



COMMITTEE ON

# TRANSPORTATION & INFRASTRUCTURE

SAM GRAVES, CHAIRMAN  
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## H.R. \_\_\_\_\_, *BUILD America 250 Act*

### **Section 1. Short title; table of contents.**

This section provides the title of the bill as the “Building Unrivaled Infrastructure and Long-term Development for America’s 250<sup>th</sup> Act” or the “BUILD America 250 Act.” This section also provides the table of contents for the bill.

### **Section 2. Definitions.**

This section provides definitions for the bill, including that the “Comptroller General” means the Comptroller General of the United States. It also provides that “Department,” unless otherwise provided, means the United States Department of Transportation, and “Secretary,” unless otherwise provided, means Secretary of Transportation.

### **Section 3. Effective date.**

This section provides that the bill, including amendments made by the bill, takes effect on October 1, 2026, unless otherwise provided.

### **Section 4. Automatic execution of conforming changes.**

This section ensures that amendments to section headings in title 23 and 49 of United States Code and other transportation-related laws are automatically reflected in the tables of contents of such titles or laws without needing an additional clerical amendment.

# **Title I – Federal-Aid Highways**

## **Subtitle A – Authorizations and Programs**

### **Section 1101. Authorization of appropriations.**

This section authorizes contract authority to be appropriated from the Highway Trust Fund for the Federal-aid highway program (FAHP) and additional highway programs for fiscal year (FY) 2027 through FY 2031. It also includes authorizations from the General Fund for several programs from FY 2027 through FY 2031.

### **Section 1102. Obligation limitation.**

This section establishes the obligation limitation for the FAHP and highway safety construction programs for FY 2027 through FY 2031 and specifies funds that are exempt from such limitations. This section also provides for how obligation limitation is to be distributed.

### **Section 1103. Definitions.**

This section provides a definition for the term “digital infrastructure.” It also expands the definition of “operating costs for traffic monitoring, management, and control,” to include backup power systems, ensuring such projects are eligible under the Surface Transportation Block Grant (STBG) program.

### **Section 1104. Apportionment.**

This section updates administrative expenses for the Federal Highway Administration (FHWA) and prescribes the apportionment of Federal highway funds, including how funds are to be divided across programs when apportioned to the states.

### **Section 1105. Nationally significant multimodal freight and highway projects.**

This section makes changes to the Nationally Significant Multimodal Freight and Highway Projects (INFRA) program, including by broadening program eligibility to metropolitan planning organizations (MPOs) serving urbanized areas with a population of at least 50,000. This section also eliminates the 30 percent cap on multimodal projects.

### **Section 1106. National highway performance program.**

This section makes changes to the National Highway Performance Program (NHPP), including requiring the Secretary to determine compliance of asset management plans every two years, up from every year. This section also makes changes intended to allow for mitigation to occur at a regional level.

### **Section 1107. Federal share.**

This section amends current law to allow for an increased Federal share for rail-highway grade crossing improvements, as well as activities eligible under the Metropolitan Planning Program (MPP).

### **Section 1108. Bridge programs.**

This section authorizes formula and competitive programs to fund bridge improvement projects. Under the formula program established in this section, each state, the District of Columbia, and Puerto Rico will receive an annual apportionment based on several factors. The formula program includes a three percent set-aside for Tribal bridges. To address off-system bridges, the formula program requires that states set-aside 20 percent of annual funding amounts for such projects. The program also requires that states set-aside 25 percent of funds to run a competitive process to fund locally-owned bridge projects. The program provides that states may count off-system bridge projects funded by the set-aside for locally-owned bridges towards the off-system set-aside. Under the formula program, the Federal share for locally-owned bridges is 95 percent. This section also authorizes a competitive program to provide grants to improve the safety, efficiency, reliability, capacity, and utility of bridges on the National Highway System. The program stipulates that grant amounts shall be not less than \$50 million and that the Federal share of any project shall not exceed 50 percent. This section directs the Secretary to consider several factors when providing grants under this section, including the average daily person and freight throughput expected to be supported by the project, the safety benefits of the project, the national or regional economic benefits of the project, geographic diversity, and the extent to which the project is for a bridge in poor condition or at risk of falling into poor condition, among other considerations. Under the program, projects may be carried out through a multiyear grant agreement.

### **Section 1109. Emergency relief.**

This section makes changes to the Emergency Relief (ER) program intended to ensure resilience improvements are eligible under the program. It also stipulates that projects advance to the construction obligation stage within three fiscal years after either the date on which a Governor declares an emergency or the President declares a major disaster (whichever is later). It provides that the Secretary may extend this deadline if a Governor provides suitable justification. This section directs the Secretary to extend the deadline if the Secretary finds a project is delayed due to a lack of necessary permits or approvals. Additionally, this section requires the ER manual to be updated to reflect changes made in this section and going forward, requires that the manual be updated not less frequently than once every three years.

### **Section 1110. Toll roads, bridges, tunnels, and ferries.**

This section ensures that buses providing charter service receive the same treatment as transit buses with respect to toll facilities.

### **Section 1111. Railway-highway grade crossings.**

This section extends the Railway-Highway Grade Crossings program from FY 2027 through FY 2031.

### **Section 1112. Surface transportation block grant program.**

This section makes changes to the STBG program to include infrastructure improvements to existing facilities to withstand natural disasters and increase resilience. This section also provides a definition for a “low-water crossing.” This section also updates existing language intended to allow for Highway Safety Improvement Program (HSIP) funds to be counted towards the non-Federal share for a Transportation Alternatives (TA) project provided that certain conditions are met.

### **Section 1113. Transportation planning.**

This section makes changes to the MPP, including by allowing for a project on a previously approved Transportation Improvement Plan (TIP) or State Transportation Improvement Plan (STIP) to be added, if the project is unchanged. This section also allows for additional uses of MPP funds, including for the fiscal administration of local projects, preliminary design, local technical assistance, studies directly linked to transportation, and critical data procurement. This section also requires the Secretary to establish a process to allow for MPOs to qualify as a direct recipient of MPP funding. Under the process, MPOs may apply on a rolling basis to become direct recipients, and will be evaluated on legal, technical, and financial capacity. The process includes a mechanism to provide access to the necessary Federal-aid financial management systems.

### **Section 1114. Highway use tax evasion projects.**

This section extends the Highway Use Tax Evasion Projects program, which provides support for efforts to mitigate highway use tax evasion, through FY 2031.

### **Section 1115. National bridge and tunnel inventory and inspection standards.**

This section updates a finding of Congress that the continuous improvement of bridge conditions in the United States is essential, as well as updates a requirement that the Secretary review state compliance with standards on a biennial basis. This section also adds language to allow bridge projects to be bundled under the bridge formula program established under the bill.

### **Section 1116. Construction of ferry boats and ferry terminal facilities.**

This section reauthorizes the Ferry Boats and Ferry Terminal Facilities program from FY 2027 through FY 2031.

### **Section 1117. Highway safety improvement program.**

This section makes changes to HSIP. It broadens eligibility under the program, including by adding bollards, infrastructure that connects two or more existing segments of roadway safety infrastructure improvements, and digital infrastructure technologies, such as digital alerting systems and electronic ticketing (or e-ticketing). This section also makes changes to emphasize the safety of roadway workers.

### **Section 1118. CMAQ program.**

This section makes changes to the Congestion Mitigation and Air Quality Improvement (CMAQ) program, including by broadening eligibility to include projects that deploy advanced transportation and congestion management technologies and projects supporting digital infrastructure. This section requires states to obligate specified percentages of CMAQ funding on eligible alternative fueling projects for four years. This section also requires the Secretary to, not less frequently than every two years, update a table illustrating the cost-effectiveness of a range of projects eligible under the program for the consideration of states. Additionally, this section requires the Secretary to provide written notification to states and MPOs regarding the cost-effectiveness table and the requirement under the program that states and MPOs consider such information when selecting projects. It also repeals the Reduction of Truck Emissions at Port Facilities and Healthy Streets programs.

### **Section 1119. Safe streets and roads for all grant program.**

This section codifies the Safe Streets and Roads for All grant program. This section makes further changes to the program by reducing the set aside for planning grants to five percent, adding a 30 percent set aside for rural communities, and providing parity with the Federal cost share of other safety projects.

### **Section 1120. Territorial and Puerto Rico highway program.**

This section reauthorizes the Puerto Rico Highway Program and the Territorial Highway Program from FY 2027 through FY 2031.

### **Section 1121. HOV facilities.**

This section makes changes to ensure buses providing scheduled or charter service are given the same treatment as transit buses for the purposes of high occupancy vehicle (HOV) facilities. It also permits public authorities to establish procedures to allow alternative fuel vehicles to utilize HOV facilities through FY 2031.

### **Section 1122. National highway freight and high priority corridor program.**

This section makes changes to refocus the National Highway Freight Program (NHFP) to emphasize High Priority Corridors. It adds High Priority Corridors to the National Highway Freight Network (NHFN). This section increases the allowable redesignation mileage for the Primary Highway Freight System to not more than five percent of the total mileage of the system, up from three percent. When redesignating the Primary Highway Freight System, this section directs the Administrator to consider the movement of agricultural products and access to agricultural facilities. This section also requires states to designate critical rural freight corridors.

### **Section 1123. Wildlife crossings pilot program.**

This section makes changes to the Wildlife Crossings Pilot Program, including increasing the minimum amount required to be obligated on rural projects to 75 percent and placing a limitation of not more than five percent of funds to be used on non-construction activities. It also requires the Secretary to submit to Congress an annual report on the program.

### **Section 1124. Surface transportation accelerator grant program.**

This section establishes the Surface Transportation Accelerator Grant (STAG) discretionary program to fund surface transportation projects in local, regional, rural, and urban communities. Under the program, 50 percent of funding is for local and regional grants, 25 percent is for rural grants, and 25 percent is for urban grants.

The rural component defines a covered rural area as having a population of 50,000 or less and funds surface transportation projects in such areas. The rural component sets a minimum grant amount of \$5,000,000, while allowing the Secretary to use not more than 10 percent of available funds per fiscal year for grants with a smaller award size. The rural component includes a 15 percent set-aside for eligible projects located in states that have rural roadway fatalities due to lane departures greater than the average of all states. It also includes a 10 percent set-aside for eligible projects supporting the movement of agricultural products from rural areas, as well as a five percent set-aside for grants for eligible projects in small communities with a population of not more than 5,000.

The urban component defines a covered urban area as having a population of not less than 50,000 and funds surface transportation projects in such areas. The urban component sets a minimum grant amount of \$5,000,000, while allowing the Secretary to use not more than 10 percent of available funding per fiscal year for grants with a smaller award size.

The local and regional component defines a specified urban area as having a population of more than 200,000 and a specified rural area as those located outside of specified urban areas. The goal of the local and regional component is to fund eligible projects that will have a significant local or regional impact and improve surface transportation infrastructure. Under the local and regional component, grant amounts are specified as not less than \$5,000,000 for a specified urban area, not less than \$1,000,000 for a specified rural area, and are capped at \$25,000,000. This component also stipulates that a single state may not receive more than 15 percent of funds per fiscal year. The local and regional component requires that for each fiscal year, not more than

50 percent of funds shall be allocated for eligible projects in specified rural areas and not more than 50 percent of funds shall be allocated for eligible projects in specified urban areas.

#### **Section 1125. Repeal of program.**

This section repeals the Carbon Reduction Program.

#### **Section 1126. PROTECT program.**

This section makes changes to the PROTECT program by eliminating the formula funding component.

#### **Section 1127. Codification and improvement of Jason's law.**

This section creates a competitive grant program for projects that provide public parking for commercial motor vehicles (CMVs) to improve the safety of CMV drivers. Under the program, projects must be located on a Federal-aid highway or be a facility with reasonable access to a Federal-aid highway or freight facility. The Secretary is directed to select a project for a grant only if the Secretary determines that: there is a shortage of CMV parking capacity in the corridor in which the project is located; the eligible entity has consulted with motor carriers, CMV drivers, public safety officials and private providers of CMV parking; that the project will likely increase the availability or utilization of CMV parking, facilitate the movement of freight, or improve highway safety, traffic congestion, and air quality; and the eligible entity demonstrates the ability to provide for the maintenance and operation of the facility.

#### **Section 1128. Consolidated funding pilot program.**

This section creates a pilot program to allow up to ten states to receive their base apportionment in a lump sum. Under the pilot program, funds would be eligible for use for any project under existing highway formula programs. Participating states are required to obligate 25 percent of funding to regional and local areas in proportion to their relative shares of the population of the state and, are required to consult with MPOs and regional transportation planning organizations representing such areas, if any. Further, states are required to submit progress reports to the Secretary on meeting, or making progress towards meeting, FHWA performance measures.

#### **Section 1129. Registration fee on motor vehicles.**

This section requires the Administrator of the Federal Highway Administration to impose an annual registration fee to be collected by each state of \$130 for a covered electric vehicle (EV) and \$35 for a covered plug-in hybrid vehicle. Beginning in 2029, the Administrator is required to biennially increase both fee amounts by \$5, stipulating that the fee for covered EVs will not exceed \$150 and the fee for covered plug-in hybrids will not exceed \$50. To ensure compliance with the requirements of this section, the Administrator is directed to withhold an amount equal to 125 percent of the amount owed from the state's highway apportionment if a state does not comply.

### **Section 1130. Transfer of real property no longer needed.**

This section provides for a process to transfer real property acquired with Federal-aid funds. It provides several conditions that must be met for the Secretary to authorize a transfer, including that there is no longer a need for the real property, that the overall benefit of allowing the transfer is greater than the interest of the Federal Government in liquidation, and that there is no interest in acquiring the real property for Federal Government use.

### **Section 1131. Federal lands and tribal transportation programs.**

This section makes changes to the Federal Lands Transportation Program (FLTP), including by expanding the allowable use of funds under the program to include provisions for individuals with disabilities, as well as projects to improve the resilience of Federal lands and transportation facilities.

### **Section 1132. Tribal transportation program.**

This section makes changes to the Tribal Transportation Program (TTP), including allowing for any discretionary grants under title 23 or title 49, United States Code, awarded to an Indian Tribe to be administered as if allocated under the TTP program. It also excludes road grading from the limitation on funds that may be spent on maintenance.

### **Section 1133. Federal lands transportation program.**

This section makes changes to the FLTP, including allowing for program funds to support facilities for provisions for individuals with disabilities and projects to improve the resilience of Federal lands transportation facilities.

