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IN THE SENATE OF THE UNITED STATES

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AN ACT

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

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

1 **SECTION 1. SHORT TITLE, TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Transportation Equity Act: A Legacy for Users”.

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

Sec. 1. Short title, table of contents.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization of Programs

- Sec. 1101. Authorizations of appropriations.
- Sec. 1102. Obligation ceiling.
- Sec. 1103. Apportionments.
- Sec. 1104. Minimum guarantee.
- Sec. 1105. Project approval and oversight.
- Sec. 1106. Temporary traffic control devices.
- Sec. 1107. Revenue aligned budget authority.
- Sec. 1108. Emergency relief.
- Sec. 1109. Surface transportation program.
- Sec. 1110. Highway use tax evasion projects.
- Sec. 1111. Appalachian development highway system.
- Sec. 1112. Construction of ferry boats and ferry terminal facilities.
- Sec. 1113. Interstate maintenance discretionary.
- Sec. 1114. Highway bridge.
- Sec. 1115. Transportation and community and system preservation program.
- Sec. 1116. Deployment of magnetic levitation transportation projects.
- Sec. 1117. Recreational trails.
- Sec. 1118. Federal lands Highways.
- Sec. 1119. Conservation measures.
- Sec. 1120. Pedestrian and cyclist equity.
- Sec. 1121. National commissions.
- Sec. 1122. Adjustments for the Surface Transportation Extension Act of 2003.
- Sec. 1123. Roadway safety.
- Sec. 1124. Equity requirement.

Subtitle B—Congestion Relief

- Sec. 1201. Motor vehicle congestion relief.
- Sec. 1202. Transportation systems management and operations.
- Sec. 1203. Real-time system management information program.
- Sec. 1204. Expedited national intelligent transportation systems deployment program.
- Sec. 1205. Intelligent transportation systems deployment.
- Sec. 1206. Environmental review of activities that support deployment of intelligent transportation systems.
- Sec. 1207. State assumption of responsibility for certain programs and projects.
- Sec. 1208. Repeal.
- Sec. 1209. Congestion pricing pilot program.

Subtitle C—Mobility and Efficiency

- Sec. 1301. National corridor infrastructure improvement program.
- Sec. 1302. Coordinated border infrastructure program.
- Sec. 1303. Freight intermodal connectors.
- Sec. 1304. Projects of national and regional significance.
- Sec. 1305. Dedicated truck lanes.
- Sec. 1306. Truck parking facilities.

Subtitle D—Highway Safety

- Sec. 1401. Highway safety improvement program.
- Sec. 1402. Worker injury prevention and free flow of vehicular traffic.
- Sec. 1403. High risk rural road safety improvement program.
- Sec. 1404. Transfers of apportionments to safety programs.
- Sec. 1405. Safety incentive grants for use of seat belts.
- Sec. 1406. Safety incentives to prevent operation of motor vehicles by intoxicated persons.
- Sec. 1407. Repeat offenders for driving while intoxicated.
- Sec. 1408. Repair or replacement of highway features on National Highway System.

Subtitle E—Construction and Contract Efficiencies

- Sec. 1501. Design–build.
- Sec. 1502. Warranty Highway Construction Project Pilot Program.
- Sec. 1503. Private investment study.
- Sec. 1504. Highways for LIFE pilot program.

Subtitle F—Finance

- Sec. 1601. Transportation Infrastructure Finance and Innovation Act.
- Sec. 1602. State infrastructure banks.
- Sec. 1603. FAST fees.
- Sec. 1604. Toll feasibility.
- Sec. 1605. Use of excess funds.

Subtitle G—High Priority Projects

- Sec. 1701. High priority projects program.
- Sec. 1702. Project authorizations.

Subtitle H—Miscellaneous Provisions

- Sec. 1801. Budget justification.
- Sec. 1802. Motorist Information.
- Sec. 1803. Motorist information concerning full service restaurants.
- Sec. 1804. High priority corridors on the National Highway System.
- Sec. 1805. Additions to Appalachian region.
- Sec. 1806. Transportation assets and needs of Delta region.
- Sec. 1807. Toll facilities workplace safety study.
- Sec. 1808. Pavement Marking Systems Demonstration Projects.
- Sec. 1809. Work zone safety grants.
- Sec. 1810. Grant program to prohibit racial profiling.
- Sec. 1811. America’s Byways Resource Center.
- Sec. 1812. Technical adjustment.
- Sec. 1813. Road User Charge Evaluation Pilot Project.
- Sec. 1814. Thomas P. “Tip” O’Neill, Jr. Tunnel.
- Sec. 1815. Conforming amendment for transportation planning sections.

- Sec. 1816. Distribution of metropolitan planning funds within States.
- Sec. 1817. Treatment of off ramp.
- Sec. 1818. Loan forgiveness.
- Sec. 1819. Lead agency designation.
- Sec. 1820. Use of debris from demolished bridges and overpasses.
- Sec. 1821. Hubzone program.
- Sec. 1822. Technical amendments to TEA 21 projects.
- Sec. 1823. National work zone safety information clearinghouse.
- Sec. 1824. Transportation conformity.
- Sec. 1825. Eligibility to participate in Western Alaska Community Development Quota Program.
- Sec. 1826. Metropolitan Regional Freight and Passenger Transportation Study.
- Sec. 1827. Intermodal transportation facility expansion.
- Sec. 1828. Advanced truck stop electrification system.
- Sec. 1829. Technology.
- Sec. 1830. Extension of public transit vehicle exemption from axle weight restrictions.
- Sec. 1831. Sense of Congress.

TITLE II—HIGHWAY SAFETY

- Sec. 2001. Authorization of appropriations.
- Sec. 2002. Occupant protection incentive grants.
- Sec. 2003. Alcohol-impaired driving countermeasures.
- Sec. 2004. State traffic safety information system improvements.
- Sec. 2005. High visibility enforcement program.
- Sec. 2006. Motorcycle crash causation study.
- Sec. 2007. Child safety and child booster seat incentive grants.
- Sec. 2008. Safety data.
- Sec. 2009. Motorcycle safety.
- Sec. 2010. Driver fatigue.
- Sec. 2011. Drug impaired driving enforcement.

TITLE III—FEDERAL TRANSIT ADMINISTRATION PROGRAMS

- Sec. 3001. Short title; amendments to title 49, United States Code.
- Sec. 3002. Policies, findings, and purposes.
- Sec. 3003. Definitions.
- Sec. 3004. Metropolitan planning.
- Sec. 3005. Statewide planning.
- Sec. 3006. Planning programs.
- Sec. 3007. Private enterprise participation.
- Sec. 3008. Urbanized area formula grants.
- Sec. 3009. Clean fuels formula grant program.
- Sec. 3010. Capital investment grants.
- Sec. 3011. Formula grants for special needs of elderly individuals and individuals with disabilities.
- Sec. 3012. Formula grants for other than urbanized areas.
- Sec. 3013. Research, development, demonstration, and deployment projects.
- Sec. 3014. Cooperative research program.
- Sec. 3015. National research and technology programs.
- Sec. 3016. National Transit Institute.
- Sec. 3017. Job access and reverse commute formula grants.
- Sec. 3018. New Freedom program.
- Sec. 3019. Bus testing facility.
- Sec. 3020. Bicycle facilities.

- Sec. 3021. Transit in the parks pilot program.
- Sec. 3022. Human resource programs.
- Sec. 3023. General provisions on assistance.
- Sec. 3024. Special provisions for capital projects.
- Sec. 3025. Contract requirements.
- Sec. 3026. Project management oversight and review.
- Sec. 3027. Investigations of safety and hazards.
- Sec. 3028. State safety oversight.
- Sec. 3029. Controlled substances and alcohol misuse testing.
- Sec. 3030. Employee protective arrangements.
- Sec. 3031. Administrative procedures.
- Sec. 3032. National transit database.
- Sec. 3033. Apportionments based on fixed guideway factors.
- Sec. 3034. Authorizations.
- Sec. 3035. Over-the-road bus accessibility program.
- Sec. 3036. Updated terminology.
- Sec. 3037. Project authorizations for new fixed guideway capital projects.
- Sec. 3038. Projects for bus and bus-related facilities.
- Sec. 3039. National fuel cell bus technology development program.
- Sec. 3040. High-intensity small-urbanized area formula grant program.
- Sec. 3041. Allocations for national research and technology programs.
- Sec. 3042. Obligation ceiling.
- Sec. 3043. Adjustments for the Surface Transportation Extension Act of 2004.
- Sec. 3044. Cooperative procurement.

TITLE IV—MOTOR CARRIER TRANSPORTATION AND SAFETY

Subtitle A—Commercial Motor Vehicle Safety

- Sec. 4101. Authorization of appropriations.
- Sec. 4102. Motor carrier safety grants.
- Sec. 4103. Border enforcement grants.
- Sec. 4104. Commercial driver's license improvements.
- Sec. 4105. Hobbs Act.
- Sec. 4106. Penalty for denial of access to records.
- Sec. 4107. Medical Review Board.
- Sec. 4108. Increased penalties for out-of-service violations and false records.
- Sec. 4109. Commercial vehicle information systems and networks deployment.
- Sec. 4110. Safety fitness.
- Sec. 4111. Pattern of safety violations by motor carrier or broker management.
- Sec. 4112. Motor carrier research and technology program.
- Sec. 4113. International cooperation.
- Sec. 4114. Performance and registration information system management.
- Sec. 4115. Data quality improvement.
- Sec. 4116. Driveaway saddlemount vehicles.
- Sec. 4117. Completion of uniform carrier registration.
- Sec. 4118. Registration of motor carriers and freight forwarders.
- Sec. 4119. Deposit of certain civil penalties into Highway Trust Fund.
- Sec. 4120. Outreach and education.
- Sec. 4121. Insulin treated diabetes mellitus.
- Sec. 4122. Grant program for commercial motor vehicle operators.
- Sec. 4123. Commercial motor vehicle safety advisory Committee.
- Sec. 4124. Safety data improvement program.
- Sec. 4125. Commercial driver's license information system modernization.
- Sec. 4126. Maximum hours of service for operators of ground water well drilling rigs.

- Sec. 4127. Safety performance history screening.
- Sec. 4128. Intermodal chassis roadability rule-making.
- Sec. 4129. Substance abuse professionals.
- Sec. 4130. Interstate van operations.
- Sec. 4131. Hours of service for operators of utility service vehicles.
- Sec. 4132. Hours of service rules for operators providing transportation to movie production sites.
- Sec. 4133. Technical corrections.
- Sec. 4134. Operators of vehicles transporting agricultural commodities and farm supplies.

Subtitle B—Household Goods Transportation

- Sec. 4201. Federal-State relations relating to transportation of household goods.
- Sec. 4202. Arbitration requirements.
- Sec. 4203. Civil penalties relating to household goods brokers and unauthorized transportation.
- Sec. 4204. Penalties for holding household goods hostage.
- Sec. 4205. Working group for development of practices and procedures to enhance Federal-State relations.
- Sec. 4206. Consumer handbook on dot Web site.
- Sec. 4207. Release of household goods broker information.
- Sec. 4208. Consumer complaint information.
- Sec. 4209. Insurance regulations.
- Sec. 4210. Estimating requirements.
- Sec. 4211. Application of State consumer protection laws to certain household goods carriers.
- Sec. 4212. Applicability to household goods motor carriers.

TITLE V—TRANSPORTATION RESEARCH AND EDUCATION

Subtitle A—Funding

- Sec. 5101. Authorization of appropriations.
- Sec. 5102. Obligation ceiling.
- Sec. 5103. Findings.

Subtitle B—Research, Technology, and Education

- Sec. 5201. Research, technology, and education.
- Sec. 5202. Long-term bridge performance program; innovative bridge research and deployment program.
- Sec. 5203. Surface transportation environment and planning cooperative research program.
- Sec. 5204. Technology deployment.
- Sec. 5205. Training and education.
- Sec. 5206. Freight planning capacity building.
- Sec. 5207. Advanced travel forecasting procedures program.
- Sec. 5208. National cooperative freight transportation research program.
- Sec. 5209. Future strategic highway research program.
- Sec. 5210. Transportation safety information management system project.
- Sec. 5211. Surface transportation congestion relief solutions research initiative.
- Sec. 5212. Motor carrier efficiency study.
- Sec. 5213. Transportation research and development strategic planning.

Subtitle C—University Transportation Research; Scholarship Opportunities

- Sec. 5301. National university transportation centers.
- Sec. 5302. University transportation research.
- Sec. 5303. Transportation scholarship opportunities program.

Subtitle D—Advanced Technologies

- Sec. 5401. Advanced heavy-duty vehicle technologies research program.
- Sec. 5402. Commercial remote sensing products and spatial information technologies.

Subtitle E—Transportation Data and Analysis

- Sec. 5501. Bureau of Transportation Statistics.

Subtitle F—Intelligent Transportation Systems Research

- Sec. 5601. Short title.
- Sec. 5602. Goals and purposes.
- Sec. 5603. General authorities and requirements.
- Sec. 5604. National architecture and standards.
- Sec. 5605. Research and development.
- Sec. 5606. Infrastructure development.
- Sec. 5607. Road Weather Research and Development Program.
- Sec. 5608. Definitions.
- Sec. 5609. Rural interstate corridor communications study.
- Sec. 5610. Centers for Surface Transportation Excellence.
- Sec. 5611. Repeal.

TITLE VI—TRANSPORTATION PLANNING AND PROJECT DELIVERY

- Sec. 6001. Transportation planning.
- Sec. 6002. Efficient environmental reviews for project decisionmaking.
- Sec. 6003. Policy on historic sites.
- Sec. 6004. Exemption of interstate system.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

- Sec. 7001. Amendment of title 49, United States Code.
- Sec. 7002. Findings and purpose.
- Sec. 7003. Definitions.
- Sec. 7004. General regulatory authority.
- Sec. 7005. Chemical or biological materials.
- Sec. 7006. Representation and tampering.
- Sec. 7007. Technical amendments.
- Sec. 7008. Training of certain employees.
- Sec. 7009. Registration.
- Sec. 7010. Providing shipping papers.
- Sec. 7011. Rail tank cars.
- Sec. 7012. Unsatisfactory safety rating.
- Sec. 7013. Training curriculum for the public sector.
- Sec. 7014. Planning and training grants, monitoring, and review.
- Sec. 7015. Special permits and exclusions.
- Sec. 7016. Uniform forms and procedures.
- Sec. 7017. International uniformity of standards and requirements.
- Sec. 7018. Administrative.
- Sec. 7019. Enforcement.

- Sec. 7020. Civil penalty.
- Sec. 7021. Criminal penalty.
- Sec. 7022. Preemption.
- Sec. 7023. Relationship to other laws.
- Sec. 7024. Judicial review.
- Sec. 7025. Authorization of appropriations.
- Sec. 7026. Determining amount of undeclared shipments of hazardous materials entering the United States.
- Sec. 7027. Conforming amendments.

TITLE VIII—TRANSPORTATION DISCRETIONARY SPENDING GUARANTEE

- Sec. 8001. Discretionary spending limits for the highway and mass transit categories.
- Sec. 8002. Adjustments to align highway spending with revenues.
- Sec. 8003. Level of obligation limitations.
- Sec. 8004. Enforcement of guarantee.
- Sec. 8005. Transfer of Federal transit administrative expenses.

TITLE IX—TAX PROVISIONS

- Sec. 9000. Short title, etc.

Subtitle A—Highway Trust Fund Extension

- Sec. 9101. Extension of highway-related taxes and trust fund.

Subtitle B—Restructuring of Incentives for Alcohol Fuels, Etc.

- Sec. 9201. Reduced rates of tax on gasohol replaced with excise tax credit; repeal of other alcohol-based fuel incentives; etc.
- Sec. 9202. Alcohol fuel subsidies borne by general fund.

Subtitle C—Reduction of Fuel Tax Evasion

- Sec. 9301. Exemption from certain excise taxes for mobile machinery.
- Sec. 9302. Taxation of aviation-grade kerosene.
- Sec. 9303. Dye injection equipment.
- Sec. 9304. Authority to inspect on-site records.
- Sec. 9305. Registration of pipeline or vessel operators required for exemption of bulk transfers to registered terminals or refineries.
- Sec. 9306. Display of registration.
- Sec. 9307. Penalties for failure to register and failure to report.
- Sec. 9308. Collection from customs bond where importer not registered.
- Sec. 9309. Modifications of tax on use of certain vehicles.
- Sec. 9310. Modification of ultimate vendor refund claims with respect to farming.
- Sec. 9311. Dedication of revenues from certain penalties to the Highway Trust Fund.

Subtitle D—Other Excise Tax Provisions

- Sec. 9401. Taxable fuel refunds for certain ultimate vendors.
- Sec. 9402. Two-party exchanges.
- Sec. 9403. Simplification of tax on tires.

Subtitle E—Small Business Expensing

Sec. 9501. 2-year extension of increased expensing for small business.

Subtitle F—Alternative Minimum Tax Relief

Sec. 9601. Net operating losses and foreign tax credit under alternative minimum tax.

Sec. 9602. Expansion of exemption from alternative minimum tax for small corporations.

Sec. 9603. Income averaging for farmers not to increase alternative minimum tax.

TITLE X—RAIL PROVISIONS

Sec. 10001. High-speed rail corridor development.

Sec. 10002. Alaska railroad.

1 **TITLE I—FEDERAL-AID**
 2 **HIGHWAYS**
 3 **Subtitle A—Authorization of**
 4 **Programs**

5 **SEC. 1101. AUTHORIZATIONS OF APPROPRIATIONS.**

6 (a) IN GENERAL.—The following sums are author-
 7 ized to be appropriated from the Highway Trust Fund
 8 (other than the Mass Transit Account):

9 (1) INTERSTATE MAINTENANCE PROGRAM.—

10 For the Interstate maintenance program under sec-
 11 tion 119 of title 23, United States Code,
 12 \$4,323,076,000 for fiscal year 2004,
 13 \$4,431,153,000 for fiscal year 2005,
 14 \$4,541,932,000 for fiscal year, 2006,
 15 \$4,655,480,000 for fiscal year 2007,
 16 \$4,771,867,000 for fiscal year 2008, and
 17 \$4,891,164,000 for fiscal year 2009.

18 (2) NATIONAL HIGHWAY SYSTEM.—For the Na-
 19 tional Highway System under section 103 of that

1 title, \$5,187,691,000 for fiscal year 2004,
2 \$5,317,383,000 for fiscal year 2005,
3 \$5,450,318,000 for fiscal year 2006,
4 \$5,586,576,000 for fiscal year 2007,
5 \$5,726,240,000 for fiscal year 2008, and
6 \$5,869,396,000 for fiscal year 2009.

7 (3) BRIDGE PROGRAM.—For the bridge pro-
8 gram under section 144 of that title,
9 \$3,709,440,000 for fiscal year 2004,
10 \$3,802,176,000 for fiscal year 2005,
11 \$3,897,231,000 for fiscal year 2006,
12 \$3,994,661,000 for fiscal year 2007,
13 \$4,094,528,000 for fiscal year 2008, and
14 \$4,196,891,000 for fiscal year 2009.

15 (4) HIGHWAY SAFETY IMPROVEMENT PRO-
16 GRAM.—For the highway safety improvement pro-
17 gram under sections 130 and 152 of that title, \$0
18 for fiscal year 2004, \$630,000,000 for fiscal year
19 2005, \$645,000,000 for fiscal year 2006,
20 \$660,000,000 for fiscal year 2007, \$680,000,000 for
21 fiscal year 2008, and \$695,000,000 for fiscal year
22 2009. Of such funds $\frac{1}{3}$ per fiscal year shall be avail-
23 able to carry out section 130 and $\frac{2}{3}$ shall be avail-
24 able to carry out section 152.

1 (5) SURFACE TRANSPORTATION PROGRAM.—
2 For the surface transportation program under sec-
3 tion 133 of that title, \$6,052,306,000 for fiscal year
4 2004, \$6,203,614,000 for fiscal year 2005,
5 \$6,358,704,000 for fiscal year 2006,
6 \$6,517,672,000 for fiscal year 2007,
7 \$6,680,614,000 for fiscal year 2008, and
8 \$6,847,629,000 for fiscal year 2009.

9 (6) CONGESTION MITIGATION AND AIR QUALITY
10 IMPROVEMENT PROGRAM.—For the congestion miti-
11 gation and air quality improvement program under
12 section 149 of that title, \$1,469,846,000 for fiscal
13 year 2004, \$1,506,592,000 for fiscal year 2005,
14 \$1,544,257,000 for fiscal year 2006,
15 \$1,582,863,000 for fiscal year 2007,
16 \$1,622,435,000 for fiscal year 2008, and
17 \$1,662,996,000 for fiscal year 2009.

18 (7) APPALACHIAN DEVELOPMENT HIGHWAY
19 SYSTEM PROGRAM.—For the Appalachian develop-
20 ment highway system program under section 14501
21 of title 40, United States Code, \$460,000,000 for
22 fiscal year 2004 and \$470,000,000 for each of fiscal
23 years 2005 through 2009.

24 (8) RECREATIONAL TRAILS PROGRAM.—For the
25 recreational trails program under section 206 of title

1 23, United States Code, \$53,000,000 for fiscal year
2 2004, \$70,000,000 for fiscal year 2005,
3 \$80,000,000 for fiscal year 2006, \$90,000,000 for
4 fiscal year 2007, \$100,000,000 for fiscal year 2008,
5 and \$110,000,000 for fiscal year 2009.

6 (9) FEDERAL LANDS HIGHWAYS PROGRAM.—

7 (A) INDIAN RESERVATION ROADS.—For
8 Indian reservation roads under section 204 of
9 title 23, United States Code, \$325,000,000 for
10 fiscal year 2004, \$365,000,000 for fiscal year
11 2005, \$390,000,000 for fiscal year 2006,
12 \$395,000,000 for fiscal year 2007,
13 \$420,000,000 for fiscal year 2008, and
14 \$420,000,000 for fiscal year 2009.

15 (B) PARK ROADS AND PARKWAYS.—For
16 park roads and parkways roads under section
17 204 of that title, \$170,000,000 for fiscal year
18 2004, \$185,000,000 for fiscal year 2005,
19 \$200,000,000 for fiscal year 2006,
20 \$215,000,000 for fiscal year 2007,
21 \$225,000,000 for fiscal year 2008, and
22 \$225,000,000 for fiscal year 2009.

23 (C) PUBLIC LANDS HIGHWAY.—For public
24 lands highway under section 204 of that title,
25 \$250,000,000 for fiscal year 2004,

1 \$260,000,000 for fiscal year 2005,
2 \$280,000,000 for fiscal year 2006,
3 \$280,000,000 for fiscal year 2007,
4 \$290,000,000 for fiscal year 2008, and
5 \$300,000,000 for fiscal year 2009.

6 (D) REFUGE ROADS.—For refuge roads
7 under section 204 of that title, \$20,000,000 for
8 each of fiscal years 2004 through 2009.

9 (10) NATIONAL CORRIDOR INFRASTRUCTURE
10 IMPROVEMENT PROGRAM.—For the national corridor
11 infrastructure improvement program under section
12 1301 of this title, \$333,333,000 for fiscal year 2004,
13 \$600,000,000 for fiscal year 2005, \$600,000,000 for
14 fiscal year 2006, \$600,000,000 for fiscal year 2007,
15 \$600,000,000 for fiscal year 2008, and
16 \$600,000,000 for fiscal year 2009.

17 (11) COORDINATED BORDER INFRASTRUCTURE
18 PROGRAM.—For the coordinated border infrastruc-
19 ture program under section 1302 of this title,
20 \$105,000,000 for fiscal year 2004, \$200,000,000 for
21 fiscal year 2005, \$200,000,000 for fiscal year 2006,
22 \$200,000,000 for fiscal year 2007, \$200,000,000 for
23 fiscal year 2008, and \$225,000,000 for fiscal year
24 2009.

1 (12) PROJECTS OF NATIONAL AND REGIONAL
2 SIGNIFICANCE PROGRAM.—For the projects of na-
3 tional and regional significance program under sec-
4 tion 1304 of this title, \$600,000,000 for fiscal year
5 2004, \$1,100,000,000 for fiscal year 2005,
6 \$1,100,000,000 for fiscal year 2006,
7 \$1,200,000,000 for fiscal year 2007,
8 \$1,300,000,000 for fiscal year 2008, and
9 \$1,300,000,000 for fiscal year 2009.

10 (13) CONSTRUCTION OF FERRY BOATS AND
11 FERRY TERMINAL FACILITIES.—For construction of
12 ferry boats and ferry terminal facilities under sec-
13 tion 165 of title 23, United States Code,
14 \$60,000,000 for fiscal year 2004, \$70,000,000 for
15 fiscal year 2005, \$75,000,000 for fiscal year 2006,
16 \$75,000,000 for fiscal year 2007, \$75,000,000 for
17 fiscal year 2008, and \$75,000,000 for fiscal year
18 2009.

19 (14) NATIONAL SCENIC BYWAYS PROGRAM.—
20 For the national scenic byways program under sec-
21 tion 162 of title 23, United States Code,
22 \$30,000,000 for fiscal year 2004, \$40,000,000 for
23 fiscal year 2005, \$45,000,000 for fiscal year 2006,
24 \$55,000,000 for fiscal year 2007, \$55,000,000 for

1 fiscal year 2008, and \$60,000,000 for fiscal year
2 2009.

3 (15) CONGESTION PRICING PILOT PROGRAM.—
4 For the congestion pricing pilot program under sec-
5 tion 1209 of this title, \$15,000,000 for fiscal year
6 2004, \$15,000,000 for fiscal year 2005,
7 \$15,000,000 for fiscal year 2006, \$15,000,000 for
8 fiscal year 2007, \$15,000,000 for fiscal year 2008,
9 and \$15,000,000 for fiscal year 2009.

10 (16) DEPLOYMENT OF 511 TRAVELER INFOR-
11 MATION PROGRAM.—For the 511 traveler informa-
12 tion program under section 1204(c)(7) of this title,
13 \$6,000,000 for each of fiscal years 2004 through
14 2009.

15 (17) HIGH PRIORITY PROJECTS PROGRAM.—
16 For the high priority projects program under section
17 117 of title 23, United States Code, \$2,176,042,000
18 for fiscal year 2004, \$2,061,242,000 for fiscal year
19 2005, \$1,809,342,000 for fiscal year 2006,
20 \$1,708,042,000 for fiscal year 2007,
21 \$1,757,242,000 for fiscal year 2008, and
22 \$1,615,242,000 for fiscal year 2009.

23 (18) FREIGHT INTERMODAL CONNECTOR PRO-
24 GRAM.—For the freight intermodal connector pro-
25 gram under section 1303 of this title, \$115,000,000

1 for fiscal year 2004, \$250,000,000 for fiscal year
2 2005, \$250,000,000 for fiscal year 2006,
3 \$250,000,000 for fiscal year 2007, \$250,000,000 for
4 fiscal year 2008, and \$250,000,000 for fiscal year
5 2009.

6 (19) HIGH RISK RURAL ROAD SAFETY IM-
7 PROVEMENT PROGRAM.—For the high risk rural
8 road safety improvement program under section
9 1403 of this title, \$85,000,000 for fiscal year 2004,
10 \$105,000,000 for fiscal year 2005, \$110,000,000 for
11 fiscal year 2006, \$120,000,000 for fiscal year 2007,
12 \$125,000,000 for fiscal year 2008, and
13 \$130,000,000 for fiscal year 2009.

14 (20) HIGHWAY USE TAX EVASION PROGRAM.—
15 For highway use tax evasion projects under section
16 143 of title 23, United States Code, \$12,000,000 for
17 fiscal year 2004, \$30,000,000 for fiscal year 2005,
18 \$30,000,000 for fiscal year 2006, \$20,000,000 for
19 fiscal year 2007, \$10,000,000 for fiscal year 2008,
20 and \$7,000,000 for fiscal year 2009.

21 (21) PEDESTRIAN AND CYCLIST EQUITY.—

22 (A) SAFE ROUTES TO SCHOOL PROGRAM.—
23 For the safe routes to school program under
24 section 1120(a) of this title, \$125,000,000 for
25 fiscal year 2004, \$150,000,000 for fiscal year

1 2005, \$175,000,000 for fiscal year 2006,
2 \$175,000,000 for fiscal year 2007,
3 \$175,000,000 for fiscal year 2008, and
4 \$200,000,000 for fiscal year 2009.

5 (B) NONMOTORIZED PILOT PROGRAM.—
6 For the nonmotorized pilot program under sec-
7 tion 1120(b) of this title, \$20,000,000 for fiscal
8 year 2004 and \$25,000,000 for each of fiscal
9 years 2005 through 2009.

10 (22) DEDICATED TRUCK LANES.—For dedi-
11 cated truck lanes under section 1305 of this title,
12 \$80,000,000 for fiscal year 2004 , \$165,000,000 for
13 each of fiscal years 2005 through 2008, and
14 \$170,000,000 for fiscal year 2009.

15 (23) HIGHWAYS FOR LIFE PROGRAM.—For the
16 highways for life program under section 1504 of this
17 title, \$40,000,000 for fiscal year 2004, \$55,000,000
18 for fiscal year 2005, and \$60,000,000 for each of
19 fiscal years 2006 through 2009.

20 (24) COMMONWEALTH OF PUERTO RICO HIGH-
21 WAY PROGRAM.—For the Commonwealth of Puerto
22 Rico highway program under section 1214(r) of the
23 Transportation Equity Act for the 21st Century
24 (112 Stat. 209), \$115,000,000 for fiscal year 2004,
25 \$125,000,000 for fiscal year 2005, \$130,000,000 for

1 fiscal year 2006, \$130,000,000 for fiscal year 2007,
2 \$140,000,000 for fiscal year 2008, and
3 \$140,000,000 for fiscal year 2009.

4 (b) DISADVANTAGED BUSINESS ENTERPRISES.—

5 (1) GENERAL RULE.—Except to the extent that
6 the Secretary determines otherwise, not less than 10
7 percent of the amounts made available for any pro-
8 gram under titles I, III, and V of this Act and sec-
9 tion 403 of title 23, United States Code, shall be ex-
10 pended with small business concerns owned and con-
11 trolled by socially and economically disadvantaged
12 individuals.

13 (2) DEFINITIONS.—In this subsection, the fol-
14 lowing definitions apply:

15 (A) SMALL BUSINESS CONCERN.—The
16 term “small business concern” has the meaning
17 such term has under section 3 of the Small
18 Business Act (15 U.S.C. 632); except that such
19 term shall not include any concern or group of
20 concerns controlled by the same socially and
21 economically disadvantaged individual or indi-
22 viduals which has average annual gross receipts
23 over the preceding 3 fiscal years in excess of
24 \$17,420,000, as adjusted by the Secretary for
25 inflation.

1 (B) SOCIALLY AND ECONOMICALLY DIS-
2 ADVANTAGED INDIVIDUALS.—The term “so-
3 cially and economically disadvantaged individ-
4 uals” has the meaning such term has under
5 section 8(d) of the Small Business Act (15
6 U.S.C. 637(d)) and relevant subcontracting reg-
7 ulations promulgated pursuant thereto; except
8 that women shall be presumed to be socially
9 and economically disadvantaged individuals for
10 purposes of this subsection.

11 (3) ANNUAL LISTING OF DISADVANTAGED BUSI-
12 NESS ENTERPRISES.—Each State shall annually sur-
13 vey and compile a list of the small business concerns
14 referred to in paragraph (1) and the location of such
15 concerns in the State and notify the Secretary, in
16 writing, of the percentage of such concerns which
17 are controlled by women, by socially and economi-
18 cally disadvantaged individuals (other than women),
19 and by individuals who are women and are otherwise
20 socially and economically disadvantaged individuals.

21 (4) UNIFORM CERTIFICATION.—The Secretary
22 shall establish minimum uniform criteria for State
23 governments to use in certifying whether a concern
24 qualifies for purposes of this subsection. Such min-
25 imum uniform criteria shall include, but not be lim-

1 ited to, on-site visits, personal interviews, licenses,
2 analysis of stock ownership, listing of equipment,
3 analysis of bonding capacity, listing of work com-
4 pleted, resume of principal owners, financial capac-
5 ity, and type of work preferred.

6 (5) COMPLIANCE WITH COURT ORDERS.—Noth-
7 ing in this subsection limits the eligibility of an enti-
8 ty or person to receive funds made available under
9 titles I, III, and V of this Act and section 403 of
10 title 23, United States Code, if the entity or person
11 is prevented, in whole or in part, from complying
12 with paragraph (1) because a Federal court issues a
13 final order in which the court finds that the require-
14 ment of paragraph (1), or the program established
15 under paragraph (1), is unconstitutional.

16 **SEC. 1102. OBLIGATION CEILING.**

17 (a) GENERAL LIMITATION.—Notwithstanding any
18 other provision of law but subject to subsections (g) and
19 (h), the obligations for Federal-aid highway and highway
20 safety construction programs shall not exceed—

- 21 (1) \$33,644,000,000 for fiscal year 2004;
- 22 (2) \$34,641,000,000 for fiscal year 2005;
- 23 (3) \$35,668,000,000 for fiscal year 2006;
- 24 (4) \$36,725,000,000 for fiscal year 2007;
- 25 (5) \$37,813,000,000 for fiscal year 2008; and

1 (6) \$38,934,000,000 for fiscal year 2009.

2 (b) EXCEPTIONS.—The limitations under subsection

3 (a) shall not apply to obligations—

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

6 (2) under section 147 of the Surface Transpor-
7 tation Assistance Act of 1978;

8 (3) under section 9 of the Federal-Aid Highway
9 Act of 1981;

10 (4) under sections 131(b) and 131(j) of the
11 Surface Transportation Assistance Act of 1982;

12 (5) under sections 149(b) and 149(c) of the
13 Surface Transportation and Uniform Relocation As-
14 sistance Act of 1987;

15 (6) under sections 1103 through 1108 of the
16 Intermodal Surface Transportation Efficiency Act of
17 1991;

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

20 (8) under section 105 of title 23, United States
21 Code (but, for each of fiscal years 1998 through
22 2013), only in an amount equal to \$639,000,000 per
23 fiscal year; and

24 (9) for Federal-aid highway programs for which
25 obligation authority was made available under the

1 Transportation Equity Act for the 21st Century or
2 subsequent public laws for multiple years or to re-
3 main available until used, but only to the extent that
4 such obligation authority has not lapsed or been
5 used.

6 (c) DISTRIBUTION OF OBLIGATION AUTHORITY.—

7 For each of fiscal years 2004 through 2009, the Secretary
8 shall—

9 (1) not distribute obligation authority provided
10 by subsection (a) for such fiscal year for amounts
11 authorized for administrative expenses and amounts
12 authorized for the highway use tax evasion program
13 and the Bureau of Transportation Statistics;

14 (2) not distribute an amount of obligation au-
15 thority provided by subsection (a) that is equal to
16 the unobligated balance of amounts made available
17 from the Highway Trust Fund (other than the Mass
18 Transit Account) for Federal-aid highway and high-
19 way safety programs for previous fiscal years the
20 funds for which are allocated by the Secretary;

21 (3) determine the ratio that—

22 (A) the obligation authority provided by
23 subsection (a) for such fiscal year less the ag-
24 gregate of amounts not distributed under para-
25 graphs (1) and (2), bears to

1 (B) the total of the sums authorized to be
2 appropriated for Federal-aid highway and high-
3 way safety construction programs (other than
4 sums authorized to be appropriated for sections
5 set forth in paragraphs (1) through (7) of sub-
6 section (b) and sums authorized to be appro-
7 priated for section 105 of title 23, United
8 States Code, equal to the amount referred to in
9 subsection (b)(8)) for such fiscal year less the
10 aggregate of the amounts not distributed under
11 paragraph (1) of this subsection;

12 (4) distribute the obligation authority provided
13 by subsection (a) less the aggregate amounts not
14 distributed under paragraphs (1) and (2) for section
15 117 of title 23, United States Code (relating to high
16 priority projects program), section 14501 of title 40,
17 United States Code (relating to Appalachian devel-
18 opment highway system), and \$2,000,000,000 for
19 such fiscal year under section 105 of title 23, United
20 States Code (relating to minimum guarantee) so
21 that amount of obligation authority available for
22 each of such sections is equal to the amount deter-
23 mined by multiplying the ratio determined under
24 paragraph (3) by the sums authorized to be appro-

1 appropriated for such section (except in the case of sec-
2 tion 105, \$2,000,000,000) for such fiscal year;

3 (5) distribute the obligation authority provided
4 by subsection (a) less the aggregate amounts not
5 distributed under paragraphs (1) and (2) and
6 amounts distributed under paragraph (4) for each of
7 the programs that are allocated by the Secretary
8 under this Act and title 23, United States Code
9 (other than activities to which paragraph (1) applies
10 and programs to which paragraph (4) applies) by
11 multiplying the ratio determined under paragraph
12 (3) by the sums authorized to be appropriated for
13 such program for such fiscal year; and

14 (6) distribute the obligation authority provided
15 by subsection (a) less the aggregate amounts not
16 distributed under paragraphs (1) and (2) and
17 amounts distributed under paragraphs (4) and (5)
18 for Federal-aid highway and highway safety con-
19 struction programs (other than the minimum guar-
20 antee program, but only to the extent that amounts
21 apportioned for the minimum guarantee program for
22 such fiscal year exceed \$2,639,000,000, and the Ap-
23 palachian development highway system program)
24 that are apportioned by the Secretary under this Act
25 and title 23, United States Code, in the ratio that—

1 (A) sums authorized to be appropriated for
2 such programs that are apportioned to each
3 State for such fiscal year, bear to

4 (B) the total of the sums authorized to be
5 appropriated for such programs that are appor-
6 tioned to all States for such fiscal year.

7 (d) REDISTRIBUTION OF UNUSED OBLIGATION AU-
8 THORITY.—Notwithstanding subsection (c), the Secretary
9 shall after August 1 of each of fiscal years 2004 through
10 2009 revise a distribution of the obligation authority made
11 available under subsection (c) if an amount made available
12 under this section will not be obligated during the fiscal
13 year and redistribute sufficient amounts to those States
14 able to obligate amounts in addition to those previously
15 distributed during that fiscal year. In making the redis-
16 tribution, the Secretary shall give priority to those States
17 having large unobligated balances of funds apportioned
18 under sections 104 and 144 of title 23, United States
19 Code.

20 (e) APPLICABILITY OF OBLIGATION LIMITATIONS TO
21 TRANSPORTATION RESEARCH PROGRAMS.—Obligation
22 limitations imposed by subsection (a) shall apply to trans-
23 portation research programs carried out under chapter 5
24 of title 23, United States Code, and under title V of this
25 Act; except that obligation authority made available for

1 such programs under such limitations shall remain avail-
2 able for a period of 3 fiscal years.

3 (f) REDISTRIBUTION OF CERTAIN AUTHORIZED
4 FUNDS.—Not later than 30 days after the date of the dis-
5 tribution of obligation authority under subsection (c) for
6 each of fiscal years 2004 through 2009, the Secretary
7 shall distribute to the States any funds (1) that are au-
8 thorized to be appropriated for such fiscal year for Fed-
9 eral-aid highway programs, and (2) that the Secretary de-
10 termines will not be allocated to the States, and will not
11 be available for obligation, in such fiscal year due to the
12 imposition of any obligation limitation for such fiscal year.
13 Such distribution to the States shall be made in the same
14 ratio as the distribution of obligation authority under sub-
15 section (c)(6). The funds so distributed shall be available
16 for any purposes described in section 133(b) of title 23,
17 United States Code.

18 (g) SPECIAL RULE.—Obligation authority distributed
19 for a fiscal year under subsection (c)(4) for a section set
20 forth in subsection (c)(4) shall remain available until used
21 for obligation of funds for such section and shall be in
22 addition to the amount of any limitation imposed on obli-
23 gations for Federal-aid highway and highway safety con-
24 struction programs for future fiscal years.

1 (h) INCREASE IN OBLIGATION LIMIT.—Limitations
2 on obligations imposed by subsection (a) for a fiscal year
3 shall be increased by an amount equal to the amount de-
4 termined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985 (2 U.S.C. 901(b)(2)(B)(ii)(I)(cc)) for such fiscal
7 year. Any such increase shall be distributed in accordance
8 with this section.

9 (i) LIMITATIONS ON OBLIGATIONS FOR ADMINISTRA-
10 TIVE EXPENSES.—Notwithstanding any other provision of
11 law, the total amount of all obligations under section
12 104(a) of title 23, United States Code, shall not exceed—

- 13 (1) \$390,000,000 for fiscal year 2004;
- 14 (2) \$395,000,000 for fiscal year 2005;
- 15 (3) \$395,000,000 for fiscal year 2006;
- 16 (4) \$395,000,000 for fiscal year 2007;
- 17 (5) \$395,000,000 for fiscal year 2008; and
- 18 (6) \$400,000,000 for fiscal year 2009.

19 **SEC. 1103. APPORTIONMENTS.**

20 (a) ADMINISTRATIVE EXPENSES.—Section 104(a) of
21 title 23, United States Code, is amended—

22 (1) by striking paragraphs (1) and (2) and in-
23 serting the following:

24 “(1) IN GENERAL.—There are authorized to be
25 appropriated from the Highway Trust Fund (other

1 than the Mass Transit Account) for purposes de-
2 scribed in paragraph (2) \$390,000,000 for fiscal
3 year 2004, \$395,000,000 for fiscal year 2005,
4 \$395,000,000 for fiscal year 2006, \$395,000,000 for
5 fiscal year 2007, \$395,000,000 for fiscal year 2008,
6 and \$400,000,000 for fiscal year 2009.

7 “(2) USE OF FUNDS.—The amounts authorized
8 to be appropriated by paragraph (1) are authorized
9 for the following purposes:

10 “(A) To administer the provisions of law to
11 be financed from appropriations for the Fed-
12 eral-aid highway program and programs au-
13 thorized under chapter 2.

14 “(B) To make transfers of such sums as
15 the Secretary determines to be appropriate to
16 the Appalachian Regional Commission for ad-
17 ministrative activities associated with the Appa-
18 lachian development highway system.”;

19 (2) in paragraph (3) by striking “sum deducted
20 under” and inserting “amounts authorized to be ap-
21 propriated by”; and

22 (3) in paragraph (4)—

23 (A) by striking “sums deducted under”
24 and inserting “amounts authorized to be appro-
25 priated by”; and

1 (B) by striking “and the Federal Motor
2 Carrier Safety Administration”.

3 (b) NATIONAL HIGHWAY SYSTEM.—Section 104(b)
4 of such title is amended—

5 (1) by striking “the deduction authorized by
6 subsection (a) and”; and

7 (2) in paragraph (1)(A)—

8 (A) by striking “\$36,400,000 for each fis-
9 cal year” and inserting “\$40,000,000 for fiscal
10 year 2004, \$40,000,000 for fiscal year 2005,
11 \$40,000,000 for fiscal year 2006, \$50,000,000
12 for fiscal year 2007, \$50,000,000 for fiscal year
13 2008, and \$50,000,000 for fiscal year 2009”;
14 and

15 (B) by striking “\$18,800,000 for each of
16 fiscal years 1998 through 2002” and inserting
17 “\$20,000,000 for fiscal year 2004 and
18 \$30,000,000 for each of fiscal years 2005
19 through 2009”.

20 (c) REPORT.—Section 104(j) of title 23, United
21 States Code, is amended by striking “submit to Congress
22 a report” and inserting “transmit to Congress a report,
23 and also make such report available to the public in a
24 user-friendly format via the Internet,”.

1 (d) CONFORMING AMENDMENTS.—Section 104 of
2 such title is amended—

3 (1) in subsection (f)(1)—

4 (A) by striking “, after making the deduc-
5 tion authorized by subsection (a) of this sec-
6 tion,”; and

7 (B) by striking “remaining”; and

8 (2) in subsection (i) by striking “deducted” and
9 inserting “authorized to be appropriated”.

10 (e) PUERTO RICO HIGHWAY PROGRAM.—Section
11 1214(r) of the Transportation Equity Act for the 21st
12 Century (112 Stat. 209; 117 Stat. 1114) is amended—

13 (1) in paragraph (1) by striking “(15) for each
14 of fiscal years 1998 through 2004” and inserting
15 “(24) for each of fiscal years 2004 through 2009 of
16 the Transportation Equity Act: A Legacy for
17 Users”; and

18 (2) in paragraph (2) by striking “(15) of this
19 Act” and inserting “(24) of the Transportation Eq-
20 uity Act: A Legacy for Users”.

21 **SEC. 1104. MINIMUM GUARANTEE.**

22 (a) GENERAL RULE.—Section 105(a) of title 23,
23 United States Code, is amended—

24 (1) by striking “1998 through 2003” and in-
25 serting “2004 through 2009”;

1 (2) by striking “, high priority projects”; and

2 (3) by striking “and recreational trails” and in-
3 sserting “recreational trails, coordinated border infra-
4 structure, freight intermodal connectors, safe routes
5 to school, highway safety improvement, and high
6 risk rural road safety improvement”.

7 (b) TREATMENT OF FUNDS.—Section 105(c)(1) of
8 such title is amended—

9 (1) by striking “\$2,800,000,000” and inserting
10 “\$2,870,000,000 in fiscal year 2004,
11 \$2,941,750,000 in fiscal year 2005, \$3,015,293,750
12 in fiscal year 2006, \$3,090,676,094 in fiscal year
13 2007, \$3,167,942,996 in fiscal year 2008, and
14 \$3,247,141,571 in fiscal year 2009”;

15 (2) by striking “, high priority projects”; and

16 (3) by striking “and recreational trails” each
17 place it appears and inserting “recreational trails,
18 coordinated border infrastructure, freight intermodal
19 connectors, safe routes to school, highway safety im-
20 provement, and high risk rural road safety improve-
21 ment”.

22 (c) AUTHORIZATION.—Section 105(d) of such title is
23 amended by striking “1998 through 2003” and inserting
24 “2004 through 2009”.

1 (d) SPECIAL RULE.—Section 105 of such title is fur-
2 ther amended—

3 (1) by striking subsection (e); and

4 (2) by redesignating subsection (f) as sub-
5 section (e).

6 (e) GUARANTEED SPECIFIED RETURN.—Section
7 105(e) of such title (as redesignated by subsection (d))
8 is amended—

9 (1) in the subsection heading by striking “OF
10 90.5” and inserting “SPECIFIED”; and

11 (2) in paragraph (1) by striking “1999 through
12 2003” and inserting “2004 through 2009”.

13 (f) CONFORMING AMENDMENTS.—

14 (1) SECTION 131.—Section 131(m) of title 23,
15 United States Code, is amended by striking “in ac-
16 cordance with the program of projects approval
17 process of section 105”.

18 (2) SECTION 140.—Section 140 of such title is
19 amended—

20 (A) in subsection (a) by striking “pro-
21 grams for projects as provided for in subsection
22 (a) of section 105 of this title” and inserting
23 “project under this chapter”; and

1 (B) in subsection (c) by striking “sub-
2 section 104(b)(3) of this title” and inserting
3 “section 104(b)(3)”.

4 **SEC. 1105. PROJECT APPROVAL AND OVERSIGHT**

5 (a) OVERSIGHT PROGRAM.—Section 106 of title 23,
6 United States Code, is amended by striking subsection (h)
7 and inserting the following:

8 “(h) OVERSIGHT PROGRAM.—

9 “(1) IN GENERAL.—The Secretary shall estab-
10 lish an oversight program to monitor the effective
11 and efficient use of funds authorized to carry out
12 this title. At a minimum, the program shall be re-
13 sponsive to all areas related to financial integrity
14 and project delivery.

15 “(2) FINANCIAL INTEGRITY.—

16 “(A) FINANCIAL MANAGEMENT SYS-
17 TEMS.—The Secretary shall perform annual re-
18 views that address elements of the State trans-
19 portation departments’ financial management
20 systems that affect projects approved under
21 subsection (a).

22 “(B) PROJECT COSTS.—The Secretary
23 shall develop minimum standards for estimating
24 project costs and shall periodically evaluate the

1 States' practices for estimating project costs,
2 awarding contracts, and reducing project costs.

3 “(C) RESPONSIBILITY OF THE STATES.—

4 The States are responsible for determining that
5 subrecipients of Federal funds under this title
6 have sufficient accounting controls to properly
7 manage such Federal funds. The Secretary
8 shall periodically review the States' monitoring
9 of subrecipients.

10 “(3) PROJECT DELIVERY.—The Secretary shall
11 perform annual reviews that address elements of a
12 State's project delivery system, which includes one
13 or more activities that are involved in the life cycle
14 of a project from its conception to its completion.

15 “(4) RESPONSIBILITY OF THE STATES.—The
16 States are responsible for determining that sub-
17 recipients of Federal funds under this title have ade-
18 quate project delivery systems for projects approved
19 under this section. The Secretary shall periodically
20 review the States' monitoring of subrecipients.

21 “(5) SPECIFIC OVERSIGHT RESPONSIBIL-
22 ITIES.—Nothing in this section shall affect or dis-
23 charge any oversight responsibility of the Secretary
24 specifically provided for under this title or other
25 Federal law. In addition, the Secretary shall retain

1 full oversight responsibilities for the design and con-
2 struction of all Appalachian development highways
3 under section 14501 of title 40.

4 “(i) MAJOR PROJECTS.—

5 “(1) IN GENERAL.—Notwithstanding any other
6 provision in this section, a recipient of Federal fi-
7 nancial assistance for a project under this title with
8 an estimated total cost of \$500,000,000 or more, or
9 any other project in the discretion of the Secretary,
10 shall submit to the Secretary a project management
11 plan and an annual financial plan.

12 “(2) PROJECT MANAGEMENT PLAN.—The
13 project management plan shall document the proce-
14 dures and processes in place to provide timely infor-
15 mation to the project decision makers to manage ef-
16 fectively the scope, costs, schedules, and quality, and
17 the Federal requirements of the project and the role
18 of the agency leadership and management team in
19 the delivery of the project.

20 “(3) FINANCIAL PLAN.—The financial plan
21 shall be based on detailed estimates of the cost to
22 complete the project. Annual updates shall be sub-
23 mitted based on reasonable assumptions, as deter-
24 mined by the Secretary, of future increases in the
25 cost to complete the project.

1 “(j) OTHER PROJECTS.—A recipient of Federal fi-
2 nancial assistance for a project under this title with an
3 estimated total cost of \$100,000,000 or more that is not
4 covered by subsection (h) shall prepare an annual financial
5 plan. Annual financial plans prepared under this sub-
6 section shall be made available to the Secretary for review
7 upon the Secretary’s request.”.

8 (b) SHARING OF MONETARY RECOVERIES.—Notwith-
9 standing any other provision of law, monetary judgments
10 accruing to the Government from judgments in Federal
11 criminal prosecutions and civil proceedings pertaining to
12 fraud in Federally funded highway and public transpor-
13 tation projects and programs shall be treated as follows:

14 (1) Any amount less than or equal to the single
15 damages incurred as the result of such fraud shall
16 be credited to the Federal account from which the
17 funds for the project or program that is at issue in
18 the fraud came, except to the extent that such Fed-
19 eral account has been credited as the result of any
20 judgment in favor of a grant recipient.

21 (2) Any amount in excess of the amount cred-
22 ited pursuant to paragraph (1) shall be shared with
23 the State or other recipient involved if—

24 (A) the State or other recipient enters into
25 a legally binding agreement with the Secretary

1 to use the funds for a purpose eligible for Fed-
2 eral assistance under title 23 or chapter 53 of
3 title 49, United States Code, as the case may
4 be;

5 (B) the amount to be shared with the
6 State or other recipient is determined by the
7 Attorney General, in consultation with the Sec-
8 retary; and

9 (C) the Attorney General, in consultation
10 with the Secretary, determines that the fraud
11 did not occur as a result of negligent oversight
12 or actual involvement in the fraud by the State
13 or other recipient or any senior official of the
14 State or other recipient.

15 **SEC. 1106. TEMPORARY TRAFFIC CONTROL DEVICES.**

16 (a) STANDARDS.—Section 109(e) of title 23, United
17 States Code, is amended—

18 (1) by striking “(e) No funds” and inserting
19 the following:

20 “(e) INSTALLATION OF SAFETY DEVICES.—

21 “(1) HIGHWAY AND RAILROAD GRADE CROSS-
22 INGS AND DRAWBRIDGES.—No funds”; and

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

24 “(2) TEMPORARY TRAFFIC CONTROL DE-
25 VICES.—No funds shall be approved for expenditure

1 on any Federal-aid highway, or highway affected
2 under chapter 2 of this title, unless proper tem-
3 porary traffic control devices to improve safety in
4 work zones will be installed and maintained during
5 construction, utility, and maintenance operations on
6 that portion of the highway with respect to which
7 such expenditures are to be made. Installation and
8 maintenance of the devices shall be in accordance
9 with the Manual on Uniform Traffic Control De-
10 vices.”.

11 (b) LETTING OF CONTRACTS.—Section 112 of such
12 title is amended—

13 (1) by striking subsection (f);

14 (2) by redesignating subsection (g) as sub-
15 section (f); and

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

17 “(g) TEMPORARY TRAFFIC CONTROL DEVICES.—

18 “(1) ISSUANCE OF REGULATIONS.—The Sec-
19 retary, after consultation with appropriate Federal
20 and State officials, shall issue regulations estab-
21 lishing the conditions for the appropriate use of, and
22 expenditure of funds for, uniformed law enforcement
23 officers, positive protective measures between work-
24 ers and motorized traffic, and installation and main-

1 tenance of temporary traffic control devices during
2 construction, utility, and maintenance operations.

3 “(2) EFFECTS OF REGULATIONS.—Based on
4 regulations issued under paragraph (1), a State
5 shall—

6 “(A) develop separate pay items for the
7 use of uniformed law enforcement officers, posi-
8 tive protective measures between workers and
9 motorized traffic, and installation and mainte-
10 nance of temporary traffic control devices dur-
11 ing construction, utility, and maintenance oper-
12 ations; and

13 “(B) incorporate such pay items into con-
14 tract provisions to be included in each contract
15 entered into by the State with respect to a
16 highway project to ensure compliance with sec-
17 tion 109(e)(2).

18 “(3) LIMITATION.—Nothing in the regulations
19 shall be construed to prohibit a State from imple-
20 menting standards that are more stringent than
21 those required under the regulations.

22 “(4) POSITIVE PROTECTIVE MEASURES DE-
23 FINED.—In this subsection, the term ‘positive pro-
24 tective measures’ means temporary traffic barriers,
25 crash cushions, and other strategies to avoid traffic

1 accidents in work zones, including full road clo-
2 sures.”.

3 **SEC. 1107. REVENUE ALIGNED BUDGET AUTHORITY.**

4 (a) ALLOCATION.—Section 110(a)(1) of title 23,
5 United States Code, is amended—

6 (1) by striking “2000” and inserting “2006”;

7 (2) by inserting after “such fiscal year” the fol-
8 lowing: “and the succeeding fiscal year”.

9 (b) REDUCTION.—Section 110(a)(2) of such title is
10 amended—

11 (1) by striking “2000” and inserting “2006”;

12 (2) by striking “October 1 of the succeeding”
13 and inserting “October 15 of such”; and

14 (3) by inserting after “Account)” the following:
15 “for such fiscal year and the succeeding fiscal year”.

16 (c) GENERAL DISTRIBUTION.—Section 110(b)(1)(A)
17 of such title is amended by striking “Transportation Eq-
18 uity Act for the 21st Century” and inserting “Transpor-
19 tation Equity Act: A Legacy for Users”.

20 (d) TECHNICAL AMENDMENT.—Section 110(b)(1)(A)
21 of title 23, United States Code, is amended by striking
22 “for” the second place it appears.

1 **SEC. 1108. EMERGENCY RELIEF.**

2 (a) IN GENERAL.—Effective October 1, 2004, section
3 125(c)(1) of title 23, United States Code, is amended by
4 striking “\$100,000,000” and inserting “\$120,000,000”.

5 (b) AUTHORIZATIONS OF APPROPRIATIONS FROM
6 GENERAL FUND.—There is authorized to be appropriated
7 for a fiscal year such sums as may be necessary for alloca-
8 tions by the Secretary described in subsections (a) and (b)
9 of sections 125 of title 23, United States Code, if the total
10 of those allocations in such fiscal year are in excess of
11 \$120,000,000.

12 **SEC. 1109. SURFACE TRANSPORTATION PROGRAM.**

13 Section 133(f)(1) of title 23, United States Code, is
14 amended—

15 (1) by striking “1998 through 2000” and in-
16 serting “2004 through 2006”; and

17 (2) by striking “2001 through 2003” and in-
18 serting “2007 through 2009”.

19 **SEC. 1110. HIGHWAY USE TAX EVASION PROJECTS.**

20 (a) ELIGIBLE ACTIVITIES.—

21 (1) INTERGOVERNMENTAL ENFORCEMENT EF-
22 FORTS.—Section 143(b)(2) of title 23, United States
23 Code, is amended by inserting before the period the
24 following: “; except that of funds so made available
25 for each of fiscal years 2004 through 2009,
26 \$2,000,000 shall be available only to carry out inter-

1 governmental enforcement efforts, including research
2 and training”.

3 (2) CONDITIONS ON FUNDS ALLOCATED TO IN-
4 TERNAL REVENUE SERVICE.—Section 143(b)(3) of
5 such title is amended by striking “The” and insert-
6 ing “Except as otherwise provided in this section,
7 the”.

8 (3) LIMITATION ON USE OF FUNDS.—Section
9 143(b)(4) of such title is amended—

10 (A) by striking “and” at the end of sub-
11 paragraph (F);

12 (B) by striking the period at the end of
13 subparagraph (G) and inserting a semicolon;
14 and

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

16 “(H) to support efforts between States and
17 Indian tribes to address issues related to State
18 motor fuel taxes; and

19 “(I) to analyze and implement programs to
20 reduce tax evasion associated with foreign im-
21 ported fuel.”.

22 (4) REPORTS.—Section 143(b) of such title is
23 amended by adding at the end the following:

24 “(9) REPORTS.—The Commissioner of the In-
25 ternal Revenue Service and each State shall submit

1 to the Secretary an annual report that describes the
2 projects, examinations, and criminal investigations
3 funded by and carried out under this section. Such
4 report shall specify the annual yield estimated for
5 each project funded under this section.”.

6 (b) EXCISE FUEL REPORTING SYSTEM.—

7 (1) IN GENERAL.—Section 143(c)(1) of such
8 title is amended—

9 (A) by striking “August 1, 1998,” and in-
10 sserting “90 days after the date of enactment of
11 the Transportation Equity Act: A Legacy for
12 Users,”;

13 (B) by striking “development” and insert-
14 ing “completion, operation,”; and

15 (C) by striking “an excise fuel reporting
16 system (in this subsection referred to as ‘the
17 system’)” and inserting “an excise summary
18 terminal activity reporting system”.

19 (2) ELEMENTS OF MEMORANDUM OF UNDER-
20 STANDING.—Section 143(c)(2) of such title is
21 amended—

22 (A) by striking “the system” the first place
23 it appears and inserting “the excise summary
24 terminal activity reporting system”;

1 (B) in subparagraph (A) by striking “de-
2 velop” and inserting “complete”;

3 (C) by striking “and” at the end of sub-
4 paragraph (B);

5 (D) by striking the period at the end of
6 subparagraph (C) and inserting “; and”; and

7 (E) by adding at the end the following:

8 “(D) the Commissioner of the Internal
9 Revenue Service shall submit and the Secretary
10 shall approve a budget and project plan for the
11 completion, operation, and maintenance of the
12 system.”; and

13 (3) FUNDING PRIORITY.—Section 143(e)(3) of
14 such title is amended to read as follows:

15 “(3) FUNDING.—Of the amounts made avail-
16 able to carry out this section for each of fiscal years
17 2004 through 2009, the Secretary shall make avail-
18 able to the Internal Revenue Service such funds as
19 may be necessary to complete, operate, and maintain
20 the excise summary terminal activity reporting sys-
21 tem in accordance with this subsection.”.

22 (c) REGISTRATION SYSTEM AND ELECTRONIC DATA-
23 BASE.—Section 143 of such title is further amended by
24 adding at the end the following:

1 “(d) PIPELINE, VESSEL, AND BARGE REGISTRATION
2 SYSTEM.—

3 “(1) IN GENERAL.—Not later than 90 days
4 after the date of enactment of this subsection, the
5 Secretary shall enter into a memorandum of under-
6 standing with the Commissioner of the Internal Rev-
7 enue Service for the purposes of the development,
8 operation, and maintenance of a registration system
9 for pipelines, vessels, and barges, and operators of
10 such pipelines, vessels, and barges, that make bulk
11 transfers of taxable fuel.

12 “(2) ELEMENTS OF MEMORANDUM OF UNDER-
13 STANDING.—The memorandum of understanding
14 shall provide that—

15 “(A) the Internal Revenue Service shall de-
16 velop and maintain the registration system
17 through contracts;

18 “(B) the Commissioner of the Internal
19 Revenue Service shall submit and the Secretary
20 shall approve a budget and project plan for de-
21 velopment, operation, and maintenance of the
22 registration system;

23 “(C) the registration system shall be under
24 the control of the Internal Revenue Service; and

1 “(D) the registration system shall be made
2 available for use by appropriate State and Fed-
3 eral revenue, tax, and law enforcement authori-
4 ties, subject to section 6103 of the Internal
5 Revenue Code of 1986.

6 “(3) FUNDING.—Of the amounts made avail-
7 able to carry out this section for each of fiscal years
8 2004 through 2009, the Secretary shall make avail-
9 able to the Internal Revenue Service such funds as
10 may be necessary to complete, operate, and maintain
11 a registration system for pipelines, vessels, and
12 barges, and operators of such pipelines, vessels, and
13 barges, that make bulk transfers of taxable fuel in
14 accordance with this subsection.

15 “(e) HEAVY VEHICLE USE TAX PAYMENT DATA-
16 BASE.—

17 “(1) IN GENERAL.—Not later than 90 days
18 after the date of enactment of this subsection, the
19 Secretary shall enter into a memorandum of under-
20 standing with the Commissioner of the Internal Rev-
21 enue Service for the purposes of the establishment,
22 operation, and maintenance of an electronic data-
23 base of heavy vehicle highway use tax payments.

1 “(2) ELEMENTS OF MEMORANDUM OF UNDER-
2 STANDING.—The memorandum of understanding
3 shall provide that—

4 “(A) the Internal Revenue Service shall es-
5 tablish and maintain the electronic database
6 through contracts;

7 “(B) the Commissioner of the Internal
8 Revenue Service shall submit and the Secretary
9 shall approve a budget and project plan for es-
10 tablishment, operation, and maintenance of the
11 electronic database;

12 “(C) the electronic database shall be under
13 the control of the Internal Revenue Service; and

14 “(D) the electronic database shall be made
15 available for use by appropriate State and Fed-
16 eral revenue, tax, and law enforcement authori-
17 ties, subject to section 6103 of the Internal
18 Revenue Code of 1986.

19 “(3) FUNDING.—Of the amounts made avail-
20 able to carry out this section for each of fiscal years
21 2004 through 2009, the Secretary shall make avail-
22 able to the Internal Revenue Service such funds as
23 may be necessary to establish, operate, and maintain
24 an electronic database of heavy vehicle highway use
25 tax payments in accordance with this subsection.

1 “(f) REPORTS.—Not later than March 30 and Sep-
2 tember 30 of each year, the Commissioner of the Internal
3 Revenue Service shall provide reports to the Secretary on
4 the status of the Internal Revenue Service projects funded
5 under this section related to the excise summary terminal
6 activity reporting system, the pipeline, vessel, and barge
7 registration system, and the heavy vehicle use tax elec-
8 tronic database.”.

9 **SEC. 1111. APPALACHIAN DEVELOPMENT HIGHWAY SYS-**
10 **TEM.**

11 (a) APPORTIONMENT.—The Secretary shall appor-
12 tion funds made available by section 1101(a)(7) of this
13 Act for fiscal years 2004 through 2009 among the States
14 based on the latest available cost to complete estimate for
15 the Appalachian development highway system under sec-
16 tion 14501 title 40, United States Code.

17 (b) APPLICABILITY OF TITLE 23.—Funds made
18 available by section 1101(a)(7) of this Act for the Appa-
19 lachian development highway system shall be available for
20 obligation in the same manner as if such funds were ap-
21 portioned under chapter 1 of title 23, United States Code;
22 except that the Federal share of the cost of any project
23 under this section shall be determined in accordance with
24 such section 14501 of title 40, United States Code, and
25 such funds shall be available to construct highways and

1 access roads under such section and shall remain available
2 until expended.

3 (c) USE OF TOLL CREDITS.—Section 120(j)(1) of
4 title 23, United States Code is amended by inserting “and
5 the Appalachian development highway system program
6 under section 14501 of title 40” after “section 125”.

7 **SEC. 1112. CONSTRUCTION OF FERRY BOATS AND FERRY**
8 **TERMINAL FACILITIES.**

9 (a) IN GENERAL.—Subchapter I of chapter 1 of title
10 23, United States Code, is amended by adding at the end
11 the following:

12 **“§ 165. Construction of ferry boats and ferry terminal**
13 **facilities**

14 “(a) IN GENERAL.—The Secretary shall carry out a
15 program for construction of ferry boats and ferry terminal
16 facilities in accordance with section 129(c).

17 “(b) FEDERAL SHARE.—The Federal share payable
18 for construction of ferry boats and ferry terminal facilities
19 under this section shall be 80 percent of the cost thereof.

20 “(c) AVAILABILITY OF AMOUNTS.—Amounts made
21 available to carry out this section shall remain available
22 until expended.

23 “(d) SET-ASIDE FOR PROJECTS ON NHS.—

24 “(1) IN GENERAL.—\$20,000,000 of the amount
25 made available to carry out this section for each of

1 fiscal years 2004 through 2009 shall be obligated for
2 the construction or refurbishment of ferry boats and
3 ferry terminal facilities and approaches to such fa-
4 cilities within marine highway systems that are part
5 of the National Highway System.

6 “(2) ALASKA.—\$10,000,000 of the
7 \$20,000,000 for a fiscal year made available under
8 paragraph (1) shall be made available to the State
9 of Alaska.

10 “(3) NEW JERSEY.—\$5,000,000 of the
11 \$20,000,000 for a fiscal year made available under
12 paragraph (1) shall be made available to the State
13 of New Jersey.

14 “(4) WASHINGTON.—\$5,000,000 of the
15 \$20,000,000 for a fiscal year made available under
16 paragraph (1) shall be made available to the State
17 of Washington.

18 “(e) APPLICABILITY.—All provisions of this chapter
19 that are applicable to the National Highway System, other
20 than provisions relating to apportionment formula and
21 Federal share, shall apply to funds made available to carry
22 out this section, except as determined by the Secretary
23 to be inconsistent with this section.”

1 (b) CONFORMING AMENDMENT.—The analysis for
2 subchapter I of chapter 1 of such title is amended by add-
3 ing at the end the following:

“165. Construction of ferry boats and ferry terminal facilities.”.

4 (c) NATIONAL FERRY DATABASE.—

5 (1) ESTABLISHMENT.—The Secretary, acting
6 through the Bureau of Transportation Statistics,
7 shall establish and maintain a national ferry data-
8 base.

9 (2) CONTENTS.—The database shall contain
10 current information regarding ferry systems, includ-
11 ing information regarding routes, vessels, passengers
12 and vehicles carried, funding sources and such other
13 information as the Secretary considers useful.

14 (3) UPDATE REPORT.—Using information col-
15 lected through the database, the Secretary shall pe-
16 riodically modify as appropriate the report submitted
17 under section 1207(c) of the Transportation Equity
18 Act for the 21st Century (23 U.S.C. 129 note; 112
19 Stat. 185–186).

20 (4) REQUIREMENTS.—The Secretary shall—

21 (A) compile the database not later than 1
22 year after the date of enactment of this Act and
23 update the database every 2 years thereafter;

24 (B) ensure that the database is easily ac-
25 cessible to the public;

1 (C) make available, from the ferry boat
2 and ferry terminal program authorized under
3 section 165 of title 23, United States Code, not
4 more than \$500,000 for each of fiscal years
5 2004 through 2009 to establish the database.

6 **SEC. 1113. INTERSTATE MAINTENANCE DISCRETIONARY.**

7 (a) IN GENERAL.—Section 118 of title 23, United
8 States Code, is amended—

9 (1) by striking subsection (e);

10 (2) in subsection (e) by inserting “SPECIAL
11 RULES.—” before “Funds made”; and

12 (3) by redesignating subsections (d) and (e) as
13 subsections (c) and (d), respectively.

14 (b) CONFORMING AMENDMENT.—Section 103(d)(1)
15 of such title is amended by striking “or 118(c)”.

16 (c) TECHNICAL AMENDMENTS.—

17 (1) SECTION 114.—Section 114(a) of such title
18 is amended by striking “Except as provided in sec-
19 tion 117 of this title, such” and inserting “Such”.

20 (2) SECTION 116.—Section 116(b) of such title
21 is amended by striking “highway department” and
22 inserting “transportation department”.

23 (3) SECTION 120.—Section 120(e) of such title
24 is amended in the first sentence by striking “such
25 system” and inserting “such highway”.

1 (4) SECTION 126.—Section 126(a) of such title
2 is amended by inserting “under” before “section
3 104(b)(3)”.

4 (5) SECTION 127.—Section 127 of such title is
5 amended by striking “118(b)(1)” and inserting
6 “118(b)(2)”.

7 (6) BICYCLE AND PEDESTRIAN SAFETY
8 GRANTS.—Section 1212(i) of the Transportation Eq-
9 uity Act for the 21st Century (112 Stat. 196–197)
10 is amended by redesignating subparagraphs (D) and
11 (E) as paragraphs (2) and (3), respectively, and
12 moving such paragraphs 2 ems to the left.

13 (d) LIMITATION.—The amendments made by this
14 section shall not apply to, or have any affect with respect
15 to, funds made available under section 118 of title 23,
16 United States Code, before the date of enactment of this
17 section.

18 (e) EFFECTIVE DATE.—The amendments made by
19 subsections (a) and (b) of this section shall take effect on
20 September 30, 2004.

21 **SEC. 1114. HIGHWAY BRIDGE.**

22 (a) SCOUR COUNTERMEASURES.—Section 144(d) of
23 title 23, United States Code, is amended to read as fol-
24 lows:

1 “(d) APPLICATIONS FOR AND APPROVAL OF ASSIST-
2 ANCE.—

3 “(1) BRIDGE REPLACEMENT OR REHABILITA-
4 TION.—Whenever any State or States make applica-
5 tion to the Secretary for assistance in replacing or
6 rehabilitating a highway bridge which the priority
7 system established under subsections (b) and (c)
8 shows to be eligible, the Secretary may approve Fed-
9 eral participation in replacing such bridge with a
10 comparable facility or in rehabilitating such bridge.

11 “(2) PREVENTIVE MAINTENANCE, SCOUR MEAS-
12 URES, AND APPLICATIONS OF CERTAIN COMPOSИ-
13 TIONS.—Whenever any State makes application to
14 the Secretary for assistance in painting, seismic ret-
15 rofit, or preventive maintenance of, or installing
16 scour countermeasures or applying calcium magne-
17 sium acetate, sodium acetate/formate, or other envi-
18 ronmentally acceptable, minimally corrosive anti-
19 icing and de-icing compositions to, the structure of
20 a highway bridge, the Secretary may approve Fed-
21 eral participation in the painting, seismic retrofit, or
22 preventive maintenance of, or installation of scour
23 countermeasures or application of acetate or sodium
24 acetate/formate or such anti-icing or de-icing com-
25 position to, such structure.

1 “(3) ELIGIBILITY.—The Secretary shall deter-
2 mine the eligibility of highway bridges for replace-
3 ment or rehabilitation for each State based upon the
4 unsafe highway bridges in such State; except that a
5 State may carry out a project for preventive mainte-
6 nance on a bridge, seismic retrofit of a bridge, or in-
7 stalling scour countermeasures to a bridge under
8 this section without regard to whether the bridge is
9 eligible for replacement or rehabilitation under this
10 section.”.

11 (b) BRIDGE DISCRETIONARY SET-ASIDE.—Section
12 144(g)(1) of such title is amended by adding at the end
13 the following:

14 “(D) FISCAL YEARS 2004 THROUGH
15 2009.—Of the amounts authorized to be appro-
16 priated to carry out the bridge program under
17 this section for each of the fiscal years 2004
18 through 2009, all but \$100,000,000 shall be
19 apportioned as provided in subsection (e). Such
20 \$100,000,000 shall be available at the discre-
21 tion of the Secretary; except that \$25,000,000
22 shall be available only for projects for the seis-
23 mic retrofit of bridges, and of which
24 \$10,000,000 shall be available only for the seis-
25 mic retrofit of a bridge described in subsection

1 (l), and except as provided in subparagraph
2 (E).

3 “(E) GRAVINA ACCESS.—

4 “(i) IN GENERAL.—Of the amounts
5 authorized to be appropriated to carry out
6 the bridge program under this paragraph,
7 for each of the fiscal years 2005 through
8 2009, \$10,000,000 shall be set aside from
9 the \$100,000,000 available at the discre-
10 tion of the Secretary under subparagraph
11 (D) for the construction of a bridge joining
12 the Island of Gravina to the community of
13 Ketchikan in Alaska.

14 “(ii) SCORING.—The project described
15 in this subparagraph shall not be counted
16 for purposes of the reduction set forth in
17 the fourth sentence of subsection (e).”.

18 (c) OFF-SYSTEM BRIDGES.—Section 144(g)(3) of
19 such title is amended—

20 (1) by striking “15 percent” and inserting “20
21 percent”;

22 (2) by striking “1987” and inserting “2004”;

23 (3) by striking “2003” and inserting “2009”;

24 (4) by inserting “, perform systematic preven-
25 tive maintenance,” after “paint”; and

1 (5) by inserting a comma before “to highway
2 bridges”.

3 (d) **TECHNICAL AMENDMENT.**—Section 144(i) of
4 such title is amended by striking “at the same time” and
5 all that follows through “Congress”.

6 **SEC. 1115. TRANSPORTATION AND COMMUNITY AND SYS-**
7 **TEM PRESERVATION PROGRAM.**

8 (a) **EXTENSION.**—Section 1221(e)(1) of Transpor-
9 tation Equity Act for the 21st Century (23 U.S.C. 101
10 note; 112 Stat. 223) is amended—

11 (1) by striking “1999 and” and inserting
12 “1999,”; and

13 (2) by inserting before the period at the end the
14 following: “, and \$25,000,000 for fiscal year 2004,
15 \$30,000,000 for fiscal year 2005, \$35,000,000 for
16 fiscal year 2006, \$35,000,000,000 for fiscal year
17 2007, and \$35,000,000 for each of fiscal years 2008
18 and 2009”.

19 (b) **FEDERAL SHARE.**—Section 1221(e)(2) of such
20 Act is amended by inserting before the period at the end
21 “; except that such funds shall not be transferable and
22 the Federal share for projects and activities carried out
23 with such funds shall be determined in accordance with
24 section 120(b) of title 23, United States Code”.

1 (c) PLANNING ACTIVITIES PILOT PROGRAM.—Sec-
2 tion 1221 of such Act is amended by adding at the end
3 the following:

4 “(f) PLANNING ACTIVITIES PILOT PROGRAM.—

5 “(1) IN GENERAL.—The Secretary shall estab-
6 lish a pilot program using funds set aside under
7 paragraph (4) to support planning and public par-
8 ticipation activities related to highway and public
9 transportation projects.

10 “(2) ELIGIBLE ACTIVITIES.—Activities eligible
11 to be carried out under the pilot program may in-
12 clude the following:

13 “(A) Improving data collection and anal-
14 ysis to improve freight movement, intermodal
15 connections, and transportation access and effi-
16 ciency for all users, including children, older in-
17 dividuals, individuals with disabilities, low-in-
18 come individuals, and minority communities.

19 “(B) Supporting public participation by
20 holding public meetings using an interactive
21 workshop format facilitated by design or plan-
22 ning experts (or both) to consider public input
23 at the initial stages of project development and
24 during other phases of a project.

1 “(C) Using innovative planning or design
2 visualization and simulation tools to improve
3 the evaluation of alternatives and their impacts
4 and to enhance public participation in the
5 transportation planning process, including tools
6 having a structure that enables modifications to
7 scenarios and assumptions in real time.

8 “(D) Enhancing coordination among trans-
9 portation, land use, workforce development,
10 human service, economic development, and
11 other agencies to strengthen access to job train-
12 ing services, daycare centers, health care facili-
13 ties, senior centers, public schools, universities,
14 and residential areas, including the use of inte-
15 grated planning and service delivery, especially
16 for transit dependent and low-income individ-
17 uals.

18 “(E) Contracting with nonprofit organiza-
19 tions, universities, and local agencies to deliver
20 community-oriented transportation plans and
21 projects, including public outreach, context sen-
22 sitive design, transit-oriented development,
23 multimodal corridor investments, commuter
24 benefits deployment, and brownfield redevelop-
25 ment.

1 “(F) Measuring and reporting on the an-
2 nual performance of the transportation system
3 (or parts of) relative to State or locally-estab-
4 lished criteria regarding—

5 “(i) maintenance and operating costs
6 of the transportation system, vehicle miles
7 traveled, peak-period travel times, trans-
8 portation choices, and mode shares;

9 “(ii) location of housing units, jobs,
10 medical facilities, and commercial centers
11 to transit;

12 “(iii) improvements directed to low-in-
13 come families and older individuals;

14 “(iv) transportation-related pollution
15 emissions into the air and water;

16 “(v) land consumption; and

17 “(vi) other locally-significant factors.

18 “(G) Improving regional travel and emis-
19 sion modeling to examine factors not currently
20 considered, such as induced travel and land use
21 effects of transportation alternatives, types of
22 vehicles owned and used by households, time-of-
23 day of travel and linkage of trips to each other
24 throughout the day, effects of urban design and
25 pedestrian and bicycle environment on travel

1 behavior, and impacts of alternatives on the dis-
2 tribution of benefits and burdens among various
3 groups protected under title VI of the Civil
4 Rights Act of 1964 (42 U.S.C. 2000d et seq.).

5 “(3) FEDERAL SHARE.—Notwithstanding sub-
6 section (e)(2), the Federal share of the cost of ac-
7 tivities carried out under the pilot program shall be
8 100 percent.

9 “(4) SET ASIDE.—The Secretary shall make
10 available \$1,500,000 of the amounts made available
11 to carry out this section for each of fiscal years
12 2004 through 2009 to carry out the pilot program
13 under this subsection.”.

14 **SEC. 1116. DEPLOYMENT OF MAGNETIC LEVITATION**
15 **TRANSPORTATION PROJECTS.**

16 (a) DEFINITIONS.—In this section, the following defi-
17 nitions apply:

18 (1) ELIGIBLE PROJECT COSTS.—The term “eli-
19 gible project costs”—

20 (A) means the capital cost of the fixed
21 guideway infrastructure of a MAGLEV project,
22 including land, piers, guideways, propulsion
23 equipment and other components attached to
24 guideways, power distribution facilities (includ-
25 ing substations), control and communications

1 facilities, access roads, and storage, repair, and
2 maintenance facilities, but not including costs
3 incurred for a new station; and

4 (B) includes the costs of preconstruction
5 planning activities.

6 (2) FULL PROJECT COSTS.—The term “full
7 project costs” means the total capital costs of a
8 MAGLEV project, including eligible project costs
9 and the costs of stations, vehicles, and equipment.

10 (3) MAGLEV.—The term “MAGLEV” means
11 transportation systems employing magnetic levita-
12 tion that would be capable of safe use by the public
13 at a speed in excess of 240 miles per hour.

14 (4) STATE.—The term “State” has the mean-
15 ing such term has under section 101(a) of title 23,
16 United States Code.

17 (b) IN GENERAL.—

18 (1) ASSISTANCE FOR ELIGIBLE PROJECTS.—
19 The Secretary shall make available financial assist-
20 ance to pay the Federal share of full project costs
21 of eligible projects authorized by this section.

22 (2) USE OF ASSISTANCE.—Financial assistance
23 provided under paragraph (1) shall be used only to
24 pay eligible project costs of projects authorized by
25 this section.

1 (3) APPLICABILITY OF OTHER LAWS.—Finan-
2 cial assistance made available under this section,
3 and projects assisted with such assistance, shall be
4 subject to section 5333(a) of title 49, United States
5 Code.

6 (c) PROJECT ELIGIBILITY.—To be eligible to receive
7 financial assistance under subsection (b), a project shall—

8 (1) involve a segment or segments of a high-
9 speed ground transportation corridor;

10 (2) result in an operating transportation facility
11 that provides a revenue producing service; and

12 (3) be approved by the Secretary based on an
13 application submitted to the Secretary by a State or
14 authority designated by 1 or more States.

15 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated from the Highway Trust
17 Fund (other than the Mass Transit Account) to carry out
18 this section \$15,000,000 for fiscal year 2005 and
19 \$20,000,000 for each of fiscal years 2006 through 2009.

20 (e) APPLICABILITY OF TITLE 23, UNITED STATES
21 CODE.—Funds authorized to be appropriated by this sec-
22 tion shall be available for obligation in the same manner
23 as if such funds were apportioned under chapter 1 of title
24 23, United States Code; except that the Federal share of
25 the full project costs of an eligible project shall be 80 per-

1 cent, and such funds shall remain available until expended
2 and shall not be transferable.

3 **SEC. 1117. RECREATIONAL TRAILS.**

4 (a) RECREATIONAL TRAILS PROGRAM FORMULA.—
5 Section 104(h)(1) of title 23, United States Code, is
6 amended by striking “research and technical” and all that
7 follows through “Committee” and inserting “research,
8 technical assistance, and training under the recreational
9 trails program”.

10 (b) PERMISSIBLE USES.—Section 206(d)(2) of such
11 title is amended to read as follows:

12 “(2) PERMISSIBLE USES.—Permissible uses of
13 funds apportioned to a State for a fiscal year to
14 carry out this section include—

15 “(A) maintenance and restoration of exist-
16 ing recreational trails;

17 “(B) development and rehabilitation of
18 trailside and trailhead facilities and trail link-
19 ages for recreational trails;

20 “(C) purchase and lease of recreational
21 trail construction and maintenance equipment;

22 “(D) construction of new recreational
23 trails, except that, in the case of new rec-
24 reational trails crossing Federal lands, con-
25 struction of the trails shall be—

1 “(i) permissible under other law;

2 “(ii) necessary and recommended by a
3 statewide comprehensive outdoor recreation
4 plan that is required by the Land and
5 Water Conservation Fund Act of 1965 (16
6 U.S.C. 4601–4 et seq.) and that is in ef-
7 fect;

8 “(iii) approved by the administering
9 agency of the State designated under sub-
10 section (c)(1); and

11 “(iv) approved by each Federal agency
12 having jurisdiction over the affected lands
13 under such terms and conditions as the
14 head of the Federal agency determines to
15 be appropriate, except that the approval
16 shall be contingent on compliance by the
17 Federal agency with all applicable laws, in-
18 cluding the National Environmental Policy
19 Act of 1969 (42 U.S.C. 4321 et seq.), the
20 Forest and Rangeland Renewable Re-
21 sources Planning Act of 1974 (16 U.S.C.
22 1600 et seq.), and the Federal Land Policy
23 and Management Act of 1976 (43 U.S.C.
24 1701 et seq.);

1 “(E) acquisition of easements and fee sim-
2 ple title to property for recreational trails or
3 recreational trail corridors;

4 “(F) assessment of trail conditions for ac-
5 cessibility and maintenance;

6 “(G) operation of educational programs to
7 promote safety and environmental protection as
8 those objectives relate to the use of recreational
9 trails, but in an amount not to exceed 5 percent
10 of the apportionment made to the State for the
11 fiscal year; and

12 “(H) payment of costs to the State in-
13 curred in administering the program, but in an
14 amount not to exceed 7 percent of the appor-
15 tionment made to the State for the fiscal year
16 to carry out this section.”.

17 (c) USE OF APPORTIONMENTS.—Section 206(d)(3)
18 of such title is amended—

19 (1) by striking subparagraph (C);

20 (2) by redesignating subparagraph (D) as sub-
21 paragraph (C); and

22 (3) in subparagraph (C) (as so redesignated) by
23 striking “(2)(F)” and inserting “(2)(H)”.

24 (d) FEDERAL SHARE.—Section 206(f) of such title
25 is amended—

1 (1) in paragraph (1)—

2 (A) by inserting “and the Federal share of
3 the administrative costs of a State” after
4 “project”; and

5 (B) by striking “not exceed 80 percent”
6 and inserting “be determined in accordance
7 with section 120(b)”;

8 (2) in paragraph (2)(A) by striking “80 percent
9 of” and inserting “the amount determined in accord-
10 ance with section 120(b) for”;

11 (3) in paragraph (2)(B) by inserting “spon-
12 soring the project” after “Federal agency”;

13 (4) by striking paragraph (5);

14 (5) by redesignating paragraph (4) as para-
15 graph (5);

16 (6) in paragraph (5) (as so redesignated) by
17 striking “80 percent” and inserting “the Federal
18 share as determined in accordance with section
19 120(b)”;

20 (7) by inserting after paragraph (3) the fol-
21 lowing:

22 “(4) USE OF RECREATIONAL TRAILS PROGRAM
23 FUNDS TO MATCH OTHER FEDERAL PROGRAM
24 FUNDS.—Notwithstanding any other provision of
25 law, funds made available under this section may be

1 used toward the non-Federal matching share for
2 other Federal program funds that are—

3 “(A) expended in accordance with the re-
4 quirements of the Federal program relating to
5 activities funded and populations served; and

6 “(B) expended on a project that is eligible
7 for assistance under this section.”.

8 (e) PLANNING AND ENVIRONMENTAL ASSESSMENT
9 COSTS INCURRED PRIOR TO PROJECT APPROVAL.—Sec-
10 tion 206(h)(1) of such title is amended by adding at the
11 end the following:

12 “(C) PLANNING AND ENVIRONMENTAL AS-
13 SESSMENT COSTS INCURRED PRIOR TO PROJECT
14 APPROVAL.—The Secretary may allow pre-ap-
15 proval planning and environmental compliance
16 costs to be credited toward the non-Federal
17 share of the cost of a project described under
18 subsection (d)(2) (other than subparagraph (I))
19 in accordance with subsection (f), limited to
20 costs incurred less than 18 months prior to
21 project approval.”.

22 (f) ENCOURAGEMENT OF USE OF YOUTH CONSERVA-
23 TION OR SERVICE CORPS.—The Secretary shall encourage
24 the States to enter into contracts and cooperative agree-
25 ments with qualified youth conservation or service corps

1 to perform construction and maintenance of recreational
2 trails under section 206 of title 23, United States Code.

3 **SEC. 1118. FEDERAL LANDS HIGHWAYS.**

4 (a) CONTRACTS AND AGREEMENTS WITH INDIAN
5 TRIBES.—Section 202(d)(3) of title 23, United States
6 Code, is amended to read as follows:

7 “(3) CONTRACTS AND AGREEMENTS WITH IN-
8 DIAN TRIBES.—

9 “(A) IN GENERAL.—Notwithstanding any
10 other provision of law or any interagency agree-
11 ment, program guideline, manual, or policy di-
12 rective, all funds made available to an Indian
13 tribal government under this title for a high-
14 way, road, bridge, parkway, or transit facility
15 project that is located on an Indian reservation
16 or provides access to the reservation or a com-
17 munity of the Indian tribe shall be made avail-
18 able, on the request of the Indian tribal govern-
19 ment, to the Indian tribal government for use
20 in carrying out, in accordance with the Indian
21 Self-Determination and Education Assistance
22 Act (25 U.S.C. 450 et seq.), contracts and
23 agreements for the planning, research, engi-
24 neering, and construction relating to such
25 project.

1 “(B) EXCLUSION OF AGENCY PARTICIPA-
2 TION.—In accordance with subparagraph (A),
3 all funds for a project to which subparagraph
4 (A) applies shall be paid to the Indian tribal
5 government without regard to the organiza-
6 tional level at which the Department of the In-
7 terior has previously carried out, or the Depart-
8 ment of Transportation has previously carried
9 out under the Federal lands highway programs,
10 the programs, functions, services, or activities
11 involved.

12 “(C) CONSORTIA.—Two or more Indian
13 tribes that are otherwise eligible to participate
14 in a project to which this title applies may form
15 a consortium to be considered as a single In-
16 dian tribe for the purpose of participating in
17 the project under this section.

18 “(D) FUNDING.—The amount an Indian
19 tribal government receives for a project under
20 subparagraph (A) shall equal the sum of the
21 funding that the Indian tribal government
22 would otherwise receive for the project in ac-
23 cordance with the funding formula established
24 under this subsection and such additional
25 amount as the Secretary determines equal the

1 amounts that would have been withheld for the
2 costs of the Bureau of Indian Affairs for ad-
3 ministration of the project.

4 “(E) ELIGIBILITY.—An Indian tribal gov-
5 ernment may receive funding under subpara-
6 graph (A) for a project in a fiscal year if the
7 Indian tribal government demonstrates to the
8 satisfaction of the Secretary financial stability
9 and financial management capability as dem-
10 onstrated in the annual auditing required under
11 the Indian Self-Determination and Education
12 Assistance Act (25 U.S.C. 450 et seq.) and,
13 during the preceding fiscal year, had no uncor-
14 rected significant and material audit exceptions
15 in the required annual audit of the Indian
16 tribe’s self-determination contracts or self-gov-
17 ernance funding agreements with any Federal
18 agency.

19 “(F) ASSUMPTION OF FUNCTIONS AND DU-
20 TIES.—An Indian tribal government receiving
21 funding under subparagraph (A) for a project
22 shall assume all functions and duties that the
23 Secretary of the Interior would have performed
24 with respect to projects under this chapter,
25 other than those functions and duties that in-

1 herently cannot be legally transferred under the
2 Indian Self-Determination and Education As-
3 sistance Act (25 U.S.C. 450b et seq.).

4 “(G) POWERS.—An Indian tribal govern-
5 ment receiving funding under subparagraph (A)
6 for a project shall have all powers that the Sec-
7 retary of the Interior would have exercised in
8 administering the funds transferred to the In-
9 dian tribal government for such project under
10 this section if such funds had not been trans-
11 ferred, except to the extent that such powers
12 are powers that inherently cannot be legally
13 transferred under the Indian Self-Determina-
14 tion and Education Assistance Act (25 U.S.C.
15 450b et seq.).

16 “(H) DISPUTE RESOLUTION.—In the event
17 of a disagreement between the Secretary of
18 Transportation or the Secretary of the Interior
19 and an Indian tribe over whether a particular
20 function, duty, or power may be lawfully trans-
21 ferred under the Indian Self-Determination and
22 Education Assistance Act (25 U.S.C. 450b et
23 seq.), the Indian tribe shall have the right to
24 pursue all alternative dispute resolutions and
25 appeal procedures authorized by such Act, in-

1 cluding regulations issued to carry out such
2 Act.”.

3 (b) ALASKA NATIVE VILLAGE INVENTORY.—Section
4 202(d)(2) of such title is amended by adding at the end
5 the following:

6 “(E) ALASKA NATIVE ROAD INVENTORY.—

7 “(i) IN GENERAL.—For fiscal year
8 2004 and each fiscal year thereafter, any
9 allocation of sums authorized to be appro-
10 priated for Indian reservation roads in
11 Alaska shall be based on an inventory of
12 roads within the exterior boundaries of vil-
13 lage corporation land selected pursuant to
14 the Alaska Native Claims Settlement Act
15 (43 U.S.C. 1601 et seq.) that includes all
16 routes previously included in such an in-
17 ventory. The Secretary of Transportation
18 and the Secretary of the Interior may in-
19 clude, in the inventory of roads, those pro-
20 posed for inclusion by tribal village govern-
21 ments from among community streets
22 within the village and those proposed pri-
23 mary access routes for inclusion by tribal
24 village governments, including roads and
25 trails between villages (including links over

1 water), roads and trails to landfills, roads
2 and trails to drinking water sources, roads
3 and trails to natural resources identified
4 for economic development, and roads and
5 trails that provide access to intermodal ter-
6 mini, such as airports, harbors, or boat
7 landings.

8 “(ii) LIMITATION ON PRIMARY ACCESS
9 ROUTES.—For purposes of this subpara-
10 graph, a proposed primary access route is
11 the shortest practicable route connecting 2
12 points of the proposed route.”.

13 (c) GRANTS FOR FINANCING TRANSPORTATION
14 DEBT.—Section 202(d) or such title is amended by insert-
15 ing before the period at the end the following: “; except
16 that the Secretary may use up to 3 percent of such funds
17 for making grants to Indian tribes for the purpose of fi-
18 nancing transportation debt for individual Indian reserva-
19 tion roads subject to all requirements governing Federal
20 assistance for Indian roads under this section and section
21 204”.

22 (d) DEPUTY ASSISTANT SECRETARY OF TRANSPOR-
23 TATION FOR TRIBAL GOVERNMENT AFFAIRS.—Section
24 102 of title 49, United States Code, is amended—

1 (1) by redesignating subsections (f) and (g) as
2 subsections (g) and (h), respectively; and

3 (2) by inserting after subsection (e) the fol-
4 lowing:

5 “(f) DEPUTY ASSISTANT SECRETARY FOR TRIBAL
6 GOVERNMENT AFFAIRS.—The Department of Transpor-
7 tation shall have, within the office of the Secretary, a Dep-
8 uty Assistant Secretary for Tribal Government Affairs ap-
9 pointed by the President to plan, coordinate, and imple-
10 ment the Department of Transportation policy and pro-
11 grams serving Indian tribes and tribal organizations and
12 to coordinate tribal transportation programs and activities
13 in all offices and administrations of the Department and
14 to be a participant in any negotiated rulemaking related
15 to, or has impact on, projects, programs, or funding asso-
16 ciated with the tribal transportation program.”.

17 (e) ALASKA NATIVE VILLAGE TRANSPORTATION
18 PROGRAM.—

19 (1) ESTABLISHMENT.—Not later than 3
20 months after the date of enactment of this Act, the
21 Secretary and the Denali Commission, in coordina-
22 tion with the Alaska Federation of Natives, shall es-
23 tablish an Alaska Native Village transportation pro-
24 gram to pay the costs of planning, design, construc-
25 tion, and maintenance of road and other surface

1 transportation facilities identified by Alaska Native
2 Villages.

3 (2) ALASKA NATIVE VILLAGE DEFINED.—In
4 this subsection, the term “Alaska Native Village”
5 has the same meaning such term has as used by the
6 Bureau of Indian Affairs in administering the In-
7 dian reservation road program under section 202 of
8 title 23, United States Code.

9 **SEC. 1119. CONSERVATION MEASURES.**

10 (a) REFUGE ROADS.—Section 204(k)(1) of title 23,
11 United States Code, is amended—

12 (1) by striking “and” at the end of subpara-
13 graph (B);

14 (2) by redesigning subparagraph (C) as sub-
15 paragraph (D);

16 (3) by inserting after subparagraph (B) the fol-
17 lowing:

18 “(C) construction, maintenance, and im-
19 provement of wildlife observation infrastructure;
20 and”; and

21 (4) in subparagraph (D) (as so redesignated)
22 by striking “maintenance and improvements” and
23 inserting “construction, maintenance, and improve-
24 ments”.

1 (b) FOREST HIGHWAYS.—Of the amounts made
2 available for public lands highways under section 1101—

3 (1) not to exceed \$20,000,000 per fiscal year
4 may be used for the maintenance of forest highways;

5 (2) not to exceed \$2,500,000 per fiscal year
6 may be used to repair culverts and bridges on forest
7 highways to facilitate appropriate fish passage and
8 ensure reasonable flows and to maintain and remove
9 such culverts and bridges as appropriate; and

10 (3) not to exceed \$1,000,000 per fiscal year
11 may be used for signage identifying public hunting
12 and fishing access.

13 (c) WILDLIFE VEHICLE COLLISION REDUCTION
14 STUDY.—

15 (1) IN GENERAL.—The Secretary shall conduct
16 a study of methods to reduce collisions between
17 motor vehicles and wildlife (in this subsection re-
18 ferred to as “wildlife vehicle collisions”).

19 (2) CONTENTS.—

20 (A) AREAS OF STUDY.—The study shall in-
21 clude an assessment of the causes and impacts
22 of wildlife vehicle collisions and solutions and
23 best practices for reducing such collisions.

1 (B) METHODS FOR CONDUCTING THE
2 STUDY.—In carrying out the study, the Sec-
3 retary shall—

4 (i) conduct a thorough literature re-
5 view; and

6 (ii) survey current practices of the
7 Department of Transportation.

8 (3) CONSULTATION.—In carrying out the study,
9 the Secretary shall consult with appropriate experts
10 in the field of wildlife vehicle collisions.

11 (4) REPORT.—

12 (A) IN GENERAL.—Not later than 2 years
13 after the date of enactment of this Act, the Sec-
14 retary shall transmit to Congress a report on
15 the results of the study.

16 (B) CONTENTS.—The report shall include
17 a description of each of the following:

18 (i) Causes of wildlife vehicle collisions.

19 (ii) Impacts of wildlife vehicle colli-
20 sions.

21 (iii) Solutions to and prevention of
22 wildlife vehicle collisions.

23 (5) MANUAL.—

24 (A) DEVELOPMENT.—Based upon the re-
25 sults of the study, the Secretary shall develop a

1 best practices manual to support State efforts
2 to reduce wildlife vehicle collisions.

3 (B) AVAILABILITY.—The manual shall be
4 made available to States not later than 1 year
5 after the date of transmission of the report
6 under paragraph (4).

7 (C) CONTENTS.—The manual shall in-
8 clude, at a minimum, the following:

9 (i) A list of best practices addressing
10 wildlife vehicle collisions.

11 (ii) A list of information, technical,
12 and funding resources for addressing wild-
13 life vehicle collisions.

14 (iii) Recommendations for addressing
15 wildlife vehicle collisions.

16 (iv) Guidance for developing a State
17 action plan to address wildlife vehicle colli-
18 sions

19 (6) TRAINING.—Based upon the manual devel-
20 oped under paragraph (5), the Secretary shall de-
21 velop a training course on addressing wildlife vehicle
22 collisions for transportation professionals.

23 **SEC. 1120. PEDESTRIAN AND CYCLIST EQUITY.**

24 (a) SAFE ROUTES TO SCHOOL PROGRAM.—

1 (1) ESTABLISHMENT.—Subject to the require-
2 ments of this subsection, the Secretary shall estab-
3 lish and carry out a safe routes to school program
4 for the benefit of children in primary and middle
5 schools.

6 (2) PURPOSES.—The purposes of the program
7 shall be—

8 (A) to enable and encourage children, in-
9 cluding those with disabilities, to walk and bicy-
10 cle to school;

11 (B) to make bicycling and walking to
12 school a safer and more appealing transpor-
13 tation alternative, thereby encouraging a
14 healthy and active lifestyle from an early age;
15 and

16 (C) to facilitate the planning, development,
17 and implementation of projects and activities
18 that will improve safety and reduce traffic, fuel
19 consumption, and air pollution in the vicinity of
20 schools.

21 (3) APPORTIONMENT OF FUNDS.—

22 (A) IN GENERAL.—Subject to subpara-
23 graphs (B) and (C), amounts made available to
24 carry out this subsection for a fiscal year shall

1 be apportioned among the States in the ratio
2 that—

3 (i) the total student enrollment in pri-
4 mary and middle schools in each State;
5 bears to

6 (ii) the total student enrollment in
7 primary and middle schools in all the
8 States.

9 (B) MINIMUM APPORTIONMENT.—No
10 State shall receive an apportionment under this
11 subsection for a fiscal year of less than
12 \$2,000,000.

13 (C) SET-ASIDE.—Before apportioning
14 amounts made available to carry out this sub-
15 section under this paragraph for a fiscal year,
16 the Secretary shall set aside not more than 2
17 percent of such amounts for the administrative
18 expenses of the Secretary in carrying out this
19 subsection.

20 (D) DETERMINATION OF STUDENT EN-
21 ROLLMENTS.—Determinations under this para-
22 graph concerning student enrollments shall be
23 made by the Secretary.

24 (4) ADMINISTRATION OF AMOUNTS.—Amounts
25 apportioned to a State under this subsection shall be

1 administered by the State's department of transpor-
2 tation.

3 (5) ELIGIBLE RECIPIENTS.—Amounts appor-
4 tioned to a State under this subsection shall be used
5 by the State to provide financial assistance to State,
6 local, and regional agencies, including nonprofit or-
7 ganizations, that demonstrate an ability to meet the
8 requirements of this subsection.

9 (6) ELIGIBLE PROJECTS AND ACTIVITIES.—

10 (A) INFRASTRUCTURE-RELATED
11 PROJECTS.—

12 (i) IN GENERAL.—Amounts appor-
13 tioned to a State under this subsection
14 may be used for the planning, design, and
15 construction of infrastructure-related
16 projects that will substantially improve the
17 ability of students to walk and bike to
18 school, including sidewalk improvements,
19 traffic calming and speed reduction im-
20 provements, pedestrian and bicycle cross-
21 ing improvements, on-street bicycle facili-
22 ties, off-street bicycle and pedestrian facili-
23 ties, secure bicycle parking facilities, and
24 traffic diversion improvements in the vicin-
25 ity of schools.

1 (ii) LOCATION OF PROJECTS.—Infra-
2 structure-related projects under subpara-
3 graph (A) may be carried out on any pub-
4 lic road or any bicycle or pedestrian path-
5 way or trail in the vicinity of schools.

6 (B) NONINFRASTRUCTURE-RELATED AC-
7 TIVITIES.—

8 (i) IN GENERAL.—In addition to
9 projects described in subparagraph (A),
10 amounts apportioned to a State under this
11 subsection may be used for noninfrastruc-
12 ture-related activities to encourage walking
13 and bicycling to school, including public
14 awareness campaigns and outreach to
15 press and community leaders, traffic edu-
16 cation and enforcement in the vicinity of
17 schools, student sessions on bicycle and pe-
18 destrian safety, health, and environment,
19 and funding for training, volunteers, and
20 managers of safe routes to school pro-
21 grams.

22 (ii) ALLOCATION.—Not less than 10
23 percent and not more than 30 percent of
24 the amount apportioned to a State under
25 this subsection for a fiscal year shall be

1 used for noninfrastructure-related activities
2 under this subparagraph.

3 (C) SAFE ROUTES TO SCHOOL COORDI-
4 NATOR.—Each State receiving an appor­tion-
5 ment under this subsection for a fiscal year
6 shall use a sufficient amount of the appor­tion-
7 ment to fund a full-time position of coordinator
8 of the State’s safe routes to school program.

9 (7) CLEARINGHOUSE.—

10 (A) IN GENERAL.—The Secretary shall
11 make grants to a national nonprofit organiza-
12 tion engaged in promoting safe routes to
13 schools to—

14 (i) operate a national safe routes to
15 school clearinghouse;

16 (ii) develop information and edu-
17 cational programs on safe routes to school;
18 and

19 (iii) provide technical assistance and
20 disseminate techniques and strategies used
21 for successful safe routes to school pro-
22 grams.

23 (B) FUNDING.—The Secretary shall carry
24 out this paragraph using amounts set aside for

1 administrative expenses under paragraph
2 (3)(C).

3 (8) TASK FORCE.—

4 (A) IN GENERAL.—The Secretary shall es-
5 tablish a national safe routes to school task
6 force composed of leaders in health, transpor-
7 tation, and education, including representatives
8 of appropriate Federal agencies, to study and
9 develop a strategy for advancing safe routes to
10 school programs nationwide.

11 (B) REPORT.—Not later than March 30,
12 2005, the Secretary shall transmit to Congress
13 a report containing the results of the study con-
14 ducted, and a description of the strategy devel-
15 oped, under subparagraph (A) and information
16 regarding the use of funds for infrastructure-re-
17 lated and noninfrastructure-related activities
18 under subparagraphs (A) and (B) of paragraph
19 (6).

20 (C) FUNDING.—The Secretary shall carry
21 out this paragraph using amounts set aside for
22 administrative expenses under paragraph
23 (3)(C).

24 (9) APPLICABILITY OF TITLE 23.—Funds made
25 available to carry out this subsection shall be avail-

1 able for obligation in the same manner as if such
2 funds were apportioned under chapter 1 of title 23,
3 United States Code; except that such funds shall not
4 be transferable and shall remain available until ex-
5 pended and the Federal share of the cost of a
6 project or activity under this section shall be 100
7 percent. Notwithstanding any other provision of law,
8 projects assisted under this subsection shall be treat-
9 ed as projects on a Federal-aid system under such
10 chapter.

11 (10) DEFINITIONS.—In this subsection, the fol-
12 lowing definitions apply:

13 (A) IN THE VICINITY OF SCHOOLS.—The
14 term “in the vicinity of schools” means, with
15 respect to a school, the area within bicycling
16 and walking distance of the school (approx-
17 imately 2 miles).

18 (B) PRIMARY AND MIDDLE SCHOOLS.—
19 The term “primary and middle schools” means
20 schools providing education from kindergarten
21 through eighth grade.

22 (C) STATE.—The term “State” has the
23 meaning such term has in section 101(a) of
24 title 23, United States Code.

1 (b) NONMOTORIZED TRANSPORTATION PILOT PRO-
2 GRAM.—

3 (1) ESTABLISHMENT.—The Secretary shall es-
4 tablish and carry out a nonmotorized transportation
5 pilot program to construct, in 4 communities se-
6 lected by the Secretary, a network of nonmotorized
7 transportation infrastructure facilities, including
8 sidewalks, bicycle lanes, and pedestrian and bicycle
9 trails, that connect directly with transit stations,
10 schools, residences, businesses, recreation areas, and
11 other community activity centers.

12 (2) PURPOSE.—The purpose of the program
13 shall be to demonstrate the extent to which bicycling
14 and walking can carry a significant part of the
15 transportation load, and represent a major portion
16 of the transportation solution, within selected com-
17 munities.

18 (3) GRANTS.—In carrying out the program, the
19 Secretary may make grants to State, local, and re-
20 gional agencies, that the Secretary determines are
21 suitably equipped and organized to carry out the ob-
22 jectives and requirements of this subsection. An
23 agency that receives a grant under this subsection
24 may suballocate grant funds to a nonprofit organiza-
25 tion to carry out the program under this subsection.

1 (4) APPLICABILITY OF TITLE 23.—Funds made
2 available to carry out this subsection shall be avail-
3 able for obligation in the same manner as if such
4 funds were apportioned under chapter 1 of title 23,
5 United States Code; except that the Federal share of
6 the cost of a project carried out under this sub-
7 section shall be 80 percent, and such funds shall not
8 be transferable and shall remain available until ex-
9 pended.

10 (5) STATISTICAL INFORMATION.—In carrying
11 out the program, the Secretary shall develop statis-
12 tical information on changes in motor vehicle, non-
13 motorized transportation, and public transportation
14 usage in communities participating in the program
15 and assess how such changes decrease congestion
16 and energy usage, increase the frequency of biking
17 and walking, and promote better health and a clean-
18 er environment.

19 (6) REPORTS.—The Secretary shall transmit to
20 Congress an interim report not later than September
21 30, 2007, and a final report not later than Sep-
22 tember 30, 2010, on the results of the program.

23 **SEC. 1121. NATIONAL COMMISSIONS.**

24 (a) NATIONAL COMMISSION ON FUTURE REVENUE
25 SOURCES TO SUPPORT THE HIGHWAY TRUST FUND.—

1 (1) ESTABLISHMENT.—There is established a
2 National Commission on Future Revenue Sources to
3 Support the Highway Trust Fund to conduct—

4 (A) a study evaluating alternative short-
5 term sources of Highway Trust Fund revenue
6 to support the requirements of section 1124;
7 and

8 (B) a study evaluating alternative long-
9 term sources of revenue to support the Highway
10 Trust Fund, considering the findings, conclu-
11 sions, and recommendations of a recent study
12 by the Transportation Research Board of the
13 National Academy of Sciences on alternatives to
14 the fuel tax to support highway program financ-
15 ing and other relevant prior research.

16 (2) FUNCTIONS.—The Commission shall—

17 (A) develop recommendations to generate
18 Highway Trust Fund revenue necessary to ac-
19 complish the requirements of section 1124;

20 (B) oversee a comprehensive investigation
21 of alternatives to replace the fuel tax as the
22 principal revenue source to support the High-
23 way Trust Fund over at least the next 30 years;

24 (C) consult with the Secretary of Trans-
25 portation and the Secretary of the Treasury to

1 assure that their views concerning essential at-
2 tributes of Highway Trust Fund revenue alter-
3 natives are understood;

4 (D) assure that State transportation agen-
5 cy views on alternative revenue sources to sup-
6 port State transportation improvement pro-
7 grams are appropriately considered and that
8 any recommended Federal financing strategy
9 take into account State financial requirements;
10 and

11 (E) make specific recommendations re-
12 garding actions that need to be taken to develop
13 alternative revenue sources to support the
14 Highway Trust Fund and when those actions
15 must be taken.

16 (3) SPECIFIC MATTERS TO BE ADDRESSED.—
17 The study under paragraph (1)(B) shall address spe-
18 cifically—

19 (A) advantages and disadvantages of alter-
20 native revenue sources to meet anticipated Fed-
21 eral surface transportation financial require-
22 ments;

23 (B) the time frame within which actions
24 must be taken to transition from the fuel tax to

1 alternative revenue sources to support the
2 Highway Trust Fund;

3 (C) recommendations concerning the most
4 promising revenue sources to support long-term
5 Federal surface transportation financing re-
6 quirements;

7 (D) development of a broad transition
8 strategy to move from the current tax base to
9 new funding mechanisms, including the time
10 frame for various aspects of the transition
11 strategy;

12 (E) recommendations for additional re-
13 search that may be needed to implement rec-
14 ommended alternatives; and

15 (F) the extent to which revenues should re-
16 flect the relative use of the highway system.

17 (4) MATTERS TO CONSIDER AND EVALUATE.—

18 To the maximum extent feasible, the Commission, in
19 conducting the study under paragraph (1)(B), shall
20 consider and evaluate other related work that has
21 been done by the Department of Transportation, the
22 Department of Energy, the Transportation Research
23 Board, and others. In developing recommendations
24 under paragraph (2), the Commission shall con-
25 sider—

1 (A) the ability to generate sufficient reve-
2 nues to meet anticipated long term surface
3 transportation financing needs;

4 (B) the roles of the various levels of gov-
5 ernment and the private sector in meeting fu-
6 ture surface transportation financing needs;

7 (C) administrative costs, including enforce-
8 ment, to implement each option;

9 (D) potential taxpayer privacy concerns;

10 (E) likely technological advances that could
11 ease implementation of each option;

12 (F) the equity and economic efficiency of
13 each option;

14 (G) the flexibility of different options to
15 allow various pricing alternatives to be imple-
16 mented; and

17 (H) potential compatibility issues with
18 States tax mechanisms under each alternative.

19 (5) MEMBERSHIP.—

20 (A) COMPOSITION.—The Commission shall
21 be composed of nine members of whom—

22 (i) three members shall be appointed
23 by the Secretary;

1 (ii) two members shall be appointed
2 by the Speaker of the House of Represent-
3 atives;

4 (iii) one member shall be appointed by
5 the minority leader of the House of Rep-
6 resentatives;

7 (iv) two members shall be appointed
8 by the majority leader of the Senate; and

9 (v) one member shall be appointed by
10 the minority leader of the Senate.

11 (B) QUALIFICATIONS.—Members ap-
12 pointed under subparagraph (A) shall have ex-
13 perience in public finance, surface transpor-
14 tation program administration, managing orga-
15 nizations that use surface transportation facili-
16 ties, academic research into related issues, or
17 other activities that provide unique perspectives
18 on current and future requirements for revenue
19 sources to support the Highway Trust Fund.

20 (C) TERMS.—Members shall be appointed
21 for the life of the Commission.

22 (D) VACANCIES.—A vacancy on the Com-
23 mission shall be filled in the manner in which
24 the original appointment was made.

1 (E) TRAVEL EXPENSES.—Members shall
2 serve without pay but shall receive travel ex-
3 penses, including per diem in lieu of subsist-
4 ence, in accordance with sections 5702 and
5 5703 of title 5, United States Code.

6 (F) CHAIRMAN.—The Chairman of the
7 Commission shall be elected by the members.

8 (6) STAFF.—

9 (A) IN GENERAL.—The Commission may
10 engage the services of an appropriate organiza-
11 tion, agency, or firm to conduct the studies
12 under this subsection, but the Commission shall
13 provide strategic guidance for the studies.

14 (B) DETAIL STAFF.—Upon request of the
15 Commission, the Secretary may detail, on a re-
16 imbursable basis, any of the personnel of the
17 Department of Transportation to the Commis-
18 sion to assist the Commission in carrying out
19 its duties under this subsection.

20 (C) COOPERATION.—The Secretary shall
21 cooperate with the Commission in conducting
22 the studies under this subsection, including pro-
23 viding the Commission with such nonconfiden-
24 tial data and information as necessary for con-
25 ducting and completing the study.

1 (7) ADMINISTRATIVE SUPPORT SERVICES.—

2 Upon the request of the Commission, the Secretary
3 shall provide to the Commission, on a reimbursable
4 basis, the administrative support and services nec-
5 essary for the Commission to carry out its respon-
6 sibilities under this subsection.

7 (8) REPORTS AND RECOMMENDATIONS.—

8 (A) REVENUE ACTIONS.—Not later than
9 September 30, 2005, the Commission shall
10 transmit to Congress a report on revenue ac-
11 tions that would support the requirements of
12 section 1124.

13 (B) ALTERNATIVE LONG-TERM SOURCES
14 OF REVENUE.—Not later than September 30,
15 2006, the Commission shall transmit to Con-
16 gress a report on the results of the study con-
17 ducted under paragraph (1)(B), relating to al-
18 ternative long-term sources of revenue to sup-
19 port the Highway Trust Fund, including rec-
20 ommendations to address the needs identified in
21 the study.

22 (9) TERMINATION.—The Commission shall ter-
23 minate on the 180th day following the date of trans-
24 mittal of the report under paragraph (8)(B). By
25 such 180th day, the Commission shall deliver all

1 records and papers of the Commission to the Archi-
2 vist of the United States for deposit in the National
3 Archives.

4 (10) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated from the
6 Highway Trust Fund (other than the Mass Transit
7 Account) \$1,500,000 for each of fiscal years 2004
8 and 2005 to carry out this subsection.

9 (11) APPLICABILITY OF TITLE 23.—Funds

10 made available to carry out this subsection shall be
11 available for obligation in the same manner as if
12 such funds were apportioned under chapter 1 of title
13 23, United States Code; except that the Federal
14 share of the cost of activities carried out under this
15 subsection shall be 100 percent, and such funds
16 shall remain available until expended.

17 (b) DECLARATION OF POLICY REGARDING FUTURE

18 OF THE INTERSTATE HIGHWAY SYSTEM STUDY.—Section

19 101(b) of title 23, United States Code, is amended by

20 striking the last paragraph and inserting the following: “It

21 is further declared that it is in the national interest to

22 preserve and enhance the Dwight D. Eisenhower National

23 System of Interstate and Defense Highways to meet the

24 Nation’s needs for the 21st century. The current urban

25 and long distance personal travel and freight movement

1 demands have surpassed the vision of the original Inter-
2 state System and travel demand patterns are expected to
3 change. Continued planning for and investment in the
4 Interstate System is critical to assure it adequately meets
5 the changing travel demands of the future. Among the
6 foremost needs that the Interstate System must provide
7 are safe, efficient, and reliable (1) national and inter-
8 regional personal mobility, (2) flow of interstate com-
9 merce, and (3) travel movements essential for national se-
10 curity. To the maximum extent, actions under this title
11 should address congestion, safety, and freight transpor-
12 tation to provide for a strong and vigorous national econ-
13 omy. The Interstate System is hereby declared to be the
14 Nation's premiere highway system, essential for the Na-
15 tion's economic vitality, national security, and general wel-
16 fare. The Secretary of Transportation is directed to take
17 appropriate actions to preserve and enhance the Interstate
18 System to meet the needs of the 21st century in accord-
19 ance with this title.”.

20 (c) NATIONAL COMMISSION ON FUTURE OF INTER-
21 STATE HIGHWAY SYSTEM.—

22 (1) ESTABLISHMENT.—There is established a
23 National Commission on the Future of the Dwight
24 D. Eisenhower National System of Interstate and

1 Defense Highways (in this subsection referred to as
2 the “Interstate System”).

3 (2) FUNCTION.—The Commission shall—

4 (A) conduct a study of the current condi-
5 tion and future of the Interstate System and
6 develop a conceptual plan with alternative ap-
7 proaches for the future of the Interstate System
8 to assure that the Interstate System will con-
9 tinue to serve the needs of the Nation;

10 (B) assure that State transportation agen-
11 cy views are considered; and

12 (C) make specific recommendations regard-
13 ing those design standards, Federal policies,
14 and legislative changes that must be made to
15 assure the national interests are served in meet-
16 ing future Interstate System needs.

17 (3) SPECIFIC MATTERS TO BE ADDRESSED.—

18 The Commission shall assure that the study under
19 this subsection specifically addresses the following:

20 (A) CURRENT CONDITION.—The current
21 condition and performance of the Interstate
22 System, including physical condition of bridges
23 and pavements and operational characteristics
24 and performance, shall be examined, relying
25 primarily on existing data sources.

1 (B) FUTURE ASSESSMENT.—The future of
2 the Interstate System, based on a range of leg-
3 islative and policy approaches for 15-, 30-, and
4 50-year horizons.

5 (4) SPECIFIC ISSUES AND DETAILS TO AD-
6 DRESS.—The following specific issues and details
7 shall be addressed as a part of the study under this
8 subsection:

9 (A) DEMOGRAPHICS.—Expected demo-
10 graphics and business uses that impact trans-
11 portation.

12 (B) USAGE.—Expected system use and ef-
13 fects of changing vehicle types, fleet size and
14 weights, and traffic volumes.

15 (C) NATURAL DISASTER.—Seismic and
16 other vulnerabilities and their potential impacts.

17 (D) DESIGN STANDARDS.—Desirable de-
18 sign policies and standards for future improve-
19 ments, including safety improvement and addi-
20 tional access points.

21 (E) SYSTEM WIDE NEEDS.—Identification
22 of both urban and rural needs.

23 (F) POTENTIAL SYSTEM EXPANSION, UP-
24 GRADES, OR OTHER CHANGES.—Deployment of
25 advanced materials and intelligent technologies;

1 critical multi-state rural corridors needing ca-
2 pacity, safety, and operational enhancements;
3 urban and multi-state corridor additions; by-
4 passes of major cities that ensure efficient long-
5 haul travel; improvements to inter-modal link-
6 ages; strategies to enhance asset preservation;
7 and implementation strategies.

8 (G) COMMUNITY VALUES.—Consideration
9 of alternative approaches to maintaining or en-
10 hancing community values in those neighbor-
11 hoods adjacent to the Interstate System.

12 (H) ENVIRONMENTAL ISSUES.—Consider-
13 ation of alternative approaches to addressing
14 environmental concerns relative to rec-
15 ommended alternatives.

16 (I) SYSTEM PERFORMANCE.—Evaluation
17 and assessment of the current and future capa-
18 bilities for conducting system-wide real-time
19 performance data collection and analysis, traffic
20 monitoring, system operations and manage-
21 ment.

22 (5) ALTERNATIVES.—A range of policy rec-
23 ommendations shall be developed as a part of the
24 plan under this subsection to address identified fu-
25 ture needs of the Interstate System. The alternatives

1 shall include funding needs and potential approaches
2 to provide those funds.

3 (6) MEMBERSHIP.—

4 (A) COMPOSITION.—The Commission shall
5 be composed of nine members of whom—

6 (i) three members shall be appointed
7 by the Secretary;

8 (ii) two members shall be appointed
9 by the Speaker of the House of Represent-
10 atives;

11 (iii) one member shall be appointed by
12 the minority leader of the House of Rep-
13 resentatives;

14 (iv) two members shall be appointed
15 by the majority leader of the Senate; and

16 (v) one member shall be appointed by
17 the minority leader of the Senate.

18 (B) QUALIFICATIONS.—Members ap-
19 pointed under subparagraph (A) shall be ap-
20 pointed from among individuals that have a
21 concern for maintaining a strong role for the
22 Interstate System in the future of the Nation
23 and may include representatives from Federal,
24 State, and local governments, other transpor-
25 tation authorities or agencies, and organizations

1 representing surface transportation owners and
2 operators.

3 (C) TERMS.—Members shall be appointed
4 for the life of the Commission.

5 (D) VACANCIES.—A vacancy in the Com-
6 mission shall be filled in the manner in which
7 the original appointment was made.

8 (E) TRAVEL EXPENSES.—Member shall
9 serve without pay but shall receive travel ex-
10 penses, including per diem in lieu of subsist-
11 ence, in accordance with sections 5702 and
12 5703 of title 5, United States Code.

13 (F) CHAIRMAN.—The Chairman of the
14 Commission shall be elected by the members.

15 (7) STAFF.—

16 (A) IN GENERAL.—The Commission may
17 engage the services of an appropriate organiza-
18 tion, agency, or firm to conduct the study under
19 this subsection, but the Commission shall pro-
20 vide strategic guidance for the study.

21 (B) DETAIL STAFF.—Upon request of the
22 Commission, the Secretary may detail, on a re-
23 imburseable basis, any of the personnel of the
24 Department of Transportation to the Commis-

1 sion to assist the Commission in carrying out
2 its duties under this subsection.

3 (C) COOPERATION.—The Secretary shall
4 cooperate with the Commission in the study, in-
5 cluding providing the Commission with such
6 nonconfidential data and information as nec-
7 essary for conducting and completing the study.

8 (8) ADMINISTRATIVE SUPPORT SERVICES.—
9 Upon the request of the Commission, the Secretary
10 shall provide to the Commission, on a reimbursable
11 basis, the administrative support and services nec-
12 essary for the Commission to carry out its respon-
13 sibilities under this subsection.

14 (9) REPORT AND RECOMMENDATIONS.—Not
15 later than September 30, 2006, the Commission
16 shall transmit to Congress a final report on the re-
17 sults of the study conducted under this subsection,
18 including recommendations to address the needs
19 identified in the study.

20 (10) TERMINATION.—The Commission shall
21 terminate on the 180th day following the date of
22 transmittal of the report under paragraph (9). By
23 such 180th day, the Commission shall deliver all
24 records and papers of the Commission to the Archi-

1 vist of the United States for deposit in the National
2 Archives.

3 (11) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated from the
5 Highway Trust Funds (other than the Mass Transit
6 Account) to carry out this subsection \$1,000,000 for
7 each of fiscal years 2005 and 2006.

8 (12) APPLICABILITY OF TITLE 23, UNITED

9 STATES CODE.—Funds authorized to be appro-
10 priated by this section shall be available for obliga-
11 tion in the same manner as if such funds were ap-
12 portioned under chapter 1 of title 23, United States
13 Code; except that the Federal share of the cost of
14 activities carried out under this subsection shall be
15 100 percent and such funds shall remain available
16 until expended.

17 **SEC. 1122. ADJUSTMENTS FOR THE SURFACE TRANSPOR-**
18 **TATION EXTENSION ACT OF 2003.**

19 [Reserved]

20 **SEC. 1123. ROADWAY SAFETY.**

21 (a) ROAD SAFETY.—

22 (1) IN GENERAL.—The Secretary shall enter
23 into an agreement to assist in the activities of a na-
24 tional nonprofit organization that is dedicated solely
25 to improving public road safety—

1 (A) by improving the quality of data per-
2 taining to public road hazards and design fea-
3 tures that affect or increase the severity of
4 motor vehicle crashes;

5 (B) by developing and carrying out a pub-
6 lic awareness campaign to educate State and
7 local transportation officials, public safety offi-
8 cials, and motorists regarding the extent to
9 which public road hazards and design features
10 are a factor in motor vehicle crashes; and

11 (C) by promoting public road safety re-
12 search and technology transfer activities.

13 (2) FUNDING.—There is authorized to be ap-
14 propriated from the Highway Trust Fund (other
15 than the Mass Transit Account) \$500,000 for each
16 of fiscal years 2004 through 2009 to carry out this
17 subsection.

18 (3) APPLICABILITY OF TITLE 23.—Funds made
19 available by this subsection shall be available for ob-
20 ligation in the same manner as if such funds were
21 apportioned under chapter 1 of title 23, United
22 States Code, except that the funds shall remain
23 available until expended.

24 (b) BICYCLE AND PEDESTRIAN SAFETY GRANTS.—

1 (1) IN GENERAL.—The Secretary shall make
2 grants to a national, not-for-profit organization en-
3 gaged in promoting bicycle and pedestrian safety—

4 (A) to operate a national bicycle and pe-
5 destrian clearinghouse;

6 (B) to develop information and educational
7 programs; and

8 (C) to disseminate techniques and strate-
9 gies for improving bicycle and pedestrian safety.

10 (2) FUNDING.—There is authorized to be ap-
11 propriated from the Highway Trust Fund (other
12 than the Mass Transit Account) \$500,000 for each
13 of fiscal years 2004 through 2009 to carry out this
14 subsection.

15 (3) APPLICABILITY OF TITLE 23.—Funds made
16 available by this subsection shall be available for ob-
17 ligation in the same manner as if such funds were
18 apportioned under chapter 1 of title 23, United
19 States Code, except that the funds shall remain
20 available until expended.

21 **SEC. 1124. EQUITY REQUIREMENT.**

22 (a) GENERAL PROVISIONS.—The Secretary may not
23 apportion before August 1, 2006, any funds for any of
24 the programs referred to in subsection (b) for fiscal year

1 2006 unless, after the date of enactment of this Act, a
2 law has been enacted that—

3 (1) increases the guaranteed rate of return pur-
4 suant to section 105 of title 23, United States Code,
5 to 92 percent in fiscal year 2006, 93 percent in fis-
6 cal year 2007, 94 percent in fiscal year 2008, and
7 95 percent in fiscal year 2009; and

8 (2) requires that each State receive appor-
9 tions for such programs for each of such fiscal
10 years that in the aggregate are at least equal to the
11 greater of—

12 (A) the State's minimum guaranteed rate
13 of return required under paragraph (1); and

14 (B) the State's prior fiscal year's appor-
15 tioned highway funds for programs referred in
16 subsection (b) plus an amount equal to the
17 State's prior year appor- tioned funds for such
18 programs multiplied by the percentage increase
19 in the consumer price index during the 12-
20 month period ending June 30 of the calendar
21 year in which the fiscal year begins.

22 (b) APPLICABILITY.—The withholding of appor-
23 tioned funds under subsection (a) shall apply to the following
24 programs:

1 (1) The National Highway System program
2 under section 103(b) of title 23, United States Code.

3 (2) The high priority projects program under
4 section 117 of such title.

5 (3) The Interstate maintenance program under
6 section 119 of such title.

7 (4) The surface transportation program under
8 section 133 of such title.

9 (5) Metropolitan planning under chapter 52 of
10 title 49, United States Code.

11 (6) The highway bridge replacement and reha-
12 bilitation program under section 144 of title 23,
13 United States Code.

14 (7) The congestion mitigation and air quality
15 improvement program under section 149 of such
16 title.

17 (8) The recreational trails program under sec-
18 tion 206 of such title.

19 (9) The Appalachian development highway sys-
20 tem under subtitle IV of title 40, United States
21 Code.

22 (10) The freight intermodal connectors program
23 under section 1303 of this Act.

24 (11) The coordinated border infrastructure pro-
25 gram under section 1302 of this Act.

1 (12) The high risk rural road safety improve-
2 ment program under section 1403 of this Act.

3 (13) The safe routes to schools program under
4 section 1120 of this Act.

5 (14) The minimum guarantee program under
6 section 105 of title 23, United States Code.

7 (c) CONSIDERATION OF COMMISSION FINDINGS.—In
8 considering a law that increases the guaranteed rate of
9 return referred to in subsection (a), Congress should con-
10 sider the findings of the report on alternative short-term
11 sources of Highway Trust Fund revenue to be published
12 by the National Commission on Future Revenue Sources
13 to Support the Highway Trust Fund pursuant to section
14 1121 of this Act.

15 **Subtitle B—Congestion Relief**

16 **SEC. 1201. MOTOR VEHICLE CONGESTION RELIEF.**

17 (a) IN GENERAL.—Title 23, United States Code, is
18 amended by inserting after section 138 the following:

19 **“§ 139. Motor vehicle congestion relief**

20 “(a) IN GENERAL.—Each State that has an urban-
21 ized area with an urbanized area population of over
22 200,000 individuals shall obligate in each of fiscal years
23 2004 through 2009 a portion of the State’s apportion-
24 ments under section 104(b) in such fiscal year, as cal-
25 culated under subsection (b), for congestion relief activi-

1 ties in such urbanized areas in accordance with this sec-
2 tion.

3 “(b) CALCULATION OF AMOUNT.—The portion of a
4 State’s apportionments for a fiscal year to be obligated
5 for congestion relief activities under subsection (a) shall
6 be determined by multiplying—

7 “(1) the total of amounts apportioned to the
8 State under each of paragraphs (1), (2), (3), and (4)
9 of section 104(b) in such fiscal year; by

10 “(2) 10 percent; by

11 “(3) the percentage of the State’s population
12 residing in urbanized areas of the State with an ur-
13 banized area population of over 200,000 individuals.

14 “(c) ALLOCATION BETWEEN UNDER ONE AND
15 UNDER THREE CONGESTION RELIEF ACTIVITIES.—Of
16 the total amount of a State’s apportionments to be obli-
17 gated for congestion relief activities for a fiscal year as
18 calculated under subsection (b)—

19 “(1) 40 percent shall be obligated for under one
20 congestion relief activities;

21 “(2) 35 percent shall be obligated for under
22 three congestion relief activities; and

23 “(3) 25 percent shall be obligated at the discre-
24 tion of the State department of transportation for 1
25 or more of the following:

1 “(A) Under one congestion relief activities.

2 “(B) Under three congestion relief activi-
3 ties.

4 “(C) Capital costs for transit projects that
5 are eligible for assistance under chapter 53 of
6 title 49.

7 “(D) Demand relief projects and activities
8 that shift demand to non-peak hours or to other
9 modes of transportation or that reduce the
10 overall level of demand for roads through such
11 means as telecommuting, ridesharing, alter-
12 native work hour programs, and value pricing.

13 “(d) OBLIGATION OF AMOUNTS.—

14 “(1) IN GENERAL.—In complying with the re-
15 quirements of this section, the amounts obligated by
16 a State for congestion relief activities under sub-
17 section (a) shall be allocated among the individual
18 programs for which funds are apportioned under
19 sections 104(b)(1), 104(b)(2), 104(b)(3), and
20 104(b)(4).

21 “(2) LIMITATION ON STATUTORY CONSTRUC-
22 TION.—Nothing in this subsection shall be construed
23 as requiring a State to obligate proportional or equal
24 amounts under sections 104(b)(1), 104(b)(2),

1 104(b)(3), and 104(b)(4) for any congestion relief
2 activity under this section.

3 “(e) LIMITATION ON STATUTORY CONSTRUCTION.—
4 Nothing in this section shall be construed as altering or
5 otherwise affecting the applicability of the requirements
6 of this chapter (including requirements relating to the eli-
7 gibility of a project for assistance under the program, the
8 location of the project, and the Federal-share payable on
9 account of the project) to amounts apportioned to a State
10 for a program under section 104(b) that are obligated by
11 the State for congestion relief activities under subsection
12 (a).

13 “(f) JOINT RESPONSIBILITY.—Each State, each af-
14 fected metropolitan planning organization, and the Sec-
15 retary shall jointly ensure compliance with this section.

16 “(g) TRANSFERS.—

17 “(1) IN GENERAL.—A State may transfer a
18 portion of the amount that the State must obligate
19 for under one congestion relief activities in a fiscal
20 year under this section to the amount the State
21 must obligate for under three congestion relief ac-
22 tivities under this section if the State certifies to the
23 Secretary that there are no under one congestion re-
24 lief activities for which such portion can be obligated
25 in such fiscal year and the Secretary does not dis-

1 approve such transfer within 30 days after the date
2 of such certification.

3 “(2) LIMITATION.—The amount that a State
4 may transfer in a fiscal year under this subsection
5 may not reduce the amount the State must obligate
6 for under one congestion relief activities to less than
7 10 percent of the total amount of the State’s appor-
8 tionments to be obligated for congestion relief activi-
9 ties for such fiscal year as calculated under sub-
10 section (b).

11 “(3) TREATMENT.—Amounts transferred by a
12 State under this subsection for a fiscal year shall be
13 included in the amount of the State’s apportion-
14 ments allocated for under three congestion relief ac-
15 tivities for such fiscal year under subsection (c)(2).

16 “(h) DEFINITIONS.—In this section, the following
17 definitions apply:

18 “(1) CONGESTION RELIEF ACTIVITIES.—

19 “(A) IN GENERAL.—The term ‘congestion
20 relief activity’ means any activity, project, or
21 program that has as its primary purpose, as de-
22 termined by the State transportation depart-
23 ment, the relief of motor vehicle congestion.

24 “(B) INCLUSIONS.—Such term includes
25 the following:

1 “(i) Relief of motor vehicle congestion
2 through additional capacity, construction
3 of additional lanes, improvements to inter-
4 changes, improved access to major termi-
5 nals, construction of parallel roads, con-
6 struction of truck only lanes, and major
7 arterial improvements.

8 “(ii) Transportation systemwide oper-
9 ational improvements targeted at increas-
10 ing motor vehicle travel reliability through
11 such means as incident management pro-
12 grams, traffic monitoring and surveillance,
13 and traveler information initiatives.

14 “(iii) Maximizing efficient use of ex-
15 isting motor vehicle travel capacity through
16 such means as reversible lanes, coordinated
17 traffic signalization, and managed lanes or
18 other lane management strategies.

19 “(C) EXCLUSIONS.—Such term does not
20 include demand relief projects and activities
21 that shift demand to non-peak hours or to other
22 modes of transportation or that reduce the
23 overall level of demand for roads through such
24 means as telecommuting, ridesharing, alter-
25 native work hour programs, and value pricing.

1 “(2) UNDER ONE CONGESTION RELIEF ACTIVI-
2 TIES.—The term ‘under one congestion relief activ-
3 ity’ means a congestion relief activity that—

4 “(A) will be completed within one year
5 after the date of commencement of onsite im-
6 provements;

7 “(B) has a total projected cost of less than
8 \$1,000,000; and

9 “(C) will improve conditions in the applica-
10 ble urbanized area or is an element of the con-
11 gestion management system of the applicable
12 metropolitan planning organization.

13 “(3) UNDER THREE CONGESTION RELIEF AC-
14 TIVITIES.—The term ‘under three congestion relief
15 activities’ means congestion relief activities that—

16 “(A) will be completed within 3 years after
17 the date of commencement of onsite improve-
18 ments; and

19 “(B) will improve conditions in the applica-
20 ble urbanized area or is an element of the con-
21 gestion management system of the applicable
22 metropolitan planning organization.”.

23 (b) CONFORMING AMENDMENT.—The analysis for
24 chapter I of such title is amended by inserting after the
25 item relating to section 138 the following:

“139. Motor vehicle congestion relief.”.

1 (c) MOTOR VEHICLE DEFINED.—Title 23, United
2 States Code, is amended—

3 (1) in section 154(a)(2), relating to the defini-
4 tion of motor vehicle, by inserting “streets, roads,
5 and” before “highways”;

6 (2) by redesignating paragraph (2) of section
7 154(a) as paragraph (38);

8 (3) by moving such redesignated paragraph
9 from section 154(a) to the end of section 101(a);

10 (4) by redesignating paragraphs (3) and (4) of
11 section 154(a) as paragraphs (2) and (3), respec-
12 tively;

13 (5) in section 153(i)—

14 (A) by striking paragraph (2); and

15 (B) by redesignating paragraphs (3) and
16 (4) as paragraphs (2) and (3), respectively;

17 (6) in section 164(a)(4) by striking “means”
18 and all that follows through “rail line or” and in-
19 serting “does not include”; and

20 (7) in section 405(f)—

21 (A) by striking paragraph (2); and

22 (B) by redesignating paragraphs (3), (4),
23 (5), and (6) as paragraphs (2), (3), (4), and
24 (5).

1 **SEC. 1202. TRANSPORTATION SYSTEMS MANAGEMENT AND**
2 **OPERATIONS.**

3 (a) DEFINITIONS.—

4 (1) OPERATING COSTS FOR TRAFFIC MONI-
5 TORING, MANAGEMENT, AND CONTROL.—Section
6 101(a)(17) of title 23, United States Code, is
7 amended by inserting “transportation systems man-
8 agement and operations and” after “associated
9 with”.

10 (2) OPERATIONAL IMPROVEMENT.—Section
11 101(a)(18)(A)(i) of such title is amended—

12 (A) by inserting “transportation systems
13 management and operations, including” after
14 “for”; and

15 (B) by inserting “equipment and programs
16 for transportation response to natural disas-
17 ters,” after “incident management programs,”.

18 (3) TRANSPORTATION SYSTEMS MANAGEMENT
19 AND OPERATIONS.—Section 101(a) of such title is
20 further amended by adding at the end the following:

21 “(39) TRANSPORTATION SYSTEMS MANAGE-
22 MENT AND OPERATIONS.—

23 “(A) IN GENERAL.—The term ‘transportation
24 systems management and operations’
25 means an integrated program to optimize the
26 performance of existing infrastructure through

1 the implementation of multimodal and inter-
2 modal, cross-jurisdictional systems, services,
3 and projects designed to preserve capacity and
4 improve the security, safety, and reliability of
5 Federal-aid highways.

6 “(B) INCLUDED ACTIVITIES AND IMPROVE-
7 MENTS.—The term includes regional operations
8 collaboration and coordination activities be-
9 tween transportation and public safety agencies
10 and improvements such as traffic detection and
11 surveillance, arterial management, freeway
12 management, demand management, work zone
13 management, emergency management, elec-
14 tronic toll collection, automated enforcement,
15 traffic operations measures to improve capacity,
16 traffic signal coordination, optimization of traf-
17 fic signal timing, traffic incident management,
18 roadway weather management, traveler infor-
19 mation services, commercial vehicle operations,
20 traffic control, freight management, and coordi-
21 nation of highway, rail, transit, bicycle, and pe-
22 destrian operations.”.

23 (b) CONGESTION MITIGATION AND AIR QUALITY IM-
24 PROVEDMENT PROGRAM ELIGIBILITY.—Section 149(b)(5)
25 of such title is amended by inserting “improve transpor-

1 tation systems management and operations,” after “inter-
2 sections,”.

3 (c) SURFACE TRANSPORTATION PROGRAM ELIGI-
4 BILITY.—Section 133(b) of such title is amended—

5 (1) by redesignating paragraphs (13) and (14)
6 as paragraphs (12) and (13), respectively; and

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

8 “(14) Regional transportation operations col-
9 laboration and coordination activities that are asso-
10 ciated with regional improvements, including activi-
11 ties for traffic incident management, technology de-
12 ployment, emergency management and response,
13 traveler information, and regional congestion re-
14 lief.”.

15 (d) NATIONAL HIGHWAY SYSTEM ELIGIBILITY.—
16 Section 103(b)(6) of such title is amended by adding at
17 the end the following:

18 “(Q) Capital, operating, and systems main-
19 tenance costs for transportation systems man-
20 agement and operations.”.

21 (e) TRANSPORTATION SYSTEMS MANAGEMENT AND
22 OPERATIONS.—Subchapter I of chapter 1 of such title is
23 further amended by adding at the end the following:

1 **“§ 166. Transportation systems management and op-**
2 **erations**

3 “(a) AUTHORITY.—The Secretary may—

4 “(1) encourage transportation system man-
5 agers, operators, public safety officials, and trans-
6 portation planners within an urbanized area, who
7 are actively engaged in and responsible for con-
8 ducting activities relating to day-to-day manage-
9 ment, operations, public safety, and planning of
10 transportation facilities and services, to collaborate
11 and coordinate on a regional level in a continuous
12 and sustained manner for improved transportation
13 systems management and operations, including, at a
14 minimum—

15 “(A) developing a regional concept of oper-
16 ations that defines a regional strategy shared
17 by all transportation and public safety partici-
18 pants for how the region’s systems should be
19 managed, operated, and measured;

20 “(B) sharing of information among opera-
21 tors, service providers, public safety officials,
22 and the general public; and

23 “(C) guiding, in a regionally-coordinated
24 manner, the implementation of regional trans-
25 portation system management and operations
26 initiatives, including emergency evacuation and

1 response, traffic incident management, tech-
2 nology deployment, and traveler information
3 systems delivery, in a manner consistent with
4 and integrated into the ongoing metropolitan
5 and statewide transportation planning processes
6 and regional intelligent transportation system
7 architecture, if required; and

8 “(2) encourage States to establish a system of
9 basic real-time monitoring capability for the surface
10 transportation system and provide the capability and
11 means to share that data among agencies (including
12 highway, transit, and public safety agencies), juris-
13 dictions (including States, cities, counties, and areas
14 represented by metropolitan planning organizations),
15 private-sector entities, and the traveling public.

16 “(b) EXECUTION.—To support the successful execu-
17 tion of transportation systems management and oper-
18 ations activities, the Secretary may undertake the fol-
19 lowing activities:

20 “(1) Assist and cooperate with other Federal
21 departments and agencies, State and local govern-
22 ments, metropolitan planning organizations, private
23 industry representatives, and other interested parties
24 to improve regional collaboration and real-time infor-
25 mation sharing between transportation system man-

1 agers and operators, public safety officials, emer-
2 gency managers, and the general public to increase
3 the security, safety, and reliability of Federal-aid
4 highways.

5 “(2) Issue, if necessary, new guidance or regu-
6 lations for the procurement of transportation system
7 management and operations facilities, equipment,
8 and services, including equipment procured in prepa-
9 ration for natural disasters and emergencies, system
10 hardware, software, and software integration serv-
11 ices.”.

12 (f) CONFORMING AMENDMENT.—The analysis for
13 such chapter is further amended by adding at the end the
14 following:

 “166. Transportation systems management and operations.”.

15 (g) INTELLIGENT TRANSPORTATION SYSTEM PRO-
16 CUREMENT POLICY.—

17 (1) STUDY.—The Secretary shall—

18 (A) conduct a study of the current policies
19 and practices for the procurement of intelligent
20 transportation system facilities, equipment, and
21 services; and

22 (B) develop a conceptual plan with alter-
23 native approaches for expediting and stream-
24 lining such procurements at the State level.

1 (2) RECOMMENDATIONS.—Based on the results
2 of the study, the Secretary shall make recommenda-
3 tions in the report under paragraph (4) regarding
4 procurement standards, including recommendations
5 regarding any changes in Federal and State stat-
6 utes, regulations, and policies necessary to ensure
7 that national interests are served in meeting future
8 intelligent transportation system needs.

9 (3) SPECIFIC MATTERS TO BE ADDRESSED.—
10 The study under this subsection shall specifically ad-
11 dress the following:

12 (A) CURRENT CONDITION.—The current
13 practices and policies relating to procurement of
14 intelligent transportation system facilities,
15 equipment, and services, including equipment
16 procured in preparation for natural disasters
17 and emergencies, system hardware, software,
18 and software integration services.

19 (B) ASSESSMENT OF NEED FOR POLICY
20 REFORM.—The ability of current practices and
21 policies to achieve the successful implementa-
22 tion of intelligent transportation system goals
23 and the need for national policy reform to expe-
24 dite and streamline procurements necessary to
25 meet such goals.

1 (C) ALTERNATIVES.—The range of legisla-
2 tive, regulatory, and policy alternatives to ad-
3 dress identified needs and goals, including fund-
4 ing needs.

5 (D) RECOMMENDATIONS.—Recommendations
6 regarding procurement standards, includ-
7 ing recommendations regarding any changes in
8 Federal and State statutes, regulations, and
9 policies necessary for expedited and streamlined
10 procurements.

11 (4) REPORT AND RECOMMENDATIONS.—Not
12 later than September 30, 2005, the Secretary shall
13 transmit to the appropriate committees of Congress
14 a final report regarding the results of the study con-
15 ducted under this subsection and recommendations
16 to address the needs identified in such study.

17 (5) INITIATION OF RULEMAKING PRO-
18 CEEDING.—To the extent any recommendation made
19 by the Secretary under this subsection may be im-
20 plemented by regulation, the Secretary shall initiate
21 a rulemaking proceeding to address such rec-
22 ommendation not later than the 90th day following
23 the date of submission of the report under para-
24 graph (4).

1 (6) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated from the
3 Highway Trust Fund (other than the Mass Transit
4 Account) \$1,000,000 in fiscal year 2004 to carry out
5 this subsection.

6 (7) APPLICABILITY OF TITLE 23.—Funds made
7 available to carry out this subsection shall be avail-
8 able for obligation in the same manner as if such
9 funds were apportioned under chapter 1 of title 23,
10 United States Code; except that the Federal share of
11 the cost of the study under this subsection shall be
12 100 percent and such funds shall remain available
13 until expended.

14 **SEC. 1203. REAL-TIME SYSTEM MANAGEMENT INFORMA-**
15 **TION PROGRAM.**

16 (a) ESTABLISHMENT.—

17 (1) IN GENERAL.—The Secretary shall establish
18 a real-time system management information pro-
19 gram to provide, in all States, the capability to mon-
20 itor, in real-time, the traffic and travel conditions of
21 the Nation's major highways and to share that in-
22 formation to improve the security of the surface
23 transportation system, to address congestion prob-
24 lems, to support improved response to weather
25 events and surface transportation incidents, and to

1 facilitate national and regional highway traveler in-
2 formation.

3 (2) PURPOSES.—The purposes of the real-time
4 system management information program are to—

5 (A) establish, in all States, a system of
6 basic real-time information for managing and
7 operating the surface transportation system;

8 (B) identify longer range real-time high-
9 way and transit monitoring needs and develop
10 plans and strategies for meeting such needs;
11 and

12 (C) provide the capability and means to
13 share that data with State and local govern-
14 ments and the traveling public.

15 (b) NATIONAL STEERING COMMITTEE.—

16 (1) IN GENERAL.—The Secretary shall establish
17 a national steering committee to assist in the devel-
18 opment of data exchange formats under subsection
19 (c).

20 (2) REPRESENTATIVES.—The national steering
21 committee shall consist of representatives of State
22 transportation departments, metropolitan planning
23 organizations, local governments, nonprofit entities,
24 the private sector, and academia.

1 (3) PURPOSE.—The purpose of the national
2 steering committee shall be to provide guidance re-
3 garding the content and uniformity of data exchange
4 formats.

5 (c) DATA EXCHANGE FORMATS.—Not later than 2
6 years after the date of enactment of this Act, the Sec-
7 retary shall establish data exchange formats based on rec-
8 ommendations of the steering committee established under
9 subsection (b) to ensure that the data provided by highway
10 and transit monitoring systems, including statewide inci-
11 dent reporting systems, can readily be exchanged across
12 jurisdictional boundaries, facilitating nationwide avail-
13 ability of information.

14 (d) REGIONAL INTELLIGENT TRANSPORTATION SYS-
15 TEM ARCHITECTURE.—

16 (1) ADDRESSING INFORMATION NEEDS.—As
17 State and local governments develop or update re-
18 gional intelligent transportation system architec-
19 tures, described in section 940.9 of title 23, Code of
20 Federal Regulations, such governments shall explic-
21 itly address real-time highway and transit informa-
22 tion needs and the systems needed to meet such
23 needs, including addressing coverage, monitoring
24 systems, data fusion and archiving, and methods of

1 exchanging or sharing highway and transit informa-
2 tion.

3 (2) DATA EXCHANGE.—States shall incorporate
4 the data exchange formats established by the Sec-
5 retary under subsection (c) to ensure that the data
6 provided by highway and transit monitoring systems
7 may readily be exchanged with State and local gov-
8 ernments and may be made available to the traveling
9 public.

10 (e) ELIGIBILITY.—Subject to project approval by the
11 Secretary, a State may obligate funds apportioned to the
12 State under sections 104(b)(1), 104(b)(2), and 104(b)(3)
13 of title 23, United States Code, for activities related to
14 the planning and deployment of real-time monitoring ele-
15 ments that advance the goals and purposes described in
16 subsection (a).

17 (f) LIMITATION ON STATUTORY CONSTRUCTION.—
18 Nothing in this section shall be construed as altering or
19 otherwise affecting the applicability of the requirements
20 of chapter 1 of title 23, United States Code (including
21 requirements relating to the eligibility of a project for as-
22 sistance under the program, the location of the project,
23 and the Federal-share payable on account of the project),
24 to amounts apportioned to a State for a program under

1 section 104(b) that are obligated by the State for activities
2 and projects under this section.

3 (g) STATEWIDE INCIDENT REPORTING SYSTEM DE-
4 FINED.—In this section, the term “statewide incident re-
5 porting system” means a statewide system for facilitating
6 the real-time electronic reporting of surface transportation
7 incidents to a central location for use in monitoring the
8 event, providing accurate traveler information, and re-
9 sponding to the incident as appropriate.

10 **SEC. 1204. EXPEDITED NATIONAL INTELLIGENT TRANSPOR-**
11 **TATION SYSTEMS DEPLOYMENT PROGRAM.**

12 (a) ESTABLISHMENT.—The Secretary shall establish
13 a comprehensive program to accelerate the integration,
14 interoperability, and deployment of intelligent transpor-
15 tation systems in order to improve the performance of the
16 surface transportation system in metropolitan and rural
17 areas.

18 (b) SELECTION OF MODEL PROJECTS.—Under the
19 program, the Secretary may make grants, through com-
20 petitive solicitation, for projects that will serve as models
21 to improve transportation efficiency, promote surface
22 transportation safety (including safe freight movement),
23 increase traffic flow (including the flow of intermodal trav-
24 el at ports of entry), reduce emissions of air pollutants,
25 improve traveler information, enhance alternative trans-

1 portation modes, build on existing intelligent transpor-
2 tation system projects, and promote tourism.

3 (c) OTHER PROJECTS, PROGRAMS, AND ACTIVI-
4 TIES.—Under the program, the Secretary may make
5 grants for projects, programs, and activities in metropoli-
6 tan and rural areas that—

7 (1) contribute to national deployment goals and
8 objectives outlined in the national intelligent trans-
9 portation system program plan;

10 (2) promote cooperation among agencies, jurisdic-
11 tions, and the private sector, as evidenced by
12 signed memoranda of understanding that clearly de-
13 fine the responsibilities and relations of all parties to
14 a partnership arrangement, including institutional
15 relationships and financial agreements needed to
16 support deployment of intelligent transportation sys-
17 tems;

18 (3) encourage private sector involvement and fi-
19 nancial commitment to such deployment to the max-
20 imum extent practicable through innovative financial
21 arrangements, especially public-private partnerships,
22 including arrangements that generate revenue to off-
23 set public investment costs;

24 (4) enhance fully integrated intelligent trans-
25 portation system deployment;

1 (5) create technical capacity for effective oper-
2 ations and maintenance of such systems;

3 (6) improve safety, mobility, geographic and re-
4 gional diversity, and economic development in de-
5 ployment of such systems;

6 (7) advance deployment of the 511 traveler in-
7 formation program; and

8 (8) advance deployment of other national sys-
9 tems, including a statewide incident reporting sys-
10 tem, wireless e-911 system, and road weather infor-
11 mation system.

12 (d) **APPLICABILITY OF TITLE 23, UNITED STATES**
13 **CODE.**—Funds authorized to be appropriated under sec-
14 tion 1101(a)(16) of this Act shall be available for obliga-
15 tion to carry out subsection (c)(7) in the same manner
16 and to the same extent as if such funds were apportioned
17 under chapter 1 of title 23, United States Code; except
18 that the Federal share of the cost of projects carried out
19 under subsection (c)(7) shall be 80 percent and such funds
20 shall remain available until expended.

21 **SEC. 1205. INTELLIGENT TRANSPORTATION SYSTEMS DE-**
22 **PLOYMENT.**

23 (a) **PURPOSE.**—The purpose of this section is to en-
24 sure that a minimum of \$3,000,000,000 of the amounts
25 authorized to be appropriated for the National Highway

1 System, Interstate maintenance, surface transportation,
2 and congestion mitigation and air quality improvement
3 programs for fiscal years 2004 through 2009 is utilized
4 to expand deployment of intelligent transportation sys-
5 tems.

6 (b) IN GENERAL.—Chapter 1 of title 23, United
7 States Code, is amended by inserting after section 149 the
8 following:

9 **“§ 150. Deployment of intelligent transportation sys-**
10 **tems**

11 “(a) IN GENERAL.—In each of fiscal years 2004
12 through 2009, each State shall obligate a portion of the
13 funds apportioned to the State under sections 104(b)(1),
14 104(b)(2), 104(b)(3), and 104(b)(4) for such fiscal year,
15 calculated under subsection (b), for projects described in
16 subsection (c) that support deployment of intelligent
17 transportation systems in the State.

18 “(b) CALCULATION OF AMOUNT.—The portion of a
19 State’s apportionments to be obligated under subsection
20 (a) for projects described in subsection (c) in a fiscal year
21 shall be determined by multiplying \$500,000,000 by the
22 ratio that—

23 “(1) the aggregate of amounts apportioned to
24 the State for such fiscal year under sections

1 104(b)(1), 104(b)(2), 104(b)(3), and 104(b)(4);
2 bears to

3 “(2) the aggregate of amounts apportioned to
4 all States for such fiscal year under such sections.

5 “(c) INTELLIGENT TRANSPORTATION SYSTEMS DE-
6 PLOYMENT PROJECTS.—Projects for which funds must be
7 obligated under this section include the following:

8 “(1) PERFORMANCE.—Establishment and im-
9 plementation of operations systems and services that
10 improve performance in the areas of traffic oper-
11 ations, emergency response to surface transportation
12 incidents, surface transportation incident manage-
13 ment, weather event response management by State
14 and local authorities, surface transportation network
15 and facility management, construction and work
16 zone management, and traffic flow information.

17 “(2) NETWORKS.—Conducting activities that
18 support the creation of networks that link metropoli-
19 tan and rural surface transportation systems into an
20 integrated data network, capable of collecting, shar-
21 ing, and archiving transportation system traffic con-
22 dition and performance information.

23 “(3) SAFETY.—Implementation of intelligent
24 transportation system technologies that improve

1 highway safety through linkages connecting the vehi-
2 cle, the infrastructure, and information to the driver.

3 “(4) OPERATION AND MANAGEMENT.—Provi-
4 sion of services necessary to ensure the efficient op-
5 eration and management of intelligent transpor-
6 tation systems infrastructure, including costs associ-
7 ated with communications, utilities, rent, hardware,
8 software, labor, administrative costs, training, and
9 technical services.

10 “(5) INTERAGENCY SUPPORT.—Provision of
11 support for institutional relationships between trans-
12 portation agencies, police, emergency medical serv-
13 ices, private emergency operators, freight operators,
14 and shippers.

15 “(6) PLANNING.—Conducting cross-jurisdic-
16 tional planning and deployment of regional transpor-
17 tation systems operations and management ap-
18 proaches.

19 “(d) OBLIGATION OF AMOUNTS.—

20 “(1) IN GENERAL.—In complying with the re-
21 quirements of this section, the amounts obligated by
22 a State for projects under subsection (c) that sup-
23 port deployment of intelligent transportation systems
24 in such State under subsection (a) shall be allocated
25 among the individual programs for which funds are

1 apportioned under sections 104(b)(1), 104(b)(2),
2 104(b)(3), and 104(b)(4).

3 “(2) LIMITATION ON STATUTORY CONSTRUC-
4 TION.—Nothing in this subsection shall be construed
5 as requiring a State to obligate proportional or equal
6 amounts under sections 104(b)(1), 104(b)(2),
7 104(b)(3), and 104(b)(4) for any congestion relief
8 activity under this section.

9 “(e) LIMITATION ON STATUTORY CONSTRUCTION.—
10 Nothing in this section shall be construed as altering or
11 otherwise affecting the applicability of the requirements
12 of this chapter (including requirements relating to the eli-
13 gibility of a project for assistance under the program, the
14 location of the project, and the Federal-share payable on
15 account of the project) to amounts apportioned to a State
16 for a program under section 104(b) that are obligated by
17 the State for projects under this section.

18 “(f) JOINT RESPONSIBILITY.—Each State, each af-
19 fected metropolitan planning organization, and the Sec-
20 retary shall jointly ensure compliance with this section.”.

21 “(c) CONFORMING AMENDMENT.—The analysis for
22 such chapter is amended by inserting after the item relat-
23 ing to section 149 the following:

“150. Deployment of intelligent transportation systems.”.

1 **SEC. 1206. ENVIRONMENTAL REVIEW OF ACTIVITIES THAT**
2 **SUPPORT DEPLOYMENT OF INTELLIGENT**
3 **TRANSPORTATION SYSTEMS.**

4 (a) CATEGORICAL EXCLUSIONS.—Not later than one
5 year after the date of enactment of this Act, the Secretary
6 shall initiate a rulemaking process to establish, to the ex-
7 tent appropriate, categorical exclusions for activities that
8 support the deployment of intelligent transportation infra-
9 structure and systems from the requirement that an envi-
10 ronmental assessment or an environmental impact state-
11 ment be prepared under section 102 of the National Envi-
12 ronmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
13 (42 U.S.C. 4332) in compliance with the standards for
14 categorical exclusions established by that Act.

15 (b) NATIONWIDE PROGRAMMATIC AGREEMENT.—

16 (1) DEVELOPMENT.—The Secretary shall de-
17 velop a nationwide programmatic agreement gov-
18 erning the review of activities that support the de-
19 ployment of intelligent transportation infrastructure
20 and systems in accordance with section 106 of the
21 National Historic Preservation Act (16 U.S.C. 470f)
22 and the regulations of the Advisory Council on His-
23 toric Preservation.

24 (2) CONSULTATION.—The Secretary shall de-
25 velop the agreement under paragraph (1) in con-
26 sultation with the National Conference of State His-

1 toric Preservation Officers and the Advisory Council
2 on Historic Preservation established under title II of
3 the National Historic Preservation Act (26 U.S.C.
4 470i et seq.) and after soliciting the views of other
5 interested parties.

6 (c) INTELLIGENT TRANSPORTATION INFRASTRUC-
7 TURE AND SYSTEMS DEFINED.—In this section, the term
8 “intelligent transportation infrastructure and systems”
9 means intelligent transportation infrastructure and intel-
10 ligent transportation systems, as such terms are defined
11 in section 5607.

12 **SEC. 1207. STATE ASSUMPTION OF RESPONSIBILITIES FOR**
13 **CERTAIN PROGRAMS AND PROJECTS.**

14 (a) IN GENERAL.—Subchapter I of chapter 1 of title
15 23, United States Code, is amended by adding at the end
16 the following:

17 **“§ 168. State assumption of responsibilities for cer-**
18 **tain programs and projects**

19 “(a) ASSUMPTION OF SECRETARY’S RESPONSIBIL-
20 ITIES UNDER APPLICABLE FEDERAL LAWS.—

21 “(1) PILOT PROGRAM.—

22 “(A) ESTABLISHMENT.—The Secretary
23 may establish a pilot program under which
24 States may assume the responsibilities of the

1 Secretary under any Federal laws subject to the
2 requirements of this section.

3 “(B) FIRST 3 FISCAL YEARS.—In the first
4 3 fiscal years following the date of enactment of
5 this section, the Secretary may allow up to 5
6 States to participate in the pilot program.

7 “(2) SCOPE OF PROGRAM.—Under the pilot
8 program, the Secretary may assign, and a State may
9 assume, any of the Secretary’s responsibilities (other
10 than responsibilities relating to federally recognized
11 Indian tribes) for environmental reviews, consulta-
12 tion, or decisionmaking or other actions required
13 under any Federal law as such requirements apply
14 to the following projects:

15 “(A) Projects funded under section 104(h).

16 “(B) Transportation enhancement activi-
17 ties under section 133, as such term is defined
18 in section 101(a)(35).

19 “(C) Projects as defined in section
20 101(a)(39) and section 5607 of the Transpor-
21 tation Equity Act: A Legacy for Users.

22 “(3) LIMITATIONS.—

23 “(A) PROCEDURAL AND SUBSTANTIVE RE-
24 QUIREMENTS.—A State that assumes the re-
25 sponsibilities of the Secretary under this section

1 shall be subject to the same procedural and
2 substantive requirements as would apply if the
3 responsibilities were carried out by the Sec-
4 retary. When a State assumes responsibilities
5 for carrying out a Federal law under this sec-
6 tion, the State assents to Federal jurisdiction
7 and shall be solely responsible and solely liable
8 for complying with and carrying out that law
9 instead of the Secretary.

10 “(B) ASSUMPTION OF RESPONSIBIL-
11 ITIES.—Any responsibility of the Secretary not
12 assumed by the State in a memorandum of un-
13 derstanding shall remain a responsibility of the
14 Secretary.

15 “(C) POWERS OF OTHER AGENCIES.—
16 Nothing in this section preempts or limits any
17 power, jurisdiction, responsibility, or authority
18 of an agency, other than the Department of
19 Transportation, with respect to a project.

20 “(b) AGREEMENTS.—

21 “(1) IN GENERAL.—The Secretary shall enter
22 into a memorandum of understanding with a State
23 participating in the pilot program setting forth the
24 responsibilities to be assigned under subsection

1 (a)(2) and the terms and conditions under which the
2 assignment is being made.

3 “(2) CERTIFICATION.—Before the Secretary en-
4 ters into a memorandum of understanding with a
5 State under paragraph (1), the State shall certify
6 that the State has in effect laws (including regula-
7 tions) applicable to projects carried out and funded
8 under this title and chapter 53 of title 49 that au-
9 thorize the State to carry out the responsibilities
10 being assumed.

11 “(3) MAXIMUM DURATION.—A memorandum of
12 understanding with a State under this section shall
13 be established for an initial period of no more than
14 3 years and may be renewed by mutual agreement
15 on a periodic basis for periods of not more than 3
16 years.

17 “(4) COMPLIANCE.—

18 “(A) IN GENERAL.—After entering into a
19 memorandum of understanding under para-
20 graph (1), the Secretary shall review and deter-
21 mine compliance by the State with the memo-
22 randum of understanding.

23 “(B) RENEWALS.—The Secretary shall
24 take into account the performance of a State
25 under the pilot program when considering re-

1 newal of a memorandum of understanding with
2 the State under the program.

3 “(5) ACCEPTANCE OF FEDERAL COURTS JURIS-
4 DICTION.—A memorandum of understanding with a
5 State under this section shall include a provision
6 under which the State consents to accept the juris-
7 diction of the Federal courts for the compliance, dis-
8 charge, and enforcement of any responsibility of the
9 Secretary that the State may assume under the
10 memorandum.

11 “(6) TERMINATION OF AGREEMENTS.—A
12 memorandum of understanding with a State under
13 this section shall include a provision authorizing the
14 Secretary to terminate the agreement if the Sec-
15 retary, after providing an opportunity for a hearing,
16 issues a finding that the State is not in compliance
17 with the terms of the agreement.

18 “(c) SELECTION OF STATES FOR PILOT PROGRAM.—

19 “(1) APPLICATION.—To be eligible to partici-
20 pate in the pilot program, a State shall submit to
21 the Secretary an application that contains such in-
22 formation as the Secretary may require. At a min-
23 imum, an application shall include—

24 “(A) a description of the projects or class-
25 es of projects for which the State seeks to as-

1 sume responsibilities under subsection (a)(2);
2 and

3 “(B) a certification that the State has the
4 capability to assume such responsibilities.

5 “(2) PUBLIC NOTICE.—Before entering into a
6 memorandum of understanding allowing a State to
7 participate in the pilot program, the Secretary
8 shall—

9 “(A) publish notice in the Federal Register
10 of the Secretary’s intent to allow the State to
11 participate in the program, including a copy of
12 the State’s application to the Secretary and the
13 terms of the proposed agreement with the
14 State; and

15 “(B) provide an opportunity for public
16 comment.

17 “(3) SELECTION CRITERIA.—The Secretary
18 may approve the application of a State to assume re-
19 sponsibilities under the program only if—

20 “(A) the requirements under paragraph
21 (2) have been met; and

22 “(B) the Secretary determines that the
23 State has the capability to assume the respon-
24 sibilities.

1 “(4) OTHER FEDERAL AGENCY VIEWS.—Before
2 assigning to a State a responsibility of the Secretary
3 that requires the Secretary to consult with another
4 Federal agency, the Secretary shall solicit the views
5 of the Federal agency.

6 “(d) STATE DEFINED.—With respect to the rec-
7 reational trails program, the term ‘State’ means the State
8 agency designated by the Governor of the State in accord-
9 ance with section 206(c)(1).

10 “(e) PRESERVATION OF PUBLIC INTEREST CONSID-
11 ERATION.—Nothing in this section shall be construed to
12 limit the requirements under any applicable law providing
13 for the consideration and preservation of the public inter-
14 est, including public participation and community values
15 in transportation decisionmaking.

16 “(f) STATE SUBJECT TO FEDERAL LAWS.—For pur-
17 poses of assuming responsibilities of the Secretary under
18 this section, a State agency entering into a memorandum
19 of understanding under subsection (b) is deemed to be a
20 Federal agency to the extent the State is carrying out the
21 Secretary’s responsibilities under the National Environ-
22 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.), this
23 title, and any other provision of Federal law.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 subchapter I of chapter 1 of such title is amended by add-
3 ing at the end the following:

“168. State assumption of responsibilities for certain programs and projects.”.

4 **SEC. 1208. HOV FACILITIES.**

5 (a) IN GENERAL.—Subchapter I of chapter 1 of title
6 23, United States Code, is amended by adding at the end
7 the following:

8 **“§ 167. HOV facilities**

9 “(a) IN GENERAL.—

10 “(1) AUTHORITY OF STATE AGENCIES.—A
11 State agency that has jurisdiction over the operation
12 of a HOV facility shall establish the occupancy re-
13 quirements of vehicles operating on the facility.

14 “(2) OCCUPANCY REQUIREMENT.—Except as
15 otherwise provided by this section, no fewer than 2
16 occupants per vehicle may be required for use of a
17 HOV facility.

18 “(b) EXCEPTIONS.—Notwithstanding the occupancy
19 requirements of subsection (a)(2), the following exceptions
20 shall apply with respect to a State agency operating a
21 HOV facility:

22 “(1) MOTORCYCLES AND BICYCLES.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B), the State agency shall allow motor-
25 cycles and bicycles to use the HOV facility.

1 “(B) SAFETY EXCEPTION.—A State agen-
2 cy may restrict use of the HOV facility by mo-
3 torcycles or bicycles (or both) if the agency cer-
4 tifies to the Secretary that such use would cre-
5 ate a safety hazard and the Secretary accepts
6 the certification. The Secretary may accept a
7 certification under this subparagraph only after
8 the Secretary publishes notice of the certifi-
9 cation in the Federal Register and provides an
10 opportunity for public comment.

11 “(2) PUBLIC TRANSPORTATION VEHICLES.—
12 The State agency may allow public transportation
13 vehicles to use the HOV facility if the agency—

14 “(A) establishes requirements for clearly
15 identifying the vehicles; and

16 “(B) establishes procedures for enforcing
17 the restrictions on the use of the facility by
18 such vehicles.

19 “(3) HIGH OCCUPANCY TOLL VEHICLES.—The
20 State agency may allow vehicles not otherwise ex-
21 empt pursuant to this subsection to use the HOV fa-
22 cility if the operators of such vehicles pay a toll
23 charged by the agency for use of the facility and the
24 agency—

1 “(A) establishes a program that addresses
2 how motorists can enroll and participate in the
3 toll program;

4 “(B) develops, manages, and maintains a
5 system that will automatically collect the toll;
6 and

7 “(C) establishes policies and procedures
8 to—

9 “(i) manage the demand to use the fa-
10 cility by varying the toll amount that is
11 charged;

12 “(ii) enforce violations of use of the
13 facility; and

14 “(iii) permit low-income individuals to
15 pay reduced tolls.

16 “(4) LOW EMISSION AND ENERGY-EFFICIENT
17 VEHICLES.—

18 “(A) INHERENTLY LOW-EMISSION VEHI-
19 CLE.—Before September 30, 2009, the State
20 agency may allow vehicles that are certified as
21 inherently low-emission vehicles pursuant to
22 section 88.311–93 of title 40, Code of Federal
23 Regulations, and are labeled in accordance with
24 section 88.312–93 of such title, to use the HOV
25 facility if the agency establishes procedures for

1 enforcing the restrictions on the use of the fa-
2 cility by such vehicles.

