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**INTERMODAL SURFACE TRANSPORTATION EFFICIENCY  
ACT OF 1991**

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January 24, 2002

## INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991

[Public Law 102-240; December 18, 1991]

[As Amended Through Public Law 107-136, Jan. 24, 2002]

AN ACT To develop a national intermodal surface transportation system, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

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

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This Act may be cited as the “Intermodal Surface Transportation Efficiency Act of 1991”.

**【Section 2—repealed by P.L. 103–272】**

**SEC. 3. SECRETARY DEFINED.**

As used in this Act, the term “Secretary” means the Secretary of Transportation.

## TITLE I—SURFACE TRANSPORTATION

### Part A—Title 23 Programs

#### SEC. 1001. COMPLETION OF INTERSTATE SYSTEM.

(a) **DECLARATION.**—Congress declares that the authorizations of appropriations and apportionments for construction of the Dwight D. Eisenhower National System of Interstate and Defense Highways made by this section (including the amendments made by this section) are the final authorizations of appropriations and apportionments for completion of construction of such System.

(b) **APPROVAL OF INTERSTATE COST ESTIMATE FOR FISCAL YEAR 1993.**—The Secretary shall apportion for all States (other than Massachusetts) for fiscal year 1993 the sums authorized to be appropriated for such year by section 108(b) of the Federal-Aid Highway Act of 1956 for expenditure on the Dwight D. Eisenhower National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5 of the Committee Print Numbered 102–24 of the Committee on Public Works and Transportation of the House of Representatives.

\* \* \* \* \*

#### SEC. 1002. OBLIGATION CEILING.

(a) **GENERAL LIMITATION.**—Notwithstanding any other provision of law (other than subsection (f) of this section), the total of all obligations for Federal-aid highways and highway safety construction programs shall not exceed—

- (1) \$16,800,000,000 for fiscal year 1992;
- (2) \$18,303,000,000 for fiscal year 1993;
- (3) \$18,362,000,000 for fiscal year 1994;
- (4) \$18,332,000,000 for fiscal year 1995;
- (5) \$18,357,000,000 for fiscal year 1996; and
- (6) \$18,338,000,000 for fiscal year 1997.

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

- (1) under section 125 of title 23, United States Code;
- (2) under section 157 of such title;
- (3) under section 147 of the Surface Transportation Assistance Act of 1978;
- (4) under section 9 of the Federal-Aid Highway Act of 1981;
- (5) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982;
- (6) under section 404 of the Surface Transportation Assistance Act of 1982; and
- (7) under sections 1103 through 1108 of this Act.

Such limitations shall also not apply to obligations of funds made available by subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(c) **DISTRIBUTION OF OBLIGATION AUTHORITY.**—

- (1) **GENERAL RULE.**—For each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, the Secretary shall distribute the limitation imposed by subsection (a) by allocation in the ratio

which sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to each State for such fiscal year bears to the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to all the States for such fiscal year.

(2) SPECIAL RULE FOR MASSACHUSETTS.—For purposes of this section, funds apportioned to the State of Massachusetts pursuant to the next to the last sentence of section 104(b)(5)(A) of title 23, United States Code, shall be treated as if such funds were allocated to such State under such title. If, before October 1 of each of fiscal years 1992, 1993, 1994, and 1995, the State of Massachusetts indicates it will not obligate a portion of the amount which would be distributed to such State under the preceding sentence, the Secretary shall distribute such portion to the other States under paragraph (1).

(d) LIMITATION ON OBLIGATION AUTHORITY.—During the period October 1 through December 31 of each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, no State shall obligate more than 35 percent of the amount distributed to such State under subsection (c) for such fiscal year, and the total of all State obligations during such period shall not exceed 25 percent of the total amount distributed to all States under such subsection for such fiscal year.

(e) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsections (c) and (d), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways and highway safety construction which have been apportioned or allocated to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code;

(2) after August 1 of each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997, revise a distribution of the funds made available under subsection (c) for such fiscal year if a State will not obligate the amount distributed during such fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during such fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code; and

(3) not distribute amounts authorized for administrative expenses, Federal lands highways programs, and the national high speed ground transportation programs and amounts made available under section 149(d) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(f) ADDITIONAL OBLIGATION AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), a State which after August 1 and on or before September 30 of fiscal year 1993, 1994, 1995, 1996, or 1997 obligates the amount distributed to such State in such fiscal year under subsections (c) and (e) may obligate for Federal-aid highways and highway safety construction on or before September 30 of such fiscal year an



additional amount not to exceed 5 percent of the aggregate amount of funds apportioned or allocated to such State—

(A) under sections 104 and 144 of title 23, United States Code, and

(B) for highway assistance projects under section 103(e)(4) of such title, which are not obligated on the date such State completes obligation of the amount so distributed.

(2) LIMITATION ON ADDITIONAL OBLIGATION AUTHORITY.—During the period August 2 through September 30 of each of fiscal years 1993, 1994, 1995, 1996, and 1997, the aggregate amount which may be obligated by all States pursuant to paragraph (1) shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(A) under sections 104 and 144 of title 23, United States Code, and

(B) for highway assistance projects under section 103(e)(4) of such title, which would not be obligated in such fiscal year if the total amount of obligational authority provided by subsection (a) for such fiscal year were utilized.

(3) LIMITATION ON APPLICABILITY.—Paragraph (1) shall not apply to any State which on or after August 1 of fiscal year 1993, 1994, 1995, 1996, or 1997, as the case may be, has the amount distributed to such State under subsection (c) for such fiscal year reduced under subsection (e)(2).

(g) OBLIGATION CEILING FOR HIGHWAY SAFETY PROGRAMS.—Notwithstanding any other provision of law, the total of all obligations for highway safety programs carried out by the Federal Highway Administration under section 402 of title 23, United States Code, shall not exceed \$10,000,000 for fiscal year 1992 and \$20,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

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#### SEC. 1003. AUTHORIZATION OF APPROPRIATIONS.

(a) FROM THE HIGHWAY TRUST FUND.—For the purpose of carrying out the provisions of title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program \$2,431,000,000 for fiscal year 1992, \$2,913,000,000 for fiscal year 1993, \$2,914,000,000 for fiscal year 1994, \$2,914,000,000 for fiscal year 1995, \$2,914,000,000 for fiscal year 1996, and \$2,914,000,000 for fiscal year 1997.

(2) NATIONAL HIGHWAY SYSTEM.—For the National Highway System \$3,003,000,000 for fiscal year 1992, \$3,599,000,000 for fiscal year 1993, \$3,599,000,000 for fiscal year 1994, \$3,599,000,000 for fiscal year 1995, \$3,600,000,000 for fiscal year 1996, and \$3,600,000,000 for fiscal year 1997.

(3) SURFACE TRANSPORTATION PROGRAM.—For the surface transportation program \$3,418,000,000 for fiscal year 1992, \$4,096,000,000 for fiscal year 1993, \$4,096,000,000 for fiscal

year 1994, \$4,096,000,000 for fiscal year 1995, \$4,097,000,000 for fiscal year 1996, and \$4,097,000,000 for fiscal year 1997.

(4) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—For the congestion mitigation and air quality improvement program \$858,000,000 for fiscal year 1992, \$1,028,000,000 for fiscal year 1993, \$1,028,000,000 for fiscal year 1994, \$1,028,000,000 for fiscal year 1995, \$1,029,000,000 for fiscal year 1996, and \$1,029,000,000 for fiscal year 1997.

(5) BRIDGE PROGRAM.—For the bridge program \$2,288,000,000 for fiscal year 1992, \$2,762,000,000 for fiscal year 1993, \$2,762,000,000 for fiscal year 1994, \$2,762,000,000 for fiscal year 1995, \$2,763,000,000 for fiscal year 1996, and \$2,763,000,000 for fiscal year 1997.

(6) FEDERAL LANDS HIGHWAY PROGRAM.—

(A) INDIAN RESERVATION ROADS.—For Indian reservation roads \$159,000,000 for fiscal year 1992, \$191,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997, and \$95,500,000 for the period of October 1, 1997, through March 31, 1998.

(B) PUBLIC LANDS HIGHWAYS.—For public lands highways \$143,000,000 for fiscal year 1992, \$171,000,000 for each of fiscal years 1993, 1994, and 1995, \$172,000,000 for each of fiscal years 1996 and 1997 and \$86,000,000 for the period of October 1, 1997, through March 31, 1998.

(C) PARKWAYS AND PARK HIGHWAYS.—For parkways and park highways \$69,000,000 for fiscal year 1992, \$83,000,000 for each of fiscal years 1993, 1994, and 1995, \$84,000,000 for each of fiscal years 1996 and 1997, and \$42,000,000 for the period of October 1, 1997, through March 31, 1998.

(7) FHWA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 by the Federal Highway Administration \$17,000,000 for fiscal year 1992 and \$20,000,000 for each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(8) FHWA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 by the Federal Highway Administration \$10,000,000 for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) GENERAL RULE.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts authorized to be appropriated under titles I (other than part B), III, V, and VI of this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

(2) DEFINITIONS.—For purposes of this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—The term “small business concern” has the meaning such term has under section 3 of the Small Business Act (15 U.S.C. 632); except that such term shall not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals which has average annual gross receipts over the preceding 3 fiscal years in

excess of \$15,370,000, as adjusted by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term “socially and economically disadvantaged individuals” has the meaning such term has under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually survey and compile a list of the small business concerns referred to in paragraph (1) and the location of such concerns in the State and notify the Secretary, in writing, of the percentage of such concerns which are controlled by women, by socially and economically disadvantaged individuals (other than women), and by individuals who are women and are also otherwise socially and economically disadvantaged individuals.

(4) UNIFORM CERTIFICATION.—The Secretary shall establish minimum uniform criteria for State governments to use in certifying whether a concern qualifies for purposes of this subsection. Such minimum uniform criteria shall include but not be limited to on-site visits, personal interviews, licenses, analysis of stock ownership, listing of equipment, analysis of bonding capacity, listing of work completed, resume of principal owners, financial capacity, and type of work preferred.

(5) STUDY.—

(A) IN GENERAL.—The Comptroller General shall conduct a study of the disadvantaged business enterprise program of the Federal Highway Administration (hereinafter in this paragraph referred to as the “program”).

(B) CONTENTS.—The study under this paragraph shall include the following:

(i) GRADUATION.—A determination of—

(I) the percentage of disadvantaged business enterprises which have enrolled in the program and graduated after a period of 3 years;

(II) the number of disadvantaged business enterprises which have enrolled in the program and not graduated after a period of 3 years;

(III) whether or not the graduation date of any of the disadvantaged business enterprises described in subclause (II) should have been accelerated;

(IV) since the program has no graduation time requirements, how many years would appear reasonable for disadvantaged business enterprises to participate in the program;

(V) the length of time the average small non-disadvantaged business enterprise takes to be successful in the highway construction field as compared to the average disadvantaged business enterprise; and

(VI) to what degree are disadvantaged business enterprises awarded contracts once they are no longer participating in the disadvantaged business program.

(ii) OUT-OF-STATE CONTRACTING.—A determination of which State transportation programs meet the requirement of the program for 10 percent participation by disadvantaged business enterprises by contracting with contractors located in another State and a determination to what degree prime contractors use out-of-State disadvantaged business enterprises even when disadvantaged business enterprises exist within the State to meet the 10 percent participation goal and reasons why this occurs.

(iii) PROGRAM ADJUSTMENTS.—A determination of whether or not adjustments in the program could be made with respect to Federal and State participation in training programs and with respect to meeting capital needs and bonding requirements.

(iv) SUCCESS RATE.—Recommendations concerning whether or not adjustments described in clause (iii) would continue to encourage minority participation in the program and improve the success rate of the disadvantaged business enterprises.

(v) PERFORMANCE AND FINANCIAL CAPABILITIES.—Recommendations for additions and revisions to criteria used to determine the performance and financial capabilities of disadvantaged business enterprises enrolled in the program.

(vi) ENFORCEMENT MECHANISMS.—A determination of whether the current enforcement mechanisms are sufficient to ensure compliance with the disadvantaged business enterprise participation requirements.

(vii) ADDITIONAL COSTS.—A determination of additional costs incurred by the Federal Highway Administration in meeting the requirement of the program for 10 percent participation by disadvantaged business enterprises as well as a determination of benefits of the program.

(viii) EFFECT ON INDUSTRY.—A determination of how the program is being implemented by the construction industry and the effects of the program on all segments of the industry.

(ix) CERTIFICATION.—An analysis of the certification process for Federal-aid highway and transit programs, including a determination as to whether the process should be uniform and permit State-to-State reciprocity and how certification criteria and procedures are being implemented by the States.

(x) GOALS.—A determination of how the Federal goal is being implemented by the States, including the waiver process, and the impact of the goal on those individuals presumed to be socially and economically disadvantaged.

(C) REPORT.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General shall transmit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on the results of the study conducted under this paragraph.

(c) REDUCTION IN AUTHORIZATIONS FOR BUDGET COMPLIANCE.—If the total amount authorized by this Act out of the Highway Trust Fund (other than the Mass Transit Account) exceeds \$17,042,000,000 for fiscal year 1992, or exceeds \$98,642,000,000 for fiscal years 1992 through 1996, then each amount so authorized shall be reduced proportionately so that the total equals \$17,042,000,000 for fiscal year 1992, or equals \$98,642,000,000 for fiscal years 1992 through 1996, as the case may be.