### **Section 1134. Federal lands access program.**

This section makes changes to the Federal Lands Access Program (FLAP), including expanding the allowable uses of funds under the program to include provisions for individuals with disabilities and projects to improve resilience.

### **Section 1135. Nationally significant Federal lands and tribal projects program.**

This section updates the Nationally Significant Federal Lands and Tribal Projects Program by lowering the required project cost threshold to \$5 million, down from \$12.5 million.

### **Section 1136. Tribal high priority projects program.**

This section reauthorizes the Tribal High Priority Projects program from FY 2027 through FY 2031.

### **Section 1137. Consolidation of programs.**

This section reauthorizes several safety programs from FY 2027 through FY 2031.

### **Section 1138. Update to nonmotorized trails definition.**

This section makes changes within the Recreational Trails Program (RTP) to update the definition of “motorized recreation” to provide an exception for electric bicycles. This section also adds language to provide that 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**

### **Section 1201. Project approval and oversight.**

This section increases the cost threshold for which value engineering is required for projects on the National Highway System to \$100 million. It also increases the cost threshold for major projects to \$1 billion and indexes the cost threshold to inflation.

### **Section 1202. Exemption from review.**

This section exempts certain housing, building, and transportation projects from Department of Transportation (DOT) section 4(f) review if those projects that have already been exempted from section 106 review under the *National Historic Preservation Act*. The full list of projects exempted can be found in the appendices of a program comment finalized by the Advisory Council on Historic Preservation on April 2, 2025. This section prohibits the exemption from applying to parts of a project not found in the program comment and to projects on Tribal lands unless a Tribal historic preservation officer allows it.

### **Section 1203. Efficient environmental reviews for project decisionmaking and One Federal Decision.**

This section makes various changes to the statute governing DOT’s environmental review processes, including requiring the Secretary to designate a single modal administration to serve as the Federal lead agency and requiring the Secretary to biennially review environmental review practices and regulations for areas of improvement. This section also clarifies environmental review timelines and page limits for the *National Environmental Policy Act* (NEPA) and extends a provision that limits the period in which a highway or transit project permit or approval may be challenged in court to rail projects. Finally, this section also requires the Secretary to update and evaluate its catalog of FHWA categorical exclusions for potential use by other agencies every three years.

#### **Section 1204. Reporting program.**

This section requires the Secretary to make any report on NEPA issued pursuant to this section publicly available on a DOT website within 30 days of its submission.

#### **Section 1205. Termination of environmental review implementation funds program.**

This section terminates the environmental review implementation funds program.

#### **Section 1206. Streamlining of environmental document preparation.**

This section allows an operating administration within DOT that is the lead agency for an environmental impact statement to eliminate an alternative for a proposed project from detailed consideration in the environmental impact statement if the alternative was previously considered and rejected in certain planning products, the lead agency provided guidance to the planning entity on environmental review, the process included opportunity for public review and comment, and the lead agency reviewed the planning entity's evaluation of the alternative.

#### **Section 1207. State and eligible entity assumption of responsibility for categorical exclusions.**

This section amends section 326 of title 23, United States Code, to allow certain transit agencies in urbanized areas to assume responsibility for determining the applicability of categorical exclusions. The Secretary is required to establish qualifications for permit a transit agency to assume responsibility. This section also extends the initial terms of an agreement related to the assumption of responsibilities for categorical exclusions to five years and allows an entity to renew the agreement for an additional 10-year term if they have assumed responsibility for at least 10 years.

#### **Section 1208. Surface transportation project delivery program.**

This section makes changes to the Surface Transportation Project Delivery Program, commonly referred to as NEPA assignment. This section updates the program to allow for states with NEPA assignment to assume environmental review of projects crossing state boundaries. This section extends the period a state may renew their participation in the program by stipulating that states that have assumed such responsibilities for five years may renew their participation in the program for a term of 10 years. Further, it limits the requirements for a state's written agreement to those described in the underlying section. This section also requires a state to notify the Secretary 180 days before they plan to terminate their participation.

#### **Section 1209. Program for eliminating duplication of environmental reviews.**

This section permanently extends the program that allows states that have assumed the responsibility for environmental reviews to make approvals for projects under state environmental laws rather than under NEPA.

### **Section 1210. Training and education; best practices.**

This section requires the National Highway Institute to offer classes relating to contract management, competition in contracting, contract scoping, and managing state contract officers and engineers. This section also requires the DOT to develop and maintain best practices for states to improve contract specificity and increase competition. States are required to submit a plan to DOT on how they intend to implement best practices.

### **Section 1211. Accelerated decisionmaking in environmental reviews.**

This section clarifies that a DOT operating administration may adopt and incorporate by reference various environmental review documents published by operating administrations.

### **Section 1212. Aligning Federal environmental reviews.**

This section requires the Secretary, in coordination with the heads of relevant Federal agencies, to establish and periodically update a coordinated environmental review and permitting process for transportation projects and maintain a checklist for project sponsors to identify potential natural, cultural, and historic resources in the area of a proposed project. The Secretary is required to include any challenges in aligning Federal environmental reviews under this section in their biennial report to Congress.

### **Section 1213. FTA allowance of land acquisition.**

This section allows the Secretary to reimburse a recipient for the acquisition of real property interests before the completion of environmental reviews without affecting subsequent approvals required for the project. This section clarifies that a recipient may carry out, at their own expense, the acquisition of interests in real property before the completion of NEPA, without affecting subsequent approvals for the project, and may seek reimbursement if the real property interests are incorporated into an eligible capital project.

### **Section 1214. Categorical exclusion for projects of limited Federal assistance.**

This section increases the cost thresholds under which projects can qualify for the categorical exclusion for projects of limited Federal assistance. Projects that receive less than \$12,000,000 in Federal assistance can now qualify (up from \$6,000,000), as can and projects with a total cost of \$70,000,000 (up from \$35,000,000). The use of such categorical exclusion is limited to DOT.

### **Section 1215. Programmatic agreements.**

This section extends the use of state categorical exclusion programmatic agreements from the FHWA to the entire DOT and requires the Secretary to include determinations of types of projects that may be categorically excluded. The Secretary is further required to revise the template programmatic agreement to include an updated list of projects that may be categorically excluded under NEPA to increase flexibility for states.

### **Section 1216. Streamlining tribal categorical exclusions.**

This section directs the Secretary to develop a set of shared procedures with other Federal agency heads to allow sponsors of eligible Tribal transportation program projects to submit one document demonstrating they have met the conditions for a categorical exclusion under NEPA.

### **Section 1217. Streamlining small safety projects.**

This section requires the Secretary to publish a uniform checklist for project sponsors to determine if certain safety projects qualify for a categorical exclusion.

### **Section 1218. Updates to categorical exclusions for public transportation projects.**

This section directs the Secretary to establish categorical exclusions the Federal Transit Administration (FTA) may use, including clarifying the use of categorical exclusions for the construction, repair, or replacement of transit shelters within an existing right-of-way. The Secretary is directed to minimize, to the greatest extent practicable, the documentation needed for a project if it is subject to a categorical exclusion or is subject to historic preservation review. The Secretary is further required to issue guidance to recipients of assistance on the process and procedure for projects that are subject to historic preservation review and brief Congress on the actions taken to carry out this section.

## **Subtitle C – Miscellaneous**

### **Section 1301. Transportation rulemaking committees.**

This section establishes a framework for the implementation of transportation rulemaking committees (TRCs). This section requires that the Secretary make all reports and recommendations produced by a TRC publicly available prior to initiating an applicable rulemaking and that any rulemaking resulting from a TRC is promulgated by a Notice of Proposed Rulemaking (NPRM).

### **Section 1302. Vehicle weight limits.**

This section amends vehicle weight limitations on the interstate system. It makes technical changes to only permit an emergency vehicle or covered heavy-duty tow or recovery vehicle to operate in excess of the weight limitation under a state permit. It provides parity for the weight of hydrogen vehicles with existing exemptions for gas and electric battery vehicles and allows for a 10 percent shift in weight variance along the axles of commercial motor vehicles carrying dry bulk goods. This section also adds state specific exemptions for weight limitations on the interstate system in the States of Arkansas, Louisiana, and Iowa, issued by special permits for covered agricultural and logging vehicles or divisible loads.

### **Section 1303. Designation of high priority corridors on the National Highway System.**

This section designates two routes as high priority corridors: U.S. Route 74 from I-26 in the vicinity of Columbus, North Carolina to I-85 in the vicinity of Kings Mountain, North Carolina; and U.S. Route 421 from Wilkesboro, North Carolina to Winston Salem, North Carolina.

### **Section 1304. Safety coordinators; determination of reasonable cost.**

This section makes changes intended to ensure state bicycle and pedestrian coordinators are focused on nonmotorized transportation safety. This section also makes changes to existing language to provide that the Secretary may require a highway bridge deck being replaced or rehabilitated with Federal funds to provide for the safe accommodation of pedestrians and bicyclists if the Secretary determines that such accommodation was not included in the original project scope and can be provided at a reasonable cost.

### **Section 1305. Updates to manual on uniform traffic control devices.**

This section requires the Secretary, when updating the Manual on Uniform Traffic Control Devices (MUTCD), to establish a standard for the minimum level of required retroreflectivity of traffic control devices and pavement markings. The resulting standard shall ensure that a minimum level of retroreflectivity is met in wet conditions and standardize border and lag contrast pavement markings on light-colored pavements and bridges.

### **Section 1306. Design standards.**

This section requires the Administrator to develop a list of categorial design exceptions from standards for the National Highway System for categories of multimodal projects and features on Federal-aid highways, including those that are recommended by FHWA, improve safety for vulnerable road users, and are currently subject to the design exception process.

### **Section 1307. Modernizing roadside safety hardware devices and administration policies.**

This section prohibits the Secretary from issuing a Federal-aid reimbursement eligibility letter for roadside safety hardware devices that do not meet the applicable crash test criteria in the “Manual for Assessing Safety Hardware (MASH), Second Edition,” so long as the Secretary is permitted to issue reimbursement eligibility letters for roadside safety hardware devices. This section further directs the Secretary to issue a NPRM to update standards and laboratory testing requirements for roadside safety hardware devices. The Secretary is required to establish a transportation rulemaking committee, not later than one year after enactment of this Act, to develop recommendations to increase the safety and performance of roadside safety hardware devices and inform the NPRM. After a final rule is issued, in accordance with the NPRM, the Secretary may not issue a Federal-aid reimbursement letter for roadside safety hardware devices.

### **Section 1308. Audit of FHWA oversight of roadside safety hardware devices.**

This section requires the DOT's Inspector General to conduct an audit of FHWA's oversight of roadside safety hardware devices, including state and territory standards and design specifications, crash testing, and state and territory compliance with the most recent MASH standards. The Inspector General is required to submit a report to Congress within one year after the audit is initiated, with recommendations to improve FHWA's oversight of roadside safety hardware devices.

### **Section 1309. Interagency bridge strike working group.**

This section requires the Secretary to establish an interagency bridge strike working group to coordinate between the Department and other agencies and provide guidance to bridge owners on evaluating and reducing the risk of bridge collapse from a vessel collision. The interagency working group is required to report to Congress and provide an analysis of current bridge vulnerabilities that risk leading to a collapse, recommendations for bridge owners to reduce risks, as well as provide recommendations on any policy changes necessary to prevent bridge collapses due to vessel strikes.

### **Section 1310. Bridge clearance best practices.**

This section requires the Secretary to 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, including such rental vehicles. The working group is required to report to Congress with recommendations, including to improve the availability of information and route signs specific to commercial motor vehicles or rental vehicles on GPS navigation systems and driver knowledge and awareness about bridge clearance strikes.

### **Section 1311. U.S. Congressman and prisoner of war Sam Johnson memorial highway.**

This section designates the portion of U.S. Highway 75 between President George Bush Turnpike and U.S. Highway 380 previously designated as "Sam Johnson Highway", as the "U.S. Congressman and Prisoner of War Sam Johnson Memorial Highway."

### **Section 1312. Technical assistance for contracting.**

This section allows for the Secretary to 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 procurement and administration of engineering and design services, including benefits and risks.

### **Section 1313. Preventing anticompetitive bidding practices.**

This section requires the Secretary to issue guidance to state departments of transportation on proactively preventing anticompetitive bidding practices on Federal-aid highway projects. It also

requires the Secretary to establish a transportation rulemaking committee to provide recommendations to revise Federal regulations to prevent and protect against anticompetitive bidding practices.

**Section 1314. Study on effectiveness of discretionary grant programs.**

This section requires the Comptroller General to conduct a study on the effectiveness of highway-related discretionary grant programs administered by DOT, including a review of the criteria used by the Department to evaluate and select projects, trends in funding allocations across project types, geographic regions, and jurisdictions, the average timeline from application submission to obligation of funds, the outcome of projects, and the frequency with which grant recipients at the local government level attempted to seek funding with alternative funding sources, including formula funds. The Comptroller General is required to report to Congress with recommendations associated with the results of the study, including to enhance project selection criteria, minimize cost overruns and delays in project delivery, better align discretionary grant program criteria with statutory program requirements and objectives, and improve the efficiency and administration of discretionary programs.

**Section 1315. Study on the effectiveness of formula grant programs.**

This section requires the Comptroller General to conduct a study on the effectiveness of highway formula grant programs, including a review of the criteria used by state departments of transportation to evaluate and select projects. The review will examine the alignment of formula funding use with the national performance goals established under section 150 of title 23, United States Code, and procedures used by states to provide formula funds to regional or local governments within the state when appropriate. The study also requires the Comptroller General to examine the extent to which the highway formula fund increases have or have not led to the attainment of national performance goals. The Comptroller General is required to report to Congress with recommendations associated with the results of the study.

**Section 1316. National Academies review of highway systems.**

This section requires the Secretary to seek to enter into an agreement with the Transportation Research Board (TRB) of the National Academy of Science to conduct a comprehensive study to review various FHWA recognized highway networks and systems, including the necessity of such networks and systems and how they interact. The section requires the TRB to submit to the Secretary and Congress a report describing the results of the study.

**Section 1317. Review of state and local consultation processes.**

This section requires the Comptroller General to review the STBG program, including the process by which FHWA notifies states and MPOs of amounts to be apportioned, amounts apportioned to states required to be obligated in areas based on population, including unobligated amounts, consultation processes established by states to consult with MPOs and RTPOs, and state selection processes for projects funded by amounts required to be obligated in areas based

on population. The Comptroller General is required to report to Congress on the review and provide any recommendations to improve consultation processes.

