AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. DEFAZIO OF OREGON

Page 36, line 4, strike “; or” and insert a semicolon.

Page 36, line 10, strike the period and insert “; or”.

Page 36, after line 10, add the following:

(C) to establish or enhance high-quality
bus service to community colleges and Minority
Serving Institutions, including Historically
Black Colleges and Universities.

Page 40, line 21, strike “CONSIDERATIONS” and insert “CRITERIA”.

Page 41, line 3, insert “and” after the semicolon.

Page 41, beginning on line 6, strike “, a loss of non-
Federal revenues that were intended to support the project”.

Page 41, line 9, insert “, if a project meets one or
both of the criteria in paragraph (2)” after “law”.

Page 41, line 9, strike “may” and insert “shall”.
In section 104(b)(4)(A) of division A of the bill, insert “, education and workforce training,” after “connections to jobs”.

Page 46, line 19, insert “, or any subsequent report superseding such Committee Report,” after “Committee Report”.

Page 46, line 20, strike the comma and insert a period.

Page 193, after line 15, insert the following:

(9) Sense of Congress on fulfilling certain contracts.—It is the sense of Congress that contractors participating in a federally funded transportation contract with a small business concern owned and controlled by socially and economically disadvantaged individuals should ensure that the percentage of a contract promised to such small business concern is fulfilled, unless prior approval is obtained consistent with the regulations under part 26 of title 49, Code of Federal Regulations.

Page 268, line 13, add “and” at the end.

Page 276, line 17, strike “and” at the end.

Page 276, after line 17, insert the following (and redesignating the subsequent paragraph accordingly):
(5) in subsection (g) by inserting “or within the
scope of the applicable finding, determination, or en-
vironmental review decision made pursuant to au-
thority granted by the Secretary under section 330,
if applicable,” before “regardless of the”; and

Page 276, line 18, insert “or within the scope of the
applicable finding, determination, or environmental re-
view decision made pursuant to authority granted by the
Secretary under section 330, if applicable,” after “4321
et seq.),”.

Page 279, line 21, insert “, except for iron and
steel,” after “materials”.

Page 281, line 8, insert “current” before “domestic
availability”.

Page 281, line 10, strike “supply chain for covered
items.” and insert “current supply chain for covered
items; and”.

Page 281, line 11, strike “market share of” and in-
sert “demand, in relation to total United States demand
from all sources, for”.

Page 281, line 18, strike “; and” and insert a pe-
period.

Page 281, strike lines 19 through 21.
Page 282, line 3, insert “(except for iron and steel)” after “product”.

Page 282, after line 7, insert the following (and redesignate the subsequent subsection accordingly):

(c) IRON AND STEEL.—This section, and the amendments made by this section, shall not affect the requirements under section 634.410(b)(1)(ii) of title 23, Code of Federal Regulations, with respect to iron and steel.

Page 282, line 19, strike “and” and insert “or”.

Page 389, line 11, strike “STANDARDS AND”.

Page 389, beginning on line 14, strike “develop standards and guidance” and insert “publish guidance for public comment”.

Page 389, line 21, strike “, software,”.

Page 414, line 8, strike “or 113”.

Page 425, strike lines 8 through 11 and insert the following:

“(F) Whether the project would replace, reconstruct, or rehabilitate a commuter corridor (including a high-commuter corridor (as such term is defined in section 203(a)(6))) that is in poor condition.
“(G) Whether the project would improve the shared transportation corridor of a multistate corridor.

Page 430, line 14, insert “in each fiscal year” after “$5,000,000”.

Page 435, line 23, strike “urbanized”.

Page 435, line 24, strike “49,999” and insert “74,999”.

Page 436, line 3, strike “not included in urbanized areas” and insert “that are outside of an urbanized area with a population greater than 74,999 individuals, as determined by the Bureau of the Census”.

Page 439, line 15, insert “in each fiscal year” after “$3,000,000”.

Page 443, after line 21, insert the following (and redesignate subsequent subparagraphs accordingly):

(A) by striking “Not later than” and inserting the following:

“(1) IN GENERAL.—Not later than”;

Page 444, line 2, strike “and”.

Page 444, line 5, strike the semicolon and insert “; and”.
Page 444, after line 5, insert the following:

(D) by adding at the end the following:

“(2) FREIGHT CORRIDORS.—Not later than 1 year after the date of enactment of the INVEST in America Act, the Secretary shall designate national electric vehicle charging and hydrogen fueling freight corridors that identify the near- and long-term need for, and the location of, electric vehicle charging and hydrogen fueling infrastructure to support freight and goods movement at strategic locations along major national highways, the National Highway Freight Network, and goods movement locations including ports, intermodal centers, and warehousing locations.”;

Page 450, line 13, strike “; and” and insert a semicolon.

Page 450, after line 13, insert the following:

“(XI) the availability of onsite amenities for vehicle operators, including restrooms or food facilities; and

Page 450, line 14, strike “(XI)” and insert “(XII)”.

Page 451, line 9, strike “PROJECT REQUIREMENTS” and insert “GUIDANCE”.
Page 451, beginning on line 13, strike “develop standards and requirements” and insert “publish guidance for public comment”.

Page 451, line 18, strike “software”.

Page 460, line 6, strike the closing quotation mark and the period at the end.