3 “(B) OTHER LOW EMISSION AND ENERGY-
4 EFFICIENT VEHICLES.—Before September 30,
5 2009, the State agency may allow vehicles cer-
6 tified as low emission and energy-efficient vehi-
7 cles under subsection (e), and labeled in accord-
8 ance with subsection (e), to use the HOV facil-
9 ity if the agency—

10 “(i) establishes a program that ad-
11 dresses how those qualifying low emission
12 and energy-efficient vehicles are selected
13 and certified;

14 “(ii) establishes requirements for la-
15 beling qualifying low emission and energy-
16 efficient vehicles (including procedures for
17 enforcing those requirements);

18 “(iii) continuously monitors, evalu-
19 ates, and reports to the Secretary on per-
20 formance; and

21 “(iv) imposes such restrictions on the
22 use on high occupancy vehicle lanes by ve-
23 hicles that do not satisfy established occu-
24 pancy requirements as are necessary to en-
25 sure that the performance of individual

1 high occupancy vehicle lanes, and the en-
2 tire high occupancy vehicle lane system,
3 will not become seriously degraded.

4 “(c) REQUIREMENTS APPLICABLE TO TOLLS.—

5 “(1) IN GENERAL.—Tolls may be charged
6 under subsections (b)(3) and (b)(4) notwithstanding
7 section 301 and, except as provided in paragraphs
8 (2) and (3), subject to the requirements of section
9 129.

10 “(2) HOV FACILITIES ON THE INTERSTATE
11 SYSTEM.—Notwithstanding section 129, tolls may be
12 charged under subsections (b)(3) and (b)(4) on a
13 HOV facility on the Interstate System.

14 “(3) EXCESS TOLL REVENUES.—If a State
15 agency makes a certification under the last sentence
16 of section 129(a)(3) with respect to toll revenues col-
17 lected under subsections (b)(3) and (b)(4), the
18 State, in the use of tolls revenues under that sen-
19 tence, shall give priority consideration to projects for
20 developing alternatives to single occupancy vehicle
21 travel and projects for improving highway safety.

22 “(d) HOV FACILITY MANAGEMENT, OPERATION,
23 MONITORING, AND ENFORCEMENT.—

24 “(1) IN GENERAL.—A State agency that allows
25 vehicles to use a HOV facility under subsection

1 (b)(3) or (b)(4) in a fiscal year shall certify to the
2 Secretary that the agency will carry out the fol-
3 lowing responsibilities with respect to the facility in
4 the fiscal year:

5 “(A) Establishing, managing, and sup-
6 porting a performance monitoring, evaluation,
7 and reporting program for the facility that pro-
8 vides for continuous monitoring, assessment,
9 and reporting on the impacts that such vehicles
10 may have on the operation of the facility and
11 adjacent highways.

12 “(B) Establishing, managing, and sup-
13 porting an enforcement program that ensures
14 that the facility is being operated in accordance
15 with the requirements of this section.

16 “(C) Limiting or discontinuing the use of
17 the facility by such vehicles if the presence of
18 such vehicles has degraded the operation of the
19 facility.

20 “(2) DEGRADED FACILITY.—

21 “(A) IN GENERAL.—For purposes of para-
22 graph (1), the operation of a HOV facility shall
23 be considered to be degraded if vehicles oper-
24 ating on the facility are failing to maintain a
25 minimum average operating speed 90 percent of

1 the time over a consecutive 6-month period dur-
2 ing morning or evening weekday peak hour pe-
3 riods (or both).

4 “(B) MINIMUM AVERAGE OPERATING
5 SPEED DEFINED.—In subparagraph (A), the
6 term ‘minimum average operating speed’
7 means—

8 “(i) 45 miles per hour, in the case of
9 a HOV facility with a speed limit of 50
10 miles per hour or greater; and

11 “(ii) not more than 10 miles per hour
12 below the speed limit, in the case of a
13 HOV facility with a speed limit of less
14 than 50 miles per hour.

15 “(e) CERTIFICATION OF LOW EMISSION AND EN-
16 ERGY-EFFICIENT VEHICLES.—Not later than 6 months
17 after the date of enactment of this section, the Adminis-
18 trator of the Environmental Protection Agency shall issue
19 a final rule establishing requirements for certification of
20 vehicles as low emission and energy-efficient vehicles for
21 purposes of this section and requirements for the labeling
22 of such vehicles.

23 “(f) DEFINITIONS.—In this section, the following
24 definitions apply:

1 “(1) ALTERNATIVE FUEL VEHICLE.—The term
2 ‘alternative fuel vehicle’ means a vehicle that oper-
3 ates on—

4 “(A) methanol, denatured ethanol, or other
5 alcohols;

6 “(B) a mixture containing at least 85 per-
7 cent of methanol, denatured ethanol, and other
8 alcohols by volume with gasoline or other fuels;

9 “(C) natural gas;

10 “(D) liquefied petroleum gas;

11 “(E) hydrogen;

12 “(F) coal derived liquid fuels;

13 “(G) fuels (except alcohol) derived from bi-
14 ological materials;

15 “(H) electricity (including electricity from
16 solar energy); or

17 “(I) any other fuel that the Secretary pre-
18 scribes by regulation that is not substantially
19 petroleum and that would yield substantial en-
20 ergy security and environmental benefits.

21 “(2) HOV FACILITY.—The term ‘HOV facility’
22 means a high occupancy vehicle facility.

23 “(3) LOW EMISSION AND ENERGY EFFICIENT
24 VEHICLE.—The term ‘low emission and energy-effi-
25 cient vehicle’ means a vehicle that—

1 “(A) has been certified by the Adminis-
2 trator of the Environmental Protection Agency
3 as meeting the Tier II emission level established
4 in regulations prescribed by the Administrator
5 under section 202(i) of the Clean Air Act (42
6 U.S.C. 7521(i)) for that make and model year
7 vehicle; and

8 “(B)(i) has been certified by the Adminis-
9 trator to have a 45-mile-per-gallon or greater
10 fuel economy highway rating; or

11 “(ii) is an alternative fuel vehicle.

12 “(4) PUBLIC TRANSPORTATION VEHICLE.—The
13 term ‘public transportation vehicle’ means a vehicle
14 that provides public transportation (as defined in
15 section 5302(a) of title 49).

16 “(5) STATE AGENCY.—The term ‘State agency’,
17 as used with respect to a HOV facility, means an
18 agency of a State or local government having juris-
19 diction over the operation of the facility and includes
20 a State transportation department.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) PROGRAM EFFICIENCIES.—Section 102 of
23 title 23, United States Code, is amended by striking
24 subsection (a) and redesignating subsections (b) and
25 (c) as subsections (a) and (b), respectively.

1 (2) CHAPTER ANALYSIS.—The analysis for sub-
2 chapter I of chapter 1 of such title is amended by
3 adding at the end the following:

“167. HOV facilities.”.

4 (c) TECHNICAL AMENDMENT.—Section 102(c) of
5 title 23, United States Code, is amended by striking “10
6 years” and all that follows through “after” and inserting
7 “10 years (or such longer period as the State requests and
8 the Secretary determines to be reasonable) after”.

9 **SEC. 1209. REPEAL.**

10 Section 1012(b) of the Intermodal Surface Transpor-
11 tation Efficiency Act of 1991 (23 U.S.C. 149 note; 105
12 Stat. 1938) is repealed.

13 **Subtitle C—Mobility and Efficiency**

14 **SEC. 1301. NATIONAL CORRIDOR INFRASTRUCTURE IM-**
15 **PROVEMENT PROGRAM.**

16 (a) IN GENERAL.—The Secretary shall establish and
17 implement a program to make allocations to States for
18 highway construction projects in corridors of national sig-
19 nificance to promote economic growth and international
20 or interregional trade pursuant to the selection factors
21 provided in this section. A State must submit an applica-
22 tion to the Secretary in order to receive an allocation
23 under this section.

24 (b) SELECTION PROCESS.—

1 (1) PRIORITY.—In the selection process under
2 this section, the Secretary shall give priority to
3 projects in corridors that are a part of, or will be
4 designated as part of, the Dwight D. Eisenhower
5 National System of Interstate and Defense High-
6 ways after completion of the work described in the
7 application received by the Secretary and to any
8 project that will be completed within 5 years of the
9 date of the allocation of funds for the project.

10 (2) SELECTION FACTORS.—In making alloca-
11 tions under this section, the Secretary shall consider
12 the following factors:

13 (A) The extent to which the corridor pro-
14 vides a link between 2 existing segments of the
15 Interstate System.

16 (B) The extent to which the project will fa-
17 cilitate major multistate or regional mobility
18 and economic growth and development in areas
19 underserved by existing highway infrastructure.

20 (C) The extent to which commercial vehicle
21 traffic in the corridor—

22 (i) has increased since the date of en-
23 actment of the North American Free
24 Trade Agreement Implementation Act (16
25 U.S.C. 4401 et seq.); and

1 (ii) is projected to increase in the fu-
2 ture.

3 (D) The extent to which international
4 truck-borne commodities move through the cor-
5 ridor.

6 (E) The extent to which the project will
7 make improvements to an existing segment of
8 the Interstate System that will result in a de-
9 crease in congestion.

10 (F) The reduction in commercial and other
11 travel time through a major freight corridor ex-
12 pected as a result of the project.

13 (G) The value of the cargo carried by com-
14 mercial vehicle traffic in the corridor and the
15 economic costs arising from congestion in the
16 corridor.

17 (H) The extent of leveraging of Federal
18 funds provided to carry out this section, includ-
19 ing—

20 (i) use of innovative financing;

21 (ii) combination with funding provided
22 under other sections of this Act and title
23 23, United States Code; and

24 (iii) combination with other sources of
25 Federal, State, local, or private funding.

1 (c) PERIOD OF AVAILABILITY.—Funds allocated for
2 a project to a State under this section shall remain avail-
3 able for obligation in that State until 6 months from the
4 day on which they are allocated. Sums not obligated within
5 6 months of the day on which they are allocated shall be
6 available to the Secretary to be allocated for other projects
7 eligible under this section.

8 (d) FEDERAL SHARE.—The Federal share of the cost
9 of a project under this section shall be determined in ac-
10 cordance with section 120(b) of title 23, United States
11 Code.

12 (e) APPLICABILITY OF TITLE 23.—Except as pro-
13 vided in subsections (c) and (d), funds made available by
14 section 1101(a)(10) of this Act to carry out this section
15 shall be available for obligation in the same manner as
16 if such funds were apportioned under chapter 1 of title
17 23, United States Code.

18 (f) STATE DEFINED.—In this section, the term
19 “State” has the meaning such term has under section 101
20 of title 23, United States Code.

21 **SEC. 1302. COORDINATED BORDER INFRASTRUCTURE PRO-**
22 **GRAM.**

23 (a) GENERAL AUTHORITY.—The Secretary shall im-
24 plement a coordinated border infrastructure program
25 under which the Secretary shall distribute funds to border

1 States to improve the safe movement of motor vehicles at
2 or across the border between the United States and Can-
3 ada and the border between the United States and Mexico.

4 (b) ELIGIBLE USES.—A State may use funds appor-
5 tioned under this section only for—

6 (1) improvements in a border region to existing
7 transportation and supporting infrastructure that fa-
8 cilitate cross-border motor vehicle and cargo move-
9 ments;

10 (2) construction of highways and related safety
11 and safety enforcement facilities in a border region
12 that facilitate motor vehicle and cargo movements
13 related to international trade;

14 (3) operational improvements in a border re-
15 gion, including improvements relating to electronic
16 data interchange and use of telecommunications, to
17 expedite cross border motor vehicle and cargo move-
18 ment;

19 (4) modifications to regulatory procedures to
20 expedite safe and efficient cross border motor vehicle
21 and cargo movements; and

22 (5) international coordination of transportation
23 planning, programming, and border operation with
24 Canada and Mexico relating to expediting cross bor-
25 der motor vehicle and cargo movements.

1 (c) APPORTIONMENT OF FUNDS.—On October 1 of
2 each fiscal year, the Secretary shall apportion among bor-
3 der States sums authorized to be appropriated to carry
4 out this section for such fiscal year as follows:

5 (1) 20 percent in the ratio that—

6 (A) the total number of incoming commer-
7 cial trucks that pass through the land border
8 ports of entry within the boundaries of a border
9 State, as determined by the Secretary; bears to

10 (B) the total number of incoming commer-
11 cial trucks that pass through such ports of
12 entry within the boundaries of all the border
13 States, as determined by the Secretary.

14 (2) 30 percent in the ratio that—

15 (A) the total number of incoming personal
16 motor vehicles and incoming buses that pass
17 through land border ports of entry within the
18 boundaries of a border State, as determined by
19 the Secretary; bears to

20 (B) the total number of incoming personal
21 motor vehicles and incoming buses that pass
22 through such ports of entry within the bound-
23 aries of all the border States, as determined by
24 the Secretary.

25 (3) 25 percent in the ratio that—

1 (A) the total weight of incoming cargo by
2 commercial trucks that pass through land bor-
3 der ports of entry within the boundaries of a
4 border State, as determined by the Secretary;
5 bears to

6 (B) the total weight of incoming cargo by
7 commercial trucks that pass through such ports
8 of entry within the boundaries of all the border
9 States, as determined by the Secretary.

10 (4) 25 percent of the ratio that—

11 (A) the total number of land border ports
12 of entry within the boundaries of a border
13 State, as determined by the Secretary; bears to

14 (B) the total number of land border ports
15 of entry within the boundaries of all the border
16 States, as determined by the Secretary.

17 (d) APPLICABILITY OF TITLE 23.—Funds made
18 available to carry out this section shall be available for
19 obligation in the same manner as if such funds were ap-
20 portioned under chapter 1 of title 23, United States Code;
21 except that such funds shall not be transferable and shall
22 remain available until expended and the Federal share of
23 the cost of a project under this section shall be 80 percent.

24 (e) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) BORDER REGION.—The term “border re-
2 gion” means any portion of a border State within 20
3 miles of an international land border with Canada or
4 Mexico.

5 (2) BORDER STATE.—The term “border State”
6 means any State that has an international land bor-
7 der with Canada or Mexico.

8 (3) COMMERCIAL TRUCK.—The term “commer-
9 cial truck” means a commercial motor vehicle as de-
10 fined in section 31301(4) (other than subparagraph
11 (B)) of title 49, United States Code.

12 (4) MOTOR VEHICLE.—The term “motor vehi-
13 cle” has the meaning such term has under section
14 101(a) of title 23, United States Code.

15 (5) STATE.—The term “State” has the mean-
16 ing such term has in section 101(a) of such title 23.

17 **SEC. 1303. FREIGHT INTERMODAL CONNECTORS.**

18 (a) IN GENERAL.—

19 (1) ESTABLISHMENT.—The Secretary shall es-
20 tablish a freight intermodal connector program to
21 improve productivity and improve the efficiency of
22 the transportation of freight, while mitigating con-
23 gestion in the area of freight intermodal connectors.

24 (2) PURPOSES.—The purposes of the program
25 shall be—

1 (A) to facilitate and support intermodal
2 freight transportation initiatives at the State
3 and local levels in order to improve freight
4 intermodal connectors and mitigate the impact
5 of congestion in the area of such connectors;
6 and

7 (B) to provide capital funding to address
8 infrastructure and freight operational needs at
9 freight intermodal connectors.

10 (b) STATE RESPONSIBILITIES.—Under the program,
11 each State shall ensure that intermodal freight transpor-
12 tation and trade facilitation and are adequately addressed
13 integrated into the project development process, including
14 transportation planning, through final design and con-
15 struction of freight related transportation projects.

16 (c) ELIGIBLE PROJECTS.—

17 (1) IN GENERAL.—Projects eligible for funding
18 under this section may include the construction of
19 and improvements to publicly owned freight inter-
20 modal connectors, the provision of access to such
21 connectors, and operational improvements for such
22 connectors (including capital investment for intel-
23 ligent transportation systems); except that a project
24 located within the boundaries of an intermodal
25 freight facility shall only include highway infrastruc-

1 ture modifications necessary to facilitate direct inter-
2 modal access between the connector and the facility.

3 (2) SPECIAL RULE.—If a State that does not
4 have any freight intermodal connectors within its
5 boundaries or has only freight intermodal connectors
6 within its boundaries that are in good condition and
7 provide an adequate level of service, projects within
8 the boundaries of the State that are eligible for as-
9 sistance under section 103(b)(6) of title 23, United
10 States Code, relating to the National Highway Sys-
11 tem, shall be eligible for funding under this section.

12 (d) PRIORITY.—Under the program, a State shall
13 give priority to projects on freight intermodal connectors
14 to the National Highway System as identified according
15 to the criteria set forth in the report of the Department
16 of Transportation to Congress entitled “Pulling Together:
17 The NHS and its Connections to Major Intermodal Termi-
18 nals”.

19 (e) APPORTIONMENT.—On October 1 of each fiscal
20 year, the Secretary shall apportion among the States sums
21 made available to carry out this section for such fiscal year
22 as follows:

23 (1) 33.3 percent in the ratio that—

24 (A) the number of freight intermodal con-
25 nectors identified in the most recent Intermodal

1 Freight Connectors study of the Federal High-
2 way Administration within the boundaries of a
3 State; bears to

4 (B) the total number of such connectors
5 within the boundaries of all the States.

6 (2) 33.3 percent in the ratio that—

7 (A) the total of each State's annual con-
8 tributions to the Highway Trust Fund (other
9 than the Mass Transit Account) attributable to
10 commercial motor vehicles; bears to

11 (B) the total of such annual contributions
12 by all States.

13 (3) 33.4 percent in the same ratios as funds are
14 apportioned for the National Highway System under
15 clauses (i), (ii), (iii), and (iv) of section 104(b)(1)(A)
16 of title 23, United States Code.

17 (f) APPLICABILITY OF TITLE 23.—Funds made avail-
18 able to carry out this section shall be available for obliga-
19 tion in the same manner as if such funds were apportioned
20 under chapter 1 of title 23, United States Code; except
21 that such funds shall not be transferable and shall remain
22 available until expended and the Federal share of the cost
23 of a project under this section shall be 80 percent.

24 (g) UPDATE REPORT.—Not later than August 1,
25 2005, the Secretary shall publish an update to the report

1 entitled “Pulling Together: the National Highway System
2 and its Connections to Major Intermodal Terminals”.

3 (h) DEFINITIONS.—In this section, the following defi-
4 nitions apply:

5 (1) FREIGHT INTERMODAL CONNECTORS.—The
6 term “freight intermodal connector” means the
7 roadway that connects to an intermodal freight facil-
8 ity that carries or will carry intermodal traffic.

9 (2) INTERMODAL FREIGHT FACILITY.—The
10 term “intermodal freight facility” means a port, air-
11 port, truck-rail terminal, and pipeline-truck ter-
12 minal.

13 (3) STATE.—The term “State” has the mean-
14 ing such term has in section 101(a) of title 23,
15 United States Code.

16 **SEC. 1304. PROJECTS OF NATIONAL AND REGIONAL SIG-**
17 **NIFICANCE.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) Under current law, surface transportation
20 programs rely primarily on formula capital appor-
21 tionments to States.

22 (2) Despite the significant increase for surface
23 transportation program funding in the Transpor-
24 tation Equity Act of the 21st Century, current levels
25 of investment are insufficient to fund critical high-

1 cost transportation infrastructure facilities that ad-
2 dress critical national economic and transportation
3 needs.

4 (3) Critical high-cost transportation infrastruc-
5 ture facilities often include multiple levels of govern-
6 ment, agencies, modes of transportation, and trans-
7 portation goals and planning processes that are not
8 easily addressed or funded within existing surface
9 transportation program categories.

10 (4) Projects of national and regional signifi-
11 cance have national and regional benefits, including
12 improving economic productivity by facilitating inter-
13 national trade, relieving congestion, and improving
14 transportation safety by facilitating passenger and
15 freight movement.

16 (5) The benefits of such projects described in
17 paragraph (4) accrue to local areas, States, and the
18 Nation as a result of the effect such projects have
19 on the national transportation system.

20 (6) A program dedicated to constructing
21 projects of national and regional significance is nec-
22 essary to improve the safe, secure, and efficient
23 movement of people and goods throughout the
24 United States and improve the health and welfare of
25 the national economy.

1 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
2 shall establish a program to provide grants to qualified
3 entities for projects of national and regional significance.

4 (c) DEFINITIONS.—

5 (1) ELIGIBLE PROJECT COSTS.—The term “eli-
6 gible project costs” means the costs of—

7 (A) development phase activities, including
8 planning, feasibility analysis, revenue fore-
9 casting, environmental review, preliminary engi-
10 neering and design work, and other
11 preconstruction activities; and

12 (B) construction, reconstruction, rehabili-
13 tation, and acquisition of real property (includ-
14 ing land related to the project and improve-
15 ments to land), environmental mitigation, con-
16 struction contingencies, acquisition of equip-
17 ment, and operational improvements.

18 (2) ELIGIBLE PROJECT.—The term “eligible
19 project” means any surface transportation project
20 eligible for Federal assistance under title 23, United
21 States Code, including freight railroad projects and
22 activities eligible under such title.

23 (3) QUALIFIED ENTITY.—The term “qualified
24 entity” means a State as defined in section 101(a)
25 of title 23, United States Code.

1 (d) ELIGIBILITY.—To be eligible for assistance under
2 this section, a project shall have eligible project costs that
3 are reasonably anticipated to equal or exceed the lesser
4 of—

5 (1) \$500,000,000; or

6 (2) 75 percent of the amount of Federal high-
7 way assistance funds apportioned for the most re-
8 cently completed fiscal year to the State in which
9 the project is located.

10 (e) APPLICATIONS.—Each qualified entity seeking to
11 receive a grant under this section for an eligible project
12 shall submit to the Secretary an application in such form
13 and in accordance with such requirements as the Secretary
14 shall establish.

15 (f) COMPETITIVE GRANT SELECTION AND CRITERIA
16 FOR GRANTS.—

17 (1) IN GENERAL.—The Secretary shall—

18 (A) establish criteria for selecting among
19 projects that meet the eligibility criteria speci-
20 fied in subsection (d);

21 (B) conduct a national solicitation for ap-
22 plications; and

23 (C) award grants on a competitive basis.

1 (2) CRITERIA FOR GRANTS.—The Secretary
2 may approve a grant under this section for a project
3 only if the Secretary determines that the project—

4 (A) is based on the results of preliminary
5 engineering;

6 (B) is justified based on the project’s abil-
7 ity—

8 (i) to generate national economic ben-
9 efits, including creating jobs, expanding
10 business opportunities, and impacting the
11 gross domestic product;

12 (ii) to reduce congestion, including
13 impacts in the State, region, and Nation;

14 (iii) to improve transportation safety,
15 including reducing transportation acci-
16 dents, injuries, and fatalities;

17 (iv) to otherwise enhance the national
18 transportation system; and

19 (v) to garner support for non-Federal
20 financial commitments and provide evi-
21 dence of stable and dependable financing
22 sources to construct, maintain, and operate
23 the infrastructure facility; and

24 (C) is supported by an acceptable degree of
25 non-Federal financial commitments, including

1 evidence of stable and dependable financing
2 sources to construct, maintain, and operate the
3 infrastructure facility.

4 (3) SELECTION CONSIDERATIONS.—In selecting
5 a project under this section, the Secretary shall con-
6 sider the extent to which the project—

7 (A) leverages Federal investment by en-
8 couraging non-Federal contributions to the
9 project, including contributions from public-pri-
10 vate partnerships;

11 (B) uses new technologies, including intel-
12 ligent transportation systems, that enhance the
13 efficiency of the project.

14 (C) helps maintain or protect the environ-
15 ment.

16 (4) PRELIMINARY ENGINEERING.—In evalu-
17 ating a project under paragraph (2)(A), the Sec-
18 retary shall analyze and consider the results of pre-
19 liminary engineering for the project.

20 (5) NON-FEDERAL FINANCIAL COMMITMENT.—

21 (A) EVALUATION OF PROJECT.—In evalu-
22 ating a project under paragraph (2)(C), the
23 Secretary shall require that—

24 (i) the proposed project plan provides
25 for the availability of contingency amounts

1 that the Secretary determines to be reason-
2 able to cover unanticipated cost increases;
3 and

4 (ii) each proposed non-Federal source
5 of capital and operating financing is stable,
6 reliable, and available within the proposed
7 project timetable.

8 (B) CONSIDERATIONS.—In assessing the
9 stability, reliability, and availability of proposed
10 sources of non-Federal financing under sub-
11 paragraph (A), the Secretary shall consider—

12 (i) existing financial commitments;

13 (ii) the degree to which financing
14 sources are dedicated to the purposes pro-
15 posed;

16 (iii) any debt obligation that exists or
17 is proposed by the recipient for the pro-
18 posed project; and

19 (iv) the extent to which the project
20 has a non-Federal financial commitment
21 that exceeds the required non-Federal
22 share of the cost of the project.

23 (6) REGULATIONS.—Not later than 120 days
24 after the date of enactment of this Act, the Sec-
25 retary shall issue regulations on the manner in

1 which the Secretary will evaluate and rate the
2 projects based on the results of preliminary engi-
3 neering, project justification, and the degree of non-
4 Federal financial commitment, as required under
5 this subsection.

6 (7) PROJECT EVALUATION AND RATING.—A
7 proposed project may advance from preliminary en-
8 gineering to final design and construction only if the
9 Secretary finds that the project meets the require-
10 ments of this subsection and there is a reasonable
11 likelihood that the project will continue to meet such
12 requirements. In making such findings, the Sec-
13 retary shall evaluate and rate the project as “highly
14 recommended”, “recommended”, or “not rec-
15 ommended” based on the results of preliminary engi-
16 neering, the project justification criteria, and the de-
17 gree of non-Federal financial commitment, as re-
18 quired under this subsection. In rating the projects,
19 the Secretary shall provide, in addition to the overall
20 project rating, individual ratings for each of the cri-
21 teria established under the regulations issued under
22 paragraph (6).

23 (g) LETTERS OF INTENT AND FULL FUNDING
24 GRANT AGREEMENTS.—

25 (1) LETTER OF INTENT.—

1 (A) IN GENERAL.—The Secretary may
2 issue a letter of intent to an applicant announc-
3 ing an intention to obligate, for a project under
4 this section, an amount from future available
5 budget authority specified in law that is not
6 more than the amount stipulated as the finan-
7 cial participation of the Secretary in the
8 project.

9 (B) NOTIFICATION.—At least 60 days be-
10 fore issuing a letter under subparagraph (A) or
11 entering into a full funding grant agreement,
12 the Secretary shall notify in writing the Com-
13 mittee on Transportation and Infrastructure of
14 the House of Representatives and the Com-
15 mittee on Environment and Public Works of the
16 Senate of the proposed letter or agreement. The
17 Secretary shall include with the notification a
18 copy of the proposed letter or agreement as well
19 as the evaluations and ratings for the project.

20 (C) NOT AN OBLIGATION.—The issuance
21 of a letter is deemed not to be an obligation
22 under sections 1108(c) and (d), 1501, and
23 1502(a) of title 31, United States Code, or an
24 administrative commitment.

1 (D) OBLIGATION OR COMMITMENT.—An
2 obligation or administrative commitment may
3 be made only when contract authority is allo-
4 cated to a project.

5 (2) FULL FUNDING GRANT AGREEMENT.—

6 (A) IN GENERAL.—A project financed
7 under this subsection shall be carried out
8 through a full funding grant agreement. The
9 Secretary shall enter into a full funding grant
10 agreement based on the evaluations and ratings
11 required under subsection (f)(7).

12 (B) TERMS.—If the Secretary makes a full
13 funding grant agreement with an applicant, the
14 agreement shall—

15 (i) establish the terms of participation
16 by the United States Government in a
17 project under this section;

18 (ii) establish the maximum amount of
19 Government financial assistance for the
20 project;

21 (iii) cover the period of time for com-
22 pleting the project, including a period ex-
23 tending beyond the period of an authoriza-
24 tion; and

1 (iv) make timely and efficient man-
2 agement of the project easier according to
3 the laws of the United States.

4 (C) AGREEMENT.—An agreement under
5 this paragraph obligates an amount of available
6 budget authority specified in law and may in-
7 clude a commitment, contingent on amounts to
8 be specified in law in advance for commitments
9 under this paragraph, to obligate an additional
10 amount from future available budget authority
11 specified in law. The agreement shall state that
12 the contingent commitment is not an obligation
13 of the Government. Interest and other financing
14 costs of efficiently carrying out a part of the
15 project within a reasonable time are a cost of
16 carrying out the project under a full funding
17 grant agreement, except that eligible costs may
18 not be more than the cost of the most favorable
19 financing terms reasonably available for the
20 project at the time of borrowing. The applicant
21 shall certify, in a way satisfactory to the Sec-
22 retary, that the applicant has shown reasonable
23 diligence in seeking the most favorable financ-
24 ing terms.

1 (3) AMOUNTS.—The total estimated amount of
2 future obligations of the Government and contingent
3 commitments to incur obligations covered by all out-
4 standing letters of intent and full funding grant
5 agreements may be not more than the greater of the
6 amount authorized to carry out this section or an
7 amount equivalent to the last 2 fiscal years of fund-
8 ing authorized to carry out this section less an
9 amount the Secretary reasonably estimates is nec-
10 essary for grants under this section not covered by
11 a letter. The total amount covered by new letters
12 and contingent commitments included in full funding
13 grant agreements may be not more than a limitation
14 specified in law.

15 (h) GRANT REQUIREMENTS.—

16 (1) IN GENERAL.—A grant for a project under
17 this section shall be subject to all of the require-
18 ments of title 23, United States Code, and chapter
19 52 of title 49, United States Code.

20 (2) OTHER TERMS AND CONDITIONS.—The Sec-
21 retary shall require that all grants under this section
22 be subject to all terms, conditions, and requirements
23 that the Secretary decides are necessary or appro-
24 priate for purposes of this section, including require-
25 ments for the disposition of net increases in value of

1 real property resulting from the project assisted
2 under this section.

3 (i) GOVERNMENT'S SHARE OF PROJECT COST.—

4 Based on engineering studies, studies of economic feasi-
5 bility, and information on the expected use of equipment
6 or facilities, the Secretary shall estimate the cost of a
7 project receiving assistance under this section. A grant for
8 the project is for 80 percent of the project cost, unless
9 the grant recipient requests a lower grant percentage. A
10 refund or reduction of the remainder may be made only
11 if a refund of a proportional amount of the grant of the
12 Government is made at the same time.

13 (j) FISCAL CAPACITY CONSIDERATIONS.—If the Sec-
14 retary gives priority consideration to financing projects
15 that include more than the non-Government share re-
16 quired under subsection (i) the Secretary shall give equal
17 consideration to differences in the fiscal capacity of State
18 and local governments.

19 (k) REPORTS.—

20 (1) ANNUAL REPORT.—Not later than the first
21 Monday in February of each year, the Secretary
22 shall submit to the Committee on Transportation
23 and Infrastructure of the House of Representatives
24 and the Committee on Environment and Public
25 Works of the Senate a report that includes a pro-

1 posal on the allocation of amounts to be made avail-
2 able to finance grants under this section.

3 (2) RECOMMENDATIONS ON FUNDING.—The
4 annual report under this paragraph shall include
5 evaluations and ratings, as required under sub-
6 section (f). The report shall also include rec-
7 ommendations of projects for funding based on the
8 evaluations and ratings and on existing commit-
9 ments and anticipated funding levels for the next 3
10 fiscal years and for the next 10 fiscal years based
11 on information currently available to the Secretary.

12 (1) APPLICABILITY OF TITLE 23.—Funds made avail-
13 able to carry out this section shall be available for obliga-
14 tion in the same manner as if such funds were apportioned
15 under chapter 1 of title 23, United States Code; except
16 that such funds shall not be transferable and shall remain
17 available until expended and the Federal share of the cost
18 of a project under this section shall be as provided in this
19 section.

20 **SEC. 1305. DEDICATED TRUCK LANES.**

21 (a) IN GENERAL.—The Secretary shall establish and
22 implement a pilot program to make allocations to States
23 for the construction of projects that separate commercial
24 truck traffic from other motor vehicle traffic. A State

1 must submit an application to the Secretary in order to
2 receive an allocation under this section.

3 (b) SELECTION PROCESS.—

4 (1) PRIORITY.—In the selection process under
5 this section, the Secretary shall give priority to
6 projects that provide additional capacity.

7 (2) SELECTION FACTORS.—In making alloca-
8 tions under this section, the Secretary shall consider
9 the following factors:

10 (A) The extent to which the project will
11 improve the safe and efficient movement of
12 freight.

13 (B) The extent to which the project pro-
14 vides positive separation of commercial trucks
15 from other motor vehicle traffic.

16 (C) The extent to which the project con-
17 nects an intermodal freight facility or an inter-
18 national port of entry to the Dwight D. Eisen-
19 hower National System of Interstate and De-
20 fense Highways by providing limited access
21 lanes that allow commercial truck traffic to
22 enter the Interstate System at the posted speed
23 limit.

24 (D) The extent to which the project will re-
25 move truck traffic from surface streets.

1 (E) The extent to which travel time is ex-
2 pected to be reduced as a result of the proposed
3 project.

4 (F) The extent of leveraging of Federal
5 funds provided to carry out this section, includ-
6 ing—

7 (i) use of innovative financing;

8 (ii) combination with funding provided
9 under other sections of this Act and title
10 23, United States Code; and

11 (iii) combination with other sources of
12 Federal, State, local, or private funding.

13 (c) FEDERAL SHARE.—The Federal share of the cost
14 of a project under this section shall be determined in ac-
15 cordance with section 120(b) of title 23, United States
16 Code.

17 (d) APPLICABILITY OF TITLE 23.—Except as pro-
18 vided in subsection (d), funds made available by section
19 1101(a)(22) of this Act to carry out this section shall be
20 available for obligation in the same manner as if such
21 funds were apportioned under chapter 1 of title 23, United
22 States Code.

23 (e) DEFINITIONS.—In this section the following defi-
24 nitions apply:

1 (1) COMMERCIAL TRUCK.—The term “commer-
2 cial truck” means a self-propelled or towed vehicle
3 used on highways in commerce principally to trans-
4 port cargo if the vehicle has a gross vehicle weight
5 rating or gross vehicle weight of at least 10,001
6 pounds, whichever is greater.

7 (2) STATE.—The term “State” has the mean-
8 ing such term has under section 101 of title 23,
9 United States Code.

10 **SEC. 1306. TRUCK PARKING FACILITIES.**

11 (a) ESTABLISHMENT.—In cooperation with appro-
12 priate State, regional, and local governments, the Sec-
13 retary shall establish a pilot program to address the short-
14 age of long-term parking for commercial motor vehicles
15 on the National Highway System.

16 (b) ALLOCATION OF FUNDS.—

17 (1) IN GENERAL.—The Secretary shall allocate
18 funds made available to carry out this section among
19 States, metropolitan planning organizations, and
20 local governments.

21 (2) APPLICATIONS.—To be eligible for an allo-
22 cation under this section, a State, metropolitan plan-
23 ning organization, or local government shall submit
24 to the Secretary an application at such time and

1 containing such information as the Secretary may
2 require.

3 (3) ELIGIBLE PROJECTS.—Funds allocated
4 under this subsection shall be used by the recipient
5 for projects described in an application approved by
6 the Secretary. Such projects shall serve the National
7 Highway System and may include the following:

8 (A) Constructing safety rest areas, as de-
9 fined in section 120(c) of title 23, United
10 States Code, that include parking for commer-
11 cial motor vehicles.

12 (B) Constructing commercial motor vehicle
13 parking facilities adjacent to commercial truck
14 stops and travel plazas.

15 (C) Opening existing facilities to commer-
16 cial motor vehicle parking, including inspection
17 and weigh stations and park-and-ride facilities.

18 (D) Promoting the availability of publicly
19 or privately provided commercial motor vehicle
20 parking on the National Highway System using
21 intelligent transportation systems and other
22 means.

23 (E) Constructing turnouts along the Na-
24 tional Highway System for commercial motor
25 vehicles.

1 (F) Making capital improvements to public
2 commercial motor vehicle parking facilities cur-
3 rently closed on a seasonal basis to allow the fa-
4 cilities to remain open year-round.

5 (G) Improving the geometric design of
6 interchanges on the National Highway System
7 to improve access to commercial motor vehicle
8 parking facilities.

9 (4) PRIORITY.—In allocating funds made avail-
10 able to carry out this section, the Secretary shall
11 give priority to applicants that—

12 (A) demonstrate a severe shortage of com-
13 mercial motor vehicle parking capacity in the
14 corridor to be addressed;

15 (B) have consulted with affected State and
16 local governments, community groups, private
17 providers of commercial motor vehicle parking,
18 and motorist and trucking organizations; and

19 (C) demonstrate that their proposed
20 projects are likely to have positive effects on
21 highway safety, traffic congestion, or air qual-
22 ity.

23 (e) FUNDING.—

24 (1) IN GENERAL.—There is authorized to be
25 appropriated from the Highway Trust Fund (other

1 than the Mass Transit Account) to carry out this
2 section \$5,000,000 for each of fiscal years 2005
3 through 2009.

4 (2) CONTRACT AUTHORITY.—Funds authorized
5 under this subsection shall be available for obligation
6 in the same manner as if the funds were apportioned
7 under chapter 1 of title 23, United States Code.

8 (d) REPORT TO CONGRESS.—Not later than 5 years
9 after the date of enactment of this Act, the Secretary shall
10 transmit to Congress a report on the results of the pilot
11 program.

12 (e) FEDERAL SHARE.—The Federal share of the cost
13 of a project carried out using amounts made available
14 under this section shall be determined in accordance with
15 sections 120(b) and 120(c) of title 23, United States Code.

16 (f) APPLICABILITY OF TITLE 23.—Notwithstanding
17 any other provision of law, projects funded under this sec-
18 tion shall be treated as projects on a Federal-aid system
19 under chapter 1 of title 23, United States Code.

20 **Subtitle D—Highway Safety**

21 **SEC. 1401. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

22 (a) SAFETY IMPROVEMENT PROJECT DEFINED.—
23 Section 101(a)(30) of title 23, United States Code, is
24 amended by inserting “installs fluorescent, yellow-green

1 signs at pedestrian or bicycle crossings or school zones,”
2 after “call boxes,”.

3 (b) OPERATION LIFESAVER.—Section 104(d)(1) of
4 such title is amended—

5 (1) by striking “subsection (b)(3) of this sec-
6 tion” and inserting “section 130(f)”; and

7 (2) by striking “\$500,000” and inserting
8 “\$600,000”.

9 (c) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
10 NATION IN HIGH SPEED RAIL CORRIDORS.—

11 (1) IN GENERAL.—Section 104(d)(2) of such
12 title is amended—

13 (A) in subparagraph (A) by striking
14 “\$5,250,000” and inserting “\$7,500,000 for
15 each of fiscal years 2004 and 2005,
16 \$10,000,000 for each of fiscal years 2006 and
17 2007, and \$15,000,000 for each of fiscal years
18 2008 and 2009”; and

19 (B) in subparagraph (E)—

20 (i) by striking “Not less than
21 \$250,000 of such set-aside” and inserting
22 “Of such set-aside, not less than \$875,000
23 for each of fiscal years 2004 and 2005,
24 \$1,500,000 for each of fiscal years 2006

1 and 2007, and \$2,750,000 for each of fis-
2 cal years 2008 and 2009”; and

3 (ii) by striking “per fiscal year”.

4 (2) DESIGNATION OF CORRIDORS.—Of the rail
5 corridors selected by the Secretary in accordance
6 with section 104(d)(2) of title 23, United States
7 Code—

8 (A) the Northern New England High
9 Speed Rail Corridor is expanded to include the
10 train routes from Boston, Massachusetts, to Al-
11 bany, New York, and from Springfield, Massa-
12 chusetts, to New Haven, Connecticut; and

13 (B) the South Central Corridor is ex-
14 panded to include the train route from Killeen,
15 Texas, to Houston, Texas, via Bryan-College
16 Station.

17 (d) RAILWAY-HIGHWAY CROSSINGS.—

18 (1) FUNDS FOR PROTECTIVE DEVICES.—Sec-
19 tion 130(e) of such title is amended—

20 (A) by striking “At” and inserting the fol-
21 lowing:

22 “(1) IN GENERAL.—At”; and

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

24 “(2) SPECIAL RULE.—If a State demonstrates
25 to the satisfaction of the Secretary that the State

1 has met all its needs for installation of protective de-
2 vices at railway-highway crossings, the State may
3 use funds made available by this subsection for other
4 purposes by this section.”.

5 (2) APPORTIONMENT.—Section 130(f) of such
6 title is amended to read as follows:

7 “(f) APPORTIONMENT.—

8 “(1) FORMULA.—Fifty percent of the funds au-
9 thorized to be appropriated to carry out this section
10 shall be apportioned to the States in accordance with
11 the formula set forth in section 104(b)(3)(A), and
12 50 percent of such funds shall be apportioned to the
13 States in the ratio that total public railway-highway
14 crossings in each State bears to the total of such
15 crossings in all States.

16 “(2) MINIMUM APPORTIONMENT.—Notwith-
17 standing paragraph (1), each State shall receive a
18 minimum of $\frac{1}{2}$ of 1 percent of the funds appor-
19 tioned under paragraph (1).

20 “(3) FEDERAL SHARE.—The Federal share
21 payable on account of any project financed with
22 funds authorized to be appropriated to carry out this
23 section shall be 90 percent of the cost thereof.”.

24 (3) BIENNIAL REPORT TO CONGRESS.—The
25 third sentence of section 130(g) of such title is

1 amended by striking “not later than April 1 of each
2 year,” and inserting “, not later than April 1, 2005,
3 and every 2 years thereafter,”.

4 (4) EXPENDITURE OF FUNDS.—Section 130 of
5 such title is further amended by adding at the end
6 the following:

7 “(k) EXPENDITURE OF FUNDS.—Not more than 2
8 percent of funds apportioned to a State to carry out this
9 section may be used by the State for compilation and anal-
10 ysis of data in support of activities carried out under sub-
11 section (g).”.

12 (e) SURFACE TRANSPORTATION PROGRAM.—

13 (1) IN GENERAL.—Section 133(d) of such title
14 is amended—

15 (A) by striking paragraph (1); and

16 (B) by redesignating paragraphs (2)
17 through (5) as paragraphs (1) through (4), re-
18 spectively; and

19 (C) in paragraph (2) (as so redesign-
20 nated)—

21 (i) in subparagraph (A) by striking
22 “80 percent” and inserting “90 percent”;

23 (ii) in subparagraph (B) by striking
24 “tobe” and inserting “to be”; and

1 (iii) in subparagraph (D) by adding a
2 period at the end.

3 (2) CONFORMING AMENDMENTS.—

4 (A) SECTION 133.—Section 133(e) is
5 amended by striking “(d)(2)” and inserting
6 “(d)(1)” in each of paragraphs (3)(B)(i),
7 (5)(A), and (5)(B).

8 (B) SECTION 126.—Section 126(b) of such
9 title is amended—

10 (i) by striking “to the last sentence of
11 section 133(d)(1) or”;

12 (ii) by striking “section 133(d)(3)”
13 and inserting “section 133(d)(2)”; and

14 (iii) by striking “or 133(d)(2)”.

15 (f) HAZARD ELIMINATION PROGRAM.—

16 (1) PURPOSES.—Section 152(a)(1) of such title
17 is amended—

18 (A) by striking “and” after “bicyclists,”;
19 and

20 (B) by inserting after “pedestrians,” the
21 following: “and the disabled, identify roadway
22 safety improvement needs for such locations,
23 sections, and elements,”.

1 (2) HAZARDS.—Section 152(a)(2)(A) of such
2 title is amended by inserting “the disabled,” after
3 “pedestrians,”.

4 (3) APPROVAL OF PROJECTS.—Section 152(b)
5 of such title is amended by inserting before the pe-
6 riod at the end the following: “that reduces the like-
7 lihood of crashes involving road departures, intersec-
8 tions, pedestrians, the disabled, bicyclists, older driv-
9 ers, or construction work zones”.

10 (4) EXPENDITURE OF FUNDS.—Section 152(c)
11 of such title is amended—

12 (A) in paragraph (2) by striking “or” at
13 the end;

14 (B) in paragraph (3) by striking the period
15 at the end and inserting a semicolon; and

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

17 “(4) police assistance for traffic and speed
18 management in construction work zones;

19 “(5) installation of barriers between construc-
20 tion work zones and traffic lanes for the safety of
21 motorists and workers; and

22 “(6) compilation and analysis of data under
23 subsections (f) and (g) if the funds used for this
24 purpose by a State do not exceed 2 percent of the

1 amount apportioned to such State to carry out this
2 section.”.

3 (5) APPORTIONMENT.—Section 152(d) of such
4 title is amended to read as follows:

5 “(d) APPORTIONMENT.—

6 “(1) FORMULA.—Funds authorized to be ap-
7 propriated to carry out this section shall be appor-
8 tioned to the States in accordance with the formula
9 set forth in section 104(b)(3)(A).

10 “(2) MINIMUM APPORTIONMENT.—Notwith-
11 standing paragraph (1), each State shall receive a
12 minimum of $\frac{1}{2}$ of 1 percent of the funds appor-
13 tioned under paragraph (1).

14 “(3) FEDERAL SHARE.—The Federal share
15 payable on account of any project financed with
16 funds authorized to be appropriated to carry out this
17 section shall be 90 percent of the cost thereof.”.

18 (6) BIENNIAL REPORT TO CONGRESS.—

19 (A) IN GENERAL.—Section 152 of such
20 title is amended by adding at the end the fol-
21 lowing:

22 “(i) BIENNIAL REPORT TO CONGRESS.—Not later
23 than 2 years after the date of enactment of this sub-
24 section, and every 2 years thereafter, the Secretary shall
25 transmit to the Committee on Transportation and Infra-

1 structure of the House of Representatives and the Com-
2 mittee on Environment and Public Works of the Senate
3 a report on the results of the program under this section.

4 The report shall include, at a minimum, the following:

5 “(1) A summary of State projects completed
6 under this section categorized by the types of haz-
7 ards and a statement of the cost of such projects.

8 “(2) An analysis of the effectiveness of such
9 categories of projects in reducing the number and
10 severity of crashes at high hazard locations.

11 “(3) An assessment of the adequacy of author-
12 ized funding for the program and State use of such
13 funding to address the national need for such
14 projects.

15 “(4) Recommendations for funding and pro-
16 gram improvements to reduce the number of high
17 hazard locations.

18 “(5) An analysis and evaluation of each State
19 program, an identification of any State found not to
20 be in compliance with the schedule of improvements
21 required by subsection (a), and recommendations for
22 future implementation of the hazard elimination pro-
23 gram.”.

1 (B) CONFORMING AMENDMENT.—Section
2 152(g) of such title is amended by striking the
3 third sentence through the last sentence.

4 (g) EFFECTIVE DATE.—The amendments made by
5 subsections (b)(1), (d), (e), and (f) shall take effect on
6 September 30, 2004.

7 **SEC. 1402. WORKER INJURY PREVENTION AND FREE FLOW**
8 **OF VEHICULAR TRAFFIC.**

9 Not later than 1 year after the date of enactment
10 of this Act, the Secretary shall issue regulations to de-
11 crease the likelihood of worker injury and maintain the
12 free flow of vehicular traffic by requiring workers whose
13 duties place them on or in close proximity to a Federal-
14 aid highway (as defined in section 101 of title 23, United
15 States Code) to wear high visibility garments. Such regu-
16 lations may also require such other worker-safety meas-
17 ures for workers with those duties as the Secretary deter-
18 mines appropriate.

19 **SEC. 1403. HIGH RISK RURAL ROAD SAFETY IMPROVEMENT**
20 **PROGRAM.**

21 (a) ESTABLISHMENT.—The Secretary shall establish
22 and implement a high risk rural road safety improvement
23 program in accordance with this section.

24 (b) ELIGIBLE PROJECTS.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), a State may obligate funds apportioned
3 to it under this section only for construction and
4 operational improvement projects on high risk rural
5 roads and only if the primary purpose of the project
6 is to improve highway safety on a high risk rural
7 road.

8 (2) SPECIAL RULE.—A State may use funds
9 apportioned to it under this section for any project
10 approved by the Secretary under section 152 of title
11 23, United States Code, if the State certifies to the
12 Secretary that it has no projects described in para-
13 graph (1).

14 (c) STATE ALLOCATION SYSTEM.—Each State shall
15 establish a system for allocating funds apportioned to it
16 under this section among projects eligible for assistance
17 under this section that have the highest benefits to high-
18 way safety. Such system may include a safety manage-
19 ment system established by the State under section 303
20 of title 23, United States Code, or a survey established
21 pursuant to section 152(a) of such title.

22 (d) APPORTIONMENT OF FUNDS.—On October 1 of
23 each fiscal year, the Secretary shall apportion among
24 States sums authorized to be appropriated to carry out
25 this section for such fiscal year as follows:

1 (1) $\frac{1}{3}$ in the ratio that—

2 (A) each State's public road lane mileage
3 for rural minor collectors and rural local roads;
4 bears to

5 (B) the total public road lane mileage for
6 rural minor collectors and rural local roads of
7 all States.

8 (2) $\frac{1}{3}$ in the ratio that—

9 (A) the population of areas other than ur-
10 banized areas in each State, as shown by the
11 most recent Government decennial census of
12 population; bears to

13 (B) the population of all areas other than
14 urbanized areas in the United States, as shown
15 by that census.

16 (3) $\frac{1}{3}$ in the ratio that—

17 (A) the total vehicle miles traveled on pub-
18 lic roads in each State; bears to

19 (B) the total number of vehicle miles trav-
20 eled on public roads in all States.

21 (e) APPLICABILITY OF TITLE 23.—Funds made
22 available to carry out this section shall be available for
23 obligation in the same manner as if such funds were ap-
24 portioned under chapter 1 of title 23, United States Code;
25 except that such funds shall not be transferable and shall

1 remain available until expended and the Federal share of
2 the cost of a project under this section shall be 80 percent.
3 Notwithstanding any other provision of law, projects as-
4 sisted under this section shall be treated as projects on
5 a Federal-aid system under such chapter.

6 (f) DEFINITIONS.—In this section, the following defi-
7 nitions apply:

8 (1) HIGH RISK RURAL ROAD.—The term “high
9 risk rural road” means any roadway functionally
10 classified as a rural major or minor collector or a
11 rural local road—

12 (A) on which the accident rate for fatali-
13 ties and incapacitating injuries exceeds the
14 statewide average for these functional classes of
15 roadway; or

16 (B) which will likely have increases in traf-
17 fic volume that are likely to create an accident
18 rate for fatalities and incapacitating injuries
19 that exceeds the statewide average for these
20 functional classes of roadway.

21 (2) STATE AND URBANIZED AREA.—The terms
22 “State” and “urbanized area” have the meaning
23 such terms have under section 101(a) of title 23,
24 United States Code.

1 **SEC. 1404. TRANSFERS OF APPORTIONMENTS TO SAFETY**
2 **PROGRAMS.**

3 (a) USE OF SAFETY BELTS AND MOTORCYCLE HEL-
4 METS.—Section 153(h) of title 23, United States Code,
5 is amended—

6 (1) in paragraph (2)—

7 (A) in the paragraph heading by striking
8 “THEREAFTER.—” and inserting “FISCAL
9 YEARS 1995–2003.—”; and

10 (B) by inserting “and ending before Octo-
11 ber 1, 2003,” after “September 30, 1994,”;

12 (2) by redesignating paragraphs (3) through
13 (5) as paragraphs (4) through (6), respectively;

14 (3) by inserting after paragraph (2) the fol-
15 lowing:

16 “(3) FISCAL YEAR 2004 AND THEREAFTER.—
17 On October 1, 2003, and each October 1 thereafter,
18 if a State does not have in effect a law described in
19 subsection (a)(2), the Secretary shall transfer from
20 the funds apportioned to the State on that date
21 under each of subsections (b)(1), (b)(2), and (b)(3)
22 of section 104 to the apportionment of the State
23 under section 402 an amount equal to 3 percent of
24 the funds apportioned to the State under such sub-
25 sections for fiscal year 2003.”; and

26 (4) in paragraph (5) (as so redesignated)—

1 (A) by striking “which is determined by
2 multiplying” and inserting “which, for fiscal
3 year 2004 and each fiscal year thereafter, is de-
4 termined by multiplying”; and

5 (B) in subparagraph (B) by striking “such
6 fiscal year” each place it appears and inserting
7 “fiscal year 2003”.

8 (b) OPEN CONTAINER REQUIREMENTS.—Section
9 154(c) of title 23, United States Code, is amended—

10 (1) in paragraph (2)—

11 (A) in the paragraph heading by striking
12 “AND FISCAL YEARS THEREAFTER”; and

13 (B) by striking “and each October 1 there-
14 after,”;

15 (2) by redesignating paragraphs (3) through
16 (7) as paragraphs (4) through (8), respectively;

17 (3) by inserting after paragraph (2) the fol-
18 lowing:

19 “(3) FISCAL YEAR 2004 AND THEREAFTER.—
20 On October 1, 2003, and each October 1 thereafter,
21 if a State has not enacted or is not enforcing an
22 open container law described in subsection (b), the
23 Secretary shall transfer from the funds apportioned
24 to the State on that date under each of paragraphs
25 (1), (3), and (4) of section 104(b) an amount equal

1 to 3 percent of the funds apportioned to the State
2 under such paragraphs for fiscal year 2003 to be
3 used or directed as described in subparagraph (A) or
4 (B) of paragraph (1).”;

5 (4) in paragraph (5) (as so redesignated) by
6 striking “paragraph (3)” and inserting “paragraph
7 (4)”;

8 (5) in paragraphs (4), (5), and (6) (as so redesi-
9 gnated) by striking “paragraph (1) or (2)” and in-
10 serting “paragraph (1), (2), or (3)”;

11 (6) in paragraph (7)(B) (as so redesignated)—

12 (A) by striking “The amount” and insert-
13 ing “For fiscal year 2004 and each fiscal year
14 thereafter, the amount”;

15 (B) in subclauses (I) and (II) of clause (ii)
16 by striking “the fiscal year” and inserting “fis-
17 cal year 2003”.

18 (c) MINIMUM PENALTIES FOR CERTAIN REPEAT OF-
19 FENDERS.—Section 164(b) of title 23, United States
20 Code, is amended—

21 (1) in paragraph (2)—

22 (A) in the paragraph heading by striking
23 “AND FISCAL YEARS THEREAFTER”; and

24 (B) by striking “and each October 1 there-
25 after,”;

1 (2) by redesignating paragraphs (3) through
2 (7) as paragraphs (4) through (8), respectively;

3 (3) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) FISCAL YEAR 2004 AND THEREAFTER.—
6 On October 1, 2003, and each October 1 thereafter,
7 if a State has not enacted or is not enforcing a re-
8 peat intoxicated driver law, the Secretary shall
9 transfer from the funds apportioned to the State on
10 that date under each of paragraphs (1), (3), and (4)
11 of section 104(b) an amount equal to 3 percent of
12 the funds apportioned to the State under such para-
13 graphs for fiscal year 2003 to be used or directed
14 as described in subparagraph (A) or (B) of para-
15 graph (1).”;

16 (4) in paragraph (5) (as so redesignated) by
17 striking “paragraph (3)” and inserting “paragraph
18 (4)”;

19 (5) in paragraphs (4), (5), and (6) (as so redesi-
20 gnated) by striking “paragraph (1) or (2)” and in-
21 serting “paragraph (1), (2), or (3)”;

22 (6) in paragraph (7)(B) (as so redesignated)—
23 (A) by striking “The amount” and insert-
24 ing “For fiscal year 2004 and each fiscal year
25 thereafter, the amount”; and

1 (B) in subclauses (I) and (II) of clause (ii)
2 by striking “the fiscal year” and inserting “fis-
3 cal year 2003”.

4 **SEC. 1405. SAFETY INCENTIVE GRANTS FOR USE OF SEAT**
5 **BELTS.**

6 Section 157(g)(1) of title 23, United States Code, is
7 amended by striking “fiscal year 2003” and inserting
8 “each of fiscal years 2003 and 2004”.

9 **SEC. 1406. SAFETY INCENTIVES TO PREVENT OPERATION**
10 **OF MOTOR VEHICLES BY INTOXICATED PER-**
11 **SONS.**

12 (a) CODIFICATION OF PENALTY.—Section 163 of
13 title 23, United States Code, is amended—

14 (1) by redesignating subsection (e) as sub-
15 section (f); and

16 (2) by inserting after subsection (d) the fol-
17 lowing:

18 “(e) PENALTY.—

19 “(1) IN GENERAL.—On October 1, 2003, and
20 October 1 of each fiscal year thereafter, if a State
21 has not enacted or is not enforcing a law described
22 in subsection (a), the Secretary shall withhold from
23 amounts apportioned to the State on that date
24 under each of paragraphs (1), (3), and (4) of section

1 104(b) an amount equal to the amount specified in
2 paragraph (2).

3 “(2) AMOUNT TO BE WITHHELD.—If a State is
4 subject to a penalty under paragraph (1), the Sec-
5 retary shall withhold for a fiscal year from the ap-
6 portionments of the State described in paragraph
7 (1) an amount equal to a percentage of the funds
8 apportioned to the State under paragraphs (1), (3),
9 and (4) of section 104(b) for fiscal year 2003. The
10 percentage shall be as follows:

11 “(A) For fiscal year 2004, 2 percent.

12 “(B) For fiscal year 2005, 4 percent.

13 “(C) For fiscal year 2006, 6 percent.

14 “(D) For fiscal year 2007, and each fiscal
15 year thereafter, 8 percent.

16 “(3) FAILURE TO COMPLY.—If, within 4 years
17 from the date that an apportionment for a State is
18 withheld in accordance with this subsection, the Sec-
19 retary determines that the State has enacted and is
20 enforcing a law described in subsection (a), the ap-
21 portionment of the State shall be increased by an
22 amount equal to the amount withheld. If, at the end
23 of such 4-year period, any State has not enacted or
24 is not enforcing a law described in subsection (a)

1 any amounts so withheld from such State shall
2 lapse.”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
4 163(f)(1) of such title, as redesignated by subsection
5 (a)(1) of this section, is amended by striking “fiscal year
6 2003” and inserting “each of fiscal years 2003 and
7 2004”.

8 (c) REPEAL.—Section 351 of the Department of
9 Transportation and Related Agencies Appropriations Act,
10 2001 (23 U.S.C. 163 note; 114 Stat. 1356A–34) is re-
11 pealed.

12 **SEC. 1407. REPEAT OFFENDERS FOR DRIVING WHILE IN-**
13 **TOXICATED.**

14 Section 164(a)(5)(A) of title 23, United States Code,
15 is amended to read as follows:

16 “(A) receive (i) a driver’s license suspen-
17 sion for not less than 1 year, or (ii) a combina-
18 tion of suspension of all driving privileges of an
19 individual for the first 45 days of the suspen-
20 sion period followed by a reinstatement of lim-
21 ited driving privileges for the propose of getting
22 to and from work, school, or an alcohol treat-
23 ment program if an ignition interlock device is
24 installed on each of the motor vehicles owned or
25 operated, or both, by the individual;”.

1 **SEC. 1408. REPAIR OR REPLACEMENT OF HIGHWAY FEAT-**
2 **TURES ON NATIONAL HIGHWAY SYSTEM.**

3 (a) RULEMAKING PROCEEDING.—The Secretary shall
4 conduct a rulemaking proceeding to determine the appro-
5 priate conditions under which a State when choosing to
6 repair or replace damaged highway features on the Na-
7 tional Highway System with State funds (rather than with
8 available Federal financial assistance) should be required
9 to repair or replace such features with highway features
10 that have been tested, evaluated, and found to be accept-
11 able under the guidelines contained in the report of the
12 Transportation Research Board of the National Research
13 Council entitled “NCHRP Report 350-Recommended Pro-
14 cedures for the Safety Performance Evaluation of High-
15 way Features”.

16 (b) MATTERS TO BE CONSIDERED.—The rulemaking
17 proceeding shall cover those highway features that are cov-
18 ered by the guidelines referred to in subsection (a). The
19 conditions to be considered by the Secretary in the rule-
20 making proceeding shall include types of highway features,
21 cost-effectiveness, and practicality of replacement with
22 highway features that have been found to be acceptable
23 under such guidelines.

24 (c) REGULATIONS.—Not later than 1 year after the
25 date of enactment of this Act, the Secretary shall issue
26 regulations regarding the conditions under which States

1 when choosing to repair or replace damaged highway fea-
2 tures described in subsection (a) will be required to repair
3 or replace such features with highway features that have
4 been tested, evaluated, and found to be acceptable as de-
5 scribed in subsection (a).

6 **Subtitle E—Construction and**
7 **Contract Efficiencies**

8 **SEC. 1501. DESIGN-BUILD.**

9 (a) **QUALIFIED PROJECTS.**—Section 112(b)(3)(C) of
10 title 23, United States Code, is amended to read as fol-
11 lows:

12 “(C) **QUALIFIED PROJECTS.**—A qualified
13 project referred to in subparagraph (A) is a
14 project under this chapter for which the Sec-
15 retary has approved the use of design-build con-
16 tracting under criteria specified in regulations
17 issued by the Secretary.”.

18 (b) **EXPERIMENTAL PROCUREMENT.**—Section
19 112(b)(3) of such title is further amended—

20 (1) by redesigning subparagraph (D) as sub-
21 paragraph (G); and

22 (2) by inserting after subparagraph (C) the fol-
23 lowing:

24 “(D) **EXPERIMENTAL PROCUREMENT.**—As
25 part of any experimental program carried out

1 under this section, the Secretary shall evaluate
2 the use of procurement procedures under this
3 paragraph where subjective evaluation criteria
4 account for the majority of the selection deter-
5 mination.

6 “(E) LIMITATION ON STATUTORY CON-
7 STRUCTION.—Nothing in this section shall be
8 construed as effecting the authority to carry out
9 any experimental program concerning design-
10 build contracting that is being carried out by
11 the Secretary on the date of enactment of this
12 subparagraph.

13 “(F) REPORT.—Not later than 3 years
14 after the date of enactment of this subpara-
15 graph, the Secretary shall transmit to Congress
16 a report on the effectiveness of design-build
17 contracting procedures in which the majority of
18 the selection determinations are made based on
19 subjective criteria in accordance with subpara-
20 graph (D).”.

21 **SEC. 1502. WARRANTY HIGHWAY CONSTRUCTION PROJECT**
22 **PILOT PROGRAM.**

23 (a) IN GENERAL.—The Secretary shall establish and
24 implement a pilot program designed to encourage States

1 to incorporate warranties in the letting of contracts for
2 highway construction projects.

3 (b) MAXIMUM NUMBER OF PROJECTS.—The Sec-
4 retary may allow not more than 15 projects a year to be
5 carried out under the pilot program.

6 (c) FEDERAL SHARE.—The Federal share of the
7 costs of a project under the pilot program may not exceed
8 90 percent.

9 (d) MINIMUM PROJECT COST.—The estimated total
10 cost of a project to be carried out under the pilot program
11 must be greater than \$15,000,000.

12 (e) SELECTION PROCESS.—In the selection process
13 for the pilot program, the Secretary shall select, to the
14 extent possible, projects from several different regions of
15 the United States in order to demonstrate the effects that
16 different climates and traffic patterns have on warranty
17 highway construction projects.

18 (f) RULEMAKING.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Secretary
21 shall issue a rule to implement the pilot program.
22 The rule shall include the following factors for eligi-
23 bility of a highway construction project to be in-
24 cluded in the program:

1 (A) A requirement that the contract for
2 the project must include a long-term limited
3 warranty that is of a duration sufficient to en-
4 sure that—

5 (i) the cost to the State of the project
6 that will be carried out is less than the es-
7 timated cost to construct the project with-
8 out the warranty plus the estimated costs
9 that would be incurred by the State and
10 that would otherwise be covered during the
11 proposed warranty period if a warranty
12 were in effect; and

13 (ii) the estimated cost to road users
14 during the warranty period is less than
15 such estimated cost without a warranty.

16 (B) In determining the sufficient duration
17 of a long-term limited warranty under subpara-
18 graph (A), the Secretary shall establish sepa-
19 rate sufficient durations for different types of
20 projects, such as initial construction, pavement
21 resurfacing and rehabilitation, and pavement
22 markings.

23 (C) A requirement that the limited war-
24 ranty must address, at a minimum—

1 (i) the responsibilities of the warranty
2 provider;

3 (ii) the responsibilities of the Depart-
4 ment of Transportation;

5 (iii) the terms of the warranty, includ-
6 ing duration and, if applicable, traffic vol-
7 umes and vehicle classification; and

8 (iv) performance criteria to be met to
9 determine if maintenance is required.

10 (2) FACTORS TO CONSIDER.—In issuing the
11 rule, the Secretary may consider the following fac-
12 tors as requirements for the warranty contract for
13 eligibility under the pilot program:

14 (A) A plan to account for inflation during
15 the warranty period.

16 (B) The frequency of performance assess-
17 ments performed.

18 (C) The response time for repairs.

19 (D) A plan for emergency repairs.

20 (E) Clearly set out limits of liability under
21 the warranty, if any.

22 (F) Dispute resolution provisions.

23 (G) A severability provision.

24 (H) Other provisions the Secretary con-
25 siders necessary for carrying out the program.

1 (g) SAVINGS.—Section 112 of title 23, United States
2 Code, shall apply to the projects carried out under this
3 section unless the Secretary determines that applying such
4 section to such projects is inconsistent with the provisions
5 of this section.

6 (h) REPORTS.—Not later than 5 years after the date
7 of enactment of this Act and every year thereafter, the
8 Secretary shall transmit to the Committee on Transpor-
9 tation and Infrastructure of the House of Representatives
10 and the Committee on Environment and Public Works of
11 the Senate a report outlining activities carried out under
12 the program and the results of the program.

13 **SEC. 1503. PRIVATE INVESTMENT STUDY.**

14 (a) STUDY.—Not later than 6 months after the date
15 of enactment of this Act, the Secretary shall enter into
16 an agreement with the National Academy of Sciences to
17 conduct a comprehensive study of private investment in
18 surface transportation infrastructure.

19 (b) MATTERS TO BE EVALUATED.—Under the agree-
20 ment, the National Academy of Sciences shall evaluate the
21 advantages and disadvantages of private investment in
22 surface transportation infrastructure and the impact of
23 such investment on the ability of State and local authori-
24 ties to use innovative financing, including—

25 (1) preconstruction funding requirements;

1 (2) integration of private investment in the
2 transportation planning process;

3 (3) use of toll revenues by State and local au-
4 thorities;

5 (4) use of toll credits by State and local au-
6 thorities;

7 (5) requirements for debt financing instru-
8 ments, reimbursable expenses, and conditions on
9 payments;

10 (6) limitation on fees charged at federally fund-
11 ed fringe and corridor parking facilities;

12 (7) revenues needed to provide a reasonable
13 rate of return to private investors;

14 (8) costs to users of facilities due to imposition
15 of tolls;

16 (9) sales-in-lease-out arrangement of transpor-
17 tation assets; and

18 (10) such other matters as the Secretary con-
19 siders appropriate.

20 (c) REPORT.—

21 (1) TO SECRETARY.—Under the agreement, the
22 National Academy of Sciences shall submit to the
23 Secretary a report on the results of the study by
24 such date as the Secretary may require.

1 (2) TO CONGRESS.—Not later than January 1,
2 2006, the Secretary shall transmit to the Committee
3 on Transportation and Infrastructure of the House
4 of Representatives and the Committee on Environ-
5 ment and Public Works of the Senate a copy of the
6 report of the National Academy of Sciences, together
7 with such recommendations as the Secretary con-
8 siders appropriate.

9 **SEC. 1504. HIGHWAYS FOR LIFE PILOT PROGRAM.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—The Secretary shall establish
12 and implement a pilot program to be known as the
13 “Highways for LIFE pilot program”.

14 (2) PURPOSE.—The purpose of the pilot pro-
15 gram shall be to advance longer-lasting highways
16 using innovative technologies and practices to ac-
17 complish the fast construction of efficient and safe
18 highways and bridges.

19 (3) OBJECTIVES.—Under the pilot program,
20 the Secretary shall provide leadership and incentives
21 to demonstrate and promote state-of-the-art tech-
22 nologies, elevated performance standards, and new
23 business practices in the highway construction pro-
24 cess that result in improved safety, faster construc-

1 tion, reduced congestion from construction, and im-
2 proved quality and user satisfaction.

3 (b) PROJECTS.—

4 (1) APPLICATIONS.—To be eligible to partici-
5 pate in the pilot program, a State shall submit to
6 the Secretary an application that is in such form
7 and contains such information as the Secretary re-
8 quires. Each application shall contain a description
9 of proposed projects to be carried by the State under
10 the pilot program.

11 (2) ELIGIBILITY.—A proposed project shall be
12 eligible for assistance under the pilot program if the
13 project—

14 (A) constructs, reconstructs, or rehabili-
15 tates a route or connection on a Federal-aid
16 highway eligible for assistance under chapter 1
17 of title 23, United States Code;

18 (B) uses innovative technologies, manufac-
19 turing processes, financing, or contracting
20 methods that improve safety, reduce congestion
21 due to construction, and improve quality; and

22 (C) meets additional criteria as determined
23 by the Secretary.

24 (3) PROJECT PROPOSAL.—A project proposal
25 submitted under paragraph (1) shall contain—

1 (A) an identification and description of the
2 projects to be delivered;

3 (B) a description of how the projects will
4 result in improved safety, faster construction,
5 reduced congestion due to construction, user
6 satisfaction, and improved quality;

7 (C) a description of the innovative tech-
8 nologies, manufacturing processes, financing,
9 and contracting methods that will be used for
10 the proposed projects; and

11 (D) such other information as the Sec-
12 retary may require.

13 (4) SELECTION CRITERIA.—In selecting
14 projects for approval under this section, the Sec-
15 retary shall ensure that the projects provide an eval-
16 uation of a broad range of technologies in a wide va-
17 riety of project types and shall give priority to the
18 projects that—

19 (A) address achieving the Highways for
20 LIFE performance standards for quality, safe-
21 ty, and speed of construction;

22 (B) deliver and deploy innovative tech-
23 nologies, manufacturing processes, financing,
24 contracting practices, and performance meas-
25 ures that will demonstrate substantial improve-

1 ments in safety, congestion, quality, and cost-
2 effectiveness;

3 (C) include innovation that will lead to
4 change in the administration of the State's
5 transportation program to more quickly con-
6 struct long-lasting, high-quality, cost-effective
7 projects that improve safety and reduce conges-
8 tion;

9 (D) are or will be ready for construction
10 within 12 months of approval of the project
11 proposal; and

12 (E) meet such other criteria as the Sec-
13 retary determines appropriate.

14 (5) FINANCIAL ASSISTANCE.—

15 (A) FUNDS FOR HIGHWAYS FOR LIFE
16 PROJECTS.—Out of amounts made available to
17 carry out this section for a fiscal year, the Sec-
18 retary may allocate to a State up to 20 percent,
19 but not more than \$15,000,000, of the total
20 cost of a project approved under this section.
21 Notwithstanding any other provision of law,
22 funds allocated to a State under this subpara-
23 graph may be applied to the non-Federal share
24 of the cost of construction of a project under
25 title 23, United States Code.

1 (B) USE OF APPORTIONED FUNDS.—A
2 State may obligate not more than 10 percent of
3 the amount apportioned to the State under 1 or
4 more of paragraphs (1), (2), (3), and (4) of sec-
5 tion 104(b) of title 23, United States Code, for
6 a fiscal year for projects approved under this
7 section.

8 (C) INCREASED FEDERAL SHARE.—Not-
9 withstanding sections 120 and 129 of title 23,
10 United States Code, the Federal share payable
11 on account of any project constructed with Fed-
12 eral funds allocated under this section, or ap-
13 portioned under section 104(b) of such title, to
14 a State under such title and approved under
15 this section may amount to 100 percent of the
16 cost of construction of such project.

17 (D) LIMITATION ON STATUTORY CON-
18 STRUCTION.—Except as provided in subpara-
19 graph (C), nothing in this subsection shall be
20 construed as altering or otherwise affecting the
21 applicability of the requirements of chapter 1 of
22 title 23, United States Code (including require-
23 ments relating to the eligibility of a project for
24 assistance under the program and the location
25 of the project), to amounts apportioned to a

1 State for a program under section 104(b) that
2 are obligated by the State for projects approved
3 under this subsection.

4 (6) PROJECT SELECTIONS.—In the period of
5 fiscal years 2004 through 2009, the Secretary shall
6 approve at least one project in each State for par-
7 ticipation in the pilot program and for financial as-
8 sistance under paragraph (5) if the State submits an
9 application and the project meets the eligibility re-
10 quirements and selection criteria under this sub-
11 section.

12 (c) TECHNOLOGY PARTNERSHIPS.—

13 (1) IN GENERAL.—The Secretary may make
14 grants or enter into cooperative agreements or other
15 transactions to foster the development, improvement,
16 and creation of innovative technologies and facilities
17 to improve safety, enhance the speed of highway
18 construction, and improve the quality and durability
19 of highways.

20 (2) FEDERAL SHARE.—The Federal share of
21 the cost of an activity carried out under this sub-
22 section shall not exceed 80 percent.

23 (d) TECHNOLOGY TRANSFER AND INFORMATION
24 DISSEMINATION.—

1 (1) IN GENERAL.—The Secretary shall conduct
2 a Highways for LIFE technology transfer program.

3 (2) AVAILABILITY OF INFORMATION.—The Sec-
4 retary shall ensure that the information and tech-
5 nology used, developed, or deployed under this sub-
6 section is made available to the transportation com-
7 munity and the public.

8 (e) STAKEHOLDER INPUT AND INVOLVEMENT.—The
9 Secretary shall establish a process for stakeholder input
10 and involvement in the development, implementation, and
11 evaluation of the Highways for LIFE pilot program. The
12 process may include participation by representatives of
13 State departments of transportation and other interested
14 persons.

15 (f) PROJECT MONITORING AND EVALUATION.—The
16 Secretary shall monitor and evaluate the effectiveness of
17 any activity carried out under this section.

18 (g) CONTRACT AUTHORITY.—Funds authorized to be
19 appropriated to carry out this section shall be available
20 for obligation in the same manner as if the funds were
21 apportioned under chapter 1 of title 23, United States
22 Code.

23 (h) STATE DEFINED.—In this section, the term
24 “State” has the meaning such term has under section
25 101(a) of title 23, United States Code.

Subtitle F—Finance

SEC. 1601. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT.

(a) DEFINITIONS.—Section 181 of title 23, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking “category”; and

(B) by striking “offered into the capital markets”;

(2) by striking paragraph (7);

(3) by redesignating paragraphs (8) through (15) as paragraphs (7) through (14), respectively;

(4) by striking the period at the end of paragraph (8)(B) (as so redesignated) and inserting a semicolon; and

(5) in paragraph (10) (as so redesignated) by striking “bond” and inserting “credit”.

(b) DETERMINATION OF ELIGIBILITY.—Section 182(a) of such title is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) INCLUSION IN TRANSPORTATION PLANS AND PROGRAMS.—The project shall satisfy the applicable planning and programming requirements of sections 134 and 135 at such time as an agreement

1 to make available a Federal credit instrument is en-
2 tered into under this subchapter.

3 “(2) APPLICATION.—A State, a local govern-
4 ment, public authority, public-private partnership, or
5 any other legal entity undertaking the project and
6 authorized by the Secretary, shall submit a project
7 application to the Secretary.”;

8 (2) in paragraph (3)(A)(i) by striking
9 “\$100,000,000” and inserting “\$50,000,000”;

10 (3) in paragraph (3)(B) by striking
11 “\$30,000,000” and inserting “\$15,000,000”; and

12 (4) in paragraph (4)—

13 (A) by striking “Project financing” and in-
14 serting “The Federal credit instrument”; and

15 (B) by inserting before the period at the
16 end “that also secure the project obligations”.

17 (c) PROJECT SELECTION.—Section 182(b) of such
18 title is amended—

19 (1) in paragraph (1) by striking “criteria” the
20 second place it appears and inserting “require-
21 ments”; and

22 (2) in paragraph (2)(B) by inserting “, which
23 may be the Federal credit instrument,” after “obli-
24 gations”.

25 (d) SECURED LOANS.—

1 (1) AGREEMENTS.—Section 183(a)(1) of such
2 title is amended—

3 (A) in each of subparagraphs (A) and (B)
4 by inserting “of any project selected under sec-
5 tion 602” after “costs”; and

6 (B) by striking the semicolon at the end of
7 subparagraph (B) and all that follows through
8 “under section 602”.

9 (2) INVESTMENT-GRADE RATING REQUIRE-
10 MENT.—Section 183(a)(4) of such title is amend-
11 ed—

12 (A) by striking “The funding” and insert-
13 ing “The execution”; and

14 (B) by striking the first comma and all
15 that follows through “1 rating agency”.

16 (3) TERMS AND LIMITATIONS.—Section 183(b)
17 of such title is amended—

18 (A) in paragraph (2) by inserting “the
19 lesser of” after “exceed”;

20 (B) in paragraph (2) by inserting “or the
21 amount of the senior project obligations” after
22 “costs”;

23 (C) in paragraph (3)(A)(i) by inserting
24 “that also secure the senior project obligations”
25 after “sources”; and

1 (D) in paragraph (4) by striking “market-
2 able”.

3 (4) REPAYMENT.—Section 183(c) is amended—

4 (A) by striking paragraph (3); and

5 (B) by redesignating paragraphs (4) and
6 (5) as paragraphs (3) and (4), respectively.

7 (e) LINES OF CREDIT.—

8 (1) TERMS AND LIMITATIONS.—Section 184(b)
9 of such title is amended—

10 (A) in paragraph (3)—

11 (i) by striking the first comma; and

12 (ii) by striking “any debt service re-
13 serve fund, and any other available re-
14 serve” and inserting “but not including
15 reasonably required financing reserves”;

16 (B) in paragraph (4)—

17 (i) by striking “marketable”;

18 (ii) by striking “on which” and insert-
19 ing “of execution of”; and

20 (iii) by striking “is obligated” and in-
21 serting “agreement”; and

22 (C) in paragraph (5)(A)(i) by inserting
23 “that also secure the senior project obligations”
24 after “sources”; and

1 (2) REPAYMENT.—Section 184(c) of such title
2 is amended—

3 (A) in paragraph (2)—

4 (i) by striking “scheduled”;

5 (ii) by inserting “be scheduled to”
6 after “shall”; and

7 (iii) by striking “be fully repaid, with
8 interest,” and inserting “conclude, with
9 full repayment of principal and interest,”;
10 and

11 (B) by striking paragraph (3).

12 (f) PROGRAM ADMINISTRATION.—Section 185 of
13 such title is amended to read as follows:

14 **“§ 185. Program administration**

15 “(a) REQUIREMENT.—The Secretary shall establish
16 a uniform system to service the Federal credit instrument
17 made available under this chapter.

18 “(b) FEES.—The Secretary may establish fees at a
19 level to cover all or a portion of the costs to the Federal
20 Government of servicing the Federal credit instrument.

21 “(c) SERVICES.—The Secretary may identify a finan-
22 cial entity to assist the Secretary in servicing a Federal
23 credit instrument. The services—

24 “(1) shall act as the agent for the Secretary;
25 and

1 “(2) shall receive a servicing fee, subject to ap-
2 proval by the Secretary.

3 “(d) ASSISTANCE FROM EXPERT FIRMS.—The Sec-
4 retary may retain the services of one or more expert firms,
5 including counsel, in the field of municipal and project fi-
6 nance to assist in the underwriting and servicing of Fed-
7 eral credit instruments.”.

8 (g) FUNDING.—Section 188 of such title is amended
9 to read as follows:

10 **“§ 188. Funding**

11 “(a) FUNDING.—

12 “(1) IN GENERAL.—There are authorized to be
13 appropriated from the Highway Trust Fund (other
14 than the Mass Transit Account) \$130,000,000 for
15 fiscal year 2004 and \$140,000,000 for each of fiscal
16 years 2005 through 2009 to carry out this chapter.

17 “(2) ADMINISTRATIVE COSTS.—From funds
18 made available under paragraph (1), the Secretary
19 may use, for the administration of this subchapter,
20 not more than \$3,000,000 for each of fiscal years
21 2004 through 2009.

22 “(3) AVAILABILITY.—Amounts made available
23 under paragraph (1) shall remain available until ex-
24 pended.

25 “(b) CONTRACT AUTHORITY.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of law, approval by the Secretary of a Fed-
3 eral credit instrument that uses funds made avail-
4 able under this chapter shall be deemed to be ac-
5 ceptance by the United States of a contractual obli-
6 gation to fund the Federal credit instrument.

7 “(2) AVAILABILITY.—Amounts authorized
8 under this section for a fiscal year shall be available
9 for obligation on October 1 of the fiscal year.

10 “(c) LIMITATIONS ON CREDIT AMOUNTS.—For each
11 of fiscal years 2004 through 2009, principal amounts of
12 Federal credit instruments made available under this
13 chapter shall be limited to \$2,600,000,000.”.

14 **SEC. 1602. STATE INFRASTRUCTURE BANKS.**

15 (a) IN GENERAL.—Section 189 of title 23, United
16 States Code, is amended to read as follows:

17 **“§ 189. State infrastructure bank program**

18 “(a) DEFINITIONS.—In this section, the following
19 definitions apply:

20 “(1) CAPITAL PROJECT.—The term ‘capital
21 project’ has the meaning such term has under sec-
22 tion 5302 of title 49, United States Code.

23 “(2) OTHER FORMS OF CREDIT ASSISTANCE.—
24 The term ‘other forms of credit assistance’ includes
25 any use of funds in an infrastructure bank—

1 “(A) to provide credit enhancements;

2 “(B) to serve as a capital reserve for bond
3 or debt instrument financing;

4 “(C) to subsidize interest rates;

5 “(D) to insure or guarantee letters of cred-
6 it and credit instruments against credit risk of
7 loss;

8 “(E) to finance purchase and lease agree-
9 ments with respect to transit projects;

10 “(F) to provide bond or debt financing in-
11 strument security; and

12 “(G) to provide other forms of debt financ-
13 ing and methods of leveraging funds that are
14 approved by the Secretary and that relate to
15 the project with respect to which such assist-
16 ance is being provided.

17 “(3) STATE.—The term ‘State’ has the mean-
18 ing such term has under section 401 of this title.

19 “(4) CAPITALIZATION.—The term ‘capitaliza-
20 tion’ means the process used for depositing funds as
21 initial capital into a State infrastructure bank to es-
22 tablish the infrastructure bank.

23 “(5) COOPERATIVE AGREEMENT.—The term
24 ‘cooperative agreement’ means written consent be-
25 tween a State and the Secretary which sets forth the

1 manner in which the infrastructure bank established
2 by the State in accordance with this section will be
3 administered.

4 “(6) LOAN.—The term ‘loan’ means any form
5 of direct financial assistance from a State infra-
6 structure bank that is required to be repaid over a
7 period of time and that is provided to a project
8 sponsor for all or part of the costs of the project.

9 “(7) GUARANTEE.—The term ‘guarantee’
10 means a contract entered into by a State infrastruc-
11 ture bank in which the bank agrees to take responsi-
12 bility for all or a portion of a project sponsor’s fi-
13 nancial obligations for a project under specified con-
14 ditions.

15 “(8) INITIAL ASSISTANCE.—The term ‘initial
16 assistance’ means the first round of funds that are
17 loaned or used for credit enhancement by a State in-
18 frastructure bank for projects eligible for assistance
19 under this section.

20 “(9) LEVERAGE.—The term ‘leverage’ means a
21 financial structure used to increase funds in a State
22 infrastructure bank through the issuance of debt in-
23 struments.

24 “(10) LEVERAGED.—The term ‘leveraged’, as
25 used with respect to a State infrastructure bank,

1 means that the bank has total potential liabilities
2 that exceed the capital of the bank.

3 “(b) COOPERATIVE AGREEMENTS.—Subject to the
4 provisions of this section, the Secretary may enter into co-
5 operative agreements with States for the establishment of
6 State infrastructure banks for making loans and providing
7 other forms of credit assistance to public and private enti-
8 ties carrying out or proposing to carry out projects eligible
9 for assistance under this section.

10 “(c) INTERSTATE COMPACTS.—

11 (1) IN GENERAL.—Congress grants consent to
12 2 or more of the States, entering into a cooperative
13 agreement under subsection (a) with the Secretary
14 for the establishment by such States of a multi-State
15 infrastructure bank in accordance with this section,
16 to enter into an interstate compact establishing such
17 bank in accordance with this section.

18 “(2) RESERVATION OF RIGHTS.—The right to
19 alter, amend or repeal interstate compacts entered
20 into under this subsection is expressly reserved.

21 “(d) FUNDING.—

22 “(1) HIGHWAY ACCOUNT.—Subject to sub-
23 section (j), the Secretary may permit a State enter-
24 ing into a cooperative agreement under this section
25 to establish a State infrastructure bank to deposit

1 into the highway account of the bank not to ex-
2 ceed—

3 “(A) 10 percent of the funds apportioned
4 to the State for each of fiscal years 2004
5 through 2009 under each of sections 104(b)(1),
6 104(b)(3), 104(b)(4), and 144; and

7 “(B) 10 percent of the funds allocated to
8 the State for each of such fiscal years under
9 section 105.

10 “(2) TRANSIT ACCOUNT.—Subject to subsection
11 (j), the Secretary may permit a State entering into
12 a cooperative agreement under this section to estab-
13 lish a State infrastructure bank, and any other re-
14 cipient of Federal assistance under section 5307,
15 5309, or 5311 of title 49, to deposit into the transit
16 account of the bank not to exceed 10 percent of the
17 funds made available to the State or other recipient
18 in each of fiscal years 2004 through 2009 for capital
19 projects under each of such sections.

20 “(3) RAIL ACCOUNT.—Subject to subsection (j),
21 the Secretary may permit a State entering into a co-
22 operative agreement under this section to establish
23 a State infrastructure bank, and any other recipient
24 of Federal assistance under subtitle V of title 49, to
25 deposit into the rail account of the bank funds made

1 available to the State or other recipient in each of
2 fiscal years 2004 through 2009 for capital projects
3 under such subtitle.

4 “(4) CAPITAL GRANTS.—

5 “(A) HIGHWAY ACCOUNT.—Federal funds
6 deposited into a highway account of a State in-
7 frastructure bank under paragraph (1) shall
8 constitute for purposes of this section a capital-
9 ization grant for the highway account of the
10 bank.

11 “(B) TRANSIT ACCOUNT.—Federal funds
12 deposited into a transit account of a State in-
13 frastructure bank under paragraph (2) shall
14 constitute for purposes of this section a capital-
15 ization grant for the transit account of the
16 bank.

17 “(C) RAIL ACCOUNT.—Federal funds de-
18 posited into a rail account of a State infrastruc-
19 ture bank under paragraph 3 shall constitute
20 for purposes of this section a capitalization
21 grant for the rail account of the bank.

22 “(5) SPECIAL RULE FOR URBANIZED AREAS OF
23 OVER 200,000.—Funds in a State infrastructure
24 bank that are attributed to urbanized areas of a
25 State with urbanized populations of over 200,000

1 under section 133(d)(3) may be used to provide as-
2 sistance with respect to a project only if the metro-
3 politan planning organization designated for such
4 area concurs, in writing, with the provision of such
5 assistance.

6 “(6) DISCONTINUANCE OF FUNDING.—If the
7 Secretary determines that a State is not imple-
8 menting the State’s infrastructure bank in accord-
9 ance with a cooperative agreement entered into
10 under subsection (b), the Secretary may prohibit the
11 State from contributing additional Federal funds to
12 the bank.

13 “(e) FORMS OF ASSISTANCE FROM INFRASTRUC-
14 TURE BANKS.—An infrastructure bank established under
15 this section may make loans or provide other forms of
16 credit assistance to a public or private entity in an amount
17 equal to all or a part of the cost of carrying out a project
18 eligible for assistance under this section. The amount of
19 any loan or other form of credit assistance provided for
20 the project may be subordinated to any other debt financ-
21 ing for the project. Initial assistance provided with respect
22 to a project from Federal funds deposited into an infra-
23 structure bank under this section may not be made in the
24 form of a grant.

1 “(f) ELIGIBLE PROJECTS.—Subject to subsection (e),
2 funds in an infrastructure bank established under this sec-
3 tion may be used only to provide assistance for projects
4 eligible for assistance under this title and capital projects
5 defined in section 5302 of title 49, and any other projects
6 related to surface transportation that the Secretary deter-
7 mines to be appropriate.

8 “(g) INFRASTRUCTURE BANK REQUIREMENTS.—In
9 order to establish an infrastructure bank under this sec-
10 tion, the State establishing the bank shall—

11 “(1) deposit in cash, at a minimum, into each
12 account of the bank from non-Federal sources an
13 amount equal to 25 percent of the amount of each
14 capitalization grant made to the State and deposited
15 into such account; except that, if the deposit is into
16 the highway account of the bank and the State has
17 a non-Federal share under section 120(b) that is
18 less than 25 percent, the percentage to be deposited
19 from non-Federal sources shall be the lower percent-
20 age of such grant;

21 “(2) ensure that the bank maintains on a con-
22 tinuing basis an investment grade rating on its debt,
23 or has a sufficient level of bond or debt financing in-
24 strument insurance, to maintain the viability of the
25 bank;

1 “(3) ensure that investment income derived
2 from funds deposited to an account of the bank
3 are—

4 “(A) credited to the account;

5 “(B) available for use in providing loans
6 and other forms of credit assistance to projects
7 eligible for assistance from the account; and

8 “(C) invested in United States Treasury
9 securities, bank deposits, or such other financ-
10 ing instruments as the Secretary may approve
11 to earn interest to enhance the leveraging of
12 projects assisted by the bank;

13 “(4) ensure that any loan from the bank will
14 bear interest at or below market interest rates, as
15 determined by the State, to make the project that is
16 the subject of the loan feasible;

17 “(5) ensure that repayment of any loan from
18 the bank will commence not later than 5 years after
19 the project has been completed or, in the case of a
20 highway project, the facility has opened to traffic,
21 whichever is later;

22 “(6) ensure that the term for repaying any loan
23 will not exceed 30 years after the date of the first
24 payment on the loan; and

1 “(7) require the bank to make an annual report
2 to the Secretary on its status no later than Sep-
3 tember 30 of each year and such other reports as
4 the Secretary may require under guidelines issued to
5 carry out this section.

6 “(h) APPLICABILITY OF FEDERAL LAW.—

7 “(1) IN GENERAL.—The requirements of this
8 title and title 49 that would otherwise apply to funds
9 made available under this title or such title and
10 projects assisted with those funds shall apply to—

11 “(A) funds made available under this title
12 or such title and contributed to an infrastruc-
13 ture bank established under this section, includ-
14 ing the non-Federal contribution required under
15 subsection (g); and

16 “(B) projects assisted by the bank through
17 the use of the funds;
18 except to the extent that the Secretary determines
19 that any requirement of such title (other than sec-
20 tions 113 and 114 of this title and section 5333 of
21 title 49), is not consistent with the objectives of this
22 section.

23 “(2) REPAYMENTS.—The requirements of this
24 title and title 49 shall apply to repayments from
25 non-Federal sources to an infrastructure bank from

1 projects assisted by the bank. Such a repayment
2 shall be considered to be Federal funds.

3 “(i) UNITED STATES NOT OBLIGATED.—The deposit
4 of Federal funds into an infrastructure bank established
5 under this section shall not be construed as a commitment,
6 guarantee, or obligation on the part of the United States
7 to any third party, nor shall any third party have any right
8 against the United States for payment solely by virtue of
9 the contribution. Any security or debt-financing instru-
10 ment issued by the infrastructure bank shall expressly
11 state that the security or instrument does not constitute
12 a commitment, guarantee, or obligation of the United
13 States.

14 “(j) MANAGEMENT OF FEDERAL FUNDS.—Sections
15 3335 and 6503 of title 31, shall not apply to funds depos-
16 ited into an infrastructure bank under this section.

17 “(k) PROGRAM ADMINISTRATION.—For each of fiscal
18 years 2004 through 2009, a State may expend not to ex-
19 ceed 2 percent of the Federal funds contributed to an in-
20 frastructure bank established by the State under this sec-
21 tion to pay the reasonable costs of administering the
22 bank.”.

23 (b) PREPARATORY AMENDMENTS.—

24 (1) SECTION 181.—Section 181 of such title is
25 further amended—

1 (A) by striking the section designator and
2 heading and inserting the following:

3 **“§ 181. Generally applicable provisions”;**

4 (B) by striking “In this subchapter” and
5 inserting “(a) DEFINITIONS.—In this chapter”;

6 (C) in paragraph (5) by striking “184”
7 and inserting “604”;

8 (D) in paragraph (11) (as redesignated by
9 section 1601(a) of this Act) by striking “183”
10 and inserting “603”; and

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

12 “(b) TREATMENT OF CHAPTER.—For purposes of
13 this title, this chapter shall be treated as being part of
14 chapter 1.”.

15 (2) SECTION 182.—Section 182(b)(2)(A)(viii)
16 of such title is further amended by inserting “and
17 chapter 1” after “this chapter”.

18 (3) SECTION 183.—Section 183(a) of such title
19 is further amended—

20 (A) in paragraph (1) by striking “182”
21 and inserting “602”; and

22 (B) in paragraph (3) by striking
23 “182(b)(2)(B)” and inserting “602(b)(2)(B)”.

24 (4) SECTION 184.—Section 184 of such title is
25 further amended—

1 (A) in subsection (a)(1) by striking “182”
2 and inserting “602”;

3 (B) in subsection (a)(3) by striking
4 “182(b)(2)(B)” and inserting “602(b)(2)(B)”;
5 and

6 (C) in subsection (b)(10) by striking
7 “183” and inserting “603”.

8 (5) REFERENCES IN SUBCHAPTER.—Sub-
9 chapter II of chapter 1 of such title is amended by
10 striking “this subchapter” each place it appears and
11 inserting “chapter”.

12 (6) SUBCHAPTER HEADINGS.—Chapter 1 of
13 such title is further amended—

14 (A) by striking “**SUBCHAPTER I—**
15 **GENERAL PROVISIONS**” preceding sec-
16 tion 101; and

17 (B) by striking “**SUBCHAPTER II—**
18 **INFRASTRUCTURE FINANCE**” pre-
19 ceding section 181.

20 (c) CHAPTER 6.—Such title is further amended by
21 adding at the end the following:

“CHAPTER 6—INFRASTRUCTURE FINANCE

“Sec.

“601. Generally applicable provisions.

“602. Determination of eligibility and project selection.

“603. Secured loans.

“604. Lines of credit.

“605. Program administration.

- “606. State and local permits.
- “607. Regulations.
- “608. Funding.
- “609. State infrastructure bank program.”.

1 (d) MOVING AND REDESIGNATING.—Such title is fur-
 2 ther amended—

3 (1) by redesignating sections 181 through 189
 4 as sections 601 through 609, respectively;

5 (2) by moving such sections from chapter 1 to
 6 chapter 6 (as added by subsection (c)); and

7 (3) by inserting such sections after the analysis
 8 for chapter 6.

9 (e) ANALYSIS FOR CHAPTER 1 AND TABLE OF CHAP-
 10 TERS.—

11 (1) ANALYSIS FOR CHAPTER 1.—The analysis
 12 for chapter 1 of such title is amended—

13 (A) by striking the headings for sub-
 14 chapters I and II; and

15 (B) by striking the items relating to sec-
 16 tions 181 through 189.

17 (2) TABLE OF CHAPTERS.—The table of chap-
 18 ters for such title is amended by inserting after the
 19 item relating to chapter 5 the following:

“6. Infrastructure and Finance 601”.

1 **SEC. 1603. FAST FEES.**

2 (a) IN GENERAL.—Subchapter I of chapter 1 of title
3 23, United States Code, as amended by section 1208 of
4 the bill, is amended by adding at the end the following:

5 **“§ 169. FAST fees**

6 “(a) ESTABLISHMENT.—The Secretary shall estab-
7 lish and implement an Interstate System FAST Lanes
8 program under which the Secretary, notwithstanding sec-
9 tions 129 and 301, shall permit a State, or a public or
10 private entity designated by a State, to collect fees to fi-
11 nance the expansion of a highway, for the purpose of re-
12 ducing traffic congestion, by constructing 1 or more addi-
13 tional lanes (including bridge, support, and other struc-
14 tures necessary for that construction) on the Interstate
15 System.

16 “(b) ELIGIBILITY.—To be eligible to participate in
17 the program, a State shall submit to the Secretary for ap-
18 proval an application that contains—

19 “(1) an identification of the additional lanes
20 (including any necessary bridge, support, and other
21 structures) to be constructed on the Interstate Sys-
22 tem under the program;

23 “(2) in the case of 1 or more additional lanes
24 that affect a metropolitan area, an assurance that
25 the metropolitan planning organization established
26 under section 134 for the area has been consulted

1 during the planning process concerning the place-
2 ment and amount of fees on the additional lanes;
3 and

4 “(3) a facility management plan that includes—
5 “(A) a plan for implementing the imposi-
6 tion of fees on the additional lanes;

7 “(B) a schedule and finance plan for con-
8 struction, operation, and maintenance of the
9 additional lanes using revenues from fees (and,
10 as necessary to supplement those revenues, rev-
11 enues from other sources); and

12 “(C) a description of the public or private
13 entities that will be responsible for implementa-
14 tion and administration of the program.

15 “(c) REQUIREMENTS.—The Secretary shall approve
16 the application of a State for participation in the program
17 after the Secretary determines that, in addition to meeting
18 the requirements of subsection (b), the State has entered
19 into an agreement with the Secretary that provides that—

20 “(1) fees collected from motorists using a
21 FAST lane shall be collected only through the use
22 of noncash electronic technology;

23 “(2) all revenues from fees received from oper-
24 ation of FAST lanes shall be used only for—

1 “(A) debt service relating to the invest-
2 ment in FAST lanes;

3 “(B) reasonable return on investment of
4 any private entity financing the project, as de-
5 termined by the State;

6 “(C) any costs necessary for the improve-
7 ment, and proper operation and maintenance
8 (including reconstruction, resurfacing, restora-
9 tion, and rehabilitation), of FAST lanes and ex-
10 isting lanes, if the improvement—

11 “(i) is necessary to integrate existing
12 lanes with the FAST lanes;

13 “(ii) is necessary for the construction
14 of an interchange (including an on- or off-
15 ramp) from the FAST lane to connect the
16 FAST lane to—

17 “(I) an existing FAST lane;

18 “(II) the Interstate System; or

19 “(III) a highway; and

20 “(iii) is carried out before the date on
21 which fees for use of FAST lanes cease to
22 be collected in accordance with paragraph
23 (6); or

1 “(D) the establishment by the State of a
2 reserve account to be used only for long-term
3 maintenance and operation of the FAST lanes;

4 “(3) fees may be collected only on and for the
5 use of FAST lanes, and may not be collected on or
6 for the use of existing lanes;

7 “(4) use of FAST lanes shall be voluntary;

8 “(5) revenues from fees received from operation
9 of FAST lanes may not be used for any other
10 project (except for establishment of a reserve ac-
11 count described in paragraph (2)(D) or as otherwise
12 provided in this section);

13 “(6) on completion of the project, and on com-
14 pletion of the use of fees to satisfy the requirements
15 for use of revenue described in paragraph (2), no ad-
16 ditional fees shall be collected; and

17 “(7)(A) to ensure compliance with paragraphs
18 (1) through (5), annual audits shall be conducted for
19 each year during which fees are collected on FAST
20 lanes; and

21 “(B) the results of each audit shall be sub-
22 mitted to the Secretary.

23 “(d) APPORTIONMENT.—

24 “(1) IN GENERAL.—Revenues collected from
25 FAST lanes shall not be taken into account in deter-

1 mining the apportionments and allocations that any
2 State or transportation district within a State shall
3 be entitled to receive under or in accordance with
4 this chapter.

5 “(2) NO EFFECT ON STATE EXPENDITURE OF
6 FUNDS.—Nothing in this section affects the expendi-
7 ture by any State of funds apportioned under this
8 chapter.”.

9 (b) CONFORMING AMENDMENT.—

10 (1) The analysis for subchapter I of chapter 1
11 of title 23, United States Code, is amended by in-
12 sserting after the item relating to section 167, as
13 added by section 1208 of the bill, the following:

“169. FAST fees.”.

14 (2) Section 301 of title 23, United States Code,
15 is amended by inserting after “tunnels,” the fol-
16 lowing: “and except as provided in section 169,”.

17 **SEC. 1604. TOLL FEASIBILITY.**

18 Section 106 of title 23, United States Code, as
19 amended by section 1605 of this bill, is further amended
20 by adding at the end the following:

21 “(j) TOLL FEASIBILITY.—The Secretary shall select
22 and conduct a study on a project under this title that is
23 intended to increase capacity, and that has an estimated
24 total cost of at least \$50,000,000, to determine whether—

1 “(1) a toll facility for the project is feasible;
2 and

3 “(2) privatizing the construction, operation, and
4 maintenance of the toll facility is financially advis-
5 able (while retaining legal and administrative control
6 of the portion of the applicable Interstate route).”.

7 **SEC. 1605. USE OF EXCESS FUNDS.**

8 Section 106 of title 23, United States Code, is
9 amended by adding at the end the following:

10 “(i) USE OF EXCESS FUNDS.—

11 “(1) AUDITS.—A State may audit projects
12 funded with amounts apportioned under sections
13 104 and 144 to determine whether any amounts ob-
14 ligated for a project are excess funds.

15 “(2) PLANS FOR USE OF EXCESS FUNDS.—If a
16 State determines, after conducting an audit under
17 paragraph (1), that funds obligated for a project are
18 excess funds, the State may develop a plan for obli-
19 gating the funds for the design and construction of
20 one or more projects that are eligible for funding
21 under the program for which the funds were origi-
22 nally apportioned.

23 “(3) CERTIFICATION TO THE SECRETARY.—A
24 State that has developed a plan under paragraph (2)
25 shall transmit to the Secretary a certification that

1 the State has conducted an audit under paragraph
2 (1) and developed the plan in accordance with para-
3 graph (2).

4 “(4) IMPLEMENTATION OF PLANS.—After
5 transmitting a certification to the Secretary with re-
6 spect to a plan under paragraph (3), the State may
7 carry out the plan.

8 “(5) APPLICABILITY OF REQUIREMENTS.—Ex-
9 cess funds used to carry out a project under this
10 section shall be subject to the requirements of this
11 title that are applicable to the program for which the
12 funds were originally apportioned.

13 “(6) EXCESS FUNDS DEFINED.—In this sub-
14 section, the term ‘excess funds’ means funds obli-
15 gated for a project that remain available for the
16 project after the project has been completed.”.

17 **Subtitle G—High Priority Projects**

18 **SEC. 1701. HIGH PRIORITY PROJECTS PROGRAM.**

19 (a) AUTHORIZATION OF HIGH PRIORITY
20 PROJECTS.—Section 117(a) of title 23, United States
21 Code, is amended by striking “1602 of the Transportation
22 Equity Act for the 21st Century” and inserting “1701 of
23 the Transportation Equity Act: A Legacy for Users”.

1 (b) ALLOCATION PERCENTAGES.—Section 117(b) of
2 such title is amended by striking paragraphs (1) through
3 (6) and inserting the following:

4 “(1) 19.6 percent of such amount shall be avail-
5 able for obligation beginning in fiscal year 2004;

6 “(2) 18.5 percent of such amount shall be avail-
7 able for obligation beginning in fiscal year 2005;

8 “(3) 16.3 percent of such amount shall be avail-
9 able for obligation beginning in fiscal year 2006;

10 “(4) 15.3 percent of such amount shall be avail-
11 able for obligation beginning in fiscal year 2007;

12 “(5) 15.8 percent of such amount shall be avail-
13 able for obligation beginning in fiscal year 2008; and

14 “(6) 14.5 percent of such amount shall be avail-
15 able for obligation beginning in fiscal year 2009.”.

16 (c) FEDERAL SHARE.—Section 117(c) of such title
17 is amended by striking “; except” and all that follows
18 through “cost thereof”.

19 (d) ADVANCE CONSTRUCTION.—Section 117(e) of
20 such title is amended by striking “1602 of the Transpor-
21 tation Equity Act for the 21st Century” each place it ap-
22 pears and inserting “1701 of the Transportation Equity
23 Act: A Legacy for Users”.

24 (e) AVAILABILITY OF OBLIGATION LIMITATION.—
25 Section 117(g) of such title is amended by striking

1 “Transportation Equity Act for the 21st Century” and in-
 2 serting “Transportation Equity Act: A Legacy for Users”.

3 (f) FEDERAL-STATE RELATIONSHIP.—Section
 4 145(b) of such title is amended—

5 (1) by inserting after “described in” the fol-
 6 lowing: “section 1702 of the Transportation Equity
 7 Act: A Legacy for Users,”;

8 (2) by inserting after “for such projects by” the
 9 following: “section 1101(a)(17) of the Transpor-
 10 tation Equity Act: A Legacy for Users,”; and

11 (3) by striking “117 of title 23, United States
 12 Code,” and inserting “section 117 of this title,”.

13 **SEC. 1702. PROJECT AUTHORIZATIONS.**

14 Subject to section 117 of title 23, United States
 15 Code, the amount listed for each high priority project in
 16 the following table shall be available (from amounts made
 17 available by section 1101(a)(17) of the Transportation
 18 Equity Act: A Legacy for Users) for fiscal years 2004
 19 through 2009 to carry out each such project:

High Priority Projects

No.	State	Project Description	Amount
1.	Alaska	Bogard/Seldon Extension in Matanuska-Susitna Borough.	\$4,000,000.00
2.	Utah	Widen and improve Geneva Road/SR 114 connecting Provo Utah and Pleasant Grove Utah.	\$2,100,000.00
3.	Mississippi	Philadelphia Bypass Highways 15 to 19: Four-lane bypass connecting MS Highways 15, 16, and 19 south of Philadelphia with major interchanges at each connection point.	\$1,500,000.00
4.	Virginia	Town of Pound Riverwalk/construction of pedestrian riverwalk, Town of Pound.	\$100,000.00
5.	California	Construct parking lot and improved museum pedestrian access from the trolley station, San Diego.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
6.	Pennsylvania	Improve State Route 1001 at section 601 from the Village of Lockport to Queensrun.	\$1,000,000.00
7.	Kansas	Construct 127th Street bridge over I-35, Olathe.	\$3,000,000.00
8.	New York	Improvements to Routes 32/17/6 and County Route 105 in Orange County, NY.	\$9,000,000.00
9.	Missouri	Resurfacing and shoulder widening on U.S. 136, and replacement of 2 deficient bridges.	\$3,000,000.00
10.	New Hampshire	Replace Ash Street, Pillsbury Road bridge over I-93 in Londonderry.	\$1,430,000.00
11.	Georgia	Pave portions of CR 345, CR 44, and CR 45, Hancock County.	\$370,000.00
12.	Georgia	Install traffic lights and pedestrian walkways on Highway 441 at MLK, Jr. Boulevard, Dublin.	\$500,000.00
13.	Washington	Construct a multi-jurisdictional non-motorized transportation project parallel to SR 99 called the Interurban Trail.	\$2,000,000.00
14.	Virginia	Green Cove/improvements to existing Forest Service facility located at the trailhead of the Virginia Creeper Trail.	\$100,000.00
15.	Michigan	Westland, Reconstruct and Widen Palmer Road.	\$2,500,000.00
16.	Mississippi	Upgrade roads in Port Gibson (U.S. Highway 61), Claiborne County.	\$600,000.00
17.	New York	Build a structural deck that spans the New Haven Railroad cut to create parking for commuters, Mount Vernon.	\$2,000,000.00
18.	California	Improvement of intersection at Aviation Blvd. and Rosecrans Ave. to reduce congestion, Hawthorne.	\$2,000,000.00
19.	Illinois	Improvements to Diehl Road between Eola Road and Route 59.	\$500,000.00
20.	New Jersey	Streetscape Improvements to Clements Bridge Road from Newton Avenue to New Jersey Turnpike, Barrington.	\$500,000.00
21.	New York	Design and construct new Interchange 11A on I-87, connector road extending from I-87 to Route 9/67, and interchange between the connector road and Route 9/67.	\$3,400,000.00
22.	Massachusetts	Planning and construction of East Boston Haul Road, Boston.	\$6,000,000.00
23.	Arkansas	Construction of Camden Port Access Road, Camden.	\$480,000.00
24.	New York	Construct phase 2 of the Grand Concourse improvements from East 161st St. to East 166th St.	\$10,000,000.00
25.	Ohio	Construct upgrade of SR 16 to 4 lanes from SR 60 to SR 16 in Coshocton County.	\$3,000,000.00
26.	California	Construct Cypress Avenue over-pass to separate I-10 and Union Pacific Railroad tracks, Fontana.	\$3,500,000.00
27.	Arkansas	Improvements to Johnson Road from Highway 412 to I-540 through Springdale and Johnson.	\$6,000,000.00
28.	Minnesota	For design of an extension of road from TH10 in the City of Blaine north to the City of Ham Lake.	\$2,000,000.00
29.	California	8.5 miles of 6 and 8 lane arterial roadways, building an essential east-west route across Santa Clarita Valley.	\$5,000,000.00
30.	Iowa	Completion of Highway 20 from Fort Dodge, Iowa through Sioux City, IA.	\$3,000,000.00
31.	Alabama	I-65 interchange at CR 222 between SR 69 and U.S. 278.	\$1,000,000.00
32.	Minnesota	Becker County CR 143 and CR 124 improvements.	\$960,000.00
33.	South Carolina	I-85/Brockman-McClimon Interchange and Connections project.	\$10,000,000.00
34.	Illinois	Construct bike/pedestrian paths, Orland Hills	\$350,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
35.	New York	Rehabilitate a historic warehouse on the Erie Canal in the Town of Lyon, NY.	\$600,000.00
36.	Arkansas	Improvements to the I-540 and SH 102 Interchange in Bentonville.	\$1,420,000.00
37.	Florida	Airport Entrance Streetscape, Sanford	\$500,000.00
38.	Washington	East Marine View Drive Widening, Everett ...	\$9,000,000.00
39.	Ohio	Improvements to the intersection of Fulton Dr. and Wales Ave. in Jackson Township.	\$2,000,000.00
40.	Oregon	Highway 34/Corvallis Bypass Intersection	\$2,100,000.00
41.	New Jersey	Route 82 Union County Streetscape improvements, including signing and lighting upgrades in Elizabeth City and Union Township.	\$1,000,000.00
42.	Illinois	Construct connector road between Collinsville Rd. to IL 3/North First Street, St. Clair County.	\$6,400,000.00
43.	Colorado	New bridge across Roaring Fork River near S end of Glenwood Springs, improve roads connecting Midland Ave./SH 82.	\$6,500,000.00
44.	Pennsylvania	Design and construct improvements to the I-81/Route 465 interchange and Route 465 from Walnut Bottom Road to PA 641.	\$3,870,500.00
45.	Texas	Extend and improve Mission Trails Project, San Antonio.	\$4,000,000.00
46.	Minnesota	Improve TH241 in St. Michael, MN by increasing lanes from 2 to 4.	\$4,000,000.00
47.	Ohio	Upgrade safety devices at Sheldon Road Crossing, Berea.	\$140,000.00
48.	Michigan	Gravel and paving of remaining 3.2 miles in 5.5 mile stretch of Jacobsville Road, Houghton County.	\$430,000.00
49.	New York	Implement safety measures at Railroad grade crossings in Rockland County.	\$1,000,000.00
50.	Illinois	Construct pedestrian underpass at South Shore Drive and 67th Street, Chicago.	\$1,000,000.00
51.	Ohio	Bicycle Trails construction and design in Bainbridge Township.	\$1,440,000.00
52.	Ohio	Construct MetroParks Bikeway, Mahoning County.	\$376,000.00
53.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance), Bainbridge.	\$600,000.00
54.	Nebraska	Construct an 8.7 mile roadway constituting the first phase of a comprehensive Beltway System around the City of Lincoln.	\$14,566,300.00
55.	Minnesota	Design engineering and ROW acquisition to reconstruct TH95 bridge, North Branch.	\$1,000,000.00
56.	Virginia	Improve Colorado Street bridge, Salem	\$1,000,000.00
57.	California	Implement streetscape improvements on segments of Laurel Canyon Blvd. and Victory Blvd., North Hollywood.	\$1,200,000.00
58.	New Jersey	Bicycle and pedestrian paths for New Jersey Underground Railroad.	\$1,000,000.00
59.	Arizona	Major widening of SR 95 within Lake Havasu City.	\$2,000,000.00
60.	Minnesota	Lake Street Access to I-35W, Minneapolis ...	\$10,000,000.00
61.	New York	Implement Improvements for Pedestrian Safety in Kings County.	\$1,000,000.00
62.	California	Construct a diamond interchange on State Route 60 at Lemon Avenue in the City of Diamond Bar.	\$12,600,000.00
63.	Arkansas	Downtown Dickson Street Enhancement/College Avenue from Dickson Street to Archibald Yell and School Avenue to 6th Street in Fayetteville.	\$4,000,000.00
64.	Pennsylvania	Flyover ramp and new interchange at proposed Town Center in Cranberry Township at I-79 and Route 228.	\$500,000.00
65.	Texas	Improvements to RR 1017, Hebbbronville	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
66.	Arizona	Construction of a bicycle/pedestrian bridge to connect the shores of the Salt River.	\$3,000,000.00
67.	Pennsylvania	Germantown Avenue Revitalization Project involving landscaping, scenic enhancements, and pedestrian safety improvements along the heavily traveled thoroughfare.	\$2,600,000.00
68.	Georgia	Widening SR 104 to increase Columbia County access to critical Augusta medical facilities as well as the Medical College of GA.	\$4,750,000.00
69.	California	Repair Rosecrans Ave. and Alondra Blvd. bridges, Bellflower.	\$50,000.00
70.	California	Study feasibility of Maglev link between San Diego and proposed San Diego Regional International Airport, Imperial County.	\$1,000,000.00
71.	Illinois	The addition of turning lanes to U.S. Route 14 (Northwest Highway) at the Arthur Avenue Union Pacific grade crossing and at the Prindle Underpass in Arlington Heights, IL.	\$1,100,000.00
72.	Connecticut	Improve Route 1 between Belden Ave. and East Ave. in Norwalk, CT.	\$2,000,000.00
73.	Maryland	South Shore Trail. Construct first phase of greenway from Odenton to Annapolis, Anne Arundel County.	\$1,000,000.00
74.	Virginia	Widening Highway 15 in Prince Edward County.	\$5,000,000.00
75.	New York	Rehabilitation of Hornbeck Rd. in Town of Poughkeepsie, NY.	\$426,550.00
76.	Illinois	Phase II engineering to widen U.S. 45/La-Grange Road through Orland Park, IL.	\$1,000,000.00
77.	Virginia	Improve Frederick Street, Staunton	\$1,300,000.00
78.	Alabama	Riverwalk project with continuous river-edge walkway creating a system of parks and open spaces in historic downtown Montgomery, AL.	\$3,000,000.00
79.	Georgia	Install landscaping and upgrade lighting on Fall Line Freeway, Reynolds.	\$500,000.00
80.	Utah	13th East, Sandy City	\$6,300,000.00
81.	Ohio	Construction of rail grade separations at intersections in Lima to improve motorist and pedestrian safety.	\$1,250,000.00
82.	New Jersey	Observer Highway Operational and Safety Improvements, Hoboken.	\$2,500,000.00
83.	New York	Implement ITS system and apparatus to enhance citywide truck route system on LIE Eastbound Service Road at 74th Street to Caldwell Ave., Grand Ave. from 69th Street to Flushing Ave., and Eliot Ave. from 69th Street to Woodhaven Blvd.	\$100,000.00
84.	California	Construction of interchange on I-10 at Palm Drive.	\$2,000,000.00
85.	Illinois	Improve roads and bridges and undertake enhancements, Chicago.	\$1,000,000.00
86.	New York	Rehabilitate Tappan Street Bridge in Town of Newark Valley.	\$1,040,000.00
87.	California	Widen the Marin/Sonoma Narrows section of Highway 101 to include a carpool HOV lane in each direction.	\$13,000,000.00
88.	Wisconsin	Replace Wisconsin Street Bridge (State Highway 44), Oshkosh, WI.	\$10,000,000.00
89.	Florida	Construct I-95/N U.S. 1 Business Park Interchange in Ormond Beach, FL.	\$4,000,000.00
90.	New York	Replacement of the structurally deficient Pleasantville Road bridge over the Pocantico River, the Village of Pleasantville.	\$1,000,000.00
91.	Arkansas	Widen Lone Sassafrass Road, Drew County ..	\$304,000.00
92.	Texas	Planning, design and engineering for transportation projects in the I-35 corridor between San Antonio and Georgetown.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
93.	California	State Route 67 (Mapleview to Dye Rd) Project Studies/Environmental Phase.	\$6,400,000.00
94.	New York	Construction of and improvements to Route 62 in the Village of Hamburg.	\$500,000.00
95.	Texas	Relocation of FM 450 to the west of Hallsville.	\$3,000,000.00
96.	Oregon	Upgrade the I-5 Fern Valley Interchange (exit 24).	\$3,000,000.00
97.	California	Provide grade separation at the Firestone/Old River School Road intersection, Downey.	\$1,000,000.00
98.	Texas	Grade separation at U.S. 59/SH 99 and replace proposed interim ramps. Complete U.S. 59 reconstruction project. Recommended by the U.S. 59 MIS.	\$5,000,000.00
99.	Maine	Calais/St. Stephen Border Crossing Project ...	\$5,000,000.00
100.	Michigan	U.S. 127 Completion in Gratiot County	\$5,000,000.00
101.	Nebraska	Construct 2 Missouri River bridges and their approach roadways.	\$3,000,000.00
102.	New Jersey	Highway Improvements in Liberty Corridor ..	\$5,000,000.00
103.	New Jersey	I-195 Allentown, NJ Exit at Sharon Station Road.	\$250,000.00
104.	California	Expand carsharing pilot program to serve low- and moderate-income neighborhoods in the City and County of San Francisco.	\$2,000,000.00
105.	Ohio	Construct the existing industrial park road from local to State standards near Cadiz.	\$4,100,000.00
106.	Pennsylvania	Median, guiderail and sidework improvements to intersection of SR 51 and Franklin Ave., Beaver County.	\$2,000,000.00
107.	New York	Roadway improvements on Pidgeon Hill Road (NYS Route 25 to Old Country Road) and Old Country Road (NYS Route 25 to I-495), Huntington.	\$1,500,000.00
108.	Alabama	Alignment of existing roads along County Road 83 providing hurricane evacuation from coast to I-10.	\$8,000,000.00
109.	Texas	Construction of SH 121 main lanes and interchanges between Preston Road and U.S. 75.	\$9,000,000.00
110.	Texas	SH 114/SH 170 in South Denton County	\$2,500,000.00
111.	Oregon	Repair and recoat logging bridge over Highway 99E, Canby.	\$150,000.00
112.	North Carolina	Relocate U.S. 70 to multi-lane facility around Clayton.	\$9,000,000.00
113.	Ohio	Construct Morse Road Corridor Improvements Phase I in Columbus, OH.	\$1,500,000.00
114.	California	Improve I-8 offramp to the Desert Farming Institute, Imperial County.	\$1,000,000.00
115.	Georgia	Upgrade sidewalks, lighting, landscaping from Cherry Street to Hampton Street, Industrial Park to Dooly Street, Montezuma.	\$500,000.00
116.	New York	Dolsontown Rd. improvements in Town of Wawayanda.	\$1,400,000.00
117.	Maryland	Replace Dover Bridge on MD 331 design and right-of-way.	\$4,080,000.00
118.	Pennsylvania	Reconstruct PA Route 274, at PA Route 11/15, Duncannon.	\$1,000,000.00
119.	Virginia	Construct I-64 and Pocahontas Parkway Connector.	\$9,000,000.00
120.	Texas	IH 653 and I-30 interchange improvements	\$8,000,000.00
121.	North Carolina	Widen Berkley Blvd. in Goldsboro, NC by constructing an additional lane, curbs, and gutters.	\$1,000,000.00
122.	California	Replace SR 22 Interchanges and Bridges, Garden Grove.	\$7,300,000.00
123.	Illinois	Construction of 2 North/South Blvds., and 1 East/West Blvd. in the vicinity of Northern Illinois University.	\$14,400,000.00
124.	Illinois	Improve University Drive, Macomb	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
125.	Tennessee	Develop trails, bike paths and recreational facilities on Brady Mountain, Cumberland County for Cumberland Trail State Park.	\$250,000.00
126.	Minnesota	Construct ramps and new bridge over Interstate 35 at CSAH 17, and reconstruct CSAH 17 from west County Line to CSAH 30, Chisago County.	\$900,000.00
127.	Massachusetts	I-93 Interchange, Andover/Tewksbury	\$600,000.00
128.	Pennsylvania	Two-lane extension of Bristol Road from U.S. 202 to Park Avenue, Chalfont, New Britain.	\$1,000,000.00
129.	Michigan	Reconstruction of Ritchie Road from village of Lincoln to Hubbard Lake road and of Hubbard Lake road to Mt. Maria Road, Alcona County.	\$813,000.00
130.	Mississippi	Madison/Ridgeland I-55 Interchange: I-55 Interchange and connectors at juncture of Madison and Ridgeland corp. limits.	\$1,500,000.00
131.	California	Construct Daggett Road and Bridge Project, Port of Stockton, CA.	\$5,000,000.00
132.	New York	Construct Wading River bicycle and pedestrian project, Riverhead.	\$1,200,000.00
133.	Oregon	Improve U.S. 97 from Modoc Point to Algoma.	\$2,000,000.00
134.	New York	Design, Study and Construct Ferry Terminal Facilities at Floyd Bennett Field.	\$1,000,000.00
135.	Minnesota	U.S. Highway 10 interchange in the City of Ramsey for necessary corridor enhancements.	\$1,250,000.00
136.	Arkansas	Continued development of Caraway Road Overpass Project, Jonesboro.	\$7,000,000.00
137.	New York	Conduct study on extending the limited access portion of NYS Route 5 to Auburn.	\$150,000.00
138.	California	Rehabilitate arterials, Compton	\$1,500,000.00
139.	Texas	U.S. 82/Widen existing 2-lane facility to 4-lane divided facility from FM 1417 in Sherman to U.S. 69 in Bells.	\$5,900,000.00
140.	Maryland	U.S. 220/MD 53 North-South Corridor	\$1,000,000.00
141.	Connecticut	Improve Route 111 between Purdy Hill Road and Fan Hill Road in Monroe, CT.	\$1,500,000.00
142.	Michigan	Wixom, Beck Road from I-96 to West Rd. widen to 5 lanes.	\$600,000.00
143.	Pennsylvania	SR 219/Purchase of right-of-way and the completion of the 4-lane expansion of limited access highway from Town of Somerset to Maryland border.	\$17,000,000.00
144.	New York	Improvements of concrete curbs, aprons, sidewalks, and asphalt along Sunrise Highway, Rockville Centre.	\$1,000,000.00
145.	North Carolina	Construction of I-74 from Maxton Bypass to NC 41 near Lumberton.	\$5,000,000.00
146.	Michigan	Expansion of U.S. 31 from Nelson Street to Merkey Road.	\$1,500,000.00
147.	Arizona	Develop a 4-lane divided roadway on U.S. 60 from Florence to Superior, AZ.	\$11,000,000.00
148.	New York	Reconstruct Streets and Sidewalks in Middle Village.	\$1,000,000.00
149.	California	Improvements for the Watt Avenue corridor between Antelope Road and the Capital City Freeway.	\$3,000,000.00
150.	Pennsylvania	Design, engineering, ROW acquisition, and construction of a connector road between the Valmont Industrial Park and Pennsylvania State Route 924 at Cranberry Creek.	\$500,000.00
151.	Minnesota	Edge of Wilderness Discovery Center, Marcell	\$471,000.00
152.	North Carolina	Construction of a multi-lane facility on new location from Beach Drive (SR 1104) to NC 211, Brunswick County.	\$4,000,000.00
153.	New York	Bartow Ave. Ramp and Reconstruction at the Hutchinson Parkway.	\$1,600,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
154.	Ohio	South Connector in Waverly, Ohio for new access to school campus and new development areas in a repressed Appalachian region.	\$4,100,000.00
155.	South Carolina	Construct grade separation at U.S. 521, Lancaster County.	\$1,745,000.00
156.	Massachusetts	Downtown road revitalization for Pleasant Street, Malden.	\$4,000,000.00
157.	California	Widen and realign Cherry Avenue from 19th Street to 1 block south of Pacific Coast Highway, Signal Hill.	\$5,630,000.00
158.	New York	Construction of Bikeway Phase III in Putnam County, NY.	\$459,895.00
159.	Ohio	Miami St. along St. Route 53 safety enhancement project to improve access to railroad crossing.	\$1,000,000.00
160.	Pennsylvania	Design and construct access to York County intermodal facility, or other projects as selected by York County, Pennsylvania MPO.	\$2,000,000.00
161.	California	Traffic signal upgrade, road reconfiguration, and median strip improvements to Lakewood Blvd. between Telegraph Rd. and Gardendale St., Downey.	\$2,500,000.00
162.	New York	To conduct mitigation measures associated with the Palisades Interstate Parkway for the Village of New Square, Rockland County.	\$600,000.00
163.	Alabama	County Road 52 widening from S. Shades Crest Road to U.S. 31 in Helena and Pelham.	\$5,000,000.00
164.	Louisiana	Improve I-10/LA 95 intersection, Duson	\$200,000.00
165.	Michigan	Reconstruct 4,000 feet of Church Road from Meridian to East River Road (excluding canal Bridge) including widening and sidewalk construction to eliminate safety hazards, Grosse Ile.	\$450,000.00
166.	Michigan	Construct road improvements to Flushing Road from Ballenger Highway to I-475, City of Flint.	\$2,500,840.00
167.	South Carolina	Airline Road Bridge in Anderson	\$170,000.00
168.	New Jersey	Planning for Liberty Corridor	\$500,000.00
169.	Pennsylvania	Enhance existing directional markers and increase wayfinding signage infrastructure, Monroe County.	\$750,000.00
170.	California	Construct Coyote Creek Trail from Kelly Park to Berryessa station, San Jose.	\$5,500,000.00
171.	Michigan	Garden City, Reconstruction Maplewood between Inkster and Merriman.	\$1,000,000.00
172.	Missouri	Study of BNSF Railroad Reconfiguration Needs to eliminate Highway Crossings in/around Springfield, MO.	\$200,000.00
173.	Tennessee	Construct new exit on I-75 and connect to U.S. 11, U.S. 411 and State Route 30.	\$4,500,000.00
174.	Ohio	Road widening and safety improvements at Main and Bell Streets in the Village of Chagrin Falls.	\$500,000.00
175.	Utah	Construct Westside Connector in Provo Utah connecting I-15 University Ave. Interchange and Provo Commercial Sector with the Provo Airport.	\$2,050,000.00
176.	California	Reconstruct I-880/Route 92 Interchange, Hayward.	\$2,000,000.00
177.	California	Reconstruct and widen Garfield Ave. bridge over Rio Hondo River Channel and apply seismic improvements, South Gate.	\$4,000,000.00
178.	Massachusetts	Somerville bikepath extension and improvements, Somerville.	\$1,000,000.00
179.	Pennsylvania	Improvements to I-81, including interchanges, in Franklin County, PA.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
180.	Oklahoma	Construct overpass over 2 rail lines and Highway 66, Claremore.	\$2,700,000.00
181.	Pennsylvania	Upgrade intersection of SR 30 and SR 981 at Arnold Palmer Regional Airport.	\$3,000,000.00
182.	Indiana	Realign State Road 312, Hammond	\$4,200,000.00
183.	Pennsylvania	Replacement of bridge without pedestrian access in Mount Joy.	\$250,000.00
184.	Georgia	Highway 78 Corridor Improvement Project: This project consists of safety enhancements for the corridor, infrastructure needs, median upgrades, and lighting.	\$7,000,000.00
185.	Virgin Islands	Construct extensions to Routes 703 and 70, St. Croix.	\$7,000,000.00
186.	Illinois	IL 29 from IL 6 to I-180 study and land acquisition.	\$1,000,000.00
187.	New York	Construct Northern State Parkway and Long Island Expressway access at Marcus Avenue and Lakeville Road and associated Park and Ride.	\$6,000,000.00
188.	New York	Highway Construction I-87 Exit 3 Airport Connector.	\$2,000,000.00
189.	New York	Transportation Enhancements in Orleans and/or Niagara Counties to support development of Erie Canal.	\$1,750,000.00
190.	New Jersey	Addresses congestion, safety, drainage, maintenance, signing, access, pedestrian circulation and transit access along Route 17 and Route 4 in Bergen County.	\$4,500,000.00
191.	New Jersey	Safety, traffic and pedestrian improvements to Newark/1st Streets, Hoboken.	\$300,000.00
192.	California	Upgrade Route 4 East from the vicinity of Loveridge Road to G Street, Contra Costa County.	\$15,000,000.00
193.	Florida	Interchange with I-10 to connect to a new north-south highway, and a second phase extending to U.S. 90.	\$3,000,000.00
194.	North Carolina	Widen and improve U.S. 1 in Richmond County with a bypass of Rockingham, NC.	\$10,000,000.00
195.	New York	Construct pedestrian waterfront walkway, Owego.	\$1,000,000.00
196.	Kansas	Rehabilitate Kansas and Oklahoma Rail Line to improve highway safety, decrease highway congestion, and reduce future road and bridge repairs.	\$5,730,000.00
197.	Georgia	East Point Downtown Streetscape Project ...	\$2,000,000.00
198.	New York	Improvements to Route 96 Bridges over Seneca River.	\$3,000,000.00
199.	Illinois	Reconstruction of Frank Scott Parkway East, St. Clair County.	\$3,000,000.00
200.	Texas	Conduct feasibility study for a second bridge to Pleasure Island in Port Arthur.	\$500,000.00
201.	Texas	Relocation of 10th Street, relocation of Mission Inlet, and extension of runway 13/31, McAllen.	\$1,000,000.00
202.	New York	Bridge replacement at Turk Hill Rd. in Putnam County, NY.	\$1,800,000.00
203.	Oregon	Street improvements to provide better access to the Wayne L. Morse United States Courthouse.	\$6,000,000.00
204.	California	Mid Valley Station Road and Inter-Modal Improvement Project.	\$2,500,000.00
205.	Alabama	To provide 4 lanes on U.S. 80, Perry County, Marengo County, and Sumter County.	\$14,000,000.00
206.	Tennessee	Construction of visitors center on Cherochala Skyway, a scenic byway, in Monroe County.	\$100,000.00
207.	New York	Improve CR 39 from NY 27 to NY 27A, Suffolk County.	\$3,000,000.00
208.	Illinois	Pre-construction activities IL 336 from Macomb to Peoria.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
209.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 81.	\$250,000.00
210.	Minnesota	Cedar Lake Regional Trail Extension, Minneapolis.	\$3,000,000.00
211.	Tennessee	Modification of existing interchange on I-81 at SR 341/SR 66 located in Jefferson County.	\$500,000.00
212.	Louisiana	Upgrade 28 West from Alexandria, Louisiana to Ft. Polk.	\$1,500,000.00
213.	Massachusetts	State Street reconstruction from Main Street to Saint Michael's Cemetery, Springfield.	\$6,000,000.00
214.	Michigan	Construct road improvements to North Henry St. from Vermont Ave. to Wilder Road, Bay City.	\$1,600,000.00
215.	Illinois	Improve intersection of McCarthy Road, Derby Road, and Archer Avenue in Lemont, IL.	\$350,000.00
216.	Oregon	Agness Road, Curry County	\$1,000,000.00
217.	Illinois	Upgrade roads in the vicinity of Robert Taylor Homes, Chicago.	\$592,000.00
218.	Florida	Widening of U.S. Highway 17 from Zolfo Springs south to the DeSoto County line.	\$2,000,000.00
219.	Utah	Atkinville Interchange, St. George	\$4,000,000.00
220.	Tennessee	Reconstruct State Route 109 from I-40 in Wilson County to Portland in Sumner County.	\$1,000,000.00
221.	Missouri	I-470 and Strother Road Interchange	\$1,000,000.00
222.	New York	Improve Traffic Flow on Lefferts Boulevard by Rehabilitating Facilities Surrounding LIRR/Kew Gardens Eastbound Station.	\$500,000.00
223.	Maine	Maintenance training facilities and vehicle acquisition for Kidspace, Ellsworth.	\$500,000.00
224.	Illinois	Improve Great River Road, Warsaw	\$500,000.00
225.	Texas	Improvements to East 7th Street in Austin from I-35 to U.S. 183.	\$2,000,000.00
226.	Illinois	Upgrade I-294 and I-90 and implement ITS projects.	\$3,000,000.00
227.	California	Reconstruct interchange at I-10 and Riverside Avenue to improve traffic, Rialto.	\$2,800,000.00
228.	New Jersey	Rahway River Corridor Greenway Bicycle and Pedestrian Path, South Orange.	\$400,000.00
229.	California	Construct multi-use trails at Galster Park that link to other local Los Angeles County trails, West Covina.	\$1,100,000.00
230.	Arkansas	Improvements on County Roads 18, 32, 33, and 16, Bradley County.	\$500,000.00
231.	Indiana	Roadway improvements in Downtown Indianapolis.	\$18,775,000.00
232.	Ohio	Geauga County acquisition of historic covered bridge.	\$60,000.00
233.	Oregon	U.S. 199/Laurel Road intersection	\$2,000,000.00
234.	New York	Route 32 Corridor access management and improvement in Orange County, NY.	\$500,000.00
235.	Missouri	Construction of interstate flyover at Hughes Road and Liberty Drive to 76th Street. Part of Liberty Parkway Project.	\$12,500,000.00
236.	Maryland	Widen I-695 from I-83 to MD 147. Includes maintenance and interchange work.	\$9,780,000.00
237.	Texas	Elevate Choate Road over Union Pacific right-of-way and SH 146. system of improvements to support the proposed Bayport Terminal Complex.	\$6,600,000.00
238.	California	I-580 Castro Valley Interchange Improvements.	\$1,200,000.00
239.	Illinois	City of Washington, Mueller Road Rehabilitation.	\$280,000.00
240.	New York	Upgrade Route 17 to Interstate Standards from the Route 14 Interchange through Horseheads, to NY SR 13 Interchange.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
241.	Tennessee	Extension of bicycle and pedestrian trail, Smyrna.	\$4,000,000.00
242.	Iowa	Reconstruction and expansion of the East 1st Street interchange on I-35, Ankeny.	\$5,000,000.00
243.	Ohio	Construct transportation museum (Crawford Museum of Transportation and Industry at Aviation High School), Cleveland.	\$250,000.00
244.	Wisconsin	Reconstruct Cameron Bypass on U.S. Highway 8.	\$3,000,000.00
245.	Ohio	Wetlands Land Preservation and Enhancements in the Town of Aurora.	\$750,000.00
246.	New Jersey	Bridge replacement on Section 6V of Route 1 from Ryders Lane to Milltown Road, North Brunswick.	\$3,000,000.00
247.	Arkansas	For acquisition and construction of an alternate transportation (pedestrian/bicycle) trail from East Little Rock to Pinnacle Mountain State Park.	\$800,000.00
248.	New York	Construct new access road linking North and South sides of Route 17 in Town of Wallkill, NY.	\$2,250,000.00
249.	Texas	SH 349 construction south of Lamesa from Intersection of SH 137.	\$4,000,000.00
250.	California	Construct 4,700 ft. of medians to improve safety/congestion on Imperial Highway from Valley View to Telegraph Road, La Mirada.	\$700,000.00
251.	Pennsylvania	Design and construct additional turn lanes, signal upgrades, and related improvements at Routes 34 and 174 intersection in Cumberland County.	\$580,000.00
252.	Maine	Construction and snowmobile safety accommodations for Route 116 Bridge Medway.	\$4,000,000.00
253.	Pennsylvania	Bedford Springs Project, Bedford, PA: Relocation of Old Route 220 and Sweet Root Road. Complete preliminary and final engineering, purchase of right-of-way, and begin construction.	\$5,000,000.00
254.	Michigan	Geddes Road at Superior Road Roundabout, Washtenaw County.	\$750,000.00
255.	Minnesota	Construct Paul Bunyan Trail from Mississippi River Bridge Trail to Crow Wing State Park.	\$600,000.00
256.	California	Improvements (including arterial street rehabilitation) to enhance traffic and pedestrian safety in Sylmar, Lake View Terrace, and Mission, Los Angeles.	\$1,250,000.00
257.	Kentucky	Widen and reconstruct Mason's Gap Rd. (KY 698), Lincoln County.	\$500,000.00
258.	Pennsylvania	Reconstruction of SR 2001 Sec. 401 from the intersection of SR 2001 and U.S. 209 Bushkill Township north, Pike County.	\$2,000,000.00
259.	Texas	Construct a 4-lane urban roadway, along with reconstructing a bridge over UP RR on Ritchie Road, McLennan County.	\$4,000,000.00
260.	North Carolina	Construct grade separated crossing at Sugar Creek Road of NC Railroad-Norfolk Southern Railroad.	\$4,000,000.00
261.	Illinois	Complete Stage III of reconstruction of the Naperville Road-Warrenville Road/I-88 interchange.	\$2,150,000.00
262.	Wisconsin	Widen U.S. Highway 10 from City of Marshfield to City of Stevens Point.	\$20,000,000.00
263.	Texas	Widening of 16-mile 2-lane gap on SH 24 to 4 lanes from SH 19 in Cooper.	\$3,000,000.00
264.	Pennsylvania	Design and construct interchange and related improvements at I-83, Exit 18, or other projects selected by York County, Pennsylvania MPO.	\$6,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
265.	California	Implement Manor Drive overpass improvement, Pacifica.	\$800,000.00
266.	Maryland	Indian Head Highway Upgrades/Design for upgrades to MD 210 to replace intersections with grade separated interchanges from MD 228 to I-495.	\$5,000,000.00
267.	Texas	Improvements to FM 676, Alton	\$500,000.00
268.	California	Construct pedestrian streetscape improvements on Ocean Blvd. and Anaheim Street in Long Beach, including lighting landscaping and irrigation, and seating, drinking fountains, bicycle racks and trash receptacles.	\$1,500,000.00
269.	Wisconsin	Replace 17th Street Lift Bridge, Two Rivers, WI.	\$6,000,000.00
270.	California	Conduct Study and Construct I-205/Chrisman Road Interchange Project, Tracy, CA.	\$1,000,000.00
271.	Alabama	New freeway connector from Dothan, AL to the FL border.	\$5,000,000.00
272.	Pennsylvania	Design and construct widening of PA Route 94 from York/Adams County line to Elm Street, Hanover.	\$3,000,000.00
273.	California	First Street Bridge realignment, Los Angeles	\$1,250,000.00
274.	Ohio	Construct a proposed relocation of U.S. 22 and SR 93 from the current IR 70, U.S. 40 west of Zanesville.	\$10,000,000.00
275.	South Carolina	Construct Bishopville Bypass, Lee County	\$4,000,000.00
276.	Virginia	Widening I-95 between Fairfax County Pkwy and Route 123.	\$5,150,000.00
277.	Oregon	Study the feasibility of widening U.S. 26 from its interchange with Oregon Highway 217 in Beaverton to the Cornelius Pass exit.	\$750,000.00
278.	Louisiana	Leeville Bridge	\$5,000,000.00
279.	New York	Implement Central NY grade crossing and grade separation project.	\$2,000,000.00
280.	Georgia	Widen Godby road to Highway 314 to widen an east-west corridor to connect 3 counties, Clayton County.	\$2,500,000.00
281.	Florida	SR 710 Expansion and Improvements in Palm Beach County, FL.	\$2,000,000.00
282.	Iowa	Complete final segment of MLK Parkway West Project, and complete 4 segments of MLK Parkway East Project, Des Moines.	\$9,000,000.00
283.	Arkansas	Resurface Jack Creek Road, Logan County ...	\$200,000.00
284.	California	Upgrade San Fernando Road corridor to include traffic calming measures, Los Angeles.	\$7,500,000.00
285.	Georgia	Sidewalk revitalization project in downtown Eastman.	\$593,175.00
286.	North Carolina	Conversion of the American Tobacco Trail for use as bike/pedestrian trail, Durham/Chatham counties.	\$2,000,000.00
287.	Texas	Lamesa Bypass/U.S. 87 N to near U.S. 180	\$6,500,000.00
288.	Michigan	Bridge connecting to East Marshall Bypass Road in East Marshall, crossing the Kalamazoo River and Norfolk South Railroad.	\$300,000.00
289.	Texas	Widen Washington Blvd. from Langham Rd. to FM 364.	\$2,592,000.00
290.	Illinois	Improve roads and bridges, Illinois	\$10,000,000.00
291.	New York	Multi-modal project in Downtown Flushing, Queens.	\$1,000,000.00
292.	New Jersey	Route 139 Bridge Rehabilitation, Hoboken ...	\$2,000,000.00
293.	Louisiana	Belle Chasse Tunnel	\$500,000.00
294.	Pennsylvania	Design, engineering, ROW acquisition and reconstruction of Main Street in the vicinity of Parsonage Street, City of Pittston.	\$250,000.00
295.	Wisconsin	Pioneer Road Rail Grade Separation, Fond du Lac, WI.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
296.	Michigan	Holmes Road Reconstruction/from Prospect Road to Michigan Avenue, Charter Township of Ypsilanti.	\$2,000,000.00
297.	Georgia	Improvement and expansion of Camp Creek Road at Enon road, Fulton County.	\$1,000,000.00
298.	New York	Seeks to provide direct access from I-81 to Fort Drum gates; 1st phase of larger Northern Tier Expressway (linking I-81 to I-87).	\$6,000,000.00
299.	Tennessee	Bicycle and pedestrian trail, Eagleville	\$100,000.00
300.	New York	Roadway improvements, may include drainage, paving and guard rail, to County Route 4, Ensign Pond Road, in the Towns of Moriah and North Hudson.	\$1,000,000.00
301.	Tennessee	Reconstruct and Widen U.S. 64 from a 2-lane to a 4-lane facility.	\$5,225,000.00
302.	Wisconsin	Widen U.S. 51/State Highway 29	\$8,000,000.00
303.	Minnesota	Replace and Realign the Sauk Rapids Bridge and approaches in St. Cloud and Sauk Rapids.	\$3,000,000.00
304.	Ohio	Widen Pearl Road, Strongsville	\$1,600,000.00
305.	Nevada	I-80 Interchange at Nevada Pacific Parkway, Fernley, Nevada. Will benefit commuting employees of NAS Fallon.	\$1,000,000.00
306.	Ohio	Replace and improve Mill Street Bridge, Akron.	\$2,000,000.00
307.	Pennsylvania	Complete a half diamond interchange at PA 309 and Norristown Rd. by the Montgomery County Planning Commission.	\$4,000,000.00
308.	Texas	South McColl Extension between Oragewood and Military Highway, Hidalgo County.	\$2,500,000.00
309.	New York	Improve downtown streets, Saugerties	\$1,000,000.00
310.	Mississippi	Upgrade roads in Arcola, Greenville, and Hollandale (U.S. Highway 61 and 18), Washington County.	\$1,800,000.00
311.	Pennsylvania	Design and construct the relocation of U.S. 11 northbound between Ridge Hill and Hempt Roads and around New Kingstown.	\$5,680,000.00
312.	New Mexico	Construct NM 128 from NM 31 to Texas State line.	\$6,000,000.00
313.	California	Construct pedestrian, bicycle and ADA accessible boardwalks at the Pismo Beach Promenade, San Luis Obispo County.	\$300,000.00
314.	Tennessee	Eliminate blockage of 2 lanes on Gay Street in Knoxville to accommodate loading dock.	\$2,000,000.00
315.	Tennessee	Construct trail and bike path at S. Chickamauga Creek.	\$1,600,000.00
316.	California	Resurface and construct truck lane at CA Highway 94 and I-8 interchange, Boulevard.	\$3,000,000.00
317.	Michigan	Canton, Pave Cherry Hill west of Denton Rd	\$2,500,000.00
318.	Minnesota	Birch Cove Rest Area, Hoyt Lakes	\$200,000.00
319.	Illinois	Construct parking facility and undertake circulation enhancements at 96th and East Shore Drive, Oak Lawn.	\$200,000.00
320.	Pennsylvania	Finish missing ramps and widening at intersection of I-279 and I-79 in the Pittsburgh Airport Corridor.	\$3,000,000.00
321.	Georgia	Improvements to intersection of SR 196 and U.S. 84 in Liberty County.	\$2,000,000.00
322.	Illinois	Reconstruct Milwaukee Avenue, Chicago	\$1,500,000.00
323.	New York	Construction of an Intermodal transportation facility just off of the Bronx River Parkway's exit 6.	\$2,500,000.00
324.	Michigan	Ultra thin demonstration project resurfacing of Mitchell Road from the City of Petoskey limits east to Division, Emmet County.	\$60,000.00
325.	Florida	Widen U.S. 17 to 4 lanes in Putnam County, FL.	\$12,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
326.	New York	Enhance road and transportation facilities in the vicinity of the Brooklyn Children's Museum.	\$50,000.00
327.	Alaska	Point MacKenzie in Matanuska-Susitna Borough plan and design road access.	\$1,000,000.00
328.	Nevada	Construct North Las Vegas Craig Road Overpass at the Union Pacific Railroad Crossing.	\$5,500,000.00
329.	Pennsylvania	Design and construct intersection and related upgrades on PA Routes 24 and 124 in York County.	\$1,000,000.00
330.	Pennsylvania	Rail Bridge Removal and intersection improvements, Cameron and Paxton Streets, Harrisburg.	\$1,400,000.00
331.	Oregon	Construct sidewalks and improve storm drainage and gutters for the City of Medford, Oregon's, Safe Walk Plan.	\$1,000,000.00
332.	New York	I-81 Corridor Improvements from Hancock Intl. Airport to and including the reconstruction of the Interchange at I-690.	\$3,000,000.00
333.	Wisconsin	Reroute State Highway 11 through Burlington, WI.	\$911,000.00
334.	California	Construct sound barriers at the I-5/SR 54 Interchange, National City.	\$1,000,000.00
335.	Illinois	Reconstruction and widening of the Illinois Route 60 bridge over I-94 in Lake Forest, IL.	\$8,010,000.00
336.	New York	Construction of and improvements to Lovejoy Avenue in Buffalo.	\$1,000,000.00
337.	Missouri	Construction of replacement for I-44 and U.S. 65 Interchange, Springfield, MO.	\$16,300,000.00
338.	New York	Funds an intermodal transportation facility on Clarkson Avenue in Brooklyn.	\$1,000,000.00
339.	Michigan	Novi, Reconstruct Grand River between Novi Rd. and Haggerty.	\$1,000,000.00
340.	California	Construct bypass along California Highway 101 around the town of Willits.	\$8,000,000.00
341.	New York	Rehabilitate bike and pedestrian path in Utica Marsh.	\$124,000.00
342.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Knoxville, TN.	\$57,000.00
343.	New York	Develop terminal facilities for water taxi projects, New York City.	\$4,600,000.00
344.	Utah	Northern Corridor, St. George	\$6,000,000.00
345.	Alaska	Planning, design, and construction of a bridge joining the Island of Gravina to the community of Ketchikan.	\$125,000,000.00
346.	Massachusetts	Construct 3.5 mile Grand Trunk Trail, Sturbridge/Southbridge.	\$750,000.00
347.	Illinois	Provide a 4-lane connection between Route 13 and Route 45 near Harrisburg.	\$500,000.00
348.	Indiana	Construct U.S. 31 Freeway Project for St. Joseph and Marshall Counties.	\$25,000,000.00
349.	Virginia	Reconstruct Route 20 at/adjacent to Montpelier for entryway project.	\$1,000,000.00
350.	Michigan	repave Caseville Road from State Highway M 142 to State Highway M 25.	\$500,000.00
351.	Maine	Plan and construct North-South Aroostook highways, to improve access to St. John Valley, including Presque Isle Bypass and other improvements.	\$4,000,000.00
352.	Illinois	Village of South Jacksonville, West Vandalia Road upgrades.	\$800,000.00
353.	Alabama	U.S. 278, 4-laning 10.5 miles between Sulligent and Crews, AL.	\$1,000,000.00
354.	New York	Construct bicycle/pedestrian trail on old Mahopac RR right-of-way in Westchester County, NY.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
355.	Pennsylvania	Design, engineering, ROW acquisition, and construction of intersection improvements and safety enhancements, Borough of Throop in Lackawanna County.	\$250,000.00
356.	Georgia	Decatur Bikeway	\$200,000.00
357.	Virginia	Repair of Commonwealth Blvd. Bridge in Martinsville.	\$500,000.00
358.	New Mexico	I-25 Tramway Interchange: I-25 and Tramway Interchange.	\$4,000,000.00
359.	Wyoming	Casper West Belt Loop: Construct new connector route between Highway 220 and U.S. 20/26.	\$2,000,000.00
360.	Maryland	Hughesville Bypass/relocation of MD 5 from end of divided highway south of Hughesville to end of the divided highway north of Hughesville.	\$10,000,000.00
361.	Pennsylvania	Construct the widening of PA 94 from the Adams/York County line north to Appler Road in Adams County.	\$1,500,000.00
362.	Arkansas	Upgrade Nevada County Roads 7, 4, 17, and 6.	\$400,000.00
363.	Oregon	Preliminary engineering and construction of a railroad crossing at the intersection of Havlik Drive and Highway 30, Scappoose.	\$200,000.00
364.	Tennessee	Widen SR 36 to 5 lanes in Washington County.	\$1,000,000.00
365.	Ohio	SR 20/Mentor Rd. road widening and safety improvements in the Painesville Township.	\$350,000.00
366.	Missouri	Improve intersection of the I-44 and Missouri Route 100 interchange and the Shaw Nature Reserve Access near Gray Summit, MO.	\$500,000.00
367.	Georgia	Resurface and widen Jac-Art Road as part of Bleckley County Development Authority project.	\$200,000.00
368.	New Jersey	Widens the intersection, replaces bridge structures and improves other road segments leading to the intersection NJ Route 57/CR Route 519 in Warren County.	\$2,700,000.00
369.	Illinois	Widen U.S. Route 67 from Macomb to Illinois 101.	\$3,000,000.00
370.	Minnesota	To expand Stearns County Road 4 from 4 to 6 lanes and realign Stearns County Road 134.	\$2,000,000.00
371.	Tennessee	Extension of SR 449 in Sevier County, now under construction.	\$500,000.00
372.	South Carolina	Construction to improve Assembly Street between Pendleton Street and the Williams-Brice stadium to eliminate roadway-rail.	\$1,500,000.00
373.	Alabama	20 mile limited access corridor from U.S. Highway 80 to U.S. Highway 231 and I-85.	\$3,000,000.00
374.	California	Roadway surface improvements, street lighting, and storm drain improvements to South Center Street from Baughman Road to State Route 78/86, Westmoreland.	\$800,000.00
375.	Georgia	South Lumpkin Road Trail (pedestrian, bicycle, jogging, safety upgrades), Columbus.	\$1,000,000.00
376.	Wisconsin	Reconstruct State Highway 16 (Columbus to Highway 26), Dodge County, WI.	\$4,000,000.00
377.	Georgia	Buford Highway pedestrian safety improvement.	\$2,500,000.00
378.	New York	Construct visitor center, access road and parking at Sam's Point Preserve, Ellenville.	\$750,000.00
379.	Texas	Completion of the 3rd and 4th phases on the Marsha Sharp Freeway, U.S. 82/62. Construction between Chicago and Salem Avenues.	\$16,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
380.	Massachusetts	Westford Street-Wood Street-Rourke Bridge Corridor improvements, Lowell.	\$750,000.00
381.	Texas	Interchange of I-10 and SH 99 (the Grand Parkway), a multi-lane highway that will form a third loop around Houston.	\$5,000,000.00
382.	New Jersey	Safety improvements and widening Route 206 and CR 513 Main Street (Route 24).	\$1,000,000.00
383.	New York	Comprehensive traffic congestion mitigation study of Hauppauge Industrial Park and surrounding area, Suffolk County.	\$750,000.00
384.	Georgia	SR 133 upgrade, Dougherty/Colquitt Co	\$1,000,000.00
385.	New York	Construction, re-design and improvements to Fargo Street in Buffalo.	\$3,000,000.00
386.	Washington	Spokane Advanced Traffic Management System Expansion: Expand existing Intelligent Transportation System (ITS) in City of Spokane.	\$500,000.00
387.	Michigan	M 13 Washington Avenue Streetscape Project/Phase II of High Priority Project 192 in Public Law 105-550, Saginaw.	\$1,500,000.00
388.	Guam	Reconstruct Hagåtña River Bridges, Municipality of Hagåtña.	\$6,000,000.00
389.	New York	Hopewell Junction Bypass Road in Town of East Fishkill, NY.	\$1,000,000.00
390.	New York	Implement Improvements for Pedestrian Safety in Bronx County.	\$1,000,000.00
391.	Illinois	Upgrade streets and implement traffic and pedestrian safety signalization improvements, Oak Lawn.	\$7,740,000.00
392.	California	Widening on Bear Valley Pkwy, City of Escondido, Citrus Ave. to Valley Pkwy and to northern city limit, local arterial.	\$2,000,000.00
393.	California	Reconstruction and repair of pedestrian walkways in and around the campus of California State University Northridge to improve traffic and safety.	\$784,000.00
394.	New York	Study of goods movement through I-278 in New York City and Northern New Jersey to be conducted by Region II University Transportation Research Center.	\$1,500,000.00
395.	Missouri	Mississippi Riverfront Bicycle/Pedestrian trail connecting with Columbia Bottom conservation area.	\$300,000.00
396.	New Jersey	Route 22 Sustainable Corridor Plan	\$2,000,000.00
397.	Minnesota	Reconstruct Unorganized Township Road 488 from CSAH 138, Koochiching County.	\$1,025,000.00
398.	New York	Widening and resurfacing of a 1-mile stretch of the bicycle path from Boston Post Rd. to Playland Park, Rye.	\$275,000.00
399.	Arkansas	Construction of roadway for SE Intermodal, Drew/Bradley Counties.	\$2,080,000.00
400.	Virginia	Widen Route 33 at High Street, Harrisonburg.	\$500,000.00
401.	Indiana	New road construction of Dixon Road from Alto Road to Greentree Lane and Dixon Road from Markland Avenue to Judson Road in Kokomo, IN.	\$2,000,000.00
402.	Georgia	Design, right-of-way acquisition and construction of Fulton County Industrial Blvd.	\$2,000,000.00
403.	Louisiana	Essen Lane at I-12; Perkins Road; Central Thruway; O'Neal Lane; LA 408 study; and Burbank Drive; and Essen Park Extension in East Baton Rouge Parish.	\$30,000,000.00
404.	Alabama	Patton Island Bridge Corridor connecting Colbert and Lauderdale Counties.	\$10,000,000.00
405.	Pennsylvania	Improve Route 89 one mile north of Titusville	\$300,000.00
406.	South Carolina	Construction of Safety Improvements and Beautification along I-385.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
407.	Illinois	Engineering and right-of-way acquisition to widen 95th Street between Plainfield-Naperville Road and Boughton Road.	\$500,000.00
408.	Minnesota	Environmental impact statement for improvement along the entire U.S. 10 corridor.	\$1,300,000.00
409.	Idaho	Widen U.S. 95 from 2 to 4 lanes from Worley to Mica Creek.	\$6,000,000.00
410.	Kentucky	Rehabilitate U.S. 127 from U.S. 127 South (Hustonville Rd.) to the Mercer County line, Danville.	\$1,000,000.00
411.	California	Improvements to increase beach access, prevent storm drain failure and accommodate increasing pedestrian traffic on The Stand, Manhattan Beach.	\$2,000,000.00
412.	Pennsylvania	Construct a new parking facility for the Cruise Terminal Transportation Center within the Philadelphia Naval Business Center.	\$5,000,000.00
413.	Washington	To replace BNSF trestle, Sammamish River bridge and reconstruct SR 202/127th Pl NE and SR 202/180th Ave. NE intersections.	\$2,000,000.00
414.	New York	Roadway improvements in Village of Schuylerville, including Routes 4, 32, and 29. Includes infrastructure, mobility, safety and streetscape improvements.	\$4,350,000.00
415.	New York	Reconstruction of Route 59 from Sickletown Road to Route 303, Rockland County.	\$1,000,000.00
416.	Kansas	Construction of a 1.5 mile new roadway truck route in Downs, KS.	\$500,000.00
417.	Hawaii	Upgrade Farrington Highway	\$2,800,000.00
418.	California	Upgrade Jepson Parkway at the North and South Access Gates of Travis Air Force Base and widen Vanden Road segment, Solano County.	\$2,000,000.00
419.	California	Will add landscaping enhancements along the freeway for aesthetic purposes in Ventura County.	\$2,500,000.00
420.	South Carolina	Palmetto Trails Project/Statewide bicycle and pedestrian trails project connecting historic sites, important natural landscapes and many communities.	\$2,000,000.00
421.	Oklahoma	Widen U.S. 60 between Bartlesville and Pawhuska, Osage County.	\$2,000,000.00
422.	Pennsylvania	Design, engineering, ROW acquisition, and construction of intersection improvements and safety enhancements, Borough of Moosic in Lackawanna County.	\$250,000.00
423.	California	Construction of a .2 miles section of Poinsettia Lane in the City of Carlsbad, local arterial.	\$2,000,000.00
424.	Michigan	Reconstruct Lake road in Ironwood from Margaret Street to Airport Road, Gogebic County.	\$805,000.00
425.	Georgia	Widening of GA SR 400 from 4 lanes to 6 lanes between Haynes Bridge Road and McFarland Rd.	\$10,000,000.00
426.	Illinois	Construct road from Route 13 to Carterville Herrin Road, Herrin.	\$800,000.00
427.	Tennessee	Construct and Widen State Route 33 in Monroe County.	\$5,000,000.00
428.	Pennsylvania	Replace traffic signals, optimize signal timing devices, and install traffic calming devices and new signage through construction in Mechanicsburg.	\$1,200,000.00
429.	Indiana	1.5 mile Rd. ext., Allen County, IN. The project is the 1.5 mile road extension from Lake Ave. to State Road 930.	\$11,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
430.	New Jersey	Construct Parking Facility at Union City Intermodal Facility.	\$2,000,000.00
431.	New York	Construction of and improvements to Union Road in West Seneca.	\$1,000,000.00
432.	Alabama	Birmingham Northern Beltline	\$20,000,000.00
433.	Florida	Removal and replacement of Columbus Street bridge, Hillsborough County.	\$750,000.00
434.	North Carolina	Rerouting of Holly Springs Church Road (NC SR 1815) beginning near the intersection with Airport Road (NC SR 1876) to Janice Drive (NC SR 1894) near Mount Airy in Surry County.	\$1,000,000.00
435.	California	Implement and maintain an incident management system for I-880 and I-80, Alameda and Contra Costa Counties.	\$500,000.00
436.	California	Replace South Access to Golden Gate Bridge, San Francisco.	\$6,000,000.00
437.	California	Construct an auxiliary lane on Highway 17 between Camden and Hamilton Avenues, Campbell.	\$12,900,000.00
438.	California	Construction of a bridge that will connect highways Camino Capistrano and Cabot Road in the City of Mission Viejo.	\$838,690.00
439.	California	Realign State Route 79 from Gilman Springs Road to Domenigoni Parkway in San Jacinto.	\$2,000,000.00
440.	Illinois	Construct bikepath and pedestrian walkway along Western Avenue; construct access road for West Ridge Nature Preserve, Chicago.	\$3,000,000.00
441.	California	Pasadena Multi-modal intelligent transportation system: Traffic management center upgrade, transit management system, parking guidance system, the City of Pasadena.	\$2,500,000.00
442.	New York	Rehabilitate Route 35/202 from Bear Mt. Parkway to Taconic Parkway in New York State DOT.	\$1,575,000.00
443.	Hawaii	Construct Waimea Bypass	\$1,000,000.00
444.	Kansas	Construct I-35/Lone Elm Road interchange and widen I-35 from 151st Street to 159th Street, City of Olathe.	\$1,000,000.00
445.	Texas	Complete State Highway 146, Baytown	\$500,000.00
446.	New Jersey	Rehabilitation of West Broadway Bridge, Paterson.	\$3,500,000.00
447.	Illinois	Improve safety of horizontal curve on 725th St. in Grandview Township.	\$80,000.00
448.	Georgia	New interchange on I-95 at Horsestamp Rd	\$5,000,000.00
449.	Michigan	Implement driveway control along the 3 lane segment of U.S. 31 North and South of Honor, Michigan.	\$2,500,000.00
450.	Michigan	Resurface 3.51 miles of Hamilton and Wessel Roads, Alpena County.	\$640,000.00
451.	Mississippi	Pirate Cove Interchange/Access Rd.: I-20 Interchange and access roads linking I-20 to U.S. Highway 80.	\$500,000.00
452.	California	Implement streetscape project on Central Avenue from 103rd Street to Watts/103rd Street Station, Watts.	\$3,500,000.00
453.	New York	Improvements on Lower Rd. in Town of Minisink, NY.	\$175,000.00
454.	Ohio	Construct SR 104 into a 4 lane facility with a turning lane in Ross County.	\$6,000,000.00
455.	Pennsylvania	Design, engineering, ROW acquisition, and construction of intersection improvements and safety enhancements, Borough of Old Forge in Lackawanna County.	\$250,000.00
456.	New York	Reconstruct NYS Route 12 (Route 20 to Waterville North Village Line).	\$4,927,000.00
457.	Michigan	Reconstruction of Intersection at Woodside Avenue and Borton Avenue, Essexville.	\$960,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
458.	Pennsylvania	U.S. Route 13 corridor reconstruction, redevelopment, and beautification in Bucks County.	\$5,000,000.00
459.	Maryland	Jones Falls Greenway (hiker/biker trail). Funding for Baltimore City to construct Phase 2 of this urban trail.	\$4,000,000.00
460.	California	Construct grade separation at State College Blvd., Fullerton/Anaheim.	\$2,000,000.00
461.	New York	Reconstruction of Herald and Greeley Squares, New York City.	\$500,000.00
462.	Florida	Alternate U.S. 19, Tyrone Blvd. at 72nd St., St. Petersburg.	\$6,000,000.00
463.	California	Inland Empire Goods Movement Gateway Project.	\$23,000,000.00
464.	Florida	State Road 9B/I-295 Extension and Connection (Duval County).	\$3,500,000.00
465.	Illinois	Construction of a new intersection of a public road at U.S. Route 50 in Olney.	\$550,000.00
466.	Missouri	Intelligent Transportation System pilot deployment to enhance efficiency and security of cargo in Kansas City region.	\$500,000.00
467.	Connecticut	Widen Route 34, Derby	\$3,000,000.00
468.	Texas	Arlington, IH 30 at FM 157 (Collins) and Center Street interchange improvements.	\$2,000,000.00
469.	Tennessee	Widen State Route 62 in Knox County, TN ..	\$6,500,000.00
470.	Massachusetts	Rehabilitation of Whittier Bridge which carries Route I-95 over the Merrimack between Amesbury and Newburyport.	\$2,000,000.00
471.	California	Port of Hueneme Intermodal Access Improvement Project, including grade separation at Rice Avenue/State Route 34; road widening at Hueneme Road.	\$4,700,000.00
472.	Arkansas	Improve County Road 75, Polk County	\$200,000.00
473.	Florida	Construction and 4-laning of State Road 80, Hendry County.	\$3,500,000.00
474.	Ohio	Improve roads and bridges, City of Youngstown.	\$3,000,000.00
475.	Wisconsin	Reconstruct East Washington Avenue, Madison.	\$7,050,000.00
476.	California	Widening of State Route 76 from Melrose Drive to I-15.	\$5,000,000.00
477.	Nebraska	Planning and design of sections of the Heartland Expressway located in and around the cities of Scottsbluff and Gering, NE.	\$300,000.00
478.	Illinois	ITS deployment, Cook County	\$160,000.00
479.	South Carolina	Design, acquire land, and undertake improvements to the South Corridor project from York County to City of Charlotte.	\$2,255,000.00
480.	Texas	Making transportation corridor improvements along I-69 from Palo Alto to the U.S.-Mexico border at Brownsville Navigation District.	\$1,500,000.00
481.	North Carolina	Upgrade portions of U.S. 220 (future I-73/74) to interstate standards in Montgomery County, NC.	\$2,500,000.00
482.	Kentucky	Construct the main street connector between Lisa Lane and Main Street, Stanton.	\$500,000.00
483.	Pennsylvania	Construct access ramp from SR 247/SR 1012 into Valley View Business Park, Lackawanna County.	\$2,000,000.00
484.	Florida	Construct I-95/Matanzas Woods Parkway Interchange in Flagler County, FL.	\$4,000,000.00
485.	Michigan	CR 515 from U.S. 2 and U.S. 41 in Rapid River to County Road 446 at Days River Road/bituminous overlay and joint repair, Delta County.	\$320,000.00
486.	California	Construct truck lane from Britannia Blvd. to the Otay Mesa Port of Entry, San Diego County.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
487.	New York	Rehabilitate bridges in Tompkins County-Ithaca Secondary Line.	\$2,500,000.00
488.	California	Improve Glendale Freeway Terminus to provide pedestrian access, construct sound barriers, and implement landscaping, Los Angeles.	\$2,500,000.00
489.	Pennsylvania	Three at grade rail crossings along Amtrak Keystone Corridor need to be closed for safety reasons.	\$500,000.00
490.	New Mexico	Planning, design and construction of bike-ways, walkways and underpass at the City of Santa Fe's downtown railyard redevelopment project.	\$2,000,000.00
491.	Indiana	Construct grade separated interchange at Hively Avenue in the City of Elkhart.	\$2,000,000.00
492.	New York	Erie Canalway National Heritage Corridor Transportation Enhancement Project.	\$500,000.00
493.	Texas	Highway 80/123 overpass at Highway 181, Karnes County.	\$300,000.00
494.	New York	Improve uptown streets, Kingston	\$594,500.00
495.	Ohio	Reconstruct U.S. Route 6, Rocky River	\$2,000,000.00
496.	Illinois	Complete 80,000 lb. truck route between C.H. 2 (Burma Rd.) and IL Route 130 in Cumberland County.	\$3,000,000.00
497.	New York	Realignment/rehabilitation of Kirk Lane Drive in Town of Carmel, NY.	\$100,000.00
498.	Florida	New systems interchange ramps at SR 417 and Boggy Creek Road in Orange County, FL.	\$5,000,000.00
499.	Illinois	Widen U.S. Route 34 from U.S. 67 to Carmen Road.	\$4,000,000.00
500.	Washington	41st Street Bridge Widening, Everett	\$3,500,000.00
501.	New York	Improvements to Intermodal transportation facility at Fort Totten, New York.	\$1,000,000.00
502.	Tennessee	Construct pedestrian bridge in Alcoa	\$1,000,000.00
503.	Texas	Additional right-of-way along U.S. 71 north of Texarkana along the Arkansas-Texas State line.	\$1,000,000.00
504.	Florida	Shops of Sherwood Access Road, Jacksonville	\$1,500,000.00
505.	Arkansas	Widen Jefferson Parkway, Jefferson County	\$500,000.00
506.	Alaska	Make necessary improvements to Indian River Road in City and Borough of Sitka.	\$2,000,000.00
507.	California	Construction of new interchange freeway lanes, including HOV lanes at U.S. Highway 50 and Empire Ranch Road, Folsom, CA.	\$4,000,000.00
508.	Arkansas	Highway 65 improvements including construction of passing lanes, bridge improvements, intersection improvements and other roadway improvements, Van Buren County.	\$1,200,000.00
509.	Missouri	Relocate this portion of I-44 between Route D and Sugar Tree Road in West Phelps County.	\$2,000,000.00
510.	Iowa	Phase III of the Main Street project, Amana	\$1,000,000.00
511.	Florida	Improvements of segments of U.S. Highway 27 from SR 540 to SR 544 and from I-4 to U.S. 192, in Polk County, FL.	\$8,000,000.00
512.	Tennessee	Upgrade circuit at gates/lights for Bristol grade crossing (USDOT No. 731120J) to intelligent systems that eliminate current variability.	\$100,000.00
513.	New York	Improvements and restoration at old U.S. Route 9 and Van Cortlandt Manor in Village of Croton on Hudson.	\$2,700,000.00
514.	Minnesota	New Interchange at I-35 and CSAH 2 in the City of Forest Lake.	\$3,000,000.00
515.	West Virginia	Construct Coalfields Expressway	\$7,200,000.00
516.	New Jersey	Route 46 and Main Street, Lodi/Roadway and Drainage Improvements.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
517.	Nevada	Construct a series of 4 system-to-system interchanges on the Clark County Beltway.	\$16,500,000.00
518.	Missouri	Design, right-of-way and construction of Highway 13/Branson West By-Pass, Stone County, MO.	\$5,200,000.00
519.	Tennessee	Reconfiguration and removal of I-40 and I-55 ramps to reduce heavy traffic volumes on Riverside Drive.	\$1,000,000.00
520.	Pennsylvania	PA Route 309 roadway construction and signalization improvements in Tamaqua Borough.	\$2,000,000.00
521.	California	Improve Ave. 12/Freeway 99 interchange; create 5 lanes and install traffic signals. Construct Road 29 entrance east of the interchange.	\$1,500,000.00
522.	California	Improve 16 roads, bridge and 1 bike path in Mariposa County.	\$2,000,000.00
523.	Pennsylvania	Swamp Road corridor safety and roadway improvements.	\$3,500,000.00
524.	Alaska	Crooked Creek Road to the mine site at Donlin Creek.	\$15,000,000.00
525.	California	Widen Wilmington Ave. from 223rd street including ramp modifications, Carson.	\$2,000,000.00
526.	Florida	Forrest City Road Extension Study, Maitland	\$500,000.00
527.	New York	Install Improvements for Pedestrian Safety in the vicinity of St. Roberts Bellarmine.	\$250,000.00
528.	Hawaii	H 1 Counterflow Zipper Lane	\$4,000,000.00
529.	Texas	SH 205/widen 2 lane to 6 lane urban divided highway north of SH 66 to SH 276.	\$2,000,000.00
530.	California	Improvements at First Street and Erringer Road. The project will widen off ramps and surface streets.	\$2,000,000.00
531.	Florida	Construct St. Augustine to Palatka Rail Trail in Northeast FL.	\$2,900,000.00
532.	Ohio	Construct connector trail connecting Xenia to Jamestown to Washington Court House.	\$1,000,000.00
533.	California	Construct new interchange at I-15 and State Route 18(Falchion Road) and provide new highway access to U.S. 395.	\$6,000,000.00
534.	Illinois	Construct Streetscape project on Morse Avenue from Clark Avenue to Sheridan Road, Chicago.	\$2,000,000.00
535.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, Borough of Plymouth in Luzerne County.	\$250,000.00
536.	Ohio	Road widening and safety improvements to Pettibone Rd. in the City of Solon.	\$3,000,000.00
537.	New York	Improvement of road and bridges between 2 State highways leading to Stewart International Airport in New Windsor, NY.	\$2,000,000.00
538.	New York	Re-construction, re-design, and improvements to Ohio Street from Fuhrmann Boulevard to Michigan Avenue in Buffalo.	\$8,000,000.00
539.	New York	Implements traffic calming measures using streetscape improvements from Court to Smith Street.	\$800,000.00
540.	Illinois	Extension of Willow Creek Trail, engineering of an 8-mile trail from Rock Cut State Park to the Long Prairie Trail in Caledonia, Grand Illinois Trail System.	\$100,000.00
541.	California	Construct highway connecting State Route 78/86 and State Route 111, Brawley.	\$10,000,000.00
542.	New York	Construct Auburn New "Connector Road"/ New highway between Route 5 and Route 34.	\$2,000,000.00
543.	Kentucky	Reconstruct Turkeyfoot Road from Autumn to Richardson.	\$2,000,000.00
544.	Georgia	Stone Mountain-Lithonia bikeway and sidewalks.	\$1,200,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
545.	Washington	Roosevelt Extension/SR 538 at Urban Avenue to Cameron Way, Mount Vernon.	\$4,000,000.00
546.	Ohio	Construct Farm Road Project, Gallia County	\$550,000.00
547.	California	Construction of improvements to the Western Placerville Interchanges on SR 50 between the Missouri Flat Road Over-crossing and the Placerville Drive under-crossing in and near the City of Placerville in El Dorado County.	\$3,000,000.00
548.	New York	Implement Improvements for Pedestrian Safety in Richmond County.	\$1,000,000.00
549.	Georgia	Construction of the U.S. 411 Connector between U.S. 41 and I-75 in Floyd and Bartow Counties.	\$20,000,000.00
550.	Illinois	Construct streetscape project at the intersection of Foster and Kedzie, Chicago.	\$2,220,000.00
551.	Pennsylvania	Construct Campbelltown Connector, Lebanon County.	\$2,000,000.00
552.	Illinois	Complete construction of route from Industrial Park Drive to Bakery Boulevard, DuQuoin.	\$625,000.00
553.	Iowa	Extend Muscatine Mississippi River Levee Trail in IA.	\$500,000.00
554.	California	Project design, environmental assessment, and roadway construction of Lonestar Road from Alta Road to Enrico Fermi Drive, San Diego County.	\$500,000.00
555.	Minnesota	Roadway improvements, City of Federal Dam	\$1,000,000.00
556.	American Samoa ...	Village road improvements for Launiusaelua and Ituau counties in the Central District.	\$3,000,000.00
557.	California	Elkhorn Boulevard Widening to SR 99, County of Sacramento, CA.	\$1,000,000.00
558.	Missouri	Construction of U.S. 71 to Expressway status, McDonald County, MO.	\$15,000,000.00
559.	Pennsylvania	Construction of University Boulevard interchange on PA 60 Business near Pittsburgh International Airport.	\$3,000,000.00
560.	New York	Rehabilitation of North and South Ridge Street and Wappanocca Ave. in the Village of Rye Brook and City of Rye.	\$2,160,000.00
561.	Ohio	Construction of a connector road between Orchard Land and Factory Rd. in Beaver creek, OH.	\$500,000.00
562.	West Virginia	Construct I-74/74 Corridor, Mercer County ..	\$11,200,000.00
563.	Illinois	Eldamain Road: Construction of the Eldamain Road Bridge over the Fox River.	\$5,000,000.00
564.	Kentucky	Reconstruct I-275/KY 212/KY 20 interchange.	\$2,000,000.00
565.	South Carolina	Transportation infrastructure improvements in Orangeburg County.	\$10,000,000.00
566.	Georgia	Phase III Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance), Columbus.	\$1,500,000.00
567.	Alaska	Planning, design, and EIS of Bradfield Canal Road.	\$2,300,000.00
568.	Rhode Island	Restore and expand maritime heritage site, Bristol.	\$1,000,000.00
569.	New York	Restores Eastern Parkway by adding a bicycle crossing lane and traffic lights.	\$3,000,000.00
570.	New York	Route 4 streetscape improvements, Town and Village of Fort Edward, Washington County.	\$2,000,000.00
571.	Washington	Construction of .6 mile span to connect trail and I-5.	\$5,500,000.00
572.	North Carolina	Construct the U.S. 74 Bypass around Shelby to add additional traffic-carrying capacity and enhance safety.	\$5,000,000.00
573.	Texas	Improvements to I-35E/I-635 Interchange ...	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
574.	Illinois	City of Oreana “Original Town” road up-grades.	\$884,000.00
575.	Mississippi	Popps Ferry Road bridge, Biloxi	\$4,000,000.00
576.	New York	Improvement of Hatfield Lane in Village of Goshen, NY.	\$400,000.00
577.	Florida	Construct SR 20/CR 309C/SR 100 Connector in Palatka, FL.	\$4,000,000.00
578.	New York	This project involves a full reconstruction of all the streets in Long Island City surrounding 11th Street.	\$2,400,000.00
579.	Washington	Cultural/Interpretive Center (Hanford Reach National Monument) facility and highway offramps near I-182 and SR 240, Richland.	\$1,570,000.00
580.	Utah	Reconstruction of State Route 158 at Pine View Dam, Weber County, UT.	\$5,000,000.00
581.	American Samoa ...	Shoreline protection and drainage mitigation for Nuuli village roads.	\$1,000,000.00
582.	Minnesota	Construct Pfeifer Road, remove 10 foot raised crossing, Twin Lakes Township.	\$251,717.00
583.	North Carolina	Design and construct regional shared use pedestrian and bicycle pathway along Little Sugar Creek.	\$3,000,000.00
584.	Maine	Penobscot Riverfront Development for bicycle trails, amenities, and traffic circulation improvements, Bangor.	\$2,000,000.00
585.	Virginia	Reconstruct 3 deteriorating highway bridges and rebuild 2 interchanges on Arlington Boulevard and Washington Boulevard.	\$2,000,000.00
586.	Tennessee	Construct transportation and heritage museum in Townsend.	\$1,000,000.00
587.	New Jersey	Elizabeth Pedestrian Bicycle Project for the North Avenue/Route 1 transportation corridor.	\$546,000.00
588.	New York	Construct an access road and make drainage improvements and aesthetic enhancements to area between Ocean Parkway and Oak Beach Park.	\$2,700,000.00
589.	Virginia	Blue Ridge Music Center/install lighting/steps, upgrade existing trail system and equip interpretative center with visitor information.	\$2,500,000.00
590.	Pennsylvania	Design, engineering, ROW acquisition, and construction of the widening of Pennsylvania Route 443 Corridor Widening, Carbon County.	\$1,000,000.00
591.	Wisconsin	Construct U.S. Highway 41 North of Lake Butte des Morts Bridge, WI.	\$16,400,000.00
592.	Missouri	Extension and rehabilitation of Riverside Road (MO Route AC).	\$10,000,000.00
593.	Texas	Engineering, design and construction of freight connector roads along F.M. 511 at Brownsville Navigation District.	\$1,000,000.00
594.	Nevada	Widening of U.S. 95 from Craig Road to the Clark County Beltway.	\$5,000,000.00
595.	New Jersey	Improve the U.S. I-78 Interchange at Exit 15 in Franklin Township, Union Township and Town of Clinton.	\$1,000,000.00
596.	Montana	Build Four Lane Western Bypass on U.S. 93 around Kalispell.	\$22,000,000.00
597.	North Carolina	Widen Derita Road from Poplar Tent Road in Concord, NC to the Cabarrus-Mecklenburg County line.	\$2,000,000.00
598.	Ohio	Replace Fulton Road Bridge, Cleveland	\$1,700,000.00
599.	Texas	Pedestrian path and sidewalk improvements along U.S. 83, Rio Grande City.	\$500,000.00
600.	Texas	Widen Hempstead Highway from 12th Street to Washington Avenue from 4 lanes to 6 lanes.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
601.	California	Pine Avenue extension from Route 71 to Pomona Rincon Road in the City of Chino.	\$8,500,000.00
602.	Texas	Providing preliminary engineering for and constructing a loop in and around Texarkana, along the U.S. 71/I-49 corridor.	\$3,000,000.00
603.	Michigan	West Michigan Regional Trail Network connector to link 2 trail systems together and to Grand Rapids.	\$2,950,000.00
604.	New York	Plan and construct greenway along Red Hook, Brooklyn waterfront, and conduct transportation study to improve pedestrian safety and air quality.	\$1,440,000.00
605.	North Carolina	Installation of ITS devices along I-85 from North of SR 1002 to North of SR 2120 near Spencer.	\$2,200,000.00
606.	Wisconsin	Construct U.S. Highway 151, Fond du Lac Bypass, WI.	\$3,000,000.00
607.	Nevada	Meadowood Interchange: Will mitigate traffic congestion on Interstate and arterials in Reno's primary retail center. State Priority.	\$2,000,000.00
608.	Illinois	Improve roads, Village of Forest Park	\$750,000.00
609.	California	Reconstruct 152/156 Interception Project, Santa Clara County, CA.	\$1,000,000.00
610.	Rhode Island	Restoration of Canal at John Chafee Blackstone River Valley Heritage Corridor.	\$500,000.00
611.	Illinois	Widen and resurface South Wall St., Carbondale.	\$700,000.00
612.	New York	Intermodal transportation improvements, Coney Island.	\$3,600,000.00
613.	Texas	Construct landscaping and other pedestrian amenities in segments of the Old Spanish Trail and Griggs Road rights-of-way.	\$2,000,000.00
614.	Pennsylvania	Construct Route 219 Bypass in the City of Bradford.	\$2,000,000.00
615.	Minnesota	Reconstruct Sucker Bay Road, Cass County	\$2,500,000.00
616.	Illinois	Baseline Rd. Improvement (Montgomery): Reconstruction and realignment of Baseline Road.	\$2,080,000.00
617.	New Jersey	Replace steep grade and dangerous 2 lane bridge on Schooley's Mountain Road.	\$1,000,000.00
618.	South Carolina	Fire Station Road Bridge in Anderson County.	\$230,000.00
619.	Georgia	Uptown Jogging, Bicycle, Trolley Trail (pedestrian, bicycle, jogging, safety upgrades, trolley lane, skating trail), Columbus.	\$1,425,000.00
620.	Ohio	Construct turn lane, install traffic light, and reorient traffic on SR 146 near Bussemer Lane in Muskingum County.	\$600,000.00
621.	New York	Funds an intermodal transportation facility on Brooklyn Avenue.	\$1,400,000.00
622.	Missouri	Highway 350 upgrade through Raytown	\$1,000,000.00
623.	Kansas	Construction of a 2-lane on a 4-lane right-of-way bypass with controlled access on U.S. 400 at Dodge City.	\$12,800,000.00
624.	Illinois	Extends MacArthur Blvd. from Wabash to Iron Bridge Road in Springfield.	\$1,500,000.00
625.	Minnesota	Upgrade CSAH 21 to a 4 lane divided roadway with left turn lanes at public streets in Scott County.	\$1,000,000.00
626.	Virginia	Chestnut Mountain Road/feasibility study, design and construction start for road improvement on National Forest lands.	\$1,000,000.00
627.	Michigan	Walled Lake, Decker Rd. between Maple and S. Commerce.	\$125,000.00
628.	Tennessee	Widen State Route 30 from Athens to Etowah.	\$5,758,000.00
629.	California	Construction of interchange at State Highway 86 at Ave. 66 in Coachella, CA.	\$4,500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
630.	Illinois	Improve roads and enhance area in the vicinity of South Archer Avenue and Midway Airport, Chicago.	\$2,500,000.00
631.	New Mexico	Reconstruction of I-40 west of Gallup to maintain safety and travelability of I-40.	\$1,500,000.00
632.	California	Construct off ramp at Interstate 8/Imperial Avenue Interchange, El Centro.	\$3,000,000.00
633.	Michigan	Dynamite Hill Road demonstration whitetopping on rural major collector leading to industrial park, Baraga County.	\$200,000.00
634.	Texas	Reconstruction of U.S. 277 and curb and gutter from the San Felipe Bridge to the approach on Sycamore Creek Bridge in Del Rio.	\$6,800,000.00
635.	Texas	Completion of U.S. 77 relief route around City of Robstown.	\$4,000,000.00
636.	Maryland	Construction of interchange at MD-4 and Suitland Parkway and widening of MD-4.	\$2,100,000.00
637.	Washington	Improve Cemetary Road and rebuild/widen bridge over U.S. Bureau of Reclamation irrigation canal, Othello.	\$190,000.00
638.	Oregon	Regional Trails Program for the first phase of 3 phases of trails in the comprehensive regional system.	\$4,500,000.00
639.	New York	Rehabilitation of Village of Kiryas Joel sidewalks, signalization and roadways.	\$1,250,000.00
640.	Illinois	Resurface Trumbull Avenue and Homan Avenue, Evergreen Park.	\$350,000.00
641.	Indiana	Replace Samuelson Road underpass, Portage	\$3,200,000.00
642.	New Jersey	Bridge replacement and realignment on Amwell Road Bridge over the Neshanic River in Hillsborough, NJ.	\$500,000.00
643.	New Jersey	Improvement to St. Georges Avenue from Wood Avenue, Roselle.	\$350,000.00
644.	Ohio	Construct roadway improvement project along State Routes 37 and 78 through Fairfield, Perry, Morgan, Noble, Monroe Counties.	\$250,000.00
645.	Michigan	repave Old State Highway M 51 from Village of Applegate to Village of Carsonville.	\$500,000.00
646.	Georgia	Streetscape project to improve accessibility and safety for pedestrians, Mount Vernon.	\$606,000.00
647.	South Carolina	US and Bowman Road Interchange, Mount Pleasant.	\$7,000,000.00
648.	Ohio	Upgrade grade crossing safety devices in Elyria and North Ridgeville.	\$952,000.00
649.	Guam	Construct Route 3A Extension, Municipality of Yigo.	\$3,000,000.00
650.	California	I-80 Gilman Street interchange improvements, Berkeley.	\$1,500,000.00
651.	Texas	Reconstruct Ella/Wheatley from Little York to West Gulf Bank.	\$1,250,000.00
652.	Alaska	Planning, design, and construction of Knik Arm Bridge.	\$200,000,000.00
653.	Texas	Connect Pharr International Bridge to U.S. 83.	\$10,000,000.00
654.	Michigan	Pittsfield Greenways Bridge/non-motorized bridge enhancement onto existing Bemis Road Bridge over U.S. 23 to connect Pittsfield Greenways, Pittsfield Charter Township.	\$275,000.00
655.	Connecticut	Reconstruct I-95 bridge over the Quinnipiac River.	\$1,500,000.00
656.	Illinois	Widening of Washington Street from 2 to 5 lanes, install drainage system; add additional right-of-way and traffic signals.	\$3,360,000.00
657.	Illinois	Widen U.S. Route 51 from Pana to Vandalia	\$3,000,000.00
658.	Wyoming	Widen State Highway 59: Widen 5 miles of existing 2-lane road to a 4-lane road, with a center turn lane.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
659.	Missouri	Complete environmental impact study for North Oak Redevelopment.	\$500,000.00
660.	Michigan	Hartman-Hammond-Three Mile Road widening and bridge project.	\$3,000,000.00
661.	Massachusetts	Reconstruction of Goddard Memorial Drive from State Route 9 to Airport Drive, Worcester.	\$2,000,000.00
662.	New Jersey	Rehabilitation of Route 35 between Point Pleasant and Mantoloking NJ.	\$1,250,000.00
663.	California	Harbor Blvd. Intelligent Transportation System (ITS). Widen intersections and add lanes, Garden Grove/Anaheim.	\$1,200,000.00
664.	New York	Improvements for pedestrian and vehicular access to Baychester Avenue and Bartow Avenue.	\$600,000.00
665.	Minnesota	Corridor preservation and right-of-way acquisition from I-494 to the City of Annandale in Wright County, MN.	\$5,000,000.00
666.	New York	Rehabilitate Route 13 over Tioughnioga River-bridge access to City of Cortland.	\$1,020,000.00
667.	Pennsylvania	Restoration of I-176 from milepost 4 to milepost 7 and restoration of interchanges in Cumru and Robeson Townships, Berks County.	\$4,531,000.00
668.	Arkansas	Improvement on Grant County Road 14, Grapevine.	\$500,000.00
669.	Illinois	Construct grade separation on Grand Avenue, Franklin Park.	\$500,000.00
670.	Pennsylvania	Provide 4 through lanes on PA 100 by constructing 2 through lanes to the east of Ludwig's Corner.	\$6,000,000.00
671.	Arizona	Design Concept Study of Rio Salado Parkway West to connect Loop 202 extension in Phoenix to Loop 303, Buckeye.	\$2,800,000.00
672.	Illinois	Expand U.S. Route 20 to 4 lanes from Freeport to Galena, IL.	\$3,000,000.00
673.	California	Replace Davis Street Highway I-880 overpass, San Leandro.	\$1,000,000.00
674.	Texas	Add shoulders to FM 156 from Ponder, Texas to Krum, TX.	\$4,000,000.00
675.	New Jersey	Preliminary engineering for connection of Route 23 and I-80.	\$1,500,000.00
676.	Minnesota	Construct bridge for Paul Bunyan Trail over Excelsior Road, Baxter.	\$1,200,000.00
677.	South Carolina	Bobby Jones Expressway (I-520)/to construct a circumferential route around Augusta, GA, and N. Augusta, SC, that is part of a larger system to relieve traffic congestion.	\$2,000,000.00
678.	Virginia	Route 369/construction of Route 369 from Southwest Virginia Community College campus to Route 19.	\$983,000.00
679.	Florida	Belleair Causeway Bridge, Pinellas County ...	\$19,000,000.00
680.	New Jersey	Roadway improvements in vicinity of Exit 12, NJ Turnpike, Carteret.	\$1,000,000.00
681.	California	Widening of 2 lane SR 79 highway to 4 lanes	\$2,000,000.00
682.	Georgia	Streetscape project to replace sidewalks in downtown Forsyth.	\$300,000.00
683.	Iowa	Complete the bicycle and pedestrian trail system for the Des Moines area through the development of a signature Riverwalk project.	\$5,000,000.00
684.	California	Improvements (including arterial street rehabilitation) to enhance traffic and pedestrian safety in Reseda, Canoga Park, and Winnetka, Los Angeles.	\$3,250,000.00
685.	Maine	Plan and construct highway access between Route 161 in Daigle to U.S. Route 1, Madawaska.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
686.	Wyoming	Bike Path from Jackson to Jenny Lake (25 mile).	\$2,000,000.00
687.	Pennsylvania	Construct the realignment of Cool Creek Road in York County, Pennsylvania, or other eligible projects selected by York County, Pennsylvania MPO.	\$1,000,000.00
688.	Pennsylvania	Design, engineering, ROW acquisition, and construction of intersection improvements and safety enhancements, Borough of Dunmore in Lackawanna County.	\$650,000.00
689.	California	Upgrade roads, traffic signals and turn lanes in order to ease traffic congestion for the Willow/Ashlan and Shaw intersections.	\$1,500,000.00
690.	New York	Design and construct pedestrian and bicycle path (Buttermilk Falls Trail), Ithaca.	\$544,000.00
691.	Pennsylvania	Redesign and upgrade of I-70 and I-79 South interchange to current Federal safety standards.	\$3,000,000.00
692.	Mississippi	Martin Bluff Road improvements, Gautier	\$3,000,000.00
693.	California	Improvements to interchange between SR 23 and SR 101. Could include widening of SR 23 from 2 lanes to 3.	\$4,856,000.00
694.	Washington	Extension of Waaga Way W to Old Frontier Rd. to complete a portion of the SR 3, 303 interchange.	\$500,000.00
695.	Pennsylvania	The French Creek Parkway and Connector Roads.	\$5,000,000.00
696.	California	Coastal Corridor Investments Phase II-A/ multi-modal improvements on Rosecrans Avenue between Sepulveda Blvd. and I-405, El Segundo.	\$3,000,000.00
697.	New York	Plan and construct greenway/bicycle path/esplanades and ferry landing along New York Bay in Sunset Park, Brooklyn.	\$10,000,000.00
698.	Mississippi	Upgrade roads in Gunnison, Mound Bayou, Beulah, Benoit, and Shaw, Bolivar County.	\$2,400,000.00
699.	Alabama	Study and design phase of major north-south West Alabama highway from Muscle Shoals to Mobile.	\$1,000,000.00
700.	Ohio	Call Road Paving, and construction of access improvements in Perry Village.	\$67,000.00
701.	California	Reconstruct and widen Del Amo Blvd. to 4 lanes between Normandie Ave. and New Hampshire Ave., Los Angeles County.	\$3,000,000.00
702.	Texas	Drainage study and engineering for U.S. 83, Starr County.	\$1,000,000.00
703.	Iowa	Construct bypass (U.S. 61) around City of Fort Madison, IA.	\$5,000,000.00
704.	New Jersey	Replace Rockaway Road Bridge over NJ Transit and Rockaway River.	\$1,000,000.00
705.	Florida	Replacing the outdated signals along U.S. 19 in Pasco County and linking them together for 1 computerized system.	\$7,000,000.00
706.	Maine	Improvements to Route 108 to enhance access to business park, Rumford.	\$1,500,000.00
707.	Arkansas	Development of grade separation on Highway 165, Stuttgart.	\$1,000,000.00
708.	Illinois	Resurface Shawnee College Road, Pulaski County.	\$1,264,000.00
709.	Pennsylvania	Design, engineering, ROW acquisition and construction of surface improvements to the area adjacent to Exit 168 of I-81 at the Wachovia Arena, Wilkes-Barre Township.	\$500,000.00
710.	New York	Construct Millennium Parkway in the towns of Dunkirk and Sheridan.	\$11,500,000.00
711.	Connecticut	Construct Pomfret Pedestrian Bridge	\$120,000.00
712.	Illinois	Resurface Clifton Park Avenue and South Louis Avenue, Evergreen Park.	\$350,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
713.	New York	Buttermilk Falls bridge replacement in Town of Warwick, NY.	\$250,000.00
714.	Iowa	Construction and access between Sioux City, the primary routes leading to the city (I-29, U.S. Highway 20, U.S. Highway 75, U.S. Highway 77, and Iowa Highway 12).	\$1,000,000.00
715.	New Jersey	Construct United States Avenue bridge, Lindenwold.	\$1,000,000.00
716.	Ohio	Land acquisition for enhancements and pedestrian paths in Silver Lake Township.	\$450,000.00
717.	Minnesota	Construct 3 segments of Cuyuna Lakes Trails, Crow Wing County.	\$1,200,000.00
718.	Missouri	Construction of diamond interchange at U.S. 71 and Business 71. Final project in U.S. 71 upgrade.	\$3,000,000.00
719.	Utah	Reconstruction of Box Elder County Road 523 (Forest Street), Box Elder County, UT.	\$3,000,000.00
720.	Virginia	Improve Main Street in Covington	\$500,000.00
721.	California	Realign and make improvements to California Highway 199 between mile marker 22.16 and mile marker 23.65.	\$1,000,000.00
722.	Ohio	Construct bike/pedestrian path, Fairview Park.	\$200,000.00
723.	Florida	Construct Eastern Connector in East Central FL.	\$1,000,000.00
724.	Michigan	Pittsfield Greenways/2.5 miles of pathways to existing Ann Arbor pathways, Pittsfield Charter Township.	\$299,000.00
725.	Tennessee	Interchange improvements to increase traffic safety on U.S. 25E between I-81 and Cherokee Lake and bridge improvements to local roads.	\$500,000.00
726.	Pennsylvania	This project involves widening the intersection of PA 100 and Park Road to accommodate left turn lanes on all approaches and installation of a new traffic signal.	\$1,322,000.00
727.	Florida	Pedestrian/bike path improvements and safety projects in Windermere, Florida.	\$500,000.00
728.	Florida	Construct high rise replacement bridge and approaches adjacent to existing moveable bridge over the Intercoastal Waterway, Brevard County, FL.	\$6,000,000.00
729.	Ohio	State Route 8 safety improvement and road expansion project in North Summit County.	\$4,000,000.00
730.	New Jersey	Route 17 Congestion Improvements and Widening, from Route 46/Williams Avenue, Hasbrouck Heights to Routes 4 and 17 Interchange, Paramus.	\$12,000,000.00
731.	Iowa	University Boulevard widening between 73rd St. and NW 86th St., Clive.	\$1,000,000.00
732.	Minnesota	Kandiyohi and Meeker Counties Highway 7 between TH 71 and TH 22.	\$2,440,000.00
733.	Texas	Improvements to Military Road, Penitas	\$400,000.00
734.	Ohio	Bicycle trail and pedestrian trail construction in City of Willoughby.	\$600,000.00
735.	Missouri	Conduct Study of U.S. 65/U.S. 60 Interchange Replacement, Springfield, MO.	\$2,000,000.00
736.	Connecticut	Reconstruct I-95/I-91/Route 34 Interchange and construct pedestrian walkway.	\$2,000,000.00
737.	Florida	Florida Keys Overseas Heritage Trail bridge rehabilitation.	\$2,000,000.00
738.	Illinois	Undertake access improvements to Museum Campus, Chicago.	\$2,000,000.00
739.	New York	Implement Intelligent Transportation System Sensor Technology to Improve Security at Bridges and Tunnels in Metropolitan New York City.	\$1,000,000.00
740.	Louisiana	Upgrade LA 28 to 4 lanes from LA 121 to LA 465.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
741.	Illinois	Reconstruct Lakeshore Drive overpass over Wilson Avenue, Chicago.	\$1,500,000.00
742.	Missouri	Access improvements at U.S. 7 and I-70 and safety and mobility upgrades. Part of Highway 7 corridor development plan.	\$3,000,000.00
743.	Wisconsin	Reconstruct Marquette Interchange	\$10,000,000.00
744.	Minnesota	CSAH 21 roadway improvements, City of Ely	\$1,000,000.00
745.	California	Improvement of Culver Boulevard between Elenda and Sepulveda; Sepulveda Blvd. between Green Valley Circle and Jefferson Boulevard, Culver City.	\$2,300,000.00
746.	New York	Improvements on the Cross Island Bridge Overpass/212 Street and vicinity, Queens, NY.	\$3,120,000.00
747.	Tennessee	Improve SR 62 in Morgan County near U.S. 27 in Wartburg to Petit Lane from existing 2 lanes to 4 lanes.	\$2,000,000.00
748.	California	Develop and implement traffic calming measures for traffic exiting the I-710 into Long Beach.	\$1,000,000.00
749.	Ohio	Safety improvements to 2 intersections at Meese Rd. and Easton St. in Nimishillen Township.	\$1,500,000.00
750.	Hawaii	Widen Queen Kaahumanu Highway	\$4,850,000.00
751.	Massachusetts	Feasibility and environmental impact study into proposed relocation of New Bedford/Fairhaven (Route 6) Bridge.	\$3,000,000.00
752.	Pennsylvania	This project involves realigning the intersection of King of Prussia Road and Upper Gulph Road and provide turning lanes and signalization.	\$1,649,000.00
753.	New York	Rehabilitate and realign Union Valley Rd., beginning at Sandy St. in Town of Carmel, NY.	\$500,000.00
754.	Utah	Highway 191, Moab	\$400,000.00
755.	Idaho	New roadway, overpass and connecting intersection to provide access across I-84 in Meridian, Ada County.	\$4,000,000.00
756.	Michigan	Greenville, Michigan/Fred Meijer Heartland Trail Completion.	\$2,000,000.00
757.	Pennsylvania	PA Route 183 widening and ramp enhancement, Bern Township.	\$1,600,000.00
758.	Minnesota	North-South Corridor with Railroad Overpass, City of Staples.	\$1,500,000.00
759.	California	Modifies 9 traffic signals between Willow Road and Middlefield Road and Hamilton Avenue, Menlo Park.	\$300,000.00
760.	Arkansas	New Interchange on I-540 near the existing Perry Road overpass in Rogers.	\$7,000,000.00
761.	Illinois	Upgrade roads, Village of Berkeley	\$800,000.00
762.	California	Develop bicycle paths and public park space adjacent to the New River, Calexico.	\$4,150,000.00
763.	Michigan	Northville, Taft Rd. from 8 mile north to city limits.	\$500,000.00
764.	Rhode Island	Route 403 Construction, stage 2/complete freeway in East Greenwich and North Kingstown, and Route 4 to Davisville Road.	\$6,000,000.00
765.	Arkansas	Improvements to SH 102 in Bentonville from U.S. 71B to west city limits.	\$1,500,000.00
766.	Pennsylvania	Widening of U.S. Route 22 and SR 26 in Huntingdon. Upgrades to the interchange at U.S. 22 and State Route 26.	\$3,200,000.00
767.	Texas	Feasibility study to examine the southern route of the La Entrada al Pacifico Trade Corridor.	\$2,000,000.00
768.	Delaware	Operational and capacity improvements to critical locations along I-95 in New Castle County.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
769.	Florida	Expanding the capacity of a segment of U.S. 19 from Whitney Road to Drew Street in Pinellas County.	\$6,000,000.00
770.	Michigan	Upgrade Tilson Road between M 28 South to intersection of M 28 at Rudyard, Chippewa County.	\$1,000,000.00
771.	New York	Rehabilitate Bridge Street Bridge in Town of Newark Valley.	\$1,040,000.00
772.	Tennessee	Construct SR 1/U.S. 70 to a 4 lane divided highway on new alignment from Centertown to McMinnville, Warren County.	\$11,500,000.00
773.	Pennsylvania	Widen Route 22 to 8 lanes from the intersection of Route 22 and I-78 in the west to Route 33 in the east.	\$8,000,000.00
774.	Kentucky	Reconstruct I-471/KY 8 interchange	\$2,000,000.00
775.	Illinois	Construct road to provide access to Belleville's Citizen Park, Belleville.	\$2,000,000.00
776.	New York	Rehabilitate Riis Park Boardwalk	\$300,000.00
777.	California	Construct right turn lanes, bus turn out lanes, right-of-way, traffic signals.	\$2,400,000.00
778.	Indiana	Study approximately 2 miles of railroad to eliminate in-town crossing, thus enhancing safety and reducing congestion in Delaware County, IN.	\$150,000.00
779.	New York	Improve Montauk Highway from CR46 to Barnes Road, Suffolk County.	\$8,000,000.00
780.	New York	Improve Ashburton Ave. from the Saw Mill River Parkway to the waterfront, Yonkers.	\$500,000.00
781.	Arizona	Widening of I-10 from 40th Street to Baseline Rd. in Phoenix.	\$4,500,000.00
782.	Georgia	Build a bridge across Big Indian Creek, Perry.	\$1,500,000.00
783.	Georgia	Streetscape project to upgrade sidewalks, lighting, and streets, Jeffersonville.	\$500,000.00
784.	Florida	PALM BAY PARK WAY from Malabar Road to Ellis Road located west of Palm Bay.	\$4,000,000.00
785.	Pennsylvania	New interchange off of Route 60 into proposed industrial park in Neshannock Township, PA.	\$1,000,000.00
786.	Louisiana	LA 10/Zachary Taylor Parkway, and LA 1148 in Iberville Parish, and LA 1/I-10 Connector Study.	\$4,000,000.00
787.	Illinois	Improve roads and bridges, Cicero	\$4,000,000.00
788.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance, restoration), Quitman.	\$75,000.00
789.	Georgia	Purchase of 4,000 acres for widening U.S. 441 for mitigation purposes.	\$2,000,000.00
790.	Minnesota	Stillwater-Oak Park Heights right-of-way acquisition for approaches to St. Croix River Crossing.	\$5,000,000.00
791.	Tennessee	Upgrade circuit at gates/lights for Bristol grade crossing (Hazelwood Street) to intelligent systems that eliminate current variability.	\$100,000.00
792.	Arkansas	For rail grade separations identified by the MPO for the Little Rock/North Little Rock metropolitan area, (which may include: Edison Avenue; McCain/Fairfax; Highway 100; J.P. Wright Loop; Highway 89 Extension; Geyer Springs Road; Confederate Blvd.).	\$12,000,000.00
793.	New York	Construction of and improvements to Main Street in the Town of Aurora.	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
794.	Alabama	U.S. 280/Urban Interchanges from U.S. 31 (Red Mountain Expressway) to Shelby CR 47.	\$10,000,000.00
795.	California	Rehabilitate the pavement of Vincent Avenue between I-10 and the north city limit, West Covina.	\$450,000.00
796.	New York	Realignment of Union Valley Rd. in Town of Carmel, NY.	\$300,000.00
797.	Texas	Grade separation of SH 146 over future Port Terminal Railway (PTRA) lead track and Red Bluff Rd. supports proposed Bayport Terminal Complex.	\$11,400,000.00
798.	Tennessee	Continuation of Shelby Avenue-Demonbreun Street project, Nashville.	\$6,500,000.00
799.	Arizona	Construction of a 4 lane tunnel to link Butherus Dr. to Raintree Dr. in Scotsdale.	\$1,500,000.00
800.	Michigan	Michigan Intermodal Transportation Management Center to administer surface, highway, transit, and bridge tunnel intelligent hardware.	\$350,000.00
801.	Pennsylvania	PA 896 between Strasburg Borough and U.S. 30 needs to be widened to reduce congestion and to improve safety.	\$1,000,000.00
802.	New York	Rehabilitate a historic freight warehouse in the Erie Canal's Inner Harbor of Syracuse, NY and develop it into a transportation museum.	\$400,000.00
803.	Ohio	Construct connector road between I-680 and I-80, Hubbard.	\$2,000,000.00
804.	Nevada	Design and Construct I-15 Interchange, Mesquite Nevada.	\$1,500,000.00
805.	North Carolina	Expand freeway management system on I-540 through video camera and fiber optic communications installation, Wake County.	\$1,700,000.00
806.	Michigan	Design, ROW acquisition, and construction for road widening/passing lane on U.S. 127 South between M 50 and Michigan 223 and on Michigan 223 to U.S. 23.	\$2,200,000.00
807.	Illinois	Intelligent Transportation System (ITS) demonstration project. Emphasis will be on improved incident management strategies and collecting/providing real-time travel information on Lake Cook Road from U.S. 12 and U.S. 41.	\$540,000.00
808.	California	Widen Harbor Blvd. to 8 lanes in Anaheim Resort Area.	\$1,000,000.00
809.	Indiana	Reconstruction from intersection of County Road 500E and U.S. 52 to the intersection of County Road 500E and County Road 1200N.	\$914,000.00
810.	California	Upgrade and extend Commerce Avenue, City of Concord.	\$1,750,000.00
811.	Nebraska	Completion of the Columbus, Nebraska, North Arterial road.	\$5,000,000.00
812.	Florida	West Avenue Connector Bridge, Miami Beach	\$1,500,000.00
813.	Connecticut	Campbell Avenue streetscape enhancements, West Haven.	\$1,500,000.00
814.	Massachusetts	Reconstruct and enhance Melnea Cass Boulevard, Boston.	\$2,000,000.00
815.	California	Preliminary engineering and EIS/EIR process for 33-mile long Orange Line mag-lev connecting Los Angeles with Orange County.	\$300,000.00
816.	New York	Construction of and improvements to Union Road and Walden Avenue in Cheektowaga.	\$1,000,000.00
817.	Indiana	126th St. project is a 3.9 mile roadway between 2 high schools in Fisher. Street will expand to 4 lanes with curb.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
818.	New York	Bicycle/Pedestrian trail linking East and West portions of town in Town of Warwick, NY.	\$500,000.00
819.	Texas	Construct highway improvements on E. Tidwell, Ley Rd, and E. Little York Rd.	\$4,000,000.00
820.	California	Widen and reconstruct Arch-Sperry Road to improve connection between I-5 and SR 99, San Joaquin County.	\$5,000,000.00
821.	California	Construct San Leandro-Oakland biking and hiking path.	\$750,000.00
822.	Mississippi	Memorial Boulevard improvements, Picayune	\$1,380,000.00
823.	Wisconsin	Widen State Highway 29 from I-94 to City of Chippewa Falls.	\$4,000,000.00
824.	Virginia	Further widen I-66 westbound from Rosslyn Tunnel to Dulles Access Road.	\$5,000,000.00
825.	Pennsylvania	Oakland Portal-Bates Street/I-376 exchange reconfiguration and resignalization and replacement of low clearance bridge carrying the Eliza Furnace Trail.	\$1,000,000.00
826.	Texas	Engineering, Design, Environmental Studies, and right-of-way acquisition for a direct connector interchange from between I-45 and State Highway 146.	\$4,000,000.00
827.	Illinois	Construct Leon Pass overpass, Hodgkins	\$1,000,000.00
828.	North Carolina	Lenoir County highway improvements on Crescent Road to NC 58.	\$1,600,000.00
829.	California	Auburn Boulevard Reliever Route Undergrounding construction along I-80, Citrus Heights, CA.	\$2,000,000.00
830.	New York	Improve pedestrian and bicyclist safety along Queens Boulevard in Sunnyside and Woodside, Queens.	\$500,000.00
831.	California	Build interchange connecting State Route 99 to newly aligned State Highway 132, Modesto.	\$18,500,000.00
832.	Michigan	Van Buren, Belleville Rd. widen to 5 lanes between Tyler and Ecorse.	\$1,100,000.00
833.	Virginia	Repair of Starling Av Bridge in Martinsville	\$500,000.00
834.	California	Widen State Route 99 to 6 lanes between Kingsburg and Selma, Fresno County.	\$14,000,000.00
835.	Pennsylvania	Redesigning the intersection of U.S. 322/High Street and Rosedale Ave., constructing a new East Campus Drive.	\$1,000,000.00
836.	Florida	Improvements to U.S. 1 between SW 4th street to the south and George Bush Blvd. to the north, Delray Beach, FL.	\$2,000,000.00
837.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 200.	\$250,000.00
838.	Massachusetts	Extensions and additions to the existing North Worcester County Bike Path System, including the Hardwick bike path.	\$6,000,000.00
839.	New York	Construction of and improvements to South Park Avenue and Lake Avenue in the Village of Blasdell.	\$500,000.00
840.	Illinois	Reconstruct Irving Park Road bridge of the North Branch of the Chicago River, Chicago.	\$4,030,000.00
841.	Washington	Tacoma Lincoln Avenue/elevate Lincoln Ave. by constructing a viaduct over existing railroad lines.	\$1,000,000.00
842.	Ohio	Road paving, pedestrian traffic and safety improvements throughout the Village of Bentleyville.	\$833,000.00
843.	Michigan	Reconstruct Bissonette Road from Lorenz Road to M65 with 12 ft. lanes and 2 ft. paved shoulders and gravel shoulders, Iosco County.	\$623,500.00
844.	Illinois	Improve roads and bridges, Village of River Forest.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
845.	Virginia	Rocky Knob Appalachian Heritage Center/feasibility study, design, site acquisition for trail system and visitors center on Blue Ridge Parkway.	\$1,500,000.00
846.	Connecticut	Improve Plainfield Cemetery Road and Drainage.	\$300,000.00
847.	Ohio	Rehabilitation/replacement of rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties.	\$360,000.00
848.	Ohio	State Route 8 Interchange and Ramp Construction at Seasons Road, Cities of Hudson and Stow.	\$4,000,000.00
849.	Mississippi	Upgrade roads in Indianola (U.S. Highway 82 and 49), Ruleville (U.S. Highways 82 and 6), Moorehead (U.S. Highway 82 and 3), Doddsville (U.S. Highway 49), Sunflower (U.S. Highway 49) and Drew (U.S. Highway 49), Sunflower County.	\$2,300,000.00
850.	California	Renovation and repair of Rosemead Blvd./Highway 19 such as new sidewalks, traffic loops, pavement, street lights.	\$100,000.00
851.	Illinois	Connects about a 2-mile 2 lane segment through Collinsville with IDOT's current project of widening IL 159.	\$1,000,000.00
852.	New York	Improvements to the Far Rockaway Business District, Queens.	\$2,400,000.00
853.	New Jersey	Construct new ramps between I-295 and Route 42.	\$5,000,000.00
854.	South Carolina	Simmons Ford/Fork School Road Bridge in Anderson County.	\$235,000.00
855.	Arkansas	Improvement of Higdon Ferry Road, Hot Springs.	\$4,000,000.00
856.	California	Eucalyptus/Peyton Drive intersection improvements in the City of Chino Hills.	\$7,036,110.00
857.	Mississippi	Upgrade roads in Mayersville (U.S. Highway 14 and 1), Issaquena County.	\$200,000.00
858.	New York	Rehabilitation of Guy Lombardo Avenue in Freeport, New York.	\$1,700,000.00
859.	Indiana	Extend and improve the Cardinal Greenway in the City of Richmond, IN.	\$2,000,000.00
860.	Virginia	Reconstruction of Robertson Bridge in Danville.	\$5,970,000.00
861.	Connecticut	Conduct multimodal study of Route 8 corridor.	\$1,000,000.00
862.	Ohio	Construct an access road into the industrial park near SR 209 and CR 345 in Guernsey County.	\$800,000.00
863.	California	Widen South Main Street/Soda Bay Road between CR 400A/miler marker 0.0-mile marker 0.7 and CR 502/mile marker 0.0 and mile marker 0.9.	\$4,000,000.00
864.	Ohio	Construct grade separation at Stearns Road, Cuyahoga County.	\$3,750,000.00
865.	Illinois	Construct DuPage River Bike and Pedestrian Trail linking Grand Illinois, Midewin, and I&M Canal Trails.	\$100,000.00
866.	Texas	Construct parallel bridge for SH 35 over Copano Bay.	\$2,000,000.00
867.	Pennsylvania	For the City of Philadelphia to begin construction of a low-impact, 2-lane roadway serving the North Delaware Riverfront corridor.	\$10,000,000.00
868.	Arkansas	Improvement of Ryburn road, Parker Loop, Hill Harper Road, Rogers Road, and Shady Grove Road, Cleveland County.	\$500,000.00
869.	Alaska	Keystone Drive Road Improvements	\$1,000,000.00
870.	New York	Improve Long and Short Beach Road, Southampton.	\$2,100,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
871.	California	Widen Avenue P to 6 lanes to alleviate traffic congestion in Palm Dale, CA.	\$4,000,000.00
872.	Colorado	East 104th and U.S. 85 Intersection: Study, design and construction of needed improvements to intersection.	\$2,000,000.00
873.	Alaska	Construct access road connection from Seward Highway to rail and airport facilities in Seward.	\$3,000,000.00
874.	Texas	Widen U.S. 380 West from 2 to 4 lanes from the Denton, Texas city limits to western Denton County line.	\$5,000,000.00
875.	Ohio	Construct Safety and Accessibility Improvement project on U.S. Route 40, Bridgeport.	\$100,000.00
876.	Michigan	repave of Frenchline Road from State Highway M 53 to Juhl Road.	\$500,000.00
877.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, Borough of Duryea in Luzerne County.	\$250,000.00
878.	Alabama	Create a U.S. 431 bypass around Eufaula, AL.	\$1,000,000.00
879.	North Carolina	New route from U.S. 17 in Brunswick County to Independence Boulevard in Wilmington, including new bridge over Cape Fear River.	\$1,000,000.00
880.	Washington	Congestion relief on I-405 with added lanes from SR 520/SR 522 including 2 lanes each way from NE 85th/NE 124th.	\$1,000,000.00
881.	Illinois	Resurface Internationale Parkway between Lemont Road and Joliet Road in Woodridge, IL.	\$100,000.00
882.	Texas	Pedestrian walkway improvements for the Main Street Corridor Revitalization Project, Houston.	\$16,000,000.00
883.	Wisconsin	Construct State Highway 110 (County Highway G to Winchester), Winnebago County, WI.	\$5,000,000.00
884.	Minnesota	Construct 4th Street overpass grade separation crossing a BNSF Rail Road, City of Carlton.	\$199,794.00
885.	American Samoa	Village road improvements for Tau, Ofu, and Olosega-Sili counties in Manua District.	\$1,400,000.00
886.	New York	Remediate road runoff in vicinity of Peconic Estuary watershed.	\$1,000,000.00
887.	Texas	I-35 Replacement Bridge, Dallas	\$10,400,000.00
888.	Ohio	Red Bank Road Widening I-71 to Fair Lane in Hamilton County.	\$4,100,000.00
889.	Georgia	Upgrade sidewalks and lighting, Wrightsville	\$500,000.00
890.	Louisiana	Construct Kansas-Garrett Connector and I-20 Interchange Improvements, Ouachita Parish.	\$5,000,000.00
891.	Connecticut	Construct Enfield Maple Street Bridge Replacement.	\$1,910,000.00
892.	Texas	Anzalduas Bridge Connection from the proposed bridge GSA facilities, north 2.4 miles to connect to Bryan Road, Mission.	\$500,000.00
893.	Ohio	Paving, access and service road construction at Gate Lodge site in the City of Akron.	\$180,000.00
894.	Oregon	I-5/Beltline Interchange	\$15,000,000.00
895.	Texas	Construction of the Northeast Parkway from Loop 375 to the Texas-New Mexico State line on FM 3255, El Paso.	\$4,500,000.00
896.	Illinois	Improve streets, Merrionette Park	\$500,000.00
897.	Illinois	For widening from 2 to 4 lanes, the Brookmont Boulevard Viaduct in the City of Kankakee.	\$750,000.00
898.	Georgia	Create a greenway trail along the Oconee River connecting parks, preserving historic sites, and promoting economic development.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
899.	Nevada	Widening of I-15 from U.S. 95 to Speedway Blvd.	\$6,000,000.00
900.	Pennsylvania	Conducting environmental review and acquire right-of-way for preferred alternative to improve Route 41.	\$4,000,000.00
901.	Georgia	Construct Peter St. and Olympic Drive access perimeter around City of Athens.	\$2,000,000.00
902.	New York	Rehabilitate Fishkill Road, culvert replacement at Foundry Brook in Putnam County, NY.	\$1,200,000.00
903.	Virginia	Construct Route 29 Bypass in Amherst and Lynchburg.	\$2,000,000.00
904.	Minnesota	Construction of Mesabi Station, City of Virginia.	\$1,300,000.00
905.	Pennsylvania	Construction of the Jeannette Truck Route to upgrade access from SR 30 to the City of Jeannette and the Jeannette Industrial Park.	\$4,000,000.00
906.	Kentucky	Replace bridge over Stoner Creek (C-37), 2 miles east of Junction U.S. 27.	\$800,000.00
907.	Texas	Construct Arkansas Avenue railroad grade separation project, Laredo.	\$4,500,000.00
908.	Minnesota	CSAH 61 improvements, City of Coleraine, Itasea County.	\$490,000.00
909.	New Jersey	Route 52 Causeway Replacement and Somers Point Circle Elimination. Replace 4 bridges with fixed span elevated structure, replace circle with intersection.	\$9,000,000.00
910.	North Carolina	Study feasibility of widening NC226, initiate preliminary planning and design and make operational upgrades to improve safety.	\$2,000,000.00
911.	District of Columbia.	11th St. Bridges Rehabilitation of structures as well as new ramps to provide for traffic at Navy Yard, Southeast Federal Center, and Gateway Government Center.	\$32,000,000.00
912.	Delaware	Replacement of Indian River Inlet Bridge along SR 1.	\$5,000,000.00
913.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Niota, TN.	\$57,000.00
914.	Virginia	Wolf Creek Trail/development of trail along Wolf Creek, Washington County.	\$75,000.00
915.	Virginia	Improve Route 221 in Forest, VA	\$1,000,000.00
916.	Tennessee	Widen SR 66 in Sevier County, north of Sevierville to a 6-lane facility.	\$2,000,000.00
917.	Illinois	Patch, drain, resurface, resoulder, and reconstruct county highways 8 and 29 at their I-55 interchanges.	\$1,000,000.00
918.	Mississippi	SR 44 rerouting, Columbia	\$3,500,000.00
919.	New York	Pedestrian walkway and bikeway improvements along the NYC Greenway System in Coney Island.	\$3,200,000.00
920.	Massachusetts	Construct Blackstone River Bikeway between Providence, RI and Worcester, MA.	\$3,500,000.00
921.	Washington	SR 2/Main Street/Old Owen Road Intersection, Monroe.	\$540,000.00
922.	Iowa	Construct SW connector from the interchange of relocated IA 5 to IA 28 in West Des Moines.	\$2,000,000.00
923.	Florida	Construction of U.S. 1 Interchange at CR 210 in St. Johns County, Florida.	\$6,300,000.00
924.	Massachusetts	Reconstruction of the North Washington Street Bridge, Boston.	\$8,000,000.00
925.	Oregon	South Bank Trail, Eugene	\$1,920,000.00
926.	Minnesota	Construct roadway improvements to CSAH 76, Little Falls.	\$600,000.00
927.	Illinois	Widen IL Route 47 thru Huntley, IL	\$3,900,000.00
928.	Rhode Island	Replace Sakonnet Bridge	\$9,500,000.00
929.	New Jersey	Study and preliminary engineering designs for a boulevard on State Route 440 and U.S. Highway Routes 1 and 9, Jersey City.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
930.	Ohio	Highway safety construction/improvements in Geauga County on Merritt Rd.	\$300,000.00
931.	Louisiana	Develop master transportation plan for the New Orleans Regional Medical Center.	\$300,000.00
932.	Pennsylvania	Erie Corridor Upgrades: Peach St./I-90 to Waterford; Route 89/Route 6 to Route 8; Route 6N/I-79 to Angling Rd.; Route 6/Route 89N to Corry; Route 6 at Ranges Corner Hill, E. of Union City, Routes 89, 8, and 19.	\$1,000,000.00
933.	Tennessee	Create a multi-faceted greenway in downtown Columbia on the Duck River.	\$8,000,000.00
934.	Michigan	M 6 Paul Henry Freeway trail design and construction.	\$2,660,000.00
935.	Mississippi	Pearl-Richland Intermodal Connector: Intermodal connector linking I-20 to U.S. Highway 49 and servicing Kansas City Southern Railroad Intermodal facility.	\$1,000,000.00
936.	Washington	Bremerton Pedestrian/Bremerton Transportation Center Access Improvement project.	\$20,000,000.00
937.	California	Construct Silicon Valley Transportation Incident Management Center, San Jose.	\$6,000,000.00
938.	New York	Rehabilitate Route 9 in City of Peekskill	\$1,775,000.00
939.	New York	Construction of and improvements to Niagara Street in Buffalo.	\$1,000,000.00
940.	Alabama	Construct interchange on I-59 at 49th Street (City of Fort Payne).	\$3,000,000.00
941.	West Virginia	Constructing 4 lane improvements on U.S. Route 35 in Mason County, WV.	\$44,250,000.00
942.	Pennsylvania	Replacement of the Blair Creek Bridge (SR 1010) over the Little Lehigh Creek, just west of the Maple Grove Bridge in Longswamp Township, Berks County.	\$1,600,000.00
943.	California	Improve I-8 offramp at Octotillo to the Imperial Valley College Desert Museum/Regional Traveler Visitor Center, Imperial County.	\$1,000,000.00
944.	California	Widen SR 99 between Tulare and Kingsburg, CA.	\$3,800,000.00
945.	California	Add carpool lane and truck lane on I-5 in Santa Clarita Valley, CA.	\$1,500,000.00
946.	Minnesota	Construct full diamond interchange for TH 53 at 6th Ave., City of Virginia.	\$2,100,000.00
947.	Florida	Improvements to I-75 between Daniels Parkway in Lee County, FL, and Golden Gate Parkway in Collier County.	\$34,000,000.00
948.	Virgin Islands	Reconstruct Scott Free Road, St. Thomas	\$7,000,000.00
949.	Connecticut	Construct Groton Bicycle and Pedestrian Trails and Facilities.	\$380,000.00
950.	Pennsylvania	Logan Sq. transportation enhancements involving pedestrian, safety, and landscaping improvements to area bisected by Benjamin Franklin Parkway and Logan Circle.	\$1,250,000.00
951.	New Hampshire	Reconstruction and upgrade of the intersection of NH 130 and Broad Street in Hollis, NH.	\$464,000.00
952.	Alabama	Additional lanes on U.S. 84 from Andalusia to Enterprise.	\$1,000,000.00
953.	New York	Implement Improvements for Pedestrian Safety in New York County.	\$1,000,000.00
954.	Ohio	Road Construction parallel to railway crossing to eliminate use of unsafe grade crossing on Hines Hill Road, City of Hudson.	\$300,000.00
955.	Minnesota	Construction of primary and secondary access roadways to the Duluth Air National Guard Base, City of Duluth.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
956.	New Jersey	Project will separate the intersection of 13th Street and the Lehigh Rail Line through bridge or tunnel in Borough of Manville, NJ.	\$500,000.00
957.	Ohio	Expand Cuyahoga Tow Path, Brooklyn Heights and Newburg Heights.	\$3,250,000.00
958.	Florida	Improvements to State Road 710, Congress Avenue to Dixie Highway, Palm Beach County.	\$3,000,000.00
959.	Nebraska	Construct an Interchange at Pflug Road and I-80, Sarpy County.	\$1,000,000.00
960.	Georgia	I-75 widening from 4 to 8 lanes, Tift/Lowndes/Turner County.	\$1,000,000.00
961.	California	Monterey Bay Sanctuary Scenic Trail/connect missing segments of a bike and pedestrian trail around the Monterey Bay National Marine Sanctuary.	\$5,000,000.00
962.	Illinois	Construct pedestrian walkways and streetscaping projects, Western Springs.	\$4,210,000.00
963.	Illinois	Undertake streetscaping project on Harlem Avenue initiating from 71st Street to I-80, Cook County.	\$5,000,000.00
964.	Pennsylvania	SR 3003 Bridge, replace bridge with possible roadway realignment in Mehoopany, Wyoming County.	\$2,000,000.00
965.	Arkansas	Construction of I-49, Arkansas portion of Bella Vista Bypass to Pineville, Missouri.	\$10,000,000.00
966.	Ohio	Improvements to Lauby Rd., an exit off I-77 in the City of Green.	\$1,500,000.00
967.	Georgia	SE DeKalb Arterial Analysis	\$1,000,000.00
968.	Oregon	Study landslides on U.S. Highway 20 between Cascadia and Santiam Pass to develop long-term repair strategy.	\$1,000,000.00
969.	Illinois	Construct connector road from McCormick Blvd. to I-94, Lincolnwood.	\$1,000,000.00
970.	New Jersey	Pedestrian facilities and street lighting on Route 551 from Route 130 to Chestnut Street, Brooklawn.	\$400,000.00
971.	New Hampshire	Relocation of the intersection of Maple Avenue and Charleston Road (Routes 12 and 11) in Claremont, NH.	\$500,000.00
972.	Illinois	Conduct study of Oak Park Environmental Cap.	\$1,000,000.00
973.	New York	Construct and improve access roads to Northland Commerce Park in Buffalo.	\$1,500,000.00
974.	Florida	I-75 Interchange Improvements in Pembroke Pines, Broward County, FL.	\$9,000,000.00
975.	Texas	Hike and bike trail will tie into the Gellhorn Dr. project providing an improved multi-modal transportation facility.	\$1,000,000.00
976.	Tennessee	Widen SR 75 to 5 lanes in Washington and Sullivan Counties.	\$2,500,000.00
977.	Arkansas	Repair Clear Creek Bridge and approaches, Lafayette County.	\$280,000.00
978.	Wisconsin	Reconstruct U.S. Highway 41 in Oconto County, WI.	\$2,000,000.00
979.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Sweetwater, TN.	\$96,000.00
980.	Oklahoma	Construction of Norman Grade Separation	\$2,000,000.00
981.	Washington	U.S. 12, Burbank to Walla Walla: Construct U.S. Highway 12 from Wallula to Walla Walla, Washington.	\$3,000,000.00
982.	Illinois	Improve roads, Village of Bellwood	\$1,328,000.00
983.	Ohio	Bridge replacement over the Tuscarawas River in Bethlehem Township.	\$1,300,000.00
984.	New York	Improve North Fork Trail, Southold	\$200,000.00
985.	Arizona	Construct railroad grade separations (on 6th St. and 22nd St.) and reconstruct Speedway Blvd. Underpass, Tucson.	\$7,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
986.	California	Atlantic Blvd. Bridge widening, Vernon	\$1,000,000.00
987.	Indiana	Upgrade of U.S. 31 from I-465 to SR 38 in Hamilton County, a distance of 12.5 miles.	\$1,000,000.00
988.	Connecticut	Construct Valley Service Road Project, North Haven.	\$1,000,000.00
989.	Pennsylvania	SR 3005 Bridge, replace the existing 1 span steel truss bridge with concrete box beam bridge. In Sterling Township, Wayne County.	\$1,000,000.00
990.	Puerto Rico	To provide for the extension of PR 53 between Yabucoa and underserved Maunabo. Project will enhance safety and efficiency while protecting the environment.	\$5,000,000.00
991.	South Carolina	Murphy Road West Bridge in Anderson County.	\$150,000.00
992.	California	Improve farm to market roads in Tulare County.	\$7,500,000.00
993.	Illinois	Phase II engineering study for high level bridge linking Caton Farm Road with Bruce Road.	\$2,000,000.00
994.	Maine	Safety Enhancements on Routes 11, 6, and 16 for Piscataquis County Industrial Development.	\$400,000.00
995.	Mississippi	Old Augusta Road project, Perry County	\$3,500,000.00
996.	Missouri	Lane widening and shoulder construction as part of larger 92-10 corridor development.	\$4,000,000.00
997.	Georgia	Construct a new Interchange at I-75 and CR 65 and perform renovations on CR 65.	\$7,757,976.00
998.	Texas	U.S. 59 just south of Nacogdoches, from Loop 224 south to Spradley Street.	\$3,000,000.00
999.	New York	Reconstruct Page Green Road (Starr Road to Congdon Lane).	\$2,900,000.00
1000.	Massachusetts	Reconstruct and enhance Massachusetts Avenue, Boston.	\$5,000,000.00
1001.	Oregon	Construct turn lane on Highway 101, Gold Beach.	\$200,000.00
1002.	Florida	Timucuan Bike Trail in Duval County	\$1,500,000.00
1003.	Texas	Extension of SH 190, the President George Bush Tollway, in Rowlett to IH 30 in Garland.	\$5,000,000.00
1004.	Colorado	Bromley Lane and U.S. 85 interchange feasibility study and construction of needed improvements.	\$2,000,000.00
1005.	Texas	SH 158 from U.S. 87, north of Sterling City to 9.5 miles west.	\$1,500,000.00
1006.	Alabama	Continuous river edge walkway creating a system of parks and open spaces in historic downtown Montgomery.	\$1,000,000.00
1007.	Wyoming	U.S. 85 Passing Lanes: Add passing lanes on the hills from Lusk to Mule Creek Junction.	\$2,000,000.00
1008.	Texas	Ennis, U.S. 287 Bypass from U.S. 287 South to IH 45, take from 2 to 4 lanes.	\$7,000,000.00
1009.	Mississippi	Airport Parkway Connector: Multi-lane limited access highway linking downtown Jackson to Jackson International Airport/western segment of project connecting I-55 to MS Highway 468.	\$2,000,000.00
1010.	Tennessee	Widen SR 101 in Cumberland County from 2 lane highway to 5 lanes between SR 282 (Dunbar Road) and 392, Crossville.	\$8,000,000.00
1011.	Illinois	Feasibility study to examine transportation access improvements related to South Suburban Airport, Will County.	\$100,000.00
1012.	Florida	Expansion of SR 35 in Marion County. The Project extends from SR 40 south to SR 464.	\$3,000,000.00
1013.	New Jersey	Expand Interchange at Exit 16 on I-280, Harrison.	\$10,000,000.00
1014.	Iowa	Reconstruct U.S. 30 "Liberty Square Redevelopment" in City of Clinton.	\$10,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1015.	Pennsylvania	Enhance and further build out existing ITIP ITS system, the Philadelphia region.	\$4,100,000.00
1016.	California	Conduct Study and Construct Vasco Road Safety Improvements Project, Contra Costa County, CA.	\$1,000,000.00
1017.	Illinois	Improve Cottage Grove/South Chicago Avenue/71st Street intersection, Chicago.	\$700,000.00
1018.	Florida	Improvements to Interstate 75 between Daniels Parkway in Lee County, FL, and Golden Gate Parkway in Collier County, FL.	\$14,000,000.00
1019.	Pennsylvania	Freeport Bridge Rehabilitation for structural improvements, Armstrong County.	\$1,500,000.00
1020.	Indiana	Improve Route 100 South, Porter County	\$1,000,000.00
1021.	Illinois	Study, design, and construct a designated truck route through the City of Monticello.	\$1,000,000.00
1022.	Florida	Upgrade U.S. 301 to 4 lanes between CR 475 and Jarrell Ave. in Sumter County.	\$4,000,000.00
1023.	Illinois	Construct certain segments of Southern DuPage County Regional Trail.	\$100,000.00
1024.	Texas	Reconstruct the I-30 Bridge over the Trinity River in Dallas, TX.	\$1,000,000.00
1025.	Ohio	New highway connector linking U.S. Route 36 and I-71 in Delaware County.	\$14,000,000.00
1026.	New York	Conduct corridor study on NYS 5 in the village of Herkimer.	\$80,000.00
1027.	Texas	Reconstruct and elevate FM 3005, Harborside Dr., and Stewart Rd., Galveston.	\$500,000.00
1028.	Florida	Construction of a new bridge at Indian Street, Martin County.	\$1,000,000.00
1029.	Ohio	Construct pedestrian bridge over I77; tunnel underneath railroad; bridge over Tuscarawas River along Ohio and Erie Canal in Tuscarawas County.	\$2,000,000.00
1030.	Maine	Kennebec River Rail Trail	\$400,000.00
1031.	Colorado	Widen and upgrade U.S. 36 from City of Boulder to I-25.	\$5,000,000.00
1032.	Illinois	Engineering studies and construction of Romeoville and/or Plainfield interchange(s) approved by FHWA.	\$1,500,000.00
1033.	Texas	U.S. 380 from Throckmorton/Young County line, 7.409 miles west.	\$1,000,000.00
1034.	Illinois	Construction and engineering U.S. Route 30 to 4 lanes between Fulton and Rockfalls, IL.	\$1,000,000.00
1035.	California	I-5 CIP adds general purpose lanes, HOV lanes and corridor arterial improvements from SR 91 to I-710.	\$5,650,000.00
1036.	Florida	I-95 Interchange at Becker Road in St. Lucie County, FL.	\$2,000,000.00
1037.	New York	Implement Diamond Grinding Measures to Reduce Noise on I-95, I-278, Mosholu Parkway, I-495, Grand Central Parkway, and Richmond Parkway.	\$700,000.00
1038.	Missouri	Construct new Missouri Route 19 Bridge at Hermann, Missouri.	\$1,000,000.00
1039.	Oregon	Reroute U.S. 97 at Redmond, OR and improve the intersection of U.S. 97 and Oregon 126.	\$5,000,000.00
1040.	Texas	Improvements to North I Road, north of FM 3461 to SH 495, Hidalgo County.	\$1,900,000.00
1041.	Tennessee	Proposed SR 385 from U.S. 72 to I-40 in Shelby and Fayette Counties. It is part of an outer loop, around the City of Memphis.	\$3,150,000.00
1042.	Florida	Replacement of a 2 lane bridge with a 4 lane bridge including bicycle and pedestrian lanes in Bay County.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1043.	Pennsylvania	Intersection improvements at PA Route 209 and Water Company Road, construction of a bridge and access enhancements to Nature and Arts Center, Upper Paxton Township.	\$500,000.00
1044.	Ohio	Upgrade Riversouth street networks between Route 40 and I-70/71 in Columbus, OH.	\$8,500,000.00
1045.	Maryland	Design and right-of-way of an interchange connecting MD 5, MD 373, and Brandywine Road, and the widening of MD 5 between Moore's Road and U.S. 301, Charles County.	\$10,000,000.00
1046.	Virginia	Town of St. Paul/restoration of historic Hillman House to serve as trail system information center on and construction of stations.	\$300,000.00
1047.	Arkansas	Overlay Lester Road, County Road 25, Ouachita County.	\$500,000.00
1048.	Indiana	Extend I-69 from Indianapolis to Evansville	\$22,500,000.00
1049.	Louisiana	Construct bridge across Ouachita River from Monroe, LA to West Monroe, LA.	\$1,500,000.00
1050.	Florida	Depot Avenue Road Enhancements, Gainesville.	\$6,000,000.00
1051.	New York	The Town of North Hempstead's improvements along Prospect Avenue corridor in the hamlet of New Cassel.	\$1,000,000.00
1052.	California	Reconstruct the interchange of I-5 and Richards Boulevard and other improvements.	\$10,000,000.00
1053.	New York	Route 17 M Corridor access management and safety improvements in Orange County, NY.	\$500,000.00
1054.	Oregon	Construct highway and pedestrian access to Macadam and construct street improvements as part of South Waterfront development.	\$9,000,000.00
1055.	Mississippi	Widening of MS Highway 15: Reconstruction, relocation, and widening segment of MS Highway 15 from Louisville to Philadelphia.	\$1,250,000.00
1056.	Illinois	Next phase of the U.S. Route 51 4-lane expressway extension from Moweaqua to Pana.	\$1,800,000.00
1057.	California	Reconstruct 7 miles of Whittier Blvd. from Valley Home to Rivera Road (SR 72), Whittier.	\$1,100,000.00
1058.	Louisiana	New Iberia rail grade separation	\$2,000,000.00
1059.	Mississippi	Feasibility study for MS Highway 27: Feasibility study for widening MS Highway 27 south from Monticello to Louisiana line.	\$500,000.00
1060.	Georgia	7.3 mile recreation and multi-use trail in Hall County, GA.	\$5,200,000.00
1061.	District of Columbia.	South Capitol Street/Fredrick Douglass Bridge rehabilitation of structures and environmental studies.	\$20,000,000.00
1062.	South Carolina	Construction of SC 9 in Spartanburg County	\$9,000,000.00
1063.	Florida	Upgrade of I-75 between SR 52 and SR 50 in Pasco and Hernando County.	\$1,000,000.00
1064.	North Carolina	Widening of U.S. 29 Business (Freeway Drive) from South Scales Street to NC 14, Rockingham County.	\$10,000,000.00
1065.	California	Realign Route 4 within the City of Oakley to construct a northerly bypass west of Vintage Parkway to Main Street at the intersection of Second Street.	\$2,000,000.00
1066.	Ohio	Upgrade U.S. Route 30 between State Route 235 and Upper Sandusky in Hancock and Wyandot Counties.	\$10,090,000.00
1067.	Michigan	Highland, Pave Clyde Rd. from Strathcona to Hickory Ridge.	\$125,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1068.	New York	Improvements to Lexington Ave. in Village of Mt. Kisco in Westchester County.	\$500,000.00
1069.	New Mexico	Complete design, environmental and cultural resource studies and initial construction of NM 4 around, or improvements through, Walatowa.	\$1,500,000.00
1070.	California	Widen California Highway 101 and reconstruct off ramps between Steele Lane and the town of Windsor.	\$9,000,000.00
1071.	Virginia	North Fork of Pound Lake Trail and Visitors Center/construction of trails network and visitors center on Forest Service land.	\$750,000.00
1072.	Maryland	Route 29 lane widening from Route 32 intersection to Johns Hopkins Rd. to reduce congestion and increase safety, Howard County.	\$11,000,000.00
1073.	Alaska	Construct linking road from airport to port in Akutan.	\$3,000,000.00
1074.	Pennsylvania	California University of Pennsylvania Urban Maglev Demonstration Project.	\$2,000,000.00
1075.	Virginia	Engineering and right-of-way for I-73 in Henry County.	\$2,000,000.00
1076.	Indiana	Widening of 1.2 miles of 4 lane street, with sidewalks in Carmel, IN.	\$1,000,000.00
1077.	Arkansas	Improve Johnny Tate Bridge, Scott County ..	\$280,000.00
1078.	Minnesota	Phase III of Devil Track Road Project, Cook County.	\$1,200,000.00
1079.	New York	Pedestrian access improvements to Main Street in the central business district of Hempstead.	\$2,000,000.00
1080.	Minnesota	Construct Paul Bunyan Trail Walker to Bemidji Segment.	\$1,400,000.00
1081.	California	Construct exit from SR 78 to San Diego State University-Brawley Campus, Brawley.	\$500,000.00
1082.	Mississippi	Upgrade roads in Fayette (U.S. Highway 61/33), Jefferson County.	\$600,000.00
1083.	Michigan	grade separation over the Canadian National Railroad at Wilder Road.	\$1,000,000.00
1084.	Alaska	Citywide pavement rehabilitation in City of North Pole.	\$1,000,000.00
1085.	Pennsylvania	Construction of 15 mile segment of Mon-Fayette Expressway from Route 119, Fayette County to Route 88, Washington County.	\$5,000,000.00
1086.	North Dakota	Replacement of Bismarek Mandan Memorial Bridge. This bridge spans the Missouri River and connects 2 of North Dakota's largest cities.	\$24,000,000.00
1087.	Oklahoma	Construct and widen 6 lanes on I-44 from the Arkansas River extending east approximately 3.7 miles to Yale Avenue in Tulsa.	\$12,000,000.00
1088.	Michigan	Croix Street reconstruction/remove and install new surface, curb, gutter, sidewalk from U.S. 41 to Mass Street, Negaunee.	\$1,125,000.00
1089.	Virginia	Construct I-73 in Roanoke County	\$2,000,000.00
1090.	Texas	Complete upgrade of U.S. 290 East of Williamson Creek to West of RM 1826.	\$6,000,000.00
1091.	New York	Deer Avoidance System	\$250,000.00
1092.	Mississippi	Longleaf Trace Rail-Trail: Expansion and improvement of Longleaf Trace rails-to-trail, running from Prentiss to Hattiesburg.	\$250,000.00
1093.	Pennsylvania	Route 422: Complete preliminary engineering and 4 lane expansion from Ebensburg to Kitanning.	\$3,000,000.00
1094.	Georgia	1-mile pedestrian pathway along Spring Road, Cobb County.	\$2,000,000.00
1095.	Georgia	U.S. 27 reconstruction and rehabilitation, Colquitt to CR 279/Damascus-Hilton Road.	\$1,000,000.00
1096.	Mississippi	Upgrade roads in Kilmichael, Montgomery County.	\$400,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1097.	New York	Rehabilitation of road and drainage systems on Sequams Lane Center and Sequams Lane West in the Town of Islip.	\$700,000.00
1098.	New York	Improvements to Old Glanham Rd. in Town of Fishkill.	\$125,000.00
1099.	California	Alhambra Valley Boulevard Enhancement Project, the City of Alhambra.	\$2,000,000.00
1100.	California	Widening of Mount Vernon Avenue bridge to 4 lanes, Colton.	\$1,250,000.00
1101.	Ohio	Continue enhancement of successful river-front project to provide valuable pedestrian and bikeway linkages, connecting surrounding neighborhoods and downtown.	\$3,480,000.00
1102.	Massachusetts	Geometric improvements, safety enhancements, and signal upgrades at Routes 28 and 106, intersection West Bridgewater.	\$1,500,000.00
1103.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Knoxville, TN.	\$158,000.00
1104.	Indiana	New road construction of Oak Road Extension in Plymouth, Indiana.	\$1,000,000.00
1105.	California	Implement intelligent management and logistics measures to improve freight movement, Gateway Cities.	\$3,000,000.00
1106.	Indiana	Modernize traffic signals throughout the city, reduce congestion, enhance economy, ease air pollution in Muncie, IN.	\$600,000.00
1107.	Mississippi	Upgrade roads at Coahoma Community College, and roads in Coahoma and Jonestown, Coahoma County.	\$1,600,000.00
1108.	Alabama	Pedestrian Improvements for the cities of Moody, Leeds, Homewood, Columbiana, Northport, Gardendale, Morris, Centerpoint and Pell City.	\$1,200,000.00
1109.	Arizona	Resurface Navajo Mountain Road, Navajo Nation.	\$1,000,000.00
1110.	Texas	Road grade separation at Fairmont Parkway over Southern Pacific Road.	\$5,000,000.00
1111.	New York	Construct smart growth improvements in the Nepperhan Valley, Yonkers.	\$500,000.00
1112.	California	Reconstruct segments of Hollister Avenue between San Antonio Road and State Route 154, Santa Barbara County.	\$2,500,000.00
1113.	Indiana	Interchange of I-64, Harrison County	\$600,000.00
1114.	Missouri	Expand MO Route 94 (St. Charles County, MO) to accommodate increased traffic flow from completed Page Ave. Bridge.	\$3,000,000.00
1115.	Florida	Miami River Greenway Roadway Improvements Project.	\$2,000,000.00
1116.	Michigan	M 72 Widening in Grand Traverse County	\$2,500,000.00
1117.	Ohio	Construct bike/pedestrian path, Independence	\$1,100,000.00
1118.	Texas	I-35 East/I-635 Interchange	\$2,500,000.00
1119.	Florida	Park Blvd. (SR 694), Pinellas Park	\$5,000,000.00
1120.	Colorado	Improve U.S. 40 over Berthoud Pass, Clear Creek and Grand Counties.	\$1,000,000.00
1121.	Illinois	Improve streets, Westchester	\$150,000.00
1122.	Nevada	Construct City of Henderson, Nevada Interchanges, I-515.	\$21,000,000.00
1123.	Arizona	Construct the Rio Salado Parkway from 7th Street to the planned loop 202 freeway, Phoenix.	\$8,000,000.00
1124.	Washington	24-hour 2-way transit and HOV facility on I-90 between I-5 in downtown Seattle and I-405 in Bellevue.	\$10,000,000.00
1125.	New York	Restore vehicular traffic to Main Street in downtown Buffalo.	\$5,000,000.00
1126.	West Virginia	Construct Shawnee Parkway	\$1,100,000.00
1127.	Pennsylvania	Upgrades to Business Route 220 (SR 4009) at the entrance of the Bedford Business Park to Beldon County Ridge intersection.	\$2,100,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1128.	New York	Construction of and improvements to Michigan Avenue, Buffalo.	\$1,000,000.00
1129.	Illinois	Reconstructs and realigns 2.3 miles of Evergreen Avenue located west of the City of Effingham, IL.	\$1,875,000.00
1130.	New York	Improvements to Brewster Hill Rd., Starr Ridge Rd., Independence Way, Sherwood Hill, and Shore Dr. in Town of Southeast.	\$240,000.00
1131.	Puerto Rico	Project will provide for a central segment of PR 10 between Utuado and Adjuntas. This will help complete a much needed north/south artery.	\$5,000,000.00
1132.	Illinois	Development of an interchange at Brisbin Rd. and I-80.	\$6,000,000.00
1133.	Arkansas	Construction of Gilham Lake Access Road, Howard County.	\$1,144,000.00
1134.	Florida	Intermodal connector between the Tallahassee Regional Airport and I-10.	\$9,000,000.00
1135.	Florida	New systems interchange ramps at SR 417 and Boggy Creek Road in Orange County, FL.	\$1,000,000.00
1136.	Arkansas	Development of interchange at State Highway 89 and I-40.	\$3,000,000.00
1137.	Pennsylvania	Design, engineering, ROW acquisition and construction of a connector road between PA 115 and I-81, Luzerne County.	\$500,000.00
1138.	California	mitigate current and future congestion and operational problems occurring daily along Harbor Boulevard between I-405 southbound onramp and Sunflower Avenue.	\$3,000,000.00
1139.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Loudon, TN.	\$57,000.00
1140.	Oklahoma	Enhancements for Highway 19 from Ada to Stratford.	\$3,000,000.00
1141.	Minnesota	Economic Development Corridor planning between Aurora and Ely.	\$3,000,000.00
1142.	Texas	Houston Region Highway Mitigation Demonstration project to measure impact of forestation and landscaping along Houston freeways.	\$6,000,000.00
1143.	New Jersey	New Jersey Turnpike/Route 440 Interchange Improvement, Bayonne.	\$5,000,000.00
1144.	Iowa	Construction of roadway south of Cedar Lane to Highways 92 and southwest to I-29 at the East Beltway/Council Bluffs, IA (Pottawattamie County).	\$1,000,000.00
1145.	New York	Improve Traffic Flow on Noel Road between Church and Crossbay Boulevard Including Work Necessary to Demolish and Reconstruct the Firehouse Facility.	\$1,000,000.00
1146.	New York	Conduct ITS study for Intermodal Chassis ...	\$1,500,000.00
1147.	New York	Improve bicycle and pedestrian safety on Main Street, Holbrook.	\$100,000.00
1148.	Nevada	Construct U.S. 95 Interchange with Horse Road, Las Vegas, Nevada.	\$6,000,000.00
1149.	Texas	Waxahachie, build out and improvements to a portion of IH 35, from U.S. 77 North of Waxahachie to U.S. 77 South of Waxahachie.	\$5,000,000.00
1150.	Ohio	Highland-Bishop Road intersection construction and enhancement project in the City of Highland Heights.	\$940,000.00
1151.	North Carolina	Relocate U.S. 70 as a 4 lane divided facility to increase capacity and safety.	\$2,000,000.00
1152.	New York	Rehabilitation of Bedell Road in Town of Poughkeepsie, NY.	\$481,555.00
1153.	Oregon	Construct bike/pedestrian path, Powers	\$440,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1154.	New York	Transportation facility for Harlem Hospital Complex.	\$11,000,000.00
1155.	Georgia	Upgrade sidewalks, replace street lights, and landscaping, Metter.	\$500,000.00
1156.	Indiana	Construct interchange at I-65 and 109th Avenue, Crown Point.	\$6,000,000.00
1157.	Michigan	Realignment of 3200 feet of County Road 492 from U.S. 41 north to County Road HD.	\$500,000.00
1158.	Illinois	Relocate U.S. Route 41, Chicago	\$6,500,000.00
1159.	Georgia	Replace sidewalks, upgrade lighting, and install landscaping, Soperton.	\$865,200.00
1160.	Washington	SR 2/Kelsey Street Intersection Improvements, Monroe.	\$135,000.00
1161.	Ohio	St. Route 8 Service Road Construction in Summit County.	\$1,303,000.00
1162.	New Jersey	Hoboken Waterfront Bicycle and Pedestrian Facilities.	\$2,000,000.00
1163.	Virginia	Occoquan, VA Mill Street improvement project.	\$200,000.00
1164.	Ohio	Reconstruct and widen State Route 82, North Royalton.	\$1,000,000.00
1165.	New York	Reconstruct the Niagara Street culvert/bridge which crosses over Two Mile Creek, City of Tonawanda.	\$600,000.00
1166.	Wisconsin	Rehabilitate U.S. Highway 51 from County S to U.S. 8.	\$4,000,000.00
1167.	New Jersey	Safety and flow improvements for I-287/I-80/Route 202 Interchange.	\$2,000,000.00
1168.	North Carolina	Installation of Intelligent Transp. Systems devices along U.S. 52 over Norfolk Southern RR, Winston Salem.	\$700,000.00
1169.	District of Columbia.	Metro Branch Trail Construction	\$2,000,000.00
1170.	Tennessee	Expansion of Rutherford County signage system (visitor's center and transportation information hub).	\$400,000.00
1171.	Texas	Construct I-69 as an interstate facility from Texas/Louisiana to Mexico border.	\$150,000.00
1172.	Oregon	Sunrise Corridor for planning, engineering, and multimodal development work in Clackamas County and the Damascus Area Concept and Implementation Plan.	\$3,000,000.00
1173.	Illinois	Upgrade roads in the vicinity of ABLA Homes, Chicago.	\$1,000,000.00
1174.	Florida	To complete improvements to Eller Drive including right-of-way acquisition and construction of return loop connector beginning on I-595 west of U.S. 1 and connecting U.S. 1 south.	\$2,000,000.00
1175.	Pennsylvania	U.S. 30 corridor improvements from PA 896 to PA 897. Connects PA 41.	\$3,000,000.00
1176.	Pennsylvania	For the development of 9.6 miles of public bicycle and pedestrian trail along the Delaware River by the PA Environmental Council.	\$9,288,525.00
1177.	Massachusetts	Somerville roadway improvements, Somerville	\$2,000,000.00
1178.	Texas	North Cameron County East-West Railroad Relocation Project.	\$500,000.00
1179.	California	Construct truck lane on Baughman Road from State Route 78/86 to Forrester Road, Westmoreland.	\$550,000.00
1180.	Connecticut	Construct UCONN Storrs Campus/Hillside Road Connection.	\$5,000,000.00
1181.	California	Purchase 1 larger (75 passengers) and 2 smaller (40 passengers) ferry boats and construct related dock work to facilitate the use and accessibility of the ferry boats, Long Beach.	\$3,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1182.	Texas	Widen Mile 6 West to 4 lanes from U.S. 83 to SH 107, Hidalgo County.	\$2,000,000.00
1183.	Missouri	12th street Viaduct bistate connector, Kansas City.	\$1,000,000.00
1184.	New York	Study and Implement Improvements to Avenue U from Mill Avenue to East 38th Street and Flatbush Avenue from Avenue T to Avenue V.	\$500,000.00
1185.	New York	Construct Fire Island ferry terminal facility, Patchogue.	\$2,000,000.00
1186.	New York	Rehabilitation of Sharon Dr. in Town of Poughkeepsie, NY.	\$328,000.00
1187.	Florida	Streetscape improvements on Blue Heron Boulevard from U.S. 1 to SR A1A, City of Riviera Beach.	\$2,000,000.00
1188.	California	Construction of 7 grade separations in cities of Santa Fe Springs, Pico Rivera, and La Mirada along BNSF Railway.	\$2,150,000.00
1189.	Iowa	Build IA 32 "Southwest Arterial" in Dubuque County.	\$20,000,000.00
1190.	Washington	U.S. 395, North Spokane Corridor: Construct 2-lane highway from U.S. 2 interchange to Francis Avenue.	\$4,380,000.00
1191.	California	Reconstruction of Sheldon Road and SR 99 Interchange, Elk Grove, CA.	\$7,000,000.00
1192.	Ohio	I-90/SR 615 bicycle and pedestrian trails expansion in the City of Mentor.	\$5,000,000.00
1193.	Minnesota	Main Street streetscape reconstruction, 2nd Street from Ash Ave. to State Highway 2, and Grant Utley Ave. from 2nd Street to 6th Street N. across State Highway 2, Cass Lake.	\$1,700,000.00
1194.	Tennessee	Connector Road Extending I-75 across to Highway 58.	\$12,400,000.00
1195.	California	Transportation enhancements on Slauson Ave. and Atlantic Blvd., Maywood.	\$2,500,000.00
1196.	Indiana	Improve Calumet Avenue between Vale Park Road and Bullseye Lake Road, Valparaiso.	\$1,200,000.00
1197.	Maine	Construct bicycle and pedestrian bridge over Stillwater River, Orono.	\$1,000,000.00
1198.	Pennsylvania	Route 313 turning lanes, truck climbing lanes, Doylestown, Plumstead, Hilltown Township.	\$1,000,000.00
1199.	West Virginia	Construct I-74/74 Corridor, Mingo Co	\$12,000,000.00
1200.	New York	Construction of median, re-design and improvements to Main Street in Buffalo.	\$1,000,000.00
1201.	Michigan	Widen and reconstruct a 2 lane road into a 4 lane divided road with landscaped median, Baldwin Road in Oakland City.	\$3,000,000.00
1202.	Connecticut	Undertake improvements associated with Coltsville Area Redevelopment, Hartford.	\$2,000,000.00
1203.	Illinois	Construct parking facility and pedestrian walkways at 94th and South Oak Park Avenue, Oak Lawn.	\$150,000.00
1204.	Alabama	I-65 widening to 6 lanes in Shelby County from Exit 238 (U.S. 31) to Exit 228 (AL 25).	\$10,000,000.00
1205.	Virginia	Wheelchair-accessible connector trail in Charlottesville.	\$30,000.00
1206.	California	Widen State Route 46 to 4 lanes between Airport Road and the Shandon Rest Stop in San Luis Obispo County.	\$33,461,000.00
1207.	Colorado	I-70 and SH 58 interchange: Completion of interchange including reconstruction of existing ramps, building of missing ramps and ROW acquisition.	\$14,000,000.00
1208.	Texas	Tower 55 CMAQ Congestion and Preliminary Engineering Study.	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1209.	Texas	Hike and Bike lanes on Sunset Dr., along Clear Creek and trails along Sunset and Briarmeadow to 2 city parks.	\$600,000.00
1210.	Connecticut	Construct Montville-Preston Mohegan Bridge Expansion.	\$3,000,000.00
1211.	Illinois	Conduct study and design of Chicago North Lakefront path expansion project.	\$1,000,000.00
1212.	California	Montclair Ramona Avenue grade separation along Alameda Corridor East.	\$2,000,000.00
1213.	Arkansas	Development of infrastructure to Van Buren's intermodal facilities.	\$1,500,000.00
1214.	Ohio	Lake County MetroParks for completion of Phase III bicycle path project.	\$348,000.00
1215.	Oregon	Widen I-5 between Vancouver, WA and Portland, OR.	\$5,000,000.00
1216.	Iowa	Add 2 lanes to the existing Highway 63 from Iowa Highway 3 north 18.1 miles to just south of Highway 18.	\$8,700,000.00
1217.	California	widening the Fairview Road bridge over I, widening the onramp to accommodate 3 lanes, and provide 1 right-turn lane, 1 optional through or right-turn lane and 3 through lanes.	\$1,900,000.00
1218.	New Jersey	Pedestrian facilities and street lighting on Haddon Avenue from Albertson Avenue to Glenwood Avenue, Haddon Township.	\$433,000.00
1219.	Pennsylvania	Relocation and upgrade of Beaver Hollow Rd, leading to the Beaver Medical Center.	\$1,500,000.00
1220.	California	Reconstruct 1.5 miles of Paramount Blvd. from Carson Street to Candlewood St., Lakewood.	\$1,250,000.00
1221.	New York	Redesign and Reconstruction of the Putnam Rail trail, the Bronx.	\$700,000.00
1222.	Oregon	Construct turn lane on Gateway Boulevard, Cottage Grove.	\$90,000.00
1223.	New York	Construction of median, design and improvements to Main Street, Buffalo.	\$1,000,000.00
1224.	California	Diesel Emissions Reduction Program for Gateway Cities Council of Governments.	\$3,250,000.00
1225.	Kentucky	Reconstruct Harrodsburg-Lexington Road from KY 29 north of Wilmore to 4800's of Brannon Road.	\$1,000,000.00
1226.	Michigan	Resurfacing of Frazho Road, Roseville	\$1,280,000.00
1227.	Pennsylvania	Construct a 4 lane limited access facility connecting SR 119 north of Mount Pleasant to the Pennsylvania Turnpike.	\$2,000,000.00
1228.	New Mexico	I-40/Coors Interchange and Bridge Reconstruction: Reconstruction of this major interchange and required bridge work in Albuquerque.	\$28,000,000.00
1229.	New York	Mill Road: NY Route 261 to North Avenue in the Town of Greece.	\$2,500,000.00
1230.	Pennsylvania	Design, engineering, ROW acquisition and construction of street improvements and safety enhancements, City of Pittston.	\$1,750,000.00
1231.	Texas	Add 2 lanes from Victoria Co line to 1.9 miles W. of Gin Road in Pt Lavaca.	\$1,500,000.00
1232.	Connecticut	Establish intermodal service at Bridgeport, CT port.	\$1,500,000.00
1233.	New York	Construction of pedestrian walkways, Village of Northport.	\$100,000.00
1234.	Massachusetts	Northern Avenue Bridge rehabilitation, Boston.	\$3,000,000.00
1235.	California	Grade separation on Lenwood Road in Barstow, CA.	\$1,500,000.00
1236.	New Jersey	Pedestrian facilities, street lighting and streetscaping improvements in downtown Laurel Springs.	\$596,324.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1237.	California	Realign California State Route 299 between the Trinity County line and mile marker 7.4, Shasta County.	\$8,000,000.00
1238.	Nebraska	Funding for rail grade separation projects located in the Third Congressional District of Nebraska as identified by the Nebraska State Department of Roads.	\$4,500,000.00
1239.	New York	Rehabilitation of Oak Beach Road in the Town of Babylon.	\$515,000.00
1240.	Texas	Construct 4-lane urban arterial segment of FM 60 from SH 6 to FM 158 in Brazos County, Texas.	\$4,000,000.00
1241.	New York	Improvements to Pudding St. at Taconic State Parkway.	\$1,700,000.00
1242.	Nevada	Design and Construct Cactus Avenue and I-15 Interchange, Clark County Nevada.	\$10,000,000.00
1243.	Pennsylvania	Restoration of Route 222, including concrete patching and overlay, in Maxatawny and Richmond Townships, Berks County.	\$2,500,000.00
1244.	Kentucky	Widen Route 11 from U.S. 460 to the Mt. Sterling Bypass (KY 686).	\$700,000.00
1245.	Washington	Lewis and Clark Discovery Trailhead and Scenic Overlook/expand size and improve safety.	\$146,000.00
1246.	New York	Construct highway and ramp improvements at Erie Canal Harbor in downtown Buffalo.	\$10,000,000.00
1247.	Indiana	Star Hill Road project between SR 60 and Starlight.	\$4,000,000.00
1248.	Texas	Construct direct connectors on U.S. 59, 59B, U.S. 77.	\$4,500,000.00
1249.	Maryland	U.S. 1 Corridor enhancements. Partial funding for comprehensive improvements to road corridor between Elkridge and Laurel.	\$1,000,000.00
1250.	California	I-238 Widening between I-580 and I-880, Ashland/Cherryland/San Leandro/San Lorenzo.	\$1,900,000.00
1251.	Florida	Springfield Roadway Improvements, Jacksonville.	\$5,000,000.00
1252.	New Jersey	East Coast Greenway bicycle and pedestrian path from New Brunswick to Hudson River.	\$1,000,000.00
1253.	New York	Reconstruct Nassau Avenue, improve sidewalks and include pedestrian amenities in Greenpoint, Brooklyn.	\$2,400,000.00
1254.	Missouri	Improve safety conditions along high traffic area in St. Francois County.	\$2,000,000.00
1255.	Washington	Valley Ave./70th/widen both 70th Avenue and Valley Avenue, Pierce County.	\$1,000,000.00
1256.	Florida	Atlantic Corridor Greenway Roadway Improvements.	\$3,000,000.00
1257.	Georgia	Elimination of highway-rail grade crossings in Augusta, GA by relocating the Norfolk Southern rail line.	\$3,000,000.00
1258.	Florida	For the implementation of Advanced Traffic Management System, Boca Raton, Florida.	\$2,000,000.00
1259.	New York	Route 78 (Transit Road), I-90 to Main Street, Towns of Amherst, Cheektowaga, and Clarence.	\$3,000,000.00
1260.	Georgia	Relocate Whitehall Road in Hall County, GA	\$1,042,024.00
1261.	California	Construct a 2.8 mile bikeway, along Lambert Road from Mills Ave. to Valley Home Ave. in the City of Whittier.	\$2,500,000.00
1262.	Pennsylvania	Finish the installation of sound walls along Route 309 by the Montgomery County Planning Commission.	\$5,000,000.00
1263.	California	Improve Ben Maddox Bridge crossing State Route 198, Visalia.	\$2,000,000.00
1264.	Florida	Traffic Reconfiguration of SR 934 and U.S. Route 1, Miami.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1265.	Wisconsin	Reconstruct interchange at State Highway 21 and I-94.	\$2,500,000.00
1266.	New York	Construct pedestrian walkway from 233rd Street to the Bronx River Greenway and commuter rail station. Bronx.	\$1,000,000.00
1267.	New York	Conduct studies, if necessary, and construct the High Line Trail Project, New York City.	\$5,000,000.00
1268.	New York	Develop Erie Canal Heritage Project in Port Byron.	\$2,000,000.00
1269.	New York	Construct safety improvements for Route 12 intersection at Pamela Drive/River Rd./Town of Chenango.	\$1,050,000.00
1270.	California	Construct truck lane on Keystone Road from State Route 111 to Austin Road, Imperial County.	\$2,500,000.00
1271.	New York	Congestion reduction, traffic flow improvement and intermodal transfer study at Roosevelt Avenue/74th Street, Queens.	\$640,000.00
1272.	Ohio	Widening from 2 lanes to 4 lanes between Main St. and SR 43 in North Canton and Plain Township.	\$3,000,000.00
1273.	Rhode Island	Construct 8 lane 1.5 mile segment of I-95 and I-195.	\$2,000,000.00
1274.	North Carolina	Monroe Bypass/project proposes to construct a multilane freeway on new location from the I-485 to the Monroe bypass.	\$2,500,000.00
1275.	New York	Improve Traffic Flow Improvement at Atlantic Yard/ NETS Arena Development.	\$3,000,000.00
1276.	Pennsylvania	SR 1022 Ulster River Bridge, replace 14-span bridge spanning Susquehanna.	\$2,000,000.00
1277.	New York	Funds an intermodal transportation facility on Clarkson Avenue.	\$1,000,000.00
1278.	Illinois	Construct grade separation on 25th Avenue, Melrose Park.	\$750,000.00
1279.	Massachusetts	Canalside Rail Trail. Construction of the Canalside Rail Trail, Deerfield & Montague.	\$1,900,000.00
1280.	Oregon	Planning, design, right-of-way acquisition, and construction of a bypass around the cities of Newberg and Dundee, Yamhill County.	\$6,343,000.00
1281.	South Carolina	Berlin G. Meyers Parkway Extension, Summerville.	\$8,000,000.00
1282.	New York	Construct improvements in Sight Distance at Road Grade and Trail Crossings in Oneida and Herkimer County.	\$550,000.00
1283.	New Jersey	Construction of Rowan Boulevard from U.S. Route 322 to Main Street, Glassboro.	\$600,000.00
1284.	New Jersey	The rebuilding of 3 deteriorated orphan bridges in Trenton, NJ that cross over the Northeast Corridor Line. The East State Street Bridge, the Chestnut Avenue Bridge, and the Monmouth Street Bridge.	\$1,500,000.00
1285.	Texas	Develop Intelligent Transport System for the City of San Antonio.	\$3,200,000.00
1286.	Louisiana	Upgrade highway-rail crossings at Madison Street, City of Gretna.	\$200,000.00
1287.	Virginia	Improve Route 42 in Bridgewater	\$500,000.00
1288.	Arizona	Upgrade and re-open Main Street, Yuma	\$1,200,000.00
1289.	Tennessee	Replacing 1-lane underpass with 5-lane underpass and associated roadway realignments of Knob Creek, Mountainview, and Claude Simmons Roads.	\$500,000.00
1290.	Michigan	widen, from 2 to 5 lanes, Romeo Plank Road from M 59 to 23 Mile Road.	\$10,000,000.00
1291.	Ohio	SR 44/overpass, interchange construction, and road expansion in the City of Painesville.	\$4,250,000.00
1292.	Maryland	Alt. 40 Middletown Bypass	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1293.	Alabama	East Bypass would provide direct access from I-20 to Fort McClellan, AL.	\$30,000,000.00
1294.	Ohio	Provide an interchange at Bixby Rd. and Route 33, including construction of necessary service roads and removal of signal at Route 33 and Ebright Road.	\$4,250,000.00
1295.	Michigan	Eliminate major roadway that passes between Cleary and charter school building and route a roadway with parking lots.	\$500,000.00
1296.	Florida	Construct SR 312 Extension/Bypass in St. Johns County, FL.	\$13,000,000.00
1297.	California	Design and implement Intelligent Transportation Systems on Long Beach Boulevard, Compton Boulevard, Wilmington Avenue, Walnut Avenue including communication interface with the Los Angeles County ITS System.	\$3,000,000.00
1298.	Tennessee	Construct shoulder and turn lane on SR 35 in Seymour, TN.	\$1,500,000.00
1299.	Pennsylvania	Provide trail connects at the Hot Metal Bridge to reduce the need for trail users to use city streets.	\$500,000.00
1300.	Georgia	Bridge improvements on Cochran Road at Deep Creek, Fulton County.	\$560,000.00
1301.	Alabama	Additional lanes would be added to U.S. 331 from Luverne to Montgomery.	\$2,000,000.00
1302.	California	Phase II of the Alameda Corridor East Project, constructing grade separation projects from E. Los Angeles to Pomona.	\$300,000.00
1303.	New Mexico	Develop Paseo del Volcan corridor located in Sandoval County to connect I-40 and I-25.	\$2,000,000.00
1304.	Pennsylvania	Design, engineering, ROW acquisition and construction of Phase II of the South Valley Parkway from Roberts Street in Newport Township to Mocanaqua, Luzerne County.	\$7,000,000.00
1305.	Maryland	Dualization of MD 404 in Caroline	\$17,600,000.00
1306.	California	Widen State Route 98, including storm drain improvements, from Kloke Road to State Route 111, Calexico.	\$3,000,000.00
1307.	California	Provide landscape enhancement of an existing open culvert on Atherton Street, Long Beach.	\$600,000.00
1308.	Michigan	Baldwin St. extension to I-196 and new entrance and exit ramps on I-196.	\$3,000,000.00
1309.	North Carolina	Pavement and bridge rehabilitation on I-85 from the Granville County line to U.S. 158.	\$2,000,000.00
1310.	Florida	West Virginia Corridor Expansion Project between I-95 to U.S. Highway 1 in St. Lucie County.	\$4,000,000.00
1311.	Ohio	Transportation infrastructure improvements in Toledo.	\$10,000,000.00
1312.	New York	Pedestrian/Bike Path along Hudson River in City of Beacon, NY.	\$350,000.00
1313.	Texas	Rehabilitate Yale Street between IH 10 to IH 610.	\$1,000,000.00
1314.	North Carolina	Installation of ITS devices along the Winston-Salem Northern Beltway in Forsyth County.	\$4,000,000.00
1315.	Washington	Cross Base Highway/a new highway from I-5 to SR 7 located between Fort Lewis and McChord AFB.	\$1,500,000.00
1316.	Pennsylvania	Create a direct connection between State Road Route 29 and State Route 113.	\$3,000,000.00
1317.	Tennessee	Improvements to bridge along SR 21 in Lake County, from Log Mile 7.0 to Obion County Line.	\$14,000,000.00
1318.	Missouri	I-55/Weber Road Improvements, St. Louis City and St. Louis County.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1319.	Colorado	Construct arterial on W side of Montrose to ease traffic congestion on SH 550 between Grand Avenue, N/S of city.	\$7,500,000.00
1320.	Washington	SR 28/SR 285 George Sellar Bridge Approach Improvements, Wenatchee/East Wenatchee.	\$5,000,000.00
1321.	Massachusetts	Highspeed catamaran ferry. Increase accessibility to inner-city public transit and 2 Federal parks, Quincy.	\$2,000,000.00
1322.	Ohio	Ashtabula Harbor infrastructure improvements as part of the Revitalization Project on SR 531 in Ashtabula County.	\$1,000,000.00
1323.	North Carolina	Right-of-way acquisition and construction for segment of the I-540 Loop from I-40 to NC 55.	\$11,000,000.00
1324.	New York	Replace bridge carrying Route 55 over Fishkill Creek and provide turn lanes in Town of Beekman, NY.	\$2,500,000.00
1325.	Michigan	Design, right-of-way acquisition and improvements for the I-196/Chicago Drive (Baldwin Street) Interchange modification.	\$19,800,000.00
1326.	Georgia	Upgrade sidewalks, parking, street lighting, and landscaping, Claxton.	\$500,000.00
1327.	California	Alameda Corridor East Gateway to America Trade Corridor Project, Highway-railgrade separation along 35-mile corridor from Alameda Corridor (Hobart Junction) to Los Angeles/San Bernardino County line.	\$15,500,000.00
1328.	New York	Roadway and Pedestrian Improvements for Times and Duffy Squares, New York City.	\$4,200,000.00
1329.	Arizona	Construct the Querino Bridge in Apache County, Arizona, on the Navajo Nation.	\$1,000,000.00
1330.	California	PHWA Diesel Emissions Reduction program for the Gateway Cities. Los Angeles County.	\$1,250,000.00
1331.	New York	Construct 4 lane expressway meeting Interstate standards from Pennsylvania to Presho.	\$2,000,000.00
1332.	Florida	SW 24th Ave./SW 62nd Blvd., from Archer Rd. west to SW 20th Ave., Gainesville.	\$3,000,000.00
1333.	Pennsylvania	Replace Lycoming Valley Railroad Bridge near Montoursville Borough.	\$2,000,000.00
1334.	Texas	Extend U.S. 90 6 main lanes from Hunting Bayou to Wallisville.	\$5,000,000.00
1335.	Ohio	SR 91 Road Safety project and overpass construction in the City of Twinsburg.	\$1,950,000.00
1336.	Colorado	Reconstruct U.S. 36/McCaslin interchange	\$1,000,000.00
1337.	Ohio	Rehabilitation/replacement of rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties.	\$250,000.00
1338.	South Carolina	Carolina Bays Parkway (Phase II), Horry County.	\$5,000,000.00
1339.	Michigan	Development and construction of new interchange at Marquette Avenue/U.S. 31.	\$5,000,000.00
1340.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 114.	\$250,000.00
1341.	Tennessee	Construct interchange on I-40, Wilson County.	\$1,000,000.00
1342.	Ohio	Construct new interchange at Gracemont St. and I-77 Interchange in Bethlehem Township.	\$3,000,000.00
1343.	New York	Design and construction of 20th Avenue from Whitestone Expressway Service Road to 130th Street in Queens, New York.	\$700,000.00
1344.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance, restoration), Dawson.	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1345.	Indiana	Construct grade separated interchange at Main Street with Canadian National Railroad in Mishawaka, IN.	\$1,500,000.00
1346.	California	Hollister SR 25 widening/4 lane freeway between San Felipe Road to the U.S. 101 separation, Gilroy.	\$3,660,000.00
1347.	Missouri	I-29/I-35 reconstruction of Kansas City Downtown/Paseo Bridge.	\$2,000,000.00
1348.	California	Develop bicycle paths and pedestrian access to Third Avenue, Chula Vista.	\$300,000.00
1349.	Georgia	Upgrade Old Petersburg/Old Evans Rd	\$6,000,000.00
1350.	Washington	New County Road, Whidbey Island	\$900,000.00
1351.	New York	Highway/Railway crossing improvements in the Town of Clarkstown and villages of Haverstraw and West Haverstraw.	\$1,600,000.00
1352.	California	Improvements for Folsom Boulevard between Rod Beaudry Drive and Sunrise Boulevard.	\$8,000,000.00
1353.	California	Improvements (including arterial street rehabilitation) to enhance traffic and pedestrian safety in the Van Nuys community, Los Angeles.	\$750,000.00
1354.	Texas	Construct highway/railroad grade separation at Calton Road in Laredo, TX.	\$2,200,000.00
1355.	Michigan	Reconstruct highway under a railroad bridge, Wyoming Ave. from Eagle Pass to Michigan Avenue, Wayne County.	\$1,000,000.00
1356.	Michigan	Resurfacing of Masonic Boulevard, Fraser	\$1,160,000.00
1357.	New York	Access and Safety improvements to Route 208 in Orange County, NY.	\$1,500,000.00
1358.	Pennsylvania	The project will provide for the reconstruction of U.S. 30 from PA 10 to Business U.S. 30 including the travel lanes, shoulders and egress and exist ramps.	\$5,000,000.00
1359.	Texas	Integrate and deploy rural ITS components of the Texas Hurricane Evacuation Information System.	\$4,000,000.00
1360.	New York	Streetscape improvements to Sunrise Highway between Guy Lombardo Avenue and Henry Street, Freeport.	\$500,000.00
1361.	California	Interchange expansion at I-10 and Indian Canyon Drive, City of Palm Springs.	\$1,000,000.00
1362.	Michigan	Reconstruction and surfacing of Valley Road from M 33 west to Mapes Road, Oscoda County.	\$960,000.00
1363.	Connecticut	Construct bike/pedestrian path, Shelton	\$1,000,000.00
1364.	New York	Rehabilitation of Frank Street in the Village of Lindenhurst.	\$775,000.00
1365.	Illinois	Sullivan Rd. Approaches (Aurora): Construction of highway approaches to Sullivan Rd. Bridge.	\$1,600,000.00
1366.	Virginia	Widen U.S. 15/29 in Culpeper	\$2,000,000.00
1367.	Virginia	Jamestown 2007/to provide transportation infrastructure for visitors to Jamestown Island.	\$500,000.00
1368.	California	Construct 4-lane connector between I-40 and Arizona Route 95 in Needles.	\$2,000,000.00
1369.	Oregon	Construct passing lanes on U.S. 199, Josephine County.	\$900,000.00
1370.	Louisiana	Upgrade I-49	\$1,700,000.00
1371.	Minnesota	Construct a pedestrian/bicycle/ATV/snowmobile bridge across TH 169, Onamia.	\$1,097,600.00
1372.	Colorado	Wadsworth Blvd. and Bowles Ave. Intersection Improvements: Ramp, and interchange improvements, lane improvements on Wadsworth from Coal Mine Ave. to W. Cross Dr.	\$2,000,000.00
1373.	Illinois	Improve access roads related to Racehorse Business Park, Alorton.	\$200,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1374.	Texas	For completion of I-35 bypass project/northern 48 miles of SH 130, from Georgetown, TX to U.S. 183.	\$7,000,000.00
1375.	Minnesota	Polk, Pennington, Marshall County 10-ton Corridor in Northwestern Minnesota.	\$5,600,000.00
1376.	New York	Construct Route 15/86 Interchange Phases I, II, and III.	\$3,000,000.00
1377.	Mississippi	Star Landing Road/new east-west connector from I-55 in Desoto County.	\$2,000,000.00
1378.	Georgia	Replace sidewalks, meet ADA guidelines, and install a crosswalk, McRae.	\$800,000.00
1379.	Georgia	Construct sidewalks between Marion Middle School, City Park, and Community Center, Buena Vista.	\$500,000.00
1380.	Ohio	Pedestrian Walkway Safety Improvements and Road Paving in Lakeline Village.	\$289,000.00
1381.	Florida	Reconstruction of Hanford Boulevard, North Miami Beach.	\$2,750,000.00
1382.	Illinois	Undertake improvements within West End Business District, LaGrange.	\$3,200,000.00
1383.	Arkansas	Repair Bowen Bridge on Highway 301, Pike County.	\$24,000.00
1384.	New Jersey	Road widening, new shoulder construction, drainage improvements and intersection upgrades in Burlington County.	\$6,850,000.00
1385.	Florida	Upgrading of SR 50 in Orange County, FL ..	\$2,000,000.00
1386.	South Carolina	Construction of East Washington Connector	\$1,000,000.00
1387.	Texas	Dyess AFB Access Project	\$8,500,000.00
1388.	California	Upgrade Olympic Blvd. between Vermont Ave. and Western Ave. to improve pedestrian safety and reduce congestion, Los Angeles.	\$2,000,000.00
1389.	Virginia	New, regional access improvement at I-64 and City Line Road, Virginia Beach and Chesapeake.	\$2,500,000.00
1390.	Georgia	Construct Chase St. Elementary to Botanical Gardens bike/pedestrian trail.	\$500,000.00
1391.	Illinois	This project consists of resurfacing and restriping of Euclid Avenue between Walnut Avenue and Douglas Avenue in Arlington Heights, Illinois. It also includes curb and gutter repair as well as pavement base repair.	\$350,000.00
1392.	Connecticut	Construct Putnam ADA-compliant Curb Cut	\$50,000.00
1393.	Georgia	Northlake Streetscape in DeKalb	\$1,000,000.00
1394.	California	I-880 Federal highway safety improvements, High Street to I-980, Oakland.	\$2,500,000.00
1395.	Louisiana	Reconstruct I-49/U.S. 190 interchange, Opelousas.	\$500,000.00
1396.	Michigan	the Port Huron, MI Highway-Rail Grade Crossing Separation Project.	\$1,000,000.00
1397.	Colorado	Reconstruct U.S. 36/U.S. 287 interchange	\$2,000,000.00
1398.	Georgia	2.5 mile East Hiram Parkway Project: To complete by-pass around the City of Hiram.	\$5,000,000.00
1399.	Washington	Widening SR 527 from 2 lanes to 5 from Bothell to Mill Creek.	\$1,500,000.00
1400.	New York	Rehabilitation of North and South Delaware Avenue in the Village of Lindenhurst.	\$875,000.00
1401.	Texas	Improve SH 199 at intersection of White Settlement Rd., Ft. Worth.	\$8,000,000.00
1402.	Missouri	Upgrade U.S. Highway 36 to 4 lanes between Macon and Hannibal, Missouri.	\$3,000,000.00
1403.	Arkansas	Improve Colin Ray Blvd., De Queen	\$500,000.00
1404.	Illinois	Extend Remington Blvd. from Veterans Parkway to Weber Road in Bolingbrook, IL.	\$500,000.00
1405.	New Hampshire	Design and construction of the project to repair the bridge on Main Street in Enfield, NH.	\$140,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1406.	Mississippi	East Metro Corridor: Four-lane corridor linking I-20 at Brandon to U.S. Highway 25 at Flowood/part of I-20/U.S. Highway 25/Jackson International Airport network.	\$1,500,000.00
1407.	South Carolina	Cox Road Bridge in Anderson County	\$405,000.00
1408.	Michigan	repave Sebewaing Road from State Highway M 25 to Caseville Road.	\$500,000.00
1409.	Virginia	Interchange Improvements along I-264 in Virginia Beach.	\$9,500,000.00
1410.	Indiana	Construction of Parkway around the west side of Shelbyville from SR 9 on the South to SR 9 on the North.	\$914,000.00
1411.	California	Constructs a Highway and Railroad grade separation at North Milliken Avenue, Ontario.	\$3,000,000.00
1412.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance, restoration), Richland.	\$500,000.00
1413.	New York	Planning and coordination studies for the Tappan Zee Bridge/I-287 corridor, Rockland/Westchester County.	\$1,000,000.00
1414.	California	Construction of HOV lanes on I-5 from Vandegrift Blvd. to La Jolla Village Drive.	\$1,000,000.00
1415.	North Carolina	Add 6.5 miles to the City of Greenville's greenway system by constructing 3 additional sections.	\$2,015,000.00
1416.	California	Construct left turn lane to ease congestion at I-10 into Rosemead Boulevard and Telstar Avenue, El Monte.	\$1,250,000.00
1417.	Ohio	Planning and Construction of network of recreational trails in Perry Township.	\$650,000.00
1418.	Kansas	Construct highway rail grade separation from Douglas Ave. to 17th Street North in Wichita, KS.	\$7,000,000.00
1419.	Texas	Widen I-35 between SH 81 and FM 286 South of Hillsboro.	\$3,000,000.00
1420.	New York	Establish an identity and signage program for the Erie Canalway National Heritage Corridor.	\$1,000,000.00
1421.	Illinois	Construct pedestrian walkways in Columbus Park, Chicago.	\$750,000.00
1422.	Texas	Construction of frontage road between the Harris County Line and FM 518.	\$2,700,000.00
1423.	Minnesota	Construct an overpass interchange for I-494 and Highway 169, MN.	\$5,000,000.00
1424.	Maryland	Dualization of U.S. 113 in Worcester	\$13,200,000.00
1425.	New York	Preliminary design and environmental impact study for a collector-distributor road along I-95 from Westchester Ave. to Bartow Ave.	\$7,110,000.00
1426.	Oklahoma	Construct U.S. 69 and Hereford Lane Interchange, McAlester.	\$8,000,000.00
1427.	Massachusetts	Reconstruction of Pleasant Street to enhance vehicular safety and capacity, Watertown.	\$2,000,000.00
1428.	New Jersey	Safety and operations improvements on Route 73, Berlin/Voorhees/Evesham.	\$1,200,000.00
1429.	California	Repair and replace tunnel lining on Kanan, Kanan Dume, and Malibu Canyon Roads, Los Angeles County.	\$3,000,000.00
1430.	Arkansas	Downtown Dickson Street Enhancement/Block Avenue and Downtown Square.	\$1,750,000.00
1431.	Arkansas	Improvements to Clear Creek Bridge and surrounding infrastructure in Washington County on CR31.	\$1,000,000.00
1432.	Georgia	Streetscape (pedestrian safety enhancements, curb replacement, sidewalks, restoration landscaping, ADA compliance), Ashburn.	\$400,000.00
1433.	Mississippi	Upgrade Blue Cane Road in Tallahatchie County, and roads in Webb and Tutwiler.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1434.	Pennsylvania	SR 3027 Bridge, replace posted 2 span steel I-beam bridge with 1 span concrete box beam bridge in Jessup Township, Susquehanna County.	\$1,000,000.00
1435.	Mississippi	Upgrade roads at Tougaloo College	\$1,000,000.00
1436.	Minnesota	Construct roadway improvements on the Great River Road on CSAH 10 and CSAH 21, Aitken County.	\$6,324,000.00
1437.	Mississippi	State Route 590 extension, Ellisville	\$4,000,000.00
1438.	Iowa	Construct 4-lane expressway on U.S. Highway 60 through Plymouth, Sioux, O'Brien, and Osceola Counties, Iowa.	\$500,000.00
1439.	Utah	SR 92 from I-15 to SR 74, Utah County	\$5,500,000.00
1440.	Arizona	Construction of structure for U.S. 60 at 59th Avenue and Glendale in City of Glendale.	\$1,000,000.00
1441.	Mississippi	U.S. Highway 90 and State Highways 43 and 603 Gateways Enhancement Project, Hancock County.	\$250,000.00
1442.	New Mexico	Construct Sunland Park Road in Sunland Park.	\$5,000,000.00
1443.	Minnesota	Bruce Vento Nature Sanctuary Trail Project, St. Paul.	\$2,000,000.00
1444.	New York	Improvements to Mearns Ave. and Fostoria St. in Village of Highland Falls, NY.	\$200,000.00
1445.	Arkansas	Highway 71, Louisiana State line to Junction City.	\$500,000.00
1446.	Texas	Coverage of the State with the ITS systems through compatibility, interoperability, and uniformity of the entire statewide system.	\$5,000,000.00
1447.	Minnesota	Construct Two Harbors High School Trail connecting Two Harbors High School to Two Harbors City.	\$891,600.00
1448.	Michigan	Design, right-of-way acquisition, engineering work for U.S. 31 bypass.	\$7,000,000.00
1449.	Indiana	Added travel lanes on Gordon Road, Sixth Street, and West Shafer Drive in Monticello, IN.	\$14,000,000.00
1450.	Indiana	Upgrade roads, Fowler	\$100,000.00
1451.	New Jersey	Reconstruct Route 168 from Route 41 to Sixth Avenue, Runnemede.	\$658,000.00
1452.	New York	Install Two Permanent Variable Message Signs (VMS) on Belt Parkway.	\$500,000.00
1453.	Arkansas	Improvement of Jennie Road, Chicot County	\$288,000.00
1454.	Georgia	Construct sidewalks and install landscaping, Vienna.	\$500,000.00
1455.	Texas	FM 2499, Section 4, from Highland Village to Corinth.	\$1,000,000.00
1456.	Virginia	Route 104/Dominion Boulevard corridor connects I-464 and I-64 to Route 17/George Washington Highway. Widening of the existing 2-lane section to 4 lanes with a new bridge over the Southern Branch of the Elizabeth River.	\$6,500,000.00
1457.	Mississippi	Old Richton Road and State Highway 42 connector, Petal.	\$1,500,000.00
1458.	Oklahoma	Widen U.S. 281 from the New U.S. 281 Spur North to Geary, Canadian County.	\$5,700,000.00
1459.	Illinois	Improve Mill Street, Rock Island	\$500,000.00
1460.	New Jersey	Interchange improvements and bridge replacements, Route 46, Passaic County.	\$12,000,000.00
1461.	New Jersey	Project involves bridge replacement and State Route 31 widening add left turn lanes and shoulders in Glen Gardner/Hampton, Hunterdon County.	\$1,000,000.00
1462.	Connecticut	Conduct study of multimodal cargo capacity on Waterfront Street, New Haven.	\$1,000,000.00
1463.	California	Install a traffic signal and ramps at I-10 and Walnut Grove Avenue to reduce congestion, Rosemead.	\$85,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1464.	California	Citywide traffic signal upgrades requiring the installation of hardware and software at 9 major intersections, Palo Alto.	\$500,000.00
1465.	California	Widen State Route 98 from Route 111 to State Route 7, Calexico.	\$5,000,000.00
1466.	Pennsylvania	Extension of River Road in Reading Pennsylvania in order to provide access to major industrial and brownfields sites.	\$1,500,000.00
1467.	Louisiana	LA 16 Interchange at I-12 and improvements, and Cook Road.	\$13,000,000.00
1468.	California	Construct truck ramp linking I-5 to the National City Marine Cargo Terminal, National City.	\$1,500,000.00
1469.	New York	Implement ITS system and apparatus to enhance citywide truck route system at 9th Street and 3rd Avenue intersection in Kings County.	\$100,000.00
1470.	Iowa	Construction of Outer Drive from Floyd Boulevard to Business Highway 75 in Sioux City, IA.	\$1,000,000.00
1471.	Vermont	Road improvements for the City of Rutland along U.S. Route 7 and U.S. Route 4.	\$3,560,000.00
1472.	Pennsylvania	Mitigation of water pollution due to Highway runoff on SR 28 as allowed by 23 U.S.C. 133(b)(14) and 23 U.S.C. 133(b)(8).	\$1,000,000.00
1473.	Virginia	Glen Alton/design and construction of recreation trails, access and visitor information center.	\$1,600,000.00
1474.	Tennessee	Develop trails, bike paths and recreational facilities on Bird Mountain, Morgan County for Cumberland Trail State Park.	\$250,000.00
1475.	Illinois	Construct pedestrian underpass at East 57th Place, Chicago.	\$700,000.00
1476.	New York	Construction of and improvements to Michigan Avenue in Buffalo.	\$1,000,000.00
1477.	New York	Enhance Battery Park Bikeway Perimeter, New York City.	\$2,000,000.00
1478.	Texas	Construct and rehabilitate pedestrian walkways along the Main Street Corridor to improve transit-related accessibility.	\$1,000,000.00
1479.	Kansas	Upgrade U.S. 69/135th Street interchange, City of Overland Park.	\$2,000,000.00
1480.	Wisconsin	Reconstruct U.S. Highway 141 in Marinette County, WI.	\$2,000,000.00
1481.	Florida	Beautify SR A1A in Ormond Beach, Daytona Beach and Daytona Beach Shores, Florida.	\$1,000,000.00
1482.	New York	Enhance road and transportation facilities in the vicinity of W. 65th St. and Broadway, New York City.	\$5,000,000.00
1483.	Arizona	Construct parallel roadway to create divided roadway for U.S. 93, south of I-40 near Kingman.	\$2,000,000.00
1484.	Missouri	Upgrade U.S. Highway 61 to 4 lanes between Wayland and Canton, MO.	\$8,000,000.00
1485.	Arkansas	Construction of Prescott Overpass, Prescott ..	\$2,400,000.00
1486.	Texas	Environmental, schematics and right-of-way acquisition for Hidalgo County Loop, Hidalgo County.	\$1,000,000.00
1487.	Nebraska	Construction of 2 Missouri River bridges and their approach roadways.	\$6,500,000.00
1488.	New York	Cedar Swamp Rd. improvements in Town of Goshen, NY.	\$800,000.00
1489.	North Carolina	Northwest Corridor/Western Boulevard in Jacksonville, NC: Construct a 4-mile, 4-lane divided facility including a 400-foot concrete bridge.	\$1,000,000.00
1490.	Tennessee	Widen Campbell Station Road in Knoxville, TN.	\$1,800,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1491.	North Carolina	Transportation improvements for the Piedmont Triad Research Park (Idealliance) in Winston-Salem (Forsyth County).	\$3,400,000.00
1492.	Maryland	Safety and operations improvements at Martin Luther King Blvd. and W. Baltimore St., Baltimore.	\$1,700,000.00
1493.	Tennessee	Retrofit noise abatement walls, Davidson County.	\$2,500,000.00
1494.	Virginia	Improve N. Main Street Bridge in Lexington	\$1,000,000.00
1495.	New York	Mill St. enhancements, realignments and culvert replacement in Putnam County, NY.	\$2,000,000.00
1496.	California	Construct 9 rail-highway grade separations along Alameda Corridor East through the cities of Fullerton, Placentia, and Anaheim.	\$14,000,000.00
1497.	Maryland	Rehabilitate 5 bridges carrying streets over CSX Railroad, Baltimore.	\$10,000,000.00
1498.	New York	Implement Improvements for Pedestrian Safety in Queens County.	\$1,000,000.00
1499.	California	405 Freeway Widening	\$6,700,000.00
1500.	New York	Highway Construction I-90 Exit 8 Connector Phase II.	\$3,900,000.00
1501.	Tennessee	North Second Street Corridor Upgrade to provide alternate route around St. Jude's medical center to downtown, Memphis.	\$4,000,000.00
1502.	Illinois	Reconstruction of Quentin Road from existing 2 lanes to 4 lanes with median from Dundee Road to Lake Cook Road.	\$5,160,000.00
1503.	Tennessee	Widen U.S. 321, Construct new bridge across the Tennessee River in Loudon County.	\$7,500,000.00
1504.	Colorado	Improvements on U.S. 36 corridor from I-25 to Boulder. Improvements include interchange and overpass rebuilding.	\$3,000,000.00
1505.	California	San Gabriel Boulevard Highway widening and intersection improvement project, the City of San Gabriel.	\$1,000,000.00
1506.	Georgia	Replace sidewalks, upgrade lighting, and install landscaping, Helena.	\$500,000.00
1507.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, Borough of Edwardsville in Luzerne County.	\$250,000.00
1508.	Connecticut	Upgrade Plainfield Moosup Pond Road	\$300,000.00
1509.	Illinois	Improve North Illinois (Illinois 159) and related roads, Belleville.	\$6,937,000.00
1510.	Pennsylvania	Design and construct improvements to mitigate traffic congestion that currently exists on the west side of the Ben Franklin Bridge.	\$4,000,000.00
1511.	Illinois	Construct bike path, parking facility, and related transportation enhancement projects, North Riverside.	\$2,750,000.00
1512.	South Carolina	Construction of West Georgia Road in Greenville County.	\$9,000,000.00
1513.	Massachusetts	Route 128/95 off ramp-Northbound to Kendrick Street, Needham.	\$2,000,000.00
1514.	New York	Traffic control mitigation for Jericho Turnpike between Hillside Blvd. and New Hyde Park Road, New Hyde Park.	\$1,000,000.00
1515.	Maine	Improvements to the Interconnecting Trail System for bike/pedestrian trails near Baxter State Park.	\$500,000.00
1516.	California	Construction of HOV and BRT lanes on I-15 from SR 78 to SR 163.	\$2,000,000.00
1517.	Missouri	Widening, curb, and gutter improvements as part of larger Highway 33 development project.	\$3,000,000.00
1518.	Minnesota	Reconstruct CSAH 91 from the D.M. and I.R. Railroad crossing at 8th Street in Duluth to CSAH 56, St. Louis County.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1519.	South Carolina	U.S. Highway 123/the SCDOT would construct deceleration and turning lanes to improve safety in Pickens County, SC.	\$2,000,000.00
1520.	New Jersey	Rehabilitation of Hillery Street Bridge connecting Totowa and West Paterson.	\$2,500,000.00
1521.	American Samoa ...	Upgrade, repair and continue construction of Tau ferry terminal facility on island of Manua.	\$1,600,000.00
1522.	Louisiana	Pointe Clair Expressway in Iberville Parish ...	\$3,000,000.00
1523.	Pennsylvania	Construct Southern Beltway (PA 60 to U.S. 22) of the Mon Fayette Expressway.	\$4,000,000.00
1524.	Illinois	Construct intermodal facility, Cook County ...	\$450,000.00
1525.	Georgia	Renovate Wilcox County Arts Complex, renovate Train Caboose as a Welcome Center, and construct pedestrian trail, Abbeville.	\$500,000.00
1526.	Tennessee	Add third lane on U.S. 27/SR 29 for truck climbing lane and realignment of roadway at Wolf Creek Road to Old U.S. 27 North of Robbins.	\$6,000,000.00
1527.	California	Reconstruct Intersection at Highways 152 and 156, Santa Clara County.	\$7,000,000.00
1528.	Ohio	City of Fostoria/Seneca County loop road along Route 23.	\$7,700,000.00
1529.	Mississippi	U.S. Highway 98 access improvement at I-59, Lamar County.	\$5,000,000.00
1530.	California	Design and environmental analysis for State Route 11 connecting State Route 905 to the new East Otay Mesa Port of Entry, San Diego.	\$1,000,000.00
1531.	Michigan	Resurfacing of Nine Mile Road, Eastpointe ...	\$1,040,000.00
1532.	New York	Improve Tistle Road/Old Kings Highway intersection, Saugerties.	\$500,000.00
1533.	California	Upgrade existing County Highway J 59 in Tuolumne, Stanislaus and Merced Counties.	\$2,000,000.00
1534.	North Carolina	Acquire, design and renovate historic rail station into a multimodal center in downtown Winston Salem.	\$4,000,000.00
1535.	California	Construct Marin-Sonoma Narrows bicycle and pedestrian walkway.	\$500,000.00
1536.	Oklahoma	I-40 Crosstown Expressway realignment project from I-44 to I-35 in Oklahoma City, OK.	\$34,000,000.00
1537.	Colorado	C 470 and Highway 85 Interchange Reconstruction: Replace interchange ramps, bridge widening, lane improvements.	\$6,000,000.00
1538.	Tennessee	Improve heavy vehicle access to I-55 from proposed Super Terminal distribution center along Mallory Avenue, Shelby County.	\$3,000,000.00
1539.	Idaho	To construct a bypass corridor around the City of Twin Falls for U.S. 93.	\$4,500,000.00
1540.	Illinois	Undertake Dempster St. Commercial corridor improvements project, Morton Grove.	\$250,000.00
1541.	Ohio	Improvements to 4 intersections at Lake Center St. North through Route 619 in Lake Township.	\$2,200,000.00
1542.	Minnesota	Design, engineering, and ROW for the French Rapids Bridge, City of Brainerd.	\$800,000.00
1543.	Ohio	Acquire land along U.S. 24, Lucas County	\$1,000,000.00
1544.	California	Conduct a Project Study Report for new Highway 99 interchange between SR 165 and Bradbury Road, serving Turlock/Hilmar region.	\$500,000.00
1545.	New York	Construct parking spaces in Elmira, NY, on North Main Street.	\$500,000.00
1546.	Indiana	Reconstruct 45th Avenue from Colfax Street to Grant Street, Lake County.	\$2,700,000.00
1547.	Michigan	Rebuilding Jackson Road with experimental materials.	\$5,000,000.00
1548.	Florida	Expansion from 2 to 4 lanes with grassed median, from I-10 to U.S. 90.	\$10,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1549.	North Carolina	The reconstruction of U.S. Highway 19 from Cherokee County, NC to Maggie Valley, NC.	\$7,300,000.00
1550.	New York	Continuation of the public awareness program about transportation infrastructure, Lower Manhattan.	\$600,000.00
1551.	Kentucky	Rehabilitate I-75 Brent Spence Bridge	\$7,000,000.00
1552.	California	Widen Washington Blvd., Commerce	\$3,000,000.00
1553.	Pennsylvania	Route 422 improvement project from Ebensburg to Indiana, PA.	\$1,500,000.00
1554.	Texas	Completion of JBS Parkway by connecting IH 20, the 2 segments of JBS Parkway across the railroad right-of-way and BI20.	\$5,000,000.00
1555.	Oregon	North Bend Waterfront District Bike/Pedestrian project.	\$600,000.00
1556.	Ohio	SR 82 bridge construction in Macedonia City	\$3,000,000.00
1557.	Michigan	Reconstruction of County Road 612 from W. County Line to County Road 491, Montmorency County.	\$800,000.00
1558.	Ohio	Construct grade separation at State Route 252, Cuyahoga County.	\$460,000.00
1559.	New York	Replace bridge over Mud Pond Outlet on Spring Lake Road.	\$400,000.00
1560.	Illinois	Upgrade connector road from I-255 to Route 3, Sauget.	\$2,400,000.00
1561.	New Jersey	Installation of automatic track switch, Port Reading/Woodbridge.	\$800,000.00
1562.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, restoration, landscaping, ADA compliance, restoration), Albany.	\$1,000,000.00
1563.	Wisconsin	Reconstruct and rebuild bridge over St. Croix River from Houlton, WI to Stillwater, MN.	\$6,000,000.00
1564.	Washington	Replace existing seismically vulnerable viaduct and adjacent seawall, Seattle.	\$12,000,000.00
1565.	Illinois	Expedite engineering studies, land acquisition, and construction to widen I-55 between I-80 and Naperville Road.	\$3,500,000.00
1566.	Oregon	Gateway Urban Renewal District Development Plan for reconstruction and/or new construction of local multi-modal street projects.	\$7,800,000.00
1567.	Mississippi	Upgrade roads in Anguilla and Rolling Fork, Sharkey County.	\$1,000,000.00
1568.	Georgia	Streetscape (pedestrian safety enhancements, curb replacement, landscaping, ADA compliance), Cordele.	\$500,000.00
1569.	California	Colima Road/Fullerton Road intersection improvements in the City of Rowland Heights.	\$1,000,000.00
1570.	Arizona	Replace Veterans' Memorial Overpass and upgrade it's associated roadway approaches, Pima County.	\$2,000,000.00
1571.	Illinois	Upgrade roads, Plainfield	\$500,000.00
1572.	New York	Rehabilitation of Route 100 from Virginia Road to Westchester Community College.	\$1,100,000.00
1573.	New Mexico	Widen the U.S. 491 (formerly U.S. 666) corridor from Gallup north to Shiprock.	\$2,000,000.00
1574.	California	Reconstruct I-710 southern terminus off ramps, Long Beach.	\$1,000,000.00
1575.	New Hampshire	Design, right-of-way procurement, and construction from intersection NH 110 and 1st Avenue to Wight Street in Berlin, NH.	\$2,860,000.00
1576.	New Jersey	Improvements to Clove Road and Long Hill Road in Little Falls and Upper Mountain Ave. in Montclair.	\$2,650,000.00
1577.	Texas	Port of Corpus Christi Joe Fulton International Trade Corridor for congestion and safety enhancements.	\$1,000,000.00
1578.	New York	Rehabilitate 125th Street Corridor from Old Broadway to Marginal Street/Waterfront.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1579.	Florida	Dinky Line Trail from SR 527 to South Lake Formosa Drive in Orlando, FL.	\$500,000.00
1580.	Texas	Relief route for U.S. 271 from U.S. 67 to FM 3417 around the west side of Mount Pleasant in Titus County.	\$2,000,000.00
1581.	Texas	Reconstruct the I-35E Bridge over the Trinity River in Dallas, TX.	\$1,000,000.00
1582.	Pennsylvania	Independence National Historic Park transportation enhancements: Pedestrian facilities, and safety improvements, including landscaping.	\$4,500,000.00
1583.	California	Design and Implement Trails and Bikeways Plan for the Golden Gate National Recreation Area and Presidio.	\$5,000,000.00
1584.	Illinois	Upgrade roads in the vicinity of Henry Horner Homes, Chicago.	\$1,000,000.00
1585.	New York	Construct Lower Falls Pedestrian Bridge and Approaches, Rochester.	\$1,000,000.00
1586.	Pennsylvania	Replace a highway railercrossing in Osborne, PA.	\$2,000,000.00
1587.	Oklahoma	Reconstruct U.S. 412P East to I-44 from regional port.	\$7,250,000.00
1588.	Arkansas	Improvements to Bridge No. 19032 in Sulphur Springs.	\$50,000.00
1589.	New York	Road improvements for Surrey Meadows, Sugarloaf Heights, Lakehill Farms and Walton Lake Estates in Town of Chester, NY.	\$729,000.00
1590.	California	Construct Inland Empire Transportation Management Center to better regulate traffic and dispatch personnel to incidents, Fontana.	\$1,500,000.00
1591.	American Samoa ...	Village road improvements for Sua Vaifanua, and Saole counties in the Eastern District.	\$2,000,000.00
1592.	Minnesota	Reconstruction of CSAH 7 from Itasca County Road 341 to Scenic State Park entrance, Itasca County.	\$2,800,000.00
1593.	Washington	Renton 405/167/rebuild the SR 167 and I-405 interchange and add additional lanes to relieve congestion.	\$2,000,000.00
1594.	Michigan	Convert existing interchange at Cedar Street and Pennsylvania Avenue off I-96.	\$1,900,000.00
1595.	Connecticut	Construct Salem Greenway	\$100,000.00
1596.	New York	Pedestrian walkway improvements along Sunrise Highway, Lynbrook.	\$500,000.00
1597.	New York	Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue, Nassau County.	\$2,000,000.00
1598.	Iowa	Reconstruct 14.3 miles of I-235 mainline roadway through Des Moines metro area.	\$8,000,000.00
1599.	Florida	Church Street Road Improvements, Orlando	\$13,000,000.00
1600.	Ohio	Bridge rehabilitation crossing the Tuscarawas River in the City of Massillon.	\$335,600.00
1601.	Michigan	Nonmotorized Pathway, City of Rockwood	\$426,000.00
1602.	Virginia	Highway Connector Road to Marine Terminal Site, Portsmouth.	\$2,000,000.00
1603.	Florida	Upgrade I-75 from 6 to 8 lanes between SR 54 and SR 52 in Paseo.	\$3,000,000.00
1604.	Arkansas	Widening of Highway 118 to 4 lanes from I-40 interchange North.	\$3,000,000.00
1605.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Loudon, TN.	\$57,000.00
1606.	Michigan	I-94 Widening Bt. 12th St./Sprinkle Rd	\$14,000,000.00
1607.	Texas	This project will continue the development and integration of statewide ITS systems.	\$2,500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1608.	Mississippi	Upgrade roads in Terry (U.S. Highway 51 and I-55), Edwards (U.S. Highway 80, 22, and I-20), Utica (U.S. Highway 18 and 27), and Bolton (U.S. Highway 80 and I-20), Hinds County.	\$1,366,000.00
1609.	Connecticut	Construct Farmington Canal Greenway, New Haven.	\$2,000,000.00
1610.	Michigan	Menominee County Road 557 Bridge Replacement over the Little Cedar River.	\$280,000.00
1611.	California	Improvements (including arterial street rehabilitation) to enhance traffic and pedestrian safety in Northridge, Granada Hills, and Porter Ranch, Los Angeles.	\$3,750,000.00
1612.	Michigan	Carpenter Road/700 feet South of Textile Road to I-94, Washtenaw County.	\$2,000,000.00
1613.	Maryland	MD 30 Hampstead Bypass	\$1,000,000.00
1614.	Massachusetts	Relocation of Route 79, creating 4-lane urban boulevard with landscaped median, opening up 8.5 acres of developable waterfront land, Fall River.	\$5,000,000.00
1615.	Arkansas	Upgrade Pedee Creek Bridge and approaches, Logan County.	\$240,000.00
1616.	New York	Utica Marsh-Restablish Water Street. Entails various road openings and improvements.	\$2,650,000.00
1617.	Wisconsin	Widen State Highway 64 between Houlton and New Richmond.	\$4,500,000.00
1618.	Illinois	Veterans Drive upgrades in Pekin	\$800,000.00
1619.	Ohio	Construct the existing IR 70 interchange at U.S. 40, SR 331 west of St. Clairsville.	\$12,000,000.00
1620.	California	Install signal pre-emption hardware at 53 traffic signals throughout Culver City to improve bus and first responder travel times.	\$108,000.00
1621.	Arizona	Construct 73 miles of wheelchair accessible trails on the north and south rims of the Grand Canyon.	\$4,500,000.00
1622.	Louisiana	Conduct multimodal corridor study from Louis Armstrong New Orleans International Airport to New Orleans Central Business District.	\$2,500,000.00
1623.	Tennessee	Construction of greenway in Knoxville	\$2,000,000.00
1624.	Virginia	Ceres Recreation Trail and Center/design and construct pedestrian/bicycle recreation trail in the community of Ceres and establish trail center.	\$250,000.00
1625.	Alabama	Interchange at I-65 and Limestone County 24/Browns Ferry Road, Tanner.	\$1,000,000.00
1626.	Illinois	Construct access road to Southern Illinois University's Research Park from Highway 51.	\$1,636,000.00
1627.	Illinois	Construct I-80/Ridgeland Avenue interchange, Tinley Park.	\$700,000.00
1628.	New York	Reconstructs Empire Boulevard from Nostrand Avenue to Utica Avenue.	\$4,000,000.00
1629.	Pennsylvania	Construct Southern Beltway (U.S. 22 to Mon Fayette Expressway).	\$4,000,000.00
1630.	Texas	Provide an intermodal roadway connection from SH87 to the Port of Port Arthur.	\$1,500,000.00
1631.	Indiana	New road construction for McClung Road from State Road 39 to Park Street in LaPorte, IN.	\$1,000,000.00
1632.	New Jersey	Replacement of Sparta Stanhope Road Bridge.	\$1,000,000.00
1633.	Arkansas	Development of infrastructure road to Russellville's intermodal facilities.	\$2,000,000.00
1634.	Ohio	Eastgate Area improvements for Interchange Improvements at Route 32 and I-275 in Clermont County.	\$4,100,000.00
1635.	Texas	Extend Munn Street from Demaree Ln to Gellhorn Drive.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1636.	California	Muni Geary Boulevard Improvements, San Francisco.	\$12,000,000.00
1637.	Illinois	Upgrades to Cockrell Lane in Springfield	\$800,000.00
1638.	Michigan	Construct railroad grade separation on M 85 (Fort Street) North of Van Horn Road, Trenton.	\$250,000.00
1639.	Illinois	Improve Great River Road, Mercer County ...	\$500,000.00
1640.	Florida	Connect I-4 with the Tampa Port	\$8,000,000.00
1641.	Illinois	Municipal Drive (Sugar Grove): Extension North from Route 30 to Wheeler Rd. and Galena Blvd. Extension west of Route 47.	\$4,760,000.00
1642.	Georgia	Bicycle and pedestrian trail connecting Dabney-Hunter-Simmons Park with Davidson Parkway, City of Stockbridge.	\$1,000,000.00
1643.	California	Reconstruct interchange with partial-cloverleaf on-ramp for south-bound traffic entering I-80 from Central Avenue, City of Richmond.	\$3,000,000.00
1644.	Illinois	Improve roads and grade separations in the vicinity of 130th Street and Torrance Avenue, Chicago.	\$4,000,000.00
1645.	New Jersey	Construction and rehabilitation of bridges W-7, W-8, and W-9 connecting Manasquan and Brielle Boroughs.	\$2,500,000.00
1646.	New York	Conduct studies to consider transportation planning and community involvement for infrastructure projects that address congestion relief, New York City.	\$1,000,000.00
1647.	Mississippi	Upgrade roads in North Carrollton (U.S. Highway 35 and 82) McCain Street, South Street, Love Street, and Colver Street, Carroll County.	\$500,000.00
1648.	Louisiana	Upgrade the 3.6 mile section of LA 478 from I-49 at Exit 132 to LA 1 south of Natchitoches, LA.	\$5,650,000.00
1649.	Washington	Replace I-5 exit 79 interchange bridge along Chamber of Commerce Way to provide more capacity.	\$2,000,000.00
1650.	Illinois	Widen U.S. Route 30 from Rock Falls to Round Grove, Whiteside County.	\$500,000.00
1651.	California	Rosecrans Avenue/Aviation Blvd./Douglas Street improvements to reduce congestion and improve traffic flow, El Segundo.	\$6,000,000.00
1652.	New York	Update all county and town signage in Wayne County, NY.	\$75,000.00
1653.	New Mexico	Construct the 4 lane expansion of U.S. 62/180 from Carlsbad, New Mexico to Texas State line.	\$10,000,000.00
1654.	Illinois	Upgrade 31st Street and Golfview Road intersection and construct parking facilities, Brookfield.	\$6,400,000.00
1655.	South Carolina	Install and improve highway-rail crossing safety devices, Richland and Orangeburg Counties.	\$992,000.00
1656.	North Carolina	Widen SR 1165 from Parish Mill Road to Dabney Drive, Henderson.	\$960,000.00
1657.	New York	Safety enhancements on East Shore Road in Town of Warwick, NY.	\$1,000,000.00
1658.	Iowa	Upgrade Collins Road (Iowa Highway 100) and 1st Avenue in Cedar Rapids, IA.	\$2,600,000.00
1659.	Alaska	Bridge over Fish Creek in Matanuska-Susitna Borough.	\$1,000,000.00
1660.	Georgia	Addition of barrier-separated HOV lanes on SR 316 from the I-85 interchange to SR 20, Gwinnett Co.	\$500,000.00
1661.	Arkansas	Improvement of County Road 32, Little Garnett/Cane Creek, Lincoln County.	\$500,000.00
1662.	New York	Rehabilitate and Improve Erie Station Road, Route 15/I-390 in the Town of Henrietta.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1663.	Indiana	Construct pedestrian islands and narrow campus streets in the City of Anderson, IN.	\$1,000,000.00
1664.	California	Technical feasibility study for a tunnel on the 710 Freeway in Southern California.	\$3,000,000.00
1665.	Ohio	Multi-use, non-motorized use, recreational trail that will connect Miami, Montgomery, Warren, and Butler Counties in SW OH.	\$3,000,000.00
1666.	Florida	I-75 Interchange Improvements in Pembroke Pines, Broward County, FL.	\$2,000,000.00
1667.	Louisiana	Construct I-20/Tarbutton Road Interchange, Lincoln Parish.	\$2,000,000.00
1668.	California	Replace Winters Bridge, Yolo County	\$2,000,000.00
1669.	Michigan	White Pine Trail State Park paving project ..	\$1,500,000.00
1670.	California	Construct Route 101 Auxiliary Lanes 3rd Ave. in the City of San Mateo to Millbrae Ave. in Millbrae.	\$4,200,000.00
1671.	New York	Downtown Flushing traffic and pedestrian improvements.	\$1,000,000.00
1672.	Massachusetts	Extension, resurfacing and alignment improvements to the Norwottuck Rail Trail, Hampshire County.	\$6,000,000.00
1673.	Indiana	Widen Wheeling Avenue from Centennial Road to McGalliard Road in the City of Muncie, IN.	\$960,000.00
1674.	Ohio	Construct interchange at CR 80 on IR 77 near Dover.	\$5,000,000.00
1675.	California	Repair and realignment of Brahma Drive and Winnetka Avenue, which serves the students of Los Angeles Pierce College.	\$600,000.00
1676.	New York	Implement ITS system and apparatus to enhance citywide truck route system on Avenue P between Coney Island Avenue and Ocean Avenue in the 9th District of New York.	\$100,000.00
1677.	Oregon	I-5 Trade Corridor for preliminary engineering of Columbia River vehicle and transit crossings and interchange improvements.	\$6,000,000.00
1678.	Texas	Widen 4-lane urban divided roadway with raised median on FM 1637, McLennan County.	\$4,000,000.00
1679.	Florida	Construct U.S. 17/92 improvements in Maitland, FL.	\$1,500,000.00
1680.	California	Widen State Route 112 to 4 lanes through Jamieson Canyon (between I-80 and SR 29).	\$8,000,000.00
1681.	New York	Improve Queens Boulevard, New York	\$500,000.00
1682.	Vermont	Construction of the Lamoille Valley Rail Trail for the Vermont Association of Snow Travelers.	\$7,268,486.00
1683.	Florida	Construct SR 9B Extension in St. Johns County, FL.	\$2,800,000.00
1684.	Massachusetts	Pedestrian access and streetscape improvements in the area of Huntington Avenue, Longwood Avenue, and Palace Road, Boston.	\$2,100,000.00
1685.	Pennsylvania	Improve Route 666 from Henry's Bend in Forest County to junction with Route 948 in Warren County.	\$1,000,000.00
1686.	West Virginia	Fairmont Gateway Connector System to provide an improved highway link between downtown Fairmont and I-79 in the vicinity of Fairmont.	\$20,000,000.00
1687.	Michigan	Study to determine replacement options for obsolete and structurally deteriorating bridge (Trenton-Grosse Ile Bridge) including approach roadways, Charter County of Wayne.	\$750,000.00
1688.	Illinois	Construct streetscape project, Orland Hills ...	\$350,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1689.	Kansas	Deployment of an Intelligent Traffic System within the Wichita Metropolitan Area.	\$7,000,000.00
1690.	Indiana	Realign and depress I-70 to make way for new airport Interchange, Indianapolis.	\$10,000,000.00
1691.	Illinois	Reconstruct Old Madison Rd. and interconnected roadways, St. Clair County.	\$2,000,000.00
1692.	North Carolina	Garden Parkway/project proposes to construct multilane freeway that will provide a high-speed corridor around south side of Gastonia.	\$2,500,000.00
1693.	Ohio	Reconstruct I-75/I-475 Interchange, Toledo	\$3,000,000.00
1694.	Illinois	Upgrade Keystone Avenue and Homan Avenue, Robbins.	\$1,000,000.00
1695.	Tennessee	Develop trails, bike paths and recreational facilities on the Crest of Black Mountain, Cumberland County for Cumberland Trail State Park.	\$250,000.00
1696.	Nevada	Improve Lake Mead Parkway Henderson, NV	\$1,500,000.00
1697.	Louisiana	LA 42 in Ascension Parish, and LA 73 improvements.	\$10,000,000.00
1698.	Tennessee	Widen SR 35/U.S. 411 beginning in Sevier County an crossing through Jefferson County, ending at I-40 in Cocke County.	\$2,000,000.00
1699.	Texas	Construction of Old Hueco Tanks Road from I-10 to FM 76, Socorro.	\$2,500,000.00
1700.	Ohio	Construct full movement interchange on I-75 at Austin Pike from Wood Road to the west and SR 41 to the east.	\$7,500,000.00
1701.	New York	Replace bridge over CSX lines on Highbridge Road.	\$400,000.00
1702.	Iowa	Reconstruct NW 70th Avenue from 86th Street to NW Beaver Drive.	\$5,000,000.00
1703.	Georgia	Upgrade SR 141 corridor in the Buckhead Community Improvement District.	\$2,000,000.00
1704.	Ohio	Bridge replacement over the Nimishillen Creek in the City of Canton.	\$400,000.00
1705.	Illinois	U.S. 67 Corridor Concord/Arenzville Rd. to East of IL 100.	\$1,000,000.00
1706.	Alabama	City of Vestavia Hills pedestrian walkway to cross U.S. 31.	\$500,000.00
1707.	Mississippi	State Route 609 to State Highway 15 connector, Jackson and Harrison Counties.	\$3,000,000.00
1708.	Wisconsin	Reconstruct State Highway 45, City of Antigo.	\$1,000,000.00
1709.	California	Widen Santa Maria River Bridge on U.S. Highway 101 between Santa Barbara County and San Luis Obispo County.	\$3,400,000.00
1710.	Illinois	Improve 83rd Street from Roberts Road to 83rd Avenue and improve 79th Street/88th Avenue intersection, Justice.	\$5,250,000.00
1711.	California	Improve Central Avenue Historic Corridor Streetscape, Los Angeles.	\$1,000,000.00
1712.	Massachusetts	Safety and Operational improvements to 3 Route 128 North exchanges, Town of Danvers.	\$3,000,000.00
1713.	Illinois	Resurface Elston Avenue, Chicago	\$2,000,000.00
1714.	New York	Atlantic Avenue Highway Access Improvement between Van Wyck Expressway and Jamaica Station.	\$5,000,000.00
1715.	Florida	Construct I-4/GreeneWay Ramp Connector in Seminole County, FL.	\$5,000,000.00
1716.	New York	Reconstruct pedestrian walkways located in the Bronx.	\$1,000,000.00
1717.	Illinois	Metra/Anderson Rd. (Elburn Station): Construction of a new roadway and grade separation of the UP West Line east of Elburn, IL.	\$9,500,000.00
1718.	South Carolina	Replacement of Greenville County maintained bridges.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1719.	Pennsylvania	Design, engineering, ROW acquisition, and construction of a connector road between Pennsylvania State Route 93 and Pennsylvania State Route 309, Hazle Township.	\$600,000.00
1720.	Oklahoma	Construction of Midwest City Pedestrian Walkway.	\$1,000,000.00
1721.	Texas	The project is part of the 177-mile Grand Parkway loop being constructed around the metropolitan Houston Area.	\$11,500,000.00
1722.	Massachusetts	Rehabilitation of Route 21 bridge over the Chicopee River, Springfield.	\$2,030,000.00
1723.	New Jersey	Replacement of the Magnolia Avenue Bridge over Routes 1 and 9, Elizabeth City.	\$1,000,000.00
1724.	Illinois	For engineering, right-of-way acquisition and reconstruction of 2 existing lanes on Arsenal Road from Baseline Rd. to Route 53.	\$1,750,000.00
1725.	Iowa	Construction and replacement of a deficient bridge at U.S. Highway 34 Missouri River Bridge at Glenwood, IA (Mills County).	\$2,500,000.00
1726.	Illinois	Upgrade roads and bridges, Chicago	\$1,000,000.00
1727.	Illinois	Upgrade roads in the vicinity of Rockwell Gardens, Chicago.	\$1,180,000.00
1728.	Virginia	Upgrade/Widen Route 11 at Maurertown in Shenandoah County.	\$1,000,000.00
1729.	Michigan	Reconstruct 3.2 miles of I-96 including all ramps at M 39, Detroit.	\$2,000,000.00
1730.	New York	Road construction at new Town Hall facility in Town of Kent, NY.	\$750,000.00
1731.	Illinois	Upgrade streets, Stiekney Township	\$5,000,000.00
1732.	Minnesota	Construct bike-walk trail between the cities of Isanti and Cambridge in the State Highway 65 Corridor.	\$288,602.00
1733.	Illinois	Improve Ogden Avenue, Chicago	\$13,000,000.00
1734.	Pennsylvania	Improve Route 322 at Halls Run in Venango County.	\$1,700,000.00
1735.	Colorado	Construct East Corridor project	\$2,000,000.00
1736.	California	Provide widening of the existing 2-lane railroad underpass on SR 89 in Nevada County.	\$3,000,000.00
1737.	New York	Staten Island Fast Ferry Purchase	\$14,000,000.00
1738.	Tennessee	Interchange planning on I-65 at Highland Road.	\$400,000.00
1739.	Oklahoma	Construct SH3 improvements from Antlers to Broken Bow.	\$15,000,000.00
1740.	Illinois	Improve roads and construct pedestrian underpass, Western Springs.	\$2,790,000.00
1741.	Arkansas	Improvement of Sugarloaf Road and Sugarloaf Bridge Construction, Clark County.	\$500,000.00
1742.	Ohio	Road improvements from Elton St. North to Wooster St. in Tuscarawas Township.	\$800,000.00
1743.	Missouri	Hanley Road Improvements, St. Louis County.	\$2,000,000.00
1744.	Tennessee	Construct portion of new State Route 374 Bypass west of Clarksville.	\$3,400,000.00
1745.	Florida	Miami River Greenway Roadway Improvements and 5th Street Improvements.	\$1,000,000.00
1746.	Michigan	Improve Fed Forest Highway 16 from M 38 to Houghton County Line, Ontonagon County.	\$500,000.00
1747.	Illinois	Upgrade Ridge Avenue, Evanston	\$3,000,000.00
1748.	New Jersey	Garden State Parkway Grade Separation, Cape May County. Eliminates 3 at grade interchanges (9, 10, 11) and replace with grade separations.	\$45,000,000.00
1749.	Oklahoma	Improvements to I-235 (Broadway Extension) from 36th St. to 63rd St. in Oklahoma City, OK.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1750.	California	Improve access from I-8 and construct parking lot for the Imperial Sand Dunes Recreation Area Visitors Center, Imperial Valley.	\$1,000,000.00
1751.	Oklahoma	HW 60 Pawhuska to Bartlesville, Osage County.	\$2,000,000.00
1752.	Maryland	Upgrade conduit for traffic signal system, street lighting, and traffic-related video cameras, Baltimore.	\$1,700,000.00
1753.	Washington	Overpass improvement along 3 mile section of SR 501, between MP 0 and MP 3.	\$1,000,000.00
1754.	Ohio	Construct Portage Bike and Hike Trail, Portage County.	\$1,000,000.00
1755.	Tennessee	Widen State Route 33 in Knox County, TN ..	\$6,500,000.00
1756.	Illinois	Upgrade Curtis Rd. in conjunction with State plan for I-57 interchange, from Duncan Rd. to 1st St. in Champaign.	\$7,000,000.00
1757.	Washington	Avenue D Reconstruction, Snohomish	\$1,800,000.00
1758.	Illinois	Upgrade roads, Village of Hillside	\$1,000,000.00
1759.	Louisiana	North-South Corridor from Houma/Thibodaux to I-10.	\$5,000,000.00
1760.	New York	Construction of and improvements to Main Street in the Town of Eden.	\$500,000.00
1761.	California	State Route 52 East upgrade (SR 125 to SR 67).	\$6,400,000.00
1762.	California	I-80 at Eureka Road Interchange/improve access to I-80 by reducing traffic congestion at 2 heavily traveled on-ramps at Eureka Road and Riverside Avenue in Placer County.	\$2,000,000.00
1763.	Massachusetts	Study and design I-93/Mystic Avenue Interchange at Assembly Sq, Somerville.	\$500,000.00
1764.	Tennessee	Construct roundabout intersection at Highway 41A and Highway 49, Pleasant View.	\$900,000.00
1765.	California	Bay Road improvements between Clarke Avenue and Cooley Landing. Northern access improvements between University and Illinois Avenues, East Palo Alto.	\$4,000,000.00
1766.	Texas	Construct new intersection direct connections between IH 635 and IH 35E, Dallas County, TX.	\$17,000,000.00
1767.	Texas	Continuation of item number 92 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century.	\$2,500,000.00
1768.	California	Transportation enhancements, Bellflower	\$75,000.00
1769.	Texas	Implement the recommendations of a forthcoming study on reducing congestion in and around the Texas Medical Center.	\$5,000,000.00
1770.	Arkansas	Improvements to Jenny Lind Road and Ingersoll Road in Fort Smith.	\$6,000,000.00
1771.	New York	Design/Environmental work on the Inner Loop from Clinton Avenue to East Main Street, Rochester.	\$2,400,000.00
1772.	New York	Implement ITS system and apparatus to enhance citywide truck route system on Victory Blvd. between Travis Ave. and West Shore Expressway Travis Section of SI.	\$100,000.00
1773.	Maine	Gorham Village Bypass, Gorham	\$9,600,000.00
1774.	Michigan	Street Project for Access Road to Develop 65-Acre of Municipal Tract of Industrial Land, Village of Cass City, Tuscola County.	\$23,160.00
1775.	Colorado	Roadway widening and interchange rebuilding on I-225 from I-70 to Parker road.	\$14,000,000.00
1776.	Indiana	Improve Baile Street, Kentland	\$300,000.00
1777.	Virginia	Extension of 6-lane section of U.S. Route 29 between Eaton Place at Route 123.	\$3,000,000.00
1778.	Georgia	Improve sidewalks, upgrade lighting, and add landscaping in downtown Glennville.	\$680,000.00
1779.	Georgia	Construct Effingham bypass, SR 21 to SR 275.	\$3,500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1780.	Texas	SH 114/SH 121 “Funnel Project”/Preliminary Engineering Study.	\$4,000,000.00
1781.	Georgia	DeKalb schools pedestrian safety upgrades	\$4,500,000.00
1782.	Washington	Install dual left turn lanes and intersection signal modifications at SR 432 and Columbia Blvd.	\$1,750,000.00
1783.	Indiana	Reconstruction of .46 miles of Range Line Rd. and replacement of Hamilton County Bridge No. 194 in Carmel, IN.	\$1,000,000.00
1784.	California	Land acquisition to mitigate impacts to natural habitats and wetlands caused by highway projects on U.S. 1 and U.S. 101 in areas around Solstice Canyon in the Santa Monica National Mountains Recreation Area.	\$1,000,000.00
1785.	Arizona	Construct and replace Safford 8th Avenue north of Safford, AZ.	\$7,000,000.00
1786.	California	Construct overpass at Central Avenue Overpass and the Union Pacific railroad crossing, Newark.	\$1,000,000.00
1787.	Oregon	Widen Oregon Highway 217 between Tualatin Valley Highway and the U.S. 26 interchange, Beaverton.	\$6,250,000.00
1788.	South Carolina	I-73 Interstate from South Carolina State line to Myrtle Beach Area.	\$10,000,000.00
1789.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Athens, TN.	\$99,000.00
1790.	Texas	Extend Dowlen Rd. from College St. to Walden Rd., Beaumont.	\$3,460,000.00
1791.	Louisiana	Peters Road improvements in Plaquemines Parish.	\$1,000,000.00
1792.	Florida	Expand I-95/Palm Coast Parkway Interchange in Flagler County, FL.	\$3,000,000.00
1793.	New Mexico	Improvements to U.S. Highway 87 from Raton to Clayton.	\$2,000,000.00
1794.	New York	Implement traffic calming and safety improvements in the Gateway to Great Neck area.	\$400,000.00
1795.	Tennessee	Increase safety at intersections on U.S. 11E through Russellville, Whitesburg, Bulls Gap and I-81, roadway improvements for local access roads.	\$500,000.00
1796.	Massachusetts	Charlemont Bridge, Route 2. Replacement of the Charlemont Bridge that crosses Deerfield River, Charlemont.	\$4,800,000.00
1797.	New York	Install Improvements for Pedestrian Safety in the vicinity of IS 194.	\$250,000.00
1798.	Florida	Extension of Apopka Bypass-Maitland Boulevard in Orange County, FL.	\$1,000,000.00
1799.	Virginia	Jamestown 2007, To provide transportation infrastructure for visitors to Jamestown Island.	\$2,750,000.00
1800.	Minnesota	Trunk Highway 23 bypass of the City of Paynesville.	\$3,000,000.00
1801.	New York	Construct improvements on Route 12/Phase I other projects.	\$1,205,000.00
1802.	Florida	Widening and improvements to Snake Road (BIA Route 1281) in Hendry County.	\$1,000,000.00
1803.	Texas	Expansion and improvements to Loop 304, Crockett.	\$16,000,000.00
1804.	South Carolina	McClellan Road Bridge in Anderson County ..	\$310,000.00
1805.	Michigan	Construction of I-696 freeway ramps, Southfield.	\$1,000,000.00
1806.	Georgia	Revitalization project will extend and resurface the Roberta Walker Trail, Roberta.	\$500,000.00
1807.	California	Provides funding for the construction of auxiliary lanes in each direction of U.S. 101 from Marsh Road to the Santa Clara County line.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1808.	New York	Wayne County rails to trails initiative, creating bicycle/pedestrian trails.	\$345,000.00
1809.	Arkansas	Widen and replace bridges on Hopewell Road, Union County.	\$500,000.00
1810.	New York	Construct Setauket/Port Jefferson Station Greenway Trail.	\$5,000,000.00
1811.	California	Construct new ramps to Route 262, widen 262, reconstruct railroad bridges, Fremont.	\$3,000,000.00
1812.	Michigan	Resurfacing of Eleven Mile Road, St. Clair Shores.	\$480,000.00
1813.	Illinois	Construction of new access road from Hazel Dell Lane to Hope School in Springfield.	\$75,000.00
1814.	New York	Construction of a new entrance ramp from 9A Southbound to the Taconic State Parkway Southbound near the northbound Taconic exit ramp to 9A.	\$1,000,000.00
1815.	New York	Route 590 Reconstruction Project in the Town of Irondequoit, NY.	\$4,000,000.00
1816.	New York	Improve Hospital Road Bridge between CR99 and CR101, Patchogue.	\$6,000,000.00
1817.	Minnesota	Interchange at CSAH and Highway 24 in Cannon Falls, project development cost 3 interchange sites and 1 overpass along 52.	\$1,000,000.00
1818.	New York	Queens and Brooklyn County Graffiti Elimination Program including Kings Highway from Ocean Parkway to McDonald Avenue.	\$4,000,000.00
1819.	Texas	Construction of La Entrada al Pacifico south of Odessa to relieve traffic from El Paso and Del Rio.	\$5,000,000.00
1820.	Alabama	Additional lanes would be added to SR 167 from Troy to Enterprise.	\$1,000,000.00
1821.	Ohio	Improve SR 14/Washingtonville Rd. Intersection, Washingtonville.	\$824,000.00
1822.	Ohio	Transportation Museum facility expansion and improvements, City of Warren.	\$750,000.00
1823.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 277.	\$250,000.00
1824.	Kentucky	Construct the Albany Bypass, Clinton County	\$4,000,000.00
1825.	Massachusetts	Route 110 and I-93 rotary improvements	\$1,500,000.00
1826.	Tennessee	Upgrade circuit at gates/lights for Bristol grade crossing (Cedar Street) to intelligent systems that eliminate current variability.	\$50,000.00
1827.	Massachusetts	Improvements to Mass. Ave., Andover Street, Osgood Street, Salem Street, and Johnson Street, Town of North Andover.	\$1,000,000.00
1828.	New York	Construct W. 79th St. Rotunda, New York City.	\$2,000,000.00
1829.	California	Conduct Study and Construct Mc Kinley Interchange at SR 120 Project, Manteca, CA.	\$4,000,000.00
1830.	Indiana	Construct Margaret Avenue Underpass in Terre Haute.	\$17,500,000.00
1831.	Kansas	Removal of structurally deficient bridge and construction of a new major river crossing of Topeka Blvd. over the Kansas River.	\$7,000,000.00
1832.	Michigan	Replacement of the interchange at 44th Street and U.S. 131 in Grand Rapids.	\$9,000,000.00
1833.	New Jersey	Pedestrian, safety, and street lighting improvements, Edison National Historic Site.	\$520,000.00
1834.	Maine	Construct and plan Lewiston/Auburn Downtown Connector.	\$5,800,000.00
1835.	Michigan	Improve the existing highway-rail crossing at Cogshall Street, relocate existing signals.	\$2,000,000.00
1836.	Illinois	Improve Sheridan Road, Evanston	\$2,000,000.00
1837.	South Carolina	Murphy Road East Bridge in Anderson County.	\$115,000.00
1838.	Texas	Construct 36th Street Extension to connect KellyUSA, San Antonio.	\$6,000,000.00
1839.	New York	Rehabilitate Route 12 at Town and Village of Greene.	\$4,852,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1840.	Kentucky	Replace bridge and approaches over Beaver Creek (C14) 1.0 mile SE of JCT CR 1221.	\$500,000.00
1841.	Mississippi	U.S. Highway 61 Widening/Improvement	\$1,500,000.00
		Widening U.S. Highway 61 through Natchez and improving 3 major intersections, including turn lanes, at Devereaux, Liberty, and Junkin Roads.	
1842.	Oregon	Rockwood Town Center for Stark Street from 190th to 197th for pedestrian, bicycle and transit facilities and safety mitigation.	\$2,000,000.00
1843.	Michigan	Expansion of Cass Avenue, Clinton Township	\$8,763,000.00
1844.	Washington	Port of Tacoma Road/construct a second left turn lane from westbound Pac Highway to Port of Tacoma Road.	\$500,000.00
1845.	Georgia	Bicycle and pedestrian trail 1.5 miles along Jester Creek, City of Morrow.	\$960,000.00
1846.	Mississippi	I-20 Interchange and Connectors at Hawkins Crossing: I-20 Interchange and connectors linking Meridian and industrial complex to U.S. Highways 11 and 45.	\$1,000,000.00
1847.	Massachusetts	Engineering and construction of the Longfellow Bridge, Boston.	\$2,500,000.00
1848.	California	Construct a 2.8 mile bikeway that will connect 4 other regional trails and bikeways.	\$400,000.00
1849.	Ohio	Construct White Pond Dr. project, Akron	\$1,000,000.00
1850.	Arkansas	Resurfacing Grigsby Ford Road, Hot Spring County.	\$220,000.00
1851.	Oregon	Lake Road, Milwaukie for improvements in traffic flow, safety, bicycle and sidewalk facilities along the length of the road.	\$3,000,000.00
1852.	North Carolina	Improve U.S. 221 to multilane highway resulting in additional traffic-carrying capacity and enhanced safety.	\$5,000,000.00
1853.	Arkansas	Continued development of connector from relocated Highway 67 North to Highways 49 and future I-555.	\$1,000,000.00
1854.	Nevada	Construct Las Vegas Martin Luther King Blvd. to Industrial Road Connector.	\$5,500,000.00
1855.	Ohio	Grading, paving, roads, and ramp facilities for the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport.	\$5,500,000.00
1856.	Illinois	Upgrade roads, Village of Maywood	\$1,005,000.00
1857.	Illinois	IL Route 82 Railroad Underpass (Geneseo): Would raise the height of a narrow highway underpass.	\$3,000,000.00
1858.	Minnesota	Highway 36/McKnight Road Interchange Reconstruction, Ramsey County.	\$5,000,000.00
1859.	New York	Rehabilitation of the bridge at Warburton Avenue and Factory Lane, Yonkers.	\$1,000,000.00
1860.	Minnesota	Skyline Parkway Corridor preservation and roadway improvements from Seven Bridges Road to Becks Road, City of Duluth.	\$4,000,000.00
1861.	Indiana	Reconstruct 3.4 miles of 2 lane rural road as divided parkway with landscaped median and recreation paths in Carmel, IN.	\$500,000.00
1862.	Massachusetts	Design and engineering of 30-mile bikeway extending south from the Town of Salisbury to the Town of Danvers.	\$600,000.00
1863.	Minnesota	Stearns County Bridge No. 73501 improvements.	\$400,000.00
1864.	Louisiana	Improve Zachary Taylor Parkway in LA	\$1,000,000.00
1865.	Texas	SH 164 in Groesbeck to Sand Branch Creek. Reconstruct a 2-eleven foot main lane roadway to a 2-lane/12-foot main lane with 8-foot shoulder facility. Overall widening of SH 164 for safety.	\$2,000,000.00
1866.	Colorado	Upgrade I-70 from Glenwood Canyon to C 470.	\$4,000,000.00
1867.	New York	Phase II Corning Preserve Transportation Enhancement Project.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1868.	Michigan	Purchase and implementation of various Intelligent Transportation System technologies in the Grand Rapids metro region.	\$13,500,000.00
1869.	Connecticut	Upgrade North Stonington, CT/Westerly, RI Bridge.	\$500,000.00
1870.	California	Oregon-Page Mill expressway improvements between U.S. 101 and SR 82, Palo Alto.	\$2,000,000.00
1871.	New York	Pedestrian walkway improvements along Sunrise Highway, Valley Stream.	\$1,000,000.00
1872.	California	Study economic, environmental and congestion mitigation benefits of a Hybrid Utility Vehicle, Santa Barbara County.	\$100,000.00
1873.	Virginia	Route 613 Bridge over Gold Mine Creek, Louisa County.	\$500,000.00
1874.	Illinois	Undertake traffic mitigation and circulation enhancements on 57th and Lake Shore Drive, Chicago.	\$500,000.00
1875.	Ohio	Walnut Ave. Bridge replacement project in the City of Alliance.	\$500,000.00
1876.	California	Pedestrian Bridge Over Atlantic Boulevard, the City of Monterey Park.	\$510,000.00
1877.	New York	Emergency vehicle preemption system at traffic signals, Smithtown.	\$500,000.00
1878.	New York	Implement ITS system and apparatus to enhance citywide truck route system on Broadway to Irwin Ave. between 232 to 231 in the neighborhood of Kingsbridge, NY.	\$100,000.00
1879.	Ohio	Conduct Phase II of U.S. Route 68 bypass project in Urbana.	\$2,300,000.00
1880.	Texas	This project will develop a statewide 511 program.	\$4,000,000.00
1881.	New Jersey	Intermodal Access Improvements to former MOTBY, Bayonne.	\$2,000,000.00
1882.	Connecticut	Construct Route 11 Extension and Greenway from Salem to Waterford.	\$16,000,000.00
1883.	New Jersey	Rowan Boulevard Parking adjacent to Highway 322 Corridor, Glassboro Township.	\$1,000,556.00
1884.	Kentucky	Construct the Northern Bypass of Somerset, Kentucky and I-66 from the Cumberland (Louie B. Nunn) Parkway west of Somerset, Kentucky to I-75 south of London, KY.	\$14,000,000.00
1885.	New York	Construct sidewalk along KingsFerry Rd. and Cortlandt St. in Town of Cortlandt, NY.	\$400,000.00
1886.	Virginia	Appalachian Traditions/construction of outdoor facilities along Music Heritage Trail, Josephine.	\$250,000.00
1887.	Louisiana	Construct U.S. 90/LA 675 interchange, Iberia Parish.	\$5,000,000.00
1888.	Kentucky	Widening U.S. 25 from U.S. 421 to KY 876, Richmond.	\$800,000.00
1889.	Washington	Kent Willis UP Tracks/provide grade separation at the existing railroad tracks at the UP tracks.	\$1,000,000.00
1890.	New York	Improvement on Burnt Corners Rd. and Grahamtown Rd. in Town of Greeneville, NY.	\$100,000.00
1891.	Nebraska	Construct new E/W and N/S roadways/elevated railroad crossing to enhance comprehensive redevelopment of downtown Lincoln.	\$4,000,000.00
1892.	Illinois	Improve roads, Benton	\$2,300,000.00
1893.	Pennsylvania	Northwest Lancaster County River Trail will parallel 14 miles of Susquehanna River.	\$250,000.00
1894.	Georgia	Bridge replacement on County Road 183-FAS Route 1509, Peach County.	\$425,000.00
1895.	Florida	Construction of a new bridge at Indian Street, Martin County, FL.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1896.	New York	Improvements to Ashburton Ave. from the Saw Mill River Parkway to the waterfront.	\$600,000.00
1897.	Florida	SW 62nd/SW 24th arteriol connector alleviating traffic on I-75.	\$1,000,000.00
1898.	Kentucky	Make Highway 55 (aka Highway 555) into a 4 lane highway.	\$10,000,000.00
1899.	Missouri	RiversSouth Development, St. Louis County	\$3,000,000.00
1900.	Washington	Emission reduction kits to be put on diesel vehicles (Diesel Solution program, Puget Sound Clean Air Agency).	\$2,000,000.00
1901.	Alaska	Variety of road improvements and upgrades to service road areas and miscellaneous projects within Northstar Borough.	\$5,000,000.00
1902.	Indiana	Louisville/Southern Indiana Ohio River Bridges Project, IN.	\$14,400,000.00
1903.	New York	Roadway improvements on CR3 between Ruland Rd. and I-495, Suffolk County.	\$2,000,000.00
1904.	New York	Improve the Bronx River Greenway Park Connection.	\$800,000.00
1905.	Illinois	Resurface Yellow Banks Road, Franklin County.	\$300,000.00
1906.	Iowa	Construct a Pedestrian Trail Bridge adjacent to U.S. Highway 275 across the Southern half of Council Bluffs, IA between the Missouri River and the I-29 interchange.	\$250,000.00
1907.	Florida	SR 434 to JFK Boulevard and Destiny Road to Diplomat Circle, Eatonville.	\$3,000,000.00
1908.	California	Improving the interchanges on I-5 at Genesee Ave. and Sorrento Valley Blvd.	\$2,000,000.00
1909.	Georgia	Construct Statesboro North bypass, SR 26 to SR 73.	\$2,000,000.00
1910.	Washington	Intersection project at South Access 522 beginning and ending at the UWB-CCC campus to improve access and alleviate congestion.	\$3,000,000.00
1911.	Michigan	Plymouth, Repair Auburn St.	\$500,000.00
1912.	Missouri	Add 2 lanes to current 2 lane roadway, front street between I-29, I-35 and Chouteau Trafficway.	\$1,000,000.00
1913.	Florida	Airport Access Road, Gainesville	\$1,000,000.00
1914.	Oregon	Columbia Intermodal Corridor for rail congestion relief, improved intersections and access to I-5 for trucks, and grade-separate road from rail, Portland.	\$12,000,000.00
1915.	California	This project will widen the northbound ramps and widen the southbound ramps at the I-15 and SR 79 south interchange.	\$2,000,000.00
1916.	Washington	Realign West Main Street through west Kelso	\$2,000,000.00
1917.	Washington	Construct an off-ramp from I-5 to the intersection of Alderwood Mall Blvd. and Alderwood Mall Parkway.	\$500,000.00
1918.	New York	Resurface Grade Crossing at Old State Road (County Route 82).	\$500,000.00
1919.	New York	Reconstruct a historic bridge crossing Maxwell Creek in the Town of Sodus, NY.	\$580,000.00
1920.	New York	Fulton Street Improvements from Pennsylvania Avenue to Eldert Lane, Brooklyn.	\$5,600,000.00
1921.	Alabama	Talledega Mountains Natural Resource Center/an educational center and hub for hikers, bicyclists, and automobiles.	\$2,000,000.00
1922.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, Borough of Dupont in Luzerne County.	\$250,000.00
1923.	Nebraska	Construct planned 68-mile, 4-lane expressway on N-35 from Norfolk to South Sioux City.	\$13,000,000.00
1924.	Missouri	Modifications to I-470/U.S. 50 Interchange ..	\$1,000,000.00
1925.	Michigan	West Michigan Regional Planning Study for transportation and infrastructure.	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1926.	Virginia	Improve State Routes 161 and 315 and construct infrastructure improvements at/adjacent to Virginia Museum of Fine Arts in Richmond.	\$1,000,000.00
1927.	California	Development study of the Riverside-Orange corridor through the Community Environmental Transportation Acceptability Process (CETAP).	\$14,000,000.00
1928.	California	Land acquisition in Sargent Hills to mitigate for road runoff into water sources and to protect a wildlife corridor connecting Santa Cruz Mountains to Mt. Hamilton Range, Santa Clara County.	\$1,000,000.00
1929.	Michigan	CR 186 from M 35 at Brampton to U.S. 2 and U.S. 41/bituminous overlay with super elevation, correction, curb, and gutter, Delta County.	\$240,000.00
1930.	Oklahoma	Widen U.S. 60 from approximately 2 miles east of the U.S. 60/U.S. 75 interchange east approximately 5.5 miles.	\$2,000,000.00
1931.	North Carolina	Continued development of pedestrian bike paths, Cary.	\$1,300,000.00
1932.	Massachusetts	Warren Street and Blue Hill Avenue street improvements, Boston.	\$2,000,000.00
1933.	Pennsylvania	Improvements to I-81, including interchanges, in Franklin County, PA.	\$4,000,000.00
1934.	Michigan	Construction of improvements of 4 miles connecting M40 in Western Allegan County to Middleville and a bridge over Thornapple River.	\$3,600,000.00
1935.	Georgia	Historic preservation of a city bus station in downtown Eastman.	\$134,917.00
1936.	Texas	This project will deploy ITS elements in the rural areas of TX.	\$4,000,000.00
1937.	Texas	Relocation of FM 156 at Alliance Airport	\$5,000,000.00
1938.	Texas	Construct a 3 level diamond interchange on IH 35, Bell County.	\$2,000,000.00
1939.	Washington	Improvements in the SR 9 corridor, Snohomish County.	\$1,500,000.00
1940.	Texas	Reconstruct State Highway 87 from SH 124 to Sabine Pass.	\$7,000,000.00
1941.	New York	Install Improvements for Pedestrian Safety in the vicinity of Prospect Park Yeshiva.	\$250,000.00
1942.	Ohio	Replace McDonald Industrial Bridge, Village of McDonald.	\$500,000.00
1943.	Tennessee	Plough Boulevard Interchange project to improve access to Memphis International Airport.	\$2,000,000.00
1944.	New York	Rehabilitation of the Ashford Ave. bridge over I-87 in the Villages of Dobbs Ferry and Ardsley.	\$2,600,000.00
1945.	Washington	Granite Falls Alternate Freight Route, Granite Falls.	\$2,400,000.00
1946.	New York	Rebuild Queens Plaza, a 250-foot wide roadway on the eastern end of the Queensborough Bridge.	\$8,000,000.00
1947.	New Jersey	Reconfiguration of Bay Avenue and Polaris Street in Newark, NJ.	\$8,000,000.00
1948.	Illinois	Reconstruct Winter Ave., existing 1 lane Railroad subway, and 1 lane bridge to provide access to Winter Park in Danville.	\$5,400,000.00
1949.	New York	Eastern Laurelton Area Improvements, Queens.	\$6,600,000.00
1950.	Texas	Construct grade-separation bridges at Wintergreen and Millers Ferry Roads in Hutchins and at Pleasant Run and Millers Ferry Roads, Wilmer.	\$7,200,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1951.	Pennsylvania	Engineering, design and construction of an extension of Park Avenue north to Lakemont Park in Altoona.	\$2,000,000.00
1952.	Florida	Increase 4 lane road to a 6 lane segment on Highway 98, Walton County.	\$2,000,000.00
1953.	New Jersey	Pedestrian facilities and street lighting on Haddon Avenue from Voorhees Township Line to Bate Avenue, Berlin Township.	\$347,120.00
1954.	Minnesota	Acquire right-of-way for reconstruction and relocation of U.S. Highway 14 from CSAH 2 to Owatonna.	\$12,000,000.00
1955.	New York	Construct highway improvements necessary to develop an industrial park in Lackawanna.	\$2,000,000.00
1956.	Alaska	Emergency evacuation road at Point Hope in North Slope Borough.	\$5,000,000.00
1957.	Michigan	Rail Consolidation Phase II, City of Monroe	\$5,250,000.00
1958.	New York	Road and pedestrian safety improvements on Main Street, Village of Patchogue.	\$1,400,000.00
1959.	Ohio	Construct connector between Crocker and Stearns County Highways, Westlake and North Olmsted.	\$700,000.00
1960.	Tennessee	Improve and relocate section of SR 66 from I-81 in Jefferson County and extending to SR 34 in Hamblen County via SR 160.	\$2,750,000.00
1961.	Ohio	Calming of traffic on Greenfield St. in City of Tiffin and improving intersection of Greenfield St. with Routes 18 and 101.	\$1,700,000.00
1962.	California	Realignment of La Brea Avenue to reduce congestion, Inglewood.	\$4,240,000.00
1963.	Minnesota	Construct 1 mile of new roadway and a bridge crossing the DM&IR railroad tracks, and construct connector between CSAH 14 and CSAH 284, Proctor.	\$3,280,000.00
1964.	Georgia	Construct 5 ft. bicycle lanes to connect the cities of Elberton and Lake Russell, and rest stops for recreational use.	\$1,250,000.00
1965.	California	Construct fourth bore of Caldecott Tunnel on Route 24.	\$1,000,000.00
1966.	Illinois	Prospect St. Project (Cambridge): Restoration and reconstruction of the central business district street.	\$1,200,000.00
1967.	New York	Roadway improvements to Woodbury Rd. at intersection with Syosset-Woodbury Rd., Nassau County.	\$1,500,000.00
1968.	New Jersey	Routes 1 and 9, Roadway Rehabilitation in North Bergen.	\$1,000,000.00
1969.	New York	Construct and improve access roads to Northland Commerce Park, Buffalo.	\$1,500,000.00
1970.	Massachusetts	Meridian Street Bridge: Replacement of the Meridian Street bridge that crosses the Green River, Greenfield.	\$2,300,000.00
1971.	Kansas	Highway construction project on K-18 in Geary County, south 2.7 miles to I-70.	\$13,970,000.00
1972.	Pennsylvania	Schaefferstown Bypass, PA Route 501, Lebanon.	\$1,000,000.00
1973.	North Carolina	Widen U.S. 401 to multilane facility between Fayetteville and Fuquay-Varina.	\$4,000,000.00
1974.	Washington	North Sound Connecting Communities Project Planning Funds.	\$1,000,000.00
1975.	Georgia	Construct Blue Jay Rd. to Highway 30 in Effingham.	\$2,500,000.00
1976.	North Carolina	Widening of U.S. 501 from NC 49 in Roxboro, North Carolina to the Virginia State line, part on new location.	\$10,000,000.00
1977.	Maryland	Reconstruction of roadways in the East Baltimore Biotechnology Park.	\$6,000,000.00
1978.	Ohio	Construct additional lane to alleviate traffic congestion on U.S. 40 in and adjacent to St. Clairsville.	\$800,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
1979.	Missouri	Intersection improvement of Highway 45, Highway K, and Union Chapel Road, in addition to widening Highway 45.	\$3,000,000.00
1980.	Maryland	Interchange at Musgrove Road and Fairland Road on U.S. 29.	\$3,400,000.00
1981.	California	Traffic signal upgrades on Bellflower Blvd. at Alondra Blvd. and Rosecrans Ave., Bellflower.	\$350,000.00
1982.	Utah	Virgin River Bridge, Washington City	\$2,800,000.00
1983.	Nebraska	Construction of a 2-lane roadway on new alignment south and east of Louisville.	\$1,626,400.00
1984.	Florida	Ludlum Trail	\$1,000,000.00
1985.	New Jersey	Route 21 Improvements and bridge replacement in vicinity of Chester Avenue, Newark.	\$1,000,000.00
1986.	Indiana	U.S. 231 new road construction in Spencer and Dubois Counties.	\$5,000,000.00
1987.	South Carolina	Southern Conway Bypass (701 Connector)	\$5,000,000.00
1988.	South Carolina	Railroad Avenue Extension, Road S-732, Berkeley County.	\$2,000,000.00
1989.	Louisiana	Construct Mississippi River Trail and Bikepath, New Orleans.	\$500,000.00
1990.	Washington	Preliminary engineering and EIS for I-5 from SR 500 WA crossing the Columbia River, to Marine Drive in OR.	\$10,000,000.00
1991.	New York	Improvements to the intermodal transportation on the Jacobi Campus, 1400 Pelham Park.	\$250,000.00
1992.	Texas	Pedestrian improvements and traffic control projects in the central business district of downtown El Paso.	\$2,000,000.00
1993.	Alabama	4-laning of U.S. 278 from I-65 to U.S. 231	\$3,000,000.00
1994.	Kansas	Construct bike/pedestrian path along K-10 between Douglas and Johnson Counties.	\$500,000.00
1995.	Florida	Construction and 4-laning of State Road 80 in Hendry County, FL.	\$1,000,000.00
1996.	Missouri	Upgrade interchange at I-170 and Ladue Road (Ladue, MO).	\$2,000,000.00
1997.	Maryland	Funding for Baltimore City to begin development of a City Transportation Management Center utilizing ITS.	\$1,000,000.00
1998.	Texas	Environmental mitigation and wetland protection funding for U.S. 290 to U.S. 59 (The Grand Parkway) and right-of-way funding for U.S. 290 to SH 249 and I-45 to U.S. 59.	\$14,000,000.00
1999.	Arkansas	Improvement of Highway 65b—North, Pine Bluff.	\$3,200,000.00
2000.	Texas	Loop 49: Construct a new location 4-lane divided controlled access facility from SH 155 to SH 31.	\$6,100,000.00
2001.	California	Construct State Route 905 to connect the Otay Mesa Port of Entry to I-805, San Diego.	\$15,000,000.00
2002.	Washington	Improvements at I-5 and 134th Street and arterial network linking I-5 and I-205.	\$12,354,000.00
2003.	Florida	North Access Road/International Airport Boulevard in Duval County.	\$5,000,000.00
2004.	Ohio	Construct a 4 lane limited access road to link Newcomerstown and Cadiz.	\$750,000.00
2005.	Alaska	Westside development Williamsport-Pile Bay Road.	\$5,000,000.00
2006.	Massachusetts	Engineering and construction of the Chelsea St. Bridge, Boston.	\$8,000,000.00
2007.	Oregon	Widen Delauro Road and add a bike lane in both directions, Clatsop County.	\$90,000.00
2008.	Iowa	Build extension to U.S. 20 Mississippi River Bridge in Dubuque County.	\$25,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2009.	Mississippi	Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 3 (U.S. Highway 16), and Ethel (U.S. Highway 12), Attala County.	\$1,300,000.00
2010.	California	Pedestrian safety improvements on State Highway 62 in Yucca Valley.	\$1,000,000.00
2011.	Alaska	Construct access road and a bridge crossing the Naknek River terminus points in South Naknek-King Salmon Highway.	\$5,000,000.00
2012.	California	Construct Illinois Street Bridge/Amador Street Connection and Improvements, San Francisco.	\$5,000,000.00
2013.	Michigan	Commerce, widen Haggerty Rd. from 14 mile to Richardson.	\$2,000,000.00
2014.	South Carolina	North Rhett Boulevard Extension to U.S. Highway 52, Berkeley County.	\$7,000,000.00
2015.	Michigan	Allen Road Highway-Rail Grade Separation under CN Railroad, City of Woodhaven.	\$3,000,000.00
2016.	Pennsylvania	Complete the reconstruction of roadways around the David L. Lawrence Convention Center.	\$1,000,000.00
2017.	Oklahoma	Construct Texanna Road Improvements from Highway 69 to Highway 71, McIntosh County.	\$2,000,000.00
2018.	New Mexico	Construct Fairgrounds Road in Alamogordo	\$5,000,000.00
2019.	New York	Reconstruction of Times and Duffy Squares, New York City.	\$1,500,000.00
2020.	Florida	U.S. Highway 19 North, Pinellas County	\$10,000,000.00
2021.	Maryland	MD 70/Rowe Boulevard Bridge. Funding to undertake environmental mitigation work on Weems Creek associated with bridge reconstruction.	\$2,000,000.00
2022.	Alabama	Extension of I-565 westward from existing interchange to existing Tennessee River bridges at Decatur, AL.	\$5,000,000.00
2023.	Washington	San Juan Boulevard Project, Bellingham	\$4,000,000.00
2024.	Oklahoma	Reconstruct the I-44/Fort Sill Key Gate Interchange.	\$1,000,000.00
2025.	New York	Improve safety measures at railroad grade crossings on the West Shore River Line, Rockland County.	\$1,000,000.00
2026.	Oregon	Improve Millican/West Butte Road which connects U.S. Highway 20 with U.S. Highway 126.	\$2,000,000.00
2027.	California	Construct Alviso Bay Trail project, a 1.3 mile trail from Gold Street to San Tomas Aquino Creek, Santa Clara County.	\$800,000.00
2028.	Kentucky	Reconstruct KY 750 from KY 3105 to U.S. 23, Raceland.	\$500,000.00
2029.	Illinois	Upgrade Missouri Ave. from 1st St. to 10th St., East St. Louis.	\$2,500,000.00
2030.	New York	Install Improvements for Pedestrian Safety in the vicinity of IS 72/PS 69.	\$250,000.00
2031.	California	Improvements (including arterial street rehabilitation) to enhance traffic and pedestrian safety in the Sherman Oaks community, Los Angeles.	\$214,000.00
2032.	Georgia	Install walkways, lighting, landscaping in Water Works Park and south along river through Ocmulgee National Monument and Central City Park.	\$4,500,000.00
2033.	California	Reconstruct 1.1 miles of Long Beach Blvd. from Imperial Highway to Tweedy Blvd., Lynwood.	\$2,200,000.00
2034.	Michigan	Overlay of Fairview Road to improve network of all-season Truck routes, Ogemaw County.	\$369,600.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2035.	Washington	I-90, Spokane to Idaho State Line Widening: Construct 2 general purpose lanes from Sprague Avenue in City of Spokane to Idaho State Line.	\$5,000,000.00
2036.	Texas	Greater Galveston Bay Area cooperative development for landscape beautification, hike & bike trail extension, and extension of current trails.	\$2,000,000.00
2037.	Virginia	Blue Ridge Travel Association/establishment of website providing information including trails and road systems within the region.	\$250,000.00
2038.	South Carolina	Construct intersection and corridor improvements to U.S. 278 to include widening and traffic control improvements.	\$6,500,000.00
2039.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Niota, TN.	\$99,000.00
2040.	Arkansas	Improve Ashley 70 and Marais Saline roads in Ashley County.	\$500,000.00
2041.	Ohio	Construct proposed connection SR 207, SR 104, and U.S. 23 in Ross County.	\$2,000,000.00
2042.	Indiana	Construct an economic thoroughfare parallel to I-69 in the City of Anderson, IN.	\$2,000,000.00
2043.	Washington	Cascade Gateway Coordination of Binational Planning; The International Mobility and Trade Corridor Project.	\$1,300,000.00
2044.	Illinois	City of Peoria Riverfront area street improvements.	\$800,000.00
2045.	New Mexico	Mesa Del Sol: Improve and enhance access to existing county recreational complex and the new Mesa Del Sol development.	\$3,000,000.00
2046.	California	Replace Route 1 San Pedro Creek bridge, Pacifica.	\$1,500,000.00
2047.	Massachusetts	Reconstruction of Union St. and Route 138W, Holbrook.	\$1,800,000.00
2048.	New York	Construction of and improvements to highway/rail grade crossing at Harrington Road in the Town of Sheridan.	\$500,000.00
2049.	California	The Foothill South Project will construct 16 miles of a 6 lane limited access highway system.	\$10,000,000.00
2050.	Florida	Roadway and drainage improvements in the City of Key West to reduce street flooding.	\$2,000,000.00
2051.	New Jersey	Route 46 Little Ferry Traffic Circle Elimination, Roadway and Drainage Improvements.	\$1,500,000.00
2052.	California	Planning, engineering, and construction of a tunnel on SR 75/282 to Naval Air Station, San Diego.	\$5,000,000.00
2053.	Massachusetts	Replace Cross Street Bridge spanning the flood-prone Aberjona River, Winchester.	\$1,000,000.00
2054.	Georgia	Widening of SR 196 in Liberty County	\$1,000,000.00
2055.	Illinois	Annie Glidden Rd. (DeKalb): Widen the 2-lane road to 5 lanes with intersection improvements.	\$8,000,000.00
2056.	Mississippi	Highway 45 Bypass/provides a 4-lane alternative to Highway 45 in Columbus.	\$6,000,000.00
2057.	New York	Construction of ferry terminals and ferry boats for Haverstraw, Yonkers, and Manhattan.	\$1,500,000.00
2058.	California	Construct road from Mace Blvd. in Yolo County to federally supported Pacific Flyway wildlife area.	\$1,000,000.00
2059.	New York	Construction of roadways to improve access to waterfront at Erie Street in Buffalo.	\$1,500,000.00
2060.	Washington	Route analysis for a planned community pathway through Chehalis.	\$50,000.00
2061.	California	Improve access roads to Beale Air Force Base (Spenceville, Smartville, Hammonton-Smartville, and North Beale Roads).	\$6,500,000.00
2062.	Mississippi	Canal Road intermodal connector, Gulfport ...	\$8,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2063.	Iowa	Reconstruction and relocation of U.S. 30 from 4.5 miles west of Toledo to 1 mile east of Tama.	\$4,000,000.00
2064.	Nebraska	Highway grade separation structure across the BNSF/FEVR railroad corridor in the western part of the City of Fremont.	\$1,807,300.00
2065.	Illinois	Construct Illinois Route 336 from Macomb to Peoria.	\$2,000,000.00
2066.	Pennsylvania	Schuylkill River Gateway project enhancing bridge and roadway structures connecting Center City and University City for pedestrians, bicyclists, and motorists.	\$1,250,000.00
2067.	North Carolina	Add interchange on I-26 north of NC 146 and south of the Blue Ridge Parkway.	\$5,000,000.00
2068.	Virginia	Widen Route 7 from Reston Parkway to Rolling Holly Drive.	\$6,000,000.00
2069.	Mississippi	Upgrade roads in Beauregard (U. S. Highway 51), Crystal Springs (U.S. Highway 51 and I-55), and Hazelhurst (U.S. Highway 51 and I-55), Copiah County.	\$1,000,000.00
2070.	California	Conduct Study and Construct Lammers Rd./ I-205 Widening and Interchange Project, Tracy, CA.	\$1,000,000.00
2071.	Maryland	Design ramp from I-495 to MD 4 and signalized intersection.	\$3,500,000.00
2072.	Oregon	Add a southbound lane to section of I-5 between Delta Park and Lombard.	\$5,000,000.00
2073.	Minnesota	Reconstruction of CSAH 4 and CSAH 5 (Forest Highway 11) between CSAH 15 and Trunk Highway 61, Silver Bay.	\$1,740,000.00
2074.	California	Upgrade Kanan Road interchange at U.S. 101 (Agoura Hills) to improve safety and accessibility.	\$5,000,000.00
2075.	Washington	U.S. 395, Spokane to Stevens County Line Widening: Construct U.S. 395 from milepost 172.6 to Stevens County line just north of Deer Park, WA.	\$1,000,000.00
2076.	Georgia	Upgrade sidewalks and lighting, Lyons	\$709,098.00
2077.	Ohio	Construction of new roadway intersecting Chestnut St. and Paradise St. and modifications to Chestnut St. and Paradise St. in the City of Orville.	\$6,004,400.00
2078.	Georgia	Extend East Greene Street, install street lights, utilities, and landscaping, Milledgeville.	\$500,000.00
2079.	Wisconsin	Construct Michigan Street Bridge in Sturgeon Bay, WI.	\$5,000,000.00
2080.	Missouri	Complete the upgrade of Highway 60 to 4 lanes from Willow Springs to Van Buren.	\$10,000,000.00
2081.	Ohio	Deconstruct the Bellaire Highway Bridge which connects Bellaire, OH and Benwood, WV.	\$1,700,000.00
2082.	California	Construction of interchange at State Highway 86 and Ave. 50 in Coachella, CA.	\$1,000,000.00
2083.	Virginia	Preliminary engineering for Hampton Roads Third Crossing.	\$3,000,000.00
2084.	Arizona	Improve 15 miles of Navajo Route 16 in the Navajo Mountain Community.	\$2,000,000.00
2085.	New Hampshire	Construction of interchange on I-93. The project is not part of a larger system. But, will be compatible with the NHDOT I-93 widening project.	\$2,500,000.00
2086.	Vermont	Construction of the St. Albans intermodal connector roadway with I-89 for the City of St. Albans.	\$1,200,000.00
2087.	Illinois	Widen Algonquin Rd. to 4-lane divided highway in McHenry County, IL.	\$4,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2088.	Mississippi	Upgrade roads in Itta Bena (U.S. Highway 82 and 7) and in vicinity of Viking Range Corp. (U.S. Highway 7 and 49), Leflore County.	\$1,500,000.00
2089.	New York	Improvements to Robinson Ln. and Lake Walton Rd. at Route 376 in Town of East Fishkill.	\$500,000.00
2090.	Hawaii	Conduct study of East Hawaii Alternative Road, Island of HI.	\$250,000.00
2091.	Washington	Tukwila Urban Access/address necessary improvements to Southcenter Parkway in Tukwila to relieve congestion.	\$1,000,000.00
2092.	California	Quincy-Oroville Highway Rehabilitation/provides for 9.5 miles of pavement rehabilitation, culvert replacements, guardrail installation, signing and stripping in Plumas County.	\$1,000,000.00
2093.	New Jersey	Route 33 from Route 35 to Route 71, widening existing roadway, sidewalks, left turn lanes, signage and drainage, Neptune.	\$2,000,000.00
2094.	Missouri	Ogden Ave. improvements/property acquisition, design and engineering, and enhanced streetscapes for bike and pedestrian traffic, St. Louis County.	\$400,000.00
2095.	California	Interchange improvements at Rice Avenue and U.S. Highway 101, City of Oxnard.	\$3,000,000.00
2096.	New Jersey	Pedestrian walkway improvements across 3 bridges over I-280, Orange.	\$1,000,000.00
2097.	Arizona	Pave 12 miles of Pine Springs Road, N 9010, on the Navajo Nation.	\$3,300,000.00
2098.	California	Utilize funds over a 4-year period to reconstruct and deep-lift asphalt on various roads throughout the district in Santa Barbara County.	\$4,644,000.00
2099.	Minnesota	Lyndale Avenue Bridge Project, Richfield	\$7,000,000.00
2100.	Virginia	Route 635 Bridge Over Southern Railway, Orange County.	\$500,000.00
2101.	New York	Construct Safe Routes to Schools projects, New York City.	\$3,000,000.00
2102.	Nevada	Design and Construct Hoover Dam Bypass Extension, Boulder City, NV.	\$6,000,000.00
2103.	Texas	Construct pedestrian trail from Pasadena Heritage Park to Memorial Park, then continue south along Vince Bayou to Strawberry Park.	\$150,000.00
2104.	Pennsylvania	Widening of 4.5 miles of northbound Rte 28 at Yutes Run Rd. for the Frazer Mills Project.	\$1,500,000.00
2105.	Illinois	Construct parking facility, LaGrange	\$3,700,000.00
2106.	Ohio	Replace the Edward N. Waldvogel Viaduct	\$8,000,000.00
2107.	Georgia	Install sidewalks on Highway 23 from Dykes Street to Sarah Street, Cochran.	\$300,000.00
2108.	North Carolina	10th St. Connector in Greenville, NC: Widen Farmville Blvd. from Memorial Dr. to 14th St. and extend from 14th St. to 10th St.	\$12,000,000.00
2109.	Florida	Construction and right-of-way activities for SR 548, In-Town Bypass in Lakeland, FL.	\$6,000,000.00
2110.	Oklahoma	Construct SH 28 Improvements from I-44 to Langley.	\$2,300,000.00
2111.	Ohio	Rehabilitate tunnel and bridge on National Road Bikeway in St. Clairsville.	\$700,000.00
2112.	Ohio	Ashtabula County MetroParks completion of bicycle trails project.	\$1,000,000.00
2113.	Hawaii	Design/engineering of Puainako Street	\$1,500,000.00
2114.	Virginia	Expansion of South Airport Drive near Richmond International Airport.	\$500,000.00
2115.	North Carolina	Construction of a hard surface road that will establish a new port access point to receive and dispatch trucks from/to U.S. 74/76, U.S. 421, and U.S. 17S.	\$3,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2116.	Minnesota	City of Moorhead SE Main GSI, 34th St. and I-94 Interchange, and Moorhead Comprehensive Rail Safety Program.	\$2,600,000.00
2117.	Nevada	Enhancement to ReTrac project that provided for separation of 11 street crossings through downtown Reno.	\$1,000,000.00
2118.	New York	Improve NY 112 from Old Town Road to NY 347.	\$10,000,000.00
2119.	California	Construct 213th Street pedestrian bridge to provide safe passage for pedestrians and wheelchairs, Carson.	\$1,050,000.00
2120.	Connecticut	Construct additional southbound Route 8 Entrance Ramp at Exit 11 in Shelton, CT.	\$1,500,000.00
2121.	Virginia	Cranesnest Trail/construction of 16 mile hiking, biking, horse trail from Route 83 to Cranesnest Campground.	\$650,000.00
2122.	Maryland	Reconstruction of MD 175 from the Baltimore-Washington Parkway to MD 170 (Telegraph Road).	\$2,000,000.00
2123.	Ohio	City of Tiffin/Sarah St. along St. Route 18 and 101 to calm traffic.	\$2,600,000.00
2124.	New Jersey	Road improvement to improve the intersection of Route 173, Pittstown Road, and I-78, Franklin Township of Hunterdon County.	\$1,650,000.00
2125.	Alabama	Huntsville Southern Bypass from I-565 through Redstone Arsenal to U.S. Highway 231.	\$3,000,000.00
2126.	Michigan	Widen Maple and Orchard Lake Roads at Northwestern Highway intersections.	\$5,000,000.00
2127.	Montana	Bozeman Parking Facility	\$5,000,000.00
2128.	New Hampshire	Relocation of the intersection of Route 103 and North Street and the reconstruction of North Street in Claremont, NH.	\$2,680,000.00
2129.	Washington	SR 35/Columbia River Crossing Environmental Impact Statement completion, Klickitat County.	\$800,000.00
2130.	Utah	Southern Corridor, St. George	\$4,000,000.00
2131.	Oregon	Construction of roadway facilities at the Tualatin River National Wildlife Refuge.	\$60,000.00
2132.	Pennsylvania	State Street and Mulberry Street Bridge Lighting project, Harrisburg.	\$4,000,000.00
2133.	Florida	Widening and improvement of State Road 64 from Lakewood Ranch Boulevard to Lorraine Road.	\$2,000,000.00
2134.	Idaho	A widening project at the Sunnyside IC located on I-15 between mileposts 113 and 116.	\$4,500,000.00
2135.	Indiana	Riverfront trail, community gathering space and safe passage for pedestrians linking Noblesville to the White River Trails in Hamilton County.	\$500,000.00
2136.	Louisiana	Upgrade I-49 South from Lafayette, Louisiana to New Orleans, LA.	\$3,500,000.00
2137.	Tennessee	New 5-lane connector north of the City of Elizabethton, Carter County, located within Urbanized Area Boundary of Johnson City.	\$500,000.00
2138.	Georgia	Link U.S. 84 with Hinesville downtown redevelopment via Memorial Drive.	\$1,200,000.00
2139.	Pennsylvania	PA Route 61 safety improvements, Leesport Borough/Ontelaunee/Muhlenburg.	\$3,000,000.00
2140.	California	Builds a pedestrian bridge from Hiller Street to the Bay Trail, Belmont.	\$2,000,000.00
2141.	Michigan	Transportation Aesthetics project in City of Durand, includes new curb and gutter.	\$500,000.00
2142.	Illinois	Dixon Riverfront Plan: Development of a coordinated trail system, parking, and trail system.	\$3,200,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2143.	California	Develop conceptual master plan including economic analysis and environmental study to improve the efficiency of transportation facilities, Covina.	\$215,000.00
2144.	California	Streetscape improvements at E. 14th/Mission Blvd., Alameda County.	\$1,250,000.00
2145.	Utah	Cottonwood and Winchester Intersection, Murray City.	\$5,000,000.00
2146.	Massachusetts	Southwick and Westfield Rail Trail. Construction of a 9.5 mile multi-use trail, Southwick and Westfield.	\$5,000,000.00
2147.	Florida	For land acquisition and construction of the Englewood Interstate Connector, a vital evacuation route for Sarasota, Charlotte and Lee Counties.	\$4,000,000.00
2148.	Illinois	Engineering and construction of the 15.1 mile Alliance Trail from LaSalle to Bureau Junction.	\$1,000,000.00
2149.	Texas	Construct Hidalgo County Loop	\$2,000,000.00
2150.	Pennsylvania	Flyover ramps at SR 837/Center Street to Industrial Drive and SR 148/Coursin Street to Industrial Drive, McKeesport/Duquesne.	\$9,000,000.00
2151.	Virginia	Widen Route 820 in Bergton	\$1,200,000.00
2152.	Idaho	A project to directly contribute to completed and future improvements to U.S. 30 from I-15 from milepost 363.8 to milepost 365.9.	\$5,000,000.00
2153.	New Jersey	Perth Amboy Route 440/State St. Interchange.	\$5,000,000.00
2154.	District of Columbia.	Rock Creek Recreational Trail study to assess feasibility of constructing recreation trail.	\$1,000,000.00
2155.	Ohio	Construction/improvements of Lake County Highway Administration Center in Madison Village.	\$500,000.00
2156.	Kansas	Reconstruct U.S. 69 between 87th Street and 119th Street, City of Overland Park.	\$2,000,000.00
2157.	Virginia	Concept design and scope for a slip ramp from E. Eisenhower Valley area of Alexandria.	\$500,000.00
2158.	Oregon	BNSF Intermodal Hub for improved traffic flow, safety, and the construction of a turnout lane parallel to NW Yeon Avenue, Portland.	\$200,000.00
2159.	Virginia	Whitetop Station/completion of renovation of Whitetop Station (which serves as trailhead facility), including construction of trail.	\$100,000.00
2160.	West Virginia	Upgrade Route 10, Logan County	\$5,000,000.00
2161.	California	Construct Guadalupe River Trail project from highway 237 to I-880, San Jose.	\$5,500,000.00
2162.	Texas	Tower 55 CMAQ Congestion and Preliminary Engineering Study.	\$2,000,000.00
2163.	Illinois	Upgrade traffic signalization on Sheridan Road from Hollywood to Juneway, Chicago.	\$1,500,000.00
2164.	Massachusetts	Reconstruct Route 24/Route 140 Interchange, replacing bridge and ramps, widening lanes, extending acceleration and deceleration lanes.	\$8,700,000.00
2165.	New York	Construct turning lane on Route 55 at Gardner Hollow Rd. in Town of Beekman, NY.	\$560,000.00
2166.	Illinois	Replace bridge structure over Wabash River between Mt.Carmel, IL and Princeton, IN.	\$7,200,000.00
2167.	Kansas	Construct K-10/Lone Elm Road interchange, Lenexa.	\$3,000,000.00
2168.	Oregon	Barber Road extension, Wilsonville	\$1,000,000.00
2169.	Texas	Bicycle and pedestrian trail network southeast Austin, including McKinney Falls Trail, Pierce Lane Link, Onion Creek Trail, and Southern Walnut Creek Trail.	\$9,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2170.	Florida	Link I-95 in St. Johns County to I-10 in Duval County with a 4-lane freeway running through Clay County.	\$3,000,000.00
2171.	Arizona	Improve I-40 at the Country Club Interchange in East Flagstaff, AZ.	\$7,500,000.00
2172.	Illinois	Construct Bike paths, Madison County	\$3,200,000.00
2173.	Pennsylvania	PA 72 corridor improvements from PA 283 to PA Turnpike. Connect with PA 283.	\$600,000.00
2174.	New York	Bicycle and pedestrian safety improvements on Main Street, Riverhead.	\$1,200,000.00
2175.	Georgia	Pedestrian streetscape project, including curbs, bicycle parking, and landscaping, to revitalize downtown Locust Grove.	\$1,000,000.00
2176.	New Jersey	Project will fund improvements along County Route 523 corridor from Village of Oldwick south to U.S. 22 in the Readington-Tewksbury, Improvement District.	\$500,000.00
2177.	Kentucky	Newtown Pike extension from West Main Street to South Limestone Street, Lexington.	\$5,250,000.00
2178.	Louisiana	Construct improvements to I-10 interchange with Ryan Street, Lake Charles.	\$4,500,000.00
2179.	New York	Construction of and improvements to Route 5 in the Town of Hamburg.	\$500,000.00
2180.	Minnesota	TH 38 reconstruction from Itasca CSAH 19 to Marcell.	\$4,425,942.00
2181.	Maryland	Baltimore-Washington Maglev Demonstration Project will demonstrate capabilities of Maglev technology.	\$200,000.00
2182.	Nebraska	Upgrade Cuming Street and U.S. 75 entrance ramp, Omaha.	\$4,000,000.00
2183.	Texas	South Orient Rail economic and rehabilitation Project.	\$3,000,000.00
2184.	Illinois	City of Bartonville, Street widening and improvements and sidewalk improvements.	\$800,000.00
2185.	Mississippi	I-59, U.S. Highway 84, and State Highway 15 interchange, Laurel.	\$2,120,000.00
2186.	Georgia	Streetscape project to install sidewalks and bicycle trails, Gray.	\$500,000.00
2187.	Massachusetts	Realignments and reconstruction of a section of Route 32 in Palmer to the Ware town line.	\$4,000,000.00
2188.	Maryland	I-81 Improvements South of I-70 to North of Halfway Blvd.	\$1,000,000.00
2189.	Georgia	Streetscape (pedestrian safety enhancements, sidewalks, curb replacement, landscaping, restoration, ADA compliance, restoration), Thomasville.	\$500,000.00
2190.	Maryland	Land acquisition for highway mitigation in Cecil and Worcester.	\$14,800,000.00
2191.	Michigan	Construct Industrial Park Service Road and Caine Road Bridge Replacement, Village of Millington, Tuscola County.	\$416,000.00
2192.	Minnesota	8th Street right-of-way acquisition for Stearns Country Road expansion and realignment.	\$4,000,000.00
2193.	California	For environmental review and preliminary engineering for a freeway-to-freeway interchange connecting I-5 to State Route 78.	\$5,000,000.00
2194.	Pennsylvania	Identify multi-modal commercial and military freight corridors in PA. Part of PA Reg. Agile Port Intermodal Distribution Sys. Philadelphia.	\$500,000.00
2195.	California	The Esplanade improvements to reduce pedestrian/bicycle/automobile traffic congestion and improve oceanfront access, Redondo Beach.	\$1,000,000.00
2196.	New York	Create overpass at Peruville Road to address intersection safety issues.	\$4,432,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2197.	Missouri	Rehabilitate and widen Route 71 from Route W to Blue Ridge Blvd., Grandview Triangle.	\$2,000,000.00
2198.	Minnesota	City of East Grand Forks 13th Street Extension.	\$1,200,000.00
2199.	Illinois	Illinois Prairie Path (Wayne): Construction of a new bicycle/pedestrian bridge.	\$1,200,000.00
2200.	Illinois	Upgrade Pioneer Parkway in Peoria	\$800,000.00
2201.	New York	Design and Construction of an enhancement project within the Erie Canal Aqueduct in downtown Rochester.	\$1,500,000.00
2202.	Kentucky	A 20-mile priority design segment of the route from Campbellsville to Columbia.	\$2,000,000.00
2203.	Illinois	Pre construction activities, IL 8 upgrades from East Peoria to Washington.	\$800,000.00
2204.	Pennsylvania	Design and construct interchange improvements including sound barriers at I-83, Exit 19, or other projects designated by York County MPO.	\$6,000,000.00
2205.	Alabama	Valleydale Road widening from U.S. 31 to I-65 (Shelby County Rd. 17).	\$5,000,000.00
2206.	New Jersey	Route 21 congestion relief improvements/Murray Street to Green Street, Newark.	\$900,000.00
2207.	Wisconsin	Construct Highway 32/Claude Allouez Bridge in DePere, WI.	\$500,000.00
2208.	New York	Construction of a Greenway along the waterfront, the Village of Irvington in Westchester.	\$200,000.00
2209.	Michigan	Repaving a portion of H-58 between Sullivan Creek towards Little Beaver Road, Alger County.	\$1,600,900.00
2210.	Illinois	The widening of Midlothian Road including signalization and pedestrian crosswalk installation at the entrance of Lake Zurich High School.	\$480,000.00
2211.	New York	Improve the Bronx River Greenway Bronx Park East Pathways.	\$800,000.00
2212.	Florida	Wekiva Parkway in Orange, Seminole and Lake Counties, FL.	\$5,000,000.00
2213.	Kentucky	Reconstruct KY 244 from KY 3105 to the railroad underpass, Raceland.	\$500,000.00
2214.	Pennsylvania	Design and construct and upgrade the interchange of U.S. 15 and U.S. 30 in Adams County.	\$4,000,000.00
2215.	Iowa	Acquire right-of-way, widen, resurface, and replace 3 bridges on IA T14, 22 to IA 80.	\$500,000.00
2216.	Illinois	Improve roads and bridges, Cook County	\$5,000,000.00
2217.	Florida	Arlington Expressway Access Road, Jacksonville.	\$1,500,000.00
2218.	California	Construct a soundwall along Esperanza Road in the City of Yorba Linda.	\$2,000,000.00
2219.	Illinois	Reconstruct Lakeshore Drive overpass over Lawrence Avenue, Chicago.	\$1,500,000.00
2220.	New Jersey	Quinn Road widening, Little Falls	\$2,500,000.00
2221.	Virginia	Study to upgrade U.S. Route 460 in the Petersburg/Hampton Roads Corridor from approximately I-295 to Bowers Hill including an evaluation of rail.	\$5,500,000.00
2222.	Louisiana	Construct frontage streets along I-10, Crowley.	\$1,100,000.00
2223.	Oregon	Connect Boeckman Road to Tooze Road, Wilsonville.	\$3,000,000.00
2224.	Mississippi	U.S. Highway 49 Interchange/Seminary: U.S. Highway 49 Interchange with SR 589 and 590 at Seminary to significantly reduce congestion and accidents.	\$500,000.00
2225.	Kansas	Highway construction project on U.S. 54/400 for 4 miles west of Pratt-Kingman County line.	\$12,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2226.	Wyoming	Casper Bypass: Reconstruct Old Yellowstone Highway from David to Poplar St., and 2nd St. from David St. to E Yellowstone Highway.	\$3,000,000.00
2227.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Athens, TN.	\$59,000.00
2228.	Pennsylvania	Deploy an Intelligent Transportation System by the Montgomery County Planning Commission.	\$4,000,000.00
2229.	California	Montclair Monte Vista Avenue grade separation along Alameda Corridor East.	\$2,000,000.00
2230.	Kentucky	2 new bridges over Ohio River and reworking I-65/I-64/I-265 interchange.	\$35,000,000.00
2231.	Illinois	Undertake traffic mitigation and circulation enhancements on 57th and Lake Shore Drive, Chicago.	\$3,000,000.00
2232.	New York	Construct pedestrian waterfront walkway, Kingston.	\$1,600,000.00
2233.	Louisiana	Plan and construct bike/pedestrian crossings of Washington-Palmetto Canal in the vicinity of Xavier University, New Orleans.	\$3,000,000.00
2234.	California	Study to evaluate traffic implications resulting from the proposed re-alignment of Nutwood Avenue, Fullerton.	\$500,000.00
2235.	New Jersey	Project will rehabilitate existing structure at the Bridge Street bridge over the CSX Railroad Trenton line in Manville, Somerset County.	\$500,000.00
2236.	Massachusetts	Assabet River Rail Trail design and construction.	\$700,000.00
2237.	Pennsylvania	Transportation enhancements along the Delaware Canal between Yardley, PA and Bristol, PA.	\$1,000,000.00
2238.	Texas	Construct a loop at 201 beginning at SH 195 and terminate at connection to FM 3841, Bell County.	\$4,000,000.00
2239.	Montana	Pave MT Secondary 323 from Ekalaka to Alzada.	\$23,000,000.00
2240.	California	Salinas Airport Boulevard/Highway 101 interchange/new 4 lane overpass with 2 lanes each direction, new approaches, new southbound on/off ramps, bicycle lanes.	\$3,670,000.00
2241.	Illinois	Eastern Peoria Bypass and Bridge (ring road) study and land acquisition.	\$1,600,000.00
2242.	Texas	9-1-1 Crash Demonstration Project providing communication between crash subject and first responders/EMS.	\$2,000,000.00
2243.	Rhode Island	Replace I-195 Washington Bridge Eastbound	\$3,000,000.00
2244.	Arkansas	Improvements to Rena Road in Van Buren ...	\$1,500,000.00
2245.	Ohio	Upgrade State Route 82/State Route 46 interchange, Trumbull County.	\$2,000,000.00
2246.	New York	Improve SCCC roads, Fallsburg	\$1,500,000.00
2247.	New York	Implement Pedestrian Safety Improvements on Queens Boulevard.	\$500,000.00
2248.	Illinois	Implement ITS and congestion mitigation project on I-294 and I-90.	\$5,000,000.00
2249.	California	Upgrade and reconstruct the I-80/I-680/SR 12 Interchange, Solano County.	\$21,000,000.00
2250.	West Virginia	Connect existing RHL Boulevard to State Route 601 (Jefferson Road).	\$750,000.00
2251.	North Carolina	Upgrade U.S. 158 to construct a multilane facility between I85 and I95.	\$2,600,000.00
2252.	Florida	Keys Endangered Species Habitat Protection	\$1,000,000.00
2253.	Louisiana	Widen and improve LaPlaco Boulevard from Bayou Segnette to U.S. 90, Jefferson Parish.	\$3,500,000.00
2254.	Illinois	Improve U.S. Route 34 from Kewanee to Kentville Road.	\$500,000.00
2255.	Florida	Florida Keys Overseas Heritage Trail	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2256.	Georgia	Reconstruct roadways to add bicycle lanes or bike-able road shoulders, Atlanta.	\$2,000,000.00
2257.	Illinois	Upgrade County Highways 18 and 22 in conjunction with I-57 interchange plan north of Mattoon.	\$2,000,000.00
2258.	Massachusetts	Improvements to Kenmore Square Station and Commonwealth Avenue between Amory Street and Packard's Corner, Boston.	\$5,000,000.00
2259.	California	Four-lane overpass for Mission Blvd. grade separation project, City of Pomona.	\$4,400,000.00
2260.	Louisiana	Construct LA 1 at Port Fourchon, Louisiana	\$3,000,000.00
2261.	Tennessee	Extension of bicycle and pedestrian trail, LaVergne.	\$1,500,000.00
2262.	North Carolina	Upgrade existing U.S. 220/I-73/74 from south of NC 134 U.S. 220 Business to North of Park Drive Extension.	\$6,600,000.00
2263.	Hawaii	Construct access roads to Kahului Airport	\$600,000.00
2264.	California	Improve SR 219 to 4-lanes in the cities of Riverbank, Oakdale and Modesto.	\$2,000,000.00
2265.	Indiana	Correct visibility problems and sharp grade changes at SR 332 and Nebo Road intersection in Delaware County, IN.	\$650,000.00
2266.	Iowa	Complete construction of Phase 6 of U.S. Highway 6 in Coralville, IA.	\$900,000.00
2267.	Minnesota	MNTH 169 safety improvements from City of Virginia to Ely/Winton.	\$14,300,000.00
2268.	New Jersey	Reconstruct roadways in Union County/Elizabeth/Kapowski Road Area Project.	\$5,000,000.00
2269.	Vermont	Construction and rehabilitation of the Cross Vermont Trail for the Cross Vermont Trail Association.	\$1,386,000.00
2270.	Ohio	Widening from 2 lanes to 5 lanes between Woodlawn Ave. and Whipple Ave. in Jackson Township.	\$2,000,000.00
2271.	Michigan	Planning and Engineering for The American Road, The Henry Ford Museum, Dearborn.	\$1,500,000.00
2272.	Arkansas	Sidewalks in Altus	\$40,000.00
2273.	New Jersey	Provide an alternate Route for traffic passing through congested State Route 31 corridor in the Flemington Area.	\$2,000,000.00
2274.	Maryland	Bridge rehabilitation of Hanover Street and Pennington Avenue drawbridges, Baltimore.	\$3,000,000.00
2275.	Connecticut	Construct Shoreline Greenway, Madison, Guilford, Branford and East Haven.	\$1,500,000.00
2276.	Texas	Reconstruction of Clinton Dr. from Federal Rd. to N. Wayside Dr., an intermodal freight artery near Port of Houston.	\$9,500,000.00
2277.	Texas	Study, design and construct new border crossing and facilities/Donna/Rio Bravo International Bridge.	\$2,000,000.00
2278.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Philadelphia, TN.	\$99,000.00
2279.	Oklahoma	Construction of Duncan Bypass Grade Separation.	\$3,000,000.00
2280.	Florida	Clark Road Clover Leaf at I-95, Jacksonville	\$5,000,000.00
2281.	Pennsylvania	Improvements to Plank, Otts, Meyers, and Seitz roads in Montgomery County.	\$1,000,000.00
2282.	California	Temecula Winchester Project/this project will require a partial cloverleaf interchange on I-15 at exit/entrance ramps at Winchester Road.	\$2,000,000.00
2283.	California	Conduct Study of State Route 130 Realignment Project, San Joaquin County and Santa Clara County, CA.	\$2,000,000.00
2284.	California	Widen roads, construct bicycle lane and parking facility to enhance access to Hansen Dam Recreation Area, Los Angeles.	\$6,500,000.00
2285.	Pennsylvania	SR 29 Bridge, replace T-beam bridge in Noxen Township, Wyoming County.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2286.	Minnesota	Construct Soo Line Trail from north of Bowlus to the east side of Mississippi River.	\$495,000.00
2287.	Ohio	Construction of an interchange at I-70 and Burnett Rd. and items associated with construction of interchange.	\$2,000,000.00
2288.	Indiana	New road construction of Boston Street intersection with Route 2 in LaPorte, IN.	\$1,500,000.00
2289.	South Carolina	Milfred Road Bridge in Anderson County	\$350,000.00
2290.	Virginia	White's Mill Recreation Trail and Renovation/design and construction of recreational trail and preservation of watermill for use as visitors center.	\$750,000.00
2291.	Georgia	Pedestrian and streetscape improvements, Ellaville.	\$500,000.00
2292.	Alaska	Various road improvements in City of Fairbanks.	\$5,000,000.00
2293.	Alabama	4 U.S. Highway 84 from Evergreen to Monroeville in Alabama.	\$6,000,000.00
2294.	California	Feasibility study, design, engineering, grade separation, pedestrian improvements, and traffic calming project, the City of South Pasadena.	\$1,000,000.00
2295.	Texas	Construct a 4-lane urban roadway at U.S. Bus 77 on Loop 574, McLennan County.	\$2,000,000.00
2296.	California	ATIS added to the Magnolia corridor connecting Riverside, Corona, Moreno Valley and portions of Riverside County.	\$480,000.00
2297.	Maryland	Widen MD 45 from Ridgley to Seminary Roads. Widening includes addition of a middle turn lane and to acquire right-of-way.	\$5,520,000.00
2298.	North Carolina	Upgrade of U.S. 321 corridor in Burke, Caldwell and Catawba counties mitigating severe congestion near bridge over Catawba river.	\$2,000,000.00
2299.	Virginia	Secure right-of-way and construct improvements along Jefferson Davis/Route 1 corridor for vehicle traffic and improved bus service, Arlington County.	\$4,000,000.00
2300.	New Jersey	Pedestrian and bicycle facilities, and street lighting, Haddon Heights/Barrington.	\$750,000.00
2301.	Florida	PINEDA CAUSEWAY INTERCHANGE at I-95.	\$8,000,000.00
2302.	Minnesota	To study a major river crossing over the Mississippi river between Monticello and St. Cloud and TH10 and I-94.	\$1,000,000.00
2303.	Texas	Highway construction to expand SH 71 in Austin to U.S. 281.	\$1,000,000.00
2304.	New Jersey	Project will improve State Route 22 by improving section of highway that connects Route 22 and 287 in 2 locations.	\$3,000,000.00
2305.	New York	Construct greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP.	\$1,250,000.00
2306.	Wisconsin	Resurface U.S. Highway 8 from County C to Town of Monico.	\$1,000,000.00
2307.	South Carolina	Construct I-73 from Bennettsville to I-95	\$10,000,000.00
2308.	Louisiana	Replace Almonaster Bridge, New Orleans	\$500,000.00
2309.	Washington	SR 167/a new freeway from SR 509 (Port of Tacoma) to SR 161 (Puyallup).	\$2,500,000.00
2310.	Pennsylvania	Erie/replacement of Asbury Road underpass; replacement of Powell Ave. Bridge; Peninsula Dr. improvements.	\$4,000,000.00
2311.	Michigan	Rehabilitate 2 piers and remove old bridge caissons for Sturgeon River Road bridge, Houghton County.	\$270,000.00
2312.	Michigan	Rebuilding M 99 for flood control in Hillsdale	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2313.	Virginia	Chessie Work Station/renovation of abandoned rail site to enable intermodal access at site, Clifton Forge.	\$2,736,000.00
2314.	Wisconsin	Construct State Highway 23 (County Highway OJ to U.S. Highway 41), WI.	\$16,000,000.00
2315.	Iowa	Extend Mormon Trek Boulevard in Iowa City, IA.	\$5,000,000.00
2316.	Ohio	Construct access roads and freight intermodal facility, Columbiana County.	\$5,000,000.00
2317.	Maryland	Reconstruction of Route 32 to freeway standards from Route 108 to I-70.	\$2,000,000.00
2318.	Pennsylvania	SR 22 widening to 4 lanes from Export to Delmont, Westmoreland County, PA.	\$1,300,000.00
2319.	American Samoa ...	Drainage mitigation for Malaeloa-Leone village roads.	\$1,000,000.00
2320.	New York	Design and construct Upper Delaware Scenic Byway Visitor Center, Cochecton.	\$448,000.00
2321.	Pennsylvania	Continued Construction of the Montour Trail which is part of the Great Allegheny Passage.	\$2,000,000.00
2322.	Washington	SR 538 (College Way) and North 26th Street Signal, Mount Vernon.	\$175,000.00
2323.	Pennsylvania	Construction of 2 ramps, replacement of 2 ramps on I-79 at SR 3025 in Jackson Township, PA.	\$1,000,000.00
2324.	Texas	Construct U.S. 183-A, a 12 mile turnpike to connect U.S. 183 at SH 45 and extend northward to U.S. 183 in Williamson County, TX.	\$10,000,000.00
2325.	Illinois	Construct Grand Illinois Trail, Cook County	\$1,000,000.00
2326.	Ohio	Construct connector road between SR 79 and Thornwood Drive in Licking County.	\$5,000,000.00
2327.	Maryland	Fringe and Corridor Parking Facility at Clinton Street and Keith Avenue.	\$3,000,000.00
2328.	Ohio	Widen SR 170, Calcutta	\$2,500,000.00
2329.	California	Replacement of existing 2 lane interchange to full 6 lane interchange where Cajaleo Road and I-15 meet in Corona, CA.	\$10,000,000.00
2330.	Oregon	Highway 22, Polk County	\$1,000,000.00
2331.	Pennsylvania	Final engineering and design to construct a 4 lane connector and bridge over the Allegheny River to link New Kensington to Route 28.	\$5,000,000.00
2332.	South Carolina	Construct Calhoun Clarendon Connector	\$14,008,000.00
2333.	Virginia	Mayo Bridge, Richmond	\$2,000,000.00
2334.	Oklahoma	Reconstruct U.S. 69 from U.S. 62 West to the U.S. 69/U.S. 62 intersection, Muskogee.	\$750,000.00
2335.	Maryland	Engineering and construction of the MD Route 355 at Montrose Road/Randolph Road Interchange, Rockville.	\$5,000,000.00
2336.	Pennsylvania	PA23 corridor improvements from U.S. 30 to U.S. 322.	\$3,000,000.00
2337.	Michigan	Construct interchange at I-675 and M-13 (Washington Avenue) and Northbound Exit, Saginaw.	\$2,000,000.00
2338.	Florida	To complete design and construction of double-deck roadway system exiting Ft. Lauderdale/Hollywood International airport connecting U.S. 1 and I-595.	\$5,000,000.00
2339.	Illinois	Upgrade roads, Summit	\$1,000,000.00
2340.	Kentucky	Reconstruct Georgetown Northwest Bypass from U.S. 460W to I-75N, Scott County.	\$1,000,000.00
2341.	Wisconsin	Construct Lake Butte des Morts Bridge, U.S. Highway 41, Winnebago County, WI.	\$25,600,000.00
2342.	Texas	SH 288 at BW 8: Construct 2 direct connectors.	\$5,000,000.00
2343.	Washington	Yelm 510/507/an alternative route to 2 existing State highways that bisect Yelm.	\$2,500,000.00
2344.	Iowa	Improvements at the IA 146 and I-80 interchange.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2345.	New Hampshire	Crystal Lake Mitigation preservation of 110 acres of land in Manchester.	\$1,000,000.00
2346.	Arkansas	Construction of I-49 from Highway 22 near Barling to Highway 71 at Jenny Lind Road.	\$5,000,000.00
2347.	Minnesota	Right-of-way acquisition for the expansion of 3rd street north in the City of St. Cloud.	\$750,000.00
2348.	Nebraska	New interchange on I-80 near milepost 275 and improvements to Cherry Avenue to provide an east bypass for Kearney, Nebraska.	\$2,000,000.00
2349.	Virginia	UVA-Wise Entrance/second phase of project to address road and stormwater problems.	\$1,000,000.00
2350.	Tennessee	Improve existing 2 lane highway to a 4 lane facility along the U.S. 412 Corridor west of Natchez Trace to U.S. 43 at Mt. Pleasant.	\$5,500,000.00
2351.	Maryland	Pedestrian bridge crossing North Avenue and street signage, Baltimore.	\$1,800,000.00
2352.	Michigan	South Lyon, 2nd Street between Warren and Haggadorn.	\$125,000.00
2353.	Tennessee	Continue construction of the Foothills Parkway in the Great Smoky Mountains National Park.	\$7,500,000.00
2354.	Illinois	Construct bike/pedestrian path and related facilities in Spring Rock Park, Western Springs.	\$700,000.00
2355.	Maryland	U.S. 219 Oakland Bypass	\$1,000,000.00
2356.	Pennsylvania	Relocation of PA52 on edge of Longwood Gardens.	\$1,000,000.00
2357.	Michigan	Construct improvements to existing 68th Avenue bridge over Grand River.	\$6,700,000.00
2358.	Illinois	Construct Cedar Creek Linear Park Trail, Quincy.	\$500,000.00
2359.	Tennessee	Reconstruct connection with Hermitage Ave. to Cumberland River bluff, Nashville.	\$500,000.00
2360.	South Carolina	I-385 and SC 14 (Exit 19)/the SCDOT would reconstruct the existing interchange at I-385 and SC 14 (Exit 19) in Laurens, Counoy, SC.	\$1,985,000.00
2361.	New Mexico	Ease traffic congestion and improve intersection safety by identifying alternative alignment to U.S. 84/285 and NM 68 through Espanola.	\$2,000,000.00
2362.	Mississippi	Highway 6/adds 2 lanes parallel to existing lanes in Lee County.	\$6,000,000.00
2363.	New York	Suffolk County ITS arterial monitoring and performance measures system.	\$1,500,000.00
2364.	Pennsylvania	Design and construction of Portzer Road connector in Milford, Quakertown.	\$2,500,000.00
2365.	Washington	DesignValley Mall Blvd. from Main Street to I-82 and I-82 interchanges at MPs 36 and 38, Union Gap.	\$6,440,000.00
2366.	California	Acquire approximately 4,000 acres of land at the Desert Calhuilla Prehistoric Site, Imperial County.	\$1,000,000.00
2367.	Michigan	Ogden Street bridge rehabilitation project/replacement of deck, expansion of joints, sidewalks, railing and all other joints, Menominee.	\$200,000.00
2368.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, City of Seranton.	\$2,500,000.00
2369.	Georgia	DeKalb Greenway Trails	\$1,100,000.00
2370.	Missouri	Route MM Improvements, Jefferson County	\$4,000,000.00
2371.	Indiana	The reconstruction of existing County Roads 400N, 825W and 525N in Shelby County.	\$1,672,000.00
2372.	New Jersey	Safety and operational improvements on Route 23 in Hardyston and Franklin.	\$3,800,000.00
2373.	New York	Rehabilitate pavement and bridges from I-86, Exit 24 to Allegany County Line.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2374.	New York	Access improvements for terminal located on 12th Ave. between W. 44th and W. 54th St. in Manhattan.	\$4,000,000.00
2375.	Florida	Construction and engineering of the Central Sarasota Parkway Interchange at I-75, a evacuation route for Sarasota and the Barrier Islands.	\$2,000,000.00
2376.	California	Construct Dry Creek and Enterprise canal trails in Clovis.	\$200,000.00
2377.	Texas	Widening project on FM 60 from SH 6 to FM 158, Brazos County.	\$3,000,000.00
2378.	California	To provide for the preparation of environmental documents and design for conversion of the relinquished railroad bridge over the Feather River between Yuba City and Marysville.	\$5,000,000.00
2379.	Colorado	SH 83 and SH 88 Interchange Reconstruction: Grade separation of SH 83 over SH 88.	\$6,000,000.00
2380.	Nevada	U.S. 50A Fernley-Fallon replace UPRR bridge in Fernley, realign intersection U.S. 95A/50A.	\$9,000,000.00
2381.	California	Construct safe access to streets for bicyclists and pedestrians including crosswalks, sidewalks and traffic calming measures, Covina.	\$500,000.00
2382.	Illinois	Logan County 5th Street Road upgrades	\$800,000.00
2383.	Virginia	Route 50 Traffic Calming at Gilbert's Corner	\$1,000,000.00
2384.	California	Implement Congestion Mitigation and Air Quality Improvement Project, Orange County.	\$1,000,000.00
2385.	Georgia	U.S. 25 widening in Burke, Jenkins County and Millen bypass.	\$28,000,000.00
2386.	Ohio	Widening from 2 lanes to 5 lanes between 55th St. and Applegrove St. in Plain Township.	\$5,000,000.00
2387.	Maryland	MD 85/I-270 Interchange	\$2,000,000.00
2388.	Washington	Inchelium Bridge Feasibility Study: Conduct study to determine whether bridge over Lake Roosevelt would meet needs of residents of Gifford and Inchelium, Washington.	\$120,000.00
2389.	New York	For the acquisition of ferry boats and ferry terminal facilities and for the operation of ferry service from Rockland County/Yonkers/Manhattan.	\$1,000,000.00
2390.	Missouri	Grading for 4 lanes, lighting, roadways, and bridges on Highway 5 in Camdenton.	\$10,000,000.00
2391.	Washington	Burien SR 518 project/interchange improvements and the addition of 1 travel lane on a portion of corridor.	\$1,000,000.00
2392.	Georgia	Install sidewalks, trails, lighting, and amenities in Balls Ferry Park, Wilkinson County.	\$500,000.00
2393.	West Virginia	Construct New River Parkway between I-64/Sandstone Interchange and Sandstone Falls, Summers and Raleigh Counties.	\$4,500,000.00
2394.	Illinois	Road Construction and Reconstruction in the Village of Hampshire: Keyes Ave. Reconstruction; Industrial Drive Overlay; Mill Ave. Reconstruction.	\$2,300,000.00
2395.	Illinois	Transportation Enhancement and road improvements necessary for Downtown Plaza restoration in Jacksonville, IL.	\$800,000.00
2396.	California	Construction of a bikeway on the North bank of the Los Angeles River between Sepulveda Boulevard and Kester Avenue in Sherman Oaks, Los Angeles.	\$575,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2397.	New York	Design & Construct a Bicycle and Pedestrian Walkway along the Decommissioned Putnam Rail Line.	\$950,000.00
2398.	Pennsylvania	Improvements to I-81, including interchanges, in Franklin County, PA.	\$1,200,000.00
2399.	California	Construct auxiliary lanes, bicycle, pedestrian improvements, signal modifications on Almaden Expressway between Branham Lane and Blossom Hill Road, Santa Clara County.	\$3,500,000.00
2400.	Texas	Widen SH 36/U.S. 190 to 4 lanes, Milam County.	\$2,000,000.00
2401.	Minnesota	Bike Trail extensions and walking trails, connect to Mesabi Trail, City of Aurora.	\$294,745.00
2402.	Maryland	Plan, Design, and construct the Intercounty Connector.	\$9,000,000.00
2403.	Massachusetts	Design, permitting, and ROW acquisition for new on/off ramps on I-95 between Route 1A and Route 123 interchanges.	\$500,000.00
2404.	Texas	Replaces 3 structures at interchanges of I-20, U.S. 83, and U.S. 277 in Abilene.	\$1,500,000.00
2405.	Texas	Improvements to National High Priority Corridor No. 38 for the Oklahoma border south through Amarillo.	\$14,000,000.00
2406.	Michigan	Milford Village, Roundabout at N. Milford Rd. and Summit St.	\$125,000.00
2407.	Kentucky	Replace Bridge No. C00004 on Oregon Road, Mercer County.	\$680,000.00
2408.	North Carolina	Widen NC 49 from Harrisburg east of SR 2630 to the Yadkin River, NC.	\$10,000,000.00
2409.	California	Santa Cruz Highway 1 widening and HOV lanes/8.3 miles from Morrissey Boulevard to San Andreas-Larkin Valley Road south of Aptos.	\$3,670,000.00
2410.	New York	Improvements to Harlem River Park and Greenway including park amenities.	\$4,000,000.00
2411.	Illinois	Expansion of Miller Road from 2 to 4 lanes; bridge improvements; further expansion from IL Route 31 to IL Route 120.	\$5,000,000.00
2412.	Minnesota	For design of a new interchange with TH169 over CSAH4.	\$1,000,000.00
2413.	New Mexico	Construct the 2 lane enhancement of U.S. 54 from Tularosa to Santa Rosa.	\$11,000,000.00
2414.	Florida	Widening and improvements to Snake Road (BIA Route 1281).	\$2,000,000.00
2415.	Minnesota	Consolidate access, provide supporting roadways and add an additional lane to CSAH 42 in Dakota County and Scott County.	\$1,000,000.00
2416.	Massachusetts	Reconstruction of Washington St., Walpole ...	\$2,000,000.00
2417.	Massachusetts	Extensions to the Berkshire County Bike Paths, Berkshire County.	\$5,000,000.00
2418.	Ohio	Pleasant Valley Road bridge renovation over the Chagrin River in the City of Willoughby Hills.	\$260,000.00
2419.	Arizona	Upgrade and widen SR 85 (mileposts 120.5 thru 147.6).	\$1,000,000.00
2420.	California	Construction of an interchange at the at-grade intersection of Stillwater Road and State Route 44.	\$7,500,000.00
2421.	Oregon	Highway 20, Lincoln County	\$7,000,000.00
2422.	Massachusetts	Lawrence Canal and Union Street intersection improvements.	\$1,000,000.00
2423.	Pennsylvania	Construct Route 219 Bypass in the Borough of Johnsonburg.	\$2,000,000.00
2424.	New York	Design and construct pedestrian and bicycle path (Cayuga Waterfront Trail), Ithaca.	\$1,200,000.00
2425.	California	Reconstruct Carson St. with an on/off ramp to I-605, Hawaiian Gardens.	\$400,000.00
2426.	Illinois	Construct North Main St. (IL Route 2) Rockford, IL to 4 lanes.	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2427.	Ohio	Construct Chesapeake Bypass/Tri State Metro Outer Belt.	\$2,000,000.00
2428.	Ohio	SR 322 roadway safety improvements in the Village of Gates Mills.	\$520,000.00
2429.	Missouri	Expand to 6 lanes Route 141/Woods Mill Rd. (Chesterfield, MO) from I64 north to Route 340.	\$3,000,000.00
2430.	Alaska	False Pass Road construction from small boat harbor dock to airport and town.	\$3,000,000.00
2431.	Georgia	Install sidewalks, improve lighting, and install landscaping along Riverside Drive, Macon.	\$500,000.00
2432.	Illinois	Undertake streetscaping on Ridgeland Avenue, Oak Park Avenue, and 26th Street, Berwyn.	\$1,500,000.00
2433.	Massachusetts	Roosevelt Avenue intersection improvements from Bay Street to Page Boulevard, Springfield.	\$1,500,000.00
2434.	Pennsylvania	9th Avenue Project, Altoona, PA: Complete preliminary engineering study and begin right-of-way acquisition.	\$3,500,000.00
2435.	New York	Improve Maple Avenue, Smithtown	\$1,000,000.00
2436.	New York	Improve East End roads, Newburgh	\$1,863,500.00
2437.	Ohio	Relocate SR 149, Bellaire	\$650,000.00
2438.	Illinois	Improve safety of horizontal curve on 250th Rd. in Grandview Township.	\$320,000.00
2439.	Illinois	Construct pedestrian bridge over Chicago Ship & Sanitary Canal to link Centennial Trail to I&M Canal Trail in Lemont, IL.	\$100,000.00
2440.	Texas	Connector S. bound SH 146 to E. bound Port Road, from W. bound Port Road to N. bound SH 146, supports proposed Bayport Terminal Complex.	\$9,000,000.00
2441.	Pennsylvania	Tidal Schuylkill Riverfront project consists of 8 mile bike and pedestrian recreation trail from Locust Street to Historic Bartram's Garden.	\$3,500,000.00
2442.	Florida	Upgrade SR 50 from U.S. 27 to Orange County line in Lake County.	\$6,000,000.00
2443.	New York	Structural analysis and feasibility study evaluating options for rehabilitating the Bronx River Parkway at Crane Road over the Bronx River and Harlem line, Searsdale.	\$400,000.00
2444.	Massachusetts	Cape Cod Bicycle Path with Shining Sea Link: Connects core to heavily visited national sites of upper and lower Cape.	\$3,000,000.00
2445.	Michigan	Belleville, Repave Main Street	\$175,000.00
2446.	Illinois	Construct the Lisle Township segment of the East Branch DuPage River Greenway Trail.	\$100,000.00
2447.	Illinois	Upgrade roads, Cicero	\$1,010,000.00
2448.	North Carolina	Wayne County road improvements for U.S. 117 to SR 1342.	\$1,200,000.00
2449.	Pennsylvania	Linglestown Square, roadway and intersection improvements, Lower Paxton Township.	\$3,000,000.00
2450.	Maryland	Widen MD 295 near BWI airport from 695 to MD 100.	\$8,700,000.00
2451.	Illinois	Widen and improve Pulaski Road, Alsip	\$700,000.00
2452.	Texas	Widening FM 423, from The Colony (crossroad/State Highway 121) to Little Elm (crossroad/U.S. 380 East).	\$8,000,000.00
2453.	Indiana	Construction of the Hoosier Heartland along SR 25, from Lafayette to Logansport, Indiana.	\$5,000,000.00
2454.	Georgia	Replace sidewalks, upgrade lighting in downtown Vidalia.	\$708,610.00
2455.	North Carolina	Construction of a 4-lane divided route on new location that will serve as the U.S. 421 bypass from NC 16 to the Yadkin River in Wilkes County.	\$4,000,000.00
2456.	Connecticut	Construct Madison Shoreline Greenway Trail	\$1,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2457.	Connecticut	Upgrade Mark Twain Drive, Hartford	\$2,000,000.00
2458.	New York	Reconstruction of the Gowanus Expressway ..	\$500,000.00
2459.	New Jersey	Traffic Signal Upgrade, Union City	\$800,000.00
2460.	Florida	Construct U.S. 1/SR 100 Connector in Bunnell, Florida.	\$2,500,000.00
2461.	New York	West Harlem Waterfront-ferry, intermodal and street improvements and vicinity.	\$7,500,000.00
2462.	Missouri	Highway 115 extension/land acquisition and roadway design to coordinate with Lambert Airport expansion.	\$1,000,000.00
2463.	New York	Improve Front Street, Binghamton	\$5,000,000.00
2464.	Washington	Centennial Trail Project, Snohomish	\$200,000.00
2465.	New Jersey	Passaic Avenue along Riverbank Park, Kearny: Bikeway, Jogging and Fitness Trails.	\$2,500,000.00
2466.	Pennsylvania	Design and construct inner loop roadway around Shippensburg, PA, or other Cumberland County projects selected by Harrisburg Area Transportation Study.	\$500,000.00
2467.	Illinois	Construct interchange at I-255/Dupo-Columbia.	\$19,000,000.00
2468.	North Carolina	Adding passing lanes to Highway 64 from NC 107 to U.S. 178.	\$1,700,000.00
2469.	Kentucky	I-65 Interchange at Mile Marker 32 in Bowling Green.	\$3,000,000.00
2470.	Illinois	Improve roads, Village of Westchester	\$850,000.00
2471.	New York	Conduct studies and construct infrastructure projects on Governor's Island.	\$4,000,000.00
2472.	Iowa	Reconstruct 15.3 miles of the U.S. 30 corridor from Colo, Iowa to the beginning of the Marshalltown bypass and reconstruct the 7.5 mile segment from 4.5 miles west of Toledo to 1 mile east of Tama.	\$2,300,000.00
2473.	Florida	State Road A-1-A Corridor from I-95 east to the Amelia River Bridge (Nassau County).	\$4,000,000.00
2474.	Iowa	Reconstruction of the existing IA 945 interchange, with I-80 widened and reconstructed.	\$1,000,000.00
2475.	California	Seismic retrofit of Golden Gate Bridge	\$10,000,000.00
2476.	Louisiana	Construct I-49 North from Shreveport, Louisiana to Arkansas line.	\$3,500,000.00
2477.	Indiana	U.S. 31 Freeway Project for Kokomo Howard County.	\$5,000,000.00
2478.	Tennessee	Improve circuitry on vehicle protection device installed at railroad crossing in Lenoir City, TN.	\$104,000.00
2479.	California	Aradia Santa Anita Avenue Corridor Improvement project, street rehabilitation.	\$3,000,000.00
2480.	Texas	Improvements to FM 716 between Realitos and Conception, Duval County.	\$1,000,000.00
2481.	Minnesota	Lyon County, City of Marshall Highway 23 between CSAH 33 and TH19.	\$3,700,000.00
2482.	Pennsylvania	Construction of ramps on I-95 and U.S. 322, widening of streets and intersections, increase vertical clearance at Amtrak bridges.	\$3,000,000.00
2483.	Oregon	Weaver Road Extension/Bridge Project, Douglas County.	\$16,259,000.00
2484.	New York	Improve bicycle and pedestrian safety on NY 25, Jamesport.	\$300,000.00
2485.	Illinois	Reconstruction of Bus U.S. 20/West State St. corridor in Rockford, IL.	\$1,000,000.00
2486.	New Hampshire	Creation of a footbridge to connect overflow parking to the main lot in Pinkham Notch, NH. As well as provide necessary backfill and stabilization work.	\$150,000.00
2487.	Alabama	I-20 widening and safety improvements in St. Clair County.	\$5,000,000.00
2488.	Wisconsin	Construct the Gateway Boulevard project, Rock County.	\$6,950,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2489.	California	Add turn lane and adaptive traffic control system at intersection of San Tomas Expressway and Hamilton Avenue, Campbell.	\$1,300,000.00
2490.	California	Conduct Study and Construct I-580 Corridor HOV Improvements Project, Alameda County, CA.	\$5,000,000.00
2491.	Pennsylvania	Transportation improvements to SR 56 and SR 403 through Johnstown West end to improve safety, access and traffic conditions.	\$2,000,000.00
2492.	New York	Improve I-87 Exit 18 interchange in Town of Queensbury, Warren County. Includes ramp reconfigurations and improvements to adjacent intersections.	\$2,250,000.00
2493.	Oklahoma	Complete Reconstruction of the I-35/SH 9 West Interchange.	\$4,000,000.00
2494.	Louisiana	Fund the 8.28 miles of the El Camino East-West Corridor along LA 6 from LA 485 near Robeline, LA to I-49.	\$2,000,000.00
2495.	New Jersey	Bicycle facilities, West Deptford Township ...	\$115,000.00
2496.	Florida	Upgrade CR491 from Pine Ridge Blvd. to U.S. 41 in Citrus County.	\$2,000,000.00
2497.	Washington	5th Street/U.S. 2 Signalization Improvements, Sultan.	\$400,000.00
2498.	New Mexico	Conduct the development of a transportation access plan for Santa Teresa.	\$1,000,000.00
2499.	Kentucky	Reconstruct KY 70 (KY 259) from Brownsville to Kyrock Elementary School.	\$1,000,000.00
2500.	Maine	Bike/Ped Trail Construction, Eastern Trail Management District.	\$1,000,000.00
2501.	Texas	Street Improvements for Willow Street, between North Street and Crockett Street, Beaumont.	\$360,000.00
2502.	Illinois	Upgrade traffic signal system on 87th Street, Chicago.	\$500,000.00
2503.	Ohio	Widen Hamilton Avenue/U.S. 127	\$2,700,000.00
2504.	Nebraska	Construct 25 miles of recreational trail in Douglas County.	\$5,500,000.00
2505.	Washington	I-5 widening, Lewis County	\$4,000,000.00
2506.	Pennsylvania	Relocate Crow's Run Rd. between SR 65 and Freedom Crider Rd. in Beaver County, PA.	\$2,200,000.00
2507.	New Jersey	A 521 space parking garage, New Brunswick	\$2,000,000.00
2508.	Michigan	Complete multistage reconstruction of Walton Boulevard with curb and gutter improvements.	\$5,000,000.00
2509.	Virginia	Heart of Appalachia/construction of stations for distribution of informational brochures along roads and trailways throughout 7 counties.	\$100,000.00
2510.	Virginia	Widen Route 7 Leesburg Bypass	\$2,000,000.00
2511.	New Jersey	Bicycle route connecting parks in Irvington to the Irvington Bus Terminal through the business center.	\$350,000.00
2512.	Connecticut	Construct arterial roadway from Boston Avenue north to proposed Lake Success Business Park site in Bridgeport, CT.	\$7,000,000.00
2513.	Illinois	Project is part of the overhaul of 230 miles of U.S. 67, near Jerseyville.	\$1,700,000.00
2514.	South Carolina	Reconstruct I-95/SC 327 interchange	\$7,000,000.00
2515.	Texas	Construct roadway to connect Anzalduas Bridge to U.S. 83.	\$3,500,000.00
2516.	California	Construct interchange at I-605 and Arrow Highway and at Live Oak Avenue including engineering, surveying, and right-of-way acquisition, Irwindale.	\$1,600,000.00
2517.	Mississippi	Widening of MS Highway 24: Widening MS Highway 24 from I-55 in McComb to U.S. Highway 61 in Woodville.	\$500,000.00
2518.	Texas	Construct IH 30 replacement bridge, Trinity River, Dallas, TX.	\$17,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2519.	Maine	I-295/Franklin Street Arterial Interchange, Portland.	\$3,000,000.00
2520.	Alabama	American Village/Montevallo construction of closed loop Access Road, bus lanes and parking facility.	\$300,000.00
2521.	Illinois	Upgrade harbor access at Tri-City Regional Port District.	\$832,000.00
2522.	Indiana	Reconstruct Standard Avenue, Whiting	\$1,300,000.00
2523.	Minnesota	Connect CSAH 48 with MN State Trunk Highway 210. Complete portions of Paul Bunyan Trail.	\$1,000,000.00
2524.	Texas	Construct proposed “super streets” that are part of the Houston-Galveston Area Council’s 100% Solution Plan to reduce regional congestion.	\$4,000,000.00
2525.	Tennessee	Extension of bicycle and pedestrian trail, Springfield.	\$200,000.00
2526.	Pennsylvania	Design and construct interchange and related improvements at I-83, Exit 4, or other projects selected by York County, Pennsylvania MPO.	\$3,500,000.00
2527.	Missouri	Design, right-of-way, and construction of Highway 465, from Highway 76 to Highway 376, Taney Cty, MO.	\$6,800,000.00
2528.	Connecticut	Widen and improve Metro North Railroad Underpasses at Atlantic, Elm, and Canal Streets and Route 1 in Stamford, CT.	\$500,000.00
2529.	Pennsylvania	Extension of Third Street from Interstate 83 to Chestnut Street, Harrisburg.	\$5,000,000.00
2530.	New York	Reconstruction of West Neck Road from Huntington-Lloyd Harbor boundary to the end of the Village-maintained road, Lloyd Harbor.	\$2,000,000.00
2531.	New York	To design/construct safer roadway for high volume traffic, connecting I-87 in NY with I-89 in VT, via Cumberland Head peninsula, NY.	\$1,000,000.00
2532.	Georgia	Improvements of St. Marys Road from I-95 to Kings Bay Subbase.	\$1,800,000.00
2533.	New York	Pedestrian Bridge to Stony Pt Battlefield. Bicycle and pedestrian trail rehabilitation & related improvements in Rockland County, NY.	\$1,200,000.00
2534.	New York	Rehabilitation of Pines Bridge Road/Lake Avenue and Ryder Road, in Ossining, Yorktown and New Castle.	\$2,765,000.00
2535.	Louisiana	Kerner Bridge	\$2,100,000.00
2536.	North Carolina	Construct I-73/74 in Montgomery County and Richmond County, NC.	\$18,500,000.00
2537.	Massachusetts	Replacement of failing bridge/underpass (Route 106) and concrete support structure, Town of Mansfield.	\$1,800,000.00
2538.	Minnesota	Acquisition of ROW and environmental review for additional Mississippi River crossing, City of Little Falls.	\$2,200,000.00
2539.	Iowa	Construct a roadway extending north from the I-80/U.S. 65 interchange to NE 118th Avenue, west to I-35 and the Mile Long Bridge (IA 415).	\$500,000.00
2540.	Pennsylvania	Central Susquehanna Valley Thruway U.S. 15. Construct 4 lane limited access highway. Connect SR 147 south of I-80 with U.S. 11/15 south of Selingsgrove.	\$2,000,000.00
2541.	Minnesota	Munger Trail Extension, City of Duluth	\$3,200,000.00
2542.	California	Interchange improvements at I-215 at Los Alamos Road, City of Murrieta.	\$2,000,000.00
2543.	Illinois	Construct I-57/I-294 interchange	\$2,900,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2544.	Louisiana	Widen LA 18 from Northrup Grumman/ Avondale Shipyards to U.S. 90, Jefferson Parish.	\$2,500,000.00
2545.	Maine	Replacement of the Route 201-A “covered” bridge, Norridgewock.	\$1,000,000.00
2546.	New Hampshire ...	Improvements of the intersection of Route 101A and Route 13 in Milford, NH.	\$1,700,000.00
2547.	California	Adds NB lane and auxiliary lanes on I-5 and widens the I-8 west to I-5 north, San Diego.	\$6,000,000.00
2548.	Maine	Route 2 Improvements from Bethel to Gilead	\$500,000.00
2549.	Missouri	Construct U.S. Highway 54 Expressway near Osage Beach, MO.	\$1,500,000.00
2550.	Georgia	Construct road around the high school, 2 blocks from SR 42 and SR 80, Crawford County.	\$8,000.00
2551.	Tennessee	Proposed State Route 397 extension from State Route 96, west to U.S. 431 North in Franklin, Williamson County.	\$2,225,000.00
2552.	Wisconsin	Upgrade U.S. Highway 2, City of Ashland ...	\$4,000,000.00
2553.	California	Ferrari Interchange Project/construction of an interchange located at the intersection of future SR 65 and Ferrari Ranch Road/ Westwood in Placer County.	\$3,000,000.00
2554.	Illinois	Construct and improve bike path network, Evanston.	\$250,000.00
2555.	Michigan	Reconstruct East Spruce Street with drain- age, curb, gutter, pavement, traffic control devices, Sault Ste. Marie.	\$950,000.00
2556.	New York	Enhance road and transportation facilities in the vicinity of W. 65th St. and Broadway, New York City.	\$3,000,000.00
2557.	New York	Design and reconstruction of roadways & sidewalks, including Washington Street to Stone Street, and throughout Public Square, located in Watertown, NY.	\$2,000,000.00
2558.	Georgia	Rockbridge Road improvements DeKalb	\$2,500,000.00
2559.	Georgia	Construct rail overpass, SR 21 to SR 25	\$2,000,000.00
2560.	Florida	Normandy Blvd. and Cassat Avenue, Jack- sonville.	\$1,500,000.00
2561.	Florida	Complete Removal and Replacement of Platt Street Bridge, Hillsborough County.	\$750,000.00
2562.	Pennsylvania	State Street Bridge Rehabilitation, Hamburg	\$1,500,000.00
2563.	Missouri	Widening of Chouteau Traffieway to 4 lanes and necessary safety improvements.	\$3,000,000.00
2564.	Virginia	To enhance Main Street (U.S. Route 1 South) in Dumfries, Prince William County.	\$725,000.00
2565.	Illinois	Construct pedestrian tunnel under railroad tracks at commuter lot, Winfield, IL.	\$1,700,000.00
2566.	Virginia	Maple Avenue street improvement project in Vienna.	\$1,650,000.00
2567.	Georgia	Streetscape project for lighting and land- scaping on Main Street along Georgia Highway 231, Davidsboro.	\$300,000.00
2568.	Ohio	Construct interchange or other appropriate access on IR 70 west of existing mall road exit in Belmont County.	\$6,935,000.00
2569.	California	Design and Construction Camino Tassajara/ Crown Canyon to East Town Project, Danville, CA.	\$1,000,000.00
2570.	Hawaii	Construct Kapaa Bypass	\$3,000,000.00
2571.	Arkansas	Repair and Improvement of East Patrol Road, Hempstead County.	\$200,000.00
2572.	Florida	I-95/Spanish River Blvd. Interchange, Palm Beach County.	\$14,000,000.00
2573.	Pennsylvania	Improvements, including a turn lane at, new signing and markings at intersection of Route 422 and Route 662 in Berks County.	\$2,430,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2574.	Georgia	Reconstruction of the shoulders of GA SR 400 from mile post 6.65 north to SR 306 for use by transit vehicles.	\$10,000,000.00
2575.	Virginia	Construct Route 262 Bypass at Route 252/Route 254 in Augusta County.	\$1,000,000.00
2576.	Kansas	Construct K-7/55th St./Johnson Drive interchange and construct Clear Creek Parkway overpass over K-7, City of Shawnee.	\$3,000,000.00
2577.	California	Multi-year integrated project to develop regional transportation plan for next 20 years for Riverside County and Orange County. Major investment study and PA-ED phase work.	\$3,520,000.00
2578.	New York	Orzeck Rd. improvements in Town of Goshen, NY.	\$500,000.00
2579.	New Jersey	Replace Haynes Avenue bridges over Waverly Yards and Routes 1 and 9, Newark.	\$900,000.00
2580.	Ohio	Construct shared use trail from Bellbrook to Spring Valley connecting with the Little Miami Scenic Trail.	\$500,000.00
2581.	California	Reconstruct 1.9 miles of Paramount Blvd. Major arterial in region with interchange at 91 Freeway to Del Amo Blvd., Long Beach.	\$500,000.00
2582.	Mississippi	Upgrade roads in Humphreys County Districts 1 and 5 and Isola.	\$944,000.00
2583.	Missouri	Lewis and Clark Expressway	\$2,000,000.00
2584.	Missouri	Design, right-of-way, and construction of I-44 and Highway 39 Interchange, Mt. Vernon, MO.	\$5,000,000.00
2585.	New York	Rehabilitation of East and West John Streets in the Village of Lindenhurst.	\$1,015,000.00
2586.	Arkansas	Widen Old Boyd Road and upgrade associated bridges, Miller County.	\$500,000.00
2587.	Florida	Widening I-95, from Ft. Pierce to Melbourne	\$2,000,000.00
2588.	Texas	Construct Santa Fe Trail DART LR overpass from Hill Street to Commerce Street along abandoned Santa Fe Rail right-of-way.	\$2,400,000.00
2589.	Alabama	Decatur/Hartselle Southern Bypass connecting Alabama 67 near Priceville continuing between Hartselle & Decatur ending on Alabama Highway 20.	\$2,000,000.00
2590.	Ohio	Study and design of the I-74/I-75 interchange.	\$2,000,000.00
2591.	Texas	I-30 Bridge over the Trinity River, Dallas	\$42,000,000.00
2592.	Illinois	City of Havana upgrades to Broadway St	\$800,000.00
2593.	Massachusetts	Engineering, design and restoration of State Route 146 site for Northern Gateway Visitor Information Center Blackstone Corridor Worcester.	\$4,650,000.00
2594.	Georgia	Reconstructing State Route 316 into a limited-access highway.	\$2,000,000.00
2595.	Florida	Reconstruct 40th Street, Tampa	\$4,000,000.00
2596.	Virginia	Craig County Trail/improvements to trail, Craig County.	\$150,000.00
2597.	Ohio	Bicycle trail construction from Chardon south to East Branch Reservoir.	\$500,000.00
2598.	Texas	State Loop 390 in Marshall, Harrison County	\$6,000,000.00
2599.	Ohio	Widen Western Reserve Road, Mahoning County.	\$2,000,000.00
2600.	Arkansas	Relocate Mazarn Bridge, SE Montgomery County.	\$60,000.00
2601.	California	Undertake Fernandez Ranch transportation enhancement project, Contra Costa County.	\$1,000,000.00
2602.	Michigan	Build 1.5 mile road between M-66 and B drive N, including improved drainage.	\$1,500,000.00
2603.	New York	Route 531 Expansion, Gates-Brockport, 4-Lane Highway is a Project to Extend Route 531.	\$8,750,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2604.	Louisiana	Widen LA Highway 28 from Vernon/Rapides line to State Route 121, Rapides Parish.	\$5,000,000.00
2605.	Tennessee	Construction of park access road and adjacent trails at the Athens Regional Park in Athens.	\$300,000.00
2606.	Ohio	Construct Lakefront Plan (pedestrian/bike path and road improvements), Cleveland.	\$3,750,000.00
2607.	Tennessee	Construct greenway system, Nashville and Davidson County.	\$1,100,000.00
2608.	Texas	Reconstruction of IH 35E/Loop 12 from Spur 408 north to IH 635 thru Grand Prairie, Irving, and Dallas.	\$5,000,000.00
2609.	Maryland	Chestertown Trail, Kent County	\$300,000.00
2610.	New York	Reconstruction of Route 340 and Erie Street Intersections with Route 303, Rockland County.	\$1,000,000.00
2611.	North Carolina	Acquisition of rail corridors for use as a future transportation corridor, Durham.	\$2,000,000.00
2612.	Illinois	Construct and expand the Greenway Trail along the East Branch of the DuPage River in Bloomingdale and Milton townships, IL.	\$400,000.00
2613.	Wisconsin	Reconstruct U.S. Highway 41 in Green Bay, WI.	\$2,500,000.00
2614.	Mississippi	Upgrade roads in Canton (U.S. Highway 51, 22, 16, and I-55), Madison County.	\$800,000.00
2615.	Pennsylvania	Indiana, PA: Construct 5 mile segment of rail line and eliminate use of existing line and 37 grade crossings, Glenn Lock to Middletown.	\$3,000,000.00
2616.	Texas	Extension of Radio Road from I-30 to SH 11 at FM 2560.	\$1,000,000.00
2617.	Texas	U.S. Route 87 Big Spring Bypass part of the Ports-to-Plains Corridor, a National High Priority Corridor from Mexico to Denver.	\$16,000,000.00
2618.	California	Reconstruct I-880/Coleman Avenue Interchange to improve traffic flow, San Jose.	\$10,000,000.00
2619.	California	Construct grade separation between State Street and BNSF tracks along with street improvements on State Street, San Bernardino.	\$1,250,000.00
2620.	New York	Big Ridge Road: Spencerport Village Line to Gillett Road in the Town of Ogden.	\$2,250,000.00
2621.	California	Rancho Cucamonga I-15/Base Line Interchange, removal and reconstruction of on and off ramps, and construction of auxiliary lanes.	\$5,000,000.00
2622.	Kansas	Replacement or Rehabilitation of the Amelia Earhart Bridge over the Missouri River from Kansas into Missouri.	\$2,000,000.00
2623.	Wisconsin	Reconstruct U.S. Highway 45 in Waupaca County.	\$2,000,000.00
2624.	Michigan	Wayne, Laurenwood reconstruct 1/4 mile stretch.	\$125,000.00
2625.	Missouri	Study Needs and Design of Highway 37 and 60 Corridor, from Republic, MO to Arkansas stateline.	\$2,500,000.00
2626.	Maryland	MD 237 right-of-way acquisition to upgrade and wide MD 237 to a multi-lane highway from Pegg Road to MD 235.	\$10,000,000.00
2627.	Texas	U.S. 83 underpass and pedestrian crossing at Abrams Road, Palmview.	\$1,900,000.00
2628.	Tennessee	Replace Unitia Bridge in Loudon County	\$900,000.00
2629.	Minnesota	Construct bicycle trails in and around Aitkin connecting the Paul Bunyan Trail to the Mesabi Bike Trail.	\$400,000.00
2630.	Colorado	Wadsworth Bypass (State Highway 121)/Burlington Northern Railroad and Grandview Grade separation.	\$6,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2631.	Illinois	Complete Phase II engineering for reconstruction of 159th Street/U.S. 6 in Will County.	\$1,000,000.00
2632.	Illinois	Construct and replace East Branch River bridge on Illinois Prairie Path, Milton Township, IL.	\$300,000.00
2633.	Nebraska	Pave 5.5 miles of road north of the Village of Cordova to I-80.	\$1,500,000.00
2634.	Ohio	Land acquisition for construction of bicycle and pedestrian trails at Mentor Marsh.	\$710,000.00
2635.	California	Widen I-8 overpass at Dogwood Road, Imperial County.	\$2,500,000.00
2636.	Texas	Improve Bus 287 between 8th Street and Northside Drive, Ft. Worth.	\$4,000,000.00
2637.	Oklahoma	Widen SH 33 from Cimarron River East to U.S. 177, Payne County.	\$6,300,000.00
2638.	Georgia	Bridge improvements on Rico Tatum Road at Cedar Creek, Fulton County.	\$560,000.00
2639.	Michigan	Expansion of Ten Mile Road, Hazel Park/Madison Heights.	\$277,000.00
2640.	Texas	Widen from 4 to 6 lanes I-35E from Lake Lewisville to Loop 288.	\$14,000,000.00
2641.	Arizona	Roadway widening from 2 lanes to 4 on U.S. 93 near the town of Wikieup.	\$1,000,000.00
2642.	Florida	Improve and widen State Road 70 as an I-2 corridor connecting the east and west coasts of FL.	\$4,000,000.00
2643.	Kentucky	Replace bridge and approaches on KY 1665 over Stony Creek (B48) west of Jet. U.S. 421.	\$500,000.00
2644.	Oklahoma	Construct U.S. 59 improvements from Westville to U.S. 412, Delaware County.	\$5,000,000.00
2645.	California	Conduct Study and Construct Contra Costa County Brentwood Tracy Expressway Project, CA.	\$5,000,000.00
2646.	Michigan	Carlyle Road/2 miles east of city limit to Middlebelt Road, City of Inkster.	\$2,000,000.00
2647.	California	Folsom Boulevard & Power Inn Road improvements and widening.	\$9,000,000.00
2648.	Florida	44th St. Extension to Golfair Blvd., Jacksonville.	\$1,500,000.00
2649.	Georgia	Construct 2 lane bypass from U.S. 1 to SR 88 around Wrens.	\$1,000,000.00
2650.	California	Construct Highway 101 bicycle/pedestrian overpass at Millbrae Ave. for the San Francisco Bay Trail, Millbrae.	\$1,000,000.00
2651.	New York	Design and Construction of bicycle and pedestrian facilities in the area of the Roosevelt Avenue Bridge.	\$480,000.00
2652.	Ohio	Reconstruction of a urban collector street within the Federal Highway System at SR 18 and Smith Rd. in the City of Medina.	\$1,960,000.00
2653.	Louisiana	Construct LA 143/U.S. 165 Connector and North Ouachita River Bridge, Ouachita Parish.	\$12,000,000.00
2654.	Pennsylvania	Replace an existing stone-arch rail bridge, Upper Dublin Township.	\$9,500,000.00
2655.	Pennsylvania	Design, engineering, ROW acquisition, and construction of intersection improvements and safety enhancements, Borough of Taylor in Lackawanna County.	\$250,000.00
2656.	Minnesota	Heritage Center at the Grand Portage National Monument.	\$1,355,000.00
2657.	New Hampshire	Public safety improvement by easement, building side-crosswalks, parking, traffic calming work. Part of Chocorua Village Intersect Improvement project.	\$2,020,000.00
2658.	Illinois	Construct West Corbin Overpass over Illinois 255, Bethalto.	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2659.	Indiana	CR 17, Elkhart County, IN. The project is for a new 4 lane highway from County Rd. 26 to County Rd. 38.	\$3,000,000.00
2660.	Virginia	Construct equestrian enhancement in Mount Rogers NRA adjacent to Virginia Highlands Horse Trail.	\$2,000,000.00
2661.	New York	Rehabilitate the High Bridge over the Harlem River between Manhattan and the Bronx.	\$5,000,000.00
2662.	Indiana	Extend Everbrook Drive from SR 332 to Bethel Avenue in the City of Muncie, IN.	\$640,000.00
2663.	New York	Continue design phase, including tiered, multi-year environmental scoping study and construction on proposed route of Northern Tier Expressway (NTE), connecting I-81 and I-87, via U.S. Route 11.	\$5,000,000.00
2664.	Michigan	Complete reconstruction of Tienken Road with curb and gutter improvements.	\$4,000,000.00
2665.	New Jersey	Vernon Township Traffic Calming, Pedestrian Safety and Traffic Congestion Circulation Improvement Project.	\$3,000,000.00
2666.	Oregon	Improvements to Bandon-Charleston State Scenic Tour on Randolph Road and North Bank Lane.	\$4,200,000.00
2667.	Nebraska	Construct Pflug Road and I-80 Interchange	\$2,000,000.00
2668.	Oregon	Rogue River Bikeway/Pedestrian Path, Curry County.	\$600,000.00
2669.	Utah	Widen and improve 800 North/SR 52 a main east-west corridor in Orem, UT.	\$2,100,000.00
2670.	New York	Rehabilitation of East and West Gates Avenue in the Village of Lindenhurst.	\$1,020,000.00
2671.	Virginia	Daniel Boone Wilderness Trail Corridor/design and construction of interpretive center and enhancement of trail corridor.	\$4,000,000.00
2672.	Minnesota	Reconditioning CSAH 61 from Barnum to TH 210 at Carlton, and improve Munger Trail.	\$1,480,000.00
2673.	American Samoa ...	Village road improvements for Tualauta, Tualatai, Aitulagi, Fofu, and Alataua counties in the Western District.	\$3,000,000.00
2674.	Pennsylvania	The project involves building an interchange, extending Lafayette Street, and building a toll interchange connecting Lafayette Street with the Pennsylvania Turnpike.	\$5,188,000.00
2675.	Pennsylvania	Design, engineering, ROW acquisition, and construction of the third phase of the Marshalls Creek Bypass Project, Monroe County.	\$1,000,000.00
2676.	Michigan	New Interchange at Latson Road on I-96	\$6,000,000.00
2677.	Florida	Coral Way Phase One, City of Miami	\$3,000,000.00
2678.	Wisconsin	Reconstruct State Highway 32 in Kenosha and Racine Counties, WI.	\$11,900,000.00
2679.	Missouri	Chain of Rocks Bicycle/Pedestrian connector linking regional network of trails and greenways.	\$300,000.00
2680.	Illinois	Pre construction activities for Sangamon Valley Trail.	\$236,000.00
2681.	Michigan	Resurfacing and widening of Parmater Road, Otsego County.	\$368,000.00
2682.	Virginia	Virginia Creeper Trail/ongoing trail needs, including construction of restroom facilities at Watauga and Alvarado and parking expansion at Watauga.	\$1,300,000.00
2683.	Indiana	Connection of Hazeldell Parkway to proposed Little Chicago Road in Hamilton County.	\$500,000.00
2684.	Alaska	Construction of and improvements to roads at Alaska Pacific University.	\$3,000,000.00
2685.	North Carolina	3.5 mile extension of Martin Luther King, Jr. Arterial Boulevard in Monroe, NC.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2686.	California	Widen and add turn lanes to Firestone Blvd., Downey.	\$2,500,000.00
2687.	Arkansas	Improvement of Judges Road, Desha County	\$500,000.00
2688.	Pennsylvania	Complete design for Eastern Inner Loop connector between Business Route 322 and State Route 3022 in Centre County.	\$1,000,000.00
2689.	New York	Highway Construction Selkirk Bypass Truck Route.	\$1,600,000.00
2690.	Iowa	Right-of-way and construction of U.S. Highway 20 at Woodbury County (Interstate 29), Ida County, Sac County from Ida County line to U.S. 71 at Early, IA.	\$7,750,000.00
2691.	Arizona	Construction of interim bypass for U.S. 93, circumventing the town of Wickenburg.	\$1,000,000.00
2692.	Texas	Construct grade separation at the intersection of Medical Drive and Fredericksburg Road.	\$3,800,000.00
2693.	Massachusetts	Union Square street improvements and enhancements, Somerville.	\$500,000.00
2694.	Indiana	I-69 access project connects 146th St. to I-69 Interchange at Exit 10.	\$4,000,000.00
2695.	Texas	Construct IH-35E replacement bridge, Trinity River, Dallas, Texas.	\$5,000,000.00
2696.	Mississippi	Upgrade Alex Gates Road and Walnut Road in Quitman County, and roads in Falcon, Sledge and Lambert.	\$2,200,000.00
2697.	Illinois	Improve 63rd Street, Chicago	\$2,000,000.00
2698.	Pennsylvania	SR 3003 Bridge, replace 1 span steel stringer bridge with a 1 span concrete box beam bridge in Auburn Township, Susquehanna County.	\$1,000,000.00
2699.	New Jersey	Widening Routes 1 and 9, Production Way to East Lincoln Avenue.	\$500,000.00
2700.	New Jersey	Route 50 Bridge & road improvements, Cape May & Atlantic Counties. Replace Route 50 bridge over Tuckahoe River with fixed span.	\$5,000,000.00
2701.	Florida	Upgrade SR 50 from U.S. 19 to U.S. 41 in Hernando County.	\$4,000,000.00
2702.	Tennessee	Addition of an interchange on I-40 in Roane County at Buttermilk Road and I-40 to provide safe, efficient access to interstate.	\$3,000,000.00
2703.	New Hampshire	Intersection improvements at U.S. Route 3 and the Franklin Industrial Drive entrance in Franklin, NH.	\$1,000,000.00
2704.	Maine	Relocation of southbound on-ramp to I-95 at exit 47, Bangor.	\$1,500,000.00
2705.	New Jersey	Extend CR Route 605	\$1,000,000.00
2706.	Arkansas	Development of infrastructure to Regional Airport in Fort Smith.	\$1,200,000.00
2707.	Ohio	City of Tiffin Kennedy bridge overpass and lighting improvement along SR 53.	\$1,000,000.00
2708.	Louisiana	Construct pedestrian walkways between Caddo Street and Milam Street along Edwards Street in Shreveport, LA.	\$1,000,000.00
2709.	Michigan	Construct improvements and modifications to M-40/I-196 Interchange.	\$6,000,000.00
2710.	Massachusetts	Route 20/I-95 Interchange, Waltham	\$1,500,000.00
2711.	Massachusetts	Reconstruct Rutherford Avenue from City Square to Route 99, Boston.	\$1,000,000.00
2712.	New York	Study, design, and reconstruction of pedestrian walkways, the Bronx.	\$1,000,000.00
2713.	Michigan	Construct road improvements to Miller Road from I-75 to Linden Road, Flint Township.	\$4,500,000.00
2714.	Arkansas	Relocation of Highway 412 bypass, Paragould.	\$1,000,000.00
2715.	Georgia	Construct Coastal Ga Greenway trail from Bee Road to Lake Mayer.	\$500,000.00
2716.	Arkansas	Replacement of Bridges No. 11597, No. 11598, and No. 11590, Columbia County.	\$500,000.00
2717.	Utah	Parley's Creek Corridor Project	\$5,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2718.	Kansas	Improve I-35/95th Street interchange, City of Lenexa.	\$1,000,000.00
2719.	New Jersey	Rehabilitation of Benigno Boulevard from I-295 to Route 168, Bellmawr.	\$400,000.00
2720.	Arizona	Roadway widening from 2 to 4 lanes on U.S. 93 south of the town of Wikieup.	\$1,000,000.00
2721.	Ohio	Construct Riverwalk project (bike/pedestrian path and facilities), City of Warren.	\$1,500,000.00
2722.	Pennsylvania	Design, engineering, ROW acquisition, and construction of street improvements and safety enhancements, City of Nanticoke in Luzerne County.	\$2,000,000.00
2723.	Massachusetts	Pedestrian walkway for the Town of Norwood	\$700,000.00
2724.	Maryland	I-70/MD 85/MD 355 Interchange	\$3,000,000.00
2725.	Missouri	Study of Needs and Design Highway 160 & Kansas Expressway, Greene County, MO.	\$2,000,000.00
2726.	Missouri	Grand Ave. Viaduct replacement of 6 lane structure with 5 lanes plus pedestrian walkways, St. Louis.	\$12,000,000.00
2727.	Florida	Construct I-4 Frontage Road in Volusia County, FL.	\$2,000,000.00
2728.	New York	Reconfiguration of New Rochelle Toll Plaza, including installation of high-speed EZPass, at this congested segment of I-95.	\$1,000,000.00
2729.	Louisiana	Elimination of highway-rail grade crossings along Louisiana and Delta railroad.	\$1,000,000.00
2730.	Pennsylvania	York City Northwest Triangle redevelopment project or other projects as selected by York County, Pennsylvania MPO.	\$1,500,000.00
2731.	California	Improve pedestrian and biking trails within East Bay Regional Park District, Contra Costa County.	\$1,000,000.00
2732.	South Carolina	SC 81 Turning Lane/the SCDOT would construct a turning lane to feed traffic into lakeside development at Lake Russell, SC.	\$50,000.00
2733.	Kentucky	Construct priority section 1 of the E.T. Breathitt (Pennyrile) Parkway Extension from Lovers Lane North to U.S. 41-A, Christian County.	\$8,000,000.00
2734.	Pennsylvania	Design, engineering, ROW acquisition and construction of streetscaping enhancements, including paving, lighting and safety improvements, in downtown Wilkes-Barre.	\$2,500,000.00
2735.	Georgia	Rehabilitate sidewalks and replace streetlights, Swainsboro.	\$500,000.00
2736.	New York	Construction of and improvements to Seneca Street in Buffalo.	\$2,000,000.00
2737.	Tennessee	Restoration of historic downtown Cobblestone Landing, Memphis.	\$1,000,000.00
2738.	New Jersey	Route 30 and Pomona Rd. intersection improvements. Widens road, improves signals and turn lanes at intersection.	\$4,000,000.00
2739.	Virginia	NRV Trail/construction of multi-use trail between the Towns of Rich Creek and Glen Lyn, Giles County.	\$56,000.00
2740.	New Jersey	Ferry Service Terminal, Carteret	\$2,100,000.00
2741.	California	Pedestrian calming measures along Las Tunas Blvd., the City of San Gabriel.	\$600,000.00
2742.	Tennessee	Extension of bicycle and pedestrian trail, Murfreesboro.	\$9,400,000.00
2743.	Minnesota	Construct Final Segment of Highway 610 from TH169 in Brooklyn Park, MN to its terminus in Maple Grove, MN.	\$5,000,000.00
2744.	New York	Roadway improvements on Woodbine Avenue between 5th Avenue and Beach Avenue, Northport.	\$640,000.00
2745.	Texas	Construct bicycle and pedestrian trails in Houston's historic Third Ward.	\$750,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2746.	Massachusetts	Construct 1.5 mile East Longmeadow Redstone Trailway.	\$720,000.00
2747.	Mississippi	State Highway 57 widening, Jackson County	\$5,000,000.00
2748.	Illinois	Construction of a highway on new alignment to create a cross town route across Godfrey, IL from Illinois Route 3 to U.S. 67.	\$1,000,000.00
2749.	Ohio	Rickenbacker Intermodal Facility	\$5,500,000.00
2750.	Kansas	Reconstruct grade separation on U.S. 169, Kansas City.	\$6,500,000.00
2751.	New York	Roadway, streetscape, pedestrian, transit, and parking improvements to the Buffalo Niagara Medical Campus, Buffalo.	\$2,000,000.00
2752.	Ohio	Construct replacement of Morgan Township Road 209 between SR 60 and SR 78 in Morgan County.	\$3,300,000.00
2753.	New York	Improve intersection of Old Dock Road and Church Street, Kings Park.	\$500,000.00
2754.	New York	Construction of sidewalks along Route 9A corridor in Village of Buchanan, NY.	\$475,000.00
2755.	Texas	Port of Beaumont Intermodal Corridor Project.	\$6,488,000.00
2756.	Maine	Replacement of Waldo-Hancock Bridge	\$16,000,000.00
2757.	Illinois	Establish transportation museum on Navy Pier (Chicago Children's Museum), Chicago.	\$540,000.00
2758.	California	Sierra College/I-80 Interchange Project/correct design deficiencies at the Sierra College Boulevard interchange with I-80 in Placer County.	\$2,000,000.00
2759.	Washington	U.S. 2/Sultan Basin Road Improvements, Sultan.	\$400,000.00
2760.	Mississippi	Ohr-O'Keefe Welome Center, Biloxi	\$750,000.00
2761.	Illinois	Replace I-74 Bridge, Moline	\$4,000,000.00
2762.	Massachusetts	Improve traffic signal operations, pavement markings, and regulatory signage, Milton-Boston City Line.	\$1,500,000.00
2763.	Illinois	Realign Irving Park Road (State Highway 19) and construct grade separation for RR tracks that intersect Irving Park and Wood Dale roads, Wood Dale, IL.	\$11,600,000.00
2764.	Virginia	U.S. Route 17 (Warrenton Road) Stafford County. To widen road and alleviate traffic congestion.	\$2,000,000.00
2765.	Ohio	Upgrade Manchester Rd., Akron	\$4,000,000.00
2766.	Georgia	Infantry Museum Transportation Network (4-lane connector), Columbus.	\$1,000,000.00
2767.	Massachusetts	Widen Crosby Drive from north of Route 62 in the Town of Bedford to Middlesex Turnpike in the Town of Burlington.	\$1,000,000.00
2768.	North Carolina	Expand and replace traffic signal systems and intelligent transportation systems in the City of Greensboro.	\$16,000,000.00
2769.	New York	Rehabilitation of road and drainage systems on Beach, Canal, and Sea Breeze Roads in the Town of Oyster Bay.	\$3,000,000.00
2770.	Virginia	High Knob Horse Trails/construction of network of horse riding trails and associated facilities in High Knob area of Jefferson National Forest.	\$1,500,000.00
2771.	New York	Reconstruction of Schenck Avenue from Jamaica Avenue to Flatlands Avenue, Brooklyn.	\$5,000,000.00
2772.	Pennsylvania	Construct new alignment of Route 830 from I-80 to Dubois-Jefferson County Airport.	\$2,000,000.00
2773.	Pennsylvania	SR 21 safety and capacity improvements, Greene and Fayette Counties.	\$2,000,000.00
2774.	Arkansas	Improvements on Calhoun County Roads 64, 73, 81, and 26.	\$500,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2775.	California	Improve the signal system infrastructure and timing of 10 traffic signals on Antonio Parkway, Rancho Santa Margarita.	\$125,200.00
2776.	Idaho	Improve and widen U.S. 95. Includes replacement of 2 bridges, Copeland to Eastport in Boundary County.	\$4,000,000.00
2777.	New Jersey	Route 7 Wittpenn Bridge over Hackensack River, Bridge Replacement and Reconstruction of Route 7/Fish House Road Interchange.	\$1,000,000.00
2778.	Texas	Pedestrian improvements and traffic control projects for Alameda, Dyer, and North Loop, El Paso.	\$2,500,000.00
2779.	New Jersey	Sea Isle Blvd. Reconstruction, Cape May County. Reconstruct and raise road bed above FEMA 100 year flood level.	\$2,000,000.00
2780.	Oregon	Renewal of wooden trestle bridge west of Albany.	\$6,000,000.00
2781.	Missouri	Construction of Highway 249 (Range Line By-pass), Jasper County, MO.	\$10,000,000.00
2782.	Minnesota	Construction of street underpass and 2 bicycle/pedestrian underpasses of rail-crossing and grade separated interchange with U.S. Highway 61.	\$2,000,000.00
2783.	New York	Purchase Three Ferries and Establish System for Ferry Service from Rockaway Peninsula to Manhattan.	\$15,000,000.00
2784.	Hawaii	Ft. Weaver Road Widening	\$10,000,000.00
2785.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 153.	\$250,000.00
2786.	Illinois	South Chicago Street Improvements (Geneseo): Construction of a pedestrian sidewalk along S. Chicago Street.	\$145,000.00
2787.	Pennsylvania	Construct PA Route 61/Schulkill Haven Bypass, Schuylkill Haven.	\$10,000,000.00
2788.	Ohio	Construct Front Street grade separation, Berea.	\$500,000.00
2789.	Michigan	Widen, pulverize and improve drainage with new bituminous pavement surface Nahma Bridge on CR 497 from U.S. 2 at Nahma Junction to Village of Nahma.	\$575,000.00
2790.	Mississippi	Lake Harbour Drive Extension: Extension of Lake Harbour Dr at U.S. Highway 51 to Highland Colony Pkwy, providing a major east-west corridor through Ridgeland.	\$500,000.00
2791.	Alaska	Realign rail track to eliminate highway-rail crossings and improve highway safety and transit times.	\$5,000,000.00
2792.	Illinois	Construct 1.5 miles of roadway from Mississippi River Barge Dock to the Intersection of IL 3 and IL 157, Cahokia.	750,000.00
2793.	Ohio	Replace Rock Spring Bridge, Portage County	\$500,000.00
2794.	New York	Install Improvements for Pedestrian Safety in the vicinity of PS 124.	\$250,000.00
2795.	Michigan	ROW acquisition and construction for I-94 widening between Sargent Road and M-60, including interchange improvements at I-94/U.S. 127 North.	\$3,000,000.00
2796.	California	Implement ITS on Muni Transit System, San Francisco.	\$4,000,000.00
2797.	Illinois	Widen and improve Chain of Rocks Road between IL 111 and I-255.	\$2,156,000.00
2798.	Pennsylvania	Improve handicapped accessibility and provide a pedestrian overpass.	\$3,000,000.00
2799.	Kentucky	Replace bridge and approaches on CR 5230 over North Rolling Fork River (C20), Danville.	\$770,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2800.	Tennessee	Develop trails, bike paths and recreational facilities on Western Slope Black Mountain, Cumberland County for Cumberland Trail State Park.	\$250,000.00
2801.	Minnesota	Construct Mesabi Trail completion from Grand Rapids to City of Ely.	\$2,700,000.00
2802.	Ohio	Construct transportation enhancements projects, Toledo.	\$6,000,000.00
2803.	Virginia	Construct eastbound and westbound ramps with bridges to provide direct access from I-95 to Temple Avenue in Colonial Heights.	\$2,000,000.00
2804.	New Jersey	Newark Waterfront pedestrian and bicycle access, Broad Street to NJPAC to Minish Park.	\$1,784,000.00
2805.	California	Upgrade and reconstruct I-580/Vasco Road Interchange, City of Livermore.	\$2,500,000.00
2806.	Michigan	Livonia, Reconstruct Stark Rd. between Plymouth Rd. and I-96.	\$1,000,000.00
2807.	Georgia	Add 5-10 ft. sidewalks in downtown Winder to improve bicycle/pedestrian streetscapes, safety, increase handicap access, and add bicycle parking.	\$2,000,000.00
2808.	Utah	Highway 6 from I-15 to I-70	\$3,000,000.00
2809.	California	Upgrade Save Mart Center intersection at Willow and Ashlan and Willow and Shaw, City of Fresno.	\$500,000.00
2810.	Alabama	U.S. 82/I-65 connector and/or AL 5 improvements in Bibb County.	\$3,000,000.00
2811.	California	Undertake Cordelia Hill/Sky Valley transportation enhancement project including upgrade of pedestrian and bicycle corridors, Solano County.	\$2,000,000.00
2812.	Michigan	White Lake, Pave Cooley Lake Rd. between Hix and Newburgh Roads.	\$500,000.00
2813.	Massachusetts	Construct Quinebaug River Rail Trail	\$1,000,000.00
2814.	Texas	Widen Spur 298 to a 6-lane urban roadway, McLennan County.	\$4,000,000.00
2815.	New Mexico	Construct the NM 524 South truck bypass in Carlsbad.	\$7,000,000.00
2816.	Michigan	Pave Braves Avenue to connect the high school and grade school for safe bus route, Gladstone.	\$370,000.00
2817.	Michigan	Study the development and construction of a new interchange at Sternberg Road and I-96.	\$1,000,000.00
2818.	Georgia	Truck bypass/I-75 at Oakridge Road, Tift County.	\$500,000.00
2819.	Texas	Construction of Segment No. 1 of Morrison Road for the City of Brownsville.	\$2,000,000.00
2820.	Florida	I-275 Roosevelt Blvd. Connector, Pinellas County.	\$10,000,000.00
2821.	Mississippi	Upgrade Dog Pen Road and Galilee Road in Holmes County, and roads in Cruger, Pickens, and Goodman.	\$1,490,000.00
2822.	California	I-5/SR 56 connector construction from westbound SR 56 to north bound I-5, and from southbound I-5 to eastbound SR 56.	\$4,000,000.00
2823.	Connecticut	Construct Enfield high-speed rail crossing to bike and pedestrian trails.	\$2,300,000.00
2824.	Minnesota	Aerial Lift Bridge preservation and improvements.	\$3,040,000.00
2825.	American Samoa ...	Drainage mitigation for Pago Pago village roads.	\$1,000,000.00
2826.	California	Install new crossing under the BNSF railroad at Rancho Road in Hesperia.	\$6,000,000.00
2827.	Pennsylvania	Construct 9th and 10th Street bridges over Norfolk Southern Tracks, Lebanon.	\$7,000,000.00
2828.	Pennsylvania	Relocate New Salem Road to create a 4 lane connection from SR 21 and Matthew Drive to U.S. 40.	\$2,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2829.	Arkansas	Improvement of Dallas County Roads 101, 124, 209, and 113.	\$500,000.00
2830.	Pennsylvania	Improve Route 6 from Mansfield Borough to the Village of Mainesburg.	\$1,000,000.00
2831.	Washington	Three Bridge Corridor (Skagit River) Extension Project, Skagit County.	\$5,000,000.00
2832.	California	Add interchange to I-15 and improve connecting roads in Victorville, CA.	\$1,500,000.00
2833.	Colorado	Build Powers/Woodmen Interchange to a grade separated interchange.	\$15,000,000.00
2834.	Texas	Preston Road will connect air & seaport facilities via Ellington Air Field and several Houston Ship Channel industry locations.	\$1,000,000.00
2835.	Texas	Union Pacific Railroad Bridge Expansion Over U.S. 287.	\$3,000,000.00
2836.	Washington	Modernize and study interchange at I-5 and SR 503.	\$300,000.00
2837.	Kansas	Widening of U.S. 69 from Pittsburg to Baxter Springs, KS.	\$5,000,000.00
2838.	Georgia	Flint River Bridge; right-of-way acquisition, construction, Albany.	\$1,000,000.00
2839.	Minnesota	Provide biking and pedestrian trails between Century Middle School and Minnesota Highway 34 in Park Rapids.	\$250,000.00
2840.	Illinois	Construct bike/pedestrian paths, Chicago	\$3,000,000.00
2841.	Georgia	Highway 92 realignment in Douglas County	\$11,250,000.00
2842.	Georgia	I-285/I-20 West Side Interchange	\$1,250,000.00
2843.	Georgia	City of Fayetteville Downtown Enhancements for economic development.	\$500,000.00
2844.	Georgia	Construct roads in Rockdale Veterans Memorial Park.	\$1,000,000.00
2845.	Colorado	I-25 from Highway 52 to Highway 14, widening and safety improvements; implementation of multi-modal alternatives identified in EIS.	\$8,000,000.00
2846.	Colorado	Highway 287 from the Oklahoma State Line to Limon, Colorado; reconstruct highway with concrete and create a 2-lane super highway.	\$3,000,000.00
2847.	Colorado	I-76 from the Nebraska State line to its intersection with E470; reconstruction of pavement, major safety and geometric improvements.	\$3,000,000.00
2848.	Arkansas	Construction of I-530 between Pine Bluff and Wilmar.	\$40,000,000.00
2849.	Nebraska	Resurface bridge connecting U.S. 75 and I-29 in the City of Bellevue.	\$500,000.00
2850.	New Jersey	Washington Township/Downtown Congestion Mitigation Project.	\$1,250,000.00
2851.	Connecticut	I-84 Waterbury Expressway Reconstruction from Waterbury to Southington.	\$3,800,000.00
2852.	Connecticut	Provide substantial improvements to intersection ramps in I-84 from the New York State line at Exit 1 in Danbury easterly to Exit 11 in Newtown.	\$3,800,000.00
2853.	Connecticut	Lakeville Center Enhancement improves the pedestrian and vehicle safety of the intersection of Routes 41 and 44.	\$895,000.00
2854.	Connecticut	Union Station Reconstruction in Falls Village	\$1,705,000.00
2855.	Connecticut	Broad Street Reconstruct Project in New Britain.	\$3,800,000.00
2856.	Minnesota	City of Moorhead SE Main GSI, 34th St. and 194 Interchange, and Moorhead Comprehensive Rail Safety Program.	\$2,000,000.00
2857.	Minnesota	Paynesville Highway 23 Bypass	\$2,000,000.00
2858.	Commonwealth of Northern Mariana Islands.	Commonwealth of the Northern Mariana Islands planning, design, and construction of East Coast Highway/Route 36 Saipan.	\$12,000,000.00
2859.	Illinois	Stearns Road Bridge, Kane County	\$88,000,000.00