(d) ADVANCE AUTHORIZATIONS.—

(1) IN GENERAL.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 2(a) of the Surface Transportation Extension Act of 1997 \$5,500,000,000 for the period of November 16, 1997, through January 31, 1998.

(2) SPECIAL RULE.—Funds apportioned under subsection (a) shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(e) AUTHORIZATION OF CONTRACT AUTHORITY.—

(1) AUTHORIZATION.—Notwithstanding section 157(e) of title 23, United States Code, there shall be available from the Highway Trust Fund (other than the Mass Transit Account) to carry out section 157 of title 23, United States Code, not to exceed \$15,460,000 for the period of January 26, 1998, through January 31, 1998.

(2) ALLOCATION.—The Secretary shall allocate the amounts authorized under paragraph (1) to each State in the ratio that—

(A) the amount allocated to the State for fiscal year 1997 under section 157 of that title; bears to

(B) the amounts allocated to all States for fiscal year 1997 under section 157 of that title.

(f) CONTRACT AUTHORITY.—Funds authorized under subsections (d) and (e) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

(e)<sup>1</sup> NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 104(h) of title 23, United States Code, is amended by inserting “and \$7,500,000 for the period of October 1, 1997, through March 31, 1998” after “1997”.

(f)<sup>1</sup> TERRITORIES.—

(1) IN GENERAL.—In lieu of the amounts deducted under section 104(b)(1) of title 23, United States Code, there shall be

<sup>1</sup>So in law. Section 2(d) of the Surface Transportation Extension Act of 1997 (Public Law 105-130; 111 Stat. 2552) amends section 1003 by adding at the end subsections (d) through (f). Section 5(b) of such Act amends section 1003 “(as amended by section 2(d))” by adding at the end this subsection (e). Subsection (g) of such section amends section 1003 “(as amended by subsection (b))” by adding at the end a new subsection (f).

available from the Highway Trust Fund (other than the Mass Transit Account) for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands \$15,000,000 for the period of October 1, 1997, through March 31, 1998.

(2) CONTRACT AUTHORITY.—Funds authorized under this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, and shall be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

**SEC. 1004. BUDGET COMPLIANCE.**

(a) IN GENERAL.—If obligations provided for programs pursuant to this Act for fiscal year 1992 will cause—

(1) the total outlays in any of the fiscal years 1992 through 1995 which result from this Act, to exceed

(2) the total outlays for such programs in any such fiscal year which result from appropriation Acts for fiscal year 1992 and are attributable to obligations for fiscal year 1992,

then the Secretary of Transportation shall reduce proportionately the obligations provided for each program pursuant to this Act for fiscal year 1992 to the extent required to avoid such excess outlays.

(b) COORDINATION WITH OTHER PROVISIONS.—The provisions of this section shall apply, notwithstanding any provision of this Act to the contrary.

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**SEC. 1006. NATIONAL HIGHWAY SYSTEM.**

\* \* \* \* \*

(c) FUNCTIONAL RECLASSIFICATION OF HIGHWAYS.—

(1) STATE ACTION.—Each State shall functionally reclassify the roads and streets in such State in accordance with such guidelines and time schedule as the Secretary may establish in order to carry out the objectives of this section, including the amendments made by this section.

(2) APPROVAL AND SUBMISSION TO CONGRESS.—Not later than September 30, 1993, the Secretary shall approve the functional reclassification of roads and streets made by the States pursuant to this subsection and shall submit a report to Congress containing such reclassification.

(3) STATE DEFINED.—In this subsection, the term “State” has the meaning such term has under section 101 of title 23, United States Code, and shall include the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Marianas.

\* \* \* \* \*

(h) NATIONAL DEFENSE HIGHWAYS LOCATED OUTSIDE UNITED STATES.—

(1) RECONSTRUCTION PROJECTS.—If the Secretary determines, after consultation with the Secretary of Defense, that a highway, or portion of a highway, located outside the United States is important to the national defense, the Secretary may

carry out a project for the reconstruction of such highway or portion of highway.

(2) FUNDING.—The Secretary may make available, from funds appropriated to construct the National System of Interstate and Defense Highways, not to exceed \$20,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, and 1996 to carry out this subsection. Such sums shall remain available until expended.

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**SEC. 1009. INTERSTATE MAINTENANCE PROGRAM.**

\* \* \* \* \*

(c) GUIDANCE TO THE STATES.—The Secretary shall develop and make available to the States criteria for determining—

(1) what share of any project funded under section 119 of title 23, United States Code, is attributable to the expansion of the capacity of an Interstate highway or bridge; and

(2) what constitutes adequate maintenance of the Interstate System for the purposes of section 119(f)(1) of title 23, United States Code.

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**SEC. 1012. TOLL ROADS, BRIDGES, AND TUNNELS.**

\* \* \* \* \*

(b) VALUE PRICING PILOT PROGRAM.—(1) The Secretary shall solicit the participation of State and local governments and public authorities for one or more value pricing pilot programs. The Secretary may enter into cooperative agreements with as many as 15 such State or local governments or public authorities to establish, maintain, and monitor value pricing programs.

(2) Notwithstanding section 129 of title 23, United States Code, the Federal share payable for such programs shall be 80 percent. The Secretary shall fund all preimplementation costs and project design, and all of the development and other start up costs of such projects, including salaries and expenses, for a period of at least 1 year, and thereafter until such time that sufficient revenues are being generated by the program to fund its operating costs without Federal participation, except that the Secretary may not fund the preimplementation or implementation costs of any project for more than 3 years.

(3) Revenues generated by any pilot project under this subsection must be applied to projects eligible under such title.

(4) Notwithstanding sections 129 and 301 of title 23, United States Code, the Secretary shall allow the use of tolls on the Interstate System as part of any value pricing pilot program under this subsection.

(5) The Secretary shall monitor the effect of such programs for a period of at least 10 years, and shall report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives every 2 years on the effects such programs are having on driver behavior, traffic volume, transit ridership, air quality, and availability of funds for transportation programs.

(6) HOV PASSENGER REQUIREMENTS.—Notwithstanding section 102(a) of title 23, United States Code, a State may permit vehicles with fewer than 2 occupants to operate in high occupancy vehicle lanes if the vehicles are part of a value pricing pilot program under this subsection.

(7) FINANCIAL EFFECTS ON LOW-INCOME DRIVERS.—Any value pricing pilot program under this subsection shall include, if appropriate, an analysis of the potential effects of the pilot program on low-income drivers and may include mitigation measures to deal with any potential adverse financial effects on low-income drivers.

(8) FUNDING.—

(A) AVAILABILITY.—Funds allocated by the Secretary to a State under this subsection shall remain available for obligation by the State for a period of 3 years after the last day of the fiscal year for which the funds are authorized.

(B) USE OF UNALLOCATED FUNDS.—If the total amount of funds made available from the Highway Trust Fund to carry out this subsection for fiscal year 1998 and fiscal years thereafter but not allocated exceeds \$8,000,000 as of September 30 of any year, the excess amount—

(i) shall be apportioned in the following fiscal year by the Secretary to all States in accordance with section 104(b)(3) of title 23, United States Code;

(ii) shall be considered to be a sum made available for expenditure on the surface transportation program, except that the amount shall not be subject to section 133(d) of such title; and

(iii) shall be available for any purpose eligible for funding under section 133 of such title.

(C) CONTRACT AUTHORITY.—Funds authorized to carry out this subsection shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project under this subsection and the availability of funds authorized to carry out this subsection shall be determined in accordance with this subsection.

\* \* \* \* \*

(d) CONTINUATION OF EXISTING AGREEMENTS.—Unless modified under section 129(a)(6) of such title, as amended by subsection (a) of this section, agreements entered into under section 119(e) or 129 of such title before the effective date of this title and in effect on the day before such effective date shall continue in effect on and after such effective date in accordance with the provisions of such agreement and such section 119(e) or 129.

(e) SPECIAL RULE FOR CERTAIN EXISTING TOLL FACILITY AGREEMENTS.—Notwithstanding sections 119 and 129 of title 23, United States Code, at the request of the non-Federal parties to a toll facility agreement reached before October 1, 1991, regarding the New York State Thruway or the Fort McHenry Tunnel under section 105 of the Federal-Aid Highway Act of 1978 or section 129 of title 23, United States Code (as in effect on the day before the



date of the enactment of this Act), the Secretary shall allow for the continuance of tolls without repayment of Federal funds. Revenues collected from such tolls, after the date of such request, in excess of revenues needed for debt service and the actual costs of operation and maintenance shall be available for (1) any transportation project eligible for assistance under title 23, United States Code, or (2) costs associated with transportation facilities under the jurisdiction of such non-Federal party, including debt service and costs related to the construction, reconstruction, restoration, repair, operation and maintenance of such facilities.

(f) VOIDING OF CERTAIN AGREEMENTS FOR I-78 DELAWARE RIVER BRIDGE.—Upon the joint request of the State of Pennsylvania, the State of New Jersey, and the Delaware River Joint Toll Bridge Commission, and upon such parties entering into a new agreement with the Secretary regarding the bridge on Interstate Route 78 which crosses the Delaware River in the vicinity of Easton, Pennsylvania, and Phillipsburg, New Jersey, the Secretary shall void any agreement entered into with such parties with respect to the bridge before the effective date of this subsection under section 129(a), 129(d), or 129(e) of title 23, United States Code. The new agreement referred to in the preceding sentence shall permit the continuation of tolls without repayment of Federal funds and shall provide that all toll revenues received from operation of the bridge will be used—

- (1) first for repayment of the non-Federal cost of construction of the bridge (including debt service);
- (2) second for the costs necessary for the proper operation and maintenance of the bridge, including resurfacing, restoration, and rehabilitation; and
- (3) to the extent that toll revenues exceed the amount necessary for paragraphs (1) and (2), such excess may be used with respect to any other bridge under the jurisdiction of the Delaware River Joint Toll Bridge Commission.

\* \* \* \* \*

**SEC. 1013. MINIMUM ALLOCATION.**

\* \* \* \* \*

(c) DONOR STATE BONUS AMOUNTS.—

(1) FUNDING.—There are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for the payment of donor State bonus amounts the following amounts for the following fiscal years:

- (A) For fiscal year 1992 \$429,000,000.
- (B) For fiscal year 1993 \$514,000,000.
- (C) For fiscal year 1994 \$514,000,000.
- (D) For fiscal year 1995 \$514,000,000.
- (E) For fiscal year 1996 \$514,000,000.
- (F) For fiscal year 1997 \$515,000,000.

(2) APPORTIONMENT.—

(A) FORMULA.—The bonus apportionments which are provided under this subsection for a fiscal year shall be apportioned in such a way as to bring each successive State, or States, with the lowest dollar return on dollar projected

to be contributed into the Highway Trust Fund for such fiscal year, up to the highest common return on contributed dollar that can be funded with the annual authorizations provided under this subsection.

(B) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—Funds apportioned under this subsection shall be available for obligation in the same manner and for the same purposes as if such funds were apportioned for the surface transportation program under chapter 1 of title 23, United States Code, except that such funds shall remain available until expended. One-half of the amounts apportioned under this subsection shall be subject to section 133(d)(3) of title 23, United States Code, as added by this Act.

**SEC. 1014. REIMBURSEMENT FOR SEGMENTS OF THE INTERSTATE SYSTEM CONSTRUCTED WITHOUT FEDERAL ASSISTANCE.**

\* \* \* \* \*

(c) KANSAS PROJECTS.—

(1) UNITED STATES ROUTE 50.—The State of Kansas shall obligate in fiscal year 1996 \$24,440,000 to construct the Hutchinson Bypass between United States Route 50 and Kansas Route 96 in the vicinity of Hutchinson, Kansas. Such funds shall be obligated from amounts allocated to the State of Kansas for fiscal year 1996 under section 160 of title 23, United States Code.

(2) UNITED STATES ROUTE 81.—The State of Kansas shall obligate in fiscal years 1996 and 1997 such sums as may be necessary to widen United States Route 81 from Concordia, Kansas, to the Nebraska border. Such funds shall be obligated from amounts allocated to the State of Kansas for fiscal years 1996 and 1997 under such section.

(3) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Sections 160(d) and 133(d)(3) of title 23, United States Code, shall not apply to funds allocated to the State of Kansas for fiscal years 1996 and 1997.

(4)(A) Except as provided in subparagraph (B), notwithstanding any other provision of law, the amounts made available for the construction of the Hutchinson Bypass between United States Route 50 and Kansas Route 96 in the vicinity of Hutchinson, Kansas, under section 1107(b) shall be expended prior to the expenditure of the amount obligated for such purpose pursuant to paragraph (1) of this subsection.

(B) If the appropriate official of the State of Kansas determines that in order to carry out to completion the construction project described in paragraph (A), the expenditure of an amount obligated pursuant to paragraph (1) of this subsection is necessary, the State may expend such amount.

(5) Notwithstanding any other provision of law, the amounts allocated to the State of Kansas for fiscal years 1996 through 1997 pursuant to section 160 of title 23, United States Code, and not obligated under this subsection or any other provision of this Act, shall remain available to the State of Kansas to carry out activities eligible for funding under title 23, United States Code.