Page 460, after line 6, insert the following:

“(n) RURAL SET-ASIDE.—

“(1) IN GENERAL.—The Secretary shall set aside not less than 10 percent of the amounts made available to carry out this section for projects located in rural areas.

“(2) DEFINITION OF RURAL AREA.—In this subsection, the term ‘rural area’ means all areas of a State or territory that are outside of an urbanized area with a population greater than 74,999 individuals, as determined by the Bureau of the Census”.

Page 465, line 2, insert “in each of fiscal years 2023 through 2026” after “$5,000,000”.

Page 474, line 24, insert “, including strategies to improve the operations of high-occupancy vehicle lanes” after “operations”.

Page 451, beginning on line 13, strike “develop standards and requirements” and insert “publish guidance for public comment”.

Page 451, line 18, strike “software”.

Page 460, line 6, strike the closing quotation mark and the period at the end.

Page 460, after line 6, insert the following:

“(n) RURAL SET-ASIDE.—

“(1) IN GENERAL.—The Secretary shall set aside not less than 10 percent of the amounts made available to carry out this section for projects located in rural areas.

“(2) DEFINITION OF RURAL AREA.—In this subsection, the term ‘rural area’ means all areas of a State or territory that are outside of an urbanized area with a population greater than 74,999 individuals, as determined by the Bureau of the Census”.

Page 465, line 2, insert “in each of fiscal years 2023 through 2026” after “$5,000,000”.

Page 474, line 24, insert “, including strategies to improve the operations of high-occupancy vehicle lanes” after “operations”.
Page 474, line 25, insert “to improve connectivity and innovation” after “systems”.

Page 475, line 13, insert “, including, value capture and transit-oriented development projects” after “Code”.

Page 476, line 22, insert “utilizing eligible projects” before the period.

Page 487, line 18, strike “, not less than $10,000,000 for fiscal years 2023 through 2026” and insert “for fiscal years 2023 through 2026, a total of not less than $10,000,000”.

Page 510, line 10, strike “and”.

Page 510, line 14, strike the period and insert “; and”.

Page 510, after line 14, insert the following:

(4) ensuring any activities carried out under this section—

(A) focus on improvements that will benefit the populations impacted by or previously displaced by the eligible facility; and

(B) emphasize equity by garnering community engagement, avoiding future displacement, and ensuring local participation in the planning process.
Page 511, strike lines 3 through 5 and insert the following:

(2) PARTNERSHIPS.—An eligible entity may enter into an agreement with the following entities to carry out the eligible activities under this section:

(A) A nonprofit organization.

(B) An institution higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), including historically black colleges and universities, defined as the term “Predominantly Black institution” is defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)).

Page 513, line 6, strike the semicolon and insert “, including—”.

Page 513, after line 6, insert the following:

(i) building organizational or community capacity to, and educating community members on how to, engage in and contribute to eligible planning activities described in subsection (c)(2);

(ii) identifying community needs and desires for community improvements and
developing community driven solutions in
carrying out eligible planning activities de-
scribed in subsection (c)(2);

(iii) conducting assessments of equity,
 mobility and access, environmental justice,
 affordability, economic opportunity, health
 outcomes, and other local goals to be used
 in carrying out eligible planning activities
described in subsection (c)(2); and

(iv) forming a community advisory
 board in accordance with subsection (d)(7);

Page 513, line 21, insert “establishment of a com-
munity land trust for” after “including”.

Page 515, line 9, strike “and”.

Page 515, line 16, strike the period and insert “; and”.

Page 515, after line 16, insert the following:

(iii) the activities would benefit popu-
lations impacted by or previously displaced
 by an eligible facility.

Page 515, strike line 22 through page 516, line 4.

Page 517, line 16, strike “and”.
Page 518, line 8, strike “opportunities for” and insert “extent to which the grantee has plans for”.

Page 518, line 9, insert “in place” after “development”.

Page 519, line 2, strike “and”.

Page 519, line 6, strike the period and insert “; and”.

Page 519, after line 6, insert the following:

(xi) the extent to which the project
benefits populations impacted by or previously displaced by the eligible facility;
(C) ensure that the project has conducted sufficient community engagement, such as the activities described in subsection (c)(2)(B); and
(D) ensure that the jurisdiction in which the eligible facility is located has an anti-displacement policy or a community land trust in place.

Page 520, line 11, insert “, including residents in the immediate vicinity of the project” after “community”.

Page 520, after line 19, insert the following (and redesignate accordingly):

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(C) DIVERSITY.—The community advisory board shall be representative of the community served by the project.

(e) PRIORITIES.—In selecting recipients of planning grants, capital construction grants, and technical assistance under this section, the Secretary shall give priority to—

(1) an application from a community that is economically disadvantaged, including an environmental justice community, an underserved community, or a community located in an area of persistent poverty (as such term is defined in section 101 of title 23, United States Code); and

(2) an eligible entity that has—

(A) entered into a community benefits agreement with representatives of the community or formed a community advisory board under paragraph (7) of subsection (d);

(B) demonstrated a plan for employing residents in the area impacted by the activity or project through targeted hiring programs; and

(C) demonstrated a plan for improving transportation system access.

Page 521, after line 3, insert the following:
(h) REPORT.—Not later than 2 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 Environment and Public Works of the Senate a report that—

(1) identifies and creates an online mapping tool showing any examples of potential projects to remove eligible facilities, and assesses the potential impacts of carrying out such projects; and

(2) assesses projects funded under subsection (d) to provide best practices.