High Priority Projects—Continued

No.	State	Project Description	Amount
2860.	Alaska	Intermodal facility improvements at the Port of Anchorage.	\$25,000,000.00
2861.	Alaska	Improve marine dry-dock and facilities in Ketchikan.	\$25,000,000.00
2862.	New York	Audobon Parkway at Lee Road (University at Buffalo).	\$4,500,000.00
2863.	Louisiana	Replace the Prospect Street bridge (LA 3087), Houma.	\$3,000,000.00
2864.	Louisiana	Expand existing South Central Planning and Development Commission Intelligent Transportation System program in Houma-Thibodaux area by installing signals, sensors and systems.	\$1,800,000.00
2865.	Louisiana	Plan and develop a 4-lane roadway, Jeanerette to U.S. 90 connection.	\$200,000.00
2866.	Louisiana	Plan, design, land acquisition and construction for improved access to I-10 and U.S. 61/River Road in St. John the Baptist and in Ascension Parish on the LA 22 Corridor.	\$2,750,000.00
2867.	Louisiana	Continue planning and construction of the New Orleans Regional Planning Commission Mississippi River trail in St. John, Plaquemines, St. Bernard and St. Charles parishes.	\$1,900,000.00
2868.	Louisiana	Improve Ralph Darden Memorial Parkway between LA 182 and Martin Luther King Road, St. Mary Parish.	\$350,000.00
2869.	Louisiana	Improvements to LA 46 in St. Bernard Parish.	\$400,000.00
2870.	Colorado	Corridor Safety and Capacity Improvements to Powers Blvd. (right-of-way purchase for Powers Blvd.).	\$5,000,000.00
2871.	California	Reconstruct and widen SR 46 to a 4-lane expressway between Kern County line and I-5.	\$50,000,000.00
2872.	California	Road construction and surface transportation improvements in Bakersfield Metropolitan area.	\$50,000,000.00
2873.	Ohio	Improve Route 62 (Town and Main Street) Bridges over Scioto River in Columbus.	\$13,000,000.00
2874.	Ohio	Upgrade Route 665 Bridge over I-71 and widen I-71 between Route 665 and I-270 by 1 lane each direction in Grove City.	\$15,000,000.00
2875.	Illinois	Ogden Corridor project alternatives analysis, environmental work, preliminary engineering and final design in Cook County.	\$40,000,000.00
2876.	Arizona	White Spar Road improvement	\$3,000,000.00
2877.	Texas	South Orient Economic Rehabilitation	\$14,000,000.00
2878.	Virginia	Construction of I-66/Route 29 Interchange in Gainesville.	\$4,500,000.00
2879.	Virginia	Improvements to Washington Street in Haymarket.	\$250,000.00
2880.	Virginia	Parking lot expansion and sidewalk improvements on Main Street in Clifton.	\$250,000.00
2881.	New York	Improvements to Batchellorville Bridge, Saratoga County.	\$2,000,000.00

1 **Subtitle H—Miscellaneous**
2 **Provisions**

3 **SEC. 1801. BUDGET JUSTIFICATION.**

4 The Department of Transportation and each agency
5 therein shall submit to the Committee on Transportation
6 and Infrastructure of the House of Representatives a
7 budget justification concurrently with the President's an-
8 nual budget submission to Congress under section 1105(a)
9 of title 31, United States Code.

10 **SEC. 1802. MOTORIST INFORMATION.**

11 Section 124 of of title I of division F of the Consoli-
12 dated Appropriations Act, 2004 (118 Stat. 296–297) is
13 repealed.

14 **SEC. 1803. MOTORIST INFORMATION CONCERNING FULL**
15 **SERVICE RESTAURANTS.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Secretary shall initiate a rulemaking to
18 determine whether or not—

19 (1) full service restaurants should be given pri-
20 ority on not more than 2 panels of the camping or
21 attractions logo specific service signs in the Manual
22 on Uniform Traffic Control Devices of the Depart-
23 ment of Transportation when the food logo specific
24 service sign is fully utilized; and

1 Riverside Counties, to termini at Barstow in San
2 Bernardino County and Coachella in Riverside
3 County. The Southwest Passage shall follow I-10
4 from San Bernardino to the Arizona State line.”;

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

6 “(46) Interstate Route 710 between the ter-
7 minus at Long Beach, California, to California State
8 Route 60.

9 “(47) Interstate Route 87 from the Quebec bor-
10 der to New York City.

11 “(48) The Route 50 High Plains Corridor along
12 the United States Route 50 corridor from Newton,
13 Kansas, to Pueblo, Colorado.

14 “(49) The Atlantic Commerce Corridor on
15 Interstate Route 95 from Jacksonville, Florida, to
16 Miami, Florida.

17 “(50) The East-West Corridor commencing in
18 Watertown, New York, continuing northeast through
19 New York, Vermont, New Hampshire, and Maine,
20 and terminating in Calais, Maine.

21 “(51) The SPIRIT Corridor on United States
22 Route 54 from El Paso, Texas, through New Mex-
23 ico, Texas, and Oklahoma to Wichita, Kansas.

24 “(52) The route in Arkansas running south and
25 parallel to United States Route 226 from the reloca-

1 tion of United States Route 67 to the vicinity of
2 United States Route 49 and United States Route
3 63.

4 “(53) United States Highway Route 6 from
5 Interstate Route 70 to Interstate Route 15, Utah.

6 “(54) The California Farm-to-Market Corridor,
7 California State Route 99 from south of Bakersfield
8 to Sacramento, California.”; and

9 (4) by aligning paragraph (45) with paragraph
10 (46).

11 **SEC. 1805. ADDITIONS TO APPALACHIAN REGION.**

12 (a) KENTUCKY.—Section 14102(a)(1)(C) of title 40,
13 United States Code, is amended—

14 (1) by inserting “Nicholas,” after “Morgan,”;
15 and

16 (2) by inserting “Robertson,” after “Pulaski,”.

17 (b) OHIO.—Section 14102(a)(1)(H) of such title is
18 amended—

19 (1) by inserting “Ashtabula,” after “Adams,”;

20 (2) by inserting “Fayette,” after “Coshocton,”;

21 (3) by inserting “Mahoning,” after “Law-
22 rence,”; and

23 (4) by inserting “Trumbull,” after “Scioto,”.

24 (c) TENNESSEE.—Section 14102(a)(1)(K) of such
25 title is amended—

1 (1) by inserting “Giles,” after “Franklin,”; and

2 (2) by inserting “Lawrence, Lewis, Lincoln,”
3 after “Knox,”.

4 (d) VIRGINIA.—Section 14102(a)(1)(L) of such title
5 is amended—

6 (1) by inserting “Henry,” after “Grayson,”;
7 and

8 (2) by inserting “Patrick,” after “Mont-
9 gomery,”.

10 **SEC. 1806. TRANSPORTATION ASSETS AND NEEDS OF**
11 **DELTA REGION.**

12 (a) AGREEMENT.—Not later than 6 months after the
13 date of enactment of this Act, the Secretary shall enter
14 into an agreement with the Delta Regional Authority (re-
15 ferred to in this section as the “DRA”) to conduct a com-
16 prehensive study of transportation assets and needs for
17 all modes of transportation (including passenger and
18 freight transportation) in the 8 States comprising the
19 Delta region (Alabama, Arkansas, Illinois, Kentucky, Lou-
20 isiana, Mississippi, Missouri and Tennessee).

21 (b) CONSULTATION.—Under the agreement, the
22 DRA, in conducting the study, shall consult with the De-
23 partment of Transportation, State transportation depart-
24 ments, local planning and development districts, local and

1 regional governments, and metropolitan planning organi-
2 zations.

3 (c) REPORT.—Under the agreement, the DRA, not
4 later than 24 months after the date of entry into the
5 agreement, shall submit to the Secretary and the Com-
6 mittee on Transportation and Infrastructure of the House
7 of Representatives and the Committee on Environment
8 and Public Works of the Senate a final report on the re-
9 sults of the study, together with such recommendation as
10 the DRA considers appropriate.

11 (d) PLAN.—Under the agreement, the DRA, upon
12 completion of the report, shall establish a regional stra-
13 tegic plan to implement the recommendations of the re-
14 port.

15 (e) FUNDING.—

16 (1) AUTHORIZATION OF APPROPRIATIONS.—
17 There is authorized to be appropriated out of the
18 Highway Trust Fund (other than the Mass Transit
19 Account), \$500,000 for each of the fiscal years 2005
20 and 2006 to carry out this section.

21 (2) CONTRACT AUTHORITY.—Funds authorized
22 by this section shall be available for obligation in the
23 same manner and to the same extent as if such
24 funds were apportioned under chapter 1 of title 23,
25 United States Code; except that such funds shall re-

1 main available until expended and shall not be trans-
2 ferable.

3 **SEC. 1807. TOLL FACILITIES WORKPLACE SAFETY STUDY.**

4 (a) IN GENERAL.—The Secretary shall conduct a
5 study on the safety of highway toll collection facilities, in-
6 cluding toll booths, to determine the safety of the facilities
7 for the toll collectors who work in and around the facili-
8 ties, including consideration of—

9 (1) the effect of design or construction of the
10 facilities on the likelihood of vehicle collisions with
11 the facilities;

12 (2) the safety of crosswalks used by toll collec-
13 tors in transit to and from toll booths;

14 (3) the extent of the enforcement of speed lim-
15 its in the vicinity of the facilities;

16 (4) the use of warning devices, such as vibra-
17 tion and rumble strips, to alert drivers approaching
18 the facilities;

19 (5) the use of cameras to record traffic viola-
20 tions in the vicinity of the facilities;

21 (6) the use of traffic control arms in the vicin-
22 ity of the facilities;

23 (7) law enforcement practices and jurisdictional
24 issues that affect safety in the vicinity of the facili-
25 ties; and

1 (8) the incidence of accidents and injuries in
2 the vicinity of toll booths.

3 (b) DATA COLLECTION.—As part of the study, the
4 Secretary shall collect data regarding the incidence of acci-
5 dents and injuries in the vicinity of highway toll collection
6 facilities.

7 (c) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the Secretary shall transmit to
9 the Committee on Transportation and Infrastructure of
10 the House of Representatives and the Committee on Envi-
11 ronment and Public Works of the Senate a report on the
12 results of the study, together with recommendations for
13 improving toll facilities workplace safety.

14 (d) FUNDING.—

15 (1) AUTHORIZATION OF APPROPRIATIONS.—
16 There is authorized to be appropriated to carry out
17 this section, out of the Highway Trust Fund (other
18 than the Mass Transit Account), \$500,000 for fiscal
19 year 2005.

20 (2) CONTRACT AUTHORITY.—Funds authorized
21 to be appropriated by this section shall be available
22 for obligation in the same manner and to the same
23 extent as if such funds were apportioned under
24 chapter 1 of title 23, United States Code; expect
25 that the Federal share of the cost of the project

1 shall be 100 percent, and such funds shall remain
2 available until expended and shall not be transfer-
3 able.

4 **SEC. 1808. PAVEMENT MARKING SYSTEMS DEMONSTRATION PROJECTS.**
5

6 (a) IN GENERAL.—The Secretary shall conduct a
7 demonstration project in the State of Alaska, and a dem-
8 onstration project in the State of Tennessee, to study the
9 safety impacts, environmental impacts, and cost effective-
10 ness of different pavement marking systems and the effect
11 of State bidding and procurement processes on the quality
12 of pavement marking material employed in highway
13 projects. The demonstration projects shall each include an
14 evaluation of the impacts and effectiveness of increasing
15 the width of pavement marking edge lines from 4 inches
16 to 6 inches and an evaluation of advanced acrylic water-
17 borne pavement markings.

18 (b) REPORT.—Not later than June 30, 2009, the
19 Secretary shall transmit to Congress a report on the re-
20 sults of the demonstration projects, together with findings
21 and recommendations on methods that will optimize the
22 cost-benefit ratio of the use of Federal funds on pavement
23 marking.

24 (c) FUNDING.—

1 (1) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out
3 this section, out of the Highway Trust Fund (other
4 than the Mass Transit Account), \$1,000,000 per fis-
5 cal year for each of the fiscal years 2005 through
6 2009.

7 (2) CONTRACT AUTHORITY.—Funds authorized
8 to be appropriated by this section shall be available
9 for obligation in the same manner and to the same
10 extent as if such funds were apportioned under
11 chapter 1 of title 23, United States Code; expect
12 that the Federal share of the cost of the demonstra-
13 tion projects shall be 100 percent, and such funds
14 shall remain available until expended and shall not
15 be transferable.

16 **SEC. 1809. WORK ZONE SAFETY GRANTS.**

17 (a) IN GENERAL.—The Secretary shall establish and
18 implement a work zone safety grant program under which
19 the Secretary may make grants to nonprofit organizations
20 to provide training to prevent or reduce highway work
21 zone injuries and fatalities.

22 (b) ELIGIBLE ACTIVITIES.—Grants may be made
23 under the program for the following purposes:

1 (1) Training for construction craft workers on
2 the prevention of injuries and fatalities in highway
3 and road construction.

4 (2) Development of guidelines for the preven-
5 tion of highway work zone injuries and fatalities.

6 (3) Training for State and local government
7 transportation agencies and other groups imple-
8 menting guidelines for the prevention of highway
9 work zone injuries and fatalities.

10 (c) FUNDING.—

11 (1) IN GENERAL.—There is authorized to be
12 appropriated from the Highway Trust Fund (other
13 than the Mass Transit Account) to carry out this
14 section \$5,000,000 for each of fiscal years 2005
15 through 2009.

16 (2) CONTRACT AUTHORITY.—Funds authorized
17 under this subsection shall be available for obligation
18 in the same manner as if the funds were apportioned
19 under chapter 1 of title 23, United States Code; ex-
20 cept that such funds shall not be transferable.

21 (d) CONSTRUCTION WORK IN ALASKA.—Section 114
22 of title 23, United States Code, is amended by adding at
23 the end the following:

24 “(c) CONSTRUCTION WORK IN ALASKA.—

1 “(1) IN GENERAL.—The Secretary shall ensure
2 that a worker who is employed on a remote project
3 for the construction of a highway or portion of a
4 highway located on a Federal-aid system in the
5 State of Alaska and who is not a domiciled resident
6 of the locality shall receive meals and lodging.

7 “(2) LODGING.—The lodging under paragraph
8 (1) shall be in accordance with section 1910.142 of
9 title 29, Code of Federal Regulations (relating to
10 temporary labor camp requirements).

11 “(3) DEFINITIONS.—In this subsection, the fol-
12 lowing definitions apply:

13 “(A) REMOTE.—The term ‘remote’, as
14 used with respect to a project, means that the
15 project is 75 miles or more from the United
16 States Post Office in either Fairbanks, Anchor-
17 age, Juno, or Ketchikan, Alaska, or is inacces-
18 sible by road in a 2-wheel drive vehicle.

19 “(B) RESIDENT.—The term ‘resident’, as
20 used with respect to a project, means a person
21 living within 75 miles of the midpoint of the
22 project for at least 12 months.”.

1 **SEC. 1810. GRANT PROGRAM TO PROHIBIT RACIAL**
2 **PROFILING.**

3 (a) GRANTS.—Subject to the requirements of this
4 section, the Secretary shall make grants to a State that—

5 (1)(A) has enacted and is enforcing a law that
6 prohibits the use of racial profiling in the enforce-
7 ment of State laws regulating the use of Federal-aid
8 highways; and

9 (B) is maintaining and allows public inspection
10 of statistical information for each motor vehicle stop
11 made by a law enforcement officer on a Federal-aid
12 highway in the State regarding the race and eth-
13 nicity of the driver and any passengers; or

14 (2) provides assurances satisfactory to the Sec-
15 retary that the State is undertaking activities to
16 comply with the requirements of paragraph (1).

17 (b) ELIGIBLE ACTIVITIES.—A grant received by a
18 State under subsection (a) shall be used by the State—

19 (1) in the case of a State eligible under sub-
20 section (a)(1), for costs of—

21 (A) collecting and maintaining of data on
22 traffic stops;

23 (B) evaluating the results of the data; and

24 (C) developing and implementing programs
25 to reduce the occurrence of racial profiling, in-

1 including programs to train law enforcement offi-
2 cers; and

3 (2) in the case of a State eligible under sub-
4 section (a)(2), for costs of—

5 (A) activities to comply with the require-
6 ments of subsection (a)(1); and

7 (B) any eligible activity under paragraph
8 (1).

9 (c) RACIAL PROFILING.—To meet the requirement of
10 subsection (a)(1), a State law shall prohibit, in the en-
11 forcement of State laws regulating the use of Federal-aid
12 highways, a State or local law enforcement officer from
13 using the race or ethnicity of the driver or passengers to
14 any degree in making routine or spontaneous law enforce-
15 ment decisions, such as ordinary traffic stops on Federal-
16 aid highways. Nothing in this subsection shall alter the
17 manner in which a State or local law enforcement officer
18 considers race or ethnicity whenever there is trustworthy
19 information, relevant to the locality or time frame, that
20 links persons of a particular race or ethnicity to an identi-
21 fied criminal incident, scheme, or organization.

22 (d) LIMITATIONS.—

23 (1) MAXIMUM AMOUNT OF GRANTS.—The total
24 amount of grants received by a State under this sec-
25 tion in a fiscal year may not exceed 5 percent of the

1 amount made available to carry out this section in
2 the fiscal year.

3 (2) ELIGIBILITY.—A State may not receive a
4 grant under subsection (a)(2) in more than 2 fiscal
5 years.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated from the Highway Trust Fund (other
9 than the Mass Transit Account) to carry out this
10 section \$10,000,000 for each of fiscal years 2004
11 through 2009.

12 (2) CONTRACT AUTHORITY.—Funds authorized
13 under this subsection shall be available for obligation
14 in the same manner as if the funds were apportioned
15 under chapter 1 of title 23, United States Code, ex-
16 cept the Federal share of the cost of activities car-
17 ried out using such funds shall be 100 percent, and
18 such funds shall remain available until expended and
19 shall not be transferable.

20 **SEC. 1811. AMERICA'S BYWAYS RESOURCE CENTER.**

21 (a) IN GENERAL.—The Secretary shall allocate funds
22 made available to carry out this section to the America's
23 Byways Resource Center established pursuant to section
24 1215(b)(1) of the Transportation Equity Act for the 21st
25 Century (112 Stat. 209).

1 (b) TECHNICAL SUPPORT AND EDUCATION.—

2 (1) USE OF FUNDS.—The Center shall use
3 funds allocated to the Center under this section to
4 continue to provide technical support and conduct
5 educational activities for the national scenic byways
6 program established under section 162 of title 23,
7 United States Code.

8 (2) ELIGIBLE ACTIVITIES.—Technical support
9 and educational activities carried out under this sub-
10 section shall provide local officials and organizations
11 associated with National Scenic Byways and All-
12 American Roads with proactive, technical, and on-
13 site customized assistance, including training, com-
14 munications (including a public awareness series),
15 publications, conferences, on-site meetings, and
16 other assistance considered appropriate to develop
17 and sustain such byways and roads.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated out of the Highway Trust
20 Fund (other than the Mass Transit Account) to carry out
21 this section \$3,500,000 for each of fiscal years 2004
22 through 2009.

23 (d) APPLICABILITY OF TITLE 23.—Funds authorized
24 by this section shall be available for obligation in the same
25 manner as if such funds were apportioned under chapter

1 1 of title 23, United States Code; except that the Federal
2 share of the cost of any project or activity carried out
3 under this subsection shall be 100 percent and such funds
4 shall remain available until expended and shall not be
5 transferable.

6 **SEC. 1812. TECHNICAL ADJUSTMENT.**

7 (a) IN GENERAL.—The donee of the vessel with the
8 Unit Identification Code number 13862 is deemed to be
9 the owner of that vessel free and clear as of September
10 1, 2000.

11 (b) FEDERAL CLAIMS.—All Federal claims arising
12 from the donation or use of the vessel described in sub-
13 section (a) are permanently extinguished.

14 **SEC. 1813. ROAD USER CHARGE EVALUATION PILOT**
15 **PROJECT.**

16 (a) IN GENERAL.—The Secretary shall carry out a
17 national evaluation pilot project to assess how intelligent
18 transportation system technology can be applied to assess
19 mileage-based road user charges for the purposes of col-
20 lecting revenues for the Highway Trust Fund.

21 (b) MATTERS TO BE EVALUATED.—The following
22 matters shall be evaluated under the pilot project:

23 (1) Technical feasibility of imposing mileage-
24 based road user charges, including cost, reliability,

1 and security of on-board and intelligent transpor-
2 tation systems.

3 (2) Compatibility of technology for imposing
4 such charges with automobile and truck design.

5 (3) Design and testing of a collection system
6 for such charges that is secure, low cost, and easy
7 to use.

8 (4) Methods of ensuring privacy of road users
9 and assessing public attitudes and views of motorists
10 who participate in field tests of the equipment and
11 system.

12 (c) REPORTS.—The Secretary shall transmit annual
13 reports on the status of the pilot project and, not later
14 than June 30, 2009, a final report on the results of the
15 pilot project, together with findings and recommendations,
16 to the Secretary of the Treasury, the Committee on Trans-
17 portation and Infrastructure and the Committee on Ways
18 and Means of the House of Representatives, and the Com-
19 mittee on Environment and Public Works and the Com-
20 mittee on Finance of the Senate.

21 (d) AUTHORIZATION OF APPROPRIATION.—

22 (1) IN GENERAL.—There is authorize from the
23 Highway Trust Fund (other than the Mass Transit
24 Account) to carry out this section \$1,000,000 for

1 each of fiscal years 2005 and 2006 and \$3,500,000
2 for each of fiscal years 2007, 2008, and 2009.

3 (2) CONTRACT AUTHORITY.—Funds authorized
4 under this subsection shall be available for obligation
5 in the same manner as if the funds were apportioned
6 under chapter 1 of title 23, United States Code; ex-
7 cept the Federal share of the cost of the pilot project
8 shall be 100 percent, and such funds shall remain
9 available until expended and shall not be transfer-
10 able.

11 **SEC. 1814. THOMAS P. “TIP” O’NEILL, JR. TUNNEL.**

12 (a) DESIGNATION.—In honor of his service to the
13 Commonwealth of Massachusetts and the United States
14 of America, and in recognition of his contributions toward
15 the construction of Central Artery Tunnel project in Bos-
16 ton, the northbound and southbound tunnel of Interstate
17 Route 93, located in the city of Boston, which extends
18 north of the intersection of Interstate Route 90 and Inter-
19 state Route 93 to the Leonard P. Zakim Bunker Hill
20 Bridge, is designated as the “Thomas P. ‘Tip’ O’Neill, Jr.
21 Tunnel”.

22 (b) REFERENCES.—Any reference in law, map, regu-
23 lation, document, paper, or other record of the United
24 States to the tunnel referred to in subsection (a) shall be

1 deemed to be a reference to the “Thomas P. ‘Tip’ O’Neill,
2 Jr. Tunnel”.

3 **SEC. 1815. CONFORMING AMENDMENT FOR TRANSPOR-**
4 **TATION PLANNING SECTIONS.**

5 (a) METROPOLITAN PLANNING.—Section 134 of title
6 23, United States Code is amended to read as follows:

7 **“§ 134. Metropolitan planning**

8 “Metropolitan transportation planning programs
9 funded under section 104(f) shall be carried out in accord-
10 ance with the metropolitan planning provisions of chapter
11 52, title 49, United States Code.”.

12 (b) STATEWIDE PLANNING.—Section 135 of such
13 title is amended to read as follows:

14 **“§ 135. Statewide planning**

15 “Statewide transportation planning programs funded
16 under section 104(f) shall be carried out in accordance
17 with the statewide planning provisions of chapter 52, title
18 49, United States Code.”.

19 **SEC. 1816. DISTRIBUTION OF METROPOLITAN PLANNING**
20 **FUNDS WITHIN STATES.**

21 Section 104(f)(4) of title 23, United States Code, is
22 amended by adding at the end the following: “Such dis-
23 tribution of funds to metropolitan planning organizations
24 shall be made within 30 days of the date of receipt of such
25 funds from the Secretary.”.

1 **SEC. 1817. TREATMENT OF OFF RAMP.**

2 The Harbor Boulevard off ramp from Interstate
3 Route 405 in Costa Mesa, California, is deemed to satisfy
4 the requirements of title 23, United States Code, that gov-
5 ern the approval of the placement of ramps off of a Fed-
6 eral-aid highway.

7 **SEC. 1818. LOAN FORGIVENESS.**

8 Debt outstanding as of the date of enactment of this
9 Act for project number Q–DPM–0013(001) carried out
10 under section 108(c) of title 23, United States Code, is
11 deemed satisfied.

12 **SEC. 1819. LEAD AGENCY DESIGNATION.**

13 The public entity established under California law in
14 1989 to acquire rights-of-way in northwestern California
15 to maintain surface transportation infrastructure is here-
16 by designated as the lead agency for the purpose of accept-
17 ing Federal funds authorized under item 13 of the table
18 contained in section 1108(b) of the Intermodal Surface
19 Transportation Efficiency Act of 1991 (105 Stat. 2061).

20 **SEC. 1820. USE OF DEBRIS FROM DEMOLISHED BRIDGES**
21 **AND OVERPASSES.**

22 The project agreement for a Federal-aid highway
23 project shall provide that any debris from demolition of
24 a bridge or overpass that is on the Federal-aid highway
25 must be made available for beneficial public use by Fed-
26 eral, State, and local governments. Any additional cost as-

1 sociated with making available the debris shall be borne
2 by the recipient of the debris.

3 **SEC. 1821. HUBZONE PROGRAM.**

4 Section 3(p)(4)(B)(ii) of the Small Business Act (15
5 U.S.C. 632(p)(4)(B)(ii)) is amended—

6 (1) in subclause (I) by striking “or ” at the
7 end;

8 (2) in subclause (II) by striking the period at
9 the end and inserting “; or” ; and

10 (3) by adding after subclause (II) the following:

11 “(III) there is located a difficult
12 development area, as designated by
13 the Secretary of Housing and Urban
14 Development in accordance with sec-
15 tion 42(d)(5)(C)(iii) of the Internal
16 Revenue Code of 1986, within Alaska,
17 Hawaii, or any territory or possession
18 of the United States outside the 48
19 contiguous States.”.

20 **SEC. 1822. TECHNICAL AMENDMENTS TO TEA 21 PROJECTS.**

21 The table contained in section 1602 of the Transpor-
22 tation Equity Act for the 21st Century (112 Stat. 257)
23 is amended—

24 (1) in item number 35 by adding “and for other
25 related purposes” after “Yard”;

1 (2) in item number 78 by striking “Third” and
2 all that follows through “Bridge” and inserting
3 “Bayview Transportation Improvements Project”;

4 (3) in item number 312 by inserting “through
5 construction” after “engineering”;

6 (4) in item number 800 by striking “Fairview
7 Township” and inserting “or other projects selected
8 by the York County, Pennsylvania MPO”;

9 (5) in item number 820 by striking “Conduct”
10 and all that follows through “interchange” and in-
11 sserting “Conduct a transportation needs study and
12 make improvements to I-75 interchanges in the
13 Grayling area”;

14 (6) in item number 897 by striking “Upgrade”
15 and all that follows through “interchange” and in-
16 sserting “Engineering and construction of a new ac-
17 cess road to a development near Interstate 57 and
18 167th Street in Country Club Hills”;

19 (7) in item number 1121 by striking “Con-
20 struct” and all that follows through “Douglaston
21 Parkway” and inserting “Provide landscaping along
22 both sides of the Grand Central Parkway from
23 188th Street to 172nd Street”;

1 (8) in item 1225 by striking “Construct SR 9
2 bypass” and inserting “Study, design, and construct
3 transportation solutions for SR 9 corridor”; and

4 (9) in item number 1447 strike “Extend” and
5 all that follows through “Valparaiso” and insert
6 “Design and construction of interchange at I-65 and
7 109th Avenue, Crown Point”.

8 **SEC. 1823. NATIONAL WORK ZONE SAFETY INFORMATION**
9 **CLEARINGHOUSE.**

10 The Secretary shall make grants of \$1,000,000 for
11 fiscal years 2005 through 2009 to a national nonprofit
12 foundation for the operation of the National Work Zone
13 Safety Information Clearinghouse, authorized by section
14 358(b)(2) of Public Law 104–59, created for the purpose
15 of assembling and disseminating, by electronic and other
16 means, information relating to improvement of roadway
17 work zone safety.

18 **SEC. 1824. TRANSPORTATION CONFORMITY.**

19 (a) CONFORMITY REDETERMINATIONS.—Section
20 176(c)(2) of the Clean Air Act (42 U.S.C. 7506(c)) is
21 amended by adding at the end the following:

22 “(E) The appropriate metropolitan planning or-
23 ganization shall redetermine conformity for existing
24 transportation plans and programs not later than 2
25 years after the date on which the Administrator—

1 “(i) finds a motor vehicle emissions budget
2 in a submitted implementation plan to be ade-
3 quate in accordance with section 93.118(e)(4)
4 of title 40, Code of Federal Regulations (as in
5 effect on October 1, 2003); or

6 “(ii) approves an implementation plan
7 under section 110(k) or promulgates an imple-
8 mentation plan under section 110(c) that estab-
9 lishes a motor vehicle emissions budget where
10 there was no prior budget or that establishes a
11 budget that significantly varies from any motor
12 vehicle emissions budget in effect pursuant to
13 an adequacy determination in accordance with
14 section 93.118(e)(4) of title 40, Code of Fed-
15 eral Regulations (as in effect on October 1,
16 2003) or as part of an implementation plan ap-
17 proved or promulgated under section 110.”.

18 (b) FREQUENCY OF CONFORMITY DETERMINATION
19 UPDATES.—Section 176(c)(4) of the Clean Air Act (42
20 U.S.C. 7506(c)(4)) is amended follows:

21 (1) By striking “one year after the date of en-
22 actment of the Clean Air Act Amendments of 1990”
23 and inserting “one year after the date of enactment
24 of the Transportation Equity Act: A Legacy for
25 Users” .

1 (2) In subparagraph (B) by amending clause
2 (ii) to read as follows:

3 “(ii) provide that conformity determinations for
4 transportation plans and programs be determined
5 every 4 years in areas designated as nonattainment
6 or redesignated to attainment (unless a metropolitan
7 planning organization as designated in section
8 5213(b) of title 49, United States Code, elects to up-
9 date a transportation plan and program more fre-
10 quently or is required to determine conformity in ac-
11 cordance with paragraph (2)(E)).”.

12 (c) TIME HORIZON FOR CONFORMITY DETERMINA-
13 TIONS IN NONATTAINMENT AREAS.—Subsection (c) of
14 section 176 of the Clean Air Act (42 U.S.C. 7506(c)) is
15 amended by adding the following new paragraph at the
16 end thereof:

17 “(7) TIME HORIZON FOR DETERMINATIONS.—
18 Each conformity determination required under this
19 section for a transportation plan under section
20 5213(g) of title 49 of the United States Code shall
21 require a demonstration of conformity during the pe-
22 riod ending on either the final year of the transpor-
23 tation plan or, at the election of the metropolitan
24 planning organization and an air pollution control
25 agency, as defined in section 302(b), if such air pol-

1 lution control agency is responsible for developing
2 plans or controlling air pollution within the area cov-
3 ered by the transportation plan on the later of the
4 following dates (hereinafter in this paragraph re-
5 ferred to as the ‘final transportation conformity
6 date’):

7 “(A) The tenth year of the transportation
8 plan.

9 “(B) The attainment date set forth in the
10 applicable implementation plan for the air pol-
11 lutant concerned.

12 “(C) The year after the completion of a re-
13 gionally significant project, if the project will be
14 programmed in the transportation improvement
15 program or requires approval before the subse-
16 quent conformity determination.

17 Such conformity determination shall be accompanied
18 by a regional emissions analysis for any years of the
19 transportation plan that extend beyond such final
20 conformity date. In the case in which an area has
21 a revision to an implementation plan under section
22 175A(b) and the Administrator has found the motor
23 vehicle emissions budgets from that revision to be
24 adequate in accordance with section 93.118(e)(4) of
25 title 40, Code of Federal Regulations (as in effect

1 October 1, 2003), or has approved the revision, the
2 demonstration of conformity (at the election of the
3 metropolitan planning organization and an air pollu-
4 tion control agency, as defined in section 302(b), if
5 such air pollution control agency is responsible for
6 developing plans or controlling pollution within the
7 area covered by the transportation plan) and the
8 metropolitan planning organization shall be required
9 to extend only through the last year of the imple-
10 mentation plan required under section 175A(b).”.

11 (d) SUBSTITUTION OF TRANSPORTATION CONTROL
12 MEASURES.—Subsection 176(c) of the Clean Air Act (42
13 U.S.C. 7506(c)) is amended by adding at the end the end
14 the following new paragraph:

15 “(8)(A) Transportation control measures that
16 are specified in an implementation plan may be re-
17 placed in the implementation plan with substitute
18 transportation control measures if—

19 “(i) the substitute measures achieve equiv-
20 alent or greater emission reductions than the
21 control measures to be replaced, as determined
22 by the Administrator

23 “(ii) the substitute measures utilize an
24 emissions impact analysis that is consistent
25 with the current methodology used for evalu-

1 ating replaced control measures in the imple-
2 mentation plan;

3 “(iii) the substitute control measures are
4 implemented not later than the date on which
5 such emission reductions are necessary to
6 achieve the purpose of the implementation plan;

7 “(iv) the substitute control measures were
8 developed with reasonable public notice and the
9 opportunity for comments; and

10 “(v) the metropolitan planning organiza-
11 tion finds that adequate funding is included in
12 the transportation improvement program to en-
13 sure timely implementation of the substitute
14 control measures.

15 “(B) After the requirements of paragraph (A)
16 are met, a State may adopt the substitute measures
17 in the applicable implementation plan within a rea-
18 sonable period of time.

19 “(C) The substitution of a transportation con-
20 trol measure in accordance with this paragraph shall
21 not be contingent on the existence of any provision
22 in the applicable implementation plan that expressly
23 permits such substitution.

1 “(D) The substitution of a transportation con-
2 trol measure in accordance with this paragraph shall
3 not require—

4 “(i) a new conformity determination for
5 the transportation plan, or

6 “(ii) a revision of the applicable implemen-
7 tation plan.

8 “(E) A control measure that is being replaced
9 by a substitute control measure under this para-
10 graph shall remain in effect until the substitute con-
11 trol measure is adopted.

12 “(F) Adoption of a substitute control measure
13 shall constitute rescission of the previously applica-
14 ble control measure.

15 Transportation control measures may be added to an im-
16 plementation plan subject to subparagraphs (B), (C), and
17 (D), on the same basis as if such measures were substitute
18 transportation control measures if such measures do not
19 increase emissions for which limitations have been estab-
20 lished in an implementation plan, and such measures meet
21 the requirements of clauses (ii), (iii), (iv), and (v) of sub-
22 paragraph (A).”.

23 (e) LAPSE OF CONFORMITY.—Subsection (c) of sec-
24 tion 176 of the Clean Air Act (42 U.S.C. 7506(c)) is

1 amended by adding the following new paragraphs at the
2 end thereof:

3 “(9) LAPSE OF CONFORMITY.—If a conformity
4 determination required under this subsection for a
5 transportation plan under section 5213(g) of title 49
6 of the United States Code or a transportation im-
7 provement program under section 5213(h) of title 49
8 of the United States Code is not made by the appli-
9 cable deadline and such failure is not corrected by
10 additional measures to either reduce motor vehicle
11 emissions sufficient to demonstrate compliance with
12 the requirements of this subsection within 12
13 months after such deadline or other measures suffi-
14 cient to correct such failures, the transportation
15 plan shall lapse.

16 “(10) LAPSE.—The term ‘lapse’ means that the
17 conformity determination for a transportation plan
18 or transportation improvement program has expired,
19 and thus there is no currently conforming transpor-
20 tation plan or transportation improvement pro-
21 gram.”.

1 **SEC. 1825. ELIGIBILITY TO PARTICIPATE IN WESTERN**
2 **ALASKA COMMUNITY DEVELOPMENT QUOTA**
3 **PROGRAM.**

4 A community is deemed to be eligible to participate
5 in the western Alaska community development quota pro-
6 gram established under section 305(i) of the Magnuson-
7 Stevens Fishery Conservation and Management Act (16
8 U.S.C. 1855(i)) if the community—

9 (1) is listed in table 7 to part 679 of title 50,
10 Code of Federal Regulations, as in effect on March
11 8, 2004; or

12 (2) was determined to be eligible participate in
13 such program by the National Marine Fisheries
14 Service on April 19, 1999.

15 **SEC. 1826. METROPOLITAN REGIONAL FREIGHT AND PAS-**
16 **SENGER TRANSPORTATION STUDY.**

17 (a) IN GENERAL.—The Secretary shall enter into an
18 agreement with a partnership comprised of 2 institutions
19 of higher learning to study metropolitan regional freight
20 and passenger transportation and system-wide perform-
21 ance utilizing an interdisciplinary technique of supply
22 chain management, geographic information systems, and
23 urban/suburban planning and management.

24 (b) CONTENTS OF STUDY.—The study under this
25 section shall include, at a minimum, evaluations of—

1 (1) best practices for regional transportation
2 operations and management;

3 (2) relationships among truck trip generation
4 and economic activities;

5 (3) spatial analysis of the distribution of eco-
6 nomic activity and transportation investments;

7 (4) congestion mitigation and management of
8 air quality through the concentration of modeling
9 and technology;

10 (5) supply chain management and geographic
11 information systems; and

12 (6) infrastructure management and renewal.

13 (c) FEDERAL SHARE.—The Federal share of the cost
14 of the study under this section shall be 100 percent.

15 (d) FUNDING.—Of the amounts made available to
16 carry out section 1305 for each of fiscal years 2005
17 through 2009, \$1,800,000 shall be made available to carry
18 out this section.

19 **SEC. 1827. INTERMODAL TRANSPORTATION FACILITY EX-**
20 **PANSION.**

21 Any Federal and non-Federal share provided for the
22 Port of Anchorage for an intermodal transportation ma-
23 rine facility or for access to that facility shall be trans-
24 ferred to and administered by the Administrator of the
25 Maritime Administration.

1 **SEC. 1828. ADVANCED TRUCK STOP ELECTRIFICATION SYS-**
2 **TEM.**

3 (a) DEFINITION.—Section 101(a) of title 23, United
4 States Code, as amended by section 1202 of this Act, is
5 further amended by adding at the end the following:

6 “(40) ADVANCED TRUCK STOP ELECTRIFICA-
7 TION SYSTEM.—The term ‘advanced truck stop elec-
8 trification system’ means a stationary system that
9 delivers heat, air conditioning, electricity, and com-
10 munications, and is capable of providing verifiable
11 evidence of use of those services, to a heavy-duty ve-
12 hicle and any occupants of the heavy-duty vehicle
13 without relying on components mounted onboard the
14 heavy-duty vehicle for delivery of those services.”.

15 (b) ELIGIBILITY UNDER STP.—Section 133(b)(6) of
16 such title is amended by inserting “, including advanced
17 truck stop electrification systems” before the period at the
18 end.

19 (c) ELIGIBILITY UNDER CMAQ.—Section 149(b)(4)
20 of such title is amended by inserting “, including advanced
21 truck stop electrification systems,” after “facility or pro-
22 gram”.

23 **SEC. 1829. TECHNOLOGY.**

24 States are encouraged to consider using a non-de-
25 structive technology able to detect cracks including sub-

1 surface flaws as small as 0.005 inches in length or depth
2 in steel bridges.

3 **SEC. 1830. EXTENSION OF PUBLIC TRANSIT VEHICLE EX-**
4 **EMPTION FROM AXLE WEIGHT RESTRIC-**
5 **TIONS.**

6 Section 1023(h)(1) of the Intermodal Surface Trans-
7 portation Efficiency Act of 1991 (23 U.S.C. 127 note; 106
8 Stat. 1552) is amended by striking “2003” and inserting
9 “2009”.

10 **SEC. 1831. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) the Buy America test required by Public
13 Law 97–424 needs to be applied to an entire bridge
14 project and not only to component parts of such
15 project;

16 (2) the law clearly states that domestic mate-
17 rials must be used in Federal highway projects un-
18 less there is a finding that the inclusion of domestic
19 materials will increase the cost of the overall project
20 by more than 25 percent;

21 (3) uncertainty regarding how to apply Buy
22 America laws for major bridge projects threatens the
23 domestic bridge industry;

24 (4) the Nation’s unemployment rate continues
25 to hover around 5.6 percent, steps are needed to

1 protect American workers and the domestic bridge
2 building industry; and

3 (5) the Buy America Act was designed to en-
4 sure that, when taxpayer money is spent on direct
5 Federal Government procurement and infrastructure
6 projects, these expenditures stimulate United States
7 production and job creation.

8 **TITLE II—HIGHWAY SAFETY**

9 **SEC. 2001. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—The following sums are author-
11 ized to be appropriated out of the Highway Trust Fund
12 (other than the Mass Transit Account):

13 (1) HIGHWAY SAFETY PROGRAMS.—For car-
14 rying out section 402 of title 23, United States
15 Code, \$165,000,000 for fiscal year 2004,
16 \$201,000,000 for fiscal year 2005, \$202,000,000 for
17 fiscal year 2006, \$205,000,000 for fiscal year 2007,
18 \$209,000,000 for fiscal year 2008, and
19 \$212,000,000 for fiscal year 2009.

20 (2) HIGHWAY SAFETY RESEARCH AND DEVEL-
21 OPMENT.—For carrying out section 403 of title 23,
22 United States Code, \$72,000,000 for fiscal year
23 2004 and \$73,000,000 for each of fiscal years 2005
24 through 2009.

1 (3) OCCUPANT PROTECTION INCENTIVE
2 GRANTS.—For carrying out section 405 of title 23,
3 United States Code, \$20,000,000 for fiscal year
4 2004, \$117,000,000 for fiscal year 2005,
5 \$120,000,000 for fiscal year 2006, \$123,000,000 for
6 fiscal year 2007, \$125,000,000 for fiscal year 2008,
7 and \$130,000,000 for fiscal year 2009.

8 (4) ALCOHOL-IMPAIRED DRIVING COUNTER-
9 MEASURES INCENTIVE GRANT PROGRAM.—For car-
10 rying out section 410 of title 23, United States
11 Code, \$40,000,000 for fiscal year 2004,
12 \$111,000,000 for fiscal year 2005, \$114,000,000 for
13 fiscal year 2006, \$117,000,000 for fiscal year 2007,
14 \$121,000,000 for fiscal year 2008, and
15 \$125,000,000 for fiscal year 2009.

16 (5) STATE TRAFFIC SAFETY INFORMATION IM-
17 PROVEMENTS.—For carrying out section 412 of title
18 23, United States Code, \$24,000,000 for fiscal year
19 2005, \$28,000,000 for fiscal year 2006,
20 \$32,000,000 for fiscal year 2007, \$36,000,000 for
21 fiscal year 2008, and \$39,000,000 for fiscal year
22 2009.

23 (6) NATIONAL DRIVER REGISTER.—For car-
24 rying out chapter 303 of title 49, United States
25 Code, by the National Highway Traffic Safety Ad-

1 ministration, \$4,000,000 for each of fiscal years
2 2004 through 2009.

3 (7) HIGH VISIBILITY ENFORCEMENT PRO-
4 GRAM.—For carrying out section 2005 of this title,
5 \$10,000,000 for each of fiscal years 2005 through
6 2009.

7 (b) APPLICABILITY OF TITLE 23.—Except as other-
8 wise provided in chapter 4 of title 23, United States Code,
9 and this title, amounts made available under subsection
10 (a) for each of fiscal years 2004 through 2009 shall be
11 available for obligation in the same manner as if such
12 funds were apportioned under chapter 1 of title 23, United
13 States Code.