**SEC. 1015. APPORTIONMENT ADJUSTMENTS.**

(a) HOLD HARMLESS.—

(1) GENERAL RULE.—The amount of funds which, but for this subsection, would be apportioned to a State for each of the fiscal years 1992 through 1997 under section 104(b)(3) of title 23, United States Code, for the surface transportation program shall be increased or decreased by an amount which, when added to or subtracted from the aggregate amount of funds apportioned to the State for such fiscal year and funds allocated to the State for the prior fiscal year under section 104(b) of such title, section 103(e)(4) for Interstate highway substitute, section 144 of such title, section 157 of such title, under section 202 of such title for the Federal lands highways program, section 160 of such title for the reimbursement program, and section 1013(c) of this Act for the donor State bonus program, will result in the percentage of amounts so apportioned and allocated to all States being equal to the percentage listed for such State in paragraph (2).

(2) STATE PERCENTAGES.—For purposes of paragraph (1) the percentage of amounts apportioned and allocated which are referred to in paragraph (1) for each State, and the District of Columbia shall be determined in accordance with the following table:

States	Adjustment Percentage
Alabama .....	1.74
Alaska .....	1.28
Arizona .....	1.49
Arkansas .....	1.20
California .....	9.45
Colorado .....	1.35
Connecticut .....	1.78
Delaware .....	0.41
District of Columbia .....	0.53
Florida .....	4.14
Georgia .....	2.97
Hawaii .....	0.57
Idaho .....	0.69
Illinois .....	3.72
Indiana .....	2.20
Iowa .....	1.25
Kansas .....	1.14
Kentucky .....	1.52
Louisiana .....	1.55
Maine .....	0.50
Maryland .....	1.69
Massachusetts .....	4.36
Michigan .....	2.81
Minnesota .....	1.58
Mississippi .....	1.15
Missouri .....	2.23
Montana .....	0.97
Nebraska .....	0.83
Nevada .....	0.64
New Hampshire .....	0.48
New Jersey .....	2.87
New Mexico .....	1.08
New York .....	5.37
North Carolina .....	2.65
North Dakota .....	0.62
Ohio .....	3.73
Oklahoma .....	1.42

Oregon .....	1.26
Pennsylvania .....	4.38
Rhode Island .....	0.54
South Carolina .....	1.41
South Dakota .....	0.71
Tennessee .....	2.08
Texas .....	6.36
Utah .....	0.77
Vermont .....	0.44
Virginia .....	2.27
Washington .....	2.06
West Virginia .....	0.94
Wisconsin .....	1.70
Wyoming .....	0.67

(b) 90 PERCENT OF PAYMENT ADJUSTMENTS.—

(1) GENERAL RULE.—For each of fiscal years 1992 through 1997, the Secretary shall allocate among the States amounts sufficient to ensure that a State’s total apportionments for such fiscal year and allocations for the prior fiscal year under section 104(b) of such title, section 103(e)(4) for Interstate highway substitute, section 144 of such title, section 157 of such title, section 202 of such title for the Federal lands highways program, section 1013(c) of this Act for the donor State bonus program, section 160 of such title for the reimbursement program, and subsection (a) of this section for hold harmless is not less than 90 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than Mass Transit Account) in the latest fiscal year in which data is available.

(2) TRANSFER OF ALLOCATED AMOUNTS TO STP APPORTIONMENT.—Subject to subsection (d) of this section, the Secretary shall transfer amounts allocated to a State pursuant to paragraph (1) to the apportionment of such State under section 104(b)(3) for the surface transportation program.

(c) ADDITIONAL ALLOCATION.—Subject to subsection (d) of this section, the Secretary shall allocate to the State of Wisconsin \$40,000,000 for fiscal year 1992 and \$47,800,000 for each of fiscal years 1993 through 1997 and transfer such amounts to the apportionment of such State under section 104(b)(3) of title 23, United States Code, for the surface transportation program.

(d) LIMITATION ON APPLICABILITY OF CERTAIN REQUIREMENTS OF STP PROGRAM.—The following provisions of section 133 of title 23, United States Code, shall not apply to ½ of the amounts added under subsection (a) to the apportionment of the State for the surface transportation program and of amounts transferred under subsections (b) and (c) to such apportionment:

- (1) Subsection (d)(1).
- (2) Subsection (d)(2).
- (3) Subsection (d)(3).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of the Highway Trust Fund (other than the Mass Transit Account), to carry out this section such sums as may be necessary for each of fiscal years 1992 through 1997.

\* \* \* \* \*

**SEC. 1016. PROGRAM EFFICIENCIES.**

\* \* \* \* \*

(g) **LIMITATION ON CERTAIN EXPENDITURES.**—No Federal funds may be expended for any highway project on any portion of the scenic highway known as “Ministerial Road” between route 138 and route 1 in the State of Rhode Island unless the Governor of such State and the town council of the town of South Kingstown, Rhode Island, first agree to the design.

**SEC. 1017. ACQUISITION OF RIGHTS-OF-WAY.**

\* \* \* \* \*

(c) **PRESERVATION OF TRANSPORTATION CORRIDORS REPORT.**—The Secretary, in consultation with the States, shall report to Congress within 2 years after the date of the enactment of this Act, a national list of the rights-of-way identified by the metropolitan planning organizations and the States (under sections 134 and 135 of title 23, United States Code), including the total mileage involved, an estimate of the total costs, and a strategy for preventing further loss of rights-of-way including the desirability of creating a transportation right-of-way land bank to preserve vital corridors.

\* \* \* \* \*

**SEC. 1021. FEDERAL SHARE.**

\* \* \* \* \*

(c) **LIMITATION ON STATUTORY CONSTRUCTION.**—The amendments made by this section shall not be construed to affect (1) the Federal share established by the Supplemental Appropriations Act, 1983 (97 Stat. 329) for construction of any highway on the Interstate System, (2) the Federal share established by section 120(k) of such title, as in effect on the day before the date of the enactment of this Act, with respect to United States Highway 71 in Arkansas from the I-40 intersection to the Missouri-Arkansas State line, or (3) the Federal share established by section 120(k) of such title, as in effect on the day before the date of enactment of this Act, with respect to a project for construction, reconstruction, or improvement of a development highway under section 143 of such title on a Federal-aid system (other than the Interstate System), as such system was described in section 103 of such title on the day before the date of the enactment of this Act.

(d) **HIGHER FEDERAL SHARE.**—If any highway project authorized to be carried out under sections 1103 through 1108 of this Act is a project which would be eligible for assistance under section 204 of title 23, United States Code, or is a project on a federally owned bridge, the Federal share payable on account of such project shall be 100 percent for purposes of this Act.

\* \* \* \* \*

**SEC. 1023. GROSS VEHICLE WEIGHT RESTRICTION.**

\* \* \* \* \*

(e) **FIREFIGHTING VEHICLES.**—

(1) **TEMPORARY EXEMPTION.**—The second sentence of section 127 of title 23, United States Code, relating to axle weight limitations and the bridge formula for vehicles using the Na-

tional System of Interstate and Defense Highways, shall not apply, in the 2-year period beginning on the date of the enactment of this Act, to any existing vehicle which is used for the purpose of protecting persons and property from fires and other disasters that threaten public safety and which is in actual operation before such date of enactment and to any new vehicle to be used for such purpose while such vehicle is being delivered to a firefighting agency. The Secretary may extend such 2-year period for an additional year.

(2) STUDY.—The Secretary shall conduct a study—

(A) of State laws regulating the use on the National System of Interstate and Defense Highways of vehicles which are used for the purpose of protecting persons and property from fires and other disasters that threaten public safety and which are being delivered to or operated by a firefighting agency; and

(B) of the issuance of permits by States which exempt such vehicles from the requirements of the second sentence of section 127 of title 23, United States Code.

(3) PURPOSES.—The purposes of the study under this subsection are to determine whether or not such State laws and such section 127 need to be modified with regard to such vehicles and whether or not a permanent exemption should be made for such vehicles from the requirements of such laws and section 127 or whether or not the bridge formula set forth in such section should be modified as it applies to such vehicles.

(4) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the Congress a report on the results of the study conducted under paragraph (2), together with recommendations.

(f) MONTANA-CANADA TRADE.—The Secretary shall not withhold funds from the State of Montana on the basis of actions taken by the State of Montana pursuant to a draft memorandum of understanding with the Province of Alberta, Canada, regarding truck transportation between Canada and Shelby, Montana; except that such actions do not include actions not permitted by the State of Montana on or before June 1, 1991.

(g) TRANSPORTERS OF WATER WELL DRILLING RIGS.—

(1) STUDY.—The Secretary shall conduct a study of State and Federal regulations pertaining to transporters of water well drilling rigs on public highways for the purpose of identifying requirements which place a burden on such transporters without enhancing safety or preservation of public highways.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under paragraph (1), together with any legislative and administrative recommendations of the Secretary.

(h) PUBLIC TRANSIT VEHICLES.—

(1) TEMPORARY EXEMPTION.—The second sentence of section 127 of title 23, United States Code, relating to axle weight limitations for vehicles using the Dwight D. Eisenhower System of Interstate and Defense Highways, shall not apply, for the period beginning on October 6, 1992, and ending on Octo-

ber 1, 2003, to any vehicle which is regularly and exclusively used as an intrastate public agency transit passenger bus.

(2) STUDY.—The Secretary shall conduct a study on the maximum axle weight limitations on the Dwight D. Eisenhower System of Interstate and Defense Highways established under section 127 of title 23, United States Code, or under State laws, as they apply to public transit vehicles. The study shall determine whether or not public transit vehicles should be exempted from the requirements of section 127 or State laws or if such laws should be modified with regard to public transit vehicles. In making such determination, the Secretary shall consider current transit vehicle design standards, the implications of the Americans with Disabilities Act and Clean Air Act requirements on such design standards, and the potential impact of revised design standards on transit ridership capacity, operating and replacement costs, air quality concerns, and highway wear and tear.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Congress a report on the result of the study conducted under paragraph (2), together with recommendations.

**SEC. 1029. NATIONAL MAXIMUM SPEED LIMIT COMPLIANCE PROGRAM.**

\* \* \* \* \*

(c) ENFORCEMENT.—

(1) PROPOSED RULE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a proposed rule to establish speed limit enforcement requirements which, at a minimum, shall—

(A) provide for the transfer of apportionments under section 104(b) of title 23, United States Code (other than paragraph (5)), if a State fails to enforce speed limits in accordance with this section and such rule; and

(B) include a formula for determining compliance with the requirements of this section and such rule which—

(i) assigns a greater weight for violations of such speed limits in proportion to the amount by which the speed of the motor vehicle exceeds the speed limit; and

(ii) differentiates between the type of road on which the violations occur.

(2) FACTORS TO CONSIDER.—In developing the compliance formula in accordance with paragraph (1), the Secretary shall consider factors relating to the enforcement efforts made by the States and data concerning fatalities and serious injuries occurring on roads to which subsection (a) applies and any other factors relating to speed limit enforcement and speed-related highway safety trends which the Secretary determines appropriate.

(3) FINAL RULE.—Not later than 60 days after the date of publication of the proposed rule under paragraph (1), the Secretary shall publish in the Federal Register a final rule which meets the requirements of paragraph (1) and which shall take

effect no later than 12 months after the date of its publication in the Federal Register.

(d) ADMINISTRATION.—The Secretary shall carry out sections 154 and 141(a) of title 23, United States Code, through the National Highway Traffic Safety Administration and the Federal Highway Administration.

\* \* \* \* \*

(f) ENFORCEMENT MORATORIUM.—No State shall be subject under section 141 or 154 of title 23, United States Code, to withholding of apportionments for failure to comply in fiscal years 1990 and 1991 with section 154 of such title, as in effect on the day before the date of the enactment of this Act, or section 141(a) of such title.

\* \* \* \* \*

**SEC. 1030. ROAD SEALING ON INDIAN RESERVATION ROADS.**

\* \* \* \* \*

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study or studies to determine the benefits of safety belt use and motorcycle helmet use for individuals involved in motor vehicle crashes and motorcycle crashes, collecting and analyzing data from regional trauma systems regarding differences in the following: the severity of injuries; acute, rehabilitative and long-term medical costs, including the sources of reimbursement and the extent to which these sources cover actual costs; government, employer, and other costs; and mortality and morbidity outcomes. The study shall cover a representative period after January 1, 1990.

(2) REPORT.—The Secretary shall make public a proposed report on the results of the study or studies conducted under this subsection, provide a period of 90 days for public comment on such report, consider such comments, and transmit to Congress a report on the results of such study or studies, together with a summary of such comments, not later than 40 months after the funds for such study are made available by the Secretary.

(3) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 1992 or 1993 (or both) to carry out section 153 of title 23, United States Code, the Secretary shall make available \$5,000,000 in the aggregate in such fiscal years to carry out this subsection. Such funds shall remain available until expended.

**SEC. 1032. FEDERAL LANDS HIGHWAYS PROGRAM.**

\* \* \* \* \*

(d) INDIAN RESERVATION ROADS.—Notwithstanding any other provision of law, funds allocated for Indian reservation roads may be used for the purpose of funding road projects on roads of tribally controlled postsecondary vocational institutions.

(e) REPORT.—The Secretary shall undertake a study to determine if the method for allocating funds authorized for Federal lands highways is adequate to meet the relative transportation



needs of the Federal lands served. The report shall be submitted within 2 years of the date of the enactment of this Act.

