTS.—

(A) MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.—Section 164(a)(1) of title 23, United States Code, is amended by striking "section 405(d)(7)(A)" and inserting "section 402(b)(3)(iv)(I)".

(B) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—Section 404(d)(1) of title 23, United States Code, is amended by striking "sections 402 and 405" and inserting "section 402".

(C) GENERAL REQUIREMENTS FOR FEDERAL ASSISTANCE.—Section 406(a) of title 23, United States Code, is amended by striking "section 402 or 405" and inserting "section 402".

(D) NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.—Section 4010 of the FAST Act (129 Stat. 1511) is repealed.

(c) REVIEW OF CONSOLIDATION.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall conduct a study to assess the efficacy and roadway safety impact of combining the Highway Safety and National Priority Safety grant programs.

(2) REPORT.—Not later than 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under paragraph (1), including—

(A) a recommendation on if the Highway Safety and National Priority Safety grant programs should remain consolidated;

(B) an assessment of whether the grant consolidation described in paragraph (1) coincides with a reduction in roadway crashes, deaths, and injuries; and

(C) recommendations to improve the transparency and efficacy of the Highway Safety Grant program under section 402 of title 23, United States Code.

SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (F) by striking ‘‘(E)’’ and inserting ‘‘(F)’’;

(B) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(C) by inserting after subparagraph (D) the following:

‘‘(E) digital infrastructure technologies designed to improve roadway safety and prevent crashes;’’;

(2) by striking subsection (h)(5) and inserting the following:

‘‘(5) REPORT.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of

Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the actions taken by—

"(A) the Administrator in carrying out the collaborative research effort described in paragraph (2) to transfer the research findings and technology developed under this subsection to the automotive manufacturing industry; and

"(B) the National Highway Traffic Safety Administration and the automotive manufacturing industry to deploy the research findings and technology developed under this subsection in consumer-ready vehicles.";

(3) by redesignating subsections (i) through (m) as subsections (k), (l), (m), (n), and (o), respectively;

(4) by inserting after subsection (h) the following:

"(i) MARIJUANA AND POLYSUBSTANCE IMPAIRMENT RESEARCH.—

"(1) IN GENERAL.—The Secretary shall carry out, in coordination with heads of relevant Federal agencies, a collaborative research effort to—

"(A) study the effect that marijuana and polysubstance impairment has on driving;

"(B) analyze measures to detect and reduce incidences of driving under the influence of marijuana or polysubstance use, utilizing—

"(i) law enforcement training;

"(ii) roadside testing technologies;

"(iii) toxicology labs; and

"(iv) education campaigns; and

"(C) propose evidence-based impairment standards for marijuana or polysubstance use.

"(2) REPORTS.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual report that—

"(A) describes the progress made in carrying out the collaborative research effort; and

"(B) includes an accounting for the use of Federal funds obligated or expended in carrying out such effort.

"(3) POLYSUBSTANCE DEFINED.—In this subsection, the term 'polysubstance' means consumption by an individual of 2 or more potentially impairing substances simultaneously, or within a short period, including—

"(A) alcohol;

"(B) marijuana;

"(C) prescription medications;

"(D) over-the-counter medications; or

"(E) illicit drugs.

"(j) NATIONAL DRUG INVOLVED CRASH DATA COLLECTION SYSTEM.—

"(1) ESTABLISHMENT.—The Secretary shall establish a national drug involved crash data collection system (in this subsection referred to as the 'system') to—

"(A) collect standardized toxicology data from States for fatal and serious injury crashes;

"(B) link crash data with medical, coroner, hospital, and emergency medical services records; and

"(C) provide model protocols for specimen collection, testing, and reporting.

"(2) GRANT AUTHORITY.—In establishing the system, the Secretary may award grants to States to—

"(A) pilot enhanced data collection; and

"(B) support toxicology labs, specimen collection, training, data systems, and data linkage.

"(3) PRIVACY PROTECTIONS.—Any data made available to the public pursuant to this subsection shall be deidentified before such data is made available to the public and used in compliance with Federal and State privacy laws, including the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191), as applicable.

"(4) REPORT.—The Secretary shall—

"(A) analyze trends, substance types, and geographic patterns collected under the system;

"(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual report for each of fiscal years 2027 through 2031 on the results of the analysis under subparagraph (A); and

"(C) make such report publicly available.

"(5) FUNDING.—To carry out this subsection, the Secretary shall obligate from funds made available to carry out this section—

"(A) $20,000,000 for fiscal year 2027;

"(B) $21,000,000 for fiscal year 2028;

"(C) $22,000,000 for fiscal year 2029;

"(D) $23,000,000 for fiscal year 2030; and

"(E) $24,000,000 for fiscal year 2031.";

(5) in subsection (n), as so redesignated—

(A) in paragraph (2)(B)(ii)(I) by inserting "via mail or electronically" after "that motor vehicle"; and

(B) in paragraph (4)(A) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(6) in subsection (o)(1), as so redesignated, by striking ", other than traffic enforcement," and inserting "including such countermeasures used in coordination with traffic enforcement".

(b) IMPAIRED DRIVING TECHNOLOGY INDUSTRY ROUNDTABLE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall host an industry roundtable to discuss—

(A) the latest innovations in in-vehicle technology to prevent alcohol-impaired driving;

(B) the efforts of the Department to transfer the research findings and technology developed under section 403(h)(2) of title 23, United States Code, to the automotive manufacturing industry; and

(C) the plans of the Department to educate consumers about the technology.

(2) ATTENDEES.—In hosting the roundtable described under this subsection, the Secretary shall invite—

(A) representatives of the automotive manufacturing industry;

(B) representatives of automotive suppliers of vehicle impairment prevention technology;

(C) highway safety researchers;

(D) victims and survivors of impaired driving crashes;

(E) representatives of the vehicle insurance industry;

(F) representatives of the alcohol industry; and

(G) representatives of anti-impaired driving advocacy organizations.

(3) CONSIDERATION.—In carrying out the report under section 403(h)(5) of title 23, United States Code (as amended by this Act), the Secretary shall consider the findings of the roundtable hosted under this subsection.

(c) BRIEFING.—Not later than 15 days after the submission of the report required under section 403(h)(5) of title 23, United States Code (as amended by this Act), the Secretary shall brief the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the contents of the report.

(d) IMPLEMENTATION TIMELINE.—

(1) MODEL PROTOCOLS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish the model protocols required pursuant to section 403(j)(1)(C) of title 23, United States Code (as amended by this Act).

(2) SUBMISSION OF DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary shall ensure that the system established under subsection (j) of section 403 of title 23, United States Code (as amended by this Act), has begun collecting standardized toxicology data from

States for fatal and serious injury crashes pursuant to paragraph (1)(A) of such subsection.

SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.

(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended—

(1) in subsection (a) by striking "2022 through 2026" and inserting "2027 through 2031";

(2) in subsection (b) by adding at the end the following:

"(3) Reduce motor vehicle speeding in excess of the posted speed limit.";

(3) by redesignating subsection (f) as subsection (i); and

(4) by inserting after subsection (e) the following:

"(f) SCHOOL BUS SAFETY CAMPAIGN.—

"(1) IN GENERAL.—The Secretary shall establish and implement a public safety messaging campaign that uses public safety media messages, posters, digital media messages, and other media messages distributed to States, State departments of motor vehicles, schools, and other public outlets to—

"(A) highlight the importance of addressing the illegal passing of school buses; and

"(B) educate students and the public regarding the safe loading and unloading of school buses.

"(2) CONSULTATION.—In carrying out paragraph (1), the Secretary shall consult with—

"(A) representatives of the school bus industry from the public and private sectors;

"(B) State highway safety offices; and

"(C) any other stakeholder determined appropriate by the Secretary.

"(3) REQUIREMENTS.—In producing and distributing the national public safety messaging campaign under paragraph (1), the Secretary shall—

"(A) include television advertising and advertising time on key national broadcasts with a wide audience as part of the campaign;

"(B) include radio, social media, and edge service advertising as part of the campaign; and

"(C) ensure that the campaign is not limited to digital downloads or regional distribution.

"(4) UPDATES.—The Secretary shall periodically update the materials used in the campaign under paragraph (1).

"(5) ADVERTISING.—The Secretary may use, or authorize the use of, funds made available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and internet-based outreach for the education campaign under paragraph (1).

"(g) CAR SEAT SAFETY CAMPAIGN.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, the Secretary of Transportation shall carry out an education campaign on the dangers associated with noncompliant or counterfeit child restraint systems, including—

"(A) information on car seats and booster seats that do not meet Federal safety standards under sections 571.213 and 571.213b of title 49, Code of Federal Regulations, or any successor regulations; and

"(B) methods for identifying and avoiding such systems.

"(2) ADVERTISING.—The Secretary may use, or authorize the use of, funds made available to carry out this section to pay for the development, production, and use of broadcast, print, and digital advertising and outreach for the education campaign under paragraph (1).

"(3) COORDINATION.—In carrying out the education campaign under paragraph (1), the Secretary shall coordinate with—

"(A) interested State and local governments;

"(B) private industry; and

"(C) other parties, as determined by the Secretary.

"(h) TRAFFIC SAFETY ENFORCEMENT CENTER OF EXCELLENCE.—

"(1) ESTABLISHMENT.—Not later than 2 years after the date of enactment of the BUILD America 250 Act, the Secretary shall establish, in coordination with relevant Federal agencies, a Traffic Safety Enforcement Center of Excellence (referred to in this subsection as the 'Center').

"(2) PURPOSE.—The purpose of the Center shall be to provide technical assistance to State highway safety offices and law enforcement agencies on maximizing efficient and effective traffic safety enforcement of hazardous driving behaviors to reduce fatalities and injuries on public roads.

"(3) PARTNERSHIPS.—In establishing the Center, the Secretary shall enter into appropriate partnerships with any institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or public or private research entity.

"(4) DUTIES.—The duties of the Center shall include—

"(A) providing State highway safety offices and law enforcement agencies with expertise, tools, and support relating to traffic safety enforcement;

"(B) promoting evidence-based strategies and best practice protocols for enforcement against hazardous driving, including targeted, cost-effective drunk-driving patrols, alcohol- and drug-impaired driving, speeding, and distracted driving enforcement, and coordinated traffic safety campaigns proven to reduce roadway fatalities and injuries;

"(C) assisting State highway safety offices and law enforcement agencies with—

"(i) using real-time data systems to identify high-crash corridors and target enforcement resources in the most efficient manner, including by delivering standardized training;

"(ii) assessing current enforcement practices and identifying gaps in enforcement; and

"(iii) leveraging programs under section 402 by providing technical assistance on program development and outcome measurement tools;

"(D) assessing and demonstrating new roadside technologies, data-driven deployment models, and enforcement strategies, and sharing the results of such assessments and demonstrations to increase adoption of effective tools; and

"(E) collaborating with, and providing support on, traffic safety enforcement to all operating administrations of the Department.

"(5) FUNDING.—The Secretary shall obligate from funds made available to carry out this section for fiscal years 2027 through 2031 not more than $5,000,000 to establish the Center.".

(b) REPORT ON STAFFING NEEDS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee of Commerce, Science, and Transportation of the Senate on staffing needs and the staffing plan for the Traffic Safety Enforcement Center of Excellence established under section 404(h) of title 23, United States Code (as added by this section), including a plan to appoint detailees from relevant modal operating administrations to support the staff of such Center of Excellence.

(c) CONFORMING AMENDMENT.—Section 24110 of the Infrastructure Investment and Jobs Act (23 U.S.C. 402 note) is amended by striking subsection (b).

SEC. 4005. PROTECTION OF SAFETY DATA.

Section 407 of title 23, United States Code, is amended—

(1) by striking ‘‘compiled or collected’’ and inserting ‘‘that are compiled, collected, or provided by a unit of State or local government’’;

(2) by inserting ‘‘or for the purpose of developing and implementing a State strategic highway safety plan (as such term is defined in section 148(a))’’ after ‘‘crossings’’;

(3) by inserting ‘‘134, 135,’’ before ‘‘144,’’; and

(4) by striking ‘‘developing any highway’’ and inserting ‘‘developing or planning for any highway’’.

SEC. 4006. ANNUAL REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall review the implementation of section 1300.35(b) of title 23, Code of Federal Regulations, to ensure the administrative burden is appropriate relative to the amount of Federal funding provided.

(b) BRIEFING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the review conducted under subsection (a).

(c) SAVINGS CLAUSE.—Nothing in subsection (a) shall be construed to direct the Secretary to change the substance of the reporting requirements in section 1300.35(b) of title 23, Code of Federal Regulations.

SEC. 4007. COORDINATION OF FEDERAL HIGHWAY AND TRAFFIC SAFETY PROGRAMS.

(a) IMPROVED ALIGNMENT OF PROGRAM REQUIREMENTS AND TIMELINES.—The Secretary shall, in coordination with State departments of transportation and State highway safety offices, take such actions, consistent with statute, to enhance roadway safety through improving coordination and data sharing between—

(1) the Highway Safety Improvement Program under section 148 of title 23, United States Code;

(2) the highway safety grant programs administered by the National Highway Traffic Safety Administration under section 402 of title 23, United States Code; and

(3) the Highway Performance Monitoring System.

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall—

(1) promote a unified, data-driven approach to the reduction and elimination of traffic fatalities and serious injuries;

(2) better align Federal program requirements, planning cycles, and reporting timelines to reduce administrative burden on States;

(3) increase flexibility for States to achieve approved State Strategic Highway Safety Plans and Highway Safety Plans performance targets; and

(4) ensure that data collection, analysis, and reporting requirements meaningfully contribute to safety outcomes.

(c) ACTIONS TO REDUCE ADMINISTRATIVE BURDEN.—In carrying out this section, the Secretary shall—

(1) evaluate and revise administrative and reporting requirements under the programs described in subsection (a) to ensure that such requirements—

(A) meaningfully contribute to safety outcomes; and

(B) appropriately use Federal funds.

(2) conduct an objective analysis, in consultation with State departments of transportation and State highway safety offices, of the cost estimates and burden impacts of planning, coordination, and public engagement requirements, including such requirements related to data collection, Federal interagency coordination, and target setting, and update such cost estimates based on actual State experiences;

(3) review and revise, as appropriate, performance target-setting and compliance procedures consistent with the statutory requirement for States to establish safety performance targets; and

(4) ensure the protection of data, analyses, reports, and related materials submitted by States pursuant to section 148(h) of title 23, United States Code, from legal discovery or use in liability proceedings, to the maximum extent permitted under Federal law.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate a summary report of the findings under subsection (c).

(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to direct the Secretary to alter or amend the content of the performance targets associated with any of the programs described in subsection (a).

SEC. 4008. HIGHWAY SAFETY PROGRAM EFFECTIVENESS TRANSPORTATION RULEMAKING COMMITTEE.

(a) ESTABLISHMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a transportation rulemaking committee, and designate such committee pursuant to section 102(k) of title 49, United States Code, to—

(1) analyze the efficiency and effectiveness of the administration of highway safety grants under chapter 4 of title 23, United States Code; and

(2) recommend regulatory changes to promote a unified, data-driven approach to the reduction and

elimination of traffic fatalities and serious injuries under part 1200 of title 23, Code of Federal Regulations.

(b) MEMBERSHIP.—The transportation rulemaking committee established under subsection (a) shall consist of the following members appointed by the Secretary:

(1) Traffic safety industry professionals.

(2) Representatives from up to 4 State highway safety offices from different geographic regions.

(3) Roadway safety advocates, including—

(A) at least 1 representative of an anti-impaired driving advocacy organization;

(B) at least 1 representative of a general roadway safety advocacy organization;

(C) at least 1 representative of a non-motorized safety advocacy organization; and

(D) at least 1 representative of a motorcyclist safety advocacy organization.

(4) At least 1 representative of a State law enforcement organization.

(5) At least 1 member of local government or a local government advocacy organization.

(c) REPORT.—Not later than 1 year after the date on which the transportation rulemaking committee under subsection (a) is established, the transportation rulemaking committee shall submit to the Secretary a report detailing the findings and recommendations developed under subsection (a), including recommendations to—

(1) streamline review and approval procedures of State highway safety plans under subpart B of part 1200 of title 23, Code of Federal Regulations; and

(2) reduce the administrative resources necessary for compliance with grant requirements under subpart D of such part.

(d) RECOMMENDATIONS.—Not later than 90 days after the date on which the Secretary receives the report under subsection (c), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a summary of the findings and recommendations under the report, including—

(A) if applicable, any dissenting positions on the findings and the rationale for each position; and

(B) any disagreements with the recommendations, including the rationale for each disagreement and the reasons for the disagreement; and

(2) for each recommendation—

(A) the Secretary intends to implement, a description of the implementation plan of the Secretary 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.

SEC. 4009. ESTABLISHMENT OF ROADWAY WORKER PROTECTION INTERAGENCY WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish or designate an interagency working group to make recommendations regarding the protection of roadway workers.

(b) MEMBERSHIP.—The interagency working group under subsection (a) shall be comprised of representatives from—

(1) the Federal Highway Administration;

(2) the National Highway Traffic Safety Administration;

(3) the Occupational Safety and Health Administration; and

(4) such other Federal agencies as the Secretary determines appropriate.

(c) DUTIES.—The interagency working group under subsection (a) shall—

(1) review and analyze any limitations regarding data collection for fatal and non-fatal motor vehicle crashes in work zones; and

(2) provide recommendations to—

(A) address any limitations in data collection identified under paragraph (1);

(B) increase the use and effectiveness of work zone safety contingency funds;

(C) encourage local adoption of the Model Minimum Uniform Crash Criteria;

(D) improve local data sharing on work zone crashes with the National Highway Traffic Safety Administration; and

(E) update educational materials and public awareness campaigns to improve work zone safety.

(d) CONSULTATION.—In conducting the activities under subsection (c), the interagency working group shall consult with—

(1) State transportation officials;

(2) non-governmental entities, including—

(A) roadway contractors;

(B) roadway pavers;

(C) roadway engineers;

(D) representatives from labor organizations representing transportation workers; and

(E) traffic safety industry professionals; and

(3) any other stakeholders the Secretary determines appropriate.

(e) REPORT.—Not later than 1 year after the date on which the interagency working group is established under subsection (a), the interagency working group shall submit to the Secretary a report on the recommendations of the working group based on the identification and analysis under subsection (c).

(f) 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, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Environment and Public Works 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 implementation plan of the Secretary 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.

(g) TERMINATION.—The interagency working group under subsection (a) shall terminate on the date that is 180 days after the date on which the Secretary receives the report under subsection (e).

SEC. 4010. MOTORCYCLE ADVISORY COUNCIL.

Section 355(e) of title 49, United States Code, is amended to read as follows:

"(e) SUNSET.—The Council shall terminate on October 1, 2031.".

SEC. 4011. MOTORCYCLE CHECKPOINT FUNDING.

Section 4007 of the FAST Act (23 U.S.C. 153 note) is amended—

(1) in paragraph (1) by striking "or" at the end;

(2) in paragraph (2) by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following new paragraph:

"(3) that otherwise profiles and stops motorcycle operators or motorcycle passengers solely on the basis of the mode of transportation of such operators or passengers.".

SEC. 4012. PULSATING LIGHT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convene a transportation rulemaking committee, and designate such committee pursuant to section 102(k) of title 49, United States Code, to consider—

(1) whether pulsating light systems are compliant with Federal Motor Vehicle Safety Standard Number 108, contained in section 571.108 of title 49, Code of Federal Regulations; and

(2) if there is sufficient evidence to demonstrate pulsating light systems reduce traffic crashes and associated deaths and injuries resulting from traffic crashes.

(b) MEMBERSHIP.—The transportation rulemaking committee established under subsection (a) shall consist of members appointed by the Secretary, including—

(1) automotive industry professionals;

(2) experts in human distraction and attention;

(3) experts in vehicle technology safety;

(4) highway safety professionals; and

(5) other stakeholders the Secretary determines appropriate.

(c) REPORT.—Not later than 1 year after the date on which the transportation rulemaking committee under subsection (a) is established, the transportation rulemaking committee shall submit to the Secretary a report detailing the findings and recommendations developed under subsection (a), including a determination on if changes to Federal Motor Vehicle Safety Standard 108 are warranted and, if so determined, recommendations for such changes.

(d) RECOMMENDATIONS.—Not later than 90 days after the date on which the Secretary receives the report under subsection (c), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives 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 implementation plan of the Secretary 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.

(e) PULSATING LIGHT SYSTEM DEFINED.—In this section, the term "pulsating light system" means a system for a high-mounted stop lamp in which—

(1) when the brake of the vehicle is applied, the lamp pulses rapidly not more than 4 times and for not more than 1.2 seconds, after which such lamp converts to a continuous light as a normal stop lamp until the time such brake is released; and

(2) the pulses described in paragraph (1) do not repeat upon a subsequent application of the brake of the vehicle for a lock-out period of at least 5 seconds after the release of the brake described in paragraph (1).

SEC. 4013. MINIMALLY OBSTRUCTED FORWARD-FACING VIEW IN MOTORCOACHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, shall prescribe motor vehicle safety standards to require that all new covered motorcoaches manufactured for sale in the United States have a minimally obstructed forward-facing view from the driver's seat of the covered motorcoach.

(b) EXCEPTION.—In prescribing motor vehicle safety standards under subsection (a), the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, shall ensure that a covered motorcoach satisfies such standards if the covered motorcoach utilizes a camera or other technological means—

(1) to allow for a minimally obstructed forward-facing view from the driver's seat of the covered motorcoach that expands the range of the forward-facing view of the driver or provides a view of an obstructed area; and

(2) that complies with Standard 101.

(c) DEFINITIONS.—In this section:

(1) COVERED MOTORCOACH.—The term ''covered motorcoach'' has the meaning given the term ''bus'' in section 571.3(b) of title 49, Code of Federal Regulations.

(2) STANDARD 101.—The term ''Standard 101'' means Federal Motor Vehicle Safety Standard Number 101, contained in section 571.101 of title 49, Code of Federal Regulations.

SEC. 4014. REVISION OF STUDENT SAFETY GUIDELINES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the Highway Safety Program Guideline Number 14 to encourage nonmotorist safety education for elementary and secondary school students. In revising the guidelines, the Secretary shall ensure that such guidelines—

(1) encourage on-bicycle training that promotes bicycling skills and safe practices;

(2) increase awareness and proficiency in navigating roadways;

(3) emphasize traffic rules;

(4) describe safety precautions; and

(5) emphasize the importance of helmet use.

(b) CONSULTATION AND DISSEMINATION.—In carrying out the revision under subsection (a), the Secretary shall—

(1) consult with practitioners involved in nonmotorist safety education efforts to update any existing nonmotorist safety materials and curriculum for elementary and secondary schools; and

(2) disseminate new model curriculum and guidelines on nonmotorist safety education for elementary and secondary school students to State educational agencies.

(c) REPORT REQUIRED.—Not later than 2 years after the Secretary revises guidelines under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) the status of implementation of the updated guidelines described in subsection (a), including—

(A) any materials and curriculum revised under this section; and

(B) a process for tracking implementation;

(2) consultation efforts to revise such guidelines and related materials; and

(3) efforts to disseminate the guidance to State educational agencies, including training efforts and promotion, including opportunities for States to share implementation challenges and successes.

SEC. 4015. MICROMOBILITY SAFETY.

(a) STUDY.—Not later than 2 years after the date of enactment of this Act, the Secretary shall conduct a study on the safety of micromobility transportation devices and technology, with a focus on children and young adults.

(b) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the following:

(1) Relevant crash data, including the micromobility transportation device and technology type and speed involved in a crash, the type of infrastruc-

ture on which a crash occurred, and, if vehicles were involved in such crashes, the speed of such vehicles.

(2) State laws that may govern operator age, helmet use, insurance, or registration requirements.

(3) How different micromobility transportation devices and technologies impact safety, including—

(A) motor power of the technology or device; and

(B) maximum speed of the technology or device on a paved level surface when powered solely by a motor.

(4) Consumer education efforts on how non-motorized road users may safely navigate streets.

(c) REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that details the findings of the study conducted under subsection (a).

(d) MICROMOBILITY TRANSPORTATION DEVICE AND TECHNOLOGY DEFINED.—In this section, the term "micromobility transportation device and technology" means a small, low-speed, personal transportation device, including a device defined under section 217(j)(2)(A) of title 23, United States Code, that is—

(1) electric or human-powered;

(2) primarily used for a short-distance trip or urban travel; and

(3) has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by a motor.

SEC. 4016. GAO STUDY ON HIGHWAY SAFETY DATA QUALITY.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall conduct a study on the quality of highway safety data collected and utilized for programs administered by the Secretary under title 23, United States Code, including an evaluation of the accuracy and consistency of data reported to the Fatality Analysis Reporting System (in this section referred to as the ''FARS'').

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall review—

(1) highway safety data reporting requirements and timelines;

(2) State and local law enforcement agency compliance with FARS reporting requirements, including level of adoption of the most recent Model Minimum Uniform Crash Criteria guidelines;

(3) processes undertaken by States and local law enforcement agencies to collect and report data to FARS, including underride crash data and potential inconsistencies in identifying underride crashes;

(4) the oversight mechanisms of the Secretary for data collection and quality assurance of State-submitted safety data, including protocols for—

(A) evaluating the accuracy, completeness, uniformity, integration, and accessibility of highway safety data;

(B) identifying and correcting errors in State-submitted safety data; and

(C) verifying reported data on underride crashes, including underride crashes that involve a vulnerable road user;

(5) reliability, transparency, and accountability in the use of predictive analytics, telematics, and other data-driven tools used to collect highway safety data;

(6) data security measures and protections for personally identifiable information in highway safety data systems;

(7) adherence to information dissemination quality guidelines;

(8) the effects of data quality on the ability of the Secretary to assess State safety performance targets, including such targets linked to Federal funding; and

(9) the potential effects of FARS underride crash data quality on related National Highway Traffic Safety Administration activities.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with relevant stakeholders, including—

(1) State departments of transportation;

(2) State highway safety offices;

(3) a non-profit scientific and educational organization focused on improving highway safety and reducing roadway deaths;

(4) representatives of roadway safety advocacy organizations, including representatives of motor carrier safety organizations;

(5) local law enforcement;

(6) the National Highway Traffic Safety Administration; and

(7) any other relevant stakeholders, as determined by the Comptroller General.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a) and any associated recommendations.

TITLE V—MOTOR CARRIERS

Subtitle A—General Provisions

SEC. 5001. AUTHORIZATION OF APPROPRIATIONS.

(a) FINANCIAL ASSISTANCE PROGRAMS.—Section 31104 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:

"(a) FINANCIAL ASSISTANCE PROGRAMS.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account)—

"(1) subject to subsection (c), to carry out the motor carrier safety assistance program under section 31102 (other than the high priority program under subsection (l) of such section)—

"(A) $435,000,000 for fiscal year 2027;

"(B) $446,500,000 for fiscal year 2028;

"(C) $456,000,000 for fiscal year 2029;

"(D) $467,000,000 for fiscal year 2030; and

"(E) $478,000,000 for fiscal year 2031;

"(2) subject to subsection (c), to carry out the high priority program under section 31102(l) (other than the commercial motor vehicle enforcement training and support grant program under paragraph (5) of such section)—

"(A) $66,000,000 for fiscal year 2027;

"(B) $69,000,000 for fiscal year 2028;

"(C) $72,000,000 for fiscal year 2029;

"(D) $75,000,000 for fiscal year 2030; and

"(E) $78,000,000 for fiscal year 2031;

"(3) to carry out the multiyear commercial motor vehicle enforcement training and support grant program under section 31102(l)(5), $5,000,000 for each of fiscal years 2027 through 2031;

"(4) to carry out the commercial motor vehicle operator safety training grant program under section 31103, $5,000,000 for each of fiscal years 2027 through 2031; and

"(5) subject to subsection (c), to carry out the financial assistance program for commercial driver's license implementation under section 31313—

"(A) $48,000,000 for fiscal year 2027;

"(B) $51,000,000 for fiscal year 2028;

"(C) $53,000,000 for fiscal year 2029;

"(D) $54,000,000 for fiscal year 2030; and

"(E) $56,000,000 for fiscal year 2031.".

(b) ADMINISTRATIVE EXPENSES.—Section 31110 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:

"(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to pay administrative expenses of the Federal Motor Carrier Safety Administration—

"(1) $400,000,000 for fiscal year 2027;

"(2) $407,500,000 for fiscal year 2028;

"(3) $417,000,000 for fiscal year 2029;

"(4) $426,000,000 for fiscal year 2030; and

"(5) $435,000,000 for fiscal year 2031.".

SEC. 5002. IMPROVEMENTS TO ENFORCEMENT TRAINING AND SUPPORT GRANT PROGRAM.

(a) IN GENERAL.—Section 31102(l)(5)(B) of title 49, United States Code, is amended to read as follows:

"(B) PURPOSES.—The purposes of the grant program under subparagraph (A) are—

"(i) to train non-Federal employees who—

"(I) conduct commercial motor vehicle enforcement activities; or

"(II) instruct and train non-Federal employees described in subclause (I); and

"(ii) to develop related training materials.".

(b) INSPECTOR STANDARDS.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall issue such regulations as are necessary to revise part 385 of title 49, Code of Federal Regulations, to incorporate by reference the relevant certification and training standards for roadside inspectors and instructors issued by the Commercial Vehicle Safety Alliance as of the date of enactment of this Act.

SEC. 5003. MAINTENANCE OF EFFORT.

Section 31102(f)(2) of title 49, United States Code, is amended—

(1) in the paragraph heading by striking "AFTER FISCAL YEAR 2017"; and

(2) by striking "baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act, and this" and inserting ". This".

SEC. 5004. AMENDMENTS TO COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.

(a) IN GENERAL.—Section 31103 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting "**Commercial motor vehicle operator safety training grant program**"; and

(2) by adding at the end the following:

"(d) HIGH QUALITY TRAINING PROVIDERS.—The Secretary may develop additional quality and performance metrics to identify and prioritize awards to high quality training providers.

"(e) BEHIND THE WHEEL TRAINING HOURS SET ASIDE.—Of the total amount made available to carry out the program under this section for each fiscal year, not less than 50 percent shall be awarded for entities that require—

"(1) Class A commercial driver's license driver-trainees to receive a minimum of 30 hours of behind-the-wheel training, with a minimum of 10 hours on a driving range; and

"(2) Class B commercial driver's license driver-trainees to receive a minimum of 15 hours of behind-the-wheel training, with a minimum of 7 hours of public road driving.

"(f) ELIGIBLE ENTITIES.—Only entities listed on the State employment and training provider list maintained under section 122 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152) shall be eligible to receive funding under this section.".

(b) CONFORMING AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by striking the item relating to section 31103 and inserting the following:

"31103. Commercial motor vehicle operator safety training grant program.".

SEC. 5005. TERMS AND CONDITIONS FOR EXEMPTIONS.

Section 31315 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4)(A) by inserting ", including data submission requirements," after "terms and conditions"; and

(B) by striking paragraph (8) and inserting the following:

"(8) TERMS AND CONDITIONS.—

"(A) IN GENERAL.—The Secretary shall establish terms and conditions for each exemption to ensure that the exemption will not likely degrade the level of safety achieved by the person or class of persons granted the exemption and allow the Secretary to evaluate whether an equivalent level of safety is maintained while the person or class of persons is operating under such exemption.

"(B) REQUIREMENTS.—The terms and conditions established under this section shall require—

"(i) the regular submission of relevant accident and incident data to the Secretary;

"(ii) immediate notification to the Secretary in the event of a crash that results in a fatality or serious bodily injury; and

"(iii) each person or class of persons operating under an exemption to maintain and produce upon inspection, either physically or electronically, official documentation from the Federal Motor Carrier Safety Administration of each exemption under which they are operating.

"(C) IMPLEMENTATION.—The Secretary shall monitor the implementation of the exemption to ensure compliance with the terms and conditions of such exemption."; and

(2) in subsection (e) by inserting ", based on an analysis of data collected by the Secretary and submitted to the Secretary under subsection (b)(8)" after "safety".

SEC. 5006. BROKER QUALIFICATIONS.

(a) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule implementing the requirements described in sections 13903(c) and 13904(c) of title 49, United States Code, relating to experience or qualifications for officers of freight brokers and freight forwarders.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, and at least once every 6 months until the final rule required under subsection (a) is issued, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the rulemaking required under subsection (a).

SEC. 5007. MOTOR CARRIER COMPLAINTS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall implement the recommendations of the Comptroller General in the report titled "Motor Carrier Operations: Improvements Needed to Federal System for Collecting and Addressing Complaints against Truck, Moving, and Bus Companies'', issued on September 19, 2023 (GAO–23–105972), by—

(1) making all categories of complaint data public, as appropriate;

(2) updating complaint review guidance;

(3) ensuring the complaint website follows leading practices; and

(4) developing an outreach plan for the complaint website.

SEC. 5008. CABOTAGE STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall seek to enter into appropriate arrangements with the Transportation Research Board of the National Academies to conduct a study of the safety and economic impacts of cabotage violations using commercial motor vehicles.

(b) CONSULTATION.—In conducting the study described in subsection (a), the Transportation Research Board shall consult with—

(1) representatives of the motor carrier industry, including owner-operators;

(2) representatives of law enforcement agencies;

(3) labor organizations representing commercial motor vehicle drivers; and

(4) such other stakeholders as the Transportation Research Board determines to be relevant.

Subtitle B—Commercial Motor Vehicle Operators

SEC. 5101. PREDATORY COMMERCIAL MOTOR VEHICLE LEASE-PURCHASE AGREEMENT PROGRAMS OVERSIGHT.

(a) IN GENERAL.—Section 14102 of title 49, United States Code, is amended by adding at the end the following:

"(c) DISCLOSURE FORM.—

"(1) IN GENERAL.—The Secretary shall require a motor carrier providing transportation subject to jurisdiction under subchapter I of chapter 135 that uses motor vehicles not owned by such carrier to transport property under an arrangement with another party to provide a disclosure form to each party entering into such arrangement.

"(2) CONTENTS.—The disclosure form under paragraph (1) shall include, at a minimum, information on—

"(A) weekly compensation for drivers;

"(B) average weekly mileage and the schedule for drivers;

"(C) the number of drivers who enter into the arrangement each year;

"(D) the number of drivers who complete the lease term;

"(E) the number of drivers who buy out a truck; and

"(F) the average for each deduction category in settlements, including fuel, insurance, registration, maintenance, and escrow.

"(3) TEMPLATE.—The Secretary shall publish and periodically update a disclosure form template on a website of the Federal Motor Carrier Safety Administration.

"(d) PUBLIC AWARENESS CAMPAIGN.—

"(1) IN GENERAL.—The Secretary may carry out a public awareness campaign to increase awareness of how standard lease-purchase programs work, including distributing information related to—

"(A) data on driver pay and experiences; and

"(B) the prevalence of predatory commercial motor vehicle lease-purchase agreement programs.

"(2) PREDATORY COMMERCIAL MOTOR VEHICLE LEASE-PURCHASE AGREEMENT PROGRAM DE-

FINED.—In this subsection, the term 'predatory commercial motor vehicle lease-purchase agreement program' means the framework of the motor carrier-driver relationship, including the lease-purchase agreement, the contract for the driver's work for the motor carrier, and the practices of the motor carrier in implementing the contracts that are not provided in the contract, including the motor carrier's recruitment practices, operational practices, and tax and finance practices, whereby the motor carrier controls the work, compensation, and debts of the driver, and the driver accrues no equity or is forced to give up equity accrued in the contracted truck.

"(e) PROHIBITION ON PREDATORY COMMERCIAL MOTOR VEHICLE LEASE-PURCHASE AGREEMENT PROGRAMS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall issue regulations to prohibit the use of predatory commercial motor vehicle lease-purchase programs by motor carriers providing transportation subject to jurisdiction under subchapter I of chapter 135.".

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to require motor carriers offering lease-purchase programs to maintain detailed records on the outcomes of such programs, including information described in section 14102(c) of title 49, United States Code (as added by this section).

SEC. 5102. RESTROOM ACCESS.

(a) RESTROOM ACCESS FOR DRIVERS.—

(1) IN GENERAL.—Subchapter I of chapter 141 of title 49, United States Code, is amended by adding at the end the following:

"§ 14105. Restroom access for drivers

"(a) IN GENERAL.—A covered driver shall be granted access to any covered restroom facility at any covered establishment to which such driver—

"(1) delivers any goods or cargo to such covered establishment; or

"(2) is waiting at such covered establishment to transport goods or for cargo to be loaded.

"(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a covered establishment to make any physical changes to a covered restroom facility to be in compliance with this section.

"(c) DEFINITIONS.—In this section:

"(1) COVERED DRIVER.—The term 'covered driver' means any commercial motor vehicle operator with respect to whom the Secretary of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of section 31502.

"(2) COVERED ESTABLISHMENT.—The term 'covered establishment'—

"(A) means—

"(i) a place of business open to the general public for the sale of goods or services; and

"(ii) a shipper, receiver, manufacturer, warehouse, distribution center, or any other business entity that is receiving or sending goods by commercial motor vehicle; and

"(B) does not include any structure such as a filling station, service station, or restaurant of 800 square feet or less that has a restroom located within such structure that is only intended for use by employees.

"(3) COVERED RESTROOM FACILITY.—The term 'covered restroom facility' means a restroom located on the premises of a covered establishment that is intended for use by customers or employees of the establishment and that is—

"(A) located in an area where providing access would not create an obvious health or safety risk to a covered driver; and

"(B) located in an area where providing access would not pose an obvious security risk to the covered establishment.".

(2) CLERICAL AMENDMENT.—The analysis for chapter 141 of title 49, United States Code, is amended by inserting after the item relating to section 14104 the following new item:

"14105. Restroom access for drivers.".

(b) RESTROOM ACCESS FOR DRAYAGE TRUCK OPERATORS.—

(1) IN GENERAL.—A terminal operator shall provide a sufficient number of covered restrooms for use by covered drayage truck operators in areas of the terminal to which such operators typically have access.

(2) REQUIREMENTS.—To be in compliance with paragraph (1), a terminal operator shall provide—

(A) access to existing restrooms for covered drayage truck operators when such operators are on port property and when such access does not pose an obvious safety risk to such truck operators and other employees of the terminal operator in the area; and

(B) a place for covered drayage truck operators to park vehicles while accessing such restrooms.

(3) DEFINITIONS.—In this subsection:

(A) COVERED DRAYAGE TRUCK OPERATOR.—The term ''covered drayage truck operator'' means the driver of any in-use on road vehicle with a gross vehicle weight rating of greater than 33,000 pounds operating on or moving through port or intermodal rail yard property for the purpose of loading, unloading, or transporting cargo, including containerized, bulk, or break-bulk goods.

(B) COVERED RESTROOM.—The term ''covered restroom'' means a restroom or portable chemical toilet that is located in an area that does not pose an obvious health or safety risk to a covered drayage truck operator.

(C) TERMINAL OPERATOR.—The term ''terminal operator''—

(i) means the business entity operating a marine terminal for loading and unloading cargo to and from marine vessels; and

(ii) includes the port authority if the port is directly operating the marine terminal in loading and unloading cargo to and from marine vessels.

SEC. 5103. APPLICATION OF COMMERCIAL MOTOR VEHICLE SAFETY.

(a) DEFINITIONS.—Section 31301(14) of title 49, United States Code, is amended—

(1) by striking ''and'' and inserting a comma; and

(2) by inserting '', the United States Virgin Islands, and Puerto Rico'' before the period.

(b) PENALTY.—Section 165(c) of title 23, United States Code, is amended by adding at the end the following:

''(8) PENALTY.—The amounts treated as being apportioned to the United States Virgin Islands under this subsection shall be deemed to be required to be apportioned to the United States Virgin Islands under section 104(b) for purposes of the imposition of any penalty under this title or title 49.''.

(c) IMPLEMENTATION.—The Administrator of the Federal Motor Carrier Safety Administration shall assist the United States Virgin Islands and Puerto Rico in obtaining full compliance with chapter 313 of title 49, United States Code, and regulations adopted under such chapter.

(d) GRACE PERIOD.—Notwithstanding section 31311(a) of title 49, United States Code, during the period beginning on the date of enactment of this Act and ending on the date that is 5 years after such date of enactment, the United States Virgin Islands and Puerto Rico shall not be subject to a withholding of an apportionment of funds under section 31314 of title 49, United States Code, for failure to comply with any requirement under section 31311(a) of such title.

(e) EXCEPTION.—Puerto Rico may issue a commercial driver's license to an applicant unable to comply with the requirements under paragraph (5) of subsection (c) of section 383.133 of title 49, Code of Federal Regulations (or any successor regulation), provided any commercial driver's license issued by Puerto Rico under this exception shall be—

(1) valid only in Puerto Rico; and

(2) not transferable to any other State.

SEC. 5104. EXTENSION OF APPRENTICESHIP PILOT PROGRAM.

Section 23022 of the Infrastructure Investment and Jobs Act (Public Law 117–58) is amended—

(1) in subsection (b)(3) by inserting ", including the transportation of goods to and from a port," after "interstate commerce" each place it appears;

(2) in subsection (c)—

(A) by striking "the date that is 3 years after the date of establishment of the pilot program under subsection (b)(1)" and inserting "September 30, 2031"; and

(B) by inserting ", including the transportation of goods to and from a port," after "interstate commerce";

(3) by redesignating subsections (g), (h), and (i), as subsections (h), (i), and (j), respectively; and

(4) by inserting after subsection (f) the following:

"(g) SAVINGS CLAUSE.—Notwithstanding any other provision of law, the Secretary may not condition employer or driver participation in the apprenticeship program on any factors not included in this section.".

SEC. 5105. CODIFICATION OF EXEMPTION.

(a) IN GENERAL.—A covered livestock hauling vehicle, including the individual operating such vehicle, shall be exempt from—

(1) any requirement relating to hours of service, within a 150 air-mile radius from the final destination of the livestock, as established under—

(A) subchapter III of chapter 311 of title 49, United States Code; or

(B) chapter 315 of title 49, United States Code; and

(2) any requirement relating to electronic logging devices established under section 31137 of title 49, United States Code.

(b) DOCUMENTATION.—The Secretary shall require that each exempt operator maintain and produce upon inspection, either physically or electronically, official documentation from the Federal Motor Carrier Safety Administration of each exemption under which they are operating.

(c) DEFINITIONS.—In this section:

(1) COMMERCIAL MOTOR VEHICLE.—The term ‘‘commercial motor vehicle’’ has the meaning given such term in section 31132 of title 49, United States Code.