14 (c) TRANSFERS.—In each fiscal year, the Secretary
15 may transfer any amounts remaining available under
16 paragraph (3), (4), or (5) of subsection (a) to the amounts
17 made available under any other of such paragraphs in
18 order to ensure, to the maximum extent possible, that each
19 State receives the maximum incentive funding for which
20 the State is eligible under sections 405, 410, and 412 of
21 title 23, United States Code.

22 **SEC. 2002. OCCUPANT PROTECTION INCENTIVE GRANTS.**

23 (a) GENERAL AUTHORITY.—Section 405(a) of title
24 23, United States Code, is amended—

1 (1) in paragraph (2) by striking “Transportation Equity Act for the 21st Century” and inserting
2 “Transportation Equity Act: A Legacy for
3 Users”;

5 (2) in paragraph (3) by striking “1997” and inserting “2003”; and

7 (3) in paragraphs (4)(A), (4)(B), and (4)(C) by
8 inserting after “years” the following: “beginning
9 after September 30, 2003,”.

10 (b) GRANT ELIGIBILITY.—Section 405(b) of title 23,
11 United States Code, is amended by striking “A State shall
12 become eligible” and inserting the following: “A State
13 shall be eligible for a grant under this section if the State
14 has a seat belt usage rate of 85 percent or greater as of
15 the date of the grant, as determined by the Secretary. A
16 State shall also become eligible”.

17 (c) GRANT AMOUNTS.—Section 405(c) of title 23,
18 United States Code, is amended—

19 (1) by striking “25 percent” and inserting “100
20 percent”; and

21 (2) by striking “1997” and inserting “2003”.

22 **SEC. 2003. ALCOHOL-IMPAIRED DRIVING COUNTER-**
23 **MEASURES.**

24 (a) GENERAL AUTHORITY.—Section 410(a) of title
25 23, United States Code, is amended—

1 (1) in paragraph (2) by striking “Transportation Equity Act for the 21st Century” and inserting “Transportation Equity Act: A Legacy for Users”;

2 (2) in paragraph (3) by striking “1997” and inserting “2003”; and

3 (3) in paragraphs (4)(A), (4)(B), and (4)(C) by inserting after “years” the following: “beginning after September 30, 2003,”.

4 (b) BASIC GRANT A.—Section 410(b)(1) of title 23, United States Code, is amended—

5 (1) by striking “A State shall become eligible” and inserting the following: “A State shall be eligible for a grant under this paragraph if the State has an alcohol-related fatality rate per 100,000,000 vehicle miles traveled of 0.5 or less as of the date of the grant, as determined by the Secretary using the Fatality Analysis Reporting System of the National Highway Traffic Safety Administration. A State shall also become eligible”;

6 (2) by striking “at least 5 of” and inserting “at least 6 of”;

7 (3) in subparagraph (A)—

8 (A) by striking “and” at the end of clause

9 (i)(II);

1 (B) by striking the period at the end of
2 clause (ii) and inserting a semicolon; and

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

4 “(iii) the suspension referred to under
5 clause (i)(I) may allow an individual to op-
6 erate a motor vehicle, after the 15-day pe-
7 riod beginning on the date of the suspen-
8 sion, to and from employment, school, or
9 an alcohol treatment program if an igni-
10 tion interlock device is installed on each of
11 the motor vehicles owned or operated, or
12 both, by the individual; and

13 “(iv) the suspension and revocation
14 referred to under clause (i)(II) may allow
15 an individual to operate a motor vehicle,
16 after the 45-day period beginning on the
17 date of the suspension or revocation, to
18 and from employment, school, or an alco-
19 hol treatment program if an ignition inter-
20 lock device is installed on each of the
21 motor vehicles owned or operated, or both,
22 by the individual.”;

23 (4) in subparagraph (B)—

24 (A) by striking “may include the issuance”
25 and inserting the following: “may include—

1 “(i) the issuance”; and

2 (B) by striking the period at the end and
3 inserting “; and” and the following:

4 “(ii) a program provided by a non-
5 profit organization for training point of
6 sale personnel concerning, at a minimum,
7 the following:

8 “(I) the clinical effects of alcohol;

9 “(II) methods of preventing sec-
10 ond party sales of alcohol;

11 “(III) recognizing signs of intoxi-
12 cation;

13 “(IV) methods to prevent under-
14 age drinking;

15 “(V) Federal, State, and local
16 laws that are relevant to such per-
17 sonnel.”;

18 (5) by striking subparagraph (F) and inserting
19 the following:

20 “(F) OUTREACH PROGRAM.—A judicial
21 and prosecutorial education, training, and out-
22 reach program that provides information on the
23 appropriateness and effectiveness of sentencing
24 options.”; and

25 (6) by adding at the end the following:

1 “(H) SELF-SUSTAINING DRUNK DRIVING
2 PREVENTION PROGRAM.—A self-sustaining
3 drunk driving prevention program under which
4 a significant portion of the fines or surcharges
5 collected from individuals apprehended and
6 fined for operating a motor vehicle while under
7 the influence of alcohol are returned to those
8 communities that have comprehensive programs
9 for the prevention of such operations of motor
10 vehicles.

11 “(I) PROGRAMS FOR EFFECTIVE ALCOHOL
12 REHABILITATION.—A program for effective in-
13 patient and outpatient alcohol rehabilitation
14 based on mandatory assessment and appro-
15 priate treatment for repeat offenders described
16 in subparagraph (A)(i)(II).

17 “(J) PROGRAM FOR IMPOUNDMENT OF VE-
18 HICLES.—A program to impound a vehicle op-
19 erated by a person who is arrested for operating
20 the vehicle while under the influence of alco-
21 hol.”.

22 (c) BASIC GRANT B.—Section 410(b) of title 23,
23 United States Code, is amended—

24 (1) by striking paragraph (2) and inserting the
25 following:

1 “(2) BASIC GRANT B.—A State shall become el-
2 igible for a grant under this paragraph if the
3 State—

4 “(A) has an alcohol-related fatality rate
5 per 100,000,000 vehicle miles traveled of 0.8 or
6 more as of the date of the grant, as determined
7 by the Secretary using the Fatality Analysis
8 Reporting System of the National Highway
9 Traffic Safety Administration; and

10 “(B) establishes, subject to such require-
11 ments as the Secretary may prescribe, a task
12 force to evaluate and recommend changes to the
13 State’s drunk driving programs.”; and

14 (2) in paragraph (3)—

15 (A) by striking “25 percent” and inserting
16 “100 percent”; and

17 (B) by striking “1997” and inserting
18 “2003”.

19 (d) SUPPLEMENTAL GRANTS.—Section 410(e) of title
20 23, United States Code, is amended to read as follows:

21 “(e) ALLOCATION FOR BASIC GRANTS B.—Not more
22 than \$16,000,000 per fiscal year of amounts made avail-
23 able to carry out this section shall be available for making
24 grants under subsection (b)(2).”.

1 **SEC. 2004. STATE TRAFFIC SAFETY INFORMATION SYSTEM**
2 **IMPROVEMENTS.**

3 (a) IN GENERAL.—Chapter 4 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 412. State traffic safety information system im-**
7 **provements**

8 “(a) GENERAL AUTHORITY.—

9 “(1) AUTHORITY TO MAKE GRANTS.—Subject
10 to the requirements of this section, the Secretary
11 shall make grants to States that adopt and imple-
12 ment effective programs to—

13 “(A) improve the timeliness, accuracy,
14 completeness, uniformity, integration, and ac-
15 cessibility of the safety data of the State that
16 is needed to identify priorities for national,
17 State, and local highway and traffic safety pro-
18 grams;

19 “(B) evaluate the effectiveness of efforts to
20 make such improvements;

21 “(C) link these State data systems, includ-
22 ing traffic records, with other data systems
23 within the State, such as systems that contain
24 medical, roadway, and economic data; and

25 “(D) improve the compatibility and inter-
26 operability of the data systems of the State

1 with national data systems and data systems of
2 other States and enhance the ability of the Sec-
3 retary to observe and analyze national trends in
4 crash occurrences, rates, outcomes, and cir-
5 cumstances.

6 “(2) USE OF GRANTS.—A State may use a
7 grant received under this section only to implement
8 such programs.

9 “(3) MODEL DATA ELEMENTS.—The Secretary,
10 in consultation with States and other appropriate
11 parties, shall determine the model data elements
12 necessary to observe and analyze State and national
13 trends in crash occurrences, rates, outcomes, and
14 circumstances. In order to become eligible for a
15 grant under this section, a State shall certify to the
16 Secretary the State’s adoption and use of such
17 model data elements.

18 “(4) MAINTENANCE OF EFFORT.—No grant
19 may be made to a State under this section in any
20 fiscal year unless the State enters into such agree-
21 ments with the Secretary as the Secretary may re-
22 quire ensuring that the State will maintain its ag-
23 gregate expenditures from all other sources for high-
24 way safety data programs at or above the average

1 level of such expenditures in the 2 fiscal years pre-
2 ceding the date of enactment of this section.

3 “(5) FEDERAL SHARE.—The Federal share of
4 the cost of implementing in a fiscal year a program
5 of a State pursuant to paragraph (1) shall not ex-
6 ceed 80 percent.

7 “(b) FIRST-YEAR GRANTS.—To be eligible for a first-
8 year grant under this section, a State shall demonstrate
9 to the satisfaction of the Secretary that the State has—

10 “(1) established a highway safety data and traf-
11 fic records coordinating committee with a multidisci-
12 plinary membership that includes, among others,
13 managers, collectors, and users of traffic records
14 and public health and injury control data systems;
15 and

16 “(2) developed a multiyear highway safety data
17 and traffic records system strategic plan that ad-
18 dresses existing deficiencies in the State’s highway
19 safety data and traffic records system and is ap-
20 proved by the highway safety data and traffic
21 records coordinating committee and—

22 “(A) specifies how existing deficiencies in
23 the State’s highway safety data and traffic
24 records system were identified;

1 “(B) prioritizes, based on the identified
2 highway safety data and traffic records system
3 deficiencies, the highway safety data and traffic
4 records system needs and goals of the State, in-
5 cluding the activities described in subsection
6 (a)(1);

7 “(C) identifies performance-based meas-
8 ures by which progress toward those goals will
9 be determined;

10 “(D) specifies how the grant funds and
11 any other funds of the State will be used to ad-
12 dress needs and goals identified in the
13 multiyear plan; and

14 “(E) includes a current report on the
15 progress in implementing the multiyear plan
16 that documents progress toward the specified
17 goals.

18 “(c) SUCCEEDING-YEAR GRANTS.—

19 “(1) ELIGIBILITY.—A State shall be eligible for
20 a grant under this section in a fiscal year succeeding
21 the first fiscal year in which the State receives a
22 grant under subsection (b) if the State, to the satis-
23 faction of the Secretary—

1 “(A) submits an updated multiyear plan
2 that meets the requirements of subsection
3 (b)(2);

4 “(B) certifies that its highway safety data
5 and traffic records coordinating committee con-
6 tinues to operate and supports the multiyear
7 plan;

8 “(C) specifies how the grant funds and any
9 other funds of the State will be used to address
10 needs and goals identified in the multiyear plan;

11 “(D) demonstrates measurable progress to-
12 ward achieving the goals and objectives identi-
13 fied in the multiyear plan; and

14 “(E) includes a current report on the
15 progress in implementing the multiyear plan.

16 “(d) GRANT AMOUNTS.—

17 “(1) IN GENERAL.—The amount of a grant
18 made to a State for a fiscal year under this section
19 shall equal an amount determined by multiplying—

20 “(A) the amount appropriated to carry out
21 this section for such fiscal year; by

22 “(B) the ratio that the funds apportioned
23 to the State under section 402 for fiscal year
24 2003 bears to the funds apportioned to all
25 States under section 402 for fiscal year 2003.

1 “(2) MINIMUM AMOUNT.—Notwithstanding
2 subparagraph (A)—

3 “(A) a State eligible for a first-year grant
4 under this section shall not receive less than
5 \$300,000; and

6 “(B) a State eligible for a succeeding-year
7 grant under this section shall not receive less
8 than \$500,000.

9 “(e) ADMINISTRATIVE EXPENSES.—Funds author-
10 ized to be appropriated to carry out this section in a fiscal
11 year shall be subject to a deduction not to exceed 5 percent
12 for the necessary costs of administering the provisions of
13 this section.

14 “(f) APPLICABILITY OF CHAPTER 1.—The provisions
15 contained in section 402(d) shall apply to this section.”.

16 (b) CONFORMING AMENDMENT.—The analysis for
17 chapter 4 of title 23, United States Code, is amended by
18 adding at the end the following:

 “412. State traffic safety information system improvements.”.

19 **SEC. 2005. HIGH VISIBILITY ENFORCEMENT PROGRAM.**

20 The Secretary shall establish a program to support
21 national impaired driving mobilization and enforcement ef-
22 forts and national safety belt mobilization and enforce-
23 ment, including the purchase of national paid advertise-
24 ment (including production and placement) to support
25 such efforts.

1 **SEC. 2006. MOTORCYCLE CRASH CAUSATION STUDY.**

2 (a) IN GENERAL.—Using funds made available to
3 carry out section 403 of title 23, United States Code, the
4 Secretary shall conduct a study of the causes of motorcycle
5 crashes.

6 (b) REPORT.—Not later than 3 years after the date
7 of enactment of this Act, the Secretary shall transmit to
8 Congress a report on the results of the study.

9 **SEC. 2007. CHILD SAFETY AND CHILD BOOSTER SEAT IN-**
10 **CENTIVE GRANTS.**

11 (a) GENERAL AUTHORITY.—Subject to the require-
12 ments of this section, the Secretary shall make grants to
13 States that enact or have enacted and are enforcing a law
14 requiring that children riding in passenger motor vehicles
15 who are too large to be secured in a child safety seat be
16 secured in a child restraint that meets the requirements
17 prescribed by the Secretary under section 3 of Anton’s
18 Law (116 Stat. 2772).

19 (b) MAINTENANCE OF EFFORT.—No grant may be
20 made to a State under this section in a fiscal year unless
21 the State enters into such agreements with the Secretary
22 as the Secretary may require to ensure that the State will
23 maintain its aggregate expenditures from all other sources
24 for child safety seat and child booster seat programs at
25 or above the average level of such expenditures in its 2
26 fiscal years preceding the date of enactment of this Act.

1 (c) FEDERAL SHARE.—The Federal share of the cost
2 of implementing and enforcing in a fiscal year a law adopt-
3 ed by a State under subsection (a) shall not exceed—

4 (1) for the first 3 fiscal years for which a State
5 receives a grant under this section, 75 percent; and

6 (2) for the fourth and fifth fiscal years for
7 which a State receives a grant under this section, 50
8 percent.

9 (d) GRANT ELIGIBILITY.—

10 (1) IN GENERAL.—A State is eligible for a
11 grant under this section if the State has in effect
12 and enforces a law described in subsection (a).

13 (2) MAXIMUM PERIOD OF ELIGIBILITY.—No
14 State may receive grants under this section in more
15 than 5 fiscal years beginning after September 30,
16 2004.

17 (e) ELIGIBLE USES OF FUNDS.—A State may use
18 a grant under this section only to carry out child safety
19 seat and child booster seat programs, including the fol-
20 lowing:

21 (1) A program to educate the public concerning
22 the proper use and installation of child safety seats
23 and child booster seats.

24 (2) A program to train child passenger safety
25 professionals, police officers, fire and emergency

1 medical personnel, and educators concerning all as-
2 pects of the use of child safety seats and booster
3 seats.

4 (3) A program to purchase and distribute child
5 safety seats, child booster seats, and other appro-
6 priate passenger motor vehicle child restraints to
7 families that cannot otherwise afford such seats or
8 restraints.

9 (4) A program to support enforcement of child
10 restraint laws.

11 (f) GRANT AMOUNT.—The amount of a grant to a
12 State for a fiscal year under this section may not exceed
13 25 percent of the amount apportioned to the State for fis-
14 cal year 2003 under section 402 of title 23, United States
15 Code.

16 (g) ADMINISTRATIVE EXPENSES.—Funds authorized
17 to be appropriated to carry out this section in a fiscal year
18 shall be subject to a deduction not to exceed 2.5 percent
19 for the necessary costs of administering the provisions of
20 this section.

21 (h) APPLICABILITY OF CHAPTER 1.—The provisions
22 contained in section 402(d) of title 23, United States
23 Code, apply to this section.

24 (i) REPORT.—Each State to which a grant is made
25 under this section shall transmit to the Secretary a report

1 documenting the manner in which grant amounts were ob-
2 ligated and expended and identifying the specific programs
3 carried out with or supported by grant funds. The report
4 shall be in a form prescribed by the Secretary and may
5 be combined with other State grant reporting require-
6 ments under of chapter 4 of title 23, United States Code.

7 (j) DEFINITIONS.—In this section, the following defi-
8 nitions apply:

9 (1) CHILD RESTRAINT.—The term “child re-
10 straint” means any product designed to provide re-
11 straint to a child (including booster seats and other
12 products used with a lap and shoulder belt assem-
13 bly) that meets applicable Federal motor vehicle
14 safety standards prescribed by the National High-
15 way Traffic Safety Administration.

16 (2) CHILD SAFETY SEAT.—The term “child
17 safety seat” has the meaning such term has in sec-
18 tion 405(f) of title 23, United States Code.

19 (3) PASSENGER MOTOR VEHICLE.—The term
20 “passenger motor vehicle” has the meaning such
21 term has in such section 405(f).

22 (4) STATE.—The term “State” has the mean-
23 ing such term has in section 101 (a) of such title.

24 (k) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to carry out this section

1 from the Highway Trust Fund (other than the Mass Tran-
2 sit Account) \$5,000,000 for each of fiscal years 2005
3 through 2009.

4 **SEC. 2008. SAFETY DATA.**

5 (a) IN GENERAL.—Using funds made available to
6 carry out section 403 of title 23, United States Code, for
7 fiscal years 2005 through 2009, the Secretary shall collect
8 data and compile statistics on accidents involving motor
9 vehicles being backed up that result in fatalities and inju-
10 ries and that occur on public and nonpublic roads and res-
11 idential and commercial driveways and parking facilities.

12 (b) REPORT.—Not later than January 1, 2009, the
13 Secretary shall transmit to the Committee on Transpor-
14 tation and Infrastructure of the House of Representatives
15 and the Committee on Commerce, Science, and Transpor-
16 tation of the Senate a report on accidents described in
17 subsection (a), including the data collected and statistics
18 compiled under subsection (a) and any recommendations
19 regarding measures to be taken to reduce the number of
20 such accidents and the resulting fatalities and injuries.

21 **SEC. 2009. MOTORCYCLIST SAFETY.**

22 (a) MOTORCYCLIST ADVISORY COUNCIL.—

23 (1) IN GENERAL.—The Secretary, acting
24 through the Administrator of the Federal Highway
25 Administration, in consultation with the Committee

1 on Transportation and Infrastructure of the House
2 of Representatives and the Committee on Environ-
3 ment and Public Works of the Senate, shall appoint
4 a Motorcyclist Advisory Council to coordinate with
5 and advise the Administrator on infrastructure
6 issues of concern to motorcyclists, including—

7 (A) barrier design;

8 (B) road design, construction, and mainte-
9 nance practices; and

10 (C) the architecture and implementation of
11 intelligent transportation system technologies.

12 (2) COMPOSITION.—The Council shall consist of
13 not more than 10 members of the motorcycling com-
14 munity with professional expertise in national motor-
15 cyclist safety advocacy, including—

16 (A) at least—

17 (i) 1 member recommended by a na-
18 tional motorcyclist association;

19 (ii) 1 member recommended by a na-
20 tional motorcycle riders foundation;

21 (iii) 1 representative of the National
22 Association of State Motorcycle Safety Ad-
23 ministrators;

24 (iv) 2 members of State motorcyclists'
25 organizations;

1 (v) 1 member recommended by a na-
2 tional organization that represents the
3 builders of highway infrastructure;

4 (vi) 1 member recommended by a na-
5 tional association that represents the traf-
6 fic safety systems industry; and

7 (vii) 1 member of a national safety or-
8 ganization; and

9 (B) at least 1, and not more than 2, mo-
10 torcyclists who are traffic system design engi-
11 neers or State transportation department offi-
12 cials.

13 (b) **AUTHORITY TO MAKE GRANTS.**—Subject to the
14 requirements of this section, the Secretary shall make
15 grants to States that adopt and implement effective pro-
16 grams to reduce the number of single- and multi-vehicle
17 crashes involving motorcyclists.

18 (c) **MAINTENANCE OF EFFORT.**—No grant may be
19 made to a State under this section in a fiscal year unless
20 the State enters into such agreements with the Secretary
21 as the Secretary may require to ensure that the State will
22 maintain its aggregate expenditures from all the other
23 sources for motorcyclist safety training programs and mo-
24 torcyclist awareness programs at or above the average

1 level of such expenditures in its 2 fiscal years preceding
2 the date of enactment of this Act.

3 (d) MAXIMUM PERIOD OF ELIGIBILITY.—No State
4 may receive grants under this section in more than 5 fiscal
5 years beginning after September 30, 2004.

6 (e) FEDERAL SHARE.—The Federal share of the cost
7 of implementing and enforcing, as appropriate, in a fiscal
8 year a program adopted by a State in accordance with
9 subsection (a) shall not exceed—

10 (1) for the first 3 years for which a State re-
11 ceives a grant under this section, 75 percent; and

12 (2) for the next 2 years for which a State re-
13 ceives a grant under this section, 50 percent.

14 (f) GRANT ELIGIBILITY.—

15 (1) IN GENERAL.—A State becomes eligible for
16 a grant under this section by adopting or dem-
17 onstrating to the satisfaction of the Secretary—

18 (A) for the first fiscal year for which the
19 State will receive a grant under this section, at
20 least 1 of the 6 criteria listed in paragraph (2);

21 (B) for the second, third, and fourth fiscal
22 years for which the State will receive a grant
23 under this section, at least 2 of the 6 criteria
24 listed in paragraph (2); and

1 (C) for any subsequent fiscal years for
2 which the State will receive a grant under this
3 section, at least 3 of the 6 criteria listed in
4 paragraph (2).

5 (2) CRITERIA.—The criteria for eligibility for a
6 grant under this section are the following:

7 (A) MOTORCYCLE RIDER TRAINING
8 COURSES.—An effective motorcycle rider train-
9 ing course that is offered throughout the State,
10 provides a formal program of instruction in ac-
11 cident avoidance and other safety-oriented oper-
12 ational skills to motorcyclists, and may include
13 innovative training opportunities to meet unique
14 regional needs.

15 (B) MOTORCYCLISTS AWARENESS PRO-
16 GRAM.—An effective statewide program to en-
17 hance motorist awareness of the presence of
18 motorcyclists on or near roadways and safe
19 driving practices that avoid injuries to motorcy-
20 clists.

21 (C) REDUCTION OF FATALITIES AND
22 CRASHES INVOLVING MOTORCYCLES.—A reduc-
23 tion for the preceding calendar year in the
24 number of motorcycle fatalities and the rate of
25 motor vehicle crashes involving motorcycles in

1 the State (expressed as a function of 10,000
2 motorcycle registrations).

3 (D) IMPAIRED DRIVING PROGRAM.—Imple-
4 mentation of a statewide program to reduce im-
5 paired driving, including specific measures to
6 reduce impaired motorcycle operation.

7 (E) REDUCTION OF FATALITIES AND ACCI-
8 DENTS INVOLVING IMPAIRED MOTORCY-
9 CLISTS.—A reduction for the preceding cal-
10 endar year in the number of fatalities and the
11 rate of reported crashes involving alcohol- or
12 drug-impaired motorcycle operators (expressed
13 as a function of 10,000 motorcycle registra-
14 tions).

15 (F) FEES COLLECTED FROM MOTORCY-
16 CLISTS.—All fees collected by the State from
17 motorcyclists for the purposes of funding mo-
18 torcycle training and safety programs are used
19 for motorcycle training and safety programs.

20 (g) ELIGIBLE USES.—

21 (1) IN GENERAL.—A State may use funds from
22 a grant under this section only for motorcyclist safe-
23 ty training and motorcyclist awareness programs, in-
24 cluding—

1 (A) improvements to motorcyclist safety
2 training curricula;

3 (B) improvements in program delivery of
4 motorcycle training to both urban and rural
5 areas, including—

6 (i) procurement or repair of practice
7 motorcycles;

8 (ii) instructional materials;

9 (iii) mobile training units; and

10 (iv) leasing or purchase of facilities
11 for classroom instruction and closed-course
12 skill training;

13 (C) measures designed to increase the re-
14 cruitment or retention of motorcyclist safety
15 training instructors; and

16 (D) public awareness, public service an-
17 nouncements, and other outreach programs to
18 enhance motorcyclist awareness.

19 (2) SUBALLOCATIONS OF FUNDS.—An agency
20 that receives a grant under this subsection may sub-
21 allocate funds from the grant to a nonprofit organi-
22 zation incorporated in that State to carry out under
23 this section.

24 (h) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) MOTORCYCLIST SAFETY TRAINING.—The
2 term “motorcyclist safety training” means a formal
3 program of instruction that—

4 (A) provides accident avoidance and other
5 safety-oriented operational skills to motorcy-
6 clists; and

7 (B) is approved for use in a State by the
8 designated State authority having jurisdiction
9 over motorcyclist safety issues.

10 (2) MOTORCYCLIST AWARENESS.—The term
11 “motorcyclist awareness” means individual or collec-
12 tive awareness of—

13 (A) the presence of motorcycles on or near
14 roadways; and

15 (B) safe driving practices that avoid injury
16 to motorcyclists.

17 (3) MOTORCYCLIST AWARENESS PROGRAM.—
18 The term “motorcyclist awareness program” means
19 an informational or public awareness program de-
20 signed to enhance motorcyclist awareness that is de-
21 veloped by or in coordination with the designated
22 State authority having jurisdiction over motorcyclist
23 safety issues.

1 (4) STATE.—The term “State” has the same
2 meaning such term has in section 101(a) of title 23,
3 United States Code.

4 (i) MAXIMUM GRANT AMOUNT.—The amount of a
5 grant made to a State for a fiscal year under this section
6 may not exceed 25 percent of the amount apportioned to
7 the State for fiscal year 2003 under section 402 of title
8 23, United States Code.

9 (j) ADMINISTRATIVE EXPENSES.—Funds authorized
10 to be appropriated to carry out this section in a fiscal year
11 shall be subject to a deduction by the Secretary not to
12 exceed 5 percent for the necessary costs of administering
13 the provisions of this section.

14 (k) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to carry out this section
16 from the Highway Trust Fund (other than the Mass Tran-
17 sit Account) \$5,000,000 for each of fiscal years 2005
18 through 2009.

19 (l) APPLICABILITY OF TITLE 23.—Funds authorized
20 under this section shall be available for obligation in the
21 same manner as if the funds were apportioned under chap-
22 ter 1 of title 23, United States Code; except that such
23 funds shall not be transferable.

1 **SEC. 2010. DRIVER FATIGUE.**

2 Section 402(a) of title 23, United States Code, is
3 amended—

4 (1) by striking “and” before “(6)”; and

5 (2) by inserting before the period the following:

6 “; and (7) to reduce deaths and injuries resulting
7 from persons driving motor vehicles while fatigued”.

8 **SEC. 2011. DRUG IMPAIRED DRIVING ENFORCEMENT.**

9 (a) **SHORT TITLE.**—This section may be cited as the
10 “Drug Impaired Driving Research and Prevention Act”.

11 (b) **DEFINITIONS.**—In this section, the following defi-
12 nitions apply:

13 (1) **CONTROLLED SUBSTANCE.**—The term
14 “controlled substance” includes substances listed in
15 schedules I through V of section 112(e) of the Con-
16 trolled Substances Act (21 U.S.C. 812(e)).

17 (2) **INHALANT.**—The term “inhalant” means a
18 household or commercial product that can be used
19 by inhaling for intoxicating effect.

20 (3) **DRUG RECOGNITION EXPERT.**—The term
21 “drug recognition expert” means an individual
22 trained in a specific evaluation procedure that en-
23 ables the person to determine whether an individual
24 is under the influence of drugs and then to deter-
25 mine the type of drug causing the observable impair-
26 ment.

1 (c) MODEL STATUTE.—

2 (1) IN GENERAL.—Not later than one year
3 after the date of enactment of this Act, the Sec-
4 retary shall develop and provide to the States a
5 model statute relating to drug impaired driving
6 which incorporates the provisions described in this
7 section.

8 (2) MANDATORY PROVISIONS.—Provisions of
9 the model statute developed by the Secretary for rec-
10 ommendation to the States under this section shall
11 include, at a minimum, a provision that the crime of
12 drug impaired driving is committed when a person
13 operates a motor vehicle—

14 (A) while any unlawful detectable amount
15 of a controlled substance is present in the per-
16 son's body, as measured in the person's blood,
17 urine, saliva, or other bodily substance; or

18 (B) due to the unlawful presence of a con-
19 trolled substance or a controlled substance in
20 combination with alcohol or an inhalant, or
21 both, in the person's body, the person's mental
22 or physical faculties are affected to a noticeable
23 or perceptible degree.

24 (3) DISCRETIONARY PROVISIONS.—Provisions
25 of the model statute developed by the Secretary for

1 recommendation to the States under this section
2 may include the following:

3 (A) Sanctions for refusing to submit to a
4 test for the unlawful presence of a controlled
5 substance in a person's body which are equiva-
6 lent to sanctions for a positive test result.

7 (B) A graduated system of penalties for re-
8 peat offenses of drug impaired driving, includ-
9 ing, at a minimum, that a third or subsequent
10 offense within a 10-year period shall be a felony
11 punishable by imprisonment for more than a
12 year.

13 (C) Authorization for States to suspend or
14 revoke the license of any driver upon receiving
15 a record of the driver's conviction of driving a
16 motor vehicle while under the unlawful influ-
17 ence of a controlled substance.

18 (D) Provisions that require a sentence of
19 imprisonment imposed for any drug impaired
20 driving offense be served consecutively, not con-
21 currently, from a sentence imposed for any
22 other criminal act; except that a sentence im-
23 posed for the same act of impaired driving may
24 be imposed concurrently if the additional con-

1 viction was based on an alternate theory of cul-
2 pability for the same act.

3 (d) RESEARCH AND DEVELOPMENT.—Section 403(b)
4 of title 23, United States Code, is amended by adding at
5 the end the following:

6 “(5) New technology to detect drug use.

7 “(6) Research and development to improve test-
8 ing technology, including toxicology lab resources
9 and field test mechanisms to enable States to proc-
10 ess toxicology evidence in a more timely manner.

11 “(7) Determining per se unlawful impairment
12 levels for controlled substances (as defined in section
13 2011 of the Transportation Equity Act: A Legacy
14 for Users) and the compound effects of alcohol and
15 controlled substances on impairment to facilitate en-
16 forcement of per se drug impaired driving laws. Re-
17 search under this paragraph shall be carried out in
18 collaboration with the National Institute on Drug
19 Abuse of the National Institutes of Health.”.

20 (e) GOALS FOR TRAINING.—Section 403 of such title
21 is amended by adding at the end the following:

22 “(g) TRAINING GOALS.—For the purpose of enhanc-
23 ing the States’ ability to detect, enforce, and prosecute
24 drug impaired driving laws, the Secretary shall—

1 “(1) establish and carry out programs to en-
2 hance police and prosecutor training efforts for en-
3 forcement of laws relating to drug impaired driving
4 and for development of programs to improve en-
5 forcement of such laws; and

6 “(2) ensure that drug impaired driving enforce-
7 ment training or drug recognition expert programs,
8 or both, exist in all 50 States and the District of Co-
9 lumbia by December 31, 2006.”.

10 (f) DUTIES.—The Administrator of the National
11 Highway Traffic Safety Administration shall—

12 (1) advise and coordinate with other Federal
13 agencies on how to address the problem of driving
14 under the influence of an illegal drug; and

15 (2) conduct research on the prevention, detec-
16 tion, and prosecution of driving under the influence
17 of an illegal drug.

18 (g) REPORTS.—

19 (1) IN GENERAL.—Not later than 18 months
20 after the date of enactment of this Act and annually
21 thereafter, the Secretary shall transmit to Congress
22 a report on the progress being made in carrying out
23 this Act, including the amendments made by this
24 Act.

1 (2) CONTENTS.—The Secretary shall include in
2 the report an assessment of the status of drugged
3 impaired driving laws in the United States—

4 (A) new research and technologies in the
5 area of drug impaired driving enforcement;

6 (B) a description of the extent of the prob-
7 lem of driving under the influence of an illegal
8 drug in each State and any available informa-
9 tion relating thereto, including a description of
10 any laws relating to the problem of driving
11 under the influence of an illegal drug; and

12 (C) recommendations for addressing the
13 problem of driving under the influence of an il-
14 legal drug.

15 (h) FUNDING.—Out of amounts appropriated to
16 carry out section 403 of title 23, United States Code, for
17 fiscal years 2004 through 2009, the Secretary shall use,
18 at a minimum, \$1,200,000 per fiscal year to carry out
19 drug impaired driving traffic safety programs, including
20 the provisions of this section and the amendments made
21 by this section.

1 **TITLE III—FEDERAL TRANSIT**
2 **ADMINISTRATION PROGRAMS**

3 **SEC. 3001. SHORT TITLE; AMENDMENTS TO TITLE 49,**
4 **UNITED STATES CODE.**

5 (a) **SHORT TITLE.**—This title may be cited as the
6 “Federal Public Transportation Act of 2004”.

7 (b) **AMENDMENTS TO TITLE 49, UNITED STATES**
8 **CODE.**—Except as otherwise specifically provided, when-
9 ever in this title an amendment or repeal is expressed in
10 terms of an amendment to, or repeal of, a section or other
11 provision of law, the reference shall be considered to be
12 made to a section or other provision of title 49, United
13 States Code.

14 **SEC. 3002. POLICIES, FINDINGS, AND PURPOSES.**

15 (a) **IN GENERAL.**—Section 5301(a) is amended to
16 read as follows:

17 “(a) **DEVELOPMENT AND REVITALIZATION OF PUB-**
18 **LIC TRANSPORTATION SYSTEMS.**—It is in the interest of
19 the United States to foster the development and revitaliza-
20 tion of public transportation systems that—

21 “(1) maximize the safe, secure, and efficient
22 mobility of individuals;

23 “(2) minimize environmental impacts; and

24 “(3) minimize transportation-related fuel con-
25 sumption and reliance on foreign oil.”.

1 (b) PRESERVING THE ENVIRONMENT.—Section
2 5301(e) is amended—

3 (1) by striking “an urban” and inserting “a”;
4 and

5 (2) by striking “under sections 5309 and 5310
6 of this title”.

7 (c) GENERAL PURPOSES.—Section 5301(f) is amend-
8 ed—

9 (1) in paragraph (1)—

10 (A) by striking “mass” the first place it
11 appears and inserting “public”; and

12 (B) by striking “public and private mass
13 transportation companies” and inserting “both
14 public transportation companies and private
15 companies engaged in public transportation”;

16 (2) in paragraph (2)—

17 (A) by striking “urban mass” and insert-
18 ing “public”; and

19 (B) by striking “public and private mass
20 transportation companies” and inserting “both
21 public transportation companies and private
22 companies engaged in public transportation”;

23 (3) in paragraph (3)—

24 (A) by striking “urban mass” and insert-
25 ing “public”; and

1 (B) by striking “public or private mass
2 transportation companies” and inserting “pub-
3 lic transportation companies or private compa-
4 nies engaged in public transportation”; and
5 (4) in paragraph (5) by striking “urban mass”
6 and inserting “public”.

7 **SEC. 3003. DEFINITIONS.**

8 (a) LEAD-IN.—Section 5302(a) is amended in the
9 matter preceding paragraph (1) by striking “In this chap-
10 ter” and inserting “Except as otherwise specifically pro-
11 vided, in this chapter”.

12 (b) CAPITAL PROJECT.—Section 5302(a)(1) is
13 amended—

14 (1) in subparagraph (G) by inserting “construc-
15 tion, renovation, and improvement of intercity bus
16 stations and terminals,” before “and the renovation
17 and improvement of historic transportation facili-
18 ties,”;

19 (2) in subparagraph (G)(ii) by inserting “(other
20 than an intercity bus station or terminal)” after
21 “commercial revenue-producing facility”;

22 (3) by striking “or” at the end of subparagraph
23 (H);

24 (4) by striking the period at the end of sub-
25 paragraph (I) and inserting a semicolon; and

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

2 “(J) crime prevention and security—

3 “(i) including—

4 “(I) projects to refine and de-
5 velop security and emergency response
6 plans;

7 “(II) projects aimed at detecting
8 chemical and biological agents in pub-
9 lic transportation;

10 “(III) the conduct of emergency
11 response drills with public transpor-
12 tation agencies and local first re-
13 sponse agencies; and

14 “(IV) security training for public
15 transportation employees; but

16 “(ii) excluding all expenses related to
17 operations, other than such expenses in-
18 curred in conducting activities described in
19 subclauses (III) and (IV);

20 “(K) establishment of a debt service re-
21 serve made up of deposits with a bondholders’
22 trustee in a noninterest bearing account for the
23 purpose of ensuring timely payment of principal
24 and interest on bonds issued by a grant recipi-

1 ent for purposes of financing an eligible project
2 under this chapter; or

3 “(L) mobility management—

4 “(i) consisting of short-range planning
5 and management activities and projects for
6 improving coordination among public
7 transportation and other transportation
8 service providers carried out by a recipient
9 or subrecipient through an agreement en-
10 tered into with a person, including a gov-
11 ernmental entity, under this chapter (other
12 than section 5309); but

13 “(ii) excluding operating public trans-
14 portation services.”.

15 (c) INDIVIDUAL WITH A DISABILITY.—Section
16 5302(a)(5) is amended—

17 (1) by striking “HANDICAPPED INDIVIDUAL” in
18 the heading and inserting “INDIVIDUAL WITH A DIS-
19 ABILITY”; and

20 (2) by striking “handicapped individual” and
21 inserting “individual with a disability”.

22 (d) MASS TRANSPORTATION.—Section 5302(a)(7) is
23 amended to read as follows:

24 “(7) MASS TRANSPORTATION.—The term ‘mass
25 transportation’ means public transportation.”.

1 (e) PUBLIC TRANSPORTATION.—Section 5302(a)(10)
2 is amended to read as follows:

3 “(10) PUBLIC TRANSPORTATION.—The term
4 ‘public transportation’ means transportation by a
5 conveyance that provides regular and continuing
6 general or special transportation to the public, but
7 does not include schoolbus, charter, or sightseeing
8 transportation.”.

9 (f) URBANIZED AREA.—Section 5302(a)(17) is
10 amended to read as follows:

11 “(17) URBANIZED AREA.—The term ‘urbanized
12 area’ means an area encompassing a population of
13 at least 50,000 people that has been defined and
14 designated in the latest decennial census as an ur-
15 banized area by the Secretary of Commerce.”.

16 (g) AUTHORITY TO MODIFY DEFINITION.—Section
17 5302(b) is amended—

18 (1) by striking “HANDICAPPED INDIVIDUAL” in
19 the heading and inserting “INDIVIDUAL WITH A
20 DISABILITY”; and

21 (2) by striking “handicapped individual” and
22 inserting “individual with a disability”.

23 **SEC. 3004. METROPOLITAN PLANNING.**

24 Section 5303 is amended to read as follows:

1 **“§ 5303. Metropolitan planning**

2 “(a) IN GENERAL.—Grants made under sections
3 5307, 5308, 5309, 5310, 5311, 5316, and 5317 shall be
4 carried out in accordance with the metropolitan planning
5 provisions of chapter 52.

6 “(b) CERTIFICATION.—

7 “(1) IN GENERAL.—The Secretary shall ensure
8 and certify that each metropolitan planning organi-
9 zation in each transportation management area is
10 carrying out its responsibilities under applicable laws
11 of the United States. The Secretary may make the
12 certification only if the organization is complying
13 with chapter 52 and other applicable requirements
14 of laws of the United States and the organization
15 and chief executive officer have approved a transpor-
16 tation improvement program for the area.

17 “(2) LIMITATION ON WITHHOLDING CERTIFI-
18 CATION.—The Secretary may not withhold certifi-
19 cation based on the policies and criteria a metropoli-
20 tan planning organization or mass transportation
21 grant recipient establishes under section 5306(a) for
22 deciding the feasibility of private enterprise partici-
23 pation.”.

24 **SEC. 3005. STATEWIDE PLANNING.**

25 (a) IN GENERAL.—Section 5304 is amended to read
26 as follows:

1 **“§ 5304. Statewide planning**

2 “Grants made under sections 5307, 5308, 5309,
3 5310, 5311, 5316, and 5317 shall be carried out in ac-
4 cordance with the statewide planning provisions of chapter
5 52.”.

6 (b) CONFORMING AMENDMENT.—The analysis for
7 chapter 53 is amended by striking the item relating to
8 section 5304 and inserting the following:

“5304. Statewide planning.”.

9 **SEC. 3006. PLANNING PROGRAMS.**

10 (a) IN GENERAL.—Section 5305 is amended to read
11 as follows:

12 **“§ 5305. Planning programs**

13 “(a) STATE DEFINED.—In this section the term
14 ‘State’ means a State of the United States, the District
15 of Columbia, and Puerto Rico.

16 “(b) GENERAL AUTHORITY.—

17 “(1) ASSISTANCE.—Under criteria to be estab-
18 lished by the Secretary, the Secretary may provide
19 assistance for—

20 “(A) the development of transportation
21 plans and programs;

22 “(B) planning, engineering, designing, and
23 evaluating a public transportation project; and

24 “(C) for other technical studies.

1 “(2) GRANTS, AGREEMENTS, AND CON-
2 TRACTS.—The Secretary may provide assistance
3 under paragraph (1)—

4 “(A) by making grants to States, authori-
5 ties of States, metropolitan planning organiza-
6 tions, and local governmental authorities; or

7 “(B) by making agreements with other de-
8 partments, agencies, and instrumentalities of
9 the Government.

10 “(3) ELIGIBLE ACTIVITIES.—Activities eligible
11 for assistance under paragraph (1) include the fol-
12 lowing:

13 “(A) Studies related to management, plan-
14 ning, operations, capital requirements, and eco-
15 nomic feasibility.

16 “(B) Evaluating previously financed
17 projects.

18 “(C) Peer reviews and exchanges of tech-
19 nical data, information, assistance, and related
20 activities in support of planning and environ-
21 mental analyses among metropolitan planning
22 organizations and other transportation plan-
23 ners.

24 “(D) Other similar and related activities
25 preliminary to and in preparation for con-

1 structing, acquiring, or improving the operation
2 of facilities and equipment.

3 “(c) PURPOSE.—To the extent practicable, the Sec-
4 retary shall ensure that amounts appropriated or made
5 available under section 5338 to carry out this section and
6 sections 5303 and 5304 are used to support balanced and
7 comprehensive transportation planning that considers the
8 relationships among land use and all transportation
9 modes, without regard to the programmatic source of the
10 planning amounts.

11 “(d) METROPOLITAN PLANNING PROGRAM.—

12 “(1) APPORTIONMENT TO STATES.—

13 “(A) IN GENERAL.—The Secretary shall
14 apportion 80 percent of the amounts made
15 available under subsection (g)(1) among the
16 States to carry out sections 5303 and 5306 in
17 the ratio that—

18 “(i) the population of urbanized areas
19 in each State, as shown by the latest avail-
20 able decennial census of population; bears
21 to

22 “(ii) the total population of urbanized
23 areas in all States, as shown by that cen-
24 sus.

1 “(B) MINIMUM APPORTIONMENT.—Not-
2 withstanding subparagraph (A), a State may
3 not receive less than 0.5 percent of the amount
4 apportioned under this paragraph.

5 “(2) ALLOCATION TO MPO’S.—Amounts appor-
6 tioned to a State under paragraph (1) shall be made
7 available within 30 days after allocation to metro-
8 politan planning organizations in the State des-
9 ignated under this section under a formula that—

10 “(A) considers population of urbanized
11 areas;

12 “(B) provides an appropriate distribution
13 for urbanized areas to carry out the cooperative
14 processes described in this section;

15 “(C) the State develops in cooperation with
16 the metropolitan planning organizations; and

17 “(D) the Secretary approves.

18 “(3) SUPPLEMENTAL AMOUNTS.—

19 “(A) IN GENERAL.—The Secretary shall
20 apportion 20 percent of the amounts made
21 available under subsection (g)(1) among the
22 States to supplement allocations made under
23 paragraph (1) for metropolitan planning organi-
24 zations.

1 “(B) FORMULA.—The Secretary shall ap-
2 portion amounts referred to in subparagraph
3 (A) under a formula that reflects the additional
4 cost of carrying out planning, programming,
5 and project selection responsibilities under sec-
6 tions 5303 and 5306 in certain urbanized
7 areas.

8 “(e) STATE PLANNING AND RESEARCH PROGRAM.—

9 “(1) APPORTIONMENT TO STATES.—

10 “(A) IN GENERAL.—The Secretary shall
11 apportion the amounts made available under
12 subsection (g)(2) among the States for grants
13 and contracts to carry out sections 5303
14 through 5306, 5312, 5315, and 5322 in the
15 ratio that—

16 “(i) the population of urbanized areas
17 in each State, as shown by the latest avail-
18 able decennial census; bears to

19 “(ii) the population of urbanized areas
20 in all States, as shown by that census.

21 “(B) MINIMUM APPORTIONMENT.—Not-
22 withstanding subparagraph (A), a State may
23 not receive less than 0.5 percent of the amount
24 apportioned under this paragraph.

1 “(2) SUPPLEMENTAL AMOUNTS.—A State, as
2 the State considers appropriate, may authorize part
3 of the amount made available under this subsection
4 to be used to supplement amounts made available
5 under subsection (d).

6 “(f) GOVERNMENT’S SHARE OF COSTS.—The Gov-
7 ernment’s share of the cost of an activity funded using
8 amounts made available under this section may not exceed
9 80 percent of the cost of the activity unless the Secretary
10 determines that it is in the interests of the Government
11 not to require a State or local match.

12 “(g) ALLOCATION OF FUNDS.—Of the funds made
13 available by or appropriated to carry out this section
14 under section 5338(c) for fiscal years 2004 through
15 2009—

16 “(1) 82.72 percent shall be available for the
17 metropolitan planning program under subsection (d);
18 and

19 “(2) 17.28 percent shall be available to carry
20 out subsection (e).

21 “(h) AVAILABILITY OF FUNDS.—Funds apportioned
22 under this section in a State shall remain available for
23 obligation in that State for a period of 3 years after the
24 last day of the fiscal year for which the funds are author-
25 ized. Any amounts so apportioned that remain unobligated

1 at the end of that period shall be reapportioned among
2 the States.”.

3 (b) CONFORMING AMENDMENT.—The analysis for
4 chapter 53 is amended by striking the item relating to
5 section 5305 and inserting the following:

“5305. Planning programs.”.

6 **SEC. 3007. PRIVATE ENTERPRISE PARTICIPATION.**

7 (a) SECTION HEADING.—Section 5306 is amended by
8 striking the section heading and inserting the following:

9 **“§ 5306. Private enterprise participation in planning;
10 relationship to other limitations”.**

11 (b) CONFORMING AMENDMENT.—The analysis for
12 chapter 53 is amended by striking the item relating to
13 section 5306 and inserting the following:

“5306. Private enterprise participation in planning; relationship to other limita-
tions.”.

14 **SEC. 3008. URBANIZED AREA FORMULA GRANTS.**

15 (a) TECHNICAL AMENDMENTS.—Section 5307 is
16 amended—

17 (1) by striking subsections (h) and (k); and

18 (2) by redesignating subsections (i), (j), (l),
19 (m), and (n) as subsections (h), (i), (j), (k), and (l),
20 respectively.

21 (b) DEFINITIONS.—Section 5307(a)(2)(A) is amend-
22 ed—

1 (1) by striking “a person” and inserting “an
2 entity”; and

3 (2) by striking “section 5305(a) of this title”
4 and inserting “chapter 52”.

5 (c) GENERAL AUTHORITY.—Section 5307(b) is
6 amended—

7 (1) by striking paragraph (1) and inserting the
8 following:

9 “(1) GRANTS.—The Secretary may make
10 grants under this section for—

11 “(A) capital projects and associated capital
12 maintenance items;

13 “(B) planning;

14 “(C) transit enhancements; and

15 “(D) operating costs of equipment and fa-
16 cilities for use in public transportation in an ur-
17 banized area with a population of less than
18 200,000.”;

19 (2) in the heading to paragraph (2) by striking

20 “FISCAL YEAR 2003 AND FOR THE PERIOD OF OCTO-
21 BER 1, 2003, THROUGH APRIL 30, 2004” and inserting

22 “FISCAL YEARS 2003 THROUGH 2005”;

23 (3) in paragraph (2)(A) by striking “fiscal year
24 2003” and all that follows through “2004” and in-
25 serting “fiscal years 2003, 2004, and 2005,”;

1 (4) in paragraph (3) by striking “section
2 5305(a) of this title” and inserting “chapter 52”;
3 and

4 (5) in paragraph (3)(A) by striking “section
5 5303 of this title” and inserting “chapter 52”.

6 (d) GRANT RECIPIENT REQUIREMENTS.—Section
7 5307(d)(1) is amended—

8 (1) in subparagraph (A) by inserting “, includ-
9 ing safety and security aspects of the program”
10 after “program”;

11 (2) in subparagraph (H) by striking “sections
12 5301(a) and (d), 5303–5306, and 5310(a)–(d) of
13 this title” and inserting “subsections (a) and (d) of
14 section 5301 and sections 5303 through 5306”;

15 (3) in subparagraph (I) by striking “and” at
16 the end; and

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

18 “(K) in the case of a recipient for an ur-
19 banized area with a population of at least
20 200,000—

21 “(i) will expend one percent of the
22 amount the recipient receives each fiscal
23 year under this section for projects for
24 transit enhancements, as defined in section
25 5302(a); and

1 “(ii) will submit an annual report list-
2 ing projects carried out in the preceding
3 fiscal year with those funds; and”.

4 (e) GOVERNMENT’S SHARE OF COSTS.—Section
5 5307(e) is amended to read as follows:

6 “(e) GOVERNMENT’S SHARE OF COSTS.—

7 “(1) CAPITAL PROJECTS.—A grant for a capital
8 project (including associated capital maintenance
9 items) under this section shall be for 80 percent of
10 the net project cost of the project. The recipient may
11 provide additional local matching amounts.

12 “(2) OPERATING EXPENSES.—A grant for oper-
13 ating expenses under this section may not exceed 50
14 percent of the net project cost of the project.

15 “(3) REMAINDER.—The remainder of the net
16 project cost shall be provided—

17 “(A) in cash from sources other than
18 amounts of the Government or revenues from
19 providing public transportation (excluding reve-
20 nues derived from the sale of advertising and
21 concessions);

22 “(B) from an undistributed cash surplus, a
23 replacement or depreciation cash fund or re-
24 serve, or new capital; and

1 “(C) from amounts received under a serv-
2 ice agreement with a State or local social serv-
3 ice agency or private social service organiza-
4 tion.”.

5 (f) **REVIEWS, AUDITS, AND EVALUATIONS.**—Section
6 5307(h)(1)(A) (as redesignated by subsection (a) of this
7 section) is amended by striking “shall” and inserting
8 “may”.

9 (g) **RELATIONSHIP TO OTHER LAWS.**—Section
10 5307(l) (as redesignated by subsection (a) of this section)
11 is amended—

12 (1) by striking paragraph (1);

13 (2) by redesignating paragraph (2) as para-
14 graph (1);

15 (3) by inserting “THIS CHAPTER.—” before
16 “Sections 5302”;

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

18 “(2) **CHAPTER 15 OF TITLE 5.**—The provision
19 of assistance under this chapter shall not be con-
20 strued as bringing within the application of chapter
21 15 of title 5 any nonsupervisory employee of a public
22 transportation system (or any other agency or entity
23 performing related functions) to which such chapter
24 is otherwise inapplicable.”; and

1 (5) by aligning the left margin of paragraph (1)
2 (as so redesignated) with paragraph (2) (as added
3 by paragraph (4) of this subsection).

4 (h) TREATMENT.—At the end of section 5307, add
5 the following:

6 “(m) TREATMENT.—For purposes of this section, the
7 United States Virgin Islands shall be treated as an urban-
8 ized area, as defined in section 5302.”.

9 **SEC. 3009. CLEAN FUELS FORMULA GRANT PROGRAM.**

10 Section 5308 is amended to read as follows:

11 **“§ 5308. Clean fuels formula grant program**

12 “(a) DEFINITIONS.—In this section, the following
13 definitions apply:

14 “(1) CLEAN FUEL BUS.—The term ‘clean fuel
15 bus’ means a passenger vehicle used to provide pub-
16 lic transportation that—

17 “(A) is powered by—

18 “(i) compressed natural gas;

19 “(ii) liquefied natural gas;

20 “(iii) biodiesel fuels;

21 “(iv) batteries;

22 “(v) alcohol-based fuels;

23 “(vi) hybrid electric;

24 “(vii) fuel cell;

1 “(viii) clean diesel, to the extent al-
2 lowed under this section; or

3 “(ix) other low or zero emissions tech-
4 nology; and

5 “(B) the Administrator of the Environ-
6 mental Protection Agency has certified suffi-
7 ciently reduces harmful emissions.

8 “(2) ELIGIBLE PROJECT.—The term ‘eligible
9 project’—

10 “(A) means a project in a nonattainment
11 or maintenance area described in paragraph
12 (4)(A) for—

13 “(i) purchasing or leasing clean fuel
14 buses, including buses that employ a light-
15 weight composite primary structure;

16 “(ii) constructing or leasing clean fuel
17 buses or electrical recharging facilities and
18 related equipment for such buses; or

19 “(iii) improving existing public trans-
20 portation facilities to accommodate clean
21 fuel buses; and

22 “(B) at the discretion of the Secretary,
23 may include a project located in a nonattain-
24 ment or maintenance area described in para-
25 graph (3)(A) relating to clean fuel, biodiesel,

1 hybrid electric, or zero emissions technology
2 buses that exhibit equivalent or superior emis-
3 sions reductions to existing clean fuel or hybrid
4 electric technologies.

5 “(3) MAINTENANCE AREA.—The term ‘mainte-
6 nance area’ has the meaning such term has under
7 section 101 of title 23.

8 “(4) RECIPIENT.—

9 “(A) IN GENERAL.—The term ‘recipient’
10 means a designated recipient (as defined in sec-
11 tion 5307(a)(2)) for an area that, and a recipi-
12 ent for an urbanized area with a population of
13 less than 200,000 that—

14 “(i) is designated as a nonattainment
15 area for ozone or carbon monoxide under
16 section 107(d) of the Clean Air Act (42
17 U.S.C. 7407(d)); or

18 “(ii) is a maintenance area for ozone
19 or carbon monoxide.

20 “(B) SMALLER URBANIZED AREAS.—In
21 the case of an urbanized area with a population
22 of less than 200,000, the State in which the
23 area is located shall act as the recipient for the
24 area under this section.

1 “(b) AUTHORITY.—The Secretary shall make grants
2 in accordance with this section to recipients to finance eli-
3 gible projects.

4 “(c) APPORTIONMENT OF FUNDS.—

5 “(1) FORMULA.—The Secretary shall apportion
6 among recipients amounts made available to carry
7 out this section for a fiscal year. Of such amounts—

8 “(A) two-thirds shall be apportioned to re-
9 cipients serving urbanized areas with a popu-
10 lation of at least 1,000,000, of which—

11 “(i) 50 percent shall be apportioned
12 so that each such recipient receives a grant
13 under this section in an amount equal to
14 the ratio that—

15 “(I) the number of vehicles in the
16 bus fleet of the recipient, weighted by
17 severity of nonattainment for the area
18 served by the recipient; bears to

19 “(II) the total number of vehicles
20 in the bus fleets of all such recipients,
21 weighted by severity of nonattainment
22 for all areas served by such recipients;
23 and

24 “(ii) 50 percent shall be apportioned
25 so that each such recipient receives a grant

1 under this section in an amount equal to
2 the ratio that—

3 “(I) the number of bus passenger
4 miles (as defined in section 5336(e))
5 of the recipient, weighted by severity
6 of nonattainment of the area served
7 by the recipient; bears to

8 “(II) the total number of bus
9 passenger miles (as defined in section
10 5336(e)) of all such recipients,
11 weighted by severity of nonattainment
12 of all areas served by such recipients;
13 and

14 “(B) one-third shall be apportioned to re-
15 cipients serving urbanized areas with a popu-
16 lation of less than 1,000,000, of which—

17 “(i) 50 percent shall be apportioned
18 so that each such recipient receives a grant
19 under this section in an amount equal to
20 the ratio that—

21 “(I) the number of vehicles in the
22 bus fleet of the recipient, weighted by
23 severity of nonattainment for the area
24 served by the recipient; bears to

1 “(II) the total number of vehicles
2 in the bus fleets of all such recipients,
3 weighted by severity of nonattainment
4 for all areas served by such recipients;
5 and

6 “(ii) 50 percent shall be apportioned
7 so that each such recipient receives a grant
8 under this section in an amount equal to
9 the ratio that—

10 “(I) the number of bus passenger
11 miles (as defined in section 5336(e))
12 of the recipient, weighted by severity
13 of nonattainment of the area served
14 by the recipient; bears to

15 “(II) the total number of bus
16 passenger miles (as defined in section
17 5336(e)) of all such recipients,
18 weighted by severity of nonattainment
19 of all areas served by such recipients.

20 “(2) WEIGHTING OF SEVERITY OF NONATTAIN-
21 MENT.—

22 “(A) IN GENERAL.—For purposes of para-
23 graph (1), subject to subparagraph (B), the
24 number of buses in the bus fleet, or the number

1 of passenger miles, shall be multiplied by a fac-
2 tor of—

3 “(i) 1.0 if, at the time of the appor-
4 tionment, the area is a maintenance area
5 for ozone or carbon monoxide;

6 “(ii) 1.1 if, at the time of the appor-
7 tionment, the area is classified as a mar-
8 ginal ozone nonattainment area under sub-
9 part 2 of part D of title I of the Clean Air
10 Act (42 U.S.C. 7511 et seq.);

11 “(iii) 1.2 if, at the time of the appor-
12 tionment, the area is classified as a mod-
13 erate ozone nonattainment area under sub-
14 part 2 of such part;

15 “(iv) 1.3 if, at the time of the appor-
16 tionment, the area is classified as a serious
17 ozone nonattainment area under subpart 2
18 of such part;

19 “(v) 1.4 if, at the time of the appor-
20 tionment, the area is classified as a severe
21 ozone nonattainment area under subpart 2
22 of such part; or

23 “(vi) 1.5 if, at the time of the appor-
24 tionment, the area is classified as an ex-

1 treme ozone nonattainment area under
2 subpart 2 of such part.

3 “(B) ADDITIONAL ADJUSTMENT FOR CAR-
4 BON MONOXIDE AREAS.—If, in addition to
5 being classified as a nonattainment or mainte-
6 nance area for ozone under subpart 2 of such
7 part, the area was also classified under subpart
8 3 of such part as a nonattainment area for car-
9 bon monoxide, the weighted nonattainment or
10 maintenance area fleet and passenger miles for
11 the recipient, as calculated under subparagraph
12 (A), shall be further multiplied by a factor of
13 1.2.

14 “(d) CLEAN DIESEL BUSES.—Not more than 35 per-
15 cent of the amount made available by or appropriated
16 under section 5338 in each fiscal year to carry out this
17 section may be made available to fund clean diesel buses.

18 “(e) GRANT REQUIREMENTS.—

19 “(1) IN GENERAL.—A grant under this section
20 shall be subject to the requirements of section 5307.

21 “(2) GOVERNMENT’S SHARE OF COSTS FOR
22 CERTAIN PROJECTS.—Section 5323(i) applies to
23 projects carried out under this section.

24 “(f) AVAILABILITY OF FUNDS.—Any amount made
25 available or appropriated under this section—

1 “(1) shall remain available to a project for 1
2 year after the fiscal year for which the amount is
3 made available or appropriated; and

4 “(2) that remains unobligated at the end of the
5 period described in paragraph (1) shall be added to
6 the amount made available in the following fiscal
7 year.”.

8 **SEC. 3010. CAPITAL INVESTMENT GRANTS.**

9 (a) SECTION HEADING.—Section 5309 is amended by
10 striking the section heading and inserting the following:

11 **“§ 5309. Capital investment grants”.**

12 (b) LOANS FOR REAL PROPERTY INTERESTS.—Sec-
13 tion 5309 is amended—

14 (1) in subsections (a)(1) and (a)(2) by striking
15 “and loans”;

16 (2) by striking subsections (b) and (c); and

17 (3) by redesignating subsection (d) as sub-
18 section (b).

19 (c) PROJECT AS PART OF APPROVED PROGRAM OF
20 PROJECTS.—Section 5309(b) (as redesignated by sub-
21 section (b) of this section) is amended—

22 (1) by striking “Except as provided in sub-
23 sections (b)(2) and (e) of the section, the” and in-
24 serting “The”; and

25 (2) by striking “or loan”.

1 (d) CRITERIA AND FUNDING.—Section 5309 is
2 amended by striking subsections (e) through (p) and in-
3 serting the following:

4 “(c) MAJOR CAPITAL INVESTMENT GRANTS OF
5 \$75,000,000 OR MORE.—

6 “(1) FULL FUNDING GRANT AGREEMENT.—A
7 major new fixed guideway capital project financed
8 under this subsection shall be carried out through a
9 full funding grant agreement. The Secretary shall
10 enter into a full funding grant agreement based on
11 the evaluations and ratings required under this sub-
12 section. The Secretary shall not enter into a full
13 funding grant agreement for a project unless that
14 project is authorized for final design and construc-
15 tion.

16 “(2) APPROVAL OF GRANTS.—The Secretary
17 may approve a grant under this section for a major
18 new fixed guideway capital project only if the Sec-
19 retary, based upon evaluations and considerations
20 set forth in paragraph (3), determines that the pro-
21 posal is—

22 “(A) based on the results of an alter-
23 natives analysis and preliminary engineering;

24 “(B) justified based on a comprehensive
25 review of its mobility improvements, environ-

1 mental benefits, cost effectiveness, operating ef-
2 ficiencies, and transit supportive policies, and
3 existing land use; and

4 “(C) supported by an acceptable degree of
5 local financial commitment (including evidence
6 of stable and dependable financing sources) to
7 construct, maintain, and operate the system or
8 extension.

9 “(3) CONSIDERATIONS.—

10 “(A) RESULTS OF ALTERNATIVES ANAL-
11 YSIS AND PRELIMINARY ENGINEERING.—In
12 evaluating a proposed project for purposes of
13 making the finding required by paragraph
14 (2)(A), the Secretary shall analyze and consider
15 the results of the alternatives analysis and pre-
16 liminary engineering for the project.

17 “(B) PROJECT JUSTIFICATION.—In evalu-
18 ating a proposed project for purposes of making
19 the finding required by paragraph (2)(B), the
20 Secretary shall—

21 “(i) consider the direct and indirect
22 costs of relevant alternatives;

23 “(ii) consider factors such as conges-
24 tion relief, improved mobility, air pollution,
25 noise pollution, energy consumption, and

1 all associated ancillary and mitigation
2 costs necessary to carry out each alter-
3 native analyzed and recognize reductions in
4 local infrastructure costs achieved through
5 compact land use development;

6 “(iii) identify and consider public
7 transportation supportive existing land use
8 policies and future patterns and the cost of
9 suburban sprawl;

10 “(iv) consider the degree to which the
11 project increases the mobility of the public
12 transportation dependent population or
13 promotes economic development;

14 “(v) consider population density and
15 current transit ridership in the corridor;

16 “(vi) consider the technical capability
17 of the grant recipient to construct the
18 project;

19 “(vii) adjust the project justification
20 to reflect differences in local land, con-
21 struction, and operating costs; and

22 “(viii) consider other factors that the
23 Secretary determines appropriate to carry
24 out this chapter.

1 “(C) LOCAL FINANCIAL COMMITMENT.—In
2 evaluating a proposed project under paragraph
3 (2)(C), the Secretary shall require that—

4 “(i) the proposed project plan pro-
5 vides for the availability of contingency
6 amounts that the Secretary determines to
7 be reasonable to cover unanticipated cost
8 increases;

9 “(ii) each proposed local source of
10 capital and operating financing is stable,
11 reliable, and available within the proposed
12 project timetable; and

13 “(iii) local resources are available to
14 operate the overall proposed public trans-
15 portation system (including essential feeder
16 bus and other services necessary to achieve
17 the projected ridership levels) without re-
18 quiring a reduction in existing public
19 transportation services to operate the pro-
20 posed project.

21 “(D) ASSESSMENT OF LOCAL FINANC-
22 ING.—In assessing the stability, reliability, and
23 availability of proposed sources of local financ-
24 ing under paragraph (2)(C), the Secretary shall
25 consider—

1 “(i) existing grant commitments;

2 “(ii) the degree to which financing
3 sources are dedicated to the purposes pro-
4 posed;

5 “(iii) any debt obligation that exists
6 or is proposed by the recipient for the pro-
7 posed project or other public transpor-
8 tation purpose; and

9 “(iv) the extent to which the project
10 has a local financial commitment that ex-
11 ceeds the required non-Federal share of
12 the cost of the project.

13 “(4) EVALUATION AND RATING OF
14 PROJECTS.—A proposed project under this sub-
15 section may advance from alternatives analysis to
16 preliminary engineering, and may advance from pre-
17 liminary engineering to final design and construc-
18 tion, only if the Secretary finds that the project
19 meets the requirements of this section and there is
20 a reasonable likelihood that the project will continue
21 to meet such requirements. In making the findings,
22 the Secretary shall evaluate and rate the project as
23 ‘highly recommended’, ‘recommended’, or ‘not rec-
24 ommended’ based on the results of alternatives anal-
25 ysis, the project justification criteria, and the degree

1 of local financial commitment, as required under this
2 subsection. In rating the projects, the Secretary
3 shall provide, in addition to the overall project rat-
4 ing, individual ratings for each of the criteria estab-
5 lished by regulation.

6 “(5) MAJOR DEFINED.—In this section, the
7 term ‘major’, as used with respect to a new fixed
8 guideway capital project, means the Federal assist-
9 ance provided or to be provided under this section
10 for the project is \$75,000,000 or more.

11 “(d) CAPITAL INVESTMENT GRANTS LESS THAN
12 \$75,000,000.—

13 “(1) IN GENERAL.—Subject to the provisions of
14 this subsection, if the Federal assistance provided or
15 to be provided under this section with respect to a
16 new fixed guideway capital project is less than
17 \$75,000,000, and not less than \$25,000,000, the
18 project shall be subject to the requirements in this
19 subsection.

20 “(2) SELECTION CRITERIA.—The Secretary
21 may provide Federal assistance under this sub-
22 section with respect to a proposed project only if the
23 Secretary finds that the project is—

24 “(A) based on the results of planning and
25 alternatives analysis;

1 “(B) justified based on a review of its pub-
2 lic transportation supportive land use policies,
3 cost effectiveness, and effect on local economic
4 development; and

5 “(C) supported by an acceptable degree of
6 local financial commitment.

7 “(3) PLANNING AND ALTERNATIVES.—In evalu-
8 ating a project under paragraph (2)(A), the Sec-
9 retary shall analyze and consider the results of plan-
10 ning and alternatives analysis for the project.

11 “(4) PROJECT JUSTIFICATION.—For purposes
12 of making the finding under paragraph (2)(B), the
13 Secretary shall—

14 “(A) determine the degree to which the
15 project is consistent with local land use policies
16 and is likely to achieve local developmental
17 goals;

18 “(B) determine the cost effectiveness of
19 the project at the time of the initiation of rev-
20 enue service;

21 “(C) determine the degree to which the
22 project will have a positive effect on local eco-
23 nomic development;

1 “(D) consider the reliability of the fore-
2 casts of costs and ridership associated with the
3 project; and

4 “(E) consider other factors that the Sec-
5 retary determines appropriate to carry out this
6 subsection.

7 “(5) LOCAL FINANCIAL COMMITMENT.—For
8 purposes of paragraph (2)(C), the Secretary shall re-
9 quire that each proposed local source of capital and
10 operating financing is stable, reliable, and available
11 within the proposed project timetable.

12 “(6) ADVANCEMENT OF PROJECT TO DEVELOP-
13 MENT AND CONSTRUCTION.—

14 “(A) GENERAL RULE.—A proposed project
15 under this subsection may advance from plan-
16 ning and alternatives analysis to project devel-
17 opment and construction only if—

18 “(i) the Secretary finds that the
19 project meets the requirements of this sub-
20 section and there is a reasonable likelihood
21 that the project will continue to meet such
22 requirements; and

23 “(ii) the metropolitan planning orga-
24 nization has adopted the locally preferred

1 alternative for the project into the long-
2 range transportation plan.

3 “(B) EVALUATION.—In making the find-
4 ings under subparagraph (A), the Secretary
5 shall evaluate and rate the project as ‘rec-
6 ommended’ or ‘not recommended’ based on the
7 results of the analysis of the project justifica-
8 tion criteria and the degree of local financial
9 commitment, as required by this subsection.

10 “(7) CONTENTS OF PROJECT CONSTRUCTION
11 GRANT AGREEMENT.—A project construction grant
12 agreement under this subsection shall specify the
13 scope of the project to be constructed, the estimated
14 net project cost of the project, the schedule under
15 which the project shall be constructed, the maximum
16 amount of funding to be obtained under this sub-
17 section, the proposed schedule for obligation of fu-
18 ture Federal grants, and the sources of funding
19 from other than the Government. The agreement
20 may include a commitment on the part of the Sec-
21 retary to provide funding for the project in future
22 fiscal years.

23 “(8) LIMITATION ON ENTRY INTO CONSTRUC-
24 TION GRANT AGREEMENT.—The Secretary may
25 enter into a project construction grant agreement

1 for a project under this subsection only if the project
2 is authorized for construction and has been rated as
3 ‘recommended’ under this subsection.

4 “(9) REGULATIONS.—Not later than 120 days
5 after the date of enactment of the Federal Public
6 Transportation Act of 2004, the Secretary shall
7 issue regulations establishing an evaluation and rat-
8 ing process for proposed projects under this sub-
9 section that is based on the results of project jus-
10 tification and local financial commitment, as re-
11 quired under this subsection.

12 “(10) FIXED GUIDEWAY CAPITAL PROJECT.—In
13 this subsection, the term ‘fixed guideway capital
14 project’ includes a corridor-based public transpor-
15 tation bus capital project if the majority of the
16 project’s corridor right-of-way is dedicated alignment
17 for exclusive use by public transportation vehicles for
18 all or part of the day.

19 “(e) PREVIOUSLY ISSUED LETTER OF INTENT OR
20 FULL FUNDING GRANT AGREEMENT.—Subsections (c)
21 and (d) do not apply to projects for which the Secretary
22 has issued a letter of intent or entered into a full funding
23 grant agreement before the date of enactment of the Fed-
24 eral Public Transportation Act of 2004. Subsection (d)

1 does not apply to projects for which the Secretary has re-
2 ceived an application for final design.

3 “(f) LETTERS OF INTENT, FULL FUNDING GRANT
4 AGREEMENTS, AND EARLY SYSTEMS WORK AGREE-
5 MENTS.—

6 “(1) LETTERS OF INTENT.—

7 “(A) AMOUNTS INTENDED TO BE OBLI-
8 GATED.—The Secretary may issue a letter of
9 intent to an applicant announcing an intention
10 to obligate, for a capital project under this sec-
11 tion, an amount from future available budget
12 authority specified in law that is not more than
13 the amount stipulated as the financial partici-
14 pation of the Secretary in the project. When a
15 letter is issued for fixed guideway projects, the
16 amount shall be sufficient to complete at least
17 an operable segment.

18 “(B) TREATMENT.—The issuance of a let-
19 ter under subparagraph (A) is deemed not to be
20 an obligation under sections 1108(c), 1108(d),
21 1501, and 1502(a) of title 31 or an administra-
22 tive commitment.

23 “(2) FULL FUNDING GRANT AGREEMENTS.—

1 “(A) TERMS.—The Secretary may make a
2 full funding grant agreement with an applicant.

3 The agreement shall—

4 “(i) establish the terms of participa-
5 tion by the Government in a project under
6 this section;

7 “(ii) establish the maximum amount
8 of Government financial assistance for the
9 project;

10 “(iii) cover the period of time for com-
11 pleting the project, including a period ex-
12 tending beyond the period of an authoriza-
13 tion; and

14 “(iv) make timely and efficient man-
15 agement of the project easier according to
16 the law of the United States.

17 “(B) SPECIAL FINANCIAL RULES.—

18 “(i) IN GENERAL.—An agreement
19 under this paragraph obligates an amount
20 of available budget authority specified in
21 law and may include a commitment, con-
22 tingent on amounts to be specified in law
23 in advance for commitments under this
24 paragraph, to obligate an additional

1 amount from future available budget au-
2 thority specified in law.

3 “(ii) STATEMENT OF CONTINGENT
4 COMMITMENT.—The agreement shall state
5 that the contingent commitment is not an
6 obligation of the Government.

7 “(iii) INTEREST AND OTHER FINANC-
8 ING COSTS.—Interest and other financing
9 costs of efficiently carrying out a part of
10 the project within a reasonable time are a
11 cost of carrying out the project under a
12 full funding grant agreement, except that
13 eligible costs may not be more than the
14 cost of the most favorable financing terms
15 reasonably available for the project at the
16 time of borrowing. The applicant shall cer-
17 tify, in a way satisfactory to the Secretary,
18 that the applicant has shown reasonable
19 diligence in seeking the most favorable fi-
20 nancing terms.

21 “(iv) COMPLETION OF OPERABLE
22 SEGMENT.—The amount stipulated in an
23 agreement under this paragraph for a fixed
24 guideway project shall be sufficient to com-
25 plete at least an operable segment.

1 “(3) EARLY SYSTEM WORK AGREEMENTS.—

2 “(A) CONDITIONS.—The Secretary may
3 make an early systems work agreement with an
4 applicant if a record of decision under the Na-
5 tional Environmental Policy Act of 1969 (42
6 U.S.C. 4321 et seq.) has been issued on the
7 project and the Secretary finds there is reason
8 to believe—

9 “(i) a full funding grant agreement
10 for the project will be made; and

11 “(ii) the terms of the work agreement
12 will promote ultimate completion of the
13 project more rapidly and at less cost.

14 “(B) CONTENTS.—

15 “(i) IN GENERAL.—A work agreement
16 under this paragraph obligates an amount
17 of available budget authority specified in
18 law and shall provide for reimbursement of
19 preliminary costs of carrying out the
20 project, including land acquisition, timely
21 procurement of system elements for which
22 specifications are decided, and other activi-
23 ties the Secretary decides are appropriate
24 to make efficient, long-term project man-
25 agement easier.

1 “(ii) PERIOD COVERED.—A work
2 agreement under this paragraph shall
3 cover the period of time the Secretary con-
4 siders appropriate. The period may extend
5 beyond the period of current authorization.

6 “(iii) INTEREST AND OTHER FINANC-
7 ING COSTS.—Interest and other financing
8 costs of efficiently carrying out the work
9 agreement within a reasonable time are a
10 cost of carrying out the agreement, except
11 that eligible costs may not be more than
12 the cost of the most favorable financing
13 terms reasonably available for the project
14 at the time of borrowing. The applicant
15 shall certify, in a way satisfactory to the
16 Secretary, that the applicant has shown
17 reasonable diligence in seeking the most
18 favorable financing terms.

19 “(iv) FAILURE TO CARRY OUT
20 PROJECT.—If an applicant does not carry
21 out the project for reasons within the con-
22 trol of the applicant, the applicant shall
23 repay all Government payments made
24 under the work agreement plus reasonable

1 interest and penalty charges the Secretary
2 establishes in the agreement.

3 “(4) LIMITATION ON AMOUNTS.—

4 “(A) MAJOR CAPITAL INVESTMENT
5 GRANTS CONTINGENT COMMITMENT AUTHOR-
6 ITY.—The total estimated amount of future ob-
7 ligations of the Government and contingent
8 commitments to incur obligations covered by all
9 outstanding letters of intent, full funding grant
10 agreements, and early systems work agreements
11 under this subsection for major new fixed
12 guideway capital projects may be not more than
13 the greater of the amount authorized under sec-
14 tions 5338(b) and 5338(h)(1) for such projects
15 or an amount equivalent to the last 3 fiscal
16 years of funding allocated under subsections
17 (m)(1)(B) and (m)(2)(B)(ii) for such projects,
18 less an amount the Secretary reasonably esti-
19 mates is necessary for grants under this section
20 for those of such projects that are not covered
21 by a letter or agreement. The total amount cov-
22 ered by new letters and contingent commit-
23 ments included in full funding grant agree-
24 ments and early systems work agreements for

1 such projects may be not more than a limitation
2 specified in law.

3 “(B) OTHER CONTINGENT COMMITMENT
4 AUTHORITY.—The total estimated amount of
5 future obligations of the Government and con-
6 tingent commitments to incur obligations cov-
7 ered by all project construction grant agree-
8 ments and early system work agreements under
9 this subsection for small capital projects de-
10 scribed in subsection (d) may be not more than
11 the greater of the amount allocated under sub-
12 section (m)(2)(A) for such projects or an
13 amount equivalent to the last fiscal year of
14 funding allocated under subsection (m)(2)(A)
15 for such projects, less an amount the Secretary
16 reasonably estimates is necessary for grants
17 under this section for those of such projects
18 that are not covered by an agreement. The total
19 amount covered by new contingent commit-
20 ments included in project construction grant
21 agreements and early systems work agreements
22 for such projects may be not more than a limi-
23 tation specified in law.

24 “(C) INCLUSION OF CERTAIN COMMIT-
25 MENTS.—Future obligations of the Government

1 and contingent commitments made against the
2 contingent commitment authority under section
3 3032(g)(2) of the Intermodal Surface Trans-
4 portation Efficiency Act of 1991 (106 Stat.
5 2125) for the San Francisco BART to the Air-
6 port project for fiscal years 2002, 2003, 2004,
7 2005, and 2006 shall be charged against sec-
8 tion 3032(g)(2) of that Act.

9 “(D) APPROPRIATION REQUIRED.—An ob-
10 ligation may be made under this subsection only
11 when amounts are appropriated for the obliga-
12 tion.

13 “(5) NOTIFICATION OF CONGRESS.—At least 60
14 days before issuing a letter of intent or entering into
15 a full funding grant agreement or project construc-
16 tion grant agreement under this section, the Sec-
17 retary shall notify, in writing, the Committee on
18 Transportation and Infrastructure of the House of
19 Representatives and the Committee on Banking,
20 Housing, and Urban Affairs of the Senate of the
21 proposed letter or agreement. The Secretary shall in-
22 clude with the notification a copy of the proposed
23 letter or agreement as well as the evaluations and
24 ratings for the project.

1 “(g) GOVERNMENT’S SHARE OF NET PROJECT
2 COST.—

3 “(1) FEDERAL SHARE.—Based on engineering
4 studies, studies of economic feasibility, and informa-
5 tion on the expected use of equipment or facilities,
6 the Secretary shall estimate the net project cost. A
7 grant for the project shall be for 80 percent of the
8 net capital project cost, unless the grant recipient
9 requests a lower grant percentage.

10 “(2) REMAINDER OF NET PROJECT COST.—The
11 remainder of net project costs shall be provided from
12 an undistributed cash surplus, a replacement or de-
13preciation cash fund or reserve, or new capital.

14 “(3) LIMITATION ON STATUTORY CONSTRUC-
15TION.—Nothing in this section, including paragraph
16(1) and subsections (c)(3)(D)(iv) and (c)(4), shall be
17construed as authorizing the Secretary to require a
18non-Federal financial commitment for a project that
19is more than 20 percent of the net capital project
20cost.

21 “(4) SPECIAL RULE FOR ROLLING STOCK
22COSTS.—In addition to amounts allowed pursuant to
23paragraph (1), a planned extension to a fixed guide-
24way system may include the cost of rolling stock pre-
25viously purchased if the applicant satisfies the Sec-

1 retary that only amounts other than amounts of the
2 Government were used and that the purchase was
3 made for use on the extension. A refund or reduc-
4 tion of the remainder may be made only if a refund
5 of a proportional amount of the grant of the Govern-
6 ment is made at the same time.

7 “(5) LIMITATION ON APPLICABILITY.—This
8 subsection does not apply to projects for which the
9 Secretary has entered into a full funding grant
10 agreement before the date of enactment of the Fed-
11 eral Public Transportation Act of 2004.

12 “(h) FISCAL CAPACITY CONSIDERATIONS.—If the
13 Secretary gives priority consideration to financing projects
14 that include more than the non-Government share re-
15 quired under subsection (g), the Secretary shall give equal
16 consideration to differences in the fiscal capacity of State
17 and local governments.

18 “(i) REPORTS ON NEW STARTS.—

19 “(1) ANNUAL DOT REPORT.—Not later than
20 the first Monday in February of each year, the Sec-
21 retary shall submit to the Committee on Transpor-
22 tation and Infrastructure of the House of Represent-
23 atives and the Committee on Banking, Housing, and
24 Urban Affairs of the Senate a report that includes—

1 “(A) a proposal of allocations of amounts
2 to be available to finance grants for new fixed
3 guideway capital projects among applicants for
4 these amounts;

5 “(B) evaluations and ratings, as required
6 under subsection (c), for each such project that
7 is authorized by the Federal Public Transpor-
8 tation Act of 2004; and

9 “(C) recommendations of such projects for
10 funding based on the evaluations and ratings
11 and on existing commitments and anticipated
12 funding levels for the next 3 fiscal years and for
13 the next 10 fiscal years based on information
14 currently available to the Secretary.

15 “(2) ANNUAL GAO REVIEW.—The Comptroller
16 General shall—

17 “(A) conduct an annual review of—

18 “(i) the processes and procedures for
19 evaluating, rating, and recommending new
20 fixed guideway capital projects; and

21 “(ii) the Secretary’s implementation
22 of such processes and procedures; and

23 “(B) report to Congress on the results of
24 such review by May 31 of each year.

25 “(j) UNDERTAKING PROJECTS IN ADVANCE.—

1 “(1) IN GENERAL.—The Secretary may pay the
2 Government’s share of the net capital project cost to
3 a State or local governmental authority that carries
4 out any part of a project described in this section
5 without the aid of amounts of the Government and
6 according to all applicable procedures and require-
7 ments if—

8 “(A) the State or local governmental au-
9 thority applies for the payment;

10 “(B) the Secretary approves the payment;

11 and

12 “(C) before carrying out the part of the
13 project, the Secretary approves the plans and
14 specifications for the part in the same way as
15 other projects under this section.

16 “(2) FINANCING COSTS.—

17 “(A) IN GENERAL.—The cost of carrying
18 out part of a project includes the amount of in-
19 terest earned and payable on bonds issued by
20 the State or local governmental authority to the
21 extent proceeds of the bonds are expended in
22 carrying out the part.

23 “(B) LIMITATION ON AMOUNT OF INTER-
24 EST.—The amount of interest under this para-
25 graph may not be more than the most favorable

1 interest terms reasonably available for the
2 project at the time of borrowing.

3 “(C) CERTIFICATION.—The applicant shall
4 certify, in a manner satisfactory to the Sec-
5 retary, that the applicant has shown reasonable
6 diligence in seeking the most favorable financial
7 terms.

8 “(3) CAPITAL PROJECT COST INDICES.—The
9 Secretary shall consider changes in capital project
10 cost indices when determining the estimated cost
11 under paragraph (2).

12 “(k) BUS AND BUS FACILITIES PROJECTS.—In mak-
13 ing grants under subsections (m)(1)(C) and
14 (m)(2)(B)(iii), the Secretary shall consider the age of
15 buses, bus fleets, related equipment, and bus-related facili-
16 ties.

17 “(l) AVAILABILITY OF AMOUNTS.—An amount made
18 available or appropriated under section 5338(b), 5338(g),
19 or 5338(h) for replacement, rehabilitation, and purchase
20 of buses and related equipment and construction of bus-
21 related facilities or for new fixed guideway capital projects
22 shall remain available for 3 fiscal years, including the fis-
23 cal year in which the amount is made available or appro-
24 priated. Any of such amounts that are unobligated at the
25 end of the 3-fiscal-year period shall be deobligated and

1 may be used by the Secretary for any purpose under this
2 section.

3 “(m) ALLOCATING AMOUNTS.—

4 “(1) FISCAL YEAR 2004.—Of the amounts
5 made available by or appropriated under section
6 5338(b), \$85,000,000 shall be allocated to new fixed
7 guideway capital projects under subsection (d). Re-
8 maining amounts shall be allocated as follows:

9 “(A) 40 percent for fixed guideway mod-
10 ernization;

11 “(B) 40 percent for major new fixed guide-
12 way capital projects; and

13 “(C) 20 percent to replace, rehabilitate,
14 and purchase buses and related equipment and
15 to construct bus-related facilities.

16 “(2) FISCAL YEARS 2005–2009.—The total
17 amount of funds made available by section 5338(g),
18 and appropriated under section 5338(h), for each of
19 fiscal years 2005 through 2009 shall be allocated in
20 the fiscal year as follows:

21 “(A) SMALL CAPITAL PROJECTS.—From
22 funds appropriated under section 5338(h) for
23 new fixed guideway capital projects described in
24 subsection (d)—

25 “(i) \$135,000,000 in fiscal year 2005;

1 “(ii) \$175,000,000 in fiscal year
2 2006;

3 “(iii) \$200,000,000 in fiscal year
4 2007;

5 “(iv) \$200,000,000 in fiscal year
6 2008; and

7 “(v) \$225,000,000 in fiscal year
8 2009.

9 “(B) REMAINDER.—After the allocation
10 under subparagraph (A), the remainder of such
11 total amount shall be allocated as follows:

12 “(i) 40 percent for fixed guideway
13 modernization, to be derived from funds
14 made available under section 5338(g).

15 “(ii) 40 percent for major new fixed
16 capital guideway projects, to be derived
17 from funds appropriated under section
18 5338(h).

19 “(iii) 20 percent to replace, rehabili-
20 tate, and purchase buses and related
21 equipment and to construct bus-related fa-
22 cilities, to be derived from funds made
23 available under section 5338(g).

24 “(3) FUNDING FOR FERRY BOAT SYSTEMS.—Of
25 the amounts made available under paragraphs

1 (1)(B) and (2)(B)(ii), \$10,400,000 shall be available
2 in each of fiscal years 2004 through 2009 for new
3 fixed guideway capital projects in Alaska or Hawaii
4 that are for ferry boats or ferry terminal facilities or
5 that are for approaches to ferry terminal facilities.
6 Of the amounts made available under paragraphs
7 (1)(C) and (2)(B)(iii), \$10,000,000 shall be avail-
8 able in each of fiscal years 2004 through 2009 for
9 ferry boats or ferry terminal facilities.

10 “(4) FUEL CELL BUS PROGRAM.—Of the
11 amounts made available under subsections (m)(1)(C)
12 and (m)(2)(B)(iii) for a fiscal year, the following
13 amounts shall be set aside for the national fuel cell
14 bus technology development program under section
15 3039 of the Federal Public Transportation Act of
16 2004:

17 “(A) \$4,849,950 for fiscal year 2004.

18 “(B) \$10,000,000 for fiscal year 2005.

19 “(C) \$11,000,000 for fiscal year 2006.

20 “(D) \$12,000,000 for fiscal year 2007.

21 “(E) \$13,000,000 for fiscal year 2008.

22 “(F) \$14,000,000 for fiscal year 2009.

23 “(n) NEW FIXED GUIDEWAY CAPITAL PROJECT DE-
24 FINED.—In this section, the term ‘new fixed guideway
25 capital project’ means a minimum operable segment of a

1 capital project for a new fixed guideway system or exten-
2 sion to an existing fixed guideway system.”.

3 (e) CONFORMING AMENDMENTS.—

4 (1) CHAPTER ANALYSIS.—The analysis for
5 chapter 53 is amended by striking the item relating
6 to section 5309 and inserting the following:

“5309. Capital investment grants.”.

7 (2) SECTION 5328.—Section 5328(a) is amend-
8 ed—

9 (A) in paragraph (2) by striking “5309(e)”
10 and inserting “5309(c)”; and

11 (B) in paragraph (4) by striking “under
12 section 5309(o)(1)” and inserting “under sec-
13 tion 5309(i)(1)”.

14 **SEC. 3011. FORMULA GRANTS FOR SPECIAL NEEDS OF EL-**
15 **DERLY INDIVIDUALS AND INDIVIDUALS WITH**
16 **DISABILITIES.**

17 (a) IN GENERAL.—Section 5310 is amended—

18 (1) by striking the section heading and insert-
19 ing the following:

20 **“§ 5310. Formula grants for special needs of elderly**
21 **individuals and individuals with disabili-**
22 **ties”;**

23 (2) by striking subsections (a) through (g) and
24 inserting the following:

25 **“(a) GENERAL AUTHORITY.—**

1 “(1) GRANTS.—The Secretary may make
2 grants to States and local governmental authorities
3 under this section for public transportation capital
4 projects, and operating costs associated with public
5 transportation capital projects, planned, designed,
6 and carried out to meet the special needs of elderly
7 individuals and individuals with disabilities.

8 “(2) SUBRECIPIENTS.—A State that receives a
9 grant under this section may allocate the amounts of
10 the grant to—

11 “(A) a private nonprofit organization if the
12 public transportation service provided under
13 paragraph (1) is unavailable, insufficient, or in-
14 appropriate; or

15 “(B) a governmental authority that—

16 “(i) is approved by the State to co-
17 ordinate services for elderly individuals and
18 individuals with disabilities; or

19 “(ii) certifies that there are not any
20 nonprofit organizations readily available in
21 the area to provide the services described
22 under paragraph (1).

23 “(3) ACQUIRING PUBLIC TRANSPORTATION
24 SERVICES.—A public transportation capital project

1 under this section may include acquisition of public
2 transportation services as an eligible capital expense.

3 “(4) ADMINISTRATIVE EXPENSES.—A State or
4 local governmental authority may use not more than
5 10 percent of the amounts apportioned to the State
6 under this section to administer, plan, and provide
7 technical assistance for a project funded under this
8 section.

9 “(b) APPORTIONMENT AND TRANSFERS.—

10 “(1) APPORTIONMENT.—

11 “(A) FORMULA.—The Secretary shall ap-
12 portion amounts made available to carry out
13 this section under a formula the Secretary ad-
14 ministers that considers the number of elderly
15 individuals and individuals with disabilities in
16 each State.

17 “(B) LOW DENSITY ADJUSTMENT.—In ad-
18 ministering the apportionment formula under
19 subparagraph (A)—

20 “(i) in the case of a State with a pop-
21 ulation density of 10 or fewer persons per
22 square mile, the Secretary shall multiply
23 by a factor of 2 the number of elderly indi-
24 viduals and individuals with disabilities in
25 the State (as determined using the most

1 recent decennial United States Census);
2 and

3 “(ii) in the case of a State with a pop-
4 ulation density of more than 10 but equal
5 to or fewer than 30 persons per square
6 mile, the Secretary shall multiply by a fac-
7 tor of 1.25 the number of elderly individ-
8 uals and individuals with disabilities in the
9 State (as determined using the most recent
10 decennial United States Census).

11 “(2) TRANSFERS.—Any State’s apportionment
12 remaining available for obligation at the beginning
13 of the 90-day period before the end of the period of
14 availability of the apportionment is available to the
15 State for transfer to supplement amounts appor-
16 tioned to the State under section 5311(c) or
17 5336(a)(1), or both. Any funds transferred pursuant
18 to this paragraph shall be made available only for el-
19 igible projects as described in this section.

20 “(c) GOVERNMENT’S SHARE OF COSTS.—

21 “(1) CAPITAL PROJECTS.—A grant for a capital
22 project under this section shall be for 80 percent of
23 the net capital costs of the project, as determined by
24 the Secretary; except that in the case of a State de-
25 scribed in section 120(b)(1) of title 23, such percent-

1 age shall be increased in accordance with such sec-
2 tion.

3 “(2) OPERATING ASSISTANCE.—A grant made
4 under this section for operating assistance may not
5 exceed 50 percent of the net operating costs of the
6 project, as determined by the Secretary.

7 “(3) REMAINDER.—The remainder of the net
8 project costs—

9 “(A) may be provided from an undistrib-
10 uted cash surplus, a replacement or deprecia-
11 tion cash fund or reserve, a service agreement
12 with a State or local social service agency or a
13 private social service organization, or new cap-
14 ital; and

15 “(B) may be derived from amounts appro-
16 priated to or made available to a department or
17 agency of the Government (other than the De-
18 partment of Transportation) that are eligible to
19 be expended for transportation.

20 “(4) USE OF CERTAIN FUNDS.—For purposes
21 of paragraph (3)(B), the prohibitions on the use of
22 funds for matching requirements under section
23 403(a)(5)(C)(vii) of the Social Security Act (42
24 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal

1 or State funds to be used for transportation pur-
2 poses.

3 “(d) GRANT REQUIREMENTS.—

4 “(1) IN GENERAL.—A grant under this section
5 shall be subject to all requirements of a grant under
6 section 5307. A grant to a subrecipient under this
7 section shall be subject to such requirements to the
8 extent the Secretary considers appropriate.

9 “(2) COORDINATION WITH NONPROFIT PRO-
10 VIDERS.—A recipient that transfers funds to an ap-
11 portionment under section 5336(a)(1) pursuant to
12 subsection (b)(2) shall certify that the project for
13 which the funds are requested under this section has
14 been coordinated with nonprofit providers of serv-
15 ices.

16 “(3) PROJECT SELECTION AND PLANNING.—A
17 recipient of funds under this section shall certify
18 that—

19 “(A) the projects selected were derived
20 from a locally developed, coordinated public
21 transit-human services transportation plan; and

22 “(B) the plan was developed through a
23 process that included representatives of public,
24 private, and nonprofit transportation and

1 human services providers and participation by
2 the public.

3 “(4) FAIR AND EQUITABLE DISTRIBUTION.—A
4 recipient of a grant under this section shall certify
5 that allocations of the grant to subrecipients are dis-
6 tributed on a fair and equitable basis.

7 “(e) STATE PROGRAM.—

8 “(1) IN GENERAL.—Amounts made available to
9 carry out this section may be used for transportation
10 projects to assist in providing transportation services
11 for elderly individuals and individuals with disabili-
12 ties that are included in a State program of
13 projects.

14 “(2) SUBMISSION AND APPROVAL.—A program
15 shall be submitted annually to the Secretary for ap-
16 proval and shall contain an assurance that the pro-
17 gram provides for maximum feasible coordination of
18 transportation services assisted under this section
19 with transportation services assisted by other Gov-
20 ernment sources.

21 “(f) LEASING VEHICLES.—Vehicles acquired under
22 this section may be leased to local governmental authori-
23 ties to improve transportation services designed to meet
24 the special needs of elderly individuals and individuals
25 with disabilities.”; and

1 (3) by redesignating subsections (h) through (j)
2 as subsections (g) through (i), respectively.

3 (b) CONFORMING AMENDMENT.—The analysis for
4 chapter 53 is amended by striking the item relating to
5 section 5310 and inserting the following:

“5310. Formula grants for special needs of elderly individuals and individuals
with disabilities.”.

6 **SEC. 3012. FORMULA GRANTS FOR OTHER THAN URBAN-**
7 **IZED AREAS.**

8 (a) DEFINITIONS.—Section 5311(a) is amended to
9 read as follows:

10 “(a) DEFINITIONS.—In this section, the following
11 definitions apply:

12 “(1) RECIPIENT.—The term ‘recipient’ means a
13 State that receives a Federal transit program grant
14 directly from the Government.

15 “(2) SUBRECIPIENT.—The term ‘subrecipient’
16 means a State or local governmental authority, non-
17 profit organization, or operator of public transpor-
18 tation services that receives a Federal transit pro-
19 gram grant indirectly through a recipient.”.

20 (b) GENERAL AUTHORITY.—Section 5311(b) is
21 amended to read as follows:

22 “(b) GENERAL AUTHORITY.—

23 “(1) GRANTS.—Except as provided in para-
24 graph (2), the Secretary may make grants to other

1 than urbanized areas under this section for the fol-
2 lowing:

3 “(A) Public transportation capital projects.

4 “(B) Operating costs of equipment and fa-
5 cilities for use in public transportation.

6 “(C) Acquisition of public transportation
7 services, including service agreements with pri-
8 vate providers of public transportation services.

9 “(2) STATE PROGRAM.—

10 “(A) IN GENERAL.—Amounts made avail-
11 able to carry out this section shall be used for
12 projects included in a State program for public
13 transportation projects, including service agree-
14 ments with private providers of public transpor-
15 tation.

16 “(B) SUBMISSION.—The program shall be
17 submitted annually to the Secretary for ap-
18 proval.

19 “(C) APPROVAL.—The Secretary may ap-
20 prove the program only if the Secretary finds
21 that the program provides a fair distribution of
22 amounts in the State, including Indian reserva-
23 tions, and the maximum feasible coordination of
24 public transportation service assisted under this

1 section with transportation service assisted by
2 other Federal sources.

3 “(3) RURAL TRANSPORTATION ASSISTANCE
4 PROGRAM.—

5 “(A) IN GENERAL.—The Secretary shall
6 carry out a rural transportation assistance pro-
7 gram in other than urbanized areas.

8 “(B) GRANTS AND CONTRACTS.—In car-
9 rying out this paragraph, the Secretary may use
10 not more than 2 percent of the amount made
11 available to carry out this section to make
12 grants and contracts for transportation re-
13 search, technical assistance, training, and re-
14 lated support services in other than urbanized
15 areas.

16 “(C) PROJECTS OF A NATIONAL SCOPE.—
17 Not more than 15 percent of the amounts avail-
18 able under subparagraph (B) may be used by
19 the Secretary to carry out projects of a national
20 scope, with the remaining balance provided to
21 the States.”.

22 (c) APPORTIONMENTS.—Section 5311(c) is amended
23 to read as follows:

24 “(c) APPORTIONMENTS.—

1 “(1) IN GENERAL.—The Secretary shall appor-
2 tion amounts made available to carry out this sec-
3 tion among the States in the ratio that—

4 “(A) the population of other than urban-
5 ized areas in each State, as shown by the most
6 recent Government decennial census of popu-
7 lation; bears to

8 “(B) the population of all other than ur-
9 banized areas in the United States, as shown by
10 that census.

11 “(2) LOW DENSITY ADJUSTMENT.—In admin-
12 istering the apportionment formula under paragraph
13 (1)—

14 “(A) in the case of a State with a popu-
15 lation density of 10 or fewer persons per square
16 mile in other than urbanized areas of the State,
17 the Secretary shall multiply by a factor of 1.5
18 the population of such other than urbanized
19 areas (as determined using the most recent de-
20 cennial United States Census); and

21 “(B) in the case of a State with a popu-
22 lation density of more than 10 but equal to or
23 fewer than 12 persons per square mile in other
24 than urbanized areas of the State, the Sec-
25 retary shall multiply by a factor of 1.25 the

1 population of such other than urbanized areas
2 (as determined using the most recent decennial
3 United States Census).

4 “(3) AVAILABILITY.—The amount apportioned
5 to a State under this subsection may be obligated by
6 the State for 2 fiscal years after the fiscal year in
7 which the amount is apportioned. An amount that is
8 not obligated at the end of that period shall be re-
9 apportioned among the States for the next fiscal
10 year.”.

11 (d) USE FOR ADMINISTRATION, PLANNING, AND
12 TECHNICAL ASSISTANCE.—Section 5311(e) is amended—

13 (1) in the subsection heading by inserting “,
14 PLANNING,” after “ADMINISTRATION”;

15 (2) by striking “(1) The Secretary” and insert-
16 ing “The Secretary”;

17 (3) by striking paragraph (2); and

18 (4) by striking “recipient” and inserting “sub-
19 recipient”.

20 (e) INTERCITY BUS TRANSPORTATION.—Section
21 5311(f) is amended—

22 (1) in paragraph (1) by striking “after Sep-
23 tember 30, 1993,”; and

1 (2) in paragraph (2) by striking “A State” and
2 inserting “After consultation with affected intercity
3 bus service providers, a State”.

4 (f) GOVERNMENT’S SHARE OF COSTS.—Section
5 5311(g) is amended to read as follows:

6 “(g) GOVERNMENT’S SHARE OF COSTS.—

7 “(1) CAPITAL PROJECTS.—A grant for a capital
8 project under this section shall be for 80 percent of
9 the net capital costs of the project, as determined by
10 the Secretary; except that in the case of a State de-
11 scribed in section 120(b)(1) of title 23, such percent-
12 age shall be increased in accordance with such sec-
13 tion.

14 “(2) OPERATING ASSISTANCE.—A grant made
15 under this section for operating assistance may not
16 exceed 50 percent of the net operating costs of the
17 project, as determined by the Secretary.

18 “(3) REMAINDER.—The remainder of net
19 project costs—

20 “(A) may be provided from an undistrib-
21 uted cash surplus, a replacement or deprecia-
22 tion cash fund or reserve, a service agreement
23 with a State or local social service agency or a
24 private social service organization, or new cap-
25 ital; and

1 “(B) may be derived from amounts appro-
2 priated to or made available to a department or
3 agency of the Government (other than the De-
4 partment of Transportation) that are eligible to
5 be expended for transportation.

6 “(4) USE OF CERTAIN FUNDS.—For purposes
7 of paragraph (3)(B), the prohibitions on the use of
8 funds for matching requirements under section
9 403(a)(5)(C)(vii) of the Social Security Act (42
10 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal
11 or State funds to be used for transportation pur-
12 poses.

13 “(5) LIMITATION ON OPERATING ASSIST-
14 ANCE.—A State carrying out a program of operating
15 assistance under this section may not limit the level
16 or extent of use of the Government grant for the
17 payment of operating expenses.”.

18 (g) RELATIONSHIP TO OTHER LAWS.—Section 5311
19 is amended—

20 (1) by striking subsection (h); and

21 (2) by redesignating subsections (i) and (j) as
22 subsections (h) and (i), respectively.

23 (h) CORRECTION TO CHAPTER ANALYSIS.—The anal-
24 ysis for chapter 53 is amended by striking the item relat-
25 ing to section 5311 and inserting the following:

“5311. Formula grants for other than urbanized areas.”.

1 **SEC. 3013. RESEARCH, DEVELOPMENT, DEMONSTRATION,**
2 **AND DEPLOYMENT PROJECTS.**

3 (a) IN GENERAL.—Section 5312 is amended—

4 (1) in subsection (a)—

5 (A) by striking the first parenthetical
6 phrase;

7 (B) by striking “or contracts” and insert-
8 ing “, contracts, cooperative agreements, or
9 other transactions”;

10 (C) by striking “help reduce urban trans-
11 portation needs, improve mass transportation
12 service,” and inserting “improve transportation
13 service”;

14 (D) by striking “urban” each place it ap-
15 pears; and

16 (E) by striking “and demonstration
17 projects” and inserting “, demonstration or de-
18 ployment projects, or evaluation of technology
19 of national significance”;

20 (2) by striking subsections (b) and (c);

21 (3) by redesignating subsections (d) and (e) as
22 subsections (b) and (c), respectively;

23 (4) in subsection (b)(2) (as so redesignated) by
24 striking “other agreements” and inserting “other
25 transactions”; and

1 (5) in subsection (c)(2) (as so redesignated) by
2 striking “public and” and inserting “public or”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) SECTION HEADING.—Section 5312 is
5 amended by striking the section heading and insert-
6 ing the following:

7 **“§ 5312. Research, development, demonstration, and**
8 **deployment projects”.**

9 (2) CHAPTER ANALYSIS.—The analysis for
10 chapter 53 is amended by striking the item relating
11 to section 5312 and inserting the following:

“5312. Research, development, demonstration, and deployment projects.”.

12 **SEC. 3014. COOPERATIVE RESEARCH PROGRAM.**

13 (a) IN GENERAL.—Section 5313 is amended—

14 (1) in subsection (a) by striking “(1) The
15 amounts made available under paragraphs (1) and
16 (2)(C)(ii) of section 5338(d) of this title” and insert-
17 ing “The amounts made available under paragraphs
18 (1)(C)(iv) and (2)(C) of section 5338(d)”;

19 (2) by striking subsection (b);

20 (3) in subsection (a)(2) by striking “(2) The”
21 and inserting “(b) FEDERAL ASSISTANCE.—The”;
22 and

23 (4) in subsection (c) by striking “subsection (a)
24 of”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) IN GENERAL.—Section 5313 is amended by
2 striking the section heading and inserting the fol-
3 lowing:

4 **“§ 5313. Cooperative research program”.**

5 (2) CHAPTER ANALYSIS.—The analysis for
6 chapter 53 is amended by striking the item relating
7 to section 5313 and inserting the following:

“5313. Cooperative research program.”.

8 **SEC. 3015. NATIONAL RESEARCH AND TECHNOLOGY PRO-**
9 **GRAMS.**

10 (a) IN GENERAL.—Section 5314 is amended—

11 (1) by striking the section heading and insert-
12 ing the following:

13 **“§ 5314. National research and technology programs”;**

14 (2) in subsection (a)(1)—

15 (A) by striking “subsections (d) and (h)(7)
16 of section 5338 of this title” and inserting “sec-
17 tion 5338(d)”;

18 (B) by striking “and contracts” and insert-
19 ing “, contracts, cooperative agreements, or
20 other transactions”;

21 (C) by striking “5303–5306,”; and

22 (D) by striking “5317,”;

23 (3) in subsection (a)(2) by striking “Of the
24 amounts” and all that follows through “\$3,000,000
25 to” and inserting “The Secretary shall”;

1 (4) by striking subsection (a)(4)(B);

2 (5) by redesignating subsection (a)(4)(C) as
3 subsection (a)(4)(B); and

4 (6) in subsection (b) by striking “or contract”
5 and all that follows through “section,” and inserting
6 “, contract, cooperative agreement, or other trans-
7 action under subsection (a) or section 5312,”.

8 (b) CONFORMING AMENDMENT.—The analysis for
9 chapter 53 is amended by striking the item relating to
10 section 5314 and inserting the following:

“5314. National research and technology programs.”.

11 **SEC. 3016. NATIONAL TRANSIT INSTITUTE.**

12 Section 5315 is amended—

13 (1) in subsection (a) by striking “public mass
14 transportation” and inserting “public transpor-
15 tation”; and

16 (2) in subsection (d) by striking “mass” each
17 place it appears.

18 **SEC. 3017. JOB ACCESS AND REVERSE COMMUTE FORMULA**
19 **GRANTS.**

20 (a) IN GENERAL.—Chapter 53 is amended by insert-
21 ing after section 5315 the following:

22 **“§ 5316. Job access and reverse commute formula**
23 **grants**

24 “(a) DEFINITIONS.—In this section, the following
25 definitions apply:

1 “(1) ACCESS TO JOBS PROJECT.—The term ‘ac-
2 cess to jobs project’ means a project relating to the
3 development and maintenance of transportation
4 services designed to transport welfare recipients and
5 eligible low-income individuals to and from jobs and
6 activities related to their employment, including—

7 “(A) transportation projects to finance
8 planning, capital, and operating costs of pro-
9 viding access to jobs under this chapter;

10 “(B) promoting public transportation by
11 low-income workers, including the use of public
12 transportation by workers with nontraditional
13 work schedules;

14 “(C) promoting the use of transit vouchers
15 for welfare recipients and eligible low-income in-
16 dividuals; and

17 “(D) promoting the use of employer-pro-
18 vided transportation, including the transit pass
19 benefit program under section 132 of the Inter-
20 nal Revenue Code of 1986.

21 “(2) ELIGIBLE LOW-INCOME INDIVIDUAL.—The
22 term ‘eligible low-income individual’ means an indi-
23 vidual whose family income is at or below 150 per-
24 cent of the poverty line (as that term is defined in
25 section 673(2) of the Community Services Block

1 Grant Act (42 U.S.C. 9902(2)), including any revision required by that section) for a family of the size
2 involved.
3

4 “(3) RECIPIENT.—The term ‘recipient’ means a
5 designated recipient (as defined in section
6 5307(a)(2)) and a State that receives a grant under
7 this section directly.

8 “(4) REVERSE COMMUTE PROJECT.—The term
9 ‘reverse commute project’ means a public transportation project designed to transport residents of urbanized areas and other than urbanized areas to
10 suburban employment opportunities, including any
11 projects to—
12

13 “(A) subsidize the costs associated with
14 adding reverse commute bus, train, carpool, van
15 routes, or service from urbanized areas and
16 other than urbanized areas to suburban workplaces;
17
18

19 “(B) subsidize the purchase or lease by a
20 nonprofit organization or public agency of a van
21 or bus dedicated to shuttling employees from
22 their residences to a suburban workplace; or

23 “(C) otherwise facilitate the provision of
24 public transportation services to suburban employment opportunities.
25

1 “(5) SUBRECIPIENT.—The term ‘subrecipient’
2 means a State or local governmental authority, non-
3 profit organization, or operator of public transpor-
4 tation services that receives a grant under this sec-
5 tion indirectly through a recipient.

6 “(6) WELFARE RECIPIENT.—The term ‘welfare
7 recipient’ means an individual who has received as-
8 sistance under a State or tribal program funded
9 under part A of title IV of the Social Security Act
10 at any time during the 3-year period before the date
11 on which the applicant applies for a grant under this
12 section.

13 “(b) GENERAL AUTHORITY.—

14 “(1) GRANTS.—The Secretary may make
15 grants under this section to a recipient for access to
16 jobs and reverse commute projects carried out by the
17 recipient or a subrecipient.

18 “(2) ADMINISTRATIVE EXPENSES.—A recipient
19 may use not more than 10 percent of the amounts
20 apportioned to the recipient under this section to ad-
21 minister, plan, and provide technical assistance for
22 a project funded under this section.

23 “(c) APPORTIONMENTS.—

1 “(1) FORMULA.—The Secretary shall apportion
2 amounts made available to carry out this section as
3 follows:

4 “(A) 60 percent of the funds shall be ap-
5 portioned among designated recipients (as de-
6 fined in section 5307(a)(2)) for urbanized areas
7 with a population of 200,000 or more in the
8 ratio that—

9 “(i) the number of eligible low-income
10 individuals and welfare recipients in each
11 such urbanized area; bears to

12 “(ii) the number of eligible low-income
13 individuals and welfare recipients in all
14 such urbanized areas.

15 “(B) 20 percent of the funds shall be ap-
16 portioned among the States in the ratio that—

17 “(i) the number of eligible low-income
18 individuals and welfare recipients in urban-
19 ized areas with a population of less than
20 200,000 in each State; bears to

21 “(ii) the number of eligible low-income
22 individuals and welfare recipients in urban-
23 ized areas with a population of less than
24 200,000 in all States.

1 “(C) 20 percent of the funds shall be ap-
2 portioned among the States in the ratio that—

3 “(i) the number of eligible low-income
4 individuals and welfare recipients in other
5 than urbanized areas in each State; bears
6 to

7 “(ii) the number of eligible low-income
8 individuals and welfare recipients in other
9 than urbanized areas in all States.

10 “(2) USE OF APPORTIONED FUNDS.—Except as
11 provided in paragraph (3)—

12 “(A) funds apportioned under paragraph
13 (1)(A) shall be used for projects serving urban-
14 ized areas with a population of 200,000 or
15 more;

16 “(B) funds apportioned under paragraph
17 (1)(B) shall be used for projects serving urban-
18 ized areas with a population of less than
19 200,000; and

20 “(C) funds apportioned under paragraph
21 (1)(C) shall be used for projects serving other
22 than urbanized areas.

23 “(3) EXCEPTIONS.—A State may use funds ap-
24 portioned under paragraphs (1)(B) and (1)(C)—

1 “(A) for projects serving areas other than
2 the area specified in paragraph (2)(B) or
3 (2)(C), as the case may be, if the Governor of
4 the State certifies that all of the objectives of
5 this section are being met in the specified area;
6 or

7 “(B) for projects anywhere in the State if
8 the State has established a statewide program
9 for meeting the objectives of this section.

10 “(d) COMPETITIVE PROCESS FOR GRANTS TO SUB-
11 RECIPIENTS.—

12 “(1) AREAWIDE SOLICITATIONS.—A recipient of
13 funds apportioned under subsection (c)(1)(A) shall
14 conduct, in cooperation with the appropriate metro-
15 politan planning organization, an areawide sollicita-
16 tion for applications for grants to the recipient and
17 subrecipients under this section.

18 “(2) STATEWIDE SOLICITATION.—A recipient of
19 funds apportioned under subsection (c)(1)(B) or
20 (c)(1)(C) shall conduct a statewide solicitation for
21 applications for grants to the recipient and sub-
22 recipients under this section.

23 “(3) APPLICATION.—Recipients and subrecipi-
24 ents seeking to receive a grant from funds appor-
25 tioned under subsection (c) shall submit to the re-

1 recipient an application in the form and in accordance
2 with such requirements as the recipient shall estab-
3 lish.

4 “(4) GRANT AWARDS.—The recipient shall
5 award grants under paragraphs (1) and (2) on a
6 competitive basis.

7 “(e) TRANSFERS.—

8 “(1) IN GENERAL.—A State may transfer any
9 funds apportioned to it under subsection (c)(1)(B)
10 or (c)(1)(C), or both, to an apportionment under
11 section 5311(c) or 5336, or both.

12 “(2) LIMITED TO ELIGIBLE PROJECTS.—Any
13 apportionment transferred under this subsection
14 shall be made available only for eligible job access
15 and reverse commute projects as described in this
16 section.

17 “(3) CONSULTATION.—A State may make a
18 transfer of an amount under this subsection only
19 after consulting with responsible local officials and
20 publicly owned operators of public transportation in
21 each area for which the amount originally was
22 awarded under subsection (d)(4).

23 “(f) GRANT REQUIREMENTS.—

24 “(1) IN GENERAL.—A grant under this section
25 shall be subject to the requirements of section 5307.

1 “(2) FAIR AND EQUITABLE DISTRIBUTION.—A
2 recipient of a grant under this section shall certify
3 to the Secretary that allocations of the grant to sub-
4 recipients are distributed on a fair and equitable
5 basis.

6 “(g) COORDINATION.—

7 “(1) IN GENERAL.—The Secretary shall coordi-
8 nate activities under this section with related activi-
9 ties under programs of other Federal departments
10 and agencies.

11 “(2) WITH NONPROFIT PROVIDERS.—A State
12 that transfers funds to an apportionment under sec-
13 tion 5336 pursuant to subsection (e) shall certify to
14 the Secretary that any project for which the funds
15 are requested under this section has been coordi-
16 nated with nonprofit providers of services.

17 “(3) PROJECT SELECTION AND PLANNING.—A
18 recipient of funds under this section shall certify to
19 the Secretary that—

20 “(A) the projects selected were derived
21 from a locally developed, coordinated public
22 transit-human services transportation plan; and

23 “(B) the plan was developed through a
24 process that included representatives of public,
25 private, and nonprofit transportation and

1 human services providers and participation by
2 the public.

3 “(h) GOVERNMENT’S SHARE OF COSTS.—

4 “(1) CAPITAL PROJECTS.—A grant for a capital
5 project under this section may not exceed 80 percent
6 of the net capital costs of the project, as determined
7 by the Secretary.

8 “(2) OPERATING ASSISTANCE.—A grant made
9 under this section for operating assistance may not
10 exceed 50 percent of the net operating costs of the
11 project, as determined by the Secretary.

12 “(3) REMAINDER.—The remainder of the net
13 project costs—

14 “(A) may be provided from an undistrib-
15 uted cash surplus, a replacement or deprecia-
16 tion cash fund or reserve, a service agreement
17 with a State or local social service agency or a
18 private social service organization, or new cap-
19 ital; and

20 “(B) may be derived from amounts appro-
21 priated to or made available to a department or
22 agency of the Government (other than the De-
23 partment of Transportation) that are eligible to
24 be expended for transportation.

1 “(4) USE OF CERTAIN FUNDS.—For purposes
2 of paragraph (3)(B), the prohibitions on the use of
3 funds for matching requirements under section
4 403(a)(5)(C)(vii) of the Social Security Act (42
5 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal
6 or State funds to be used for transportation pur-
7 poses.

8 “(5) LIMITATION ON OPERATING ASSIST-
9 ANCE.—A recipient carrying out a program of oper-
10 ating assistance under this section may not limit the
11 level or extent of use of the Government grant for
12 the payment of operating expenses.

13 “(i) PROGRAM EVALUATION.—

14 “(1) COMPTROLLER GENERAL.—Beginning 1
15 year after the date of enactment of the Federal Pub-
16 lic Transportation Act of 2004, and every 2 years
17 thereafter, the Comptroller General shall—

18 “(A) conduct a study to evaluate the grant
19 program authorized by this section; and

20 “(B) transmit to the Committee on Trans-
21 portation and Infrastructure of the House of
22 Representatives and the Committee on Bank-
23 ing, Housing, and Urban Affairs of the Senate
24 a report describing the results of the study
25 under subparagraph (A).

1 “(2) DEPARTMENT OF TRANSPORTATION.—Not
2 later than 3 years after the date of enactment of
3 Federal Public Transportation Act of 2004, the Sec-
4 retary shall—

5 “(A) conduct a study to evaluate the effec-
6 tiveness of the grant program authorized by
7 this section and the effectiveness of recipients
8 making grants to subrecipients under this sec-
9 tion; and

10 “(B) transmit to the committees referred
11 to in paragraph (1)(B) a report describing the
12 results of the study under subparagraph (A).”.

13 (b) CONFORMING AMENDMENT.—The analysis for
14 chapter 53 is amended by inserting after the item relating
15 to section 5315 the following:

“5316. Job access and reverse commute formula grants.”.

16 (c) REPEAL.—Section 3037 of the Transportation
17 Equity Act for the 21st Century (49 U.S.C. 5309 note;
18 112 Stat. 387) is repealed.

19 **SEC. 3018. NEW FREEDOM PROGRAM.**

20 (a) IN GENERAL.—Chapter 53 is further amended by
21 inserting after section 5316 the following:

22 **“§ 5317. New Freedom program**

23 “(a) DEFINITIONS.—In this section, the following
24 definitions apply:

1 “(1) RECIPIENT.—The term ‘recipient’ means a
2 designated recipient (as defined in section
3 5307(a)(2)) and a State that receives a grant under
4 this section directly.

5 “(2) SUBRECIPIENT.—The term ‘subrecipient’
6 means a State or local governmental authority, non-
7 profit organization, or operator of public transpor-
8 tation services that receives a grant under this sec-
9 tion indirectly through a recipient.

10 “(b) GENERAL AUTHORITY.—

11 “(1) GRANTS.—The Secretary may make
12 grants under this section to a recipient for new pub-
13 lic transportation services and public transportation
14 alternatives beyond those required by the Americans
15 with Disabilities Act of 1990 (42 U.S.C. 12101 et
16 seq.) that assist individuals with disabilities with
17 transportation, including transportation to and from
18 jobs and employment support services.

19 “(2) ADMINISTRATIVE EXPENSES.—A recipient
20 may use not more than 10 percent of the amounts
21 apportioned to the recipient under this section to ad-
22 minister, plan, and provide technical assistance for
23 a project funded under this section.

24 “(c) APPORTIONMENTS.—

1 “(1) FORMULA.—The Secretary shall apportion
2 amounts made available to carry out this section as
3 follows:

4 “(A) 60 percent of the funds shall be ap-
5 portioned among designated recipients (as de-
6 fined in section 5307(a)(2)) for urbanized areas
7 with a population of 200,000 or more in the
8 ratio that—

9 “(i) the number of individuals with
10 disabilities in each such urbanized area;
11 bears to

12 “(ii) the number of individuals with
13 disabilities in all such urbanized areas.

14 “(B) 20 percent of the funds shall be ap-
15 portioned among the States in the ratio that—

16 “(i) the number of individuals with
17 disabilities in urbanized areas with a popu-
18 lation of less than 200,000 in each State;
19 bears to

20 “(ii) the number of individuals with
21 disabilities in urbanized areas with a popu-
22 lation of less than 200,000 in all States.

23 “(C) 20 percent of the funds shall be ap-
24 portioned among the States in the ratio that—

1 “(i) the number of individuals with
2 disabilities in other than urbanized areas
3 in each State; bears to

4 “(ii) the number of individuals with
5 disabilities in other than urbanized areas
6 in all States.

7 “(2) USE OF APPORTIONED FUNDS.—Except as
8 provided in paragraph (3)—

9 “(A) funds apportioned under paragraph
10 (1)(A) shall be used for projects serving urban-
11 ized areas with a population of 200,000 or
12 more;

13 “(B) funds apportioned under paragraph
14 (1)(B) shall be used for projects serving urban-
15 ized areas with a population of less than
16 200,000; and

17 “(C) funds apportioned under paragraph
18 (1)(C) shall be used for projects serving other
19 than urbanized areas.

20 “(3) LOW DENSITY ADJUSTMENT.—

21 “(A) SMALLER URBANIZED AREAS.—In
22 administering the apportionment formula under
23 paragraph (1)(B)—

24 “(i) in the case of a State with a pop-
25 ulation density of 10 or fewer persons per

1 square mile in other than urbanized areas
2 of the State, the Secretary shall multiply
3 by a factor of 2 the number of individuals
4 with disabilities in urbanized areas of the
5 State with a population of less than
6 200,000 (as determined using the most re-
7 cent decennial United States Census); and

8 “(ii) in the case of a State with a pop-
9 ulation density of more than 10 but equal
10 to or fewer than 30 persons per square
11 mile, the Secretary shall multiply by a fac-
12 tor of 1.25 the number of individuals with
13 disabilities in urbanized areas of the State
14 with a population of less than 200,000 (as
15 determined using the most recent decennial
16 United States Census).

17 “(B) OTHER THAN URBANIZED AREAS.—

18 In administering the apportionment formula
19 under paragraph (1)(C)—

20 “(i) in the case of a State with a pop-
21 ulation density of 10 or fewer persons per
22 square mile in other than urbanized areas
23 of the State, the Secretary shall multiply
24 by a factor of 1.5 the number of individ-
25 uals with disabilities in other than urban-

1 ized areas of the State (as determined
2 using the most recent decennial United
3 States Census); and

4 “(ii) in the case of a State with a pop-
5 ulation density of more than 10 but equal
6 to or fewer than 12 persons per square
7 mile in other than urbanized areas of the
8 State, the Secretary shall multiply by a
9 factor of 1.25 the number of individuals
10 with disabilities in other than urbanized
11 areas of the State (as determined using the
12 most recent decennial United States Cen-
13 sus).

14 “(4) TRANSFERS.—

15 “(A) IN GENERAL.—A State may transfer
16 any funds apportioned to it under paragraph
17 (1)(B) or (1)(C), or both, to an apportionment
18 under section 5311(e) or 5336, or both.

19 “(B) LIMITED TO ELIGIBLE PROJECTS.—
20 Any funds transferred pursuant to this para-
21 graph shall be made available only for eligible
22 projects selected under this section.

23 “(C) CONSULTATION.—A State may make
24 a transfer of an amount under this subsection
25 only after consulting with responsible local offi-

1 cials and publicly owned operators of public
2 transportation in each area for which the
3 amount originally was awarded under sub-
4 section (d)(4).

5 “(d) COMPETITIVE PROCESS FOR GRANTS TO SUB-
6 RECIPIENTS.—

7 “(1) AREAWIDE SOLICITATIONS.—A recipient of
8 funds apportioned under subsection (c)(1)(A) shall
9 conduct, in cooperation with the appropriate metro-
10 politan planning organization, an areawide solici-
11 tion for applications for grants to the recipient and
12 subrecipients under this section.

13 “(2) STATEWIDE SOLICITATION.—A recipient of
14 funds apportioned under subsection (c)(1)(B) or
15 (c)(1)(C) shall conduct a statewide solicitation for
16 applications for grants to the recipient and sub-
17 recipients under this section.

18 “(3) APPLICATION.—Recipients and subrecipi-
19 ents seeking to receive a grant from funds appor-
20 tioned under subsection (c) shall submit to the re-
21 cipient an application in the form and in accordance
22 with such requirements as the recipient shall estab-
23 lish.

1 “(4) GRANT AWARDS.—The recipient shall
2 award grants under paragraphs (1) and (2) on a
3 competitive basis.

4 “(e) GRANT REQUIREMENTS.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), a grant under this section shall be subject
7 to all the requirements of section 5307.

8 “(2) EMPLOYEE PROTECTIVE ARRANGE-
9 MENTS.—Section 5333(b) shall apply to grants
10 under this section, except that the Secretary of
11 Labor shall utilize, for urbanized areas with a popu-
12 lation of less than 200,000 and for other than ur-
13 banized areas, a special warranty described in sec-
14 tion 215.7 of title 29, Code of Federal Regulations
15 (as in effect on the date of enactment of the Federal
16 Public Transportation Act of 2004), that provides a
17 fair and equitable arrangement to protect the inter-
18 est of employees.

19 “(3) FAIR AND EQUITABLE DISTRIBUTION.—A
20 recipient of a grant under this section shall certify
21 that allocations of the grant to subrecipients are dis-
22 tributed on a fair and equitable basis.

23 “(f) COORDINATION.—

24 “(1) IN GENERAL.—The Secretary shall coordi-
25 nate activities under this section with related activi-

1 ties under programs of other Federal departments
2 and agencies.

3 “(2) WITH NONPROFIT PROVIDERS.—A recipi-
4 ent that transfers funds to an apportionment under
5 section 5336 pursuant to subsection (c)(2) shall cer-
6 tify that the project for which the funds are re-
7 quested under this section has been coordinated with
8 nonprofit providers of services.

9 “(3) PROJECT SELECTION AND PLANNING.—A
10 recipient of funds under this section shall certify
11 that—

12 “(A) the projects selected were derived
13 from a locally developed, coordinated public
14 transit-human services transportation plan; and

15 “(B) the plan was developed through a
16 process that included representatives of public,
17 private, and nonprofit transportation and
18 human services providers and participation by
19 the public.

20 “(g) GOVERNMENT’S SHARE OF COSTS.—

21 “(1) CAPITAL PROJECTS.—A grant for a capital
22 project under this section may not exceed 80 percent
23 of the net capital costs of the project, as determined
24 by the Secretary.

1 “(2) OPERATING ASSISTANCE.—A grant made
2 under this section for operating assistance may not
3 exceed 50 percent of the net operating costs of the
4 project, as determined by the Secretary.

5 “(3) REMAINDER.—The remainder of the net
6 project costs—

7 “(A) may be provided from an undistrib-
8 uted cash surplus, a replacement or deprecia-
9 tion cash fund or reserve, a service agreement
10 with a State or local social service agency or a
11 private social service organization, or new cap-
12 ital; and

13 “(B) may be derived from amounts appro-
14 priated to or made available to a department or
15 agency of the Government (other than the De-
16 partment of Transportation) that are eligible to
17 be expended for transportation.

18 “(4) USE OF CERTAIN FUNDS.—For purposes
19 of paragraph (3)(B), the prohibitions on the use of
20 funds for matching requirements under section
21 403(a)(5)(C)(vii) of the Social Security Act (42
22 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal
23 or State funds to be used for transportation pur-
24 poses.

1 “(5) LIMITATION ON OPERATING ASSIST-
2 ANCE.—A recipient carrying out a program of oper-
3 ating assistance under this section may not limit the
4 level or extent of use of the Government grant for
5 the payment of operating expenses.”.

6 (b) CONFORMING AMENDMENT.—The analysis for
7 chapter 53 is amended by inserting after the item relating
8 to section 5316 the following:

 “5317. New freedom program.”.

9 **SEC. 3019. BUS TESTING FACILITY.**

10 (a) IN GENERAL.—Section 5318 is amended—

11 (1) by striking subsection (a) and inserting the
12 following:

13 “(a) FACILITY.—The Secretary of Transportation
14 shall maintain one facility for testing a new bus model
15 for maintainability, reliability, safety, performance (in-
16 cluding braking performance), structural integrity, fuel
17 economy, emissions, and noise.”;

18 (2) in subsection (d) by striking “under section
19 5309(m)(1)(C) of this title” and inserting “to carry
20 out this section”; and

21 (3) by striking subsection (e) and inserting the
22 following:

23 “(e) ACQUIRING NEW BUS MODELS.—Amounts ap-
24 propriated or made available under this chapter may be
25 obligated or expended to acquire a new bus model only

1 if a bus of that model has been tested at the facility main-
2 tained by the Secretary under subsection (a).”.

3 (b) CONFORMING AMENDMENT.—Section 5323(c) is
4 repealed.

5 **SEC. 3020. BICYCLE FACILITIES.**

6 The first sentence of section 5319 is amended—

7 (1) by striking “5309(h),” and inserting
8 “5309(g),”; and

9 (2) by striking “and 5311” and inserting
10 “5311, and 5320”.

11 **SEC. 3021. TRANSIT IN THE PARKS PILOT PROGRAM.**

12 (a) IN GENERAL.—Section 5320 is amended to read
13 as follows:

14 **“§ 5320. Transit in the parks pilot program**

15 “(a) PUBLIC TRANSPORTATION DEFINED.—In this
16 section, the term ‘public transportation’ means general or
17 special transportation to the public by a conveyance that
18 is publicly or privately owned. Such term does not include
19 schoolbus or charter transportation but does include sight-
20 seeing transportation.

21 “(b) ESTABLISHMENT.—Not later than 90 days after
22 the date of enactment of the Federal Public Transpor-
23 tation Act of 2004, the Secretary of Transportation and
24 the Secretary of the Interior shall enter into a memo-
25 randum of understanding to establish a transit in the

1 parks pilot program in accordance with the requirements
2 of this section.

3 “(c) PURPOSE.—The purpose of the pilot program
4 shall be to encourage and promote the development of
5 transportation systems described in section 5301(a) within
6 units of the National Park System to improve visitor mo-
7 bility and enjoyment (including visitors with disabilities),
8 reduce pollution and congestion, and enhance resource
9 protection through the use of public transportation.

10 “(d) ADMINISTRATION OF PROGRAM.—The program
11 shall be administered by the Secretary of Transportation,
12 in consultation with the Secretary of the Interior.

13 “(e) MEMORANDUM OF UNDERSTANDING.—

14 “(1) PLANNING.—The memorandum of under-
15 standing under subsection (b) shall include transpor-
16 tation planning procedures that are consistent with
17 the metropolitan and statewide planning processes
18 required under chapter 52.

19 “(2) PROGRAMS.—The memorandum of under-
20 standing shall include descriptions of programs and
21 activities eligible for assistance under the pilot pro-
22 gram.

23 “(3) EXCEPTIONS.—The memorandum of un-
24 derstanding shall limit or modify the applicability of
25 the provisions referred to in subsection (f) to the ex-

1 tent necessary to carry out the objectives of this sec-
2 tion and to be compatible with the laws and regula-
3 tions governing units of the National Park System.

4 “(f) ELIGIBLE USE OF FUNDS.—Except as provided
5 under subsection (e)(3), the Secretary may provide funds
6 made available to carry out this section to the Secretary
7 of the Interior under interagency agreements for the fol-
8 lowing purposes:

9 “(1) PLANNING, ENGINEERING, DESIGN, AND
10 EVALUATION.—Planning, engineering, design, and
11 evaluation of public transportation projects in units
12 of the National Park System, and for technical stud-
13 ies, in accordance with section 5305(b)(2).

14 “(2) PUBLIC TRANSPORTATION CAPITAL
15 PROJECTS.—Public transportation capital projects
16 (as defined in section 5302(a)(1)) for such units in
17 accordance with all the terms and conditions to
18 which a grant is made under subsections (a), (b),
19 (c), and (d) of section 5307 and such other terms
20 and conditions as are determined by the Secretary.
21 The Secretary of the Interior shall act as the des-
22 ignated recipient for the purposes of subsection
23 (a)(2) of section 5307.

1 “(3) OPERATING COSTS.—Operating costs of
2 equipment and facilities used in public transpor-
3 tation for such units.

4 “(g) GOVERNMENT’S SHARE OF COSTS.—

5 “(1) CAPITAL PROJECTS.—The Government
6 share of the cost of any capital project or activity
7 under this section shall be 100 percent of the costs
8 of the project, as determined by the Secretary.

9 “(2) OPERATING ASSISTANCE.—A grant made
10 under this section for operating assistance may not
11 exceed 50 percent of the net operating costs of the
12 project, as determined by the Secretary.

13 “(h) SAVINGS CLAUSE.—Nothing in this section shall
14 be construed as superseding, amending, modifying, or re-
15 pealing any provision of law applicable to units of the Na-
16 tional Park System.”.

17 (b) CONFORMING AMENDMENT.—The analysis for
18 such chapter is further amended by striking the item relat-
19 ing to section 5320 and inserting the following:

 “5320. Transit in the parks pilot program.”.

20 **SEC. 3022. HUMAN RESOURCE PROGRAMS.**

21 Section 5322 is amended—

22 (1) by inserting “(a) IN GENERAL.—” before
23 “The Secretary”; and

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

1 “(b) GRANTS TO HIGHER LEARNING INSTITU-
2 TIONS.—

3 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
4 retary may make grants to nonprofit institutions of
5 higher learning—

6 “(A) to conduct research and investiga-
7 tions into the theoretical or practical problems
8 of public transportation; and

9 “(B) to train individuals to conduct fur-
10 ther research or obtain employment in an orga-
11 nization that plans, builds, operates, or man-
12 ages a public transportation system.

13 “(2) RESEARCH AND INVESTIGATIONS.—Re-
14 search and investigations under this subsection in-
15 clude—

16 “(A) the design and use of public transpor-
17 tation systems and public roads and highways;

18 “(B) the interrelationship between various
19 modes of urban, suburban, rural, and intercity
20 transportation;

21 “(C) the role of transportation planning in
22 overall urban planning;

23 “(D) public preferences in transportation;

24 “(E) the economic allocation of transpor-
25 tation resources; and

1 “(F) the legal, financial, engineering, and
2 esthetic aspects of public transportation.

3 “(3) PREFERENCE.—When making a grant
4 under this subsection, the Secretary shall give pref-
5 erence to an institution that brings together knowl-
6 edge and expertise in the various social science and
7 technical disciplines related to public transportation
8 problems.

9 “(c) FELLOWSHIPS.—

10 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
11 retary may make grants to States, local govern-
12 mental authorities, and operators of public transpor-
13 tation systems to provide fellowships to train per-
14 sonnel employed in managerial, technical, and pro-
15 fessional positions in the public transportation field.

16 “(2) TERMS.—

17 “(A) PERIOD OF TRAINING.—A fellowship
18 under this subsection may be for not more than
19 one year of training in an institution that offers
20 a program applicable to the public transpor-
21 tation industry.

22 “(B) SELECTION OF INDIVIDUALS.—The
23 recipient of the grant shall select an individual
24 on the basis of demonstrated ability and for the
25 contribution the individual reasonably can be

1 expected to make to an efficient public trans-
2 portation operation.

3 “(C) AMOUNT.—A grant for a fellowship
4 may not be more than the lesser of \$65,000 or
5 75 percent of—

6 “(i) tuition and other charges to the
7 fellowship recipient;

8 “(ii) additional costs incurred by the
9 training institution and billed to the grant
10 recipient; and

11 “(iii) the regular salary of the fellow-
12 ship recipient for the period of the fellow-
13 ship to the extent the salary is actually
14 paid or reimbursed by the grant recipi-
15 ent.”.

16 **SEC. 3023. GENERAL PROVISIONS ON ASSISTANCE.**

17 (a) INTERESTS IN PROPERTY.—Section 5323(a)(1) is
18 amended—

19 (1) in the matter preceding subparagraph (A)—

20 (A) by striking “private mass transpor-
21 tation company” each place it appears and in-
22 serting “private company engaged in public
23 transportation”;

24 (B) by striking “mass transportation
25 equipment or a mass transportation facility”

1 and inserting “a public transportation facility
2 or equipment”; and

3 (C) by striking “mass transportation com-
4 pany” and inserting “public transportation
5 company”; and

6 (2) in subparagraph (B) by striking “private
7 mass transportation companies” and inserting “pri-
8 vate companies engaged in public transportation”.

9 (b) NOTICE AND PUBLIC HEARING.—Section
10 5323(b) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “(1) An application” and
13 inserting the following:

14 “(1) APPLICATIONS.—An application”;

15 (B) in the matter preceding subparagraph
16 (A) by striking “or loan”; and

17 (C) by moving subparagraphs (A) through
18 (D) 2 ems to the right;

19 (2) in paragraph (2) by striking “(2) Notice of”
20 and inserting the following:

21 “(2) NOTICE.—Notice of”; and

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

23 “(3) ENVIRONMENTAL RECORD.—An applicant
24 shall include in the environmental record for a
25 project under this chapter evidence that the appli-

1 cant has complied with the requirements of subpara-
2 graphs (A) through (D) of paragraph (1).”.

3 (c) CONDITION ON CHARTER BUS TRANSPORTATION
4 SERVICE.—Section 5323(d) is amended—

5 (1) by striking “(1) Financial assistance” and
6 inserting the following:

7 “(1) AGREEMENTS.—Financial assistance”; and

8 (2) by striking paragraph (2) and inserting the
9 following:

10 “(2) VIOLATIONS.—

11 “(A) INVESTIGATIONS.—On receiving a
12 complaint about a violation of the agreement
13 required under paragraph (1), the Secretary
14 shall investigate and decide whether a violation
15 has occurred.

16 “(B) ENFORCEMENT OF AGREEMENTS.—If
17 the Secretary decides that a violation has oc-
18 curred, the Secretary shall correct the violation
19 under terms of the agreement.

20 “(C) ADDITIONAL REMEDIES.—In addition
21 to any remedy specified in the agreement, the
22 Secretary shall bar a recipient or an operator
23 from receiving Federal transit assistance in an
24 amount the Secretary considers appropriate if

1 the Secretary finds a pattern of violations of
2 the agreement.”.

3 (d) BOND PROCEEDS ELIGIBLE FOR LOCAL
4 SHARE.—Section 5323(e) is amended to read as follows:

5 “(e) BOND PROCEEDS ELIGIBLE FOR LOCAL
6 SHARE.—

7 “(1) USE AS LOCAL MATCHING FUNDS.—Not-
8 withstanding any other provision of law, a recipient
9 of assistance under section 5307 or 5309 may use
10 the proceeds from the issuance of revenue bonds as
11 part of the local matching funds for a capital
12 project.

13 “(2) MAINTENANCE OF EFFORT.—The Sec-
14 retary shall approve of the use of the proceeds from
15 the issuance of revenue bonds for the remainder of
16 the net project cost only if the Secretary finds that
17 the aggregate amount of financial support for public
18 transportation in the urbanized area provided by the
19 State and affected local governmental authorities
20 during the next 3 fiscal years, as programmed in the
21 State transportation improvement program under
22 chapter 52 is not less than the aggregate amount
23 provided by the State and affected local govern-
24 mental authorities in the urbanized area during the
25 preceding 3 fiscal years.

1 “(3) DEBT SERVICE RESERVE.—The Secretary
2 may reimburse an eligible recipient for deposits of
3 bond proceeds in a debt service reserve that recipient
4 established pursuant to section 5302(a)(1)(K) from
5 amounts made available to the recipient under sec-
6 tion 5307 or 5309, or both; except that such reim-
7 bursement in a fiscal year may not exceed 10 per-
8 cent of the amounts made available to the recipient
9 under section 5307 in such fiscal year.”.

10 (e) SCHOOLBUS TRANSPORTATION.—Section 5323(f)
11 is amended—

12 (1) by striking “(1) Financial assistance” and
13 inserting the following:

14 “(1) AGREEMENTS.—Financial assistance”;

15 (2) in paragraph (1) by moving subparagraphs
16 (A), (B), and (C) 2 ems to the right; and

17 (3) by striking paragraph (2) and inserting the
18 following:

19 “(2) VIOLATIONS.—If the Secretary finds that
20 an applicant, governmental authority, or publicly
21 owned operator has violated the agreement required
22 under paragraph (1), the Secretary shall bar a re-
23 cipient or an operator from receiving Federal transit
24 assistance in an amount the Secretary considers ap-
25 propriate.”.

1 (f) BUYING BUSES UNDER OTHER LAWS.—Section
2 5323(g) is amended by striking “103(e)(4)” each place
3 it appears and inserting “133”.

4 (g) BUY AMERICA.—

5 (1) IN GENERAL.—Section 5323(j) is amended
6 by striking paragraphs (1), (2), and (3) and insert-
7 ing the following:

8 “(1) IN GENERAL.—Funds made available to
9 carry out this chapter may only be used if—

10 “(A) in the case of a construction
11 project—

12 “(i) the steel or iron used shall be of
13 United States origin;

14 “(ii) more than 60 percent of the cost
15 of the components and subcomponents, in
16 the aggregate, of all manufactured prod-
17 ucts shall be of United States origin; and

18 “(iii) labor costs related to on-site
19 construction shall not be included in calcu-
20 lating the costs under clause (ii);

21 “(B) in the case of a system acquisition—

22 “(i) more than 60 percent of the cost
23 of the components and subcomponents, in
24 the aggregate, of all manufactured prod-
25 ucts shall be of United States origin; and

1 “(ii) labor costs related to installation
2 and testing shall not be included in calcu-
3 lating the costs under clause (i);

4 “(C) in the case of a manufactured prod-
5 uct—

6 “(i) more than 60 percent of the com-
7 ponents and subcomponents shall be of
8 United States origin;

9 “(ii) final assembly shall occur in the
10 United States; and

11 “(iii) labor costs related to final as-
12 sembly shall not be included in calculating
13 the costs under clause (ii).

14 “(2) REGULATIONS.—The Secretary shall issue
15 regulations to carry out this section.”.

16 (2) PUBLIC INTEREST WAIVER.—Section
17 5323(j) is amended by inserting after paragraph (2)
18 the following:

19 “(3) WRITTEN JUSTIFICATION FOR PUBLIC IN-
20 TEREST WAIVER.—When issuing a waiver based on
21 a public interest determination under paragraph
22 (2)(A), the Secretary shall issue a detailed written
23 justification as to why the waiver is in the public in-
24 terest. The Secretary shall publish such justification
25 in the Federal Register and provide the public with

1 a reasonable period of time for notice and com-
2 ment.”.

3 (3) INELIGIBILITY FOR CONTRACTS.—Section
4 5323(j)(5) is amended by striking “Intermodal Sur-
5 face Transportation Efficiency Act of 1991 (Public
6 Law 102–240, 105 Stat. 1914)” and inserting
7 “Federal Public Transportation Act of 2004”.

8 (4) ADMINISTRATIVE REVIEW.—Section 5323(j)
9 is amended by adding at the end the following:

10 “(8) ADMINISTRATIVE REVIEW.—A party ad-
11 versely affected by an agency action under this sub-
12 section shall have the right to seek review under sec-
13 tion 702 of title 5, United States Code.”.

14 (5) REPEAL OF GENERAL WAIVER.—Sub-
15 sections (b), (c), and (d) of Appendix A of section
16 661.7 of title 49, Code of Federal Regulations, shall
17 cease to be in effect beginning on the date of enact-
18 ment of this Act.

19 (h) RELATIONSHIP TO OTHER LAWS.—Section
20 5323(l) is amended to read as follows:

21 “(l) RELATIONSHIP TO OTHER LAWS.—Section 1001
22 of title 18 applies to a certificate, submission, or statement
23 provided under this chapter. The Secretary may terminate
24 financial assistance under this chapter and seek reim-
25 bursement directly, or by offsetting amounts, available

1 under this chapter, when a false or fraudulent statement
2 or related act within the meaning of section 1001 is made
3 in connection with a Federal transit program.”.

4 (i) GRANT REQUIREMENTS.—Section 5323(o) is
5 amended by striking “the Transportation Infrastructure
6 Finance and Innovation Act of 1998” and inserting
7 “chapter 6 (other than section 609) of title 23”.

8 **SEC. 3024. SPECIAL PROVISIONS FOR CAPITAL PROJECTS.**

9 (a) IN GENERAL.—Section 5324 is amended to read
10 as follows:

11 **“§ 5324. Special provisions for capital projects**

12 “(a) RELOCATION PROGRAM REQUIREMENTS.—Fi-
13 nancial assistance may be provided under section 5309
14 only if the Secretary decides that—

15 “(1) an adequate relocation program is being
16 carried out for families displaced by a project; and

17 “(2) an equal number of decent, safe, and sani-
18 tary dwellings are being, or will be, provided to those
19 families in the same area or in another area gen-
20 erally not less desirable for public utilities and public
21 and commercial facilities, at rents or prices within
22 the financial means of those families, and with rea-
23 sonable access to their places of employment.

24 “(b) CONSIDERATION OF ECONOMIC, SOCIAL, AND
25 ENVIRONMENTAL INTERESTS.—

1 “(1) COOPERATION AND CONSULTATION.—In
2 carrying out the policy of section 5301(e), the Sec-
3 retary shall cooperate and consult with the Secre-
4 taries of the Interior, Health and Human Services,
5 and Housing and Urban Development and the Ad-
6 ministrator of the Environmental Protection Agency
7 on each project that may have a substantial impact
8 on the environment.

9 “(2) PUBLIC PARTICIPATION IN ENVIRON-
10 MENTAL REVIEWS.—In performing environmental
11 reviews, the Secretary shall review each transcript of
12 a hearing submitted under section 5323(b) to estab-
13 lish that an adequate opportunity to present views
14 was given to all parties having a significant eco-
15 nomic, social, or environmental interest in the
16 project, and that the project application includes a
17 record of—

18 “(A) the environmental impact of the pro-
19 posal;

20 “(B) adverse environmental effects that
21 cannot be avoided;

22 “(C) alternatives to the proposal; and

23 “(D) irreversible and irretrievable impacts
24 on the environment.

1 “(3) APPROVAL OF APPLICATIONS FOR ASSIST-
2 ANCE.—

3 “(A) FINDINGS BY THE SECRETARY.—The
4 Secretary may approve an application for finan-
5 cial assistance for a capital project in accord-
6 ance with this chapter only if the Secretary
7 makes written findings, after reviewing the ap-
8 plication and the transcript of any hearing held
9 before a State or local governmental authority
10 under section 5323(b), that—

11 “(i) an adequate opportunity to
12 present views was given to all parties hav-
13 ing a significant economic, social, or envi-
14 ronmental interest;

15 “(ii) the preservation and enhance-
16 ment of the environment and the interest
17 of the community in which the project is
18 located were considered; and

19 “(iii) no adverse environmental effect
20 is likely to result from the project, or no
21 feasible and prudent alternative to the ef-
22 fect exists and all reasonable steps have
23 been taken to minimize the effect.

24 “(B) HEARING.—If a hearing has not been
25 conducted or the Secretary decides that the

1 record of the hearing is inadequate for making
2 the findings required by this subsection, the
3 Secretary shall conduct a hearing on an envi-
4 ronmental issue raised by the application after
5 giving adequate notice to interested persons.

6 “(C) AVAILABILITY OF FINDINGS.—The
7 Secretary’s findings under subparagraph (A)
8 shall be made a matter of public record.”.

9 (b) CONFORMING AMENDMENT.—The analysis for
10 chapter 53 is amended by striking the item relating to
11 section 5324 and inserting the following:

“5324. Special provisions for capital projects.”.

12 **SEC. 3025. CONTRACT REQUIREMENTS.**

13 (a) IN GENERAL.—Section 5325 is amended—

14 (1) by striking subsections (a) and (b) and in-
15 sserting the following:

16 “(a) COMPETITION.—Recipients of Federal assist-
17 ance under this chapter shall conduct all procurement
18 transactions involving such assistance in a manner pro-
19 viding full and open competition, as determined by the
20 Secretary.

21 “(b) ARCHITECTURAL, ENGINEERING, AND DESIGN
22 CONTRACTS.—

23 “(1) PROCEDURES FOR AWARDING CON-
24 TRACT.—A contract or requirement for program
25 management, architectural engineering, construction

1 management, a feasibility study, and preliminary en-
2 gineering, design, architectural, engineering, sur-
3 veying, mapping, or related services for a project for
4 which Federal assistance is provided under this
5 chapter shall be awarded in the same way as a con-
6 tract for architectural and engineering services is ne-
7 gotiated under chapter 11 of title 40 or an equiva-
8 lent qualifications-based requirement of a State.

9 “(2) EFFECT OF STATE LAWS.—This sub-
10 section does not apply to the extent a State has
11 adopted, before the date of enactment of the Federal
12 Public Transportation Act of 2004, by law a formal
13 procedure for procuring those services.

14 “(3) ADMINISTRATION OF CONTRACTS.—When
15 awarding such contracts, recipients of assistance
16 under this chapter shall maximize efficiencies of ad-
17 ministration by accepting nondisputed audits con-
18 ducted by other governmental agencies as follows:

19 “(A) PERFORMANCE OF AUDITS.—Any
20 contract or subcontract awarded under this
21 chapter shall be performed and audited in com-
22 pliance with cost principles contained in the
23 Federal Acquisition Regulation (part 31 of title
24 48, Code of Federal Regulations).

1 “(B) INDIRECT COST RATES.—Instead of
2 performing its own audits, a recipient of funds
3 under a contract or subcontract awarded under
4 this chapter shall accept indirect cost rates es-
5 tablished in accordance with the Federal Acqui-
6 sition Regulation for one-year applicable ac-
7 counting periods by a cognizant Federal or
8 State government agency, if such rates are not
9 currently under dispute.

10 “(C) APPLICATION OF RATES.—Once a
11 firm’s indirect cost rates are accepted under
12 this paragraph, the recipient of the funds shall
13 apply such rates for the purposes of contract
14 estimation, negotiation, administration, report-
15 ing, and contract payment and shall not be lim-
16 ited by administrative or de facto ceilings.

17 “(D) PRENOTIFICATION; CONFIDEN-
18 TIALITY OF DATA.—A recipient of funds re-
19 questing or using the cost and rate data de-
20 scribed in paragraph (3) shall notify any af-
21 fected firm before such request or use. Such
22 data shall be confidential and shall not be ac-
23 cessible or provided, in whole or in part, to an-
24 other firm or to any government agency that is
25 not part of the group of agencies sharing cost

1 data under this paragraph, except by written
2 permission of the audited firm. If prohibited by
3 law, such cost and rate data shall not be dis-
4 closed under any circumstances.”; and

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

6 “(d) DESIGN-BUILD SYSTEM PROJECTS.—

7 “(1) DEFINITION.—In this section, the term
8 ‘design-build system project’ means a project under
9 which a recipient enters into a contract with a seller,
10 firm, or consortium of firms to design and build a
11 public transportation system or an operable segment
12 thereof that meets specific performance criteria.
13 Such project may also include an option to finance,
14 or operate for a period of time, the system or seg-
15 ment or any combination of designing, building, op-
16 erating, or maintaining such system or segment.

17 “(2) FINANCIAL ASSISTANCE.—Government fi-
18 nancial assistance under this chapter may be made
19 available for the capital costs of a design-build sys-
20 tem project after the recipient complies with Govern-
21 ment requirements.

22 “(e) MULTIYEAR ROLLING STOCK.—

23 “(1) CONTRACTS.—A recipient procuring roll-
24 ing stock with Government financial assistance
25 under this chapter may make a multiyear contract

1 to buy the rolling stock and replacement parts under
2 which the recipient has an option to buy additional
3 rolling stock or replacement parts for not more than
4 5 years after the date of the original contract.

5 “(2) COOPERATION AMONG RECIPIENTS.—The
6 Secretary shall allow at least 2 recipients to act on
7 a cooperative basis to procure rolling stock in com-
8 pliance with this subsection and other Government
9 procurement requirements.

10 “(f) ACQUIRING ROLLING STOCK.—A recipient of fi-
11 nancial assistance under this chapter may enter into a
12 contract to expend that assistance to acquire rolling
13 stock—

14 “(1) based on—

15 “(A) initial capital costs; or

16 “(B) performance, standardization, life
17 cycle costs, and other factors; or

18 “(2) with a party selected through a competi-
19 tive procurement process.

20 “(g) EXAMINATION OF THE RECORDS.—Upon re-
21 quest, the Secretary, the Comptroller General, or a rep-
22 resentative of the Secretary or the Comptroller General
23 shall have access to and the right to examine and inspect
24 all records, documents, papers, including contracts, re-

1 lated to a project for which a grant is made under this
2 chapter.

3 “(h) GRANT PROHIBITIONS.—A grant may not be
4 used to support a procurement that uses an exclusionary
5 or discriminatory specification.”.

6 (b) CONFORMING AMENDMENTS.—Section 5326, and
7 the item relating to section 5326 in the analysis for chap-
8 ter 53, are repealed.

9 **SEC. 3026. PROJECT MANAGEMENT OVERSIGHT AND RE-**
10 **VIEW.**

11 (a) PROJECT MANAGEMENT PLAN REQUIRE-
12 MENTS.—Section 5327(a) is amended—

13 (1) by striking “and” at the end of paragraph
14 (11);

15 (2) by striking the period at the end of para-
16 graph (12) and inserting “; and”; and

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

18 “(13) safety and security management.”.

19 (b) LIMITATIONS.—Section 5327(c) is amended to
20 read as follows:

21 “(c) LIMITATIONS.—

22 “(1) LIMITATIONS ON USE OF AVAILABLE
23 AMOUNTS.—The Secretary may use not more than
24 .5 percent of amounts made available for a fiscal
25 year to carry out section 5311, not more than .75

1 percent of amounts made available for a fiscal year
2 to carry out section 5307, and not more than 1 per-
3 cent of amounts made available for a fiscal year to
4 carry out section 5309 to make contracts for the fol-
5 lowing activities:

6 “(A) To oversee the construction of a
7 major project.

8 “(B) To review and audit the safety and
9 security, procurement, management, and finan-
10 cial compliance of a recipient or subrecipient of
11 funds under sections 5307, 5309, and 5311.

12 “(C) To provide technical assistance to
13 correct deficiencies identified in compliance re-
14 views and audits carried out under this section.

15 “(2) LIMITATIONS ON APPLICABILITY.—Sub-
16 sections (a), (b), and (e) do not apply to contracts
17 under this section for activities described in para-
18 graphs (1)(B) and (1)(C).

19 “(3) GOVERNMENT’S SHARE OF COSTS.—The
20 Government shall pay the entire cost of carrying out
21 a contract under this subsection.”.

22 **SEC. 3027. INVESTIGATIONS OF SAFETY AND HAZARDS.**

23 (a) IN GENERAL.—Section 5329 is amended to read
24 as follows:

1 **“§ 5329. Investigation of safety and hazards**

2 “(a) IN GENERAL.—The Secretary may investigate
3 safety and security risks associated with a condition in
4 equipment, a facility, or an operation financed under this
5 chapter that the Secretary believes causes a serious hazard
6 of death or injury to establish the nature and extent of
7 the condition and how to eliminate, mitigate, or correct
8 it.

9 “(b) PLANS FOR ELIMINATING, MITIGATING, OR
10 CORRECTING HAZARDS.—If the Secretary establishes that
11 a condition causes a hazard, the Secretary shall require
12 the local governmental authority receiving amounts under
13 this chapter to submit a plan for eliminating, mitigating,
14 or correcting it.

15 “(c) WITHHOLDING FINANCIAL ASSISTANCE.—Fi-
16 nancial assistance under this chapter, in an amount to be
17 determined by the Secretary, may be withheld until a plan
18 is approved and carried out.”.

19 (b) CONFORMING AMENDMENT.—The analysis for
20 chapter 53 is amended by striking the item relating to
21 section 5329 and inserting the following:

“5329. Investigation of safety and hazards.”.

22 **SEC. 3028. STATE SAFETY OVERSIGHT.**

23 (a) IN GENERAL.—Section 5330 is amended—

1 (1) by striking the section heading and all that
2 follows through subsection (a) and inserting the fol-
3 lowing:

4 **“§ 5330. State safety oversight**

5 “(a) APPLICATION.—This section applies only to—

6 “(1) States that have rail fixed guideway public
7 transportation systems not subject to regulation by
8 the Federal Railroad Administration; and

9 “(2) States that are designing rail fixed guide-
10 way public transportation systems that will not be
11 subject to regulation by the Federal Railroad Ad-
12 ministration.”;

13 (2) in subsection (d) by inserting “shall ensure
14 uniform safety standards and enforcement and”
15 after “affected States”; and

16 (3) by striking subsection (f).

17 (b) CONFORMING AMENDMENT.—The analysis for
18 chapter 53 is amended by striking the item relating to
19 section 5330 and inserting the following:

“5330. State safety oversight.”.

20 **SEC. 3029. CONTROLLED SUBSTANCES AND ALCOHOL MIS-**
21 **USE TESTING.**

22 (a) DEFINITIONS.—Section 5331(a)(3) is amended
23 by striking the period at the end and inserting the fol-
24 lowing: “or section 2303a, 7101(i), or 7302(e) of title 46.
25 The Secretary may also decide that a form of public trans-

1 portation is covered adequately, for employee alcohol and
2 controlled substances testing purposes, under the alcohol
3 and controlled substance statutes or regulations of an
4 agency within the Department of Transportation or the
5 Coast Guard.”.

6 (b) TECHNICAL CORRECTIONS.—Subsections (b)(1)
7 and (g) of section 5331 are each amended by striking “or
8 section 103(e)(4) of title 23”.

9 (c) REGULATIONS.—Section 5331(f) is amended by
10 striking paragraph (3).

11 **SEC. 3030. EMPLOYEE PROTECTIVE ARRANGEMENTS.**

12 Section 5333(b)(1) is amended by striking “5318(d),
13 5323(a)(1), (b), (d), and (e), 5328, 5337, and 5338(b)”
14 each place it appears and inserting “5316, 5317, 5318,
15 5320, 5323(a)(1), 5323(b), 5323(d), 5328, 5337,
16 5338(b), 5338(g), and 5338(h)”.

17 **SEC. 3031. ADMINISTRATIVE PROCEDURES.**

18 Section 5334 is amended—

19 (1) in subsection (a)—

20 (A) by striking “and” at the end of para-
21 graph (9);

22 (B) by striking the period at the end of
23 paragraph (10) and inserting “; and”; and

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

1 “(11) issue regulations as necessary to carry
2 out the purposes of this chapter.”;

3 (2) by striking subsection (i);

4 (3) by redesignating subsections (b) through (h)
5 as subsections (c) through (i), respectively;

6 (4) by inserting after subsection (a) the fol-
7 lowing:

8 “(b) PROHIBITIONS AGAINST REGULATING OPER-
9 ATIONS AND CHARGES.—

10 “(1) IN GENERAL.—Except for purposes of na-
11 tional defense or in the event of a national or re-
12 gional emergency, the Secretary may not regulate
13 the operation, routes, or schedules of a public trans-
14 portation system for which a grant is made under
15 this chapter, nor may the Secretary regulate the
16 rates, fares, tolls, rentals, or other charges pre-
17 scribed by any provider of public transportation.

18 “(2) LIMITATION ON STATUTORY CONSTRUC-
19 TION.—Nothing in this subsection shall be construed
20 to prevent the Secretary from requiring a recipient
21 of funds under this chapter to comply with the
22 terms and conditions of its Federal assistance agree-
23 ment.”;

24 (5) in subsection (c)(4) (as redesignated by
25 paragraph (3) of this section)—

1 (A) by striking “subsections (h) and (i)”
2 and inserting “subsection (i)”; and

3 (B) by striking “5323(c), 5323(e),
4 5324(c),”; and

5 (6) by adding at the end of subsection (c) (as
6 redesignated by paragraph (3) of this section) the
7 following:

8 “(5) NONREGULATORY SUBSTANTIVE POLICY
9 STATEMENTS.—The Secretary shall provide notice
10 and an opportunity for public comment at least 60
11 days before issuing any nonregulatory substantive
12 policy statements (regardless of the form of
13 issuance), including guidance, policy statements, and
14 regulatory interpretations.”.

15 **SEC. 3032. NATIONAL TRANSIT DATABASE.**

16 (a) IN GENERAL.—Section 5335 is amended—

17 (1) by striking the section heading and insert-
18 ing the following:

19 **“§ 5335. National transit database”;**

20 (2) by striking subsection (b); and

21 (3) in subsection (a)—

22 (A) by striking “(1) To help” and insert-
23 ing “To help”; and

1 (B) by striking “(2) The Secretary” and
2 inserting “(b) REPORTING AND UNIFORM SYS-
3 TEMS.—The Secretary”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 chapter 53 is amended by striking the item relating to
6 section 5335 and inserting the following:

“5335. National transit database.”.

7 **SEC. 3033. APPORTIONMENTS BASED ON FIXED GUIDEWAY**
8 **FACTORS.**

9 (a) DISTRIBUTION.—Section 5337 is amended—

10 (1) by striking the section designation and all
11 that follows before paragraph (1) of subsection (a)
12 and inserting the following:

13 **“§ 5337. Apportionment based on fixed guideway fac-**
14 **tors**

15 “(a) DISTRIBUTION.—The Secretary shall apportion
16 amounts made available for fixed guideway modernization
17 under sections 5338(b) and 5338(g) as follows:”;

18 (2) in subsection (a) by striking “(e)(1)” each
19 place it appears and inserting “(e)”; and

20 (3) in subsection (a) by striking “(e)(2)” each
21 place it appears and inserting “(e)”.

22 (b) ROUTE SEGMENTS TO BE INCLUDED IN APPOR-
23 TIONMENT FORMULAS.—Section 5337(e) is amended by
24 striking paragraph (1) and all that follows through “(2)
25 OTHER STANDARDS.—”.

1 (c) CONFORMING AMENDMENT.—The item relating
2 to section 5337 in the table of sections for chapter 53 is
3 amended to read as follows:

“5337. Apportionment based on fixed guideway factors.”.

4 **SEC. 3034. AUTHORIZATIONS.**

5 Section 5338 is amended to read as follows:

6 **“§ 5338. Authorizations**

7 “(a) FORMULA GRANTS.—

8 “(1) FISCAL YEAR 2004.—

9 “(A) FROM TRUST FUND.—There shall be
10 available from the Mass Transit Account of the
11 Highway Trust Fund to carry out sections
12 5307, 5308, 5310, 5311, 5316, 5317, 5318,
13 and 5320 of this chapter, 1118(b) of the Trans-
14 portation Equity Act: A Legacy for Users (re-
15 lating to the nonmotorized transportation pilot
16 program), and section 3038 of the Transpor-
17 tation Equity Act for the 21st Century (49
18 U.S.C. 5310 note; 112 Stat. 392–393)
19 \$3,132,304,000 for fiscal year 2004.

20 “(B) FROM GENERAL FUND.—In addition
21 to amounts made available under subparagraph
22 (A), there are authorized to be appropriated to
23 carry out sections 5307, 5308, 5310, 5311,
24 5316, 5317, and 5318 of this chapter, 1118(b)
25 of the Transportation Equity Act: A Legacy for

1 Users (relating to the nonmotorized transpor-
2 tation pilot program), and section 3038 of the
3 Transportation Equity Act for the 21st Century
4 (49 U.S.C. 5310 note; 112 Stat. 392–393)
5 \$783,076,000 for fiscal year 2004.

6 “(C) ALLOCATION OF FUNDS.—Of the ag-
7 gregate of amounts made available by and ap-
8 propriated under this paragraph for a fiscal
9 year—

10 “(i) \$4,849,950 shall be available to
11 the Alaska Railroad for improvements to
12 its passenger operations under section
13 5307;

14 “(ii) \$125,000,000 shall be available
15 to provide job access and reverse commute
16 formula grants under section 5316;

17 “(iii) \$50,000,000 shall be available
18 to carry out the New Freedom program
19 under section 5317;

20 “(iv) \$50,000,000 shall be available to
21 provide clean fuels formula grants under
22 section 5308;

23 “(v) \$8,000,000 shall be available to
24 carry out the transit in the parks pilot pro-
25 gram under section 5320;

1 “(vi) \$4,000,000 shall be available to
2 carry out the nonmotorized transportation
3 pilot program under section 1118(b) of the
4 Transportation Equity Act: A Legacy for
5 Users;

6 “(vii) \$8,000,000 shall be available to
7 provide over-the-road bus accessibility
8 grants under section 3038 of the Trans-
9 portation Equity Act for the 21st Century
10 (49 U.S.C. 5310 note);

11 “(viii) \$3,100,000 shall be available to
12 carry out bus testing under section 5318;

13 “(ix) \$91,560,751 shall be available to
14 provide transportation services to elderly
15 individuals and individuals with disabilities
16 under section 5310;

17 “(x) \$292,994,404 shall be available
18 to provide financial assistance for other
19 than urbanized areas under section 5311;
20 and

21 “(xi) \$3,277,874,895 shall be avail-
22 able to provide financial assistance for ur-
23 banized areas under section 5307, subject
24 to section 3041(h) of the Federal Public
25 Transportation Act of 2004.

1 “(2) FISCAL YEARS 2005 THROUGH 2009.—

2 “(A) FROM TRUST FUND.—There shall be
3 available from the Mass Transit Account of the
4 Highway Trust Fund to carry out sections
5 5307, 5308, 5310, 5311, 5316, 5317, 5318,
6 and 5320 of this chapter, section 3038 of the
7 Transportation Equity Act for the 21st Century
8 (49 U.S.C. 5310 note; 112 Stat. 392–393), and
9 section 1118(b) of the Transportation Equity
10 Act: A Legacy for Users (relating to the non-
11 motorized transportation pilot program)—

12 “(i) \$4,181,125,000 for fiscal year
13 2005;

14 “(ii) \$4,464,295,000 for fiscal year
15 2006;

16 “(iii) \$4,766,420,000 for fiscal year
17 2007;

18 “(iv) \$5,089,172,500 for fiscal year
19 2008; and

20 “(v) \$5,433,667,500 for fiscal year
21 2009.

22 “(B) ALLOCATION OF FUNDS FOR BUS
23 TESTING AND OVER-THE-ROAD BUS ACCESSI-
24 BILITY.—Of the aggregate of amounts made
25 available by this paragraph for a fiscal year—

1 “(i) \$3,100,000 shall be available to
2 carry out section 5318; and

3 “(ii) \$8,000,000 shall be available to
4 carry out section 3038 of the Transpor-
5 tation Equity Act for the 21st Century (49
6 U.S.C. 5310 note).

7 “(C) ALLOCATION OF FUNDS FOR CLEAN
8 FUELS FORMULA GRANT PROGRAM.—Of the ag-
9 gregate of amounts made available by this para-
10 graph, \$75,000,000 for fiscal year 2005 and
11 \$100,000,000 for each of fiscal years 2006,
12 2007, 2008, and 2009 shall be available to
13 carry out section 5308.

14 “(D) ALLOCATION OF FUNDS FOR JOB AC-
15 CESS AND REVERSE COMMUTE FORMULA GRANT
16 PROGRAM.—Of the aggregate of amounts made
17 available by this paragraph, \$150,000,000 for
18 fiscal year 2005, \$175,000,000 for fiscal year
19 2006, \$200,000,000 for fiscal year 2007,
20 \$200,000,000 for fiscal year 2008, and
21 \$200,000,000 for fiscal year 2009 shall be
22 available to carry out section 5316.

23 “(E) ALLOCATION OF FUNDS FOR NEW
24 FREEDOM PROGRAM.—Of the aggregate of
25 amounts made available by this paragraph,

1 \$95,000,000 for fiscal year 2005, \$100,000,000
2 for fiscal year 2006, \$105,000,000 for fiscal
3 year 2007, \$115,000,000 for fiscal year 2008,
4 and \$125,000,000 for fiscal year 2009 shall be
5 available to carry out section 5317.

6 “(F) ALLOCATION OF FUNDS FOR TRANSIT
7 IN THE PARKS PILOT PROGRAM.—Of the aggre-
8 gate of amounts made available by this para-
9 graph, \$8,000,000 for fiscal year 2005,
10 \$16,000,000 for fiscal year 2006, \$16,000,000
11 for fiscal year 2007, \$16,000,000 for fiscal year
12 2008, and \$16,000,000 for fiscal year 2009
13 shall be available to carry out section 5320.

14 “(G) ALLOCATION OF FUNDS FOR NON-
15 MOTORIZED TRANSPORTATION PILOT PRO-
16 GRAM.—Of the aggregate of amounts made
17 available by this paragraph, \$4,000,000 for fis-
18 cal year 2005, \$4,000,000 for fiscal year 2006,
19 \$4,000,000 for fiscal year 2007, \$8,000,000 for
20 fiscal year 2008, and \$8,000,000 for fiscal year
21 2009 shall be available to carry out section
22 1118(b) of the Transportation Equity Act: A
23 Legacy for Users (relating to the nonmotorized
24 transportation pilot program).