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**SEC. 1036. NATIONAL HIGH-SPEED GROUND TRANSPORTATION PROGRAMS.**

\* \* \* \* \*

**(b) NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT PROGRAM.—**

(1) **MANAGEMENT OF PROGRAM.—**There is hereby established a national magnetic levitation prototype development program to be managed by a program director appointed jointly by the Secretary and the Assistant Secretary of the Army for Civil Works (hereinafter in this subsection referred to as the “Assistant Secretary”). To carry out such program, the Secretary and the Assistant Secretary shall establish a national maglev joint project office (hereinafter in this subsection referred to as the “Maglev Project Office”), which shall be headed by the program director, and shall enter into such arrangements as may be necessary for funding, staffing, office space, and other requirements that will allow the Maglev Project Office to carry out its functions. In carrying out such program, the program director shall consult with appropriate Federal officials, including the Secretary of Energy and the Administrator of the Environmental Protection Agency.

(2) **PHASE ONE CONTRACTS.—**

(A) **REQUEST FOR PROPOSALS.—**Not later than 12 months after the date of the enactment of this Act, the Maglev Project Office shall release a request for proposals for development of conceptual designs for a maglev system and for research to facilitate the development of such conceptual designs.

(B) **AWARD OF CONTRACTS.—**Not later than 15 months after the date of the enactment of this Act, the Secretary and the Assistant Secretary shall, based on the recommendations of the program director, award 1-year contracts for research and development to no fewer than 5 eligible applicants. If fewer than 5 complete applications have been received, contracts shall be awarded to as many eligible applicants as is practical.

(C) **FACTORS AND CONDITIONS TO BE CONSIDERED.—**The Secretary and the Assistant Secretary may approve contracts under subparagraph (B) only after consideration of factors relating to the construction and operation of a magnetic levitation system, including the cost-effectiveness, ease of maintenance, safety, limited environmental impact, ability to achieve sustained high speeds, ability to operate along the Interstate highway rights-of-way, the potential for the guideway design to be a national standard, the applicant’s resources, capabilities, and history of successfully designing and developing systems of similar complexity, and the desirability of geographic diversity among contractors and only if the applicant agrees to submit a report to the Maglev Project Office detailing the results of the re-

search and development and agrees to provide for matching of the phase one contract at a 90 percent Federal, 10 percent non-Federal, cost share.

(3) PHASE TWO CONTRACTS.—Within 3 months of receiving the final reports of contract activities under paragraph (2), and based only on such reports and the recommendations of the program director, the Secretary and the Assistant Secretary shall select not more than 3 eligible applicants from among the contract recipients submitting reports under paragraph (2) to receive 18-month contracts for research and development leading to a detailed design for a prototype maglev system. The Secretary and the Assistant Secretary may only award contracts under this paragraph if—

(A) they determine that the applicant has demonstrated technical merit for the conceptual design and the potential for further development of such design into an operational prototype as described in paragraph (4),

(B) the applicant agrees to submit the detailed design within such 18-month period to the Maglev Project Office and the selection committee described in paragraph (4), and

(C) the applicant agrees to provide for matching of the phase two contract at an 80 percent Federal, 20 percent non-Federal, cost share.

(4) PROTOTYPE.—

(A) SELECTION OF DESIGN.—Within 6 months of receiving the detailed designs developed under paragraph (3), the Secretary and the Assistant Secretary shall, based on the recommendations of the selection committee described in this subparagraph, select 1 design for development into a full-scale prototype, unless the Secretary and the Assistant Secretary determine jointly that no design shall be selected, based on an assessment of technical feasibility and projected cost of construction and operation of the prototype. A selection committee of 8 members, consisting of—

(i) 1 member to be appointed by the Secretary,

(ii) 1 member to be appointed by the Assistant Secretary,

(iii) 3 members to be appointed by the Senate majority and minority leaders, and

(iv) 3 members to be appointed by the Speaker of the House and the minority leader of the House,

shall be appointed not later than 1 year following the award of contracts under paragraph (3). The selection committee, within 3 months of receiving the detailed designs developed under paragraph (3), shall make a recommendation to the Secretary and the Assistant Secretary as to the best prototype design or the unsuitability of any design. The program director shall provide technical reviews of the phase two contract reports to the selection committee and otherwise provide any technical assistance that the committee requires to assist it in making a recommendation. In the event that the Secretary and the Assistant Secretary determine jointly not to select a design for develop-

ment under this subsection, they shall report to Congress on the basis for such determination, together with recommendations for future action, including further research, development, or design, termination of the program, or such other action as may be appropriate.

(B) AWARD OF CONSTRUCTION GRANT OR CONTRACT.—Unless the Secretary and the Assistant Secretary determine not to proceed pursuant to subparagraph (A), they shall, not later than 3 months after selection of a design for development into a full-scale prototype, and based on the recommendations of the program director, award 1 construction grant or contract to the applicant whose detailed design was selected under subparagraph (A) for the purpose of constructing a prototype maglev system in accordance with the selected design. Not more than 75 percent of the cost of the project shall be borne by the United States.

(C) FACTORS TO BE CONSIDERED IN SELECTION.—Selection of the detailed design under this paragraph shall be based on consideration of the following factors, among others:

(i) The project shall be capable of utilizing Interstate highway rights-of-way along or above a significant portion of its route, and may also use railroad rights-of-way along or above any portion of the railroad route.

(ii) The total length of guideway shall be at least 19 miles and allow significant full-speed operations between stops.

(iii) The project shall be constructed and ready for operational testing within 3 years after the award of the contract or grant.

(iv) The project shall provide for the conversion of the prototype to commercial operation after testing and technical evaluation is completed.

(v) The project shall be located in an area that provides a potential ridership base for future commercial operation.

(vi) The project shall utilize a technology capable of being applied in commercial service in most parts of the contiguous United States.

(vii) The project shall have at least 1 switch.

(viii) The project shall be intermodal in nature connecting a major metropolitan area with an airport, port, passenger rail station, or other transportation mode.

(D) ADDITIONAL FACTORS FOR CONSIDERATION.—In awarding a grant or contract under this paragraph, the Secretary shall encourage the development of domestic manufacturing capabilities. In selecting among eligible applicants, the Secretary shall consider existing railroads and equipment manufacturers with excess production capacity, including railroads that have experience in advanced technologies (including self-propelled cars).

## (5) LICENSING.—

(A) PROPRIETARY RIGHTS.—No trade secrets or commercial or financial information that is privileged or confidential, under the meaning of section 552(b)(4) of title 5, United States Code, which is obtained from a United States business, research, or education entity as a result of activities under this subsection shall be disclosed.

(B) COMMERCIAL INFORMATION.—The research, development, and use of any technology developed pursuant to an agreement reached pursuant to this subsection, including the terms under which any technology may be licensed and the resulting royalties may be distributed, shall be subject to the provisions of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701–3714). In addition, the Secretary and the Assistant Secretary may require any grant or contract recipient to assure that research and development be performed substantially in the United States and that the products embodying the inventions made under any agreement pursuant to this subsection or produced through the use of such inventions be manufactured substantially in the United States.

(6) REPORTS.—The Secretary and the Assistant Secretary shall provide periodic reports to Congress on progress made under this subsection.

(7) ELIGIBLE APPLICANT DEFINED.—For purposes of this subsection, the term “eligible applicant” means a United States private business, United States public or private education and research organization, Federal laboratory, or a consortium of such businesses, organizations, and laboratories.

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## (d) FUNDING.—

(1) OUT OF HIGHWAY TRUST FUND.—There shall be available from the Highway Trust Fund (other than the Mass Transit Account) the following sums:

(A) NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT PROGRAM.—For the national magnetic levitation prototype development program under this section \$5,000,000 for fiscal year 1992, \$45,000,000 for fiscal year 1993, \$100,000,000 for fiscal year 1994, and \$100,000,000 for fiscal year 1995.

(B) NATIONAL HIGH-SPEED GROUND TRANSPORTATION TECHNOLOGY DEMONSTRATION PROGRAM.—For the national high-speed ground transportation technology demonstration program under section 309 of title 49, United States Code, \$5,000,000 for each of fiscal years 1993, 1994, 1995, and 1996.

(2) OUT OF GENERAL FUND.—In addition to amounts made available by paragraph (1), there is authorized to be appropriated for fiscal years 1992, 1993, 1994, 1995, 1996, and 1997—

(A) \$225,000,000 for the national magnetic levitation prototype development program under this section;

(B) \$25,000,000 for the national high-speed ground transportation technology demonstration program under section 309 of title 49, United States Code; and

(C) \$25,000,000 for national high-speed ground transportation research and development under section 309 of title 49, United States Code.

(3) PERIOD OF AVAILABILITY.—Funds made available by and under this section shall remain available until expended.

(4) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant or contract with funds made available by paragraph (1) shall be deemed a contractual obligation of the United States for payment of the Federal share of the cost of the project.

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(f) GENERAL ACCOUNTING OFFICE STUDY.—The Comptroller General, within 2 years after the date of the enactment of this Act, and annually thereafter, shall analyze the effectiveness of the application of section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 to high-speed rail facilities and equipment, and report the results of such analysis to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

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**SEC. 1038. USE OF RECYCLED PAVING MATERIAL.**

(a) ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER DEMONSTRATION PROGRAM.—Notwithstanding any other provision of title 23, United States Code, or regulation or policy of the Department of Transportation, the Secretary (or a State acting as the Department's agent) may not disapprove a highway project under chapter 1 of title 23, United States Code, on the ground that the project includes the use of asphalt pavement containing recycled rubber. Under this subsection, a patented application process for recycled rubber shall be eligible for approval under the same conditions that an unpatented process is eligible for approval.

(b) STUDIES.—

(1) IN GENERAL.—The Secretary and the Administrator of the Environmental Protection Agency shall coordinate and conduct, in cooperation with the States, a study to determine—

(A) the threat to human health and the environment associated with the production and use of asphalt pavement containing recycled rubber;

(B) the degree to which asphalt pavement containing recycled rubber can be recycled; and

(C) the performance of the asphalt pavement containing recycled rubber under various climate and use conditions.

(2) DIVISION OF RESPONSIBILITIES.—The Administrator shall conduct the part of the study relating to paragraph (1)(A) and the Secretary shall conduct the part of the study relating to paragraph (1)(C). The Administrator and the Secretary shall jointly conduct the study relating to paragraph (1)(B).

(3) **ADDITIONAL STUDY.**—The Secretary and the Administrator, in cooperation with the States, shall jointly conduct a study to determine the economic savings, technical performance qualities, threats to human health and the environment, and environmental benefits of using recycled materials in highway devices and appurtenances and highway projects, including asphalt containing over 80 percent reclaimed asphalt, asphalt containing recycled glass, and asphalt containing recycled plastic.

(4) **ADDITIONAL ELEMENTS.**—In conducting the study under paragraph (3), the Secretary and the Administrator shall examine utilization of various technologies by States and shall examine the current practices of all States relating to the reuse and disposal of materials used in federally assisted highway projects.

(5) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary and the Administrator shall transmit to Congress a report on the results of the studies conducted under this subsection, including a detailed analysis of the economic savings and technical performance qualities of using such recycled materials in federally assisted highway projects and the environmental benefits of using such recycled materials in such highway projects in terms of reducing air emissions, conserving natural resources, and reducing disposal of the materials in landfills.

(c) **DOT GUIDANCE.**—

(1) **INFORMATION GATHERING AND DISTRIBUTION.**—The Secretary shall gather information and recommendations concerning the use of asphalt containing recycled rubber in highway projects from those States that have extensively evaluated and experimented with the use of such asphalt and implemented such projects and shall make available such information and recommendations on the use of such asphalt to those States which indicate an interest in the use of such asphalt.

(2) **ENCOURAGEMENT OF USE.**—The Secretary should encourage the use of recycled materials determined to be appropriate by the studies pursuant to subsection (b) in federally assisted highway projects. Procuring agencies shall comply with all applicable guidelines or regulations issued by the Administrator of the Environmental Protection Agency.

(d) **ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER.**—

(1) **CRUMB RUBBER MODIFIER RESEARCH.**—Not later than 180 days after the date of the enactment of the National Highway System Designation Act of 1995, the Secretary shall develop testing procedures and conduct research to develop performance grade classifications, in accordance with the strategic highway research program carried out under section 307(d) of title 23, United States Code, for crumb rubber modifier binders. The testing procedures and performance grade classifications should be developed in consultation with representatives of the crumb rubber modifier industry and other interested parties (including the asphalt paving industry) with experience in the development of the procedures and classifications.

(2) **CRUMB RUBBER MODIFIER PROGRAM DEVELOPMENT.**—

(A) IN GENERAL.—The Secretary may make grants to States to develop programs to use crumb rubber from scrap tires to modify asphalt pavements.

(B) USE OF GRANT FUNDS.—Grant funds made available to States under this paragraph shall be used—

(i) to develop mix designs for crumb rubber modified asphalt pavements;

(ii) for the placement and evaluation of crumb rubber modified asphalt pavement field tests; and

(iii) for the expansion of State crumb rubber modifier programs in existence on the date the grant is made available.