(2) COVERED LIVESTOCK HAULING VEHICLE.— The term ‘‘covered livestock hauling vehicle’’ means—

(A) a commercial motor vehicle transporting livestock; or

(B) an unladen commercial motor vehicle en route to pick up livestock or returning from transporting livestock, as long as the commercial motor vehicle does not involve transporting any non-livestock cargo and the sole purpose of the trip is to make a pick-up or delivery of livestock.

(3) LIVESTOCK.—The term ''livestock'' means livestock (as such term is defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471)), including insects.

SEC. 5106. MODERNIZATION OF FARM-RELATED SERVICE INDUSTRIES RESTRICTED COMMERCIAL DRIVER'S LICENSES.

(a) ONLINE RENEWAL SYSTEM.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to amend section 383.3(f)(3)(ii) of title 49, Code of Federal Regulations (or any successor regulation), to allow each State to develop and make available an online registration and renewal system for eligible employees in farm-related service industries participating in the seasonal restricted commercial driver's license program.

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE EMPLOYEE.—The term "eligible employee" means an employee that is eligible for and seeks to acquire a restricted commercial driver's license.

(2) FARM-RELATED SERVICE INDUSTRIES.— The term "farm-related service industries" has the meaning given such term in section 383.3(f)(1) of title 49, Code of Federal Regulations (or any successor regulation).

(3) RESTRICTED COMMERCIAL DRIVER'S LICENSE.—The term "restricted commercial driver's license" has the meaning given such term in section 383.3(f) of title 49, Code of Federal Regulations (or any successor regulation).

SEC. 5107. IMPLEMENTS OF HUSBANDRY COMPILATION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate a review of—

(1) how States define implements of husbandry under State law;

(2) whether States consider implements of husbandry to be commercial motor vehicles under State law; and

(3) what relevant State laws apply to implements of husbandry.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) the results of the review required under subsection (a); and

(2) based on such results, a determination of whether or not it is appropriate to modify Federal regulations to clarify that implements of husbandry are not considered to be commercial motor vehicles.

(c) IMPLEMENTS OF HUSBANDRY DEFINED.—In this section, the term ''implements of husbandry'' means vehicles or equipment, whether self-propelled or towed, that are either specifically designed or adapted exclusively for agricultural operations or services.

SEC. 5108. PRE-TRIP VEHICLE INSPECTION TESTING WAIVER.

(a) IN GENERAL.—Notwithstanding the requirements of section 383.113(a)(1) of title 49, Code of Federal Regulations, a State may waive the engine compartment pre-trip vehicle inspection skills testing requirement, set forth in section 383.113(a)(1)(i) of title 49, Code of Federal Regulations, for a commercial driver's license applicant seeking to operate a school bus or vehicle for use in public transportation only in—

(1) intrastate commerce; or

(2) interstate commerce—

(A) if the operation of such bus or vehicle occurs within a 150-air mile radius from the point of origination; and

(B) each State in which such operation occurs has elected to issue a waiver under this section to applicants seeking a commercial driver's license by such State.

(b) CONDITIONS.—Prior to issuing a waiver described in subsection (a), a State shall ensure, at a minimum, that the following conditions are met:

(1) A State's driver's licensing agency shall document for recordkeeping purposes the names and commercial driver's license numbers of operators issued a commercial driver's license under the waiver.

(2) The commercial driver's license credential shall conform to the requirements under subpart J of part 383 of title 49, Code of Federal Regulations (or any successor regulation).

(3) When issuing a restricted commercial driver's license with school bus or passenger endorsements pursuant to such waiver, a State shall—

(A) continue to comply with the applicable provisions set forth in section 383.73 of title 49, Code of Federal Regulations (or any successor regulation); and

(B) place a school bus-only or transit bus-only restriction on the commercial driver's license in accordance with section 383.153(a)(10)(ix) of title 49, Code of Federal Regulations (or any successor regulation).

(4) A State shall conduct the remaining pre-trip vehicle inspection components of the skills test for drivers subject to such waiver, as set forth in section 383.113(a)(1)(ii-ix) of title 49, Code of Federal Regulations (or any successor regulation).

(c) DATA COLLECTION.—For each calendar year through 2031 in which a State has issued the waiver described in subsection (a), the State shall provide a report to the Secretary containing—

(1) the number of operators who obtained commercial driver's licenses under such waiver; and

(2) data relating to any safety incidents involving an operator issued a commercial driver's license under such waiver.

(d) DEFINITIONS.—In this section:

(1) COMMERCIAL DRIVER'S LICENSE.—The term ''commercial driver's license'' has the meaning given such term in section 31301 of title 49, United States Code.

(2) PUBLIC TRANSPORTATION.—The term ''public transportation'' has the meaning given such term in section 5302 of title 49, United States Code.

SEC. 5109. MODIFICATIONS TO CERTAIN COMMERCIAL DRIVER'S LICENSE REGULATIONS.

Not later than 90 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to—

(1) revise section 383.79 of title 49, Code of Federal Regulations, to allow a State to administer a driving skills test to any commercial driver's license applicant, regardless of the State of domicile of the applicant or where the applicant received driver training; and

(2) revise section 384.228 of title 49, Code of Federal Regulations, to allow a State or third-party

examiner to administer the commercial driver's license knowledge test only if the examiner—

(A) maintains a valid commercial driver's license test examiner certification;

(B) completes a commercial driver's license skills test examiner training course that meets the requirements of subsection (d) of such section; and

(C) completes 1 unit of instruction described in subsection (c)(3) of such section.

Subtitle C—Commercial Motor Vehicle Safety

SEC. 5201. MOTOR CARRIER SAFETY ADVISORY COMMITTEE.

Section 4144(d) of the SAFETEA–LU (49 U.S.C. 31100 note) is amended by striking ''September 30, 2025'' and inserting ''September 30, 2031''.

SEC. 5202. ELECTRONIC LOGGING DEVICE CERTIFICATION.

Section 31137(c) of title 49, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following:

"(2) REQUIREMENTS.—The certification process, referred to in paragraph (1), shall require the Secretary to—

"(A) verify the contact information of the certification applicant and the technical specifications of the proposed electronic logging device; and

"(B) cross reference the certification application against revoked electronic logging devices that do not meet the certification criteria referred to in paragraph (4).

"(3) PUBLICATION OF CERTIFIED DEVICES.—The Secretary shall publish and maintain on a publicly available website—

"(A) a list of registered electronic logging devices that meet the certification criteria established under this section; and

"(B) a list of revoked electronic logging devices that do not meet the certification criteria referred to in paragraph (4).".

SEC. 5203. SAFETY PERFORMANCE HISTORY SCREENING AND DATAQS IMPROVEMENT.

(a) SAFETY PERFORMANCE HISTORY SCREENING.—Section 31150 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ‘‘or employment’’ after ‘‘preemployment’’;

(2) in subsection (b)—

(A) by inserting ‘‘operator or’’ before ‘‘operator-applicant’’ each place it appears; and

(B) in paragraph (2), by inserting ‘‘operator's or’’ before ‘‘operator-applicant's written consent’’; and

(3) in subsection (c)—

(A) in the second sentence—

(i) by striking ‘‘preemployment’’;

(ii) by inserting ‘‘operator or’’ before ‘‘operator-applicant’’; and

(iii) by striking ‘‘Use’’ and inserting the following:

‘‘(2) VOLUNTARY USE; LIMITATION.—Use’’;

(B) in the first sentence—

(i) by inserting ‘‘driver-related’’ after ‘‘serious’’;

(ii) by striking ‘‘as a preemployment condition’’;

(iii) by inserting ‘‘or operator applicant's’’ after ‘‘individual operator's’’; and

(iv) by striking "The process" and inserting the following:

"(1) IN GENERAL.—The process"; and

(C) by adding at the end the following:

"(3) ADVERSE ACTIONS.—A person may not take an adverse action (as defined in section 603(k) of the Consumer Credit Protection Act (15 U.S.C. 1681a(k))) with respect to an operator or operator-applicant based in whole or in part on the data in the reports provided under subsection (a) from the Motor Carrier Management Information System unless the person provides—

"(A) notice to the operator or operator-applicant consistent with section 604(b)(3) of such Act (15 U.S.C. 1681b(b)(3)); and

"(B) a reasonable period of time for—

"(i) the operator to initiate an appeal under subsection (e); and

"(ii) any appeal process initiated under such subsection to conclude pursuant to the issuance of a final disposition.".

(b) DATAQS IMPROVEMENT.—Section 31150 of title 49, United States Code, is amended—

(1) in subsection (d), by inserting "safety" after "serious driver-related";

(2) by redesignating subsection (d) as subsection (f); and

(3) by inserting after subsection (c) the following:

‘‘(d) DATA SUBJECT TO REVIEW.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, the Secretary shall ensure that during any period in which a safety violation is being contested, the report on such violation is labeled in a manner that indicates such violation is being contested in the Motor Carrier Management Information System and in any other relevant databases, including the Employment Screening Program, the Safety Measurement System, and Analysis and Information Online, until the review of the contested violation is complete.

‘‘(e) DATAQS APPEALS PROCESS.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, the Secretary shall promulgate DataQs program participation guidelines that direct States receiving funds under the motor carrier safety assistance program under section 31102 to provide for an appeals process by which—

‘‘(1) following the conclusion of a request for data review, an affected party may appeal the disposition of the review; and

"(2) an appeal of the disposition is decided in a reasonable period of time by a person or persons other than the person that issued the violation.".

SEC. 5204. NONCOMPLIANT TRAINING ENTITIES.

(a) IN GENERAL.—Section 31305(c) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking "Not later than" and all that follows through "final regulations" and inserting "The Secretary shall issue regulations";

(2) in paragraph (4) by striking "and" at the end;

(3) in paragraph (5) by striking the period and inserting "; and"; and

(4) by adding at the end the following:

"(6) providing a process for the Administrator of the Federal Motor Carrier Safety Administration to—

"(A) receive complaints relating to the noncompliance of a training provider described in paragraph (5) with the requirements under such paragraph; and

"(B) not later than 90 days after the receipt of a complaint, if the Administrator determines that such provider is noncompliant, remove such provider from the list of training providers that may issue a certification under paragraph (4).''.

(b) REMOVAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall revise section 380.721 of title 49, Code of Federal Regulations, to clarify that the Federal Motor Carrier Safety Administration may remove a training provider from the Training Provider Registry, if such provider—

(1) fails to disclose a relationship, including common ownership, management, control, or familial ties, with another provider who was removed from the Training Provider Registry; and

(2) fails to maintain and enforce policies relating to sexual assault and sexual harassment.

SEC. 5205. DRUG AND ALCOHOL CLEARINGHOUSE FEES.

Section 31306a(e)(2) of title 49, United States Code, is amended by striking ''operation and'' and inserting ''development, modernization, enhancement, operation, and''.

SEC. 5206. FEDERAL HAIR TESTING GUIDELINES.

Not later than 1 year after the Secretary of Health and Human Services issues scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance as described in section 31306(c) of title 49, United States Code, the Secretary shall revise part 40 of title 49, Code of Federal Regulations, and other regulations as necessary, to recognize hair as an approved specimen type to be collected under transportation workplace drug and alcohol testing programs required under such part.

SEC. 5207. DRUG AND ALCOHOL TESTING COMPLIANCE.

(a) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish updated guidance on who may act as a specimen collector for Department drug testing under part 40 of title 49, Code of Federal Regulations, including what constitutes a close personal friend, as referenced under section 40.31 of such title.

(b) CONSULTATION.—In issuing the guidance under subsection (a), the Secretary shall, at a minimum, consult with representatives of small motor carriers.

SEC. 5208. FATAL TRUCK CRASH DRUG AND SUBSTANCE ABUSE TESTING ACCOUNTABILITY.

Not later than 90 days after the date of enactment of this Act, the Secretary shall revise parts 382, 385, and 392 of title 49, Code of Federal Regulations, and other regulations as necessary, to—

(1) require employers to maintain records of all post-accident alcohol or controlled substance tests

required under section 382.303 of such title for a minimum of 5 years;

(2) consider it a violation if an employer fails to furnish proof of post-accident alcohol or controlled substance testing within the prescribed timeframe, as outlined in subsections (a) and (b) of section 382.303 of title 49, Code of Federal Regulations; and

(3) ensure such violations under paragraph (2) are reflected in the Safety Measurement System for the purposes of the Compliance, Safety, and Accountability Program.

SEC. 5209. REVIEW OF NEW ENTRANT SAFETY ASSURANCE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department shall conduct a review of the New Entrant Safety Assurance Program (in this section referred to as the ‘‘Program’’) under subpart D of part 385 of title 49, Code of Federal Regulations, to evaluate—

(1) whether the Program effectively provides educational and technical assistance to new entrant motor carriers;

(2) opportunities to improve the efficiency and timeliness of safety audits conducted under the Program;

(3) if the Program has adequate staff to conduct the safety audits and compliance reviews in an efficient and timely manner;

(4) opportunities to implement proactive outreach strategies to engage a greater number of new entrant motor carriers early in the application and operational process;

(5) whether the requirements, processes, and timeframes of the Program are aligned with the purpose described in section 385.309 of title 49, Code of Federal Regulations;

(6) strategies to ensure greater uniformity and consistency in the application of the Program to all new entrant motor carriers, regardless of assignment type; and

(7) potential improvements to ensure that safety data is effectively gathered and used to assess the safety performance of new entrant motor carriers.

(b) CONSULTATION.—In conducting the review under subsection (a), the inspector general shall consult with—

(1) State motor carrier safety enforcement agencies;

(2) representatives of the motor carrier industry, including owner-operators;

(3) commercial motor vehicle safety advocates;

(4) truck safety organizations;

(5) labor organizations representing commercial motor vehicle drivers; and

(6) other stakeholders, as determined appropriate by the Secretary.

(c) INSPECTOR GENERAL REPORT.—Not later than 1 year after the date of enactment of this Act, the inspector general shall submit to the Secretary a report that includes—

(1) the findings of the review conducted under subsection (a); and

(2) recommendations for the Federal Motor Carrier Safety Administration to improve the effectiveness of the Program, including actions to—

(A) enhance educational and technical assistance provided to new entrant motor carriers during the safety monitoring period;

(B) improve efficiency and timeliness of safety audits; and

(C) ensure uniformity in new entrant safety monitoring procedures.

(d) RECOMMENDATIONS.—Not later than 6 months after the date on which the inspector general submits the report under subsection (c), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a summary of the findings and recommendations of the report; and

(2) for each recommendation—

(A) the Secretary intends to implement, a description of the implementation plan of the Secretary 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.

SEC. 5210. NEW ENTRANT REGISTRATION STANDARDS TRANSPORTATION RULEMAKING COMMITTEE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a transportation rulemaking committee to develop findings and recommendations on the necessity of establishing minimum requirements for entities seeking to obtain registration from the Department as a motor carrier of property or passengers under chapter 315 of title 49, United States Code.

(b) MEMBERSHIP.—The Secretary shall appoint the members of the transportation rulemaking committee, which shall be comprised of—

(1) State motor carrier safety enforcement agencies;

(2) representatives of the motor carrier industry;

(3) commercial motor vehicle law enforcement associations;

(4) labor organizations representing commercial motor vehicle operators;

(5) truck safety organizations; and

(6) other stakeholders determined appropriate by the Secretary.

(c) CONSIDERATIONS.—In developing findings and recommendations under subsection (a), the transportation rulemaking committee shall consider—

(1) the existing requirements for registration as a motor carrier of property and passengers under parts 365 and 390 of title 49, Code of Federal Regulations; and

(2) the appropriateness of additional minimum motor carrier registration requirements, including requirements associated with the following:

(A) Knowledge of applicable safety regulations, standards, and requirements under Federal law and regulations.

(B) Familiarity with the duties of employers and motor carriers under the Federal Motor Carrier Safety Regulations, including requirements relating to—

(i) driver qualifications;

(ii) vehicle maintenance;

(iii) hours of service;

(iv) drug and alcohol testing; and

(v) safety management controls.

(C) An understanding of the importance of establishing and maintaining a safety management program appropriate for the size and scope of the intended operations of the applicant.

(D) Completion of a training program approved by the Secretary, or demonstration of equivalent knowledge, as determined by the Secretary.

(d) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date on which the transportation rulemaking committee is established, the committee shall submit to the Secretary a report detailing the findings and recommendations developed under subsection (a).

(2) CONTENTS.—In the report submitted under paragraph (1), the transportation rulemaking committee shall include recommendations—

(A) on how to revise the regulations under parts 365 and 390 of title 49, Code of Federal Regulations, if additional minimum motor carrier registration requirements are determined appropriate; and

(B) for any other necessary updates to regulations or requirements determined appropriate by the transportation rulemaking committee.

(e) RECOMMENDATIONS.—Not later than 6 months after the date on which the transportation rulemaking committee submits 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 Commerce, Science, and Transportation of the Senate—

(1) a summary of the findings and recommendations of the report; and

(2) for each recommendation—

(A) the Secretary intends to implement, a description of the implementation plan of the Secretary 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.

SEC. 5211. BEYOND COMPLIANCE.

(a) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule implementing section 5222 of the FAST Act (49 U.S.C. 31100 note).

(b) CONSIDERATION.—In issuing the final rule under subsection (a), the Secretary shall consider driver training and experience as a recognized safety standard.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, and at least once every 6 months thereafter until the final rule required under subsection (a) is issued, the Secretary shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the rulemaking required under subsection (a).

Subtitle D—Household Goods Shipping Consumer Protection Reform

SEC. 5301. ADMINISTRATIVE ASSESSMENT OF CIVIL PENALTIES FOR VIOLATIONS OF COMMERCIAL REGULATIONS.

(a) ENFORCEMENT BY SECRETARY.—Section 14914 of title 49, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(2) by inserting after subsection (a) the following:

"(b) ENFORCEMENT BY SECRETARY.—If, after notice and an opportunity for a hearing, the Secretary finds that a person violated a provision of part B of subtitle IV of this title, or a regulation or order issued pursuant to such part, the Secretary shall assess a civil penalty by written notice.";

(3) in subsection (c), as redesignated by paragraph (1), by inserting "or the Secretary" after "Board"; and

(4) in subsection (d), as redesignated by paragraph (1), by inserting ‘‘or the Secretary’’ after ‘‘Board’’.

(b) APPLICATION.—Section 501(b) of title 49, United States Code, is amended—

(1) by inserting ‘‘5,’’ after ‘‘20303 and chapters’’; and

(2) by inserting ‘‘311, 313,’’ after ‘‘chapters),’’.

SEC. 5302. STATE USE OF GRANT FUNDS FOR COMMERCIAL ENFORCEMENT AND CONSUMER PROTECTION.

Section 31102 of title 49, United States Code, is amended—

(1) in subsection (h)—

(A) in paragraph (1)(B) by striking ‘‘and’’ at the end;

(B) in paragraph (2)(B) by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

‘‘(3) for the enforcement of Federal household goods statutes and regulations for the interstate transportation of household goods by household goods motor carriers and brokers, and for the intrastate transportation of household goods by household goods motor carriers if the State has adopted laws or regulations that are compatible with Federal household goods regulations.'';

(2) in subsection (l)(2)—

(A) in subparagraph (I) by striking ''and'' at the end;

(B) by redesignating subparagraph (J) as subparagraph (K); and

(C) by inserting after subparagraph (I) the following:

''(J) enforce Federal household goods statutes and regulations for the interstate transportation of household goods by household goods motor carriers and brokers, and for the intrastate transportation of household goods by household goods motor carriers if the State has adopted laws or regulations that are compatible with Federal household goods regulations; and''; and

(3) by adding at the end the following:

''(m) STATE DISCRETION.—The activities described in subsections (h)(3) and (l)(2)(J) are—

''(1) optional at the discretion of a State; and

''(2) not a condition on funds received under this section.''.

SEC. 5303. STATE RETENTION OF PENALTIES AND FINES.

Section 14711 of title 49, United States Code, is amended by adding at the end the following:

"(g) PENALTIES.—Notwithstanding any other provision of law, any fine or penalty imposed on a carrier or broker in a proceeding under this section shall be paid to, and retained by, the State that imposed such fine or penalty.".

SEC. 5304. REGISTRATION REQUIREMENTS.

(a) DEFINITIONS.—Section 13102 of title 49, United States Code, is amended by adding at the end the following:

"(28) PRINCIPAL PLACE OF BUSINESS.—The term 'principal place of business' means a single physical business location of a specified entity where—

"(A) management officials of such specified entity report to work;

"(B) such specified entity conducts a significant portion of its business relating to the transportation of persons or property; and

"(C) such specified entity maintains records required by part B of subtitle IV or part B of subtitle VI.

"(29) SPECIFIED ENTITY.—The term 'specified entity' means—

"(A) an employer, as such term is defined in section 31132;

"(B) a person;

"(C) a motor carrier, including a foreign motor carrier or foreign motor private carrier;

"(D) a broker; or

"(E) a freight forwarder.".

(b) MOTOR CARRIER GENERALLY.—Section 13902(a)(1) of title 49, United States Code, is amended—

(1) in subparagraph (C) by striking "and" at the end;

(2) in subparagraph (D) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(E) has designated a principal place of business.".

(c) REGISTRATION OF FREIGHT FORWARDERS.—Section 13903(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "and" at the end;

(2) in paragraph (2) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(3) has designated a principal place of business; and

"(4) has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between such person and any other motor carrier, freight forwarder, broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration.".

(d) REGISTRATION OF BROKERS.—Section 13904(a) of title 49, United States Code, is amended—

(1) in subsection (1) by striking "and" after the semicolon;

(2) in subsection (2) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

"(3) has designated a principal place of business; and

"(4) has disclosed any relationship involving common ownership, common management, common control, or common familial relationship between such person and any other motor carrier, freight forwarder, or broker, or any other applicant for motor carrier, freight forwarder, or broker registration, if the relationship occurred in the 3-year period preceding the date of the filing of the application for registration.''.

(e) COMPLAINTS AND ACTIONS ON SECRETARY INITIATIVES.—Section 13905(d)(2) of title 49, United States Code, is amended—

(1) in subparagraph (C)(iii) by striking ''or'' at the end;

(2) in subparagraph (D) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(E) withhold, suspend, amend, or revoke any part of a registration of a motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder if the Secretary finds that the motor carrier, foreign motor carrier, foreign motor private carrier, broker, or freight forwarder failed to designate a valid principal place of business.''.

(f) REQUIREMENT FOR REGISTRATION AND USDOT NUMBER.—Section 31134 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking ''or'' at the end;

(B) in paragraph (3) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the employer or person seeking registration has designated a principal place of business, as defined in section 13102.''; and

(2) in subsection (c)(2) by striking ''subsection (b)(1)'' and inserting ''subsection (b)''.

SEC. 5305. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to develop findings and recommendations on the modernization of Federal consumer protection regulations relating to the interstate transportation of household goods by a motor carrier, including such transportation that is arranged by a broker of household goods.

(b) MEMBERSHIP.—The working group shall be comprised of—

(1) individuals with expertise in consumer affairs;

(2) representatives of household goods motor carriers;

(3) representatives of household goods brokers;

(4) representatives of State moving and storage associations;

(5) representatives of consumer organizations;

(6) representatives from truck safety organizations; and

(7) other stakeholders the Secretary determines appropriate.

(c) RECOMMENDATIONS.—The working group established under this section shall analyze and make recommendations regarding—

(1) the effect of technology and consumer purchasing habits in the sale and servicing of interstate shipments of household goods;

(2) the number, type, and elements of paperwork required of carriers and shippers in interstate transportation;

(3) the use of state-of-the-art education techniques and technologies, including the internet and artificial intelligence;

(4) the status of the implementation of the recommendations included in the report ''Recommendations to Improves Household Goods Consumer Edu-

cation'', issued pursuant to section 5503 of the FAST Act (Public Law 114–94); and

(5) the impact and frequency of ''name spoofing'' whereby a registered entity seeks to take advantage of consumers by registering under a name that is deceptively similar to an established registered entity.

(d) REPORT.—Not later than 1 year after the date on which the working group is established under this section, 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 18 months 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 Commerce, Science, and Transportation of the Senate—

(1) a summary of the findings and recommendations of the report; and

(2) for each recommendation—

(A) the Secretary intends to implement, a description of the implementation plan of the Secretary and timeline for implementation;

(B) if the Secretary does not intend to implement the recommendation, an explanation as to why the Secretary does not intend to implement such recommendation; or

(C) a notification if the Secretary lacks the statutory authority to implement such recommendation.

(f) TERMINATION.—The working group shall terminate 1 year after the date on which the working group submits the report under subsection (d).

Subtitle E—Safe Integration of Autonomous Commercial Motor Vehicles

SEC. 5401. DEFINITIONS.

Section 31132 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) through (11) as paragraphs (3), (5), (6), (8), (9), (10), (11), (12), (13), (14), and (15), respectively;

(2) by inserting before paragraph (5), as so redesignated, the following:

"(1) 'ADS' or 'automated driving system' means hardware and software systems on a commercial motor vehicle that—

"(A) are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether such hardware or software systems are limited to a specific operational design domain; and

"(B) collectively meet the definition of automation Level 3, Level 4, or Level 5.

"(2) 'ADS-equipped commercial motor vehicle' means a commercial motor vehicle equipped with an ADS.";

(3) in paragraph (3), as so redesignated—

(A) in subparagraph (B) by striking "including the" and inserting "including, if applicable, the"; and

(B) in subparagraph (C) by striking "including the" and inserting "including, if applicable, the";

(4) by inserting after paragraph (3), as so redesignated, the following:

"(4) 'DDT fallback', 'DDT fallback-ready user', 'DDT performance-relevant system failure', 'driverless operations dispatcher', 'dynamic driving task', 'DDT', 'Level 3', 'Level 4', 'Level 5', 'remote assistant', 'remote driver', 'minimal risk condition', 'MRC', 'ODD', and 'operational design domain' have the meaning of the terms as provided in—

"(A) the April 2021 edition of recommended practice J3016 of SAE International titled 'Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles';

"(B) a subsequent edition of recommended practice J3016 adopted by the Secretary; or

"(C) a substantially similar successor recommended practice or standard of SAE International adopted by the Secretary."; and

(5) by inserting after paragraph (6), as so redesignated, the following:

"(7) 'integrated service operations' means commercial motor vehicle operations that involve non-driving tasks relevant to the operation of such vehicle, including—

"(A) the transportation primarily of minors, such as school bus transportation;

"(B) public transportation, as defined in section 5302;

"(C) passenger transportation via motorcoach;

"(D) carriage of placarded hazardous materials described in part 397 of title 49, Code of Federal Regulations; and

"(E) other operations as determined by the Secretary.".

SEC. 5402. ADS-EQUIPPED COMMERCIAL MOTOR VEHICLE INTERSTATE OPERATION.

(a) ADS-EQUIPPED COMMERCIAL MOTOR VEHICLE OPERATION.—

(1) IN GENERAL.—Subchapter III of chapter 311 of title 49, United States Code, is amended by inserting after section 31139 the following:

"§ 31140. ADS-equipped commercial motor vehicle operation

"(a) SAFETY STANDARD.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the BUILD America 250 Act, the Secretary shall issue such regulations as are necessary to establish and maintain a performance-based safety standard for ADS-equipped commercial motor vehicles to operate in interstate commerce.

"(2) APPLICABILITY.—In issuing the regulations under paragraph (1), the Secretary shall determine how such standard applies to Level 3, Level 4, and Level 5 ADS-equipped commercial motor vehicles.

"(3) OPERATING REQUIREMENT.—After the effective date of regulations issued pursuant to paragraph (1), an ADS-equipped commercial motor vehicle may not be operated in interstate commerce unless—

"(A) the manufacturer has certified to the Secretary that such vehicle has met the safety standard established in paragraph (1);

"(B) the manufacturer and operator of such vehicle meet the applicable regulations issued pursuant to this chapter; and

"(C) such vehicle has not been materially altered in such a manner that the vehicle does not comply with such safety standard.

"(b) REQUIREMENTS FOR SAFETY STANDARD.—

"(1) SAFETY CASE.—The safety standard established under subsection (a)(1) shall require a manufacturer of an ADS or ADS-equipped commercial motor vehicle to meet the standard through a safety case, which shall be updated prior to making any significant material changes to the ADS or ADS-equipped commercial motor vehicle that—

"(A) provides claims, supported by arguments and evidence, that support the conclusion of the manufacturer that the design, construction, and performance of the ADS or ADS-equipped commercial motor vehicle will provide an equivalent or greater level of safety as a non-ADS -equipped commercial motor vehicle subject to the requirements of this title; and

"(B) includes the following components:

"(i) A description of each hardware and software element of the ADS required for—

"(I) braking, steering, propulsion, and computing capability;

"(II) redundancies;

"(III) each capability of the suite of sensors of the ADS; and

"(IV) the integration of the ADS into the vehicle platform.

"(ii) A complete description of the ODD of the ADS, including how the ADS performs each element within such ODD.

"(iii) An explanation of each engineering methodology used to design and assess the performance of the ADS and ensure commercial motor vehicle safety, including—

"(I) each hazard analysis and associated verification and validation process;

"(II) the credibility and limitations of the tools, simulations, and test environments employed for such methodology, and the measures taken to mitigate such limitations; and

"(III) the acceptance criteria used by the manufacturer to assess competencies in normal driving and crash avoidance capability.

"(iv) An explanation of how the ADS anticipates and responds to potential crashes.

"(v) A description of any vehicle-integrated system that provides visual or digital hazard alerting to a nearby road user when the vehicle executes or enters a minimal risk condition, including any system that automatically activates high-conspicuity lighting patterns or transmits digital hazard messages to connected vehicles and roadway infrastructure.

"(vi) A description of the cybersecurity plan that includes—

"(I) a written cybersecurity policy with respect to the practices of the manufacturer to detect and respond to cyber attacks, unauthorized intrusions, and false vehicle control commands;

"(II) a process to identify, assess, and mitigate reasonably foreseeable cyber risks related to commercial motor vehicle safety from cyber attacks or unauthorized intrusions, including false and malicious vehicle control commands;

"(III) a process to take preventive and corrective action to mitigate against reasonably foreseeable cyber risks related to commercial motor vehicle safety in the ADS or ADS-equipped commercial motor vehicle, including incident response plans, unauthorized intrusion detection and prevention systems that safeguard key controls, systems, and procedures through testing or monitoring, and updates to such process based on changed circumstances;

"(IV) the identification of an officer or other individual of the manufacturer as the point of contact with responsibility for the management of cybersecurity; and

"(V) a process for employee training and supervision for implementation and maintenance of the policies and procedures required by this section, including controls on employee access to the ADS.

"(vii) A description of the manufacturer's safety management system, including organizational roles and responsibilities, and the processes used to systematically address and audit safety throughout the design, testing, deployment, and operation of the ADS.

"(viii) A description of the in-use safety monitoring processes utilized by the manufacturer, including safety performance indicators, thresholds for intervention, and procedures for investigating and addressing safety-relevant incidents and near-misses.

"(ix) A description of how the manufacturer incorporates operational data from in-service operations, including feedback loops from incidents and safety-critical scenarios into the design and validation of the ADS, to ensure continuous improvement of commercial motor vehicle safety.

"(x) An explanation of how the ADS-equipped vehicle meets each of the following competencies:

"(I) The ADS performs the entire DDT within the ODD of the ADS and is able to recognize the boundaries of the ODD.

"(II) The ADS detects and responds appropriately to any vulnerable road user in proximity to the ADS in the relevant ODD.

"(III) In the case of a Level 3 ADS, the ability of the ADS to clearly and unambiguously communicate ADS status and user role to the DDT fallback-ready user and, during any transfer of control to the DDT fallback-ready user, provide sufficient lead time for the DDT fallback-ready user to safely assume the DDT, and safely maintain vehicle control until the ADS fallback user has assumed control and the transfer is completed.

"(IV) The ability of the ADS to safely achieve a MRC and safely allow any occupants inside the vehicle to exit the vehicle.

"(V) The ADS detects the limits of the ODD of the ADS and respond appropriately when 1 or more conditions of the ODD are no longer met by achieving an MRC.

"(VI) The ADS detects and responds to relevant objects or events, including emergency vehicles and personnel, and school buses in proximity to the ADS in the relevant ODD and relevant to the driving decisions of the ADS.

"(VII) The ADS can comply with applicable local traffic laws and laws relevant to the performance of the DDT.

"(xi) Any additional information the Secretary determines to be appropriate.

"(2) INCIDENT REPORTING.—

"(A) IN GENERAL.—The Secretary shall prescribe reporting requirements for ADS-equipped commercial motor vehicles that align with reporting requirements issued by the National Highway Traffic Safety Administration under such Administration's Third Amended Standing General Order 2021–01 (signed April 24, 2025), and at a minimum, require the reporting of any crash that resulted in a—

"(i) fatality;

"(ii) serious injury;

"(iii) strike of a vulnerable road user;

"(iv) air bag deployment; or

"(v) vehicle tow-away.

"(B) ADDITIONAL REQUIREMENTS.—The Secretary may require additional reporting requirements if the Secretary determines such requirements are necessary to effectively evaluate or improve the safety of ADS-equipped commercial motor vehicles.

"(C) REVISIONS.—The Secretary—

"(i) may periodically revise the reporting requirements prescribed under subparagraph (A); and

"(ii) shall update such requirements if the Secretary establishes a single Federal database for autonomous vehicle-related incidents.

"(3) ROLES AND RESPONSIBILITIES.—

"(A) IN GENERAL.—The safety standard established under subsection (a)(1) shall require the manufacturer of a Level 4 or Level 5 ADS to assume and observe duties otherwise applicable to a human driver to the extent such duties relate to the real-time operation of such vehicle and the performance of the DDT when—

"(i) the ADS is engaged and the vehicle is operating within its ODD; or

"(ii) the ADS is engaged and such ADS—

"(I) fails to detect that 1 or more conditions of its ODD are no longer met; or

"(II) after detecting that 1 or more conditions of its ODD are no longer met, fails to achieve an MRC.

"(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to—

"(i) create, expand, or limit strict liability under Federal or State law;

"(ii) create a cause of action; or

"(iii) affect the availability of any defense or doctrine under otherwise applicable law, including comparative fault, contributory negligence, product liability principles, or proximate causation.

"(4) OPERATOR ON BOARD.—The safety standard established under subsection (a)(1) shall require a human operator to be located within the vehicle during the operation of any ADS-equipped commercial motor vehicle transporting—

"(A) primarily minors, such as school bus transportation; or

"(B) placarded hazardous materials, as described in part 397 of title 49, Code of Federal Regulations.

"(5) ADDITIONAL STANDARDS FOR INTEGRATED SERVICE OPERATIONS.—In establishing the safety standard under subsection (a)(1), if the Secretary determines additional standards are necessary to maintain the existing level of safety following the introduction of ADS-equipped commercial motor vehicles within integrated service operations, the Secretary may apply additional requirements to such vehicles, including ensuring that remote assistants performing covered aspects of the dynamic driving task, DDT fallback-ready users, or remote drivers have the appropriate endorsement on their commercial drivers' license or have received relevant training necessary for operation.

"(c) OPERATOR QUALIFICATIONS.—

"(1) IN GENERAL.—The Secretary shall require a DDT fallback-ready user, remote driver, or remote assistant who is performing covered aspects of the dynamic driving task, as described in paragraph (5), of an ADS-equipped commercial motor vehicle be properly qualified and licensed to operate a commercial motor vehicle, subject to the requirements of parts 350 through 399 of title 49, Code of Federal Regulations.

"(2) LEVEL 3 REQUIREMENTS.—The Secretary shall require a DDT fallback-ready user to be physically located within the driver's seat of the vehicle for Level 3 ADS-equipped commercial motor vehicles.

"(3) LOCATION.—The Secretary shall require all remote assistants, driverless operations dispatchers, and remote drivers to be physically located within the United States or any territory of the United States.

"(4) DRIVING TIME.—Any period in which a remote assistant performing covered aspects of the DDT, DDT fallback-ready user, or remote driver must monitor 1 or more ADS-equipped commercial motor vehicles shall be considered driving time under part 395 of title 49, Code of Federal Regulations.

"(5) COVERED ASPECTS OF THE DDT.—A remote assistant is subject to the requirements of paragraphs (1) and (4) when conducting any of the following aspects of the DDT:

"(A) Lateral vehicle motion control via steering.

"(B) Longitudinal vehicle motion control via acceleration and deceleration.

"(C) Object and event response execution, when the ADS cannot override an ordered response in reaction to real-time conditions at its location.

"(D) Maneuver planning, when the ADS cannot override a plan in reaction to real-time conditions at its location.

"(E) Enhancing conspicuity including via lighting, sounding, the horn, signaling, and gesturing.

"(d) RULES OF CONSTRUCTION.—

"(1) Nothing in this section shall be construed to prohibit a State from maintaining, enforcing, prescribing, or continuing in effect any law or regulation regarding cybersecurity or privacy.

"(2) Nothing in this section, including meeting the requirements of subsection (a)(1) or any rules implementing this section, shall be construed to relieve a person or manufacturer from liability which may exist under another Federal or State law or supplant, displace, preempt another Federal or State law relating to remedies for civil relief, including

Federal or State laws for civil damage, or penalties for criminal actions.

"(3) Nothing in this section shall be construed to require the Secretary to require a commercial motor vehicle to be equipped with an ADS.".

(2) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by inserting after the item relating to section 31139 the following:

"31140. ADS-equipped commercial motor vehicle operation.".

(b) TRANSPORTATION RULEMAKING COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a transportation rulemaking committee, pursuant to section 102(k) of title 49, United States Code, to make recommendations on the implementation of section 31140 of such title (as added by this section) and on the applicability of parts 350 through 399 of title 49, Code of Federal Regulations, to ADS-equipped commercial motor vehicles and related DDT fallback-ready users, remote drivers, remote assistants, and driverless dispatch operators.

(2) MEMBERSHIP.—The transportation rulemaking committee convened under paragraph (1) shall consist of not more than 18 members ap-

pointed by the Secretary, including representatives of—

(A) autonomous commercial motor vehicle technology providers;

(B) autonomous commercial motor vehicle original equipment manufacturers;

(C) commercial motor vehicle law enforcement associations;

(D) traffic safety professionals;

(E) roadway safety advocates;

(F) the trucking industry, including both small and large motor carriers;

(G) the shipping industry;

(H) labor organizations representing drivers of commercial motor vehicles in interstate commerce;

(I) labor organizations representing transit vehicle operators;

(J) labor organizations representing first responders, including law enforcement and fire fighters;

(K) State highway safety offices;

(L) insurers of commercial motor vehicles;

(M) independent research and testing organizations of ADS-equipped commercial motor vehicles; and

(N) others as determined appropriate by the Secretary.

(3) CONSIDERATIONS.—The transportation rulemaking committee convened under paragraph (1) shall consider, at a minimum, recommendations on the following:

(A) Updates necessary to implement section 31140 of title 49, United States Code (as added by this section).

(B) The applicability of parts 350 through 399 of title 49, Code of Federal Regulations, to ADS-equipped commercial motor vehicles, including—

(i) updates to parts 392.7, 396.11, and 396. 9 of such title to develop standards and procedures for vehicle inspections specific to ADS-equipped commercial motor vehicles; and

(ii) updates to part 385 of such title to—

(I) incorporate ADS-equipped commercial motor vehicles into safety fitness determination procedures; and

(II) publish safety fitness information for ADS-equipped commercial motor vehicles separately from non-ADS equipped commercial motor vehicles.

(C) Workforce implications, including what additional qualifications may be necessary for DDT fallback-ready users and remote drivers and the necessity of workforce programs to train human-in-vehicle operators, DDT fallback-ready users, remote drivers, remote assistants, and driverless operations dispatchers.

(D) A process for determining the roles and responsibilities for the manufacturer, operator, DDT fallback-ready user, remote driver, remote assistant, and driverless dispatch officer of an ADS-equipped commercial motor vehicle when the ADS is engaged.

(E) Restrictions related to the transportation of placarded hazardous materials, as described in part 397 of title 49, Code of Federal

Regulations, by ADS-equipped commercial motor vehicles.

(F) The quantity of ADS-equipped commercial motor vehicles a DDT fallback-ready user, remote driver, remote assistant, or driverless operations dispatcher may be responsible for without reducing the level of public safety.

(G) Additional training requirements for DDT fallback-ready users, remote drivers, remote assistants, or driverless operation dispatchers.

(H) Any additional requirements to ensure the ADS or ADS-equipped commercial motor vehicle may allow occupants inside the vehicle to, at any time, command the vehicle to safely achieve an MRC and allow the occupants inside the vehicle to exit the vehicle.

(4) REPORT AND REGULATIONS.—

(A) REPORT.—Not later than 1 year after the transportation rulemaking committee under paragraph (1) convenes, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report based on the findings of the transportation rulemaking committee.

(B) RULEMAKING REQUIRED.—Not later than 6 months after the Secretary submits the report under subparagraph (A), the Secretary shall issue such regulations as are necessary to implement section 31140 of title 49, United States Code (as added by this section), and make necessary updates to parts 350 through 399 of title 49, Code of Federal Regulations, related to the applicability of such regulations to ADS-equipped commercial motor vehicles, DDT fallback-ready users, remote drivers, remote assistants, and driverless operations dispatchers.

(C) CONTENTS OF RULEMAKING.—In issuing the rulemaking required under subparagraph (B), the Secretary shall, at a minimum—

(i) make necessary updates to comply with the requirements set forth under section 31140 of title 49, United States Code (as added by this section);

(ii) update part 385 of title 49, Code of Federal Regulations, to—

(I) incorporate ADS-equipped commercial motor vehicles into safety fitness determination procedures;

(II) publish safety fitness determination information for ADS-equipped commercial motor vehicles separately from non-ADS-equipped commercial motor vehicles; and

(III) authorize the revocation of operating authority specifically and individually for either the non-ADS equipped or ADS-equipped components of a motor carrier;

(iii) update standards and procedures for vehicle inspection specific to ADS-equipped commercial motor vehicles;

(iv) consider any additional qualifications or licensing requirements, such as an appropriate endorsement or additional training, necessary for DDT fallback-ready users, remote drivers, remote assistants, and driverless operations dispatchers in ADS-equipped commercial motor vehicles;

(v) establish a limit on the respective quantity of ADS-equipped commercial motor vehicles a remote assistant or driverless operations dispatcher may be responsible for without reducing the level of public safety;

(vi) provide standards for ADS-equipped commercial motor vehicles to include visual or digital hazard alerting to nearby road users when the vehicle executes or enters a minimal risk condition, including by automatically activating high-conspicuity lighting patterns or transmitting digital hazard messages to connected vehicles or roadway infrastructure;

(vii) provide standards for data collection, data standardization, and record-keeping, including, at a minimum, record-keeping of sensor and ADS engagement and disengagement status data, for manufacturers of ADS-equipped commercial motor vehicles when such a vehicle is involved in a crash;

(viii) provide minimum standards and requirements for manufacturers to demonstrate that an ADS or ADS-equipped vehicle meets the competencies described in section 31140(b)(1)(B)(x) of title 49, United States Code;

(ix) update requirements and procedures for the Compliance, Safety, and Accountability program of the Federal Motor Carrier Safety Administration and the Safety Measurement System utilized by the Compliance, Safety, and Accountability program to account for ADS-equipped commercial motor vehicles;

(x) provide additional limitations or restrictions for ADS-equipped commercial motor vehicles engaged in integrated service operations; and

(xi) consider the applicability of part 395 of title 49, Code of Federal Regulations, to remote assistants and driverless operations dispatchers, and make any necessary updates to the requirements and procedures to account for such assistants and dispatchers.