**Section 1318. Emergency relief working group.**

This section requires the Secretary to convene a working group to provide recommendations for supporting emergency relief efforts following natural disasters and assessing vulnerabilities in surface transportation assets. This section requires the working group to include representatives from FHWA, FMCSA, FTA, the Federal Emergency Management Agency (FEMA), state departments of transportation, transit agencies, and any other stakeholders the Secretary determines appropriate. The working group is tasked with analyzing and making recommendations on best practices for a state or transit agency to facilitate projects.

**Section 1319. Stopping threats on pedestrians.**

This section reauthorizes the Stopping Threats on Pedestrians program through FY 2031.

**Section 1320. Eliminating unnecessary reporting and requirements.**

This section eliminates unnecessary reporting requirements.

**Section 1321. Contracting for engineering and design services.**

This section ensures that the State of Minnesota is subject to requirements for contracting for engineering and design services.

**Section 1322. Advancing projects in cold weather states.**

This section requires the Secretary to review policies and procedures of FHWA relating to the Federal-aid highway program to ensure sufficient prioritization of reviews for construction projects in states in which construction season may be limited by cold weather.

**Section 1323. Interagency working group on roadway management in inclement weather.**

This section requires the Secretary to establish an interagency working group to develop best practices for roadway management in inclement weather. The interagency working group is required to report such best practices to Congress.

**Section 1324. Termination of neighborhood access and equity grant program.**

This section repeals the Neighborhood Access and Equity Grant Program.

**Section 1325. Task force on developing a 21<sup>st</sup> century surface transportation workforce.**

This section requires the Secretary to establish a task force on developing a 21<sup>st</sup> century surface transportation workforce to develop recommendations and strategies for the DOT to attract individuals to surface transportation careers and address any barriers.

**Section 1326. Study on national commuting trends.**

This section requires the Secretary to seek to enter into an agreement with the TRB of the National Academies to conduct a study on national trends related to commuting. The TRB is required to submit to the Secretary and Congress a report containing the results of the study, including an analysis of the impacts of commuting trends evaluated and recommendations for state departments of transportation and MPOs.

**Section 1327. Notification on regressive safety targets.**

This section requires the Secretary to notify Congress when a state sets a regressive performance target under HSIP.

**Section 1328. Study on domestic availability of yellow paint.**

This section requires the Secretary to study the feasibility of requiring yellow paint (including pigment used to produce water-based paint) for road and highway surface markings to be manufactured domestically. The Secretary is required to report to Congress on the findings under the study. Further, this section directs the Secretary, if it is determined there is sufficient domestic manufacturing capacity of yellow paint to address the needs of all road and highway surface markings in the United States, to recommend to the Director of the Office of Management and Budget to update relevant Buy America guidance to reflect such determination.

**Sec 1329. Study on corrosion prevention for bridges.**

This section requires the Secretary to carry out a study on best practices for addressing corrosion on weathering steel bridges, as well as the frequency and method of inspecting corrosion on steel bridges.

**Section 1330. Funding Federal-aid highways guidance.**

This section requires the Secretary to update and make publicly available the FHWA publication titled, "Funding Federal-aid Highways," to account for changes in law since the publication date.

## **Title II – Transportation Infrastructure Finance and Innovation**

### **Section 2001. Infrastructure finance.**

This section reauthorizes the *Transportation Infrastructure Finance and Innovation Act* (TIFIA) credit assistance program. This section adds the purchase or lease of drayage trucks as an eligible project in the TIFIA program. Additionally, this section requires the Secretary of Transportation to accept a qualified institution's creditworthiness analysis on behalf of a TIFIA applicant in combination with the Build America Bureau's own creditworthiness analysis.

This section lowers the threshold for intelligent transportation system projects to qualify, at \$10 million, and increases the project cost threshold for rural projects to \$150 million, adjusted annually for inflation. It clarifies that NEPA is not applicable to land acquisitions by a nonpublic entity if the purchase occurs prior to an application for TIFIA and codifies two categorical exclusions regarding rehabilitation of existing facilities and projects built on land previously disturbed for transportation use. This section also allows the Secretary to delay loan disbursement at the request of an obligor after the project is determined to be in substantial completion.

Lastly, this section requires the Secretary to reserve \$3 million set aside to provide assistance to small projects under \$75 million. It reauthorizes the State Infrastructure Bank Program as well as the allowance of the use of up to 15 percent of TIFIA funds for airport-related projects.

### **Section 2002. Emergency loan relief due to a major disaster.**

This section provides emergency loan relief if an eligible borrower of a TIFIA loan is unable to generate sufficient revenues due to a major disaster. The borrower may request the Secretary reset the interest rate of the loan. Upon request, the Secretary must determine that the borrower is unable to yield the necessary funds and consider if loan modifications would mitigate the financial impact or protect the interests of the Federal Government. This section also allows the Secretary to permit an obligor to add unpaid principal and interest to the outstanding balance of the loan for an aggregate period of not more than five years and extend the disbursement period as applicable.

### **Section 2003. Personnel management authority.**

This section allows the Secretary to carry out a program of personnel management to improve recruitment and retention of experts in finance and investment for the National Surface Transportation and Innovative Finance Bureau. Under this section, the Secretary may appoint 20 positions in the Bureau to have a basic pay rate up to 150 percent of the total annual compensation payable to the Vice President, and pay for the travel, transportation, and relocation expenses for up to five of the positions.

**Section 2004. Study on establishment of Federal Infrastructure Bank.**

This section directs the Secretary to enter into an agreement with the National Academies to conduct a study on the establishment of a Federal Infrastructure Bank. The study will identify potential forms of credit assistance, examine the potential financial benefits a Federal Infrastructure Bank offers, and analyze best practices of other infrastructure banks. The National Academies is required to consult with the Secretary, state infrastructure banks, and stakeholders with expertise in financial markets and infrastructure financing and submit a report detailing the findings of the study to Congress within two years.

## **Title III – Public Transportation**

### **Subtitle A – Reforms**

#### **Section 3001. Purpose and declaration of policy.**

This section amends FTA’s statutory mission to prioritize the delivery of safe, high-quality transit services and the safe transportation of passengers, workers, and property on Federally funded public transportation systems.

#### **Section 3002. Definitions.**

This section provides chapter-wide definitions for the terms “capital asset” and “transit asset management plan” as well as amends the definition of the term “associated transit improvement” to require that a transit improvement project be carried out within a specified distance from a transit facility depending on the type of project. This section also amends the chapter-wide definition of “capital project” to clarify that certain software is eligible as a capital project for purposes of Federal transit law.

#### **Section 3003. Transportation planning.**

This section amends planning provisions in Federal transit law as they relate to metropolitan transportation planning and statewide and nonmetropolitan transportation planning. Specifically, amendments in this section ensure such planning requirements account for the new consolidated block grant program (as such program is established by section 3006 of the bill), streamline public comment and review for amended Transportation Improvement Programs (TIPs), and scale back voluntary housing coordination and planning processes.

#### **Section 3004. Planning programs.**

This section aligns the definition of the term “State” with the chapter-wide definition of such term across all planning provisions in Federal transit law. This section also allows the FTA to waive both metropolitan and statewide planning requirements as they relate to certain territories in a manner commensurate with the FHWA’s planning authorities relating to territories.

#### **Section 3005. Urbanized area formula grants.**

This section amends the urbanized area formula grant program for purposes of: (1) allowing transit agencies operating a maximum of 125 buses to use a portion of their urbanized area formula funds for operating expenses; (2) eliminating redundant public hearing requirements; (3) requiring all transit agencies receiving urbanized area formula funds to spend at least one percent of that funding on crime prevention and security projects; (4) requiring all transit agencies receiving to spend at least one percent of their urbanized area formula funds on projects to improve accessibility for individuals with disabilities; (5) streamlining required audits provided the Secretary determines that the recipient has not established a pattern of deficiency in fulfilling grant requirements; and (6) consolidating various passenger ferry programs.

### **Section 3006. Consolidated state block grant program.**

This section establishes a consolidated state block grant program that allows the Secretary to allocate a lump sum to participating states for purposes of funding public transportation services in rural areas and in urbanized areas. A state must first notify designated recipients of the state's intent to participate in the block grant program and afford them the chance to opt in or out, and designated recipients are subsequently required to coordinate with direct recipients in the relevant urbanized area. Primary urbanized areas are prohibited from receiving block grant assistance from a state, rather, such areas will continue to obtain formula funding from the FTA in the same manner provided prior to the establishment of this program.

### **Section 3007. Fixed guideway capital investment grants.**

This section makes several changes to the Capital Investment Grants (CIG) program to streamline project delivery and improve program efficiency. Specifically, amendments to the CIG program in this section do the following: (1) expand the definition of "core capacity" to include projects that substantially increase the capacity of a system (in part or in whole) as well as makes eligible projects that reduce passenger travel time, including for passengers with disabilities and those who use wheelchairs; (2) rename "small starts" to "streamlined starts" and raise the maximum Federal assistance in a manner that captures most bus rapid transit projects as streamlined start projects; (3) Require applicants for new start, core capacity, and streamlined start projects to have initiated NEPA and have completed 30 percent of design and engineering prior to entering Project Development; (4) Allow applicants to receive a rating adjustment in rating certain criteria if the project will promote housing development along the project route; (5) require the Secretary to update the CIG policy guidance every two years and to issue specific policy guidance for core capacity projects that improve accessibility of the system; (6) prohibit the Secretary from locking in the government's contribution until 120 days after the project enters the engineering phase; and (7) codify the Expedited Project Delivery program established under the *Fixing America's Surface Transportation (FAST) Act*, make project elements designed to achieve a state of good repair eligible, and raise the award amount to 40 percent of the net capital project cost.

### **Section 3008. Formula grants for enhanced mobility of seniors and individuals with disabilities.**

This section codifies section 3006(b) of the *FAST Act*, the Innovative Coordinated Access and Mobility Program (ICAM). This section also amends the ICAM program to allow for projects to improve access to a facility of the Department of Veterans Affairs or an organization or facility that provides services to veterans using funds provided by the Department of Veterans Affairs.

### **Section 3009. Formula grants for rural areas.**

This section amends the formula grants for rural areas by adding a new definition for the term "insular area" in the definitions subsection and establishing a new insular area public transportation assistance program. This section also specifies a set-aside of \$25,000,000 for each

fiscal year to carry out the rural and insular component of the consolidated competitive ferry program. This section also amends the intercity bus transportation subsection to allow bus facilities that support intercity bus service to or from rural areas to be eligible for capital assistance and to clarify that an intercity bus project may extend beyond one or more state boundaries provided the project meets certain criteria. This section also establishes a minimum apportionment amount for calculating vehicle revenue miles relating to formula grants for public transportation on Indian reservations. Lastly, this section allows an Indian tribe to use its formula funding in the same manner as a recipient of Federal assistance under the new consolidated block grant program (as such program is established by section 3006 of the bill).

### **Section 3010. Technical assistance and workforce development.**

This section allows the Secretary to issue grants to provide technical assistance to transit agencies and to advance the development of voluntary and consensus-based standards. Additionally, this section codifies FTA's Transit Workforce Development Center for purposes of supporting the workforce development needs of urban, suburban, tribal, and rural public transportation authorities across the United States. Specifically, the Center is directed to improve access to on-the-job training opportunities, develop and maintain a workforce development strategy, and build awareness of youth-oriented programs for students to learn about careers in public transportation. Lastly, this section provides definitions for the terms "armed forces," "high school; secondary school," "institution of higher education", and "post secondary vocational institution."

### **Section 3011. Bus testing facility.**

This section amends Federal bus testing requirements to allow the Secretary to test new bus models equipped with advanced bus technologies. This testing may occur either at the current Federal bus testing center in Altoona, PA, or at another location if the Secretary determines that the facility in Altoona is not equipped to test such new bus models. This section also reduces the Federal cost share of bus testing to 60 percent (down from 80 percent) and provides for a technical rewrite of the bus test pass/fail standard in the underlying code.

### **Section 3012. Crime prevention and security.**

This section rewrites the underlying crime prevention and security section in code for purposes of specifying eligible activities a transit agency may undertake to address crime and improve safety through expending the required crime prevention and security set-aside provided for in section 3005 of the bill. This section also broadens transit funding eligibility to allow a transit agency to contract with local law enforcement and to hire transit support specialists who are trained to carry out a variety of duties to improve the security of public transportation systems. The section also allows a transit agency to expend up to 1.5 percent of urbanized area formula funds on operating costs for projects that reduce crime and improve security. Lastly, this section allows the Secretary to withhold 10 percent of urban area transit grant money if a jurisdiction lacks criminal or civil enforcement mechanisms to protect against fare evasion and unauthorized transit system access.

### **Section 3013. General provisions.**

This section provides for various amendments to the general provisions section in chapter 53, of title 49, United States Code. Specifically, amendments in this section do the following: (1) require the Secretary to issue a determination within 120 days of receiving a complaint of an alleged violation of the charter bus rule; (2) allow for a 90 percent cost share for the procurement of vehicles or vessels (ferryboats) that comply with the *Americans with Disabilities Act of 1990* (ADA), among other statutes; (3) require the Secretary to issue Buy America waiver determinations within 180 days from the date on which an applicant submits a waiver request to the Secretary while simultaneously providing authority to extend the deadline for six months, if necessary; (4) strengthen reasonable access to public transportation facilities for intercity passenger bus services by requiring a recipient to provide a response within 90 days to requestors seeking access to such facilities, as well as require the Secretary to establish and make publicly available a reasonable access standard to ensure compliance; (5) prohibit Federal assistance from being used to purchase rolling stock or powertrain components from companies under China's influence and eliminate the lifetime exemption to purchase rolling stock from a state-owned enterprise provided under current law to certain transit agencies; (6) codify FTA policy allowing for advance payments for bus rolling stock; and (7) establish a maximum Federal contribution for buses procured using Federal funds. The maximum Federal contribution varies by bus length and propulsion type and does not apply in instances where vehicles are being procured through a specified State procurement schedule.

### **Section 3014. Public transportation emergency relief program.**

This section amends the FTA's public transportation emergency relief program by establishing a six-year period of availability for the obligation of emergency relief grants. The Secretary may extend the period of availability of the award if an insurance claim related to a project that has received funding has not been adjudicated within the six-year period of availability.