Page 521, strike line 4 and insert the following:

(i) DEFINITIONS.—In this section:

(1) ELIGIBLE FACILITY DEFINED.—

Page 521, line 5, redesignate paragraph (1) as sub-paragraph (A).

Page 521, line 5, strike “In this section, the” and insert “The”.

Page 521, line 11, redesignate paragraph (2) as sub-paragraph (B).

Page 521, line 11, strike “In this section, the” and insert “The”.
Page 521, line 13, redesignate subparagraph (A) as clause (i).

Page 521, line 14, redesignate subparagraph (B) as clause (ii).

Page 521, line 15, redesignate subparagraph (C) as clause (iii).

Page 521, line 16, redesignate subparagraph (D) as clause (iv).

Page 521, line 17, redesignate subparagraph (E) as clause (v).

Page 521, after line 20, insert the following:

(2) COMMUNITY LAND TRUST.—The term “community land trust” means a nonprofit organization established or with the responsibility, as applicable—

(A) to develop the real estate created by the removal or capping of an eligible facility; and

(B) to carry out anti-displacement or community development strategies, including—

(i) affordable housing preservation and development;
(ii) homeownership and property improvement programs;

(iii) the development or rehabilitation of park space or recreation facilities; and

(iv) community revitalization and economic development projects.

(3) Anti-displacement policy.—The term “anti-displacement policy” means a policy that limits the displacement of low-income, disadvantaged, and underserved communities from neighborhoods due to new investments in housing, businesses, and infrastructure.

Page 603, line 24, strike “under this paragraph”.

Page 609, after line 8, insert the following:

(4) Consulting small municipalities.—The Secretary shall ensure that the agencies of local governments consulted under subparagraph (E) of paragraph (1) include rural areas, specifically agencies of local governments with populations less than 50,000.

Page 641, after line 6, insert the following (and redesignate the subsequent subparagraph accordingly):

(J) Professional surveying, mapping, and geospatial organizations.
Page 686, after line 6, insert the following:

SEC. 1635. TRANSPORTATION PLANNING ACTIVITIES.

The Secretary of Transportation shall take all reasonable efforts to provide assistance for an Olympic or Paralympic event, or a Special Olympics International event, including the following:

(1) Planning activities of States and metropolitan planning organizations and transportation projects relating to an international Olympic or Paralympic event, or a Special Olympics International event, under sections 134 and 135 of title 23, United States Code.

(2) Developing intermodal transportation plans necessary for the projects, in coordination with State and local transportation agencies.

(3) Efforts to expedite review and comment by the Department of Transportation on any required submittals pertaining to an Olympic or Paralympic event or a Special Olympics International event.

(4) Providing technical assistance.

SEC. 1636. BETTER UTILIZING INFRASTRUCTURE FOR LASTING DEVELOPMENT OF VETERANS BUSINESSES ACT.

(a) DEFINITIONS.—In this section, the following definitions apply:
(1) **Small Business Concern.**—The term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(2) **Veteran.**—The term “veteran” has the meaning given the term in section 101(2) of title 38, United States Code.

(3) **Veteran owned small business concern.**—The term “veteran owned small business concern” has the meaning given the term “small business concern owned and controlled by veterans” in section 3(q) of the Small Business Act (15 U.S.C. 632 (q)).

(b) **Amounts for Veteran Owned Small Business Concerns.**—Except to the extent that the Secretary of Transportation determines otherwise, not less than 3 percent of the amounts made available for any program under titles I, II, V, and VII of this division and section 403 of title 23, United States Code, shall be expended through veteran owned small business concerns.

(c) **Uniform Criteria.**—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a veteran owned small business concern for the purpose of this section. Such criteria shall include a limit on the personal
net worth of the veterans who own and control the small
business concern.

(d) REPORTING.—The Secretary shall establish min-
imum requirements for use by State government in report-
ing to the Secretary—

(1) information concerning veteran owned small
business concern awards, commitments, and achieve-
ment; and

(2) such other information as the Secretary de-
determined to be appropriate for the proper moni-
toring of the veterans business enterprise program.

SEC. 1637. VEHICLE WEIGHT LIMITATIONS.

Section 127(i)(1)(A) of title 23, United States Code,
is amended by inserting “an emergency or” before “a
major disaster”.

SEC. 1638. ROADWAY WORKER PROTECTION WORKING
GROUP.

(a) Establishment.—Not later than 180 days after
the date of enactment of this Act, the Secretary of Trans-
portation shall establish a working group (in this section
referred to as the “Working Group”) to review the meth-
ods, practices, and technologies necessary to protect work-
ers in roadway work zones.

(b) Membership.—
(1) **APPOINTMENT.**—The Secretary shall appoint to the Working Group individuals with knowledge and expertise in roadway safety.

(2) **REPRESENTATION.**—The Working group shall include at least one representative of each of the following:

(A) State departments of transportation.

(B) Local governments or metropolitan planning organizations.

(C) Temporary traffic control organizations.

(D) Roadway user organizations.

(E) Vehicle and commercial vehicle manufacturers.

(F) Labor organizations.

(G) Traffic safety organizations.

(H) Motor carrier and independent owner-operator organizations.

(I) Law enforcement and first responder organizations.