(5) PROHIBITION.—In issuing the rulemaking under subparagraph (B), the Secretary shall not—

(A) exempt any vehicle operating under section 5112 of title 49, United States Code, from being subject to the attendance and surveillance requirements under part 397.5 of title 49, Code of Federal Regulations;

(B) exempt the operator of an ADS-equipped commercial motor vehicle from any applicable inspections required by parts 392.7, 396.11, or 396.9 of title 49, Code of Federal Regulations; or

(C) exempt DDT fallback-ready users, remote drivers, or remote assistants capable of issuing commands to an ADS-equipped vehicle from being subject to relevant requirements under 350 through 399 of title 49, Code of Federal Regulations.

(6) RULES OF CONSTRUCTION.—The rules of construction under section 31140(d) of title 49, United States Code (as added by this section), shall apply to this subsection.

(7) DEFINITIONS.—In this subsection:

(A) APPLICABLE TERMS.—The terms "ADS", "ADS-equipped commercial motor vehicle", "DDT fallback-ready user", "driverless operations dispatcher", "MRC", "remote driver", "remote assistant", "Level 4", and "Level

5" have the meanings given such terms in section 31132 of title 49, United States Code.

(B) LABOR ORGANIZATION.—The term "labor organization" has the meaning given the term in section 10002(15) of the Research and Development, Competition, and Innovation Act (42 U.S.C. 18901(15)).

SEC. 5403. REVIEW AND PREEMPTION OF STATE LAWS AND REGULATIONS.

Section 31141(a) of title 49, United States Code, is amended by inserting ", including ADS-equipped commercial motor vehicle safety," after "commercial motor vehicle safety".

SEC. 5404. ENSURING REGULATORY FLEXIBILITY FOR SAFETY TECHNOLOGIES.

Section 31113(b) of title 49, United States Code, is amended—

(1) by striking "include a safety" and inserting the following: "include—

"(1) a safety";

(2) by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(2) automated driving system technologies or equipment.".

SEC. 5405. REGULATORY INTERPRETATIONS.

(a) IN GENERAL.—Notwithstanding sections 392.22(b), 393.95(f), and 393.25(e) of title 49, Code of Federal Regulations, or any successor regulations, cab-mounted warning beacons shall be considered permissible warning devices for a commercial motor vehicle stopped upon the traveled portion or the shoulder of a highway for any cause other than necessary traffic stops and may be used in lieu of warning devices required under section 393.95(f) of such title.

(b) PROHIBITION.—The Administrator of the Federal Motor Carrier Safety Administration shall only take administrative action that is consistent with the requirements of this section and that may be necessary to make technical or conforming amendments.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a commercial motor vehicle to be equipped with, or use, cab-mounted warning beacons.

(d) CAB-MOUNTED WARNING BEACONS DEFINED.—In this section, the term ''cab-mounted warning beacons'' means auxiliary, exterior lamps that are mounted on the cab of a commercial motor vehicle in a position where such lamps are visible to approaching traffic, and are amber in color, flash, and meet the class 1 photometric performance requirements of the standard of the Society of Automotive Engineers International titled ''Directional Flashing Optical Warning Devices for Authorized Emergency, Maintenance and Service Vehicles''.

SEC. 5406. NATIONAL CONSUMER COMPLAINT DATABASE.

Section 4214(a) of SAFETEA–LU (49 U.S.C. 14701 note) is amended—

(1) in paragraph (2) by striking ''and'' at the end;

(2) in paragraph (3) by striking the period and the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) collect information on safety violations specific to ADS-equipped commercial motor vehicles (as such term is defined in section 31132 of title 49, United States Code) and display such information in a manner that allows the information to be displayed both separately and aggregated with information collected under paragraph (1).''.

SEC. 5407. COMMERCIAL MOTOR VEHICLE WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a workforce development program to make grants for eligible projects to support the commercial motor vehicle workforce, including—

(1) strengthening employment opportunities for professional drivers, mechanics, and related occupations whose duties affect the safety and operation of commercial motor vehicles within the transportation industry; and

(2) training individuals to safely operate and maintain ADS-equipped commercial motor vehicles.

(b) ELIGIBLE PROJECTS.—For purposes of the program established under subsection (a), an eligible project is a project—

(1) to train current commercial driver's license holders on safe operation and maintenance of ADS-equipped commercial motor vehicles;

(2) to establish or improve a registered apprenticeship, internship, or scholarship program for individuals pursuing employment in the trucking workforce, including vehicle maintenance technicians, and interested in working with new and emerging technologies;

(3) to support targeted outreach and partnerships with the transportation industry, economic development organizations, workforce development boards, and labor organizations to support the commercial motor vehicle workforce;

(4) to support the current workforce in adapting to the impacts of new and emerging technologies on the transportation, transit, and logistics industries; and

(5) to otherwise enhance or expand the commercial motor vehicle workforce.

(c) APPLICATIONS.—An application for a grant made under the program established in subsection (a) may be submitted, in such form as the Secretary may specify, by—

(1) a State, local, territorial, or Tribal governmental agency;

(2) an institution of higher education or a postsecondary vocational institution;

(3) a labor organization representing commercial motor vehicle operators or mechanics and other maintenance user for commercial motor vehicles;

(4) a non-profit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 401(a) of such Code.

(d) TECHNICAL ASSISTANCE.—The Secretary may set aside up to 2 percent of the funds appropriated to carry out this section to provide technical assistance to eligible applicants for a grant under this section.

(e) REPORT.—Not later than 1 year after the program is established under subsection (a), and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the administration of the program that includes—

(1) a summary of projects awarded grants under this section and the progress of each recipient towards fulfilling program expectations; and

(2) recommendations to Congress, governmental agencies, educational institutions, labor organizations representing transportation workers, the autonomous commercial motor vehicle industry, and other stakeholders to better support the commercial motor vehicle workforce.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $27,500,000 for fiscal year 2027;

(2) $28,000,000 for fiscal year 2028;

(3) $28,600,000 for fiscal year 2029;

(4) $29,200,000 for fiscal year 2030; and

(5) $29,800,000 for fiscal year 2031.

(g) DEFINITIONS.—In this section:

(1) ADS-EQUIPPED COMMERCIAL MOTOR VEHICLE.—The term ''ADS-equipped commercial motor vehicle'' has the meaning given such term in section 31132 of title 49, United States Code.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) POSTSECONDARY VOCATIONAL INSTITUTION.—The term ''postsecondary vocational institution'' has the meaning given such term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

TITLE VI—INNOVATION

SEC. 6001. STRENGTHENING MOBILITY AND REVOLUTIONIZING TRANSPORTATION GRANT PROGRAM.

Section 25005 of the Infrastructure Investment and Jobs Act (23 U.S.C. 502 note) is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) by striking subclause (III); and

(II) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively; and

(ii) in clause (ii)(IV) by striking "connect or expand access for underserved or disadvantaged populations and"; and

(B) in subparagraph (B)—

(i) by redesignating clauses (ii) through (viii) as clauses (iii) through (ix), respectively; and

(ii) by inserting after clause (i) the following:

"(ii) promote new and emerging technologies that have not been widely deployed;";

(2) in subsection (e)(1)(A)(vii) by striking "to support" through the period at the end and inserting "that is predominantly used in or to support transportation activities";

(3) in subsection (f)(3) by inserting "and annually thereafter through 2031," after "under this section,"; and

(4) in subsection (g)(1) by striking "each of the first 5 fiscal years beginning after the date of enact-

ment of this Act'' and inserting ''each of fiscal years 2027 through 2031''.

SEC. 6002. TECHNOLOGY DEPLOYMENT.

Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (3)(D) by striking ''fiscal years 2022 through 2026'' and inserting ''fiscal years 2027 through 2031'';

(2) in paragraph (3)(E) by striking ''3 years'' and inserting ''2 years'';

(3) in paragraph (4)—

(A) in the heading by striking ''AND INNOVATIVE MOBILITY'';

(B) in subparagraph (B)—

(i) in clause (iv) by striking ''protect the environment and'';

(ii) by striking clause (xii);

(iii) in clause (x) by adding ''or'' at the end; and

(iv) in clause (xi) by striking ''; or'' and inserting a period;

(C) in subparagraph (E)—

(i) in clause (xv) by striking ''; or'' and inserting a semicolon;

(ii) in clause (xvi) by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(xvii) cybersecurity protection measures and activities to protect against cybersecurity threats.'';

(D) in subparagraph (I)(i) by striking ''fiscal years 2022 through 2026'' and inserting ''fiscal years 2027 through 2031''; and

(E) in subparagraph (K) by striking ''20 percent'' and inserting ''10 percent''; and

(4) in paragraph (5)—

(A) in subparagraph (C) by striking ''fiscal years 2022 through 2026'' and inserting ''fiscal years 2027 through 2031''; and

(B) in subparagraph (D)(i)—

(i) in subclause (I) by striking ''and'' at the end;

(ii) in subclause (II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(III) any recommendations or best practices to encourage wider deployment and implementation of advanced digital management systems by States.''.

SEC. 6003. STRATEGIC INNOVATION FOR REVENUE COLLECTION.

Section 13001 of the Infrastructure Investment and Jobs Act (23 U.S.C. 503 note) is amended—

(1) in subsection (b)(3)—

(A) in subparagraph (A)—

(i) by striking ''To test'' and all that follows through ''including among'' and inserting ''To test the design, acceptance, and implementation of user-based alternative revenue mechanisms at the State and regional level, and with respect to all types of roadway users, including users in''; and

(ii) by striking clause (ii) and inserting the following:

''(ii) urban, suburban, and rural areas.''; and

(B) in subparagraph (G) by inserting ''and effectiveness'' after ''the ease'';

(2) in subsection (d) by inserting ''and annually thereafter,'' after ''this Act,''; and

(3) in subsection (e)(1) by striking ‘‘fiscal years 2022 through 2026’’ and inserting ‘‘fiscal years 2027 through 2031’’.

SEC. 6004. NATIONAL MOTOR VEHICLE PER-MILE USER FEE PILOT.

Section 13002 of the Infrastructure Investment and Jobs Act (23 U.S.C. 503 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ‘‘demonstrate’’ and inserting ‘‘implement’’;

(ii) in subparagraph (A) by striking ‘‘and’’ at the end;

(iii) in subparagraph (B) by striking the period at the end and inserting ‘‘; and’’; and

(iv) by adding at the end the following:

‘‘(C) to preserve the ‘user-pays’ principle of the Highway Trust Fund.’’; and

(B) in paragraph (2)—

(i) in subparagraph (B) by striking ‘‘and’’ at the end;

(ii) in subparagraph (C) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) to collect and report data on—

''(i) the differential effects of a national per-mile road usage charge and the Federal motor fuels tax between urban and rural drivers; and

''(ii) the interoperability of road usage charge collection between the States.'';

(2) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A) by inserting '', testing, and evaluating'' after ''selecting'';

(B) in subparagraph (E) by inserting ''and data from the entities that received grants under section 13001'' before the period at the end;

(C) in subparagraph (F) by striking ''stations'' and inserting ''and motor vehicle inspection stations'';

(D) by redesignating subparagraph (G) as subparagraph (I); and

(E) by inserting after subparagraph (F) the following:

"(G) Reporting by volunteer participants, including reporting through State departments of motor vehicles.

"(H) Odometer-based systems.";

(3) in subsection (f)(2)(A) by inserting "and the vehicles of such participants" after "participants";

(4) in subsection (g)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking "Not later than 90 days after the date of enactment of this Act" and inserting "Not later than 30 days after the date of enactment of the BUILD America 250 Act";

(ii) in subparagraph (B) by striking "and" at the end;

(iii) in subparagraph (C) by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

“(D) identifying information gaps to be addressed by the strategic innovation for revenue collection program established under section 13001.”; and

(B) in paragraph (3) by inserting “, and the Secretary shall provide such recommendations to the Committee on Transportation and Infrastructure and the Committee on Ways and Means of the House of Representatives and the Committee on Environment and Public Works and the Committee on Finance of the Senate” after “pilot program”;

(5) in subsection (h)(1)—

(A) in the matter preceding subparagraph (A) by striking “may” and inserting “shall”; and

(B) in subparagraph (B) by inserting “strategic innovation for revenue collection program established under section 13001 and the” after “from the”; and

(6) in subsection (n) by striking paragraph (1) and inserting the following:

“(1) progress made toward achieving the objectives described in subsection (b)(2);”; and

(7) in subsection (o)(1) by striking "2022 through 2026" and inserting "2027 through 2031".

SEC. 6005. ITS ADVISORY COMMITTEE.

Section 515(h)(2) of title 23, United States Code, is amended—

(1) by redesignating subparagraphs (Q) through (W) as subparagraphs (R) through (X), respectively; and

(2) by inserting after subparagraph (P) the following:

"(Q) a representative from a labor organization representing transportation workers;".

SEC. 6006. ENCOURAGED USE OF DIGITAL PLATFORMS.

(a) IN GENERAL.—Section 102(h) of title 49, United States Code, is amended—

(1) in paragraphs (5) and (6) by striking "Center" each place it appears and inserting "Executive Director"; and

(2) by adding at the end the following:

"(D) ENCOURAGED USE OF DIGITAL PLATFORMS.—The Executive Director, in coordination with the appropriate operating administrations within the Department, shall, as appropriate, encourage recipients of Federal funds provided by the Department to utilize digital platforms, such as interactive cloud-based platforms or 3-dimensional digital models of infrastructure project elements, when carrying out environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

(b) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Executive Director of the Interagency Infrastructure Permitting Improvement Center of the Department shall publish technology-neutral guidance to facilitate the adoption of digital platforms by sponsors of projects that receive Federal funds from the Department that are required to carry out the environmental impact analysis and community engagement processes under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 6007. NONTRADITIONAL AND EMERGING TRANSPORTATION TECHNOLOGY COUNCIL.

Section 313 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (3) by striking ``; and'' and inserting ``, including—

``(A) State and local transportation officials;

"(B) transportation industry associations;

"(C) academia and research institutes;

"(D) representatives from labor organizations representing transportation workers; and

"(E) other stakeholders as determined appropriate by the Council;";

(B) in paragraph (4) by striking the period at the end and inserting ", including digital infrastructure; and"; and

(C) by adding at the end the following:

"(5) identify cases where nontraditional and emerging technologies may be beneficial across multiple modal administrations."; and

(2) in subsection (h)—

(A) by striking "2026" and inserting "2031"; and

(B) by striking "describing" and all that follows through the period at the end and inserting "describing—

"(1) the activities of the Council during the preceding calendar year; and

"(2) how each modal administration of the Department of Transportation is incorporating nontraditional and emerging technologies the Council has identified as beneficial into the initiatives of the administration.''.

SEC. 6008. UNIVERSITY TRANSPORTATION CENTERS PROGRAM.

(a) IN GENERAL.—Section 5505 of title 49, United States Code, is amended—

(1) in subsection (b)(4)(B)(vi) by inserting ''to State and local transportation officials'' after ''disseminate results'';

(2) in subsection (c)(4)(A) by striking ''not more than''; and

(3) in subsection (d)(3) by striking ''fiscal years 2022 through 2026'' and inserting ''fiscal years 2027 through 2031''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide a greater number of grants under section 5505 of title 49, United States Code, than there are eligible applicants.

SEC. 6009. PROHIBITION RELATED TO CERTAIN FOREIGN-MADE LIDAR TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY; COVERED LIDAR COMPANY; COVERED LIDAR TECHNOLOGY; LIDAR.—The terms ''covered foreign country'', ''covered LiDAR company'', ''covered LiDAR tech-

nology'', and ''LiDAR'' have the meanings given those terms in section 164(e) of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (10 U.S.C. note prec. 4651; Public Law 118–159).

(2) RECIPIENT.—The term ''recipient'' means a person or entity, including a State or local governmental authority, that receives Federal financial assistance from the Department.

(3) SUBRECIPIENT.—The term ''subrecipient'' means a person or entity, including a State or local governmental authority, that receives Federal financial assistance indirectly from the Department through a recipient for purposes of carrying out a contract or an award agreement, including a loan.

(b) PROHIBITION ON USE OR PROCUREMENT OF CERTAIN LIDAR.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not—

(A) procure or obtain—

(i) any covered LiDAR technology;

(ii) any LiDAR technology otherwise produced or provided by a covered LiDAR company; or

(iii) any LiDAR technology produced in or provided by a covered foreign country; or

(B) enter into, extend, or renew a contract, award agreement, or loan with any entity unless the entity certifies to the Secretary that no recipient or subrecipient party to the relevant contract, award agreement, or loan will obligate or expend Federal financial assistance associated with such contract, award agreement, or loan to procure or obtain covered LiDAR technology described in clause (ii) or (iii) of subparagraph (A).

(2) WAIVER.—The Secretary may waive the prohibition under paragraph (1) on a case-by-case basis by submitting to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, not later than 15 days before the applicable activity is carried out—

(A) a written certification that the activity to which the prohibition applies and for which a waiver will be provided is in the national interest of the United States; and

(B) a description of the activity for which the waiver will be provided.

(3) EXEMPTION.—Paragraph (1) shall not apply to any grant, operation, procurement, or contracting action that is—

(A) performed by a Federal agency or through a contract or subcontract on behalf of a Federal agency;

(B) determined by the Secretary to be used for transportation safety purposes, including testing, research, evaluation, analysis, investigation, or training related to transportation safety; and

(C) not for commercial operations.

(c) EFFECTIVE DATE.—The prohibition under subsection (b) shall only apply to a written agreement, grant agreement, or contract entered into by the Secretary on or after the date that is 1 year after the date of enactment of this Act.

SEC. 6010. DATA PRIVACY.

(a) IN GENERAL.—In carrying out any activity of the Department related to predictive analytics, telematics, or any other validated methodology tools, the Secretary shall, to the maximum extent practicable, ensure that personally identifiable information is protected in accordance with applicable Federal privacy laws.

(b) INTEROFFICE COORDINATION.—In carrying out subsection (a), the Secretary shall ensure that, with respect to the use of any tool described in subsection (a), all practices relating to the protection of personally identifiable information are consistent across each office and operating administration of the Department, including the—

(1) Federal Highway Administration;

(2) National Highway Traffic Safety Administration;

(3) Office of the Assistant Secretary for Research and Technology; and

(4) Intelligent Transportation Systems Joint Program Office.

(c) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and issue guidance on best practices for—

(1) anonymizing and securing safety-related data and protecting personally identifiable information;

(2) promoting transparency and accountability in the use of predictive analytics, telematics, and other data-driven tools; and

(3) ensuring that safety-related data and technologies are grounded in validated methodologies to ensure reliability and effectiveness.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed by the Secretary to preclude the use of innovative technologies or data sources that support safety outcomes and comply with applicable privacy protections.

SEC. 6011. STUDY ON ADOPTION AND DEPLOYMENT OF NEW AND EMERGING TECHNOLOGIES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the Transportation Research Board of the National Academies to conduct a study to review the strategy of the Department to encourage the adoption of new and emerging technologies, including digital project delivery tools and intelligent transportation systems.

(2) SCOPE.—In conducting the study under subsection (a), the Transportation Research Board shall—

(A) quantify cost savings and safety benefits related to adoption of new and emerging technologies;

(B) identify potential cost increases or safety risks related to the adoption of new and emerging technologies;

(C) evaluate the positive and negative impacts the adoption of new and emerging technologies has on the transportation workforce; and

(D) provide recommendations relevant to the findings of the study.

(b) CONSULTATION.—In conducting the study under subsection (a), the Transportation Research Board shall consult with—

(1) the modal administrations of the Department;

(2) State departments of transportation;

(3) a representative from a transportation safety advocacy organization;

(4) a representative from a labor organization representing transportation workers; and

(5) any other entities the Transportation Research Board determines to be relevant.

(c) REPORT.—If the Transportation Research Board enters into an agreement under subsection (a), not later than 18 months after the date on which the study under subsection (a) is completed, the Transportation Research

Board shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study conducted under subsection (a).

SEC. 6012. AUTONOMOUS VEHICLE ACCESSIBILITY STUDY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall seek to enter into an agreement with the Transportation Research Board of the National Academies to conduct a study to determine what changes to transportation infrastructure would most improve the ability of individuals with disabilities, including individuals who use wheelchairs, to safely access and use ride-hail ADS-equipped vehicles, by considering the following:

(1) Technological solutions for dynamic curb management.

(2) Sidewalk and roadway designs.

(3) Dedicated pick-up and drop-off zones.

(4) Curb extension.

(5) Infrastructure design.

(6) Any other factors relating to transportation infrastructure the Secretary determines should be

examined to better enable individuals with disabilities to safely access and use ride-hail ADS-equipped vehicles.

(b) CONSIDERATIONS.—The Secretary shall ensure that, in conducting the study under subsection (a), the Transportation Research Board considers—

(1) the degree to which each change to transportation infrastructure considered under such study would improve ADS-equipped vehicle access;

(2) the cost-effectiveness of such changes;

(3) the applicability or replicability of such changes in urban, suburban, rural, and other areas; and

(4) whether existing regulatory or policy requirements pose barriers to the efficient adoption of such changes.

(c) REPORTS.—

(1) REPORT TO SECRETARY.—If the Transportation Research Board enters into an agreement under subsection (a), not later than 180 days after the date on which the study under subsection (a) is completed, the Transportation Research Board shall submit to the Secretary a report on the results of such study, including any recommendations deter-

mined appropriate by the Transportation Research Board.

(2) REPORT TO CONGRESS.—Not later than 60 days after the date on which the Transportation Research Board submits the report under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate a report describing the results of the study required under subsection (a), including any recommendations for further action determined appropriate by the Secretary.

(d) DEFINITIONS.—In this section:

(1) ADS-EQUIPPED VEHICLE.—The term ''ADS-equipped vehicle'' has the meaning given to the term as provided in the April 2021 edition of recommended practice J3016 of SAE International titled ''Taxonomy and Definitions for Terms Related to Driving Automation Systems for On Road Motor Vehicles''.

(2) RIDE-HAIL ADS-EQUIPPED VEHICLES.—The term ''ride-hail ADS-equipped vehicles'' means an ADS-equipped vehicle that is—

(A) offered for pre-arranged transportation services for compensation, using an internet-enabled application or electronic platform to connect passengers with vehicles; and

(B) dispatched in a driverless operation.

SEC. 6013. GAO STUDY OF INTELLIGENT TRANSPORTATION SYSTEMS PHYSICAL AND CYBER VULNERABILITIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a study on the physical and cybersecurity risks associated with intelligent transportation systems and advanced transportation technology.

(b) REQUIREMENTS.—In conducting the study required under subsection (a), the Comptroller General shall—

(1) assess physical and cybersecurity vulnerabilities for data and network protection of intelligent transportation systems;

(2) assess Federal, State, and local government procurement of foreign-manufactured devices and undocumented communication features in such devices; and

(3) include recommendations to the Secretary to reduce the risk of physical or cyber vulnerabilities

associated with intelligent transportation systems and advanced transportation technologies.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study required under subsection (a), including any recommendations associated with such results.

(d) CLASSIFICATION.—The report required under subsection (c) shall be submitted in an unclassified form, but may include a classified annex.

(e) INTELLIGENT TRANSPORTATION SYSTEM DEFINED.—In this section, the term ''intelligent transportation system'' means electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

SEC. 6014. GAO STUDY AND REPORT ON AUTOMATED DRIVING SYSTEMS SAFETY ASSURANCE.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Comptroller General shall initiate a study to assess what changes to surface transportation infrastructure may be necessary for the safe deployment of vehicles equipped with automated driving systems.

(b) CONSIDERATIONS.—In conducting the study required under subsection (a), the Comptroller General shall evaluate—

(1) if the National Highway Traffic Safety Administration accurately collects incident data; and

(2) if changes are needed to—

(A) data standardization requirements; and

(B) data sharing and privacy protocols.

(c) CONSULTATION.—In conducting the study required under subsection (a), the Comptroller General shall consult with—

(1) State departments of transportation;

(2) representatives of law enforcement;

(3) manufacturers of automated driving systems;

(4) transportation safety advocacy organizations; and

(5) other stakeholders the Comptroller General determines appropriate.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Comptroller

General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

SEC. 6015. TECHNICAL ASSISTANCE.

The Secretary may provide such guidance as may be necessary, including technical assistance, to State departments of transportation to enable the use of construction materials on Federal-aid projects that are manufactured using a process that—

(1) produces materials with—

(A) superior durability to conventional materials; and

(B) superior performance with respect to—

(i) compressive strength;

(ii) tensile strength; or

(iii) workability; and

(2) produces materials that meet the engineering specifications of the State and achieve superior performance with respect to—

(A) environmental performance; or

(B) energy efficiency.

TITLE VII—FREIGHT AND MULTIMODAL TRANSPORTATION PROGRAMS

Subtitle A—Freight Policy

SEC. 7001. NATIONAL MULTIMODAL FREIGHT POLICY.

(a) IN GENERAL.—Section 70101 of title 49, United States Code, is amended—

(1) in subsection (b)(1)(A) by striking "the contribution of the National Multimodal Freight Network to";

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

"(c) CONSIDERATION.—In awarding competitive grants under section 6701 of this title and section 117 of title 23, the Secretary shall consider, to the maximum extent practicable—

"(1) how a project would address or eliminate bottlenecks identified on the National Multimodal Freight Network; and

"(2) how a project would improve the movement of freight on the National Multimodal Freight Network.".

(b) ASSESSMENT OF NATIONAL MULTIMODAL FREIGHT POLICY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall conduct a comprehensive review of the national multimodal freight policy under section 70101 of title 49, United States Code, and report to Congress.

(2) CONTENTS.—In carrying out the review under paragraph (1), the Comptroller General shall assess—

(A) the implementation of the national multimodal freight policy under section 70101 of title 49, United States Code;

(B) the extent to which the national strategic freight plan is utilized by State transportation departments and relevant stakeholders;

(C) requirements under subsections (b) and (c) of section 70103 of title 49, United States Code, relating to the designation and redesignation of the National Multimodal Freight Network and the process for considering input from State transportation departments provided under subsection (b)(4) of such section;

(D) efforts made under this Act, the Infrastructure Investment and Jobs Act (Public Law Public Law 117–58), and the Fixing America's Surface Transportation Act (Public Law 114–94) to improve the movement of freight; and

(E) the effectiveness of national multimodal freight policy in addressing freight mobility issues, including bottlenecks on the National Multimodal Freight Network and on other freight systems in the United States, including such bottlenecks at highway interchanges.

(3) RECOMMENDATIONS.—The report required under paragraph (1) shall include recommendations based on the assessment of the Comptroller General under paragraph (2), which may include recommendations to—

(A) strengthen the national multimodal freight policy; and

(B) address freight mobility issues through the national multimodal freight policy, including mitigating bottlenecks on the National Multimodal Freight Network and on other highway systems across the United States.

(4) REPORT.—The Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the assessment and recommendations required under this subsection.

SEC. 7002. NATIONAL FREIGHT STRATEGIC PLAN.

Section 70102 of title 49, United States Code, is amended—

(1) in subsection (a) by striking "Internet Web site" and inserting "website";

(2) in subsection (b)—

(A) in paragraph (7), by inserting ", including inland maritime port facilities" after "intermodal connectivity"; and

(B) in paragraph (15), by striking "and historically disadvantaged"; and

(3) in subsection (c)—

(A) by striking "Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter," and inserting "Not less frequently than every 3 years,"; and

(B) by striking ‘‘Internet Web site’’ and inserting ‘‘website’’.

SEC. 7003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Section 70103 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3) by striking ‘‘; and’’ and inserting a semicolon;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

‘‘(4) to identify and address freight mobility challenges, including bottlenecks; and’’;

(2) in subsection (b)—

(A) in paragraph (1)(A) by inserting ‘‘, including by addressing freight mobility challenges’’ after ‘‘connectivity’’;

(B) in paragraph (4)—

(i) in subparagraph (B)(iii)—

(I) in subclause (IV) by striking ‘‘; or’’ and inserting a semicolon;

(II) by redesignating subclause (V) as subclause (VII); and

(III) by inserting after subclause (IV) the following:

"(V) a water storage facility;

"(VI) an inland maritime port facility; or";

(ii) in subparagraph (C)—

(I) in clause (i) by striking "Under Secretary" and inserting "Assistant Secretary"; and

(II) in clause (ii)—

(aa) in the clause heading by striking "UNDER SECRETARY" and inserting "ASSISTANT SECRETARY"; and

(bb) by striking "Under Secretary" and inserting "Assistant Secretary"; and

(iii) in subparagraph (D) by striking "Under Secretary" and inserting "Assistant Secretary"; and

(3) by striking subsection (c) and inserting the following:

"(c) REDESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.—The Assistant Secretary shall, on a triennial basis and using the designation factors described in subsection (b), redesignate the National Multimodal Freight Network established under subsection (a).''.

SEC. 7004. STATE FREIGHT ADVISORY COMMITTEES.

Section 70201(c) of title 49, United States Code, is amended by striking ''shall'' and inserting ''may''.

SEC. 7005. STATE FREIGHT PLANS.

Section 70202 of title 49, United States Code, is amended—

(1) in subsection (b)(8) by striking ''any strategies'' and inserting ''strategies and actions the State proposes'';

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following:

''(h) SOLUTIONS FOR BOTTLENECKS AT HIGHWAY INTERCHANGES.—Each State freight plan under this section shall include—

''(1) a list of freight bottlenecks, including those at highway interchanges, if applicable; and

''(2) solutions for addressing freight bottlenecks, including those at highway interchanges, identified under paragraph (1).''.

SEC. 7006. FREIGHT LOGISTICS OPTIMIZATION WORKS PROGRAM.

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

"§ 6315. Freight Logistics Optimization Works Program

"(a) ESTABLISHMENT.—The Director, in coordination with the Office of Multimodal Freight Infrastructure and Policy, shall establish and maintain a program to be known as the 'Freight Logistics Optimization Works Program' (in this section referred to as the 'FLOW Program') to improve freight system efficiency, resilience, and supply chain visibility through voluntary public-private data sharing.

"(b) GOALS.—The goals of the FLOW Program shall be to—

"(1) enhance visibility into national and regional freight flows;

"(2) identify and mitigate freight bottlenecks;

"(3) improve freight system forecasting and planning;

"(4) strengthen supply chain resilience; and

"(5) support data-informed freight policy development.

"(c) PARTICIPATION.—Participation in the FLOW Program shall be voluntary and may include—

"(1) port authorities;

"(2) terminal operators;

"(3) ocean carriers;

"(4) rail carriers;

"(5) motor carriers;

"(6) shippers;

"(7) logistics providers;

"(8) warehouse operators; and

"(9) any other freight stakeholders, as determined by the Director.

"(d) DATA PROTECTION.—The Director shall ensure that data submitted to the FLOW Program is—

"(1) aggregated and anonymized prior to dissemination;

"(2) protected in accordance with section 6307 of this title and section 3572 of title 44; and

"(3) exempt from disclosure under section 552 of title 5.

"(e) DATA STEWARDSHIP.—The Bureau shall serve as the neutral data steward and shall develop protocols to ensure data security, integrity, and appropriate access.

"(f) USE OF DATA.—Data collected under the FLOW Program may be used to—

"(1) produce aggregated freight performance metrics;

"(2) inform freight planning and optimization; and

"(3) support emergency response and supply chain resilience efforts.".

(b) COORDINATION.—Section 118 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (6) by striking "and" at the end;

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following:

"(7) to carry out the Freight Logistics Optimization Works Program established under section 6315, in coordination with the Bureau of Transportation Statistics; and"; and

(2) in subsection (d)(5) by inserting ", including data aggregated through the Freight Logistics Optimization Works Program established under section 6315" after "planning tools".

Subtitle B—Multimodal Policy and Programs

SEC. 7101. STREAMLINING POSITIONS WITHIN OFFICE OF THE SECRETARY.

(a) IN GENERAL.—Section 102 of title 49, United States Code, is amended—

(1) in subsection (e)(1)—

(A) in the matter preceding subparagraph (A) by striking "8" and inserting "9";

(B) in subparagraph (A) by striking "an Assistant Secretary for Governmental Affairs,";

(C) in subparagraph (B) by striking "who shall" and inserting "an Assistant Secretary for Governmental Affairs, and an Assistant Secretary for Tribal Government Affairs, who shall each";

(D) in subparagraph (C) by adding "and" at the end;

(E) by striking subparagraph (D); and

(F) by redesignating subparagraph (E) as subparagraph (D); and

(2) by striking subsection (g).

(b) CONFORMING AMENDMENTS.—

(1) COORDINATION.—Section 102(j)(4) of title 49, United States Code, is amended by striking

"subsection (e)(1)(E)" and inserting "subsection (e)(1)".

(2) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking "Assistant Secretaries of Transportation (5)" and inserting "Assistant Secretaries of Transportation (9)".

SEC. 7102. COUNCIL ON CREDIT AND FINANCE TRANSPARENCY.

Section 117 of title 49, United States Code, is amended by adding at the end the following new subsection:

"(d) TRANSPARENCY.—Not later than 15 days after a meeting of the Council, the Secretary shall publish on the website of the Department a summary of the meeting, including—

"(1) an agenda; and

"(2) a record of decisions and actions.".

SEC. 7103. AMENDMENTS TO WORKING CAPITAL FUND.

Section 327 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4) by striking "; and" and inserting a semicolon;

(B) in paragraph (5) by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(6) transferring information technology equipment, software, and systems from Departmental sources or other entities and collecting and maintaining a reserve at rates which will return the full cost of transferred assets."; and

(2) in subsection (d) by striking "shall be reimbursed, in advance," and inserting "may be reimbursed after performance or paid in advance".

SEC. 7104. TRANSPORTATION ASSISTANCE FOR INTERNATIONAL GAMES.

(a) IN GENERAL.—Chapter 55 of title 49, United States Code, is amended by inserting after section 5501 the following:

"§ 5502. Transportation assistance for international games

"(a) DEFINITIONS.—In this section:

"(1) COVERED EVENT.—

"(A) IN GENERAL.—The term 'covered event' means an event that—

"(i) in the determination of the Secretary, is a multiday international sporting event, including—

"(I) an Olympic, Paralympic, or Special Olympics event;

"(II) a FIFA Women's World Cup event; and

"(III) a FIFA World Cup event;

"(ii) is held at a site located in a State that has been selected by an internationally recognized governing body for the sporting event to hold such event; and

"(iii) is not regularly held at such site.

"(B) TREATMENT OF MULTIPLE EVENTS.—More than 1 event described in subparagraph (A), occurring in the same stadium, city, metropolitan planning area (as defined in section 5331), or metropolitan statistical area (as designated by the Director of the Office of Management and Budget), shall be treated as part of the same overall competition, sporting event, or grouping of competitions or sporting events and shall be considered to be 1 covered event.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

“(A) a State or local government entity or Indian Tribe hosting a covered event;

“(B) a State or local government entity or Indian Tribe that—

“(i) is supporting a covered event; and

“(ii) has jurisdiction over an area that is located within a 100-mile radius of the location in which the applicable covered event is being held;

“(C) a metropolitan planning organization (as such term is defined in section 5331) that serves an area that is under the jurisdiction of a State, Indian Tribe, or unit of local government described in subparagraph (A) or (B);

“(D) an entity eligible to receive a grant under section 24911 that operates intercity passenger rail service within a 100-mile radius of the location in which the applicable covered event is being held; or

“(E) the sponsor of an airport—

“(i) receiving a grant under subchapter I of chapter 471; and

“(ii) that is located within a 100-mile radius of the location in which the applicable covered event is being held.

"(3) ELIGIBLE PROJECT.—The term 'eligible project' means—

"(A) a transportation project that is eligible for assistance under any provision of this title or title 23 and that the applicant certifies—

"(i) will assist with the movement of individuals and goods for the applicable covered event; or

"(ii) will mitigate or prevent any adverse effects from the transportation changes resulting from a covered event; or

"(B) a transportation planning activity that the applicant certifies will assist with the movement of individuals and goods for the applicable covered event.

"(4) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(5) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(6) STATE.—The term 'State' has the meaning given such term in section 5302.

“(b) GRANTS FOR TRANSPORTATION PROJECTS RELATING TO INTERNATIONAL GAMES.—

“(1) IN GENERAL.—For each fiscal year in which appropriations are provided to carry out this section, the Secretary may make grants under this section to eligible entities to carry out an eligible project.

“(2) PROHIBITION.—A grant under this section may not be used by an eligible entity for any activities related to preparing or submitting a bid to be selected to host a covered event.

“(3) AWARD REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall, with respect to a project funded by a grant under this section, apply—

“(i) the requirements of title 23 to a highway, road, or bridge project;

“(ii) the requirements of chapter 53 to a transit project; or

“(iii) the requirements of section 22905 to a rail project.

“(B) REQUIREMENTS FOR AIRPORTS.—The requirements described under chapters 501 and 471 shall apply to any project carried out by an eligible entity described in subsection (a)(2)(E) with amounts made available under this section.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

"(A) $50,000,000 for fiscal year 2027;

"(B) $50,000,000 for fiscal year 2028;

"(C) $50,000,000 for fiscal year 2029;

"(D) $50,000,000 for fiscal year 2030; and

"(E) $50,000,000 for fiscal year 2031.

"(c) TRANSPORTATION PLANNING ACTIVITIES.—The Secretary shall provide technical and planning assistance to recipients of a grant under this section, including—

"(1) by assisting State or local governmental entities, metropolitan planning organizations, and Indian Tribes with the development of intermodal transportation plans relating to a covered event;

"(2) by facilitating and incentivizing programs to temporarily pool and share, for the duration of a covered event, buses and related equipment among State and local governmental entities, Indian Tribes, and other governmental and nongovernmental entities;

"(3) by expediting review and comment of any required submissions to the Secretary relating to a covered event;

"(4) by assisting with the coordination of transportation planning efforts between governments and the private sector; and

"(5) by providing any other technical or planning assistance the Secretary determines to be necessary.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by inserting after the item relating to section 5501 the following:

"5502. Transportation assistance for international games.".

SEC. 7105. NATIONAL INFRASTRUCTURE PROJECT ASSISTANCE.

Section 6701 of title 49, United States Code, is amended—

(1) in subsection (a)(2)(E) by inserting ", a lessee of a Federal surface transportation hub," after "special purpose district";

(2) by striking subparagraph (E) of subsection (d)(1) and inserting the following:

"(E) a public transportation project—

"(i) that is—

"(I) eligible for assistance under chapter 53; and

"(II) part of a project described in any of subparagraphs (A) through (D); or

"(ii) that is—

"(I) eligible for assistance under section 5309; and

"(II) located in an urbanized area of 200,000 or more population; or";

(3) in subsection (f)—

(A) in paragraph (2)—

(i) in subparagraph (B)(v) by striking "impacts," and all that follows through "resilience;" and inserting "impacts;"; and

(ii) in subparagraph (E) by striking ", including with respect to short- and long-term job access, growth, or creation";

(B) in paragraph (3)—

(i) in subparagraph (C) by striking "uses" and all that follows through "technologies" and inserting "uses innovative construction materials or technologies";

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively;

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

''(D) whether a project would address the impact of population growth on the movement of people and freight; and''; and

(iv) in subparagraph (F), as so redesignated, by striking ''transportation, including'' and all that follows through ''rail; and'' and inserting ''transportation; and'';

(4) in subsection (h)(1)(B) by striking ''for the purpose of improving habitat for aquatic species'' and inserting ''that are eligible under section 176(d) of title 23'';

(5) in subsection (k) by striking ''30 days'' and inserting ''3 days''; and

(6) in subsection (m)—

(A) in paragraph (1) by striking ''fiscal years 2022 through 2026'' and inserting ''fiscal years 2027 through 2031''; and

(B) in paragraph (2) by striking ''50 percent'' and inserting ''25 percent''.

SEC. 7106. LOCAL AND REGIONAL PROJECT ASSISTANCE.

Section 6702 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B) by striking "2014 through 2018; and" and inserting "2019 through 2023;";

(ii) by redesignating subparagraph (C) as subparagraph (D); and

(iii) by inserting after subparagraph (B) the following:

"(C) any qualified opportunity zone, as such term is defined in section 1400Z–1 of the Internal Revenue Code of 1986; and"; and

(B) in paragraph (2)(F) by inserting "or a lessee of a Federal surface transportation hub" after "transportation function";

(2) in subsection (a)(3)(G) by striking "for the purpose of improving habitat for aquatic species" and inserting "that is eligible under section 176(d) of title 23 and";

(3) in subsection (b)(2) by inserting "surface" after "impact and improve";

(4) in subsection (d)—

(A) in paragraph (4)—

(i) in subparagraph (C) by striking "the project has demonstrated readiness; and" and inserting "construction of the project is reasonably expected to begin not later than 18 months after the date on which the grant recipient is selected;";

(ii) by redesignating subparagraph (D) as subparagraph (E); and

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

"(D) the project sponsor includes documentation certifying such sponsor has notified a State department of transportation if the project is located on a State-owned or State-managed transportation facility; and";

(B) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(C) by inserting after paragraph (4) the following:

"(5) LIMITATION.—In awarding grants under the program established in subsection (b), the Secretary shall select grant recipients based only on the selection criteria described in paragraphs (3) and (4).";

(5) in subsection (e)—

(A) in paragraph (2) by striking ", a historically disadvantaged community,"; and

(B) by adding at the end the following:

"(4) PRE-AWARD AUTHORITY.—

"(A) IN GENERAL.—The Secretary shall provide pre-award authority for eligible pre-award activities to permit expenses to be incurred by a recipient during the period beginning on the date on which the recipient is selected and ending on the date on which the grant agreement is signed.