### **Section 3015. Contract requirements.**

This section amends procurement requirements related to the acquisition of rolling stock. Specifically, this section requires a recipient that acquires bus rolling stock through the competitive procurement process to utilize performance specifications in the procurement process to the greatest extent practicable.

### **Section 3016. Transit asset management.**

This section updates the transit asset management section in chapter 53 of title 49, United States Code, to account for the 2016 transit asset management rulemaking the code statutorily required. This section prohibits the Secretary from construing the changes made to the law as requiring updates to the transit asset management regulations in part 625 of title 49, Code of Federal Regulations, or imposing new requirements on tier II providers beyond what the regulations require present day.

### **Section 3017. Project management oversight.**

This section requires the Secretary to update regulations in part 633 of title 49, Code of Federal Regulations, for purposes of modifying the term “major capital project” and providing that compliance reviews may occur annually rather than quarterly. Specifically, the section amends the term “major capital project” to specify that the term excludes a project to maintain or rehabilitate a vehicle or a project a project with an estimated total cost of less than \$1,000,000,000, unless the Secretary determines project management oversight will benefit the Federal Government or the recipient.

### **Section 3018. Public transportation safety program.**

This section amends the public transportation safety program carried out by the FTA. Specifically, the section requires the Secretary to maintain the national public transportation safety plan in manner aligns with the Secretary’s current practices in implementing the safety plan. This section also requires the Secretary to update the national public transportation safety plan at least once every five years. The section amends the risk reduction program required for transit agencies in large urbanized areas to clarify that the programs must improve workplace safety for frontline employees; and requires these programs to improve passenger safety system-wide, including through a reduction in the number and rates of assaults and other violent crimes on transit passengers and mitigating fare evasion.

### **Section 3019. Administrative provisions.**

This section allows recipients and subrecipients of FTA assistance to retain asset disposition proceeds provided the proceeds are reinvested in capital projects.

### **Section 3020. National transit database.**

This section provides for a technical rewrite of the national transit database (NTD) section in chapter 53 of title 49, United States Code, and establishes two new required data sets that transit agencies must report for inclusion in the NTD. Specifically, and in addition to the data already required, recipients must report for inclusion in the NTD the following: (1) data relating to a public transportation system’s revenue loss because of fare evasion for each mode; and (2) data on assaults and other violent crimes on transit passengers while onboard public transportation vehicles and in public transportation facilities.

### **Section 3021. Apportionment of appropriations for urbanized area formula grants.**

This section increases the apportionment amount for the small transit intensive cities formula to five percent (up from three percent), provides a set-aside of \$125,000,000 million for urban ferry grant recipients under the new competitive ferry grant program, and requires certain transit agencies directing assistance to an inaccessible rail fixed guideway system to expend a specified percentage of transit grant funding on projects to improve accessibility for persons with disabilities, including individuals who use wheelchairs. This section also includes technical and conforming amendments.

### **Section 3022. State of good repair grants.**

This section amends the state of good repair grants program to emphasize that such grants are for the purpose of ensuring the safety of public transportation systems. Amendments in this section also eliminate the competitive rail vehicle replacement grants program, among other technical and conforming changes.

### **Section 3023. Authorizations.**

This section provides for a general rewrite of the authorization section in chapter 53 of title 49, United States Code, to specify funding amounts for all formula and discretionary programs for each of FYs 2027 through 2031.

### **Section 3024. Grants for buses, bus facilities, and ferries.**

This section applies the chapter-wide definition of “State” to include territories in the national distribution of bus and bus facility funds and increases the amount of funds reserved for each state through this distribution. It amends the distribution of the remaining formula funds, including by adding a new allotment for transit providers in rural areas. This section amends the period of availability for bus formula funds to six years, up from four years. Further, this section modifies the bus and bus facilities competitive program and ensures that all vehicle propulsion types remain eligible, retains the workforce development training activities section, and provides an allowance that territories may use funds provided under this section for ferry projects.

### **Section 3025. Apportionments based on growing states and high density States formula factors.**

This section applies the chapter-wide definition of “State” to include territories in the apportionment formulas for growing states and high density states, among other conforming amendments.

## **Subtitle B – Miscellaneous**

### **Section 3101. Definitions.**

This section defines the terms “appropriate committees of Congress” and “transit agency,” which apply throughout Subtitle B of Title III of the bill.

### **Section 3102. Protecting bus operators from risk of assault.**

This section establishes a bus driver safety working group to review and make recommendations to the Secretary on transit bus design and safety standards to protect operators from the risk of assault on a transit worker. This section also requires fully enclosed operator workstation barriers in newly manufactured fixed route buses 30 feet or more in length beginning two years after the date of enactment.

### **Section 3103. Spare ratio modification.**

This section prohibits the Secretary from issuing policy, regulations, or guidance that sets a transit vehicle spare ratio while simultaneously maintaining the Secretary's authority to require a transit agency to provide a justification for purposes of acquiring new rolling stock.

This section also requires the Secretary to update FTA Circular 5010.1F titled, "Award Management Requirements" and any related guidance documents within 180 days of enactment to bring existing agency rules into compliance with this new provision.

### **Section 3104. Special rule for certain transportation services.**

This section codifies and clarifies the application of FTA's "taxicab exemption." Specifically, this section prohibits the Secretary from considering a driver of a transportation network company or a taxicab service as being an employee and a contractor of a Federally funded transit agency unless a transit agency that is a contractee of such transportation network company or taxicab service fails to give customers for each ride more than one choice in companies providing transportation services and provide the customer with a written or verbal explanation on the differences between the alcohol and controlled substances testing requirements that may apply for drivers of each company. This section also specifies that a transit agency that enters into an agreement with a transportation network company or a taxicab service shall ensure that such transportation services solely serve to supplement, not supplant, fixed route or route-based public transportation provided by the transit agency.

### **Section 3105. Innovative procurement.**

This section amends the innovative procurement program by expanding eligibility for local governments and adding new eligible costs. Amendments also eliminate burdensome agency reporting requirements.

### **Section 3106. Transit award management system improvement.**

This section stipulates that within one year of enactment of the Act, the Secretary must ensure that the transit award management system, as it is used by the FTA to ensure that financial assistance specified in section 5333(b) complies with the requirements of such section, notifies only persons and entities directly affected by the relevant financial assistance.

### **Section 3107. Public transit first aid and emergency medical kit equipment and training.**

This section requires the Secretary to establish a transportation rulemaking committee to review and develop findings and recommendations relating to whether public transit vehicles and stations should be required to carry first aid and emergency medical kits. Within 12 months of the committee being convened, the Secretary must submit a report to the relevant Congressional committees with regard to the rulemaking committee's findings and recommendations, including whether the Secretary intends to initiate any actions because of the rulemaking committee's findings.

**Section 3108. Improving transparency in certain urbanized areas.**

This section requires designated recipients of the Urbanized Area Formula Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program, State of Good Repair Program and Grants for Buses and Bus Facilities (sections 5307, 5310, 5337, 5339 of title 49, United States Code) in urbanized areas of more than a 200,000 population to submit a letter to the Secretary explaining the rationale for how Federal funds are split among direct recipients when a method for allocating assistance other than the Federal apportionment formula is used or when population data not produced by the United States Census is used. If an urban area fails to provide a rationale for its allocation method, the Secretary may withhold urban area grant program funds. The section directs the Secretary to publish annually on the FTA website each split allocation letter received from designated recipients for each fiscal year.

**Section 3109. Extension of capital and preventive maintenance grants to Washington Metropolitan Area Transit Authority.**

This section extends section 601(f) of the *Passenger Rail Improvement Act of 2008* to provide Federal funding for Washington Metropolitan Area Transit Authority capital projects and preventive maintenance through 2031.

**Section 3110. GAO assessment of project contingency amounts.**

This section directs the Comptroller General to study and report to Congress on the contingency amounts the Federal Government requires for major capital transit projects under the Capital Investment Grants program.

**Section 3111. GAO report on universal design to improve accessibility.**

This section directs the Comptroller General to study and report to Congress on the extent to which Federally funded transit projects incorporate universal design principles.

**Section 3112. GAO study and report on National Transit Database data quality.**

This section requires the Comptroller General to study the accuracy and consistency of data reported by transit agencies to the National Transit Database and the efficacy of FTA's current protocols for gathering and verifying reported data.

**Section 3113. GAO study on transit system rider safety.**

This section requires the Comptroller General to initiate a study to assess the FTA's efforts 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. The Comptroller General is directed to report to Congress on the findings of the study.

### **Section 3114. GAO study on CIG data collection and reporting requirements.**

This section directs the Comptroller General to initiate a study to assess the efficacy of certain data collection and analysis requirements under the CIG program. In making recommendations, the Comptroller General shall consider opportunities to reduce data collection and reporting requirements for project sponsors as well as eliminate redundancies in Federal transit reporting requirements between other transit grant programs and CIG.

### **Section 3115. GAO assessment of paratransit software and technologies.**

This section directs the Comptroller General to initiate a study within 180 days for purposes of assessing ADA 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. The Comptroller General must submit a report to Congress within one year of initiating the study.

## **Subtitle C – Reorganization and Consolidation of Chapter 53**

### **Section 3201. Transfer of certain sections in chapter 53 of title 49, United States Code.**

For purposes of consolidating and improving readability of the code, this section transfers certain sections in chapter 53 of title 49, United States Code, to appear as subsections in other sections in the chapter. Specifically, amendments in this section transfer and redesignate the following sections: (1) section 5306 is transferred and redesignated to appear as 5323(y); (2) section 5325 is transferred and redesignated to appear as 5323(z); (3) section 5327 is transferred and redesignated to appear as 5323(aa); (4) section 5332 is transferred and redesignated to appear as 5323(bb); and (5) section 5315 is transferred and redesignated to appear as 5334(l).

### **Section 3202. Front matter of chapter 53 of title 49, United States Code.**

This section amends the table of contents in chapter 53 of title 49, United States Code, by specifying the new front matter that accounts for the reorganized sections and establishing subchapters. This section also provides instructions to redesignate and transfer sections as provided in the table under subsection (b)(2).

### **Section 3203. Amendments to chapter 53 of title 49, United States Code, as amended by section 3202 of this Act.**

This section makes several technical amendments to update cross-references in sections throughout chapter 53 of title 49, United States Code, to account for the redesignation and transfer of sections pursuant to sections 3201 and 3202 of the bill. This section also generally amends the authorizations section to account for the redesignation and transfer of sections pursuant to section 3202 of the bill.

**Section 3204. Conforming Amendments.**

This section makes conforming amendments to provisions throughout United States Code that cross-reference sections in chapter 53 of title 49, United States Code.

## **Title IV – Highway Safety**

### **Section 4001. Authorization of appropriations.**

This section authorizes appropriations out of the Highway Trust Fund for the National Highway Traffic Safety Administration (NHTSA) through FY 2031 for highway safety programs, highway safety research and development, the high-visibility enforcement program, administrative expenses, and the national driver register.

### **Section 4002. Consolidation and enhancement of highway safety programs.**

This section consolidates the national priority safety programs under section 405 of title 23, United States Code, within the highway safety programs under section 402 of such title. This section outlines six core national priority programs: occupant protection, impaired driving, distracted driving, motorcyclist safety, non-motorist safety, and speeding; that states must address in their highway safety plans. If a state's fatality rate exceeds the threshold described for each national priority, then the state is required to expend funds commensurate with current section 405 spending levels in accordance with such national priority. If a state's fatality rate is less than the required threshold, then they are permitted to expend such funds on any eligibility under section 402.

This section further amends section 402 to add driver awareness of work zone safety, educational efforts on the improper and unsafe usage of trailers, interventions that reduce traffic incidents in school zones, micromobility safety, and programs that improve interactions between law enforcement and drivers with autism or a speech disability as eligible expenses to the highway safety grant program. It ensures projects eligible under section 405, including digital alert technology, safety efforts for vehicles stopped at the roadside, law enforcement education, and improvements to state safety data systems are eligible under section 402. This section also allows states to include work zone safety education in teen traffic safety programs.

This section directs the Secretary to provide technical assistance to states and local governments to improve safety data, including with regard to the role of drugs in serious injuries and fatal crashes, state efforts to align with the Model Minimum Uniform Crash Criteria, the use of safety data in transportation planning, and reporting override crashes. This section ensures states are addressing the national priority safety initiatives in their highway safety plans and that the Department maintains a public dashboard of the projects funded under section 402 as well as each state's progress in meeting their safety targets.

Lastly, this section directs the GAO to review the consolidation of sections 402 and 405 and make recommendations to improve the transparency and efficacy of the highway safety grant program. GAO is required to submit a report summarizing their recommendations to Congress.

### **Section 4003. Highway safety research and development.**

This section improves highway safety research and development by adding digital infrastructure technologies designed to improve roadway safety and prevent crashes as an eligible research and

development activity. This section requires the NHTSA Administrator to submit a report to Congress on the status of the collaborative research effort to advance impaired driving prevention technology. This section also requires the Secretary to carry out a collaborative research effort focused on the effect marijuana and polysubstance impairment has on driving, ways to reduce drug-impaired driving, and proposing evidence-based impairment standards for marijuana or polysubstance use. This section establishes a national drug involved crash data collection system and authorizes the Secretary to award grants to states to support toxicology labs, specimen collection, and enhanced data collection. This section also reinforces that motor vehicle recalls may be distributed electronically.

#### **Section 4004. High-visibility enforcement program.**

This section authorizes the High-Visibility Enforcement Program from FYs 2027 through 2031 and revises the purpose of the program to include reducing motor vehicle speed in excess of the posted speed limit. This section directs the Secretary to establish two national public safety messaging campaigns focused on the illegal passing of school buses and counterfeit child restraint systems. This section also establishes a traffic safety enforcement Center of Excellence to provide technical assistance to state highway safety offices and law enforcement agencies on effective traffic safety enforcement policies to reduce roadway fatalities and injuries.

#### **Section 4005. Protection of safety data.**

This section amends section 407 of title 23, United States Code, by extending the protection of safety data to that which is provided by any public agency conducting safety-related analyses required by the Secretary.

#### **Section 4006. Annual reporting requirements.**

This section directs the Secretary to review NHTSA's execution of section 1300.35(b) of title 23, Code of Federal Regulations, to ensure the annual reporting requirements are appropriate relative to the amount of Federal funding provided. The Secretary is required to 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 within one year.