(J) Autonomous vehicle technology companies.

(K) Any other stakeholders that the Secretary determines appropriate.
(3) **TERMINATION.**—The Working Group shall terminate 6 months after the date on which the Secretary receives the report under subsection (f)(1).

(e) **DUTIES.**—In carrying out the review required under subsection (a), the Working Group shall—

(1) evaluate and analyze current work zone safety and worker protection traffic control best practices;

(2) identify causes of work zone injuries and fatalities;

(3) identify and evaluate technologies related to vehicle interaction with work zones and workers in work zones; and

(4) identify challenges for transportation construction project sponsors regarding improving work zone safety.

(d) **CONSULTATION.**—In carrying out the review required under subsection (a), the Working Group shall consult with—

(1) transportation construction contractor organizations;

(2) roadway and roadway safety equipment manufacturer organizations;

(3) academic experts; and
(4) any other stakeholder the Working Group determines appropriate.

(c) Reports.—

(1) Working Group report.—Not later than 2 years after the date on which the Working Group is established, the Working Group shall submit to the Secretary a report that includes—

(A) the findings of the review required under subsection (a), including a summary of any comments received during the consultation process under subsection (d); and

(B) recommendations on safety countermeasures, technologies, programs and policies for the Department of Transportation to improve roadway work zone safety and practices.

(2) Report to Congress.—Not later than 1 month after the date on which the Secretary receives a report under paragraph (1), 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 summary of the report.

Page 700, line 15, strike “and” at the end.

Page 700, after line 15, insert the following (and redesignate the subsequent subparagraph accordingly):

Page 700, line 15, strike “and” at the end.

Page 700, after line 15, insert the following (and redesignate the subsequent subparagraph accordingly):

Page 700, line 15, strike “and” at the end.

Page 700, after line 15, insert the following (and redesignate the subsequent subparagraph accordingly):
(B) in subparagraph (M) strike “; or” and insert a semicolon;

Page 700, strike lines 19 through 20 and insert the following:

(ii) by striking “(as defined in section 5339(c)) or facilities.” and inserting “or facilities; or”; and

Page 700, after line 20, insert the following:

(D) by adding at the end the following:

“(O) the employment of forensic consultants, cybersecurity experts, or third-party penetration testers to identify, evaluate, test, and patch ransomware attack vulnerabilities.”; and

Page 710, strike lines 1 through 2 and insert the following:

(B) in clause (ii) by striking “and vehicle electronics.” and inserting “cybersecurity and mitigating the threat of ransomware, and vehicle electronics; and”; and

Page 710, after line 6, insert the following (and redesignate the subsequent paragraphs accordingly):

(2) in subsection (a)(2)—
(A) by redesignating subparagraphs (H)
and (I) as subparagraphs (I) and (J), respec-
tively; and
(B) by inserting after subparagraph (G)
the following:
“(H) cybersecurity and mitigating the
threat of ransomware;”;

Page 783, line 2, strike “as”.

Page 758, line 17, strike “and” at the end.

Page 758, after line 21, insert the following:

(C) add at the end the following:
“(3) MEANINGFUL CONNECTIONS.—All projects
funded under this subsection shall directly serve, or
make meaningful scheduled connections to, the na-
tional intercity bus network.”; and

Page 801, beginning on line 1, strike “with a goal
of identifying skills gaps, retraining existing workers”
and insert “by identifying skills gaps, training needs, and
retraining needs of the existing workers of such appli-
cant”.

Page 801, line 4, strike “avoiding” and insert
“avoids”.
Page 806, line 15, strike the closing quotation mark and the period at the end.

Page 806, after line 15, insert the following:

“(4) PRIORITY IN.—In making grants under this subsection, the Secretary shall prioritize applications that jointly fund training as part of a vehicle procurement application under subsection (c).”.

Page 812, after line 2, insert the following:

“(H) Projected impact on the ability of students to access education or workforce training programs.

Page 814, line 16, strike “or” at the end.

Page 814, line 24, strike the period and insert “; or”.

Page 814, after line 24, insert the following:

“(iii) that is a low-income veteran or member of the military.

Page 837, line 22, insert “a” before “program”.

Page 843, after line 24, insert the following new section:
SEC. 2607. RESILIENT PUBLIC TRANSPORTATION STUDY.

(a) STUDY.—The Secretary of Transportation shall conduct a study on resilience planning and innovative resilience strategies for public transportation and shared mobility.

(b) CONTENTS.—In carrying out the study under subsection (a), the Secretary shall assess—

(1) best practices for making public transportation more resilient to external shocks, such as pandemics and natural hazards; and

(2) new materials and technologies that may improve the resilience of public transportation and shared mobility, including innovative transit vehicles, emerging electric vehicle chassis platforms, and smart air quality control systems.

(c) PARTNERSHIPS.—In carrying out the study under subsection (a), the Secretary shall consult with institutions of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), academic experts, and nonprofit organizations with expertise in engineering, travel behavior, artificial intelligence, policy analysis, planning, public healthy and safety, and social and racial equity.

(d) 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 the results of the study conducted under subsection (a).

Page 877, line 19, insert “, or that the annual operating cost of the proposed project does not exceed 5 percent of the annual cost to operate and maintain the overall public transportation system of the applicant” after “project”.