"(B) ELIGIBLE PRE-AWARD ACTIVITIES.—The Secretary shall make publicly available in the notice of funding opportunity the eligible pre-award activities for an award under this section which shall be similar in nature to eligible pre-award activities granted to applicants under section 5309.";

(6) in subsection (f)(2)—

(A) in the heading by striking "HISTORICALLY DISADVANTAGED COMMUNITIES AND AREAS" and inserting "AREAS"; and

(B) by striking "historically disadvantaged communities or";

(7) in subsection (g)—

(A) by redesignating paragraph (2) as paragraph (3); and

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

"(2) TREATMENT.—Amounts provided under this subsection shall not be considered a guarantee of future selection of the applicable project under the program.";

(8) in subsection (j) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(9) in subsection (k)(2) by striking "Not later than" and all that follows through "shall" and inserting "Not less frequently than every 2 years, the Comptroller General of the United States shall".

SEC. 7107. NATIONAL CULVERT REMOVAL, REPLACEMENT, AND RESTORATION GRANT PROGRAM.

Section 6703 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1) by striking "or weirs that" and inserting "or weirs, including projects that"; and

(B) in paragraph (2) by striking "may include" and all that follows through "weir improvements" and inserting "shall include infrastructure to facilitate fish passage around or over the weir"; and

(2) in subsection (c)—

(A) in paragraph (1) by inserting "or the District of Columbia" after "a State";

(B) in paragraph (2) by striking "or" at the end;

(C) in paragraph (3) by striking the period and inserting "; or"; and

(D) by adding at the end the following:

"(4) any combination or consortium of an entity described in paragraphs (1) through (3).".

SEC. 7108. RURAL AND TRIBAL INFRASTRUCTURE ADVANCEMENT PILOT EXTENSION.

Section 21205 of the Infrastructure Investment and Jobs Act (49 U.S.C. 116 note) is amended—

(1) in subsection (f)—

(A) in paragraph (1) by striking "2026" and inserting "2031";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2); and

(2) in subsection (g) by striking ''the date that is 5 years after the date of enactment of this Act'' and inserting ''October 1, 2031''.

SEC. 7109. ADVISORY COMMITTEE ON CARGO THEFT AND FREIGHT FRAUD.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to provide advice and recommendations to the Secretary on regulations and policies to better deter and address cargo theft and freight fraud.

(b) MEMBERSHIP.—The advisory committee established under subsection (a) shall be composed of not more than 20 members, appointed by the Secretary, including representatives of—

(1) Federal law enforcement agencies;

(2) local and State law enforcement agencies;

(3) motor carriers, including independent owner-operators;

(4) shipping and logistics companies, including third-party logistics providers;

(5) brokers;

(6) multimodal freight operators, including port and marine terminal operators;

(7) cybersecurity professionals; and

(8) other stakeholders that the Secretary determines appropriate.

(c) CONSIDERATIONS.—The advisory committee established under subsection (a) shall consider—

(1) the various types of cargo theft, including—

(A) theft in which an entire load of cargo is physically stolen from a location;

(B) theft in which part of a load of cargo is stolen from an unattended trailer; and

(C) theft in which specific cargo is stolen, which may involve fleet impersonation or double-brokering;

(2) the geographic and type of location at which cargo theft occurs;

(3) the type of cargo being stolen;

(4) the financial costs of cargo theft, including—

(A) the indirect financial costs to consumers;

(B) supply chain operational disruptions;

(C) chain-of-custody responsibilities between carriers and customers; and

(D) insurance costs;

(5) the role of law enforcement and the cross-jurisdictional nature of freight movement;

(6) physical and cybersecurity measures used by carriers to combat cargo theft, including zero trust verification and detection of emulators and voice over internet protocol numbers; and

(7) regulations, policies, and guidance of the Department related to motor carriers, including motor carrier registration, data exchange and verification, and supply chain integrity.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the advisory committee established under subsection (a) shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(1) describes the advice and recommendations made to the Secretary under subsection (a); and

(2) includes an assessment of progress made by the Secretary in addressing cargo theft and freight fraud.

TITLE VIII—MISCELLANEOUS

SEC. 8001. TITLE 23 TECHNICAL CORRECTIONS.

(a) TITLE 23 CHAPTER ANALYSIS.—The chapter analysis for title 23, United States Code, is amended by striking the item relating to chapter 1 and inserting the following:

(b) METROPOLITAN TRANSPORTATION PLANNING.—Section 134(a)(1) of title 23, United States Code, is amended—

(1) by striking "areas" and inserting "areas,"; and

(2) by striking "employment,," and inserting "employment,".

(c) ENFORCEMENT OF REQUIREMENTS.—Section 141(b) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking "subsection (b) of this section" and inserting "subsection (a)";

(2) in paragraph (2) by striking "subsection (b) of this section" and inserting "subsection (a)"; and

(3) in paragraph (3) by striking "of this subsection".

(d) SAFETY INCENTIVES TO PREVENT OPERATION OF MOTOR VEHICLES BY INTOXICATED PERSONS.—Section 163(f) of title 23, United States Code, is amended to read as follows:

"(f) AVAILABILITY OF FUNDS.—Notwithstanding section 118(b), funds authorized by this subsection shall remain available until expended.".

SEC. 8002. TITLE 49 TECHNICAL CORRECTIONS.

(a) REGULATION OF SOLID WASTE RAIL TRANSFER FACILITIES.—Section 10908(a) of title 49, United States Code, is amended by inserting a comma after "(42 U.S.C. 6903(29))".

(b) SITUATIONS REQUIRING IMMEDIATE ACTION TO SERVE THE PUBLIC.—Section 11123(f) of title 49, United States Code, is amended by striking "section 24102(4)" and inserting "section 24102".

(c) CHAPTER 117 ANALYSIS.—The analysis for chapter 117 of title 49, United States Code, is amended by striking the item relating to section 11708 and inserting the following:

"11708. Voluntary arbitration of certain rail rates and practices disputes.".

(d) MISCELLANEOUS MOTOR CARRIER TRANSPORTATION EXEMPTIONS.—Section 13506(a)(14) of title 49, United State Code, is amended by striking "section 13904(d)" and inserting "section 13904(f)".

(e) CHAPTER 139 ANALYSIS.—The analysis for chapter 139 of title 49, United States Code, is amended by striking the item relating to section 13901 and inserting the following:

"13901. Requirements for registration.".

(f) EFFECTIVE PERIODS OF REGISTRATION.—Section 13905(d)(2)(B)(iii) of title 49, United States Code, is amended by striking "for failure".

(g) SECURITY OF MOTOR CARRIERS, MOTOR PRIVATE CARRIERS, BROKERS, AND FREIGHT FORWARDERS.—Section 13906 of title 49, United States Code, is amended—

(1) in subsection (a)(1) by striking ‘‘paragraph (3) of this subsection’’ and inserting ‘‘paragraph (4)’’;

(2) in subsection (b)(7)(C) by striking ‘‘to provider’’ and inserting ‘‘to provide’’; and

(3) in subsection (c)(2)(A)(ii) by striking ‘‘in the case’’ and inserting ‘‘in a case in which’’.

(h) UNIFIED CARRIER REGISTRATION SYSTEM PLAN AND AGREEMENT.—Section 14504a of title 49, United States Code, is amended—

(1) in subsection (b) by striking ‘‘section 13903(b)’’ and inserting ‘‘section 13903(d)’’; and

(2) in subsection (c)(2) by striking ‘‘which’’ and inserting ‘‘for which’’.

(i) STATE PARTICIPATION.—Section 20105(a) of title 49, United States Code, is amended—

(1) by striking ‘‘The Secretary concerned’’ and inserting ‘‘A Secretary concerned’’;

(2) by striking ‘‘issued by the Secretary that’’ and inserting ‘‘issued by such Secretary’’; and

(3) by striking "submits to the Secretary concerned" and inserting "submits to such Secretary".

(j) EMPLOYEE PROTECTIONS.—Section 20109 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(A) by striking "of title 5" and inserting "of title 5)";

(2) in subsection (d)(2)(A)(i) by striking "(d)(1)" and inserting "subsection (d)(1)";

(3) in subsection (d)(2)(A)(iii) by striking "in 42121." and inserting "in section 42121."; and

(4) in subsection (d)(4) by striking "42121(b)," and inserting "42121(b)".

(k) SUBTITLE V ANALYSIS.—The chapter analysis for subtitle V of title 49, United States Code, is amended—

(1) by striking the item relating to chapter 224 and inserting the following:

"224. Railroad Rehabilitation and Improvement Financing ....22401.";

(2) by striking the item relating to chapter 227 and inserting the following:

"227. State Rail Plans ....22701.";

(3) by striking the item relating to chapter 242 and inserting the following:

"242. Project Delivery ....24201."; and

(4) by striking the item relating to chapter 251 and inserting the following:

"251. Passenger Rail Planning ....25101.".

(l) CHAPTER 201 ANALYSIS.—The analysis for chapter 201 of title 49, United States Code, is amended—

(1) by striking the item relating to section 20106 and inserting the following:

"20106. Preemption."; and

(2) by striking the item relating to section 20165 and inserting the following:

"20165. Limitations on non-Federal alcohol and drug testing.".

(m) ENFORCEMENT REPORT.—Section 20120 of title 49, United States Code, is amended—

(1) in subsection (a) by striking "Beginning" and all that follows through "an annual report that" and inserting "The Secretary of Transportation shall submit an annual report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that—";

(2) in subsection (a)(4) by striking "provide the information" and inserting "provides the information"; and

(3) by adding at the end the following:

"(b) PUBLIC AVAILABILITY.—The Secretary shall—

"(1) make the report required to be submitted under subsection (a) publicly available; and

"(2) publish such report on the website of the Department of Transportation not later than December 31 of each year.".

(n) IMPLEMENTATION OF POSITIVE TRAIN CONTROL SYSTEMS.—Section 20157 of title 49, United States Code, is amended—

(1) in subsection (k) by striking "Act" and inserting "subsection"; and

(2) in subsection (l) by striking "subject to (a)(1)" and inserting "subject to subsection (a)(1)".

(o) REQUIREMENTS FOR RAILROAD FREIGHT CARS PLACED INTO SERVICE IN THE UNITED STATES.—Section 20171(c)(3)(B) of title 49, United States Code, is amended by striking "Railroad's" and inserting "Railroads' ".

(p) NONAPPLICATION, EXEMPTION, AND ALTERNATE HOURS OF SERVICE REGIME.—Section 21102(c)(4) of title 49, United States Code, is amended by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(q) CAPITAL GRANTS FOR CLASS II AND CLASS III RAILROADS.—Section 22301(e)(2) of title 49, United

States Code, is amended by striking ‘‘the subchapter’’ and inserting ‘‘subchapter’’.

(r) AUTHORIZATION OF APPROPRIATIONS.—Section 22406 of title 49, United States Code, is amended in the section heading by striking ‘‘**appropriations.**’’ and inserting ‘‘**appropriations**’’.

(s) DEFINITIONS.—Section 22701 of title 49, United States Code, is amended by striking ‘‘In this subchapter’’ and inserting ‘‘In this chapter’’.

(t) CONTENT.—Section 22705(a)(11) of title 49, United States Code, is amended by striking ‘‘subchapter’’ and inserting ‘‘chapter’’.

(u) CHAPTER 229 ANALYSIS.—The analysis for chapter 229 of title 49, United States Code, is amended by striking the item relating to 22902 and inserting the following:

‘‘22902. Capital investment grants to support intercity passenger rail service.’’.

(v) CAPITAL INVESTMENT GRANTS TO SUPPORT INTERCITY PASSENGER RAIL SERVICE.—Section 22902 of title 49, United States Code, is amended—

(1) in subsection (c)(3)(A)(vii) by striking ‘‘5302(a)(1)(G)’’ and inserting ‘‘5302(5)’’;

(2) in subsection (d) by striking ‘‘22506’’ and inserting ‘‘22706’’;

(3) in subsection (e) by striking ‘‘22504(a)(5)’’ and inserting ‘‘22705’’; and

(4) in subsection (k) by striking "section 209(d) of that Act" and inserting "chapter 229".

(w) CHAPTER 243 ANALYSIS.—The analysis for chapter 243 of title 49, United States Code, is amended by striking the item relating to section 24316 and inserting the following:

"24316. Plans to address needs of families of passengers involved in rail passenger accidents.".

(x) STATUS AND APPLICABLE LAWS.—Section 24301(a)(1) of title 49, United States Code, is amended by striking "20102(2)" and inserting "20102".

(y) CHAPTER 247 ANALYSIS.—The analysis for chapter 247 of title 49, United States Code, is amended—

(1) in the item relating to section 24702 by adding a period at the end; and

(2) by striking the item relating to section 24710 and inserting the following:

"24710. Long-distance routes.".

(z) STATE-SUPPORTED ROUTES OPERATED BY AMTRAK.—Section 24712(a)(7)(B)(i) of title 49, United States Code, is amended by striking "20901 note" and inserting "24101 note".

(aa) NORTHEAST CORRIDOR COMMISSION; SAFETY COMMITTEE.—Section 24905 of title 49, United States Code, is amended—

(1) in the section heading by striking ‘‘**Commission; safety committee**’’ and inserting ‘‘**Commission**’’; and

(2) in subsection (c)(1)(D) by striking ‘‘subparagraph (B);’’ and inserting ‘‘subparagraph (B); and’’.

(bb) FEDERAL-STATE PARTNERSHIP FOR INTERCITY PASSENGER RAIL.—Section 24911(e) of title 49, United States Code, is amended—

(1) in paragraph (3) by striking ‘‘24904(a)’’ and inserting ‘‘24904(b)’’; and

(2) in paragraph (4) by striking ‘‘24904(d)’’ and inserting ‘‘24904(a)(3)’’.

(cc) DEFINITIONS.—Section 26105(1) of title 49, United States Code, is amended by striking ‘‘contracts,,’’ and inserting ‘‘contracts,’’.

(dd) RAIL POLICE OFFICERS.—Section 28101(c)(1) of title 49, United States Code, is amended by striking ‘‘police office’’ and inserting ‘‘police officer’’.

(ee) CHAPTER 285 ANALYSIS.—The analysis for chapter 285 of title 49, United States Code, is amended by striking the item relating to section 28501 and inserting the following:

‘‘28501. Definitions.’’.

(ff) SUBTITLE VI ANALYSIS.—The analysis for subtitle VI of title 49, United States Code, is amended by striking the item relating to chapter 311 and inserting the following:

"311. Commercial Motor Vehicle Safety ....31100.".

(gg) SPECIAL EXEMPTIONS.—Section 30114(a) of title 49, United States Code, is amended by striking "(a) Vehicles Used for Particular Purposes. The Secretary" and inserting "(a) VEHICLES USED FOR PARTICULAR PURPOSES.—The Secretary".

(hh) RELEASE OF MOTOR VEHICLES AND BONDS.—Section 30146(d) of title 49, United States Code, is amended by striking "mispresentation" and inserting "misrepresentation".

(ii) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166(e) of title 49, United States Code, is amended by striking "distributor dealer," and inserting "distributor, dealer,".

(jj) CRIMINAL PENALTIES.—Section 30170 of title 49, United States Code, is amended—

(1) in the section heading by striking "**Criminal Penalties**" and inserting "**Criminal penalties**"; and

(2) in subsection (a)(1) by striking "section 1365(g)(3)" and inserting "section 1365(h)(3)".

(kk) POWERS AND DUTIES.—Section 30182(b)(6) of title 49, United States Code, is amended by striking "Department" and inserting "the Department".

(ll) CRIMINAL PENALTIES.—Section 30307(a) of title 49, United States Code, is amended by striking "section 30305(b)(6)" and inserting "section 30305(b)(11)".

(mm) EMPLOYEE PROTECTIONS.—Section 31105(c) of title 49, United States Code, is amended by striking "paragraph (1)" and inserting "subsection (b)(1)".

(nn) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112 of title 49, United States Code, is amended—

(1) in subsection (c)(5) by striking "relevant state" and inserting "relevant State"; and

(2) by striking paragraph (4) of subsection (d).

(oo) DEFINITIONS.—Paragraph (8) of section 31132 of title 49, United States Code, is amended to read as follows:

"(8) 'State'—

"(A) means a State of the United States and the District of Columbia; and

"(B) in sections 31136, 31141, and 31142, includes a political subdivision of a State.".

(pp) REQUIREMENT FOR REGISTRATION AND USDOT NUMBER.—Section 31134 of title 49, United States Code, is amended—

(1) in subsection (b) by striking "(2)(A) during" and inserting "(2) during"; and

(2) in subsection (c)(1) by striking "sections" and inserting "section".

(qq) ELECTRONIC LOGGING DEVICES AND BRAKE MAINTENANCE REGULATIONS.—Section 31137(a)(1) of title 49, United States Code, is amended by striking "be equipped" and inserting "to be equipped".

(rr) CHAPTER 313 ANALYSIS.—The analysis for chapter 313 of title 49, United States Code, is amended by striking the item relating to section 31306a and inserting the following:

"31306a. National clearinghouse for controlled substance and alcohol test results of commercial motor vehicle operators.".

(ss) DISQUALIFICATIONS.—Section 31310(d)(2) of title 49, United States Code, is amended—

(1) by striking "paragraph (9)" and inserting "paragraph (12)"; and

(2) by striking "7102(9)" and inserting "7102(12)".

(tt) REQUIREMENTS FOR QUALIFICATIONS, HOURS OF SERVICE, SAFETY, AND EQUIPMENT STANDARDS.—Section 31502(e)(4) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking "purposes of section" and all that follows through the period at the end and inserting "purposes of section

229(a)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note).''; and

(2) in subparagraph (B) by striking ''under section 345(e)(6)'' and all that follows through the period at the end and inserting ''under section 229(e)(6) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note).''.

(uu) CONSUMER TIRE INFORMATION AND STANDARDS.—Section 32304A of title 49, United States Code, is amended—

(1) in subsection (a)(2)(D) by striking ''program including,'' and inserting ''program, including'';

(2) in subsection (b)(2)(A) by striking ''this Act'' and inserting ''the FAST Act (Public Law 114–94)'';

(3) in subsection (c)(2)(C) by striking ''this Act'' and inserting ''the FAST Act (Public Law 114–94)''; and

(4) in subsection (d)(3)(A) by striking ''this Act'' and inserting ''the FAST Act (Public Law 114–94)''.

(vv) BUMPER STANDARDS.—Section 32502(c)(3) of title 49, United States Code, is amended by striking ''section 30013(b)'' and inserting ''section 30113(b)''.

(ww) CREDITS.—Section 32903(a)(2) of title 49, United States Code, is amended by striking "paragraph (1)" and inserting "paragraph (1),".

(xx) FUEL ECONOMY INFORMATION.—Section 32908(g)(3) of title 49, United States Code, is amended by striking "32905(h)" and inserting "32905(g)".

TITLE IX—SPORT FISHING AND RECREATIONAL BOATING SAFETY

SEC. 9001. DIVISION OF ANNUAL APPROPRIATIONS.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking "2026" and inserting "2031"; and

(2) in subsection (b)—

(A) in paragraph (1)(A) by striking "2026" and inserting "2031"; and

(B) in paragraph (2)(A) by striking "of fiscal years 2022 through 2026" and inserting "fiscal year through 2031".

SEC. 9002. FUNDING FOR INTERSTATE FISHERIES COMMISSION ACTIVITIES.

Section 14(e) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m(e)) is amended—

(1) by striking ‘‘Not more than $1,200,000 of each’’ and inserting ‘‘Each’’; and

(2) in paragraph (1), by striking ‘‘$200,000’’ and inserting ‘‘The greater amount of either 0.0375 percent of such appropriation or $200,000’’.

SEC. 9003. BOATING INFRASTRUCTURE PRIORITIES.

(a) IN GENERAL.—Section 8(g) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777g(g) is amended to read as follows:

‘‘(g) BOATING INFRASTRUCTURE GRANTS.—

‘‘(1) PURPOSE.—The purpose of this section is to provide funds to States for the development and maintenance of facilities for transient nontrailerable recreational vessels.

‘‘(2) PLAN.—A State may develop and submit to the Secretary a plan for the construction, renovation, and maintenance of facilities for transient nontrailerable recreational vessels, and access to such facilities, to meet the needs of nontrailerable recreational vessels operating on navigable waters in the State.

‘‘(3) GRANTS.—

‘‘(A) MATCHING GRANTS.—The Secretary of the Interior shall obligate amounts made available under section 777c(a)(4) 1 of this title to make grants to any State to pay not more than 75 percent of the cost to a State of constructing, renovating, or maintaining facilities for transient nontrailerable recreational vessels.

"(B) PRIORITIES.—In awarding grants under subparagraph (A), the Secretary shall give priority to projects that—

"(i) consist of the construction, renovation, or maintenance of facilities for transient nontrailerable recreational vessels in accordance with a plan submitted by a State under paragraph (2);

"(ii) provide for public-private partnership efforts to develop, maintain, and operate facilities for transient nontrailerable recreational vessels;

"(iii) propose innovative ways to increase the availability of facilities for transient nontrailerable recreational vessels; and

"(iv)(I) construct, renovate, or maintain a strategic maritime fuels station; or

"(II) transport strategic maritime fuels to a strategic maritime fuels station for use by transient nontrailerable recreational vessels.

"(4) DEFINITIONS.—In this section:

"(A) NONTRAILERABLE RECREATIONAL VESSEL.—The term 'nontrailerable recreational vessel' means a recreational vessel 26 feet in length or longer—

"(i) operated primarily for pleasure; or

"(ii) leased, rented, or chartered to another for the latter's pleasure.

"(B) FACILITIES FOR TRANSIENT NONTRAILERABLE RECREATIONAL VESSELS.—The term 'facilities for transient nontrailerable recreational vessels' includes mooring buoys, day-docks, navigational aids, seasonal slips, safe harbors, or similar structures located on navigable waters, that are available to the general public (as determined by the Secretary of the Interior) and designed for temporary use by nontrailerable recreational vessels.

"(C) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

"(D) STRATEGIC MARITIME FUEL STATION.—The term 'strategic maritime fuel station' means a facility that has a bulk fuel storage tank to dispense drop-in alternative marine fuels into marine vessels.

"(E) STRATEGIC MARITIME FUELS.—The term 'strategic maritime fuels' means motor fuels derived from cooking oil waste, animal fats, plant-based materials or other production methods that meet the requirements of a drop-in fuel for gasoline or diesel marine engines.

"(F) DROP-IN FUELS.—The term 'drop-in fuels' means finished gasoline with renewable content of at least 12.5 percent by volume not exceeding 3.7 percent oxygen by weight for use in marine applications meeting ASTM D4814 specifications. Renewable diesel up to 100 percent by volume and biodiesel blends up to 5 percent by volume meeting ASTM D975 paraffinic fuel specifications.".

(b) CONFORMING AMENDMENT.—Section 7404 of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1) is repealed.

TITLE X—RAILROADS AND HAZARDOUS MATERIALS

Subtitle A—Authorization of Appropriations and Grant Reforms

SEC. 10101. GRANTS TO AMTRAK.

(a) NORTHEAST CORRIDOR.—There are authorized to be appropriated to the Secretary for grants to Amtrak for activities associated with the Northeast Corridor the following amounts:

(1) For fiscal year 2027, $1,950,000,000.

(2) For fiscal year 2028, $2,010,000,000.

(3) For fiscal year 2029, $2,070,000,000.

(4) For fiscal year 2030, $2,131,667,000.

(5) For fiscal year 2031, $2,193,333,000.

(b) NATIONAL NETWORK.—There are authorized to be appropriated to the Secretary for grants to Amtrak for activities associated with the National Network the following amounts:

(1) For fiscal year 2027, $3,900,000,000.

(2) For fiscal year 2028, $4,020,000,000.

(3) For fiscal year 2029, $4,140,000,000.

(4) For fiscal year 2030, $4,263,333,000.

(5) For fiscal year 2031, $4,386,667,000.

(c) OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated for each fiscal year pursuant to subsections (a) and (b) for the costs of oversight of Amtrak.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $6,000,000 from the amount appropriated for each fiscal year pursuant to subsection (b) for use by the State-Supported Route Committee established under section 24712(a) of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $8,000,000 from the amount appropriated for each fiscal year pursuant to subsection (a) for use by the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code.

(f) ACCESSIBILITY UPGRADES.—

(1) IN GENERAL.—The Secretary shall withhold from the amount appropriated for each fiscal year pursuant to subsections (a) and (b) $100,000,000 for grants to assist Amtrak with capital projects to improve the accessibility of the national rail passenger transportation system by increasing the number of existing Amtrak facilities for which Amtrak has the primary or shared responsibility for compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) that are compliant

with the requirements of such Act and to carry out the action plan required under section 24315(b)(1)(D) of title 49, United States Code, until the Secretary determines Amtrak's existing facilities are in compliance with such requirements.

(2) SAVINGS PROVISION.—Nothing in paragraph (1) may be construed to prevent Amtrak from using additional funds appropriated pursuant to this section to carry out the activities authorized under such paragraph.

SEC. 10102. FEDERAL RAILROAD ADMINISTRATION.

(a) SAFETY AND OPERATIONS.—There are authorized to be appropriated to the Secretary for the operations of the Federal Railroad Administration and to carry out railroad safety activities the following amounts:

(1) For fiscal year 2027, $292,780,000.

(2) For fiscal year 2028, $300,520,000.

(3) For fiscal year 2029, $308,460,000.

(4) For fiscal year 2030, $316,620,000.

(5) For fiscal year 2031, $325,000,000.

(b) RAILROAD RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for the use of the Federal Railroad Administration for activities associated with railroad research and development the following amounts:

(1) For fiscal year 2027, $48,270,000.

(2) For fiscal year 2028, $49,570,000.

(3) For fiscal year 2029, $50,910,000.

(4) For fiscal year 2030, $52,290,000.

(5) For fiscal year 2031, $53,700,000.

(c) TRANSPORTATION TECHNOLOGY CENTER.—The Secretary may withhold up to $3,000,000 from the amount appropriated for each fiscal year pursuant to subsection (b) for activities described under section 20108(d) of title 49, United States Code.

(d) RAIL RESEARCH AND DEVELOPMENT CENTER OF EXCELLENCE.—The Secretary may withhold up to 10 percent of the amount appropriated for each fiscal year under subsection (b) for grants authorized under section 20108(j) of title 49, United States Code.

(e) SAFETY CULTURE GRANTS.—The Secretary may withhold up to $2,500,000 from the amount appropriated for each fiscal year pursuant to subsection (a) for grants authorized under section 20172 of title 49, United States Code.

SEC. 10103. COMPETITIVE GRANTS.

(a) CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS GRANTS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for grants under sec-

tion 22907 of title 49, United States Code, the following amounts:

(A) For fiscal year 2027, $1,720,500,000.

(B) For fiscal year 2028, $1,770,500,000.

(C) For fiscal year 2029, $1,820,500,000.

(D) For fiscal year 2030, $1,870,600,000.

(E) For fiscal year 2031, $1,920,600,000.

(2) RAIL TECHNOLOGY AND ASSET PILOT PROGRAM.—Of the amounts authorized to be appropriated under paragraph (1), up to $100,000,000 for each of fiscal years 2027 through 2031 shall be available to the Secretary to carry out the rail technology and asset pilot program described in section 10408.

(3) OVERSIGHT.—The Secretary may withhold up to 2 percent of the amount appropriated for each fiscal year pursuant to paragraph (1) for the costs of project management oversight of grants authorized under title 49, United States Code.

(b) RAILROAD CROSSING SAFETY IMPROVEMENTS AND ELIMINATION PROGRAM.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for grants under section 22909 of title 49, United States Code, the following amounts:

(A) For fiscal year 2027, $675,000,000.

(B) For fiscal year 2028, $700,000,000.

(C) For fiscal year 2029, $725,000,000.

(D) For fiscal year 2030, $750,000,000.

(E) For fiscal year 2031, $800,000,000.

(2) HIGHWAY-RAIL GRADE CROSSING SAFETY INFORMATION AND EDUCATION PROGRAM.—Of the amount appropriated under paragraph (1) in each fiscal year, 0.25 percent shall be used for contracts or grants to carry out a highway-rail grade crossing safety information and education program—

(A) to help prevent and reduce pedestrian, motor vehicle, and other accidents, incidents, injuries, and fatalities, including suicides; and

(B) to improve awareness for pedestrians and motorists along railroad rights-of-way and at highway-rail grade crossings.

(3) OVERSIGHT.—The Secretary may withhold up to 2 percent from the amount appropriated for each fiscal year pursuant to paragraph (1) for the costs of project management and oversight of grants authorized under title 49, United States Code.

(c) NATIONAL INTERCITY PASSENGER RAILROAD PARTNERSHIP PROGRAM.—

(1) In general.—There is authorized to be appropriated to the Secretary for grants under section 24911 of title 49, United States Code, the following amounts:

(A) For fiscal year 2027, $3,500,000,000.

(B) For fiscal year 2028, $3,600,000,000.

(C) For fiscal year 2029, $3,700,000,000.

(D) For fiscal year 2030, $3,800,000,000.

(E) For fiscal year 2031, $3,900,000,000.

(2) Oversight.—The Secretary may withhold up to 2 percent of an amount appropriated under paragraph (1) for the costs of project management oversight of grants authorized under title 49, United States Code.

(3) Interstate rail compacts.—The Secretary may withhold up to $8,000,000 from the amount appropriated for each fiscal year pursuant to paragraph (1) for grants authorized under section 22910 of title 49, United States Code.

SEC. 10104. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

Section 22907 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4) by inserting "or a lessee of a federally-owned transportation hub" after "States";

(B) in paragraph (12) by striking "A University transportation center" and inserting "An institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001))"; and

(C) by adding at the end the following:

"(14) A State, county, municipal, local, or regional law enforcement agency.";

(2) in subsection (c)—

(A) in paragraph (3) by inserting ", including projects that facilitate intercity passenger rail ridership growth or improve the movement of freight by reducing rail traffic congestion on shared rail lines or at crossings and junctions" before the period;

(B) in paragraph (7) by inserting "and related equipment, including locomotives" before the period;

(C) in paragraph (12) by striking "that the Secretary considers necessary" and all that follows through the period and inserting the following: ", development, or testing that the Secretary 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 may waive any requirement for an application for such projects to include a cost-benefit analysis.''; and

(B) in paragraph (2)—

(i) by redesignating subparagraph (F) as subparagraph (G); and

(ii) by inserting after subparagraph (E) the following:

''(F) The extent to which the project increases safety or improves the efficient movement of freight or passengers.'';

(4) in subsection (g)(2) by striking ''urbanized area, as defined by the Bureau of the Census'' and inserting ''urban area, as defined by the Bureau of the Census with a population of 50,000 or less'';

(5) in subsection (h)—

(A) in paragraph (2) by inserting '', except that the Secretary may waive the non-Federal cost share requirement for a project eligible under subsection (c)(10)'' after ''80 percent''; and

(B) in paragraph (4)—

(i) by striking ''subsection (c)(5)'' and inserting ''subsection (c)(4)''; and

(ii) by striking "subsection (c)(11)" and inserting "subsection (c)(10)"; and

(6) by adding at the end the following:

"(m) QUARTERLY REPORT.—

"(1) IN GENERAL.—The Secretary shall make available on the website of the Department of Transportation at the end of each quarter of each fiscal year a report that describes each eligible project for which a grant was provided under this section.

"(2) REQUIREMENTS.—The report under paragraph (1) shall include, for each such grant—

"(A) the name, awarded amount, and status of the grant agreement from award announcement to obligation, to outlay, to closeout;

"(B) whether the applicant requested and received pre-award reimbursement and for what amount;

"(C) whether the project used a categorical exclusion and which exclusion was used; and

"(D) whether the process under section 306108 of title 54 has been completed or is expected to be completed.".

SEC. 10105. RAILROAD CROSSING SAFETY IMPROVEMENTS AND ELIMINATION PROGRAM.

Section 22909 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (7) by striking "through (6)" and inserting "through (7)";

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following:

"(7) A nonprofit organization that specializes in rail safety advocacy and education.";

(2) in subsection (f)(1)—

(A) in subparagraph (F) by striking "and" at the end;

(B) in subparagraph (G) by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(H) if applicable to the project, utilize advanced technology and data to—

"(i) augment the scope of the project to increase safety; and

"(ii) reduce overall costs of the project.";

(3) in subsection (g) by striking ‘‘Except as provided in paragraph (2), the’’ and inserting ‘‘The’’;

(4) in subsection (j)(2) by striking ‘‘shall transfer’’ and inserting ‘‘may transfer’’; and

(5) in subsection (k) by striking ‘‘urbanized area’’ and inserting ‘‘urban area’’.

SEC. 10106. NATIONAL INTERCITY PASSENGER RAILROAD PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 24911 of title 49, United States Code, is amended—

(1) by striking the heading and inserting ‘‘**National intercity passenger railroad partnership program**’’;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (H) by striking ‘‘through (G)’’ and inserting ‘‘through (H)’’;

(ii) in subparagraph (F) by inserting ‘‘or a lessee of a federally-owned transportation hub’’ after ‘‘States’’;

(iii) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively; and

(iv) by inserting after subparagraph (F) the following:

"(G) a rail carrier other than Amtrak that provides intercity rail passenger transportation;"; and

(B) by adding at the end the following:

"(4) OPERATING ASSISTANCE.—The term 'operating assistance', with respect to any route subject to section 209 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432), means any cost allocated, or that may be allocated, to a route pursuant to the cost methodology established under such section or under section 24712.";

(3) in subsection (b)—

(A) by striking "involved;." and inserting "involved; and";

(B) by striking "competitive basis, to fund" and inserting the following: "competitive basis, to—

"(1) fund"; and

(C) by adding at the end the following:

"(2) provide operating assistance under subsection (e) to eligible entities for the purpose of restoring, enhancing, or initiating intercity rail passenger transportation.";

(4) in subsection (c)—

(A) in the heading by striking "ELIGIBLE" and inserting "CAPITAL";

(B) in the matter preceding paragraph (1) by striking "under this section" and inserting "pursuant to subsection (b)(1)"; and

(C) by adding at the end the following:

"(6) By an interstate rail compact, the procurement of rolling stock equipment for use in a multistate equipment pool, as well as costs related to the leasing, lease-to-own, maintenance, and storage of such equipment to create an equipment pool.

"(7) The lease of equipment from a multistate equipment pool administered by an interstate rail compact, including leasing with an intent to own.";

(5) in subsection (d)—

(A) in the heading by inserting "CAPITAL" before "PROJECT";

(B) by striking "under this section" and inserting "under subsection (b)(1)" each place it appears;

(C) in paragraph (1)(A) by striking "subsection (e)(1)" and inserting "subsection (f)(1)";

(D) in paragraph (1)(B)(ii) by striking "before the commencement of the project;" and inserting "and, if applicable, demonstrates such project is supported by an acceptable degree of non-Federal financial commitment before the commencement of the project;";

(E) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii) by striking "an Amtrak route" and inserting "an intercity passenger rail route"; and

(II) by striking clause (iii) and inserting the following:

"(iii) for which an applicant demonstrates such project is partially supported by non-Federal financial commitment; and"; and

(ii) in subparagraph (B)—

(I) in clause (i)(II) by inserting "projected operating revenue, that may include ticket prices" after "trip or transit time,";

(II) in clause (ii) by inserting ", which shall include estimates of ridership, fare collection, and travel demand," after "business plan"; and

(III) in clause (vii) by striking the "and" at the end;

(F) by redesignating paragraph (3) as paragraph (4); and

(G) by inserting after paragraph (2) the following:

"(3) in determining whether a project is supported by an acceptable degree of non-Federal financial commitment for purposes of paragraph (1) and (2), the Secretary shall consider—

"(A) the credibility of forecasting methods used to estimate costs and utilization made by an applicant described in subsection (a)(1);

"(B) existing grant commitments;

"(C) the degree to which financing sources are dedicated to the purposes proposed; and

"(D) the extent to which the project has financial commitment that exceeds the required non-Federal share of the cost of the project; and";

(6) in subsection (f)—

(A) by striking "this section" each place it appears and inserting "subsection (b)(1)";

(B) in paragraph (2) by striking ", except as specified under paragraph (4)";

(C) by redesignating paragraphs (1) through (3) as subparagraph (A) through (C), respectively;

(D) by inserting before subparagraph (A), as so redesignated, the following:

"(1) CAPITAL PROJECTS.—The following shall apply to capital projects described in subsection (b)(1):"; and

(E) by adding at the end the following:

"(2) OPERATING ASSISTANCE.—

"(A) RESTORING OR INITIATING SERVICE.—Grants described in subsection (e) for projects for restoring or initiating intercity passenger rail service may not exceed—

"(i) 70 percent of the projected net operating costs for the first year of service;

"(ii) 60 percent of the projected net operating costs for the second year of service;

"(iii) 50 percent of the projected net operating costs for the third year of service;

"(iv) 40 percent of the projected net operating costs for the fourth year of service; and

"(v) 30 percent of the projected net operating costs for the fifth year of service.

"(B) ENHANCING SERVICE.—Grants described in subsection (e) for projects for enhancing intercity passenger rail service may not exceed—

"(i) 60 percent of the projected net operating costs for the first year of service;

"(ii) 50 percent of the projected net operating costs for the second year of service;

"(iii) 40 percent of the projected net operating costs for the third year of service;

"(iv) 30 percent of the projected net operating costs for the fourth year of service; and

"(v) 20 percent of the projected net operating costs for the fifth year of service.";

(7) in subsection (g) by adding at the end the following:

"(5) APPLICABILITY.—This subsection shall not apply to projects described under subsection (e).";

(8) in subsection (k)—

(A) by striking "The Secretary may withhold up to" and inserting the following:

"(1) IN GENERAL.—The Secretary shall withhold";

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively; and

(C) by adding at the end the following:

"(2) APPLICABILITY.—This subsection shall not apply to funds appropriated on or after October 1, 2031.";

(9) by redesignating subsections (h) through (k) as subsections (j) through (m), respectively;

(10) by redesignating subsections (e) through (g) as subsections (f) through (h), respectively;

(11) by inserting after subsection (d) the following:

"(e) OPERATING ASSISTANCE.—

"(1) APPLICATION.—An applicant for a grant under this subsection shall submit to the Secretary—

"(A) a capital and mobilization plan that—

"(i) describes any capital investments, service planning actions (including environmental reviews), and mobilization actions (including qualification of train crews) required for initiation, enhancement, or restoration of intercity rail passenger transportation; and

"(ii) includes the timeline for undertaking and completing each of the investments and actions referred to in clause (i);

"(B) an operating plan that describes the planned operation of the service, including—

"(i) the identity and qualifications of the train operator;

"(ii) the identity and qualifications of any other service providers;

"(iii) service frequency;

"(iv) the planned routes and schedules;

"(v) the station facilities that are or will be used;

"(vi) projected ridership, revenues, and costs;

''(vii) projected operating revenue, which may include ticket prices;

''(viii) descriptions of how the projections under clauses (vi) and (vii) were developed;

''(ix) the equipment that is or will be used, how such equipment will be acquired or refurbished (if needed to operate new, enhanced, or restored service), and where such equipment is or will be maintained; and

''(x) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(C) a funding plan that—

''(i) describes the funding of initial capital costs and operating costs for the first 5 years of operation;

''(ii) includes a commitment by the applicant to provide the funding described in clause (i) to the extent not covered by Federal financial assistance; and

''(iii) describes the funding of operating costs and capital costs, to the extent necessary, after the first 5 years of operation; and

''(D) a description of the status of negotiations and agreements with—

''(i) each of the railroads or regional transportation authorities whose tracks or facilities are or would be used by the service;

''(ii) the anticipated railroad carrier, if such carrier is not part of the applicant group; and

''(iii) any other service providers or entities expected to provide services or facilities that are or will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(2) PRIORITIZATION.—In awarding grants under this subsection, the Secretary shall give priority to applications—

''(A) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

"(B) that include funding (including funding from railroads), or other significant participation by State, local, and regional governmental and private entities;

"(C) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the grant period;

"(D) that would restore service over routes in an area affected by an emergency (as defined in section 5320);

"(E) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service; and

"(F) for routes selected under the Corridor Identification and Development Program.

"(3) LIMITATIONS.—

"(A) DURATION.—Federal operating grants authorized under this subsection for any individual intercity rail passenger transportation route may not provide funding for more than 5 years and may not be renewed.

"(B) ELIGIBILITY.—The Secretary may not renew operating assistance under this subsection for any project substantially similar to a project that received financial assistance under section 22908, as in effect on the day before the date of enactment of the BUILD America 250 Act.

"(4) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under this subsection may use such grant in combination with other Federal grants awarded that would benefit the applicable service.

"(5) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this subsection to a rail carrier other than Amtrak, consistent with section 24711(c)(1), the Secretary may—

"(A) require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this subsection; and

"(B) award an appropriate portion of the grant to Amtrak as compensation for such access.

"(6) CONDITIONS.—

"(A) GRANT AGREEMENT.—The Secretary shall require a grant recipient under this subsection to enter into a grant agreement that requires such recipient to provide information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary considers necessary.

"(B) TERMINATION.—The Secretary may terminate any grant agreement upon—

"(i) the cessation of the applicable service; or

"(ii) the violation of terms of the grant agreement.

"(C) GRANT CONDITIONS.—

"(i) APPLICATION.—The Secretary shall require each recipient of a grant under this subsection to comply with the grant requirements of section 22905.

"(ii) EXEMPTION.—The grant requirements of section 22903 shall not apply to grants awarded under this subsection."; and

(12) by inserting after subsection (h), as so redesignated, the following:

"(i) LIMITATION ON OPERATING ASSISTANCE.—The Secretary may withhold up to 5 percent of funds appropriated pursuant to this section in each fiscal year to carry out subsection (e).".

(b) CONFORMING REPEAL OF RESTORATION AND ENHANCEMENT GRANTS.—

(1) IN GENERAL.—Section 22908 of title 49, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is amended by striking the item related to section 22908.

(c) TREATMENT OF PRIOR AWARDS FOR RESTORATION AND ENHANCEMENT GRANTS.—The Secretary shall treat grants awarded before the date of enactment of this Act under section 22908 of title 49, United States Code, under the requirements of such section as in effect on the day before the date of enactment of this Act.