#### **Section 4007. Coordination of Federal highway and traffic safety programs.**

This section directs the Secretary to improve coordination between the FHWA's Highway Safety Improvement Program and NHTSA's highway safety grant programs and ensure alignment with other related programs. This section requires the Secretary to align planning cycles, performance targets, and reporting timelines to provide flexibility for states to implement safety strategies consistent with their own safety plans. This section directs the Department to evaluate the administrative burden placed on states and revise processes and expectations to ensure an appropriate use of Federal funds. Lastly, this section ensures that required safety data reporting is protected in liability proceedings.

**Section 4008. Highway safety program effectiveness transportation rulemaking committee.**

This section directs the Secretary to establish a transportation rulemaking committee to analyze the efficiency and effectiveness of NHTSA's administration of highway safety grants and promote a data-driven approach to reduce the number of traffic fatalities and serious injuries. The rulemaking committee shall be composed of representatives from the traffic safety industry, state highway safety offices, roadway safety advocates, state law enforcement, and local government. The rulemaking committee must submit a report to the Secretary detailing their recommendations to streamline requirements and reduce administrative burden. The Secretary is required to submit a report to Congress summarizing the recommendations of the committee and indicating if the Department plans to implement any recommendations.

**Section 4009. Establishment of roadway worker protection interagency working group.**

This section directs the Secretary to establish an interagency working group to make recommendations for the protection of roadway workers. The interagency working group shall be composed of representatives from FHWA, NHTSA, and the Occupational Safety and Health Administration (OSHA), and consult with stakeholders. The working group is required to submit a report to the Secretary on any limitations with data collection in work zones, the effectiveness of work zone safety contingency funds, local adoption of the Model Minimum Uniform Crash Criteria, and potential updates to educational materials and public awareness campaigns to improve work zone safety. The Secretary is required to submit a summary of the findings and an implementation plan to Congress. The interagency working group shall terminate 180 days after the Secretary receives the report.

**Section 4010. Motorcycle advisory council.**

This section authorizes the Motorcycle Advisory Council through October 1, 2031.

**Section 4011. Motorcycle checkpoint funding.**

This section amends section 4007 of the *FAST Act* to prohibit the Secretary from providing funds to a state or locality for any program that profiles or stops motorcycle operators solely based on their mode of transportation.

**Section 4012. Pulsating light systems.**

This section directs the Secretary to establish a transportation rulemaking committee to consider whether pulsating light systems are compliant with Federal Motor Vehicle Safety Number 108. The rulemaking committee shall have members, appointed by the Secretary, representing the automotive industry, experts in human distraction and in vehicle technology safety, and highway safety professionals. This section requires the rulemaking committee to submit a report to the Secretary detailing their recommendations and for the Secretary to submit a report to Congress summarizing the recommendations and indicating if the Department will implement any recommendations.

**Section 4013. Minimally obstructed forward-facing view in motorcoaches.**

This section directs the Secretary to prescribe motor vehicle safety standards to require all new motorcoaches manufactured in the United States to have a minimally obstructed forward-facing view from the driver's seat, or a camera or other technology that expands the range of the forward-facing view of the driver if the view is obstructed.

**Section 4014. Revision of student safety guidelines.**

This section requires the Secretary to revise the Highway Safety Program Guideline Number 14 to encourage nonmotorized safety education for elementary and secondary school students and disseminate new model curriculum and guidelines to state educational agencies. The Secretary is required to submit a report to Congress on the status of updating and disseminating the guidelines within two years.

**Section 4015. Micromobility safety.**

This section directs the Secretary to conduct a study on the safety of micromobility transportation devices and technology, considering crash data, state laws regarding operator age, helmet use, and insurance or registration requirements, the type of micromobility device, and consumer education efforts. The Secretary is required to submit a report on the findings of the study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

**Section 4016. GAO study on highway safety data quality.**

This section directs the GAO to conduct a study on the quality of highway safety data used in Federal transportation programs. In particular, the study must consider state-submitted safety data quality, including data on underride crashes, Federal reporting requirements, oversight and quality assurance protocols, data security measures, and how data quality affects the ability to assess state safety performance targets tied to Federal funding. The study requires the GAO to consult with state departments of transportation, state highway safety offices, transportation safety organizations, law enforcement, non-profit organizations, and the Department. The GAO is required to submit to Congress a report detailing the results of the study and any associated recommendations.

## **Title V – Motor Carriers**

### **Subtitle A – General Provisions**

#### **Section 5001. Authorizations of appropriations.**

This section authorizes appropriations out of the Highway Trust Fund for the Federal Motor Carrier Safety Administration (FMCSA) through FY 2031 to carry out motor carrier safety assistance programs, the high priority program, the commercial motor vehicle enforcement training and support grant program, the commercial motor vehicle operators safety training grant program, the financial assistance program for commercial driver's license implementation, and to pay the administrative expenses of FMCSA.

#### **Section 5002. Improvements to enforcement training and support grant program.**

This section makes technical corrections to the enforcement training and support grant program to clarify that the purposes of the program are to train non-Federal employees who conduct commercial motor vehicle enforcement activities or who instruct and train non-Federal employees who conduct commercial motor vehicle enforcement activities. This section also requires FMCSA to issue such regulations as are necessary to revise part 385 of title 49, Code of Federal Regulations, to incorporate relevant certification and training standards for roadside inspectors and instructors.

#### **Section 5003. Maintenance of effort.**

This section makes a technical change to remove an outdated reference and allows a State to request the Secretary adjust their maintenance of effort for use of Motor Carrier Safety Assurance Program (MCSAP) funds. The *FAST Act* required FMCSA to update its MCSAP formula, which became effective in FY 2021.

#### **Section 5004. Amendments to commercial motor vehicle operators grant program.**

This section renames the commercial motor vehicle operators grant program as the commercial motor vehicle operator safety training program. This section amends the program to allow the Secretary to develop additional quality and performance metrics to prioritize high quality training providers and includes a 50 percent set-aside for training providers that require minimum behind-the-wheel training hours.

#### **Section 5005. Terms and conditions for exemptions.**

This section directs the Secretary to establish terms and conditions for exemptions issued pursuant to section 31315 of title 49, United States Code. The terms and conditions must ensure each exemption will not degrade the level of safety. This section requires exemption holders to regularly submit incident data to the Secretary, immediately notify the Secretary in the event of a fatality or serious bodily injury, and produce official documentation from FMCSA for the exemption when they are inspected.

### **Section 5006. Broker qualifications.**

This section requires the Secretary to issue a final rule to implement the requirements related to the experience or qualifications for officers of freight brokers and freight forwarders to register. This section requires the Secretary to brief Congress on the status of the rulemaking every six months until a final rule is issued.

### **Section 5007. Motor carrier complaints.**

This section directs the Secretary to implement the GAO recommendations in the report titled, “Motor Carrier Operations: Improvements Needed to Federal System for Collecting and Addressing Complaints Against Truck, Moving, and Bus Companies” to improve the National Consumer Complaint Database.

### **Section 5008. Cabotage study.**

This section directs the Secretary to enter into an arrangement with the TRB of the National Academies to conduct a study on the safety and economic impacts of cabotage violations using commercial motor vehicles.

## **Subtitle B – Commercial Motor Vehicle Operators**

### **Section 5101. Predatory commercial motor vehicle lease-purchase agreement programs oversight.**

This section directs the Secretary to require motor carriers utilizing leased vehicles to provide a disclosure form for each party in the arrangement. The Secretary is required to publish a template for the disclosure form, that includes information related to potential financial expectations for the lessee. This section allows the Secretary to carry out a public awareness campaign on how standard lease-purchase programs work and the prevalence of predatory lease-purchase agreement programs. This section also directs the Secretary to issue a rulemaking to prohibit the use of predatory lease-purchase agreements.

### **Section 5102. Restroom access.**

This section establishes restroom access requirements for commercial motor vehicle operators delivering goods or cargo to covered establishments or waiting at covered establishments to transport goods or for cargo to be loaded. Additionally, marine terminal operators, including port authorities, are required to provide enough restrooms for covered drayage truck operators in accessible areas, and ensure safe access and parking. This section does not require a covered establishment to make any physical changes to a covered restroom facility.

### **Section 5103. Application of commercial motor vehicle safety.**

This section adds the United States Virgin Islands (USVI) and Puerto Rico to the definition of a State in chapter 313 of title 49, United States Code, to allow these territories to implement

commercial driver's license (CDL) programs. FMCSA must assist the USVI and Puerto Rico to help them obtain full compliance with chapter 313 and provide a five-year grace period before apportioned funds may be withheld for failure to comply with any of the requirements.

**Section 5104. Extension of apprenticeship pilot program.**

This section extends the authorization of the Safe Driver Apprenticeship Program through September 30, 2031. It ensures that participants in the program are trained and able to safely transport goods to and from a port and ensures that the Secretary may not condition employer or driver participation in the program on any factors not included in the authorization of the program.

**Section 5105. Codification of exemption.**

This section exempts covered livestock hauling vehicles and their operators from electronic logging device requirements and Federal hours-of-service requirements within a 150 air-mile radius from the final destination of the livestock.

**Section 5106. Modernization of farm-related service industries restricted commercial driver's licenses.**

This section directs the Secretary to issue regulations necessary to allow each state to develop and make available an online registration and renewal system for eligible farm-related service employees who participate in the seasonally restricted CDL program.

**Section 5107. Implements of husbandry compilation.**

This section requires the Secretary to review how states define implements of husbandry, including whether they consider implements of husbandry to be commercial motor vehicle under state law and what relevant state laws apply. The Secretary must submit a report detailing the results of the study and include a determination if Federal regulations should clarify that implements of husbandry are not commercial motor vehicles.

**Section 5108. Pre-trip vehicle inspection testing waiver.**

This section allows states to waive the engine compartment pre-trip vehicle inspection skills ("under-the-hood") testing requirement for operators of school buses or public transit buses in intrastate commerce or interstate commerce within 150 air-mile radius of the point of origination. States must keep records of each CDL, adhere to all other CDL requirements, and report participation and safety data annually to the Secretary.

**Section 5109. Modifications to certain commercial driver's license regulations.**

This section directs the Secretary to issue a rulemaking to allow a state to administer a driving skills test to any CDL applicant, regardless of the state of domicile or state where the applicant received driver training. The rulemaking will require states to allow third party examiners to

administer the CDL knowledge test if the examiner maintains a valid CDL test examiner certification, completes a CDL skills test examiner training course, and completes one unit of the knowledge tests.

### **Subtitle C – Commercial Motor Vehicle Safety**

#### **Section 5201. Motor carrier safety advisory committee.**

This section reauthorizes the Motor Carrier Safety Advisory Committee through September 30, 2031.

#### **Section 5202. Electronic logging device certification.**

This section strengthens oversight of electronic logging devices (ELDs) by requiring the Secretary to verify the contact information of the certification applicant and the technical specifications of the proposed ELD and cross reference the certification application against revoked ELDs that do not meet the certification criteria. This section also requires the Secretary to publish and maintain a public website with an active list of ELDs that meet or do not meet the certification criteria, as amended by this section.

#### **Section 5203. Safety performance history screening and DataQs improvement.**

This section allows motor carriers to access safety records for prospective and current drivers. Any serious driver-related violation under contest must be flagged as such in Federal safety databases. States and Federal agencies are required to establish an appeals process within the DataQ system to allow affected parties to appeal the outcome of data reviews of serious driver-related violations. The appeals process must provide for timely adjudication by someone other than the original issuing authority.

#### **Section 5204. Noncompliant training entities.**

This section requires the Secretary to establish a process for the FMCSA to receive complaints for noncompliant training providers and remove such provider from the approved list within 90 days. This section also requires the Secretary to clarify that FMCSA may remove a training provider from the Training Provider Registry if the provider does not disclose a relationship with another provider who was removed from the Training Provider Registry or fails to maintain and enforce policies relating to sexual assault and sexual harassment.

#### **Section 5205. Drug and alcohol clearinghouse fees.**

This section allows fees collected under the drug and alcohol clearinghouse to be used for the development, modernization, enhancement, and maintenance of the clearinghouse.

**Section 5206. Federal hair testing guidelines.**

This section directs the Secretary of Transportation to recognize hair testing as an approved specimen collection type within one year of the Secretary of Health and Human Services issuing scientific and technical guidelines for hair testing.

**Section 5207. Drug and alcohol testing compliance.**

This section directs the Secretary to publish guidance on who may act as a specimen collector for Department drug testing required under part 40 of title 49, Code of Federal Regulations, including guidance on what constitutes a close personal friend. The Secretary is required to consult with representatives of small motor carriers.

**Section 5208. Fatal truck crash drug and substance abuse testing accountability.**

This section requires the Secretary to revise regulations to require employers to retain records of post-accident alcohol or controlled substance tests for a minimum of five years, consider it a violation if an employer fails to furnish proof of such testing within the prescribed timeframe, and ensure these violations are reflected in the Safety Measurement System.

**Section 5209. Review of new entrant safety assurance program.**

This section directs the DOT Inspector General to review the New Entrant Safety Assurance Program to evaluate the effectiveness of the program and opportunities to improve new entrant safety audits. In conducting the review, the Inspector General shall consult with state motor safety enforcement agencies, the motor carrier industry, commercial motor vehicle advocates, and labor. The Inspector General is required to submit their recommendations to improve the program to the Secretary. The Secretary is required to submit a report to Congress detailing which recommendations the Secretary intends to implement.

**Section 5210. New entrant registration standards transportation rulemaking committee.**

This section establishes a transportation rulemaking committee to assess the necessity of establishing minimum knowledge requirements for motor carriers registering with the DOT. The Committee shall be comprised of state motor carrier safety enforcement agencies, industry, labor, law enforcement, and other stakeholders. The Committee is required to submit a report to the Secretary on their recommendations related to new entrant registration standards. The Secretary is required to submit a report to Congress detailing which recommendations the Secretary intends to implement.

**Section 5211. Beyond compliance.**

This section requires the Secretary to issue a final rule on Beyond Compliance, as required in section 522 of the *FAST Act*. When issuing the final rule, the Secretary must consider driver training and experience as a recognized safety standard. The Secretary is required to brief Congress every six months until the final rule is issued.