Page 900, after line 12, insert the following:

SEC. 2919. DISPOSITION OF ROLLING STOCK TO IMPROVE AIR QUALITY GOALS.

Section 5334 of title 49, United States Code, is further amended by adding at the end the following:

“(m) DISPOSITION OF ROLLING STOCK TO MEET AIR QUALITY GOALS.—

“(1) IN GENERAL.—If a recipient, or subrecipient, for assistance under this chapter disposes of rolling stock with a current market value, or proceeds from the disposition of such rolling stock, acquired under this chapter at least in part with such assistance, before such rolling stock has reached its useful life, the Secretary may allow the recipient, or subrecipient, to use the proceeds attributable to the
Federal share of such rolling stock calculated under paragraph (3) for capital projects under section 5307, 5310, or 5311 without need for repayment of the Federal financial interest.

“(2) COVERED ROLLING STOCK.—This subsection shall only apply to rolling stock disposed of—

“(A) which are replaced by rolling stock that will help improve attainment of air quality goals compared to the rolling stock being replaced;

“(B) for which the recipient is located in an area that is designated as a nonattainment area for particulate matter under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

“(3) CALCULATION OF FEDERAL SHARE ATTRIBUTABLE.—The proceeds attributable to the Federal share of rolling stock described in paragraph (1) shall be calculated by multiplying—

“(A) the current market value of, or the proceeds from the disposition of, such asset; and
“(B) the Federal share percentage for the acquisition of such asset at the time of acquisition of such asset.”.

Page 909, line 19, strike “and” at the end.

Page 909, after line 19, insert the following (and redesignate the subsequent paragraph accordingly):

(4) State highway safety offices; and

Page 913, strike lines 19 through 25 and insert the following:

“(2) Reduce instances of distracted driving.
“(3) Reduce instances of speeding by drivers.

Page 951, after line 2, insert the following:

SEC. 3016. REPORT ON IMPAIRED DRIVING.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with the heads of appropriate Federal agencies, State highway safety offices, State toxicologists, traffic safety advocates, and other interested parties, 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 that, using the National Safety Council model guidelines for toxicology testing—
identifies any barriers that States encounter in submitting the alcohol and drug toxicology results to the Fatality Analysis Reporting System;

(2) provides recommendations on how to address any barriers identified under paragraph (1);

(3) provides further steps that the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, shall take to assist States in improving—

(A) toxicology testing in cases of motor vehicle crashes; and

(B) the reporting of alcohol and drug toxicology results in cases of motor vehicle crashes.

SEC. 3017. IMPAIRED DRIVING COUNTERMEASURE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a priority should be placed on creating State systems, programs, and processes that improve impaired driving detection in cases in which alcohol, drugs, and especially multiple substances are involved;

(2) States and communities should have access to a broader range of countermeasures, technologies, and resources to address multiple substance impaired driving; and
(3) increased Federal funding should be made available for efforts to improve public safety through the approaches described in paragraphs (1) and (2).

(b) PURPOSE.—The purpose of this section is to increase national investment in, and maximize the use of, innovative programs and technologies to eliminate multiple substance impaired driving.

(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (4)—

(A) in subparagraph (B)—

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

“(iii)(I) court support of high-visibility enforcement efforts;

“(II) hiring criminal justice professionals, including law enforcement officers, prosecutors, traffic safety resource prosecutors, judges, judicial outreach liaisons, and probation officers;

“(III) training and education of the criminal justice professionals described in subclause (II) to assist those professionals in preventing impaired driving and handling impaired driving cases, including by
providing compensation to a law enforcement officer to replace a law enforcement officer who is—

“(aa) receiving such drug recognition expert training; or

“(bb) participating as an instructor in such drug recognition expert training; and

“(IV) establishing driving while intoxicated courts;”;

(ii) by striking clauses (v) and (vi) and inserting the following:

“(v) improving—

“(I) blood alcohol concentration screening and testing;

“(II) the detection of potentially impairing drugs, including through the use of oral fluid as a specimen; and

“(III) reporting relating to the testing and detection described in sub-clauses (I) and (II);

“(vi)(I) paid and earned media in support of high-visibility enforcement efforts;
“(II) conducting initial and continuing—

“(aa) standardized field sobriety training, advanced roadside impaired driving enforcement training, and drug recognition expert training for law enforcement; and

“(bb) law enforcement phlebotomy training; and

“(III) to purchase equipment to carry out impaired driving enforcement activities authorized by this subsection;”; (iii) in clause (ix), by striking “and” at the end;

(iv) in clause (x), by striking the period at the end and inserting “; and”; and (v) by adding at the end the following:

“(xi) testing and implementing programs and purchasing technologies to better identify, monitor, or treat impaired drivers, including—

“(I) oral fluid screening technologies;

“(II) electronic warrant programs;
“(III) equipment to increase the scope, quantity, quality, and timeliness of forensic toxicology chemical testing;

“(IV) case management software to support the management of impaired driving offenders; and

“(V) technology to monitor impaired driving offenders.”; and

(B) in subparagraph (C)—

(i) in the second sentence, by striking “Medium-range” and inserting the following:

“(ii) MEDIUM-RANGE AND HIGH-RANGE STATES.—Subject to clause (iii), medium-range”;

(ii) in the first sentence, by striking “Low-range” and inserting the following:

“(i) LOW-RANGE STATES.—Subject to clause (iii), low-range”; and

(iii) by adding at the end the following:

“(iii) ALL STATES.—

“(I) REPORTING OF IMPAIRED DRIVING CRIMINAL JUSTICE INFORM-
TION.—A State may use grant funds for any expenditure designed to increase the timely and accurate reporting of crash information, including electronic crash reporting systems that allow accurate real-time or near real-time uploading of crash information, and impaired driving criminal justice information to Federal, State, and local databases.