(e) DEFINITIONS.—For purpose of this section—

(1) the term “asphalt pavement containing recycled rubber” means any mixture of asphalt and crumb rubber derived from whole scrap tires, such that the physical properties of the asphalt are modified through the mixture, for use in pavement maintenance, rehabilitation, or construction applications; and

(2) the term “recycled rubber” is any crumb rubber derived from processing whole scrap tires or shredded tire material taken from automobiles, trucks, or other equipment owned and operated in the United States.

**SEC. 1039. HIGHWAY TIMBER BRIDGE RESEARCH AND DEMONSTRATION PROGRAM.**

(a) RESEARCH GRANTS.—The Secretary may make grants to other Federal agencies, universities, private businesses, nonprofit organizations, and any research or engineering entity to carry out research on 1 or more of the following:

(1) Development of new, economical highway timber bridge systems.

(2) Development of engineering design criteria for structural wood products for use in highway bridges in order to improve methods for characterizing lumber design properties.

(3) Preservative systems for use in highway timber bridges which demonstrate new alternatives and current treatment processes and procedures and which are environmentally sound with respect to application, use, and disposal of treated wood.

(4) Alternative transportation system timber structures which demonstrate the development of applications for railing, sign, and lighting supports, sound barriers, culverts, and retaining walls in highway applications.

(5) Rehabilitation measures which demonstrate effective, safe, and reliable methods for rehabilitating existing highway timber structures.

(b) TECHNOLOGY AND INFORMATION TRANSFER.—The Secretary shall take such action as may be necessary to ensure that the information and technology resulting from research conducted under subsection (a) is made available to State and local transportation departments and other interested persons.

(c) CONSTRUCTION GRANTS.—

(1) AUTHORITY.—The Secretary shall make grants to States for construction of highway timber bridges on public roads.

(2) APPLICATIONS.—A State interested in receiving a grant under this subsection must submit an application therefor to the Secretary. Such application shall be in such form and contain such information as the Secretary may require by regulation.

(3) APPROVAL CRITERIA.—The Secretary shall select and approve applications for grants under this subsection based on the following criteria:

(A) Bridge designs which have both initial and long-term structural and environmental integrity.

(B) Bridge designs which utilize timber species native to the State or region.

(C) Innovative bridge designs which have the possibility of increasing knowledge, cost effectiveness, and future use of such designs.

(D) Environmental practices for preservative treated timber, and construction techniques which comply with all environmental regulations, will be utilized.

(d) FEDERAL SHARE.—The Federal share of the costs of research and construction projects carried out under this section shall be 80 percent.

(e) FUNDING.—From the funds reserved from apportionment under section 144(g)(1) of title 23, United States Code, for each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997—

(1) \$1,000,000 shall be available to the Secretary for carrying out subsections (a) and (b); and

(2) \$7,500,000 (\$7,000,000 in the case of fiscal year 1992) shall be available to the Secretary for carrying out subsection (c).

Such sums shall remain available until expended.

(f) STATE DEFINED.—For purposes of this section, the term “State” has the meaning such term has under section 101 of title 23, United States Code.

**[Section 1040—repealed by P.L. 105–178]**

**SEC. 1041. REGULATORY INTERPRETATIONS.**

(a) INCLUSION OF COATING OF STEEL IN BUY AMERICA PROGRAM.—Section 635.410 of title 23 of the Code of Federal Regulations and any similar regulation, ruling, or decision shall be applied as if to include coating.

(b) FUNDING OF FUSEES AND FLARES.—Section 393.95 of title 49 of the Code of Federal Regulations shall be applied so that fusees and flares are given equal priority with regard to use as reflecting signs.

**[Section 1042—repealed by P.L. 105–362]**

**SEC. 1043. REPORT TO CONGRESS ON QUALITY IMPROVEMENT.**

(a) REPORT TO CONGRESS ON QUALITY IMPROVEMENT.—The Comptroller General shall submit within 24 months following the date of the enactment of this title a report to Congress addressing means for improving the quality of highways constructed with Federal assistance. This report shall address Federal design standards, engineering and design services, and construction of Federal-aid highway projects.



(b) SCOPE OF THE REPORT TO CONGRESS.—In preparing such report, the Comptroller shall address, at a minimum, the following:

(1) Alternative modifications to current Federal and State minimum design standards, including but not limited to, the anticipated impacts these alternatives would have on the serviceability, maintenance, expected life, and costs (including engineering and design, construction maintenance, operation and replacement costs).

(2) Inclusion of guarantee and warranty clauses in contracts with designers, contractors, and State highway departments to address, at a minimum, potential costs and benefits of such clauses; any liability or insurance constraints or concerns; implications for small, minority, or disadvantaged businesses; currently existing options for States to require these clauses or other means with similar effect without additional Federal legislation, and the effect these or similar clauses may have on the availability of insurance and bonds for design professionals and contractors and the implication to the public of any change in such availability.

(3) Means of enhancing the maintenance of the Federal-aid Highway System to ensure the public investment in such system is protected.

**SEC. 1044. CREDIT FOR NON-FEDERAL SHARE.**

(a) ELIGIBILITY.—A State may use as a credit toward the non-Federal matching share requirement for all programs under this Act and title 23, United States Code, toll revenues that are generated and used by public, quasi-public and private agencies to build, improve, or maintain highways, bridges, or tunnels that serve the public purpose of interstate commerce. Such public, quasi-public or private agencies shall have built, improved, or maintained such facilities without Federal funds.

(b) MAINTENANCE OF EFFORT.—The credit for any non-Federal share shall not reduce nor replace State monies required to match Federal funds for any program pursuant to this Act or title 23, United States Code. In receiving a credit for non-Federal capital expenditures under this section, a State shall enter into such agreements as the Secretary may require to ensure that such State will maintain its non-Federal transportation capital expenditures at or above the average level of such expenditures for the preceding three fiscal years.

(c) TREATMENT.—Use of such credit for a non-Federal share shall not expose such agencies from which the credit is received to additional liability, additional regulation or additional administrative oversight. When credit is applied from chartered multi-State agencies, such credit shall be applied equally to all charter States. The public, quasi-public, and private agencies from which the credit for which the non-Federal share is calculated shall not be subject to any additional Federal design standards, laws or regulations as a result of providing non-Federal match other than those to which such agency is already subject.

**SEC. 1045. SUBSTITUTE PROJECT.**

(a) APPROVAL OF PROJECT.—

(1) Notwithstanding any other provision of law, upon the request of the Governor of the State of Wisconsin, submitted after consultation with appropriate local government officials, the Secretary may approve substitute highway, bus transit, and light rail transit projects, in lieu of construction of the I-94 East-West Transitway project in Milwaukee and Waukesha Counties, as identified in the 1991 Interstate Cost Estimate.

(2) Notwithstanding paragraph (1) and subsection (c) of this section, upon the request of the Governor of the State of Wisconsin, submitted by October 1, 2000, the Secretary shall approve one or more substitute projects in lieu of the substitute project approved by the Secretary under paragraph (1) and subsection (c) of this section.

(b) ELIGIBILITY FOR FEDERAL ASSISTANCE.—

(1) GENERAL RULE.—Upon approval of any substitute project or projects under subsection (a)—

(A) the costs of construction of the eligible transitway project for which such project or projects are substituted shall not be eligible for funds authorized under section 108(b) of the Federal-Aid Highway Act of 1956; and

(B) a sum equal to the amount that would have been apportioned to the State of Wisconsin on October 1, 1994, under section 104(b)(5)(A) of title 23, United States Code, if the Secretary had not approved such project or projects shall be available to the Secretary from the Highway Trust Fund to incur obligations for the Federal share of the costs of such substitute project or projects.

(2) AVAILABILITY.—Amounts made available under paragraph (1)(B) shall be available for obligation on and after October 1, 1994. Amounts made available under paragraph (1)(B) shall remain available until expended and shall be subject to any limitation on obligations for Federal-aid highways established by law.

(3) APPLICABILITY OF TITLE 23 U.S.C.— Amounts made available under paragraph (1)(B) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that the Federal share of the cost of any project carried out with such funds shall be determined in accordance with section 103(e)(4)(D) of such title.

(c) LIMITATION ON ELIGIBILITY.—If, by October 1, 1993, or two years after the date of the enactment of this Act, whichever is later, the Governor of the State of Wisconsin has not submitted a request for a substitute project or projects in lieu of the I-94 East-West Transitway, the Secretary shall not approve such substitution. If, by October 1, 1995, or four years after the date of the enactment of this Act, whichever is later, such substitute project or projects are not under construction, or under contract for construction, no funds shall be appropriated under section 21(a)(2) of the Federal Transit Act for such project or projects. For the purposes of this subsection, the term “construction” has the same meaning as given to it in section 101, title 23, United States Code, and shall include activities such as preliminary engineering and right-of-way acquisition.

(d) ADMINISTRATIVE PROVISIONS.—

(1) STATUS OF SUBSTITUTE PROJECT OR PROJECTS.—Any substitute project approved under subsection (a) shall be deemed to be a substitute transit project.

(2) REDUCTION OF UNOBLIGATED INTERSTATE APPORTIONMENT.—Unobligated apportionments for the Interstate System in the State of Wisconsin shall, on the date of approval of any substitute project or projects under subsection (a), be applied toward the Federal share of the costs of such substitute project or projects.

(3) FISCAL YEARS 1993 AND 1994 APPORTIONMENTS.—For the purpose of apportioning funds for fiscal years 1993 and 1994 under section 104(b)(5)(A), the Secretary shall consider Wisconsin as having no remaining eligible costs. For the purpose of apportioning funds under section 104(b)(5)(A) of title 23, United States Code, for fiscal year 1995 and subsequent fiscal years, Wisconsin's actual remaining eligible costs shall be used.

(e) TRANSFER OF APPORTIONMENTS.—Wisconsin may transfer Interstate construction apportionments to its National Highway System in amounts equal to or less than the costs for additional work on sections of the Interstate System that have been built with Interstate construction funds and that are open to traffic as shown in the 1991 Interstate Cost Estimate.

**SEC. 1047. SCENIC BYWAYS PROGRAM.**

(a) SCENIC BYWAYS ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish in the Department of Transportation an advisory committee to assist the Secretary with respect to establishment of a national scenic byways program under title 23, United States Code.

(2) MEMBERSHIP.—The advisory committee established under this section shall be composed of 17 members as follows:

(A) The Administrator of the Federal Highway Administration or the designee of the Administrator who shall serve as chairman of the advisory committee.

(B) The Chief of the Forest Service of the Department of Agriculture or the designee of the Chief.

(C) The Director of the National Park Service of the Department of the Interior or the designee of the Director.

(D) The Director of the Bureau of Land Management of the Department of the Interior or the designee of the Director.

(E) The Under Secretary for Travel and Tourism of the Department of Commerce or the designee of the Under Secretary.

(F) The Assistant Secretary for Indian Affairs of the Department of the Interior or the designee of the Assistant Secretary.

(G) 1 individual appointed by the Secretary who is specially qualified to represent the interests of conservationists on the advisory committee.

(H) 1 individual appointed by the Secretary of Transportation who is specially qualified to represent the inter-

ests of recreational users of scenic byways on the advisory committee.

(I) 1 individual appointed by the Secretary who is specially qualified to represent the interests of the tourism industry on the advisory committee.

(J) 1 individual appointed by the Secretary who is specially qualified to represent the interests of historic preservationists on the advisory committee.

(K) 1 individual appointed by the Secretary who is specially qualified to represent the interests of highway users on the advisory committee.

(L) 1 individual appointed by the Secretary to represent State highway and transportation officials.

(M) 1 individual appointed by the Secretary to represent local highway and transportation officials.

(N) 1 individual appointed by the Secretary who is specially qualified to serve on the advisory committee as a planner.

(O) 1 individual appointed by the Secretary who is specially qualified to represent the motoring public.

(P) 1 individual appointed by the Secretary who is specially qualified to represent groups interested in scenic preservation.

(Q) 1 individual appointed by the Secretary who represents the outdoor advertising industry.

Individuals appointed as members of the advisory committee under subparagraphs (G) through (P) may be State and local government officials. Members shall serve without compensation other than for reasonable expenses incident to functions of the advisory committee.

(3) FUNCTIONS.—The advisory committee established under this subsection shall develop and make to the Secretary recommendations regarding minimum criteria for use by State and Federal agencies in designating highways as scenic byways and as all-American roads for purposes of a national scenic byways program to be established under title 23, United States Code. Such recommendations shall include recommendations on the following:

(A) Consideration of the scenic beauty and historic significance of highways proposed for designation as scenic byways and all-American roads and the areas surrounding such highways.

(B) Operation and management standards for highways designated as scenic byways and all-American roads, including strategies for maintaining or improving the qualities for which a highway is designated as a scenic byway or all-American road, for protecting and enhancing the landscape and view corridors surrounding such a highway, and for minimizing traffic congestion on such a highway.

(C)(i) Standards for scenic byway-related signs, including those which identify highways as scenic byways and all-American roads.

(ii) The advisability of uniform signs identifying highways as components of the scenic byway system.

(D) Standards for maintaining highway safety on the scenic byway system.

(E) Design review procedures for location of highway facilities, landscaping, and travelers' facilities on the scenic byway system.

(F) Procedures for reviewing and terminating the designation of a highway designated as a scenic byway.

(G) Such other matters as the advisory committee may deem appropriate.