## **Subtitle D – Household Goods Shipping Consumer Protection Reform**

### **Section 5301. Administrative assessment of civil penalties for violations of commercial regulations**

This section restores authority for the FMCSA to adjudicate and assess civil penalties for violations of commercial statutes and regulations and would correct certain other references in chapter 5 of title 49, United States Code, to clarify that those penalty authorities include all of FMCSA's safety authorities.

### **Section 5302. State use of grant funds for commercial enforcement and consumer protection.**

This section permits states to use motor carrier safety assistance program funding and other grantees to use high priority program funding to conduct commercial regulatory and consumer protection standard reviews and enforcement actions on household goods motor carriers, brokers, and freight forwarders. This section includes a savings clause to ensure this is an optional use of funds at the discretion of the state and may not be made a condition of funding by FMCSA.

### **Section 5303. State retention of penalties and fines.**

The section clarifies that states may retain the penalties and fines imposed in proceedings brought under section 14711 of title 49, United States Code, relating to violations of household goods statutes and regulations.

### **Section 5304. Registration requirements.**

This section provides explicit authority to FMCSA to withhold registration from any applicant who fails to provide a valid principal place of business at the time of registration. Currently FMCSA may only take enforcement action after the entity is already registered and refuses to cooperate with investigations at the designated address.

FMCSA already requires motor carriers to designate a principal place of business. This section both codifies that requirement and extends the requirement to brokers and freight forwarders as well. This language clarifies that FMCSA has the upfront authority to verify the principal place of business and, if needed, deny the registration. This enhances FMCSA's ability to take enforcement actions against bad actors by allowing them to prevent sham registrants from starting operations.

This section also extends requirements that registrants disclose common ownership between any other registered entities. Motor carriers are already required to disclose this information, and this section codifies the requirement for brokers and freight forwarders. If FMCSA detects a link between fraudulent actors, they are able to withhold operating authority or take other enforcement actions as needed.

### **Section 5305. Household goods consumer protection working group.**

This section directs the Secretary to establish a working group to develop recommendations to modernize Federal consumer protection regulations relating to the interstate transportation of household goods by motor carrier. The working group must consist of representatives of the household goods industry, consumer affairs, and moving and storage associations. The working group is required to submit a report to the Secretary on their findings. The Secretary is required to submit a summary of those findings to Congress. The working group shall terminate one year after the report is submitted.

## **Subtitle E – Safe Integration of Autonomous Commercial Motor Vehicles**

### **Section 5401. Definitions.**

This section defines terms related to autonomous commercial motor vehicles in section 31132 of title 49, United States Code.

### **Section 5402. ADS-equipped commercial motor vehicle interstate operation.**

This section creates a safety standard for commercial motor vehicles equipped with autonomous driving systems (ADS) operating in interstate commerce. The safety standard requires manufacturers of ADS and ADS-equipped commercial motor vehicles to meet all applicable regulations, demonstrate competencies through a safety case, and adhere to reporting requirements. The section also establishes requirements for operators of ADS-equipped commercial motor vehicles.

Additionally, this section establishes a transportation rulemaking committee to make recommendations on the implementation of the safety standard established under this section, and on the applicability of parts 350 through 399 of title 49, Code of Federal Regulations, for ADS-equipped commercial motor vehicles, dynamic driving task (DDT) fallback-ready users, remote drivers, remote assistants, and driverless dispatch operators.

### **Section 5403. Review and preemption of state laws and regulations.**

This section amends section 31141(a) of title 49, United States Code, to ensure ADS-equipped commercial motor vehicles are included under the Secretary's preemption of state law authorities.

### **Section 5404. Ensuring regulatory flexibility for safety technologies.**

This section provides parity for automated driving systems technologies and equipment with other safety technologies for vehicle width exemptions.

**Section 5405. Regulatory interpretations.**

This section permits the use of cab-mounted warning beacons as warning devices for commercial motor vehicles stopped upon the traveled portion or shoulder of a highway. This section does not require commercial motor vehicles to be equipped with, or use, a cab-mounted warning beacon.

**Section 5406. National consumer complaint database.**

This section requires the Secretary to collect and display information specific to ADS-equipped commercial motor vehicles in the National Consumer Complaint Database.

**Section 5407. Commercial motor vehicle workforce development.**

This section establishes a workforce development program to support the commercial motor vehicle workforce by strengthening employment opportunities for professional drivers, mechanics, and others with occupations that affect the safety and operation of commercial motor vehicles. The program is authorized for FY 2027 through FY 2031. This section requires the Secretary to submit a report annually to Congress on the status of the program.

## **Title VI – Innovation**

### **Section 6001. Strengthening mobility and revolutionizing transportation grant program.**

This section reauthorizes the Strengthening Mobility and Revolutionizing Transportation (SMART) grant program through FY 2031. This section consolidates funding for the SMART grant program into a single funding stream for both development and implementation phase activities for eligible projects. This section also ensures that the Secretary prioritizes projects under this grant that promote new and emerging technologies that are not widely deployed.

### **Section 6002. Technology deployment.**

This section reauthorizes technology deployment programs through FY 2031, including the Accelerated Implementation and Deployment of Pavement Technologies Program (AID-PT), which supports innovative pavement technologies, as well as the Advanced Digital Construction Management Systems program (ADCMS), which provides grants to develop and support ADCMS technologies. For the ADCMS program, the bill restricts funding so a single entity may not receive more than 10 percent of funds and requires the Secretary to publish recommendations to encourage wider deployment and implementation of ADCMS by states.

### **Section 6003. Strategic innovation for revenue collection.**

This section reauthorizes the Strategic Innovation for Revenue Collection program through FY 2031 to provide grants to states and regions to test the feasibility of a road usage fee and other user-based mechanisms to address the solvency of the Highway Trust Fund.

### **Section 6004. National motor vehicle per-mile user fee pilot.**

This section reauthorizes the national motor vehicle per-mile user fee pilot program through FY 2031. This section expands the objectives of the program to include data collection and reporting on the differences between a national per-mile road usage charge and the Federal motor fuels tax for rural and urban drivers, as well as the interoperability of road usage charge collections between multiple states. This section also requires the Secretary to carry out a public awareness campaign on a national motor vehicle per-mile user fee program.

### **Section 6005. ITS advisory committee.**

This section requires the Secretary to appoint a representative from a labor organization representing transportation workers to the advisory committee tasked with reviewing the Department's intelligent transportation system programs.

### **Section 6006. Encouraged use of digital platforms.**

This section directs the Executive Director of the Interagency Infrastructure Permitting Improvement Center to encourage recipients of DOT funds to utilize digital platforms when

carrying out environmental reviews under NEPA. This section also requires the Executive Director to publish technology-neutral guidance for grant recipients utilizing digital platforms.

**Section 6007. Nontraditional and emerging transportation technology council.**

This section specifies that the Nontraditional and Emerging Transportation Technology (NETT) Council shall consult with a range of stakeholders. The section also encourages the Council to examine how new and emerging technologies may benefit each modal administration and how the modal administrations plan to incorporate such technology.

**Section 6008. University transportation centers program.**

This section reauthorizes the university transportation centers through FY 2031 and ensures funding for this program is awarded to applicants with a demonstrated ability to disseminate results to state and local transportation officials.

**Section 6009. Prohibition related to certain foreign-made LiDAR technology.**

This section prohibits the Secretary from procuring, obtaining, or awarding funding for any covered LiDAR technology, LiDAR technology produced or provided by a covered LiDAR company, or any LiDAR technology produced in or provided by a covered foreign country, as defined in the *National Defense Authorization Act for Fiscal Year 2025* (10 U.S.C. note prec. 4651; Public Law 118-159). The Secretary may waive the prohibition on a case-by-case basis if it is in the national interest of the United States. The prohibition shall not apply for transportation safety purposes, as determined by the Secretary. The prohibition is effective on the date that is one year after the date of enactment of this Act.

**Section 6010. Data privacy.**

This section requires the Secretary to ensure that any use of predictive analytics, telematics, or other validated data tools by the Department protects personally identifiable information in compliance with Federal privacy laws and is applied consistently across all DOT offices. Within one year, the Secretary must issue guidance on best practices for anonymizing safety data, promoting transparency, and ensuring data tools rely on validated, effective methodologies.

**Section 6011. Study on adoption and deployment of new and emerging technologies.**

This section directs the TRB to review the Department's strategy to encourage the adoption of new and emerging technologies, including digital project delivery tools and intelligent transportation systems. The section requires TRB to consider the potential cost or safety impacts of new and emerging technologies, as well as the opportunities and challenges such technologies present to the transportation workforce. TRB must submit a report to Congress detailing the findings of the study.

**Section 6012. Autonomous vehicle accessibility study.**

This section requires TRB to study infrastructure changes, such as curb management, sidewalk and roadway design, pick-up zones, curb extension, and infrastructure design, to improve accessibility of autonomous ride-hail vehicles for people with disabilities, particularly wheelchair users. The study must evaluate cost-effectiveness, applicability across different geographic areas, and regulatory barriers. TRB is required to submit the findings of the study to the Secretary, and the Secretary is required to submit to Congress a summary of the report, including any recommendations for further action.

**Section 6013. GAO study of intelligent transportation systems physical and cyber vulnerabilities.**

This section directs the Government Accountability Office (GAO) to review the physical and cybersecurity risks associated with intelligent transportation systems and advanced transportation technologies, including data protection risks and risks involving government procurement of foreign-manufactured devices. The GAO is directed to submit a report to Congress on the results of the study, including any recommendations to reduce physical and cybersecurity vulnerabilities associated with intelligent transportation systems.

**Section 6014. GAO study and report on automated driving systems safety assurance.**

This section requires the GAO to assess what changes related to NHTSA's incident data collection system and practices are necessary for the safe deployment of vehicles equipped with automated driving systems. The study requires the GAO to consult with transportation stakeholders, including state departments of transportation, representatives of law enforcement, manufacturers of automated driving systems, roadway safety advocates, and labor organizations representing transportation workers, and report to Congress on the findings of such study.

**Section 6015. Technical assistance.**

This section allows the Secretary to provide guidance or technical assistance to state transportation departments to enable states to use innovative construction materials on Federal-aid projects.

## **Title VII – Freight and Multimodal Transportation Programs**

### **Subtitle A – Freight Policy**

#### **Section 7001. National multimodal freight policy.**

This section strengthens national multimodal freight policy by requiring the Secretary to consider how proposed projects under both the Mega and INFRA grant programs would mitigate bottlenecks and improve freight movement on the National Multimodal Freight Network. Additionally, it directs the GAO to review national multimodal freight policy, the utilization of the national strategic freight plan, network designation requirements, and freight movement improvements and issue a report with recommendations to address freight bottlenecks.

#### **Section 7002. National freight strategic plan.**

This section ensures the National Strategic Freight Plan includes consideration of inland maritime port facilities. This section also ensures the plan considers the impact of freight for rural and underserved communities and requires the plan to be updated every three years.

#### **Section 7003. National multimodal freight network.**

This section amends section 70103 of title 49, United States Code, to highlight the importance of addressing freight mobility challenges, including bottlenecks, as part of the National Multimodal Freight Network, and broadens eligible freight related facilities to include those with connections to water storage facilities and inland maritime port facilities. This section makes technical corrections to ensure the section is carried out by the Assistant Secretary for Multimodal Freight. It also requires the National Multimodal Freight Network to be redesignated every three years rather than every five years.

#### **Section 7004. State freight advisory committees.**

This section amends section 70201 of title 49, United States Code, to provide greater flexibility for the role of State Freight Advisory Committees.

#### **Section 7005. State freight plans.**

This section amends section 70202 of title 49, United States Code, to ensure state freight plans include strategies and actions the state plan to take to mitigate congestion and freight delay. This section also requires states to submit a list of freight bottlenecks, including those at highway interchanges, and solutions for addressing those bottlenecks.

#### **Section 7006. Freight logistics optimization works program.**

This section codifies the Freight Logistics Optimization Works (FLOW) Program. This section directs the Bureau of Transportation Statistics (BTS) Director, in coordination with the Office of Multimodal Freight Infrastructure and Policy, to establish and maintain a voluntary public-

private data sharing program to improve freight system efficiency. The program enhances visibility into freight flows, helps identify and mitigate bottlenecks, improves forecasting and planning, strengthens the supply chain, and supports data-informed policy development. This section ensures BTS aggregates and anonymizes program data and serves as neutral data steward.

## **Subtitle B – Multimodal Policy and Programs**

### **Section 7101. Streamlining positions within Office of the Secretary.**

This section streamlines the DOT's Office of the Secretary by removing Senate confirmation for the Assistant Secretary for Government Affairs.

### **Section 7102. Council on credit and finance transparency.**

This section requires the Council on Credit and Finance Transparency to publish meeting summaries and agendas publicly on a Department website.

### **Section 7103. Amendments to working capital fund.**

This section improves the administrative working capital fund by allowing the Department to centralize its information technology resources and create an internal reserve fund to manage the costs of transferred assets. The section also clarifies fund reimbursement may occur after performance or paid in advance.

### **Section 7104. Transportation assistance for international games.**

This section establishes a new program to support planning, capital, and operating needs for major international sporting events, including Olympic, Paralympic, and FIFA World Cup events. Eligible entities may apply for grants to fund transportation projects and planning activities that facilitate the movement of people and goods associated with a covered event. The section authorizes \$50 million annually for the program for FYs 2027 through 2031 and directs the Secretary to provide technical and planning assistance to eligible entities.

### **Section 7105. National infrastructure project assistance.**

This section reauthorizes the Mega grant program through FY 2031. This section expands project eligibility to include lessees of Federal surface transportation hubs and public transportation projects eligible for assistance under the CIG program in large urbanized areas. It updates the evaluation criteria, including by adding consideration of the use of innovative construction materials and the impact of population growth. The section also reduces the Congressional notification period from 30 days to three days and reduces the program set-aside to 25 percent from 50 percent for projects that cost between \$100 million and \$500 million.

### **Section 7106. Local and regional project assistance.**

This section reauthorizes the Local and Regional Project Assistance (BUILD) Program through FYs 2027 through 2031. This section updates the definition of “area of persistent poverty” to include updated census data and qualified opportunity zones and expands eligible applicants to include lessees of Federal surface transportation hubs. This section expedites program delivery by requiring the Secretary to consider if a project may reasonably begin construction within 18 months of an award, requiring project sponsors to certify they have notified a state department of transportation if their project is located on a state-owned or state-managed facility, and providing pre-award authority. This section requires the Secretary to only select grant recipients based on the program’s selection criteria and clarifies any planning funds provided under this program do not constitute a guarantee of a future grant award. Lastly, this section requires the GAO to review the program every two years and submit a report to Congress.