“(II) IMPAIRED DRIVING COUNTERMEASURES.—A State may use grant funds for any expenditure to research or evaluate impaired driving countermeasures.”; and

(2) in paragraph (7)(A), in the matter preceding clause (i), by inserting “or local” after “authorizes a State”.

Page 961, after line 10, insert the following (and redesignate subsequent paragraphs accordingly):

(8) Information on the use of driver safety applications, if applicable.

(9) Information on work-related injury and illness data of drivers.
Page 1037, line 13, insert “and deployment” before “of materials”.

Page 1037, line 13, strike “reduce or” and insert “capture, absorb, adsorb, reduce, or”.

Page 1037, beginning on line 20, strike “reduce or” and insert “capture, absorb, adsorb, reduce, or”.

Page 1037, line 23, strike “reduce or” and insert “capture, absorb, adsorb, reduce, or”.

Page 1037, line 24, strike “and”.

Page 1038, line 2, strike “reduce or” and insert “capture, absorb, adsorb, reduce, or”.

Page 1038, line 3, strike the period and insert “; and”.

Page 1038, after line 3, insert the following:

“(D) in coordination with standards-setting organizations, such as the American Association of State Highway and Transportation Officials, carrying out research on—

“(i) the extent to which existing state materials procurement standards enable the deployment of materials proven to most
effectively reduce or sequester greenhouse
gas emissions;

“(ii) opportunities for States to adapt
procurement standards to more frequently
procure materials proven to most effec-
tively reduce or sequester greenhouse gas
emissions; and

“(iii) how to support or incentivize
States to adapt procurement standards to
incorporate more materials proven to most
effectively reduce or sequester greenhouse
gas emissions.

Page 1038, line 13, strike “reduce or” and insert
“capture, absorb, adsorb, reduce, or”.

Page 1040, line 24, strike “reduce or” and insert
“capture, absorb, adsorb, reduce, or”.

Page 1041, line 24, strike “means a” and insert the
following:

“(A) a

Page 1042, line 2, strike the closing quotation mark
and the second period and insert “; and”.

Page 1042, after line 2, insert the following:
“(B) a State department of transportation.”.

Page 1076, after line 6, add the following:

SEC. 5112. INTEGRATED PROJECT DELIVERY.

(a) IN GENERAL.—The Secretary of Transportation shall seek to enter into an agreement with the National Academy of Sciences to support and carry out a study of the effectiveness of integrated project delivery in delivering large infrastructure projects.

(b) CONTENTS.—

(1) AREAS OF STUDY.—The study shall—

(A) identify best practices for surface transportation project delivery with a focus on delivery of large or complex projects;

(B) determine whether there are any regulatory requirements that limit the use of integrated project delivery and the purpose of such regulations; and

(C) analyze the effectiveness of integrated project delivery compared to traditional project delivery methods, including an analysis of outcomes related to safety, cost effectiveness, environmental impacts, and on-time project delivery.
(2) METHODS.—In carrying out the study, the National Academy of Sciences shall consult with entities with experience managing, administering, or implementing integrated project delivery projects.

(c) REPORT.—Not later than 1 year after the completion of the study under subsection (a), the Secretary shall publish a report on the results of the study under this section.

SEC. 5113. ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF ADVANCED DIGITAL CONSTRUCTION MANAGEMENT SYSTEMS.

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

“(5) ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF ADVANCED DIGITAL CONSTRUCTION MANAGEMENT SYSTEMS.—

“(A) IN GENERAL.—The Secretary shall, to the extent practicable, under the technology and innovation deployment program established under paragraph (1), promote, support, and document the application of advanced digital construction management systems, practices, performance, and benefits.

“(B) GOALS.—The goals of promoting the accelerated implementation and deployment of
advanced digital construction management systems established under subparagraph (A) shall include—

“(i) accelerated State and local government adoption of advanced digital construction management systems applied throughout the project delivery process (including through the design and engineering, construction, and operations phases) that—

“(I) maximize interoperability with other systems, products, tools, or applications;

“(II) boost productivity;

“(III) manage complexity and risk;

“(IV) reduce project delays and cost overruns;

“(V) enhance safety and quality; and

“(VI) support sustainable design and construction;

“(ii) more timely and productive information-sharing among stakeholders through digital collaboration platforms
that connect workflows, teams, and data
and reduced reliance on paper to manage
construction processes and deliverables;
“(iii) deployment of digital manage-
ment systems that enable and leverage the
use of digital technologies on construction
sites by contractors;
“(iv) the development and deployment
of best practices for use in digital con-
struction management;
“(v) increased technology adoption
and deployment by States and units of
local government that enables project spon-
sors—
“(I) to integrate the adoption of
digital management systems and tech-
nologies in contracts; and
“(II) to weigh the cost of
digitization and technology in setting
project budgets;
“(vi) technology training and work-
force development to build the capabilities
of project managers and sponsors that en-
ables States and units of local govern-
ment—
“(I) to better manage projects using advance digital construction management technologies; and

“(II) to properly measure and reward technology adoption across projects of the State or unit of local government;

“(vii) development of guidance to assist States in updating regulations of the State to allow project sponsors and contractors—

“(I) to report data relating to the project in digital formats; and

“(II) to fully capture the efficiencies and benefits of advanced digital construction management systems and related technologies;

“(viii) reduction in the environmental footprint of construction projects using advanced digital construction management systems resulting from elimination of congestion through more efficient projects;

“(ix) development of more sustainable infrastructure that is designed to be more resilient to climate impacts, constructed
with less material waste and made with
more low-emissions construction materials;
and
“(x) enhanced worker and pedestrian
safety resulting from increased trans-
parency.”.