(H) Such other matters for which the Secretary may request recommendations.

(4) REPORT.—Not later than 18 months after the date of the enactment of this Act, the advisory committee established under this section shall submit to the Secretary and Congress a report containing the recommendations described in paragraph (3).

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary shall provide technical assistance to the States (as such term is defined under section 101 of title 23, United States Code) and shall make grants to the States for the planning, design, and development of State scenic byway programs.

(c) FEDERAL SHARE.—The Federal share payable for the costs of planning, design, and development of State scenic byway programs under this section shall be 80 percent.

(d) FUNDING.—There shall be available to the Secretary for carrying out this section (other than subsection (f)), out of the Highway Trust Fund (other than the Mass Transit Account), \$1,000,000 for fiscal year 1992, \$3,000,000 for fiscal year 1993, \$4,000,000 for fiscal year 1994, \$14,000,000 for each of the fiscal years 1995, 1996, and 1997, and \$7,000,000 for the period of October 1, 1997, through March 31, 1998. Such sums shall remain available until expended.

(e) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, approval by the Secretary of a grant under this section shall be deemed a contractual obligation of the United States for payment of the Federal share of the cost of activities for which the grant is being made.

(f) INTERIM SCENIC BYWAYS PROGRAM.—

(1) GRANT PROGRAM.—During fiscal years 1992, 1993, and 1994, the Secretary may make grants to any State which has a scenic highway program for carrying out eligible projects on highways which the State has designated as scenic byways.

(2) PRIORITY PROJECTS.—In making grants under paragraph (1), the Secretary shall give priority to—

(A) those eligible projects which are included in a corridor management plan for maintaining scenic, historic, recreational, cultural, and archeological characteristics of the corridor while providing for accommodation of increased tourism and development of related amenities;

(B) those eligible projects for which a strong local commitment is demonstrated for implementing the manage-

ment plans and protecting the characteristics for which the highway is likely to be designated as a scenic byway;

(C) those eligible projects which are included in programs which can serve as models for other States to follow when establishing and designing scenic byways on an intrastate or interstate basis; and

(D) those eligible projects in multi-State corridors where the States submit joint applications.

(3) ELIGIBLE PROJECTS.—The following are projects which are eligible for Federal assistance under this subsection:

(A) Planning, design, and development of State scenic byway programs.

(B) Making safety improvements to a highway designated as a scenic byway under this subsection to the extent such improvements are necessary to accommodate increased traffic, and changes in the types of vehicles using the highway, due to such designation.

(C) Construction along the highway of facilities for the use of pedestrians and bicyclists, rest areas, turnouts, highway shoulder improvements, passing lanes, overlooks, and interpretive facilities.

(D) Improvements to the highway which will enhance access to an area for the purpose of recreation, including water-related recreation.

(E) Protecting historical and cultural resources in areas adjacent to the highway.

(F) Developing and providing tourist information to the public, including interpretive information about the scenic byway.

(4) FEDERAL SHARE.—The Federal share payable for the costs of carrying out projects and developing programs under this subsection with funds made available pursuant to this subsection shall be 80 percent.

(5) FUNDING.—There shall be available to the Secretary for carrying out this subsection, out of the Highway Trust Fund (other than the Mass Transit Account), \$10,000,000 for fiscal year 1992, \$10,000,000 for fiscal year 1993, and \$10,000,000 for fiscal year 1994. Such sums shall remain available until expended.

(g) LIMITATION.—The Secretary shall not make a grant under this section for any project which would not protect the scenic, historic, recreational, cultural, natural, and archeological integrity of the highway and adjacent area. The Secretary may not use more than 10 percent of the funds authorized for each fiscal year under subsection (f)(5) for removal of any outdoor advertising sign, display, or device.

(h) TREATMENT OF SCENIC HIGHWAYS IN OREGON.—For purposes of this section, a highway designated as a scenic highway in the State of Oregon shall be treated as a scenic byway.

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**SEC. 1049. DESIGN STANDARDS.**

(a) SURVEY.—The Secretary shall conduct a survey to identify current State standards relating to geometric design, traffic control

devices, roadside safety, safety appurtenance design, uniform traffic control devices, and sign legibility and directional clarity for all Federal-aid highways. The purpose of the survey is to determine the necessity of upgrading such standards in order to enhance highway safety. In conducting the survey, the Secretary shall take into consideration posted speed limits as they relate to the design of the highway.

(b) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the survey conducted under this section, and on the crashworthiness of traffic lights, traffic signs, guardrails, impact attenuators, concrete barrier treatments, and breakaway utility poles for bridges and roadways currently used by States, together with any recommendations of the Secretary relating to the purpose of the survey.

**SEC. 1050. TRANSPORTATION IN PARKLANDS.**

(a) **IN GENERAL.**—Not later than 12 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Interior, shall conduct and transmit to Congress a study of alternative transportation modes for use in the National Park System. In conducting such study, the Secretary shall consider (1) the economic and technical feasibility, environmental effects, projected costs and benefits as compared to the costs and benefits of existing transportation systems, and general suitability of transportation modes that would provide efficient and environmentally sound ingress to and egress from National Park lands; and (2) methods to obtain private capital for the construction of such transportation modes and related infrastructure.

(b) **FUNDING.**—From sums authorized to be appropriated for park roads and parkways for fiscal year 1992, \$300,000 shall be available to carry out this section.

**SEC. 1051. WORK ZONE SAFETY.**

The Secretary shall develop and implement a work zone safety program which will improve work zone safety at highway construction sites by enhancing the quality and effectiveness of traffic control devices, safety appurtenances, traffic control plans, and bidding practices for traffic control devices and services.

**SEC. 1052. NEW HAMPSHIRE FEDERAL-AID PAYBACK.**

(a) **EFFECT OF REPAYMENT.**—The amount of all Federal-aid highway funds paid on account of those completed sections of the Nashua-Hudson Circumferential in the State of New Hampshire referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States before October 1, 1992. The amount so repaid shall be deposited to the credit of the appropriation for “Federal-Aid Highway (Trust Fund)”. Such repayment shall be credited to the unprogrammed balance of funds apportioned to the State of New Hampshire in accordance with section 104(b)(1) of title 23, United States Code. The amount so credited shall be in addition to all other funds then apportioned to such State and shall remain available until expended.

(b) USE OF REPAID FUNDS.—Upon repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-Aid Highway Program of the projects on the section in subsection (c) as provided in subsection (a) of this section, such section of this route shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) PROJECT DESCRIPTION.—The provisions of this section shall apply to the section of the completed Nashua-Hudson Circumferential between the Daniel Webster Highway in the city of Nashua and New Hampshire Route 3A in the town of Hudson.

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**SEC. 1054. TEMPORARY MATCHING FUND WAIVER.**

(a) WAIVER OF MATCHING SHARE.—Notwithstanding any other provision of law, the Federal share of any qualifying project approved by the Secretary under title 23, United States Code, and of any qualifying project for which the United States becomes obligated to pay under title 23, United States Code, during the period beginning on October 1, 1991, and ending September 30, 1993, shall be the percentage of the construction cost as the State requests, up to and including 100 percent.

(b) REPAYMENT.—The total amount of increases in the Federal share made pursuant to subsection (a) for any State shall be repaid to the United States by the State on or before March 30, 1994. Payments shall be deposited in the Highway Trust Fund and repaid amounts shall be credited to the appropriate apportionment accounts of the State.

(c) DEDUCTION FROM APPORTIONMENTS.—If a State has not made the repayment as required by subsection (b), the Secretary shall deduct from funds apportioned to the State under title 23, United States Code, in each of the fiscal years 1995 and 1996, a pro rata share of each category of apportioned funds. The amount which shall be deducted in each fiscal year shall be equal to 50 percent of the amount needed for repayment. Any amount deducted under this subsection shall be reapportioned for fiscal years 1995 and 1996 in accordance with title 23, United States Code, to those States which have not received a higher Federal share under this section and to those States which have made the repayment required by subsection (b).

(d) QUALIFYING PROJECT DEFINED.—For purposes of this section, the term “qualifying project” means a project approved by the Secretary after the effective date of this title, or a project for which the United States becomes obligated to pay after such effective date, and for which the Governor of the State submitting the project has certified, in accordance with regulations established by the Secretary, that sufficient funds are not available to pay the cost of the non-Federal share of the project.

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**SEC. 1057. EROSION CONTROL GUIDELINES.**

(a) **DEVELOPMENT.**—The Secretary shall develop erosion control guidelines for States to follow in carrying out construction projects funded in whole or in part under this title.

(b) **MORE STRINGENT STATE REQUIREMENTS.**—Guidelines developed under subsection (a) shall not preempt any requirement made by or under State law if such requirement is more stringent than the guidelines.

(c) **CONSISTENCY WITH OTHER PROGRAMS.**—Guidelines developed under subsection (a) shall be consistent with nonpoint source management programs under section 319 of the Federal Water Pollution Control Act and coastal nonpoint pollution control guidance under section 6217(g) of the Omnibus Budget Reconciliation Act of 1990.

**SEC. 1058. ROADSIDE BARRIER TECHNOLOGY.**

(a) **REQUIREMENT FOR INNOVATIVE BARRIERS.**—Not less than 2½ percent of the mileage of new or replacement permanent or temporary crashworthy barriers included in awarded contracts along Federal-aid highways within the boundaries of a State in each calendar year shall be innovative crashworthy safety barriers.

(b) **CERTIFICATION.**—Each State shall annually certify to the Secretary its compliance with the requirements of this section.

(c) **DEFINITION OF INNOVATIVE CRASHWORTHY SAFETY BARRIER.**—For purposes of this section, the term “innovative crashworthy safety barrier” means a barrier, other than a guardrail or guiderail, classified by the Federal Highway Administration as “experimental” or that was classified as “operational” after January 1, 1985, and that meets or surpasses the requirements of the National Cooperative Highway Research Program 350 for longitudinal barriers.

**SEC. 1059. USE OF TOURIST ORIENTED DIRECTIONAL SIGNS.**

(a) **IN GENERAL.**—The Secretary shall encourage the States to provide for equitable participation in the use of tourist oriented directional signs or “logo” signs along the Interstate System and the Federal-aid primary system (as defined under section 131(t) of title 23, United States Code).

(b) **STUDY.**—Not later than 1 year after the effective date of this title, the Secretary shall conduct a study and report to Congress on the participation in the use of signs referred to in subsection (a) and the practices of the States with respect to the use of such signs.

**SEC. 1060. PRIVATE SECTOR INVOLVEMENT PROGRAM.**

(a) **ESTABLISHMENT.**—The Secretary shall establish a private sector involvement program to encourage States to contract with private firms for engineering and design services in carrying out Federal-aid highway projects when it would be cost effective.

(b) **GRANTS TO STATES.**—

(1) **IN GENERAL.**—In conducting the program under this section, the Secretary may make grants in each of fiscal years 1992, 1993, 1994, 1995, 1996, and 1997 to not less than 3 States which the Secretary determines have implemented in the fiscal year preceding the fiscal year of the grant the most effective programs for increasing the percentage of funds ex-

pended for contracting with private firms (including small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals) for engineering and design services in carrying out Federal-aid highway projects.

(2) USE OF GRANTS.—A grant received by a State under this subsection may be used by the State only for awarding contracts for engineering and design services to carry out projects and activities for which Federal funds may be obligated under title 23, United States Code.

(3) FUNDING.—There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 1992 through 1997. Such sums shall remain available until expended.

(c) REPORT BY FHWA.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Federal Highway Administration shall submit to the Secretary a report on the amount of funds expended by each State in fiscal years 1980 through 1990 on contracts with private sector engineering and design firms in carrying out Federal-aid highway projects. The Secretary shall use information in the report to evaluate State engineering and design programs for the purpose of awarding grants under subsection (b).

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on implementation of the program established under this section.

(e) ENGINEERING AND DESIGN SERVICES DEFINED.—The term “engineering and design services” means any category of service described in section 112(b) of title 23, United States Code.

(f) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue regulations to carry out this section.

#### **SEC. 1061. UNIFORM TRAFFIC CONTROL DEVICES.**

(a) HIGHWAY PROJECT.—The Secretary shall carry out a highway project in the State of Arkansas to demonstrate the benefits of providing training to county and town traffic officials in the need for and application of uniform traffic control devices and to demonstrate the safety benefits of providing for adequate and safe warning and regulatory signs.

(b) AUTHORIZATION OF APPROPRIATIONS FROM HIGHWAY TRUST FUNDS.—There is authorized to be appropriated out of the Highway Trust Fund, other than the Mass Transit Account, for fiscal year 1992 to carry out this section—

(1) \$200,000 for providing training; and

(2) \$1,000,000 for providing warning and regulatory signs to counties, towns and cities.

Amounts provided under paragraph (2) shall be divided equally between counties with a total county population of 20,000 or less and counties with a total county population of more than 20,000. Such amounts shall be distributed fairly and equitably among counties, cities, and towns within those counties.

(c) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of the project under this section shall be 80 percent and such funds shall remain available until expended. Funds made available under this section shall not be subject to any obligation limitation.

(d) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit a report to Congress on the effectiveness of the project carried out under this section.