SEC. 10107. CORRIDOR IDENTIFICATION AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Section 25101 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "Not later than 180 days after the date of enactment of the Passenger

Rail Expansion and Rail Safety Act of 2021, the'' and inserting ''The'';

(B) in paragraph (4) by striking ''section 22210'' and inserting ''section 22910'';

(C) in paragraph (6) by striking ''and'' at the end;

(D) by redesignating paragraph (7) as paragraph (8); and

(E) by inserting after paragraph (6) the following:

''(7) a process for preparing service development plans in accordance with subsection (d), while allowing for eligible entities described in subsection (b) to concurrently undertake project development work, including preliminary engineering and environmental activities, if the Secretary determines such eligible entity has the capability, authority, and experience to concurrently prepare such plan and undertake such work and has secured the required non-Federal funding to undertake such work; and'';

(2) in subsection (d)—

(A) in paragraph (1) by inserting ''projected operating revenue, which may include ticket prices,'' after ''operating speeds,'';

(B) in paragraph (8)(E) by inserting "maintenance" before "costs";

(C) in paragraph (11)—

(i) by striking "benefits" and inserting "impacts"; and

(ii) by striking "and" at the end;

(D) in paragraph (12) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

"(13) a description of the methodologies, assumptions, and factors used to determine each projection identified under paragraph (8), including a description of how market, economic, and other factors may affect each such projection and, if applicable, alternative projections;

"(14) a financial contingency plan to account for unforeseen project cost increases or delays;

"(15) if applicable, a description of other proposed modal alternatives to the proposed corridor, including a no-build alternative;

"(16) if applicable, the effect of corridor service on freight rail, including, if necessary, a description of capital investments necessary to avoid conflicts with the movement of freight by rail; and

"(17) an analysis of the amounts and identified source of non-Federal financial support for operations and maintenance.";

(3) in subsection (e)—

(A) in the subsection heading by inserting "AND REVIEW" after "CONSULTATION";

(B) in paragraph (4) by striking "and" at the end;

(C) in paragraph (5) by striking the period and inserting "; and";

(D) by redesignating paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A), (B), (C), (D), and (F), respectively;

(E) by inserting after subparagraph (D) (as so redesignated) the following:

"(E) entities implementing interstate rail compacts; and";

(F) by striking "shall consult with—" and inserting the following: "shall—

"(1) consult with—"; and

(G) by adding at the end the following:

"(2) review the methodologies, assumptions, and factors used by an eligible entity in development of the financial plan required under subsection (d)(8) and—

"(A) concur with such financial plan;

"(B) if the Secretary determines that the projections and analysis included in such financial plan are partially supported by the analysis required in this section, grant conditional concurrence with the plan if—

"(i) such eligible entity agrees to update such financial plan, as determined by the Secretary in coordination with the eligible entity; or

"(ii) the Secretary determines the alternative projections provided pursuant to subsection (d)(13) are sufficient; or

"(C) if the Secretary determines the description or alternative projections required under subsection (d)(13) are not supported by the analysis required in this section, allow such eligible entity to solicit a third-party review by a qualified entity with experience in estimating such projections and incorporate the projections from such review into such financial plan, and the Secretary may reimburse such eligible entity for any expenses incurred from such review using funds provided to carry out this section."; and

(4) in subsection (g)—

(A) in the subsection heading by striking "PROJECT PIPELINE" and inserting "REPORTS";

(B) by redesignating paragraphs (1) through (7) as clauses (i) through (vii), respectively;

(C) by striking "Not later than 1 year" and inserting the following:

"(1) PROJECT PIPELINE REPORT.—

"(A) IN GENERAL.—Not later than 1 year"; and

(D) by adding at the end the following:

"(B) CONSIDERATION.—In specifying the order in which the Secretary would provide Federal financial assistance under subparagraph (A)(iii), the Secretary shall take into consideration the degree to which each eligible entity demonstrates that a project is supported by an acceptable degree of non-Federal financial commitment.

"(C) FINANCIAL COMMITMENT.—In determining whether a project is supported by an acceptable degree of non-Federal financial commitment for purposes of subparagraph (B), the Secretary shall consider—

"(i) the credibility of forecasting methods used to estimate costs and utilization made by an eligible entity described in subsection (b);

"(ii) existing grant commitments;

"(iii) the degree to which financing sources are dedicated to the purposes proposed; and

"(iv) the extent to which the project has financial commitment that exceeds the required non-Federal share of the cost of the project.

"(2) PROJECT PROGRESS REPORT.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, and quarterly thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Appropriations of the Senate a report that includes—

"(A) a list of funds obligated to date for each corridor and corridor sponsor;

"(B) a description of the service development plan for each project, including a summary of the cities to be served, future anticipated Federal financial and funding needs, and whether the service development plan has been completed or updated and the reason for such update;

"(C) an estimated timeline for each corridor to successfully move through the steps of the program; and

"(D) other issues identified by the Secretary important to the development of the proposed corridor and the rail transportation system.".

(b) LIMITATION ON FUTURE CORRIDORS.—The Secretary may not select a proposal for the development of an intercity passenger rail corridor pursuant to section 25101(a) of title 49, United States Code, on or after October 1, 2031.

(c) INCORPORATION OF UPDATED REQUIREMENTS.—The Secretary shall require eligible entities described in section 25101(b) of title 49, United States Code, that have not received a commitment of non-Federal matching funds for a corridor selected prior to the date of enactment of this Act to incorporate into a service development plan any additional requirements listed under section 25101(d) of such title, as added by subsection (a).

SEC. 10108. EMERGENCY RELIEF.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code, is amended by adding at the end of the following:

"§ 22911. Emergency relief

"(a) GENERAL AUTHORITY.—The Secretary of Transportation, in consultation with the Administrator of the Federal Railroad Administration, may make grants and enter into contracts and other agreements with an eligible entity for an eligible operating expense or a capital project to replace, rehabilitate, or repair rail infrastructure, equipment, or facilities if the Secretary determines such infrastructure, equipment, or facilities are in a danger of suffering catastrophic damage, or have suffered catastrophic damage, as a result of an emergency.

"(b) ELIGIBLE ENTITIES.—The following entities are eligible to receive financial assistance under this section:

"(1) A State (as such term is defined in section 22701).

"(2) A public agency.

"(3) A publicly chartered authority established by 1 or more States.

"(4) A political subdivision of a State.

"(5) A Class II railroad or Class III railroad (as such terms are defined in section 20102) or a holding company of such railroad.

"(6) An intercity passenger railroad.

"(c) TERMS.—In making grants under subsection (a), the Secretary may make grants on a reimbursable basis or advance funding basis.

"(d) COORDINATION OF EMERGENCY FUNDS.—

"(1) USE OF FUNDS.—Funds appropriated to carry out this section shall be in addition to any other funds available under this chapter.

"(2) NO EFFECT ON OTHER GOVERNMENT ACTIVITY.—The provision of funds under this section shall not affect the ability of any other agency of the Government, a State agency, a local governmental entity or organization, or person to provide any other funds otherwise authorized by law, except that no person, business concern, or other entity shall receive assistance with respect to any part of a loss as to which such person, business concern, or other entity has received financial assistance under any other program or from insurance or any other source.

"(3) NOTIFICATION.—The Secretary shall notify the Administrator of the Federal Emergency Management Agency of the purpose and amount of any grant made or contract or other agreement entered into under this section.

"(e) GRANT REQUIREMENTS.—

"(1) IN GENERAL.—A grant awarded under this section that is made to address an emergency shall be

"(A) subject to the terms and conditions the Secretary determines are necessary; and

"(B) made only for expenses that are not reimbursed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

"(2) OVERSIGHT FUNDS.—The Secretary may retain up to one-half of 1 percent of the funds appropriated under this section to fund the costs of project management oversight by the Secretary.

"(f) GOVERNMENT SHARE OF COSTS.—

"(1) CAPITAL PROJECTS.—A grant, contract, or other agreement for a capital project under this section shall be for not more than 80 percent of the project cost, as determined by the Secretary.

"(2) NON-FEDERAL SHARE.—The non-Federal share of the project cost shall be provided in cash, equipment, or supplies.

"(3) WAIVER.—The Secretary may waive, in whole or part, the non-Federal share under this subsection.

"(g) LIMITATION.—

"(1) IN GENERAL.—Project costs under this section shall be limited to the scope of damage caused by the respective emergency.

"(2) DETERMINATION.—In the case of a project that included damage preexisting the respective emergency, the Secretary shall make a determination on the amount or percentage of the damage preexisting such emergency.

"(3) ELIGIBILITY.—The Secretary may not provide financial assistance under this section to any entity described in paragraphs (1) through (4) of subsection (b) for emergencies described under subsection (i)(1)(B)

"(h) INSURANCE.—

"(1) REQUIREMENTS.—As a condition of receiving assistance under this section, an applicant shall—

"(A) submit to the Secretary documentation demonstrating proof of insurance required under Federal law for all structures related to the grant application;

"(B) certify to the Secretary that the applicant has insurance required under State law for all structures related to the grant application; and

"(C) maintain any insurance required under Federal law, including hazard insurance, flood insurance, or other coverage as applicable.

"(2) COMPLIANCE.—A recipient that fails to maintain insurance after receiving assistance under this section shall be ineligible to receive any assistance under this program for any future emergency, with respect to the structure or facility for which such insurance is required, until the Secretary determines that the recipient has come into compliance.

"(i) DEFINITIONS.—In this section:

"(1) EMERGENCY.—The term 'emergency' means a natural catastrophe affecting a wide area, including any hurricane, tornado, storm, high water, winddriven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, or wildfire, or a catastrophic failure from any external cause, as a result of which—

"(A) the Governor of a State has declared an emergency and the Secretary has concurred; or

"(B) the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief Emergency Assistance Act (42 U.S.C. 5170).

"(2) ELIGIBLE CAPITAL PROJECT.—The term 'eligible capital project' means a project to bring rail infrastructure, equipment, or facilities used for providing rail service into a state of good repair.

"(3) ELIGIBLE OPERATING EXPENSE.—The term 'eligible operating expense' means an operating expense related to any evacuation carried out immediately prior to or following an emergency.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is amended by inserting after the item relating to section 22910 the following:

"22911. Emergency relief.".

SEC. 10109. AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak, the following amounts:

(1) For fiscal year 2027, $31,000,000.

(2) For fiscal year 2028, $31,500,000.

(3) For fiscal year 2029, $32,000,000.

(4) For fiscal year 2030, $32,500,000.

(5) For fiscal year 2031, $33,000,000.

Subtitle B—Amtrak Reforms

SEC. 10201. AMTRAK ECONOMIC PERFORMANCE.

(a) FINDINGS.—Section 24101(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ‘‘competitive with other modes of transportation’’ after ‘‘transportation’’; and

(B) by inserting ‘‘connecting urban and rural communities’’ before the period at the end; and

(2) in paragraph (4) by inserting ‘‘and achieve a level of performance comparative to other passenger modes and that promotes operational efficiency’’ before the period at the end.

(b) GOALS.—Section 24101(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ‘‘maximize the benefits of Federal investments’’ and inserting ‘‘to maximize services and benefits to the communities

Amtrak serves that is competitive with other passenger modes and ensuring Amtrak's long-term performance'';

(B) in subparagraph (D) by adding ''and'' at the end;

(C) in subparagraph (E) by striking ''and'' at the end; and

(D) by striking subparagraph (F); and

(2) in paragraph (13) by striking ''established long-distance routes'' and inserting ''a robust Northeast Corridor and National Network, including long-distance and State-supported routes,''.

(c) FINANCIAL PERFORMANCE.—Section 24101(d) of title 49, United States Code, is amended—

(1) in the heading by striking ''INCREASING REVENUES'' and inserting ''FINANCIAL PERFORMANCE''; and

(2) by inserting ''practices that promote Amtrak's long-term financial performance'' after ''judgment''.

SEC. 10202. AMTRAK TRANSPARENCY AND ACCOUNTABILITY FOR PASSENGERS AND TAXPAYERS.

Section 24301 of title 49, United States Code, is amended—

(1) in subsection (a)(1) by striking "section 20102(2)" and inserting "section 20102"; and

(2) by striking subsection (e) and inserting the following:

"(e) APPLICATION OF CERTAIN ADDITIONAL LAWS.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3)—

"(A) sections 552 and 552b of title 5 apply to the Amtrak Board of Directors for any fiscal year in which Amtrak receives a Federal grant; and

"(B) to the extent consistent with this part, the District of Columbia Business Corporation Act (D.C. Code §29–301 et seq.) applies to Amtrak.

"(2) SCOPE OF APPLICATION.—

"(A) EXCLUSIONS.—The second sentence of section 552b(b) of title 5 shall not apply to any portion of an Amtrak Board of Directors meeting, and subsections (d) and (e) of section 552b of title 5 shall not apply to any information pertaining to any portion of an Amtrak Board of Directors meeting otherwise required by section 552b of title 5 to be disclosed to the public, if such Board of Directors properly determines that such portion, or the disclosure of such information, is likely to involve—

"(i) contract negotiations, including negotiations for procurements and agreements that may result in a contract, the disclosure of which would imperil or compromise the competitive position of Amtrak;

"(ii) a collective bargaining agreement, or any terms and conditions that are proposed for inclusion in a collective bargaining agreement, including the negotiation with employees, or representatives of employees, of Amtrak of such terms and conditions;

"(iii) with respect to any individual who is an officer, employee, or contractor employed or appointed by Amtrak, or who is a prospective officer, employee, or contractor, a matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any such individual, unless all such individuals whose rights could be adversely affected in such matter request in writing that the matter be discussed at a public meeting; or

"(iv) confidential commercial information.

"(B) APPLICATION OF OTHER EXCLUSIONS.—Section 552b(c) of title 5 shall apply to Amtrak meetings.

"(3) EXCEPTION.—In carrying out this subsection, Amtrak—

"(A) may not disclose information that could put the safety of Amtrak customers or employees at risk; and

"(B) shall take any actions necessary to—

"(i) comply with law;

"(ii) honor existing contracts or legally binding agreements; and

"(iii) carry out normal business activities consistent with the statutory mission and goals of Amtrak.".

SEC. 10203. IMPLEMENTING AMTRAK OFFICE OF INSPECTOR GENERAL RECOMMENDATIONS TO ADDRESS INFRASTRUCTURE BACKLOG.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, Amtrak shall implement the recommendations described in the report of the inspector general of Amtrak titled ''Asset Management: Better Governance and Data Would Improve Company Efforts to Achieve a State of Good Repair'', published on April 10, 2026.

(b) INSPECTOR GENERAL EVALUATION.—Not later than 3 years after the date of enactment of this Act, the inspector general of Amtrak shall evaluate the extent to which Amtrak has complied with the recommendations under subsection (a).

SEC. 10204. AMTRAK EXECUTIVE BONUS DISCLOSURE.

Section 24315(a) of title 49, United States Code, is amended—

(1) by striking ''Congress'' and inserting ''the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on a website of Amtrak,''; and

(2) by striking paragraph (2) and inserting the following:

“(2) provides the annual base pay and any bonus compensation paid to each member of the executive leadership team (including the chief executive officer, president, and each officer) of Amtrak, including the criteria and metrics used to determine any such bonus compensation;”.

SEC. 10205. AMTRAK AND INTERCITY PASSENGER RAIL WORKFORCE ASSAULT PREVENTION AND RESPONSE PLANS.

(a) PRACTICES AND VOLUNTARY STANDARDS.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary shall publish best practices and voluntary standards for the response to assault and harassment incidents during the operation of a passenger rail service.

(2) CONSULTATION.—In developing best practices and voluntary standards under paragraph (1), the Secretary may consult with the following organizations to inform such practices and standards:

(A) The Amtrak Police Department.

(B) Other rail police or security personnel.

(C) State and local law enforcement.

(D) State and local prosecutors.

(E) Labor organizations representing on-board and in station train crew personnel.

(F) Passenger rail operators.

(3) CONTENTS.—In developing the best practices and voluntary standards under paragraph (1), the Secretary shall address the following issues:

(A) Proper incident documentation and reporting techniques.

(B) Recommended de-escalation trainings for crew and law enforcement.

(C) Coordination between passenger rail operators and law enforcement.

(D) Responding to incidents of assault or harassment, including the removal of disruptive passengers.

(E) Strategies for preventing incidents of assault or harassment.

(b) SUBMISSION OF RESPONSE PLANS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, each passenger rail transportation operator shall submit to the Secretary a plan to prevent and respond to incidents of assault and harassment.

(2) CONTENTS.—The plan under paragraph (1) shall include the following:

(A) The operator's policy on assault or harassment incidents.

(B) The operator's plan to provide notice to employees on how to report incidents with passengers to the operator, rail law enforcement, and local law enforcement.

(C) The operator's plan to provide notice to employees on how to remove a passenger or personnel from the train or related area or facility who has committed a transportation assault as soon as practicable when appropriate.

(D) The operator's plan to provide notice to passengers on how to report an assault or harassment incident.

(E) The operator's plan to provide training to employees on how to respond and report assault or harassment incidents.

(F) The operator's plan to limit or prohibit, to the extent practicable, future travel of an individual who interferes with passenger rail personnel and safety on the operator's services.

(G) The operator's plan to ensure an employee who is a victim or witness of a transportation assault may participate in the prosecution of a criminal offense of such assault without any adverse effect on the victim's or witnesses' employment status.

(H) A process and timeline for conducting an annual review and update of the plan.

(c) PASSENGER INFORMATION.—A passenger rail transportation operator shall display on the website of such operator and through the use of appropriate signage a written statement that informs passengers and personnel of the procedure for reporting an assault or harassment incident.

(d) DEFINITIONS.—In this section:

(1) PASSENGER RAIL TRANSPORTATION.—The term ''passenger rail transportation'' has the meaning given the terms ''intercity passenger rail transportation'' and ''commuter rail passenger transportation'' in section 24102 of title 49, United States Code.

(2) INTERFERENCE WITH PASSENGER RAIL PERSONNEL AND SAFETY.—The term ''interference with passenger rail personnel and safety'' means—

(A) the physical or sexual assault of—

(i) any individual on a passenger train;

(ii) any individual in a passenger rail station; or

(iii) any member of a train crew, station staff, or rail police or security;

(B) threatening to physically or sexually assault any individual described in subparagraphs (A) through (C) of paragraph (1); and

(C) any action that poses an imminent threat to the safety of intercity passenger rail transportation, including the safety of any individual described in subparagraphs (A) through (C) of paragraph (1).

SEC. 10206. BABY CHANGING TABLE REQUIREMENTS ON AMTRAK TRAINS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by inserting after section 24313 the following:

"§ 24314. Baby changing tables

"(a) DEFINITIONS.—In this section:

"(1) ADA-COMPLIANT RESTROOM.—With respect to intercity rail transportation, the term 'ADA-compliant restroom' means a restroom that meets the requirements of section 242(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12162(a)).

"(2) BABY CHANGING TABLE.—The term 'baby changing table' means an elevated, freestanding structure generally designed to safely support and retain a child with a body weight of up to 50 pounds in a horizontal position for the purpose of allowing an individual to change a diaper, including pull-out or drop-down changing surfaces.

"(3) COVERED PASSENGER RAIL TRAIN.—The term 'covered passenger rail train'—

"(A) means a passenger rail train, owned and operated by Amtrak, that Amtrak purchased after the date of enactment of this section; and

"(B) does not include any passenger rail train that Amtrak operates, but does not own.

"(b) BABY CHANGING TABLE REQUIREMENT.—Each covered passenger rail train shall have a baby changing table in at least one restroom in each car, including in an ADA-compliant restroom.

"(c) SIGNAGE.—Each restroom described in subsection (b) shall clearly indicate the presence and location of a baby changing table with signage.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is amended by inserting after the item relating to section 24313 the following:

"24314. Baby changing tables.".

SEC. 10207. REPORT ON AMTRAK LONG-DISTANCE EQUIPMENT MAINTENANCE COSTS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, Amtrak shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the anticipated costs of maintaining, rehabilitating, refurbishing, and replacing the existing long-distance equipment of Amtrak to maintain the passenger capacity of its long-distance service.

(b) CONTENT.—In the report submitted under subsection (a), Amtrak shall include the following:

(1) A current inventory of long-distance equipment, including trainsets, baggage cars, dining cars, sleeper cars, and nonsleeper passenger cars.

(2) A determination of the minimum amount of equipment necessary to maintain the passenger capacity of the long-distance service of Amtrak.

(3) The anticipated cost of maintaining and refurbishing the amount of equipment determined necessary under paragraph (2) to keep such equipment in working order through fiscal year 2033.

(4) A description of—

(A) specific challenges that Amtrak may experience in maintaining the passenger capacity of the long-distance service of Amtrak, including challenges related to—

(i) the availability of maintenance facilities and qualified rehabilitation and repair personnel;

(ii) the availability of parts and materials for legacy equipment; and

(iii) other factors that may impede the maintaining of present levels of service and passenger capacity; and

(B) actions to address the challenges described in subparagraph (A).

(5) The potential for and effects of delays in the acquisition of new replacement equipment if such equipment is not acquired until after calendar year 2035.

(6) The effect of establishing new or restored long-distance routes on the cost and availability of existing and additional long-distance equipment.

SEC. 10208. INSPECTOR GENERAL REVIEW OF AMTRAK ACCOUNTING AND REPORTING PRACTICES.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the inspector general of the Department shall review the accounting practices of Amtrak, with specific focus on the use and oversight of the cost accounting and financial accounting systems, including the Amtrak Performance Tracking (in this section referred to as ''APT'') financial management system as required by section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), the core enterprise resource planning system of Amtrak, and related financial information technology modules.

(b) SCOPE.—In carrying out the review described in subsection (a), the inspector general shall determine whether—

(1) Amtrak's use of systems, applications, and products in data processing accurately tracks expenditures, revenues, and Federal funds;

(2) internal controls within such systems, applications, and products are sufficient to prevent accounting errors, manipulation, or misuse of funds;

(3) Amtrak's systems, applications, and products in data processing and consolidated financial statements are in compliance with applicable Federal financial management standards and generally accepted accounting principles;

(4) Amtrak's reporting practices accurately reflects route performance;

(5) increased adherence to generally accepted accounting principles for APT would improve cost transparency; and

(6) the Federal Railroad Administration's use of systems, applications, and products for Amtrak oversight are in compliance with applicable Federal financial management standards and generally accepted accounting principles.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) the findings made under this section;

(2) any evidence of noncompliance, mismanagement, or deficiencies in the use of systems, applications, and products in data processing; and

(3) recommendations for corrective action, if applicable.

SEC. 10209. AMTRAK ANNUAL REPORTING.

Section 24315 of title 49, United States Code, (as amended by section 10204) is further amended—

(1) in subsection (a)—

(A) in paragraph (3)(B) by striking the period and inserting "; and"; and

(B) by adding at the end the following:

"(4) includes a reconciliation of adjusted operating expenses, and any other reported metrics derived from such expenses, to Amtrak's audited generally accepted accounting principles financial statements.";

(2) in subsection (f) by striking "subsection (d) or (e)" and inserting "subsection (d) or (f)";

(3) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

(4) by inserting after subsection (d) the following:

"(e) REVIEW OF ANNUAL OPERATIONS REPORT.—Upon completion of the report under subsection (a), an independent certified public accountant or the inspector general of Amtrak shall review the rationale of the reconciliation of adjusted operating expenses under subsection (a)(4).".

SEC. 10210. INVOICES AND REPORTS.

(a) IN GENERAL.—Section 24712(b) of title 49, United States Code, is amended by adding at the end the following:

"(3) INDEPENDENT REVIEW.—

"(A) IN GENERAL.—A State may hire or contract with, at the expense of such State, an independent third party to conduct a review for disputes over invoices and the implementation of or compliance with the cost methods under subsection (a)(7).

"(B) DATA REQUEST.—Upon the request of such State, Amtrak and the Committee shall make directly available to the State the general ledger data, operating statistics, and other data used to calculate invoices pertaining to the State.

"(C) LIABILITY.—In a case where the review finds overcharged amounts, Amtrak or the State may request dispute resolution in accordance with subsection (c).".

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Amtrak inspector general shall update the report of the inspector general titled "Governance: Amtrak Has Begun to Address State Partners' Concerns About Shared Costs But Has More Work to Do to Improve Relationships", published January 31, 2022.

SEC. 10211. STATE-SUPPORTED COST AND SERVICE POLICY.

Section 24712 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2) by adding at the end the following:

"(C) COMPENSATION.—Each member of the Committee shall serve without pay but may receive payment for travel expenses, including a per diem allowance, a reimbursement payment, or a combination thereof, in accordance with sections 5702 and 5703 of title 5.";

(B) in paragraph (5)—

(i) in the paragraph heading by striking "MEETINGS; RULES AND PROCEDURES" and inserting "ADMINISTRATIVE REQUIREMENTS AND AUTHORITIES";

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(iii) by striking "The Committee shall" and inserting "(A) RULES AND PROCEDURES.—The Committee shall"; and

(iv) by adding at the end the following:

"(B) MEETING SCHEDULE.—The Committee shall—

"(i) establish a schedule for meetings of the Committee, which shall be held not less frequently than 4 times per fiscal year; and

"(ii) include in such schedule the location of each such meeting.

"(C) SUBGROUPS.—The Committee may establish and oversee subgroups of the Committee as necessary to support the execution of Committee activities."; and

(C) in paragraph (7)—

(i) by striking the paragraph heading and inserting "COST AND SERVICE POLICY";

(ii) in subparagraph (A)—

(I) by striking the period at the end and inserting "; and";

(II) by striking "the Committee may amend the cost methodology policy" and inserting "the Committee—

"(i) may amend the cost and service policy"; and

(III) by adding at the end the following:

"(iii) shall oversee, administer, and update as appropriate the cost and service policy.";

(iii) in subparagraph (B)—

(I) by striking the subparagraph heading and inserting "REVISIONS TO COST AND SERVICE POLICY";

(II) in clause (i) by striking "(49 U.S.C. 20901 note)" and inserting "(49 U.S.C. 24101 note)"; and

(III) in clause (iii)—

(aa) by striking the clause heading and inserting "PROCEDURES FOR CHANGING COST METHODS"; and

(bb) by striking "(49 U.S.C. 20901 note)" and inserting "(49 U.S.C. 24101 note)";

(iv) by redesignating subparagraph (D) as subparagraph (E); and

(v) by inserting after subparagraph (C) the following:

"(D) COST METHOD IMPLEMENTATION.—The Committee is responsible for implementation of the cost methods and any related requirements, including—

"(i) transparency requirements regarding reporting and invoicing; and

"(ii) collaboration and planning requirements.";

(2) in subsection (h) by striking the subsection heading and inserting "COST AND SERVICE POLICY UPDATE IMPLEMENTATION REPORT.";

(3) by striking "cost allocation methodology" and inserting "cost methods" each place it appears; and

(4) by striking "cost methodology policy" and inserting "cost and service policy" each place it appears.

SEC. 10212. GAO STUDY ON AMTRAK CUSTOMER EXPERIENCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall evaluate the customer experience provided by Amtrak across its national passenger rail network.

(b) SCOPE OF REVIEW.—In conducting the study required under subsection (a), the Comptroller General shall assess policies, practices, and performance related to customer experience, including—

(1) ticketing and fare transparency, including clarity of pricing and refund policies;

(2) on-board services, such as food and beverage service, restrooms, internet connectivity, and cleanliness;

(3) service reliability and timeliness of operations;

(4) passenger communication, particularly in the event of delays, cancellations, or service disruptions;

(5) station infrastructure, accessibility for persons with disabilities, and compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(6) complaint resolution procedures and responsiveness to customer feedback;

(7) differences in customer experience between long-distance routes, State-supported corridors, and the Northeast Corridor; and

(8) any other factors the Comptroller General considers appropriate to assess the quality and consistency of the customer service of Amtrak.

(c) CONSULTATION.—In conducting the study under subsection (a), the Comptroller General may consult with relevant stakeholders, including—

(1) State departments of transportation that fund Amtrak services;

(2) transportation advocacy organizations, including those representing intercity passenger rail passengers on Northeast Corridor, State-supported, and long distance routes;

(3) national disability rights and accessibility organizations;

(4) representatives of Amtrak passengers and workforce; and

(5) members of the Northeast Corridor Commission.

(d) REPORT.—Not later than 1 year after the date on which the study conducted under subsection (a) is initiated, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the study and any conclusions and recommendations based on such findings.

SEC. 10213. GAO STUDY ON AMTRAK SERVICE TO PRIVATELY OWNED RAIL CARS.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall conduct an assessment of the policies, practices, and performance of Amtrak with respect to services to privately owned rail cars.

(b) CONSIDERATIONS.—In conducting the assessment under subsection (a), the Comptroller General shall—

(1) review how Amtrak identifies and calculates costs relating to the movement of privately owned rail cars, long-term parking of privately owned rail cars, and related services;

(2) review how Amtrak factors the costs described in paragraph (1) into pricing, policy, and program-related decisions of Amtrak;

(3) identify the net profits or losses of Amtrak for privately owned rail car services in each of fiscal years 2019 through 2026;

(4) review the access points, parking, and access to Amtrak routes that Amtrak makes available for the switching and usage of privately owned rail cars and determine the effects, if any, of the availability of such access points, parking, and access,

and any reduction in such availability, on the financial and operating performance of Amtrak;

(5) identify any challenges and opportunities Amtrak is likely to experience if Amtrak implements a dynamic pricing model for privately owned rail car services;

(6) review the implementation by Amtrak of recommendations published by the Amtrak Office of Inspector General in the report titled ''Train Operations: Opportunities Exist to Improve Private Railcar Management and Business Practices'' (OIG–A–2019–003), published February 6, 2019;

(7) analyze whether—

(A) privately owned rail car services contribute to the ability of Amtrak to earn positive income from rail operations; and

(B) the pricing model used by Amtrak for such services reflects fair market value for owners and operators of privately owned rail cars; and

(8) include any other reviews, analyses, or information the Comptroller General determines appropriate.

(c) CONSULTATION.—In conducting the assessment under subsection (a), the Comptroller General shall consult with relevant stakeholders, including Amtrak, rail carriers, and organizations representing employees and privately owned rail car owners and operators.

(d) REPORT.—Not later than 1 year after initiating the assessment under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the assessment, and any recommendations of the Comptroller General relating the subject matter covered by the assessment.

(e) RAIL CARRIER DEFINED.—In this section, the term ‘‘rail carrier’’ has the meaning given such term in section 10102 of title 49, United States Code.

SEC. 10214. THE DONALD M. PAYNE, JR. TRANSIT CENTER AT NEWARK PENN STATION.

(a) DESIGNATION.—Newark Penn Station, located at 1 Raymond Plaza West, Newark, New Jersey, shall be known and designated as the ‘‘Donald M. Payne, Jr. Transit Center at Newark Penn Station’’.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to Newark Penn Station shall be deemed to be a reference to the ‘‘Donald M. Payne, Jr. Transit Center at Newark Penn Station’’.

SEC. 10215. PUBLIC NOTICE AND COMMENT ON AMTRAK'S CORPORATE STRUCTURE.

(a) IN GENERAL.—Not later than 90 days prior to a vote of the Amtrak Board of Directors on any corporate restructuring plan, including changes to Amtrak subsidiaries, Amtrak shall publish in the Federal Register a notice containing such plan and provide an opportunity for public comment for not less than 60 days.

(b) NOTICE CONTENTS.—In the notice published under subsection (a), Amtrak shall include—

(1) the legal authority for the restructuring; and

(2) an explanation of the purpose of the plan and how it would facilitate Amtrak's statutory mission and other goals established by the Amtrak Board of Directors.

(c) RESPONSES.—Not later than 30 days after the date on which the public comment period under subsection (a) closes, Amtrak shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate responses to the comments on the restructuring plan received during such period, including—

(1) a description of the comments that Amtrak intends to implement;

(2) a justification for comments that Amtrak does not intend to implement; and

(3) an implementation strategy and timeline for the restructuring, including any potential impacts of the restructuring on Amtrak service, capital procurement and projects in process or planned as of the date the responses are provided, impacts to its workforce, and any potential legislative changes determined necessary to implement the restructuring.

SEC. 10216. GAO EXAMINATION OF INTERNATIONAL PASSENGER RAIL.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the elements described in subsection (b) from a representational sample of international intercity passenger rail carriers to determine governance and financing practices and the potential application of such practices to domestic intercity passenger rail operations.

(b) ELEMENTS.—The report submitted under subsection (a) shall include—

(1) the number of employees and union representation for each intercity passenger railroad;

(2) the geographic size served by each carrier, and the number of routes operated by each carrier;

(3) the organization of each carrier and the nature and composition of each carrier's governance;

(4) the source and legal authority of the operation, governance, and financing structures of the international representational samples;

(5) the amount of government investment in intercity passenger rail operations made over the previous 10 years as well as the sources of funding, and projected investment and source of funding over the next 10 years;

(6) the amount of excess fleet or infrastructure capacity to allow for competitive services;

(7) the safety record of each carrier over the last 10 years;

(8) the on-time performance of each carrier; and

(9) governance and financing for intercity passenger rail stations that serve varying customer sizes.

SEC. 10217. FOOD AND BEVERAGE SERVICE.

(a) EVALUATION OF AMTRAK FOOD AND BEVERAGE SERVICES.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine the food and beverage services provided on Amtrak routes and provide recommendations for improvements.

(2) ELEMENTS.—In carrying out paragraph (1), the Comptroller General shall examine the following:

(A) The affordability of current dining options and possible alternatives.

(B) The quality of food services provided and possible improvements.

(C) The feasibility of providing traditional dining to all passengers.

(D) A comparison of current dining options to established dietary guidelines.

(b) ANNUAL AMTRAK REPORT.—Section 24321 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

"(d) IMPLEMENTATION ADVISORY COMMITTEE.—

"(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, Amtrak shall establish an advisory committee to provide internal review with respect to the implementation by Amtrak of the recommendations contained in the report of the Comptroller General of the United States required under section 10217(a) of the BUILD America 250 Act.

"(2) MEMBERSHIP.—The advisory committee established under paragraph (1) shall consist of individuals representing—

"(A) Amtrak;

"(B) the labor organizations representing Amtrak employees who prepare or provide on-board food and beverage service;

"(C) nonprofit organizations representing Amtrak passengers; and

"(D) States that are providing funding for State-supported routes.

"(3) TERMINATION.—The advisory committee established under paragraph (1) shall terminate on the date on which Amtrak submits the final report required under subsection (e)(1).

"(e) ANNUAL IMPLEMENTATION STATUS REPORT.—

"(1) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, and annually thereafter until such time as all recommendations contained in the report of the Comptroller General of the United States required under section 10217(a) of the BUILD America 250 Act are implemented by Amtrak or determined by Amtrak to be impractical or impossible to implement, Amtrak shall—

"(A) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the implementation of each such recommendation; and

"(B) make the report available on a publicly accessible website of Amtrak.

"(2) REPORT CONTENTS.—Each report under paragraph (1) shall include—

"(A) a description of the progress made by Amtrak in implementing each recommendation contained in the report under subsection (b);

"(B) an identification of each such recommendation for which implementation is complete;

"(C) an identification of each such recommendation that Amtrak determines to be impractical or impossible to implement;

"(D) for each recommendation identified under subparagraph (C)—

"(i) the justification for the determination that the recommendation is impractical or impossible to implement; and

"(ii) if the justification is all, or in part, attributable to insufficient funding, an estimated cost of implementing the recommendation;

"(E) a description of how, if at all, ?food and beverage service of Amtrak has changed—

"(i) if in the initial report, since the date of enactment of the BUILD America 250 Act; and

"(ii) if in a subsequent report, since the date on which the previous report was finalized; and

"(F) comments submitted by the advisory committee to Amtrak regarding the information included under subparagraphs (A) through (E).".

Subtitle C—Passenger Rail Policy

SEC. 10301. INTERCITY PASSENGER RAIL EQUIPMENT POOLS.

(a) CONTRACT AUTHORITY.—The Secretary may enter into agreements with an interstate rail compact for the purpose of establishing, managing, and financing multistate equipment pools for use in supporting the operation, expansion, and modernization of intercity passenger rail services.

(b) TERMS.—An agreement entered into under subsection (a) shall—

(1) establish rules governing the management, representation, membership, and financing of a multistate equipment pool among each State party to the interstate rail compact;

(2) include terms providing for the staffing, administrative, and other labor-related needs for the equipment pool;

(3) establish procedures through which additional States that join the interstate rail compact may be included in the agreement;

(4) include a plan governing the operations and management of the equipment pool, including with respect to each type of equipment in the equipment

pool, allowable uses, standard leasing terms, insurance, and purchasing and maintenance financing;

(5) with respect to the procurement or acquisition of equipment for the equipment pool—

(A) include identification of acceptable contracting methods and required contract terms, including such methods and terms as the Secretary determines appropriate to ensure compliance with applicable legal requirements regarding competition and section 22905 of title 49, United States Code (commonly known as "Buy America"); and

(B) establish a set of engineering standards, technical standards, and design standards applicable to all such procurement or acquisition of common fleet rolling stock equipment;

(6) include such terms as are necessary for the interstate rail compact to—

(A) coordinate with manufacturers regarding supply chain management applicable to such equipment;

(B) facilitate the efficient order and delivery of such equipment; and

(C) ensure the design of such equipment meets the standards described in paragraph (5);

(7) receive technical support for the interstate rail compact from the Secretary, acting through the Administrator of the Federal Railroad Administration, and Amtrak; and

(8) include such additional terms as the Secretary determines appropriate.

(c) THIRD-PARTY SUPPORT SERVICES.—In entering into an agreement under subsection (a), the Secretary may not prohibit an interstate rail compact from using a third-party entity to support the maintenance, distribution, oversight, and leasing of equipment and to manage the equipment pool.

(d) TECHNICAL SUPPORT.—The Secretary may develop procedures under which an interstate rail compact that enters into an agreement under subsection (a) may solicit technical support from the Secretary or Amtrak related to the engineering, standards, procurement of, and other matters related to the acquisition and maintenance of a rolling stock equipment pool, provided Amtrak charges a fair market rate for staff time used on providing technical support.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) require the National Railroad Passenger Corporation to—

(A) make available any rolling stock equipment or facilities to any equipment pool established under this section; or

(B) enter into any agreement, contract, or other arrangement relating to the use, sharing, or allocation of such rolling stock, equipment, or facilities; or

(2) prohibit such Corporation from voluntarily taking action described in paragraph (1).

(f) ADMINISTRATIVE FUNDING.—Section 22910 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4) by striking "and" at the end;

(B) in paragraph (5) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(6) administration of a multistate equipment pool pursuant to an agreement under section 10301 of the BUILD America 250 Act.";

(2) in subsection (b) by striking "section in an amount exceeding $1,000,000 per year." and inserting "section—

"(1) except as provided in paragraph (2), in an amount exceeding $1,000,000 per year; and

"(2) for a grant authorized under subsection (a)(6), in an amount exceeding $5,000,000 per year.".

(3) in subsection (c)—

(A) in paragraph (6) by striking "and" at the end;

(B) in paragraph (7) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(8) with respect to an applicant that has entered into, or intends to enter into, an agreement for the operation of a multistate equipment pool under section 10301 of the BUILD America 250 Act—

"(A) the costs related to the administration and operation of the multistate equipment pool;

"(B) the size and scope of the entities party to the interstate rail compact that administers the multistate equipment pool; and

"(C) any planned procurement and fleet management activities for the multistate equipment pool."; and

(4) by striking subsection (e) and inserting the following:

"(e) LETTER OF INTENT.—

"(1) IN GENERAL.—The Secretary may issue to an applicant responsible for administering a multistate equipment pool under section 10301 of BUILD America 250 Act a letter of intent expressing the intent of the Secretary to provide multiyear funding under this section, subject to the availability of appropriations, for purposes related to the multistate equipment pool.

"(2) LIMITATION.—A letter of intent under paragraph (1) shall not give rise to—

"(A) an obligation under sections 1108(c), 1501, and 1502(a) of title 31; or

"(B) an administrative commitment for financing.".

(g) RAILROAD REHABILITATION AND IMPROVEMENT FINANCING ELIGIBILITY.—Section 22402 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (6) by striking "and" at the end;

(B) in paragraph (7) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(8) an interstate rail compact that administers a multistate equipment pool under section 10301 of BUILD America 250 Act."; and

(2) in subsection (b)(1)—

(A) in subparagraph (E) by striking "or" at the end;

(B) in subparagraph (F)(iv) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(G) to acquire or rehabilitate equipment for inclusion in a multistate equipment pool administered by an interstate rail compact under section 10301 of BUILD America 250 Act;

"(H) to lease, or lease-to-own, intercity passenger rail equipment for use in such a multistate equipment pool; or".

SEC. 10302. CALIFORNIA HIGH-SPEED RAIL WORKING GROUP.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to conduct an assessment and make recommendations regarding the California High-Speed Rail project.

(b) WORKING GROUP.—The working group shall be comprised of individuals appointed with technical qualifications, professional standing, and demonstrated expertise in the field of business management, rail operations, economics, or law, including from the California High-Speed Rail Authority and at least 1 member from a group representing railroad employees, and shall also include—

(1) 1 member designated by the Speaker of the House of Representatives;

(2) 1 member designated by the majority leader of the Senate;

(3) 1 member designated by the minority leader of the House of Representatives;

(4) 1 member designated by the minority leader of the Senate; and

(5) 4 members designated by the Secretary of Transportation.

(c) CONSIDERATIONS.—In the evaluation of the project, the working group shall consider the following:

(1) Whether the project will achieve the outcomes and criteria legally required under California Proposition 1A, approved on November 4, 2008, and

subsequently codified in California statute, including—

(A) trains capable of sustained maximum operating speeds of not less than 200 miles per hour;

(B) maximum nonstop service travel times for each corridor that does not exceed—

(i) 160 minutes between San Francisco and Los Angeles;

(ii) 160 minutes between Oakland and Los Angeles;

(iii) 30 minutes between San Francisco and San Jose;

(iv) 130 minutes between San Jose and Los Angeles;

(v) 80 minutes between San Diego and Los Angeles; and

(vi) 140 minutes between Sacramento and Los Angeles; and

(C) a time interval between successive trains that is not more than 5 minutes.

(2) Whether the planned passenger service by the California High-Speed Rail Authority in the corridor or usable segment thereof will require a local, State, or Federal operational subsidy, including the

initial operating segment between Merced and Bakersfield and the Phase 1 system between San Francisco and Los Angeles, and an estimate of the amount of such subsidy.

(3) Whether the route alignment reduces highway and aviation congestion, community impacts, and follows existing transportation or utility corridors.

(4) The cost and timeline estimate for completing the Phase 1 system, including—

(A) whether the California High-Speed Rail Authority has accurately estimated and planned for potential cost escalation; and

(B) whether the suggested discount rate described in the circular of the Office of Management and Budget, titled "Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs" (A–94) is appropriate for the project, including the likelihood that such rate will attract private sector investment to the project.

(5) Committed sources of funding for the project, including separate estimates for the initial operating segment and the full Phase 1 system.

(6) An evaluation of the economic justification for the project.

(7) The impact of completion of the project on the ability of California to invest in and address other transportation infrastructure, including infrastructure resilience, and transportation infrastructure important to interstate commerce.