Page 1083, strike lines 8 through 9 and insert the
following:

(C) in clause (vii)—

(i) by inserting “increasing job oppor-
tunities,” after “performance,”; and

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

Page 1083, line 11, insert “the deployment” after
“accelerate”.

Page 1083, line 12, insert “the safe deployment”
after “prepare for”.

Page 1083, strike lines 19 through 21 and insert the
following:

(A) in clause (ii)—

(i) in subclause (II)(aa) by striking
“congestion” and inserting “congestion
and delays, greenhouse gas emissions”;
(ii) in subclause (III) by inserting “economic,” after “mobility,”; and

(iii) in subclause (IV) by inserting “organizations representing the surface transportation workforce,” after “leaders,”; and

Page 1085, line 16, strike the closing quotation mark and the semicolon.

Page 1085, after line 16, insert the following:

“(vi) WORKFORCE PARTNERSHIPS.—

In awarding a grant under this paragraph, the Secretary shall consider, to the extent practicable, any demonstrated partnership of the applicant with representatives of the surface transportation workforce.”;

Page 1085, after line 17, insert the following (and redesignate the subsequent subparagraphs accordingly):

(A) in clause (iv) by inserting “consistent with section 5312 of title 49” after “systems”;

Page 1086, line 4, strike “or”.

Page 1086, line 9, strike the first period and all that follows through the second period and insert “; or”.
Page 1086, after line 9, insert the following:

“(xi) retrofitting dedicated short-range communications technology deployed as part of an existing pilot program to cellular vehicle-to-everything technology.”;

Page 1088, line 2, insert “, workers,” after “users”.

Page 1127, line 21, strike “technology”.

Page 1159, after line 17, insert the following:

SEC. 6008. TRANSPORTATION EQUITY ADVISORY COMMITTEE.

(a) Establishmen—

(1) In general.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish an advisory committee, to be known as the Transportation Equity Committee (referred to in this section as the “Committee”), regarding comprehensive and interdisciplinary issues related to transportation equity from a variety of stakeholders in transportation planning, design, research, policy, and advocacy.

(2) Purpose of the advisory committee.—

The Committee established under paragraph (1) shall provide independent advice and recommendations to the Secretary on transportation equity, in—
cluding developing a strategic plan with recommendations to the Secretary on national transportation metrics and the effect on such factors as economic development, connectivity, and public engagement.

(b) DUTIES.—The Committee shall evaluate the work of the Department of Transportation in connecting people to economic and related forms of opportunity and revitalize communities in carrying out its strategic, research, technological, regulatory, community engagement, and economic policy activities related to transportation and opportunity. Decisions directly affecting implementation of transportation policy remain with the Secretary.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Secretary shall appoint an odd number of members of not less than 9 but not more than 15 members (with a quorum consisting of a majority of members rounded up to the nearest odd number), to include balanced representation from academia, community groups, industry and business, non-governmental organizations, State and local governments, federally recognized Tribal Governments, advocacy organizations, and indigenous groups with varying points of view.
(2) **BROAD REPRESENTATION.**—To the extent practicable, members of the Committee shall reflect a variety of backgrounds and experiences, geographic diversity, including urban, rural, tribal, territories, and underserved and marginalized communities throughout the country, and individuals with expertise in related areas such as housing, health care, and the environment.

(3) **REPLACEMENT FOR NON-ACTIVE MEMBERS.**—The Secretary may remove a non-active member who misses 3 consecutive meetings and appoint a replacement to service for the period of time set forth in paragraph (5).

(4) **MEETINGS.**—The Committee shall meet not less than 2 times each year with not more than 9 months between meetings at a reasonable time, in a place accessible to the public, and in a room large enough to accommodate the Committee members, staff, and reasonable number of interested members of the public. The room in which the Committee meets shall be large enough to accommodate at least 100 and shall be compliant with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(5) **TERM.**—Each member of the Committee shall serve a 2-year term with not more than 2 con-
secutive term reappointments, but may continue
service until a replacement is appointed.

(6) SUPPORT.—The Office of the Under Sec-
retary for Policy of the Department of the Depart-
ment of Transportation shall provide necessary
funding, logistics, and administrative support for the
Committee.

(d) APPLICATION OF FACA.—The Federal Advisory
Committee Act (5 U.S.C. App.) shall apply to the Com-
mittee established under this section, with the exception
of section 14 of such Act.

SEC. 6009. SENSE OF CONGRESS.