**SEC. 1062. MOLLY ANN'S BROOK, NEW JERSEY.**

The Secretary shall carry out a project to make modifications to bridges necessary for the Secretary of the Army to carry out a project for flood control, Molly Ann's Brook, New Jersey, authorized by section 401 of the Water Resources Development Act of 1986 (100 Stat. 4119). Any Federal expenditures under this part for such project shall be treated as part of the non-Federal share of the cost of such flood control project.

**SEC. 1063. PRESIDENTIAL HIGHWAY, FULTON COUNTY, GEORGIA.**

(a) **GENERAL RULE.**—Notwithstanding any other provision of law, the Secretary shall approve the construction of the Department of Transportation project MEACU-9152(2) in Fulton County, Georgia, as described in the legal settlement agreed to for the project by the Georgia Department of Transportation, the city of Atlanta, and CAUTION, Inc. Execution of the settlement agreement by those parties and approval of the settlement agreement by the DeKalb County, Georgia Superior Court shall be deemed to constitute full compliance with all Federal laws applicable to carrying out the project.

(b) **LIMITATIONS ON FEDERAL FUNDING.**—With the exception of Federal funds expended for construction of the project described in subsection (a) and with the exception of Federal funds appropriated or authorized for the acquisition, creation, or development of parks or battlefield sites, no further Federal funds, including funds from the Highway Trust Fund and funds appropriated for the Federal-aid highway systems, shall be authorized, appropriated, or expended for expanding the capacity of the project described in subsection (a) or for new construction of a Federal-aid highway in any portion of rights-of-way previously acquired for Department of Transportation project MEACU-9152(2) which is not used for construction of such project as described in subsection (a) and in any portion of the rights-of-way previously acquired for Georgia project I-485-1(46) in Fulton County, Georgia; Georgia project U-061-1(14) in Fulton and DeKalb Counties, Georgia; and Georgia project F-056-1(12) in Fulton County, Georgia.

(c) **LIMITATION ON EFFECT.**—In the event that the settlement agreement referred to in subsection (a) is not executed by the parties or approved by the DeKalb County, Georgia Superior Court in Case No. 88-6429-3, this section shall have no force or effect.

**SEC. 1064. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.**

(a) **IN GENERAL.**—The Secretary shall carry out a program for construction of ferry boats and ferry terminal facilities in accordance with section 129(c) of title 23, United States Code.

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

(c) **FUNDING.**—There shall be available, out of the Highway Trust Fund (other than the Mass Transit Account), to the Secretary for obligation at the discretion of the Secretary \$14,000,000 for fiscal year 1992, \$17,000,000 per fiscal year for each of fiscal years 1993, 1994, 1995, and 1996, and \$18,000,000 for fiscal year 1997 in carrying out this section. Sums made available to carry out this section shall remain available until expended.

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

(1) **IN GENERAL.**—\$20,000,000 of the amount made available to carry out this section for each of fiscal years 1999 through 2003 shall be obligated for the construction or refurbishment of ferry boats and ferry terminal facilities and approaches to such facilities within marine highway systems that are part of the National Highway System.

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

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

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

(e) **APPLICABILITY OF TITLE 23.**—All provisions of chapter 1 of title 23, United States Code, that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.

(f) **TREATMENT OF CERTAIN ROADS.**—For purposes of this section, North Carolina State Routes 12, 45, 306, 615, and 168 and United States Route 421 in the State of North Carolina shall be treated as principal arterials. For further purposes of this section, the access road from Interstate Business Route 75 to the Sugar Island Ferry Service in Chippewa County, Michigan, and the access road from United States Route 31 to the Beaver Island Ferry Service in Charlevoix County, Michigan, shall be treated as principal arterials.

**SEC. 1065. ORANGE COUNTY TOLL PILOT PROJECTS.**

(a) **EXEMPTION OF CERTAIN LANDS.**—For the purposes of any approval by the Secretary of proposed highway improvements authorized by section 129(d)(3) of title 23, United States Code, in Orange County, California, pursuant to section 303 of title 49, United States Code, and section 138 of title 23, United States Code, those sections (collectively known as “section 4(f)”) shall not be applicable

to public park, recreation area, wildlife and waterfowl refuge (collectively referred to hereinafter in this section as “parkland”)—

(1) that are acquired by a public entity after a governmental agency’s approval of a State or Federal environmental document established the location of a highway adjacent to the parklands; or

(2) where the planning or acquisition documents for the parklands specifically referred to or reserved the specific location of the highway.

(b) APPLICABILITY.—Without limiting its prospective application, this section shall apply to any approval of the proposed highway improvements by the Secretary prior to the effective date of this section only if—

(1) the approximately 360 acres comprising the proposed Upper Peters Canyon Regional Park in Orange County, California, is conveyed to a public agency for use as public park and recreation land or a wildlife or waterfowl refuge, or both, within 90 days of such effective date;

(2) the approximately 100 acres of lands described as the Dedication Area in that certain Option Agreement dated April 16, 1991, by and between the city of Laguna Beach and the owner thereof is conveyed to a public agency for use as public park and recreation land for a wildlife or waterfowl refuge, or both, within 90 days of such effective date.

(c) PURPOSE.—This section is adopted in recognition of unique circumstances in Orange County, California, including a comprehensive land use planning process; the joint planning of thousands of acres of parklands with the locations of the proposed highway improvement; the provision of rights-of-way for high occupancy vehicle lanes and fixed rail transit in the 3 transportation corridors; the use of toll financing, which will discourage excessive automobile travel; and the inclusion of a county-wide growth management element and substantial local transit funding commitment in the county’s voter-approved supplemental sales tax for transportation.

(d) LIMITATIONS ON STATUTORY CONSTRUCTION.—In no event shall this section be construed to apply to any other highway projects other than the proposed San Joaquin Hills, Foothill, and Eastern Transportation Corridor highways in Orange County, California. Nothing in this section is intended to waive any provision of law (including the National Environmental Policy Act, the Endangered Species Act, and the National Historic Preservation Act) other than the specific exemptions to section 303 of title 49 and section 138 of title 23, United States Code. Nothing in this section shall be construed to give effect to or approve regulations issued pursuant to section 4(f) and published in the Federal Register on April 1, 1991 (56 Federal Register 62).

**[Section 1066 repealed by section 357(b) of the National Highway System Designation Act of 1995 (P.L. 104-59; 109 Stat. 625)]**

**SEC. 1067. PRIOR DEMONSTRATION PROJECTS.**

(a) TAMPA, FLORIDA.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection

(a)(81) of such section shall be available to the Secretary for carrying out a highway project to widen, modernize, and make safety improvements to interstate route I-4 in Hillsborough County, Florida, from its intersection with I-275 in Tampa, Florida, to the Hillsborough-Polk County line.

(b) SANTA FE, NEW MEXICO.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection (a)(107) of such section shall be available to the Secretary for carrying out a highway project to construct a bypass for Santa Fe, New Mexico.

(c) LARKSPUR TO KORBEL, CALIFORNIA.—The unobligated balance of funds provided under section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 for carrying out subsection (a)(41)(B) of such section shall be available to the Secretary for carrying out a highway project to construct a transportation corridor along a right-of-way which is parallel to Route 101 in California and connects Larkspur, California, and Korbel, California.

(d) PASSAIC AND BERGEN COUNTIES, NEW JERSEY.—The highway project authorized by section 149(a)(1) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 181), shall include improvements to New Jersey State Route 21, the Crooks Avenue interchange between United States Route 46 and New Jersey State Route 20, and the United States Route 46 bridge over the Passaic River between Clifton and Elmwood Park, New Jersey. Notwithstanding any other provision of law, the Governor of the State of New Jersey shall carry out with respect to the construction of such highway project all of the responsibilities of the Secretary under title 23, United States Code, and all other provisions of law. To provide for expedited completion of the project, the Governor is authorized to waive any and all Federal requirements relating to the scheduling of activities associated with such highway project, including final design and right-of-way acquisition activities.

#### SEC. 1068. STORMWATER PERMIT REQUIREMENTS.

(a) GENERAL RULE.—Notwithstanding the requirements of sections 402(p)(2) (B), (C), and (D) of the Federal Water Pollution Control Act, permit application deadlines for stormwater discharges associated with industrial activities from facilities that are owned or operated by a municipality shall be established by the Administrator of the Environmental Protection Agency (hereinafter in this section referred to as the “Administrator”) pursuant to the requirements of this section.

(b) PERMIT APPLICATIONS.—

(1) INDIVIDUAL APPLICATIONS.—The Administrator shall require individual permit applications for discharges described in subsection (a) on or before October 1, 1992; except that any municipality that has participated in a timely part I group application for an industrial activity discharging stormwater that is denied such participation in a group application or for which a group application is denied shall not be required to submit

an individual application until the 180th day following the date on which the denial is made.

(2) GROUP APPLICATIONS.—With respect to group applications for permits for discharges described in subsection (a), the Administrator shall require—

(A) part I applications on or before September 30, 1991, except that any municipality with a population of less than 250,000 shall not be required to submit a part I application before May 18, 1992; and

(B) part II applications on or before October 1, 1992, except that any municipality with a population of less than 250,000 shall not be required to submit a part II application before May 17, 1993.

(c) MUNICIPALITIES WITH LESS THAN 100,000 POPULATION.—The Administrator shall not require any municipality with a population of less than 100,000 to apply for or obtain a permit for any stormwater discharge associated with an industrial activity other than an airport, powerplant, or uncontrolled sanitary landfill owned or operated by such municipality before October 1, 1992, unless such permit is required by section 402(p)(2) (A) or (E) of the Federal Water Pollution Control Act.

(d) UNCONTROLLED SANITARY LANDFILL DEFINED.—For the purposes of this section, the term “uncontrolled sanitary landfill” means a landfill or open dump, whether in operation or closed, that does not meet the requirements for run-on and run-off controls established pursuant to subtitle D of the Solid Waste Disposal Act.

(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect any application or permit requirement, including any deadline, to apply for or obtain a permit for stormwater discharges subject to section 402(p)(2) (A) or (E) of the Federal Water Pollution Control Act.

(f) REGULATIONS.—The Administrator shall issue final regulations with respect to general permits for stormwater discharges associated with industrial activity on or before February 1, 1992.

#### SEC. 1069. MISCELLANEOUS HIGHWAY PROJECT AUTHORIZATIONS.

(a) BALTIMORE-WASHINGTON PARKWAY.—There is authorized to be appropriated \$74,000,000 for renovation and reconstruction of the Baltimore-Washington Parkway in Prince Georges County, Maryland. The Federal share of the cost of such project shall be 100 percent.

(b) EXIT 26 BRIDGE.—There is authorized to be appropriated \$22,400,000 for construction of the Exit 26 Bridge in Schenectady County, New York. The Federal share of the cost of such project shall be 80 percent.

(c) CUMBERLAND GAP TUNNEL.—There are authorized to be appropriated such sums as may be necessary to complete construction of the Cumberland Gap Tunnel, Kentucky, including associated approaches and other necessary road work. The Federal share of the cost of such project shall be 100 percent.

(d) RIVERSIDE EXPRESSWAY.—There is authorized to be appropriated \$53,400,000 for construction of the Riverside Expressway, including bridges crossing the Monongahela River and Buffalo

Creek, in the vicinity of Fairmont, West Virginia. The Federal share of the cost of such project shall be 80 percent.

(e) BUSWAY.—There is authorized to be appropriated \$39,500,000 for design and construction of an exclusive busway linking Pittsburgh and Pittsburgh Airport. The Federal share of such project shall be 80 percent.

(f) EXTON BYPASS.—There is authorized to be appropriated \$11,004,000 for construction of the Exton Bypass, in Exton, Pennsylvania. The Federal share of such project shall be 80 percent.

(g) PENNSYLVANIA ROUTE 33 EXTENSION.—There is authorized to be appropriated \$5,400,000 for extension of Route 33 in Northampton County, Pennsylvania. The Federal share of such project shall be 80 percent.

(h) U.S. ROUTE 202.—There is authorized to be appropriated \$4,500,000 for construction of U.S. Route 202. The Federal share of such project shall be 80 percent.

(i) WOODROW WILSON BRIDGE.—There is authorized to be appropriated \$15,000,000 for rehabilitation of the Woodrow Wilson Bridge. The Federal share of such project shall be 100 percent.

(j) WARREN OUTERBELT IMPROVEMENT, WARREN, OHIO.—There is authorized to be appropriated \$1,000,000 for design and construction of Warren Outerbelt improvements, Warren, Ohio. The Federal share of such project shall be 80 percent.

(k) OHIO STATE ROUTE 46 IMPROVEMENTS.—There is authorized to be appropriated \$2,000,000 for design and construction of Ohio State Route 46 improvements. The Federal share of such project shall be 80 percent.

(l) OHIO STATE ROUTE 5 IMPROVEMENTS.—There is authorized to be appropriated \$1,000,000 for design and construction of Ohio State Route 5 improvements. The Federal share of such project shall be 80 percent.

(m) U.S. ROUTE 62 IMPROVEMENTS, OHIO.—There is authorized to be appropriated \$1,000,000 for design and construction of U.S. Route 62 improvements, Ohio. The Federal share of such project shall be 80 percent.

(n) OHIO STATE ROUTE 534 IMPROVEMENTS.—There is authorized to be appropriated \$1,000,000 for design and construction of Ohio State Route 534 improvements. The Federal share of such project shall be 80 percent.