1 “(H) ALLOCATION OF FUNDS FOR THE
2 ALASKA RAILROAD.—Of the aggregate of
3 amounts made available by this paragraph,
4 \$10,000,000 for fiscal year 2005, \$11,000,000
5 for fiscal year 2006, \$12,000,000 for fiscal year
6 2007, \$13,000,000 for fiscal year 2008, and
7 \$14,000,000 for fiscal year 2009 shall be avail-
8 able to the Alaska Railroad for improvements to
9 its passenger operations under section 5307.

10 “(I) REMAINDER.—Of the remainder of
11 the aggregate amounts made available by this
12 paragraph for a fiscal year after the allocations
13 under subparagraphs (B) through (H) for such
14 fiscal year—

15 “(i) 2.5 percent shall be available to
16 provide transportation services to elderly
17 individuals and individuals with disabilities
18 under section 5310;

19 “(ii) 8.0 percent shall be available to
20 provide financial assistance for other than
21 urbanized areas under section 5311; and

22 “(iii) 89.5 percent shall be available to
23 provide financial assistance for urbanized
24 areas under section 5307, subject to sec-

1 tion 3041(h) of the Federal Public Trans-
2 portation Act of 2004.

3 “(b) CAPITAL PROGRAM GRANTS IN FISCAL YEAR
4 2004.—

5 “(1) FROM TRUST FUND.—There shall be avail-
6 able from the Mass Transit Account of the Highway
7 Trust Fund to carry out section 5309,
8 \$2,499,504,000 for fiscal year 2004.

9 “(2) FROM GENERAL FUND.—In addition to
10 amounts made available by paragraph (1), there is
11 authorized to be appropriated to carry out section
12 5309, \$624,876,200 for fiscal year 2004.

13 “(c) PLANNING.—

14 “(1) FISCAL YEAR 2004.—

15 “(A) FROM TRUST FUND.—There shall be
16 available from the Mass Transit Account of the
17 Highway Trust Fund to carry out sections
18 5303, 5304, and 5305, \$72,660,000 for fiscal
19 year 2004.

20 “(B) FROM GENERAL FUND.—In addition
21 to amounts made available by subparagraph
22 (A), there is authorized to be appropriated to
23 carry out sections 5303, 5304, and 5305,
24 \$18,165,000 for fiscal year 2004.

25 “(2) FISCAL YEARS 2005 THROUGH 2009.—

1 “(A) FROM THE TRUST FUND.—There
2 shall be available from the Mass Transit Ac-
3 count of the Highway Trust Fund to carry out
4 sections 5303, 5304, and 5305—

5 “(i) \$96,875,000 for fiscal year 2005;

6 “(ii) \$103,325,000 for fiscal year
7 2006;

8 “(iii) \$110,200,000 for fiscal year
9 2007;

10 “(iv) \$117,537,500 for fiscal year
11 2008; and

12 “(v) \$125,362,500 for fiscal year
13 2009.

14 “(B) ALLOCATION OF FUNDS.—Of the
15 funds made available by this paragraph for a
16 fiscal year—

17 “(i) 82.72 percent shall be available
18 for metropolitan planning under sections
19 5303, 5304, and 5305 (other than
20 5305(e)); and

21 “(ii) 17.28 percent shall be available
22 for State planning under section 5305(e).

23 “(d) RESEARCH.—

24 “(1) FISCAL YEAR 2004.—

1 “(A) FROM TRUST FUND.—There shall be
2 available from the Mass Transit Account of the
3 Highway Trust Fund to carry out sections
4 5311(b), 5312, 5313, 5314, 5315, 5322, and
5 5335, \$41,888,000 for fiscal year 2004.

6 “(B) FROM GENERAL FUND.—In addition
7 to amounts made available by subparagraph
8 (A), there is authorized to be appropriated to
9 carry out sections 5311(b), 5312, 5313, 5314,
10 5315, 5322, and 5335, \$10,472,000 for fiscal
11 year 2004.

12 “(C) ALLOCATION OF FUNDS.—Of the
13 funds made available by or appropriated pursu-
14 ant to this paragraph for fiscal year 2004—

15 “(i) not less than \$4,500,000 shall be
16 available to carry out programs under the
17 National Transit Institute under section
18 5315;

19 “(ii) not less than \$3,500,000 shall be
20 available to carry out section 5335;

21 “(iii) not less than \$3,500,000 shall
22 be available to carry out section
23 5314(a)(2); and

24 “(iv) not less than \$8,860,000 shall
25 be available to carry out section 5313(a).

1 “(2) FISCAL YEARS 2005 THROUGH 2009.—

2 “(A) FROM THE GENERAL FUND.—There
3 is authorized to be appropriated to carry out
4 sections 5312, 5313, 5314, 5315, 5322, and
5 5335—

6 “(i) \$54,500,000 for fiscal year 2005;

7 “(ii) \$57,000,000 for fiscal year 2006;

8 “(iii) \$59,500,000 for fiscal year
9 2007;

10 “(iv) \$62,000,000 for fiscal year
11 2008; and

12 “(v) \$64,500,000 for fiscal year 2009.

13 “(B) ALLOCATION OF FUNDS.—Of the
14 funds appropriated pursuant to this paragraph
15 for a fiscal year—

16 “(i) not less than \$4,500,000 shall be
17 available to carry out programs under the
18 National Transit Institute under section
19 5315;

20 “(ii) not less than \$3,500,000 shall be
21 available to carry out section 5335; and

22 “(iii) not less than \$3,500,000 shall
23 be available to carry out section
24 5314(a)(2).

1 “(C) TRANSIT COOPERATIVE RESEARCH
2 PROGRAM.—Of the funds appropriated pursu-
3 ant to this paragraph, \$9,000,000 for fiscal
4 year 2005, \$9,500,000 for fiscal year 2006,
5 \$10,000,000 for fiscal year 2007, \$10,500,000
6 for fiscal year 2008, and \$11,000,000 for fiscal
7 year 2009 shall be available to carry out section
8 5313(a).

9 “(D) REMAINDER.—The remainder of the
10 funds appropriated pursuant to this paragraph
11 for a fiscal year after the allocations under sub-
12 paragraphs (A) and (B) for such fiscal year
13 shall be available to carry out national research
14 and technology programs under sections 5312,
15 5314, and 5322.

16 “(e) UNIVERSITY TRANSPORTATION RESEARCH.—

17 “(1) FISCAL YEAR 2004.—

18 “(A) FROM TRUST FUND.—There shall be
19 available from the Mass Transit Account of the
20 Highway Trust Fund to carry out sections
21 5505 and 5506, \$6,400,000 for fiscal year
22 2004.

23 “(B) FROM GENERAL FUND.—In addition
24 to amounts made available by subparagraph
25 (A), there is authorized to be appropriated to

1 carry out sections 5505 and 5506, \$1,600,000
2 for fiscal year 2004.

3 “(2) FISCAL YEARS 2005 THROUGH 2009.—
4 Subject to paragraph (3), there is authorized to be
5 appropriated to carry out sections 5505 and 5506,
6 \$8,000,000 for each of fiscal years 2005 through
7 2009.

8 “(3) FUNDING OF UNIVERSITY TRANSPOR-
9 TATION CENTERS.—

10 “(A) IN GENERAL.—Of the amounts made
11 available by and appropriated under paragraphs
12 (1) and (2) \$2,000,000 for each of fiscal years
13 2004, 2005, and 2006 shall be available for the
14 institution identified in section 5505(j)(3)(E),
15 as so in effect.

16 “(B) USE OF FUNDS.—Funds made avail-
17 able for the institution identified in subpara-
18 graph (A)(iii) shall be used to make grants
19 under 5506(f)(5) for that institution

20 “(C) SPECIAL RULE.—Nothing in this sub-
21 section shall be construed to limit the transpor-
22 tation research conducted by the centers funded
23 by this section.

24 “(f) ADMINISTRATION.—

25 “(1) FISCAL YEAR 2004.—

1 “(A) FROM TRUST FUND.—There shall be
2 available from the Mass Transit Account of the
3 Highway Trust Fund to carry out section 5334,
4 \$60,044,000 for fiscal year 2004.

5 “(B) FROM GENERAL FUND.—In addition
6 to amounts made available under subparagraph
7 (A), there are authorized to be appropriated to
8 carry out section 5334, \$15,011,000 for fiscal
9 year 2004.

10 “(2) FISCAL YEARS 2005 THROUGH 2009.—
11 There are authorized to be appropriated to carry out
12 section 5334—

13 “(A) \$77,000,000 for fiscal year 2005;

14 “(B) \$79,000,000 for fiscal year 2006;

15 “(C) \$81,000,000 for fiscal year 2007;

16 “(D) \$83,000,000 for fiscal year 2008;

17 and

18 “(E) \$85,000,000 for fiscal year 2009.

19 “(g) TRUST FUND CAPITAL PROGRAM GRANTS.—
20 There shall be available from the Mass Transit Account
21 of the Highway Trust Fund to carry out sections
22 5309(m)(2)(B)(i) and 5309(m)(2)(B)(iii)—

23 “(1) \$1,918,500,000 for fiscal year 2005;

24 “(2) \$2,027,628,000 for fiscal year 2006;

25 “(3) \$2,154,528,000 for fiscal year 2007;

1 “(4) \$2,305,974,000 for fiscal year 2008; and

2 “(5) \$2,452,482,000 for fiscal year 2009.

3 “(h) GENERAL FUND CAPITAL PROGRAM GRANTS.—

4 There are authorized to be appropriated to carry out sec-
5 tions 5309(m)(2)(A) and 5309(m)(2)(B)(ii)—

6 “(1) \$1,414,000,000 for fiscal year 2005;

7 “(2) \$1,526,752,000 for fiscal year 2006;

8 “(3) 1,636,352,000 for fiscal year 2007;

9 “(4) \$1,737,316,000 for fiscal year 2008; and

10 “(5) \$1,859,998,000 for fiscal year 2009.

11 “(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

12 “(1) GRANTS FINANCED FROM HIGHWAY TRUST
13 FUND.—A grant or contract approved by the Sec-
14 retary, that is financed with amounts made available
15 under subsection (a)(1)(A), (a)(2), (b)(1), (c)(2),
16 (d)(1)(A), (e)(1)(A), (f)(1)(A), or (g) is a contrac-
17 tual obligation of the Government to pay the Gov-
18 ernment’s share of the cost of the project.

19 “(2) GRANTS FINANCED FROM GENERAL
20 FUND.—A grant or contract, approved by the Sec-
21 retary, that is financed with amounts made available
22 under subsection (a)(1)(B), (b)(2), (c)(1)(B),
23 (d)(1)(B), (d)(2), (e)(1)(B), (e)(2), (f)(1)(B), (f)(2),
24 or (h) is a contractual obligation of the Government
25 to pay the Government’s share of the cost of the

1 project only to the extent that amounts are provided
2 in advance in an appropriations Act.

3 “(j) AVAILABILITY OF AMOUNTS.—Amounts made
4 available by or appropriated under subsections (a) through
5 (h) shall remain available until expended.”.

6 **SEC. 3035. OVER-THE-ROAD BUS ACCESSIBILITY PROGRAM.**

7 (a) IN GENERAL.—Section 3038 of the Transpor-
8 tation Equity Act for the 21st Century (49 U.S.C. 5310
9 note; 112 Stat. 392) is amended—

10 (1) by striking the section heading and insert-
11 ing the following:

12 **“SEC. 3038. OVER-THE-ROAD BUS ACCESSIBILITY PRO-**
13 **GRAM.”;**

14 (2) by striking subsection (e) and inserting the
15 following:

16 “(e) FEDERAL SHARE OF COSTS.—The Federal
17 share of costs under this section shall be provided from
18 funds made available to carry out this section. The Fed-
19 eral share of the costs for a project shall not exceed 80
20 percent of the project cost.”; and

21 (3) by striking subsection (g) and inserting the
22 following:

23 “(g) FUNDING.—

24 “(1) Of the amounts made available to carry
25 out this section in each fiscal year, 75 percent shall

1 be available for operators of over-the-road buses
2 used substantially or exclusively in intercity, fixed-
3 route over-the-road bus service to finance the incre-
4 mental capital and training costs of the Department
5 of Transportation’s final rule regarding accessibility
6 of over-the-road buses. Such amounts shall remain
7 available until expended.

8 “(2) Of the amounts made available to carry
9 out this section in each fiscal year, 25 percent shall
10 be available for operators of other over-the-road bus
11 service to finance the incremental capital and train-
12 ing costs of the Department of Transportation’s
13 final rule regarding accessibility of over-the-road
14 buses. Such amounts shall remain available until ex-
15 pended.”.

16 (b) CONFORMING AMENDMENTS.—The table of con-
17 tents contained in section 1(b) of the Transportation Eq-
18 uity Act for the 21st Century (112 Stat. 107) is amended
19 by striking the item relating to section 3038 and inserting
20 the following:

“Sec. 3038. Over-the-road bus accessibility program.”.

21 **SEC. 3036. UPDATED TERMINOLOGY.**

22 (a) AMENDMENTS TO CHAPTER 53.—Chapter 53 is
23 amended—

24 (1) in the chapter heading by striking “**MASS**”
25 and inserting “**PUBLIC**”;

1 year 2004, \$85,000,000 for fiscal year 2005, and
2 \$45,145,190 for fiscal year 2006.

3 (3) Chicago—Chicago Transit Authority
4 Ravenswood Expansion Project \$9,841,789 for fiscal
5 year 2004, \$40,000,000 for fiscal year 2005,
6 \$40,000,000 for fiscal year 2006, \$40,000,000 for
7 fiscal year 2007, \$40,000,000 for fiscal year 2008,
8 and \$64,832,615 for fiscal year 2009.

9 (4) Dallas—North Central LRT Extension
10 \$29,684,097 for fiscal year 2004.

11 (5) Denver Southeast Corridor LRT
12 \$78,734,308 for fiscal year 2004, \$80,000,000 for
13 fiscal year 2005, \$80,000,000 for fiscal year 2006,
14 \$80,000,000 for fiscal year 2007, and \$76,552,758
15 for fiscal year 2008.

16 (6) Fort Lauderdale—Tri-Rail Commuter Rail
17 Upgrade \$18,118,733 for fiscal year 2004 and
18 \$11,210,695 for fiscal year 2005.

19 (7) Memphis—Medical Center Extension
20 \$9,101,281 for fiscal year 2004.

21 (8) Metra North Central Corridor Commuter
22 Rail \$19,177,300 for fiscal year 2004, \$20,000,000
23 for fiscal year 2005, and \$20,613,452 for fiscal year
24 2006.

1 (9) Metra Southwest Corridor Commuter Rail
2 \$15,000,000 for fiscal year 2004, \$20,000,000 for
3 fiscal year 2005, and \$7,281,395 for fiscal year
4 2006.

5 (10) Metra Union Pacific West Line Extension
6 \$17,000,000 for fiscal year 2004, \$12,000,000 for
7 fiscal year 2005, and \$14,285,749 for fiscal year
8 2006.

9 (11) Minneapolis—Hiawatha Corridor LRT
10 \$73,793,730 for fiscal year 2004 and \$33,111,257
11 for fiscal year 2005.

12 (12) New Jersey Urban Core—Hudson-Bergen
13 LRT MOS-2 \$98,417,885 for fiscal year 2004,
14 \$100,000,000 for fiscal year 2005, \$100,000,000 for
15 fiscal year 2006, \$100,000,000 for fiscal year 2007,
16 and \$52,402,995 for fiscal year 2008.

17 (13) New Jersey Urban Core—Newark-Eliza-
18 beth Rail Link MOS-1 \$22,209,000 for fiscal year
19 2004 and \$1,342,076 for fiscal year 2005.

20 (14) New Orleans MOS-1 Canal Street
21 \$22,922,877 for fiscal year 2004 and \$16,455,206
22 for fiscal year 2005.

23 (15) Pittsburgh—Stage II LRT Reconstruction
24 \$31,733,314 for fiscal year 2004 and \$1,120,914 for
25 fiscal year 2005.

1 (16) Portland—Interstate MAX LRT Exten-
2 sion \$76,273,861 for fiscal year 2004, \$23,480,000
3 fiscal year 2005, and \$18,104,710 for fiscal year
4 2006.

5 (17) Salt Lake City—Medical Center
6 \$30,178,231 for fiscal year 2004 and \$8,682,141 for
7 fiscal year 2005.

8 (18) San Diego—Mission Valley East LRT Ex-
9 tension \$63,971,625 for fiscal year 2004,
10 \$81,640,000 fiscal year 2005, and \$7,700,304 for
11 fiscal year 2006.

12 (19) San Diego—Oceanside Escondido Rail
13 Corridor \$47,240,585 for fiscal year 2004,
14 \$55,000,000 fiscal year 2005, and \$12,211,061 for
15 fiscal year 2006.

16 (20) San Francisco—BART Extension to San
17 Francisco Airport \$98,417,890 for fiscal year 2004,
18 \$100,000,000 fiscal year 2005, and \$81,855,680 for
19 fiscal year 2006.

20 (21) San Juan—Tren Urbano \$19,683,577 for
21 fiscal year 2004 and \$54,818,940 fiscal year 2005.

22 (22) Seattle—Central Link Initial Segment
23 LRT \$73,813,414 for fiscal year 2004, \$80,00,000
24 for fiscal year 2005, \$80,000,000 for fiscal year
25 2006, \$80,000,000 for fiscal year 2007,

1 \$70,000,000 for fiscal year 2008, and \$24,028,149
2 for fiscal year 2009.

3 (23) Washington DC/MD—Largo Metrorail Ex-
4 tension \$63,971,625 for fiscal year 2004 and
5 \$75,432,887 fiscal year 2005.

6 (b) FINAL DESIGN AND CONSTRUCTION.—The fol-
7 lowing projects are authorized for final design and con-
8 struction for fiscal years 2004 through 2009 under para-
9 graphs (1)(B), (2)(A), and (2)(B)(ii) of section 5309(m)
10 of title 49, United States Code:

11 (1) Baltimore—MARC Commuter Rail Im-
12 provements.

13 (2) Boston—Silver Line BRT Phase III.

14 (3) Bridgeport—Intermodal Corridor.

15 (4) Central Phoenix—East Valley Corridor
16 LRT.

17 (5) Charlotte—South Corridor LRT.

18 (6) Cleveland—Euclid Corridor Bus Rapid
19 Transit.

20 (7) Dallas Area Rapid Transit—Northwest-
21 Southeast Extension, Pleasant Grove to Farmers
22 Branch.

23 (8) Delaware—I-95 Corridor Commuter Rail.

24 (9) Denver—West Corridor LRT.

- 1 (10) El Paso-Juarez—International Fixed
2 Guideway.
- 3 (11) Harrisburg—Corridor One Commuter Rail
4 (MOS-1), East Mechanicsburg-Lancaster, Pennsyl-
5 vania.
- 6 (12) Kansas City, Kansas—Southtown Com-
7 muter Rail.
- 8 (13) Las Vegas—Monorail Transit Corridor
9 Project, Phase II.
- 10 (14) Los Angeles—Gold Line Phase 1 Eastside
11 Extension.
- 12 (15) Los Angeles—Gold Line Foothill Exten-
13 sion, Pasadena to Montclair.
- 14 (16) Los Angeles MTA—Exposition LRT.
- 15 (17) Miami-Dade Transit—North Corridor.
- 16 (18) Minneapolis—North Star Corridor.
- 17 (19) Missouri/Kansas—Interstate 35 Commuter
18 Rail.
- 19 (20) Nashua—Commuter Rail.
- 20 (21) Nashville, Tennessee Commuter Rail.
- 21 (22) New Britain-Hartford Busway Project.
- 22 (23) New Jersey Urban Core.
- 23 (24) New Orleans—Desire Corridor Streetcar.
- 24 (25) New York—Long Island Railroad East
25 Side Access Project.

- 1 (26) New York—Second Avenue Subway.
- 2 (27) Norfolk Regional Light Rail.
- 3 (28) Northern Virginia—Dulles Corridor Ex-
4 tension.
- 5 (29) Orange County, California—Center Line
6 LRT.
- 7 (30) Philadelphia—Schuylkill Valley MetroRail.
- 8 (31) Pittsburgh—North Shore Connector.
- 9 (32) Portland, Oregon—Interstate MAX South
10 LRT Extensions.
- 11 (33) Sacramento—South Corridor (Phase 3),
12 Downtown to Elk Grove.
- 13 (34) Salt Lake City—Airport to University
14 LRT.
- 15 (35) Salt Lake City—Ogden-Provo Commuter
16 Rail.
- 17 (36) Salt Lake City—West Jordan LRT exten-
18 sion.
- 19 (37) San Diego—Mid Coast Extension.
- 20 (38) San Francisco Muni—Third Street LRT-
21 Phase I/II.
- 22 (39) Santa Clara Valley Transit Authority—
23 BART Extension to Santa Clara County.
- 24 (40) Tampa Bay—Regional Rail.

1 (41) Triangle Transit Authority, North Caro-
2 lina—Regional Rail Project.

3 (42) Washington County, Oregon—Commuter
4 Rail.

5 (43) Wasilla-Girdwood, Alaska—Commuter
6 Rail.

7 (c) ALTERNATIVES ANALYSIS AND PRELIMINARY EN-
8 GINEERING.—The following projects are authorized for al-
9 ternatives analysis and preliminary engineering for fiscal
10 years 2004 through 2009 under paragraphs (1)(B),
11 (2)(A), and (2)(B)(ii) of section 5309(m) of title 49,
12 United States Code:

13 (1) Albuquerque—High Capacity Corridor.

14 (2) Belen-Santa Fe—New Mexico Commuter
15 Rail.

16 (3) Ann Arbor/Detroit—Commuter Rail.

17 (4) Atlanta—GRTA I-75 Corridor, Wade
18 Green Road-Akers Mill Road BRT/HOV.

19 (5) Atlanta—North Line Corridor expansion
20 project.

21 (6) Atlanta—Belt Line C-Loop.

22 (7) Atlanta—West Line Corridor.

23 (8) Austin—San Antonio I-35 Commuter Rail.

24 (9) Austin—Rapid Bus Project.

25 (10) Austin—Regional Commuter Rail.

- 1 (11) Baltimore Light Rail System Extensions.
- 2 (12) Baton Rouge Bus Rapid Transit.
- 3 (13) Birmingham, Alabama—Transit Corridor.
- 4 (14) Boise—Downtown Circulator.
- 5 (15) Boston—North Shore Corridor and Blue
6 Line Extension.
- 7 (16) Boston—North/South Rail Link.
- 8 (17) Boston—Urban Ring BRT.
- 9 (18) Broward County, Florida—Bus Rapid
10 Transit.
- 11 (19) Buffalo—Niagara Frontier Transit Au-
12 thority Improvements.
- 13 (20) Burlington-Clemmons, North Carolina—
14 Piedmont Authority Regional Rail.
- 15 (21) Charles Town-Ranson, West Virginia—
16 MARC Commuter Rail Spur.
- 17 (22) Central Phoenix—East Valley Corridor
18 LRT Extensions.
- 19 (23) Charlotte—North Corridor Project.
- 20 (24) Charlotte—Northeast Corridor Project.
- 21 (25) Charlotte—Southeast-West Corridor
22 Project.
- 23 (26) Charlotte—Streetcar Loop Project.
- 24 (27) Chicago CTA—Red Line Extension (95th
25 Street to 130th Street/Stony Island).

- 1 (28) Chicago CTA—Chicago Transit Hub (Circle Line-Ogden Streetcar).
- 2
- 3 (29) Chicago CTA—Orange Line Extension
- 4 (Midway Airport to Ford City).
- 5 (30) Chicago CTA—Southeast Service-La Salle
- 6 Street Station to Baltimore Race Track.
- 7 (31) Chicago CTA—Yellow Line Extension
- 8 (Dempster-Old Orchard).
- 9 (32) Chula Vista, California—Bus Rapid Transit.
- 10
- 11 (33) Cleveland-Akron-Canton (Northeast Ohio)
- 12 Commuter Rail.
- 13 (34) Coachella Valley—Indio-Palm Desert Bus
- 14 Rapid Transit Connector.
- 15 (35) Columbia, South Carolina—Light Rail.
- 16 (36) Corpus Christi—Downtown Rail Trolley.
- 17 (37) Dallas Area Rapid Transit—Dallas Central Business District.
- 18
- 19 (38) Dallas Area Rapid Transit—Rowlett LRT
- 20 Extension.
- 21 (39) Dallas Area Rapid Transit—Beltline to
- 22 DFW Airport.
- 23 (40) Denton County Transportation Authority,
- 24 Texas—Fixed Guideway Project.
- 25 (41) Denver—Gold Line Extension to Arvada.

1 (42) Denver—United States Route 36 Transit
2 Corridor.

3 (43) Denver—North Metro Corridor to Thorn-
4 ton.

5 (44) Denver—East Corridor to DIA Airport.

6 (45) Detroit—Center City Loop.

7 (46) District of Columbia—Light Rail Starter
8 Line.

9 (47) Fairfax County, Virginia—Bus Rapid
10 Transit/HOV.

11 (48) Fitchburg, Massachusetts—Commuter
12 Rail Extensions and Improvements.

13 (49) Fort Lauderdale—Downtown Rail Link.

14 (50) Fort Worth—Trinity Railway Express
15 Commuter Rail Extensions.

16 (51) Fresno—Transit Corridor.

17 (52) Galveston—Rail Trolley Extension

18 (53) Grand Rapids—Fixed Guideway Corridor
19 Project.

20 (54) Guam—Tumon Bay-Airport Light Rail.

21 (55) Harrisburg—Corridor One Commuter Rail
22 (MOS-2), East Mechanicsburg-Carlisle, Pennsyl-
23 vania.

24 (56) Honolulu—Downtown BRT.

- 1 (57) Houston Advanced Transit Program Light
2 Rail.
- 3 (58) Indianapolis—System of Metropolitan
4 Area Rapid Transit.
- 5 (59) Kansas City, Missouri-Lawrence, Kan-
6 sas—Commuter Rail.
- 7 (60) Kansas City, Missouri—Regional BRT.
- 8 (61) Kenosha-Racine-Milwaukee Metra Com-
9 muter Rail Extension (Wisconsin).
- 10 (62) King County, Washington—I-405 Cor-
11 ridor Bus Rapid Transit.
- 12 (63) Lakeview, Minnesota—Cedar Avenue Cor-
13 ridor Bus Rapid Transit.
- 14 (64) Lane County, Oregon—Bus Rapid Tran-
15 sit, Phase 2.
- 16 (65) Little Rock—River Rail Streetcar Exten-
17 sions.
- 18 (66) Little Rock—West Little Rock Commuter
19 Rail.
- 20 (67) Long Island Railroad—Nassau Hub.
- 21 (68) Lorain-Cleveland Commuter Rail.
- 22 (69) Los Angeles—Metrolink San Bernardino
23 Line Improvements.
- 24 (70) LOSSAN Del Mar-San Diego—Rail Cor-
25 ridor Improvements.

- 1 (71) Madison and Dane Counties, Wisconsin—
2 Transport 2020 Commuter Rail.
- 3 (72) Maryland—I-270 Corridor Cities
4 Transitway.
- 5 (73) Maryland—Route 5 Corridor to Waldorf.
- 6 (74) Memphis Regional Rail Plan.
- 7 (75) Memphis, Medical Center Rail Extension
8 to Airport.
- 9 (76) Metra BNSF Naperville to Aurora Cor-
10 ridor Extension and Improvements.
- 11 (77) Metra SouthEast Service Line Commuter
12 Rail.
- 13 (78) Metra STAR Line Inter-Suburban Com-
14 muter Rail.
- 15 (79) Metra UP Northwest Line Core Capacity
16 Upgrades.
- 17 (80) Metra UP West Line Core Capacity Up-
18 grades.
- 19 (81) Miami-Dade Transit—Douglas Road Ex-
20 tension.
- 21 (82) Miami-Dade Transit—East-West Corridor.
- 22 (83) Miami-Dade Transit—Kendall Corridor.
- 23 (84) Miami-Dade Transit—Northeast Corridor.
- 24 (85) Miami-Dade Transit—Rail Extension to
25 Florida City.

- 1 (86) Middletown-South Fallsburg, New York,
2 Passenger Rail.
- 3 (87) Monterey County, California—Commuter
4 Rail.
- 5 (88) Montgomery and Prince George’s Coun-
6 ties, Maryland—Purple Line.
- 7 (89) Nashville Tennessee Commuter Rail.
- 8 (90) Nassau and Queens Counties, New York—
9 LIRR Main Line Third Track Project.
- 10 (91) New Haven, Connecticut-Hartford, Con-
11 necticut-Springfield, Massachusetts Commuter Line.
- 12 (92) New Jersey Trans-Hudson Midtown Cor-
13 ridor.
- 14 (93) New Jersey Transit—Northeast Corridor
15 Trans-Hudson Commuter Rail Improvements.
- 16 (94) New Jersey Transit—Morris/Essex/Boon-
17 ton Trans-Hudson Commuter Rail Improvements.
- 18 (95) New Jersey Transit—New York Susque-
19 hanna and Western RR Commuter Extension.
- 20 (96) New Jersey Transit—West Trenton Line
21 Commuter Line Service Extension.
- 22 (97) New Orleans—Airport-CBD Commuter
23 Rail.
- 24 (98) New York—Rockaway-Brooklyn Army
25 Terminal-Manhattan Ferry Service.

- 1 (99) New York—Staten Island to Manhattan
2 High-Speed Ferry Service Extension.
- 3 (100) New York—Stewart Airport Rail Access.
- 4 (101) Newburg, New York—LRT System.
- 5 (102) Northern Indiana—Commuter District
6 Line.
- 7 (103) Northern Indiana—West Lake Commuter
8 Rail Link (South Shore Commuter Rail).
- 9 (104) Norfolk—Naval Station Corridor.
- 10 (105) Northern Virginia—Crystal City Potomac
11 Yards Transit.
- 12 (106) Northern Virginia—Columbia Pike Rapid
13 Transit Project.
- 14 (107) Pittsburgh—Martin Luther King, Jr.
15 Busway Extension.
- 16 (108) Orlando—I-4 Central Florida Commuter
17 Rail System.
- 18 (109) Pawtucket, Rhode Island Commuter Rail
19 Improvement Program.
- 20 (110) Philadelphia—Route 100 Rapid Trolley
21 Extension to King of Prussia.
- 22 (111) Philadelphia—Broad Street Subway Line
23 Extension.
- 24 (112) Pittsburgh—East-West Corridor Rapid
25 Transit.

- 1 (113) Pittsburgh—Martin Luther King, Jr.
2 Busway Extension.
- 3 (114) Portland Streetcar Extensions.
- 4 (115) Quakertown-Stoney Creek, Pennsyl-
5 vania—Rail Restoration.
- 6 (116) Raritan Valley, New Jersey—Commuter
7 Rail.
- 8 (117) Reno, Nevada—Virginia Street Bus
9 Rapid Transit Project.
- 10 (118) Riverside-Perris, California—Rail Pas-
11 senger Service.
- 12 (119) Roaring Fork Valley, Colorado—Bus
13 Rapid Transit.
- 14 (120) Rock Island, Illinois—Quad Cities Rapid
15 Transit System.
- 16 (121) Sacramento—Regional Rail, Dixon to
17 Bowman.
- 18 (122) Sacramento—Downtown/Natomas Air-
19 port Transit Corridor.
- 20 (123) Salt Lake City—Draper to Sandy LRT
21 Extension.
- 22 (124) Salt Lake City—TRAX Capacity Im-
23 provements.
- 24 (125) Salt Lake City—West Valley City LRT
25 Extension.

- 1 (126) San Antonio—Bus Rapid Transit.
- 2 (127) San Francisco—BART Extension, Pitts-
3 burg to Tracy.
- 4 (128) San Francisco—BART Extension to
5 Livermore.
- 6 (129) San Francisco—BART Extension to
7 Oakland International Airport.
- 8 (130) San Francisco—MUNI Geary Boulevard
9 Bus Rapid Transit.
- 10 (131) San Joaquin Regional Rail Commission
11 Commuter Rail (Altamont Commuter Express).
- 12 (132) San Juan Tren Urbano—Extension from
13 Rio Piedras to Carolina.
- 14 (133) Santa Fe—El Dorado Rail Link.
- 15 (134) Seattle—Monorail Project.
- 16 (135) Seattle—Link LRT Extensions.
- 17 (136) Seattle—Sound Transit Commuter Rail.
- 18 (137) Seattle—Sound Transit Regional Express
19 Bus.
- 20 (138) Sevierville to Pigeon Ford, Tennessee—
21 Bus Rapid Transit.
- 22 (139) Sonoma/Marin (SMART) Commuter
23 Rail, California.
- 24 (140) South Carolina High Speed Rail Cor-
25 ridor.

- 1 (141) Southern California High Speed Regional
2 Transit.
- 3 (142) St. Louis Metro Link—Scott AFB to
4 Mid America Airport.
- 5 (143) St. Louis—East/West Gateway.
- 6 (144) St. Louis—Metro Link Northside Daniel
7 Boone Project.
- 8 (145) St. Louis—Metro South Corridor.
- 9 (146) St. Louis—University Downtown Trolley.
- 10 (147) Stamford, Connecticut—Urban
11 Transitway Phase II.
- 12 (148) Toledo, Ohio—CBD to Zoo.
- 13 (149) Toledo, Ohio—University Corridor.
- 14 (150) Trenton Trolley.
- 15 (151) Tri-Rail Dolphin Extension.
- 16 (152) Tri-Rail Florida East Coast Commuter
17 Rail Extension.
- 18 (153) Tri-Rail Jupiter Extension.
- 19 (154) Tucson—Old Pueblo Trolley Expansion.
- 20 (155) Tulsa, Oklahoma, Light Rail.
- 21 (156) Vancouver—Interstate MAX Extension
22 to Clark County, Washington.
- 23 (157) Virginia Beach—Bus Rapid Transit.
- 24 (158) Virginia Railway Express Capacity Im-
25 provements.

1 (159) Washington State Ferries and Ferry Fa-
2 cilities.

3 (160) Williamsburg-Newport News—Peninsula
4 Rail Transit.

5 (d) OTHER PROJECT AUTHORIZATIONS.—Of the
6 amount authorized under section 5338(h) in fiscal year
7 2005 to carry out section 5309(m)(2)(B)(ii), the Secretary
8 shall make funds available to the following projects for
9 final design and construction in an amount not to exceed
10 the amount specified:

11 (1) Atlanta—North Springs Extension,
12 \$260,785.

13 (2) Los Angeles—North Hollywood MOS–3,
14 \$663,339.

15 (3) New Jersey Urban Core—Hudson Bergen
16 LRT Phase I, \$313,896.

17 (4) Salt Lake City—CBD to University LRT,
18 \$1,127,405.

19 (5) St. Louis-St. Clair—MetroLink Extension
20 Phase IIa, \$59,383.

21 (e) RULES RELATING TO FUNDING.—

22 (1) SUBSECTION (a) PROJECTS.—

23 (A) IN GENERAL.—The Secretary is au-
24 thorized to expend funds made available under
25 section 5309(m) of title 49, United States

1 Code, for final design and construction of
2 projects authorized by subsection (a) as existing
3 full funding grant agreements.

4 (B) MINIMUM FUNDING LEVELS.—The
5 Secretary shall make available not less than the
6 following amounts for projects authorized by
7 subsection (a): \$1,042,307,000 for fiscal year
8 2004, \$928,303,000 for fiscal year 2005,
9 \$519,622,000 for fiscal year 2006,
10 \$300,000,000 for fiscal year 2007,
11 \$238,956,000 for fiscal year 2008, and
12 \$88,861,000 for fiscal year 2009.

13 (2) SUBSECTION (b) PROJECTS.—

14 (A) IN GENERAL.—Projects authorized by
15 subsection (b) for final design and construction
16 are also authorized for alternatives analysis and
17 preliminary engineering.

18 (B) MINIMUM FUNDING LEVELS.—The
19 Secretary shall make available not less than the
20 following amounts for projects authorized by
21 subsection (b): \$132,850,000 for fiscal year
22 2004, \$350,000,000 for fiscal year 2005,
23 \$861,376,000 for fiscal year 2006,
24 \$1,180,821,000 for fiscal year 2007,

1 \$1,333,823,000 for fiscal year 2008, and
2 \$1,595,648,000 for fiscal year 2009.

3 (C) PRIORITY.—In making funds available
4 under subparagraph (B), the Secretary shall
5 first make such funds available for any full
6 funding grant agreement executed by the Sec-
7 retary in fiscal year 2004 after the date of en-
8 actment of this Act and for any full funding
9 grant agreement executed by the Secretary in
10 the amount indicated in fiscal years 2005
11 through 2009 in the amount indicated in the
12 “Schedule of Federal Funds for the Project”
13 included in such agreement.

14 (3) SUBSECTION (c) PROJECTS.—

15 (A) IN GENERAL.—Effective October 1,
16 2006, projects authorized by subsection (c) for
17 alternatives analysis and preliminary engineer-
18 ing are also authorized for final design and con-
19 struction.

20 (B) MAXIMUM FUNDING LEVELS.—The
21 Secretary shall make available not more than
22 the following amounts for projects authorized
23 by subsection (c): \$102,188,000 for fiscal year
24 2004, \$111,157,000 for fiscal year 2005, and
25 \$120,087,000 for fiscal year 2006.

1 (C) MAXIMUM FUNDING LEVELS FOR AL-
2 TERNATIVES ANALYSIS AND PRELIMINARY EN-
3 GINEERING.—In fiscal years 2007, 2008, and
4 2009, the Secretary shall make available not
5 more than the following amounts for projects
6 authorized by subsection (b), and projects au-
7 thorized by subsection (c), to conduct alter-
8 natives analysis and preliminary engineering ac-
9 tivities: \$128,767,000 in fiscal year 2007,
10 \$136,763,000 in fiscal year 2008, and
11 \$146,479,000 in fiscal year 2009.

12 (f) NEW JERSEY URBAN CORE PROJECT.—Section
13 3031(d) of the Intermodal Surface Transportation Effi-
14 ciency Act of 1991 (112 Stat. 380; 105 Stat. 2122) is
15 amended—

16 (1) by striking “associated components to and
17 at the contiguous New Jersey Meadowlands Sports
18 Complex),” and inserting “to and at the contiguous
19 New Jersey Meadowlands Sports Complex), includ-
20 ing a connection to the Hudson River Waterfront
21 Transportation System, the Lackawanna Cutoff,”;
22 and

23 (2) by striking “in Lakewood to Freehold to
24 Matawan or Jamesburg, New Jersey, as described in
25 section 3035(p) of the Intermodal Surface Transpor-

1 tation Efficiency Act of 1991 (105 Stat. 2131)” and
 2 inserting “from Lakehurst to the Northeast Corridor
 3 or the New Jersey Coast Line”.

4 (g) NEW JERSEY TRANS-HUDSON MIDTOWN COR-
 5 RIDOR.—Project elements of the New Jersey Trans-Hud-
 6 son Midtown Corridor advanced with 100 percent non-
 7 Federal funds shall be given consideration by the Federal
 8 Transit Administration when evaluating the local share
 9 and mobility improvements of the project in the new starts
 10 rating process, including the purchase of bilevel rail equip-
 11 ment.

12 **SEC. 3038. PROJECTS FOR BUS AND BUS-RELATED FACILI-**
 13 **TIES.**

14 Of the amounts made available to carry out section
 15 5309(m)(2)(B)(iii) of title 49, United States Code, for
 16 each of fiscal years 2005 through 2007, the Secretary
 17 shall make funds available for the following projects in not
 18 less than the amounts specified for the fiscal year:

Project	FY 05	FY 06	FY 07
1. Hillsborough County, FL: Replacement buses and vans	\$320,000.00	\$330,000.00	\$350,000.00
2. Winston-Salem, NC: Union Station Intermodal Transfer Center, Martin Luther King Drive	\$480,000.00	\$495,000.00	\$525,000.00
3. Purchase of Buses; North Carolina Statewide Request (NCDOT)	\$32,000.00	\$33,000.00	\$35,000.00
4. Geneva Parking Deck: Construction of a 3-tier commuter Parking deck for metra service	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
5. St. Charles, IL Intermodal Parking Structures	\$1,440,000.00	\$1,485,000.00	\$1,575,000.00
6. Clinton, NJ Construct an intermodal bus terminal and rail station at the Intersection of I-78, Route 22 and the NJ Transit Raritan Valley Line in Clinton, NJ (Hunterdon County)	\$320,000.00	\$330,000.00	\$350,000.00

Project	FY 05	FY 06	FY 07
7. Knoxville, TN intermodal facility	\$3,264,000.00	\$3,366,000.00	\$3,570,000.00
8. Miami, FL Miami-Dade County Buses ...	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
9. Pittsburgh, PA: Purchase of new buses for Pittsburgh Port Authority	\$160,000.00	\$165,000.00	\$175,000.00
10. Lake Success, NY intermodal facility ...	\$544,000.00	\$561,000.00	\$595,000.00
11. Charlotte, NC West Trade Street inter- modal center	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
12. Corning, NY Transit Center	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
13. Burlington County, NJ New Jersey transit buses	\$1,008,000.00	\$1,039,500.00	\$1,102,500.00
14. Hamilton County, OH: Metro Bus Service Enhancements—Neighborhood Transit Centers and Hubs	\$544,000.00	\$561,000.00	\$595,000.00
15. Adams County Transit Authority, PA: Gettysburg transit transfer center or other related projects	\$287,680.00	\$296,670.00	\$314,650.00
16. Oneida County, NY: buses and facilities	\$640,000.00	\$660,000.00	\$700,000.00
17. Utica, NY: Utica Union Station track improvements	\$32,000.00	\$33,000.00	\$35,000.00
18. Utica and Thendara, NY: Install Two Handicap Lifts	\$32,000.00	\$33,000.00	\$35,000.00
19. Myrtle Beach, SC: Regional Multimodal Transit Center	\$320,000.00	\$330,000.00	\$350,000.00
20. Buffalo, NY intermodal facility	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
21. Buffalo Niagara Medical Campus inter- modal facility roadway, streetscape, pe- destrian, transit, and parking improve- ments	\$640,000.00	\$660,000.00	\$700,000.00
22. Juneau, AK transit bus acquisition and transit center	\$800,000.00	\$825,000.00	\$875,000.00
23. Roanoke, VA: Improve buses at Com- monwealth Coach and Trolley Museum ...	\$80,000.00	\$82,500.00	\$87,500.00
24. Roanoke, VA: Improve Virginian Rail- way Intermodal Station	\$80,000.00	\$82,500.00	\$87,500.00
25. City of Flagstaff, AZ Purchase of buses and bus related facilities	\$912,000.00	\$940,500.00	\$997,500.00
26. City of Sedona, AZ Purchase of buses and bus related facilities	\$912,000.00	\$940,500.00	\$997,500.00
27. Parking garage at SEPTA Market Street Elevated Line	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
28. Normal, IL Multimodal center that will provide for eight transportation modes and help to redevelop Normal downtown area	\$640,000.00	\$660,000.00	\$700,000.00
29. San Joaquin, CA Altamont Commuter Express Corridor intermodal centers	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
30. Cleveland Clinic Intermodal Center and Parking Facility	\$2,720,000.00	\$2,805,000.00	\$2,975,000.00
31. Cuyahoga County, OH University Hos- pital Intermodal Center and related im- provements	\$1,328,000.00	\$1,369,500.00	\$1,452,500.00
32. Akron Art Museum, OH enhancements & transit improvements/safety	\$208,000.00	\$214,500.00	\$227,500.00
33. Coffman Cove, AK IFA ferry terminal	\$1,024,000.00	\$1,056,000.00	\$1,120,000.00
34. Unalaska, AK Construction of AMHW ferry terminal including approach, stag- ing, and upland improvements	\$2,400,000.00	\$2,475,000.00	\$2,625,000.00
35. St. Johns, MI buses	\$32,000.00	\$33,000.00	\$35,000.00
36. Eastlake Stadium, OH Transit Im- provements	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
37. Cleveland Art Museum Intermodal Cen- ter and Parking Facility	\$2,560,000.00	\$2,640,000.00	\$2,800,000.00
38. Joliet, IL: For the construction of 1,000 commuter car parking structure parking at Joliet Union station	\$800,000.00	\$825,000.00	\$875,000.00
39. Grand Rapids, MI Bus replacement ex- pansion	\$4,797,760.00	\$4,947,690.00	\$5,247,550.00
40. Ionia County, MI: Vehicle replacement	\$83,840.00	\$86,460.00	\$91,700.00
41. Barry County, MI bus maintenance equipment	\$11,200.00	\$11,550.00	\$12,250.00

Project	FY 05	FY 06	FY 07
42. Sevierville to Pigeon Forge, TN BRT ...	\$160,000.00	\$165,000.00	\$175,000.00
43. Lower Merion Township, PA relocate the SEPTA/AMTRAK Ardmore Station	\$2,329,600.00	\$2,402,400.00	\$2,548,000.00
44. Mammoth Lakes, CA expanded transit service	\$160,000.00	\$165,000.00	\$175,000.00
45. Westmoreland County, PA Buses	\$320,000.00	\$330,000.00	\$350,000.00
46. Warwick, NY Bus Depot and Shelters	\$160,000.00	\$165,000.00	\$175,000.00
47. Tempe/Scottsdale, AZ East Valley Bus Facility	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
48. Lancaster, PA Job Access buses and services	\$128,000.00	\$132,000.00	\$140,000.00
49. I-80/Howard Blvd New Jersey Transit Park and Ride	\$320,000.00	\$330,000.00	\$350,000.00
50. Calstart fuel cell buses	\$320,000.00	\$330,000.00	\$350,000.00
51. Coachella Valley, CA: Bus rapid transit, Cities of Indio/ Palm Desert	\$160,000.00	\$165,000.00	\$175,000.00
52. Spring Valley, CA Multi-Modal Center	\$384,000.00	\$396,000.00	\$420,000.00
53. Escondido, CA Compressed Natural Gas (CNG) operation and maintenance facility	\$160,000.00	\$165,000.00	\$175,000.00
54. San Diego, CA Off-street multimodal center and service facility	\$160,000.00	\$165,000.00	\$175,000.00
55. Roanoke, VA: Improve Link Passenger Rail Intermodal Facility	\$160,000.00	\$165,000.00	\$175,000.00
56. Zanesville, OH bus system signage and shelters	\$20,800.00	\$21,450.00	\$22,750.00
57. Allegheny County, PA Clean Fuel Buses	\$320,000.00	\$330,000.00	\$350,000.00
58. Mariposa, CA CNG-Hydrogen transit system with fueling stations and buses for Yosemite National Park	\$800,000.00	\$825,000.00	\$875,000.00
59. Northern Neck and Middle Peninsula, VA multi-modal bus facilities	\$1,040,000.00	\$1,072,500.00	\$1,137,500.00
60. Improvements to Metro North Railroad's Beacon Train Station	\$160,000.00	\$165,000.00	\$175,000.00
61. Fauquier County, VA Bealeton Station depot rehabilitation	\$88,000.00	\$90,750.00	\$96,250.00
62. Kearney, NE RYDE transit Bus and maintenance facility	\$608,000.00	\$627,000.00	\$665,000.00
63. Statewide, NE: Statewide rural transit needs assessment for the State of Nebraska	\$96,000.00	\$99,000.00	\$105,000.00
64. Trenton, NJ Intermodal Train Station reconstruction	\$800,000.00	\$825,000.00	\$875,000.00
65. York, PA: Rabbitransit transit hubs and communications equipment	\$886,560.00	\$914,265.00	\$969,675.00
66. Harrison, AR Trolley Barn	\$12,800.00	\$13,200.00	\$14,000.00
67. Dakota County, MN: Lakeview/Cedar Avenue Corridor BRT	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
68. Miami, FL Miami-Dade County Buses	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
69. Monrovia, CA multi-modal regional transit center	\$960,000.00	\$990,000.00	\$1,050,000.00
70. Cleveland, OH Transit Improvements for the upcoming International Children's Games	\$48,000.00	\$49,500.00	\$52,500.00
71. Hampton Roads, VA Southside Bus Facility	\$640,000.00	\$660,000.00	\$700,000.00
72. Denver, CO: Regional Transportation District Bus Replacement	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
73. Foothill Transit, CA commuter park and ride facilities	\$3,040,000.00	\$3,135,000.00	\$3,325,000.00
74. Salt Lake Community College, UT - Intermodal Hub	\$560,000.00	\$577,500.00	\$612,500.00
75. Fresno, CA low-emission transit vehicles	\$800,000.00	\$825,000.00	\$875,000.00
76. Fredericksburg, VA VRE station restoration	\$320,000.00	\$330,000.00	\$350,000.00
77. Lakewood, NJ bus route	\$240,000.00	\$247,500.00	\$262,500.00
78. Elmira, NY buses and related transit systems	\$160,000.00	\$165,000.00	\$175,000.00

Project	FY 05	FY 06	FY 07
79. South Bend, IN Operations Center/ Mishawaka Transfer Facility	\$320,000.00	\$330,000.00	\$350,000.00
80. Atlanta, GA: BRT/HOV project; I-75 from Wade Green road to Akers Mill Road	\$3,200,000.00	\$3,300,000.00	\$3,500,000.00
81. Kodiak, AK Construction of AMHW ferry terminal and approach	\$2,400,000.00	\$2,475,000.00	\$2,625,000.00
82. Utica, NY: Union Station canopy	\$240,000.00	\$247,500.00	\$262,500.00
83. Shreveport, LA Intermodal Transit Fa- cility	\$1,072,000.00	\$1,105,500.00	\$1,172,500.00
84. Bend, Oregon Replacement of the city's 22 person vans	\$320,000.00	\$330,000.00	\$350,000.00
85. Pasadena to Montclair, CA Gold Line Light Rail Foothill Extension intermodal centers	\$4,800,000.00	\$4,950,000.00	\$5,250,000.00
86. NC: North Carolina Statewide Bus and Bus Facilities	\$5,952,000.00	\$6,138,000.00	\$6,510,000.00
87. Triad, NC: Multimodal facility to serve as the central facility for the PART routes throughout the Triad region	\$3,712,000.00	\$3,828,000.00	\$4,060,000.00
88. High Point, NC: Home Finishings Market terminals/parking	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
89. Cincinnati Zoo/Uptown Crossing, OH: Intermodal bus facility/commuter parking garage	\$416,000.00	\$429,000.00	\$455,000.00
90. Florida Keys Bus System Facility Im- provements	\$160,000.00	\$165,000.00	\$175,000.00
91. Florida Keys Bus System Improve- ments, Job Access Reverse Commute	\$160,000.00	\$165,000.00	\$175,000.00
92. Rome, NY: VIP bus system	\$80,000.00	\$82,500.00	\$87,500.00
93. Geneva, NY: Intermodal Facility ren- ovations	\$345,600.00	\$356,400.00	\$378,000.00
94. Oneonta, NY: Heavy Duty Buses	\$80,000.00	\$82,500.00	\$87,500.00
95. Cooperstown, NY: Construct Coopers- town Intermodal Facility	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
96. Seneca City Public Transit, NY: De- velop a transportation service plan for the county	\$48,000.00	\$49,500.00	\$52,500.00
97. Columbus, OH Paratransit and Small Bus Service Facility	\$1,600,000.00	\$1,650,000.00	\$3,750,000.00
98. Erie County, NY Niagara Frontier Transportation Authority rehabilitation ..	\$960,000.00	\$990,000.00	\$1,050,000.00
99. Jamestown, NY intermodal facility	\$480,000.00	\$495,000.00	\$525,000.00
100. Dunkirk, NY intermodal facility	\$320,000.00	\$330,000.00	\$350,000.00
101. Tinley Park, IL: Commuter rail inter- modal station at 80th Avenue	\$160,000.00	\$165,000.00	\$175,000.00
102. Londonderry, NH: Park and Ride Bus Facility at Exit 5	\$640,000.00	\$660,000.00	\$700,000.00
103. Enfield, CT: Enfield Intermodal Sta- tion on New Haven CT—Springfield, MA Commuter Rail Line	\$640,000.00	\$660,000.00	\$700,000.00
104. Atlanta, GA Atlanta Transportation Trolley Link clean fuel transit vehicles ...	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
105. Stonington and Mystic, CT: Construct Stonington-Mystic Village Intermodal Center Parking facility and Improve streetscapes	\$640,000.00	\$660,000.00	\$700,000.00
106. Atlanta, GA MARTA low-floor clean fuel buses	\$3,200,000.00	\$3,300,000.00	\$3,500,000.00
107. Glenwood Park, PA Transit Center and adjacent park & ride facility	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
108. Beaver, PA: Expand and improve 2 park and ride facilities in Beaver County, PA	\$160,000.00	\$165,000.00	\$175,000.00
109. Vernon, CT: Construct Vernon Inter- modal Center, Parking and Streetscapes	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
110. New London, CT: Improve New Lon- don Intermodal Transportation Center Streetscapes and Traffic Flow	\$480,000.00	\$495,000.00	\$525,000.00

Project	FY 05	FY 06	FY 07
111. Warren, PA intermodal transportation center	\$960,000.00	\$990,000.00	\$1,050,000.00
112. Sharon, PA bus facilities, parking lots and bus stops	\$320,000.00	\$330,000.00	\$350,000.00
113. New Orleans, LA Multimodal Riverfront Center	\$160,000.00	\$165,000.00	\$175,000.00
114. Manchester, NH North River Road Intermodal Facility and streetscape improvements	\$288,000.00	\$297,000.00	\$315,000.00
115. River parishes, LA South Central Planning and Development Commission, bus and bus facilities	\$320,000.00	\$330,000.00	\$350,000.00
116. Regional Planning Commission, New Orleans, LA bus and bus facilities	\$160,000.00	\$165,000.00	\$175,000.00
117. St. Bernard Parish, LA Intermodal facility improvements	\$320,000.00	\$330,000.00	\$350,000.00
118. Rockville, MD Maryland Avenue and Market Street Intermodal Access Project	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
119. Detroit, MI Replacement bus facility ..	\$240,000.00	\$247,500.00	\$262,500.00
120. Detroit, MI Replacement buses	\$240,000.00	\$247,500.00	\$262,500.00
121. Oakland, CA San Francisco Bay Trail, Oakland Coliseum—Martin Luther King Jr. Regional Shoreline	\$288,000.00	\$297,000.00	\$315,000.00
122. Covina/El Monte/Baldwin Park/Upland, CA Improve parking and station access at Metrolink stations	\$1,184,000.00	\$1,221,000.00	\$1,295,000.00
123. Bronx, NY Complete Penn Station/ East Side Access Programs. Upgrade Metro North stations in the Bronx and construct station at Yankee Stadium	\$960,000.00	\$990,000.00	\$1,050,000.00
124. Nashville, TN Downtown Transit Transfer Facility	\$160,000.00	\$165,000.00	\$175,000.00
125. Sandy Hook National Park, NJ Connect passengers from lower Manhattan & other NY/NJ ferry terminals through construction of a fixed & floating pier	\$640,000.00	\$660,000.00	\$700,000.00
126. Long Beach, CA Acquire property and construct a park and ride structure in Downtown Long Beach	\$320,000.00	\$330,000.00	\$350,000.00
127. Camden County, NJ Intermodal facility serving critical bus and rail lines to East and North Camden Neighborhoods	\$320,000.00	\$330,000.00	\$350,000.00
128. New York City, NY Purchase Handicapped-Accessible Livery Vehicles	\$320,000.00	\$330,000.00	\$350,000.00
129. Glendale, CA CNG Buses	\$224,000.00	\$231,000.00	\$245,000.00
130. Las Vegas, NV Construct Las Vegas Center City Intermodal Transportation Terminal	\$960,000.00	\$990,000.00	\$1,050,000.00
131. Middletown, CT Construct intermodal facility	\$160,000.00	\$165,000.00	\$175,000.00
132. Los Angeles County, CA Develop intermodal centers along the light rail Foothill Extension	\$256,000.00	\$264,000.00	\$280,000.00
133. Los Angeles, CA Implement parking and electronic signage improvements on the Metrolink commuter rail system	\$640,000.00	\$660,000.00	\$700,000.00
134. Corvallis, OR Bus Replacement	\$396,800.00	\$409,200.00	\$434,000.00
135. Eugene, OR Purchase new buses for Lane Transit District's Bus Rapid Transit service	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
136. Detroit, MI Mid-Life Vehicle Overhaul	\$4,608,000.00	\$4,752,000.00	\$5,040,000.00
137. Torrington, CT Construct bus-related facility (Northwestern Connecticut Central Transit District)	\$640,000.00	\$660,000.00	\$700,000.00
138. Bronx, NY For the acquisition of buses to provide service from the Jacobi Intermodal Center to North Central Bronx Hospital	\$128,000.00	\$132,000.00	\$140,000.00
139. Columbia County, OR Purchase buses	\$44,800.00	\$46,200.00	\$49,000.00

Project	FY 05	FY 06	FY 07
140. Yamhill County, OR Construction of bus shelters and park and ride facilities in Yamhill County	\$21,440.00	\$22,110.00	\$23,450.00
141. Albany, OR Construct pathway at Multimodal Transit Station	\$128,000.00	\$132,000.00	\$140,000.00
142. Miami-Dade County, FL County Buses	\$1,888,000.00	\$1,947,000.00	\$2,065,000.00
143. Brownsville, TX Brownsville Urban System City-Wide Transit Improvement project	\$640,000.00	\$660,000.00	\$700,000.00
144. Sandy City, UT Intermodal Hub and Station	\$640,000.00	\$660,000.00	\$700,000.00
145. Howard County, MD Design and construct Howard County Bus Operation Repair Facility	\$832,000.00	\$858,000.00	\$910,000.00
146. Carson, CA Purchase one bus	\$80,000.00	\$82,500.00	\$87,500.00
147. Carson, CA Purchase two tripper buses	\$160,000.00	\$165,000.00	\$175,000.00
148. Carson, CA Purchase one trolley-bus vehicle	\$80,000.00	\$82,500.00	\$87,500.00
149. Des Moines, IA Purchase currently leased 40-foot heavy-duty buses	\$640,000.00	\$660,000.00	\$700,000.00
150. Bellflower, CA Conversion of an historic train depot into an intermodal center	\$88,000.00	\$90,750.00	\$96,250.00
151. Bellflower, CA Bus shelter improvements	\$80,000.00	\$82,500.00	\$87,500.00
152. Albany, GA Bus replacement program	\$160,000.00	\$165,000.00	\$175,000.00
153. Sylvester, GA Intermodal Facility: Construction/restoration of Train Depot for train, intercity bus, local transit, taxi	\$96,000.00	\$99,000.00	\$105,000.00
154. Thomasville, GA Bus Replacement program	\$64,000.00	\$66,000.00	\$70,000.00
155. Quitman County, Clay County, Randolph County, and Stewart County, GA: Regional Rural Transit Bus Project (initiate joint/cooperative rural transit program)	\$160,000.00	\$165,000.00	\$175,000.00
156. Albany, GA Multi-modal facility (Construction of local transit transfer station/garage/office headquarters, intercity bus, taxi)	\$320,000.00	\$330,000.00	\$350,000.00
157. North Carolina expand bus facilities and buses statewide	\$1,680,000.00	\$1,732,500.00	\$1,837,500.00
158. Charlotte, NC Design and construct new intermodal facility housing intra-city buses, inter-city rail and commuter rail. (West Trade)	\$160,000.00	\$165,000.00	\$175,000.00
159. Carson/South Bay, CA Construct a transit center to serve existing routes and additional MTA lines	\$480,000.00	\$495,000.00	\$525,000.00
160. Compton, CA Construct fuel dispensing facility for the transit CNG bus fleet	\$480,000.00	\$495,000.00	\$525,000.00
161. Compton, CA: Expand existing transit center in to a multi modal transportation building	\$992,000.00	\$1,023,000.00	\$1,085,000.00
162. Los Angeles County, CA Construct Foothill Transit commuter park-and-ride facilities in the San Gabriel Valley	\$256,000.00	\$264,000.00	\$280,000.00
163. Akron, OH Construct Downtown Multi-modal Transportation Center	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
164. Elyria, OH Construct the New York Central Train Station into an intermodal transportation hub	\$655,360.00	\$675,840.00	\$716,800.00
165. Long Beach, CA Purchase ten clean fuel busses	\$1,440,000.00	\$1,485,000.00	\$1,575,000.00
166. Los Angeles, CA Mission College Transit Center construction	\$160,000.00	\$165,000.00	\$175,000.00

Project	FY 05	FY 06	FY 07
167. Windfall, NC Purchase of buses	\$40,000.00	\$41,250.00	\$43,750.00
168. Montgomery County, MD intermodal access programs in the Silver Spring and Wheaton Central Business Districts	\$320,000.00	\$330,000.00	\$350,000.00
169. Compton, CA Improve 33 bus stops in the local transit system and purchase 7 CNG buses	\$518,400.00	\$534,600.00	\$567,000.00
170. St. Lucie County, FL: Acquisition of Americans with Disabilities Act compliant buses	\$320,000.00	\$330,000.00	\$350,000.00
171. Los Angeles, CA California State University Northridge propane-powered tram service project	\$104,000.00	\$107,250.00	\$113,750.00
172. Jacksonville, FL: Bus Facility Expansion	\$640,000.00	\$660,000.00	\$700,000.00
173. Hampton Roads, VA Develop, design and build new Hampton Roads Transit Southside Bus Facility to house bus fleet, maintenance, warehouse, and administrative functions	\$640,000.00	\$660,000.00	\$700,000.00
174. Phoenix, AZ West Phoenix Bus Facility	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
175. Phoenix, AZ Phoenix Heavy Bus Facility	\$320,000.00	\$330,000.00	\$350,000.00
176. Phoenix, AZ Phoenix Dial-a-Ride Operating Facility	\$320,000.00	\$330,000.00	\$350,000.00
177. Trenton, NJ Reconstruction and rehabilitation of the Trenton Train Station ...	\$2,352,000.00	\$2,425,500.00	\$2,572,500.00
178. La Crosse, WI Transit Center and Bus Replacement	\$160,000.00	\$165,000.00	\$175,000.00
179. Eau Claire, WI Transfer Center and Vehicle Replacement	\$160,000.00	\$165,000.00	\$175,000.00
180. Lowell, MA Lowell Regional Transit Authority transit buses	\$864,000.00	\$891,000.00	\$945,000.00
181. Calexico, CA Purchase new buses for the Calexico Transit System	\$160,000.00	\$165,000.00	\$175,000.00
182. San Francisco, CA Redesign and renovate intermodal facility at Glen Park Community	\$1,056,000.00	\$1,089,000.00	\$1,155,000.00
183. Cleveland, OH Buses and bus-related facilities	\$64,000.00	\$66,000.00	\$70,000.00
184. Cleveland, OH Construct intermodal facility	\$288,000.00	\$297,000.00	\$315,000.00
185. Cleveland, OH Construct intermodal facility on Euclid Avenue	\$160,000.00	\$165,000.00	\$175,000.00
186. Berkeley/Oakland, CA AC Transit Bus Rapid Transit, bus shelters & intelligent systems, Berkeley-Oakland corridor project	\$640,000.00	\$660,000.00	\$700,000.00
187. Gardena, CA Purchase of alternate fuel buses for service expansion, on-board security system and bus facility training equipment	\$1,565,571.84	\$1,614,495.96	\$1,712,344.20
188. Wilmington, NC A multi-modal center for rail station and downtown hub for city and intercity bus services	\$240,000.00	\$247,500.00	\$262,500.00
189. Westchester County, NY Acquisition of clean fuel buses	\$80,000.00	\$82,500.00	\$87,500.00
190. Pleasant Hill, CA Construct Diablo Valley College Bus Transit Center	\$480,000.00	\$495,000.00	\$525,000.00
191. Rock Island, IL Construct bus and bus-related facilities	\$160,000.00	\$165,000.00	\$175,000.00
192. Beckley, WV Beckley Intermodal Gateway, pursuant to the eligibility provisions for projects listed under section 3030(d)(3) of P.L. 105-178	\$7,680,000.00	\$7,920,000.00	\$8,400,000.00
193. Newark, NJ Newark Penn Station Intermodal Improvements including the rehabilitation of boarding areas	\$320,000.00	\$330,000.00	\$350,000.00

Project	FY 05	FY 06	FY 07
194. San Francisco, CA Construct Transbay Terminal	\$4,480,000.00	\$4,620,000.00	\$4,900,000.00
195. Bronx, NY Conduct a study to construct an intermodal facility in Riverdale/Kingsbridge	\$112,000.00	\$115,500.00	\$122,500.00
196. Philadelphia, PA Philadelphia Zoo Intermodal Transportation project entailing parking consolidation, pedestrian walkways, public transportation complements, and landscape improvements to surface parking lots.	\$2,211,672.00	\$2,280,786.75	\$2,419,016.25
197. Thurston County, WA Purchase buses to replace existing equipment and expand service	\$288,000.00	\$297,000.00	\$315,000.00
198. Gresham, OR Construction of a light rail station, bus, bicycle and parking plaza facilities, and in support of transit-oriented development	\$480,000.00	\$495,000.00	\$525,000.00
199. New Jersey, Passaic Valley Intermodal and Parking Facilities	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
200. Denver, CO Construct intermodal center at Denver Union Station	\$3,200,000.00	\$3,300,000.00	\$3,500,000.00
201. Corpus Christi, TX Corpus Regional Transit Authority for maintenance facility improvements	\$640,000.00	\$660,000.00	\$700,000.00
202. Albany, OR Rehabilitate building at Multimodal Transit Station	\$281,600.00	\$290,400.00	\$308,000.00
203. Alameda, CA Planning, design, construction of an aerial tramway at the former Naval Air Station on Alameda Point to Oakland BART	\$640,000.00	\$660,000.00	\$700,000.00
204. Union City, CA Grade separation to provide new vehicle, pedestrian, and bike access to BART	\$800,000.00	\$825,000.00	\$875,000.00
205. Westchester County, NY Replacement of buses in Westchester's Beeline fleet	\$1,200,000.00	\$1,237,500.00	\$1,312,500.00
206. Livermore, CA Construct Bus Facility for Livermore Amador Valley Transit Authority	\$720,000.00	\$742,500.00	\$787,500.00
207. Martinez, CA Martinez Intermodal Facility Depot restoration	\$320,000.00	\$330,000.00	\$350,000.00
208. San Juan, PR Purchase of 27 new buses for replacement and service expansion	\$960,000.00	\$990,000.00	\$1,050,000.00
209. San Juan, PR Purchase of security cameras on board 404 buses	\$320,000.00	\$330,000.00	\$350,000.00
210. Flint, MI Purchase new and replacement vehicles for expanded job related service. Flint MTA	\$160,000.00	\$165,000.00	\$175,000.00
211. Sonoma County, CA Purchase CNG buses	\$160,000.00	\$165,000.00	\$175,000.00
212. Arlington, VA Improve pedestrian access, construct shelters, and purchase buses to improve service along Columbia Pike corridor	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
213. Santa Clara County, CA Purchase 6 hydrogen fuel-cell buses, installation of fuel station, and modification of existing facilities for the new technology	\$1,024,000.00	\$1,056,000.00	\$1,120,000.00
214. Los Angeles, CA Improve Wilshire Vermont transit station to provide improved pedestrian and intermodal access	\$320,000.00	\$330,000.00	\$350,000.00
215. Indianapolis, IN Create downtown transit center for the intra-city bus system	\$5,192,000.00	\$5,354,250.00	\$5,678,750.00
216. Fairfax, VA Construct transit center and improve service and pedestrian and passenger access on Richmond Highway	\$640,000.00	\$660,000.00	\$700,000.00

Project	FY 05	FY 06	FY 07
217. Alexandria, VA Purchase buses and relocate WMATA's 58-year old Royal Street garage	\$640,000.00	\$660,000.00	\$700,000.00
218. Bar Harbor, ME Purchase new buses to enhance commuting near the Jackson Labs	\$96,000.00	\$99,000.00	\$105,000.00
219. Los Angeles, CA Los Angeles City College Red Line Pedestrian Connector Project to improve pedestrian access	\$400,000.00	\$412,500.00	\$437,500.00
220. Stanwood, WA Terry's Corner Park and Ride	\$336,000.00	\$346,500.00	\$367,500.00
221. Denver, CO Construct intermodal facility at Stapleton as part of FasTracks project	\$640,000.00	\$660,000.00	\$700,000.00
222. Alexandria, VA Construct shelters, walkways and traffic light signals in Eisenhower Avenue area to increase bus ridership and improve connectivity to Metrorail stations	\$800,000.00	\$825,000.00	\$875,000.00
223. Island County, WA Island Transit Capital Improvements	\$768,000.00	\$792,000.00	\$840,000.00
224. Kansas City, MO Regional Bus rapid transit system	\$640,000.00	\$660,000.00	\$700,000.00
225. Pittsburgh, PA For the purchase of clean fuel buses	\$160,000.00	\$165,000.00	\$175,000.00
226. Burbank, CA Construction of the Empire Area Transit Center near the Burbank/Pasadena/Glendale Airport	\$320,000.00	\$330,000.00	\$350,000.00
227. New Orleans, LA Plan and construct New Orleans Union Passenger Terminal intermodal facilities	\$320,000.00	\$330,000.00	\$350,000.00
228. Kansas City, MO Bus transit infrastructure	\$160,000.00	\$165,000.00	\$175,000.00
229. Dallas, TX Bus Passenger Facilities for Dallas Area Rapid Transit: shelters, benches, and bus stop improvements	\$3,200,000.00	\$3,300,000.00	\$3,500,000.00
230. Los Angeles, CA Reseda Blvd. Bus Rapid Transit Route, a small-start project already begun by the LA MTA ...	\$320,640.00	\$330,660.00	\$350,700.00
231. Monterey Park, CA Safety improvements at a bus stop including creation of bus loading areas and street improvements	\$544,000.00	\$561,000.00	\$595,000.00
232. Washington, DC Purchase of clean fuel transit buses and improved passenger facilities including bus system maps, dynamic bus arrival indicators and improved bus stop signage	\$6,400,000.00	\$6,600,000.00	\$7,000,000.00
233. Cheltenham Township, PA Glenside Rail Station Parking Garage project involving the construction of a 300-400 space parking lot @ Easton Road and Glenside Avenue	\$544,000.00	\$561,000.00	\$595,000.00
234. San Mateo County, CA Install security cameras for buses and passenger stations	\$384,000.00	\$396,000.00	\$420,000.00
235. Torrance, CA Acquisition of EPA and CARB-certified, low emission replacement buses	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
236. Portland, OR Renovation of Union Station, including structural reinforcement and public safety upgrades	\$32,000.00	\$33,000.00	\$35,000.00
237. Long Beach, CA Install security cameras on busses	\$320,000.00	\$330,000.00	\$350,000.00
238. Pittsburgh, PA North Shore improvements. Funding for the West End Bridge improvements, Intermodal Transportation Center, Brighton Road, Canal and Market Streets	\$320,000.00	\$330,000.00	\$350,000.00

Project	FY 05	FY 06	FY 07
239. Los Angeles, CA Expand intermodal center at California State University to accommodate additional buses, ADA improvements, upgrade lighting	\$320,000.00	\$330,000.00	\$350,000.00
240. Cleveland, OH Construct intermodal center and bus facilities at Euclid Avenue and East 96th Street	\$640,000.00	\$660,000.00	\$700,000.00
241. Brockton, MA Bus replacement for the Brockton Area Transit Authority (BAAT)	\$480,000.00	\$495,000.00	\$525,000.00
242. Sacramento, CA Improvements to bus facilities	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
243. Orange County, CA Purchase inter-county express buses for Orange County Transportation Authority	\$320,000.00	\$330,000.00	\$350,000.00
244. New Jersey, Community Shuttle Buses	\$640,000.00	\$660,000.00	\$700,000.00
245. Nacogdoches, TX Bus fleet vehicle replacement for the Brazos Transit District	\$320,000.00	\$330,000.00	\$350,000.00
246. Lufkin, TX Bus fleet vehicle replacement for the Brazos Transit District	\$320,000.00	\$330,000.00	\$350,000.00
247. Burbank, CA Burbank Regional Intermodal Transportation Center – Chandler Bikeway Extension	\$252,800.00	\$260,700.00	\$276,500.00
248. Miramar, FL Miramar Transit Hub ...	\$320,000.00	\$330,000.00	\$350,000.00
249. Atlanta, GA Redevelopment of the Metro Atlanta Rapid Transit Authority Hamilton bus facility to support clean fuel buses	\$1,894,400.00	\$1,953,600.00	\$2,072,000.00
250. Rockport, MA Improvements to Rockport Station including station renovations, barrier free access, and expanded parking	\$768,000.00	\$792,000.00	\$840,000.00
251. Cleveland, OH Construct intermodal facility, East Side Transit Authority	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
252. Grants Pass, OR Purchase vehicles for use by Josephine Community Transit	\$54,720.00	\$56,430.00	\$59,850.00
253. Plantation, FL Construction of the Central Plantation Transit Greenway System	\$512,000.00	\$528,000.00	\$560,000.00
254. Oakland, CA Pedestrian and bicycle-oriented improvements at four BART Transit Villages	\$320,000.00	\$330,000.00	\$350,000.00
255. Santa Monica, CA Purchase and service Liquid Natural Gas buses for Santa Monica Big Blue Bus to service increased ridership and reduce emissions	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
256. Broward County, FL Buses and bus facilities	\$3,760,000.00	\$3,877,500.00	\$4,112,500.00
257. Glendale, CA Glendale Beeline Bus/Trolley System	\$416,000.00	\$429,000.00	\$455,000.00
258. Baldwin Park, CA Construct vehicle and bicycle parking lot at and pedestrian rest area at transit center	\$96,000.00	\$99,000.00	\$105,000.00
259. Baldwin Park, CA Construct new sidewalks, lighting, and curbs between Metrolink station and downtown	\$160,000.00	\$165,000.00	\$175,000.00
260. Buses and bus related facilities throughout the State of Connecticut	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
261. Hartford, CT Buses and bus-related facilities	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
262. New Jersey, Intermodal passenger transportation deployment initiative for Passaic-Bergen DMU demonstration program	\$3,200,000.00	\$3,300,000.00	\$3,500,000.00
263. Santa Monica, CA Construction of intermodal facility and purchase and service of buses for joint Santa Monica College and community transit service	\$720,000.00	\$742,500.00	\$787,500.00

Project	FY 05	FY 06	FY 07
264. Los Angeles, CA Improve transit shelters, sidewalks and landscaping around Cedar's-Sinai Medical Center	\$240,000.00	\$247,500.00	\$262,500.00
265. Nassau County, NY Intermodal transportation improvements for the Nassau HUB	\$2,240,000.00	\$2,310,000.00	\$2,450,000.00
266. Memphis, TN Memphis South Intermodal Center will be a major connection point for local bus, intercity bus, automobiles and airport transportation	\$960,000.00	\$990,000.00	\$1,050,000.00
267. Tampa, FL Purchase replacement buses and vanpools	\$160,000.00	\$165,000.00	\$175,000.00
268. San Jose, CA Reconstruct Santa Clara Valley Transportation Authority's Cerone Operating Division Facilities	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
269. Belle Glade, FL Construction and Land Acquisition of a Combined Passenger Transfer and Maintenance/Operations Facility	\$960,000.00	\$990,000.00	\$1,050,000.00
270. Denver, CO Construct bus maintenance facility	\$320,000.00	\$330,000.00	\$350,000.00
271. Rhode Island Bus purchase and park & ride facilities	\$320,000.00	\$330,000.00	\$350,000.00
272. Monterey Park, CA Monterey Park Busline Intelligent Transit Information system	\$192,000.00	\$198,000.00	\$210,000.00
273. Providence, RI Expansion of RIPTA Elmwood Facility for Paratransit Maintenance	\$960,000.00	\$990,000.00	\$1,050,000.00
274. Johnson County, KS Bus and bus-related facilities (I-35 Corridor)	\$640,000.00	\$660,000.00	\$700,000.00
275. Santa Fe, NM Purchase Santa Fe Trails Downtown Transit Center buses, support vehicles, paratransit vehicles, and six trolley buses for downtown shuttle service	\$320,000.00	\$330,000.00	\$350,000.00
276. Milwaukee County, WI Milwaukee County bus replacements	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
277. South San Francisco, CA Construct ferry terminal at Oyster Point to provide ferry service from San Francisco by Water Transit Authority	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
278. Niles, OH Bus and bus-related facilities	\$240,000.00	\$247,500.00	\$262,500.00
279. Rhode Island Bus Replacement	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
280. San Diego, CA Construct intermodal transportation management center to improve coordination, efficiency and security	\$960,000.00	\$990,000.00	\$1,050,000.00
281. Las Vegas, NV Construct North Las Vegas Boulevard Intermodal Transportation Terminal	\$960,000.00	\$990,000.00	\$1,050,000.00
282. Lawrence, MA Parking and drainage related to a Regional Intermodal Center	\$1,920,000.00	\$1,980,000.00	\$2,100,000.00
283. Richmond, VA Bus Operation and Maintenance Facility for Greater Richmond Transit Company	\$480,000.00	\$495,000.00	\$525,000.00
284. Attleboro, MA Multimodal transit hub, including central bus terminal, commuter park-and-ride garage, and improved access to commuter rail	\$640,000.00	\$660,000.00	\$700,000.00
285. Miami Dade County, FL N.W. 7th Avenue Transit Hub	\$1,440,000.00	\$1,485,000.00	\$1,575,000.00
286. Haverhill, MA Commuter rail parking	\$320,000.00	\$330,000.00	\$350,000.00
287. Los Angeles, CA Install permanent irrigation system and enhanced landscaping on San Fernando Valley bus rapid transitway	\$960,000.00	\$990,000.00	\$1,050,000.00

Project	FY 05	FY 06	FY 07
288. St. Paul, MN Union Depot Multimodal Transportation Hub	\$2,240,000.00	\$2,310,000.00	\$2,450,000.00
289. Gainesville, FL Bus Replacement	\$2,560,000.00	\$2,640,000.00	\$2,800,000.00
290. Salem, MA Design and Construction of station with 700–1000 parking spaces, bus layover facility, including pedestrian-vehicle access	\$640,000.00	\$660,000.00	\$700,000.00
291. Richmond, VA Main Street Station project	\$352,000.00	\$363,000.00	\$385,000.00
292. Jacksonville, FL Bus Replacement	\$2,240,000.00	\$2,310,000.00	\$2,450,000.00
293. Monmouth County, NJ Construction of main bus facility for Freehold Township, including a terminal and repair shop	\$640,000.00	\$660,000.00	\$700,000.00
294. Falls Church, VA Design and build an intermodal transit center in downtown Falls Church	\$640,000.00	\$660,000.00	\$700,000.00
295. Beverly, MA Construction of a 500 space parking garage adjacent to the Beverly depot	\$640,000.00	\$660,000.00	\$700,000.00
296. San Fernando, CA Construct CNG fueling station and other related infrastructure	\$416,000.00	\$429,000.00	\$455,000.00
297. Rialto, CA Expansion parking lot at Metrolink station in Rialto	\$224,000.00	\$231,000.00	\$245,000.00
298. El Paso, TX Purchase of buses for the SMART Starter service	\$800,000.00	\$825,000.00	\$875,000.00
299. Luzerne County, PA For the acquisition of new public transportation vehicles, includes buses and trolleys	\$160,000.00	\$165,000.00	\$175,000.00
300. San Antonio, TX VIA Metropolitan Transit - Purchase of new buses to replace the aging bus fleet and paratransit vans and upgrade of the bus maintenance facility	\$2,240,000.00	\$2,310,000.00	\$2,450,000.00
301. New York City, NY New Urban Center – Broadway Junction Intermodal Facility	\$307,200.00	\$316,800.00	\$336,000.00
302. Jacksonville, FL Paratransit Program	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
303. Las Vegas, NV Construct Las Vegas WestCare Intermodal Facility	\$160,000.00	\$165,000.00	\$175,000.00
304. Chicago, IL Construct intermodal facility at 35th Street at Metra Red Line ..	\$1,536,000.00	\$1,584,000.00	\$1,680,000.00
305. San Diego, CA Widen sidewalks and bus stop entrance, and provide diagonal parking, in the Skyline-Paradise Hills neighborhood	\$64,000.00	\$66,000.00	\$70,000.00
306. Culver City, CA Expand natural gas fuel facility, purchase CNG buses	\$1,204,049.28	\$1,241,675.82	\$1,316,928.90
307. Mukilteo, WA Mukilteo Multimodal Terminal	\$1,856,000.00	\$1,914,000.00	\$2,030,000.00
308. S. Amboy, NJ Improvements to the rail, bus passenger, parking facilities at S. Amboy station	\$2,560,000.00	\$2,640,000.00	\$2,800,000.00
309. Detroit, MI Two new garage and fuel facilities for Compressed Natural Gas buses	\$160,000.00	\$165,000.00	\$175,000.00
310. Chicago, IL Feasibility study for intermodal station on the Metra Rock Island near Kennedy-King College	\$160,000.00	\$165,000.00	\$175,000.00
311. Detroit, MI Timed Transfer Center, providing child care centers at transit transfer facilities	\$3,008,000.00	\$3,102,000.00	\$3,290,000.00
312. Pottsville, PA Union Street Trade and Transfer Center Intermodal Facility	\$640,000.00	\$660,000.00	\$700,000.00
313. Detroit, MI Bus Purchase	\$416,000.00	\$429,000.00	\$455,000.00
314. Atlanta, GA Multi Modal Terminal for Amtrak, high speed trains, and commuter buses in downtown Atlanta	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00

Project	FY 05	FY 06	FY 07
315. Richmond, CA Design and construct transit structure for Richmond BART station	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
316. Baltimore, MD Studies, planning and construction of Intermodal Terminal	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
317. City of Norwalk, CA EPA and CARB certified low emission replacement & expansion buses; develop parking facility for users of LAX airport	\$224,000.00	\$231,000.00	\$245,000.00
318. Los Angeles, CA Expand Bus Rapid Transit on Crenshaw Blvd	\$2,185,390.72	\$2,253,684.18	\$2,390,271.10
319. City of Montebello, CA Replace 16 eighteen-year-old diesel fueled bus with hybrid gas fueled bus	\$320,000.00	\$330,000.00	\$350,000.00
320. Tidewater, VA Eastern Seaboard Intermodal Transportation Application Center at Hampton University	\$448,000.00	\$462,000.00	\$490,000.00
321. Los Angeles, CA Purchase of clean fuel buses to improve bus service in South Los Angeles	\$837,628.16	\$863,804.04	\$916,155.80
322. Revere, MA Design and construction of an MBTA commuter rail stop and parking garage	\$1,280,000.00	\$1,320,000.00	\$1,400,000.00
323. Woburn, MA Expansion of commuter parking spaces at the MBTA Transit Facility	\$480,000.00	\$495,000.00	\$525,000.00
324. Charlotte, NC Design and construct new bus garage to support expansion of regional bus system	\$416,000.00	\$429,000.00	\$455,000.00
325. Salem, OR Keizer Transit, bus and bus facilities	\$640,000.00	\$660,000.00	\$700,000.00
326. Tillamook County, OR Construction of a transit facility	\$32,000.00	\$33,000.00	\$35,000.00
327. Canby, OR bus replacement and bus facilities	\$48,000.00	\$49,500.00	\$52,500.00
328. Wilsonville, OR South Metro Area Regional Transit, bus and bus facilities	\$80,000.00	\$82,500.00	\$87,500.00
329. Lincoln County, OR bus replacement	\$80,000.00	\$82,500.00	\$87,500.00
330. Molalla, OR South Clackamas Transportation District, bus replacement and expansion of service	\$32,000.00	\$33,000.00	\$35,000.00
331. Chicago, IL Construct intermodal facility at Sheridan Road and Loyola Avenue	\$96,000.00	\$99,000.00	\$105,000.00
332. Philadelphia, PA PCDC Pedestrian facilities, safety improvements, and motor vehicle access along Market St. Elevated Rail project.	\$608,000.00	\$627,000.00	\$665,000.00
333. Davis, CA Provide additional parking and enhancement to entrance of the Davis Multi-modal station	\$480,000.00	\$495,000.00	\$525,000.00
334. Woodland, CA Improve Yolobus Administration and Maintenance Facilities	\$800,000.00	\$825,000.00	\$875,000.00
335. Albany/Schenectady, NY Bus Facility Improvements in NY-5 Corridor	\$320,000.00	\$330,000.00	\$350,000.00
336. Jersey City, NJ Newport Station Intermodal Improvements	\$640,000.00	\$660,000.00	\$700,000.00
337. Galveston County, TX Intermodal facility to include bus and car parking	\$320,000.00	\$330,000.00	\$350,000.00
338. Maywood, IL Purchase buses	\$14,400.00	\$14,850.00	\$15,750.00
339. Galveston, TX Galveston Intermodal facility	\$1,440,000.00	\$1,485,000.00	\$1,575,000.00
340. Elizabeth, NJ Bus Shelters	\$320,000.00	\$330,000.00	\$350,000.00
341. Hingham, MA Hingham Marine Intermodal Center Improvements: Enhance public transportation infrastructure/parking	\$2,880,000.00	\$2,970,000.00	\$3,150,000.00

Project	FY 05	FY 06	FY 07
342. New York City, NY First Phase Implementation of Bus Rapid Transit System	\$320,000.00	\$330,000.00	\$350,000.00
343. Galveston, TX Relocation of rail facilities	\$480,000.00	\$495,000.00	\$525,000.00
344. Bronx, NY Establishment of a new intermodal facility near Exit 6 of the Bronx River Parkway	\$80,000.00	\$82,500.00	\$87,500.00
345. Berkeley, CA Ed Roberts Campus: Intermodal transit center above Ashby BART station providing multiple services for disabled people	\$960,000.00	\$990,000.00	\$1,050,000.00
346. Niagara Falls, NY Relocation and Development of Niagara Falls International Railway Station/Intermodal Transportation Center	\$960,000.00	\$990,000.00	\$1,050,000.00
347. Mountlake Terrace, WA Community Transit's Snohomish County Park and Ride Expansion Program	\$960,000.00	\$990,000.00	\$1,050,000.00
348. Town of North Hempstead, NY Acquisition and expansion of commuter parking field adjacent to Albertson train station	\$320,000.00	\$330,000.00	\$350,000.00
349. Babylon, NY Design and construction of intermodal transit facility in Wyandanch	\$1,040,000.00	\$1,072,500.00	\$1,137,500.00
350. Suffolk County, NY Purchase four handicapped accessible vans in Northport	\$83,200.00	\$85,800.00	\$91,000.00
351. Piti, GU Construct Cabras Island Intermodal Facility	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
352. Lake Charles, LA Bus and bus related facilities	\$320,000.00	\$330,000.00	\$350,000.00
353. Normal, IL: Multimodal Transportation Center	\$1,600,000.00	\$1,650,000.00	\$1,750,000.00
354. Champaign, IL: University of Illinois Research Park park and ride/daycare facility	\$480,000.00	\$495,000.00	\$525,000.00
355. Mattoon, IL: Historic railroad depot/intermodal center	\$480,000.00	\$495,000.00	\$525,000.00
356. Jesup, GA: Historic depot and bus station rehabilitation	\$320,000.00	\$330,000.00	\$350,000.00
357. Renaissance Square, NY: Intermodal center, below grade transit center with association joint development, including community college and performing arts center	\$2,240,000.00	\$2,310,000.00	\$2,450,000.00
358. Boysville of Michigan—Vans purchase	\$1,075,200.00	\$1,108,800.00	\$1,176,000.00
359. State of Wisconsin buses and bus facilities	\$9,600,000.00	\$9,900,000.00	\$10,500,000.00

1 **SEC. 3039. NATIONAL FUEL CELL BUS TECHNOLOGY DE-**
2 **VELOPMENT PROGRAM.**

3 (a) ESTABLISHMENT.—The Secretary shall establish
4 a national fuel cell bus technology development program
5 (in this section referred to as the “program”) to facilitate

1 the development of commercially viable fuel cell bus tech-
2 nology and related infrastructure.

3 (b) GENERAL AUTHORITY.—The Secretary may
4 enter into grants, contracts, and cooperative agreements
5 with no more than 4 geographically diverse nonprofit orga-
6 nizations and recipients under chapter 53 of title 49,
7 United States Code, to conduct fuel cell bus technology
8 and infrastructure projects under the program.

9 (c) GRANT CRITERIA.—In selecting applicants for
10 grants under the program, the Secretary shall consider the
11 applicant's—

12 (1) ability to contribute significantly to fur-
13 thering fuel cell technology as it relates to transit
14 bus operations, including hydrogen production, en-
15 ergy storage, fuel cell technologies, vehicle systems
16 integration, and power electronics technologies;

17 (2) financing plan and cost share potential;

18 (3) fuel cell technology to ensure that the pro-
19 gram advances different fuel cell technologies, in-
20 cluding hydrogen-fueled and methanol-powered liq-
21 uid-fueled fuel cell technologies, that may be viable
22 for public transportation systems; and

23 (4) other criteria that the Secretary determines
24 are necessary to carry out the program.

1 (d) COMPETITIVE GRANT SELECTION.—The Sec-
2 retary shall conduct a national solicitation for applications
3 for grants under the program. Grant recipients shall be
4 selected on a competitive basis. The Secretary shall give
5 priority consideration to applicants that have successfully
6 managed advanced transportation technology projects, in-
7 cluding projects related to hydrogen and fuel cell public
8 transportation operations for a period of not less than 10
9 years.

10 (e) FEDERAL SHARE.—The Federal share of costs of
11 the program shall be provided from funds made available
12 to carry out this section. The Federal share of the cost
13 of a project carried out under the program shall not exceed
14 50 percent of such cost.

15 (f) GRANT REQUIREMENTS.—A grant under this sec-
16 tion shall be subject to—

17 (1) all terms and conditions applicable to a
18 grant made under section 5309 of title 49, United
19 States Code; and

20 (2) such other terms and conditions as are de-
21 termined by the Secretary.

22 **SEC. 3040. HIGH-INTENSITY SMALL-URBANIZED AREA FOR-**
23 **MULA GRANT PROGRAM.**

24 (a) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) ELIGIBLE AREA.—The term “eligible area”
2 means an urbanized area with a population of less
3 than 200,000 that meets or exceeds in one or more
4 performance categories the industry average for all
5 urbanized areas with a population of at least
6 200,000 but not more than 999,999, as determined
7 by the Secretary in accordance with subsection
8 (c)(2).

9 (2) PERFORMANCE CATEGORY.—The term
10 “performance category” means each of the following:

11 (A) Passenger miles traveled per vehicle
12 revenue mile.

13 (B) Passenger miles traveled per vehicle
14 revenue hour.

15 (C) Vehicle revenue miles per capita.

16 (D) Vehicle revenue hours per capita.

17 (E) Passenger miles traveled per capita.

18 (F) Passengers per capita.

19 (b) GENERAL AUTHORITY.—In order to address the
20 needs of small urbanized areas with unusually high levels
21 of public transportation service, the Secretary shall make
22 capital and operating grants under this section to eligible
23 recipients described in subsection (d) for use in eligible
24 areas.

25 (c) APPORTIONMENT.—

1 (1) APPORTIONMENT FORMULA.—Funds made
2 available for grants under this section in a fiscal
3 year shall be apportioned among eligible areas in the
4 ratio that—

5 (A) the number of performance categories
6 for which each eligible area meets or exceeds
7 the industry average in urbanized areas with a
8 population of at least 200,000 but not more
9 than 999,999; bears to

10 (B) the aggregate number of performance
11 categories for which all eligible areas meet or
12 exceed the industry average in urbanized areas
13 with a population of at least 200,000 but not
14 more than 999,999.

15 (2) DATA USED IN FORMULA.—The Secretary
16 shall calculate apportionments under this subsection
17 for a fiscal year using data from the national transit
18 database used to calculate apportionments for that
19 fiscal year under section 5336 of title 49, United
20 States Code.

21 (d) ELIGIBLE RECIPIENT.—Grant amounts appor-
22 tioned to an eligible area under this section shall be made
23 available to a public transportation agency or other gov-
24 ernmental entity in the eligible area for obligation in the
25 eligible area.

1 (e) GOVERNMENT'S SHARE OF COSTS.—

2 (1) CAPITAL GRANTS.—A grant for a capital
3 project under this section (including associated cap-
4 ital maintenance items) shall be for 80 percent of
5 the net capital costs of the project, as determined by
6 the Secretary. The recipient may provide additional
7 local matching amounts for such projects.

8 (2) OPERATING GRANTS.—A grant under this
9 section for operating assistance may not exceed 50
10 percent of the net operating costs of the project, as
11 determined by the Secretary.

12 (3) REMAINDER.—The remainder of the net
13 project costs may be provided from an undistributed
14 cash surplus, a replacement or depreciation cash
15 fund or reserve, or new capital.

16 (f) PERIOD OF AVAILABILITY.—Funds apportioned
17 under this section to an eligible area shall remain available
18 for obligation in that eligible area for a period of 3 years
19 after the last day of the fiscal year for which the funds
20 are apportioned. Any amounts so apportioned that remain
21 unobligated at the end of that period shall be added to
22 the amount that may be apportioned under this section
23 in the next fiscal year.

24 (g) APPLICATION OF OTHER SECTIONS.—Sections
25 5302, 5318, 5323, 5332, 5333, and 5336(e) of title 49,

1 United States Code, apply to this section and to a grant
2 made under this section.

3 (h) FUNDING.—Of the amounts made available to
4 carry out section 5307 of title 49, United States Code,
5 \$35,000,000 for fiscal year 2004, \$38,000,000 for fiscal
6 year 2005, \$41,000,000 for fiscal year 2006, \$44,000,000
7 for fiscal year 2007, \$47,000,000 for fiscal year 2008, and
8 \$50,000,000 for fiscal year 2009 shall be available to
9 carry out this section.

10 (i) TECHNICAL AMENDMENTS.—Section 5336 is
11 amended—

12 (1) in subsection (a)—

13 (A) by striking “of this title” and inserting
14 “to carry out section 5307”; and

15 (B) in paragraph (2) by inserting before
16 the period at the end the following: “, except
17 that the amount apportioned to the Anchorage
18 urbanized area under subsection (b) shall be
19 available to the Alaska Railroad for any costs
20 related to its passenger operations”;

21 (2) in subsection (b)(1) by inserting “and the
22 Alaska Railroad passenger operations” after “recipi-
23 ent”;

1 (3) in subsection (j) by striking “a grant made
2 under” each place it appears and inserting “a grant
3 made with funds apportioned under”; and

4 (4) in subsection (k)(1) by striking “section
5 5302(a)(13) of this title” and inserting “section
6 5302(a)”.

7 **SEC. 3041. ALLOCATIONS FOR NATIONAL RESEARCH AND**
8 **TECHNOLOGY PROGRAMS.**

9 (a) IN GENERAL.—Amounts appropriated pursuant
10 to section 5338(d) of title 49, United States Code, for na-
11 tional research and technology programs under sections
12 5312, 5314, and 5322 of such title shall be allocated by
13 the Secretary as follows:

14 (1) SAFETY AND EMERGENCY PREPARED-
15 NESS.—

16 (A) IN GENERAL.—For carrying out safety
17 and emergency preparedness research activities
18 consisting of technical assistance, training, and
19 data analysis and reporting to improve public
20 transportation system safety and security and
21 emergency preparedness—

22 (i) \$6,500,000 for fiscal year 2004;

23 (ii) \$7,000,000 for fiscal year 2005;

24 (iii) \$7,400,000 for fiscal year 2006;

25 (iv) \$7,800,000 for fiscal year 2007;

1 (v) \$8,200,000 for fiscal year 2008;

2 and

3 (vi) \$8,700,000 for fiscal year 2009.

4 (B) PUBLIC TRANSPORTATION NATIONAL
5 SECURITY STUDY.—

6 (i) IN GENERAL.—Not later than 6
7 months after the date of enactment of this
8 Act, the Secretary shall enter into an
9 agreement with the National Academy of
10 Sciences to conduct a study and evaluation
11 of the value major public transportation
12 systems in the United States serving the
13 38 urbanized areas that have a population
14 of more than 1,000,000 individuals provide
15 to the Nation's security and the ability of
16 such systems to accommodate the evacu-
17 ation, egress or ingress of people to or
18 from critical locations in times of emer-
19 gency.

20 (ii) ALTERNATIVE ROUTES.—For each
21 system described in clause (i) the study
22 shall identify—

23 (I) potential alternative routes
24 for evacuation using other transpor-

1 tation modes such as highway, air,
2 marine, and pedestrian activities; and

3 (II) transit routes that, if dis-
4 rupted, do not have sufficient transit
5 alternatives available.

6 (iii) REPORT.—Not later than 24
7 months after the date of entry into the
8 agreement, the Academy shall submit to
9 the Secretary and the Committee on
10 Transportation and Infrastructure of the
11 House of Representatives and the Com-
12 mittee on Banking, Housing and Urban
13 Affairs of the Senate a final report on the
14 results of the study and evaluation, to-
15 gether with such recommendations as the
16 Academy considers appropriate.

17 (iv) FUNDING.—Of the amounts made
18 available under section 5338(d) of title 49,
19 United States Code, \$250,000 shall be
20 available for each of fiscal years 2005 and
21 2006 to carry out this subparagraph.

22 (2) EQUIPMENT AND INFRASTRUCTURE.—For
23 carrying out equipment and infrastructure research
24 activities on public transportation and infrastructure

1 technologies and methods and voluntary industry
2 standards development—

3 (A) \$5,450,000 for fiscal year 2004;

4 (B) \$5,700,000 for fiscal year 2005;

5 (C) \$6,200,000 for fiscal year 2006;

6 (D) \$6,550,000 for fiscal year 2007;

7 (E) \$6,900,000 for fiscal year 2008; and

8 (F) \$7,200,000 for fiscal year 2009.

9 (3) PUBLIC TRANSPORTATION OPERATIONS EF-
10 FICIENCY.—For carrying out public transportation
11 operations efficiency research activities on high-per-
12 formance public transportation services and other in-
13 novations in fleet operations and maintenance—

14 (A) \$4,350,000 for fiscal year 2004;

15 (B) \$4,700,000 for fiscal year 2005;

16 (C) \$4,900,000 for fiscal year 2006;

17 (D) \$5,200,000 for fiscal year 2007;

18 (E) \$5,500,000 for fiscal year 2008; and

19 (F) \$5,800,000 for fiscal year 2009.

20 (4) ENERGY INDEPENDENCE AND ENVIRON-
21 MENTAL PROTECTION.—

22 (A) IN GENERAL.—For carrying out en-
23 ergy independence and environmental protection
24 research activities on improved public transpor-

1 tation energy use and propulsion systems and
2 public transportation oriented development—

3 (i) \$3,450,000 for fiscal year 2004;

4 (ii) \$3,700,000 for fiscal year 2005;

5 (iii) \$3,900,000 for fiscal year 2006;

6 (iv) \$4,150,000 for fiscal year 2007;

7 (v) \$4,300,000 for fiscal year 2008;

8 and

9 (vi) \$4,300,000 for fiscal year 2009.

10 (B) TRANSIT-ORIENTED DEVELOPMENT
11 CENTER.—Of the funds allocated for each of
12 fiscal years 2005 through 2009 under subpara-
13 graph (A), not less than \$1,000,000 shall be
14 made available by the Secretary for establish-
15 ment and operation of a national center for
16 transit-oriented development—

17 (i) to develop standards and defini-
18 tions for transit-oriented development adja-
19 cent to public transportation facilities;

20 (ii) to develop system planning guid-
21 ance, performance criteria, and modeling
22 techniques for metropolitan planning agen-
23 cies and public transportation agencies to
24 maximize ridership through land use plan-
25 ning and adjacent development; and

1 (iii) to provide research support and
2 technical assistance to public transpor-
3 tation agencies, metropolitan planning
4 agencies, and other persons regarding
5 transit-oriented development.

6 (5) MOBILITY MANAGEMENT.—

7 (A) IN GENERAL.—or carrying out re-
8 search activities on mobility management, as
9 described in section 5302(a)(1) of title 49,
10 United States Code—

- 11 (i) \$6,500,000 for fiscal year 2004;
12 (ii) \$7,000,000 for fiscal year 2005;
13 (iii) \$7,400,000 for fiscal year 2006;
14 (iv) \$7,800,000 for fiscal year 2007;
15 (v) \$8,200,000 for fiscal year 2008;
16 and
17 (vi) \$8,700,000 for fiscal year 2009.

18 (B) TRANSPORTATION EQUITY RESEARCH
19 PROGRAM.—Of the funds allocated for each of
20 fiscal years 2005 through 2009 under subpara-
21 graph (A), not less than \$1,000,000 shall be
22 made available by the Secretary for research
23 and demonstration activities that focus on the
24 impacts that transportation planning, invest-
25 ment, and operations have on low-income and

1 minority populations that are transit dependent.
2 Such activities shall include the development of
3 strategies to advance economic and community
4 development in low-income and minority com-
5 munities and the development of training pro-
6 grams that promote the employment of low-in-
7 come and minority community residents on
8 Federal-aid transportation projects constructed
9 in their communities.

10 (6) PUBLIC TRANSPORTATION CAPACITY BUILD-
11 ING.—

12 (A) IN GENERAL.—For carrying out public
13 transportation capacity building activities con-
14 sisting of workforce and industry development,
15 the International Mass Transportation Pro-
16 gram, and technology transfer and industry
17 adoption activities—

18 (i) \$2,300,000 for fiscal year 2004;

19 (ii) \$2,400,000 for fiscal year 2005;

20 (iii) \$2,500,000 for fiscal year 2006;

21 (iv) \$2,600,000 for fiscal year 2007;

22 (v) \$2,700,000 for fiscal year 2008;

23 and

24 (vi) \$3,000,000 for fiscal year 2009.

1 (B) TRANSIT CAREER LADDER TRAINING
2 PROGRAM.—Of the funds allocated for each fis-
3 cal year under subparagraph (A), not less than
4 \$1,000,000 shall be available for a nationwide
5 career ladder job training partnership program
6 for public transportation employees to respond
7 to technological changes in the public transpor-
8 tation industry, especially in the area of mainte-
9 nance. Such program shall be carried out by the
10 Secretary through a contract with a national
11 nonprofit organization with a demonstrated ca-
12 pacity to develop and provide such programs.

13 (7) STRATEGIC PLANNING AND PERFORMANCE
14 MEASURES.—For carrying out strategic planning
15 and performance measures consisting of policy and
16 program development, research program planning
17 and performance, evaluation, and industry out-
18 reach—

19 (A) \$3,450,000 for fiscal year 2004;

20 (B) \$3,500,000 for fiscal year 2005;

21 (C) \$3,700,000 for fiscal year 2006;

22 (D) \$4,000,000 for fiscal year 2007;

23 (E) \$4,200,000 for fiscal year 2008; and

24 (F) \$4,300,000 for fiscal year 2009.

1 (b) REMAINDER.—After making allocations under
2 subsection (a) of this section and section 5338(d)(2) of
3 title 49, United States Code, the remainder of funds made
4 available by section 5338(d)(2) of such title for national
5 research and technology programs under sections 5312,
6 5314, and 5322 for a fiscal year shall be allocated at the
7 discretion of the Secretary to other transit research, devel-
8 opment, demonstration and deployment projects author-
9 ized by sections 5312, 5314, and 5322 of such title.

10 **SEC. 3042. OBLIGATION CEILING.**

11 Notwithstanding any other provision of law, the total
12 of all obligations from amounts made available from the
13 Mass Transit Account of the Highway Trust Fund by, and
14 amounts appropriated under, subsections (a) through (f)
15 of section 5338 of title 49, United States Code, shall not
16 exceed—

- 17 (1) \$7,266,000,000 for fiscal year 2004;
- 18 (2) \$7,750,000,000 for fiscal year 2005;
- 19 (3) \$8,266,000,000 for fiscal year 2006;
- 20 (4) \$8,816,000,000 for fiscal year 2007;
- 21 (5) \$9,403,000,000 for fiscal year 2008; and
- 22 (6) \$10,029,000,000 for fiscal year 2009.

1 **SEC. 3043. ADJUSTMENTS FOR THE SURFACE TRANSPOR-**
2 **TATION EXTENSION ACT OF 2004.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, the Secretary shall ensure that the total ap-
5 portionments and allocations made to a designated grant
6 recipient under section 5338 of title 49, United States
7 Code, for fiscal year 2004 shall be reduced by the amount
8 apportioned to such designated recipient pursuant to sec-
9 tion 9 of the Surface Transportation Extension Act of
10 2004.

11 (b) FIXED GUIDEWAY MODERNIZATION ADJUST-
12 MENT.—In making the apportionments described in sub-
13 section (a), the Secretary shall adjust the amount appor-
14 tioned to each urbanized area for fixed guideway mod-
15 ernization for fiscal year 2004 to reflect the method for
16 apportioning funds in section 5337(a) of title 49, United
17 States Code.

18 **SEC. 3044. COOPERATIVE PROCUREMENT.**

19 (a) REVIEW OF COOPERATIVE PROCUREMENT; AU-
20 THORITY TO INCREASE FEDERAL SHARE.—

21 (1) IN GENERAL.—Not later than 6 months
22 after the date of enactment of this Act, the Sec-
23 retary shall undertake a 30-day review of efforts to
24 use cooperative procurement to determine whether
25 benefits are sufficient to formally incorporate coop-
26 erative procurement into the mass transit program.

1 In particular the Secretary shall review the progress
2 made under the pilot program authorized under sec-
3 tion 166 of division F of the Consolidated Appro-
4 priations Act, 2004 (49 U.S.C. 5397 note; 118 Stat.
5 309), based on experience to date in the pilot pro-
6 gram and any available reports to Congress sub-
7 mitted under such section 166. The Secretary shall
8 also consider information gathered from grantees
9 about cooperative procurement, whether or not re-
10 lated to the pilot program.

11 (2) NOTIFICATION OF CONGRESS.—The Sec-
12 retary shall notify the Committee on Transportation
13 and Infrastructure of the House of Representatives
14 and the Committee on Banking, Housing, and
15 Urban Affairs of the Senate of the results of the re-
16 view required under paragraph (1), including a find-
17 ing of sufficient benefit or insufficient benefit and
18 the reasons for that finding.

1 **TITLE IV—MOTOR CARRIER**
2 **TRANSPORTATION AND SAFETY**
3 **Subtitle A—Commercial Motor**
4 **Vehicle Safety**

5 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) ADMINISTRATIVE EXPENSES.—Section 31104 of
7 title 49, United States Code, is amended by adding the
8 following at the end:

9 “(i) ADMINISTRATIVE EXPENSES.—

10 “(1) AUTHORIZATION OF APPROPRIATIONS.—

11 There are authorized to be appropriated from the
12 Highway Trust Fund (other than the Mass Transit
13 Account) for the Secretary of Transportation to pay
14 administrative expenses of the Federal Motor Car-
15 rier Safety Administration—

16 “(A) \$196,000,000 for fiscal year 2004;

17 “(B) \$208,000,000 for fiscal year 2005;

18 “(C) \$215,000,000 for fiscal year 2006;

19 “(D) \$221,000,000 for fiscal year 2007;

20 “(E) \$226,000,000 for fiscal year 2008;

21 and

22 “(F) \$232,000,000 for fiscal year 2009.

23 “(2) USE OF FUNDS.—The funds authorized by
24 this subsection shall be used for personnel costs; ad-
25 ministrative infrastructure; rent; information tech-

1 nology; programs for research and technology, infor-
2 mation management, regulatory development (in-
3 cluding a medical review board), the administration
4 of the performance and registration information sys-
5 tem management, and outreach and education; other
6 operating expenses; and such other expenses as may
7 from time to time become necessary to implement
8 statutory mandates of the Administration not fund-
9 ed from other sources.

10 “(3) PERIOD OF AVAILABILITY.—The amounts
11 made available under this section shall remain avail-
12 able until expended.

13 “(4) INITIAL DATE OF AVAILABILITY.—Author-
14 izations from the Highway Trust Fund (other than
15 the Mass Transit Account) to carry out subtitle IV,
16 part B, and subtitle VI, part B, of this title, or the
17 provisions of title IV of the Transportation Equity
18 Act: A Legacy for Users, shall be available for obli-
19 gation on the date of their apportionment or alloca-
20 tion or on October 1 of the fiscal year for which they
21 are authorized, whichever occurs first.

22 “(5) CONTRACT AUTHORITY.—Approval by the
23 Secretary of a grant with funds made available
24 under paragraph (4) imposes upon the United
25 States a contractual obligation for payment of the

1 Government's share of costs incurred in carrying out
2 the objectives of the grant.”.

3 (b) GRANT PROGRAMS.—There are authorized to be
4 appropriated from the Highway Trust Fund (other than
5 the Mass Transit Account) the following sums for the fol-
6 lowing Federal Motor Carrier Safety Administration pro-
7 grams:

8 (1) For commercial driver's license program im-
9 provement grants under section 31313 of title 49,
10 United States Code—

11 (A) \$22,000,000 for fiscal year 2005;

12 (B) \$23,000,000 for each of fiscal years
13 2006 and 2007;

14 (C) \$24,000,000 for fiscal year 2008; and

15 (D) \$25,000,000 for fiscal year 2009.

16 (2) For border enforcement grants under sec-
17 tion 31107 of such title—

18 (A) \$32,000,000 for fiscal year 2005;

19 (B) \$32,000,000 for fiscal year 2006;

20 (C) \$32,000,000 for fiscal year 2007;

21 (D) \$32,000,000 for fiscal year 2008; and

22 (E) \$32,000,000 for fiscal year 2009.

23 (3) For the performance and registration infor-
24 mation system management grant program under
25 section 31109 of such title—

- 1 (A) \$4,000,000 for fiscal year 2005;
2 (B) \$4,000,000 for fiscal year 2006;
3 (C) \$4,000,000 for fiscal year 2007;
4 (D) \$4,000,000 for fiscal year 2008; and
5 (E) \$4,000,000 for fiscal year 2009.

6 (4) COMMERCIAL VEHICLE INFORMATION SYS-
7 TEMS AND NETWORKS DEPLOYMENT.—For carrying
8 out the commercial vehicle information systems and
9 networks deployment program under section 4009 of
10 this Act, \$22,000,000 for each of fiscal years 2005
11 through 2009.

12 (c) PERIOD OF AVAILABILITY.—The amounts made
13 available under subsection (b) of this section shall remain
14 available until expended.

15 (d) INITIAL DATE OF AVAILABILITY.—Amounts au-
16 thorized to be appropriated from the Highway Trust Fund
17 (other than the Mass Transit Account) by subsection (b)
18 shall be available for obligation on the date of their appor-
19 tionment or allocation or on October 1 of the fiscal year
20 for which they are authorized, whichever occurs first.

21 (e) CONTRACT AUTHORITY.—Approval by the Sec-
22 retary of a grant with funds made available under sub-
23 section (b) imposes upon the United States a contractual
24 obligation for payment of the Government's share of costs
25 incurred in carrying out the objectives of the grant.

1 **SEC. 4102. MOTOR CARRIER SAFETY GRANTS.**

2 (a) STATE PLAN CONTENTS.—Section 31102(b)(1)
3 of title 49, United States Code, is amended—

4 (1) by striking subparagraph (A) and inserting
5 the following:

6 “(A) implements performance-based activities,
7 including deployment of technology to enhance the
8 efficiency and effectiveness of commercial motor ve-
9 hicle safety programs;”;

10 (2) by striking subparagraph (Q) and inserting
11 the following:

12 “(Q) provides that the State has established a
13 program to ensure accurate, complete, and timely
14 motor carrier safety data is collected and reported to
15 the Secretary and that the State will participate in
16 a national motor carrier safety data correction sys-
17 tem prescribed by the Secretary;”;

18 (3) by aligning subparagraph (R) with subpara-
19 graph (S);

20 (4) by striking “and” at the end of subpara-
21 graph (S);

22 (5) by striking the period at the end of sub-
23 paragraph (T) and inserting a semicolon; and

24 (6) by adding at the end the following:

25 “(U) provides that the State will include in the
26 training manual for the licensing examination to

1 drive a noncommercial motor vehicle and a commer-
2 cial motor vehicle, information on best practices for
3 driving safely in the vicinity of commercial motor ve-
4 hicles and in the vicinity of noncommercial motor ve-
5 hicles, respectively;

6 “(V) provides that the State will enforce the
7 registration requirements of section 13902 by pro-
8 hibiting the operation of any vehicle discovered to be
9 operated by a motor carrier without a registration
10 issued under such section or to be operating beyond
11 the scope of such registration; and

12 “(W) provides that the State will conduct com-
13 prehensive and highly visible traffic enforcement and
14 commercial motor vehicle safety inspection programs
15 in high-risk locations and corridors.”.

16 (b) USE OF GRANTS TO ENFORCE OTHER LAWS.—
17 Section 31102 of such title is amended—

18 (1) by striking subsection (c) and inserting the
19 following:

20 “(c) USE OF GRANTS TO ENFORCE OTHER LAWS.—

21 A State may use amounts received under a grant under
22 subsection (a)—

23 “(1) for the following activities if the activities
24 are carried out in conjunction with an appropriate
25 inspection of the commercial motor vehicle to enforce

1 Government or State commercial motor vehicle safe-
2 ty regulations:

3 “(A) enforcement of commercial motor ve-
4 hicle size and weight limitations at locations
5 other than fixed weight facilities, at specific lo-
6 cations such as steep grades or mountainous
7 terrains where the weight of a commercial
8 motor vehicle can significantly affect the safe
9 operation of the vehicle, or at ports where inter-
10 modal shipping containers enter and leave the
11 United States; and

12 “(B) detection of the unlawful presence of
13 a controlled substance (as defined under section
14 102 of the Comprehensive Drug Abuse Preven-
15 tion and Control Act of 1970 (21 U.S.C. 802))
16 in a commercial motor vehicle or on the person
17 of any occupant (including the operator) of the
18 vehicle; and

19 “(2) for documented enforcement of State traf-
20 fic laws and regulations designed to promote the
21 safe operation of commercial motor vehicles, includ-
22 ing documented enforcement of such laws and regu-
23 lations relating to noncommercial motor vehicles
24 when necessary to promote the safe operation of
25 commercial motor vehicles if the number of roadside

1 safety inspections conducted in the State is main-
2 tained at a level at least equal to the average num-
3 ber conducted in the State in fiscal years 2001,
4 2002, and 2003; except that the State may not use
5 more than 5 percent of the aggregate amount the
6 State receives under the grant under subsection (a)
7 for enforcement activities relating to noncommercial
8 motor vehicles described in this paragraph.”; and

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

10 “(e) ANNUAL REPORT.—The Secretary shall submit
11 to the Committee on Transportation and Infrastructure
12 of the House of Representatives and the Committee on
13 Commerce, Science and Transportation of the Senate an
14 annual report that describes the effect of activities carried
15 out with funds from grants made under this section on
16 commercial motor vehicle safety.”.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
18 31104(a) of such title is amended to read as follows:

19 “(a) IN GENERAL.—Subject to subsection (f), there
20 are authorized to be appropriated from the Highway Trust
21 Fund (other than the Mass Transit Account) to carry out
22 section 31102—

23 “(1) \$168,000,000 for fiscal year 2004;

24 “(2) \$183,000,000 for fiscal year 2005;

25 “(3) \$185,000,000 for fiscal year 2006;

1 “(4) \$190,000,000 for fiscal year 2007;

2 “(5) \$195,000,000 for fiscal year 2008; and

3 “(6) \$200,000,000 for fiscal year 2009.”.

4 (d) NEW ENTRANT AUDITS.—Section 31104(f) of
5 such title is amended—

6 (1) in paragraph (1) by striking “deduction
7 under subsection (e)” and inserting “deductions
8 under subsection (e) and paragraphs (2) and (3)”;

9 (2) the first sentence of paragraph (2)(A)—

10 (A) by striking “or”; and

11 (B) by inserting after “technologies” the
12 following: “, or improve the quality and accu-
13 racy of data provided by the State”;

14 (3) in paragraph (2)—

15 (A) by striking “AND BORDER ACTIVI-
16 TIES.—” and all that follows through “5 per-
17 cent” and inserting “ACTIVITIES.—The Sec-
18 retary may designate up to 10 percent”; and

19 (B) by striking subparagraph (B); and

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

21 “(3) NEW ENTRANT AUDITS.—The Secretary
22 may deduct up to \$15,000,000 of the amounts avail-
23 able under subsection (a) for a fiscal year for audits
24 of new entrant motor carriers under section
25 31144(g).”.

1 (e) TECHNICAL AMENDMENTS.—Sections
2 31102(b)(3) and 31103(a) of such title are amended by
3 striking “(1)(D)” and inserting “(1)(E)”.

4 **SEC. 4103. BORDER ENFORCEMENT GRANTS.**

5 (a) IN GENERAL.—Chapter 311 of title 49, United
6 States Code, is amended—

7 (1) by striking:

8 “SUBCHAPTER I—STATE GRANTS AND OTHER
9 COMMERCIAL MOTOR VEHICLE PROGRAMS”

10 and inserting:

11 “SUBCHAPTER I—GENERAL AUTHORITY AND
12 STATE GRANTS”; and

13 (2) by striking section 31107 and inserting the
14 following:

15 **“§ 31107. Border enforcement grants**

16 “(a) GENERAL AUTHORITY.—The Secretary of
17 Transportation may make a grant in a fiscal year to a
18 State that shares a land border with another country for
19 carrying out border commercial motor vehicle safety pro-
20 grams and related enforcement activities and projects.

21 “(b) MAINTENANCE OF EXPENDITURES.—The Sec-
22 retary may make a grant to a State under this section
23 only if the State agrees that the total expenditure of
24 amounts of the State and political subdivisions of the
25 State, exclusive of amounts from the United States, for

1 carrying out border commercial motor vehicle safety pro-
2 grams and related enforcement activities and projects will
3 be maintained at a level at least equal to the average level
4 of that expenditure by the State and political subdivisions
5 of the State for the last 2 fiscal years of the State ending
6 before the date of enactment of the Transportation Equity
7 Act: A Legacy for Users.

8 “(c) GOVERNMENTS SHARE OF COSTS.—The Sec-
9 retary shall reimburse a State under a grant made under
10 this section an amount that is not more than 100 percent
11 of the costs incurred by the State in a fiscal year for car-
12 rying out border commercial motor vehicle safety pro-
13 grams and related enforcement activities and projects.

14 “(d) AVAILABILITY AND REALLOCATION OF
15 AMOUNTS.—Allocations to a State remain available for ex-
16 penditure in the State for the fiscal year in which they
17 are allocated and for the next fiscal year. Amounts not
18 expended by a State during those 2 fiscal years are avail-
19 able to the Secretary for reallocation under this section.”.

20 (b) CONFORMING AMENDMENTS.—The analysis for
21 such chapter is amended—

22 (1) by striking

“SUBCHAPTER I—STATE GRANTS AND OTHER COMMERCIAL
MOTOR VEHICLE PROGRAMS”

23 and inserting the following:

“SUBCHAPTER I—GENERAL AUTHORITY AND STATE GRANTS”;
and

1 (2) by striking the item relating to section
2 31107 and inserting the following:

“31107. Border enforcement grants.”.

3 **SEC. 4104. COMMERCIAL DRIVER’S LICENSE IMPROVE-**
4 **MENTS.**

5 (a) STATE GRANTS.—Chapter 313 of title 49, United
6 States Code, is amended by inserting after section 31312
7 the following:

8 **“§ 31313. Grants for commercial driver’s license pro-**
9 **gram improvements**

10 “(a) GRANTS FOR COMMERCIAL DRIVER’S LICENSE
11 PROGRAM IMPROVEMENTS.—

12 “(1) GENERAL AUTHORITY.—The Secretary of
13 Transportation may make a grant to a State in a
14 fiscal year—

15 “(A) to comply with the requirements of
16 section 31311; and

17 “(B) in the case of a State that is in sub-
18 stantial compliance with the requirements of
19 section 31311 and this section, to improve its
20 implementation of its commercial driver’s li-
21 cense program.

22 “(2) PURPOSES FOR WHICH GRANTS MAY BE
23 USED.—A State may use grants under paragraphs

1 (1)(A) and (1)(B) only for expenses directly related
2 to its compliance with section 31311; except that a
3 grant under paragraph (1)(B) may be used for im-
4 proving implementation of the State’s commercial
5 driver’s license program, including expenses for com-
6 puter hardware and software, publications, testing,
7 personnel, training, and quality control. The grant
8 may not be used to rent, lease, or buy land or build-
9 ings.

10 “(3) APPLICATION.—In order to receive a grant
11 under this section, a State must submit an applica-
12 tion for such grant that is in such form, and con-
13 tains such information, as the Secretary may re-
14 quire. The application shall include the State’s as-
15 sessment of its commercial drivers license program.

16 “(4) MAINTENANCE OF EXPENDITURES.—The
17 Secretary may make a grant to a State under this
18 subsection only if the State agrees that the total ex-
19 penditure of amounts of the State and political sub-
20 divisions of the State, exclusive of amounts from the
21 United States, for the State’s commercial driver’s li-
22 cense program will be maintained at a level at least
23 equal to the average level of that expenditure by the
24 State and political subdivisions of the State for the
25 last 2 fiscal years of the State ending before the

1 date of enactment of the Transportation Equity Act:
2 A Legacy for Users.

3 “(5) GOVERNMENT SHARE.—The Secretary
4 shall reimburse a State under a grant made under
5 this subsection an amount that is not more than 80
6 percent of the costs incurred by the State in a fiscal
7 year in complying with section 31311 and improving
8 its implementation of its commercial driver’s license
9 program. In determining such costs, the Secretary
10 shall include in-kind contributions by the State.
11 Amounts required to be expended by the State under
12 paragraph (4) may not be included as part of the
13 non-Federal share of such costs.

14 “(b) HIGH-PRIORITY ACTIVITIES.—

15 “(1) GRANTS FOR NATIONAL CONCERNS.—The
16 Secretary may make a grant to a State agency, local
17 government, or other person for 100 percent of the
18 costs of research, development, demonstration
19 projects, public education, and other special activi-
20 ties and projects relating to commercial driver li-
21 censing and motor vehicle safety that are of benefit
22 to all jurisdictions of the United States or are de-
23 signed to address national safety concerns and cir-
24 cumstances.

1 “(2) FUNDING.—The Secretary may deduct up
2 to 10 percent of the amounts made available to
3 carry out this section for a fiscal year to make
4 grants under this subsection.”.

5 (b) CONFORMING AMENDMENT.—The analysis for
6 such chapter is amended by inserting after the item relat-
7 ing to section 31312 the following:

 “31313. Grants for commercial driver’s license program improvements.”.

8 (c) AMOUNTS WITHHELD.—Subsections (a) and (b)
9 of section 31314 of such title are each amended by insert-
10 ing “up to” after “withhold”.

11 **SEC. 4105. HOBBS ACT.**

12 (a) JURISDICTION OF COURT OF APPEALS OVER
13 COMMERCIAL MOTOR VEHICLE SAFETY REGULATION
14 AND OPERATORS AND MOTOR CARRIER SAFETY.—Section
15 2342(3)(A) of title 28, United States Code, is amended
16 by inserting before “of title 49” the following: “, sub-
17 chapter III of chapter 311, chapter 313, or chapter 315”.

18 (b) JUDICIAL REVIEW.—Section 351(a) of title 49,
19 United States Code, is amended by striking “Federal
20 Highway Administration” and inserting “Federal Motor
21 Carrier Safety Administration”.

22 (c) AUTHORITY TO CARRY OUT CERTAIN TRANS-
23 FERRED DUTIES AND POWERS.—Section 352 of title 49,
24 United States Code, is amended by striking “Federal

1 Highway Administration” and inserting “Federal Motor
2 Carrier Safety Administration”.

3 **SEC. 4106. PENALTY FOR DENIAL OF ACCESS TO RECORDS.**

4 Section 521(b) of title 49, United States Code, is
5 amended—

6 (1) by striking “(b)(1)(A) If the Secretary” and
7 inserting the following:

8 “(b) VIOLATIONS RELATING TO COMMERCIAL
9 MOTOR VEHICLE SAFETY REGULATION AND OPERA-
10 TORS.—

11 “(1) NOTICE.—

12 “(A) IN GENERAL.—If the Secretary”; and

13 (2) by adding at the end of paragraph (2) the
14 following:

15 “(E) COPYING OF RECORDS AND ACCESS
16 TO EQUIPMENT, LANDS, AND BUILDINGS.—A
17 person subject to chapter 51 or part B of sub-
18 title VI who fails to allow the Secretary, or an
19 employee designated by the Secretary, promptly
20 upon demand to inspect and copy any record or
21 inspect and examine equipment, lands, build-
22 ings, and other property in accordance with sec-
23 tion 504(c), 5121(c), or 14122(b) shall be liable
24 to the United States for a civil penalty not to
25 exceed \$1,000 for each offense. Each day the

1 Secretary is denied the right to inspect and
2 copy any record or inspect and examine equip-
3 ment, lands, buildings, and other property shall
4 constitute a separate offense; except that the
5 total of all civil penalties against any violator
6 for all offenses related to a single violation shall
7 not exceed \$10,000. It shall be a defense to
8 such penalty that the records did not exist at
9 the time of the Secretary's request or could not
10 be timely produced without unreasonable ex-
11 pense or effort. Nothing in this subparagraph
12 shall be construed as amending or superseding
13 any remedy available to the Secretary under
14 section 502(d), section 507(c), or any other
15 provision of this title.”.

16 **SEC. 4107. MEDICAL REVIEW BOARD.**

17 Section 113 of title 49, United States Code, is
18 amended by adding at the end the following:

19 “(j) MEDICAL REVIEW BOARD.—

20 “(1) ESTABLISHMENT AND FUNCTION.—The
21 Administrator shall establish a Medical Review
22 Board as an advisory committee to provide the Ad-
23 ministration with medical advice and recommenda-
24 tions on driver qualification medical standards and

1 guidelines, medical examiner education, and medical
2 research.

3 “(2) COMPOSITION.—The Medical Review
4 Board shall consist of 5 members appointed for a
5 term not to exceed 3 years by the Secretary from
6 medical institutions and private medical practice.
7 The membership shall reflect expertise in a variety
8 of medical specialties relevant to the functions of the
9 Administration.”.

10 **SEC. 4108. INCREASED PENALTIES FOR OUT-OF-SERVICE**
11 **VIOLATIONS AND FALSE RECORDS.**

12 (a) RECORDKEEPING AND REPORTING VIOLA-
13 TIONS.—Section 521(b)(2)(B) of title 49, United States
14 Code, is amended—

15 (1) in clause (i) by striking “\$500” and insert-
16 ing “\$1,000”; and

17 (2) by striking “\$5,000” each place it appears
18 and inserting “\$10,000”.

19 (b) VIOLATIONS OF OUT-OF-SERVICE ORDERS.—
20 Section 31310(i)(2) of title 49, United States Code, is
21 amended—

22 (1) by striking “Not later than December 18,
23 1992, the” and inserting “The”;

24 (2) in subparagraph (A)—

1 (A) by striking “90 days” and inserting
2 “180 days”; and

3 (B) by striking “\$1,000” and inserting
4 “\$2,500”;

5 (3) in subparagraph (B)—

6 (A) by striking “one year” and inserting
7 “2 years”; and

8 (B) by striking “\$1,000; and” and insert-
9 ing “\$5,000;”;

10 (4) in subparagraph (C) by striking “\$10,000.”
11 and inserting “\$25,000; and”; and

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

13 “(D) an employer that knowingly and willfully
14 allows or requires an employee to operate a commer-
15 cial motor vehicle in violation of an out-of-service
16 order shall, upon conviction, be subject for each of-
17 fense to imprisonment for a term not to exceed one
18 year or a fine under title 18, or both.”.

19 **SEC. 4109. COMMERCIAL VEHICLE INFORMATION SYSTEMS**
20 **AND NETWORKS DEPLOYMENT.**

21 (a) IN GENERAL.—The Secretary shall carry out a
22 commercial vehicle information systems and networks pro-
23 gram to—

24 (1) improve the safety and productivity of com-
25 mercial vehicles and drivers; and

1 (2) reduce costs associated with commercial ve-
2 hicle operations and Federal and State commercial
3 vehicle regulatory requirements.

4 (b) PURPOSE.—The program shall advance the tech-
5 nological capability and promote the deployment of intel-
6 ligent transportation system applications for commercial
7 motor vehicle operations, commercial driver, and carrier-
8 specific information systems and networks.

9 (c) CORE DEPLOYMENT GRANTS.—

10 (1) IN GENERAL.—The Secretary shall make
11 grants to eligible States for the core deployment of
12 commercial vehicle information systems and net-
13 works.

14 (2) AMOUNT OF GRANTS.—The maximum ag-
15 gregate amount the Secretary may grant to a State
16 for the core deployment of commercial vehicle infor-
17 mation systems and networks under this subsection
18 and sections 5001(a)(5) and 5001(a)(6) of the
19 Transportation Equity Act for the 21st Century
20 (112 Stat. 420) may not exceed \$2,500,000.

21 (3) USE OF FUNDS.—Funds from a grant
22 under this subsection may only be used for the core
23 deployment of commercial vehicle information sys-
24 tems and networks. An eligible State that has either
25 completed the core deployment of commercial vehicle

1 information systems and networks or completed such
2 deployment before grant funds are expended under
3 this subsection may use the grant funds for the ex-
4 panded deployment of commercial vehicle informa-
5 tion systems and networks in the State.

6 (d) EXPANDED DEPLOYMENT GRANTS.—

7 (1) IN GENERAL.—For each fiscal year, from
8 the funds remaining after the Secretary has made
9 grants under subsection (c), the Secretary may make
10 grants to each eligible State, upon request, for the
11 expanded deployment of commercial vehicle informa-
12 tion systems and networks.

13 (2) ELIGIBILITY.—Each State that has com-
14 pleted the core deployment of commercial vehicle in-
15 formation systems and networks in such State is eli-
16 gible for an expanded deployment grant under this
17 subsection.

18 (3) AMOUNT OF GRANTS.—Each fiscal year, the
19 Secretary may distribute funds available for ex-
20 panded deployment grants equally among the eligible
21 States, but not to exceed \$1,000,000 per State.

22 (4) USE OF FUNDS.—A State may use funds
23 from a grant under this subsection only for the ex-
24 panded deployment of commercial vehicle informa-
25 tion systems and networks.

1 (e) ELIGIBILITY.—To be eligible for a grant under
2 this section, a State—

3 (1) shall have a commercial vehicle information
4 systems and networks program plan approved by the
5 Secretary that describes the various systems and
6 networks at the State level that need to be refined,
7 revised, upgraded, or built to accomplish deployment
8 of core capabilities;

9 (2) shall certify to the Secretary that its com-
10 mercial vehicle information systems and networks
11 deployment activities, including hardware procure-
12 ment, software and system development, and infra-
13 structure modifications—

14 (A) are consistent with the national intel-
15 ligent transportation systems and commercial
16 vehicle information systems and networks archi-
17 tectures and available standards; and

18 (B) promote interoperability and efficiency
19 to the extent practicable; and

20 (3) shall agree to execute interoperability tests
21 developed by the Federal Motor Carrier Safety Ad-
22 ministration to verify that its systems conform with
23 the national intelligent transportation systems archi-
24 tecture, applicable standards, and protocols for com-
25 mercial vehicle information systems and networks.

1 (f) FEDERAL SHARE.—The Federal share of the cost
2 of a project payable from funds made available to carry
3 out this section shall not exceed 50 percent. The total Fed-
4 eral share of the cost of a project payable from all eligible
5 sources shall not exceed 80 percent.

6 (g) DEFINITIONS.—In this section, the following defi-
7 nitions apply:

8 (1) COMMERCIAL VEHICLE INFORMATION SYS-
9 TEMS AND NETWORKS.—The term “commercial ve-
10 hicle information systems and networks” means the
11 information systems and communications networks
12 that provide the capability to—

13 (A) improve the safety of commercial
14 motor vehicle operations;

15 (B) increase the efficiency of regulatory in-
16 spection processes to reduce administrative bur-
17 dens by advancing technology to facilitate in-
18 spections and increase the effectiveness of en-
19 forcement efforts;

20 (C) advance electronic processing of reg-
21 istration information, driver licensing informa-
22 tion, fuel tax information, inspection and crash
23 data, and other safety information;

1 (D) enhance the safe passage of commer-
2 cial motor vehicles across the United States and
3 across international borders; and

4 (E) promote the communication of infor-
5 mation among the States and encourage
6 multistate cooperation and corridor develop-
7 ment.

8 (2) COMMERCIAL MOTOR VEHICLE OPER-
9 ATIONS.—The term “commercial motor vehicle oper-
10 ations”—

11 (A) means motor carrier operations and
12 motor vehicle regulatory activities associated
13 with the commercial motor vehicle movement of
14 goods, including hazardous materials, and pas-
15 sengers; and

16 (B) with respect to the public sector, in-
17 cludes the issuance of operating credentials, the
18 administration of motor vehicle and fuel taxes,
19 and roadside safety and border crossing inspec-
20 tion and regulatory compliance operations.

21 (3) CORE DEPLOYMENT.—The term “core de-
22 ployment” means the deployment of systems in a
23 State necessary to provide the State with the fol-
24 lowing capabilities:

25 (A) Safety information exchange to—

1 (i) electronically collect and transmit
2 commercial motor vehicle and driver in-
3 spection data at a majority of inspection
4 sites in the State;

5 (ii) connect to the safety and fitness
6 electronic records system for access to
7 interstate carrier and commercial motor
8 vehicle data, summaries of past safety per-
9 formance, and commercial motor vehicle
10 credentials information; and

11 (iii) exchange carrier data and com-
12 mercial motor vehicle safety and creden-
13 tials information within the State and con-
14 nect to such system for access to interstate
15 carrier and commercial motor vehicle data.

16 (B) Interstate credentials administration
17 to—

18 (i) perform end-to-end processing, in-
19 cluding carrier application, jurisdiction ap-
20 plication processing, and credential
21 issuance, of at least the international reg-
22 istration plan and international fuel tax
23 agreement credentials and extend this
24 processing to other credentials, including
25 intrastate registration, vehicle titling, over-

1 size vehicle permits, overweight vehicle per-
2 mits, carrier registration, and hazardous
3 materials permits;

4 (ii) connect to such plan and agree-
5 ment clearinghouses; and

6 (iii) have at least 10 percent of the
7 credentialing transaction volume in the
8 State handled electronically and have the
9 capability to add more carriers and to ex-
10 tend to branch offices where applicable.

11 (C) Roadside electronic screening to elec-
12 tronically screen transponder-equipped commer-
13 cial vehicles at a minimum of one fixed or mo-
14 bile inspection site in the State and to replicate
15 this screening at other sites in the State.

16 (4) EXPANDED DEPLOYMENT.—The term “ex-
17 panded deployment” means the deployment of sys-
18 tems in a State that exceed the requirements of a
19 core deployment of commercial vehicle information
20 systems and networks, improve safety and the pro-
21 ductivity of commercial motor vehicle operations,
22 and enhance transportation security.

23 (h) REPEAL.—Section 5209 of the Transportation
24 Equity Act for the 21st Century (23 U.S.C. 502 note; 112
25 Stat. 460–461) is repealed.

1 **SEC. 4110. SAFETY FITNESS.**

2 (a) IN GENERAL.—Section 31144(a) of title 49,
3 United States Code, is amended to read as follows:

4 “(a) IN GENERAL.—The Secretary shall—

5 “(1) determine whether an owner or operator is
6 fit to operate safely commercial motor vehicles, uti-
7 lizing among other things the accident record of an
8 owner or operator operating in interstate commerce
9 and the accident record and safety inspection record
10 of such owner or operator in operations that affect
11 interstate commerce;

12 “(2) periodically update such safety fitness de-
13 terminations;

14 “(3) make such final safety fitness determina-
15 tions readily available to the public; and

16 “(4) prescribe by regulation penalties for viola-
17 tions of this section consistent with section 521.”.

18 (b) PROHIBITED TRANSPORTATION.—The first sub-
19 section (c) of such section 31144 is amended by adding
20 at the end the following:

21 “(5) TRANSPORTATION AFFECTING INTER-
22 STATE COMMERCE.—Owners or operators of com-
23 mercial motor vehicles prohibited from operating in
24 interstate commerce pursuant to paragraphs (1)
25 through (3) may not operate any commercial motor
26 vehicle that affects interstate commerce until the

1 Secretary determines that such owner or operator is
2 fit.”.

3 (c) DETERMINATION OF UNFITNESS BY A STATE.—

4 Such section 31144 is further amended—

5 (1) by redesignating subsections (d), (e), and
6 the second subsection (e) as subsections (e), (f), and
7 (g), respectively;

8 (2) by inserting after the first subsection (e)
9 the following:

10 “(d) DETERMINATION OF UNFITNESS BY A STATE.—

11 If a State that receives a grant under section 31102 deter-
12 mines, by applying the standards prescribed by the Sec-
13 retary under subsection (b), that an owner or operator of
14 commercial motor vehicles that has its principal place of
15 business in that State and operates in intrastate com-
16 merce is unfit under such standards and prohibits the
17 owner or operator from operating such vehicles in the
18 State, the Secretary shall prohibit the owner or operator
19 from operating such vehicles in interstate commerce until
20 the State determines that the owner or operator is fit.”;
21 and

22 (3) in subsection (g) (as redesignated by para-
23 graph (1) of this subsection) by adding at the end
24 the following:

1 “(5) GRANTS FOR AUDITS.—From amounts de-
2 ducted under section 31104(f)(3), the Secretary may
3 make grants to States and local governments for
4 new entrant motor carrier audits under this sub-
5 section without requiring a matching contribution
6 from such States or local governments.

7 “(6) DOT AUDITS.—If the Secretary deter-
8 mines that a State or local government is unable to
9 use government employees to conduct new entrant
10 motor carrier audits, the Secretary may utilize the
11 funds deducted under section 31104(f)(3) to conduct
12 such audits in areas under the jurisdiction of such
13 State or local government.”.

14 **SEC. 4111. PATTERN OF SAFETY VIOLATIONS BY MOTOR**
15 **CARRIER OR BROKER MANAGEMENT.**

16 (a) DUTIES OF EMPLOYERS AND EMPLOYEES.—Sec-
17 tion 31135 of title 49, United States Code, is amended—

18 (1) by inserting “(a) IN GENERAL.—” before
19 “Each”; and

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

21 “(b) PATTERN OF NONCOMPLIANCE.—If an officer of
22 a motor carrier or broker engages in a pattern or practice
23 of avoiding compliance, or masking or otherwise con-
24 cealing noncompliance, with regulations prescribed under
25 this chapter, the Secretary may suspend, amend, or revoke

1 any part of the registration of the motor carrier or broker
2 under section 13905.

3 “(c) LIST OF PROPOSED OFFICERS.—Each person
4 seeking registration as a motor carrier under section
5 13902 or as a broker under section 13904 shall submit
6 a list of the proposed officers of the motor carrier or
7 broker. If the Secretary determines that any of the pro-
8 posed officers has previously engaged in a pattern or prac-
9 tice of avoiding compliance, or masking or otherwise con-
10 cealing noncompliance, with regulations prescribed under
11 this chapter, the Secretary may deny the person’s applica-
12 tion for registration as a motor carrier under section
13 13902(a)(3) or as a broker under section 13904(a).

14 “(d) REGULATIONS.—The Secretary shall by regula-
15 tion establish standards to implement subsections (b) and
16 (c) and a procedure to allow a person who is denied reg-
17 istration under subsection (c) or whose registration is sus-
18 pended, amended, or revoked under subsection (b) to rem-
19 edy the pattern or practice that results in the denial, sus-
20 pension, amendment, or revocation.

21 “(e) DEFINITIONS.—In this section, the following
22 definitions shall apply:

23 “(1) MOTOR CARRIER AND BROKER.—The
24 terms ‘motor carrier’ and ‘broker’ have the meanings
25 such terms have under section 13102.

1 “(2) OFFICER.—The term ‘officer’ means an
2 owner, chief executive officer, chief operating officer,
3 chief financial officer, safety director, vehicle mainte-
4 nance supervisor, and driver supervisor of a motor
5 carrier, regardless of the title attached to those
6 functions.”.

7 (b) MOTOR CARRIER REGISTRATION.—Section
8 13902(a)(1)(B) of such title is amended to read as follows:

9 “(B)(i) any safety regulations imposed by
10 the Secretary;

11 “(ii) the duties of employers and employees
12 established by the Secretary under section
13 31135; and

14 “(iii) the safety fitness requirements estab-
15 lished by the Secretary under section 31144;
16 and”.

17 **SEC. 4112. MOTOR CARRIER RESEARCH AND TECHNOLOGY**
18 **PROGRAM.**

19 (a) IN GENERAL.—Section 31108 of title 49, United
20 States Code, is amended to read as follows:

21 **“§ 31108. Motor carrier research and technology pro-**
22 **gram**

23 “(a) RESEARCH, TECHNOLOGY, AND TECHNOLOGY
24 TRANSFER ACTIVITIES.—

1 “(1) ESTABLISHMENT.—The Secretary of
2 Transportation shall establish and carry out a motor
3 carrier research and technology program.

4 “(2) MULTI-YEAR PLAN.—The program must
5 include a multi-year research plan that focuses on
6 nonredundant innovative research.

7 “(3) RESEARCH, DEVELOPMENT, AND TECH-
8 NOLOGY TRANSFER ACTIVITIES.—The Secretary may
9 carry out under the program research, development,
10 technology, and technology transfer activities with
11 respect to—

12 “(A) the causes of accidents, injuries, and
13 fatalities involving commercial motor vehicles;

14 “(B) means of reducing the number and
15 severity of accidents, injuries, and fatalities in-
16 volving commercial motor vehicles;

17 “(C) improving commercial motor vehicle
18 and motor carrier safety, and industry effi-
19 ciency, through technological improvement;

20 “(D) improving technology used by en-
21 forcement officers when conducting roadside in-
22 spections and compliance reviews to increase ef-
23 ficiency and information transfers; and

24 “(E) increasing the safety and security of
25 hazardous materials transportation.

1 “(4) TESTS AND DEVELOPMENT.—The Sec-
2 retary may test, develop, or assist in testing and de-
3 veloping any material, invention, patented article, or
4 process related to the research and technology pro-
5 gram.

6 “(5) TRAINING.—The Secretary may use the
7 funds made available to carry out this section for
8 training or education of commercial motor vehicle
9 safety personnel, including training in accident re-
10 construction and detection of controlled substances
11 or other contraband and stolen cargo or vehicles.

12 “(6) PROCEDURES.—The Secretary may carry
13 out this section—

14 “(A) independently;

15 “(B) in cooperation with other Federal de-
16 partments, agencies, and instrumentalities and
17 Federal laboratories; or

18 “(C) by making grants to, or entering into
19 contracts, cooperative agreements, and other
20 transactions with, any Federal laboratory, State
21 agency, authority, association, institution, for-
22 profit or nonprofit corporation, organization,
23 foreign country, or person.

24 “(7) DEVELOPMENT AND PROMOTION OF USE
25 OF PRODUCTS.—The Secretary shall use funds made

1 available to carry out this section to develop, admin-
2 ister, communicate, and promote the use of products
3 of research, technology, and technology transfer pro-
4 grams under this section.

5 “(b) COLLABORATIVE RESEARCH AND DEVELOP-
6 MENT.—

7 “(1) IN GENERAL.—To advance innovative solu-
8 tions to problems involving commercial motor vehicle
9 and motor carrier safety, security, and efficiency,
10 and to stimulate the deployment of emerging tech-
11 nology, the Secretary may carry out, on a cost-
12 shared basis, collaborative research and development
13 with—

14 “(A) non-Federal entities, including State
15 and local governments, foreign governments,
16 colleges and universities, corporations, institu-
17 tions, partnerships, and sole proprietorships
18 that are incorporated or established under the
19 laws of any State; and

20 “(B) Federal laboratories.

21 “(2) COOPERATIVE AGREEMENTS.—In carrying
22 out this subsection, the Secretary may enter into co-
23 operative research and development agreements (as
24 defined in section 12 of the Stevenson-Wydler Tech-
25 nology Innovation Act of 1980 (15 U.S.C. 3710a)).

1 “(3) COST SHARING.—

2 “(A) FEDERAL SHARE.—The Federal
3 share of the cost of activities carried out under
4 a cooperative research and development agree-
5 ment entered into under this subsection shall
6 not exceed 50 percent; except that, if there is
7 substantial public interest or benefit associated
8 with any such activity, the Secretary may ap-
9 prove a greater Federal share.

10 “(B) TREATMENT OF DIRECTLY INCURRED
11 NON-FEDERAL COSTS.—All costs directly in-
12 curred by the non-Federal partners, including
13 personnel, travel, and hardware or software de-
14 velopment costs, shall be credited toward the
15 non-Federal share of the cost of the activities
16 described in subparagraph (A).

17 “(4) USE OF TECHNOLOGY.—The research, de-
18 velopment, or use of a technology under a coopera-
19 tive research and development agreement entered
20 into under this subsection, including the terms
21 under which the technology may be licensed and the
22 resulting royalties may be distributed, shall be sub-
23 ject to the Stevenson-Wydler Technology Innovation
24 Act of 1980 (15 U.S.C. 3701 et seq.).”.

1 (b) CONFORMING AMENDMENT.—The analysis for
 2 chapter 311 of such title is amended by striking the item
 3 relating to section 31108 and inserting the following:

“31108. Motor carrier research and technology program.”.

4 **SEC. 4113. INTERNATIONAL COOPERATION.**

5 (a) IN GENERAL.—Chapter 311 of title 49, United
 6 States Code, is amended by adding at the end the fol-
 7 lowing:

8 “SUBCHAPTER IV—MISCELLANEOUS
 9 **“§ 31161. International cooperation**

10 “The Secretary of Transportation is authorized to
 11 use funds made available by section 31104(i) to partici-
 12 pate and cooperate in international activities to enhance
 13 motor carrier, driver, and highway safety by such means
 14 as exchanging information, conducting research, and ex-
 15 amining needs, best practices, and new technology.”.

16 (b) CLERICAL AMENDMENT.—The analysis for such
 17 chapter is amended by adding at the end the following:

“SUBCHAPTER IV—MISCELLANEOUS
 “31161. International cooperation.”.

18 **SEC. 4114. PERFORMANCE AND REGISTRATION INFORMA-**
 19 **TION SYSTEM MANAGEMENT.**

20 (a) DESIGN AND CONDITIONS FOR PARTICIPATION.—
 21 Section 31106(b) of title 49, United States Code, is
 22 amended by striking paragraphs (2), (3), and (4) and in-
 23 serting the following:

1 “(2) DESIGN.—The program shall link Federal
2 motor carrier safety information systems with State
3 commercial vehicle registration and licensing systems
4 and shall be designed to enable a State to—

5 “(A) determine the safety fitness of a
6 motor carrier or registrant when licensing or
7 registering the registrant or motor carrier or
8 while the license or registration is in effect; and

9 “(B) deny, suspend, or revoke the commer-
10 cial motor vehicle registrations of a motor car-
11 rier or registrant that has been issued an oper-
12 ations out-of-service order by the Secretary.

13 “(3) CONDITIONS FOR PARTICIPATION.—The
14 Secretary shall require States, as a condition of par-
15 ticipation in the program, to—

16 “(A) comply with the uniform policies, pro-
17 cedures, and technical and operational stand-
18 ards prescribed by the Secretary under sub-
19 section (a)(4); and

20 “(B) possess or seek the authority to deny,
21 suspend, or revoke commercial motor vehicle
22 registrations based on the issuance of an oper-
23 ations out-of-service order by the Secretary.”.

24 (b) PERFORMANCE AND REGISTRATION INFORMA-
25 TION SYSTEM MANAGEMENT GRANTS.—

1 (1) IN GENERAL.—Subchapter I of chapter 311
2 of title 49, United States Code, is further amended
3 by adding at the end the following:

4 **“§31109. Performance and registration information**
5 **system management**

6 “(a) IN GENERAL.—The Secretary of Transportation
7 may make a grant to a State to implement the perform-
8 ance and registration information system management re-
9 quirements of section 31106(b).

10 “(b) AVAILABILITY OF AMOUNTS.—Amounts made
11 available to a State under this section shall remain avail-
12 able until expended.”.

13 (2) CONFORMING AMENDMENT.—The analysis
14 for such subchapter is amended by adding at the
15 end the following:

 “31109. Performance and registration information system management.”.

16 **SEC. 4115. DATA QUALITY IMPROVEMENT.**

17 Section 31106(a)(3) of title 49, United States Code,
18 is amended—

19 (1) by striking “and” at the end of subpara-
20 graph (D);

21 (2) by striking the period at the end of sub-
22 paragraph (E) and inserting a semicolon; and

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

24 “(F) ensure, to the maximum extent prac-
25 tical, all the data is complete, timely, and accu-

1 rate across all information systems and initia-
2 tives; and

3 “(G) establish and implement a national
4 motor carrier safety data correction system.”.

5 **SEC. 4116. DRIVEAWAY SADDLEMOUNT VEHICLES.**

6 (a) DEFINITION.—Section 31111(a) of title 49,
7 United States Code, is amended by adding at the end of
8 the following:

9 “(4) DRIVE-AWAY SADDLEMOUNT WITH
10 FULLMOUNT VEHICLE TRANSPORTER COMBINA-
11 TION.—The term ‘drive-away saddlemount with
12 fullmount vehicle transporter combination’ means a
13 vehicle combination designed and specifically used to
14 tow up to 3 trucks or truck tractors, each connected
15 by a saddle to the frame or fifth-wheel of the for-
16 ward vehicle of the truck or truck tractor in front
17 of it.”.

18 (b) GENERAL LIMITATIONS.—Section 31111(b)(1) of
19 such title is amended—

20 (1) by redesignating subparagraphs (D) and
21 (E) as subparagraphs (E) and (F), respectively; and

22 (2) by inserting after subparagraph (C) the fol-
23 lowing:

24 “(D) imposes a vehicle length limitation of not
25 less than or more than 97 feet on a driveaway

1 **SEC. 4118. REGISTRATION OF MOTOR CARRIERS AND**
2 **FREIGHT FORWARDERS.**

3 (a) DEFINITIONS RELATING TO MOTOR CARRIERS.—
4 Paragraphs (6), (7), (12), and (13) of section 13102 of
5 title 49, United States Code, are each amended by striking
6 “motor vehicle” and inserting “commercial motor vehicle
7 (as defined in section 31132)”.

8 (b) FREIGHT FORWARDERS.—Section 13903(a) of
9 title 49, United States Code, is amended—

10 (1) by striking “The Secretary” and inserting
11 the following:

12 “(1) HOUSEHOLD GOODS.—The Secretary”;

13 (2) by inserting “of household goods” after
14 “freight forwarder”; and

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

16 “(2) OTHERS.—The Secretary may register a
17 person to provide service subject to jurisdiction
18 under subchapter III of chapter 135 as a freight for-
19 warder (other than a freight forwarder of household
20 goods) if the Secretary finds that such registration
21 is needed for the protection of shippers and that the
22 person is fit, willing, and able to provide the service
23 and to comply with this part and applicable regula-
24 tions of the Secretary and Board.”.

1 **SEC. 4119. DEPOSIT OF CERTAIN CIVIL PENALTIES INTO**
2 **HIGHWAY TRUST FUND.**

3 Sections 31138(d)(5) and 31139(f)(5) of title 49,
4 United States Code, are each amended by striking “Treas-
5 ury as miscellaneous receipts” and inserting “Highway
6 Trust Fund (other than the Mass Transit Account)”.

7 **SEC. 4120. OUTREACH AND EDUCATION.**

8 (a) IN GENERAL.—The Secretary shall conduct,
9 through any combination of grants, contracts, or coopera-
10 tive agreements, an outreach and education program to
11 be administered by the Federal Motor Carrier Safety Ad-
12 ministration and the National Highway Traffic Safety Ad-
13 ministration.

14 (b) PROGRAM ELEMENTS.—The program shall in-
15 clude, at a minimum, the following:

16 (1) A program to promote a more comprehen-
17 sive and national effort to educate commercial motor
18 vehicle drivers and passenger vehicle drivers about
19 how commercial motor vehicle drivers and passenger
20 vehicle drivers can more safely share the road with
21 each other.

22 (2) A program to promote enhanced traffic en-
23 forcement efforts aimed at reducing the incidence of
24 the most common unsafe driving behaviors that
25 cause or contribute to crashes involving commercial
26 motor vehicles and passenger vehicles.

1 (3) A program to establish a public-private
2 partnership to provide resources and expertise for
3 the development and dissemination of information
4 relating to sharing the road referred to in para-
5 graphs (1) and (2) to each partner's constituents
6 and to the general public through the use of bro-
7 chures, videos, paid and public advertisements, the
8 Internet, and other media.

9 (c) FEDERAL SHARE.—The Federal share of a pro-
10 gram or activity for which a grant is made under this sec-
11 tion shall be 100 percent of the cost of such program or
12 activity.

13 (d) ANNUAL REPORT.—The Secretary shall prepare
14 and transmit to Congress an annual report on the pro-
15 grams and activities carried out under this section.

16 (e) FUNDING.—From amounts made available under
17 section 31104(i) of title 49, United States Code, the Sec-
18 retary shall make available \$1,000,000 to the Federal
19 Motor Carrier Safety Administration, and \$3,000,000 to
20 the National Highway Traffic Safety Administration, for
21 each of fiscal years 2005, 2006, 2007, 2008, and 2009
22 to carry out this section.

23 **SEC. 4121. INSULIN TREATED DIABETES MELLITUS.**

24 (a) NO PERIOD OF COMMERCIAL DRIVING WHILE
25 USING INSULIN REQUIRED FOR QUALIFICATION.—The

1 Secretary may not require individuals with insulin-treated
2 diabetes mellitus who are applying for an exemption from
3 the physical qualification standards to have experience op-
4 erating commercial motor vehicles while using insulin in
5 order to be exempted from the physical qualification
6 standards to operate a commercial motor vehicle in inter-
7 state commerce.

8 (b) MINIMUM PERIOD OF INSULIN USE.—Subject to
9 subsection (a), the Secretary shall require individuals with
10 insulin-treated diabetes mellitus to have a minimum period
11 of insulin use to demonstrate stable control of diabetes
12 before operating a commercial motor vehicle in interstate
13 commerce. For individuals who have been newly diagnosed
14 with type 1 diabetes, the minimum period of insulin use
15 may not exceed 2 months, unless directed by the treating
16 physician. For individuals who have type 2 diabetes and
17 are converting to insulin use, the minimum period of insu-
18 lin use may not exceed 1 month, unless directed by the
19 treating physician.

20 (c) LIMITATIONS.—Insulin-treated individuals may
21 not be held by the Secretary to a higher standard of phys-
22 ical qualification in order to operate a commercial motor
23 vehicle in interstate commerce than other individuals ap-
24 plying to operate, or operating, a commercial motor vehicle
25 in interstate commerce; except to the extent that limited

1 operating, monitoring, and medical requirements are
2 deemed medically necessary under regulations issued by
3 the Secretary.

4 **SEC. 4122. GRANT PROGRAM FOR COMMERCIAL MOTOR VE-**
5 **HICLE OPERATORS.**

6 (a) ESTABLISHMENT.—The Secretary shall establish
7 a grant program for training operators of commercial
8 motor vehicles (as defined in section 31301 of title 49,
9 United States Code). The purpose of the program shall
10 be to train operators and future operators in the safe use
11 of such vehicle.

12 (b) FEDERAL SHARE.—The Federal share of the cost
13 for which a grant is made under this section shall be 80
14 percent.

15 (c) FUNDING.—From amounts made available under
16 section 31104(i) of title 49, United States Code, the Sec-
17 retary shall make available \$1,000,000 for each of fiscal
18 years 2005, 2006, 2007, 2008, and 2009 to carry out this
19 section.

20 **SEC. 4123. COMMERCIAL MOTOR VEHICLE SAFETY ADVI-**
21 **SORY COMMITTEE.**

22 (a) ESTABLISHMENT.—The Secretary shall establish
23 a commercial motor vehicle safety advisory committee to
24 provide advice and recommendations to the Secretary on
25 commercial motor vehicle safety regulations and other

1 matters relating to activities and functions of the Federal
2 Motor Carrier Safety Administration.

3 (b) COMPOSITION.—The members of the advisory
4 committee shall be appointed by the Secretary and shall
5 include representatives of the motor carrier industry, driv-
6 ers, safety advocates, manufacturers, safety enforcement
7 officials, law enforcement agencies of border States, and
8 other individuals affected by rulemakings under consider-
9 ation by the Department of Transportation. Representa-
10 tives of a single interest group may not constitute a major-
11 ity of the members of the advisory committee.

12 (c) TERMINATION DATE.—The advisory committee
13 shall remain in effect until September 30, 2009.

14 **SEC. 4124. SAFETY DATA IMPROVEMENT PROGRAM.**

15 (a) IN GENERAL.—The Secretary shall make grants
16 to States for projects and activities to improve the accu-
17 racy, timeliness, and completeness of commercial motor
18 vehicle safety data reported to the Secretary.

19 (b) ELIGIBILITY.—A State shall be eligible for a
20 grant under this section in a fiscal year if the Secretary
21 determines that the State has—

22 (1) conducted a comprehensive audit of its com-
23 mercial motor vehicle safety data system within the
24 preceding 2 years;

1 (2) developed a plan that identifies and
2 prioritizes its commercial motor vehicle safety data
3 needs and goals; and

4 (3) identified performance-based measures to
5 determine progress toward those goals.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated from the Highway Trust
8 Fund (other than the Mass Transit Account) to carry out
9 this section \$3,000,000 for each of fiscal years 2005
10 through 2009.

11 (d) APPLICABILITY OF TITLE 23, UNITED STATES
12 CODE.—Funds authorized to be appropriated by this sec-
13 tion shall be available for obligation in the same manner
14 as if such funds were apportioned under chapter 1 of title
15 23, United States Code, except that the Federal share of
16 the cost of a project or activity carried out using such
17 funds shall be 80 percent and such funds shall remain
18 available until expended.

19 (e) BIENNIAL REPORT.—Not later 2 years after the
20 date of enactment of this Act, and biennially thereafter,
21 the Secretary shall transmit to Congress a report on the
22 activities and results of the program carried out under this
23 section, together with any recommendations the Secretary
24 determines appropriate.

1 **SEC. 4125. COMMERCIAL DRIVER'S LICENSE INFORMATION**
2 **SYSTEM MODERNIZATION.**

3 (a) **GENERAL AUTHORITY.**—The Secretary may
4 make a grant to a State or organization representing
5 agencies and officials of a State in a fiscal year to mod-
6 ernize its commercial driver's license information system
7 in accordance with subsection (c) if the State is in sub-
8 stantial compliance with the requirements of section
9 31311 of title 49, United States Code, and this section,
10 as determined by the Secretary. The Secretary shall estab-
11 lish criteria for the distribution of grants and notify each
12 State annually of such criteria.

13 (b) **MODERNIZATION PLAN.**—No later than 120 days
14 after the date of enactment of this Act, the Secretary shall
15 publish a comprehensive national plan to modernize the
16 commercial driver's license information system. The plan
17 shall be developed in consultation with representatives of
18 the motor carrier industry, State safety enforcement agen-
19 cies, and State licensing agencies designated by the Sec-
20 retary.

21 (c) **USE OF GRANT.**—A State may use a grant under
22 this section only to implement improvements that are con-
23 sistent with the modernization plan developed by the Sec-
24 retary.

25 (d) **PILOT PROGRAM.**—

1 (1) IN GENERAL.—The Secretary may conduct
2 with grants under this section a 3-year pilot pro-
3 gram in no more than 3 States to evaluate a system
4 for sharing driver’s license information on all com-
5 mercial and noncommercial driver’s licenses issued
6 in each participating State.

7 (2) FUNDING.—The Secretary may use no more
8 than 50 percent of the funds available to carry out
9 this section for the pilot program in any fiscal year.

10 (3) REPORT.—Not later than 1 year after the
11 last day of the pilot program, the Secretary shall
12 transmit to Congress a report on the results of the
13 pilot program.

14 (e) GOVERNMENT SHARE.—A grant under this sec-
15 tion to a State or organization may not be for more than
16 80 percent of the costs incurred by the State or organiza-
17 tion in a fiscal year in implementing the modernization
18 program developed by the Secretary. In determining these
19 costs, the Secretary shall include in-kind contributions of
20 the State.

21 (f) FUNDING.—There are authorized to be appro-
22 priated from the Highway Trust Fund (other than the
23 Mass Transit Account) to carry out this section—

24 (1) \$6,000,000 for fiscal year 2005;

25 (2) \$6,000,000 for fiscal year 2006;

1 (3) \$6,000,000 for fiscal year 2007;

2 (4) \$6,000,000 for fiscal year 2008; and

3 (5) \$6,000,000 for fiscal year 2009.

4 (g) CONTRACT AUTHORITY AND AVAILABILITY.—

5 (1) PERIOD OF AVAILABILITY.—The amounts
6 made available under subsection (f) shall remain
7 available until expended.

8 (2) INITIAL DATE OF AVAILABILITY.—Amounts
9 authorized to be appropriated from the Highway
10 Trust Fund (other than the Mass Transit Account)
11 by subsection (f) shall be available for obligation on
12 the date of their apportionment or allocation or on
13 October 1 of the fiscal year for which they are au-
14 thorized, whichever occurs first.

15 (3) CONTRACT AUTHORITY.—Approval by the
16 Secretary of a grant with funds made available
17 under subsection (f) imposes upon the United States
18 a contractual obligation for payment of the Govern-
19 ment's share of costs incurred in carrying out the
20 objectives of the grant.

21 **SEC. 4126. MAXIMUM HOURS OF SERVICE FOR OPERATORS**

22 **OF GROUND WATER WELL DRILLING RIGS.**

23 Section 345(a)(2) of the National Highway System
24 Designation Act of 1995 (49 U.S.C. 31136 note; 109 Stat
25 613) is amended by adding at the end the following: “Ex-

1 cept as required in section 395.3 of title 49, Code of Fed-
2 eral Regulations, as in effect on the date of enactment
3 of this sentence, no additional off-duty time shall be re-
4 quired in order to operate such vehicle.”.

5 **SEC. 4127. SAFETY PERFORMANCE HISTORY SCREENING.**

6 (a) IN GENERAL.—The Secretary shall provide per-
7 sons conducting preemployment screening services for the
8 motor carrier industry electronic access to the following
9 reports contained in the Motor Carrier Management Infor-
10 mation System:

11 (1) Commercial motor vehicle accident reports.

12 (2) Inspection reports that contain no driver-re-
13 lated safety violations.

14 (3) Serious driver-related safety violation in-
15 spection reports.

16 (b) CONDITIONS ON PROVIDING ACCESS.—Before
17 providing a person access to the Motor Carrier Manage-
18 ment Information System under subsection (a), the Sec-
19 retary shall—

20 (1) ensure that any information that is released
21 to such person will be in accordance with the Fair
22 Credit Reporting Act (15 U.S.C. 1681 et seq.) and
23 all other applicable Federal law;

1 (2) ensure that such person will not conduct a
2 screening without the operator-applicant’s written
3 consent;

4 (3) ensure that any information that is released
5 to such person will not be released to any person or
6 entity, other than the motor carrier requesting the
7 screening services or the operator-applicant, unless
8 expressly authorized or required by law; and

9 (4) provide a procedure for the operator-appli-
10 cant to correct inaccurate information in the System
11 in a timely manner.

12 (c) DESIGN.—The process for providing access to the
13 Motor Carrier Management Information System under
14 subsection (a) shall be designed to assist the motor carrier
15 industry in assessing an individual operator’s crash and
16 serious safety violation inspection history as a preemploy-
17 ment condition. Use of the process shall not be mandatory
18 and may only be used during the preemployment assess-
19 ment of an operator-applicant.

20 (d) SERIOUS OPERATOR-RELATED SAFETY VIOLA-
21 TION DEFINED.—In this section, the term “serious oper-
22 ator-related violation” means a violation by an operator
23 of a commercial motor vehicle (as defined in section 31102
24 of title 49, United States Code) that the Secretary deter-
25 mines will result in the operator being prohibited from

1 continuing to operate a commercial motor vehicle until the
2 violation is corrected.

3 **SEC. 4128. INTERMODAL CHASSIS ROADABILITY RULE-MAK-**
4 **ING.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this Act, the Secretary, after pro-
7 viding notice and opportunity for comment, shall issue
8 regulations establishing a program to ensure that inter-
9 modal equipment used to transport intermodal containers
10 are safe.

11 (b) MOTOR CARRIER SAFETY REGULATIONS.—The
12 regulations under this section shall be issued as part of
13 the Federal motor carrier safety regulations of the De-
14 partment of Transportation.

15 (c) CONTENTS.—The regulations issued under this
16 section shall include, at a minimum—

17 (1) a requirement to identify providers of inter-
18 modal equipment that is interchanged or intended
19 for interchange to motor carriers in intermodal
20 transportation;

21 (2) a requirement to match such intermodal
22 equipment readily to the intermodal equipment pro-
23 vider through a unique identifying number;

1 (3) a requirement to ensure that each inter-
2 modal equipment provider maintains a system of
3 maintenance and repair records for such equipment;

4 (4) a requirement to evaluate the compliance of
5 intermodal equipment providers with the applicable
6 Federal motor carrier safety regulations;

7 (5) a provision that—

8 (A) establishes a civil penalty structure
9 consistent with section 521(b) of title 49,
10 United States Code, for intermodal equipment
11 providers that fail to attain satisfactory compli-
12 ance with applicable Federal motor carrier safe-
13 ty regulations; and

14 (B) prohibits intermodal equipment pro-
15 viders from placing intermodal equipment on
16 the public highways if such providers are found
17 to pose an imminent hazard;

18 (6) a process by which motor carriers and
19 agents of motor carriers may petition the Federal
20 Motor Carrier Safety Administration to undertake
21 an investigation of a noncompliant intermodal equip-
22 ment provider; and

23 (7) an inspection and audit program of inter-
24 modal equipment providers.

1 (d) DEADLINE FOR RULEMAKING PROCEEDING.—

2 The regulations under this section shall be issued pursu-
3 ant to a rulemaking proceeding initiated not later than
4 90 days after the date of enactment of this Act.

5 (e) DEFINITIONS.—In this section, the following defi-
6 nitions apply:

7 (1) INTERMODAL EQUIPMENT.—The term
8 “intermodal equipment” means equipment that is
9 commonly used in the intermodal transportation of
10 freight over public highways in interstate commerce
11 (as defined in section 31132 of title 49, United
12 States Code), including trailers, chassis, and any as-
13 sociated devices.

14 (2) INTERMODAL EQUIPMENT PROVIDER.—The
15 term “intermodal equipment provider” means any
16 person with any legal right, title, or interest in inter-
17 modal equipment that interchanges such equipment
18 to a motor carrier.

19 (3) INTERCHANGE.—The term “interchange”
20 means the act of providing intermodal equipment to
21 a motor carrier for the purpose of transporting the
22 equipment for loading or unloading by any person or
23 repositioning the equipment for the benefit of the
24 equipment provider. Such term does not include the
25 leasing of equipment to a motor carrier for use in

1 the motor carrier's over-the-road freight hauling op-
2 erations.

3 (f) INSPECTION, REPAIR, AND MAINTENANCE OF
4 INTERMODAL EQUIPMENT.—Section 31136 of title 49,
5 United States Code, is amended by adding at the end the
6 following:

7 “(g) INSPECTION, REPAIR, AND MAINTENANCE OF
8 INTERMODAL EQUIPMENT.—The Secretary, or an em-
9 ployee of the Department of Transportation designated by
10 the Secretary, may inspect intermodal equipment, and
11 copy related maintenance and repair records for such
12 equipment, on demand and display of proper credentials
13 to inspect intermodal equipment.”.

14 (g) JURISDICTION OVER EQUIPMENT PROVIDERS.—
15 Section 31132(1) of such title is amended by inserting
16 after “towed vehicle” the following: “(including intermodal
17 equipment, including trailers, chassis and associated de-
18 vices, commonly used for the transportation of intermodal
19 freight via highway)”.

20 **SEC. 4129. SUBSTANCE ABUSE PROFESSIONALS.**

21 The Secretary shall conduct a rulemaking to permit
22 State licensed or certified mental health counselors or ad-
23 diction specialists certified by the American Academy of
24 Health Care Providers in the Addictive Disorders to act

1 as substance abuse professionals under subpart O of part
2 40 of title 49, Code of Federal Regulations.

3 **SEC. 4130. INTERSTATE VAN OPERATIONS.**

4 The Federal motor carrier safety regulations (other
5 than regulations relating to commercial drivers license and
6 drug and alcohol testing requirements) shall apply to all
7 interstate operations of commercial motor vehicles used to
8 transport between 9 and 15 passengers (including the
9 driver), regardless of the distance traveled.