### **Section 7107. National culvert removal, replacement, and restoration grant program.**

This section amends the National Culvert Removal, Replacement, and Restoration Grant Program by expanding eligible projects and entities.

### **Section 7108. Rural and tribal infrastructure advancement pilot extension.**

This section reauthorizes and extends the Rural and Tribal Assistance Pilot Program through October 1, 2031.

### **Section 7109. Advisory committee on cargo theft and freight fraud.**

This section directs the Secretary to establish an advisory committee on cargo theft and freight fraud. The committee shall consist of up to 20 members representing law enforcement, the freight industry, and cybersecurity professionals to provide recommendations on combating cargo theft and freight fraud. The committee must consider different types of theft, where and how they occur, their financial and supply chain impacts, existing security measures, and relevant DOT policies and data systems when providing recommendations. The committee is required to submit biennial reports to Congress describing its recommendations to the Secretary and assessing progress made in addressing cargo theft and freight fraud.

## **Title VIII – Miscellaneous**

### **Section 8001. Title 23 technical corrections.**

This section makes technical corrections throughout title 23, United States Code.

### **Section 8002. Title 49 technical corrections.**

This section makes technical corrections throughout title 49, United States Code.

## **Title IX – Sport Fishing and Recreational Boating Safety**

### **Section 9001. Division of annual appropriations.**

This section authorizes appropriations for the programs established under the *Dingell-Johnson Sport Fish Restoration Act* through FY 2031.

### **Section 9002. Funding for Interstate Fisheries Commission activities.**

This section removes the former \$1.2 million cap on distributions the Secretary of the Interior can make to four regional fisheries commissions. It also establishes a new formula for apportioning funds to these entities.

### **Section 9003. Boating infrastructure priorities.**

This section replaces section 8(g) of the *Dingell Johnson Sport Fish and Boating Safety Act* with the provisions of section 7404 of the *Sportfishing and Boating Safety Act of 1998* and amends the provisions of section 7404 to make the construction, renovation, or maintenance of a strategic maritime fuel station qualify as boating infrastructure and eligible to receive grant funding under the statute. This section also defines strategic marine fuels and strategic maritime fuel station. The existing section 8(g) establishes conditions which states were required to meet before being eligible for grants established under section 7404. The conditions were met more than 25 years ago. The requirements in section 8(g) no longer apply. However, the authority to make grants under 7404 is an ongoing authority. Therefore, this amendment moves the permanent state grant making authority into section 8 of *Dingell Johnson Sport Fish and Boating Safety Act* and repeals the outdated transition provisions.

## **Title X – Railroads and Hazardous Materials**

### **Subtitle A – Authorization of Appropriations and Grant Reforms**

#### **Section 10101. Grants to Amtrak.**

This section authorizes annual funding for Amtrak from FY 2027 through FY 2031, authorizing grant programs for both the Northeast Corridor and the National Network. The section sets aside funding for the Northeast Corridor Commission and the State-Supported Route Committee.

#### **Section 10102. Federal Railroad Administration.**

This section authorizes annual funding for the Federal Railroad Administration's (FRA's) safety operations and research programs. The section sets aside funding to support the Transportation Technology Center, the Rail Research and Development Center of Excellence, and Safety Culture Grants.

#### **Section 10103. Competitive grants.**

This section authorizes annual funding for the following railroad competitive grants: Consolidated Rail Infrastructure and Safety Improvements, Railroad Crossing Safety Improvements and Elimination, and the National Intercity Passenger Railroad Partnership Program.

#### **Section 10104. Consolidated rail infrastructure and safety improvements.**

This section reauthorizes the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program to fund freight and intercity passenger rail projects. It expands eligibility to law enforcement, and Washington, D.C.'s Union Station. It enables research and development of technologies that improve railroad safety such as wayside defect detection and rail car and train movement monitoring technology, and provides assistance for projects that improve passenger rail ridership and freight service by reducing conflicts on shared lines.

#### **Section 10105. Railroad crossing safety improvements and elimination program.**

This section reauthorizes what was previously named the Railroad Crossing Elimination Program, makes rail safety nonprofit organizations eligible for grants, continues eligibility for safety improvements at grade crossings, and allows for the use of advanced technology to improve safety and to reduce costs.

#### **Section 10106. National intercity passenger railroad partnership program.**

This section consolidates three grant programs: the Federal-State Partnership for Intercity Passenger Rail, Restoration and Enhancements, and Interstate Rail Compacts; into a newly created National Intercity Passenger Railroad Partnership Program. Further, this section establishes new cost shares for operating assistance and clarifies an acceptable degree of non-

Federal financial commitments.

**Section 10107. Corridor identification and development program.**

This section authorizes the Corridor Identification and Development Program through FY 2031, and revises service development plan requirements for new applicants and current applicants that have not yet secured non-Federal funding. It also allows corridors to concurrently undertake various phases of project development work to speed up project completion.

**Section 10108. Emergency relief.**

This section authorizes an Emergency Relief program for rail at the FRA. The Secretary may provide grants for repairing or replacing certain rail infrastructure of Class II, Class III and intercity passenger rail carriers that are damaged by natural disasters or catastrophe. It covers both capital projects and evacuation-related operating expenses that are not otherwise covered by private insurance. This section requires recipients to maintain proper insurance and ensures Federal funds do not duplicate assistance FEMA or private sources.

**Section 10109. Amtrak Office of Inspector General.**

This section authorizes funds to be appropriated to the Office of Inspector General (OIG) of Amtrak.

**Subtitle B – Amtrak Reforms**

**Section 10201. Amtrak economic performance.**

This section updates Amtrak’s statutory findings, goals, and financial performance.

**Section 10202. Amtrak transparency and accountability for passengers and taxpayers.**

This section is identical to H.R. 188, the *Amtrak Transparency and Accountability Act for Passengers and Taxpayers Act*, ordered reported by the Committee, by voice vote, on April 2, 2025. It applies the *Government in the Sunshine Act’s* (5 U.S.C. § 552b) Federal open meetings transparency requirements to meetings of Amtrak’s Board of Directors.

**Section 10203. Implementing Amtrak Office of Inspector General recommendations to address infrastructure backlog.**

This section requires Amtrak to implement the recommendations found in the April 10, 2026, Amtrak Inspector General’s Report entitled, “Asset Management: Better Governance and Data Would Improve Company Efforts to Achieve a State of Good Repair.” Not later than three years after the date of enactment of this Act, the Amtrak Inspector General is directed to evaluate the extent to which Amtrak has complied with the recommendations included in the report.

#### **Section 10204. Amtrak executive bonus disclosure.**

This section is identical to H.R. 192, the *Amtrak Executive Bonus Disclosure Act of 2025* that passed the House under suspension of the rules, by a vote of 407 yeas to 0 nays on January 13, 2025. It requires Amtrak to report the annual base pay and any bonus compensation awarded to each member of the executive leadership team to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and to make this information available on its public website.

#### **Section 10205. Amtrak and intercity passenger rail workforce assault prevention and response plans.**

This section requires the Secretary to establish best practices for responding to assault and harassment on passenger trains, including de-escalation training and incident reporting. Within one year, all passenger rail operators must implement formal response plans to seek to prevent and appropriately respond to incidents of assault and harassment on workers and passengers.

#### **Section 10206. Baby changing table requirements on Amtrak trains.**

This section is identical to H.R. 248, the *Baby Changing on Board Act* that passed the House under suspension of the rules, by a voice vote on June 6, 2025. It requires that all covered passenger rail trains shall have a baby changing table in at least one restroom in each car, including in an ADA-compliant restroom.

#### **Section 10207. Report on Amtrak long-distance equipment maintenance costs.**

This section requires Amtrak to submit 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 on the anticipated cost to rehabilitate, refurbish, and replace Amtrak's long-distance rail cars and locomotives.

#### **Section 10208. Inspector General review of Amtrak accounting and reporting practices.**

This section requires the DOT Inspector General to audit Amtrak's accounting systems and internal controls to ensure financial transparency, regulatory compliance, and accurate reporting. A report detailing the Corporation's responses to any of the Inspector General's recommendations must be submitted to Congress within one year after the enactment of this Act.

#### **Section 10209. Amtrak annual reporting.**

This section amends section 24315 subsection (a) of title 49, United States Code, by requiring Amtrak to reconcile its adjusted operating expenses to audited financial statements, in accordance with Generally Accepted Accounting Principles. Upon completion of this reconciliation, a certified public accountant or the Amtrak Inspector General shall review the rationale of the reconciliations.

### **Section 10210. Invoices and reports.**

This section amends section 24712 (b) of title 49, United States Code, to allow states that contract with Amtrak to operate short-distance intercity passenger rail corridors who dispute costs to hire independent third parties to audit Amtrak invoices and its cost methodology. The section grants states access to relevant ledger data and operating statistics. It also clarifies the process for Amtrak or the state to resolve funding disputes.

### **Section 10211. State-supported cost and service policy.**

This section amends section 24712 of title 49, United States Code, by specifically rebranding the state-supported routes cost methodology policy terms from “allocation” to focus on both “cost and service” and mandates at least four meetings per fiscal year for the State-Supported Route Committee. This Committee includes representatives from 18 states, DOT, and Amtrak. It also solidifies the State-Supported Route Committee’s authority to oversee cost methodology implementation and transparency requirements for state-supported routes operated by Amtrak.

### **Section 10212. GAO study on Amtrak customer experience.**

This section mandates that the Comptroller General evaluate Amtrak’s Nationwide customer experience, such as ticketing transparency; onboard services, including food and beverage service; station accessibility, service reliability and timeliness of operations; and communication with passengers. The report must include stakeholder input and recommendations for improvement.

### **Section 10213. GAO study on Amtrak service to privately owned rail cars.**

This section requires the Comptroller General to conduct an assessment of Amtrak’s contracts and services for privately owned rail cars, specifically evaluating how Amtrak calculates costs, determines pricing, and manages parking and access.

### **Section 10214. The Donald M. Payne, Jr. Transit Center at Newark Penn Station.**

This section designates Newark Penn Station to be known as the “Donald M. Payne, Jr. Transit Center at Newark Penn Station.”

### **Section 10215. Public notice and comment on Amtrak’s corporate structure.**

This section requires Amtrak to publish any corporate restructuring plan in the Federal Register for public comment before it can be approved by the Board of Directors. Amtrak must then submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate responding to the public’s feedback, detailing which suggestions will be adopted, justifying those that were rejected, and providing a final implementation strategy.

### **Section 10216. GAO examination of international passenger rail.**

This section requires the Comptroller General to submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate within two years comparing Amtrak to a sample of international passenger rail carriers to identify governance and financing practices that could be applied domestically.

### **Section 10217. Food and beverage service.**

This section directs the Comptroller General to conduct a study of Amtrak's Food and Beverage Service to make recommendations, including for the re-establishment of dining car service. The section also creates an advisory committee to support implementation of recommendations included in the study.

## **Subtitle C – Passenger Rail Policy**

### **Section 10301. Intercity passenger rail equipment pools.**

This section allows the Secretary to work with interstate rail compacts to establish equipment pools. The pools may be used to lease or buy equipment for use by member states. Further the section creates equipment pool eligibilities in the Railroad Rehabilitation and Improvement Financing (RRIF) program.

### **Section 10302. California High-Speed Rail working group.**

This section creates a working group to conduct a comprehensive assessment of the California High-Speed Rail project, composed of stakeholders and experts appointed by Congressional leadership and the Secretary. The legislation restricts further funding to the project during the working group's assessment or within two years of enactment of this Act, whichever is earlier.

### **Section 10303. Route-specific reports.**

This section requires the Secretary of Transportation to conduct a two-year feasibility study on establishing or expanding certain intercity passenger rail routes, ensuring any recommended routes are economically justified through data analysis.

### **Section 10304. Study on commuter rail passenger transportation and transfers.**

This section is identical to H.R. 1547, the *One Seat Ride Act*, which passed the House under Suspension of the Rules, on December 5, 2023, by a vote of 356 yeas to 61 nays. This provision directs the Comptroller General to conduct a study on the benefits of commuter rail and the primary obstacles to implementing "single-seat trips" that eliminate the need for passenger transfers.

### **Section 10305. Adjustment of liability cap.**

This section codifies the current liability cap of \$323 million per passenger rail incident. It also establishes a new process to review this cap every five years through a multi-stakeholder working group, ensuring the limit is adjusted based on safety risks and accident severity while capping any single increase of the cap at a maximum of 10 percent. Further, this section amends the current 30-day period to obtain coverage to allow covered entities a year to obtain any increase in coverage.

## **Subtitle D – Rail Safety and Innovation**

### **Section 10401. Rail bridge safety.**

This section updates section 20105 of title 49, United States Code, as well as section 20145 of title 49, United States Code, to authorize state rail safety inspectors to conduct railroad bridge inspections and establishes a formal Rail Bridge Safety Concern Reporting System for state, local, and tribal governments to report structural hazards. Further, the section allows the Secretary to investigate these reports and enforce repairs, while also streamlining the process for government officials to request public versions of railroad bridge inspection reports.

### **Section 10402. Public availability of Federally funded data.**

This section requires the Secretary to make publicly available all non-security sensitive or proprietary information included in Federally funded research and data used in publications, including peer-reviewed research.

### **Section 10403. Safety culture grant program.**

This section codifies a long-standing program that provides grants to non-profit organizations specializing in railroad safety culture and training activities for Class II, Class III and commuter railroads. Additionally, it authorizes funding for the procurement of safety equipment to these railroads and emergency responders to improve the handling and oversight of hazardous materials during transit and incidents.

### **Section 10404. Improved supporting information transparency and using performance-based regulations during rulemaking.**

This section increases the transparency of the FRA's rulemaking process. The section also requires the Secretary to consider whether a performance-based approach to rulemaking is appropriate and include an explanation for when a performance-based approach is not taken.

### **Section 10405. Installation of image recording devices.**

This section mandates that the Secretary require all Class I freight railroad carriers to install inward- and outward-facing cameras in controlling locomotive cabs within two years of issuing new regulations. It also establishes an approval process for these recording devices,

providing a five-year grace period for existing equipment that meets Federal standards while exempting certain carriers covered under previous legislation.

**Section 10406. Membership of National Domestic Preparedness Consortium.**

This section designates the MxV Learning Institute as a member of the National Domestic Preparedness Consortium.