(8) Other factors related to the development and operation of the project as specified in Proposition 1a or identified by the Working Group.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the working group shall transmit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives its report containing the assessment and recommendations described in subsection (a). Such report shall be published by the Secretary on a public facing website.

(e) FUNDING TO CALIFORNIA HIGH-SPEED RAIL AUTHORITY.—The Secretary may not make a grant or award using funds made available under this Act, or award other Federal financial assistance to the California High-Speed Rail Authority until the due date of the report described in subsection (d).

(f) CONSIDERATION OF RECOMMENDATION.—The Secretary shall consider Working Group recommendations in determining future Federal funding requests for the California High-Speed Rail Project.

(g) CESSATION.—Upon submission of the report to Congress under subsection (d), or 2 years after the date of enactment of the Act, whichever is earlier, the Working Group shall cease to exist.

SEC. 10303. ROUTE-SPECIFIC REPORTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall conduct an examination of intercity passenger rail service and an evaluation of the feasibility of establishing or expanding services.

(b) CONSIDERATIONS.—In conducting the evaluation under subsection (a), the Secretary shall work with project sponsors to obtain appropriate data and consider the following factors to ensure any route recommended is economically and financially justified:

(1) Whether the project will achieve the outcome and goals related to the proposal for route establishment, enhancement, or expansion.

(2) Whether the proposal for route establishment or expansion will require local, State, or Fed-

eral economic support and the degree of such support.

(3) A comparative examination of the proposed service to other potential modes of transportation along the same corridor.

(4) Whether the proposal for route establishment or expansion reduces community impact, including alleviating highway or aviation congestion, aids with the State's transportation resilience plan, or follows existing transportation or utility corridors.

(5) The environmental impacts of the proposed service.

(6) The cost and timeline estimate for initiating passenger service.

(7) Additional issues related to the costs and benefits of the projects identified.

(8) Motive power options for the routes.

(c) ROUTES FOR EVALUATION.—In conducting the evaluation under subsection (a), the Secretary may explore potential route establishment or expansion throughout the United States to determine which routes are the most feasible for development. The evaluation may include the following routes:

(1) Between Kansas City, Missouri, and Oklahoma City, Oklahoma, by way of Newton, Kansas.

(2) Between Akron, Ohio, and Canton, Ohio.

(3) A rail corridor between the District of Columbia and Florida, including an examination of all motive options.

(4) Between Los Angeles, San Diego, and San Luis Obispo, California.

(5) Between Austin, Texas, and Laredo, Texas, by way of San Antonio, Texas, with an extension to Monterrey, Nuevo Leon, Mexico.

(6) Between Scranton, Pennsylvania, and New York City, New York.

(7) Additional routes, as identified by the Secretary.

SEC. 10304. STUDY ON COMMUTER RAIL PASSENGER TRANSPORTATION AND TRANSFERS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall initiate a study identifying the benefits of commuter rail passenger transportation and major obstacles to providing commuter rail passenger transportation that does not involve a transfer for passengers.

(b) REQUIREMENTS.—In conducting the study under subsection (a), the Comptroller General shall—

(1) consider economic, logistical, and quality of life factors in analyzing the major obstacles to im-

plementing single-seat trips on commuter rail passenger transportation for as many passengers as possible; and

(2) include in such study an analysis of the costs and benefits with respect to single-seat trips on commuter rail passenger transportation on the New Jersey Transit Raritan Valley line during peak hours and the impact such trips would have on other New Jersey Transit lines.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study under subsection (a).

(d) COMMUTER RAIL PASSENGER TRANSPORTATION DEFINED.—In this section, the term ''commuter rail passenger transportation'' has the meaning given such term in section 24102 of title 49, United States Code.

SEC. 10305. ADJUSTMENT OF LIABILITY CAP.

(a) IN GENERAL.—Section 28103 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking ''$200,000,000'' and inserting ''$323,000,000''; and

(2) in subsection (c) by striking ''$200,000,000 per accident or incident'' and inserting ''the amount described in subsection (a)(2)''.

(b) ADJUSTMENT OF LIABILITY CAP.—

(1) ADJUSTMENT.—The limit on aggregate allowable awards described in section 28103(a)(2) of title 49, United States Code, shall be adjusted pursuant to this subsection every fifth year after the date of enactment of this Act.

(2) WORKING GROUP.—The Secretary shall convene a working group to review the percentage of such adjustment and convene such working group during the third year of each 5-year period.

(3) COMPOSITION OF WORKING GROUP.—The Secretary shall ensure that the working group consists of representatives of the Federal Railroad Administration and at least 2 representatives from each of the following entities:

(A) Operators of intercity passenger rail services.

(B) Operators of commuter railroads or organizations representing commuter railroads.

(C) Relevant insurance providers or organizations representing relevant insurance industries.

(D) Advocates of victims of rail accidents or incidents or organizations representing those advocates.

(E) Organizations representing railroad employees.

(4) RECOMMENDATION OF ADJUSTMENT AMOUNT.—Not later than 90 days after a working group is convened under paragraph (2), the working group shall submit to the Secretary a recommendation for a percentage by which the limit on aggregate allowable awards described in section 28103(a)(2) of title 49, United States Code, should be adjusted, after taking into consideration—

(A) any incidents or accidents for which the award reached such amount occurring within the previous 5-year period;

(B) the effect of safety technology or other changing factors on the risk of rail incidents or accidents within the previous 5-year period; and

(C) the severity of each accident or incident examined, including as measured by damages incurred.

(5) DETERMINATION.—Not later than 90 days after the working group recommends an adjustment

under paragraph (4), the Secretary shall, taking into account such recommendation—

(A) determine an appropriate adjustment amount, except that such adjustment may not be an increase of less than 2 percent or greater than 10 percent over the amount in effect as of the date on which the working group is convened; and

(B) provide public notice of such amount that contains an explanation for the amount described in subparagraph (A), including any justifications for deviating from the recommendation of the working group.

(6) FAILURE TO REACH A DETERMINATION.—If the working group fails to recommend an adjustment amount or the Secretary fails to publish an adjusted limit on aggregate allowable awards, then on January 1 of the fourth year, the limit on aggregate allowable awards shall be automatically increased by 10 percent and the Secretary shall provide appropriate public notice of such adjustment.

(7) EFFECTIVE DATE.—Any adjustment made by the Secretary pursuant to this subsection shall take effect on the date that is 1 year after the date

on which the Secretary provides notice under paragraph (5)(B).

(c) REPEAL.—Section 11415 of the Passenger Rail Reform and Investment Act of 2015 (Public Law 114–94) is amended—

(1) in subsection (a) by striking the subsection designation and subsection heading; and

(2) by striking subsection (b).

Subtitle D—Rail Safety and Innovation

SEC. 10401. RAIL BRIDGE SAFETY.

(a) RAIL BRIDGE INSPECTIONS.—Section 20105 of title 49, United States Code, is amended—

(1) by striking ''facilities,'' in each place it occurs and inserting ''facilities, bridges,''; and

(2) by striking ''facility,'' in each place it occurs and inserting ''facility, bridges,''.

(b) RAILROAD BRIDGE SAFETY ASSURANCE.—Section 417(d)(2) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively;

(2) by striking subparagraph (A) and inserting the following:

"(A) REQUESTS FROM COMMITTEES.—The Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives, or the Chairman or Ranking Member of Committee on Commerce, Science, and Transportation of the Senate, may file a request with the Secretary for a public version of the bridge inspection report generated under subsection (b)(5).

"(B) LIMITATION.—A State or political subdivision of a State may file a request with the Secretary for a public version of the bridge inspection report generated under subsection (b)(5), but may not file more than 50 such requests during any 6-month period."; and

(3) in subparagraph (C), as so redesignated, by striking "If the Secretary determines that the request is reasonable, the Secretary" and inserting "The Secretary".

(c) RAIL BRIDGE INSPECTION REPORTS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update applicable regulations concerning inspection reports for railroad bridges under subsections (d)(2)(C) and (b)(5) of section 417 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) to ensure each report reflects whether inspected bridges meet minimum structural and safety standards, as determined by a qualified railroad inspector.

(d) RAIL BRIDGE SAFETY CONCERN REPORTING SYSTEM.—Section 20145 of title 49, United States Code, is amended to read as follows:

"§ 20145. Rail bridge safety concern reporting system

"(a) ESTABLISHMENT.—Not later than 2 years after the date of enactment of the BUILD America 250 Act, the Secretary of Transportation shall establish a system, to be known as the Rail Bridge Safety Concern Reporting System (referred to in this section as the 'System'), through which State, local, Tribal, and territorial governmental entities may report safety concerns about the condition of railroad bridges.

"(b) SYSTEM DEVELOPMENT.—In developing the System, the Secretary shall—

"(1) streamline and simplify the data management process of the Department of Transportation; and

"(2) require an entity making a report under the System to certify that the report is based on an observed or verifiable factor described in subsection (c)(1) by the official filing of the report.

"(c) SYSTEM FUNCTIONS.—

"(1) REPORTING SAFETY CONCERNS.—The Secretary shall permit a State, local, Tribal, and territorial governmental entity to use the System to report to the Secretary a safety concern, regarding the condition of a railroad bridge, based on certain factors, including—

"(A) extreme shaking or excess movement during the passage of a train or an extreme weather event;

"(B) components of the railroad bridge falling onto surrounding areas; and

"(C) any other factor that the Secretary determines to be significant to the structural or operational safety of the bridge.

"(2) INVESTIGATIONS.—If the Secretary determines a report submitted through the System describes a reasonable safety concern regarding the structural or operational safety of a bridge, the Secretary shall investigate such safety concern to determine the risk posed by the railroad bridge to—

"(A) the operations of the railroad concerned;

"(B) the safety of railroad workers;

"(C) the safety of the general public; and

"(D) the safety of individuals who traverse on, under, or near the railroad bridge, including pedestrians, cyclists, and individuals traveling by motor vehicle or boat.

"(3) REPAIR OR SUSPENSION OF USE.—If the Secretary determines that a safety concern investigated pursuant to paragraph (2) poses a significant threat to the structural or operational safety of a railroad bridge or the safety of any of the parties described in subparagraphs (A) through (D) of paragraph (2), the Secretary shall direct the Administrator of the Federal Railroad Administration to coordinate with the railroad concerned to establish a plan that addresses the safety concern, which may include—

"(A) requiring the immediate repair of the railroad bridge;

"(B) imposing weight or speed restrictions on the bridge; and

"(C) any restriction or prohibition ordered by the Secretary under section 20104(a), if the Secretary determines that such safety concern—

"(i) involves an unsafe condition or practice, or a combination of unsafe conditions and practices; or

"(ii) causes an emergency situation involving an imminent hazard of death, personal injury, or significant harm to the environment.

"(d) DEFINITIONS.—In this section:

"(1) RAILROAD BRIDGE.—The term 'railroad bridge' means any structure with a deck, regardless of length, that supports one or more railroad tracks, or any other undergrade structure with an individual span length of 10 feet or more located at such a depth that is affected by live loads.

"(2) STATE.—The term 'State' has the meaning given the term in section 20167(c).".

SEC. 10402. PUBLIC AVAILABILITY OF FEDERALLY FUNDED DATA.

(a) IN GENERAL.—Section 20108 of title 49, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following:

"(j) Accessibility of Federally Funded Data.—The Secretary shall make freely available and publicly accessible any publications and relevant supporting data resulting from research funded pursuant to subsection (a), including peer-reviewed scholarly publications.".

(b) Implementation.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop a plan to support increased public access to publications and supporting data for research funded pursuant to section 20108 of title 49, United States Code.

(c) Data Protection.—In carrying out section 20108(j) of title 49, United States Code, the Secretary may restrict the release of information protected from disclosure under section 552 of title 5, United States Code.

SEC. 10403. SAFETY CULTURE GRANT PROGRAM.

Chapter 201 of title 49, United States Code, is amended by adding at the end the following:

"§ 20172. Safety culture grant program

"(a) In General.—The Secretary, acting through the Administrator of the Federal Railroad Administration, may make grants to nonprofit organizations specializing in railroad safety and safety culture to—

"(1) conduct safety culture assessments and safety training for Class II railroads, Class III railroads, commuter railroads, and other eligible railroads;

"(2) provide technical assistance and conducting educational programs and courses including leadership and employee development training to the railroads described in paragraph (1);

"(3) create and implement safety best practices within the industries of the railroads described in paragraph (1); and

"(4) provide safety training equipment—

"(A) to Class II railroads and Class III railroads for use in enhancing hazardous material safety training; and

"(B) to public service emergency responders for use in training regarding the safe transportation of hazardous materials and response to railroad incidents involving hazardous materials.

"(b) DEFINITIONS.—In this section:

"(1) COMMUTER RAILROAD.—The term 'commuter railroad' has the meaning given the term 'commuter rail passenger transportation' in section 24102.

"(2) OTHER ELIGIBLE RAILROADS.—The term 'other eligible railroads' means railroads that the

Secretary determines would benefit from safety culture assessments or safety-related instruction, including industrial railroads, plant railroads, terminal railroads, historic railroads, tourist railroads, and switching railroads, to the extent such railroads meet the definition of 'railroad' under section 20102.

"(c) GRANT CONDITIONS.—The provisions of section 22905 shall apply to grants made under this section.

"(d) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to—

"(1) expand the definition of 'railroad' under section 20102; or

"(2) limit the authority of the Secretary to conduct safety culture assessments pursuant to any other provision of law.".

SEC. 10404. IMPROVED SUPPORTING INFORMATION TRANSPARENCY AND USING PERFORMANCE-BASED REGULATIONS DURING RULEMAKING.

(a) SUPPORTING INFORMATION TRANSPARENCY AND QUALITY.—

(1) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

"§ 20122. Supporting information transparency and quality

"(a) SUPPORTING INFORMATION TRANSPARENCY.—

"(1) IN GENERAL.—Except as otherwise provided under paragraph (3), the Secretary of Transportation shall place, in the appropriate docket, supporting information described in paragraph (2), including associated analysis, that is used by the Department of Transportation in relation to a proposed rule issued pursuant to this subtitle on the date such proposed rule is published in the Federal Register.

"(2) SUPPORTING INFORMATION.—The supporting information and analyses described in paragraph (1) shall include—

"(A) the data and sources on which the regulation and regulatory analysis is based; and

"(B) relevant technical and scientific findings.

"(3) EXCEPTION.—The Secretary may not publish supporting information that is security-sensitive, privileged information or confidential business information pursuant to this subsection.

"(b) SUPPORTING INFORMATION QUALITY.—

"(1) IN GENERAL.—The Secretary shall, as practicable, ensure that a rule proposed or adopted pursuant to this subtitle is informed by supporting information that the Secretary determines to be reasonably obtainable supporting information, and any associated analysis, concerning—

"(A) the need to be addressed; and

"(B) how the rule addresses the need.

"(2) INFORMATION QUALITY.—To the extent practicable, utilizing reasonably obtainable supporting information required under paragraph (1), the Secretary shall consider—

"(A) up-to-date and relevant data;

"(B) validated models and formulas; and

"(C) independent, peer-reviewed—

"(i) studies, including statistically significant findings; and

"(ii) scientific, technical, and economic findings, including, statistically significant findings.".

(2) CLERICAL AMENDMENT.—The analysis for chapter 201 of title 49, United States Code, is amended by inserting after the item relating to section 20121 the following:

"20122. Supporting information transparency and quality.".

(b) PERFORMANCE-BASED REGULATIONS.—

(1) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is further amended by adding at the end the following:

"§ 20123. Performance-based regulations

"(a) IN GENERAL.—In conducting a rulemaking activity pursuant to this subtitle, the Secretary of Transportation shall consider using an approach to the rule that specifies performance objectives rather than an approach that identifies or requires the specific manner of compliance that a regulated person or entity must adopt.

"(b) JUSTIFICATION.—If the Secretary does not use the approach described in subsection (a), the Secretary shall include in the summary section of the preamble of the rulemaking—

"(1) a statement that the selected approach is prescriptive or nonperformance-based; and

"(2) a justification for the prescriptive or nonperformance-based approach, as applicable, including an explanation of the reasons for the selection of an approach other than the approach described in paragraph (1).".

(2) CLERICAL AMENDMENT.—The analysis for chapter 201 of title 49, United States Code, is further amended by inserting after the item relating to section 20122 the following:

"20123. Performance-based regulations.".

SEC. 10405. INSTALLATION OF IMAGE RECORDING DEVICES.

Section 20168 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—Not later than 180 days after the date of enactment of the BUILD America 250 Act, the Secretary of Transportation shall issue regulations to require each Class I railroad to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments not later than 2 years after the date on which such regulations are issued.";

(2) in subsection (c) by striking "shall establish a process" and all that follows and insert the following: "shall—

"(1) establish a process to review and approve or disapprove an inward- or outward-facing image recording device for compliance with the standards described in subsection (b); and

"(2) deem approved under this section any inward-or outward-facing image recording device installed as of the date of enactment of the BUILD America 250 Act that meets the standards described in subsection (b) for 5 years following the date on which regulations are issued under subsection (a).'';

(3) in subsection (f)(2) by striking ''passenger'' each place it appears; and

(4) by adding at the end the following:

''(k) APPLICABILITY.—This section shall not apply to any railroad carrier covered by this section on the date of enactment of the FAST Act (Public Law 114–94).''.

SEC. 10406. MEMBERSHIP OF NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM.

Paragraph (6) of section 1204(b) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1102(b)) is amended to read as follows:

''(6) the MxV Learning Institute; and''.

SEC. 10407. PREVENTING TAMPERING WITH WAYSIDE DEFECT DETECTORS.

(a) REVIEW AND EVALUATION.—The Secretary shall convene a working group to—

(1) review and evaluate local, State, and Federal laws regarding tampering with wayside defect detectors and other railroad safety and operational monitoring devices;

(2) develop model tamper prevention strategies for the consideration of State and local govern-

mental entities, and railroads, to deter wayside detector tampering; and

(3) review and evaluate existing railroad carrier wayside defect detector installation and maintenance policies.

(b) PARTICIPANTS.—The Secretary shall include in the working group established under this subsection at least 1 representative from each of the following:

(1) An organization representing Class I railroads.

(2) An organization representing locomotive engineers and conductors.

(3) An organization representing employees who install and maintain wayside equipment.

(4) An organization representing a State or Federal law enforcement agency responsible for enforcing laws to prevent damage to wayside equipment.

(5) A manufacturer or organization representing manufacturers of wayside equipment.

(c) REQUIREMENTS.—The working group established under this subsection shall complete the activities required under paragraph (1) not later than 1 year after the date of enactment of this Act.

SEC. 10408. RAIL TECHNOLOGY AND ASSET PILOT PROGRAM.

(a) IN GENERAL.—The Secretary, in cooperation with the Administrator of the Federal Railroad Administration, shall establish a pilot program to award grants on a competitive basis to eligible recipients described in subsection (b) for rail technology systems and assets to—

(1) improve rail transportation safety and efficiency;

(2) reduce cargo theft; or

(3) monitor rail network fluidity

(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

(1) Railroad freight car owners or operators.

(2) Railroad freight car manufacturers.

(3) Rail network data platform firms.

(4) A State or the District of Columbia.

(5) A group of States.

(6) An interstate compact.

(7) A federally recognized Indian Tribe.

(8) A public agency or publicly chartered authority established by 1 or more States.

(9) A political subdivision of a State.

(c) ELIGIBLE USE OF FUNDS.—Funds provided under this section may be used by an eligible recipient for a project to carry out activities to purchase, install, maintain, or replace—

(1) telematics systems or gateway devices;

(2) positive train control upgrade systems;

(3) wheel and bearing integrity and alignment failure detection and monitoring systems;

(4) sensor-based systems, including train inspection portals;

(5) locomotives used in switching service;

(6) Tier III or higher locomotives used in switching service; and

(7) technologies to allow train crew members to communicate while inspecting and riding equipment.

(d) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section at such time, in such manner, and containing such information as the Secretary may require that relate to the purposes described in subsection (a).

(2) TRANSPARENCY.—The Secretary shall include, in any notice of funding availability relating to a grant under this section, a full description of the method by which applications under paragraph (1) will be evaluated.

(e) PRIORITIZATION FOR TELEMATICS SYSTEMS AND GATEWAY DEVICES GRANTS.—

(1) IN GENERAL.—In selecting an eligible recipient for a grant under this section, the Secretary shall prioritize an eligible recipient that proposes to carry out a project described under subsection (c)(1).

(2) PROJECTS.—Of the prioritized projects under paragraph (1), the Secretary shall further prioritize, in the order listed, the following:

(A) Newly built railroad freight cars by a qualified manufacturer in a qualified facility.

(B) Railroad freight cars entering a certification event in a qualified facility.

(C) Railroad freight cars entering a shopping event or maintenance event in a qualified facility.

(3) FREIGHT RAILCAR TYPE.—The Secretary shall ensure that each recipient receiving a grant for tank cars selects railroad freight cars for project activities in the following order of priority:

(A) Tank cars in the ''TIH/PIH'' (toxic inhalation products) service.

(B) Tank cars in Class I, II, and III flammable service.

(C) Tank cars in hazardous materials service.

(D) Tank cars in specialized service.

(E) Freight cars in hazardous materials service.

(F) Other freight cars.

(f) LIMITATIONS.—

(1) REQUIREMENTS FOR RAILROAD FREIGHT CARS.—No funds provided by a grant under this section may be used for an activity relating to railroad freight cars that does not meet the requirements of section 20171 of title 49, United States Code.

(2) AWARDS TO ENTITIES.—The Secretary may not award more than 20 percent of amounts made available in this section for grants for each fiscal year to a single recipient.

(3) APPLICATION COSTS.—The Secretary may not reimburse an eligible entity that receives funding under this section for any application preparation costs for a grant under this section.

(g) REPORTS.—

(1) ELIGIBLE ENTITIES.—Not later than 2 years after the date on which an eligible entity receives a grant under this section, and annually thereafter until the date on which the grant is ex-

pended, the eligible entity shall submit to the Secretary an implementation report that describes—

(A) the deployment of each project carried out by the eligible entity; and

(B) the means by which each project carried out by the eligible entity has met or addressed its intended outcome, as projected in the grant application, including—

(i) data describing the means by which the project met the specific goals for the project; and

(ii) recommendations for future deployment strategies to improve safety or reduce cargo theft.

(2) SECRETARY.—

(A) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation and effects of the grant pilot program established under this section.

(B) CONTENTS.—The report under subparagraph (A) shall include—

(i) a description of each eligible entity and award issued pursuant to this section;

(ii) the number of railroad freight cars equipped with telematic systems or gateway devices using funds provided under this section;

(iii) the number of freight railroad routes equipped with telematic systems or gateway devices using funds provided under this section;

(iv) the cost of equipping such cars or rail right-of-way or adjacent right-of-way with such systems or devices referenced in clause (ii) or (iii) and any ongoing software licensing or other maintenance and lifecycle replacement costs;

(v) the number of safety incidents involving such railcars reported to the Federal Railroad Administration using funds provided under this section;

(vi) anecdotal experience of grant recipients relating to the deployment of any technology or asset acquired under this section; and

(vii) any legislative recommendations related to the pilot program established under this section.

(C) PUBLIC AVAILABILITY.—The report required under subparagraph (A) shall, to the maximum extent practicable, be made publicly available on the website of the Department without compromising confidentiality or security.

(D) CONSULTATION.—In preparing the report required under subparagraph (A), the Secretary shall consult with Federal agencies and stakeholders, as appropriate, to gather technical, operational, and safety-related data.

(h) COST SHARE.—The Federal share of the cost of a grant award under this section shall be 50 percent of the total cost of the project.

(i) DEFINITIONS.—In this section:

(1) CERTIFICATION EVENT.—The term ''certification event'' means a railroad freight car that is required by regulation to be recertified in a maintenance facility or qualified facility.

(2) GATEWAY DEVICE.—The term ''gateway device'' means a network hardware or software node used in railroad monitoring telecommunications that—

(A) connects at least 2 networks with different transmission protocols together;

(B) serves as an entry and exit point for a network as all data collected from the railcar must pass through or communicate with the gateway prior to being routed;

(C) are distinct from routers or switches in that such nodes communicate using more than 1 protocol to connect multiple networks; and

(D) may be any device on a railroad freight car that is embedded with electronics, software, sensors, or other connectivity, that enables the device to connect to, collect data from, or exchange data with another device, including—

(i) railcar onboard telematics;

(ii) global positioning system satellite and cellular location tracking systems;

(iii) railcar event status sensors;

(iv) railcar predictive component condition and performance monitoring sensors; and

(v) similar technologies embedded into railroad freight car components and subassemblies.

(3) POSITIVE TRAIN CONTROL SYSTEMS.—The term ‘‘positive train control system’’ has the meaning given such term in section 20157(i) of title 49, United States Code.

(4) SHOPPING EVENT.—The term ‘‘shopping event’’ means a railroad freight car that is undergoing regular or routine maintenance by a railcar maintenance facility or qualified facility.

(5) TELEMATICS SYSTEM.—The term ‘‘telematics system’’ means a technology that—

(A) relies on telecommunications, informatics, and computer and data processing;

(B) generates data and informatics from gateway or sensor devices fixed to railroad freight cars or property on or adjacent to rail right-of-way and provides for the exchange of information over a distance that may use battery or solar-powered wireless connections; and

(C) includes the method upon which railroad freight cars are monitored by using global positioning system technology through a gateway device or sensor using onboard or wayside camera diagnostics to plot the movements of such cars and, if applicable, gather railcar equipment and train health and condition data from other onboard or wayside camera railcar sensors when applied.

(6) OTHER TERMS.—The terms ''railroad freight car'', ''qualified facility'', ''qualified manufacturer'', and ''state-owned enterprise'' have the meaning given such terms in section 20171(a) of title 49, United States Code.

SEC. 10409. VENT AND BURN REPORT UPDATES.

(a) IMPLEMENTATION.—Not later than 30 days after the date of enactment of this Act, the Secretary shall take such actions as may be necessary to implement the recommendations of the National Transportation Safety Board numbered R–24–08 and R–24–09, issued on June 25, 2024.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the implementation of the recommendations required under subsection (a).

SEC. 10410. RAIL FREIGHT CARGO SECURITY ASSESSMENT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall initiate an assessment of security vulnerabilities affecting freight rail cargo, with a focus on protecting the national supply chain and reducing economic losses from organized theft and sabotage.

(b) CONTENTS.—The assessment under subsection (a) shall include—

(1) an identification of high-risk corridors, yards, sidings, highway-rail grade crossings, and other infrastructure determined by the Administrator to be vulnerable to theft or tampering;

(2) an evaluation by the Administrator of physical and operational security protocols and best practices used by freight railroad carriers, including the ability of train crews to monitor and communicate along the length of a train consist;

(3) an assessment by the Administrator of the effects of rail cargo theft, including the effects on

supply chains, the costs incurred by consumers, and the effects on regional commerce; and

(4) recommendations of the Administrator with respect to improving security and resilience of freight rail cargo, including coordination strategies, voluntary guidance, and operational best practices.

(c) CONSULTATION.—In conducting the assessment under subsection (a), the Administrator may consult with—

(1) freight rail carriers, including short line operators, Class I railroads, and Class II railroads (as defined in section 20102 of title 49, United States Code), and the police departments of such freight rail carriers;

(2) State and local law enforcement and transportation agencies;

(3) relevant Federal entities as determined appropriate by the Administrator; and

(4) shippers, intermodal operators, and private sector supply chain stakeholders, including freight rail insurance providers.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Commerce, Science, and Transportation of the Senate a report on the findings of the assessment under subsection (a) and including any recommendations of the Administrator with respect to security vulnerabilities affecting freight rail cargo.

SEC. 10411. 50-YEAR RULE REVISION.

(a) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall finalize the rulemaking described in the notice of proposed rulemaking issued on July 1, 2025, titled ''Repealing Special Approval Requirement for Freight Cars More Than 50 Years Old'' (90 Fed. Reg. 28633).

(2) LIMITATION.—The rulemaking required under paragraph (1) shall not impose any additional paperwork, testing, or inspection requirements for such railroad freight cars on railcar manufacturers, railcar owners, or railroads than were required for any railroad freight car that is not more than 50 years old on July 1, 2025.

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from issuing an emergency order regarding any railroad freight car that is more than 50 years old, measured from the date of original construction, under section 20104 of title 49, United States Code.

SEC. 10412. SELF-CONTAINED PROPELLED FREIGHT VEHICLE.

(a) RULEMAKING.—Not later than the earlier of 1 year after the date of enactment of this Act or completion of the self-propelled rail vehicle Test Program in Federal Railroad Administration Docket Number FRA 2023–00666, the Secretary shall issue a notice of proposed rulemaking to issue safety regulations for self-contained propelled freight vehicles.

(b) SELF-CONTAINED PROPELLED FREIGHT VEHICLE.—In issuing a final rule resulting from the proposed rulemaking noticed under subsection (a), the Secretary, in response to public comments, shall consider in the definition of a self-contained propelled freight car, a railcar that—

(1) is designed and primarily intended to be used to transport freight;

(2) is autonomous or remotely controlled, and does not carry crew or passengers;

(3) operates singularly or in coordinated multiple-unit consist that may or may not include traditional railcars or locomotives;

(4) is self-propelled and equipped with onboard propulsion and braking technologies on each unit, or on separate units when operated as part of a consist; and

(5) does not transport any hazardous materials.

SEC. 10413. RAILROAD SAFETY ADVISORY COMMITTEE EVALUATION OF NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE FINDINGS.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Federal Railroad Administration, shall convene a working group within the Railroad Safety Advisory Committee under section 20124 of title 49, United States Code, to develop recommendations on trains of varying lengths, including—

(1) methods and technologies that can be implemented by a railroad carrier to improve the capabilities, competencies, and training that train crews and other railroad employees require for safe operation, assembly, and inspection; and

(2) technological means performance standards to ensure train crew members have the capability to communicate with the entirety of the train, including while inspecting and riding equipment, in a manner

that is continuously maintained and does not create personal safety hazards.

(b) REGULATORY APPROACH.—In developing recommendations under this section, the working group shall—

(1) ensure that such recommendations and findings are—

(A) supported by evidence; and

(B) support the safe and efficient operation of varying train lengths;

(2) consider economic impacts of such recommendations; and

(3) evaluate impacts of such recommendations on communities affected by freight rail movements, first responders, and railroad employees.

(c) DATA.—For the report required under subsection (d), the Secretary shall evaluate the information provided pursuant to section 22421(b) of the Infrastructure Investment and Jobs Act (49 U.S.C. 20901 note), in conjunction with FRA Safety Advisory 2023–03, issued by the Federal Railroad Administration on May 2, 2023 (88 Fed. Reg. 27570), and the recommendations of the Railroad Safety Advisory Committee.

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report containing the findings and recommendations developed under this section, and shall make such findings and recommendations available to the public on the website of the Federal Railroad Administration.

SEC. 10414. BLOCKED CROSSINGS.

(a) BLOCKED CROSSING PORTAL.—Section 22404 of the Infrastructure Investment and Jobs Act (49 U.S.C. 22907 note) is amended—

(1) in subsection (a) by striking ‘‘3-year’’;

(2) by striking subsection (h) and inserting the following:

‘‘(h) USE OF BLOCKED CROSSING PORTAL DATA FOR GRANT CONSIDERATIONS.—

‘‘(1) IN GENERAL.—The Secretary may use the frequency and severity of verified blocked crossing incidents in the blocked crossing portal maintained under this section to evaluate projects that would reduce the frequency or severity of such incidents when selecting grant recipients under sections 22907 and 22909 of title 49, United States Code.

"(2) EVALUATION.—In carrying out this subsection, the Secretary shall evaluate projects described in paragraph (1) in the following order:

"(A) There are verified delays of more than 10 minutes affecting State or local emergency services and there are no alternate public highway-rail grade separation routes within a half mile by road.

"(B) There are no alternate public highway-rail grade separation routes within a half mile by road.

"(3) BLOCKED CROSSING INCIDENT DEFINED.—In this subsection, the term 'blocked crossing incident' means a circumstance in which a train, locomotive, rail car, or other rail equipment is stopped in a manner that obstructs travel at a public highway-rail grade crossing, not caused by factors beyond the reasonable control of the railway operator."; and

(3) by striking subsections (j) and (k) and inserting the following:

"(j) RULE OF CONSTRUCTION.—Nothing in this section may be construed to invalidate any authority of the Secretary with respect to blocked highway-rail grade crossings.".

(b) INVESTIGATIONS OF FREQUENTLY BLOCKED CROSSINGS.—

(1) IN GENERAL.—Based on an analysis of data submitted to the blocked crossing portal established and maintained under section 22404 of the Infrastructure Investment and Jobs Act (49 U.S.C. 22907 note), the Secretary shall take the following actions with respect to any public highway-rail grade crossing for which there have been 3 or more reported blocked crossing incidents within a 30-day period:

(A) Provide electronic notice to the railroad carrier that owns or operates over the public highway-rail grade crossing of the number and frequency of reported blocked crossing incidents.

(B) In consultation with the railroad carrier, which shall be required to maintain data for blocked crossings for not more than 60 days, examine the causes of the blocked crossing incidents.

(C) Identify and evaluate voluntary, practicable measures to reduce the frequency and duration of blocked crossing incidents at the grade crossing.

(D) Assess eligibility for Federal financial assistance, including under sections 22907 and 22909 of title 49, United States Code.

(E) Consider the availability and adequacy of alternative routes, including whether reasonably accessible and safe routes exist to allow the traveling public, including emergency responders, to circumvent the blocked crossing.

(2) BLOCKED CROSSING INCIDENT DEFINED.— In this subsection, the term ''blocked crossing incident'' means a circumstance in which a train, locomotive, rail car, or other rail equipment is stopped in a manner that obstructs travel at a public highway-rail grade crossing, not caused by factors beyond the reasonable control of the railway operator.

(c) PUBLICATION OF BLOCKED CROSSING INFORMATION.—Not later than 60 days after the date of enactment of this Act, the Federal Railroad Administration shall publish on the home page of the publicly-available website of the Administration an active link to the blocked crossing portal established and maintained under section 22404 of the Infrastructure Investment and Jobs Act (49 U.S.C. 22907 note).

(d) RAILROAD POINT OF CONTACT FOR BLOCKED CROSSING MATTERS.—Section 20152 of title 49, United

States Code, is amended by adding at the end the following:

"(c) RAILROAD POINT OF CONTACT FOR BLOCKED CROSSING MATTERS.—The Secretary shall make any telephone service established under subsection (a) publicly available on the website of the Department of Transportation.".

(e) PUBLIC ENGAGEMENT.—Not later than 1 year after the date of enactment, the Secretary shall engage with State and local emergency services to—

(1) provide accessible resources on best practices to reduce first responder delays at rail crossings;

(2) collaborate with railroads on identifying critical crossings for first responders and possible operational changes; and

(3) promote the adoption and increased use of real-time and predictive rail crossing information.

SEC. 10415. CIVIL PENALTIES.

(a) CIVIL PENALTIES RELATED TO TRANSPORTING HAZARDOUS MATERIALS.—Section 5123(a) of title 49, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "$75,000" and inserting "$150,000"; and

(2) in paragraph (2), by striking "$175,000" and inserting "$350,000".

(b) GENERAL VIOLATIONS OF CHAPTER 201.—Section 21301(a)(2) of title 49, United States Code, is amended—

(1) by striking "$25,000." and inserting "$50,000"; and

(2) by striking "$100,000." and inserting "$200,000".

(c) ACCIDENT AND INCIDENT VIOLATIONS OF CHAPTER 201; VIOLATIONS OF CHAPTERS 203 THROUGH 209.—Section 21302(a) is amended—

(1) in paragraph (1), by striking "203–209" each place it appears and inserting "203 through 209"; and

(2) in paragraph (2)—

(A) by striking "$25,000" and inserting "$50,000"; and

(B) by striking "$100,000" and inserting "$200,000".

(d) VIOLATIONS OF CHAPTER 211.—Section 21303(a)(2) is amended—

(1) by striking "$25,000" and inserting "$50,000"; and

(2) by striking "$100,000" and inserting "$200,000".

SEC. 10416. PRESSURE RELIEF DEVICES.

(a) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) the rate and causes of rail tank car pressure relief device failures in a derailment event including information and variables relating to each event, including—

(A) the number of tank cars involved in such derailment;

(B) whether or not the event included a fire;

(C) in the case of a fire, the temperature and duration of the fire;

(D) the length of the time of use before, and circumstances of, the failure of a pressure relief device; and

(E) with respect to each pressure relief device that failed—

(i) an assessment of the compatibility of the device with each commodity transported by a tank car involved in such derailment;

(ii) an assessment of the ability of the device to survive high heat conditions, including any thermal protection used on the device for such conditions; and

(iii) identification of the orientation of the device in each tank car, including whether the orientation is—

(I) above or below the vapor line; or

(II) in the liquid space;

(2) recommendations to prevent or reduce the incidence of rail tank car pressure relief device failures;

(3) the status of any recommendations issued by the National Transportation Safety Board, including any recommendations issued during the period beginning on the date of enactment of this Act and ending on the date on which the Administrator initiates the report; and

(4) additional factors and issues identified by the Administrator upon consultation with entities described in subsection (b).

(b) CONSULTATION REQUIRED.—In developing the report under subsection (a), the Administrator shall consult with—

(1) the Administrator of the Pipeline and Hazardous Materials Safety Administration;

(2) rail employers;

(3) organizations representing rail employees;

(4) rail tank car builders, shippers, and owners; and

(5) organizations representing rail tank car builders, rail employers, shippers, and owners.

SEC. 10417. FEDERAL RAILROAD ADMINISTRATION SAFETY WORKFORCE.

(a) ADDITIONAL RAIL SAFETY EMPLOYEES.—The Administrator of the Federal Railroad Administration shall maintain not less than 713 rail safety employees in the Office of Safety of the Administration, which includes safety inspectors, in the following disciplines:

(1) Hazardous Materials.

(2) Track.

(3) Motive power and equipment.

(4) Signals and train control.

(5) Operating practices.

(6) Rail grade crossings.

(b) REPORT TO CONGRESS.—The Administrator of the Federal Railroad Administration shall include a breakdown of the Office of Safety personnel by discipline as described in subsection (a) as part of the annual budget justification of the Federal Railroad Administration, including an explanation for any variation compared to the authorized number of rail safety employees.

SEC. 10418. FRA SAFETY INSPECTOR AND SPECIALIST REVIEW.

(a) REVIEW.—The Administrator of the Federal Railroad Administration, in consultation with the Director of the Office of Personnel Management, shall review the position descriptions and pay grades of railroad safety inspection personnel and railroad safety specialist employed by the Office of Railroad Safety.

(b) CONTENTS OF REVIEW.—In conducting the review under subsection (a), the Administrator shall—

(1) consider whether the descriptions of the positions described in subsection (a) accurately reflect the scope of work and duties of the personnel and specialists in such positions, including the role and use of new technologies on such work and duties;

(2) compare the pay grades of personnel and specialists in such positions to the pay grades of personnel employed by other Department of Transportation agencies and the National Transportation Safety Board who have comparable scopes of work, responsibilities, and duties;

(3) assess whether the Administration experiences difficulty in recruiting or retaining personnel and specialists in such positions and identify the reasons for such difficulty;

(4) assess differences in pay, benefits, and other relevant factors between personnel and specialists in such positions and personnel in similar positions in the private railroad sector; and

(5) assess whether existing classification authorities, pay flexibilities, and retention incentives should be revised to achieve and maintain adequate staffing levels of qualified personnel.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(1) summarizes the findings of the review required under this section;

(2) describes how the Administration plans to update the position descriptions of railroad safety inspection personnel and railroad safety specialists to accurately reflect the scope of the work and duties; and

(3) describes any administrative or legislative actions the Administrator determines may be necessary to address identified recruitment or retention challenges with respect to the employment of such personnel and specialists.

SEC. 10419. FEDERAL RAILROAD ADMINISTRATION SAFETY CULTURE.

(a) REVIEW.—Not later than 1 year after the date of enactment of this Act, the inspector general of the Department shall—

(1) conduct a review of the safety culture of the Federal Railroad Administration using the framework developed by the Nuclear Energy Agency of the Organisation for Economic Co-operation and Development; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of

the House of Representatives a report that contains the findings of such review and includes recommendations for improving the safety culture of the Federal Railroad Administration.

(b) CONSIDERATIONS.—In conducting the review under subsection (a)(1), the inspector general shall consider the impacts of the Federal Railroad Administration's—

(1) current and previous organization and structure on its statutory mission; and

(2) workforce policies.

(c) ACTION PLAN.—Not later than 1 year after the date of submission of the report required under subsection (a)(2), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an action plan describing actions the Secretary may undertake in response to the recommendations and findings of such report.

SEC. 10420. CONFIDENTIAL CLOSE CALL REPORTING.

(a) CONFIDENTIAL CLOSE CALL REPORTING SYSTEM REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a confidential close call reporting system that requires each Class I freight railroad carrier to—

(1) enter into an implementing memorandum of understanding (in this section referred to as an "IMOU") with the Secretary and employees (or any nonprofit employee labor organization representing a class or craft of the railroad's employees) to participate in a confidential close call reporting system program (in this section referred to as the "C^3RS Program"); and

(2) comply with—

(A) the requirements of the IMOU; and

(B) any additional requirements the Secretary may prescribe.

(b) CONFIDENTIAL CLOSE CALL REPORTING SYSTEM.—

(1) REPORTING OF UNSAFE EVENTS.—An IMOU entered into under this section shall provide a process for railroad employees to report a close call event to an independent third party, as determined by the Secretary

(2) REPORTING PROCEDURES.—

(A) REPORT FORM.—The independent third party designated under paragraph (1) shall provide a reporting form to employees covered by a memorandum of understanding under subsection (a) to report each observed close call event in detail, including information such as the date, time, location, contributing factors, actions taken, along with any other information necessary to fully describe the event.

(B) MULTIPLE EVENTS.—To report multiple close call events experienced during a single tour of duty, the IMOU shall require that a separate close call report form is required for each event.

(C) PUBLIC FORM.—The designated independent third party shall make available on a public website a report form for a close call event that includes instructions on the submission of such form.

(c) SCREENING REQUIRED.—

(1) IN GENERAL.—The designated independent third party shall conduct an initial screening of reports submitted under subsection (b) to determine if the initial close call report contains insufficient information to determine acceptance. If the designated independent third party determines that—

(A) the report contains insufficient information, the designated independent third party shall notify the reporting employee that the report contains insufficient information; and

(B) the report can be accepted, the designated independent third party shall notify the reporting employee with a physical confirmation of the report's acceptance and provide a report number or ID strip as confirmation of the acceptance.