10 **SEC. 4131. HOURS OF SERVICE FOR OPERATORS OF UTIL-**
11 **ITY SERVICE VEHICLES.**

12 Section 345 of the National Highway System Des-
13 ignation Act of 1995 (49 U.S.C. 31136 note; 109 sTAT.
14 613) is amended—

15 (1) in subsection (a) by striking paragraph (4)
16 and inserting the following:

17 “(4) OPERATORS OF UTILITY SERVICE VEHI-
18 CLES.—

19 “(A) INAPPLICABILITY OF FEDERAL REGU-
20 LATIONS.—Such regulations shall not apply to
21 a driver of a utility service vehicle.

22 “(B) PROHIBITION ON STATE REGULA-
23 TIONS.—A State, a political subdivision of a
24 State, an interstate agency, or other entity con-
25 sisting of 2 or more States, shall not enact or

1 enforce any law, rule, regulation, or standard
2 that imposes requirements on a driver of a util-
3 ity service vehicle that are similar to the re-
4 quirements contained in such regulations.”.

5 (2) in subsection (b) by striking “Nothing” and
6 inserting “Except as provided in subsection (a)(4),
7 nothing”; and

8 (3) in the first sentence of subsection (c) by
9 striking “paragraph (2)” and inserting “an exemp-
10 tion under paragraph (2) or (4)”.

11 **SEC. 4132. HOURS OF SERVICE RULES FOR OPERATORS**
12 **PROVIDING TRANSPORTATION TO MOVIE**
13 **PRODUCTION SITES.**

14 Notwithstanding sections 31136 and 31502 of title
15 49, United States Code, and any other provision of law,
16 the maximum daily hours of service for an operator of a
17 commercial motor vehicle providing transportation of
18 property or passengers to or from a theatrical or television
19 motion picture production site located within a 100 air
20 mile radius of the work reporting location of such operator
21 shall be those in effect under the regulations in effect
22 under such sections on April 27, 2003.

1 **SEC. 4133. TECHNICAL CORRECTIONS.**

2 (a) INTERMODAL TRANSPORTATION ADVISORY
3 BOARD.—Section 5502(b) of title 49, United States Code,
4 is amended—

5 (1) by striking “and” at the end of paragraph
6 (4);

7 (2) by striking the period at the end of para-
8 graph (5) and inserting “; and”; and

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

10 “(6) the Federal Motor Carrier Safety Adminis-
11 tration.”.

12 (b) REFERENCE TO AGENCY.—Section 31502(e) of
13 such title is amended—

14 (1) in paragraph (2) by striking “Regional Di-
15 rector of the Federal Highway Administration” and
16 inserting “Field Administrator of the Federal Motor
17 Carrier Safety Administration”; and

18 (2) in paragraph (3) by striking “Regional Di-
19 rector” and inserting “Field Administrator”.

20 **SEC. 4134. OPERATORS OF VEHICLES TRANSPORTING AGRI-
21 CULTURAL COMMODITIES AND FARM SUP-
22 PLIES.**

23 (a) AGRICULTURAL EXEMPTION.—Section 345(a)(1)
24 of the National Highway System Designation Act of 1995
25 (49 U.S.C. 31136 note; 109 Stat. 613) is amended to read
26 as follows:

1 “(1) TRANSPORTATION OF AGRICULTURAL COM-
2 MODITIES AND FARM SUPPLIES.—Regulations pre-
3 scribed by the Secretary under sections 31136 and
4 31502 of title 49, United States Code, regarding
5 maximum driving and on-duty time for drivers used
6 by motor carriers shall not apply during planting
7 and harvest periods, as determined by each State to
8 drivers transporting agricultural commodities or
9 farm supplies for agricultural purposes in a State if
10 such transportation is limited to an area within a
11 100 air mile radius from the source of the commod-
12 ities or the distribution point for the farm sup-
13 plies.”.

14 (b) DEFINITIONS.—Section 345(e) of such Act of
15 1995 (109 Stat. 614) is amended by adding at the end
16 the following:

17 “(7) AGRICULTURAL COMMODITY.—The term
18 ‘agricultural commodity’ means products grown on
19 and harvested from the land during the planting and
20 harvesting seasons within each State, as determined
21 by the State.

22 “(8) FARM SUPPLIES FOR AGRICULTURAL PUR-
23 POSES.—The term ‘farm supplies for agricultural
24 purposes’ means products directly related to the
25 growing or harvesting of agricultural commodities

1 during the planting and harvesting seasons within
 2 each State, as determined by the State, and livestock
 3 feed at any time of the year.”.

4 **Subtitle B—Household Goods** 5 **Transportation**

6 **SEC. 4201. FEDERAL-STATE RELATIONS RELATING TO** 7 **TRANSPORTATION OF HOUSEHOLD GOODS.**

8 (a) NONPREEMPTION OF INTRASTATE TRANSPOR-
 9 TATION OF HOUSEHOLD GOODS.—Section
 10 14501(c)(2)(B) of title 49, United States Code, is amend-
 11 ed by inserting “intrastate” before “transportation”.

12 (b) ENFORCEMENT OF CONSUMER PROTECTION
 13 WITH RESPECT TO INTERSTATE HOUSEHOLD GOODS
 14 CARRIERS.—Chapter 145 of such title is amended by add-
 15 ing at the end the following:

16 **“§ 14506. Enforcement of Federal regulations by State** 17 **attorneys general**

18 “(a) IN GENERAL.—A State, as *parens patriae*, may
 19 bring a civil action on behalf of a resident of the State
 20 in an appropriate district court of the United States to
 21 enforce a regulation or order of the Secretary or Board—

22 “(1) to protect an individual shipper of house-
 23 hold goods if such regulation or order governs the
 24 delivery of the shipper’s household goods; or

1 “(2) to impose a civil penalty under section
2 14915 whenever the attorney general of the State
3 has reason to believe that the interests of the resi-
4 dents of the State have been or are being threatened
5 or adversely affected by—

6 “(A) a carrier or broker providing trans-
7 portation of household goods subject to jurisdic-
8 tion under subchapter I or III of chapter 135
9 who is committing repeat violations of section
10 14915; or

11 “(B) a foreign motor carrier providing
12 transportation of household goods who is reg-
13 istered under section 13902 and who is commit-
14 ting repeat violations of section 14915.

15 “(b) LIMITATION ON STATUTORY CONSTRUCTION.—

16 Nothing in this section shall be construed—

17 “(1) as preventing an attorney general from ex-
18 ercising the powers conferred on the attorney gen-
19 eral by the laws of such State to conduct investiga-
20 tions or to administer oaths or affirmations or to
21 compel the attendance of witnesses or the production
22 of documentary and other evidence;

23 “(2) as prohibiting a State official from pro-
24 ceeding in State court to enforce a criminal statute
25 of the State;

1 “(3) as authorizing a State or political subdivi-
2 sion of a State to bring an enforcement action under
3 a consumer protection law, regulation, or other pro-
4 vision of the State relating to interstate transpor-
5 tation of household goods (as defined in section
6 13102(10)(A)) with respect to an activity that is in-
7 consistent with Federal laws and regulations relating
8 to interstate transportation of household goods; or

9 “(4) as authorizing a State, as *parens patriae*,
10 to bring a class civil action on behalf of its residents
11 to enforce a regulation or order of the Secretary or
12 Board.

13 “(c) ACTIONS BY THE SECRETARY OR BOARD.—
14 Whenever a civil action has been instituted by or on behalf
15 of the Secretary or Board for violation of section 14915,
16 no State may, during the pendency of such action, insti-
17 tute a civil action under subsection (a) against any defend-
18 ant named in the complaint relating to such violation.

19 “(d) VENUE; SERVICE OF PROCESS.—Any civil ac-
20 tion to be brought under subsection (a) in a district court
21 of the United States may be brought in the district in
22 which the defendant is found, is an inhabitant, or trans-
23 acts business or wherever venue is proper under section
24 1391 of title 28. Process in such an action may be served

1 in any district in which the defendant is an inhabitant or
2 in which the defendant may be found.”.

3 (c) CONFORMING AMENDMENT.—The analysis for
4 such chapter is amended by adding at the end the fol-
5 lowing:

“14506. Enforcement of Federal regulations by State attorneys general.”.

6 **SEC. 4202. ARBITRATION REQUIREMENTS.**

7 (a) OFFERING SHIPPERS ARBITRATION.—Section
8 14708(a) of title 49, United States Code, is amended by
9 inserting before the period at the end the following: “and
10 to determine whether carrier charges, in addition to those
11 collected at delivery, must be paid by the shipper for trans-
12 portation and services related to the transportation of
13 household goods”.

14 (b) THRESHOLD FOR BINDING ARBITRATION.—Sec-
15 tion 14708(b)(6) of such title is amended by striking
16 “\$5,000” each place it appears and inserting “\$10,000”.

17 (c) DEADLINE FOR DECISION.—Section 14708(b)(8)
18 of such title is amended—

19 (1) by striking “and”; and

20 (2) by inserting after “for damages” the fol-
21 lowing: “, and an order requiring the payment of ad-
22 ditional carrier charges”.

23 (d) ATTORNEY’S FEES TO SHIPPERS.—Section
24 14708(d)(3) of such title is amended—

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

3 (2) by inserting before subparagraph (B) (as so
4 redesignated) the following:

5 “(A) the shipper was not advised by the carrier
6 during the claim settlement process that a dispute
7 settlement program was available to resolve the dis-
8 pute;”.

9 **SEC. 4203. CIVIL PENALTIES RELATING TO HOUSEHOLD**
10 **GOODS BROKERS AND UNAUTHORIZED**
11 **TRANSPORTATION.**

12 Section 14901(d) of title 49, United States Code, is
13 amended—

14 (1) by striking “If a carrier” and inserting the
15 following:

16 “(1) IN GENERAL.—If a carrier”; and

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

18 “(2) ESTIMATE OF BROKER WITHOUT CARRIER
19 AGREEMENT.—If a broker for transportation of
20 household goods subject to jurisdiction under sub-
21 chapter I of chapter 135 makes an estimate of the
22 cost of transporting any such goods before entering
23 into an agreement with a carrier to provide trans-
24 portation of household goods subject to such juris-
25 diction, the broker is liable to the United States for

1 a civil penalty of not less than \$10,000 for each vio-
2 lation.

3 “(3) UNAUTHORIZED TRANSPORTATION.—If a
4 person provides transportation of household goods
5 subject to jurisdiction under subchapter I of chapter
6 135 or provides broker services for such transpor-
7 tation without being registered under chapter 139 to
8 provide such transportation or services as a motor
9 carrier or broker, as the case may be, such person
10 is liable to the United States for a civil penalty of
11 not less than \$25,000 for each violation.”.

12 **SEC. 4204. PENALTIES FOR HOLDING HOUSEHOLD GOODS**
13 **HOSTAGE.**

14 (a) IN GENERAL.—Chapter 149 of title 49, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

17 **“§ 14915. Holding household goods hostage**

18 “(a) HOLDING HOUSEHOLD GOODS HOSTAGE DE-
19 FINED.—For purposes of this section, the term ‘holding
20 household goods hostage’ means the knowing and willful
21 refusal to relinquish possession of a shipment of household
22 goods described in section 13102(10)(A) upon payment of
23 not more than 100 percent of a binding estimate (or, in
24 the case of a nonbinding estimate, not more than 110 per-
25 cent of the estimated charges for such shipment).

1 “(b) CIVIL PENALTY.—Whoever is found holding a
2 household goods shipment hostage is liable to the United
3 States for a civil penalty of not less than \$10,000 for each
4 violation. If such person is a carrier or broker, the Sec-
5 retary may suspend for a period of not less than 6 months
6 the registration of such carrier or broker under chapter
7 139.

8 “(c) CRIMINAL PENALTY.—A motor carrier that has
9 been convicted of knowingly and willfully holding house-
10 hold goods hostage by falsifying documents or demanding
11 the payment of charges for services that were not per-
12 formed or were not necessary in the safe and adequate
13 movement of a shipment of household goods shall be fined
14 under title 18, or imprisoned not more than 2 years, or
15 both.”.

16 (b) CONFORMING AMENDMENT.—The analysis for
17 such chapter is amended by adding at the end the fol-
18 lowing:

“14915. Holding household goods hostage.”.

19 **SEC. 4205. WORKING GROUP FOR DEVELOPMENT OF PRAC-**
20 **TICES AND PROCEDURES TO ENHANCE FED-**
21 **ERAL-STATE RELATIONS.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of enactment of this Act, the Secretary shall establish
24 a working group of State attorneys general, State con-
25 sumer protection administrators, and Federal and local

1 law enforcement officials for the purpose of developing
2 practices and procedures to enhance the Federal-State
3 partnership in enforcement efforts, exchange of informa-
4 tion, and coordination of enforcement efforts with respect
5 to interstate transportation of household goods and of
6 making legislative and regulatory recommendations to the
7 Secretary concerning such enforcement efforts.

8 (b) CONSULTATION.—In carrying out subsection (a),
9 the working group shall consult with industries involved
10 in the transportation of household goods.

11 (c) FEDERAL ADVISORY COMMITTEE ACT EXEMP-
12 TION.—The Federal Advisory Committee Act (5 U.S.C.
13 App.) shall not apply to the working group established
14 under subsection (a).

15 (d) TERMINATION DATE.—The working group shall
16 remain in effect until September 30, 2009.

17 **SEC. 4206. CONSUMER HANDBOOK ON DOT WEB SITE.**

18 Not later than 1 year after the date of enactment
19 of this Act, the Secretary shall take such action as may
20 be necessary to ensure that publication ESA 03005 of the
21 Federal Motor Carrier Safety Administration entitled
22 “Your Rights and Responsibilities When You Move”, is
23 prominently displayed, and available in language that is
24 readily understandable by the general public, on the Web
25 site of the Department of Transportation.

1 **SEC. 4207. RELEASE OF HOUSEHOLD GOODS BROKER IN-**
2 **FORMATION.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Secretary shall modify the regulations con-
5 tained in part 375 of title 49, Code of Federal Regula-
6 tions, to require a broker that is subject to such regula-
7 tions to provide shippers with the following information
8 whenever they have contact with a shipper or potential
9 shipper:

10 (1) The Department of Transportation number
11 of the broker.

12 (2) The ESA 03005 publication referred to in
13 section 4206 of this Act.

14 (3) A list of all motor carriers providing trans-
15 portation of household goods used by the broker and
16 a statement that the broker is not a motor carrier
17 providing transportation of household goods.

18 **SEC. 4208. CONSUMER COMPLAINT INFORMATION.**

19 (a) ESTABLISHMENT OF SYSTEM.—Not later than 1
20 year after the date of enactment of this Act, the Secretary
21 shall—

22 (1) establish a system for filing and logging
23 consumer complaints relating to motor carriers pro-
24 viding transportation of household goods and for
25 compiling complaint information gathered by the De-
26 partment of Transportation and the States with re-

1 gard to such carriers, a database of the complaints,
2 and a procedure for the public to have access to ag-
3 gregated information and for carriers to challenge
4 duplicate or fraudulent information in the database;
5 and

6 (2) issue regulations requiring each motor car-
7 rier of household goods to submit on a quarterly
8 basis a report summarizing—

9 (A) the number of shipments that originate
10 and are delivered for individual shippers during
11 the reporting period by the carrier;

12 (B) the number and general category of
13 complaints lodged by consumers with the car-
14 rier;

15 (C) the number of claims filed with the
16 carrier for loss and damage in excess of \$500;

17 (D) the number of such claims resolved
18 during the reporting period;

19 (E) the number of such claims declined in
20 the reporting period; and

21 (F) the number of such claims that are
22 pending at the close of the reporting period.

23 (b) USE OF INFORMATION.—The Secretary shall con-
24 sider information in the data base established under sub-

1 section (a) in its household goods compliance and enforce-
2 ment program.

3 **SEC. 4209. INSURANCE REGULATIONS.**

4 (a) REVIEW.—Not later than 1 year after the date
5 of enactment of this Act, the Secretary shall undertake
6 a review of the current Federal regulations regarding in-
7 surance coverage provided by motor carriers providing
8 transportation of household goods and revise such regula-
9 tions in order to provide enhanced protection for shippers
10 in the case of loss or damage as determined necessary.

11 (b) DETERMINATIONS.—The review shall include, but
12 not be limited to, a determination of—

13 (1) whether the current regulations provide ade-
14 quate protection for shippers;

15 (2) whether an individual shipper should pur-
16 chase insurance as opposed to the carrier; and

17 (3) whether there are abuses of the current reg-
18 ulations that leave the shipper unprotected in loss
19 and damage claims.

20 **SEC. 4210. ESTIMATING REQUIREMENTS.**

21 Section 14104(b)(1) of title 49, United States Code,
22 is amended to read as follows:

23 “(1) REQUIRED TO BE IN WRITING.—

24 “(A) IN GENERAL.—Except as otherwise
25 provided in this subsection, every motor carrier

1 providing transportation of household goods de-
2 scribed in section 13102(10)(A) subject to ju-
3 risdiction under subchapter I of chapter 135
4 shall conduct a physical survey of the household
5 goods to be transported on behalf of a prospec-
6 tive individual shipper and shall provide the
7 shipper with a written estimate of charges for
8 the transportation and all related services.

9 “(B) WAIVER.—A shipper may elect to
10 waive a physical survey under this paragraph by
11 written agreement signed by the shipper before
12 the shipment is loaded. A copy of the waiver
13 agreement must be retained as an addendum to
14 the bill of lading and shall be subject to the
15 same record inspection and preservation re-
16 quirements of the Secretary as are applicable to
17 bills of lading.

18 “(C) ESTIMATE.—

19 “(i) IN GENERAL.—Notwithstanding a
20 waiver under subparagraph (B), a carrier’s
21 statement of charges for transportation
22 must be submitted to the shipper in writ-
23 ing and must indicate whether it is binding
24 or nonbinding.

1 “(ii) BINDING.—A binding estimate
2 under this paragraph must indicate that
3 the carrier and shipper are bound by such
4 charges. The carrier may impose a charge
5 for providing a written binding estimate.

6 “(iii) NONBINDING.—A nonbinding
7 estimate under this paragraph must indi-
8 cate that the actual charges will be based
9 upon the actual weight of the individual
10 shipper’s shipment and the carrier’s lawful
11 tariff charges. The carrier may not impose
12 a charge for providing a nonbinding esti-
13 mate.”.

14 **SEC. 4211. APPLICATION OF STATE CONSUMER PROTEC-**
15 **TION LAWS TO CERTAIN HOUSEHOLD GOODS**
16 **CARRIERS.**

17 (a) STUDY.—The Comptroller General shall conduct
18 a study on the current consumer protection authorities
19 and actions of the Department of Transportation and the
20 impact on shippers and carriers of household goods involved
21 in interstate transportation of allowing State attorneys
22 general to apply State consumer protection laws to such
23 transportation.

1 (b) MATTERS TO BE CONSIDERED.—In conducting
2 the study, the Comptroller General shall consider, at a
3 minimum—

4 (1) the level of consumer protection being pro-
5 vided to consumers through Federal household goods
6 regulations and how household goods regulations re-
7 lating to consumer protection compare to regulations
8 relating to consumer protection for other modes of
9 transportation regulated by the Department of
10 Transportation;

11 (2) the history and background of State en-
12 forcement of State consumer protection laws on
13 household goods carriers providing intrastate trans-
14 portation and what effects such laws have on the
15 ability of intrastate household goods carriers to op-
16 erate;

17 (3) what operational impacts, if any, would re-
18 sult on household goods carriers engaged in inter-
19 state commerce being subject to the State consumer
20 protection laws; and

21 (4) the potential for States to regulate rates or
22 other business operations if State consumer protec-
23 tion laws applied to interstate household goods
24 movements.

1 (c) CONSULTATION.—In conducting the study, the
2 Comptroller General shall consult with the Secretary,
3 State attorneys general, consumer protection agencies,
4 and the household goods industry.

5 (d) REPORT.—Not later than 18 months after the
6 date of enactment of this Act, the Comptroller General
7 shall transmit to the Committee of Transportation and In-
8 frastructure of the House of Representatives and the Com-
9 mittee on Commerce, Science and Transportation of the
10 Senate a report on the results of the study.

11 **SEC. 4212. APPLICABILITY TO HOUSEHOLD GOODS MOTOR**
12 **CARRIERS.**

13 (a) IN GENERAL.—The provisions of title 49, United
14 States Code, and this Act (including any amendments
15 made by this Act) relating to the transportation of house-
16 hold goods shall only apply to household goods motor car-
17 riers.

18 (b) HOUSEHOLD GOODS MOTOR CARRIER DE-
19 FINED.—In this section, the term “household goods motor
20 carrier” means a motor carrier as defined in section
21 13102(12) of title 49, United States Code, which, in the
22 ordinary course of its business of providing transportation
23 of household goods, offers some or all of the following ad-
24 ditional services: binding and nonbinding estimates,
25 inventorying, protective packing and unpacking of indi-

1 vidual items, and loading and unloading at personal resi-
2 dences.

3 **TITLE V—TRANSPORTATION**
4 **RESEARCH AND EDUCATION**
5 **Subtitle A—Funding**

6 **SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—The following sums are author-
8 ized to be appropriated out of the Highway Trust Fund
9 (other than the Mass Transit Account):

10 (1) SURFACE TRANSPORTATION RESEARCH, DE-
11 VELOPMENT, AND DEPLOYMENT PROGRAM.—To
12 carry out sections 502, 503, 506, 507, 509, and 510
13 of title 23, United States Code, and sections 5207,
14 5210, 5211, and 5402 of this title—

- 15 (A) \$169,000,000 for fiscal year 2004;
16 (B) \$239,500,000 for fiscal year 2005;
17 (C) \$239,500,000 for fiscal year 2006;
18 (D) \$239,500,000 for fiscal year 2007;
19 (E) \$239,500,000 for fiscal year 2008; and
20 (F) \$239,500,000 for fiscal year 2009.

21 (2) TRAINING AND EDUCATION.—To carry out
22 section 504 of title 23, United States Code, and sec-
23 tion 5211 of this Act, \$24,500,000 for fiscal year
24 2004 and \$33,500,000 for each of fiscal years 2005
25 through 2009.

1 (3) BUREAU OF TRANSPORTATION STATIS-
2 TICS.—For the Bureau of Transportation Statistics
3 to carry out section 111 of title 49, United States
4 Code, \$31,000,000 for fiscal year 2004 and
5 \$33,000,000 for each of fiscal years 2005 through
6 2009.

7 (4) UNIVERSITY TRANSPORTATION RE-
8 SEARCH.—To carry out sections 5505 and 5506 of
9 title 49, United States Code, \$54,500,000 for fiscal
10 year 2004 and \$71,000,000 for each of fiscal years
11 2005 through 2009.

12 (5) INTELLIGENT TRANSPORTATION SYSTEMS
13 (ITS) RESEARCH.—To carry out subtitle F of this
14 title, \$115,000,000 for each of fiscal years 2004
15 through 2009.

16 (6) ITS DEPLOYMENT.—To carry out sections
17 5208 and 5209 of the Transportation Equity Act for
18 the 21st Century (112 Stat. 458; 112 Stat. 460),
19 \$100,000,000 for fiscal year 2004.

20 (b) APPLICABILITY OF TITLE 23, UNITED STATES
21 CODE.—Funds authorized to be appropriated by sub-
22 section (a) shall be available for obligation in the same
23 manner as if such funds were apportioned under chapter
24 1 of title 23, United States Code; except that the Federal
25 share of the cost of a project or activity carried out using

1 such funds shall be 50 percent, unless otherwise expressly
2 provided by this Act (including the amendments made by
3 this Act) or otherwise determined by the Secretary, and
4 such funds shall remain available until expended and shall
5 not be transferable.

6 **SEC. 5102. OBLIGATION CEILING.**

7 Notwithstanding any other provision of law, the total
8 of all obligations from amounts made available from the
9 Highway Trust Fund (other than the Mass Transit Ac-
10 count) by sections 5101(a) and 5401 of this Act shall not
11 exceed \$483,000,000 for fiscal year 2004, \$484,000,000
12 for fiscal year 2005, \$485,000,000 for fiscal year 2006,
13 \$485,000,000 for fiscal year 2007, \$486,000,000 for fis-
14 cal year 2008, and \$487,000,000 for fiscal year 2009.

15 **SEC. 5103. FINDINGS.**

16 The Congress finds the following:

17 (1) Research and development are critical to de-
18 veloping and maintaining a transportation system
19 that meets the goals of safety, mobility, economic vi-
20 tality, efficiency, equity, and environmental protec-
21 tion.

22 (2) Federally sponsored surface transportation
23 research and development has produced many suc-
24 cesses. The development of rumble strips has in-
25 creased safety; research on materials has increased

1 the lifespan of pavements, saving money and reduc-
2 ing the disruption caused by construction; and Geo-
3 graphic Information Systems have improved the
4 management and efficiency of transit fleets.

5 (3) Despite these important successes, the Fed-
6 eral surface transportation research and develop-
7 ment investment represents less than one percent of
8 overall government spending on surface transpor-
9 tation.

10 (4) While Congress increased funding for over-
11 all transportation programs by about 40 percent in
12 the Transportation Equity Act for the 21st Century,
13 funding for transportation research and development
14 remained relatively flat.

15 (5) The Federal investment in research and de-
16 velopment should be balanced between short-term
17 applied and long-term fundamental research and de-
18 velopment. The investment should also cover a wide
19 range of research areas, including research on mate-
20 rials and construction, research on operations, re-
21 search on transportation trends and human factors,
22 and research addressing the institutional barriers to
23 deployment of new technologies.

24 (6) Therefore, Congress finds that it is in the
25 United States interest to increase the Federal in-

1 vestment in transportation research and develop-
 2 ment, and to conduct research in critical research
 3 gaps, in order to ensure that the transportation sys-
 4 tem meets the goals of safety, mobility, economic vi-
 5 tality, efficiency, equity, and environmental protec-
 6 tion.

7 **Subtitle B—Research, Technology,**
 8 **and Education**

9 **SEC. 5201. RESEARCH, TECHNOLOGY, AND EDUCATION.**

10 (a) RESEARCH, TECHNOLOGY, AND EDUCATION.—

11 Title 23, United States Code, is amended—

12 (1) in the table of chapters by striking the item
 13 relating to chapter 5 and inserting the following:

“5. RESEARCH, TECHNOLOGY, AND EDUCATION 501”.

14 (2) by striking the heading for chapter 5 and
 15 inserting the following:

16 **“CHAPTER 5—RESEARCH, TECHNOLOGY,**
 17 **AND EDUCATION”.**

18 (b) STATEMENT OF PRINCIPLES GOVERNING RE-
 19 SEARCH AND TECHNOLOGY INVESTMENTS.—Section 502
 20 of such title is amended—

21 (1) by redesignating subsections (a) through (g)
 22 as subsections (b) through (h), respectively; and

23 (2) by inserting before subsection (b) (as so re-
 24 designated) the following:

1 “(a) BASIC PRINCIPLES GOVERNING RESEARCH AND
2 TECHNOLOGY INVESTMENTS.—

3 “(1) COVERAGE.—Surface transportation re-
4 search and technology development shall include all
5 activities leading to technology development and
6 transfer, as well as the introduction of new and in-
7 novative ideas, practices, and approaches, through
8 such mechanisms as field applications, education and
9 training, and technical support.

10 “(2) FEDERAL RESPONSIBILITY.—Funding and
11 conducting surface transportation research and tech-
12 nology transfer activities shall be considered a basic
13 responsibility of the Federal Government when the
14 work—

15 “(A) is of national significance;

16 “(B) supports research in which there is a
17 clear public benefit and private sector invest-
18 ment is less than optimal;

19 “(C) supports a Federal stewardship role
20 in assuring that State and local governments
21 use national resources efficiently; or

22 “(D) presents the best means to support
23 Federal policy goals compared to other policy
24 alternatives.

1 “(3) ROLE.—Consistent with these Federal re-
2 sponsibilities, the Secretary shall—

3 “(A) conduct research;

4 “(B) support and facilitate research and
5 technology transfer activities by State highway
6 agencies;

7 “(C) share results of completed research;
8 and

9 “(D) support and facilitate technology and
10 innovation deployment.

11 “(4) PROGRAM CONTENT.—A surface transpor-
12 tation research program shall include—

13 “(A) fundamental, long-term highway re-
14 search;

15 “(B) research aimed at significant highway
16 research gaps and emerging issues with na-
17 tional implications; and

18 “(C) research related to policy and plan-
19 ning.

20 “(5) STAKEHOLDER INPUT.—Federal surface
21 transportation research and development activities
22 shall address the needs of stakeholders. Stakeholders
23 include States, metropolitan planning organizations,
24 local governments, the private sector, researchers,

1 research sponsors, and other affected parties, includ-
2 ing public interest groups.

3 “(6) COMPETITION AND PEER REVIEW.—Ex-
4 cept as otherwise provided in this Act, the Secretary
5 shall award all grants, contracts, and cooperative
6 agreements for research and development under this
7 Act based on open competition and peer review of
8 proposals.

9 “(7) PERFORMANCE REVIEW AND EVALUA-
10 TION.—To the maximum extent practicable, all sur-
11 face transportation research and development
12 projects shall include a component of performance
13 measurement and evaluation. Performance measures
14 shall be established during the proposal stage of a
15 research and development project and shall, to the
16 maximum extent possible, be outcome-based. All
17 evaluations shall be made readily available to the
18 public.”.

19 (c) PROCUREMENT FOR RESEARCH, DEVELOPMENT,
20 AND TECHNOLOGY TRANSFER ACTIVITIES.—Section
21 502(b)(3) of such title (as redesignated by subsection (b)
22 of this section) is amended to read as follows:

23 “(3) COOPERATION, GRANTS, AND CON-
24 TRACTS.—The Secretary may carry out research, de-

1 velopment, and technology transfer activities related
2 to transportation—

3 “(A) independently;

4 “(B) in cooperation with other Federal de-
5 partments, agencies, and instrumentalities and
6 Federal laboratories; or

7 “(C) by making grants to, or entering into
8 contracts, cooperative agreements, and other
9 transactions with one or more of the following:
10 the National Academy of Sciences, the Amer-
11 ican Association of State Highway and Trans-
12 portation Officials, any Federal laboratory,
13 Federal agency, State agency, authority, asso-
14 ciation, institution, for-profit or nonprofit cor-
15 poration, organization, foreign country, any
16 other person.”.

17 (d) TRANSPORTATION POOLED FUND PROGRAM.—

18 Section 502(b) of such title (as redesignated by subsection
19 (b) of this section), is amended by adding at the end the
20 following:

21 “(6) POOLED FUNDING.—

22 “(A) COOPERATION.—To promote effective
23 utilization of available resources, the Secretary
24 may cooperate with a State and an appropriate
25 agency in funding research, development, and

1 technology transfer activities of mutual interest
2 on a pooled funds basis.

3 “(B) SECRETARY AS AGENT.—The Sec-
4 retary may enter into contracts, cooperative
5 agreements, grants, and other transactions as
6 agent for all participating parties in carrying
7 out such research, development, or technology
8 transfer.”.

9 (e) OPERATIONS ELEMENTS IN RESEARCH ACTIVI-
10 TIES.—Section 502 of such title is further amended—

11 (1) in subsection (b)(1)(B) (as redesignated by
12 subsection (b) of this section) by inserting “trans-
13 portation system management and operations,” after
14 “operation,”.

15 (2) in subsection (d)(5)(C) (as redesignated by
16 subsection (b) of this section) by inserting “system
17 management and” after “transportation”; and

18 (3) by inserting at the end of subsection (d) (as
19 redesignated by subsection (b) of this section) the
20 following:

21 “(12) Investigation and development of various
22 operational methodologies to reduce the occurrence
23 and impact of recurrent congestion and nonrecurrent
24 congestion and increase transportation system reli-
25 ability.

1 “(13) Investigation of processes, procedures,
2 and technologies to secure container and hazardous
3 material transport, including the evaluation of regu-
4 lations and the impact of good security practices on
5 commerce and productivity.

6 “(14) Research, development, and technology
7 transfer related to asset management.”.

8 (f) FACILITATING TRANSPORTATION RESEARCH AND
9 TECHNOLOGY DEPLOYMENT PARTNERSHIPS.—Section
10 502(c)(2) of such title (as redesignated by subsection (b)
11 of this section) is amended to read as follows:

12 “(2) COOPERATION, GRANTS, CONTRACTS, AND
13 AGREEMENTS.—Notwithstanding any other provision
14 of law, the Secretary may directly initiate contracts,
15 cooperative research and development agreements
16 (as defined in section 12 of the Stevenson-Wydler
17 Technology Innovation Act of 1980 (15 U.S.C.
18 3710a)), and other transactions to fund, and accept
19 funds from, the Transportation Research Board of
20 the National Research Council of the National Acad-
21 emy of Sciences, State departments of transpor-
22 tation, cities, counties, and their agents to conduct
23 joint transportation research and technology ef-
24 forts.”.

1 (g) EXPLORATORY ADVANCED RESEARCH PRO-
2 GRAM.—Section 502(e) of such title (as redesignated by
3 subsection (b) of this section) is amended to read as fol-
4 lows:

5 “(e) EXPLORATORY ADVANCED RESEARCH.—

6 “(1) IN GENERAL.—The Secretary shall estab-
7 lish an exploratory advanced research program, con-
8 sistent with the surface transportation research and
9 technology development strategic plan developed
10 under section 508 that involves and draws upon
11 basic research results to provide a better under-
12 standing of problems and develop innovative solu-
13 tions. In carrying out the program, the Secretary
14 shall strive to develop partnerships with public and
15 private sector entities.

16 “(2) RESEARCH AREAS.—In carrying out the
17 program, the Secretary may make grants and enter
18 into cooperative agreements and contracts in such
19 areas of surface transportation research and tech-
20 nology as the Secretary determines appropriate, in-
21 cluding the following:

22 “(A) Characterization of materials used in
23 highway infrastructure, including analytical
24 techniques, microstructure modeling, and the
25 deterioration processes.

1 “(B) Assessment of the effects of transpor-
2 tation decisions on human health.

3 “(C) Development of surrogate measures
4 of safety.

5 “(D) Environmental research.

6 “(E) Data acquisition techniques for sys-
7 tem condition and performance monitoring.

8 “(F) System performance data and infor-
9 mation processing needed to assess the day-to-
10 day operational performance of the system in
11 support of hour-to-hour operational decision-
12 making.”.

13 (h) LONG-TERM PAVEMENT PERFORMANCE PRO-
14 GRAM.—

15 (1) IN GENERAL.—Section 502(f) of such title
16 (as redesignated by subsection (b) of this section) is
17 amended to read as follows:

18 “(f) LONG-TERM PAVEMENT PERFORMANCE PRO-
19 GRAM.—

20 “(1) AUTHORITY.—The Secretary shall com-
21 plete the 20-year long-term pavement performance
22 program tests initiated under the strategic highway
23 research program established under section 307(d)
24 (as in effect on June 8, 1998).

1 “(2) GRANTS, COOPERATIVE AGREEMENTS, AND
2 CONTRACTS.—Under the program, the Secretary
3 shall make grants and enter into cooperative agree-
4 ments and contracts to—

5 “(A) monitor, material-test, and evaluate
6 highway test sections in existence as of the date
7 of the grant, agreement, or contract;

8 “(B) analyze the data obtained under sub-
9 paragraph (A); and

10 “(C) prepare products to fulfill program
11 objectives and meet future pavement technology
12 needs.”.

13 (2) FUNDING.—Of the amounts made available
14 by section 5101(a)(1) of this Act, \$10,000,000 for
15 fiscal year 2004 and \$21,000,000 for each of fiscal
16 years 2004 through 2009 shall be available to carry
17 out section 502(f) of title 23, United States Code.

18 (i) TURNER-FAIRBANK HIGHWAY RESEARCH CEN-
19 TER.—Section 502 of title 23, United States Code, is fur-
20 ther amended by adding at the end the following:

21 “(i) TURNER-FAIRBANK HIGHWAY RESEARCH CEN-
22 TER.—

23 “(1) IN GENERAL.—The Secretary shall operate
24 in the Federal Highway Administration a Turner-
25 Fairbank Highway Research Center.

1 “(2) USES OF THE CENTER.—The Turner-
2 Fairbank Highway Research Center shall support—

3 “(A) the conduct of highway research and
4 development related to new highway technology;

5 “(B) the development of understandings,
6 tools, and techniques that provide solutions to
7 complex technical problems through the devel-
8 opment of economical and environmentally sen-
9 sitive designs, efficient and quality-controlled
10 construction practices, and durable materials;
11 and

12 “(C) the development of innovative high-
13 way products and practices.”.

14 (j) UNIVERSITY FUNDING.—Except as otherwise pro-
15 vided in this title and any amendments made by this title,
16 the Secretary may not provide financial assistance to a
17 university under section 5101 unless the university is se-
18 lected to receive such funds through a competitive process
19 that incorporates merit-based peer review and the selec-
20 tion is based on a proposal submitted to the Secretary by
21 the university in response to a request for proposals issued
22 by the Secretary.

1 **SEC. 5202. LONG-TERM BRIDGE PERFORMANCE PROGRAM;**
2 **INNOVATIVE BRIDGE RESEARCH AND DE-**
3 **PLOYMENT PROGRAM.**

4 (a) LONG-TERM BRIDGE PERFORMANCE PRO-
5 GRAM.—

6 (1) IN GENERAL.—Section 502 of title 23,
7 United States Code, is further amended by adding
8 at the end the following:

9 “(j) LONG-TERM BRIDGE PERFORMANCE PRO-
10 GRAM.—

11 “(1) AUTHORITY.—The Secretary shall estab-
12 lish a 20-year long-term bridge performance pro-
13 gram.

14 “(2) GRANTS, COOPERATIVE AGREEMENTS, AND
15 CONTRACTS.—Under the program, the Secretary
16 shall make grants and enter into cooperative agree-
17 ments and contracts to—

18 “(A) monitor, material-test, and evaluate
19 test bridges;

20 “(B) analyze the data obtained under sub-
21 paragraph (A); and

22 “(C) prepare products to fulfill program
23 objectives and meet future bridge technology
24 needs.”.

25 (2) FUNDING.—Of the amounts made available
26 by section 5101(a)(1) of this Act, \$5,000,000 for

1 fiscal year 2004 and \$15,000,000 for each of fiscal
2 years 2005 through 2009 shall be available to carry
3 out section 502(j) of title 23, United States Code.

4 (b) INNOVATIVE BRIDGE RESEARCH AND DEPLOY-
5 MENT PROGRAM.—

6 (1) IN GENERAL.—Section 503(b)(1) of such
7 title is amended to read as follows:

8 “(1) IN GENERAL.—The Secretary shall estab-
9 lish and carry out a program to promote, dem-
10 onstrate, evaluate, and document the application of
11 innovative designs, materials, and construction
12 methods in the construction, repair, and rehabilita-
13 tion of bridges and other highway structures.”.

14 (2) GOALS.—Section 503(b)(2) of such title is
15 amended to read as follows:

16 “(2) GOALS.—The goals of the program shall
17 include—

18 “(A) the development of new, cost-effec-
19 tive, innovative highway bridge applications;

20 “(B) the development of construction tech-
21 niques to increase safety and reduce construc-
22 tion time and traffic congestion;

23 “(C) the development of engineering design
24 criteria for innovative products, materials, and

1 structural systems for use in highway bridges
2 and structures;

3 “(D) the reduction of maintenance costs
4 and life-cycle costs of bridges, including the
5 costs of new construction, replacement, or reha-
6 bilitation of deficient bridges;

7 “(E) the development of highway bridges
8 and structures that will withstand natural dis-
9 asters;

10 “(F) the documentation and wide dissemi-
11 nation of objective evaluations of the perform-
12 ance and benefits of these innovative designs,
13 materials, and construction methods;

14 “(G) the effective transfer of resulting in-
15 formation and technology; and

16 “(H) the development of improved methods
17 to detect bridge scour and economical bridge
18 foundation designs that will withstand bridge
19 scour.”.

20 (3) FUNDING.—

21 (A) IN GENERAL.—Of the amounts made
22 available by section 5101(a)(1) of this Act,
23 \$20,000,000 for each of fiscal years 2004
24 through 2009 shall be available to carry out

1 section 503(b) of title 23, United States Code;
2 and

3 (B) HIGH PERFORMANCE CONCRETE
4 BRIDGE TECHNOLOGY RESEARCH AND DEPLOY-
5 MENT.—The Secretary shall obligate
6 \$2,000,000 of the amount described in subpara-
7 graph (A) for each of fiscal years 2004 through
8 2009 to conduct research and deploy technology
9 related to high-performance concrete bridges.

10 **SEC. 5203. SURFACE TRANSPORTATION ENVIRONMENT AND**
11 **PLANNING COOPERATIVE RESEARCH PRO-**
12 **GRAM.**

13 (a) IN GENERAL.—Section 507 of title 23, United
14 States Code, is amended to read as follows:

15 **“§ 507. Surface transportation environment and plan-**
16 **ning cooperative research program**

17 “(a) ESTABLISHMENT.—The Secretary shall estab-
18 lish and carry out a collaborative, public-private surface
19 transportation environment and planning cooperative re-
20 search program.

21 “(b) AGREEMENT.—The Secretary shall enter into an
22 agreement with the National Academy of Sciences to carry
23 out administrative and management activities relating to
24 the governance of the surface transportation environment
25 and planning cooperative research program.

1 “(c) ADVISORY COMMITTEE.—

2 “(1) ESTABLISHMENT.—The Secretary shall es-
3 tablish a committee that will be responsible for pro-
4 gram oversight and project selection.

5 “(2) MEMBERSHIP.—The members of the com-
6 mittee shall be appointed by the Secretary and shall
7 be composed of—

8 “(A) representatives of State, regional, and
9 local transportation agencies, including transit
10 agencies;

11 “(B) representatives of State environ-
12 mental agencies and other environmental orga-
13 nizations;

14 “(C) representatives of the transportation
15 private sector;

16 “(D) transportation and environmental sci-
17 entists and engineers; and

18 “(E) representatives of the Federal High-
19 way Administration, Federal Transit Adminis-
20 tration, Environmental Protection Agency,
21 United States Fish and Wildlife Service, Corps
22 of Engineers, American Association of State
23 Highway and Transportation Officials, and
24 American Public Transportation Association,
25 who shall serve in an ex officio capacity.

1 “(3) BALANCE.—The majority of the commit-
2 tee’s voting members shall be representatives of gov-
3 ernment transportation agencies.

4 “(4) MEETINGS.—The National Academy of
5 Sciences shall convene meetings of the committee.

6 “(d) GOVERNANCE.—The program established under
7 this section shall include the following administrative and
8 management elements:

9 “(1) NATIONAL RESEARCH AGENDA.—The advi-
10 sory committee, in consultation with interested par-
11 ties, shall develop, recommend, and periodically up-
12 date the national research agenda as set forth in the
13 Transportation Research Board Special Report 268
14 as described in subsection (e). The national research
15 agenda shall include a multiyear strategic plan.

16 “(2) INVOLVEMENT.—Interested parties may—

17 “(A) submit research proposals;

18 “(B) participate in merit reviews of re-
19 search proposals and peer reviews of research
20 products; and

21 “(C) receive research results.

22 “(3) OPEN COMPETITION AND PEER REVIEW OF
23 RESEARCH PROPOSALS.—The National Academy of
24 Sciences may award under the program research

1 contracts and grants through open competition and
2 merit review conducted on a regular basis.

3 “(4) EVALUATION OF RESEARCH.—

4 “(A) PEER REVIEW.—Research contracts
5 and grants may allow peer review of the re-
6 search results.

7 “(B) PROGRAMMATIC EVALUATIONS.—The
8 National Academy of Sciences may conduct
9 periodic programmatic evaluations on a regular
10 basis.

11 “(5) DISSEMINATION OF RESEARCH FIND-
12 INGS.—The National Academy of Sciences shall dis-
13 seminate research findings to researchers, practi-
14 tioners, and decisionmakers, through conferences
15 and seminars, field demonstrations, workshops,
16 training programs, presentations, testimony to gov-
17 ernment officials, World Wide Web, and publications
18 for the general public.

19 “(e) CONTENTS.—The national research agenda for
20 the program required under subsection (d)(1) shall include
21 research in the following areas for the purposes described:

22 “(1) HUMAN HEALTH.—Human health to es-
23 tablish the links between transportation activities
24 and human health; substantiate the linkages between
25 exposure to concentration levels, emissions, and

1 health impacts; examine the potential health impacts
2 from the implementation and operation of transpor-
3 tation infrastructure and services; develop strategies
4 for avoidance and reduction of these impacts; and
5 develop strategies to understand the economic value
6 of health improvements and for incorporating health
7 considerations into valuation methods.

8 “(2) ECOLOGY AND NATURAL SYSTEMS.—Ecol-
9 ogy and natural systems to measure transportation’s
10 short- and long-term impact on natural systems; de-
11 velop ecologically based performance measures; de-
12 velop insight into both the spatial and temporal
13 issues associated with transportation and natural
14 systems; study the relationship between highway
15 density and ecosystem integrity, including the im-
16 pacts of highway density on habitat integrity and
17 overall ecosystem health; develop a rapid assessment
18 methodology for use by transportation and regu-
19 latory agencies in determining the relationship be-
20 tween highway density and ecosystem integrity; and
21 develop ecologically based performance techniques to
22 evaluate the success of highway project mitigation
23 and enhancement measures.

24 “(3) ENVIRONMENTAL AND SOCIOECONOMIC
25 RELATIONSHIPS.—Environmental and socioeconomic

1 relationships to understand differences in mobility,
2 access, travel behavior, and travel preferences across
3 socioeconomic groups; develop improved planning ap-
4 proaches that better reflect and respond to commu-
5 nity needs; improve evaluation methods for exam-
6 ining the incidence of benefits and costs; examine
7 the differential impacts of current methods of fi-
8 nance and explore alternatives; understand the socio-
9 economic implications of emerging land development
10 patterns and new transportation technologies; de-
11 velop cost-effective applications of technology that
12 improve the equity of the transport system; and de-
13 velop improved methods for community involvement,
14 collaborative planning, and conflict resolution.

15 “(4) EMERGING TECHNOLOGIES.—Emerging
16 technologies to assist in the transition to environ-
17 mentally benign fuels and vehicles for passengers
18 and freight; develop responses to and demand for
19 new technologies that could offer improved environ-
20 mental performance; identify possible applications of
21 intelligent transportation systems technologies for
22 environmental benefit; develop policy instruments
23 that would encourage the development of beneficial
24 new technologies in a cost-effective manner; and re-
25 spond to the impact of new technologies.

1 “(5) LAND USE.—Land use to assess land con-
2 sumption trends and contributing factors of trans-
3 portation investment, housing policies, school qual-
4 ity, and consumer preferences; incorporate impacts
5 of transportation investments on location decision
6 and land use; identify the costs and benefits of cur-
7 rent development patterns and their transportation
8 implications; determine the effect of the built envi-
9 ronment on people’s willingness to walk, drive, or
10 take public transportation; determine the roles of
11 public policy and institutional arrangements in cur-
12 rent and prospective land use and transportation
13 choices; and develop improved data, methods, and
14 processes for considering land use, transportation,
15 and the environment in an integrated, systematic
16 fashion.

17 “(6) PLANNING AND PERFORMANCE MEAS-
18 URES.—Planning and performance measures to im-
19 prove understanding of travel needs and preferences;
20 improve planning methods for system analysis, fore-
21 casting, and decisionmaking; expand information on
22 consumer choice processes and travel and activity
23 patterns for both local and long-distance trips and
24 both passenger and freight transportation analysis
25 of social, environmental, and economic benefits and

1 cost of various transport options; develop tools for
2 measuring and forecasting complex transportation
3 decisions for all modes and users; and develop per-
4 formance measures and policy analysis approaches
5 that can be used to determine effectiveness.

6 “(7) OTHER RESEARCH AREAS.—Other re-
7 search areas to identify and address the emerging
8 and future surface transportation research needs re-
9 lated to planning and environment.

10 “(8) CONTENTS.—The program established
11 under subsection (d)(1) shall carry out research and
12 development called for in the Transportation Re-
13 search Board Special Report 268, entitled ‘Surface
14 Transportation Environmental Research: A Long-
15 Term Strategy’, published in 2002, which included
16 the following research and development areas:

17 “(1) Human Health.

18 “(2) Ecology and Natural Systems.

19 “(3) Environmental and Social Justice.

20 “(4) Emerging Technologies.

21 “(5) Land Use.

22 “(6) Planning and Performance Measures.

23 “(f) FUNDING.—

24 “(1) FEDERAL SHARE.—The Federal share of
25 the cost of an activity carried out under this section

1 shall be up to 100 percent, and such funds shall re-
2 main available until expended.

3 “(2) USE OF NON-FEDERAL FUNDS.—In addi-
4 tion to using funds authorized to be appropriated to
5 carry out this section, the National Academy of
6 Sciences may seek and accept additional funding
7 sources to carry out this section from public and pri-
8 vate entities capable of attracting and accepting
9 funding from the Department of Transportation,
10 Environmental Protection Agency, Department of
11 Energy, United States Fish and Wildlife Service,
12 and other Federal environmental agencies, States,
13 local governments, nonprofit foundations, and the
14 private sector.”.

15 (b) CONFORMING AMENDMENT.—The analysis for
16 chapter 5 of such title is amended by striking the item
17 relating to section 507 and inserting the following:

“507. Surface transportation environment and planning cooperative research
program.”.

18 (c) FUNDING.—Of the amounts made available by
19 section 5101(a)(1) of this Act, \$5,000,000 for fiscal year
20 2004 and \$15,000,000 for each of fiscal years 2005
21 through 2009 shall be available to carry out section 507
22 of title 23, United States Code.

1 **SEC. 5204. TECHNOLOGY DEPLOYMENT.**

2 (a) TECHNOLOGY DEPLOYMENT PROGRAM.—Section
3 503(a) of title 23, United States Code, is amended—

4 (1) in the subsection heading by striking “INI-
5 TIATIVES AND PARTNERSHIPS”;

6 (2) by striking paragraph (1) and inserting the
7 following:

8 “(1) ESTABLISHMENT.—The Secretary shall
9 develop and administer a national technology deploy-
10 ment program.”;

11 (3) by striking paragraph (7) and inserting the
12 following:

13 “(7) GRANTS, COOPERATIVE AGREEMENTS, AND
14 CONTRACTS.—

15 “(A) IN GENERAL.—Under the program,
16 the Secretary shall make grants to, and enter
17 into cooperative agreements and contracts with,
18 States, other Federal agencies, universities and
19 colleges, private sector entities, and nonprofit
20 organizations to pay the Federal share of the
21 cost of research, development, and technology
22 transfer activities concerning innovative mate-
23 rials.

24 “(B) APPLICATIONS.—To receive a grant
25 under this subsection, an entity described in
26 subparagraph (A) shall submit an application to

1 the Secretary. The application shall be in such
2 form and contain such information as the Sec-
3 retary may require. The Secretary shall select
4 and approve an application based on whether
5 the project that is the subject of the grant
6 meets the purpose of the program described in
7 paragraph (2).”; and

8 (4) by striking paragraph (8) and inserting the
9 following:

10 “(8) TECHNOLOGY AND INFORMATION TRANS-
11 FER.—The Secretary shall ensure that the informa-
12 tion and technology resulting from research con-
13 ducted under paragraph (7) is made available to
14 State and local transportation departments and
15 other interested parties as specified by the Sec-
16 retary.”.

17 (b) INNOVATIVE PAVEMENT RESEARCH AND DE-
18 PLOYMENT PROGRAM.—

19 (1) IN GENERAL.—Section 503 of such title is
20 further amended by adding at the end the following:

21 “(c) INNOVATIVE PAVEMENT RESEARCH AND DE-
22 PLOYMENT PROGRAM.—

23 “(1) IN GENERAL.—The Secretary shall estab-
24 lish and implement a program to promote, dem-
25 onstrate, support, and document the application of

1 innovative pavement technologies, practices, per-
2 formance, and benefits.

3 “(2) GOALS.—The goals of the innovative pave-
4 ment research and deployment program shall in-
5 clude—

6 “(A) the deployment of new, cost-effective,
7 innovative designs, materials, recycled materials
8 (including taconite tailings and foundry sand),
9 and practices to extend pavement life and per-
10 formance and to improve customer satisfaction;

11 “(B) the reduction of initial costs and life-
12 cycle costs of pavements, including the costs of
13 new construction, replacement, maintenance,
14 and rehabilitation;

15 “(C) the deployment of accelerated con-
16 struction techniques to increase safety and re-
17 duce construction time and traffic disruption
18 and congestion;

19 “(D) the deployment of engineering design
20 criteria and specifications for innovative prac-
21 tices, products, and materials for use in high-
22 way pavements;

23 “(E) the deployment of new nondestructive
24 and real-time pavement evaluation technologies
25 and techniques;

1 “(F) the evaluation, refinement, and docu-
2 mentation of the performance and benefits of
3 innovative technologies deployed to improve life,
4 performance, cost effectiveness, safety, and cus-
5 tomer satisfaction;

6 “(G) effective technology transfer and in-
7 formation dissemination to accelerate imple-
8 mentation of innovative technologies and to im-
9 prove life, performance, cost effectiveness, safe-
10 ty, and customer satisfaction; and

11 “(H) the development of designs and mate-
12 rials to reduce storm water runoff.

13 “(3) RESEARCH TO IMPROVE NHS PAVE-
14 MENT.—The Secretary shall obligate not less than
15 \$2,000,000 for fiscal year 2004 and \$6,000,000 for
16 each of fiscal years 2005 through 2009 from funds
17 made available to carry out this subsection to con-
18 duct research to improve asphalt pavement, concrete
19 pavement, and aggregates used in highways on the
20 National Highway System.”.

21 “(2) FUNDING.—Of the amounts made available
22 by section 5101(a)(1) of this Act, \$5,000,000 for
23 fiscal year 2004 and \$15,000,000 for each of fiscal
24 years 2005 through 2009 shall be available to carry
25 out section 503(c) of title 23, United States Code.

1 (c) SAFETY INNOVATION DEPLOYMENT PROGRAM.—

2 (1) IN GENERAL.—Section 503 of such title is
3 further amended by adding the following:

4 “(d) SAFETY INNOVATION DEPLOYMENT PRO-
5 GRAM.—

6 “(1) IN GENERAL.—The Secretary shall estab-
7 lish and implement a program to demonstrate the
8 application of innovative technologies in highway
9 safety.

10 “(2) GOALS.—The goals of the program shall
11 include—

12 “(A) the deployment and evaluation of
13 safety technologies and innovations at State
14 and local levels; and

15 “(B) the deployment of best practices in
16 training, management, design, and planning.

17 “(3) GRANTS, COOPERATIVE AGREEMENTS, AND
18 CONTRACTS.—

19 “(A) IN GENERAL.—Under the program,
20 the Secretary shall make grants to, and enter
21 into cooperative agreements and contracts with,
22 States, other Federal agencies, universities and
23 colleges, private sector entities, and nonprofit
24 organizations for research, development, and

1 technology transfer for innovative safety tech-
2 nologies.

3 “(B) APPLICATIONS.—To receive a grant
4 under this subsection, an entity described in
5 subparagraph (A) shall submit an application to
6 the Secretary. The application shall be in such
7 form and contain such information as the Sec-
8 retary may require. The Secretary shall select
9 and approve the applications based on whether
10 the project that is the subject of the application
11 meets the goals of the program described in
12 paragraph (2).

13 “(4) TECHNOLOGY AND INFORMATION TRANS-
14 FER.—The Secretary shall take such action as is
15 necessary to ensure that the information and tech-
16 nology resulting from research conducted under
17 paragraph (3) is made available to State and local
18 transportation departments and other interested
19 parties as specified by the Secretary.”.

20 (2) FUNDING.—Of the amounts made available
21 by section 5101(a)(1) of this Act, \$5,000,000 for
22 fiscal year 2004 and \$15,000,000 for each of fiscal
23 years 2005 through 2009 shall be available to carry
24 out section 503(d) of title 23, United States Code.

1 (d) AUTHORITY TO PURCHASE PROMOTIONAL
2 ITEMS.—Section 503 of such title is further amended by
3 adding at the end the following:

4 “(e) PROMOTIONAL AUTHORITY.—Funds authorized
5 to be appropriated for necessary expenses for administra-
6 tion and operation of the Federal Highway Administration
7 shall be available to purchase promotional items of nomi-
8 nal value for use in the recruitment of individuals and to
9 promote the programs of the Federal Highway Adminis-
10 tration.”.

11 (e) WOOD COMPOSITE MATERIALS DEMONSTRATION
12 PROJECT.—

13 (1) FUNDING.—Of the funds made available to
14 carry out section 5101(a)(1), \$1,000,000 shall be
15 made available by the Secretary for each of fiscal
16 years 2005 and 2006 for conducting a demonstra-
17 tion of the durability and potential effectiveness of
18 wood composite materials in multimodal transpor-
19 tation facilities.

20 (2) FEDERAL SHARE.—The Federal share of
21 the cost of the demonstration under paragraph (1)
22 shall be 100 percent.

23 **SEC. 5205. TRAINING AND EDUCATION.**

24 (a) NATIONAL HIGHWAY INSTITUTE.—

1 (1) IN GENERAL.—Section 504(a)(3) of title
2 23, United States Code, is amended to read as fol-
3 lows:

4 “(3) COURSES.—The Institute may develop and
5 administer courses in modern developments, tech-
6 niques, methods, regulations, management, and pro-
7 cedures in areas, including surface transportation,
8 environmental mitigation, compliance, stewardship,
9 and streamlining, acquisition of rights-of-way, relo-
10 cation assistance, engineering, safety, transportation
11 system management and operations, construction,
12 maintenance, contract administration, inspection,
13 and highway finance.”.

14 (2) FUNDING.—Of the amounts made available
15 by section 5101(a)(2) of this Act, \$8,000,000 for
16 fiscal year 2004 and \$8,500,000 for each of fiscal
17 years 2005 through 2009 shall be available to carry
18 out section 504(a) of title 23, United States Code.

19 (b) LOCAL TECHNICAL ASSISTANCE PROGRAM.—

20 (1) IN GENERAL.—Section 504(b) of such title
21 is amended by adding at the end the following:

22 “(3) FEDERAL SHARE.—

23 “(A) GRANTS.—A grant under this sub-
24 section may be used to pay up to 50 percent of
25 local technical assistance program costs. Funds

1 available for technology transfer and training
2 purposes under this title and title 49 may be
3 used to cover the remaining 50 percent of the
4 program costs.

5 “(B) TRIBAL TECHNICAL ASSISTANCE
6 CENTERS.—The Federal share of the cost of ac-
7 tivities carried out by the tribal technical assist-
8 ance centers under paragraph (2)(D)(ii) shall
9 be 100 percent.”.

10 (2) FUNDING.—Of the amounts made available
11 by section 5101(a)(2) of this Act, \$12,000,000 for
12 fiscal year 2004 and \$14,000,000 for each of fiscal
13 years 2005 through 2009 shall be available to carry
14 out section 504(b) of title 23, United States Code.

15 (c) EISENHOWER TRANSPORTATION FELLOWSHIP
16 PROGRAM.—Of the amounts made available by section
17 5101(a)(2) of this Act, \$2,000,000 for fiscal year 2004
18 and \$2,500,000 for each of fiscal years 2005 through
19 2009 shall be available to carry out section 504(c)(2) of
20 title 23, United States Code.

21 (d) GARRETT A. MORGAN TECHNOLOGY AND TRANS-
22 PORTATION EDUCATION PROGRAM.—

23 (1) IN GENERAL.—Section 504 of title 23,
24 United States Code, as amended by this section, is

1 further amended by adding at the end the following
2 new subsection:

3 “(d) GARRETT A. MORGAN TECHNOLOGY AND
4 TRANSPORTATION EDUCATION PROGRAM.—

5 “(1) IN GENERAL.—The Secretary shall estab-
6 lish the Garrett A. Morgan Technology and Trans-
7 portation Education Program to improve the prepa-
8 ration of students, particularly women and minori-
9 ties, in science, technology, engineering, and mathe-
10 matics through curriculum development and other
11 activities related to transportation.

12 “(2) AUTHORIZED ACTIVITIES.—The Secretary
13 shall award grants under this subsection on the
14 basis of competitive, peer review. Grants awarded
15 under this subsection may be used for enhancing
16 science, technology, engineering, and mathematics at
17 the elementary and secondary school level through
18 such means as—

19 “(A) internships that offer students experi-
20 ence in the transportation field;

21 “(B) programs that allow students to
22 spend time observing scientists and engineers in
23 the transportation field; and

1 “(C) developing relevant curriculum that
2 uses examples and problems related to trans-
3 portation.

4 “(3) APPLICATION AND REVIEW PROCE-
5 DURES.—

6 “(A) IN GENERAL.—An entity described in
7 subparagraph (C) seeking funding under this
8 subsection shall submit an application to the
9 Secretary at such time, in such manner, and
10 containing such information as the Secretary
11 may require. Such application, at a minimum,
12 shall include a description of how the funds will
13 be used and a description of how the funds will
14 be used to serve the purposes described in para-
15 graph (2).

16 “(B) PRIORITY.—In making awards under
17 this subsection, the Secretary shall give priority
18 to applicants that will encourage the participa-
19 tion of women and minorities.

20 “(C) ELIGIBILITY.—Local education agen-
21 cies and State education agencies, which may
22 partner with institutions of higher education,
23 businesses, or other entities, shall be eligible to
24 apply for grants under this subsection.

1 “(4) DEFINITIONS.—For purposes of this sub-
2 section—

3 “(A) the term ‘institution of higher edu-
4 cation’ has the meaning given that term in sec-
5 tion 101 of the Higher Education Act of 1965
6 (20 U.S.C. 1001);

7 “(B) the term ‘local educational agency’
8 has the meaning given that term in section
9 9101 of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 7801); and

11 “(C) the term ‘State educational agency’
12 has the meaning given that term in section
13 9101 of the Elementary and Secondary Edu-
14 cation Act of 1965 (20 U.S.C. 7801).”.

15 (2) FUNDING.—Of the amounts made available
16 by section 5101(a)(2) of this Act, \$500,000 for
17 2004 and \$1,000,000 for each of fiscal years 2005
18 through 2009 shall be available to carry out section
19 504(d) of title 23, United States Code.

20 (e) SURFACE TRANSPORTATION WORKFORCE DE-
21 VELOPMENT, TRAINING, AND EDUCATION.—Section 504
22 of such title is further amended by adding at the end the
23 following:

24 “(e) SURFACE TRANSPORTATION WORKFORCE DE-
25 VELOPMENT, TRAINING, AND EDUCATION.—

1 “(1) FUNDING.—Subject to project approval by
2 the Secretary, a State may obligate funds appor-
3 tioned to the State under sections 104(b)(1),
4 104(b)(2), 104(b)(3), 104(b)(4), and 144(e) for sur-
5 face transportation workforce development, training
6 and education, including—

7 “(A) tuition and direct educational ex-
8 penses, excluding salaries, in connection with
9 the education and training of employees of
10 State and local transportation agencies;

11 “(B) employee professional development;

12 “(C) student internships;

13 “(D) university or community college sup-
14 port; and

15 “(E) education activities, including out-
16 reach, to develop interest and promote partici-
17 pation in surface transportation careers.

18 “(2) FEDERAL SHARE.—The Federal share of
19 the cost of activities carried out in accordance with
20 this subsection shall be 100 percent.

21 “(3) SURFACE TRANSPORTATION WORKFORCE
22 DEVELOPMENT, TRAINING, AND EDUCATION DE-
23 FINED.—In this subsection, the term ‘surface trans-
24 portation workforce development, training, and edu-
25 cation’ means activities associated with surface

1 transportation career awareness, student transpor-
2 tation career preparation, and training and profes-
3 sional development for surface transportation work-
4 ers, including activities for women and minorities.”.

5 (f) TRANSPORTATION EDUCATION DEVELOPMENT
6 PILOT PROGRAM.—Section 504 of title 23, United States
7 Code, is amended by inserting after subsection (e) the fol-
8 lowing:

9 “(f) TRANSPORTATION EDUCATION DEVELOPMENT
10 PILOT PROGRAM.—

11 “(1) ESTABLISHMENT.—The Secretary shall es-
12 tablish a program to make grants to institutions of
13 higher education that in partnership with industry
14 or State Departments of Transportation will de-
15 velop, test, and revise new curricula and education
16 programs to train individuals at all levels of the
17 transportation workforce.

18 “(2) SELECTION OF GRANT RECIPIENTS.—In
19 selecting applications for awards under this sub-
20 section, the Secretary shall consider—

21 “(A) the degree to which the new curricula
22 or education program meets the specific needs
23 of a segment of the transportation industry,
24 States, or regions;

1 “(B) providing for practical experience and
2 on-the-job training;

3 “(C) proposals oriented toward practi-
4 tioners in the field rather than the support and
5 growth of the research community;

6 “(D) the degree to which the new curricula
7 or program will provide training in areas other
8 than engineering, such as business administra-
9 tion, economics, information technology, envi-
10 ronmental science, and law;

11 “(E) programs or curricula in nontradi-
12 tional departments which train professionals for
13 work in the transportation field, such as mate-
14 rials, information technology, environmental
15 science, urban planning, and industrial tech-
16 nology; and

17 “(F) industry or a State’s Department of
18 Transportation commitment to the program.

19 “(3) FUNDING.—Of the amounts made avail-
20 able by section 5101(a)(2) of this Act, \$1,500,000
21 for each of fiscal years 2005 through 2009 shall be
22 available to carry out this subsection.

23 “(4) LIMITATIONS.—The amount of a grant
24 under this subsection shall not exceed \$250,000 per
25 year. After a recipient has received 3 years of Fed-

1 eral funding under this subsection, Federal funding
2 may equal no more than 75 percent of a grantee’s
3 program costs.”.

4 (g) DEFINITIONS AND DECLARATION OF POLICY.—
5 Section 101(a)(3) of such title is amended—

6 (1) by striking “and” at the end of subpara-
7 graph (G);

8 (2) by striking the period at the end of sub-
9 paragraph (H) and inserting “; and”; and

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

11 “(I) surface transportation workforce de-
12 velopment, training, and education.”.

13 (h) TRANSPORTATION TECHNOLOGY INNOVA-
14 TIONS.—

15 (1) FUNDAMENTAL PROPERTIES OF ASPHALTS
16 AND MODIFIED ASPHALTS.—The Secretary shall
17 continue to carry out section 5117(b)(5) of the
18 Transportation Equity Act for the 21st Century
19 (112 Stat. 450).

20 (2) TRANSPORTATION, ECONOMIC, AND LAND
21 USE SYSTEM.—The Secretary shall continue to carry
22 out section 5117(b)(7) of the Transportation Equity
23 Act for the 21st Century (112 Stat. 450).

24 (3) FUNDING.—Of the amounts made available
25 for each of fiscal years 2004 through 2009 by sec-

1 tion 5101(a)(1) of this Act, \$3,000,000 shall be
2 available to carry out paragraph (1) and \$1,000,000
3 shall be available to carry out paragraph (2).

4 (4) USE OF RIGHTS-OF-WAY.—Section
5 5117(b)(3) of the Transportation Equity Act for the
6 21st Century (112 Stat. 449; 112 Stat. 864; 115
7 Stat. 2330) is amended—

8 (A) by redesignating subparagraphs (E)
9 through (G) as subparagraphs (F) through (H),
10 respectively; and

11 (B) by inserting after subparagraph (D)
12 the following:

13 “(E) USE OF RIGHTS-OF-WAY.—

14 “(i) IN GENERAL.—An intelligent
15 transportation system project described in
16 paragraph (3), and an intelligent transpor-
17 tation system project described in para-
18 graph (6), that involves privately owned in-
19 telligent transportation system components
20 and is carried out using funds made avail-
21 able from the Highway Trust Fund (other
22 than the Mass Transit Account) shall not
23 be subject to any law or regulation of a
24 State or political subdivision of a State
25 prohibiting or regulating commercial activi-

1 ties in the rights-of-way of a highway for
2 which funds from the Highway Trust
3 Fund (other than the Mass Transit Ac-
4 count) have been used for planning, de-
5 sign, construction, or maintenance if the
6 Secretary determines that such use is in
7 the public interest.

8 “(ii) LIMITATION ON STATUTORY CON-
9 STRUCTION.—Nothing in this subpara-
10 graph shall be construed to affect the au-
11 thority of a State, or political subdivision
12 of a State, to regulate highway safety.”.

13 **SEC. 5206. FREIGHT PLANNING CAPACITY BUILDING.**

14 (a) IN GENERAL.—Section 504 of title 23, United
15 States Code, is amended further by adding at the end the
16 following:

17 “(f) FREIGHT CAPACITY BUILDING PROGRAM.—

18 “(1) ESTABLISHMENT.—The Secretary shall es-
19 tablish a freight planning capacity building initiative
20 to support enhancements in freight transportation
21 planning in order to—

22 “(A) better target investments in freight
23 transportation systems to maintain efficiency
24 and productivity; and

1 “(B) strengthen the decisionmaking capac-
2 ity of State transportation departments and
3 local transportation agencies with respect to
4 freight transportation planning and systems.

5 “(2) AGREEMENTS.—The Secretary shall enter
6 into agreements to support and carry out adminis-
7 trative and management activities relating to the
8 governance of the freight planning capacity initia-
9 tive.

10 “(3) STAKEHOLDER INVOLVEMENT.—In car-
11 rying out this section, the Secretary shall consult
12 with the Association of Metropolitan Planning Orga-
13 nizations, the American Association of State High-
14 way and Transportation Officials, and other freight
15 planning stakeholders, including the other Federal
16 agencies, State transportation departments, local
17 governments, nonprofit entities, academia, and the
18 private sector.

19 “(4) ELIGIBLE ACTIVITIES.—The freight plan-
20 ning capacity building initiative shall include re-
21 search, training, and education in the following
22 areas:

23 “(A) The identification and dissemination
24 of best practices in freight transportation.

1 “(B) Providing opportunities for freight
2 transportation staff to engage in peer exchange.

3 “(C) Refinement of data and analysis tools
4 used in conjunction with assessing freight
5 transportation needs.

6 “(D) Technical assistance to State trans-
7 portation departments and local transportation
8 agencies reorganizing to address freight trans-
9 portation issues.

10 “(E) Facilitating relationship building be-
11 tween governmental and private entities in-
12 volved in freight transportation.

13 “(F) Identifying ways to target the capac-
14 ity of State transportation departments and
15 local transportation agencies to address freight
16 considerations in operations, security, asset
17 management, and environmental excellence in
18 connection with long-range multimodal trans-
19 portation planning and project implementation.

20 “(5) FUNDING.—

21 “(A) FEDERAL SHARE.—The Federal
22 share of the cost of an activity carried out
23 under this section shall be up to 100 percent,
24 and such funds shall remain available until ex-
25 pended.

1 “(B) USE OF NON-FEDERAL FUNDS.—
2 Funds made available for the program estab-
3 lished under this subsection may be used for re-
4 search, program development, information col-
5 lection and dissemination, and technical assist-
6 ance. The Secretary may use such funds inde-
7 pendently or make grants to, or enter into con-
8 tracts, cooperative agreements, and other trans-
9 actions with, a Federal agency, State agency,
10 local agency, Federally recognized Indian tribal
11 government or tribal consortium, authority, as-
12 sociation, nonprofit or for-profit corporation, or
13 institution of higher education, to carry out the
14 purposes of this subsection.”.

15 (b) FUNDING.—Of the amounts made available by
16 section 5101(a)(2) of this Act, \$1,500,000 for fiscal year
17 2004 and \$5,000,000 for each of fiscal years 2005
18 through 2009 shall be available to carry out section 504(f)
19 of title 23, United States Code.

20 (c) TECHNICAL AMENDMENT.—Section 508(c)(3)(C)
21 of such title is amended by inserting “of title 31” after
22 “1116”.

1 **SEC. 5207. ADVANCED TRAVEL FORECASTING PROCEDURES**
2 **PROGRAM.**

3 (a) CONTINUATION AND ACCELERATION OF
4 TRANSIMS DEPLOYMENT.—The Secretary shall accel-
5 erate the deployment of the advanced transportation
6 model known as the “Transportation Analysis Simulation
7 System” (in this section referred to as “TRANSIMS”),
8 developed by the Los Alamos National Laboratory. The
9 program shall assist State departments of transportation
10 and metropolitan planning organizations in the implemen-
11 tation of TRANSIMS, develop methods for TRANSIMS
12 applications to transportation planning and air quality
13 analysis, and provide training and technical assistance for
14 the implementation of TRANSIMS. The program may
15 support the development of methods to plan for the trans-
16 portation response to chemical and biological terrorism
17 and other security concerns.

18 (b) ELIGIBLE ACTIVITIES.—The Secretary shall use
19 funds made available by section 5101(a)(1) to—

20 (1) provide funding to State departments of
21 transportation and metropolitan planning organiza-
22 tions serving transportation management areas des-
23 ignated under chapter 52 of title 49, United States
24 Code, representing a diversity of populations, geo-
25 graphic regions, and analytic needs to implement
26 TRANSIMS;

1 (2) develop methods to demonstrate a wide
2 spectrum of TRANSIMS applications to support
3 metropolitan and statewide transportation planning,
4 including integrating highway and transit oper-
5 ational considerations into the transportation plan-
6 ning process; and

7 (3) provide training and technical assistance
8 with respect to the implementation and application
9 of TRANSIMS to States, local governments, and
10 metropolitan planning organizations with responsi-
11 bility for travel modeling.

12 (c) ALLOCATION OF FUNDS.—Not more than 75 per-
13 cent of the funds made available to carry out this section
14 may be allocated to activities described in subsection
15 (b)(1).

16 (d) FUNDING.—Of the amounts made available by
17 section 5101(a)(1) of this Act, \$1,000,000 for fiscal year
18 2004 and \$3,000,000 for each of fiscal years 2005
19 through 2009 shall be available to carry out this section.

20 **SEC. 5208. NATIONAL COOPERATIVE FREIGHT TRANSPOR-**
21 **TATION RESEARCH PROGRAM.**

22 (a) IN GENERAL.—Chapter 5 of title 23, United
23 States Code, is further amended by adding at the end the
24 following:

1 **“§ 509. National cooperative freight transportation**
2 **research program**

3 “(a) ESTABLISHMENT.—The Secretary shall estab-
4 lish and support a national cooperative freight transpor-
5 tation research program.

6 “(b) AGREEMENT.—The Secretary shall enter into an
7 agreement with the National Academy of Sciences to sup-
8 port and carry out administrative and management activi-
9 ties relating to the governance of the national cooperative
10 freight transportation research program.

11 “(c) ADVISORY COMMITTEE.—The National Acad-
12 emy of Sciences shall select an advisory committee con-
13 sisting of a representative cross-section of freight stake-
14 holders, including the Department of Transportation,
15 other Federal agencies, State transportation departments,
16 local governments, nonprofit entities, academia, and the
17 private sector.

18 “(d) GOVERNANCE.—The national cooperative
19 freight transportation research program established under
20 this section shall include the following administrative and
21 management elements:

22 “(1) NATIONAL RESEARCH AGENDA.—The advi-
23 sory committee, in consultation with interested par-
24 ties, shall recommend a national research agenda for
25 the program. The agenda shall include a multiyear
26 strategic plan.

1 “(2) INVOLVEMENT.—Interested parties may—

2 “(A) submit research proposals to the advi-
3 sory committee;

4 “(B) participate in merit reviews of re-
5 search proposals and peer reviews of research
6 products; and

7 “(C) receive research results.

8 “(3) OPEN COMPETITION AND PEER REVIEW OF
9 RESEARCH PROPOSALS.—The National Academy of
10 Sciences may award research contracts and grants
11 under the program through open competition and
12 merit review conducted on a regular basis.

13 “(4) EVALUATION OF RESEARCH.—

14 “(A) PEER REVIEW.—Research contracts
15 and grants under the program may allow peer
16 review of the research results.

17 “(B) PROGRAMMATIC EVALUATIONS.—The
18 National Academy of Sciences may conduct
19 periodic programmatic evaluations on a regular
20 basis of research contracts and grants.

21 “(5) DISSEMINATION OF RESEARCH FIND-
22 INGS.—The National Academy of Sciences shall dis-
23 seminate research findings to researchers, practi-
24 tioners, and decisionmakers, through conferences
25 and seminars, field demonstrations, workshops,

1 training programs, presentations, testimony to gov-
2 ernment officials, World Wide Web, publications for
3 the general public, and other appropriate means.

4 “(e) CONTENTS.—The national research agenda re-
5 quired under subsection (d)(1) shall include research in
6 the following areas:

7 “(1) Techniques for estimating and quantifying
8 public benefits derived from freight transportation
9 projects.

10 “(2) Alternative approaches to calculating the
11 contribution of truck and rail traffic to congestion
12 on specific highway segments.

13 “(3) The feasibility of consolidating origins and
14 destinations for freight movement.

15 “(4) Methods for incorporating estimates of
16 international trade into landside transportation plan-
17 ning.

18 “(5) The use of technology applications to in-
19 crease capacity of highway lanes dedicated to truck-
20 only traffic.

21 “(6) Development of physical and policy alter-
22 natives for separating car and truck traffic.

23 “(7) Ways to synchronize infrastructure im-
24 provements with freight transportation demand.

1 “(8) The effect of changing patterns of freight
2 movement on transportation planning decisions re-
3 lating to rest areas.

4 “(9) Other research areas to identify and ad-
5 dress the emerging and future research needs re-
6 lated to freight transportation by all modes.

7 “(f) FUNDING.—

8 “(1) FEDERAL SHARE.—The Federal share of
9 the cost of an activity carried out under this section
10 shall be up to 100 percent, and such funds shall re-
11 main available until expended.

12 “(2) USE OF NON-FEDERAL FUNDS.—In addi-
13 tion to using funds authorized for this section, the
14 National Academy of Sciences may seek and accept
15 additional funding sources from public and private
16 entities capable of accepting funding from the De-
17 partment of Transportation, States, local govern-
18 ments, nonprofit foundations, and the private sec-
19 tor.”.

20 (b) CONFORMING AMENDMENT.—The analysis for
21 such chapter is further amended by adding at the end the
22 following:

“509. National cooperative freight transportation research program.”.

23 (c) FUNDING.—Of the amounts made available by
24 section 5101(a)(1) of this Act, \$1,500,000 for fiscal year
25 2004 and \$4,000,000 for each of fiscal years 2005

1 through 2009 shall be available to carry out section 509
2 of title 23, United States Code.

3 **SEC. 5209. FUTURE STRATEGIC HIGHWAY RESEARCH PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—Chapter 5 of title 23, United
6 States Code, is further amended by adding at the end the
7 following:

8 **“§ 510. Future strategic highway research program**

9 “(a) ESTABLISHMENT.—The Secretary, in consulta-
10 tion with the American Association of State Highway and
11 Transportation Officials, shall establish and carry out,
12 acting through the National Research Council of the Na-
13 tional Academy of Sciences, the future strategic highway
14 research program.

15 “(b) COOPERATIVE AGREEMENTS.—The Secretary
16 may make grants to, and enter into cooperative agree-
17 ments with, the American Association of State Highway
18 and Transportation Officials and the National Academy
19 of Sciences to carry out such activities under this sub-
20 section as the Secretary determines are appropriate.

21 “(c) PERIOD OF AVAILABILITY.—Funds made avail-
22 able to carry out this section shall remain available for
23 the fiscal year in which such funds are made available and
24 the 3 succeeding fiscal years.

25 “(d) PROGRAM PRIORITIES.—

1 “(1) PROGRAM ELEMENTS.—The program es-
2 tablished under this section shall be based on the
3 National Research Council Special Report 260, enti-
4 tled ‘Strategic Highway Research: Saving Lives, Re-
5 ducing Congestion, Improving Quality of Life’ and
6 the results of the detailed planning work subse-
7 quently carried out in 2002 and 2003 to identify the
8 research areas through National Cooperative Re-
9 search Program Project 20–58. The research pro-
10 gram shall include an analysis of the following:

11 “(A) Renewal of aging highway infrastruc-
12 ture with minimal impact to users of the facili-
13 ties.

14 “(B) Driving behavior and likely crash
15 causal factors to support improved counter-
16 measures.

17 “(C) Reducing highway congestion due to
18 nonrecurring congestion.

19 “(D) Planning and designing new road ca-
20 pacity to meet mobility, economic, environ-
21 mental, and community needs.

22 “(2) DISSEMINATION OF RESULTS.—The re-
23 search results of the program, expressed in terms of
24 technologies, methodologies, and other appropriate

1 categorizations, shall be disseminated to practicing
2 engineers for their use, as soon as practicable.

3 “(e) PROGRAM ADMINISTRATION.—In carrying out
4 the program under this section, the National Research
5 Council shall ensure, to the maximum extent practicable,
6 that—

7 “(1) projects and researchers are selected to
8 conduct research for the program on the basis of
9 merit and open solicitation of proposals and review
10 by panels of appropriate experts;

11 “(2) State department of transportation offi-
12 cials and other stakeholders, as appropriate, are in-
13 volved in the governance of the program at the over-
14 all program level and technical level through the use
15 of expert panels and committees;

16 “(3) the Council acquires a qualified, perma-
17 nent core staff with the ability and expertise to man-
18 age the program and multiyear budget; and

19 “(4) there is no duplication of research effort
20 between the program and any other research effort
21 of the Department.

22 “(f) REPORT ON IMPLEMENTATION OF RESULTS.—

23 “(1) REPORT.—The Transportation Research
24 Board of the National Research Council shall com-
25 plete a report on the strategies and administrative

1 structure to be used for implementation of the re-
2 sults of the future strategic highway research pro-
3 gram.

4 “(2) COMPONENTS.—The report under para-
5 graph (1) shall include with respect to the pro-
6 gram—

7 “(A) an identification of the most prom-
8 ising results of research under the program (in-
9 cluding the persons most likely to use the re-
10 sults);

11 “(B) a discussion of potential incentives
12 for, impediments to, and methods of, imple-
13 menting those results;

14 “(C) an estimate of costs of implementa-
15 tion of those results; and

16 “(D) recommendations on methods by
17 which implementation of those results should be
18 conducted, coordinated, and supported in future
19 years, including a discussion of the administra-
20 tive structure and organization best suited to
21 carry out those recommendations.

22 “(3) CONSULTATION.—In developing the report,
23 the Transportation Research Board shall consult
24 with a wide variety of stakeholders, including—

25 “(A) the Federal Highway Administration;

1 “(B) the National Highway Traffic Safety
2 Administration; and

3 “(C) the American Association of State
4 Highway and Transportation Officials.

5 “(4) SUBMISSION.—Not later than February 1,
6 2009, the report shall be submitted to the Com-
7 mittee on Environment and Public Works of the
8 Senate and the Committee on Transportation and
9 Infrastructure of the House of Representatives.

10 “(g) LIMITATION OF REMEDIES.—

11 “(1) SAME REMEDY AS IF UNITED STATES.—
12 The remedy against the United States provided by
13 sections 1346(b) and 2672 of title 28 for injury, loss
14 of property, personal injury, or death shall apply to
15 any claim against the National Academy of Sciences
16 for money damages for injury, loss of property, per-
17 sonal injury, or death caused by any negligent or
18 wrongful act or omission by employees and individ-
19 uals described in paragraph (3) arising from activi-
20 ties conducted under or in connection with this sec-
21 tion. Any such claim shall be subject to the limita-
22 tions and exceptions which would be applicable to
23 such claim if such claim were against the United
24 States. With respect to any such claim, the Sec-
25 retary shall be treated as the head of the appro-

1 appropriate Federal agency for purposes of sections 2672
2 and 2675 of title 28.

3 “(2) EXCLUSIVENESS OF REMEDY.—The rem-
4 edy referred to in paragraph (1) shall be exclusive
5 of any other civil action or proceeding for the pur-
6 pose of determining liability arising from any such
7 act or omission without regard to when the act or
8 omission occurred.

9 “(3) TREATMENT.—Employees of the National
10 Academy of Sciences and other individuals appointed
11 by the president of the National Academy of
12 Sciences and acting on its behalf in connection with
13 activities carried out under this section shall be
14 treated as if they are employees of the Federal Gov-
15 ernment under section 2671 of title 28 for purposes
16 of a civil action or proceeding with respect to a claim
17 described in paragraph (1). The civil action or pro-
18 ceeding shall proceed in the same manner as any
19 proceeding under chapter 171 of title 28 or action
20 against the United States filed pursuant to section
21 1346(b) of title 28 and shall be subject to the limita-
22 tions and exceptions applicable to such a proceeding
23 or action.

24 “(4) SOURCES OF PAYMENTS.—Payment of any
25 award, compromise, or settlement of a civil action or

1 proceeding with respect to a claim described in para-
2 graph (1) shall be paid first out of insurance main-
3 tained by the National Academy of Sciences, second
4 from funds made available to carry out this section,
5 and then from sums made available under section
6 1304 of title 31. For purposes of such section, such
7 an award, compromise, or settlement shall be
8 deemed to be a judgment, award, or settlement pay-
9 able under section 2414 or 2672 of title 28. The
10 Secretary may establish a reserve of funds made
11 available to carry out this section for making pay-
12 ments under this paragraph.

13 “(h) FUNDING.—

14 “(1) FEDERAL SHARE.—The Federal share of
15 the cost of an activity carried out using amounts
16 made available under a grant or cooperative agree-
17 ment under this section shall be 100 percent, and
18 such funds shall remain available until expended.

19 “(2) ADVANCE PAYMENTS.—The Secretary may
20 make advance payments as necessary to carry out
21 the program under this section.”.

22 (b) PROGRAMMATIC EVALUATIONS.—Within 3 years
23 after the first research and development project grants,
24 cooperative agreements, or contracts are awarded under
25 this section, the Comptroller General shall review the pro-

1 gram under this section, and recommend improvements.
2 The review shall assess the degree to which projects fund-
3 ed under this section have addressed the research and de-
4 velopment topics identified in the Transportation Research
5 Board Special Report 260, including identifying those top-
6 ics which have not yet been addressed.

7 (c) CONFORMING AMENDMENT.—The analysis for
8 such chapter is further amended by adding at the end the
9 following:

“510. Future strategic highway research program.”.

10 (d) FUNDING.—Of the amounts made available by
11 section 5101(a)(1) of this Act, \$17,000,000 for fiscal year
12 2004, \$60,000,000 for fiscal year 2005, and \$63,000,000
13 for each of fiscal years 2006 through 2009, shall be avail-
14 able to carry out section 510 of title 23, United States
15 Code.

16 **SEC. 5210. TRANSPORTATION SAFETY INFORMATION MAN-**
17 **AGEMENT SYSTEM PROJECT.**

18 (a) IN GENERAL.—The Secretary shall fund and
19 carry out a project to further the development of a com-
20 prehensive transportation safety information management
21 system (in this section referred to as “TSIMS”).

22 (b) PURPOSES.—The purpose of the TSIMS project
23 is to further the development of a software application to
24 provide for the collection, integration, management, and
25 dissemination of safety data from and for use among State

1 and local safety and transportation agencies, including
2 driver licensing, vehicle registration, emergency manage-
3 ment system, injury surveillance, roadway inventory, and
4 motor carrier databases.

5 (c) FUNDING.—

6 (1) FEDERAL CONTRIBUTION.—Of the amounts
7 made available by section 5101(a)(1) of this Act,
8 \$1,000,000 for fiscal year 2004 and \$3,000,000 for
9 fiscal year 2005 shall be available to carry out the
10 TSIMS project under this section.

11 (2) STATE CONTRIBUTION.—The sums author-
12 ized in paragraph (1) are intended to supplement
13 voluntary contributions to be made by State depart-
14 ments of transportation and other State safety and
15 transportation agencies.

16 **SEC. 5211. SURFACE TRANSPORTATION CONGESTION RE-**
17 **LIEF SOLUTIONS RESEARCH INITIATIVE.**

18 (a) ESTABLISHMENT.—During fiscal year 2004, the
19 Secretary, acting through the Federal Highway Adminis-
20 tration, shall establish a surface transportation congestion
21 solutions research initiative consisting of 2 independent
22 research programs described in subsections (b)(1) and
23 (b)(2) and designed to develop information to assist State
24 transportation departments and metropolitan planning or-

1 ganizations measure and address surface transportation
2 congestion problems.

3 (b) SURFACE TRANSPORTATION CONGESTION SOLU-
4 TIONS RESEARCH PROGRAM.—

5 (1) IMPROVED SURFACE TRANSPORTATION CON-
6 GESTION MANAGEMENT SYSTEM MEASURES.—The
7 purposes of the first research program established
8 under this section shall be—

9 (A) to examine the effectiveness of surface
10 transportation congestion management systems
11 since enactment of the Intermodal Surface
12 Transportation Assistance Act of 1991 (Public
13 Law 102–240);

14 (B) to identify best case examples of lo-
15 cally designed reporting methods and incor-
16 porate such methods in research on national
17 models for developing and recommending im-
18 proved surface transportation congestion meas-
19 urement and reporting; and

20 (C) to incorporate such methods in the de-
21 velopment of national models and methods to
22 monitor, measure, and report surface transpor-
23 tation congestion information.

24 (2) ANALYTICAL TECHNIQUES FOR ACTION ON
25 SURFACE TRANSPORTATION CONGESTION.—The pur-

1 poses of the second research program established
2 under this section shall be—

3 (A) to analyze the effectiveness of proce-
4 dures used by State transportation departments
5 and metropolitan planning organizations to as-
6 sess surface transportation congestion problems
7 and communicate those problems to decision-
8 makers; and

9 (B) to identify methods to ensure that the
10 results of surface transportation congestion
11 analyses will lead to the targeting of funding
12 for programs, projects, or services with dem-
13 onstrated effectiveness in reducing travel delay,
14 congestion, and system unreliability.

15 (c) TECHNICAL ASSISTANCE AND TRAINING.—In fis-
16 cal year 2006, the Secretary, acting through the Federal
17 Highway Administration, shall develop a technical assist-
18 ance and training program to disseminate the results of
19 the surface transportation congestion solutions research
20 initiative for the purpose of assisting State transportation
21 departments and local transportation agencies with im-
22 proving their approaches to surface transportation conges-
23 tion measurement, analysis, and project programming.

24 (d) FUNDING.—Of the amounts made available by
25 sections 5101(a)(1) of this Act, \$4,000,000 for fiscal year

1 2004 and \$11,000,000 for each of fiscal years 2005
2 through 2009 shall be available to carry out subsections
3 (a) and (b). Of the amounts made available by section
4 5101(a)(2), \$500,000 for fiscal year 2004 and \$1,000,000
5 for each of fiscal years 2005 through 2009 shall be avail-
6 able to carry out subsection (c).

7 **SEC. 5212. MOTOR CARRIER EFFICIENCY STUDY.**

8 (a) **IN GENERAL.**—The Secretary, in coordination
9 with the motor carrier and wireless technology industry,
10 shall conduct a study to—

11 (1) identify inefficiencies in the transportation
12 of freight;

13 (2) evaluate the safety, productivity, and re-
14 duced cost improvements that may be achieved
15 through the use of wireless technologies to address
16 the inefficiencies identified in paragraph (1); and

17 (3) conduct, as appropriate, field tests dem-
18 onstrating the technologies identified in paragraph
19 (2).

20 (b) **PROGRAM ELEMENTS.**—The program shall in-
21 clude, at a minimum, the following:

22 (1) Fuel monitoring and management systems.

23 (2) Electronic document imaging.

24 (3) Border pre-clearance systems.

25 (4) Radio Frequency Identification technology.

1 (5) Electronic manifest systems.

2 (6) Cargo theft prevention.

3 (c) FEDERAL SHARE.—The Federal share of the cost
4 of the study under this section shall be 100 percent.

5 (d) ANNUAL REPORT.—The Secretary shall prepare
6 and transmit to Congress an annual report on the pro-
7 grams and activities carried out under this section.

8 (e) FUNDING.—From funds made available under
9 section 5101(a)(1), the Secretary shall make available
10 \$1,000,000 to the Federal Motor Carrier Safety Adminis-
11 tration for each of fiscal years 2005 through 2009 to carry
12 out this section.

13 **SEC. 5213. TRANSPORTATION RESEARCH AND DEVELOP-**
14 **MENT STRATEGIC PLANNING.**

15 (a) AMENDMENT.—Section 508 of title 23, United
16 States Code, is amended to read as follows:

17 **“§ 508. Transportation research and development**
18 **strategic planning**

19 “(a) IN GENERAL.—

20 “(1) DEVELOPMENT.—Not later than 1 year
21 after the date of enactment of the Surface Transpor-
22 tation Research and Development Act of 2004, the
23 Secretary shall develop a 5-year transportation re-
24 search and development strategic plan to guide Fed-
25 eral transportation research and development activi-

1 ties. This plan shall be consistent with section 306
2 of title 5, sections 1115 and 1116 of title 31, and
3 any other research and development plan within the
4 Department of Transportation.

5 “(2) CONTENTS.—The strategic plan developed
6 under paragraph (1) shall—

7 “(A) describe the primary purposes of the
8 transportation research and development pro-
9 gram, which shall include, at a minimum—

10 “(i) reducing congestion and improv-
11 ing mobility;

12 “(ii) promoting safety;

13 “(iii) promoting security;

14 “(iv) protecting and enhancing the en-
15 vironment;

16 “(v) preserving the existing transpor-
17 tation system; and

18 “(vi) improving the durability and ex-
19 tending the life of transportation infra-
20 structure;

21 “(B) for each purpose, list the primary re-
22 search and development topics that the Depart-
23 ment intends to pursue to accomplish that pur-
24 pose, which may include the fundamental re-
25 search in the physical and natural sciences, ap-

1 plied research, technology development, and so-
2 cial science research intended for each topic;
3 and

4 “(C) for each research and development
5 topic, describe—

6 “(i) the anticipated annual funding
7 levels for the period covered by the stra-
8 tegic plan; and

9 “(ii) the additional information the
10 Department expects to gain at the end of
11 the period covered by the strategic plan as
12 a result of the research and development in
13 that topic area.

14 “(3) CONSIDERATIONS.—In developing the stra-
15 tegic plan, the Secretary shall ensure that the
16 plan—

17 “(A) reflects input from a wide range of
18 stakeholders;

19 “(B) includes and integrates the research
20 and development programs of all the Depart-
21 ment’s operating administrations, including
22 aviation, transit, rail, and maritime; and

23 “(C) takes into account how research and
24 development by other Federal, State, private
25 sector, and not-for-profit institutions contrib-

1 utes to the achievement of the purposes identi-
2 fied under paragraph (2)(A), and avoids unnec-
3 essary duplication with these efforts.

4 “(4) PERFORMANCE PLANS AND REPORTS.—In
5 reports submitted under sections 1115 and 1116 of
6 title 31, the Secretary shall include—

7 “(A) a summary of the Federal transpor-
8 tation research and development activities for
9 the previous fiscal year in each topic area;

10 “(B) the amount of funding spent in each
11 topic area;

12 “(C) a description of the extent to which
13 the research and development is meeting the ex-
14 pectations set forth in paragraph (2)(C)(ii); and

15 “(D) any amendments to the strategic
16 plan.

17 “(b) The Secretary shall submit to Congress an an-
18 nual report, along with the President’s annual budget re-
19 quest, describing the amount spent in the last completed
20 fiscal year on transportation research and development
21 and the amount proposed in the current budget for trans-
22 portation research and development.

23 “(c) NATIONAL RESEARCH COUNCIL REVIEW.—The
24 Secretary shall enter into an agreement for the review by
25 the National Research Council of the details of each—

1 “(1) strategic plan under section 508;
2 “(2) performance plan required under section
3 1115 of title 31; and
4 “(3) program performance report required
5 under section 1116 of title 31,
6 with respect to transportation research and develop-
7 ment.”.

8 (b) CONFORMING AMENDMENT.—The analysis for
9 chapter 5 of title 23, United States Code, is amended by
10 striking the item related to section 508 and inserting the
11 following:

“508. Transportation research and development strategic planning.”.

12 **Subtitle C—University Transpor-**
13 **tation Research; Scholarship**
14 **Opportunities**

15 **SEC. 5301. NATIONAL UNIVERSITY TRANSPORTATION CEN-**
16 **TERS.**

17 (a) IN GENERAL.—Section 5505 of title 49, United
18 States Code, is amended to read as follows:

19 **“§ 5505. National university transportation centers**

20 “(a) IN GENERAL.—

21 “(1) ESTABLISHMENT AND OPERATION.—The
22 Secretary of Transportation shall make grants under
23 this section to eligible nonprofit institutions of high-
24 er learning to establish and operate national univer-
25 sity transportation centers.

1 “(2) ROLE OF CENTERS.—The role of each cen-
2 ter shall be to advance significantly transportation
3 research on critical national transportation issues
4 and to expand the workforce of transportation pro-
5 fessionals.

6 “(b) APPLICABILITY OF REQUIREMENTS.—A grant
7 received by an eligible nonprofit institution of higher
8 learning under this section shall be available for the same
9 purposes, and shall be subject to the same terms and con-
10 ditions, as a grant made to a nonprofit institution of high-
11 er learning under section 5506.

12 “(c) ELIGIBLE NONPROFIT INSTITUTION OF HIGHER
13 LEARNING DEFINED.—In this section, the term ‘eligible
14 nonprofit institution of higher learning’ means each of the
15 lead institutions identified in subsections (j)(4)(A),
16 (j)(4)(B), and (j)(4)(F) of section 5505 as in effect on
17 the day before the date of enactment of the Transpor-
18 tation Equity Act: A Legacy for Users, the university re-
19 ferred to in section 704 of Public Law 103–206 (107 Stat.
20 2447), and the university that, as of the day before such
21 date of enactment, is the lead institution for the regional
22 university transportation center for region 5 of the Stand-
23 ard Federal Regional Boundary System.

24 “(d) GRANTS.—In each of fiscal years 2004 through
25 2009, the Secretary shall make a grant under this section

1 to each eligible nonprofit institution of higher learning in
2 an amount not to exceed \$3,500,000.”.

3 (b) CONFORMING AMENDMENT.—The analysis for
4 subchapter I of chapter 55 of such title is amended by
5 striking the item relating to section 5505 and inserting
6 the following:

“5505. National university transportation centers.”.

7 **SEC. 5302. UNIVERSITY TRANSPORTATION RESEARCH.**

8 (a) IN GENERAL.—Section 5506 of title 49, United
9 States Code, is amended to read as follows:

10 **“§ 5506. University transportation research**

11 “(a) IN GENERAL.—The Secretary of Transportation
12 shall make grants under this section to nonprofit institu-
13 tions of higher learning to establish and operate university
14 transportation centers.

15 “(b) OBJECTIVES.—Grants received under this sec-
16 tion shall be used by nonprofit institutions of higher learn-
17 ing to advance significantly the state-of-the-art in trans-
18 portation research and expand the workforce of transpor-
19 tation professionals through the following programs and
20 activities:

21 “(1) RESEARCH.—Basic and applied research,
22 the products of which are judged by peers or other
23 experts in the field of transportation to advance the
24 body of knowledge in transportation.

1 “(2) EDUCATION.—An education program re-
2 relating to transportation that includes multidisci-
3 plinary course work and participation in research.

4 “(3) TECHNOLOGY TRANSFER.—An ongoing
5 program of technology transfer that makes transpor-
6 tation research results available to potential users in
7 a form that can be implemented, utilized, or other-
8 wise applied.

9 “(c) REGIONAL, TIER I, AND TIER II CENTERS.—

10 “(1) IN GENERAL.—For each of fiscal years
11 2004 through 2009, the Secretary shall make grants
12 under subsection (a) to nonprofit institutions of
13 higher learning to establish and operate—

14 “(A) 10 regional university transportation
15 centers; and

16 “(B) 10 Tier I university transportation
17 centers.

18 “(2) TIER II CENTERS.—For each of fiscal
19 years 2005 through 2009, the Secretary shall make
20 grants under subsection (a) to nonprofit institutions
21 of higher learning to establish and operate 10 Tier
22 II university transportation centers.

23 “(3) LOCATION OF REGIONAL CENTERS.—One
24 regional university transportation center shall be lo-
25 cated in each of the 10 United States Government

1 regions that comprise the Standard Federal Re-
2 gional Boundary System.

3 “(4) LIMITATION.—A nonprofit institution of
4 higher learning may not directly receive a grant
5 under this section for a fiscal year for more than
6 one university transportation center.

7 “(d) COMPETITIVE SELECTION PROCESS.—

8 “(1) APPLICATIONS.—In order to be eligible to
9 receive a grant under this section, a nonprofit insti-
10 tution of higher learning shall submit to the Sec-
11 retary an application that is in such form and con-
12 tains such information as the Secretary may require.

13 “(2) GENERAL SELECTION CRITERIA.—Except
14 as otherwise provided by this section, the Secretary
15 shall select each recipient of a grant under this sec-
16 tion through a competitive process on the basis of
17 the following:

18 “(A) The demonstrated research and ex-
19 tension resources available to the recipient to
20 carry out this section.

21 “(B) The capability of the recipient to pro-
22 vide leadership in making national and regional
23 contributions to the solution of immediate and
24 long-range transportation problems.

1 “(C) The recipient’s demonstrated commit-
2 ment of at least \$400,000 each year in regu-
3 larly budgeted institutional amounts to support
4 ongoing transportation research and education
5 programs.

6 “(D) The recipient’s demonstrated ability
7 to disseminate results of transportation re-
8 search and education programs through a state-
9 wide or regionwide continuing education pro-
10 gram.

11 “(E) The strategic plan the recipient pro-
12 poses to carry out under the grant.

13 “(e) REGIONAL UNIVERSITY TRANSPORTATION CEN-
14 TERS.—

15 “(1) COMPETITION.—Not later than March 31,
16 2005, and not later than March 31st of every 4th
17 year thereafter, the Secretary shall complete a com-
18 petition among nonprofit institutions of higher
19 learning for grants to establish and operate the 10
20 regional university transportation centers referred to
21 in subsection (c)(1)(A).

22 “(2) SELECTION CRITERIA.—In conducting a
23 competition under paragraph (1), the Secretary shall
24 select a nonprofit institution of higher learning on
25 the basis of—

1 “(A) the criteria described in subsection
2 (d)(2);

3 “(B) the location of the center within the
4 Federal region to be served; and

5 “(C) whether or not the institution (or, in
6 the case of a consortium of institutions, the
7 lead institution) can demonstrate that it has a
8 well-established, nationally recognized program
9 in transportation research and education, as
10 evidenced by—

11 “(i) not less than \$2,000,000 in high-
12 way or public transportation research ex-
13 penditures each year for each of the pre-
14 ceding 5 years;

15 “(ii) not less than 10 graduate de-
16 grees awarded in professional fields closely
17 related to highways and public transpor-
18 tation for year for each of the preceding 5
19 years; and

20 “(iii) not less than 5 tenured or ten-
21 ure-track faculty members who specialize
22 on a full-time basis in professional fields
23 closely related to highways and public
24 transportation who, as a group, have pub-
25 lished a total at least 50 refereed journal

1 publications on highway or public transpor-
2 tation research during the preceding 5
3 years.

4 “(3) GRANT RECIPIENTS.—After selecting a
5 nonprofit institution of higher learning as a grant
6 recipient on the basis of a competition conducted
7 under this subsection, the Secretary shall make a
8 grant to the recipient to establish and operate a re-
9 gional university transportation center in each of the
10 first 4 fiscal years beginning after the date of the
11 competition.

12 “(4) SPECIAL RULE FOR FISCAL YEARS 2004
13 AND 2005.—For each of fiscal years 2004 and
14 2005, the Secretary shall make a grant under this
15 section to each of the 10 nonprofit institutions of
16 higher learning that were competitively selected for
17 grants by the Secretary under this section in July
18 1999 to operate regional university transportation
19 centers.

20 “(5) AMOUNT OF GRANTS.—For each of fiscal
21 years 2004 through 2009, a grant made by the Sec-
22 retary to a nonprofit institution of higher learning
23 for a fiscal year to establish and operate a regional
24 university transportation center shall not exceed
25 \$3,500,000.

1 “(f) TIER I UNIVERSITY TRANSPORTATION CEN-
2 TERS.—

3 “(1) COMPETITION.—Not later than March 31,
4 2006, and not later than March 31st of every 4th
5 year thereafter, the Secretary shall complete a com-
6 petition among nonprofit institutions of higher
7 learning for grants to establish and operate the 10
8 Tier I university transportation centers referred to
9 in subsection (c)(1)(B).

10 “(2) SELECTION CRITERIA.—In conducting a
11 competition under paragraph (1), the Secretary shall
12 select a nonprofit institution of higher learning on
13 the basis of—

14 “(A) the criteria described in subsection
15 (d)(2); and

16 “(B) whether or not the institution (or, in
17 the case of a consortium of institutions, the
18 lead institution) can demonstrate that it has an
19 established, recognized program in transpor-
20 tation research and education, as evidenced
21 by—

22 “(i) not less than \$1,000,000 in high-
23 way or public transportation research ex-
24 penditures each year for each of the pre-
25 ceding 5 years or not less than \$6,000,000

1 in such expenditures during the 5 pre-
2 ceding years;

3 “(ii) not less than 5 graduate degrees
4 awarded in professional fields closely re-
5 lated to highways and public transpor-
6 tation each year for each of the preceding
7 5 years; and

8 “(iii) not less than 3 tenured or ten-
9 ure-track faculty members who specialize
10 on a full-time basis in professional fields
11 closely related to highways and public
12 transportation who, as a group, have pub-
13 lished a total at least 20 refereed journal
14 publications on highway or public transpor-
15 tation research during the preceding 5
16 years.

17 “(3) GRANT RECIPIENTS.—After selecting a
18 nonprofit institution of higher learning as a grant
19 recipient on the basis of a competition conducted
20 under this subsection, the Secretary shall make a
21 grant to the recipient to establish and operate a Tier
22 I university transportation center in each of the first
23 4 fiscal years beginning after the date of the com-
24 petition.

1 “(4) SPECIAL RULE FOR FISCAL YEARS 2004,
2 2005, AND 2006.—For each of fiscal years 2004,
3 2005, and 2006, the Secretary shall make a grant
4 under this section to each of the 10 nonprofit insti-
5 tutions of higher learning that were competitively se-
6 lected for grant awards by the Secretary under this
7 section in May 2002 to operate university transpor-
8 tation centers (other than regional centers).

9 “(5) AMOUNT OF GRANTS.—A grant made by
10 the Secretary to a nonprofit institution of higher
11 learning for a fiscal year to establish and operate a
12 Tier I university transportation center shall not ex-
13 ceed \$1,000,000 for fiscal year 2004 and
14 \$1,500,000 for each of fiscal years 2005 through
15 2009.

16 “(g) TIER II UNIVERSITY TRANSPORTATION CEN-
17 TERS.—

18 “(1) COMPETITION.—Not later than August 31,
19 2004, not later than March 31, 2008, and not later
20 than March 31st of every 4th year thereafter, the
21 Secretary shall complete a competition among non-
22 profit institutions of higher learning for grants to
23 establish and operate the 10 Tier II university
24 transportation centers referred to in subsection
25 (c)(2).

1 “(2) SELECTION CRITERIA.—In conducting a
2 competition under paragraph (1), the Secretary shall
3 select a nonprofit institution of higher learning on
4 the basis of the criteria described in subsection
5 (f)(2).

6 “(3) GRANT RECIPIENTS.—After selecting a
7 nonprofit institution of higher learning as a grant
8 recipient on the basis of a competition conducted
9 under this subsection, the Secretary shall—

10 “(A) in the case of the competition to be
11 completed not later than August 31, 2004,
12 make a grant to the recipient to establish and
13 operate a Tier II university transportation cen-
14 ter in each of fiscal years 2005 through 2008;
15 and

16 “(B) in the case of each subsequent com-
17 petition, make a grant to the recipient to estab-
18 lish and operate a Tier II university transpor-
19 tation center in each of the first 4 fiscal years
20 beginning after the date of the competition.

21 “(4) AMOUNT OF GRANTS.—For each of fiscal
22 years 2005 through 2009, a grant made by the Sec-
23 retary to a nonprofit institution of higher learning
24 for a fiscal year to establish and operate a Tier II

1 university transportation center shall not exceed
2 \$1,000,000.

3 “(h) SUPPORT OF NATIONAL STRATEGY FOR SUR-
4 FACE TRANSPORTATION RESEARCH.—In order to be eligi-
5 ble to receive a grant under this section, a nonprofit insti-
6 tution of higher learning shall provide assurances satisfac-
7 tory to the Secretary that the research and education ac-
8 tivities of its university transportation center will support
9 the national strategy for surface transportation research,
10 as identified by—

11 “(1) the report of the National Highway Re-
12 search and Technology Partnership entitled ‘High-
13 way Research and Technology: The Need for Great-
14 er Investment’, dated April 2002; and

15 “(2) the programs of the National Research
16 and Technology Program of the Federal Transit Ad-
17 ministration.

18 “(i) MAINTENANCE OF EFFORT.—In order to be eli-
19 gible to receive a grant under this section, a nonprofit in-
20 stitution of higher learning shall enter into an agreement
21 with the Secretary to ensure that the institution will main-
22 tain total expenditures from all other sources to establish
23 and operate a university transportation center and related
24 research activities at a level at least equal to the average

1 level of such expenditures in its 2 fiscal years prior to
2 award of a grant under this section.

3 “(j) FEDERAL SHARE.—The Federal share of the
4 costs of activities carried out using a grant made under
5 this section shall be 50 percent of such costs. The non-
6 Federal share may include funds provided to a recipient
7 under section 503, 504(b), or 505 of title 23.

8 “(k) PROGRAM COORDINATION.—

9 “(1) COORDINATION.—The Secretary shall co-
10 ordinate the research, education, and technology
11 transfer activities that grant recipients carry out
12 under this section, disseminate the results of the re-
13 search, and establish and operate a clearinghouse to
14 disseminate the results of the research.

15 “(2) ANNUAL REVIEW AND EVALUATION.—At
16 least annually, and consistent with the plan devel-
17 oped under section 508 of title 23, the Secretary
18 shall review and evaluate programs of grant recipi-
19 ents.

20 “(3) MANAGEMENT AND OVERSIGHT.—The Sec-
21 retary shall expend \$1,500,000 for each of fiscal
22 years 2005 through 2009 from amounts made avail-
23 able to carry out this section to carry out manage-
24 ment and oversight of the centers receiving assist-
25 ance under this section.

1 “(l) PROGRAM ADMINISTRATION.—The Secretary
2 shall carry out this section acting through the Adminis-
3 trator of the Research and Special Programs Administra-
4 tion.

5 “(m) LIMITATION ON AVAILABILITY OF FUNDS.—
6 Funds made available to carry out this section shall re-
7 main available for obligation by the Secretary for a period
8 of 2 years after the last day of the fiscal year for which
9 such funds are authorized.”.

10 (b) CONFORMING AMENDMENT.—The analysis for
11 subchapter I of chapter 55 of such title is amended by
12 striking the item relating to section 5506 and inserting
13 the following:

“5506. University transportation research.”.

14 **SEC. 5303. TRANSPORTATION SCHOLARSHIP OPPORTUNI-**
15 **TIES PROGRAM.**

16 (a) IN GENERAL.—

17 (1) ESTABLISHMENT OF PROGRAM.—The Sec-
18 retary may establish and implement a scholarship
19 program for the purpose of attracting qualified stu-
20 dents for transportation-related critical jobs.

21 (2) PARTNERSHIP.—The Secretary may estab-
22 lish the program in partnership with appropriate
23 nongovernmental institutions.

24 (b) PARTICIPATION AND FUNDING.—An operating
25 administration of the Department of Transportation and

1 the Office of Inspector General may participate in the
2 scholarship program. Notwithstanding any other provision
3 of law, the Secretary may use funds available to an oper-
4 ating administration or from the Office of Inspector Gen-
5 eral of the Department of Transportation for the purpose
6 of carrying out this section.

7 **Subtitle D—Advanced Technologies**

8 **SEC. 5401. ADVANCED HEAVY-DUTY VEHICLE TECH-** 9 **NOLOGIES RESEARCH PROGRAM.**

10 (a) IN GENERAL.—Subchapter I of chapter 55 of title
11 49, United States Code, is amended by adding at the end
12 the following:

13 **“§ 5507. Advanced heavy-duty vehicle technologies** 14 **research program**

15 “(a) IN GENERAL.—The Secretary of Transportation
16 shall conduct research, development, demonstration, and
17 testing to integrate emerging advanced heavy-duty vehicle
18 technologies in order to provide seamless, safe, secure, and
19 efficient transportation and to benefit the environment.

20 “(b) CONSULTATION.—To ensure the activities per-
21 formed pursuant to this section achieve the maximum ben-
22 efit, the Secretary of Transportation shall consult with the
23 Secretary of Energy, the Administrator of the Environ-
24 mental Protection Agency, and other relevant Federal
25 agencies on research, development, and demonstration ac-

1 tivities authorized under this section related to advanced
2 heavy-duty vehicle technologies.

3 “(c) GRANTS, COOPERATIVE AGREEMENTS, AND
4 OTHER TRANSACTIONS.—The Secretary may make grants
5 to, and enter into cooperative agreements and other trans-
6 actions with, Federal and other public agencies (including
7 State and local governments) and persons to carry out
8 subsection (a).

9 “(d) COST SHARING.—At least 50 percent of the
10 funding for projects carried out under this section must
11 be provided by non-Federal sources.

12 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated from the Highway Trust
14 Fund (other than the Mass Transit Account) to carry out
15 subsection (a) \$1,000,000 for fiscal year 2004 and
16 \$3,000,000 for each of fiscal years 2005 through 2009.

17 “(f) CONTRACT AUTHORITY.—The funds authorized
18 to be appropriated by subsection (e) shall be available for
19 obligation in the same manner as if such funds were ap-
20 portioned under chapter 1 of title 23 and shall be subject
21 to any limitation on obligations imposed on funds made
22 available to carry out title V of the Transportation Equity
23 Act: A Legacy for Users.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 subchapter I of chapter 55 of such title is amended by
3 adding at the end the following:

“5507. Advanced heavy-duty vehicle technologies research program.”

4 **SEC. 5402. COMMERCIAL REMOTE SENSING PRODUCTS AND**
5 **SPATIAL INFORMATION TECHNOLOGIES.**

6 (a) IN GENERAL.—The Secretary shall establish and
7 carry out a program to validate commercial remote sens-
8 ing products and spatial information technologies for ap-
9 plication to national transportation infrastructure develop-
10 ment and construction.

11 (b) PROGRAM.—

12 (1) NATIONAL POLICY.—The Secretary shall es-
13 tablish and maintain a national policy for the use of
14 commercial remote sensing products and spatial in-
15 formation technologies in national transportation in-
16 frastructure development and construction.

17 (2) POLICY IMPLEMENTATION.—The Secretary
18 shall develop new applications of commercial remote
19 sensing products and spatial information tech-
20 nologies for the implementation of the national pol-
21 icy established and maintained under paragraph (1).

22 (c) COOPERATION.—The Secretary shall carry out
23 this section in cooperation with the commercial remote
24 sensing program of the National Aeronautics and Space

1 Administration and a consortium of university research
2 centers.

3 (d) FUNDING.—Of the amounts made available by
4 section 5101(a)(1) of this Act, \$3,000,000 for fiscal year
5 2004 and \$9,000,000 for each of fiscal years 2005
6 through 2009 shall be available to carry out this section.

7 **Subtitle E—Transportation Data**
8 **and Analysis**

9 **SEC. 5501. BUREAU OF TRANSPORTATION STATISTICS.**

10 Section 111 of title 49, United States Code, is
11 amended to read as follows:

12 **“§ 111. Bureau of Transportation Statistics**

13 “(a) ESTABLISHMENT.—There is established in the
14 Department of Transportation a Bureau of Transpor-
15 tation Statistics.

16 “(b) DIRECTOR.—

17 “(1) APPOINTMENT.—The Bureau shall be
18 headed by a Director who shall be appointed by the
19 President, by and with the advice and consent of the
20 Senate.

21 “(2) QUALIFICATIONS.—The Director shall be
22 appointed from among individuals who are qualified
23 to serve as the Director by virtue of their training
24 and experience in the collection, analysis, and use of
25 transportation statistics.

1 “(3) REPORTING.—The Director shall report
2 directly to the Secretary.

3 “(4) TERM.—The term of the Director shall be
4 5 years. The Director may continue to serve after
5 the expiration of the term until a successor is ap-
6 pointed and confirmed.

7 “(c) RESPONSIBILITIES.—The Director of the Bu-
8 reau shall serve as the Secretary’s senior advisor on data
9 and statistics, and shall be responsible for carrying out
10 the following duties:

11 “(1) PROVIDING DATA, STATISTICS, AND ANAL-
12 YSIS TO TRANSPORTATION DECISIONMAKERS.—En-
13 suring that the statistics compiled under paragraph
14 (5) are designed to support transportation decision-
15 making by the Federal Government, State and local
16 governments, metropolitan planning organizations,
17 transportation-related associations, the private sec-
18 tor (including the freight community), and the pub-
19 lic.

20 “(2) COORDINATING COLLECTION OF INFORMA-
21 TION.—Working with the operating administrations
22 of the Department to establish and implement the
23 Bureau’s data programs and to improve the coordi-
24 nation of information collection efforts with other
25 Federal agencies.

1 “(3) DATA MODERNIZATION.—Continually im-
2 proving surveys and data collection methods to im-
3 prove the accuracy and utility of transportation sta-
4 tistics.

5 “(4) ENCOURAGING DATA STANDARDIZATION.—
6 Encouraging the standardization of data, data col-
7 lection methods, and data management and storage
8 technologies for data collected by the Bureau, the
9 operating administrations of the Department of
10 Transportation, States, local governments, metro-
11 politan planning organizations, and private sector
12 entities.

13 “(5) COMPILING TRANSPORTATION STATIS-
14 TICS.—Compiling, analyzing, and publishing a com-
15 prehensive set of transportation statistics on the per-
16 formance and impacts of the national transportation
17 system, including statistics on—

18 “(A) productivity in various parts of the
19 transportation sector;

20 “(B) traffic flows for all modes of trans-
21 portation;

22 “(C) other elements of the Intermodal
23 Transportation Database established under sub-
24 section (g);

1 “(D) travel times and measures of conges-
2 tion;

3 “(E) vehicle weights and other vehicle
4 characteristics;

5 “(F) demographic, economic, and other
6 variables influencing traveling behavior, includ-
7 ing choice of transportation mode, and goods
8 movement;

9 “(G) transportation costs for passenger
10 travel and goods movement;

11 “(H) availability and use of mass transit
12 (including the number of passengers served by
13 each mass transit authority) and other forms of
14 for-hire passenger travel;

15 “(I) frequency of vehicle and transpor-
16 tation facility repairs and other interruptions of
17 transportation service;

18 “(J) safety and security for travelers, vehi-
19 cles, and transportation systems;

20 “(K) consequences of transportation for
21 the human and natural environment;

22 “(L) the extent, connectivity, and condition
23 of the transportation system, building on the
24 National Transportation Atlas Database devel-
25 oped under subsection (g); and

1 “(M) transportation-related variables that
2 influence the domestic economy and global com-
3 petitiveness.

4 “(6) NATIONAL SPATIAL DATA INFRASTRUC-
5 TURE.—Building and disseminating the transpor-
6 tation layer of the National Spatial Data Infrastruc-
7 ture, including coordinating the development of
8 transportation geospatial data standards, compiling
9 intermodal geospatial data, and collecting geospatial
10 data that is not being collected by others.

11 “(7) ISSUING GUIDELINES.—Issuing guidelines
12 for the collection of information by the Department
13 of Transportation required for statistics to be com-
14 piled under paragraph (5) in order to ensure that
15 such information is accurate, reliable, relevant, and
16 in a form that permits systematic analysis. The Bu-
17 reau shall review and report to the Secretary of
18 Transportation on the sources and reliability of the
19 statistics proposed by the heads of the operating ad-
20 ministrations of the Department to measure outputs
21 and outcomes as required by the Government Per-
22 formance and Results Act of 1993, and the amend-
23 ments made by such Act, and shall carry out such
24 other reviews of the sources and reliability of other
25 data collected or statistical information published by

1 the heads of the operating administrations of the
2 Department as shall be requested by the Secretary.

3 “(8) MAKING STATISTICS ACCESSIBLE.—Mak-
4 ing the statistics published under this subsection
5 readily accessible.

6 “(d) INFORMATION NEEDS ASSESSMENT.—

7 “(1) IN GENERAL.—Within 60 days after the
8 date of the enactment of the Transportation Equity
9 Act: A Legacy for Users, the Secretary shall enter
10 into an arrangement with the National Research
11 Council to develop and publish a National Transpor-
12 tation Information Needs Assessment (referred to in
13 this subsection as the ‘Assessment’). The Assess-
14 ment shall be transmitted to the Secretary and the
15 Congress not later than 24 months after such ar-
16 rangement is entered into.

17 “(2) CONTENT.—The Assessment shall—

18 “(A) identify, in priority order, transpor-
19 tation data that is not being collected by the
20 Bureau, Department of Transportation oper-
21 ating administrations, or other Federal, State,
22 or local entities, but is needed to improve trans-
23 portation decisionmaking at the Federal, State,
24 and local level and to fulfill the requirements of
25 subsection (c)(5);

1 “(B) recommend whether the data identi-
2 fied in subparagraph (A) should be collected by
3 the Bureau, other parts of the Department, or
4 by other Federal, State, or local entities, and
5 whether any data is a higher priority than data
6 currently being collected;

7 “(C) identify any data the Bureau or other
8 Federal, State, and local entities is collecting
9 that is not needed;

10 “(D) describe new data collection methods
11 (including changes in surveys) and other
12 changes the Bureau or other Federal, State,
13 and local entities should implement to improve
14 the standardization, accuracy, and utility of
15 transportation data and statistics; and

16 “(E) estimate the cost of implementing
17 any recommendations.

18 “(3) CONSULTATION.—In developing the As-
19 sessment, the National Research Council shall con-
20 sult with the Department’s Advisory Council on
21 Transportation Statistics and a representative cross-
22 section of transportation community stakeholders as
23 well as other Federal agencies, including the Envi-
24 ronmental Protection Agency, the Department of

1 Energy, and the Department of Housing and Urban
2 Development.

3 “(4) REPORT TO CONGRESS.—Not later than 6
4 months after the National Research Council trans-
5 mits the Assessment under paragraph (1), the Sec-
6 retary shall transmit a report to Congress that de-
7 scribes—

8 “(A) how the Department plans to fill the
9 data gaps identified under paragraph (2)(A);

10 “(B) how the Department plans to stop
11 collecting data identified under paragraph
12 (2)(C);

13 “(C) how the Department plans to imple-
14 ment improved data collection methods and
15 other changes identified under paragraph
16 (2)(D);

17 “(D) the expected costs of implementing
18 subparagraphs (A), (B), and (C) of this para-
19 graph;

20 “(E) any findings of the Assessment under
21 paragraph (1) with which the Secretary dis-
22 agrees, and why; and

23 “(F) any proposed statutory changes need-
24 ed to implement the findings of the Assessment
25 under paragraph (1).

1 “(e) INTERMODAL TRANSPORTATION DATA BASE.—

2 “(1) IN GENERAL.—In consultation with the
3 Under Secretary for Policy, the Assistant Secre-
4 taries, and the heads of the operating administra-
5 tions of the Department of Transportation, the Di-
6 rector shall establish and maintain a transportation
7 data base for all modes of transportation.

8 “(2) USE.—The data base shall be suitable for
9 analyses carried out by the Federal Government, the
10 States, and metropolitan planning organizations.

11 “(3) CONTENTS.—The data base shall in-
12 clude—

13 “(A) information on the volumes and pat-
14 terns of movement of goods, including local,
15 interregional, and international movement, by
16 all modes of transportation and intermodal
17 combinations, and by relevant classification;

18 “(B) information on the volumes and pat-
19 terns of movement of people, including local,
20 interregional, and international movements, by
21 all modes of transportation (including bicycle
22 and pedestrian modes) and intermodal combina-
23 tions, and by relevant classification;

1 “(C) information on the location and
2 connectivity of transportation facilities and
3 services; and

4 “(D) a national accounting of expenditures
5 and capital stocks on each mode of transpor-
6 tation and intermodal combination.

7 “(f) NATIONAL TRANSPORTATION LIBRARY.—

8 “(1) IN GENERAL.—The Director shall establish
9 and maintain a National Transportation Library,
10 which shall contain a collection of statistical and
11 other information needed for transportation decision-
12 making at the Federal, State, and local levels.

13 “(2) ACCESS.—The Director shall facilitate and
14 promote access to the Library, with the goal of im-
15 proving the ability of the transportation community
16 to share information and the ability of the Director
17 to make statistics readily accessible under subsection
18 (c)(8).

19 “(3) COORDINATION.—The Director shall work
20 with other transportation libraries and other trans-
21 portation information providers, both public and pri-
22 vate, to achieve the goal specified in paragraph (2).

23 “(g) NATIONAL TRANSPORTATION ATLAS DATA
24 BASE.—

1 “(1) IN GENERAL.—The Director shall develop
2 and maintain geospatial data bases that depict—

3 “(A) transportation networks;

4 “(B) flows of people, goods, vehicles, and
5 craft over the networks; and

6 “(C) social, economic, and environmental
7 conditions that affect or are affected by the net-
8 works.

9 “(2) INTERMODAL NETWORK ANALYSIS.—The
10 data bases shall be able to support intermodal net-
11 work analysis.

12 “(h) MANDATORY RESPONSE AUTHORITY FOR
13 FREIGHT DATA COLLECTION.—Whoever, being the
14 owner, official, agent, person in charge, or assistant to the
15 person in charge of any corporation, company, business,
16 institution, establishment, or organization of any nature
17 whatsoever, neglects or refuses, when requested by the Di-
18 rector or other authorized officer, employee, or contractor
19 of the Bureau, to answer completely and correctly to the
20 best of his or her knowledge all questions relating to the
21 corporation, company, business, institution, establishment,
22 or other organization, or to make available records or sta-
23 tistics in his or her official custody, contained in a data
24 collection request prepared and submitted under the au-
25 thority of subsection (c)(1), shall be fined not more than

1 \$500; but if he or she willfully gives a false answer to
2 such a question, he or she shall be fined not more than
3 \$10,000.

4 “(i) RESEARCH AND DEVELOPMENT GRANTS.—The
5 Secretary may make grants to, or enter into cooperative
6 agreements or contracts with, public and nonprofit private
7 entities (including State transportation departments, met-
8 ropolitan planning organizations, and institutions of high-
9 er education) for—

10 “(1) investigation of the subjects specified in
11 subsection (c)(5) and research and development of
12 new methods of data collection, standardization,
13 management, integration, dissemination, interpreta-
14 tion, and analysis;

15 “(2) demonstration programs by States, local
16 governments, and metropolitan planning organiza-
17 tions to harmonize data collection, reporting, man-
18 agement, storage, and archiving to simplify data
19 comparisons across jurisdictions;

20 “(3) development of electronic clearinghouses of
21 transportation data and related information, as part
22 of the National Transportation Library under sub-
23 section (f); and

24 “(4) development and improvement of methods
25 for sharing geographic data, in support of the na-

1 tional transportation atlas data base under sub-
2 section (g) and the National Spatial Data Infra-
3 structure developed under Executive Order No.
4 12906.

5 “(j) LIMITATIONS ON STATUTORY CONSTRUCTION.—

6 Nothing in this section shall be construed—

7 “(1) to authorize the Bureau to require any
8 other department or agency to collect data; or

9 “(2) to reduce the authority of any other officer
10 of the Department of Transportation to collect and
11 disseminate data independently.

12 “(k) PROHIBITION ON CERTAIN DISCLOSURES.—

13 “(1) IN GENERAL.—An officer, employee or
14 contractor of the Bureau may not—

15 “(A) make any disclosure in which the
16 data provided by an individual or organization
17 under subsection (c) can be identified;

18 “(B) use the information provided under
19 subsection (c) for a nonstatistical purpose; or

20 “(C) permit anyone other than an indi-
21 vidual authorized by the Director to examine
22 any individual report provided under subsection
23 (c).

24 “(2) COPIES OF REPORTS.—

1 “(A) IN GENERAL.—No department, bu-
2 reau, agency, officer, or employee of the United
3 States (except the Director in carrying out this
4 section) may require, for any reason, a copy of
5 any report that has been filed under subsection
6 (c) with the Bureau or retained by an indi-
7 vidual respondent.

8 “(B) LIMITATION ON JUDICIAL PRO-
9 CEEDINGS.—A copy of a report described in
10 subparagraph (A) that has been retained by an
11 individual respondent or filed with the Bureau
12 or any of its employees, contractors, or
13 agents—

14 “(i) shall be immune from legal proc-
15 ess; and

16 “(ii) shall not, without the consent of
17 the individual concerned, be admitted as
18 evidence or used for any purpose in any
19 action, suit, or other judicial or adminis-
20 trative proceeding.

21 “(C) APPLICABILITY.—This paragraph
22 shall apply only to reports that permit informa-
23 tion concerning an individual or organization to
24 be reasonably determined by direct or indirect
25 means.

1 “(3) INFORMING RESPONDENT OF USE OF
2 DATA.—In a case in which the Bureau is authorized
3 by statute to collect data or information for a non-
4 statistical purpose, the Director shall clearly distin-
5 guish the collection of the data or information, by
6 rule and on the collection instrument, so as to in-
7 form a respondent that is requested or required to
8 supply the data or information of the nonstatistical
9 purpose.

10 “(1) TRANSPORTATION STATISTICS ANNUAL RE-
11 PORT.—The Director shall transmit to the President and
12 Congress a Transportation Statistics Annual Report which
13 shall include information on items referred to in sub-
14 section (c)(5), documentation of methods used to obtain
15 and ensure the quality of the statistics presented in the
16 report, and recommendations for improving transportation
17 statistical information.

18 “(m) DATA ACCESS.—The Director shall have access
19 to transportation and transportation-related information
20 in the possession of any Federal agency except informa-
21 tion—

22 “(1) the disclosure of which to another Federal
23 agency is expressly prohibited by law; or

24 “(2) the disclosure of which the agency so re-
25 quested determines would significantly impair the

1 discharge of authorities and responsibilities which
2 have been delegated to, or vested by law, in such
3 agency.

4 “(n) PROCEEDS OF DATA PRODUCT SALES.—Not-
5 withstanding section 3302 of title 31, United States Code,
6 funds received by the Bureau from the sale of data prod-
7 ucts, for necessary expenses incurred, may be credited to
8 the Highway Trust Fund (other than the Mass Transit
9 Account) for the purpose of reimbursing the Bureau for
10 the expenses.

11 “(o) ADVISORY COUNCIL ON TRANSPORTATION STA-
12 TISTICS.—

13 “(1) ESTABLISHMENT.—The Director of the
14 Bureau of Transportation Statistics shall establish
15 an Advisory Council on Transportation Statistics.

16 “(2) FUNCTION.—It shall be the function of the
17 Advisory Council established under this subsection
18 to—

19 “(A) advise the Director of the Bureau of
20 Transportation Statistics on the quality, reli-
21 ability, consistency, objectivity, and relevance of
22 transportation statistics and analyses collected,
23 supported, or disseminated by the Bureau of
24 Transportation Statistics and the Department
25 of Transportation;

1 “(B) provide input to and review the re-
2 port to Congress under subsection (d)(4); and

3 “(C) advise the Director on methods to en-
4 courage harmonization and interoperability of
5 transportation data collected by the Bureau, the
6 operating administrations of the Department of
7 Transportation, States, local governments, met-
8 ropolitan planning organizations, and private
9 sector entities.

10 “(3) MEMBERSHIP.—The Advisory Council es-
11 tablished under this subsection shall be composed of
12 not fewer than 9 and not more than 11 members ap-
13 pointed by the Director, who are not officers or em-
14 ployees of the United States. Each member shall
15 have expertise in transportation data collection or
16 analysis or application; except that 1 member shall
17 have expertise in economics, 1 member shall have ex-
18 pertise in statistics, and 1 member shall have experi-
19 ence in transportation safety. At least 1 member
20 shall be a senior official of a State department of
21 transportation. Members shall include representation
22 of a cross-section of transportation community
23 stakeholders.

24 “(4) TERMS OF APPOINTMENT.—(A) Except as
25 provided in subparagraph (B), members shall be ap-

1 pointed to staggered terms not to exceed 3 years. A
2 member may be renominated for one additional 3-
3 year term.

4 “(B) Members serving on the Advisory Council
5 on Transportation Statistics as of the date of enact-
6 ment of the Transportation Equity Act: A Legacy
7 for Users shall serve until the end of their appointed
8 terms.

9 “(5) APPLICABILITY OF FEDERAL ADVISORY
10 COMMITTEE ACT.—The Federal Advisory Committee
11 Act shall apply to the Advisory Council established
12 under this subsection, except that section 14 of such
13 Act shall not apply to such Advisory Council.”.

14 **Subtitle F—Intelligent**
15 **Transportation Systems Research**

16 **SEC. 5601. SHORT TITLE.**

17 This subtitle may be cited as the “Intelligent Trans-
18 portation Systems Act of 2004”.

19 **SEC. 5602. GOALS AND PURPOSES.**

20 (a) GOALS.—The goals of the intelligent transpor-
21 tation system program include—

22 (1) enhancement of surface transportation effi-
23 ciency and facilitation of intermodalism and inter-
24 national trade to enable existing facilities to meet a
25 significant portion of future transportation needs,

1 including public access to employment, goods, and
2 services and to reduce regulatory, financial, and
3 other transaction costs to public agencies and sys-
4 tem users;

5 (2) achievement of national transportation safe-
6 ty goals, including the enhancement of safe oper-
7 ation of motor vehicles and nonmotorized vehicles as
8 well as improved emergency response to a crash,
9 with particular emphasis on decreasing the number
10 and severity of collisions;

11 (3) protection and enhancement of the natural
12 environment and communities affected by surface
13 transportation, with particular emphasis on assisting
14 State and local governments to achieve national en-
15 vironmental goals;

16 (4) accommodation of the needs of all users of
17 surface transportation systems, including operators
18 of commercial motor vehicles, passenger motor vehi-
19 cles, motorcycles, and bicycles and pedestrians, in-
20 cluding individuals with disabilities; and

21 (5) improvement of the Nation's ability to re-
22 spond to security-related or other manmade emer-
23 gencies and natural disasters and enhancement of
24 national defense mobility.

1 (b) PURPOSES.—The Secretary shall implement ac-
2 tivities under the intelligent system transportation pro-
3 gram to, at a minimum—

4 (1) expedite, in both metropolitan and rural
5 areas, deployment and integration of intelligent
6 transportation systems for consumers of passenger
7 and freight transportation;

8 (2) ensure that Federal, State, and local trans-
9 portation officials have adequate knowledge of intel-
10 ligent transportation systems for full consideration
11 in the transportation planning process;

12 (3) improve regional cooperation and operations
13 planning for effective intelligent transportation sys-
14 tem deployment;

15 (4) promote the innovative use of private re-
16 sources;

17 (5) facilitate, in cooperation with the motor ve-
18 hicle industry, the introduction of a vehicle-based
19 safety enhancing systems;

20 (6) support the application of intelligent trans-
21 portation systems that increase the safety and effi-
22 ciency of commercial motor vehicle operations;

23 (7) develop a workforce capable of developing,
24 operating, and maintaining intelligent transportation
25 systems; and

1 (8) provide continuing support for operations
2 and maintenance of intelligent transportation sys-
3 tems.

4 **SEC. 5603. GENERAL AUTHORITIES AND REQUIREMENTS.**

5 (a) SCOPE.—Subject to the provisions of this subtitle,
6 the Secretary shall conduct an ongoing intelligent trans-
7 portation system program to research, develop, and oper-
8 ationally test intelligent transportation systems and ad-
9 vance nationwide deployment of such systems as a compo-
10 nent of the surface transportation systems of the United
11 States.

12 (b) POLICY.—Intelligent transportation system re-
13 search projects and operational tests funded pursuant to
14 this subtitle shall encourage and not displace public-pri-
15 vate partnerships or private sector investment in such
16 tests and projects.

17 (c) COOPERATION WITH GOVERNMENTAL, PRIVATE,
18 AND EDUCATIONAL ENTITIES.—The Secretary shall carry
19 out the intelligent transportation system program in co-
20 operation with State and local governments and other pub-
21 lic entities, the private sector of the United States, the
22 Federal laboratories, and colleges and universities, includ-
23 ing historically Black colleges and universities and other
24 minority institutions of higher education.

1 (d) CONSULTATION WITH FEDERAL OFFICIALS.—In
2 carrying out the intelligent transportation system pro-
3 gram, the Secretary shall consult with the heads of other
4 Federal departments and agencies, as appropriate.

5 (e) TECHNICAL ASSISTANCE, TRAINING, AND INFOR-
6 MATION.—The Secretary may provide technical assistance,
7 training, and information to State and local governments
8 seeking to implement, operate, maintain, or evaluate intel-
9 ligent transportation system technologies and services.

10 (f) TRANSPORTATION PLANNING.—The Secretary
11 may provide funding to support adequate consideration of
12 transportation systems management and operations, in-
13 cluding intelligent transportation systems, within metro-
14 politan and statewide transportation planning processes.

15 (g) INFORMATION CLEARINGHOUSE.—

16 (1) IN GENERAL.—The Secretary shall—

17 (A) maintain a repository for technical and
18 safety data collected as a result of federally
19 sponsored projects carried out under this sub-
20 title (including the amendments made by this
21 subtitle); and

22 (B) make, on request, that information
23 (except for proprietary information and data)
24 readily available to all users of the repository at
25 an appropriate cost.

1 (2) AGREEMENT.—

2 (A) IN GENERAL.—The Secretary may
3 enter into an agreement with a third party for
4 the maintenance of the repository for technical
5 and safety data under paragraph (1)(A).

6 (B) FEDERAL FINANCIAL ASSISTANCE.—If
7 the Secretary enters into an agreement with an
8 entity for the maintenance of the repository, the
9 entity shall be eligible for Federal financial as-
10 sistance under this section.

11 (3) AVAILABILITY OF INFORMATION.—Informa-
12 tion in the repository shall not be subject to section
13 555 of title 5, United States Code.

14 (h) ADVISORY COMMITTEE.—

15 (1) IN GENERAL.—The Secretary shall establish
16 an Advisory Committee to advise the Secretary on
17 carrying out this subtitle.

18 (2) MEMBERSHIP.—The Advisory Committee
19 shall have no more than 20 members, be balanced
20 between metropolitan and rural interests, and in-
21 clude, at a minimum—

22 (A) a representative from a State highway
23 department;

1 (B) a representative from a local highway
2 department who is not from a metropolitan
3 planning organization;

4 (C) a representative from a State, local, or
5 regional transit agency;

6 (D) a representative from a metropolitan
7 planning organization;

8 (E) a private sector user of intelligent
9 transportation system technologies;

10 (F) an academic researcher with expertise
11 in computer science or another information
12 science field related to intelligent transportation
13 systems, and who is not an expert on transpor-
14 tation issues;

15 (G) an academic researcher who is a civil
16 engineer;

17 (H) an academic researcher who is a social
18 scientist with expertise in transportation issues;

19 (I) a representative from a not-for-profit
20 group representing the intelligent transpor-
21 tation system industry;

22 (J) a representative from a public interest
23 group concerned with safety;

24 (K) a representative from a public interest
25 group concerned with the impact of the trans-

1 portation system on land use and residential
2 patterns; and

3 (L) members with expertise in planning,
4 safety, and operations.

5 (3) DUTIES.—The Advisory Committee shall, at
6 a minimum, perform the following duties:

7 (A) Provide input into the development of
8 the Intelligent Transportation System aspects
9 of the strategic plan under section 508 of title
10 23, United States Code.

11 (B) Review, at least annually, areas of in-
12 telligent transportation systems research being
13 considered for funding by the Department, to
14 determine—

15 (i) whether these activities are likely
16 to advance either the state-of-the-practice
17 or state-of-the-art in intelligent transpor-
18 tation systems;

19 (ii) whether the intelligent transpor-
20 tation system technologies are likely to be
21 deployed by users, and, if not, to determine
22 the barriers to deployment; and

23 (iii) the appropriate roles for govern-
24 ment and the private sector in investing in

1 the research and technologies being consid-
2 ered.

3 (4) REPORT.—Not later than February 1 of
4 each year after the date of enactment of this Act,
5 the Secretary shall transmit to the Congress, a re-
6 port including—

7 (A) all recommendations made by the Ad-
8 visory Committee during the preceding calendar
9 year;

10 (B) an explanation of how the Secretary
11 has implemented those recommendations; and

12 (C) for recommendations not implemented,
13 the reasons for rejecting the recommendations.

14 (5) APPLICABILITY OF FEDERAL ADVISORY
15 COMMITTEE ACT.—The Advisory Committee shall be
16 subject to the Federal Advisory Committee Act (5
17 U.S.C. App.).

18 (i) REPORTING.—

19 (1) GUIDELINES AND REQUIREMENTS.—

20 (A) IN GENERAL.—The Secretary shall
21 issue guidelines and requirements for the re-
22 porting and evaluation of operational tests and
23 deployment projects carried out under this sub-
24 title.

1 (B) OBJECTIVITY AND INDEPENDENCE.—

2 The guidelines and requirements issued under
3 subparagraph (A) shall include provisions to en-
4 sure the objectivity and independence of the re-
5 porting entity so as to avoid any real or appar-
6 ent conflict of interest or potential influence on
7 the outcome by parties to any such test or de-
8 ployment project or by any other formal evalua-
9 tion carried out under this subtitle.

10 (C) FUNDING.—The guidelines and re-
11 quirements issued under subparagraph (A) shall
12 establish reporting funding levels based on the
13 size and scope of each test or project that en-
14 sure adequate reporting of the results of the
15 test or project.

16 (2) SPECIAL RULE.—Any survey, questionnaire,
17 or interview that the Secretary considers necessary
18 to carry out the reporting of any test, deployment
19 project, or program assessment activity under this
20 subtitle shall not be subject to chapter 35 of title 44.

21 **SEC. 5604. NATIONAL ARCHITECTURE AND STANDARDS.**

22 (a) IN GENERAL.—

23 (1) DEVELOPMENT, IMPLEMENTATION, AND
24 MAINTENANCE.—Consistent with section 12(d) of
25 the National Technology Transfer and Advancement

1 Act of 1995 (15 U.S.C. 272 note; 110 Stat. 783),
2 the Secretary shall develop, implement, and maintain
3 a national architecture and supporting standards
4 and protocols to promote the widespread use and
5 evaluation of intelligent transportation system tech-
6 nology as a component of the surface transportation
7 systems of the United States.

8 (2) INTEROPERABILITY AND EFFICIENCY.—To
9 the maximum extent practicable, the national archi-
10 tecture shall promote interoperability among, and ef-
11 ficiency of, intelligent transportation system tech-
12 nologies implemented throughout the United States.

13 (3) USE OF STANDARDS DEVELOPMENT ORGA-
14 NIZATIONS.—In carrying out this section, the Sec-
15 retary shall use the services of such standards devel-
16 opment organizations as the Secretary determines to
17 be appropriate.

18 (4) USE OF EXPERT PANEL.—

19 (A) DESIGNATION.—The Secretary shall
20 designate a panel of experts to recommend ways
21 to expedite and streamline the process for de-
22 veloping the standards and protocols to be de-
23 veloped pursuant to paragraph (1).

24 (B) NONAPPLICABILITY OF ADVISORY COM-
25 MITTEE ACT.—The expert panel shall not be

1 subject to the Federal Advisory Committee Act
2 (5 U.S.C. App.).

3 (C) DEADLINE FOR RECOMMENDATION.—

4 No later than September 30, 2005, the expert
5 panel shall provide the Secretary with a rec-
6 ommendation relating to such standards devel-
7 opment.

8 (b) PROVISIONAL STANDARDS.—

9 (1) IN GENERAL.—If the Secretary finds that
10 the development or balloting of an intelligent trans-
11 portation system standard jeopardizes the timely
12 achievement of the objectives identified in subsection
13 (a), the Secretary may establish a provisional stand-
14 ard, after consultation with affected parties, using,
15 to the extent practicable, the work product of appro-
16 priate standards development organizations.

17 (2) PERIOD OF EFFECTIVENESS.—A provisional
18 standard established under paragraph (1) shall be
19 published in the Federal Register and remain in ef-
20 fect until the appropriate standards development or-
21 ganization adopts and publishes a standard.

22 (c) CONFORMITY WITH NATIONAL ARCHITEC-
23 TURE.—

24 (1) IN GENERAL.—Except as provided in para-
25 graphs (2) and (3), the Secretary shall ensure that

1 intelligent transportation system projects carried out
2 using funds made available from the Highway Trust
3 Fund, including funds made available under this
4 subtitle to deploy intelligent transportation system
5 technologies, conform to the national architecture,
6 applicable standards or provisional standards, and
7 protocols developed under subsection (a).

8 (2) SECRETARY'S DISCRETION.—The Secretary
9 may authorize exceptions to paragraph (1) for—

10 (A) projects designed to achieve specific re-
11 search objectives outlined in the national intel-
12 ligent transportation system program plan or
13 the surface transportation research and devel-
14 opment strategic plan developed under section
15 508 of title 23, United States Code; or

16 (B) the upgrade or expansion of an intel-
17 ligent transportation system in existence on the
18 date of enactment of this Act if the Secretary
19 determines that the upgrade or expansion—

20 (i) would not adversely affect the
21 goals or purposes of this subtitle;

22 (ii) is carried out before the end of
23 the useful life of such system; and

1 (iii) is cost-effective as compared to
2 alternatives that would meet the con-
3 formity requirement of paragraph (1).

4 (3) EXCEPTIONS.—Paragraph (1) shall not
5 apply to funds used for operation or maintenance of
6 an intelligent transportation system in existence on
7 the date of enactment of this Act.

8 **SEC. 5605. RESEARCH AND DEVELOPMENT.**

9 (a) IN GENERAL.—The Secretary shall carry out a
10 comprehensive program of intelligent transportation sys-
11 tem research, development, and operational tests of intel-
12 ligent vehicles and intelligent infrastructure systems and
13 other similar activities that are necessary to carry out this
14 subtitle.

15 (b) PRIORITY AREAS.—Under the program, the Sec-
16 retary shall give higher priority to funding projects that—

17 (1) enhance mobility and productivity through
18 improved traffic management, incident management,
19 transit management, freight management, road
20 weather management, toll collection, traveler infor-
21 mation, or highway operations systems and remote
22 sensing products;

23 (2) utilize interdisciplinary approaches to de-
24 velop traffic management strategies and tools to ad-
25 dress multiple impacts of congestion concurrently;

1 (3) enhance safety through improved crash
2 avoidance and protection, crash and other notifica-
3 tion, commercial motor vehicle operations, and infra-
4 structure-based or cooperative safety systems; and

5 (4) facilitate the integration of intelligent infra-
6 structure, vehicle, and control technologies.

7 (c) FEDERAL SHARE.—The Federal share of the cost
8 of operational tests and demonstrations under subsection
9 (a) shall not exceed 80 percent.

10 **SEC. 5606. INFRASTRUCTURE DEVELOPMENT.**

11 Funds made available to carry out this subtitle for
12 operational tests—

13 (1) shall be used primarily for the development
14 of intelligent transportation system infrastructure;
15 and

16 (2) to the maximum extent practicable, shall
17 not be used for the construction of physical highway
18 and public transportation infrastructure unless the
19 construction is incidental and critically necessary to
20 the implementation of an intelligent transportation
21 system project.

22 **SEC. 5607. ROAD WEATHER RESEARCH AND DEVELOPMENT**
23 **PROGRAM.**

24 (a) ESTABLISHMENT.—The Secretary shall establish
25 a road weather research and development program to—

1 (1) maximize use of available road weather in-
2 formation and technologies;

3 (2) expand road weather research and develop-
4 ment efforts to enhance roadway safety, capacity,
5 and efficiency while minimizing environmental im-
6 pacts; and

7 (3) promote technology transfer of effective
8 road weather scientific and technological advances.

9 (b) STAKEHOLDER INPUT.—In carrying out this sec-
10 tion, the Secretary shall consult with the National Oceanic
11 and Atmospheric Administration, the National Science
12 Foundation, the American Association of State Highway
13 and Transportation Officials, nonprofit organizations, and
14 the private sector.

15 (c) CONTENTS.— The program established under this
16 section shall solely carry out research and development
17 called for in the National Research Council’s report enti-
18 tled “A Research Agenda for Improving Road Weather
19 Services”. Such research and development includes—

20 (1) integrating existing observational networks
21 and data management systems for road weather ap-
22 plications;

23 (2) improving weather modeling capabilities and
24 forecast tools, such as the road surface and atmos-
25 pheric interface;

1 (3) enhancing mechanisms for communicating
2 road weather information to users, such as transpor-
3 tation officials and the public; and

4 (4) integrating road weather technologies into
5 an information infrastructure.

6 (d) ACTIVITIES.— In carrying out this section, the
7 Secretary shall—

8 (1) enable efficient technology transfer;

9 (2) improve education and training of road
10 weather information users, such as State and local
11 transportation officials and private sector transpor-
12 tation contractors; and

13 (3) coordinate with transportation weather re-
14 search programs in other modes, such as aviation.

15 (e) FUNDING.—

16 (1) IN GENERAL.—In awarding funds under
17 this section, the Secretary shall give preference to
18 applications with significant matching funds from
19 non-Federal sources.

20 (2) FUNDS FOR ROAD WEATHER RESEARCH
21 AND DEVELOPMENT.—Of the amounts made avail-
22 able by section 5101(a)(5), \$4,000,000 shall be
23 available to carry out this section for each of fiscal
24 years 2004 through 2009.

1 **SEC. 5608. DEFINITIONS.**

2 In this subtitle, the following definitions apply:

3 (1) INCIDENT.—The term “incident” means a
4 crash, a natural disaster, workzone activity, special
5 event, or other emergency road user occurrence that
6 adversely affects or impedes the normal flow of traf-
7 fic.

8 (2) INTELLIGENT TRANSPORTATION INFRA-
9 STRUCTURE.—The term “intelligent transportation
10 infrastructure” means fully integrated public sector
11 intelligent transportation system components, as de-
12 fined by the Secretary.

13 (3) INTELLIGENT TRANSPORTATION SYSTEM.—
14 The term “intelligent transportation system” means
15 electronics, communications, or information proc-
16 essing used singly or in combination to improve the
17 efficiency or safety of a surface transportation sys-
18 tem.

19 (4) NATIONAL ARCHITECTURE.—The term “na-
20 tional architecture” means the common framework
21 for interoperability that defines—

22 (A) the functions associated with intel-
23 ligent transportation system user services;

24 (B) the physical entities or subsystems
25 within which the functions reside;

1 (C) the data interfaces and information
2 flows between physical subsystems; and

3 (D) the communications requirements as-
4 sociated with the information flows.

5 (5) PROJECT.—The term “project” means a
6 undertaking to research, develop, or operationally
7 test intelligent transportation systems or any other
8 undertaking eligible for assistance under this sub-
9 title.

10 (6) STANDARD.—The term “standard” means a
11 document that—

12 (A) contains technical specifications or
13 other precise criteria for intelligent transpor-
14 tation systems that are to be used consistently
15 as rules, guidelines, or definitions of character-
16 istics so as to ensure that materials, products,
17 processes, and services are fit for their pur-
18 poses; and

19 (B) may support the national architecture
20 and promote—

21 (i) the widespread use and adoption of
22 intelligent transportation system tech-
23 nology as a component of the surface
24 transportation systems of the United
25 States; and

1 (ii) interoperability among intelligent
2 transportation system technologies imple-
3 mented throughout the States.

4 (7) STATE.—The term “State” has the mean-
5 ing given the term under section 101 of title 23,
6 United States Code.

7 (8) TRANSPORTATION SYSTEMS MANAGEMENT
8 AND OPERATIONS.—The term “transportation sys-
9 tems management and operations” has the meaning
10 given the term under section 101(a) of such title.

11 **SEC. 5609. RURAL INTERSTATE CORRIDOR COMMUNICA-**
12 **TIONS STUDY.**

13 (a) STUDY.—The Secretary, in cooperation with the
14 Secretary of Commerce, State departments of transpor-
15 tation, and other appropriate State, regional, and local of-
16 ficials, shall conduct a study on feasibility of installing
17 fiber optic cabling and wireless communication infrastruc-
18 ture along multistate Interstate System route corridors for
19 improved communications services to rural communities
20 along such corridors.

21 (b) CONTENTS OF STUDY.—In conducting the study,
22 the Secretary shall identify—

23 (1) impediments to installation of the infra-
24 structure described in subsection (a) along
25 multistate Interstate System route corridors and to

1 connecting such infrastructure to the rural commu-
2 nities along such corridors;

3 (2) the effective geographic range of such infra-
4 structure;

5 (3) potential opportunities for the private sector
6 to fund, wholly or partially, the installation of such
7 infrastructure;

8 (4) potential benefits fiber optic cabling and
9 wireless communication infrastructure may provide
10 to rural communities along such corridors, including
11 the effects of the installation of such infrastructure
12 on economic development, deployment of intelligent
13 transportation systems technologies and applica-
14 tions, homeland security precaution and response,
15 and education and health systems in those commu-
16 nities;

17 (5) rural broadband access points for such in-
18 frastructure;

19 (6) areas of environmental conflict with such in-
20 stallation;

21 (7) real estate ownership issues relating to such
22 installation;

23 (8) preliminary design for placement of fiber
24 optic cable and wireless towers;

1 (9) monetary value of the rights-of-way nec-
2 essary for such installation;

3 (10) applicability and transferability of the ben-
4 efits of such installation to other rural corridors; and

5 (11) safety and other operational issues associ-
6 ated with the installation and maintenance of fiber
7 optic cabling and wire infrastructure within Inter-
8 state System rights-of-way and other publicly owned
9 rights-of-way.

10 (c) CORRIDOR LOCATIONS.—The study required
11 under subsection (a) shall be conducted for corridors
12 along—

13 (1) Interstate Route I–90 through rural Wis-
14 consin, southern Minnesota, northern Iowa, and
15 South Dakota;

16 (2) Interstate Route I–20 through Alabama,
17 Mississippi, and northern Louisiana;

18 (3) Interstate Route I–91 through Vermont,
19 New Hampshire, and Massachusetts; and

20 (4) any other rural corridor the Secretary con-
21 siders appropriate.

22 (d) FEDERAL SHARE.—The Federal share of the cost
23 of the study shall be 100 percent.

24 (e) REPORT TO CONGRESS.—Not later than Sep-
25 tember 30, 2006, the Secretary shall transmit to Congress

1 a report on the results of the study, including any rec-
2 ommendations of the Secretary.

3 (f) FUNDING.—Of the amounts made available under
4 section 5101(a)(5), \$1,000,000 shall be available for fiscal
5 year 2005, and \$2,000,000 for fiscal year 2006, to carry
6 out this section.

7 **SEC. 5610. CENTERS FOR SURFACE TRANSPORTATION EX-**
8 **CELLENCE.**

9 (a) ESTABLISHMENT.—The Secretary shall establish
10 3 centers for surface transportation excellence.

11 (b) GOALS.—The goals of the centers for surface
12 transportation excellence are to promote and support stra-
13 tegic national surface transportation programs and activi-
14 ties relating to the work of State departments of transpor-
15 tation in the areas of environment, rural safety, and
16 project finance.

17 (c) ROLE OF CENTERS.—To achieve the goals set
18 forth in subsection (b), the Secretary shall establish the
19 3 centers as follows:

20 (1) ENVIRONMENTAL EXCELLENCE.—To pro-
21 vide technical assistance, information sharing of best
22 practices, and training in the use of tools and deci-
23 sion-making processes that can assist States in plan-
24 ning and delivering environmentally sound surface
25 transportation projects.

1 (2) RURAL SAFETY.—To provide research,
2 training, and outreach on innovative uses of tech-
3 nology to enhance rural safety and economic devel-
4 opment, assess local community needs to improve ac-
5 cess to mobile emergency treatment, and develop on-
6 line and seminar training needs of rural transpor-
7 tation practitioners and policy-makers.

8 (3) PROJECT FINANCE.—To provide support to
9 State transportation departments in the development
10 of finance plans and project oversight tools and to
11 develop and offer training in state of the art financ-
12 ing methods to advance projects and leverage funds.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) IN GENERAL.—Of the amounts made avail-
15 able under section 5101(a)(1), the Secretary shall
16 make available \$2,000,000 for each of fiscal years
17 2004 through 2009 to carry out this section.

18 (2) ALLOCATION OF FUNDS.—Of the funds
19 made available under paragraph (1) the Secretary
20 shall use such amounts as follows:

21 (A) 40 percent to establish the Center for
22 Environmental Excellence.

23 (B) 30 percent to establish the Center for
24 Excellence in Rural Safety.

1 (C) 30 percent to establish the Center for
2 Excellence in Project Finance.

3 (3) APPLICABILITY OF TITLE 23.—Funds au-
4 thorized by this section shall be available for obliga-
5 tion in the same manner as if such funds were ap-
6 portioned under chapter 1 of title 23, United States
7 Code, except that the Federal share shall be 100
8 percent.

9 (e) PROGRAM ADMINISTRATION.—

10 (1) COMPETITION.—A party entering into a
11 contract, cooperative agreement, or other transaction
12 with the Secretary, or receiving a grant to perform
13 research or provide technical assistance under this
14 section shall be selected on a competitive basis, to
15 the maximum extent practicable.

16 (2) STRATEGIC PLAN.—The Secretary shall re-
17 quire each center to develop a multiyear strategic
18 plan that describes—

19 (A) the activities to be undertaken; and

20 (B) how the work of the center is coordi-
21 nated with the activities of the Federal High-
22 way Administration and the various other re-
23 search, development, and technology transfer
24 activities authorized by this title. Such plans

1 shall be submitted to the Secretary by January
2 1, 2005 and each year thereafter.

3 **SEC. 5611. REPEAL.**

4 Subtitle C of title V of The Transportation Equity
5 Act for the 21st Century (23 U.S.C. 502 note; 112 Stat.
6 452–463) is repealed.

7 **TITLE VI—TRANSPORTATION**
8 **PLANNING AND PROJECT DE-**
9 **LIVERY**

10 **SEC. 6001. TRANSPORTATION PLANNING.**

11 (a) IN GENERAL.—Subtitle III of title 49, United
12 States Code, is amended by inserting after chapter 51 the
13 following:

14 **“CHAPTER 52—TRANSPORTATION**
15 **PLANNING AND PROJECT DELIVERY**

“SUBCHAPTER A—GENERAL PROVISIONS

“Sec.

“5201. Definitions.

“SUBCHAPTER B—TRANSPORTATION PLANNING AND PROJECT DELIVERY

“5211. Policy.

“5212. Definitions.

“5213. Metropolitan transportation planning.

“5214. Statewide transportation planning.

“SUBCHAPTER C—EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT
DECISIONMAKING

“5251. Definitions and applicability.

“5252. Project development procedures.

1 “SUBCHAPTER A—GENERAL PROVISIONS

2 **“§ 5201. Definitions**

3 “In this chapter, the following definitions apply:

4 “(1) SECRETARY.—The term ‘Secretary’ means
5 the Secretary of Transportation.6 “(2) STATE.—The term ‘State’ means a State
7 of the United States, the District of Columbia, and
8 Puerto Rico.

9 “SUBCHAPTER B—TRANSPORTATION

10 PLANNING AND PROJECT DELIVERY

11 **“§ 5211. Policy**

12 “(a) IN GENERAL.—It is in the national interest to—

13 “(1) encourage and promote the safe and effi-
14 cient management, operation, and development of
15 surface transportation systems that will serve the
16 mobility needs of people and freight and foster eco-
17 nomic growth and development within and between
18 States and urbanized areas, while minimizing trans-
19 portation-related fuel consumption and air pollution
20 through metropolitan and statewide transportation
21 planning processes identified in this chapter; and22 “(2) encourage the continued improvement and
23 evolution of the metropolitan and statewide trans-
24 portation planning processes by metropolitan plan-
25 ning organizations, State departments of transpor-

1 tation, and public transit operators as guided by the
2 planning factors identified in sections 5213(f) and
3 5214(d).

4 “(b) COMMON TRANSPORTATION PLANNING PRO-
5 GRAM.—This subchapter provides a common transpor-
6 tation planning program to be administered by the Fed-
7 eral Highway Administration and the Federal Transit Ad-
8 ministration.

9 **“§ 5212. Definitions**

10 “(a) APPLICABILITY BY REFERENCE.—Unless other-
11 wise specified in subsection (b), the definitions in section
12 101(a) of title 23 and section 5302 are applicable to this
13 subchapter.

14 “(b) ADDITIONAL DEFINITIONS.—In this subchapter,
15 the following definitions apply:

16 “(1) METROPOLITAN PLANNING AREA.—The
17 term ‘metropolitan planning area’ means the geo-
18 graphic area determined by agreement between the
19 metropolitan planning organization for the area and
20 the Governor under section 5213(e).

21 “(2) METROPOLITAN PLANNING ORGANIZA-
22 TION.—The term ‘metropolitan planning organiza-
23 tion’ means the policy board of an organization cre-
24 ated as a result of the designation process in section
25 5213(b).

1 “(3) NONMETROPOLITAN AREA.—The term
2 ‘nonmetropolitan area’ means a geographic area out-
3 side designated metropolitan planning areas.

4 “(4) NONMETROPOLITAN LOCAL OFFICIAL.—
5 The term ‘nonmetropolitan local official’ means
6 elected and appointed officials of general purpose
7 local government in a nonmetropolitan area with re-
8 sponsibility for transportation.

9 “(5) TIP.—The term ‘TIP’ means a transpor-
10 tation improvement program developed by a metro-
11 politan planning organization under section 5213.

12 “(6) URBANIZED AREA.—The term ‘urbanized
13 area’ means a geographic area with a population of
14 50,000 or more, as designated by the Bureau of the
15 Census.

16 **“§ 5213. Metropolitan transportation planning**

17 “(a) GENERAL REQUIREMENTS.—

18 “(1) DEVELOPMENT OF LONG-RANGE PLANS
19 AND TIPS.—To accomplish the objectives in section
20 5211, metropolitan planning organizations des-
21 ignated under subsection (b), in cooperation with the
22 State and public transportation operators, shall de-
23 velop long-range transportation plans and transpor-
24 tation improvement programs for metropolitan plan-
25 ning areas of the State.

1 “(2) CONTENTS.—The plans and TIPs for each
2 metropolitan area shall provide for the development
3 and integrated management and operation of trans-
4 portation systems and facilities (including accessible
5 pedestrian walkways and bicycle transportation fa-
6 cilities) that will function as an intermodal transpor-
7 tation system for the metropolitan planning area
8 and as an integral part of an intermodal transpor-
9 tation system for the State and the United States.

10 “(3) PROCESS OF DEVELOPMENT.—The process
11 for developing the plans and TIPs shall provide for
12 consideration of all modes of transportation and
13 shall be continuing, cooperative, and comprehensive
14 to the degree appropriate, based on the complexity
15 of the transportation problems to be addressed.

16 “(b) DESIGNATION OF METROPOLITAN PLANNING
17 ORGANIZATIONS.—

18 “(1) IN GENERAL.—To carry out the transpor-
19 tation planning process required by this section, a
20 metropolitan planning organization shall be des-
21 ignated for each urbanized area with a population of
22 more than 50,000 individuals—

23 “(A) by agreement between the Governor
24 and units of general purpose local government
25 that together represent at least 75 percent of

1 the affected population (including the largest
2 incorporated city (based on population) as
3 named by the Bureau of the Census); or

4 “(B) in accordance with procedures estab-
5 lished by applicable State or local law.

6 “(2) STRUCTURE.—Each metropolitan planning
7 organization that serves an area designated as a
8 transportation management area, when designated
9 or redesignated under this subsection, shall consist
10 of—

11 “(A) local elected officials;

12 “(B) officials of public agencies that ad-
13 minister or operate major modes of transpor-
14 tation in the metropolitan area; and

15 “(C) appropriate State officials.

16 “(3) LIMITATION ON STATUTORY CONSTRUC-
17 TION.—Nothing in this subsection shall be construed
18 to interfere with the authority, under any State law
19 in effect on December 18, 1991, of a public agency
20 with multimodal transportation responsibilities to—

21 “(A) develop the plans and TIPs for adop-
22 tion by a metropolitan planning organization;
23 and

1 “(B) develop long-range capital plans, co-
2 ordinate transit services and projects, and carry
3 out other activities pursuant to State law.

4 “(4) CONTINUING DESIGNATION.—A designa-
5 tion of a metropolitan planning organization under
6 this subsection or any other provision of law shall
7 remain in effect until the metropolitan planning or-
8 ganization is redesignated under paragraph (5).

9 “(5) REDESIGNATION PROCEDURES.—A metro-
10 politan planning organization may be redesignated
11 by agreement between the Governor and units of
12 general purpose local government that together rep-
13 resent at least 75 percent of the existing planning
14 area population (including the largest incorporated
15 city (based on population) as named by the Bureau
16 of the Census) as appropriate to carry out this sec-
17 tion.

18 “(6) DESIGNATION OF MORE THAN 1 METRO-
19 POLITAN PLANNING ORGANIZATION.—More than 1
20 metropolitan planning organization may be des-
21 ignated within an existing metropolitan planning
22 area only if the Governor and the existing metropoli-
23 tan planning organization determine that the size
24 and complexity of the existing metropolitan planning

1 area make designation of more than 1 metropolitan
2 planning organization for the area appropriate.

3 “(c) METROPOLITAN PLANNING AREA BOUND-
4 ARIES.—

5 “(1) IN GENERAL.—For the purposes of this
6 section, the boundaries of a metropolitan planning
7 area shall be determined by agreement between the
8 metropolitan planning organization and the Gov-
9 ernor.

10 “(2) INCLUDED AREA.—Each metropolitan
11 planning area—

12 “(A) shall encompass at least the existing
13 urbanized area and the contiguous area ex-
14 pected to become urbanized within a 20-year
15 forecast period for the transportation plan; and

16 “(B) may encompass the entire metropoli-
17 tan statistical area or consolidated metropolitan
18 statistical area, as defined by the Bureau of the
19 Census.

20 “(3) IDENTIFICATION OF NEW URBANIZED
21 AREAS WITHIN EXISTING PLANNING AREA BOUND-
22 ARIES.—The designation by the Bureau of the Cen-
23 sus of new urbanized areas within an existing metro-
24 politan planning area shall not require the redesi-

1 nation of the existing metropolitan planning organi-
2 zation.

3 “(4) EXISTING METROPOLITAN PLANNING
4 AREAS IN NONATTAINMENT.—Notwithstanding para-
5 graph (2), in the case of an urbanized area des-
6 ignated as a nonattainment area for ozone or carbon
7 monoxide under the Clean Air Act (42 U.S.C. 7401
8 et seq.) as of the date of enactment of this para-
9 graph, the boundaries of the metropolitan planning
10 area in existence as of such date of enactment shall
11 be retained; except that the boundaries may be ad-
12 justed by agreement of the Governor and affected
13 metropolitan planning organizations in the manner
14 described in subsection (b)(5).

15 “(5) NEW METROPOLITAN PLANNING AREAS IN
16 NONATTAINMENT.—In the case of an urbanized area
17 designated after the date of enactment of this para-
18 graph as a nonattainment area for ozone or carbon
19 monoxide, the boundaries of the metropolitan plan-
20 ning area—

21 “(A) shall be established in the manner de-
22 scribed in subsection (b)(1);

23 “(B) shall encompass the areas described
24 in paragraph (2)(A);

1 “(C) may encompass the areas described in
2 paragraph (2)(B); and

3 “(D) may address any nonattainment area
4 identified under the Clean Air Act for ozone or
5 carbon monoxide.

6 “(d) COORDINATION IN MULTISTATE AREAS.—

7 “(1) IN GENERAL.—The Secretary shall encour-
8 age each Governor with responsibility for a portion
9 of a multistate metropolitan area and the appro-
10 priate metropolitan planning organizations to pro-
11 vide coordinated transportation planning for the en-
12 tire metropolitan area.

13 “(2) INTERSTATE COMPACTS.—The consent of
14 Congress is granted to any 2 or more States—

15 “(A) to enter into agreements or compacts,
16 not in conflict with any law of the United
17 States, for cooperative efforts and mutual as-
18 sistance in support of activities authorized
19 under this section as the activities pertain to
20 interstate areas and localities within the States;
21 and

22 “(B) to establish such agencies, joint or
23 otherwise, as the States may determine desir-
24 able for making the agreements and compacts
25 effective.