**Section 10407. Preventing tampering with wayside defect detectors.**

This section requires the Secretary to form a multi-stakeholder working group to address the safety risks posed by wayside defect detector tampering and make recommendations on policies and strategies to deter such incidents.

**Section 10408. Rail technology and asset pilot program.**

This section creates a pilot program to provide competitive grants to acquire newer, innovative railroad technology systems and equipment that improve safety and efficiency.

**Section 10409. Vent and burn report updates.**

This section implements a recommendation included in the National Transportation Safety Board's East Palestine, Ohio, report directing the FRA to update and distribute its Vent and Burn guidance to emergency responders.

**Section 10410. Rail freight cargo security assessment.**

This section requires the FRA to conduct a comprehensive assessment of security vulnerabilities in freight rail focusing on preventing organized theft of freight rail cargo and to report these findings to Congress.

**Section 10411. 50-year rule revision.**

This section directs the Secretary to finalize the rulemaking described in the NPRM titled, "Repealing Special Approval Requirement for Freight Cars More than 50 Years Old" within 90 days of enactment.

**Section 10412. Self-contained propelled freight vehicle.**

This section allows the Secretary to issue a proposed rulemaking related to safety regulations for self-contained propelled freight vehicles no later than one year after the date of enactment of this Act or completion of the self-propelled rail vehicle Test Program in the Federal Railroad Administration Docket Number FRA 2023-00666.

**Section 10413. Railroad Safety Advisory Committee evaluation of National Academies of Sciences, Engineering, and Medicine findings.**

This provision directs the Secretary to task a working group of the Rail Safety Advisory Committee to develop recommendations for improving employee training and ensuring the safe operation of trains of varying lengths.

**Section 10414. Blocked Crossings.**

This section makes FRA's Blocked Crossing Portal permanent. The section further establishes a process for investigating reported blocked crossings, a process for public engagement with impacted communities, and allows for data from the portal to be considered for grant funding decisions. This section further requires the Secretary to make each railroad's point of contact for blocked crossings publicly available on its website.

**Section 10415. Civil Penalties.**

This section increases the maximum civil penalties for various railroad safety violations for the first time in over a decade, including those involving the transportation of hazardous materials and general safety standards. Specifically, it increases the standard maximum fines from \$25,000 to \$50,000 and raises the ceiling for aggravated or repeat violations from \$100,000 to \$200,000.

**Section 10416. Pressure relief devices.**

This section requires the FRA to submit a report to Congress, analyzing the causes and failure rates of rail tank car pressure relief devices and provide recommendations to prevent or reduce the incidence of such potential failures. The study must assess variables like fire temperature, device orientation, and material compatibility, while providing recommendations and consulting with industry stakeholders to improve the safety and survivability of these critical components.

**Section 10417. Federal Railroad Administration safety workforce.**

This section requires the FRA Office of Safety to maintain a minimum workforce of 713 employees whose primary duties are specifically related to the agency's safety mission.

**Section 10418. FRA safety inspector and specialist review.**

This section directs the Federal Railroad Administration, in consultation with the Office of Personnel Management, to conduct a comprehensive review of the pay grades and job descriptions for its safety inspection and specialist personnel. This section also requires a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate within 180 days that outlines necessary administrative or legislative reforms.

### **Section 10419. Federal Railroad Administration safety culture.**

This section mandates that the DOT Inspector General conduct a formal review of the FRA's safety culture. Within one year of the review's completion, the Secretary must submit an action plan to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate outlining how the agency will implement the Inspector General's recommendations for improvement.

### **Section 10420. Confidential close call reporting.**

This section establishes a Confidential Close Call Reporting System (C<sup>3</sup>RS) and requires the participation of all Class I freight railroads.

### **Section 10421. Wayside employee protection.**

This section requires the Secretary to mandate, within one year, that all railroads provide task and environment appropriate equipment to railroad watchmen and roadway workers.

### **Section 10422. Safety enforcement transparency.**

This section requires the Secretary to publish quarterly summaries of all railroad enforcement actions resulting from reportable incidents in a publicly searchable online database. Each summary must disclose the carrier, the violation type, and penalty details. It also provides an opportunity for railroads to respond to enforcement action reporting.

### **Section 10423. Reports on highway-rail grade crossing safety and trespasser prevention.**

This section is identical to H.R. 5783, the *State Actions for Employing Transportation Risk Assessments and Crossing Knowledge Strategies Act of 2025* that was favorably reported by the Committee on December 18, 2025, by voice vote. This section requires states to update their highway-rail grade crossing action plans every five years and to include specific strategies for reducing pedestrian fatalities and suicides.

### **Section 10424. Locomotive engineer training.**

This section requires the Secretary update Federal regulations to require railroads to ensure certified locomotive engineers maintain the skills necessary for manual train operation for the types of operations they conduct.

### **Section 10425. Assessment of track safety.**

This section directs the Comptroller General conduct a comprehensive review of "excepted track" safety standards within 180 days to determine if current regulations are sufficient to ensure such track is properly classified, the excepted track mileage by state, how much of that mileage has been in excepted status for five years or more, and the effects of applying Part 215 safety regulation to such tracks to supply chains and potential modal shifts. The assessment will

evaluate the economic and operational impacts of stricter regulations.

**Section 10426. Review of train dispatching technologies.**

This section requires the Secretary to evaluate the safety, reliability, and performance of centralized train dispatching systems within one year of enactment of the Act. The review must assess the costs, maintenance, and interoperability of these platforms with safety technologies, including Positive Train Control, while consulting with manufacturers and labor organizations to determine if further legislative oversight is necessary to ensure operational compliance.

**Section 10427. Incident investigation review.**

This section requires DOT's Inspector General conduct a study no later than one year after the date of enactment of this Act, to evaluate whether current laws and agency practices are sufficient to allow FRA accident investigators to complete their investigations.

**Section 10428. Review of risk reduction program plans.**

This section requires covered railroads to identify changes in operations that result in railroad safety hazards that increase the rates of railroad accidents, injuries, and fatalities and address them as part of its internal audit reviewed by the FRA. The railroad must describe their plan to mitigate these risks in its Risk Reduction Program Plan. The section further requires the FRA to conduct a safety trend analysis of incidents across the railroad system. It also requires railroads to submit intermediary updates if a significant operational change is implemented that was not addressed in the current Risk Reduction Program Plan, and describe the measures taken to reduce safety risks associated with the change.

**Section 10429. Railroad Safety Advisory Committee.**

This section codifies the Railroad Safety Advisory Committee (RSAC) into Federal law for the period of this Act's authorization

**Section 10430. Safety reporting extension.**

This section extends required safety reporting with respect to trains following accidents through December 31, 2032.

**Subtitle E – Project Delivery**

**Section 10501. Pre-award authority.**

This section codifies the ability of the Secretary to grant pre-award authority that allows grant recipients to procure project-related materials and conduct other activities related to a project for eventual reimbursement.

**Section 10502. Categorical exclusions for projects in existing operational rights-of-way.**

This section directs the Secretary to approve additional “covered projects” as categorical exclusions under environmental regulations, provided they are located entirely within an existing railroad right-of-way.

**Section 10503. Additional categorical exclusions.**

This section requires the Secretary to survey existing transportation-related categorical exclusions and solicit recommendations from industry stakeholders to identify new actions that should be categorically excluded.

**Section 10504. State-railroad infrastructure project coordination and process standardization working group.**

This section requires the Secretary to establish a Working Group to examine and develop recommendations and methods to improve coordination among states, local governments, metropolitan planning organizations and railroads for non-railroad projects that cross a railroad right-of-way.

**Section 10505. Rail project advance acquisition.**

This section allows the Secretary to reimburse grant recipients for property acquisition for rail projects prior to completing a NEPA review. This would bring rail projects into parity with highway construction projects.

**Section 10506. Direct loans and loan guarantees.**

This section expands eligibility of the Build America Bureau Direct Loan program to certain shipping entities for projects that facilitate and expand the direct movement of freight by rail and for use in transportation-oriented development projects. It also expands the Bureau’s lending capacity to \$50 billion from \$35 billion.

**Section 10507. Veteran to supply chain employee action plan.**

This section is identical to H.R. 3055, the *Transitioning Retiring and New Service Members to Port Ocean Rail and Truck Jobs (TRANSPORT) Act* that passed the House on September 8, 2025, under suspension of the rules, by voice vote. It requires DOT, in consultation with other Federal agencies, to assess and develop a plan to address barriers to jobs in transportation and supply chain occupations for separating and retiring service members.

**Section 10508. Lead agency for environmental review purposes.**

This section specifies that the first agency within DOT to take major action on a proposed project shall be the lead agency for NEPA compliance.

**Section 10509. Environmental review determination.**

This section seeks to expedite the project delivery process in establishing a 90-day time frame for the lead agency of a transportation project to render decisions on the scope of required NEPA activities.

**Section 10510. Expedited consultation process.**

This section streamlines the Section 106 historic preservation process by allowing state or tribal officers to authorize the simultaneous completion of multiple review steps when appropriate.

**Section 10511. Technical assistance.**

This section amends section 20108 of title 49, United States Code, by authorizing the Secretary to make funding available to non-profit institutions for the purposes of providing technical assistance, training, guidance, and education programs to local communities, metropolitan planning organizations and small entities, such as Short Line Railroads, eligible for competitive grants.

**Section 10512. Amendment to allow RRIF direct loans to be structured as an interest-only loan.**

This section authorizes the Secretary to offer interest-only RRIF loans with terms up to 10 years, to finance the construction of railroad infrastructure.

**Section 10513. Use of certain grant funds to pay RRIF credit risk premiums.**

This section allows grant recipients to use certain Federal grants to fund the credit risk premium applied to RRIF loans.

**Section 10514. Amendment to establish alternative credit assessment pathway for RRIF loan applicants.**

This section permits the Build American Bureau to utilize the credit risk assessments of certain qualified financial institutions as a supplement to the Bureau's underwriting of Railroad Rehabilitation and Improvement Financing loans.

**Section 10515. Railroad rehabilitation and improvement financing program authorization of appropriations.**

This provision extends the authorization of the RRIF program and increases the funding available for its administration.

## **Subtitle F – Hazardous Materials Transportation**

### **Section 10601. Authorization of appropriations.**

This section authorizes appropriations for the Transportation of Hazardous Materials and the Hazardous Materials Safety Training Grants.

### **Section 10602. Hazardous materials registration fees.**

The Pipeline and Hazardous Materials Safety Administration (PHMSA) collects required registration fees from hazardous materials shippers and carriers, which fund the Hazardous Materials Emergency Preparedness Fund. The Fund is then used to provide certain emergency preparedness grants and to provide monitoring and technical assistance to state, tribal, and local entities. This section amends section 5108 (g) of title 49, United States Code, with new distinctions between small businesses and non-profits for the requirements for the Secretary to establish and collect an annual fee.

### **Section 10603. Hazardous materials safety training grants.**

This section consolidates PHMSA's Hazardous Materials Safety Training grants, which support state and local governments, as well as emergency responders with the goal of improving emergency response and reducing risks in transportation of hazardous materials.

### **Section 10604. Incorporation of special permits into hazardous materials regulations.**

This section amends section 5117 of title 49, United States Code, by changing the initial period of a special permit from two to four years and reduces the time period for PHMSA to incorporate proven permits to its hazardous materials regulations from 10 years to eight years.

### **Section 10605. Harmonization of safety regulations.**

This section amends section 5120 of title 49, United States Code, by inserting a time in which an interim final rule must be updated or issued based on if the Secretary determines it is necessary to update or issuance a regulation due to a change in international standard or requirement. The section also gives the Secretary discretion in adopting international standards or requirements.

### **Section 10606. Regulation of foreign manufacturers of cylinders used in transporting hazardous materials.**

This section is identical to H.R. 1182, the *Compressed Gas Cylinder Safety and Oversight Improvements Act of 2025* that passed the House on June 9, 2025, under suspension of the rules, by voice vote. This section ensures that only DOT-specified compressed gas cylinders are shipped to the United States, that such compressed gas cylinders have appropriate markings and

establishes a process for PHMSA to recover the costs of inspecting foreign manufacturers of compressed gas cylinders.

#### **Section 10607. Safety placards.**

This section addresses a recommendation from the National Transportation Safety Board’s East Palestine, Ohio, Investigation (NTSB I-24-1) on the survivability of hazardous materials placards. It requires the Secretary to initiate a rulemaking for placards to withstand temperatures common in the uncontrolled burning of hazardous materials to ensure it remains legible in accidents.

#### **Section 10608. Study on limited commercial driver’s license hazardous materials endorsements.**

This section requires the Secretary to conduct a study and assessment investigating the feasibility of creating a material-specific commercial vehicle license test for hazardous material endorsement.

#### **Section 10609. Real-time train consist information rulemaking evaluation.**

This section requires the Secretary to conduct an evaluation of implementation of the Final Rule entitled, “Hazardous Materials: *FAST Act* Requirements for Real-Time Consist Information” issued on June 24, 2024, including an assessment of outreach efforts to First Responders and any gaps in availability of real-time consist information.

#### **Section 10610. Study on exception for intrastate transportation of diesel fuel in support of logging or timber operations.**

This section requires the Comptroller General to submit a report to Congress on whether creating an exception similar to the one for agriculture at part 173.5 of title 49, Code of Federal Regulations, should apply to the transportation of diesel fuel in support of logging or timber operations.

#### **Section 10611. Safer tank cars.**

This section revises the phase-out date for older series tank cars that carry certain flammable liquids to December 31, 2028, with the ability for the deadline to be moved to May 1, 2029, if based on a GAO assessment, the Secretary determines that insufficient tank car manufacturing or retrofitting capacity exists to meet this deadline

#### **Section 10612. Requirements for safe transport of lithium-ion batteries.**

This section requires the Secretary to revise provisions and issue regulations for the safe transport of lithium-ion batteries, including the ability to withstand forces, the state of charge, and guidance on damaged, defective or recalled lithium-ion batteries during transport. After the requirements are published, they are to be reviewed and updated as needed by the

Secretary every five years.

**Section 10613. Innovative thermal run-away suppression strategies.**

This section amends section 5118(c)(3) of title 49, United States Code, to create a new grant program to study the effectiveness of strategies to combat thermal runaway in lithium-ion cells or batteries in commercial transport. It also requires the Secretary to report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the strategies.