(2) CRITERIA FOR CLOSE CALL REPORT ACCEPTANCE.—In conducting the initial screening under this subsection, the designated independent third party—

(A) may accept any report for a close call event; and

(B) may reject the following types of reports:

(i) Any train incident that meets the train incident reporting threshold in effect on the date the reported event occurred.

(ii) Any reported close call event that caused or is alleged to have caused any fatality, injury, illness, or medical treatment of any kind to any individual (including passengers) involved in the event.

(iii) Reports unrelated to the safety of activities performed in support of railroad operations.

(iv) Willful violations of part A of subtitle V of title 49, United States Code, and any rules, regulations, orders, and standards issued pursuant to such part, including violations related to the use of alcohol and controlled substances.

(v) An event resulting in an identifiable release of hazardous material.

(vi) Acts of sabotage or other criminal offenses.

(vii) Report that exclusively involve a personal grievance, including—

(I) a rejected time slip; or

(II) perceived unfairness by a railroad manager or supervisor.

(viii) Reports not filed within 3 business days of the date on which the event occurred.

(d) REPORTING EMPLOYEE PROTECTIONS.—

(1) CONFIDENTIALITY.—A close call report submitted under this section by an employee shall not be disclosed in a personally identifiable form.

(2) PERSONALLY IDENTIFIABLE INFORMATION.—For purposes of section 552 of title 5, United States Code, the identity of an employee who

submitted a close call report under this section, or information that could lead to the identification of such an employee, shall be exempt from such section.

(e) CONDITION UNDER WHICH A REPORTING EMPLOYEE IS NOT PROTECTED FROM RAILROAD DISCIPLINE, RAILROAD REVOCATION OF CERTIFICATION, OR OTHER FRA CIVIL ENFORCEMENT.—

(1) SECOND SCREENING.—For each accepted close call report, a peer review team shall conduct a second screening to determine whether the reporting employee is protected from discipline, revocation of certification, or FRA civil enforcement.

(2) DETERMINATION CRITERIA.—The PRT shall determine that the protection described under paragraph (1) is afforded to a reporting employee for a reported event unless 1 or more of the following conditions occurred:

(A) The report is rejected under subsection (c)(2)(B), or the PRT has information that was unavailable to the designated independent third party during the initial screening indicating the report should have been rejected under subsection (c)(2)(B).

(B) The employee's action or lack of action was intended to damage the railroad or another entity's operations or equipment or to injure other individuals, or intentionally place an individual in danger, including sabotage.

(C) The event is a real time observation not eligible for reporting as described in subsection (k).

(f) REVOCATION OF CERTIFICATION.—The Administrator of the FRA shall not require the railroad employing the reporting employee to revoke the certification of the employee if—

(1) such report is accepted by the designated independent third party; and

(2) the PRT determines that none of the conditions described in subsection (e)(2) occurred.

(g) RAILROAD PROTECTIONS.—

(1) CIVIL ENFORCEMENT ACTION.—The Administrator of the FRA shall afford the same protection from FRA civil enforcement action to a railroad involved in a close call event as the protection afforded to an employee reporting through the confidential close call reporting system for any event for which an accepted close call report is filed.

(2) EXCEPTION.—If an employee report falls under an exception under subsection (e)(2) and the reporting employee is not afforded protection, the employing railroad shall not receive protection from FRA civil enforcement.

(h) COLLECTION AND CONFIDENTIALITY OF REPORTED INFORMATION.—

(1) MAINTENANCE OF INFORMATION REPORTED UNDER PROGRAM.—The designated independent third party shall act as the owner of the information a reporting employee reports under the confidential close call reporting program and shall protect the confidentiality of such information.

(2) COMPILED CONFIDENTIAL REPORT.—The designated independent third party shall compile into a unified document all information relevant to the reported close call event, including information from the close call report and all other information collected by the designated independent third party through follow-up calls, for further analysis by the PRT.

(3) PROTECTION FROM DISCLOSURE.—The designated independent third party shall de-identify the unified document so that the identity of the reporting employee and any other involved employee, indi-

vidual, or third party involved in the report can no longer be determined. At minimum, the following shall be removed:

(A) The employee close call report form and the content of such form.

(B) The name of the individual reporting on such event.

(C) The name of any other employee mentioned in the report.

(D) Any third-party identifying information.

(E) Any information that would make it obvious that fewer than 3 easily identifiable individuals could have submitted the close call report, including—

(i) the exact location and time of a close call; and

(ii) a description of specific, rarely used equipment models.

(4) LIMITATION ON PROVISION OF REPORT TO RAILROAD.—In any case in which the designated independent third party is unable to protect the confidentiality of the reporter or any other employee, individual, or third party involved in the event the des-

ignated independent third party shall not forward the report to the PRT.

(5) PUBLICLY-AVAILABLE DATABASE.—After providing a unified document to the PRT, the designated independent third party may upload the report to a searchable database available to the public, provided that the report does not contain any information that could identify the railroad involved.

(6) PERPETUITY OF CONFIDENTIALITY.—The confidentiality of the information collected under this section shall be preserved in perpetuity.

(7) LIMITATION ON ACCESS AND OWNERSHIP OF INFORMATION.—The designated independent third party may grant all internal third-party C^3RS Program staff access to confidential information for internal use only on a need-to-know basis and only for the purposes of completing their work assignments.

(8) ADDITIONAL.—In any case in which a railroad employee is unaware that such employee was involved in a close call event that was properly reported by another employee, upon notification by the investigating railroad officer, the railroad employee may—

(A) complete and submit a close call report containing any information known to such railroad employee regarding such event; and

(B) upon submission of a report described in subparagraph (A), receive the same protections as the individual who initially reported the close call.

(i) LIMITATION ON WITNESS TESTIMONY.—An employee who has received protection from the adverse actions described in subsection (e) shall not be required by the railroad to appear as a witness in a railroad investigation of an employee who did not file a close call report.

(j) REQUIREMENTS INVOLVING ID STRIP.—

(1) LOST OR MISPLACED ID STRIP.—If a reporting employee facing discipline has lost or misplaced the ID strip assigned under subsection (c)(1)(C), the reporting employee may request a verification letter from the designated independent third party. The designated independent third party shall provide the letter as soon as is practicable.

(2) DISCIPLINE PENDING INVESTIGATION.—In any case in which a railroad initiates an investigation of a close call report, a railroad shall not carry out any disciplinary action until an ID strip is issued with respect to such report.

(3) ID STRIP APPLICABILITY.—Upon availability of an ID strip for a close call event, the reporting employee shall present the ID strip to the charging railroad manager or supervisor. If such railroad manager or supervisor determines that the provided ID strip applies to the event, the railroad shall close the discipline portion of the investigation into the event. If the railroad manager or supervisor and employee do not agree that the ID strip is applicable to the event and the employee presents a copy of the ID strip to the PRT, the PRT shall determine whether the event qualifies for protection against discipline, certification revocation, and FRA civil enforcement under this section.

(4) DISMISSAL OF CHARGES.—If the PRT determines the event qualifies for discipline protection under this section, the railroad shall dismiss all charges or assessed discipline, including any revocation of certification, and all lost time shall be paid.

(5) NONQUALIFICATION FOR CERTAIN PROTECTION.—If the PRT determines the event does not qualify for discipline protection, the PRT shall advise the charging railroad manager or supervisor and the time limits for initiating disciplinary proceedings may commence. In the case of a disciplinary pro-

ceeding described in the preceding sentence, no party to the applicable IMOU may use or reference the close call report in any disciplinary or revocation proceeding.

(6) CIVIL ENFORCEMENT.—Upon receiving notice of an FRA civil enforcement for an event covered by an accepted close call report, the reporting employee shall present the ID strip to the FRA for assistance in resolving such notice consistent with the confidential close call reporting system.

(k) REAL-TIME OBSERVATIONS.—

(1) TIME LIMITATION.—In any case in which a real-time observation is made by a railroad manager or supervisor, the railroad manager or supervisor shall inform the observed employee of the observation as soon as possible, but not to exceed 2 hours from the time of the observation of the event.

(2) VIOLATION OF REGULATION OR PROCEDURE.—A close call event may be considered a real-time observation if an FRA safety inspector notifies the observed employee or the applicable railroad after observing the violation of a regulation or the railroad's operating procedures or practices.

(3) REQUIREMENTS.—In reporting a real-time observation under this subsection, an FRA Safety

Inspector shall document the time, date, location, and a description of the observation on an FRA inspection report. Such FRA Safety Inspector shall provide a copy of the inspection report to the appropriate railroad officer not later than 24 hours after the observation.

(l) SPECIAL CRITERIA FOR KNOWN EVENT REPORTING.—The following special criteria apply:

(1) A report involving a known event is an eligible close call event.

(2) An employee shall provide notification of the known event in accordance with the railroad carrier's operating rules without undue delay.

(3) An employee will file a close call report involving a known event to designated independent third party within the time limits set forth in subsection (c).

(4) The employing railroad of an employee who files a report involving a known event shall not initiate any discipline for an event such employee report to the designated independent third party and that the designated independent third party accepts.

(m) OVERSIGHT AND NON-ACCESS REQUIREMENTS.—

(1) OVERSIGHT BY FRA.—The Administrator of the FRA—

(A) shall oversee the scope and quality of the C^3RS Program; and

(B) shall not seek any information that may reveal the identity of any individuals, organizations, locations, or events included in a close call report.

(2) NONACCESS BY RAILROADS.—No Class I railroad may have access to, or seek out, any information relating to a close call report that may reveal the identity of any individual or third party included in a close call report.

(n) FUNCTIONS OF PRT.—A PRT's primary responsibility shall be to accept for review de-identified close call reports from the designated independent third party, and to analyze such reports in order to—

(1) identify and analyze emerging patterns or trends in close call reports, relate such patterns or trends to corrective actions taken by the railroad carrier, and advise and assist with the implementation of corrective actions;

(2) create, review, and discuss a summary report comprised of the individual close call reports,

emerging trends, identified root causes, and suggested corrective actions;

(3) assess the association between emerging patterns or trends in close call reports and relate such patterns or trends to corrective actions taken by the railroad carrier;

(4) review and determine whether close call reports are eligible for protections against discipline, certification revocation, or civil enforcement under this section, including determining whether reported events are ineligible for protection as described in subsection (e)(2); and

(5) ensure adherence to time limits within an IMOU.

(o) RESPONSIBILITIES OF THE PRT SUPPORT TEAM.—The responsibilities of the PRT and, as applicable, the PRT support team shall include—

(1) evaluating and, if appropriate, implementing corrective actions the PRT recommends in a timely manner;

(2) providing technical support to the PRT, including during implementation of PRT-recommended corrective actions;

(3) reviewing PRT decisions and providing feedback to the PRT, parties to the IMOU, and other stakeholders;

(4) reporting corrective actions the railroad carrier implements to the PRT or reporting why no action was taken;

(5) distributing information regarding the corrective actions to the employees at the locations to which an IMOU applies; and

(6) reporting on the measured effectiveness of corrective actions to the PRT.

(p) DEFINITIONS.—In this section:

(1) ADVERSE CONSEQUENCE.—The term ''adverse consequence'' means a negative impact that results from a human error or system failure.

(2) CERTIFICATION.—The term ''certification'' means—

(A) the qualification and certification of locomotive engineers under part 240 of title 49, Code of Federal Regulations, and the qualification and certification of conductors under part 242 of title 49, Code of Federal Regulations; and

(B) the qualification and certification of any other craft of railroad employees under regulations issued by Secretary or Administrator of the FRA.

(3) CLASS I FREIGHT RAILROAD.—The term ''Class I freight railroad'' means a freight railroad that in the last year for which revenues were reported exceeded the threshold established under regulations of the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations.

(4) CLOSE CALL.—The term ''close call'' means a condition, event, or series of events that—

(A) if the condition or event recurs, such condition or event has the potential to result in an adverse consequence that is of increased seriousness to railroad safety; and

(B) an action taken to mitigate the recurrence of such condition or event may improve safety in support of railroad operations.

(5) DISCIPLINE.—The term ''discipline'' means any action taken by a Class I freight railroad that would result in a materially adverse employment action including documented verbal or written conferences, counseling, warnings, suspension, termination, dismissal, and demotion.

(6) FRA.—The term ''FRA'' means the Federal Railroad Administration.

(7) FRA SAFETY INSPECTOR.—The term ''FRA Safety Inspector'' means—

(A) an FRA safety inspector;

(B) a State inspector participating in railroad safety investigative and surveillance activities under part 212 of title 49, Code of Federal Regulations; or

(C) any other official duly authorized by the Administrator of the FRA.

(8) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a commodity designated as a hazardous material under part 72 of title 49, Code of Federal Regulations.

(9) ID STRIP.—The term ''ID strip'' means the information contained in a close call report form that specifies the event location and the reporting employee's personal and contact information that the designated independent third party dates and time stamps.

(10) INTERCITY RAIL PASSENGER TRANSPORTATION; COMMUTER AUTHORITY.—The terms ''intercity rail passenger transportation'' and ''commuter

authority'' have the meanings given such terms in section 24102 of title 49, United State Code.

(11) KNOWN EVENT.—The term ''known event'' means an event below the train incident reporting threshold that does not involve a fatality, injury, illness, or medical treatment, but would require managerial notification and protection under railroad policy or operating rules.

(12) DESIGNATED INDEPENDENT THIRD PARTY.—The term ''designated independent third party'' means a federal agency designated by the Secretary to administer the C^3RS program. Such agency must have with experience managing close call safety reporting programs.

(13) NEED-TO-KNOW.—The term ''need-to-know'' means any case in which internal designated independent third-party C^3RS Program staff (including designated independent third party employees and contractors) may have access to information only if such access is necessary for Program management and programmatic evaluation and analysis that is administered by designated independent third party and access to which is granted in the sole discretion of the designated independent third party Program manager.

(14) PEER REVIEW TEAM; PRT.—The terms "peer review team" and "PRT" mean a problem-solving team that consists of—

(A) representatives from the primary stakeholders to an IMOU, including FRA, the railroad carrier, and representatives of the employees who are part to the IMOU;

(B) an equal number of management and labor organization members who will be appointed and approved by their respective organizations, and also consist of FRA personnel; and

(C) for each primary stakeholder, at least 1 primary PRT representative who attends PRT meetings and 1 secondary PRT representative who serves as a back-up to the primary PRT representative or representatives.

(15) PEER REVIEW SUPPORT TEAM; PRT SUPPORT TEAM.—The terms "peer review support team" and "PRT support team" means a support team that—

(A) helps a PRT review and, if appropriate, recommend non-binding corrective actions based upon the PRT's analysis of close call reports; and

(B) may, in recommending corrective action, accept, reject, or modify these recommendations;

(C) consists of an equal number of management and labor organization members who will be appointed and approved by their respective organizations; and

(D) may include FRA representatives that participate in the PRT support team when requested, including upon the request of the FRA.

(16) RAILROAD MANAGER OR SUPERVISOR.—The term "railroad manager or supervisor" means an individual with direct supervisory authority over—

(A) an employee involved in a close call event; or

(B) an employee reporting a close call event.

(17) RAILROAD OPERATIONS.—The term "railroad operations" means the movement of equipment over rails and activities that support such movement, including deadheading as defined in section 228.5 of title 49, Code of Federal Regulations.

(18) REAL-TIME OBSERVATION.—The term ''real-time observation'' means a direct visual observance by an FRA safety inspector or a Class I freight railroad manager or supervisor of a violation of FRA regulations or the operating procedures or practices of such Class I freight railroad, including visual observances that occur during operational testing performed by a supervisor or member of management of such railroad.

(19) TRAIN INCIDENT REPORTING THRESHOLD.—The term ''train incident reporting threshold'' means the monetary incident reporting threshold described in section 225.19(c) of title 49, Code of Federal Regulations.

SEC. 10421. WAYSIDE EMPLOYEE PROTECTION.

Not later than 1 year after the date of enactment of this Act, the Secretary shall issue or update such regulations as are necessary to require that all railroads provide task and environment warning equipment to railroad watchmen and lookouts for roadway workers, including—

(1) whistles;

(2) air horns;

(3) white disks or red flags; and

(4) lanterns.

SEC. 10422. SAFETY ENFORCEMENT TRANSPARENCY.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, is further amended by adding at the end the following:

"§ 20173. Safety enforcement transparency

"(a) IN GENERAL.—The Secretary shall, on a quarterly basis, publish a summary of all proposed and final railroad carrier enforcement actions taken by the Secretary that result from a reportable incident.

"(b) CONTENTS.—In each summary required to be published under subsection (a), the Secretary shall—

"(1) identify the railroad carrier involved in the enforcement action, the type of alleged violation, the penalty or penalties proposed, the status of the case, the final assessment amount of each penalty, and the reasons for a reduction in the proposed penalty, if appropriate; and

"(2) include materials submitted by a railroad carrier named in an enforcement action that are related to the enforcement action that such railroad carrier requests to be published in the summary.

"(c) ELECTRONIC AVAILABILITY.—The Secretary shall make each summary required to be published under subsection (a) available in a publicly searchable online database on a publicly available website.

"(d) Rule of Construction.—Nothing in this section shall be construed to require the disclosure of information or records that are exempt from disclosure under section 552 of title 5.".

(b) Clerical Amendment.—The analysis for chapter 201 of title 49, United States Code, is further amended by adding at the end:

"20173. Safety enforcement transparency.".

SEC. 10423. REPORTS ON HIGHWAY-RAIL GRADE CROSSING SAFETY AND TRESPASSER PREVENTION.

Section 20167 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4) by striking "and" at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) how the State will work with stakeholders, including railroads operating in and across the State, to reduce pedestrian fatalities, including suicides, along railroad right of way, in consultation with mental health and law enforcement agencies and entities; and"; and

(2) in subsection (b) in the matter preceding paragraph (1) by inserting "and every 5 years thereafter," before "the Administrator of the Federal Railroad Administration".

SEC. 10424. LOCOMOTIVE ENGINEER TRAINING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall update section 240.123 of title 49, Code of Federal Regulations to—

(1) require that each railroad carrier subject to such section provides training to all certified locomotive engineers on the manual operation of locomotives for the types of operations the employee is to perform;

(2) require that each certified locomotive engineer receive annual refresher training in manual operation in a locomotive cab on a route that engineer is certified to operate on;

(3) ensure that systems and controls, including information, indications, and announcements, minimize non-emergency, distractions for train crews;

(4) allow certified locomotive engineers to operate locomotives in manual mode if, in the determination of the engineer, the engineer needs to operate in manual mode to maintain the safe operation of

the train during hazardous safety or security conditions;

(5) require that no employee certified as a locomotive engineer shall be subject to discipline from a railroad carrier for opting to operate a locomotive in manual mode per the requirements of this section unless such employee is determined to have committed—

(A) a willful violation of part A of subtitle V of title 49, United States Code, and any rules, regulations, orders, and standards issued pursuant to such part, including violations related to the use of alcohol and controlled substances; or

(B) an act of sabotage or other criminal offenses; and

(6) require a railroad adopt policies related to, and provide appropriate equipment for, an operator of a locomotives to communicate emergency information to the railroad dispatcher.

SEC. 10425. ASSESSMENT OF TRACK SAFETY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall conduct an assessment of track safety standards under section 213.4 of title 49, Code of Federal Regulations.

(b) SCOPE.—In carrying out the assessment under subsection (a), the Comptroller General shall—

(1) assess whether current regulations are sufficient to ensure excepted track is properly designated;

(2) assess the impact of regulating excepted track on supply chains, potential shifts in modal movements, and railroad operations and infrastructure, including the potential for track abandonment;

(3) determine how many rail-miles of track are designated as excepted track at the time of the assessment, including how many miles of excepted track—

(A) are located in each State; and

(B) has been in excepted track status for more than 5 years;

(4) evaluate the costs and benefits of requiring excepted track to be inspected at the same frequency as track that has not been designated as excepted; and

(5) assess the costs and benefits of prohibiting the movement of hazardous materials on excepted track.

(c) REPORT.—Not later than 2 years after initiating the assessment under subsection (a), the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of such assessment.

SEC. 10426. REVIEW OF TRAIN DISPATCHING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review and evaluate the safety and effectiveness of various computerized train-dispatching systems.

(b) INCLUSIONS.—In carrying out the review under subsection (a), the Secretary shall include an assessment and evaluation of—

(1) with respect to each computerized train dispatching system—

(A) the safety, reliability, and performance of such systems;

(B) the cost and benefit of acquiring and operating such systems;

(C) the inspection, testing, and maintenance of such systems, including verification and evaluation of hardware, software, and human-machine interface components upgrades;

(D) the interoperability and integration of such systems with train control systems, including positive train control where applicable;

(E) the current practices used by rail carriers as backup to address incidents in which such a system is unexpectedly offline; and

(2) whether any additional legislative authorities or enforcement mechanisms are needed by the Secretary to ensure rail carriers are in compliance with Federal laws and regulations of such systems.

(c) CONSULTATION.—In carrying out the review under subsection (a), the Secretary shall consult with—

(1) manufacturers of centralized train dispatching systems;

(2) railroad carriers that use such systems; and

(3) organizations representing employees who use such systems.

(d) REPORT.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the review under subsection (a).

(e) COMPUTERIZED TRAIN-DISPATCHING SYSTEM DEFINED.—In this section, the term ''computerized train-dispatching system'' means any computer-aided dispatching platform, centralized traffic control board, or related technology used to authorize, control, protect, or direct the movement of trains, on-track equipment, or roadway workers on a railroad.

SEC. 10427. INCIDENT INVESTIGATION REVIEW.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the inspector general of the Department shall complete a study to determine whether current statutes and Federal Railroad Administration practices are sufficient for accident investigators of the agency to complete investigations into railroad safety accidents or incidents.

(b) CONSULTATION.—In carrying out the study under subsection (a), the inspector general shall consult with—

(1) the National Transportation Safety Board;

(2) organizations representing agency safety inspectors; and

(3) representatives of railroads.

(c) REPORT.—The inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on

Science, Commerce and Transportation of the Senate a report containing the results of the study under subsection (a).

SEC. 10428. REVIEW OF RISK REDUCTION PROGRAM PLANS.

Section 20156 of title 49, United States Code, is amended by adding at the end the following:

''(i) REVIEW.—

''(1) INTERNAL ASSESSMENTS.—The Secretary shall require railroad carriers covered under this section to annually submit an internal assessments report of the carrier's railroad safety risk reduction program plan.

''(2) SUFFICIENCY OF PLAN.—Upon receipt of the report submitted under paragraph (1), the Secretary shall determine whether the plan is sufficient to reduce the number and rates of railroad accidents or incidents, injuries, and fatalities.

''(3) CONSIDERATIONS.—In making the determination under paragraph (2), the Secretary shall consider—

''(A) whether the plan systematically evaluates railroad safety hazards involving the operation of a freight train on the carrier's system, and reflects planned significant operational changes that would impact such safety hazards; and

"(B) whether the processes and procedures developed and implemented by the railroad carrier's railroad safety risk reduction program plan manages the risks associated with such safety hazards.

"(j) SAFETY TREND ANALYSIS.—

"(1) ANNUAL REVIEW.—The Secretary shall conduct an annual review of the prior 5 calendar years' reportable incidents, accidents, injuries, and fatalities and conduct an analysis to determine if any specific safety trends exist in the reportable incidents, accidents, injuries, and fatalities.

"(2) PUBLICATION.—Upon concluding the safety trend analysis, the Secretary shall publish the analysis on a public website of the Federal Railroad Administration and notify any rail carrier of any specific safety trends and risks present in the operations of such rail carrier.

"(3) IDENTIFICATION OF RISKS.—Upon notification of any specific safety trends, each railroad carrier shall be required to identify if the risk is present in the operations of the carrier, and update the railroad safety risk reduction program plan to reflect how the carrier intends to eliminate or reduce the risks identified by each trend.

"(4) EXPLANATION.—If a railroad carrier determines a risk is not present, such carrier shall provide an explanation that includes the methods and relevant data used to determine that the risk is not present in the following annual report.

"(k) INTERMEDIARY UPDATES.—

"(1) SIGNIFICANT OPERATIONAL CHANGE.— If a railroad carrier implements a significant operational change that is not addressed in the current railroad safety risk reduction program plan more than 90 days before the annual submission of the audit of the carrier's risk reduction program, then the railroad carrier shall submit an intermediary update to supplement the current plan.

"(2) CONTENTS.—The Secretary shall ensure the intermediary update reflects the significant operational change and details the railroad carrier's plans to eliminate, reduce, or mitigate any significant safety risks associated with the change.

"(l) SIGNIFICANT OPERATIONAL CHANGE DEFINED.—In the section, the term 'significant operational change' means material changes in policies or processes that may increase the rates of reportable incidents, accidents, injuries, or fatalities.''.

SEC. 10429. RAILROAD SAFETY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is further amended by adding at the end the following new section:

"§ 20124. Railroad Safety Advisory Committee

"(a) IN GENERAL.—The Administrator of the Federal Railroad Administration shall maintain an advisory committee, to be known as the 'Railroad Safety Advisory Committee', for the purpose of providing advice and recommendations to the Administrator regarding safety and security problems by identifying the best solutions based on agreed-upon facts and providing advice for collaborative rulemaking or by providing non-regulatory recommendations on critical safety issues, the development of railroad safety regulatory programs, including the issuance of new regulations, review and revision of existing regulations, and identification of non-regulatory alternatives for improving railroad safety.

"(b) DUTIES AND SCORE OF ACTIVITIES.—

"(1) IN GENERAL.—The Administrator, or the Designated Federal Officer, shall present the Rail Safety Advisory Committee with tasks relating to railroad safety and security.

"(2) RECOMMENDATIONS.—Through the Administrator, the Rail Safety Advisory Committee shall make recommendations to the Secretary of Transportation regarding rail safety.

"(3) REQUIREMENT.—The Rail Safety Advisory Committee shall address safety problems by identifying solutions based on agreed-upon facts and, where regulation appears necessary, identifying regulatory changes to implement such solutions.

"(4) CAPACITY.—The Rail Safety Advisory Committee shall act solely in an advisory capacity, and the advice and recommendations of the Committee shall be non-binding.

"(c) MEMBERS.—

"(1) IN GENERAL.—The Administrator shall be responsible for ensuring that the composition of the Rail Safety Advisory Committee consists of representatives of organizations that have a direct role in issues related to the safe transportation of passengers and freight by rail, including commuter railroads, freight railroads, organizations representing manufacturers of railroad equipment, organizations representing shippers, including organizations representing the shipment of liquid and gaseous flammable hazardous materials and other hazardous materials, organizations representing State departments of transportation, organizations representing railway workers, and organizations representing rail passengers, and local communities with rail lines.

"(2) REQUIREMENT.—The Rail Safety Advisory Committee shall include an equal number of representatives of railroad operators and their organizations and representatives of railway workers and their organizations.

"(d) STAFF.—The Administrator may identify such staff as is necessary to support the functions of the Railroad Safety Advisory Committee to carry out the purpose described in subsection (a).

"(e) TASK-BASED WORKING GROUPS.—

"(1) TASKS.—The Administrator may request the Railroad Safety Advisory Committee establish a working group for the purpose of providing specific advice and recommendations regarding a task with respect to which the Administrator is considering acting.

"(2) WORKING GROUPS.—If the Railroad Safety Advisory Committee, based on consideration and consensus of the members of the Committee, accepts a request under paragraph (1), the Railroad Safety Advisory Committee shall—

"(A) establish a working group to develop consensus recommendations for the action the Administrator may take with respect to the task; and

"(B) ensure the working group includes individuals that—

"(i) possess the appropriate expertise to assess and develop such recommendations; and

"(ii) are representative of the interests of stakeholders implicated by the task.

"(f) FEDERAL RAILROAD ADMINISTRATION REQUIRED ENGAGEMENT.—The Administrator shall meet quarterly with the Railroad Safety Advisory Committee to—

"(1) consult with the Railroad Safety Advisory Committee regarding the development of railroad safety regulations of the Federal Railroad Administration;

"(2) advise the Railroad Safety Advisory Committee on emerging issues, statutory requirements, and other identified needs with respect to railroad safety; and

"(3) receive and discuss the views and recommendations of the Railroad Safety Advisory Committee in determining regulatory priorities of the Federal Railroad Administration.

''(g) DESIGNATED FEDERAL OFFICER.—The Designated Federal Officer shall be a full-time or permanent part-time Federal employee responsible for—

''(1) ensuring the Rail Safety Advisory Committee activities comply with chapter 10 of title 5, including any rules and regulations implementing such chapter, agency administrative procedures, and any other applicable laws and regulations;

''(2) approving or calling all meetings of the Rail Safety Advisory Committee or the subcommittees of the Committee;

''(3) approving the agenda for the Committee;

''(4) attending all Rail Safety and Advisory Committee and Subcommittee meetings for the duration of such meetings;

''(5) fulfilling the requirements of under section 1009 of title 5;

''(6) adjourning meetings when the Designated Federal Officer determines it to be in the public interest;

''(7) chairing any meetings when so directed by the agency head;

"(8) maintaining information on Rail Safety Advisory Committee activities and provide such information to the public on the Federal Railroad Administration's public facing website, as applicable; and

"(9) ensuring Rail Safety Advisory Committee and Subcommittee members, as applicable, receive the appropriate training for efficient operation and compliance with chapter 10 of title 5, including any rules and regulations implementing such chapter.

"(h) ANNUAL REPORT TO CONGRESS.—Beginning in the first calendar year after the date of enactment of this section, the Railroad Safety Advisory Committee shall submit to Congress an annual report summarizing the activities of the Railroad Safety Advisory Committee for the period covered by the report.

"(i) APPLICABILITY.—

"(1) IN GENERAL.—Except as provided in paragraph (2), chapter 10 of title 5 shall apply to the Railroad Safety Advisory Committee.

"(2) AUTHORIZATION.—Notwithstanding section 1013 of title 5, the Railroad Safety Advisory Committee is authorized through September 30, 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 necessary for efficient and timely performance of the scope of the project.

"(2) ALLOWABLE COSTS.—Costs are allowable for reimbursement under paragraph (1) only—

"(A) to the extent that such costs would have been allowed if incurred after the start date of such award; and

"(B) with the written approval of the Secretary.

"(3) INITIAL BUDGET PERIOD.—If reimbursement of costs under this subsection is approved, such costs shall be treated as having been expended during the initial budget period of the award unless otherwise specified by the agency or pass-through entity (as defined in section 200.1 of title 2, Code of Federal Regulations).

"(4) TIMELINE FOR CONSIDERATION.—For any request for pre-award reimbursement submitted by an eligible recipient in connection with an award provided under this section, the Secretary shall, not later than 60 days after the submission of the request—

"(A) make a determination to approve or deny such request; and

"(B) provide written notification of such determination to the eligible recipient.

"(5) TRANSPARENCY.—If the Secretary makes a determination to deny a request under paragraph (4)(A), the Secretary shall, not later than 3 days after making such determination, provide a written explanation of the denial to—

"(A) the eligible recipient that submitted such request;

"(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

"(C) the Committee on Commerce, Science, and Transportation of the Senate.

"(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

"(1) require the Secretary or any instrumentality of the Federal Government to obligate an award or reimburse pre-award costs;

"(2) require the Secretary to exercise pre-award authority for any project; or

"(3) prevent the Administrator of the Federal Railroad Administration from conducting oversight of a project or pre-award project costs.".

SEC. 10502. CATEGORICAL EXCLUSIONS FOR PROJECTS IN EXISTING OPERATIONAL RIGHTS-OF-WAY.

(a) DEFINITIONS.—In this section:

(1) COVERED PROJECT.—The term ''covered project'' means a project or program—

(A) described in subparagraphs (A) through (D) of section 22901(2) of title 49, United States Code;

(B) located entirely within an existing operational right-of-way of a covered railroad facility; and

(C) that—

(i) is contained in a State rail plan developed under chapter 227 of title 49, United States Code; or

(ii) has received a waiver of the requirement of clause (i) pursuant to subsection (c).

(2) COVERED RAILROAD FACILITY.—The term ''covered railroad facility'' means a facility that is—

(A) physically or functionally related to a railroad; and

(B) includes the features associated with the physical footprint of such facility, including—

(i) roadways, tracks and track structures, bridges, tunnels, cuts and fills, and at grade crossings;

(ii) electrification, communication, signaling, and security facilities;

(iii) stations, platforms, and loading and unloading facilities for freight or passengers;

(iv) maintenance-of-way and maintenance-of-equipment facilities;

(v) drainage, water control, and landscaping features and structures;

(vi) areas maintained or used for mitigation, vegetation management, fire safety, visibility, employee access, safety and security, or other purposes related to the rail facility; and

(vii) traffic control signage, parking facilities, transportation power substations, and transportation venting structures.

(3) EXISTING OPERATIONAL RIGHT-OF-WAY.—The term ''existing operational right-of-way'' means all real property interests acquired for the construction, operation, or mitigation of a covered railroad facility.

(4) RAILROAD.—The term ''railroad'' has the same meaning that term in section 20102 of title 49, United States Code.

(b) IN GENERAL.—The Secretary shall—

(1) not later than 120 days after the date of enactment of this Act, amend section 771.116(c) of title 23, Code of Federal Regulations, to add covered projects as a category that may be designated as a categorical exclusion; and

(2) issue guidance for project sponsors that describes the documentation and information necessary to establish a project as a covered project.

(c) WAIVER AUTHORITY.—Upon the request of a sponsor of a project or program described in subparagraphs (A) through (D) of section 22901(2) of title 49, United States Code, the Secretary may waive the requirement that such project or program be contained in a State rail plan developed under chapter 227 of title 49, United States Code, in any case in which such plan has not been updated within the previous 5 years.

(d) EXTRAORDINARY CIRCUMSTANCES.—The presumption that an action is covered by a categorical exclusion under subsection (b) shall not apply if the Secretary determines that extraordinary circumstances exist with respect to such action.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the requirements of part 1105 of title 49, Code of Federal Regulations.

SEC. 10503. ADDITIONAL CATEGORICAL EXCLUSIONS.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall—

(1) survey the use of categorical exclusions by the Secretary and the heads of other Federal agencies in transportation, multimodal, and infrastructure projects;

(2) notwithstanding subchapter I of chapter 35 of title 44, United States Code, solicit recommendations for the establishment of new categorical exclusions for actions related to transportation, multimodal, and infrastructure projects from—

(A) State departments of transportation;

(B) Amtrak or any other rail carrier that provides intercity rail passenger transportation;

(C) labor organizations representing railroad employees;

(D) Interstate Compacts;

(E) public agencies or publicly chartered authorities established by one or more States;

(F) freight rail carriers and holding companies of such rail carriers; and

(G) any associations representing rail carriers; and

(3) publish to a publicly accessible website of the Department a review describing the information collected pursuant to paragraphs (1) and (2).

(b) NEW CATEGORICAL EXCLUSIONS.—

(1) PUBLIC NOTICE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish a notice of proposed rulemaking to establish a categorical exclusion for any action—

(A) described in paragraph (2) of subsection (a);

(B) that the Secretary has determined normally does not significantly affect the quality of the human environment; and

(C) that the Secretary determines is appropriate for such a categorical exclusion.

(2) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary shall issue a final rule establishing any categorical exclusions described in paragraph (1) and determined appropriate by the Secretary.

(c) DEFINITIONS.—In this section:

(1) INTERCITY RAIL PASSENGER TRANSPORTATION.—The term "intercity rail passenger trans-

portation'' has the meaning given such term in section 24102 of title 49, United States Code.

(2) RAIL CARRIER.—The term ''rail carrier'' has the meaning given such term in section 10102 of title 49, United States Code.

SEC. 10504. STATE-RAILROAD INFRASTRUCTURE PROJECT COORDINATION AND PROCESS STANDARDIZATION WORKING GROUP.

(a) IN GENERAL.—Not later than 3 months after the date of enactment of this Act, the Secretary shall establish a working group to examine and develop recommendations on opportunities and methods to improve, streamline, and standardize processes, requirements, and timeframes to assist in the review and approval of access agreements between State transportation departments, metropolitan planning organizations, local governments, and railroads involving Federal, State, or locally funded infrastructure projects involving interactions with a railroad right-of-way.

(b) DUTIES.—In carrying out the requirements under subsection (a), the working group shall examine and make recommendations related to the following:

(1) Opportunities and methods to standardize templates and model access agreements for routine and recurring activities related to infrastructure

projects are within or across a railroad right-of-way, including by defining the term "routine and recurring activities" and developing template agreements for each identified project type that outlines the minimum information needed by party.

(2) Develop a no-cost standardized short form right of entry agreement for non-intrusive activities within or across a railroad right-of-way.

(3) Current and needed policies, orders, guidance, and regulations for the establishment of agreements addressing more complex activities related to infrastructure projects within or across a railroad right-of-way, including criteria and standards to define the term "complex activities".

(4) Current processes, methods, and timeframes for interparty information exchanges, commitments, insurance, indemnification and liability allocation, labor and financial agreements and safety measures and whether such exchanges can be standardized.

(5) The impacts of administrative capacities and delays on project completion and solutions to mitigate delays, including ideal timeframes for responses by—

(A) Federal, State, and local government representatives; and

(B) railroad representatives.

(6) Processes and methods to resolve disputes between States, metropolitan planning organizations, local governments, and railroads.

(7) Additional issues related to project delivery and coordination determined to be relevant by the Secretary or the working group.

(c) MEMBERSHIP.—The working group established under subsection (a) shall be comprised of members appointed by the Secretary, including representatives of the following:

(1) State departments of transportation from different regions of the United States.

(2) Metropolitan planning organizations from different regions of the United States.

(3) Local governments from different regions of the United States.

(4) Class I railroads.

(5) Class II or Class III railroads.

(6) Providers of intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) who own and operate rail service and public transportation agencies that provide commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(7) Nonprofit labor organization representing various classes or crafts of employees of rail carriers.

(8) Other stakeholders determined appropriate by the Secretary.

(d) APPOINTMENTS.—In appointing members of the working group under subsection (c), the Secretary shall solicit nominations from the entities listed in paragraphs (1) through (8) of such subsection.

(e) CONSULTATION.—Members of the working group described in paragraphs (1) through (3) of subsection (c) shall consult with representatives from the respective organization of such member located in each of the 8 geographic regions with a Federal Railroad Administration safety office, as described in section 103 of title 49, United States Code.

(f) MEETINGS.—The working group described in subsection (a) shall meet at least 3 times before submitting the required report in subsection (g).

(g) REPORT.—Not later than 1 year after the date on which the working group is established, the working group shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings of the working group relating to its examination under subsection (b) and any associated recommendations.

(h) TERMINATION.—The working group shall terminate upon submission of the report under subsection (g).

SEC. 10505. RAIL PROJECT ADVANCE ACQUISITION.

Chapter 242 of title 49, United States Code, is amended by adding at the end the following:

"§ 24203. Rail project advance acquisition

"(a) REAL PROPERTY INTERESTS.—The Secretary may, pursuant to subsection (c)(2), reimburse a recipient of financial assistance under chapters 229, 243, or 249 for the acquisition through purchase, lease, or otherwise secure or control of real property interests before or during the completion of the environmental reviews for any project that may use such property interests if the acquisition or related transaction is otherwise permitted by Federal law.

"(b) ENVIRONMENTAL REVIEW.—A real property interest acquired, leased, or otherwise secured or controlled under this section may not be physically developed or improved in anticipation of a proposed project until all required environmental reviews for such project have been completed.

"(c) RECIPIENT-FUNDED EARLY ACQUISITION OF REAL PROPERTY INTERESTS.—

"(1) IN GENERAL.—A recipient may carry out, at the expense of the such recipient, acquisitions of interests in real property for a project before completion of the review process required for a project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) without affecting subsequent approvals required for a project by the State or any Federal agency.

"(2) ELIGIBILITY FOR REIMBURSEMENT.—Financial assistance awarded under chapters 229, 243, or 249 may be used by a recipient to participate in the payment of costs incurred by the recipient for acquisition of real property interests, acquired in advance of any Federal approval or authorization, if the real property interests are subsequently incorporated into a capital project eligible for financial assistance.".

SEC. 10506. DIRECT LOANS AND LOAN GUARANTEES.

(a) IN GENERAL.—Section 22402 of title 49, United States Code, is further amended—

(1) in subsection (a)—

(A) in paragraph (5) by striking "or (6)" and inserting "(6), or (7)"; and

(B) by striking paragraph (6) and inserting the following:

"(6) freight shippers that own or operate a plant or other facility, solely for the purpose of constructing or enhancing a rail connection between a plant or facility and a railroad or a project eligible under subsection (b)(1)(I); and";

(2) in subsection (b)(1)—

(A) in subparagraph (D) by striking "or (C)" and inserting "(C), or (I)";

(B) in subparagraph (E) by striking "or (C); or" and inserting "(C), (F), or (I);";

(C) by adding at the end the following:

"(I) to construct, enhance, or relocate a freight shipper plant or facility to increase capacity for freight rail traffic, including a facility for storage, transloading, production, manufacturing, or assembly, and related infrastructure and activities, served by the railroad if the borrower confirms the willingness and ability of a rail carrier to serve the facility."; and

(3) in subsection (d)—

(A) by striking "$35,000,000,000" and inserting "$50,000,0000,000";

(B) by striking "EXTENT OF AUTHORITY.—The aggregate unpaid" and insert — "LIMITATION.—

"(1) IN GENERAL.—The aggregate unpaid"; and

(C) by adding at the end the following:

"(2) SPECIAL LIMITATION.—Assistance granted under this section shall not exceed—

"(A) $10,000,000,000 in total aggregate lending for projects described in subsection (b)(1)(I), of which not less than $2,000,000,000 shall be reserved for shipper projects served by freight railroads other than Class I rail carriers; and

"(B) $10,000,000,000 in total aggregate lending for projects described in subsection (b)(1)(F).".

(b) DEFINITIONS.—Section 22401 of title 49, United States Code, is amended by adding at the end the following:

"(16) TRANSPORTATION-ORIENTED DEVELOPMENT PROJECT.—The term 'transportation-oriented development project' means a project—

"(A) located within ½ mile walking distance of a fixed guideway transit facility, bus rapid transit facility, passenger rail station, or multimodal facility provided that the location includes service by a passenger railroad;

"(B) that consists entirely of or includes residential, commercial, public infrastructure, or mixed-use development or other related infrastructure, including public or community space;

"(C) that incorporates private investment;

"(D) that—

"(i) enhances the effectiveness of passenger rail transportation and is related physically or functionally to passenger rail service; or

"(ii) establishes new or enhanced coordination between passenger rail transportation and other transportation;

"(E) for which the project sponsor demonstrates the ability to generate new revenue for the relevant passenger rail station, facility, or service, including by increasing ridership, increasing tenant lease payments, providing a fair share of revenue that will be used for passenger rail transportation, or carrying out other activities that generate revenue exceeding costs; and

"(F) based on the application for which, the Secretary determines that an appropriate value of the project will be reinvested in the relevant passenger rail station or service.''.