1 “(3) LAKE TAHOE REGION.—

2 “(A) DEFINITION.—In this paragraph, the
3 term ‘Lake Tahoe region’ has the meaning
4 given the term ‘region’ in subdivision (a) of ar-
5 ticle II of the Tahoe Regional Planning Com-
6 pact, as set forth in the first section of Public
7 Law 96–551 (94 Stat. 3234).

8 “(B) TRANSPORTATION PLANNING PROC-
9 ESS.—The Secretary shall—

10 “(i) establish with the Federal land
11 management agencies that have jurisdic-
12 tion over land in the Lake Tahoe region a
13 transportation planning process for the re-
14 gion; and

15 “(ii) coordinate the transportation
16 planning process with the planning process
17 required of State and local governments
18 under this section and section 5214.

19 “(C) INTERSTATE COMPACT.—

20 “(i) IN GENERAL.—Subject to clause
21 (ii), notwithstanding subsection (b), to
22 carry out the transportation planning proc-
23 ess required by this section, the consent of
24 Congress is granted to the States of Cali-
25 fornia and Nevada to designate a metro-

1 politan planning organization for the Lake
2 Tahoe region, by agreement between the
3 Governors of the States of California and
4 Nevada and units of general purpose local
5 government that together represent at
6 least 75 percent of the affected population
7 (including the central city or cities (as de-
8 fined by the Bureau of the Census)), or in
9 accordance with procedures established by
10 applicable State or local law.

11 “(ii) INVOLVEMENT OF FEDERAL
12 LAND MANAGEMENT AGENCIES.—

13 “(I) REPRESENTATION.—The
14 policy board of a metropolitan plan-
15 ning organization designated under
16 clause (i) shall include a representa-
17 tive of each Federal land management
18 agency that has jurisdiction over land
19 in the Lake Tahoe region.

20 “(II) FUNDING.—In addition to
21 funds made available to the metropoli-
22 tan planning organization under other
23 provisions of title 23 and under chap-
24 ter 53, not more than 1 percent of the
25 funds allocated under section 202 of

1 title 23 may be used to carry out the
2 transportation planning process for
3 the Lake Tahoe region under this
4 subparagraph.

5 “(D) ACTIVITIES.—Highway projects in-
6 cluded in transportation plans developed under
7 this paragraph—

8 “(i) shall be selected for funding in a
9 manner that facilitates the participation of
10 the Federal land management agencies
11 that have jurisdiction over land in the
12 Lake Tahoe region; and

13 “(ii) may, in accordance with chapter
14 2 of title 23, be funded using funds allo-
15 cated under section 202 of title 23.

16 “(4) RESERVATION OF RIGHTS.—The right to
17 alter, amend or repeal interstate compacts entered
18 into under this subsection is expressly reserved.

19 “(e) MPO CONSULTATION IN PLAN AND TIP CO-
20 ORDINATION.—

21 “(1) NONATTAINMENT AREAS.—If more than 1
22 metropolitan planning organization has authority
23 within a metropolitan area or an area which is des-
24 ignated as a nonattainment area for ozone or carbon
25 monoxide under the Clean Air Act, each metropoli-

1 tan planning organization shall consult with the
2 other metropolitan planning organizations des-
3 igned for such area and the State in the coordina-
4 tion of plans and TIPs required by this section.

5 “(2) TRANSPORTATION IMPROVEMENTS LO-
6 CATED IN MULTIPLE MPOS.—If a transportation
7 improvement funded from the Highway Trust Fund
8 or authorized under chapter 53 is located within the
9 boundaries of more than 1 metropolitan planning
10 area, the metropolitan planning organizations shall
11 coordinate plans and TIPs regarding the transpor-
12 tation improvement.

13 “(3) RELATIONSHIP WITH OTHER PLANNING
14 OFFICIALS.—The Secretary shall encourage each
15 metropolitan planning organization to consult with
16 those officials responsible for other types of planning
17 activities that are affected by transportation in the
18 area (including State and local planned growth, eco-
19 nomic development, environmental protection, air-
20 port operations, and freight movements) or to co-
21 ordinate its planning process, to the maximum ex-
22 tent practicable, with such planning activities. Under
23 the metropolitan planning process, transportation
24 plans and TIPs shall be developed with due consid-
25 eration of other related planning activities within the

1 metropolitan area, and the process shall provide for
2 the design and delivery of transportation services
3 within the metropolitan area that are provided by—

4 “(A) recipients of assistance under chapter

5 53;

6 “(B) governmental agencies and nonprofit

7 organizations (including representatives of the

8 agencies and organizations) that receive Federal

9 assistance from a source other than the Depart-

10 ment of Transportation to provide non-

11 emergency transportation services; and

12 “(C) recipients of assistance under section

13 204 of title 23.

14 “(f) SCOPE OF PLANNING PROCESS.—

15 “(1) IN GENERAL.—The goals and objectives

16 developed through the metropolitan planning process

17 for a metropolitan planning area under this section

18 shall address the following factors as they relate to

19 the performance of the metropolitan area transpor-

20 tation systems:

21 “(A) Support of the economic vitality of

22 the metropolitan area, especially by enabling

23 global competitiveness, productivity, and effi-

24 ciency.

1 “(B) Increases in the safety and security
2 of the transportation system for motorized and
3 nonmotorized users.

4 “(C) Increases in the accessibility and mo-
5 bility of people and for freight.

6 “(D) Protection and enhancement of the
7 environment, promotion of energy conservation,
8 improvement of the quality of life, and pro-
9 motion of consistency between transportation
10 improvements and State and local planned
11 growth and economic development patterns.

12 “(E) Enhancement of the integration and
13 connectivity of the transportation system,
14 across and between modes, for people and
15 freight.

16 “(F) Promotion of efficient system man-
17 agement and operation.

18 “(G) Emphasis on the preservation of the
19 existing transportation system.

20 “(2) FAILURE TO CONSIDER FACTORS.—The
21 failure to consider any factor specified in paragraph
22 (1) shall not be reviewable by any court under title
23 23 or this title, subchapter II of chapter 5 of title
24 5, or chapter 7 of title 5 in any matter affecting a

1 transportation plan, a TIP, a project or strategy, or
2 the certification of a planning process.

3 “(g) DEVELOPMENT OF TRANSPORTATION PLAN.—

4 “(1) IN GENERAL.—Each metropolitan plan-
5 ning organization shall prepare, and update periodi-
6 cally, according to a schedule that the Secretary de-
7 termines to be appropriate, a transportation plan for
8 its metropolitan planning area in accordance with
9 the requirements of this subsection. The metropoli-
10 tan planning organization shall prepare and update
11 such plan every 4 years (or more frequently, if the
12 metropolitan planning organization elects to update
13 more frequently) in the case of each of the following:

14 “(A) any area designated as nonattain-
15 ment, as defined in section 107(d) of the Clean
16 Air Act (42 U.S.C. 7407(d)); and

17 “(B) any area that was nonattainment and
18 subsequently designated to attainment in ac-
19 cordance with section 107(d)(3) of that Act (42
20 U.S.C. 7407(d)(3)) and that is subject to a
21 maintenance plan under section 175A of that
22 Act (42 U.S.C. 7505a).

23 In the case of any other area required to have a
24 transportation plan in accordance with the require-
25 ments of this subsection, the metropolitan planning

1 organization shall prepare and update such plan
2 every 4 years unless the metropolitan planning orga-
3 nization elects to update more frequently.

4 “(2) TRANSPORTATION PLAN.—A transpor-
5 tation plan under this section shall be in a form that
6 the Secretary determines to be appropriate and shall
7 contain, at a minimum, the following:

8 “(A) An identification of transportation fa-
9 cilities (including major roadways, transit,
10 multimodal and intermodal facilities, and inter-
11 modal connectors) that should function as an
12 integrated metropolitan transportation system,
13 giving emphasis to those facilities that serve im-
14 portant national and regional transportation
15 functions. In formulating the transportation
16 plan, the metropolitan planning organization
17 shall consider factors described in subsection (f)
18 as such factors relate to a 20-year forecast pe-
19 riod.

20 “(B) A financial plan that demonstrates
21 how the adopted transportation plan can be im-
22 plemented, indicates resources from public and
23 private sources that are reasonably expected to
24 be made available to carry out the plan, and
25 recommends any additional financing strategies

1 for needed projects and programs. The financial
2 plan may include, for illustrative purposes, ad-
3 ditional projects that would be included in the
4 adopted transportation plan if reasonable addi-
5 tional resources beyond those identified in the
6 financial plan were available. For the purpose
7 of developing the transportation plan, the met-
8 ropolitan planning organization, transit oper-
9 ator, and State shall cooperatively develop esti-
10 mates of funds that will be available to support
11 plan implementation.

12 “(C) Operational and management strate-
13 gies to improve the performance of existing
14 transportation facilities to relieve vehicular con-
15 gestion and maximize the safety and mobility of
16 people and goods.

17 “(D) Capital investment and other strate-
18 gies to preserve the existing and projected fu-
19 ture metropolitan transportation infrastructure
20 and provide for multimodal capacity increases
21 based on regional priorities and needs.

22 “(E) Proposed transportation and transit
23 enhancement activities.

24 “(3) COORDINATION WITH CLEAN AIR ACT
25 AGENCIES.—In metropolitan areas which are in non-

1 attainment for ozone or carbon monoxide under the
2 Clean Air Act, the metropolitan planning organiza-
3 tion shall coordinate the development of a transpor-
4 tation plan with the process for development of the
5 transportation control measures of the State imple-
6 mentation plan required by the Clean Air Act.

7 “(4) PARTICIPATION BY INTERESTED PAR-
8 TIES.—Before approving a transportation plan, each
9 metropolitan planning organization shall provide citi-
10 zens, affected public agencies, representatives of
11 public transportation employees, freight shippers,
12 providers of freight transportation services, private
13 providers of transportation, representatives of users
14 of public transportation, representatives of users of
15 pedestrian walkways and bicycle transportation fa-
16 cilities, representatives of the disabled, and other in-
17 terested parties with a reasonable opportunity to
18 comment on the transportation plan, in a manner
19 that the Secretary deems appropriate.

20 “(5) PUBLICATION.—A transportation plan in-
21 volving Federal participation shall be published or
22 otherwise made readily available by the metropolitan
23 planning organization for public review and sub-
24 mitted for information purposes to the Governor at

1 such times and in such manner as the Secretary
2 shall establish.

3 “(6) SELECTION OF PROJECTS FROM ILLUS-
4 TRATIVE LIST.—Notwithstanding paragraph (2)(B),
5 a State or metropolitan planning organization shall
6 not be required to select any project from the illus-
7 trative list of additional projects included in the fi-
8 nancial plan under paragraph (2)(B).

9 “(h) METROPOLITAN TIP.—

10 “(1) DEVELOPMENT.—

11 “(A) IN GENERAL.—In cooperation with
12 the State and any affected public transportation
13 operator, the metropolitan planning organiza-
14 tion designated for a metropolitan area shall
15 develop a TIP for the area for which the orga-
16 nization is designated.

17 “(B) OPPORTUNITY FOR COMMENT.—In
18 developing the TIP, the metropolitan planning
19 organization, in cooperation with the State and
20 any affected public transportation operator,
21 shall provide citizens, affected public agencies,
22 representatives of public transportation employ-
23 ees, freight shippers, providers of freight trans-
24 portation services, private providers of transpor-
25 tation, representatives of users of public trans-

1 portation, representatives of the disabled, rep-
2 representatives of users of pedestrian walkways
3 and bicycle facilities, and other interested par-
4 ties with a reasonable opportunity to comment
5 on the proposed TIP.

6 “(C) FUNDING ESTIMATES.—For the pur-
7 pose of developing the TIP, the metropolitan
8 planning organization, public transportation
9 agency, and State shall cooperatively develop
10 estimates of funds that are reasonably expected
11 to be available to support program implementa-
12 tion.

13 “(D) UPDATING AND APPROVAL.—The
14 TIP shall be updated at least once every 4
15 years and shall be approved by the metropolitan
16 planning organization and the Governor.

17 “(2) CONTENTS.—

18 “(A) PRIORITY LIST.—The TIP shall in-
19 clude a priority list of proposed federally sup-
20 ported projects and strategies to be carried out
21 within each 4-year period after the initial adop-
22 tion of the TIP.

23 “(B) FINANCIAL PLAN.—The TIP shall in-
24 clude a financial plan that—

1 “(i) demonstrates how the TIP can be
2 implemented;

3 “(ii) indicates resources from public
4 and private sources that are reasonably ex-
5 pected to be available to carry out the pro-
6 gram;

7 “(iii) identifies innovative financing
8 techniques to finance projects, programs,
9 and strategies; and

10 “(iv) may include, for illustrative pur-
11 poses, additional projects that would be in-
12 cluded in the approved TIP if reasonable
13 additional resources beyond those identi-
14 fied in the financial plan were available.

15 “(C) DESCRIPTIONS.—Each project in the
16 TIP shall include sufficient descriptive material
17 (such as type of work, termini, length, and
18 other similar factors) to identify the project or
19 phase of the project.

20 “(D) CONGESTION RELIEF ACTIVITIES.—
21 The TIP shall include a listing of congestion re-
22 lief activities to be carried out to meet the re-
23 quirements of section 139 of title 23, cat-
24 egorized as either under one or under three
25 congestion relief activities.

1 “(3) INCLUDED PROJECTS.—

2 “(A) PROJECTS UNDER TITLE 23 AND
3 CHAPTER 53.—A TIP developed under this sub-
4 section for a metropolitan area shall include the
5 projects within the area that are proposed for
6 funding under chapter 1 of title 23 and chapter
7 53.

8 “(B) PROJECTS UNDER CHAPTER 2 OF
9 TITLE 23.—All projects proposed for funding
10 under chapter 2 of title 23 shall be identified
11 individually in the TIP.

12 “(C) CONSISTENCY WITH LONG-RANGE
13 TRANSPORTATION PLAN.—Each project shall be
14 consistent with the long-range transportation
15 plan developed under subsection (g) for the
16 area.

17 “(D) REQUIREMENT OF ANTICIPATED
18 FULL FUNDING.—The program shall include a
19 project, or an identified phase of a project, only
20 if full funding can reasonably be anticipated to
21 be available for the project within the time pe-
22 riod contemplated for completion of the project.

23 “(4) NOTICE AND COMMENT.—Before approv-
24 ing a TIP, a metropolitan planning organization, in
25 cooperation with the State and any affected public

1 transportation operator, shall provide citizens, af-
2 fected public agencies, representatives of public
3 transportation employees, freight shippers, providers
4 of freight transportation services, private providers
5 of transportation, representatives of users of public
6 transportation, representatives of the disabled, rep-
7 resentatives of users of pedestrian walkways and bi-
8 cycle facilities, and other interested parties with rea-
9 sonable notice of and an opportunity to comment on
10 the proposed program.

11 “(5) SELECTION OF PROJECTS.—

12 “(A) IN GENERAL.—Except as otherwise
13 provided in subsection (i)(4) and in addition to
14 the TIP development required under paragraph
15 (1), the selection of federally funded projects in
16 metropolitan areas shall be carried out, from
17 the approved TIP—

18 “(i) by—

19 “(I) in the case of projects under
20 title 23, the State; and

21 “(II) in the case of projects
22 under chapter 53, the designated re-
23 cipients of public transportation fund-
24 ing; and

1 “(ii) in cooperation with the metro-
2 politan planning organization.

3 “(B) MODIFICATIONS TO PROJECT PRI-
4 ORITY.—Notwithstanding any other provision of
5 law, action by the Secretary shall not be re-
6 quired to advance a project included in the ap-
7 proved TIP in place of another project in the
8 program.

9 “(6) SELECTION OF PROJECTS FROM ILLUS-
10 TRATIVE LIST.—

11 “(A) NO REQUIRED SELECTION.—Notwith-
12 standing paragraph (2)(B)(iv), a State or met-
13 ropolitan planning organization shall not be re-
14 quired to select any project from the illustrative
15 list of additional projects included in the finan-
16 cial plan under paragraph (2)(B)(iv).

17 “(B) REQUIRED ACTION BY THE SEC-
18 RETARY.—Action by the Secretary shall be re-
19 quired for a State or metropolitan planning or-
20 ganization to select any project from the illus-
21 trative list of additional projects included in the
22 financial plan under paragraph (2)(B)(iv) for
23 inclusion in an approved TIP.

24 “(7) PUBLICATION.—

1 “(A) PUBLICATION OF TIPS.—A TIP in-
2 volving Federal participation shall be published
3 or otherwise made readily available by the met-
4 ropolitan planning organization for public re-
5 view.

6 “(B) PUBLICATION OF ANNUAL LISTINGS
7 OF PROJECTS.—An annual listing of projects
8 for which Federal funds have been obligated in
9 the preceding year shall be published or other-
10 wise made available by the metropolitan plan-
11 ning organization for public review. The listing
12 shall be consistent with the categories identified
13 in the TIP.

14 “(i) TRANSPORTATION MANAGEMENT AREAS.—

15 “(1) IDENTIFICATION AND DESIGNATION.—

16 “(A) REQUIRED IDENTIFICATION.—The
17 Secretary shall identify as a transportation
18 management area each urbanized area (as de-
19 fined by the Bureau of the Census) with a pop-
20 ulation of over 200,000 individuals.

21 “(B) DESIGNATIONS ON REQUEST.—The
22 Secretary shall designate any additional area as
23 a transportation management area on the re-
24 quest of the Governor and the metropolitan
25 planning organization designated for the area.

1 “(2) TRANSPORTATION PLANS.—In a metropoli-
2 tan planning area serving a transportation manage-
3 ment area, transportation plans shall be based on a
4 continuing and comprehensive transportation plan-
5 ning process carried out by the metropolitan plan-
6 ning organization in cooperation with the State and
7 public transportation operators.

8 “(3) CONGESTION MANAGEMENT PROCESS.—
9 Within a metropolitan planning area serving a trans-
10 portation management area, the transportation plan-
11 ning process under this section shall address conges-
12 tion management through a process that provides
13 for effective management and operation, based on a
14 cooperatively developed and implemented metropoli-
15 tan-wide strategy, of new and existing transportation
16 facilities eligible for funding under title 23 and chap-
17 ter 53 through the use of travel demand reduction
18 and operational management strategies and shall
19 identify a sufficient number of congestion relief ac-
20 tivities under section 139 of title 23 to meet the re-
21 quirements of such section. The Secretary shall es-
22 tablish an appropriate phase-in schedule for compli-
23 ance with the requirements of this section but no
24 sooner than one year after the identification of a
25 transportation management area.

1 “(4) SELECTION OF PROJECTS.—

2 “(A) IN GENERAL.—All federally funded
3 projects carried out within the boundaries of a
4 metropolitan planning area serving a transpor-
5 tation management area under title 23 (exclud-
6 ing projects carried out on the National High-
7 way System and projects carried out under the
8 bridge program or the Interstate maintenance
9 program) or under chapter 53 shall be selected
10 for implementation from the approved TIP by
11 the metropolitan planning organization des-
12 ignated for the area in consultation with the
13 State and any affected public transportation op-
14 erator.

15 “(B) NATIONAL HIGHWAY SYSTEM
16 PROJECTS.—Projects, carried out within the
17 boundaries of a metropolitan planning area
18 serving a transportation management area, on
19 the National Highway System and projects car-
20 ried out within such boundaries under the
21 bridge program or the Interstate maintenance
22 program under title 23 shall be selected for im-
23 plementation from the approved TIP by the
24 State in cooperation with the metropolitan plan-
25 ning organization designated for the area.

1 “(5) CERTIFICATION.—

2 “(A) IN GENERAL.—The Secretary shall—

3 “(i) ensure that the metropolitan
4 planning process of a metropolitan plan-
5 ning organization serving a transportation
6 management area is being carried out in
7 accordance with applicable provisions of
8 Federal law; and

9 “(ii) subject to subparagraph (B), cer-
10 tify, not less often than once every 4 years,
11 that the requirements of this paragraph
12 are met with respect to the metropolitan
13 planning process.

14 “(B) REQUIREMENTS FOR CERTIFI-
15 CATION.—The Secretary may make the certifi-
16 cation under subparagraph (A) if—

17 “(i) the transportation planning proc-
18 ess complies with the requirements of this
19 section and other applicable requirements
20 of Federal law; and

21 “(ii) there is a TIP for the metropoli-
22 tan planning area that has been approved
23 by the metropolitan planning organization
24 and the Governor.

25 “(C) EFFECT OF FAILURE TO CERTIFY.—

1 “(i) WITHHOLDING OF PROJECT
2 FUNDS.—If a metropolitan planning proc-
3 ess of a metropolitan planning organization
4 serving a transportation management area
5 is not certified, the Secretary may withhold
6 up to 20 percent of the funds attributable
7 to the metropolitan planning area of the
8 metropolitan planning organization for
9 projects funded under title 23 and chapter
10 53.

11 “(ii) RESTORATION OF WITHHELD
12 FUNDS.—The withheld funds shall be re-
13 stored to the metropolitan planning area at
14 such time as the metropolitan planning
15 process is certified by the Secretary.

16 “(D) REVIEW OF CERTIFICATION.—In
17 making certification determinations under this
18 paragraph, the Secretary shall provide for pub-
19 lic involvement appropriate to the metropolitan
20 area under review.

21 “(j) ABBREVIATED PLANS FOR CERTAIN AREAS.—

22 “(1) IN GENERAL.—Subject to paragraph (2),
23 in the case of a metropolitan area not designated as
24 a transportation management area under this sec-
25 tion, the Secretary may provide for the development

1 of an abbreviated transportation plan and TIP for
2 the metropolitan planning area that the Secretary
3 determines is appropriate to achieve the purposes of
4 this section, taking into account the complexity of
5 transportation problems in the area.

6 “(2) NONATTAINMENT AREAS.—The Secretary
7 may not permit abbreviated plans or TIPs for a
8 metropolitan area that is in nonattainment for ozone
9 or carbon monoxide under the Clean Air Act (42
10 U.S.C. 7401 et seq.).

11 “(k) ADDITIONAL REQUIREMENTS FOR CERTAIN
12 NONATTAINMENT AREAS.—

13 “(1) IN GENERAL.—Notwithstanding any other
14 provisions of title 23 or chapter 53, for transpor-
15 tation management areas classified as nonattain-
16 ment for ozone or carbon monoxide pursuant to the
17 Clean Air Act, Federal funds may not be advanced
18 in such area for any highway project that will result
19 in a significant increase in the carrying capacity for
20 single-occupant vehicles unless the project is ad-
21 dressed through a congestion management process.

22 “(2) APPLICABILITY.—This subsection applies
23 to a nonattainment area within the metropolitan
24 planning area boundaries determined under sub-
25 section (c).

1 “(l) LIMITATION ON STATUTORY CONSTRUCTION.—
2 Nothing in this section shall be construed to confer on
3 a metropolitan planning organization the authority to im-
4 pose legal requirements on any transportation facility,
5 provider, or project not eligible under title 23 or chapter
6 53.

7 “(m) FUNDING.—

8 “(1) SET-ASIDES.—Funds set aside under sec-
9 tion 104(f) of title 23 or section 5305(h) shall be
10 available to carry out this section.

11 “(2) OTHER FUNDING.—Funds made available
12 under section 5338(c) shall be available to carry out
13 this section.

14 “(n) CONTINUATION OF CURRENT REVIEW PRAC-
15 TICE.—Since plans and TIPs described in this section are
16 subject to a reasonable opportunity for public comment,
17 individual projects included in plans and TIPs are subject
18 to review under the National Environmental Policy Act of
19 1969 (42 U.S.C. 4321 et seq.), and decisions by the Sec-
20 retary concerning plans and TIPs described in this section
21 have not been reviewed under such Act as of January 1,
22 1997, any decision by the Secretary concerning a plan or
23 TIP described in this section shall not be considered to
24 be a Federal action subject to review under such Act.

1 **“§ 5214. Statewide transportation planning**

2 “(a) GENERAL REQUIREMENTS.—

3 “(1) DEVELOPMENT OF PLANS AND PRO-
4 GRAMS.—To accomplish the objectives stated in sec-
5 tion 5211, each State shall develop a statewide
6 transportation plan and a statewide transportation
7 improvement program for all areas of the State sub-
8 ject to section 5213. Such program shall cover a pe-
9 riod of 4 years and be updated every 4 years or
10 more frequently if the Governor elects to update
11 more frequently.

12 “(2) CONTENTS.—The statewide transportation
13 plan and the transportation improvement program
14 developed for each State shall provide for the devel-
15 opment and integrated management and operation
16 of transportation systems and facilities (including
17 accessible pedestrian walkways and bicycle transpor-
18 tation facilities) that will function as an intermodal
19 transportation system for the State and an integral
20 part of an intermodal transportation system for the
21 United States.

22 “(3) PROCESS OF DEVELOPMENT.—The process
23 for developing the statewide plan and the transpor-
24 tation improvement program shall provide for con-
25 sideration of all modes of transportation and the
26 policies stated in section 5211, and shall be con-

1 tinuing, cooperative, and comprehensive to the de-
2 gree appropriate, based on the complexity of the
3 transportation problems to be addressed.

4 “(b) COORDINATION WITH METROPOLITAN PLAN-
5 NING; STATE IMPLEMENTATION PLAN.—A State shall—

6 “(1) coordinate planning carried out under this
7 section with the transportation planning activities
8 carried out under section 5213 for metropolitan
9 areas of the State and with statewide trade and eco-
10 nomic development planning activities and related
11 multistate planning efforts; and

12 “(2) develop the transportation portion of the
13 State implementation plan as required by the Clean
14 Air Act (42 U.S.C. 7401 et seq.).

15 “(c) INTERSTATE AGREEMENTS.—

16 “(1) IN GENERAL.—The consent of Congress is
17 granted to 2 or more States entering into agree-
18 ments or compacts, not in conflict with any law of
19 the United States, for cooperative efforts and mu-
20 tual assistance in support of activities authorized
21 under this section related to interstate areas and lo-
22 calities in the States and establishing authorities the
23 States consider desirable for making the agreements
24 and compacts effective.

1 “(2) RESERVATION OF RIGHTS.—The right to
2 alter, amend or repeal interstate compacts entered
3 into under this subsection is expressly reserved.

4 “(d) SCOPE OF PLANNING PROCESS.—

5 “(1) IN GENERAL.—Each State shall carry out
6 a statewide transportation planning process that
7 provides for consideration and implementation of
8 projects, strategies, and services that will—

9 “(A) support the economic vitality of the
10 United States, the States, nonmetropolitan
11 areas, and metropolitan areas, especially by en-
12 abling global competitiveness, productivity, and
13 efficiency;

14 “(B) increase the safety and security of
15 the transportation system for motorized and
16 nonmotorized users;

17 “(C) increase the accessibility and mobility
18 of people and freight;

19 “(D) protect and enhance the environment,
20 promote energy conservation, improve the qual-
21 ity of life, and promote consistency between
22 transportation improvements and State and
23 local planned growth and economic development
24 patterns;

1 “(E) enhance the integration and
2 connectivity of the transportation system,
3 across and between modes throughout the
4 State, for people and freight;

5 “(F) promote efficient system management
6 and operation; and

7 “(G) emphasize the preservation of the ex-
8 isting transportation system.

9 “(2) FAILURE TO CONSIDER FACTORS.—The
10 failure to consider any factor specified in paragraph
11 (1) shall not be reviewable by any court under title
12 23 or this title, subchapter II of chapter 5 of title
13 5, or chapter 7 of title 5 in any matter affecting a
14 statewide transportation plan, the transportation im-
15 provement program, a project or strategy, or the
16 certification of a planning process.

17 “(e) ADDITIONAL REQUIREMENTS.—In carrying out
18 planning under this section, each State shall consider, at
19 a minimum—

20 “(1) with respect to nonmetropolitan areas, the
21 concerns of affected local officials with responsibility
22 for transportation;

23 “(2) the concerns of Indian tribal governments
24 and Federal land management agencies that have

1 jurisdiction over land within the boundaries of the
2 State; and

3 “(3) coordination of transportation plans, the
4 transportation improvement program, and planning
5 activities with related planning activities being car-
6 ried out outside of metropolitan planning areas and
7 between States.

8 “(f) LONG-RANGE STATEWIDE TRANSPORTATION
9 PLAN.—

10 “(1) DEVELOPMENT.—Each State shall develop
11 a long-range statewide transportation plan, with a
12 minimum 20-year forecast period for all areas of the
13 State, that provides for the development and imple-
14 mentation of the intermodal transportation system
15 of the State.

16 “(2) CONSULTATION WITH GOVERNMENTS.—

17 “(A) METROPOLITAN AREAS.—The state-
18 wide transportation plan shall be developed for
19 each metropolitan area in the State in coopera-
20 tion with the metropolitan planning organiza-
21 tion designated for the metropolitan area under
22 section 5213.

23 “(B) NONMETROPOLITAN AREAS.—With
24 respect to nonmetropolitan areas, the statewide
25 transportation plan shall be developed in con-

1 sultation with affected nonmetropolitan officials
2 with responsibility for transportation. The Sec-
3 retary shall not review or approve the consulta-
4 tion process in each State.

5 “(C) INDIAN TRIBAL AREAS.—With respect
6 to each area of the State under the jurisdiction
7 of an Indian tribal government, the statewide
8 transportation plan shall be developed in con-
9 sultation with the tribal government and the
10 Secretary of the Interior.

11 “(3) PARTICIPATION BY INTERESTED PAR-
12 TIES.—In developing the statewide transportation
13 plan, the State shall—

14 “(A) provide citizens, affected public agen-
15 cies, representatives of public transportation
16 employees, freight shippers, private providers of
17 transportation, representatives of users of pub-
18 lic transportation, representatives of users of
19 pedestrian walkways and bicycle transportation
20 facilities, representatives of the disabled, pro-
21 viders of freight transportation services, and
22 other interested parties with a reasonable op-
23 portunity to comment on the proposed plan;
24 and

1 “(B) identify transportation strategies nec-
2 essary to efficiently serve the mobility needs of
3 people.

4 “(4) FINANCIAL PLAN.—The statewide trans-
5 portation plan may include a financial plan that
6 demonstrates how the adopted statewide transpor-
7 tation plan can be implemented, indicates resources
8 from public and private sources that are reasonably
9 expected to be made available to carry out the plan,
10 and recommends any additional financing strategies
11 for needed projects and programs. The financial
12 plan may include, for illustrative purposes, addi-
13 tional projects that would be included in the adopted
14 statewide transportation plan if reasonable addi-
15 tional resources beyond those identified in the finan-
16 cial plan were available.

17 “(5) SELECTION OF PROJECTS FROM ILLUS-
18 TRATIVE LIST.—A State shall not be required to se-
19 lect any project from the illustrative list of addi-
20 tional projects included in the financial plan de-
21 scribed in paragraph (4).

22 “(6) EXISTING SYSTEM.—The statewide trans-
23 portation plan should include capital, operations and
24 management strategies, investments, procedures,
25 and other measures to ensure the preservation and

1 most efficient use of the existing transportation sys-
2 tem.

3 “(g) STATEWIDE TRANSPORTATION IMPROVEMENT
4 PROGRAM.—

5 “(1) DEVELOPMENT.—Each State shall develop
6 a statewide transportation improvement program for
7 all areas of the State.

8 “(2) CONSULTATION WITH GOVERNMENTS.—

9 “(A) METROPOLITAN AREAS.—With re-
10 spect to each metropolitan area in the State,
11 the program shall be developed in cooperation
12 with the metropolitan planning organization
13 designated for the metropolitan area under sec-
14 tion 5213.

15 “(B) NONMETROPOLITAN AREAS.—With
16 respect to each nonmetropolitan area in the
17 State, the program shall be developed in con-
18 sultation with affected nonmetropolitan local of-
19 ficials with responsibility for transportation.
20 The Secretary shall not review or approve the
21 specific consultation process in the State.

22 “(C) INDIAN TRIBAL AREAS.—With respect
23 to each area of the State under the jurisdiction
24 of an Indian tribal government, the program

1 shall be developed in consultation with the trib-
2 al government and the Secretary of the Interior.

3 “(3) PARTICIPATION BY INTERESTED PAR-
4 TIES.—In developing the program, the State shall
5 provide citizens, affected public agencies, representa-
6 tives of public transportation employees, freight
7 shippers, private providers of transportation, pro-
8 viders of freight transportation services, representa-
9 tives of users of public transportation, representa-
10 tives of users of pedestrian walkways and bicycle
11 transportation facilities, representatives of the dis-
12 abled, and other interested parties with a reasonable
13 opportunity to comment on the proposed program.

14 “(4) INCLUDED PROJECTS.—

15 “(A) IN GENERAL.—A transportation im-
16 provement program developed under this sub-
17 section for a State shall include federally sup-
18 ported surface transportation expenditures
19 within the boundaries of the State.

20 “(B) PROJECTS UNDER CHAPTER 2 OF
21 TITLE 23.—All projects proposed for funding
22 under chapter 2 of title 23 shall be identified
23 individually in the transportation improvement
24 program.

1 “(C) CONSISTENCY WITH STATEWIDE
2 TRANSPORTATION PLAN.—Each project shall
3 be—

4 “(i) consistent with the statewide
5 transportation plan developed under this
6 section for the State;

7 “(ii) identical to the project or phase
8 of the project as described in an approved
9 metropolitan transportation plan; and

10 “(iii) in conformance with the applica-
11 ble State air quality implementation plan
12 developed under the Clean Air Act (42
13 U.S.C. 7401 et seq.), if the project is car-
14 ried out in an area designated as non-
15 attainment for ozone or carbon monoxide
16 under that Act.

17 “(D) REQUIREMENT OF ANTICIPATED
18 FULL FUNDING.—The transportation improve-
19 ment program shall include a project, or an
20 identified phase of a project, only if full funding
21 can reasonably be anticipated to be available for
22 the project within the time period contemplated
23 for completion of the project.

24 “(E) FINANCIAL PLAN.—The transpor-
25 tation improvement program may include a fi-

1 nancial plan that demonstrates how the ap-
2 proved transportation improvement program
3 can be implemented, indicates resources from
4 public and private sources that are reasonably
5 expected to be made available to carry out the
6 transportation improvement program, and rec-
7 ommends any additional financing strategies for
8 needed projects and programs. The financial
9 plan may include, for illustrative purposes, ad-
10 ditional projects that would be included in the
11 adopted transportation plan if reasonable addi-
12 tional resources beyond those identified in the
13 financial plan were available.

14 “(F) SELECTION OF PROJECTS FROM IL-
15 LUSTRATIVE LIST.—

16 “(i) NO REQUIRED SELECTION.—Not-
17 withstanding subparagraph (E), a State
18 shall not be required to select any project
19 from the illustrative list of additional
20 projects included in the financial plan
21 under subparagraph (E).

22 “(ii) REQUIRED ACTION BY THE SEC-
23 RETARY.—Action by the Secretary shall be
24 required for a State to select any project
25 from the illustrative list of additional

1 projects included in the financial plan
2 under subparagraph (E) for inclusion in an
3 approved transportation improvement pro-
4 gram.

5 “(G) PRIORITIES.—The transportation im-
6 provement program shall reflect the priorities
7 for programming and expenditures of funds, in-
8 cluding transportation enhancement activities,
9 required by title 23 and chapter 53.

10 “(H) PRIORITIZATION OF CONGESTION RE-
11 LIEF ACTIVITIES.—The transportation improve-
12 ment program shall reflect the priorities for
13 congestion relief activities included in the met-
14 ropolitan transportation plan to meet the re-
15 quirements of section 139 of title 23.

16 “(5) PROJECT SELECTION FOR AREAS OF LESS
17 THAN 50,000 POPULATION.—Projects carried out in
18 areas with populations of less than 50,000 individ-
19 uals shall be selected, from the approved transpor-
20 tation improvement program (excluding projects car-
21 ried out on the National Highway System and
22 projects carried out under the bridge program or the
23 Interstate maintenance program under title 23 or
24 sections 5310, 5311, 5316, and 5317), by the State
25 in cooperation with the affected nonmetropolitan

1 local officials with responsibility for transportation.
2 Projects carried out in areas with populations of less
3 than 50,000 individuals on the National Highway
4 System or under the bridge program or the Inter-
5 state maintenance program under title 23 or under
6 sections 5310, 5311, 5316, and 5317 shall be se-
7 lected, from the approved statewide transportation
8 improvement program, by the State in consultation
9 with the affected nonmetropolitan local officials with
10 responsibility for transportation.

11 “(6) TRANSPORTATION IMPROVEMENT PRO-
12 GRAM APPROVAL.—Every 4 years, a transportation
13 improvement program developed under this sub-
14 section shall be reviewed and approved by the Sec-
15 retary if based on a current planning finding.

16 “(7) PLANNING FINDING.—A finding shall be
17 made by the Secretary at least every 4 years that
18 the transportation planning process through which
19 statewide transportation plans and programs are de-
20 veloped is consistent with this section and section
21 5213.

22 “(8) MODIFICATIONS TO PROJECT PRIORITY.—
23 Notwithstanding any other provision of law, action
24 by the Secretary shall not be required to advance a
25 project included in the approved transportation im-

1 provement program in place of another project in
2 the program.

3 “(h) FUNDING.—

4 “(1) SET-ASIDE.—Funds set aside pursuant to
5 section 104(i) of title 23 shall be available to carry
6 out this section.

7 “(2) OTHER FUNDING.—Funds made available
8 under section 5338(c) shall be available to carry out
9 this section.

10 “(i) TREATMENT OF CERTAIN STATE LAWS AS CON-
11 GESTION MANAGEMENT PROCESSES.—For purposes of
12 this section and section 5213, State laws, rules, or regula-
13 tions pertaining to congestion management systems or
14 programs may constitute the congestion management
15 process under section 5213(i)(3) if the Secretary finds
16 that the State laws, rules, or regulations are consistent
17 with, and fulfill the intent of, the purposes of section
18 5213, as appropriate.

19 “(j) CONTINUATION OF CURRENT REVIEW PRAC-
20 TICE.—Since the statewide transportation plan and the
21 transportation improvement program described in this sec-
22 tion are subject to a reasonable opportunity for public
23 comment, since individual projects included in the state-
24 wide transportation plans and the transportation improve-
25 ment program are subject to review under the National

1 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
 2 seq.), and since decisions by the Secretary concerning
 3 statewide transportation plans or the transportation im-
 4 provement program described in this section have not been
 5 reviewed under such Act as of January 1, 1997, any deci-
 6 sion by the Secretary concerning a metropolitan or state-
 7 wide transportation plan or the transportation improve-
 8 ment program described in this section shall not be consid-
 9 ered to be a Federal action subject to review under such
 10 Act.”.

11 (b) CONFORMING AMENDMENT.—The analysis for
 12 such subtitle is amended by inserting the following after
 13 the item relating to chapter 51:

“52. TRANSPORTATION PLANNING AND PROJECT 5201”.
 DELIVERY.

14 (c) REGULATIONS.—Not later than 18 months after
 15 the date of enactment of this Act, the Secretary shall pro-
 16 mulgate regulations that are consistent with the amend-
 17 ments made by this section relating to the Clean Air Act.

18 **SEC. 6002. EFFICIENT ENVIRONMENTAL REVIEWS FOR**
 19 **PROJECT DECISIONMAKING.**

20 (a) POLICY AND PURPOSE.—

21 (1) POLICY.—The Enlibra principles, as ini-
 22 tially developed by the Western Governors Associa-
 23 tion and adopted by the National Governors Associa-
 24 tion, represent a sound basis for interaction among

1 the Federal, State, local governments, and Indian
2 tribes on environmental matters and should be fol-
3 lowed in the development of highway construction
4 and public transit improvements. These principles
5 are as follows:

6 (A) Assign responsibilities at the right
7 level.

8 (B) Use collaborative processes to break
9 down barriers and find solutions.

10 (C) Move to a performance-based system.

11 (D) Separate subjective choices from objec-
12 tive data gathering.

13 (E) Pursue economic incentives whenever
14 appropriate.

15 (F) Ensure environmental understanding.

16 (G) Make sure environmental decisions are
17 fully informed.

18 (H) Use appropriate geographic bound-
19 aries for environmental problems.

20 (2) PURPOSE.—The purpose of this section is
21 to reduce delays in the delivery of highway construc-
22 tion and public transportation capital projects aris-
23 ing from the environmental review process, while
24 continuing to ensure the protection of the human
25 and natural environment.

1 (b) PROJECT DEVELOPMENT PROCEDURES.—Chap-
2 ter 52 of title 49, United States Code, as added by section
3 6001 of this Act, is amended by adding at the end the
4 following:

5 “SUBCHAPTER C—EFFICIENT ENVIRON-
6 MENTAL REVIEWS FOR PROJECT DECISION-
7 MAKING

8 **“§ 5251. Definitions and applicability**

9 “(a) DEFINITIONS.—In this section, the following
10 definitions apply:

11 “(1) AGENCY.—The term ‘agency’ means any
12 agency, department, or other unit of Federal, State,
13 local, or Indian tribal government.

14 “(2) ENVIRONMENTAL IMPACT STATEMENT.—
15 The term ‘environmental impact statement’ means
16 the detailed statement of environmental impacts re-
17 quired to be prepared under the National Environ-
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

19 “(3) ENVIRONMENTAL REVIEW PROCESS.—

20 “(A) IN GENERAL.—The term ‘environ-
21 mental review process’ means the process for
22 preparing for a project an environmental impact
23 statement, environmental assessment, categor-
24 ical exclusion, or other document prepared

1 under the National Environmental Policy Act of
2 1969 (42 U.S.C. 4321 et seq.).

3 “(B) INCLUSIONS.—The term includes the
4 process for and completion of any environ-
5 mental permit, approval, review, or study re-
6 quired for a project under any Federal law
7 other than the National Environmental Policy
8 Act of 1969 (42 U.S.C. 4321 et seq.).

9 “(4) LEAD AGENCY.—The term ‘lead agency’
10 means the Department of Transportation and, if ap-
11 plicable, any State or local governmental entity serv-
12 ing as a joint lead agency pursuant to this section.

13 “(5) MULTIMODAL PROJECT.—The term
14 ‘multimodal project’ means a project funded, in
15 whole or in part, under title 23 or chapter 53 and
16 involving the participation of more than one Depart-
17 ment of Transportation administration or agency.

18 “(6) PROJECT.—The term ‘project’ means any
19 highway project, public transportation capital
20 project, or multimodal project that requires the ap-
21 proval of the Secretary.

22 “(7) PROJECT SPONSOR.—The term ‘project
23 sponsor’ means the agency or other entity, including
24 any private or public-private entity, that seeks ap-
25 proval of the Secretary for a project.

1 “(8) STATE TRANSPORTATION DEPARTMENT.—

2 The term ‘State transportation department’ means
3 any statewide agency of a State with responsibility
4 for one or more modes of transportation.

5 “(b) APPLICABILITY.—This subchapter is applicable
6 to all projects for which an environmental impact state-
7 ment is prepared under the National Environmental Pol-
8 icy Act of 1969 (42 U.S.C. 4321 et seq.). This subchapter
9 may be applied, to the extent determined appropriate by
10 the Secretary, to other projects for which an environ-
11 mental document is prepared pursuant to such Act. Any
12 authorities granted in this subchapter may be exercised
13 for a project, class of projects, or program of projects.

14 **“§ 5252. Project development procedures**

15 “(a) LEAD AGENCIES.—

16 “(1) FEDERAL LEAD AGENCY.—The Depart-
17 ment of Transportation shall be the Federal lead
18 agency in the environmental review process for a
19 project.

20 “(2) PROJECT SPONSOR AS JOINT LEAD AGEN-
21 CY.—Any project sponsor that is a State or local
22 governmental entity receiving funds under title 23 or
23 chapter 53 for the project shall serve as a joint lead
24 agency with the Department for purposes of pre-
25 paring any environmental document under the Na-

1 tional Environmental Policy Act of 1969 (42 U.S.C.
2 4321 et seq.) and may prepare any such environ-
3 mental document required in support of any action
4 or approval by the Secretary if the Federal lead
5 agency furnishes guidance in such preparation and
6 independently evaluates such document and the doc-
7 ument is approved and adopted by the Secretary
8 prior to the Secretary taking any subsequent action
9 or making any approval based on such document,
10 whether or not the Secretary's action or approval re-
11 sults in Federal funding.

12 “(3) ENSURING COMPLIANCE.—The Secretary
13 shall ensure that the project sponsor complies with
14 all design and mitigation commitments made jointly
15 by the Secretary and the project sponsor in any en-
16 vironmental document prepared by the project spon-
17 sor in accordance with this subsection and that such
18 document is appropriately supplemented if project
19 changes become necessary.

20 “(4) ADOPTION AND USE OF DOCUMENTS.—
21 Any environmental document prepared in accordance
22 with this subsection may be adopted or used by any
23 Federal agency making any approval to the same ex-
24 tent that such Federal agency could adopt or use a
25 document prepared by another Federal agency.

1 “(b) PARTICIPATING AGENCIES.—

2 “(1) IN GENERAL.—The lead agency shall be
3 responsible for inviting and designating participating
4 agencies in accordance with this subsection.

5 “(2) INVITATION.—The lead agency shall iden-
6 tify, as early as practicable in the environmental re-
7 view process for a project, any other Federal and
8 non-Federal agencies that may have an interest in
9 the project, and shall invite such agencies to become
10 participating agencies in the environmental review
11 process for the project. The invitation shall set a
12 deadline for responses to be submitted. The deadline
13 may be extended by the lead agency for good cause.

14 “(3) FEDERAL PARTICIPATING AGENCIES.—Any
15 Federal agency that is invited by the lead agency to
16 participate in the environmental review process for a
17 project shall be designated as a participating agency
18 by the lead agency unless the invited agency informs
19 the lead agency, in writing, by the deadline specified
20 in the invitation that the invited agency—

21 “(A) has no jurisdiction or authority with
22 respect to the project;

23 “(B) has no expertise or information rel-
24 evant to the project; and

1 “(C) does not intend to submit comments
2 on the project.

3 “(4) EFFECT OF DESIGNATION.—Designation
4 as a participating agency under this subsection shall
5 not imply that the participating agency—

6 “(A) supports a proposed project; or

7 “(B) has any jurisdiction over, or special
8 expertise with respect to evaluation of, the
9 project.

10 “(5) COOPERATING AGENCY.—A participating
11 agency may also be designated by a lead agency as
12 a ‘cooperating agency’ under the regulations con-
13 tained in part 1500 of title 40, Code of Federal Reg-
14 ulations.

15 “(6) DESIGNATIONS FOR CATEGORIES OF
16 PROJECTS.—The Secretary may exercise the authori-
17 ties granted under this subsection for a project,
18 class of projects, or program of projects.

19 “(c) PROJECT INITIATION.—

20 “(1) IN GENERAL.—The project sponsor shall
21 initiate the environmental review process for a
22 project by submitting an initiation notice to the Sec-
23 retary.

24 “(2) CONTENTS OF NOTICE.—The initiation no-
25 tice shall include, at a minimum, a brief description

1 of the type of work, termini, length, and general lo-
2 cation of the proposed project, together with a state-
3 ment of any Federal approvals anticipated to be
4 needed for the project.

5 “(d) PURPOSE AND NEED.—

6 “(1) PARTICIPATION.—As early as practicable
7 during the environmental review process, the lead
8 agency shall provide an opportunity for involvement
9 by participating agencies and the public in defining
10 the purpose and need for a project.

11 “(2) DEFINITION.—Following participation
12 under paragraph (1), the lead agency shall define
13 the project’s purpose and need for purposes of any
14 document which the lead agency is responsible for
15 preparing for the project.

16 “(3) OBJECTIVES.—The statement of purpose
17 and need shall include a clear statement of the ob-
18 jectives that the proposed action is intended to
19 achieve, which may include—

20 “(A) achieving a transportation objective
21 identified in an applicable statewide or metro-
22 politan transportation plan;

23 “(B) supporting land use, economic devel-
24 opment, or growth objectives established in ap-

1 plicable Federal, State, local, or tribal plans;
2 and

3 “(C) serving national defense, national se-
4 curity, or other national objectives, as estab-
5 lished in Federal laws, plans, or policies.

6 “(e) ALTERNATIVES ANALYSIS.—

7 “(1) PARTICIPATION.—As early as practicable
8 during the environmental review process, the lead
9 agency shall provide an opportunity for involvement
10 by participating agencies and the public in deter-
11 mining the range of alternatives to be considered for
12 a project.

13 “(2) RANGE OF ALTERNATIVES.—Following
14 participation under paragraph (1), the lead agency
15 shall determine the range of alternatives for consid-
16 eration in any document which the lead agency is re-
17 sponsible for preparing for the project.

18 “(3) METHODOLOGIES.—The lead agency also
19 shall determine, in collaboration with participating
20 agencies at appropriate times during the study proc-
21 ess, the methodologies to be used and the level of de-
22 tail required in the analysis of each alternative for
23 a project.

24 “(4) PREFERRED ALTERNATIVE.—At the dis-
25 cretion of the lead agency, the preferred alternative

1 for a project, after being identified, may be devel-
2 oped to a higher level of detail than other alter-
3 natives in order to facilitate the development of miti-
4 gation measures or concurrent compliance with other
5 applicable laws if the lead agency determines that
6 the development of such higher level of detail will
7 not prevent the lead agency from making an impar-
8 tial decision as to whether to accept another alter-
9 native which is being considered in the environ-
10 mental review process.

11 “(f) COMMENT DEADLINES.—The lead agency shall
12 establish the following deadlines for comment during the
13 environmental review process for a project:

14 “(1) For comments by agencies and the public
15 on a draft environmental impact statement, a period
16 of no more than 60 days from the date of public
17 availability of such document, unless—

18 “(A) a different deadline is established by
19 agreement of the lead agency, the project spon-
20 sor, and all participating agencies; or

21 “(B) the deadline is extended by the lead
22 agency for good cause.

23 “(2) For all other comment periods established
24 by the lead agency for agency or public comments in
25 the environmental review process, a period of no

1 more than 30 days from availability of the materials
2 on which comment is requested, unless—

3 “(A) a different deadline is established by
4 agreement of the lead agency, the project spon-
5 sor, and all participating agencies; or

6 “(B) the deadline is extended by the lead
7 agency for good cause.

8 “(g) ISSUE IDENTIFICATION AND RESOLUTION.—

9 “(1) COOPERATION.—The lead agency and the
10 participating agencies shall work cooperatively in ac-
11 cordance with this section to identify and resolve
12 issues that could delay completion of the environ-
13 mental review process or could result in denial of
14 any approvals required for the project under applica-
15 ble laws.

16 “(2) LEAD AGENCY RESPONSIBILITIES.—The
17 lead agency shall make information available to the
18 participating agencies as early as practicable in the
19 environmental review process regarding the environ-
20 mental and socioeconomic resources located within
21 the project area and the general locations of the al-
22 ternatives under consideration. Such information
23 may be based on existing data sources, including ge-
24 ographic information systems mapping.

1 “(3) PARTICIPATING AGENCY RESPONSIBIL-
2 ITIES.—Based on information received from the lead
3 agency, participating agencies shall identify, as early
4 as practicable, any issues of concern regarding the
5 project’s potential environmental or socioeconomic
6 impacts. In this paragraph, issues of concern include
7 any issues that could substantially delay or prevent
8 an agency from granting a permit or other approval
9 that is needed for the project.

10 “(4) ISSUE RESOLUTION.—Whenever issues of
11 concern are identified or at any time upon request
12 of a project sponsor, the lead agency shall promptly
13 convene a meeting with the relevant participating
14 agencies. If a resolution cannot be achieved within
15 30 days following such a meeting and a determina-
16 tion by the lead agency that all information nec-
17 essary to resolve the issue has been obtained, the
18 lead agency shall notify the heads of all Federal
19 agencies involved in the meeting and the Committee
20 on Environment and Public Works of the Senate
21 and the Committee on Transportation and Infra-
22 structure of the House of Representatives and shall
23 publish such notification in the Federal Register.

24 “(h) PARTICIPATION OF STATE AGENCIES.—For any
25 project eligible for assistance under title 23 or chapter 53,

1 a State may require, under procedures established by
2 State law, that all State agencies that have jurisdiction
3 by State or Federal law over environmental-related issues
4 that may be affected by the project, or that are required
5 to issue any environmental-related reviews, analyses, opin-
6 ions, or determinations on issuing any permits, licenses,
7 or approvals for the project, be subject to the coordinated
8 environmental review process established under this sec-
9 tion unless the Secretary determines that a State agency's
10 participation would not be in the public interest. A State
11 participating in the review process must require all State
12 agencies with jurisdiction to be subject to and comply with
13 the review process to the same extent as a Federal agency.

14 “(i) ASSISTANCE TO AFFECTED STATE AND FED-
15 ERAL AGENCIES.—

16 “(1) IN GENERAL.—For a project that is sub-
17 ject to the environmental review process established
18 under this section and for which funds are made
19 available to a State under title 23 or chapter 53, the
20 Secretary may approve a request by the State to
21 provide funds so made available to affected Federal
22 agencies (including the Department of Transpor-
23 tation), State agencies, and Indian tribes partici-
24 pating in the environmental review process for the
25 project. Such funds may be provided only to support

1 activities that directly and meaningfully contribute
2 to expediting and improving transportation project
3 planning and delivery. Such activities may include
4 dedicated staffing, training of agency personnel, in-
5 formation gathering and mapping, and development
6 of programmatic agreements. The Secretary may
7 also use funds made available under section 204 of
8 title 23 for a project for the purposes specified in
9 this subsection with respect to the environmental re-
10 view process for the project.

11 “(2) AMOUNTS.—Requests under paragraph (1)
12 may be approved only for the additional amounts
13 that the Secretary determines are necessary for the
14 Federal agencies, State agencies, or Indian tribes
15 participating in the environmental review process to
16 meet the time limits for environmental review.

17 “(3) CONDITION.—A request under paragraph
18 (1) to expedite time limits for environmental review
19 may be approved only if such time limits are less
20 than the customary time necessary for such review.

21 “(j) JUDICIAL REVIEW AND SAVINGS CLAUSE.—

22 “(1) JUDICIAL REVIEW.—Except as set forth
23 under subsection (k), nothing in this section shall af-
24 fect the reviewability of any final Federal agency ac-
25 tion in a court of the United States.

1 “(2) SAVINGS CLAUSE.—Nothing in this section
2 shall be construed as superseding, amending, or
3 modifying the National Environmental Policy Act of
4 1969 (42 U.S.C. 4321 et seq.) or any other Federal
5 environmental statute or affect the responsibility of
6 any Federal officer to comply with or enforce any
7 such statute.

8 “(3) LIMITATIONS.—Nothing in this section
9 shall preempt or interfere with—

10 “(A) any practice of seeking, considering,
11 or responding to public comment; or

12 “(B) any power, jurisdiction, responsibility,
13 or authority that a Federal, State, or local gov-
14 ernment agency, metropolitan planning organi-
15 zation, Indian tribe, or project sponsor has with
16 respect to carrying out a project or any other
17 provisions of law applicable to projects, plans,
18 or programs.

19 “(k) LIMITATIONS ON CLAIMS.—

20 “(1) IN GENERAL.—Notwithstanding any other
21 provision of law, a claim arising under Federal law
22 seeking judicial review of a permit, license, or ap-
23 proval issued by a Federal agency for a highway or
24 public transportation capital project shall be barred
25 unless it is filed within 90 days after the permit, li-

1 cense, or approval is final pursuant to the law under
2 which the agency action is taken, unless a shorter
3 time is specified in the Federal law pursuant to
4 which judicial review is allowed. Nothing in this sub-
5 section shall create a right to judicial review or place
6 any limit on filing a claim that a person has violated
7 the terms of a permit, license, or approval.

8 “(2) NEW INFORMATION.—The Secretary shall
9 consider new information received after the close of
10 a comment period if the information satisfies the re-
11 quirements for a supplemental environmental impact
12 statement under section 771.130 of title 23, Code of
13 Federal Regulations. The preparation of a supple-
14 mental environmental impact statement when re-
15 quired shall be considered a separate final agency
16 action and the deadline for filing a claim for judicial
17 review of such action shall be 90 days after the date
18 of such action.”.

19 (c) EXISTING ENVIRONMENTAL REVIEW PROC-
20 ESSES.—Nothing in this section shall be deemed to affect
21 any existing environmental review process approved by the
22 Secretary.

23 **SEC. 6003. POLICY ON HISTORIC SITES.**

24 (a) TITLE 49.—Section 303 of title 49, United States
25 Code, is amended by adding at the end the following:

1 “(d) SPECIAL RULES FOR HISTORIC SITES.—

2 “(1) IN GENERAL.—The requirements of this
3 section are deemed to be satisfied in any case in
4 which the treatment of a historic site has been
5 agreed upon in accordance with section 106 of the
6 National Historic Preservation Act (16 U.S.C. 470f)
7 and the agreement includes a determination that the
8 program or project will not have an adverse effect on
9 the historic site.

10 “(2) LIMITATION ON APPLICABILITY.—This
11 subsection does not apply in any case in which the
12 Advisory Council on Historic Preservation deter-
13 mines, concurrent with or prior to the conclusion of
14 section 106 consultation, that allowing section 106
15 compliance to satisfy the requirements of this sec-
16 tion would be inconsistent with the objectives of the
17 National Historic Preservation Act. The Council
18 shall make such a determination if petitioned to do
19 so by a section 106 consulting party, unless the
20 Council affirmatively finds that the views of the re-
21 questing party have been adequately considered and
22 that section 106 compliance will adequately protect
23 historic properties.

24 “(3) DEFINITIONS.—In this subsection, the fol-
25 lowing definitions apply:

1 “(A) SECTION 106 CONSULTATION.—The
2 term ‘section 106 consultation’ means the con-
3 sultation process required under section 106 of
4 the National Historic Preservation Act (16
5 U.S.C. 470f).

6 “(B) ADVERSE EFFECT.—The term ‘ad-
7 verse effect’ means altering, directly or indi-
8 rectly, any of the characteristics of a historic
9 property that qualify the property for inclusion
10 in the National Register in a manner that
11 would diminish the integrity of the property’s
12 location, design, setting, materials, workman-
13 ship, feeling, or association.”.

14 (b) TITLE 23.—Section 138 of title 23, United States
15 Code is amended—

16 (1) by inserting “(a) POLICY.—” before “It is”;
17 and

18 (2) by striking “In carrying” and inserting the
19 following:

20 “(c) STUDIES.—In carrying”; and

21 (3) by inserting after subsection (a) (as des-
22 ignated by paragraph (1)) the following:

23 “(b) SPECIAL RULES FOR HISTORIC SITES.—

24 “(1) IN GENERAL.—The requirements of this
25 section are deemed to be satisfied in any case in

1 which the treatment of a historic site has been
2 agreed upon in accordance with section 106 of the
3 National Historic Preservation Act (16 U.S.C. 470f)
4 and the agreement includes a determination that the
5 program or project will not have an adverse effect on
6 the historic site.

7 “(2) LIMITATION ON APPLICABILITY.—This
8 subsection does not apply in any case in which the
9 Advisory Council on Historic Preservation deter-
10 mines, concurrent with or prior to the conclusion of
11 section 106 consultation, that allowing section 106
12 compliance to satisfy the requirements of this sec-
13 tion would be inconsistent with the objectives of the
14 National Historic Preservation Act. The Council
15 shall make such a determination if petitioned to do
16 so by a section 106 consulting party, unless the
17 Council affirmatively finds that the views of the re-
18 questing party have been adequately considered and
19 that section 106 compliance will adequately protect
20 historic properties.

21 “(3) DEFINITIONS.—In this subsection, the fol-
22 lowing definitions apply:

23 “(A) SECTION 106 CONSULTATION.—The
24 term ‘section 106 consultation’ means the con-
25 sultation process required under section 106 of

1 the National Historic Preservation Act (16
2 U.S.C. 470f).

3 “(B) ADVERSE EFFECT.—The term ‘ad-
4 verse effect’ means altering, directly or indi-
5 rectly, any of the characteristics of a historic
6 property that qualify the property for inclusion
7 in the National Register in a manner that
8 would diminish the integrity of the property’s
9 location, design, setting, materials, workman-
10 ship, feeling, or association.”.

11 **SEC. 6004. EXEMPTION OF INTERSTATE SYSTEM.**

12 Section 103(c) of title 23, United States Code, is
13 amended by adding at the end the following:

14 “(5) EXEMPTION OF INTERSTATE SYSTEM.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B), the Interstate System shall
17 not be considered to be a historic site under
18 section 303 of title 49 or section 138 of this
19 title, regardless of whether the Interstate Sys-
20 tem or portions of the Interstate System are
21 listed on, or eligible for listing on, the National
22 Register of Historic Places.

23 “(B) INDIVIDUAL ELEMENTS.—Subject to
24 subparagraph (C), a portion of the Interstate
25 System that possesses an independent feature

1 of historic significance (such as a historic
2 bridge or a highly significant engineering fea-
3 ture) that is listed on, or eligible for listing on,
4 the National Register of Historic Places, shall
5 be considered to be a historic site under section
6 303 of title 49 or section 138 of this title, as
7 applicable.

8 “(C) CONSTRUCTION, MAINTENANCE, RES-
9 TORATION, AND REHABILITATION ACTIVITIES.—
10 Subparagraph (B) does not prohibit a State
11 from carrying out construction, maintenance,
12 restoration, or rehabilitation activities for a por-
13 tion of the Interstate System referred to in sub-
14 paragraph (B) upon compliance with section
15 303 of title 49 or section 138 of this title, as
16 applicable, and section 106 of the National His-
17 toric Preservation Act of 1966 (16 U.S.C.
18 470f).”.

19 **TITLE VII—HAZARDOUS**
20 **MATERIALS TRANSPORTATION**

21 **SEC. 7001. AMENDMENT OF TITLE 49, UNITED STATES**
22 **CODE.**

23 Except as otherwise expressly provided, whenever in
24 this title an amendment or repeal is expressed in terms
25 of an amendment to, or a repeal of, a section or other

1 provision, the reference shall be considered to be made to
2 a section or other provision of title 49, United States
3 Code.

4 **SEC. 7002. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress finds with respect to haz-
6 ardous materials transportation that—

7 (1) approximately 4,000,000,000 tons of regu-
8 lated hazardous materials are transported each year
9 and approximately 1,200,000 movements of haz-
10 ardous materials occur each day, according to De-
11 partment of Transportation estimates;

12 (2) the movement of hazardous materials in
13 commerce is necessary to maintain economic vitality
14 and meet consumer demands and must be conducted
15 in a safe and efficient manner;

16 (3) accidents involving, or unauthorized access
17 to, hazardous materials in transportation may result
18 in a release of such materials and pose a serious
19 threat to public health and safety;

20 (4) many States and localities have enacted
21 laws and regulations that vary from Federal laws
22 and regulations pertaining to the transportation of
23 hazardous materials, thereby creating the potential
24 for unreasonable hazards in other jurisdictions and

1 confounding shippers and carriers that attempt to
2 comply with multiple regulatory requirements;

3 (5) because of the potential risks to life, prop-
4 erty, and the environment posed by unintentional re-
5 leases of hazardous materials, consistency in laws
6 and regulations governing the transportation of haz-
7 ardous materials is necessary and desirable;

8 (6) in order to achieve greater uniformity and
9 to promote the public health, welfare, and safety at
10 all levels, Federal standards for regulating the trans-
11 portation of hazardous materials in intrastate, inter-
12 state, and foreign commerce are necessary and desir-
13 able; and

14 (7) in order to provide reasonable, adequate,
15 and cost-effective protection from the risks posed by
16 the transportation of hazardous materials, a network
17 of well-trained State and local emergency response
18 personnel and hazmat employees is essential.

19 (b) PURPOSE.—The text of section 5101 is amended
20 to read as follows: “The purpose of this chapter is to pro-
21 tect against the risks to life, property, and the environ-
22 ment that are inherent in the transportation of hazardous
23 material in intrastate, interstate, and foreign commerce.”.

24 **SEC. 7003. DEFINITIONS.**

25 Section 5102 is amended—

1 (1) in paragraph (1)—

2 (A) by striking “or” at the end of subpara-
3 graph (A);

4 (B) by striking the period at the end of
5 subparagraph (B) and inserting “; or”; and

6 (C) by inserting at the end the following:

7 “(C) on a United States registered air-
8 craft.”;

9 (2) in paragraph (8) by striking “national re-
10 sponse team” each place it appears and inserting
11 “National Response Team”;

12 (3) by redesignating paragraphs (11), (12), and
13 (13) as paragraphs (12), (13), and (14), respec-
14 tively; and

15 (4) by inserting after paragraph (10) the fol-
16 lowing:

17 “(11) ‘Secretary’ means the Secretary of Trans-
18 portation.”.

19 **SEC. 7004. GENERAL REGULATORY AUTHORITY.**

20 (a) **TECHNICAL AMENDMENTS.**—Section 5103(a) is
21 amended—

22 (1) by striking “etiologic agent,” and inserting
23 “infectious substance,”; and

24 (2) by striking “poison,” and inserting “toxic,”.

1 (b) REGULATIONS FOR SAFE TRANSPORTATION.—

2 Section 5103(b)(1)(A) is amended—

3 (1) in clause (i) by striking “transporting” and
4 inserting “that transports”;

5 (2) in clause (ii)—

6 (A) by striking “causing” and inserting
7 “that causes”; and

8 (B) by striking “or” at the end; and

9 (3) by striking clause (iii) and inserting the fol-
10 lowing:

11 “(iii) that designs, manufactures, fab-
12 ricates, inspects, marks, maintains, recondi-
13 tions, repairs, or tests a package or container
14 that is represented, marked, certified, or sold by
15 that person as qualified for use in transporting
16 hazardous material in commerce;

17 “(iv) that prepares or accepts hazardous
18 material for transportation in commerce;

19 “(v) that is responsible for the safety of
20 transporting hazardous material in commerce;

21 “(vi) that certifies compliance with any re-
22 quirement of this chapter; or

23 “(vii) that misrepresents whether the per-
24 son is engaged in any of the activities described
25 in this subparagraph; and”.

1 (c) TECHNICAL AMENDMENT.—Section 5103(b) is
2 amended—

3 (1) by moving subparagraph (C) from the end
4 of paragraph (1) and inserting it after paragraph
5 (2);

6 (2) by redesignating such subparagraph as
7 paragraph (3); and

8 (3) by moving such paragraph (3) 2 ems to the
9 left.

10 **SEC. 7005. CHEMICAL OR BIOLOGICAL MATERIALS.**

11 Section 5103a(c) is amended—

12 (1) in paragraph (2) by striking “this sub-
13 section” and inserting “paragraph (1)”; and

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

15 “(3) STANDARDS.—The Secretary shall pre-
16 scribe by regulation uniform standards (including
17 standards used to disqualify applicants) governing—

18 “(A) the collection by States of back-
19 ground information authorized by paragraph
20 (1);

21 “(B) the collection, transmission, and re-
22 view of background information; and

23 “(C) the notification of an applicant of the
24 results of the background check.

1 “(4) FEES.—A State may impose and collect an
2 appropriate fee to carry out paragraph (1) con-
3 sistent with section 5125(f).

4 “(5) OPERATORS REGISTERED IN MEXICO AND
5 CANADA.—No operator of a commercial motor vehi-
6 cle (as defined in section 31101) licensed in Mexico
7 or Canada may operate in the United States a com-
8 mercial motor vehicle transporting hazardous mate-
9 rial until the operator has undergone a background
10 records check similar to the background records
11 check required of operators of commercial motor ve-
12 hicles licensed in the United States to transport haz-
13 ardous materials.”.

14 **SEC. 7006. REPRESENTATION AND TAMPERING.**

15 (a) REPRESENTATION.—Section 5104(a) is amend-
16 ed—

17 (1) by striking “A person” and inserting “No
18 person”;

19 (2) in paragraph (1) by striking “only if” and
20 all that follows through “meets” and inserting “if it
21 does not conform to”; and

22 (3) in paragraph (2) by striking “only if” and
23 inserting “unless”.

1 (b) TAMPERING.—Section 5104(b) is amended by
2 striking “A person may not” and inserting “No person
3 may”.

4 **SEC. 7007. TECHNICAL AMENDMENTS.**

5 (a) ELIMINATION OF COMPLETED STUDY.—Section
6 5105 is amended—

7 (1) by striking subsection (d); and

8 (2) by redesignating subsection (e) as sub-
9 section (d).

10 (b) CLASSIFICATION OF EXPLOSIVES.—Section
11 5108(a)(1)(B) is amended by striking “class A or B” and
12 inserting “Division 1.1, 1.2, or 1.3”.

13 **SEC. 7008. TRAINING OF CERTAIN EMPLOYEES.**

14 Section 5107 is amended—

15 (1) by redesignating subsections (f) and (g) as
16 subsections (g) and (h);

17 (2) in subsection (g)(2) (as so redesignated) by
18 striking “sections 5106, 5108(a)–(g)(1) and (h), and
19 5109 of this title” and inserting “section 5106”; and

20 (3) by inserting after subsection (e) the fol-
21 lowing:

22 “(f) TRAINING OF CERTAIN EMPLOYEES.—The Sec-
23 retary shall ensure that maintenance-of-way employees
24 and railroad signalmen receive general awareness/famil-

1 iarization training and safety training pursuant to section
2 172.704 of title 49, Code of Federal Regulations.”.

3 **SEC. 7009. REGISTRATION.**

4 (a) **PERSONS REQUIRED TO FILE.**—Section 5108(a)
5 is amended—

6 (1) in paragraph (2)(B) by striking “manufac-
7 turing, fabricating, marking, maintaining, recondi-
8 tioning, repairing, or testing” and inserting “design-
9 ing, manufacturing, fabricating, inspecting, marking,
10 maintaining, reconditioning, repairing, or testing”;
11 and

12 (2) by aligning the left margin of paragraph (4)
13 with the left margin of paragraph (3).

14 (b) **FILING SCHEDULE.**—Section 5108(c) is amend-
15 ed—

16 (1) by striking the subsection heading and in-
17 serting “**FILING SCHEDULE**”; and

18 (2) in paragraph (1)—

19 (A) by striking “must file the first” and
20 inserting “shall file that”;

21 (B) by striking “not later than March 31,
22 1992” and inserting “in accordance with regu-
23 lations issued by the Secretary”; and

24 (C) by striking the second sentence.

25 (c) **FEEES.**—Section 5108(g) is amended—

1 (1) in paragraph (1) by striking “may” and in-
2 serting “shall”;

3 (2) in paragraph (2)(A) by striking “\$5,000”
4 and inserting “\$3,000”; and

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

6 “(3) FEES ON EXEMPT PERSONS.—Notwith-
7 standing subsection (a)(4), the Secretary shall im-
8 pose and collect a fee of \$25 from a person who is
9 required to register under this section but who is
10 otherwise exempted by the Secretary from paying
11 any fee under this section. The fee shall be used to
12 pay the cost of the Secretary in processing registra-
13 tion statements filed by such persons.”.

14 (d) RELATIONSHIP TO OTHER LAWS.—Section
15 5108(i)(2)(B) is amended by inserting “, Indian tribe,”
16 after “State” the first place it appears.

17 (e) HAZMAT REGISTRATION NOTIFICATION.—As
18 soon as practicable, the Administrator of the Research and
19 Special Programs Administration of the Department of
20 Transportation shall transmit to the Federal Motor Car-
21 rier Safety Administration hazardous material registrant
22 information obtained before, on, or after the date of enact-
23 ment of this Act under section 5108 of title 49, United
24 States Code, together with any Department of Transpor-
25 tation identification number for each registrant.

1 **SEC. 7010. PROVIDING SHIPPING PAPERS.**

2 Section 5110 is amended—

3 (1) in subsection (a) by striking “under sub-
4 section (b) of this section” and inserting “by regula-
5 tion”; and

6 (2) in subsection (e) by striking “1 year” and
7 inserting “2 years after the date of preparation of
8 the shipping paper”.

9 **SEC. 7011. RAIL TANK CARS.**

10 Section 5111, and the item relating to such section
11 in the analysis for chapter 51, are repealed.

12 **SEC. 7012. UNSATISFACTORY SAFETY RATING.**

13 The text of section 5113 is amended to read as fol-
14 lows: “A person who violates section 31144(c)(3) shall be
15 subject to the penalties in sections 5123 and 5124.”.

16 **SEC. 7013. TRAINING CURRICULUM FOR THE PUBLIC SEC-**
17 **TOR.**

18 (a) **REQUIREMENTS.**—Section 5115(b)(1)(C) is
19 amended by striking “under other United States Govern-
20 ment grant programs, including those” and inserting
21 “with Federal financial assistance, including programs”.

22 (b) **TRAINING ON COMPLYING WITH LEGAL RE-**
23 **QUIREMENTS.**—Section 5115(c)(3) is amended by insert-
24 ing before the period at the end the following: “and such
25 other voluntary consensus standard-setting organizations
26 as the Secretary determines appropriate”.

1 (c) DISTRIBUTION AND PUBLICATION.—Section
2 5115(d) is amended—

3 (1) in the matter preceding paragraph (1) by
4 striking “national response team” and inserting
5 “National Response Team”;

6 (2) in paragraph (1) by striking “Director of
7 the Federal Emergency Management Agency” and
8 inserting “Secretary”; and

9 (3) in paragraph (2)—

10 (A) by inserting “and distribute” after
11 “publish”; and

12 (B) by striking “programs that uses” and
13 all that follows before the period at the end and
14 inserting “programs and courses developed
15 under this section”.

16 **SEC. 7014. PLANNING AND TRAINING GRANTS, MONI-**
17 **TORING, AND REVIEW.**

18 (a) FACTORS TO CONSIDER IN DETERMINING
19 NEEDS.—Section 5116(b)(4) is amended—

20 (1) by striking “and” at the end of subpara-
21 graph (D);

22 (2) by redesignating subparagraph (E) as sub-
23 paragraph (F); and

24 (3) by inserting after subparagraph (D) the fol-
25 lowing:

1 “(E) the report submitted by the State to the
2 Secretary under section 5125(f)(2); and”.

3 (b) COMPLIANCE WITH CERTAIN LAW.—Section
4 5116(c) is amended—

5 (1) by inserting “or Indian tribe” after “a
6 State”;

7 (2) by inserting “or Indian tribe” after “the
8 State” the first place it appears; and

9 (3) by inserting “(1) the State or Indian tribe
10 is complying with all applicable requirements of this
11 chapter (including section 5125(f)), and (2) in the
12 case of a State,” after “certifies that”.

13 (c) GOVERNMENT’S SHARE OF COSTS.—Section
14 5116(e) is amended by striking the second sentence and
15 inserting the following: “Amounts received by the State
16 or tribe under subsections (a)(1) and (b)(1) are not part
17 of the non-Government share under this subsection.”.

18 (d) MONITORING AND TECHNICAL ASSISTANCE.—
19 Section 5116(f) is amended—

20 (1) in the first sentence—

21 (A) by striking “Secretaries of Transpor-
22 tation and Energy,” and inserting “Secretary of
23 Energy, Director of the Federal Emergency
24 Management Agency,”; and

1 (B) by striking “Director of the Federal
2 Emergency Management Agency shall” and in-
3 serting “Secretary of Transportation shall”;
4 and

5 (2) in the second sentence—

6 (A) by striking “the Secretaries, Adminis-
7 trator, and Directors each shall” and inserting
8 “the Secretary shall”; and

9 (B) by striking “national response team”
10 and inserting “National Response Team”.

11 (e) DELEGATION OF AUTHORITY.—Section 5116(g)
12 is amended by striking “Government grant programs” and
13 inserting “Federal financial assistance”.

14 (f) HAZARDOUS MATERIALS EMERGENCY PRE-
15 PAREDNESS FUND.—Section 5116(i) is amended—

16 (1) by striking the subsection heading and in-
17 serting “HAZARDOUS MATERIALS EMERGENCY PRE-
18 PAREDNESS FUND.—”;

19 (2) in the matter preceding paragraph (1)—

20 (A) by inserting “, to be known as the
21 ‘Hazardous Materials Emergency Preparedness
22 Fund’,” after “account in the Treasury”; and

23 (B) by striking “section 5108(g)(2)(A) of
24 this title” and all that follows before the period

1 at the end of the first sentence and inserting
2 “this chapter”;

3 (3) by striking “and” at the end of paragraph
4 (2);

5 (4) by redesignating paragraph (3) as para-
6 graph (4); and

7 (5) by inserting after paragraph (2) the fol-
8 lowing:

9 “(3) to publish and distribute the Emergency
10 Response Guidebook; and”.

11 (g) REPORTS.—In section 5116(k)—

12 (1) by striking the first sentence and inserting
13 the following: “The Secretary shall submit to Con-
14 gress and make available to the public annually a re-
15 port on the allocation and uses of planning grants
16 under subsection (a), training grants under sub-
17 section (b), and grants under subsection (j) and
18 under section 5107.”; and

19 (2) in the second sentence by striking “Such re-
20 port” and inserting “The report”.

21 **SEC. 7015. SPECIAL PERMITS AND EXCLUSIONS.**

22 (a) SECTION HEADING.—

23 (1) IN GENERAL.—Section 5117 is amended by
24 striking the section number and heading and insert-
25 ing the following:

1 **“§ 5117. Special permits and exclusions”.**

2 (2) CONFORMING AMENDMENT.—The item re-
3 lating to section 5117 in the analysis for chapter 51
4 is amended to read as follows:

“5117. Special permits and exclusions.”.

5 (b) SUBSECTION HEADING.—The heading for sub-
6 section (a) of section 5117 is amended by striking “EX-
7 EMPT” and inserting “ISSUE SPECIAL PERMITS”.

8 (c) AUTHORITY TO ISSUE SPECIAL PERMITS.—Sec-
9 tion 5117(a)(1) is amended—

10 (1) by striking “an exemption” and inserting “,
11 modify, or terminate a special permit authorizing a
12 variance”; and

13 (2) by striking “transporting, or causing to be
14 transported, hazardous material” and inserting
15 “performing a function regulated by the Secretary
16 under section 5103(b)(1)”.

17 (d) PERIOD OF SPECIAL PERMIT.—Section
18 5117(a)(2) is amended to read as follows:

19 “(2) A special permit issued under this section shall
20 be effective for an initial period of not more than 2 years
21 and may be renewed by the Secretary upon application
22 for an additional period of not more than 4 years or, in
23 the case of a special permit relating to section 5112, for
24 an additional period of not more than 2 years.”.

25 (e) APPLICATIONS.—Sections 5117(b) is amended—

1 (1) by striking “an exemption” each place it ap-
2 pears and inserting “a special permit”; and

3 (2) by striking “the exemption” and inserting
4 “the special permit”.

5 (f) DEALING WITH APPLICATIONS PROMPTLY.—Sec-
6 tion 5117(c) is amended by striking “the exemption” each
7 place it appears and inserting “the special permit”.

8 (g) LIMITATION ON AUTHORITY.—Section 5117(e) is
9 amended—

10 (1) by striking “an exemption” and inserting “a
11 special permit”; and

12 (2) by striking “be exempt” and inserting “be
13 granted a variance”.

14 **SEC. 7016. UNIFORM FORMS AND PROCEDURES.**

15 Section 5119 is amended to read as follows:

16 **“§ 5119. Uniform forms and procedures**

17 “(a) ESTABLISHMENT OF WORKING GROUP.—The
18 Secretary shall establish a working group of State and
19 local government officials, including representatives of the
20 National Governors’ Association, the National Association
21 of Counties, the National League of Cities, the United
22 States Conference of Mayors, the National Conference of
23 State Legislatures, and the Alliance for Uniform Hazmat
24 Transportation Procedures.

1 “(b) PURPOSE OF WORKING GROUP.—The purpose
2 of the working group shall be to establish uniform forms
3 and procedures for a State to register, and to issue per-
4 mits to, persons that transport, or cause to be transported,
5 hazardous material by motor vehicle in the State.

6 “(c) LIMITATION ON WORKING GROUP.—The work-
7 ing group may not propose to define or limit the amount
8 of a fee a State may impose or collect.

9 “(d) PROCEDURE.—The Secretary shall develop a
10 procedure by which the working group shall harmonize ex-
11 isting State registration and permit laws and regulations
12 relating to the transportation of hazardous materials, with
13 special attention paid to each State’s unique safety con-
14 cerns and interest in maintaining strong hazmat safety
15 standards.

16 “(e) REPORT OF WORKING GROUP.—Not later than
17 18 months after the date of enactment of this subsection,
18 the working group shall transmit to the Secretary a report
19 containing recommendations for establishing uniform
20 forms and procedures described in subsection (b).

21 “(f) REGULATIONS.—Not later than 2 years after the
22 date of enactment of this subsection, the Secretary shall
23 issue regulations to carry out such recommendations of
24 the working group as the Secretary considers appropriate.

1 “(g) LIMITATION ON STATUTORY CONSTRUCTION.—
2 Nothing in this section shall be construed as prohibiting
3 a State from voluntarily participating in a program of uni-
4 form forms and procedures until such time as the Sec-
5 retary issues regulations under subsection (f).”.

6 **SEC. 7017. INTERNATIONAL UNIFORMITY OF STANDARDS**
7 **AND REQUIREMENTS.**

8 (a) CONSULTATION.—Section 5120(b) is amended by
9 inserting “and requirements” after “standards”.

10 (b) DIFFERENCES WITH INTERNATIONAL STAND-
11 ARDS AND REQUIREMENTS.—Section 5120(c) is amend-
12 ed—

13 (1) in paragraph (1) by inserting “or require-
14 ment” after “standard” each place it appears; and

15 (2) in paragraph (2)—

16 (A) by inserting “standard or” before “re-
17 quirement” each place it appears; and

18 (B) by striking “included in a standard”.

19 **SEC. 7018. ADMINISTRATIVE.**

20 (a) GENERAL AUTHORITY.—Section 5121(a) is
21 amended—

22 (1) in the first sentence by inserting “conduct
23 tests,” after “investigate,”;

1 (2) in the second sentence by striking “After”
2 and inserting “Except as provided in subsections (c)
3 and (d), after”; and

4 (3) by striking “regulation prescribed” and in-
5 serting “regulation, order, special permit, or ap-
6 proval issued”.

7 (b) RECORDS, REPORTS, AND INFORMATION.—Sec-
8 tion 5121(b) is amended—

9 (1) in paragraph (1) by inserting “and prop-
10 erty” after “records”; and

11 (2) in paragraph (2)—

12 (A) by inserting “property,” after
13 “records,”;

14 (B) by inserting “for inspection” after
15 “available”; and

16 (C) by striking “requests” and inserting
17 “undertakes an investigation or makes a re-
18 quest”.

19 (c) ENHANCED AUTHORITY TO DISCOVER HIDDEN
20 SHIPMENTS OF HAZARDOUS MATERIAL.—Section 5121(c)
21 is amended to read as follows:

22 “(c) INSPECTIONS AND INVESTIGATIONS.—

23 “(1) IN GENERAL.—A designated officer, em-
24 ployee, or agent of the Secretary may—

1 “(A) inspect and investigate, at a reason-
2 able time and in a reasonable manner, records
3 and property relating to a function described in
4 section 5103(b)(1);

5 “(B) except in the case of packaging im-
6 mediately adjacent to its hazardous material
7 contents, gain access to, open, and examine a
8 package offered for, or in, transportation when
9 the officer, employee, or agent has an objec-
10 tively reasonable and articulable belief that the
11 package may contain a hazardous material;

12 “(C) remove from transportation a pack-
13 age or related packages in a shipment offered
14 for or in transportation for which—

15 “(i) such officer, employee, or agent
16 has an objectively reasonable and
17 articulable belief that the package may
18 pose an imminent hazard; and

19 “(ii) such officer, employee, or agent
20 contemporaneously documents such belief
21 in accordance with procedures set forth in
22 guidance or regulations prescribed under
23 subsection (e);

24 “(D) gather information from the offeror,
25 carrier, packaging manufacturer or retester, or

1 other person responsible for the package, to as-
2 certain the nature and hazards of the contents
3 of the package;

4 “(E) as necessary, under terms and condi-
5 tions specified by the Secretary, order the offer-
6 or, carrier, packaging manufacturer or retester,
7 or other person responsible for the package to
8 have the package transported to, opened, and
9 the contents examined and analyzed, at a facil-
10 ity appropriate for the conduct of such exam-
11 ination and analysis; and

12 “(F) when safety might otherwise be com-
13 promised, authorize properly qualified personnel
14 to assist in the activities conducted under this
15 subsection.

16 “(2) DISPLAY OF CREDENTIALS.—An officer,
17 employee, or agent acting under this subsection shall
18 display proper credentials when requested.

19 “(3) SAFE RESUMPTION OF TRANSPOR-
20 TATION.—In instances when, as a result of an in-
21 spection or investigation under this subsection, an
22 imminent hazard is not found to exist, the Sec-
23 retary, in accordance with procedures set forth in
24 regulations prescribed under subsection (e), shall as-
25 sist—

1 “(A) in the safe resumption of transpor-
2 tation of the package concerned; or

3 “(B) in any case in which the hazardous
4 material being transported is perishable, in the
5 safe and expeditious resumption of transpor-
6 tation of the perishable hazardous material.”.

7 (d) EMERGENCY AUTHORITY FOR HAZARDOUS MA-
8 TERIAL TRANSPORTATION.—Section 5121 is amended—

9 (1) by redesignating subsections (d) and (e) as
10 subsections (f) and (g), respectively; and

11 (2) by inserting after subsection (c) the fol-
12 lowing:

13 “(d) EMERGENCY ORDERS.—

14 “(1) IN GENERAL.—If, upon inspection, inves-
15 tigation, testing, or research, the Secretary deter-
16 mines that either a violation of a provision of this
17 chapter or a regulation issued under this chapter, or
18 an unsafe condition or practice, constitutes or is
19 causing an imminent hazard, the Secretary may
20 issue an emergency order, without notice or the op-
21 portunity for a hearing, but only to the extent nec-
22 essary to abate the imminent hazard.

23 “(2) WRITTEN ORDERS.—An emergency order
24 issued under paragraph (1) shall be in writing, de-
25 scribe the violation, condition, or practice that is

1 causing the imminent hazard, and state the restric-
2 tions, prohibitions, recalls, or out-of-service orders
3 issued. The emergency order also shall describe the
4 standards and procedures for obtaining relief from
5 the order.

6 “(3) OPPORTUNITY FOR REVIEW.—After
7 issuing an emergency order under paragraph (1),
8 the Secretary shall provide an opportunity for review
9 of the order under section 554 of title 5 if a petition
10 for review is filed within 20 calendar days after the
11 date of issuance of the order.

12 “(4) EXPIRATION OF EFFECTIVENESS OF
13 EMERGENCY ORDER.—If a petition for review is filed
14 for an order and the review is not completed by the
15 end of the 30-day period beginning on the date the
16 petition was filed, the order shall cease to be effec-
17 tive at the end of that period unless the Secretary
18 determines in writing that the emergency situation
19 still exists.

20 “(e) GUIDANCE AND REGULATIONS.—

21 “(1) GUIDANCE.—Not later than 60 days after
22 the date of enactment of the Transportation Equity
23 Act: A Legacy for Users, the Secretary shall issue
24 interim guidance to carry out subsections (c) and
25 (d).

1 “(2) REGULATIONS.—Not later than 1 year
2 after such date of enactment, the Secretary shall
3 issue regulations to carry out subsections (c) and (d)
4 in accordance with subchapter II of chapter 5 of
5 title 5.”.

6 (e) REPORT.—Section 5121(g) (as redesignated by
7 subsection (d)(1) of this section) is amended—

8 (1) in the matter preceding paragraph (1) by
9 striking “submit to the President for transmittal to
10 the Congress” and inserting “transmit to the Com-
11 mittee on Transportation and Infrastructure of the
12 House of Representatives and the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate”; and

15 (2) in paragraph (4) by inserting “relating to a
16 function regulated by the Secretary under section
17 5103(b)(1)” after “activities”.

18 (f) REPEAL OF OBSOLETE PROVISION.—Section
19 5118, and the item relating to such section in the analysis
20 for chapter 51, are repealed.

21 **SEC. 7019. ENFORCEMENT.**

22 (a) GENERAL.—Section 5122(a) is amended by strik-
23 ing the second sentence and inserting “The court may
24 award appropriate relief, including a temporary or perma-
25 nent injunction, punitive damages, and assessment of civil

1 penalties considering the same penalty amounts and fac-
2 tors as prescribed for the Secretary in an administrative
3 case under section 5123.”.

4 (b) IMMEDIATE HAZARDS.—Section 5122(b)(1)(B) is
5 amended by striking “or ameliorate the” and inserting “or
6 mitigate the”.

7 **SEC. 7020. CIVIL PENALTY.**

8 (a) PENALTY.—Section 5123(a) is amended—

9 (1) in paragraph (1)—

10 (A) by striking “regulation prescribed or
11 order issued” and inserting “regulation, order,
12 special permit, or approval issued”; and

13 (B) by striking “\$25,000” and inserting
14 “\$50,000”;

15 (2) by redesignating paragraph (2) as para-
16 graph (3); and

17 (3) by inserting after paragraph (1) the fol-
18 lowing:

19 “(2) If the Secretary finds that a violation under
20 paragraph (1) results in death, serious illness, or severe
21 injury to any person or substantial destruction of prop-
22 erty, the Secretary may increase the amount of the civil
23 penalty for such violation to not more than \$100,000.”.

1 (b) HEARING REQUIREMENT.—Section 5123(b) is
2 amended by striking “regulation prescribed” and inserting
3 “regulation, order, special permit, or approval issued”.

4 (c) CIVIL ACTIONS TO COLLECT.—Section 5123(d)
5 is amended by adding at the end the following: “In such
6 action, the validity, amount, and appropriateness of the
7 civil penalty shall not be subject to review.”.

8 (d) COMPROMISE.—Section 5123(e) is amended by
9 striking “before referral to the Attorney General”.

10 **SEC. 7021. CRIMINAL PENALTY.**

11 Section 5124 is amended to read as follows:

12 **“§ 5124. Criminal penalty**

13 “(a) IN GENERAL.—A person knowingly violating
14 section 5104(b) or willfully or recklessly violating this
15 chapter or a regulation, order, special permit, or approval
16 issued under this chapter shall be fined under title 18,
17 imprisoned for not more than 5 years, or both; except that
18 the maximum amount of imprisonment shall be 10 years
19 in any case in which the violation involves the release of
20 a hazardous material that results in death or bodily injury
21 to any person.

22 “(b) KNOWING VIOLATIONS.—For purposes of this
23 section—

24 “(1) a person acts knowingly when—

1 “(A) the person has actual knowledge of
2 the facts giving rise to the violation; or

3 “(B) a reasonable person acting in the cir-
4 cumstances and exercising reasonable care
5 would have that knowledge; and

6 “(2) knowledge of the existence of a statutory
7 provision, or a regulation or a requirement required
8 by the Secretary, is not an element of an offense
9 under this section.

10 “(c) WILLFUL VIOLATIONS.—For purposes of this
11 section, a person acts willfully when—

12 “(1) the person has knowledge of the facts giv-
13 ing rise to the violation; and

14 “(2) the person has knowledge that the conduct
15 was unlawful.

16 “(d) RECKLESS VIOLATIONS.—For purposes of this
17 section, a person acts recklessly when the person displays
18 a deliberate indifference or conscious disregard to the con-
19 sequences of that person’s conduct.”.

20 **SEC. 7022. PREEMPTION.**

21 (a) DUAL COMPLIANCE AND OBSTACLE TESTS.—
22 Section 5125(a) is amended by striking the subsection
23 heading and inserting “DUAL COMPLIANCE AND OBSTA-
24 CLE TESTS.—”.

1 (b) SUBSTANTIVE DIFFERENCES.—The second sen-
2 tence of section 5125(b)(2) is amended by striking “after
3 November 16, 1990”.

4 (c) DECISIONS ON PREEMPTION.—The third sentence
5 of section 5125(d)(1) is amended by inserting “and pub-
6 lish in the Federal Register” after “issue”.

7 (d) JUDICIAL REVIEW.—Section 5125 is further
8 amended—

9 (1) by striking subsection (f) and redesignating
10 subsection (g) as subsection (f);

11 (2) in subsection (f) (as so redesignated) by
12 moving paragraph (2) (including subparagraphs (A)
13 through (D)) 2 ems to the left; and

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

15 “(g) INDEPENDENT APPLICATION OF EACH STAND-
16 ARD.—Subsections (b), (c)(1), (d), and (g) are inde-
17 pendent in their application to a requirement of any State,
18 political subdivision of a State, or Indian tribe and shall
19 be reviewed independently.”.

20 **SEC. 7023. RELATIONSHIP TO OTHER LAWS.**

21 Section 5126(a) is amended by striking “must com-
22 ply” and inserting “shall comply”.

1 **SEC. 7024. JUDICIAL REVIEW.**

2 (a) IN GENERAL.—Chapter 51 is amended by redess-
3 ignating section 5127 as section 5128 and by inserting
4 after section 5126 the following:

5 **“§ 5127. JUDICIAL REVIEW**

6 “(a) FILING AND VENUE.—Except as provided in
7 section 20114(c), a person adversely affected or aggrieved
8 by a final action of the Secretary under this chapter may
9 petition for review of the final action in the United States
10 Court of Appeals for the District of Columbia or in the
11 court of appeals for the United States for the circuit in
12 which the person resides or has its principal place of busi-
13 ness. The petition must be filed not more than 60 days
14 after the Secretary’s action becomes final.

15 “(b) JUDICIAL PROCEDURES.—When a petition is
16 filed under subsection (a), the clerk of the court imme-
17 diately shall send a copy of the petition to the Secretary.
18 The Secretary shall file with the court a record of any
19 proceeding in which the final action was issued, as pro-
20 vided in section 2112 of title 28.

21 “(c) AUTHORITY OF COURT.—The court has exclu-
22 sive jurisdiction, as provided in subchapter II of chapter
23 5 of title 5, to affirm or set aside any part of the Sec-
24 retary’s final action and may order the Secretary to con-
25 duct further proceedings. Findings of fact by the Sec-

1 retary, if supported by substantial evidence, are conclu-
2 sive.

3 “(d) REQUIREMENT FOR PRIOR OBJECTION.—In re-
4 viewing a final action under this section, the court may
5 consider an objection to a final action of the Secretary
6 only if the objection was made in the course of a pro-
7 ceeding or review conducted by the Secretary or if there
8 was a reasonable ground for not making the objection in
9 the proceeding.”.

10 (b) CONFORMING AMENDMENT.—The analysis for
11 chapter 51 is amended by striking the item relating to
12 section 5127 and inserting the following:

“5127. Judicial review.

“5128. Authorization of appropriations.”.

13 **SEC. 7025. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 5128 (as redesignated by section 7024) is
15 amended to read as follows:

16 **“§ 5128. Authorizations of appropriations**

17 “(a) IN GENERAL.—In order to carry out this chap-
18 ter (except sections 5107(e), 5108(g)(2), 5113, 5115,
19 5116, and 5119), the following amounts are authorized
20 to be appropriated to the Secretary:

21 “(1) For fiscal year 2004, \$24,981,000.

22 “(2) For fiscal year 2005, \$27,000,000.

23 “(3) For fiscal year 2006, \$29,000,000.

24 “(4) For fiscal year 2007, \$30,000,000.

1 “(b) EMERGENCY PREPAREDNESS FUND.—There
2 shall be available to the Secretary, from the account estab-
3 lished pursuant to section 5116(i), for each of fiscal years
4 2004 through 2007 the following:

5 “(1) To carry out section 5115, \$200,000.

6 “(2) To carry out section 5116(a), \$8,000,000.

7 “(3) To carry out section 5116(b),
8 \$13,800,000.

9 “(4) To carry out section 5116(f), \$150,000.

10 “(5) To publish and distribute the Emergency
11 Response Guidebook under section 5116(i)(3),
12 \$500,000.

13 “(6) To pay administrative expenses in accord-
14 ance with section 5116(i)(4), \$150,000.

15 “(7) To carry out section 5116(j), \$1,000,000.

16 “(c) TRAINING OF HAZMAT EMPLOYEE INSTRUC-
17 TORS.—There shall be available to the Secretary, from the
18 account established pursuant to section 5116(i), to carry
19 out section 5107(e) \$4,000,000 for each of fiscal years
20 2004 through 2007.

21 “(d) UNIFORM FORMS AND PROCEDURES.—There is
22 authorized to be appropriated to the Secretary for making
23 grants to States participating in the working group estab-
24 lished under section 5119 \$1,000,000 for each of the fiscal
25 years 2005 and 2006.

1 “(e) ISSUANCE OF HAZMAT LICENSES.—There are
2 authorized to be appropriated for the Department of
3 Transportation such amounts as may be necessary to
4 carry out section 5103a.

5 “(f) CREDITS TO APPROPRIATIONS.—The Secretary
6 may credit to any appropriation to carry out this chapter
7 an amount received from a State, Indian tribe, or other
8 public authority or private entity for expenses the Sec-
9 retary incurs in providing training to the State, authority,
10 or entity.

11 “(g) AVAILABILITY OF AMOUNTS.—Amounts made
12 available by or under this section remain available until
13 expended.”.

14 **SEC. 7026. DETERMINING AMOUNT OF UNDECLARED SHIP-**
15 **MENTS OF HAZARDOUS MATERIALS ENTER-**
16 **ING THE UNITED STATES.**

17 (a) STUDY.—The Comptroller General shall conduct
18 a study to propose methods of determining the amount
19 of undeclared shipments of hazardous materials (as de-
20 fined in section 5101 of title 49, United States Code) en-
21 tering the United States.

22 (b) REPORT.—Not later than 1 year after the date
23 of enactment of this Act, the Comptroller General shall
24 transmit to the Committee on Transportation and Infra-
25 structure of the House of Representatives and the Com-

1 mittee on Commerce, Science, and Transportation of the
2 Senate a report on the results of the study.

3 **SEC. 7027. CONFORMING AMENDMENTS.**

4 Chapter 51 is amended by striking “Secretary of
5 Transportation” each place it appears (other than the sec-
6 ond place it appears in section 5108(g)(2)(C), the first
7 place it appears in section 5115(a), and in sections
8 5116(g), 5116(i), and 5120(a)) and inserting “Secretary”.

9 **TITLE VIII—TRANSPORTATION**
10 **DISCRETIONARY SPENDING**
11 **GUARANTEE**

12 **SEC. 8001. DISCRETIONARY SPENDING LIMITS FOR THE**
13 **HIGHWAY AND MASS TRANSIT CATEGORIES.**

14 (a) LIMITS.—(1) Section 251(c)(1) of the Balanced
15 Budget and Emergency Deficit Control Act of 1985 is
16 amended—

17 (A) in subparagraph (A), by striking
18 “\$31,834,000,000” and inserting
19 “\$28,052,000,000”; and

20 (B) in subparagraph (B), by striking
21 “\$1,462,000,000” and inserting “\$1,436,000,000”
22 and by striking “\$6,629,000,000” and inserting
23 “\$6,271,000,000”.

24 (2) Section 251(c)(2) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985 is amended by in-

1 serting a dash after “2005”, by redesignating the remain-
2 ing portion of such paragraph as subparagraph (C) and
3 by moving it two ems to the right, and by inserting after
4 the dash the following new subparagraphs:

5 “(A) for the highway category:
6 \$30,585,000,000 in outlays;

7 “(B) for the mass transit category:
8 \$1,554,000,000 in new budget authority and
9 \$6,787,000,000 in outlays; and”.

10 (3) Section 251(e)(3) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985 is amended by in-
12 serting a dash after “2006”, by redesignating the remain-
13 ing portion of such paragraph as subparagraph (C) and
14 by moving it two ems to the right, and by inserting after
15 the dash the following new subparagraphs:

16 “(A) for the highway category:
17 \$33,271,000,000 in outlays;

18 “(B) for the mass transit category:
19 \$1,671,000,000 in new budget authority and
20 \$7,585,000,000 in outlays; and”.

21 (4) Section 251(e) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985 is amended by re-
23 designating paragraphs (4) through (9) as paragraphs (7)
24 through (12) and inserting after paragraph (3) the fol-
25 lowing new paragraphs:

1 “(4) with respect to fiscal year 2007—

2 “(A) for the highway category:
3 \$35,248,000,000 in outlays; and

4 “(B) for the mass transit category:
5 \$1,785,000,000 in new budget authority and
6 \$8,110,000,000 in outlays;

7 “(5) with respect to fiscal year 2008—

8 “(A) for the highway category:
9 \$36,587,000,000 in outlays; and

10 “(B) for the mass transit category:
11 \$1,890,000,000 in new budget authority and
12 \$8,517,000,000 in outlays; and

13 “(6) with respect to fiscal year 2009—

14 “(A) for the highway category:
15 \$37,682,000,000 in outlays; and

16 “(B) for the mass transit category:
17 \$2,017,000,000 in new budget authority and
18 \$8,968,000,000 in outlays;”.

19 (b) DEFINITIONS.—Section 250(c)(4) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985
21 is amended—

22 (1) in subparagraph (B), by—

23 (A) striking “the Transportation Equity
24 Act for the 21st Century and the Surface
25 Transportation Extension Act of 2003” and in-

1 serting “the Transportation Equity Act: A Legacy
2 for Users”; and

3 (B) inserting before the period at the end
4 the following new clauses:

5 “(v) 69-8158-0-7-401 (Motor Carrier Safety
6 Grants).

7 “(vi) 69-8159-0-7-401 (Motor Carrier
8 Safety Operations and Programs).”;

9 (2) in subparagraph (C), by—

10 (A) inserting “(and successor accounts)”
11 after “budget accounts”; and

12 (B) striking “the Transportation Equity
13 Act for the 21st Century and the Surface
14 Transportation Extension Act of 2003 or for
15 which appropriations are provided pursuant to
16 authorizations contained in those Acts (except
17 that appropriations provided pursuant to section
18 5338(h) of title 49, United States Code, as
19 amended by the Transportation Equity Act for
20 the 21st Century, shall not be included in this
21 category)” and inserting “the Transportation
22 Equity Act: A Legacy for Users or for which
23 appropriations are provided pursuant to author-
24 izations contained in that Act”; and

1 (3) in subparagraph (D)(ii), by striking “sec-
2 tion 8103 of the Transportation Equity Act for the
3 21st Century” and inserting “section 8103 of the
4 Transportation Equity Act: A Legacy for Users”.

5 **SEC. 8002. ADJUSTMENTS TO ALIGN HIGHWAY SPENDING**
6 **WITH REVENUES.**

7 Subparagraphs (B) through (E) of section 251(b)(1)
8 of the Balanced Budget and Emergency Deficit Control
9 Act of 1985 are amended to read as follows:

10 “(B) ADJUSTMENT TO ALIGN HIGHWAY
11 SPENDING WITH REVENUES.—(i) When the
12 President submits the budget under section
13 1105 of title 31, United States Code, OMB
14 shall calculate and the budget shall make ad-
15 justments to the highway category for the budg-
16 et year and each outyear as provided in clause
17 (ii)(I)(cc).

18 “(ii)(I)(aa) OMB shall take the actual level
19 of highway receipts for the year before the cur-
20 rent year and subtract the sum of the estimated
21 level of highway receipts in subclause (II) plus
22 any amount previously calculated under item
23 (bb) for that year.

24 (bb) OMB shall take the current estimate
25 of highway receipts for the current year and

1 subtract the estimated level of receipts for that
2 year.

3 “(cc) OMB shall add one-half of the sum
4 of the amount calculated under items (aa) and
5 (bb) to the obligation limitations set forth in
6 the section 8103 of the Transportation Equity
7 Act: A Legacy for Users and, using current es-
8 timates, calculate the outlay change resulting
9 from the change in obligations for the budget
10 year and the first outyear and the outlays flow-
11 ing therefrom through subsequent fiscal years.
12 After making the calculations under the pre-
13 ceding sentence, OMB shall adjust the amount
14 of obligations set forth in that section for the
15 budget year and the first outyear by adding
16 one-half of the sum of the amount calculated
17 under items (aa) and (bb) to each such year.

18 “(II) The estimated level of highway re-
19 ceipts for the purposes of this clause are—

20 “(aa) for fiscal year 2004,
21 \$30,572,000,000;

22 “(bb) for fiscal year 2005,
23 \$34,260,000,000;

24 “(cc) for fiscal year 2006,
25 \$35,586,000,000;

1 “(dd) for fiscal year 2007,
2 \$36,570,000,000;

3 “(ee) for fiscal year 2008,
4 \$37,603,000,000; and

5 “(ff) for fiscal year 2009,
6 \$38,651,000,000.

7 “(III) In this clause, the term ‘highway re-
8 ceipts’ means the governmental receipts cred-
9 ited to the highway account of the Highway
10 Trust Fund.

11 “(C) In addition to the adjustment required by
12 subparagraph (B), when the President submits the
13 budget under section 1105 of title 31, United States
14 Code, for fiscal year 2006, 2007, 2008, or 2009,
15 OMB shall calculate and the budget shall include for
16 the budget year and each outyear an adjustment to
17 the limits on outlays for the highway category and
18 the mass transit category equal to—

19 “(i) the outlays for the applicable category
20 calculated assuming obligation levels consistent
21 with the estimates prepared pursuant to sub-
22 paragraph (D), as adjusted, using current tech-
23 nical assumptions; minus

1 “(ii) the outlays for the applicable category
2 set forth in the subparagraph (D) estimates, as
3 adjusted.

4 “(D)(i) When OMB and CBO submit their final
5 sequester report for fiscal year 2004, that report
6 shall include an estimate of the outlays for each of
7 the categories that would result in fiscal years 2005
8 through 2009 from obligations at the levels specified
9 in section 8103 of the Transportation Equity Act: A
10 Legacy for Users using current assumptions.

11 “(ii) When the President submits the budget
12 under section 1105 of title 31, United States Code,
13 for fiscal year 2006, 2007, 2008, or 2009, OMB
14 shall adjust the estimates made in clause (i) by the
15 adjustments by subparagraphs (B) and (C).

16 “(E) OMB shall consult with the Committees
17 on the Budget and include a report on adjustments
18 under subparagraphs (B) and (C) in the preview re-
19 port.”.

20 **SEC. 8003. LEVEL OF OBLIGATION LIMITATIONS.**

21 (a) HIGHWAY CATEGORY.—For the purposes of sec-
22 tion 251(b) of the Balanced Budget and Emergency Def-
23 icit Control Act of 1985, the level of obligation limitations
24 for the highway category is—

25 (1) for fiscal year 2004, \$34,309,000,000;

- 1 (2) for fiscal year 2005, \$35,671,000,000;
- 2 (3) for fiscal year 2006, \$36,719,000,000;
- 3 (4) for fiscal year 2007, \$37,800,000,000;
- 4 (5) for fiscal year 2008, \$38,913,000,000; and
- 5 (6) for fiscal year 2009, \$40,061,000,000.

6 (b) MASS TRANSIT CATEGORY.—For the purposes of
7 section 251(b) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, the level of obligation limita-
9 tions for the mass transit category is—

- 10 (1) for fiscal year 2004, \$7,266,000,000;
- 11 (2) for fiscal year 2005, \$7,750,000,000;
- 12 (3) for fiscal year 2006, \$8,266,000,000;
- 13 (4) for fiscal year 2007, \$8,816,000,000;
- 14 (5) for fiscal year 2008, \$9,403,000,000; and
- 15 (6) for fiscal year 2009, \$10,029,000,000.

16 For purposes of this subsection, the term “obligation limi-
17 tations” means the sum of budget authority and obligation
18 limitations.

19 **SEC. 8004. ENFORCEMENT OF GUARANTEE.**

20 Clause 3 of rule XXI of the Rules of the House of
21 Representatives is amended—

- 22 (1) by striking “Transportation Equity Act for
23 the 21st Century” and inserting “Transportation
24 Equity Act: A Legacy for Users”; and

1 (2) by adding at the end the following: “For
2 purposes of this clause, any obligation limitation re-
3 lating to surface transportation projects under sec-
4 tion 1602 of the Transportation Equity Act for the
5 21st Century and section 1702 of the Transpor-
6 tation Equity Act: A Legacy for Users shall be as-
7 sumed to be administered on the basis of sound pro-
8 gram management practices that are consistent with
9 past practices of the administering agency permit-
10 ting States to decide High Priority Project funding
11 priorities within State program allocations.”.

12 **SEC. 8005. TRANSFER OF FEDERAL TRANSIT ADMINISTRA-**
13 **TIVE EXPENSES.**

14 For purposes of clauses 2 and 3 of rule XXI of the
15 House of Representatives, it shall be in order to transfer
16 funds, in amounts specified in annual appropriations Acts
17 to carry out the Transportation Equity Act: A Legacy for
18 Users (including the amendments made by that Act), from
19 the Federal Transit Administration’s administrative ex-
20 penses account to other mass transit budget accounts
21 under section 250(c)(4)(C) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 **TITLE IX—TAX PROVISIONS**

2 **SEC. 9000. SHORT TITLE, ETC.**

3 (a) **SHORT TITLE.**—This title may be cited as the
4 “Highway Reauthorization Tax Act of 2004”.

5 (b) **AMENDMENT OF 1986 CODE.**—Except as other-
6 wise expressly provided, whenever in this title an amend-
7 ment or repeal is expressed in terms of an amendment
8 to, or repeal of, a section or other provision, the reference
9 shall be considered to be made to a section or other provi-
10 sion of the Internal Revenue Code of 1986.

11 **Subtitle A—Highway Trust Fund**
12 **Extension**

13 **SEC. 9101. EXTENSION OF HIGHWAY-RELATED TAXES AND**
14 **TRUST FUND.**

15 (a) **EXTENSION OF TAXES.**—

16 (1) **IN GENERAL.**—The following provisions of
17 the Internal Revenue Code of 1986 are each amend-
18 ed by striking “2005” each place it appears and in-
19 serting “2011”:

20 (A) Section 4041(a)(1)(C)(iii)(I) (relating
21 to rate of tax on certain buses).

22 (B) Section 4041(a)(2)(B) (relating to rate
23 of tax on special motor fuels).

24 (C) Section 4051(c) (relating to termi-
25 nation of tax on heavy trucks and trailers).

1 (D) Section 4071(d) (relating to termi-
2 nation of tax on tires).

3 (E) Section 4081(d)(1) (relating to termi-
4 nation of tax on gasoline, diesel fuel, and ker-
5 osene).

6 (F) Section 4481(e) (relating to period tax
7 in effect).

8 (G) Section 4482(c)(4) (relating to taxable
9 period).

10 (H) Section 4482(d) (relating to special
11 rule for taxable period in which termination
12 date occurs).

13 (2) FLOOR STOCKS REFUNDS.—Section
14 6412(a)(1) of such Code (relating to floor stocks re-
15 funds) is amended—

16 (A) by striking “2005” each place it ap-
17 pears and inserting “2011”, and

18 (B) by striking “2006” each place it ap-
19 pears and inserting “2012”.

20 (b) EXTENSION OF CERTAIN EXEMPTIONS.—The fol-
21 lowing provisions of such Code are each amended by strik-
22 ing “2005” and inserting “2011”:

23 (1) Section 4221(a) (relating to certain tax-free
24 sales).

1 (2) Section 4483(g) (relating to termination of
2 exemptions for highway use tax).

3 (c) EXTENSION OF DEPOSITS INTO TRUST FUNDS.—

4 (1) IN GENERAL.—Subsection (b), and para-
5 graphs (2) and (3) of subsection (c), of section 9503
6 of such Code (relating to the Highway Trust Fund)
7 are each amended—

8 (A) by striking “2005” each place it ap-
9 pears and inserting “2011”, and

10 (B) by striking “2006” each place it ap-
11 pears and inserting “2012”.

12 (2) MOTORBOAT AND SMALL-ENGINE FUEL TAX
13 TRANSFERS.—

14 (A) IN GENERAL.—Paragraphs (4)(A)(i)
15 and (5)(A) of section 9503(c) of such Code are
16 each amended by striking “2005” and inserting
17 “2011”.

18 (B) CONFORMING AMENDMENTS TO LAND
19 AND WATER CONSERVATION FUND.—Section
20 201(b) of the Land and Water Conservation
21 Fund Act of 1965 (16 U.S.C. 460l–11(b)) is
22 amended—

23 (i) by striking “2003” and inserting
24 “2009”, and

1 (ii) by striking “2004” each place it
2 appears and inserting “2010”.

3 (d) EXTENSION AND EXPANSION OF EXPENDITURES
4 FROM TRUST FUNDS.—

5 (1) HIGHWAY TRUST FUND.—

6 (A) HIGHWAY ACCOUNT.—Paragraph (1)
7 of section 9503(c) of such Code is amended—

8 (i) in the matter before subparagraph
9 (A), by striking “May 1, 2004” and insert-
10 ing “October 1, 2009”,

11 (ii) by striking “or” at the end of sub-
12 paragraph (F),

13 (iii) by striking the period at the end
14 of subparagraph (G) and inserting “, or”,

15 (iv) by inserting after subparagraph
16 (G), the following new subparagraph:

17 “(H) authorized to be paid out of the
18 Highway Trust Fund under the Transportation
19 Equity Act: A Legacy for Users.”, and

20 (v) in the matter after subparagraph
21 (H), as added by clause (iv), by striking
22 “Surface Transportation Extension Act of
23 2004” and inserting “Transportation Eq-
24 uity Act: A Legacy for Users”.

1 (B) MASS TRANSIT ACCOUNT.—Paragraph
2 (3) of section 9503(e) of such Code is amend-
3 ed—

4 (i) in the matter before subparagraph
5 (A), by striking “May 1, 2004” and insert-
6 ing “October 1, 2009”,

7 (ii) in subparagraph (D), by striking
8 “or” at the end of such subparagraph,

9 (iii) in subparagraph (E), by inserting
10 “or” at the end of such subparagraph,

11 (iv) by inserting after subparagraph
12 (E) the following new subparagraph:

13 “(F) the Transportation Equity Act: A
14 Legacy for Users,” and

15 (v) in the matter after subparagraph
16 (F), as added by clause (iv), by striking
17 “Surface Transportation Extension Act of
18 2004” and inserting “Transportation Eq-
19 uity Act: A Legacy for Users”.

20 (C) LIMITATION ON TRANSFERS.—Sub-
21 paragraph (B) of section 9503(b)(5) of such
22 Code is amended by striking “May 1, 2004”
23 and inserting “October 1, 2009”.

24 (2) AQUATIC RESOURCES TRUST FUND.—

1 (A) SPORT FISH RESTORATION AC-
2 COUNT.—Paragraph (2) of section 9504(b) of
3 such Code is amended by striking “Surface
4 Transportation Extension Act of 2004” each
5 place it appears and inserting “Transportation
6 Equity Act: A Legacy for Users”.

7 (B) BOAT SAFETY ACCOUNT.—Subsection
8 (c) of section 9504 of such Code is amended—

9 (i) by striking “May 1, 2004” and in-
10 serting “October 1, 2009”, and

11 (ii) by striking “Surface Transpor-
12 tation Extension Act of 2004” and insert-
13 ing “Transportation Equity Act: A Legacy
14 for Users”.

15 (C) EXCEPTION TO LIMITATION ON TRANS-
16 FERS.—Paragraph (2) of section 9504(d) of
17 such Code is amended by striking “May 1,
18 2004” and inserting “October 1, 2009”.

1 **Subtitle B—Restructuring of**
2 **Incentives for Alcohol Fuels, Etc.**

3 **SEC. 9201. REDUCED RATES OF TAX ON GASOHOL RE-**
4 **PLACED WITH EXCISE TAX CREDIT; REPEAL**
5 **OF OTHER ALCOHOL-BASED FUEL INCEN-**
6 **TIVES; ETC.**

7 (a) EXCISE TAX CREDIT FOR ALCOHOL FUEL MIX-
8 TURES.—

9 (1) IN GENERAL.—Subsection (f) of section
10 6427 is amended to read as follows:

11 “(f) ALCOHOL FUEL MIXTURES.—

12 “(1) IN GENERAL.—The amount of credit
13 which would (but for section 40(c)) be determined
14 under section 40(a)(1) for any period—

15 “(A) shall, with respect to taxable events
16 occurring during such period, be treated—

17 “(i) as a payment of the taxpayer’s li-
18 ability for tax imposed by section 4081,
19 and

20 “(ii) as received at the time of the
21 taxable event, and

22 “(B) to the extent such amount of credit
23 exceeds such liability for such period, shall (ex-
24 cept as provided in subsection (k)) be paid sub-

1 ject to subsection (i)(3) by the Secretary with-
2 out interest.

3 “(2) SPECIAL RULES.—

4 “(A) ONLY CERTAIN ALCOHOL TAKEN
5 INTO ACCOUNT.—For purposes of paragraph
6 (1), section 40 shall be applied—

7 “(i) by not taking into account alcohol
8 with a proof of less than 190, and

9 “(ii) by treating as alcohol the alcohol
10 gallon equivalent of ethyl tertiary butyl
11 ether or other ethers produced from such
12 alcohol.

13 “(B) TREATMENT OF REFINERS.—For
14 purposes of paragraph (1), in the case of a mix-
15 ture—

16 “(i) the alcohol in which is described
17 in subparagraph (A)(ii), and

18 “(ii) which is produced by any person
19 at a refinery prior to any taxable event,
20 section 40 shall be applied by treating such per-
21 son as having sold such mixture at the time of
22 its removal from the refinery (and only at such
23 time) to another person for use as a fuel.

24 “(3) MIXTURES NOT USED AS FUEL.—Rules
25 similar to the rules of subparagraphs (A) and (D)

1 of section 40(d)(3) shall apply for purposes of this
2 subsection.

3 “(4) TERMINATION.—This section shall apply
4 only to periods to which section 40 applies, deter-
5 mined by substituting in section 40(e)—

6 “(A) ‘December 31, 2010’ for ‘December
7 31, 2007’, and

8 “(B) ‘January 1, 2011’ for ‘January 1,
9 2008’.”

10 (2) REVISION OF RULES FOR PAYMENT OF
11 CREDIT.—Paragraph (3) of section 6427(i) is
12 amended to read as follows:

13 “(3) SPECIAL RULE FOR ALCOHOL MIXTURE
14 CREDIT.—

15 “(A) IN GENERAL.—A claim may be filed
16 under subsection (f)(1)(B) by any person for
17 any period—

18 “(i) for which \$200 or more is pay-
19 able under such subsection (f)(1)(B), and

20 “(ii) which is not less than 1 week.

21 In the case of an electronic claim, this subpara-
22 graph shall be applied without regard to clause
23 (i).

24 “(B) PAYMENT OF CLAIM.—Notwith-
25 standing subsection (f)(1)(B), if the Secretary

1 has not paid pursuant to a claim filed under
2 this section within 45 days of the date of the
3 filing of such claim (20 days in the case of an
4 electronic claim), the claim shall be paid with
5 interest from such date determined by using the
6 overpayment rate and method under section
7 6621.

8 “(C) TIME FOR FILING CLAIM.—No claim
9 filed under this paragraph shall be allowed un-
10 less filed on or before the last day of the first
11 quarter following the earliest quarter included
12 in the claim.”

13 (b) REPEAL OF OTHER INCENTIVES FOR FUEL MIX-
14 TURES.—

15 (1) Subsection (b) of section 4041 is amended
16 to read as follows:

17 “(b) EXEMPTION FOR OFF-HIGHWAY BUSINESS
18 USE.—

19 “(1) IN GENERAL.—No tax shall be imposed by
20 subsection (a) or (d)(1) on liquids sold for use or
21 used in an off-highway business use.

22 “(2) TAX WHERE OTHER USE.—If a liquid on
23 which no tax was imposed by reason of paragraph
24 (1) is used otherwise than in an off-highway busi-
25 ness use, a tax shall be imposed by paragraph

1 (1)(B), (2)(B), or (3)(A)(ii) of subsection (a)
2 (whichever is appropriate) and by the corresponding
3 provision of subsection (d)(1) (if any).

4 “(3) OFF-HIGHWAY BUSINESS USE DEFINED.—
5 For purposes of this subsection, the term ‘off-high-
6 way business use’ has the meaning given to such
7 term by section 6421(e)(2); except that such term
8 shall not, for purposes of subsection (a)(1), include
9 use in a diesel-powered train.”

10 (2) Section 4041(k) is hereby repealed.

11 (3) Section 4081(c) is hereby repealed.

12 (4) Section 4091(c) is hereby repealed.

13 (c) TRANSFERS TO HIGHWAY TRUST FUND.—Para-
14 graph (4) of section 9503(b) is amended by adding “or”
15 at the end of subparagraph (B), by striking the comma
16 at the end of subparagraph (C) and inserting a period,
17 and by striking subparagraphs (D), (E), and (F).

18 (d) CONFORMING AMENDMENTS.—

19 (1) Subsection (c) of section 40 is amended to
20 read as follows:

21 “(c) COORDINATION WITH EXCISE TAX BENE-
22 FITS.—The amount of the credit determined under this
23 section with respect to any alcohol shall, under regulations
24 prescribed by the Secretary, be properly reduced to take

1 into account the benefit provided with respect to such alco-
2 hol under section 6427(f).”

3 (2) Subparagraph (B) of section 40(d)(4) is
4 amended by striking “under section 4041(k) or
5 4081(e)” and inserting “under section 6427(f)”.

6 (e) EFFECTIVE DATES.—

7 (1) IN GENERAL.—Except as provided by para-
8 graph (2), the amendments made by this section
9 shall apply to fuel sold or used after September 30,
10 2004.

11 (2) SUBSECTION (c).—The amendments made
12 by subsection (c) shall apply to taxes imposed after
13 September 30, 2003.

14 **SEC. 9202. ALCOHOL FUEL SUBSIDIES BORNE BY GENERAL**
15 **FUND.**

16 (a) TRANSFERS TO FUND.—Section 9503(b)(1) is
17 amended by adding at the end the following new flush sen-
18 tence:

19 “For purposes of this paragraph, the amount of
20 taxes received under section 4081 shall include any
21 amount treated as a payment under section
22 6427(f)(1)(A) and shall not be reduced by the
23 amount paid under section 6427(f)(1)(B).”.

24 (b) TRANSFERS FROM FUND.—Subparagraph (A) of
25 section 9503(c)(2) is amended by adding at the end the

1 following new sentence: “Clauses (i)(III) and (ii) shall not
2 apply to claims under section 6427(f)(1)(B).”

3 (c) EFFECTIVE DATE.—

4 (1) SUBSECTION (a).—The amendment made by
5 subsection (a) shall apply to taxes received after
6 September 30, 2004.

7 (2) SUBSECTION (b).—The amendment made by
8 subsection (b) shall apply to amounts paid after
9 September 30, 2004, and (to the extent related to
10 section 34 of the Internal Revenue Code of 1986) to
11 fuel used after such date.

12 **Subtitle C—Reduction of Fuel Tax** 13 **Evasion**

14 **SEC. 9301. EXEMPTION FROM CERTAIN EXCISE TAXES FOR** 15 **MOBILE MACHINERY.**

16 (a) EXEMPTION FROM TAX ON HEAVY TRUCKS AND
17 TRAILERS SOLD AT RETAIL.—

18 (1) IN GENERAL.—Section 4053 (relating to ex-
19 emptions) is amended by adding at the end the fol-
20 lowing new paragraph:

21 “(8) MOBILE MACHINERY.—Any vehicle which
22 consists of a chassis—

23 “(A) to which there has been permanently
24 mounted (by welding, bolting, riveting, or other
25 means) machinery or equipment to perform a

1 construction, manufacturing, processing, farm-
2 ing, mining, drilling, timbering, or similar oper-
3 ation if the operation of the machinery or
4 equipment is unrelated to transportation on or
5 off the public highways,

6 “(B) which has been specially designed to
7 serve only as a mobile carriage and mount (and
8 a power source, where applicable) for the par-
9 ticular machinery or equipment involved, wheth-
10 er or not such machinery or equipment is in op-
11 eration, and

12 “(C) which, by reason of such special de-
13 sign, could not, without substantial structural
14 modification, be used as a component of a vehi-
15 cle designed to perform a function of trans-
16 porting any load other than that particular ma-
17 chinery or equipment or similar machinery or
18 equipment requiring such a specially designed
19 chassis.”.

20 (2) EFFECTIVE DATE.—The amendment made
21 by this subsection shall take effect on the day after
22 the date of the enactment of this Act.

23 (b) EXEMPTION FROM TAX ON USE OF CERTAIN VE-
24 HICLES.—

1 (1) IN GENERAL.—Section 4483 (relating to ex-
2 emptions) is amended by redesignating subsection
3 (g) as subsection (h) and by inserting after sub-
4 section (f) the following new subsection:

5 “(g) EXEMPTION FOR MOBILE MACHINERY.—No tax
6 shall be imposed by section 4481 on the use of any vehicle
7 described in section 4053(8).”.

8 (2) EFFECTIVE DATE.—The amendments made
9 by this subsection shall take effect on the day after
10 the date of the enactment of this Act.

11 (c) EXEMPTION FROM TAX ON TIRES.—

12 (1) IN GENERAL.—Section 4072(b)(2) is
13 amended by adding at the end the following flush
14 sentence: “Such term shall not include tires of a
15 type used exclusively on vehicles described in section
16 4053(8).”.

17 (2) EFFECTIVE DATE.—The amendment made
18 by this subsection shall take effect on the day after
19 the date of the enactment of this Act.

20 (d) REFUND OF FUEL TAXES.—

21 (1) IN GENERAL.—Section 6421(e)(2) (defining
22 off-highway business use) is amended by adding at
23 the end the following new subparagraph:

24 “(C) USES IN MOBILE MACHINERY.—

1 “(i) IN GENERAL.—The term ‘off-
2 highway business use’ shall include any use
3 in a vehicle which meets the requirements
4 described in clause (ii).

5 “(ii) REQUIREMENTS FOR MOBILE
6 MACHINERY.—The requirements described
7 in this clause are—

8 “(I) the design-based test, and

9 “(II) the use-based test.

10 “(iii) DESIGN-BASED TEST.—For pur-
11 poses of clause (ii)(I), the design-based
12 test is met if the vehicle consists of a chas-
13 sis—

14 “(I) to which there has been per-
15 manently mounted (by welding, bolt-
16 ing, riveting, or other means) machin-
17 ery or equipment to perform a con-
18 struction, manufacturing, processing,
19 farming, mining, drilling, timbering,
20 or similar operation if the operation of
21 the machinery or equipment is unre-
22 lated to transportation on or off the
23 public highways,

24 “(II) which has been specially de-
25 signed to serve only as a mobile car-

1 riage and mount (and a power source,
2 where applicable) for the particular
3 machinery or equipment involved,
4 whether or not such machinery or
5 equipment is in operation, and

6 “(III) which, by reason of such
7 special design, could not, without sub-
8 stantial structural modification, be
9 used as a component of a vehicle de-
10 signed to perform a function of trans-
11 porting any load other than that par-
12 ticular machinery or equipment or
13 similar machinery or equipment re-
14 quiring such a specially designed chas-
15 sis.

16 “(iv) USE-BASED TEST.—For pur-
17 poses of clause (ii)(II), the use-based test
18 is met if the use of the vehicle on public
19 highways was less than 7,500 miles during
20 the taxpayer’s taxable year.”.

21 (2) NO TAX-FREE SALES.—Subsection (b) of
22 section 4082, as amended by section 9302, is
23 amended by inserting before the period at the end
24 “and such term shall not include any use described
25 in section 6421(e)(2)(C)”.

1 (3) ANNUAL REFUND OF TAX PAID.—Section
2 6427(i)(2) (relating to exceptions) is amended by
3 adding at the end the following new subparagraph:

4 “(C) NONAPPLICATION OF PARAGRAPH.—

5 This paragraph shall not apply to any fuel used
6 solely in any off-highway business use described
7 in section 6421(e)(2)(C).”.

8 (4) EFFECTIVE DATE.—The amendments made
9 by this subsection shall apply to taxable years begin-
10 ning after the date of the enactment of this Act.

11 **SEC. 9302. TAXATION OF AVIATION-GRADE KEROSENE.**

12 (a) RATE OF TAX.—

13 (1) IN GENERAL.—Subparagraph (A) of section
14 4081(a)(2) is amended by striking “and” at the end
15 of clause (ii), by striking the period at the end of
16 clause (iii) and inserting “, and”, and by adding at
17 the end the following new clause:

18 “(iv) in the case of aviation-grade ker-
19 osene, 21.8 cents per gallon.”.

20 (2) COMMERCIAL AVIATION.—Paragraph (2) of
21 section 4081(a) is amended by adding at the end the
22 following new subparagraph:

23 “(C) TAXES IMPOSED ON FUEL USED IN

24 COMMERCIAL AVIATION.—In the case of avia-
25 tion-grade kerosene which is removed from any

1 refinery or terminal directly into the fuel tank
2 of an aircraft for use in commercial aviation,
3 the rate of tax under subparagraph (A)(iv) shall
4 be 4.3 cents per gallon.”.

5 (3) CERTAIN REFUELER TRUCKS, TANKERS,
6 AND TANK WAGONS TREATED AS TERMINAL.—Sub-
7 section (a) of section 4081 is amended by adding at
8 the end the following new paragraph:

9 “(3) CERTAIN REFUELER TRUCKS, TANKERS,
10 AND TANK WAGONS TREATED AS TERMINAL.—

11 “(A) IN GENERAL.—In the case of avia-
12 tion-grade kerosene which is removed from any
13 terminal directly into the fuel tank of an air-
14 craft (determined without regard to any re-
15 fueler truck, tanker, or tank wagon which meets
16 the requirements of subparagraph (B)), a re-
17 fueler truck, tanker, or tank wagon shall be
18 treated as part of such terminal if—

19 “(i) such truck, tanker, or wagon
20 meets the requirements of subparagraph
21 (B) with respect to an airport, and

22 “(ii) except in the case of exigent cir-
23 cumstances identified by the Secretary in
24 regulations, no vehicle registered for high-

1 way use is loaded with aviation-grade ker-
2 osene at such terminal.

3 “(B) REQUIREMENTS.—A refueler truck,
4 tanker, or tank wagon meets the requirements
5 of this subparagraph with respect to an airport
6 if such truck, tanker, or wagon—

7 “(i) is loaded with aviation-grade ker-
8 osene at such terminal located within such
9 airport and delivers such kerosene only
10 into aircraft at such airport,

11 “(ii) has storage tanks, hose, and cou-
12 pling equipment designed and used for the
13 purposes of fueling aircraft,

14 “(iii) is not registered for highway
15 use, and

16 “(iv) is operated by—

17 “(I) the terminal operator of
18 such terminal, or

19 “(II) a person that makes a daily
20 accounting to such terminal operator
21 of each delivery of fuel from such
22 truck, tanker, or wagon.

23 “(C) REPORTING.—The Secretary shall re-
24 quire under section 4101(d) reporting by such
25 terminal operator of—

1 “(i) any information obtained under
2 subparagraph (B)(iv)(II), and

3 “(ii) any similar information main-
4 tained by such terminal operator with re-
5 spect to deliveries of fuel made by trucks,
6 tankers, or wagons operated by such ter-
7 minal operator.”.

8 (4) LIABILITY FOR TAX ON AVIATION-GRADE
9 KEROSENE USED IN COMMERCIAL AVIATION.—Sub-
10 section (a) of section 4081 is amended by adding at
11 the end the following new paragraph:

12 “(4) LIABILITY FOR TAX ON AVIATION-GRADE
13 KEROSENE USED IN COMMERCIAL AVIATION.—For
14 purposes of paragraph (2)(C), the person who uses
15 the fuel for commercial aviation shall pay the tax
16 imposed under such paragraph. For purposes of the
17 preceding sentence, fuel shall be treated as used
18 when such fuel is removed into the fuel tank.”.

19 (5) NONTAXABLE USES.—

20 (A) IN GENERAL.—Section 4082 is amend-
21 ed by redesignating subsections (e) and (f) as
22 subsections (f) and (g), respectively, and by in-
23 serting after subsection (d) the following new
24 subsection:

1 “(e) AVIATION-GRADE KEROSENE.—In the case of
2 aviation-grade kerosene which is exempt from the tax im-
3 posed by section 4041(c) (other than by reason of a prior
4 imposition of tax) and which is removed from any refinery
5 or terminal directly into the fuel tank of an aircraft, the
6 rate of tax under section 4081(a)(2)(A)(iv) shall be zero.”.

7 (B) CONFORMING AMENDMENTS.—

8 (i) Subsection (b) of section 4082 is
9 amended by adding at the end the fol-
10 lowing new flush sentence:

11 “The term ‘nontaxable use’ does not include the use of
12 aviation-grade kerosene in an aircraft.”.

13 (ii) Section 4082(d) is amended by
14 striking paragraph (1) and by redesign-
15 ating paragraphs (2) and (3) as para-
16 graphs (1) and (2), respectively.

17 (6) NONAIRCRAFT USE OF AVIATION-GRADE
18 KEROSENE.—

19 (A) IN GENERAL.—Subparagraph (B) of
20 section 4041(a)(1) is amended by adding at the
21 end the following new sentence: “This subpara-
22 graph shall not apply to aviation-grade ker-
23 osene.”.

24 (B) CONFORMING AMENDMENT.—The
25 heading for paragraph (1) of section 4041(a) is

1 amended by inserting “AND KEROSENE” after
2 “DIESEL FUEL”.

3 (b) COMMERCIAL AVIATION.—Section 4083 is
4 amended by redesignating subsections (b) and (c) as sub-
5 sections (c) and (d), respectively, and by inserting after
6 subsection (a) the following new subsection:

7 “(b) COMMERCIAL AVIATION.—For purposes of this
8 subpart, the term ‘commercial aviation’ means any use of
9 an aircraft in a business of transporting persons or prop-
10 erty for compensation or hire by air, unless properly allo-
11 cable to any transportation exempt from the taxes imposed
12 by sections 4261 and 4271 by reason of section 4281 or
13 4282 or by reason of section 4261(h).”.

14 (c) REFUNDS.—

15 (1) IN GENERAL.—Paragraph (4) of section
16 6427(l) is amended to read as follows:

17 “(4) REFUNDS FOR AVIATION-GRADE KER-
18 OSENE.—

19 “(A) NO REFUND OF CERTAIN TAXES ON
20 FUEL USED IN COMMERCIAL AVIATION.—In the
21 case of aviation-grade kerosene used in com-
22 mercial aviation (as defined in section 4083(b))
23 (other than supplies for vessels or aircraft with-
24 in the meaning of section 4221(d)(3)), para-

1 graph (1) shall not apply to so much of the tax
2 imposed by section 4081 as is attributable to—

3 “(i) the Leaking Underground Stor-
4 age Tank Trust Fund financing rate im-
5 posed by such section, and

6 “(ii) so much of the rate of tax speci-
7 fied in section 4081(a)(2)(A)(iv) as does
8 not exceed 4.3 cents per gallon.

9 “(B) PAYMENT TO ULTIMATE, REG-
10 ISTERED VENDOR.—With respect to aviation-
11 grade kerosene, if the ultimate purchaser of
12 such kerosene waives (at such time and in such
13 form and manner as the Secretary shall pre-
14 scribe) the right to payment under paragraph
15 (1) and assigns such right to the ultimate ven-
16 dor, then the Secretary shall pay the amount
17 which would be paid under paragraph (1) to
18 such ultimate vendor, but only if such ultimate
19 vendor—

20 “(i) is registered under section 4101,

21 and

22 “(ii) meets the requirements of sub-
23 paragraph (A), (B), or (D) of section
24 6416(a)(1).”.

1 (2) TIME FOR FILING CLAIMS.—Subparagraph
2 (A) of section 6427(i)(4) is amended—

3 (A) by striking “subsection (l)(5)” both
4 places it appears and inserting “paragraph
5 (4)(B) or (5) of subsection (l)”, and

6 (B) by striking “the preceding sentence”
7 and inserting “subsection (l)(5)”.

8 (3) CONFORMING AMENDMENT.—Subparagraph
9 (B) of section 6427(l)(2) is amended to read as fol-
10 lows:

11 “(B) in the case of aviation-grade ker-
12 osene—

13 “(i) any use which is exempt from the
14 tax imposed by section 4041(c) other than
15 by reason of a prior imposition of tax, or

16 “(ii) any use in commercial aviation
17 (within the meaning of section 4083(b)).”.

18 (d) REPEAL OF PRIOR TAXATION OF AVIATION
19 FUEL.—

20 (1) IN GENERAL.—Part III of subchapter A of
21 chapter 32 is amended by striking subpart B and by
22 redesignating subpart C as subpart B.

23 (2) CONFORMING AMENDMENTS.—

24 (A) Section 4041(c) is amended to read as
25 follows:

1 “(c) AVIATION-GRADE KEROSENE.—

2 “(1) IN GENERAL.—There is hereby imposed a
3 tax upon aviation-grade kerosene—

4 “(A) sold by any person to an owner, les-
5 see, or other operator of an aircraft for use in
6 such aircraft, or

7 “(B) used by any person in an aircraft un-
8 less there was a taxable sale of such fuel under
9 subparagraph (A).

10 “(2) EXEMPTION FOR PREVIOUSLY TAXED
11 FUEL.—No tax shall be imposed by this subsection
12 on the sale or use of any aviation-grade kerosene if
13 tax was imposed on such liquid under section 4081
14 and the tax thereon was not credited or refunded.

15 “(3) RATE OF TAX.—The rate of tax imposed
16 by this subsection shall be the rate of tax specified
17 in section 4081(a)(2)(A)(iv) which is in effect at the
18 time of such sale or use.”.

19 (B) Section 4041(d)(2) is amended by
20 striking “section 4091” and inserting “section
21 4081”.

22 (C) Section 4041 is amended by striking
23 subsection (e).

24 (D) Section 4041 is amended by striking
25 subsection (i).

1 (E) Sections 4101(a), 4103, 4221(a), and
2 6206 are each amended by striking “, 4081, or
3 4091” and inserting “or 4081”.

4 (F) Section 6416(b)(2) is amended by
5 striking “4091 or”.

6 (G) Section 6416(b)(3) is amended by
7 striking “or 4091” each place it appears.

8 (H) Section 6416(d) is amended by strik-
9 ing “or to the tax imposed by section 4091 in
10 the case of refunds described in section
11 4091(d)”.

12 (I) Section 6427(j)(1) is amended by strik-
13 ing “, 4081, and 4091” and inserting “and
14 4081”.

15 (J)(i) Section 6427(l)(1) is amended to
16 read as follows:

17 “(1) IN GENERAL.—Except as otherwise pro-
18 vided in this subsection and in subsection (k), if any
19 diesel fuel or kerosene on which tax has been im-
20 posed by section 4041 or 4081 is used by any person
21 in a nontaxable use, the Secretary shall pay (without
22 interest) to the ultimate purchaser of such fuel an
23 amount equal to the aggregate amount of tax im-
24 posed on such fuel under section 4041 or 4081, as

1 the case may be, reduced by any payment made to
2 the ultimate vendor under paragraph (4)(B).”.

3 (ii) Paragraph (5)(B) of section 6427(l) is
4 amended by striking “Paragraph (1)(A) shall
5 not apply to kerosene” and inserting “Para-
6 graph (1) shall not apply to kerosene (other
7 than aviation-grade kerosene)”.

8 (K) Subparagraph (B) of section
9 6724(d)(1) is amended by striking clause (xv)
10 and by redesignating the succeeding clauses ac-
11 cordingly.

12 (L) Paragraph (2) of section 6724(d) is
13 amended by striking subparagraph (W) and by
14 redesignating the succeeding subparagraphs ac-
15 cordingly.

16 (M) Paragraph (1) of section 9502(b) is
17 amended by adding “and” at the end of sub-
18 paragraph (B) and by striking subparagraphs
19 (C) and (D) and inserting the following new
20 subparagraph:

21 “(C) section 4081 with respect to aviation
22 gasoline and aviation-grade kerosene, and”.

23 (N) The last sentence of section 9502(b) is
24 amended to read as follows:

1 “There shall not be taken into account under paragraph
2 (1) so much of the taxes imposed by section 4081 as are
3 determined at the rate specified in section
4 4081(a)(2)(B).”.

5 (O) Subsection (b) of section 9508 is
6 amended by striking paragraph (3) and by re-
7 designating paragraphs (4) and (5) as para-
8 graphs (3) and (4), respectively.

9 (P) Section 9508(c)(2)(A) is amended by
10 striking “sections 4081 and 4091” and insert-
11 ing “section 4081”.

12 (Q) The table of subparts for part III of
13 subchapter A of chapter 32 is amended to read
14 as follows:

“Subpart A. Motor and aviation fuels.

“Subpart B. Special provisions applicable to fuels tax.”.

15 (R) The heading for subpart A of part III
16 of subchapter A of chapter 32 is amended to
17 read as follows:

18 **“Subpart A—Motor and Aviation Fuels”.**

19 (S) The heading for subpart B of part III
20 of subchapter A of chapter 32, as redesignated
21 by paragraph (1), is amended to read as fol-
22 lows:

1 retary of the Treasury (or the Secretary's dele-
2 gate) shall prescribe, including the nonapplica-
3 tion of such tax on de minimis amounts of ker-
4 osene.

5 (3) TRANSFER OF FLOOR STOCK TAX REVE-
6 NUES TO TRUST FUNDS.—For purposes of deter-
7 mining the amount transferred to any trust fund,
8 the tax imposed by this subsection shall be treated
9 as imposed by section 4081 of the Internal Revenue
10 Code of 1986—

11 (A) at the Leaking Underground Storage
12 Tank Trust Fund financing rate under such
13 section to the extent of 0.1 cents per gallon,
14 and

15 (B) at the rate under section
16 4081(a)(2)(A)(iv) to the extent of the remain-
17 der.

18 (4) HELD BY A PERSON.—For purposes of this
19 section, kerosene shall be considered as held by a
20 person if title thereto has passed to such person
21 (whether or not delivery to the person has been
22 made).

23 (5) OTHER LAWS APPLICABLE.—All provisions
24 of law, including penalties, applicable with respect to
25 the tax imposed by section 4081 of such Code shall,

1 insofar as applicable and not inconsistent with the
2 provisions of this subsection, apply with respect to
3 the floor stock tax imposed by paragraph (1) to the
4 same extent as if such tax were imposed by such
5 section.

6 **SEC. 9303. DYE INJECTION EQUIPMENT.**

7 (a) IN GENERAL.—Section 4082(a)(2) (relating to
8 exemptions for diesel fuel and kerosene) is amended by
9 inserting “by mechanical injection” after “indelibly dyed”.

10 (b) DYE INJECTOR SECURITY.—Not later than 180
11 days after the date of the enactment of this Act, the Sec-
12 retary of the Treasury shall issue regulations regarding
13 mechanical dye injection systems described in the amend-
14 ment made by subsection (a), and such regulations shall
15 include standards for making such systems tamper resist-
16 ant.

17 (c) PENALTY FOR TAMPERING WITH OR FAILING TO
18 MAINTAIN SECURITY REQUIREMENTS FOR MECHANICAL
19 DYE INJECTION SYSTEMS.—

20 (1) IN GENERAL.—Part I of subchapter B of
21 chapter 68 (relating to assessable penalties) is
22 amended by adding after section 6715 the following
23 new section:

1 **“SEC. 6715A. TAMPERING WITH OR FAILING TO MAINTAIN**
2 **SECURITY REQUIREMENTS FOR MECHAN-**
3 **ICAL DYE INJECTION SYSTEMS.**

4 “(a) IMPOSITION OF PENALTY—

5 “(1) TAMPERING.—If any person tampers with
6 a mechanical dye injection system used to indelibly
7 dye fuel for purposes of section 4082, such person
8 shall pay a penalty in addition to the tax (if any).

9 “(2) FAILURE TO MAINTAIN SECURITY RE-
10 QUIREMENTS.—If any operator of a mechanical dye
11 injection system used to indelibly dye fuel for pur-
12 poses of section 4082 fails to maintain the security
13 standards for such system as established by the Sec-
14 retary, then such operator shall pay a penalty in ad-
15 dition to the tax (if any).

16 “(b) AMOUNT OF PENALTY.—The amount of the
17 penalty under subsection (a) shall be—

18 “(1) for each violation described in paragraph
19 (1), the greater of—

20 “(A) \$25,000, or

21 “(B) \$10 for each gallon of fuel involved,

22 and

23 “(2) for each—

24 “(A) failure to maintain security standards
25 described in paragraph (2), \$1,000, and

1 after the date on which the Secretary issues the regula-
2 tions described in subsection (b).

3 **SEC. 9304. AUTHORITY TO INSPECT ON-SITE RECORDS.**

4 (a) IN GENERAL.—Section 4083(d)(1)(A) (relating
5 to administrative authority), as previously amended by
6 this Act, is amended by striking “and” at the end of clause
7 (i) and by inserting after clause (ii) the following new
8 clause:

9 “(iii) inspecting any books and
10 records and any shipping papers pertaining
11 to such fuel, and”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date of the enactment
14 of this Act.

15 **SEC. 9305. REGISTRATION OF PIPELINE OR VESSEL OPERA-**
16 **TORS REQUIRED FOR EXEMPTION OF BULK**
17 **TRANSFERS TO REGISTERED TERMINALS OR**
18 **REFINERIES.**

19 (a) IN GENERAL.—Section 4081(a)(1)(B) (relating
20 to exemption for bulk transfers to registered terminals or
21 refineries) is amended—

22 (1) by inserting “by pipeline or vessel” after
23 “transferred in bulk”, and

24 (2) by inserting “, the operator of such pipeline
25 or vessel,” after “the taxable fuel”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 2004.

3 (c) PUBLICATION OF REGISTERED PERSONS.—Be-
4 ginning on July 1, 2004, the Secretary of the Treasury
5 (or the Secretary’s delegate) shall periodically publish a
6 current list of persons registered under section 4101 of
7 the Internal Revenue Code of 1986 who are required to
8 register under such section.

9 **SEC. 9306. DISPLAY OF REGISTRATION.**

10 (a) IN GENERAL.—Subsection (a) of section 4101
11 (relating to registration) is amended—

12 (1) by striking “Every” and inserting the fol-
13 lowing:

14 “(1) IN GENERAL.—Every”, and

15 (2) by adding at the end the following new
16 paragraph:

17 “(2) DISPLAY OF REGISTRATION.—Every oper-
18 ator of a vessel required by the Secretary to register
19 under this section shall display proof of registration
20 through an electronic identification device prescribed
21 by the Secretary on each vessel used by such oper-
22 ator to transport any taxable fuel.”.

23 (b) CIVIL PENALTY FOR FAILURE TO DISPLAY REG-
24 ISTRATION.—

1 amended by inserting after the item relating to sec-
2 tion 6716 the following new item:

“Sec. 6717. Failure to display tax registration on vessels.”.

3 (c) EFFECTIVE DATES.—

4 (1) SUBSECTION (a).—The amendments made
5 by subsection (a) shall take effect on October 1,
6 2004.

7 (2) SUBSECTION (b).—The amendments made
8 by subsection (b) shall apply to penalties imposed
9 after September 30, 2004.

10 **SEC. 9307. PENALTIES FOR FAILURE TO REGISTER AND**
11 **FAILURE TO REPORT.**

12 (a) INCREASED PENALTY.—Subsection (a) of section
13 7272 (relating to penalty for failure to register) is amend-
14 ed by inserting “(\$10,000 in the case of a failure to reg-
15 ister under section 4101)” after “\$50”.

16 (b) INCREASED CRIMINAL PENALTY.—Section 7232
17 (relating to failure to register under section 4101, false
18 representations of registration status, etc.) is amended by
19 striking “\$5,000” and inserting “\$10,000”.

20 (c) ASSESSABLE PENALTY FOR FAILURE TO REG-
21 ISTER.—

22 (1) IN GENERAL.—Part I of subchapter B of
23 chapter 68 (relating to assessable penalties) is
24 amended by inserting after section 6717 the fol-
25 lowing new section:

1 **“SEC. 6718. FAILURE TO REGISTER.**

2 “(a) **FAILURE TO REGISTER.**—Every person who is
3 required to register under section 4101 and fails to do
4 so shall pay a penalty in addition to the tax (if any).

5 “(b) **AMOUNT OF PENALTY.**—The amount of the
6 penalty under subsection (a) shall be—

7 “(1) \$10,000 for each initial failure to register,
8 and

9 “(2) \$1,000 for each day thereafter such person
10 fails to register.

11 “(c) **REASONABLE CAUSE EXCEPTION.**—No penalty
12 shall be imposed under this section with respect to any
13 failure if it is shown that such failure is due to reasonable
14 cause.”.

15 (2) **CLERICAL AMENDMENT.**—The table of sec-
16 tions for part I of subchapter B of chapter 68 is
17 amended by inserting after the item relating to sec-
18 tion 6717 the following new item:

 “Sec. 6718. Failure to register.”.

19 (d) **ASSESSABLE PENALTY FOR FAILURE TO RE-**
20 **PORT.**—

21 (1) **IN GENERAL.**—Part II of subchapter B of
22 chapter 68 (relating to assessable penalties) is
23 amended by adding at the end the following new sec-
24 tion:

1 **“SEC. 6725. FAILURE TO REPORT INFORMATION UNDER**
2 **SECTION 4101.**

3 “(a) IN GENERAL.—In the case of each failure de-
4 scribed in subsection (b) by any person with respect to
5 a vessel or facility, such person shall pay a penalty of
6 \$10,000 in addition to the tax (if any).

7 “(b) FAILURES SUBJECT TO PENALTY.—For pur-
8 poses of subsection (a), the failures described in this sub-
9 section are—

10 “(1) any failure to make a report under section
11 4101(d) on or before the date prescribed therefor,
12 and

13 “(2) any failure to include all of the informa-
14 tion required to be shown on such report or the in-
15 clusion of incorrect information.

16 “(c) REASONABLE CAUSE EXCEPTION.—No penalty
17 shall be imposed under this section with respect to any
18 failure if it is shown that such failure is due to reasonable
19 cause.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions for part II of subchapter B of chapter 68 is
22 amended by adding at the end the following new
23 item:

“Sec. 6725. Failure to report information under section 4101.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to penalties imposed after Sep-
3 tember 30, 2004.

4 **SEC. 9308. COLLECTION FROM CUSTOMS BOND WHERE IM-
5 PORTER NOT REGISTERED.**

6 (a) TAX AT POINT OF ENTRY WHERE IMPORTER
7 NOT REGISTERED.—Subpart B of part III of subchapter
8 A of chapter 32, as redesignated by section 9302(d), is
9 amended by adding after section 4103 the following new
10 section:

11 **“SEC. 4104. COLLECTION FROM CUSTOMS BOND WHERE IM-
12 PORTER NOT REGISTERED.**

13 “(a) IN GENERAL.—The importer of record shall be
14 jointly and severally liable for the tax imposed by section
15 4081(a)(1)(A)(iii) if, under regulations prescribed by the
16 Secretary, any other person that is not a person who is
17 registered under section 4101 is liable for such tax.

18 “(b) COLLECTION FROM CUSTOMS BOND.—If any
19 tax for which any importer of record is liable under sub-
20 section (a), or for which any importer of record that is
21 not a person registered under section 4101 is otherwise
22 liable, is not paid on or before the last date prescribed
23 for payment, the Secretary may collect such tax from the
24 Customs bond posted with respect to the importation of
25 the taxable fuel to which the tax relates. For purposes of

1 determining the jurisdiction of any court of the United
2 States or any agency of the United States, any action by
3 the Secretary described in the preceding sentence shall be
4 treated as an action to collect the tax from a bond de-
5 scribed in section 4101(b)(1) and not as an action to col-
6 lect from a bond relating to the importation of merchan-
7 dise.”.

8 (b) CONFORMING AMENDMENT.—The table of sec-
9 tions for subpart B of part III of subchapter A of chapter
10 32, as redesignated by section 9302(d), is amended by
11 adding after the item related to section 4103 the following
12 new item:

“Sec. 4104. Collection from Customs bond where importer not
registered.”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply with respect to fuel entered after
15 September 30, 2004.

16 **SEC. 9309. MODIFICATIONS OF TAX ON USE OF CERTAIN VE-**
17 **HICLES.**

18 (a) PRORATION OF TAX WHERE VEHICLE SOLD.—

19 (1) IN GENERAL.—Subparagraph (A) of section
20 4481(e)(2) (relating to where vehicle destroyed or
21 stolen) is amended by striking “destroyed or stolen”
22 both places it appears and inserting “sold, de-
23 stroyed, or stolen”.

1 (2) CONFORMING AMENDMENT.—The heading
2 for section 4481(c)(2) is amended by striking “DE-
3 STROYED OR STOLEN” and inserting “SOLD, DE-
4 STROYED, OR STOLEN”.

5 (b) REPEAL OF INSTALLMENT PAYMENT.—

6 (1) Section 6156 (relating to installment pay-
7 ment of tax on use of highway motor vehicles) is re-
8 pealed.

9 (2) The table of sections for subchapter A of
10 chapter 62 is amended by striking the item relating
11 to section 6156.

12 (c) ELECTRONIC FILING.—Section 4481 is amended
13 by redesignating subsection (e) as subsection (f) and by
14 inserting after subsection (d) the following new subsection:

15 “(e) ELECTRONIC FILING.—Any taxpayer who files
16 a return under this section with respect to 25 or more
17 vehicles for any taxable period shall file such return elec-
18 tronically.”.

19 (d) REPEAL OF REDUCTION IN TAX FOR CERTAIN
20 TRUCKS.—Section 4483 is amended by striking subsection
21 (f).

22 (e) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable periods beginning after
24 the date of the enactment of this Act.

1 **SEC. 9310. MODIFICATION OF ULTIMATE VENDOR REFUND**
2 **CLAIMS WITH RESPECT TO FARMING.**

3 (a) IN GENERAL.—

4 (1) REFUNDS.—Section 6427(l) is amended by
5 adding at the end the following new paragraph:

6 “(6) REGISTERED VENDORS PERMITTED TO AD-
7 MINISTER CERTAIN CLAIMS FOR REFUND OF DIESEL
8 FUEL AND KEROSENE SOLD TO FARMERS.—

9 “(A) IN GENERAL.—In the case of diesel
10 fuel or kerosene used on a farm for farming
11 purposes (within the meaning of section
12 6420(c)), paragraph (1) shall not apply to the
13 aggregate amount of such diesel fuel or ker-
14 osene if such amount does not exceed 250 gal-
15 lons (as determined under subsection
16 (i)(5)(A)(iii)).

17 “(B) PAYMENT TO ULTIMATE VENDOR.—
18 The amount which would (but for subparagraph
19 (A)) have been paid under paragraph (1) with
20 respect to any fuel shall be paid to the ultimate
21 vendor of such fuel, if such vendor—

22 “(i) is registered under section 4101,
23 and

24 “(ii) meets the requirements of sub-
25 paragraph (A), (B), or (D) of section
26 6416(a)(1).”.

1 (2) FILING OF CLAIMS.—Section 6427(i) is
2 amended by inserting at the end the following new
3 paragraph:

4 “(5) SPECIAL RULE FOR VENDOR REFUNDS
5 WITH RESPECT TO FARMERS.—

6 “(A) IN GENERAL.—A claim may be filed
7 under subsection (l)(6) by any person with re-
8 spect to fuel sold by such person for any pe-
9 riod—

10 “(i) for which \$200 or more (\$100 or
11 more in the case of kerosene) is payable
12 under subsection (l)(6),

13 “(ii) which is not less than 1 week,
14 and

15 “(iii) which is for not more than 250
16 gallons for each farmer for which there is
17 a claim.

18 Notwithstanding subsection (l)(1), paragraph
19 (3)(B) shall apply to claims filed under the pre-
20 ceding sentence.

21 “(B) TIME FOR FILING CLAIM.—No claim
22 filed under this paragraph shall be allowed un-
23 less filed on or before the last day of the first
24 quarter following the earliest quarter included
25 in the claim.”.

1 (3) CONFORMING AMENDMENTS.—

2 (A) Section 6427(l)(5)(A) is amended to
3 read as follows:

4 “(A) IN GENERAL.—Paragraph (1) shall
5 not apply to diesel fuel or kerosene used by a
6 State or local government.”.

7 (B) The heading for section 6427(l)(5) is
8 amended by striking “FARMERS AND”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 this section shall apply to fuels sold for nontaxable use
11 after the date of the enactment of this Act.

12 **SEC. 9311. DEDICATION OF REVENUES FROM CERTAIN PEN-**
13 **ALTIES TO THE HIGHWAY TRUST FUND.**

14 (a) IN GENERAL.—Subsection (b) of section 9503
15 (relating to transfer to Highway Trust Fund of amounts
16 equivalent to certain taxes) is amended by redesignating
17 paragraph (5) as paragraph (6) and inserting after para-
18 graph (4) the following new paragraph:

19 “(5) CERTAIN PENALTIES.—There are hereby
20 appropriated to the Highway Trust Fund amounts
21 equivalent to the penalties paid under sections 6715,
22 6715A, 6717, 6718, 6725, 7232, and 7272 (but only
23 with regard to penalties under such section related
24 to failure to register under section 4101).”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) The heading of subsection (b) of section
2 9503 is amended by inserting “AND PENALTIES”
3 after “TAXES”.

4 (2) The heading of paragraph (1) of section
5 9503(b) is amended by striking “IN GENERAL” and
6 inserting “CERTAIN TAXES”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to penalties assessed after October
9 1, 2004.

10 **Subtitle D—Other Excise Tax** 11 **Provisions**

12 **SEC. 9401. TAXABLE FUEL REFUNDS FOR CERTAIN ULTI-** 13 **MATE VENDORS.**

14 (a) IN GENERAL.—Paragraph (4) of section 6416(a)
15 (relating to abatements, credits, and refunds) is amended
16 to read as follows:

17 “(4) REGISTERED ULTIMATE VENDOR TO AD-
18 MINISTER CREDITS AND REFUNDS OF GASOLINE
19 TAX.—

20 “(A) IN GENERAL.—For purposes of this
21 subsection, if an ultimate vendor purchases any
22 gasoline on which tax imposed by section 4081
23 has been paid and sells such gasoline to an ulti-
24 mate purchaser described in subparagraph (C)
25 or (D) of subsection (b)(2) (and such gasoline

1 is for a use described in such subparagraph),
2 such ultimate vendor shall be treated as the
3 person (and the only person) who paid such tax,
4 but only if such ultimate vendor is registered
5 under section 4101. For purposes of this sub-
6 paragraph, if the sale of gasoline is made by
7 means of a credit card, the person extending
8 the credit to the ultimate purchaser shall be
9 deemed to be the ultimate vendor.

10 “(B) TIMING OF CLAIMS.—The procedure
11 and timing of any claim under subparagraph
12 (A) shall be the same as for claims under sec-
13 tion 6427(i)(4), except that the rules of section
14 6427(i)(3)(B) regarding electronic claims shall
15 not apply unless the ultimate vendor has cer-
16 tified to the Secretary for the most recent quar-
17 ter of the taxable year that all ultimate pur-
18 chasers of the vendor covered by such claim are
19 certified and entitled to a refund under sub-
20 paragraph (C) or (D) of subsection (b)(2).”.

21 (b) CREDIT CARD PURCHASES OF DIESEL FUEL OR
22 KEROSENE BY STATE AND LOCAL GOVERNMENTS.—Sec-
23 tion 6427(l)(5)(C) (relating to nontaxable uses of diesel
24 fuel, kerosene, and aviation fuel) is amended by adding
25 at the end the following new flush sentence: “For purposes

1 of this subparagraph, if the sale of diesel fuel or kerosene
2 is made by means of a credit card, the person extending
3 the credit to the ultimate purchaser shall be deemed to
4 be the ultimate vendor.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect on October 1, 2004.

7 **SEC. 9402. TWO-PARTY EXCHANGES.**

8 (a) IN GENERAL.—Subpart B of part III of sub-
9 chapter A of chapter 32, as amended by this Act, is
10 amended by adding after section 4104 the following new
11 section:

12 **“SEC. 4105. TWO-PARTY EXCHANGES.**

13 “(a) IN GENERAL.—In a two-party exchange, the de-
14 livering person shall not be liable for the tax imposed
15 under section 4081(a)(1)(A)(ii).

16 “(b) TWO-PARTY EXCHANGE.—The term ‘two-party
17 exchange’ means a transaction, other than a sale, in which
18 taxable fuel is transferred from a delivering person reg-
19 istered under section 4101 as a taxable fuel registrant fuel
20 to a receiving person who is so registered where all of the
21 following occur:

22 “(1) The transaction includes a transfer from
23 the delivering person, who holds the inventory posi-
24 tion for taxable fuel in the terminal as reflected in
25 the records of the terminal operator.

1 “(2) The exchange transaction occurs before or
2 contemporaneous with completion of removal across
3 the rack from the terminal by the receiving person.

4 “(3) The terminal operator in its books and
5 records treats the receiving person as the person
6 that removes the taxable fuel across the terminal
7 rack for purposes of reporting the transaction to the
8 Secretary.

9 “(4) The transaction is the subject of a written
10 contract.”.

11 (b) CONFORMING AMENDMENT.—The table of sec-
12 tions for subpart B of part III of subchapter A of chapter
13 32, as amended by this Act, is amended by adding after
14 the item relating to section 4104 the following new item:

 “Sec. 4105. Two-party exchanges.”.

15 (c) EFFECTIVE DATE.—The amendment made by
16 this section shall take effect on the date of the enactment
17 of this Act.

18 **SEC. 9403. SIMPLIFICATION OF TAX ON TIRES.**

19 (a) IN GENERAL.—Subsection (a) of section 4071 is
20 amended to read as follows:

21 “(a) IMPOSITION AND RATE OF TAX.—There is here-
22 by imposed on taxable tires sold by the manufacturer, pro-
23 ducer, or importer thereof a tax at the rate of 9.4 cents
24 (4.7 cents in the case of a biasply tire) for each 10 pounds

1 so much of the maximum rated load capacity thereof as
2 exceeds 3,500 pounds.”

3 (b) TAXABLE TIRE.—Section 4072 is amended by re-
4 designating subsections (a) and (b) as subsections (b) and
5 (c), respectively, and by inserting before subsection (b) (as
6 so redesignated) the following new subsection:

7 “(a) TAXABLE TIRE.—For purposes of this chapter,
8 the term ‘taxable tire’ means any tire of the type used
9 on highway vehicles if wholly or in part made of rubber
10 and if marked pursuant to Federal regulations for high-
11 way use.”

12 (c) EXEMPTION FOR TIRES SOLD TO DEPARTMENT
13 OF DEFENSE.—Section 4073 is amended to read as fol-
14 lows:

15 **“SEC. 4073. EXEMPTIONS.**

16 “The tax imposed by section 4071 shall not apply to
17 tires sold for the exclusive use of the Department of De-
18 fense or the Coast Guard.”

19 (d) CONFORMING AMENDMENTS.—

20 (1) Section 4071 is amended by striking sub-
21 section (c) and by moving subsection (e) after sub-
22 section (b) and redesignating subsection (e) as sub-
23 section (c).

1 (2) The item relating to section 4073 in the
2 table of sections for part II of subchapter A of chap-
3 ter 32 is amended to read as follows:

“Sec. 4073. Exemptions.”

4 (e) EFFECTIVE DATE.—The amendments made by
5 this section shall apply to sales in calendar years begin-
6 ning more than 30 days after the date of the enactment
7 of this Act.

8 **Subtitle E—Small Business** 9 **Expensing**

10 **SEC. 9501. 2-YEAR EXTENSION OF INCREASED EXPENSING** 11 **FOR SMALL BUSINESS.**

12 Subsections (b), (c), and (d) of section 179 (as
13 amended by the Jobs and Growth Tax Relief Reconcili-
14 ation Act of 2003) are each amended by striking “2006”
15 each place it appears and inserting “2008”.

16 **Subtitle F—Alternative Minimum** 17 **Tax Relief**

18 **SEC. 9601. NET OPERATING LOSSES AND FOREIGN TAX** 19 **CREDIT UNDER ALTERNATIVE MINIMUM TAX.**

20 (a) NET OPERATING LOSSES.—

21 (1) IN GENERAL.—Subparagraph (A) of section
22 56(d)(1) is amended to read as follows:

23 “(A) the amount of such deduction shall
24 not exceed the applicable percentage (deter-
25 mined under paragraph (3)) of the alternative

1 minimum taxable income determined without
 2 regard to such deduction, and”.

3 (2) APPLICABLE PERCENTAGE.—Subsection (d)
 4 of section 56 is amended by adding at the end the
 5 following new paragraph:

6 “(3) APPLICABLE PERCENTAGE.—For purposes
 7 of paragraph (1)(A)—

“For taxable years beginning in calendar year—	The applicable percentage is—
2006, 2007, or 2008	92
2009 or 2010	94
2011	96
2012	98
2013 or thereafter	100.”

8 (b) FOREIGN TAX CREDIT.—

9 (1) Subsection (a) of section 59 is amended by
 10 striking paragraph (2) and by redesignating para-
 11 graphs (3) and (4) as paragraphs (2) and (3), re-
 12 spectively.

13 (2) Section 53(d)(1)(B)(i)(II) is amended by
 14 striking “and if section 59(a)(2) did not apply”.

15 (c) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply to taxable years beginning after
 17 December 31, 2005.

18 **SEC. 9602. EXPANSION OF EXEMPTION FROM ALTERNATIVE**
 19 **MINIMUM TAX FOR SMALL CORPORATIONS.**

20 (a) IN GENERAL.—Subparagraphs (A) and (B) of
 21 section 55(e)(1) are each amended by striking

1 “\$7,500,000” each place it appears and inserting
2 “\$20,000,000”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 this section shall apply to taxable years beginning after
5 December 31, 2005.

6 **SEC. 9603. INCOME AVERAGING FOR FARMERS NOT TO IN-**
7 **CREASE ALTERNATIVE MINIMUM TAX.**

8 (a) IN GENERAL.—Subsection (c) of section 55 (de-
9 fining regular tax) is amended by redesignating paragraph
10 (2) as paragraph (3) and by inserting after paragraph (1)
11 the following new paragraph:

12 “(2) COORDINATION WITH INCOME AVERAGING
13 FOR FARMERS.—Solely for purposes of this section,
14 section 1301 (relating to averaging of farm income)
15 shall not apply in computing the regular tax liabil-
16 ity.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall apply to taxable years beginning after
19 December 31, 2003.

20 **TITLE X—RAIL PROVISIONS**

21 **SEC. 10001. HIGH-SPEED RAIL CORRIDOR DEVELOPMENT.**

22 (a) CORRIDOR DEVELOPMENT.—

23 (1) AMENDMENTS.—Section 26101 of title 49,
24 United States Code, is amended—

1 (A) in the section heading, by striking
2 “**PLANNING**” and inserting “**DEVELOP-**
3 **MENT**”;

4 (B) in the heading of subsection (a), by
5 striking “PLANNING” and inserting “DEVELOP-
6 MENT”;

7 (C) by striking “corridor planning” each
8 place it appears and inserting “corridor devel-
9 opment”;

10 (D) in subsection (b)(1)—

11 (i) by inserting “, or if it is an activity
12 described in subparagraph (M)” after
13 “high-speed rail improvements”;

14 (ii) by striking “and” at the end of
15 subparagraph (K);

16 (iii) by striking the period at the end
17 of subparagraph (L) and inserting “; and”;
18 and

19 (iv) by adding at the end the following
20 new subparagraph:

21 “(M) the acquisition of locomotives, rolling
22 stock, track, and signal equipment.”; and

23 (E) in subsection (c)(2), by striking “plan-
24 ning” and inserting “development”.

1 (2) CONFORMING AMENDMENT.—The item re-
2 relating to section 26101 in the table of sections of
3 chapter 261 of title 49, United States Code, is
4 amended by striking “planning” and inserting “de-
5 velopment”.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
7 26104 of title 49, United States Code, is amended to read
8 as follows:

9 **“§ 26104. Authorization of appropriations**

10 “(a) FISCAL YEARS 2005 THROUGH 2012.—There
11 are authorized to be appropriated to the Secretary—

12 “(1) \$70,000,000 for carrying out section
13 26101; and

14 “(2) \$30,000,000 for carrying out section
15 26102, for each of the fiscal years 2005 through
16 2012.

17 “(b) FUNDS TO REMAIN AVAILABLE.—Funds made
18 available under this section shall remain available until ex-
19 pended.”.

20 **SEC. 10002. ALASKA RAILROAD.**

21 (a) GRANTS.—The Secretary shall make grants to
22 the Alaska railroad for capital rehabilitation and improve-
23 ments benefiting its passenger operations.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as may be necessary.

Passed the House of Representatives April 2, 2004.

Attest: JEFF TRANDAHL,
Clerk.

By MAJORIE C. KELAHER,
Assistant to the Clerk.

Calendar No. 473

108TH CONGRESS
2^D Session

H. R. 3550

AN ACT

To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

APRIL 22, 2004

Read twice and placed on the calendar