It is the sense of the Congress that walking, bicycling,
and public transportation are complementary modes of
transportation, and that pedestrian and bicycle pathways
and related improvements within the right-of-way of public
transportation are an appropriate use of the right-of-way
for the benefit of the public, do not exceed the reasonable
use of the right-of-way, and every effort should be made
to support the development and safe operation of such pe-
destrian and bicycle pathways.

Page 1166, line 3, strike “and” at the end.

Page 1166, line 4, insert “in paragraph (1)” before
“by striking”.

Page 1166, line 5, strike the semicolon and insert “;
and”.

Page 1166, after line 5, insert the following:

(C) in paragraph (4) by striking
“$1,000,000” and inserting “$2,000,000”;

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

“(e) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed—

“(1) to affect any provision, limitation, or pro-
hibition with respect to the transportation of a speci-
fied lithium battery in effect as of the date of enact-
ment of this section; or

“(2) to authorize transportation of any such
battery if such transportation is not already author-
ized as of the date of enactment of this section.

Page 1178, line 16, add a period at the end.

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.

Page 1166, after line 5, insert the following:

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.

Page 1166, after line 5, insert the following:

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.

Page 1166, after line 5, insert the following:

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.

Page 1166, after line 5, insert the following:

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.

Page 1166, after line 5, insert the following:

Page 1177, after line 6, insert the following (and re-
designate the subsequent subsection accordingly):

Page 1185, line 19, strike “20171” and insert
“22912”.

Page 1372, line 15, strike “an entity” and insert “a
railroad carrier”.
SEC. 9401. SENSE OF CONGRESS REGARDING COMMUTER RAIL LIABILITY INSURANCE.

(a) FINDINGS.—Congress finds the following:

(1) Prior to the COVID–19 pandemic, 32 commuter railroads across the United States safely carried passengers on more than 500,000,000 trips each year.

(2) Commuter rail is a $9,900,000,000 industry that creates and supports more than 200,000 public- and private-sector jobs, and continues to grow.

(3) Most commuter rail agencies are required to maintain liability insurance up to statutory liability limits.

(4) Commuter rail agencies face significant obstacles to finding and obtaining liability insurance.

(5) Only a handful of insurers offer this coverage, and a significant percentage of the railroad liability insurance marketplace is provided by foreign companies.

(6) The number of insurers in the American and foreign markets willing to even offer potential capacity for this coverage has drastically decreased over the past several years, and, regardless of cost,
it is becoming extremely difficult for commuter railroads to obtain the needed coverage.

(7) Despite the exceptional safety record of commuter railroads and recent full compliance with positive train control, a 2021 survey of the American Public Transportation Association’s commuter rail agencies revealed that there has been a 60 percent increase in premium costs over the last 3 years.

(8) The increase in premiums is largely due to factors outside the control of the commuter rail industry, including major forest fires, hurricanes, and insurers exiting the market.

(9) The cost of liability insurance severely impacts the operating budgets of many commuter rail agencies and potentially affects their ability to offer these critical public transportation services.

(b) Sense of Congress.—It is the sense of Congress that Congress should address the capacity and cost issues associated with the commuter rail liability insurance market and consider establishing a commuter rail insurance program within the Department of Transportation.

Page 1344, line 17, strike “and” at the end.

Page 1344, after line 17, insert the following (and redesignate the subsequent paragraph accordingly):
“(2) shall give priority to projects that provide
direct benefits to socially disadvantaged individuals
(as such term is defined in section 22906(b)); and

Page 1383, after the matter following line 3, add the
following:

SEC. 9606. RAIL RESEARCH AND DEVELOPMENT CENTER
OF EXCELLENCE.

Section 20108 of title 49, United States Code, is
amended by adding at the end the following:

“(d) RAIL RESEARCH AND DEVELOPMENT CENTER
OF EXCELLENCE.—

“(1) CENTER OF EXCELLENCE.—The Secretary
may provide a grant to an entity described in para-
graph (2) to establish a Center of Excellence to ad-
vance research and development that improves the
safety, efficiency, and reliability of passenger and
freight rail transportation.

“(2) ELIGIBILITY.—An institution of higher
education (as defined in section 101 of the Higher
Education Act of 1965 (20 U.S.C. 1002)) or a con-
sortium of nonprofit institutions of higher education
shall be eligible to receive a grant under this sub-
section.

“(3) SELECTION CRITERIA.—In awarding a
grant under this subsection, the Secretary may—
“(A) give preference to an applicant with strong past performance related to rail research, education, and workforce development activities;

“(B) consider the extent to which the applicant would involve public passenger and private and public freight railroad operators; and

“(C) consider the regional and national impacts of the applicant’s proposal.

“(4) USE OF FUNDS.—Amounts awarded under this subsection may be used to establish and operate the Center of Excellence described in paragraph (1) and for research, evaluation, education, and workforce development and training efforts related to safety, environmental sustainability, and reliability of rail transportation, including—

“(A) rolling stock;

“(B) positive train control;

“(C) human factors, systems design, or fatigue;

“(D) rail infrastructure;

“(E) shared corridors;

“(F) grade crossings;

“(G) rail systems maintenance;

“(H) network resiliency;
“(I) programs to train railroad workers in needed skills; and

“(J) the development of programs or partnerships to raise awareness of railroad employment opportunities, in coordination with the Federal Railroad Administration.

“(5) FEDERAL SHARE.—The Federal share of the cost of an activity carried out with a grant under this subsection shall be 50 percent.”.