(c) PRIORITY PROJECTS.—Section 22402 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (8) by striking ''or'' at the end;

(B) in paragraph (9) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(10) are transportation-oriented development projects that incorporate housing and that the Secretary determines, based on evidence submitted by the project sponsor—

''(A) will result in development appropriate to expected housing demand in the project area; or

''(B) is located in an area for which local policies promote housing development in locations accessible by passenger rail facilities.'';

(2) in subsection (f)(3) by adding at the end the following:

''(E) Revenue projected from a transportation-oriented development project.''; and

(3) by adding at the end the following:

"(o) HOUSING COORDINATION.—The Secretary shall coordinate with the Secretary of Housing and Urban Development in evaluating local policies promoting housing development for purposes of determining whether to prioritize an application for a project described under subsection (c)(10).".

(d) ADMINISTRATION OF DIRECT LOANS AND GUARANTEES.—Section 22403 of title 49, United States Code, is amended by striking subsection (m) and inserting the following:

"(m) FEES AND CHARGES.—

"(1) IN GENERAL.—Except as provided in this chapter, the Secretary may not assess any fees, including user fees, or charges in connection with a direct loan or loan guarantee provided under section 22402.

"(2) DISCLOSURE.—The Secretary shall develop and make publicly available a straightforward, scalable, and reasonable fee structure with respect to any fees that may apply under this section.

"(n) GUIDANCE ON ELIGIBILITY REQUIREMENTS.—The Secretary shall develop and make publicly available guidance on requirements for a project described in section 22402(b)(1)(F) to be eligible for assistance under such section, including guidance relating to the following:

"(1) Factors commonly assessed when determining lender risk, including debt-service coverage ratio.

"(2) Financial thresholds commonly evaluated.

"(3) Contractual obligations and restrictions associated with the loan.

"(o) COMPATIBILITY WITH LOCAL PLANS AND COORDINATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—An applicant for a project described under section 22402(b)(1)(F) may—

"(1) coordinate with the relevant metropolitan planning organization, including by—

"(A) providing timely notification to the metropolitan planning organization during the planning or entitlement process; and

"(B) sharing information on project details, transportation impacts, and mitigation measures; and

"(2)(A) provide evidence of a significant nexus with a project on the applicable transportation improvement program developed by a metropolitan planning organization under section 134(j) of title 23 or section 5331(j) of this title, and the applicable statewide transportation improvement program developed by a State under section 135(g) of title 23 or section 5332(g) of this title; or

"(B) demonstrate compatibility with the long-range transportation plan developed by the applicable metropolitan planning organization under section 134(i) of title 23 or section 5331(i) of this title.

"(p) APPLICATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—

"(1) IN GENERAL.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to land acquisition activities with respect to a transportation-oriented development project, except for components of the project located within the geographic boundaries of the parcel of land acquired that will be owned, in full or in part, by a public entity for the majority of the loan term.

"(2) CATEGORICAL EXCLUSIONS.—

"(A) IN GENERAL.—A transportation-oriented development project that involves an activity described in subparagraph (B) shall be categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(B) ACTIVITIES DESCRIBED.—An activity described in this subparagraph is any of the following:

"(i) Rehabilitation or conversion of an existing office building to residential or mixed use within substantially the same footprint.

"(ii) Reconstruction or construction of a new commercial building primarily using land disturbed for transportation use as described in section 771.118(c)(9) of title 23, Code of Federal Regulations (or successor regulations) or disturbed land adjacent to land disturbed for transportation use.".

SEC. 10507. VETERAN TO SUPPLY CHAIN EMPLOYEE ACTION PLAN.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense, Secretary of Veterans Affairs, and Secretary of Labor, shall develop and make public an action plan to be known as the "Veteran to Supply Chain Employee Action Plan".

(b) CONTENTS.—In developing the Veteran to Supply Chain Action Plan, the Secretary shall—

(1) identify—

(A) barriers members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, and veterans face when searching for employment, during the hiring process, or in training to become supply chain employees;

(B) challenges supply chain employers face when recruiting, hiring, or retaining members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, and veterans;

(C) regulatory burdens employers face in the hiring of supply chain employees, especially for employees that are members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, or veterans;

(D) regions of the United States which have the greatest workforce need for supply chain employees; and

(E) barriers and industry trends that directly or indirectly discourage members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United

States Code, and veterans from pursuing, attaining, and remaining in supply chain careers;

(2) highlight—

(A) the specific knowledge, skills, and abilities members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, and veterans possess that are critical for supply chain careers and any competency gaps that should be addressed;

(B) opportunities to expand or enhance existing initiatives for members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, or veterans to become supply chain employees; and

(C) ways to improve supply chain employer outreach programs and enhance existing training, mentorship, education, and advancement programs that would increase the participation and engagement of members of the armed forces eligible for preseparation counseling under section 1142 of title 10, United States Code, and veterans in the supply chain workforce;

(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.

SEC. 10508. LEAD AGENCY FOR ENVIRONMENTAL REVIEW PURPOSES.

Within the Department, the Federal agency that takes the first major Federal action for a proposed rail projects including projects with multiple cooperating agencies, shall be the lead agency as described under section 107 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a) for carrying out any required environmental reviews.

SEC. 10509. ENVIRONMENTAL REVIEW DETERMINATION.

Not later than 90 days after the sponsor of a rail project files a complete environmental review application with the lead agency within the Department, as described under section 107 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a), the lead agency responsible for carrying out any required environmental reviews shall determine whether the project is—

(1) categorically excluded;

(2) requires the completion of an environmental assessment; or

(3) requires the completion of an environmental impact statement.

SEC. 10510. EXPEDITED CONSULTATION PROCESS.

(a) STREAMLINING.—In conducting the process under section 106 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336), in accordance with sections 800.3 through 800.6 of title 36, Code of Federal Regulations, the Administrator of the Federal Railroad Administration and the appropriate officer from the State Historic Preservation Office or Tribal Historic Preservation Office shall determine if more than 1 element of such process can be completed simultaneously.

(b) SIMULTANEOUS EXECUTION.—If the Administrator and the appropriate officer determine that more than 1 element can be simultaneously completed, the Administrator and the appropriate officer shall ensure compliance with subsections (c) and (d) of section 800.2 of title 36, Code of Federal Regulations.

SEC. 10511. TECHNICAL ASSISTANCE.

Section 20108 of title 49, United States Code, is further amended by adding at the end the following:

"(l) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary may—

"(A) at the request of an eligible applicant for a project under chapters 229, 249, and 251 of this title, provide technical assistance to such entity for such project; and

"(B) through a competitive bid process and subject to appropriations, enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity and expertise to provide rail-related technical assistance under this section.

"(2) CONTRACTS AND AGREEMENTS.—Contracts, cooperative agreements, and agreements entered into pursuant to paragraph (1)(B) shall be used to develop best practices for project development and grant applications and to—

"(A) provide technical assistance to eligible applicants under such chapters to—

"(i) improve the safety, efficiency, and reliability of freight and passenger rail transportation;

"(ii) reduce congestion and facilitate ridership growth in intercity passenger rail transportation, including through the development of and around intercity passenger rail stations;

"(iii) promote employee and passenger safety;

"(iv) assist with the compliance of the applicable requirements of—

"(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

"(II) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

"(III) section 22905 of this title;

"(v) assist with the development, deployment, and acquisition of rolling stock, including through multi-state equipment leasing pools;

"(vi) administer funds received from the Department of Transportation, in compliance with Federal law; and

"(vii) assist with eligible grant applications under this section; and

"(B) provide training, guidance and educational programs to Federal Railroad Administration eligible grant applicants and recipients in cooperation with the agency, State transportation departments, metropolitan planning organizations, and national and international entities related to freight and intercity passenger rail transportation, including courses in recent developments, techniques, and procedures related to—

"(i) planning;

"(ii) management;

"(iii) environmental factors;

"(iv) acquisition and joint use rights-of-way;

"(v) engineering and architectural design;

"(vi) procurement strategies and turnkey approaches for freight and intercity passenger rail systems;

"(vii) new technologies;

"(viii) accessibility improvements for individuals with disabilities;

"(ix) construction, construction management, insurance, and risk management;

"(x) maintenance;

"(xi) contract administration;

"(xii) inspection;

"(xiii) innovative finance;

"(xiv) workplace safety;

"(xv) rail transportation security; and

"(xvi) eligible grant applications under this section.

"(3) TREATMENT.—Technical assistance provided under paragraph (1) shall not be considered a guarantee of future selection of the applicable project under any program under chapters 229, 249, and 251 of this title.

"(4) REPORT.—Not later than 1 year after the date of enactment of the BUILD America 250 Act, and every year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

"(A) a description of each project that received technical assistance under this subsection during the preceding fiscal year;

"(B) an evaluation of the activities carried out by each organization described in paragraph (1)(B); and

"(C) measurable outcomes and impacts of the programs funded under this section.

"(5) AVAILABILITY OF AMOUNTS.—The Secretary shall withhold 5 percent of funds allocated to Project Management Oversight from chapters 229, 243, and 249 to pay for the cost of eligible activities under this section.".

SEC. 10512. AMENDMENT TO ALLOW RRIF DIRECT LOANS TO BE STRUCTURED AS INTEREST-ONLY LOAN.

Section 22402 of title 49, United States Code, is further amended—

(1) in subsection (b) by adding at the end the following new paragraph:

"(3) INTEREST-ONLY LOANS.—

"(A) INITIAL REPAYMENT OF DIRECT LOAN.—Except as provided in subparagraph (B), a recipient of a direct loan structured as an interest-only loan under subsection (p) shall use such loan to refinance—

"(i) another direct loan issued to the recipient under this section; or

"(ii) other debt of the recipient incurred for purposes of financing the project that is the subject of the application for the direct loan structured as an interest-only loan.

"(B) EXCEPTIONS.—

"(i) A direct loan structured as an interest-only loan under subsection (p) may not be used to refinance any loan structured as an interest-only loan.

"(ii) Direct loans structured as interest-only loans under this section shall not be used be used to refinance another direct loan or other debt, as described in subparagraph (A), for projects described in subparagraphs (F) or (I) of subsection (b)(1) of this section.

"(C) ALLOWABLE USES OF EXCESS AMOUNTS.—A recipient of a direct loan structured as an interest-only loan under subsection (p) shall use any funds remaining after the repayment described in subparagraph (A) in accordance with the purposes described in paragraph (1).

"(D) LIMITATIONS ON USE.—A direct loan structured as an interest-only loan under subsection (p) shall not be used to make discretionary dividend payments or to reduce the equity share of the capital structure of the project.";

(2) in subsection (j)—

(A) in paragraph (1) by striking "The Secretary" and inserting "Except as provided in subsection (p) with respect to a direct loan structured as an interest-only loan, the Secretary";

(B) in paragraph (2) by striking "Interest shall" and inserting "Except as provided in subsection (p) with respect to a direct loan structured as an interest-only loan, interest shall";

(C) in paragraph (3) by striking "a direct loan provided under this section" and inserting "a direct loan provided under this section (other than a direct loan structured as an interest-only loan under subsection (p))"; and

(D) in paragraph (4)(B) by striking ''from non-Federal funding sources.'' and inserting ''from—

''(i) non-Federal funding sources; or

''(ii) a direct loan under this section that is structured as an interest-only loan under subsection (p).''; and

(3) by adding at the end the following:

''(p) DIRECT LOANS STRUCTURED AS INTEREST-ONLY LOANS.—

''(1) IN GENERAL.—Upon issuance of a direct loan under this section, the Secretary may structure the loan as an interest-only loan if the term of the loan is not longer than 10 years.

''(2) REPAYMENT SCHEDULE.—With respect to any direct loan structured as an interest-only loan under paragraph (1), the Secretary shall establish a repayment schedule requiring—

''(A) periodic interest-only payments, beginning not later than 6 months after the date of disbursement of such loan, on the outstanding balance of the loan; and

''(B) that all obligations of the loan are satisfied not later than the final maturity date of the loan.

"(3) DEFERRED PAYMENTS.—

"(A) IN GENERAL.—If at any time after the date of disbursement of a direct loan structured as an interest-only loan under paragraph (1) the obligor is unable to pay a periodic interest-only payment pursuant to the applicable repayment schedule, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the loan, the obligor to add the amount of any such unpaid interest-only payment to the outstanding balance of the loan.

"(B) INTEREST.—A payment deferred under subparagraph (A) shall accrue interest under paragraph (2) until the loan is fully repaid.

"(4) PENALTIES FOR MISSED OR DEFERRED PAYMENTS.—The Secretary may impose on any recipient of a direct loan structured as an interest-only loan under paragraph (1) such penalties or fees as determined appropriate by the Secretary for failure to pay a periodic interest-only payment under the applicable repayment schedule or for deferring a payment under paragraph (4).

"(5) LIMITATION.—The secretary shall make interest-only loans only available to projects on a railroad or railroad property.".

SEC. 10513. USE OF CERTAIN GRANT FUNDS TO PAY RRIF CREDIT RISK PREMIUMS.

(a) AMENDMENTS TO RRIF WITH RESPECT TO DIRECT LOANS.—Section 22402 of title 49, United States Code, is further amended—

(1) in subsection (f)—

(A) in paragraph (1)—

(i) by striking "may accept on behalf of an applicant for assistance under this section" and all that follows and inserting "may—"; and

(ii) by striking "In lieu of or in combination with" and inserting the following:

"(A) IN GENERAL.—Subject to subparagraph (B), in lieu of or in combination with"; and

(iii) by adding at the end the following:

"(i) with respect to applicants for loan guarantees or a modification thereof under this section, accept on behalf of the applicant a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan guarantee that is the subject of the application or modification; and

"(ii) with respect to applicants for direct loans or a modification thereof under this section, accept on behalf of the applicant, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification—

"(I) a commitment described in clause (i);

"(II) grant funds issued under sections 22907 or 24911 or chapter 243 of this title; or

"(III) a combination of the funding sources described in subclauses (I) and (II).

"(B) LIMITATIONS.—

"(i) IN GENERAL.—In no event shall the aggregate of appropriations of budget authority and credit risk premiums described in subparagraph (A) with respect to a direct loan or loan guarantee be less than the cost of that direct loan or loan guarantee.

"(ii) APPLICABILITY.—Subparagraph (A) shall only apply to projects on a railroad or railroad property."; and

(B) in paragraph (7) by striking "The Secretary shall return credit risk premiums paid, and interest accrued on such premiums," and inserting "With respect to each credit risk premium paid with funds other than Federal grant funds issued under section 22907 or 24911, the Secretary shall return each such premium, and interest accrued on each such premium,";

(2) in subsection (i)(4) by adding at the end the following:

"(D) COORDINATED APPLICATION PROCESS WITH RESPECT TO GRANT PROGRAMS.—The Secretary shall coordinate, to the maximum extent practicable, the application process developed pursuant to this subsection with the application processes for grants under sections

22907 and 24911 to ensure that an entity applying for a direct loan under this section—

"(i) may apply sequentially or simultaneously for any such grant; and

"(ii) may indicate on the application for the direct loan that the credit risk premium of the loan, if approved, is to be paid for using any such grant, if the applicant is selected to receive such grant."; and

(3) in subsection (n)—

(A) by striking "The proceeds" and inserting "Notwithstanding any other provision of law, the proceeds"; and

(B) by striking "if such loan is repayable from non-Federal funds." and inserting "if—

"(1) the credit risk premium of such loan was not paid for using Federal grant funds issued under section 22907 or 24911; and

"(2) such loan is repayable from non-Federal funds.".

(b) AMENDMENTS TO CRISI GRANT PROGRAM.—Section 22907(c) of title 49, United States Code, is further amended—

(1) by redesignating paragraphs (1) through (15) as subparagraphs (A) through (O), respectively;

(2) by striking "The following" and inserting the following:

"(1) IN GENERAL.—The following"; and

(3) by adding at the end the following new paragraph:

"(2) ALLOWABLE USE FOR PAYMENT OF RRIF LOAN CREDIT RISK PREMIUMS.—A project described in paragraph (1) is eligible to receive grant funds under this section for use paying a credit risk premium of a loan under section 22402 of this title if the loan is approved to finance such project.".

(c) AMENDMENTS TO NIPRPP GRANT PROGRAM.—Section 24911(c) of title 49, United States Code, is amended—

(1) in paragraph (4) by striking "paragraphs (1) through (3)" and inserting "subparagraphs (A) through (C)";

(2) in paragraph (5) by striking "paragraphs (1) through (4)" and inserting "subparagraphs (A) through (D)";

(3) by redesignating paragraphs (1) through (7) (as amended) as subparagraphs (A) through (G), respectively;

(4) by striking "The following" and inserting the following:

"(1) IN GENERAL.—The following"; and

(5) by adding at the end the following:

"(2) ALLOWABLE USE FOR PAYMENT OF RRIF LOAN CREDIT RISK PREMIUMS.—A capital project described in paragraph (1) is eligible to receive grants under this section for use paying a credit risk premium of a loan under section 22402 of this title if the loan is approved to finance such capital project.".

(d) AMENDMENT TO AMTRAK GRANT PROGRAMS.—Section 24305 of title 49, United States Code is amended by adding at the end the following:

"(g) ALLOWABLE USE FOR PAYMENT OF RRIF LOAN CREDIT RISK PREMIUMS.—Amtrak is eligible to receive grants for use paying a credit risk premium of a loan under section 22402 of this title if the loan is approved to finance such capital project.".

SEC. 10514. AMENDMENT TO ESTABLISH ALTERNATIVE CREDIT ASSESSMENT PATHWAY FOR RRIF LOAN APPLICANTS.

(a) DEFINITIONS.—Section 22401 of title 49, United States Code, is further amended by adding at the end the following:

"(17) QUALIFIED FINANCIAL INSTITUTION.—The term 'qualified financial institution' means—

"(A) an insured depository institution as defined in section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

"(B) an insured credit union as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); or

"(C) any other financial institution that—

"(i) is regulated or supervised by—

"(I) the Board of Governors of the Federal Reserve System;

"(II) the Securities and Exchange Commission;

"(III) the Federal Housing Finance Agency;

"(IV) the Farm Credit Administration; or

"(V) any other Federal financial regulatory agency;

"(ii) is regularly engaged in the business of extending credit or making credit determinations; and

"(iii) the Secretary determines has demonstrated experience in the underwriting or provision of credit.".

(b) DIRECT LOANS AND LOAN GUARANTEES INFRASTRUCTURE PARTNERS.—Section 22402(f) of title 49, United States Code, is further amended by adding at the end the following:

"(8) ADDITIONAL CREDITWORTHINESS CRITERIA.—In evaluating a proposal submitted under this section, the Secretary may consider—

"(A) the capital structure of the proposed project, including the sufficiency and stability of each non-Federal funding source;

"(B) the incorporation of a capital structure of the proposed project with—

"(i) a program share, under this chapter, of not more than 49 percent;

"(ii) a cash equity contribution of not less than 20 percent of the estimated total project cost; and

"(iii) debt provided through qualified financial institutions for an amount not less than 25 percent of the estimated total project cost;

"(C) the circumstances of the applicant, including an applicant who has—

"(i) executed all construction contracts expected to be necessary for the project;

"(ii) acquired or otherwise reserved all rights-of-way expected to be necessary for the project; and

"(iii) if applicable, received an environmental categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the project;

"(D) any credit risk assessments conducted by other participants in the capital structure of the project, including a description of the due diligence and underwriting standards applied qualified financial institutions or other capital providers;

"(E) the due diligence and underwriting analysis carried out by qualified financial institutions providing debt under subparagraph (C)(ii), which may be used in combination with a creditworthiness analysis conducted by the Secretary for a loan provided under this section; and

"(F) for a project described in subsection (b)(1)(F), an alternative demonstration of creditworthiness, such as—

"(i) a joint liability agreement or equivalent between the project lead and a division of a State or local organization with a sufficient credit rating; or

"(ii) an alternative rating or certification by a loan originator-servicer.

"(9) APPLICABILITY.—The criteria in subparagraphs (A) through (E) of paragraph (8) shall only apply to projects on railroads or on railroad property.".

SEC. 10515. RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM AUTHORIZATION OF APPROPRIATIONS.

Section 22406 of title 49, United States Code, is amended—

(1) in the section heading by striking the period at the end;

(2) in subsection (a)(1) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(3) in subsection (b)(2) by striking "3 percent" and inserting "10 percent".

Subtitle F—Hazardous Materials Transportation

SEC. 10601. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 of title 49, United States Code, is amended—

(1) in subsection (a) by striking paragraphs (1) through (5) and inserting the following:

"(1) $75,000,000 for fiscal year 2027;

"(2) $75,500,000 for fiscal year 2028;

"(3) $76,000,000 for fiscal year 2029;

"(4) $76,500,000 for fiscal year 2030; and

"(5) $77,000,000 for fiscal year 2031.";

(2) in subsection (b) by striking "fiscal years 2022 through 2026" and inserting "fiscal years 2027 through 2031"; and

(3) by striking subsection (c) and inserting the following:

"(c) HAZARDOUS MATERIALS SAFETY TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(h), the Secretary may expend $8,000,000 for each of fiscal years 2027 through 2031 to carry out section 5107(e).";

(4) by striking subsection (d); and

(5) by redesignating subsection (e) as subsection (d).

SEC. 10602. HAZARDOUS MATERIALS REGISTRATION FEES.

Section 5108(g) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "(1) The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary"; and

(2) in paragraph (2)—

(A) in subparagraph (C) by striking "(C) The Secretary shall" and inserting the following:

"(D) TRANSFER AND DEPOSIT.—The Secretary shall";

(B) in subparagraph (B) by striking "(B) The Secretary" and inserting the following:

"(C) ADJUSTMENT.—The Secretary"; and

(C) by striking "(2)(A) In addition" and all that follows through the period at the end of clause (ix) of subparagraph (A) and inserting the following:

"(2) ANNUAL FEE.—

"(A) ESTABLISHMENT.—In addition to a fee established under paragraph (1), the Secretary shall establish and impose by regulation and collect an annual fee.

"(B) REQUIREMENT.—Subject to subparagraph (C), the fee established under subparagraph (A) shall be—

"(i) at least $250 but not more than $500 from each person that—

"(I) is required to file a registration statement under this section; and

"(II) is identified as—

"(aa) a small business (within the meaning of part 121 of title 13, Code of Federal Regulations (or successor regulations)); or

"(bb) a nonprofit organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from taxation under section 501(a) of such Code; and

"(ii) at least $500 but not more than $5,000 from each person that—

"(I) is required to file a registration statement under this section; and

"(II) is not identified as a small business (within the meaning of part 121 of title 13, Code of Federal Regulations (or successor regulations)).".

SEC. 10603. HAZARDOUS MATERIALS SAFETY TRAINING GRANTS.

(a) IN GENERAL.—Section 5107 of title 49, United States Code, is amended—

(1) in subsection (e)—

(A) in the subsection heading by striking "TRAINING" and inserting "HAZARDOUS MATERIALS SAFETY TRAINING";

(B) in paragraph (1)—

(i) in subparagraph (A) by striking "and" at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end of the following:

"(C) for conducting national outreach and training programs to assist communities in preparing for and responding to accidents and incidents involving the transportation of hazardous materials, including Class 3 flammable liquids by rail;

"(D) for training State and local personnel responsible for enforcing the safe transportation of hazardous materials, including Class 3 flammable liquids;

"(E) for training emergency responders, including response activities for the transportation of crude oil, ethanol, flammable materials, and other hazardous commodities by rail, consistent with National Fire Protection Association standards; and

"(F) for training or response gear needed for volunteer or career fire departments, or a combination of such fire departments, to address thermal runaway, including—

"(i) equipment, including blankets to suppress thermal runaway, portable fire suppression agents, and other equipment the Secretary determines appropriate, to support the suppression of thermal runaway resulting from the transportation of lithium-ion cells or batteries;

"(ii) field-deployed residual-energy assessment and cell-integrity diagnostics;

"(iii) devices to monitor environmental conditions and runoff control to assist with cleanup after a thermal runaway event; and

"(iv) access and containment tools, over-pack systems, and packaging for damaged, defective, or recalled lithium-ion batteries or cells.";

(C) in paragraph (2)—

(i) in subparagraph (A) by striking "for hazmat employees" and inserting "on hazardous materials transportation safety, including by a nonprofit organization that represents first responders or public officials responsible for coordinating disaster response and is able to provide training to individuals responsible for responding to accidents and incidents involving hazardous materials"; and

(ii) in subparagraph (B) by striking "a target population of hazmat employees" and inserting "the target populations referenced in paragraph (1)"; and

(D) by adding at the end the following:

“(3) GRANT PROJECT SIZE.—Grants made under this subsection shall not be more than $1,500,000 per award annually.

“(4) FUNDING.—

“(A) IN GENERAL.—To carry out the grant program under paragraph (1), the Secretary may use for each fiscal year any amounts recovered during such fiscal year from grants awarded under this section or section 5116 during a prior fiscal year.

“(B) OTHER HAZARDOUS MATERIALS TRAINING ACTIVITIES.—For each fiscal year, after providing grants under paragraph (1), if funds remain available, the Secretary may use the amounts described in subparagraph (A)—

“(i) to make grants under—

“(I) section 5116(a)(1)(C); and

“(II) section 5116(i);

“(ii) to conduct monitoring and provide technical assistance under section 5116(e);

“(iii) to publish and distribute the emergency response guidance referred to in section 5116(h)(3); and "(iv) to pay administrative costs in accordance with section 5116(h)(4).

"(C) OBLIGATION LIMITATION.—Notwithstanding any other provision of law, for each fiscal year, amounts described in subparagraph (A) shall not be included in the obligation limitation for the Hazardous Materials Emergency Preparedness grant program for that fiscal year."; and

(2) by striking subsection (i).

(b) CONFORMING CHANGE.—Section 5116 of title 49, United States Code, is amended—

(1) by striking subsection (j);

(2) by redesignating subsection (k) as subsection (j); and

(3) in subsection (j), as redesignated, by striking "subsections (i) and (j) of this section and under subsections (e) and (i) of section 5107" and inserting "subsection (i) of this section and under subsection (e) of section 5107".

SEC. 10604. INCORPORATION OF SPECIAL PERMITS INTO HAZARDOUS MATERIALS REGULATIONS.

Section 5117 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking ''2 years and may'' and inserting ''4 years and may''; and

(2) in subsection (f) by striking ''10-year'' and inserting ''8-year''.

SEC. 10605. HARMONIZATION OF SAFETY REGULATIONS.

Section 5120 of title 49, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) HARMONIZATION OF SAFETY REGULATIONS.—

''(1) TIMING OF UPDATE TO OR ISSUANCE OF REGULATORY CHANGES.—In any case in which the Secretary has determined that an update to or issuance of a regulation is necessary due to a change or establishment of an international standard or requirement described in subsection (a), including a covered international standard, the Secretary shall issue an interim final rule not later than 6 months before the effective date of the applicable change or establishment.

''(2) COVERED INTERNATIONAL STANDARD DEFINED.—In this subsection, the term 'covered international standard' means—

"(A) the International Maritime Dangerous Goods Code;

"(B) the Technical Instructions for the Safe Transport of Dangerous Goods by Air of the International Civil Aviation Organization; and

"(C) the United Nations Recommendations on the Transport of Dangerous Goods—Model Regulations.

"(d) DISCRETION IN ADOPTING INTERNATIONAL STANDARDS OR REQUIREMENTS.—The Secretary may decline to adopt a change or establishment of an international standard or requirement described in subsection (a) if the Secretary determines the standard was improperly influenced by a foreign country of concern (as defined in section 10638 of the Research and Development, Competition, and Innovation Act (Public Law 117–167; 42 U.S.C. 19237)).".

SEC. 10606. REGULATION OF FOREIGN MANUFACTURERS OF CYLINDERS USED IN TRANSPORTING HAZARDOUS MATERIALS.

(a) DEFINITIONS.—In this section:

(1) CYLINDER.—The term "cylinder" means any cylinder specified under any of sections 178.36

through 178.68 of title 49, Code of Federal Regulations (or successor regulations).

(2) FOREIGN MANUFACTURER OF CYLINDERS; FMOC.—The term ‘‘foreign manufacturer of cylinders’’ or ‘‘FMOC’’ means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in commerce in the United States.

(3) IN GOOD STANDING.—The term ‘‘in good standing’’, with respect to an FMOC, means that the FMOC—

(A) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation); and

(B) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regulations (or successor regulations); and

(ii) chapter 51 of title 49, United States Code.

(b) APPROVAL OF FOREIGN MANUFACTURERS OF CYLINDERS.—

(1) IN GENERAL.—The Secretary shall promulgate regulations to provide that an approval provided to an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), shall be for a period of not longer than 1 year, except as provided under paragraph (2).

(2) 5-YEAR APPROVAL.—The Secretary may provide a 5-year approval of an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), if the following requirements are met:

(A) The FMOC attests that none of the cylinders made by the FMOC are prohibited from entry to the United States under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(B) The Secretary determines that the FMOC is in good standing.

(3) FACILITY INSPECTIONS.—

(A) DEFINITION OF OBSTRUCTS.—In this paragraph, the term ‘‘obstructs’’ means taking actions that are known, or reasonably should be known, to prevent, hinder, or impede an inspection.

(B) PENALTIES.—The Secretary may suspend or terminate an approval of an FMOC if the FMOC obstructs or prevents the Secretary from carrying out an inspection under section 107.807(c) of title 49, Code of Federal Regulations (or a successor regulation).

(4) INTERACTION WITH OTHER STATUTES, AGREEMENTS, REGULATIONS.—Nothing in this section may be construed to prevent the harmonization of cylinder standards otherwise authorized by law.

(5) OTHER CAUSE FOR SUSPENSION OR TERMINATION.—The Secretary may suspend or terminate an approval of an FMOC on determination that the FMOC knowingly or intentionally misrepresented responses to the Secretary required by law, including under subsection (e).

(c) REEVALUATION BY REQUEST FOR RELATED VIOLATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to establish a process, as determined by the Secretary, for any interested party to request a reevaluation of the approval of FMOC cylinders under section 107.807 of title 49, Code of Federal Regula-

tions (or a successor regulation), to review the accuracy and safety of the actions of the FMOC.

(2) PETITION FOR REEVALUATION.—The regulations promulgated under paragraph (1) shall allow an interested party to file a petition if that party has evidence of inaccurate, changed, or fraudulent attestations or responses made by an FMOC to the Secretary under subsection (e).

(d) NOTICE AND COMMENT FOR APPLICATIONS BY FOREIGN MANUFACTURERS OF CYLINDERS.—On receipt of an application for approval under section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), the Secretary shall—

(1) publish notification of the application on the website of the Pipeline and Hazardous Materials Safety Administration in a timely manner; and

(2) provide not less than 30 days for public comment on the application prior to approval.

(e) FOREIGN MANUFACTURERS LISTING APPROVALS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall publish and maintain on the website of the Pipeline and Hazardous Materials Safety Administration a list of approved foreign manufacturers of cylinders and the duration of those approvals.

(f) AUTHORIZING FOREIGN INSPECTIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall revise section 107.807(d) of title 49, Code of Federal Regulations—

(1) to require that in any case in which the Secretary determines there is good cause, an inspection under that section shall be carried out annually for such duration as the Secretary determines appropriate;

(2) to specify that a refusal of inspection under that section shall result in a loss of the status of ''in good standing'';

(3) to allow the Secretary to request, at the discretion of the Secretary—

(A) production of test and production records; and

(B) random sample testing; and

(4) to allow for the recovery of all associated costs of foreign inspections to include travel, time, and other costs, as determined by the Secretary.

SEC. 10607. SAFETY PLACARDS.

(a) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate a rulemaking for the ability of placards required by part 172 of title 49, Code of Federal Regulations, to withstand temperatures common in the uncontrolled burning of hazardous materials transported by rail or by other modes of surface transportation frequently used to transport freight.

(b) CONTENTS.—In carrying out subsection (a), the Secretary shall—

(1) determine the fire exposure conditions common in the burning of hazardous materials that placards shall be able to withstand, including—

(A) temperature thresholds; and

(B) length of time; and

(2) consider the availability and reliability of testing equipment that can be used to simulate the fire exposure conditions in subparagraph (A).

(c) CONSIDERATIONS FOR ADJUSTMENT OF PLACARD MATERIALS.—In developing the rulemaking under this section, the Secretary shall—

(1) consider—

(A) safety benefits;

(B) scientific data;

(C) costs, including up front capital costs and ongoing maintenance costs;

(D) operational benefits and challenges, including installation time and component availability; and

(E) international, first responder, and other commercial enterprises' experiences utilizing such materials; and

(2) gather, consider, and, as appropriate, incorporate input from relevant stakeholders, including—

(A) manufacturers of placards;

(B) entities conducting fireproof hazmat testing;

(C) entities representing first responders; and

(D) entities representing operators engaged in the transport of hazardous materials.

SEC. 10608. STUDY ON LIMITED COMMERCIAL DRIVER'S LICENSE HAZARDOUS MATERIALS ENDORSEMENTS.

(a) STUDY AND ASSESSMENT.—The Secretary shall conduct a study and assessment investigating the feasibility of issuing material-specific hazardous materials endorsements to a commercial driver's license.

(b) REQUEST FOR INFORMATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register a request for information seeking input and comment on the scope of the study and assessment required under subsection (a).

(c) CONTENTS.—The study and assessment under subsection (a) shall include—

(1) the potential utility of a material-specific hazardous materials endorsement to a commercial driver's license for the movement of hazardous materials in interstate and intrastate commerce;

(2) whether such an endorsement achieves equivalent levels of safety for the material being transported and equivalent levels of safety for other highway users;

(3) issues related to the safe transportation of hazardous materials, the ability of regulatory agencies to monitor compliance, driver qualifications and training, and effects on operator liability;

(4) the availability of commercial liability insurance for the transportation of hazardous materials, and whether limited endorsements will lower or increase the cost of such liability insurance;

(5) the potential costs and benefits of such an endorsement; and

(6) any other factors identified through the request for information process under subsection (b).

(d) REPORT TO CONGRESS.—Not later than 6 months after the closing of the public submission period of the request for information required under subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the study and assessment required under subsection (a).

SEC. 10609. REAL-TIME TRAIN CONSIST INFORMATION RULEMAKING EVALUATION.

(a) EVALUATION.—Not later than June 24, 2027, the Secretary shall, taking into account the rule titled ''Hazardous Materials: FAST Act Requirements for Real-Time Train Consist Information'' published on June 24, 2024 (89 Fed. Reg. 52956), undertake an evaluation regarding whether emergency responders, including volunteers and personnel of emergency communication centers, have access to real-time train consist information sufficient for purposes of responding to incidents.

(b) CONTENTS.—The evaluation under subsection (a) shall include the following:

(1) An assessment of outreach to emergency responders and whether the activities of the railroad industry, Pipeline and Hazardous Materials Safety Administration, and other relevant organizations are sufficient to meet the needs of such emergency responders with respect to access and provision of real-time train consist information.

(2) Identification of any gaps with respect to access and provision of real-time train consist information to such emergency responders and the needs of such emergency responders with respect to real-time train consist information.

(c) REPORT.—Not later than 90 days after the completion of the evaluation under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report including the results of the evaluation and any changes implemented by the Secretary since completion of the evaluation to ensure emergency responders, including volunteers and personnel of emergency communication centers, have access to real-time train consist information.

(d) CLASS I RAILROAD; CLASS II RAILROAD; CLASS III RAILROAD DEFINED.—In this section, the terms "Class I railroad", "Class II railroad", and "Class III railroad" have the meanings given such terms in section 20102 of title 49, United States Code.

SEC. 10610. STUDY ON EXCEPTION FOR INTRASTATE TRANSPORTATION OF DIESEL FUEL IN SUPPORT OF LOGGING OR TIMBER OPERATIONS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on whether to create an exception similar to the exception for agriculture under section 173.5 of title 49, Code of Federal Regulations, that applies to the transportation of diesel fuel by a logging or timber company on local roads beginning or ending on logging or timber company property.

(b) ELEMENTS.—In developing the report under subsection (a), the Comptroller General shall consider the following:

(1) What legislative or regulatory revisions would need to be made to create a limited exception for the purposes described in subsection (a).

(2) How many States and what road mileage, by State, would be impacted by such a revision.

(3) Whether the exception should be limited to roads owned by logging or timber companies.

(4) What safety, financial, and environmental impact the 5 States with the largest logging and timber sectors would experience with this change.

(5) What legislative, regulatory, or oversight measures should be adopted to ensure this exception only applies to local roads owned by logging or timber companies and that the diesel moved on such roads are for the express purpose of logging and timber operations.

SEC. 10611. SAFER TANK CARS.

(a) PHASE-OUT SCHEDULE.—Beginning on December 31, 2028, no railroad tank car, regardless of the construction date of the railroad tank car, may be used to transport Class 3 flammable liquid in packing groups II or III (other than Class 3 flammable liquids listed in paragraphs (1) and (2) of section 7304(b) of the Hazardous Materials Transportation Safety Improvement Act of 2015 (49 U.S.C. 20155 note)), regardless of the composition of the train consist, unless such tank car meets or exceeds DOT–117, DOT–117P, or DOT–117R specification requirements, as in effect on the date of enactment of this Act.

(b) CONFORMING REGULATORY AMENDMENTS.—

(1) IN GENERAL.—The Secretary—

(A) shall immediately remove or revise the date-specific deadlines in any applicable regulations or orders to the extent necessary to conform with the requirement under subsection (a); and

(B) may not enforce any date-specific deadlines or requirements that are inconsistent with the requirement under subsection (a).

(2) RULE OF CONSTRUCTION.—Except as required under paragraph (1), nothing in this section may be construed to require the Secretary to issue regulations to implement this section.

(c) AMENDING THE PHASE-OUT DATE.—If the Secretary, based on the data contained in the report issued pursuant to subsection (d), determine that the phase-out date under subsection (a) cannot be met due to insufficient manufacturing capacity or would otherwise result in significant impacts to interstate commerce, the Secretary shall delay the phase-out scheduled under subsection (a) to May 1, 2029.

(d) GAO REVIEW.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall issue a report to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate that—

(1) identifies the manufacturing capacity of tank car manufacturers in North America that manufacture tank cars to meet DOT–117 or DOT–117P specification requirements;

(2) identifies the retrofit capacity of tank car manufacturers and other entities in North America that can retrofit DOT–111 tank cars to meet DOT–117R specification requirements;

(3) estimates the schedule of replacing tank cars currently in service that are reaching the end of their life cycle;

(4) identifies the number of tank cars that need to be phased out or retrofitted under subsection (a) and the number that could be retrofitted; and

(5) estimates the demand for new tank cars.

SEC. 10612. REQUIREMENTS FOR SAFE TRANSPORT OF LITHIUM-ION BATTERIES.

Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(1) work with the United Nation Subcommittee of Experts on the Transportation of Dangerous Goods to revise the provisions for design tests in subsection 38.3 of the UN Manual of Tests and Cri-

teria to develop an impact test for lithium-ion cells or batteries installed and transported in cargo transport units and transported under UN 3536 to allow improved ability to withstand forces experienced in transport accidents without going into thermal runaway;

(2) issue such regulations as are necessary to amend section 173.185 of title 49, Code of Federal Regulations to—

(A) require lithium-ion cells or batteries (as defined in UN 3480) to be offered for commercial transport at a state of charge not exceeding 30 percent of the rated capacity of such cells or batteries (determined through the guidance and methodology under section 38.3.2.3 of the Manual of Tests and Criteria of the United Nations); and

(B) authorize the transportation of lithium-ion cells or batteries at a state of charge greater than 30 percent of the rated capacity of such cells or batteries only under conditions approved by the Associate Administrator for Hazardous Materials of the Pipeline and Hazardous Materials Safety Administration in accordance with the requirements in subpart H of part 107 of title 49, Code of Regulations;

(3) issue such regulations as are necessary or promulgate final guidance on the safe transportation of damaged, defective, or recalled lithium-ion cells or batteries, and such regulations or guidance shall include guidance on the packaging, movement, and disposal of damaged, defective, or recalled lithium-ion cells or batteries; and

(4) every 5 years, review the regulations and guidelines under this section and update such regulations and guidelines, as appropriate, to account for other emerging batteries or cells that pose a risk of thermal runaway as a result from a fire during commercial transport.

SEC. 10613. INNOVATIVE THERMAL RUN-AWAY SUPPRESSION STRATEGIES.

(a) IN GENERAL.—Section 5118(c)(3) of title 49, United States Code, is amended—

(1) in subparagraph (F) by striking "and" at the end;

(2) in subparagraph (G) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(H) thermal runaway of lithium-ion cells or batteries in commercial transport units, including—

"(i) the effectiveness of innovative technologies and methods to suppress such thermal runaway of lithium-ion cells or batteries in commercial transport units transported under UN 3536, including technologies and methods that do not use materials listed in table 302.4 of section 302.4 of title 40, Code of Federal Regulations, and identified by chemical abstracts service registry numbers 1763–23–1 and 335–67–1;

"(ii) the impact of the state of charge of a battery or cell on methods to suppress such thermal runaway; and

"(iii) methods for emergency responders to verify the state of charge of a battery or cell experiencing thermal runaway as a result of a fire or crash during commercial transport.".

(b) OTHER ENTITIES.—Notwithstanding section 5118(c)(2) of title 49, United States Code, in addition to the National Academies, the Secretary may enter into agreements with facilities that specialize in fire suppression testing to carry out section 5118(c)(3)(H) of such title (as added by subsection (a)) and shall require from such facilities a report on the findings of any tests conducted pursuant to the agreement.

(c) RECOMMENDATIONS.—Not later than 120 days after the receipt of all reports for which an agreement was entered into under subsection (b), the Secretary shall review the findings submitted by entities described in subsection (b) and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) the findings detailed in each report, including which fire suppression tools and techniques were found to be most effective at suppressing thermal runaway resulting from a lithium-ion cell or battery fire;

(2) the impact of the state of charge of a battery on the techniques and tools studied under the agreement;

(3) information on the best methods to verify the state of charge of a lithium-ion battery or cell after a nonconsumptive event and how that informa-

tion can inform decisions about how to safely mitigate thermal runaway; and

(4) recommendations on whether, based on such review, updated guidance or training of the Pipeline and Hazardous Materials Safety Administration is necessary.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available under section 5128(a) of title 49, United States Code, the Secretary shall withhold $2,000,000 for each of fiscal years 2027 through 2031 to enter into an agreement to carry out section 5118(c)(3)(H) of title 49, United States Code.