(o) OHIO STATE ROUTE 45 IMPROVEMENTS.—There is authorized to be appropriated \$1,000,000 for design and construction of Ohio State Route 45 improvements. The Federal share of such project shall be 80 percent.

(p) ROUTE 120, LOCK HAVEN, PENNSYLVANIA.—There is authorized to be appropriated \$4,000,000 for the widening of Route 120 and the removal of unstable rockfill area, Lock Haven, Pennsylvania. The Federal share of such project shall be 80 percent.

(q) TRUSS BRIDGE, TIOGA RIVER, LAWRENCEVILLE, PENNSYLVANIA.—There is authorized to be appropriated \$3,200,000 to replace the existing Truss Bridge across the Tioga River, in Lawrenceville, Pennsylvania. The Federal share of such project shall be 80 percent.

(r) U.S. ROUTE 6, BRADFORD COUNTY, PENNSYLVANIA.—There is authorized to be appropriated \$3,000,000 for the widening of



U.S. Route 6 (Wysox Narrows Road), in Bradford County, Pennsylvania. The Federal share of such project shall be 80 percent.

(s) SEBRING/MANSFIELD BYPASS, PENNSYLVANIA.—There is authorized to be appropriated \$4,800,000 for design and construction of the Sebring/Mansfield Bypass on U.S. 15, Pennsylvania. The Federal share of such project shall be 80 percent.

(t) I-5 IMPROVEMENTS.—The States of Oregon and Washington should give priority consideration to improvements on the I-5 Corridor. The Secretary shall give priority consideration to funding I-5 improvements in Oregon and Washington from section 118(c)(2) of title 23, United States Code, as amended by this Act. The Secretary shall give the highest priority to those Oregon projects identified in the State's transportation improvement plan, and funds provided pursuant to this provision shall not be subject to any limitation on obligations for Federal-aid highways and highway safety construction programs.

(u) ROUTE 219.—The Secretary shall designate Route 219 from the Maryland line to Buffalo, New York, as part of the National Highway System.

(v) COALFIELDS EXPRESSWAY.—There is authorized to be appropriated such sums as may be necessary for design and construction of the project known as "Coalfields Expressway" from Beckley, West Virginia, to the West Virginia-Virginia State line, generally following the corridor defined by, but not necessarily limited to, Routes 54, 97, 10, 16, and 83, and from the West Virginia-Virginia State line generally following Route 83 to Pound, Virginia. The Federal share of such project shall be 80 percent.

(w) UNITED STATES ROUTE 119.—There is authorized to be appropriated \$70,000,000 for upgrading United States Route 119 to 4 lanes beginning west of Huddy, Kentucky. The Federal share of such project shall be 80 percent.

(x) CHAMBERSBURG, PENNSYLVANIA.—Not later than 30 days after the date of the enactment of this Act, in Chambersburg, Pennsylvania, at both the intersection of Lincoln Way and Sixth Street and the intersection of Lincoln Way and Coldbrook Avenue, the Pennsylvania Department of Transportation shall include an exclusive pedestrian phase in the existing lighting sequence between the hours of 8:00 and 8:30 a.m. and between the hours of 2:45 and 3:45 p.m. on weekdays.

(y) CONSTRUCTION OF AND IMPROVEMENTS TO THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—There is authorized to be appropriated such sums as may be necessary for projects involving construction of, and improvements to, corridors of the Appalachian Development Highway System. Funds provided to carry out the provisions of this section are to remain available until expended.

(z) UNITED STATES ROUTE 52 IN WEST VIRGINIA.—(1) There is authorized to be appropriated such sums as may be necessary for projects for the construction, renovation, and reconstruction of United States Route 52 in West Virginia.

(2) The Federal share payable on account of any such project shall be 80 percent of the cost thereof.

(aa) ROUTE 219, NEW YORK.—(1) For the purpose of projects to improve and upgrade Route 219 in New York, from Springville to

the Pennsylvania border Route 219 shall be considered as eligible for funding under the Appalachian Development Highway System.

(2) For purposes of paragraph (1) there is authorized to be appropriated such sums as may be necessary. The Federal share payable on account of such project shall be 80 percent of the cost thereof.

(bb) ROUTES 5 AND 92 CONGESTION MANAGEMENT PROJECT.—There is authorized to be appropriated \$20,000,000 to carry out a project to relieve congestion in the vicinity of the intersection of routes 5 and 92 in the Towns of Manlius, New York, and Dewitt, New York.

(cc) ROCHESTER ADVANCED TRAFFIC MANAGEMENT SYSTEM.—There is authorized to be appropriated \$15,000,000 to implement an integrated advanced traffic management/advanced driver information system in the city of Rochester, New York.

(dd) RENSSELAER ACCESS PROJECT.—There is authorized to be appropriated \$35,000,000 to construct a new interchange (Exit 8) on Interstate Route 90, which includes an access-controlled roadway, in Rensselaer County, New York.

(ee) GOWANUS EXPRESSWAY CORRIDOR IMPROVEMENTS.—There is authorized to be appropriated \$200,000,000 to carry out improvements to the Gowanus Expressway Corridor in Brooklyn, New York. In carrying out such improvements, the State of New York shall consider the economic and social impacts of the project on the neighboring community.

(ff) I-287 CROSS WESTCHESTER EXPRESSWAY HIGH OCCUPANCY VEHICLE LANE PROJECT.—There is authorized to be appropriated \$200,000,000 to construct High Occupancy Vehicle Lanes on the Cross Westchester Expressway in Westchester County, New York.

(gg) INTERMODAL FACILITIES, NEW YORK.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$150,000,000 for fiscal years beginning after September 30, 1995, for—

(A) design and construction of the Whitehall Street Ferry Terminals in New York, New York;

(B) completion of construction of the Oak Point Link in the Harlem River in New York, New York;

(C) engineering, design, and construction activities to permit the James A. Farley Post Office in New York, New York, to be used as an intermodal transportation facility and commercial center; and

(D) necessary improvements to and redevelopment of Pennsylvania Station and associated service buildings in New York, New York.

Such sums shall remain available until expended.

(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

(A) not to exceed \$50,000,000 may be used to carry out paragraph (1)(A); and

(B) not to exceed \$10,000,000 may be used to carry out paragraph (1)(B).

(3) PENNSYLVANIA STATION REDEVELOPMENT CORPORATION BOARD OF DIRECTORS.—In furtherance of the redevelopment of

the James A. Farley Post Office in New York, New York, into an intermodal transportation facility and commercial center, the Secretary, the Administrator of the Federal Railroad Administration, or their designees are authorized to serve as ex officio members of the Board of Directors of the Pennsylvania Station Redevelopment Corporation.

(hh) OPERATIONAL IMPROVEMENTS, FRANKLIN DELANO ROOSEVELT DRIVE.—There is authorized to be appropriated \$50,000,000 to carry out operational and safety improvements to the Franklin Delano Roosevelt Drive in New York City, New York.

**SEC. 1071. PEACE BRIDGE TRUCK INSPECTION FACILITIES.<sup>1</sup>**

Notwithstanding any other provision of law, the Administrator of General Services shall lease truck inspection facilities for the Peace Bridge. Such facilities must be immediately adjacent to the intersection of Porter Avenue and the New York State Thruway in Buffalo, New York. Before leasing such facilities, the Administrator must be assured that the facilities will be offered at a fair market price and that the facilities chosen will be connected to the bridge by a secure access road. Provided that these conditions are met, the Administrator shall enter into the lease on or before April 30, 1992.

**SEC. 1072. VEHICLE PROXIMITY ALERT SYSTEM.**

The Secretary shall coordinate the field testing of the vehicle proximity alert system and comparable systems to determine their feasibility for use by priority vehicles as an effective railroad-highway grade crossing safety device. In the event the vehicle proximity alert or a comparable system proves to be technologically and economically feasible, the Secretary shall develop and implement appropriate programs under section 130 of title 23, United States Code, to provide for installation of such devices where appropriate.

**SEC. 1073. ROADSIDE BARRIERS AND SAFETY APPURTENANCES.**

(a) INITIATION OF RULEMAKING PROCEEDING.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall initiate a rulemaking proceeding to revise the guidelines and establish standards for installation of roadside barriers and other safety appurtenances, including longitudinal barriers, end terminals, and crash cushions. Such rulemaking shall reflect state-of-the-art designs, testing, and evaluation criteria contained in the National Cooperative Highway Research Program Report 230, relating to approval standards which provide an enhanced level of crashworthy performance to accommodate vans, mini-vans, pickup trucks, and 4-wheel drive vehicles.

(b) FINAL RULE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall complete the rulemaking proceeding initiated under subsection (a), and issue a final rule regarding the implementation of revised guidelines and standards for acceptable roadside barriers and other safety appurtenances, including longitudinal barriers, end terminals, and crash cushions. Such revised guidelines and standards shall accommodate vans, mini-vans, pickup trucks, and 4-wheel drive vehicles and shall be applicable to the refurbishment and replacement of existing road-

<sup>1</sup> So in original.

side barriers and safety appurtenances as well as to the installation of new roadside barriers and safety appurtenances.

**SEC. 1074. DESIGNATION OF UNITED STATES ROUTE 69.**

Notwithstanding any other provision of law, upon the request of the Oklahoma State highway agency, the Secretary shall designate the portion of United States Route 69 from the Oklahoma-Texas State line to Checotah in the State of Oklahoma as a part of the Interstate System pursuant to section 139 of title 23, United States Code.

**SEC. 1075. SPECIAL PROVISIONS REGARDING CERTAIN HYDRO-ELECTRIC PROJECTS.**

(a) BRASFIELD DAM PROJECT IN VIRGINIA.—(1) Notwithstanding section 13 of the Federal Power Act providing for the termination of a license issued by the Federal Energy Regulatory Commission (hereinafter in this subsection referred to as the “Commission”) to the Appomattox River Water Authority (hereinafter in this subsection referred to as the “Authority”) for the Brasfield Dam Hydroelectric Project (FERC Project No. 9840–001) on the Appomattox River in Chesterfield and Dinwiddie Counties, Virginia, and notwithstanding the prior surrender of such license by the Authority, the Commission shall reissue such license to the Authority, together with any amendments necessary and appropriate to carry out this subsection, and extend the period referred to in section 13 of that Act for a period ending 3 years after the enactment of this Act, subject to the requirements of this section and the provisions of Federal Power Act.

(2) During the 3-year period referred to in paragraph (1), the Commission shall issue an order, at the request of the Authority, permitting the Authority to transfer the license for such project to another person designated by the Authority for the purpose of protecting the Authority from challenge in connection with its agreement of trust with the Crestar Bank or under any provision of law of the State of Virginia. Any such transfer shall occur at a time specified in the order which shall not be after the expiration of the 3-year period referred to in paragraph (1).

(3) Any license transfer under this subsection shall require that the licensee shall be subject to, and comply with, the license and the provisions of the Federal Power Act, including the provisions of section 10 thereof (related to fish and wildlife) with respect to such project to the same extent and in the same manner as the Authority would be subject to such license and such Act in the absence of such transfer. Nothing in the transfer of such license shall affect the authority or power of the Commission under the license or under the Federal Power Act. Nothing in the Federal Power Act shall be construed as precluding a transfer of such license for the purposes specified in this section.

(4) Any license transfer under this subsection shall be subject to revocation, at the request of the Authority, to permit the Authority to surrender the license. No surrender of such license by the Authority (or by any other person) shall be effective until after—

(A) reasonable prior notice (as determined by the Commission),

(B) completion of project construction, including the installation of any facilities for the protection, mitigation, and enhancement of fish and wildlife required under the license (including facilities required by the State fish and wildlife agency); and

(C) delivery to the Commission of a statement certified by the Board of the Authority that the terms of any actual or proposed Commission order with respect to the Brasfield Dam Hydroelectric Project would cause the Authority to act in violation of its Charter or be inconsistent with its bond indentures.

The Commission shall accept the surrender of such license and establish conditions applicable to such license surrender which require the removal of hydroelectric power generation facilities, require that the licensee provide assurances satisfactory to the Commission that, following surrender of the license, the Brasfield Dam will be subject to State laws regarding fish and wildlife and dam safety and require that such surrender will not impose any duty, liability or obligation on the part of any department, agency, or instrumentality of the United States. Nothing in this section shall affect the application of the River and Harbor Act of 1894 (33 U.S.C. Sec. 1).

(b) PROJECTS NOS. 3033, 3034, AND 3246.—(1) Notwithstanding the time limitations of section 13 of the Federal Power Act (16 U.S.C. 806), the Federal Energy Regulatory Commission, upon the request of the licensees for Federal Energy Regulatory Commission Projects Nos. 3033, 3034, and 3246 (and after reasonable notice), is authorized, in accordance with the good faith, due diligence, and public interest requirements of such section and the Commission's procedures under such section, to extend—

(A) until August 10, 1994, the time required for the licensee to acquire the required real property and commence the construction of Project No. 3033, and until August 10, 1999, the time required for completion of construction of the project;

(B) until August 10, 1996, the time required for the licensee to acquire the required real property and commence the construction of Project No. 3034, and until August 10, 2001, the time required for completion of construction of the project; and

(C) until October 15, 1995, the time required for the licensee to acquire the required real property and commence the construction of Project No. 3246, and until October 15, 1999, the time required for completion of construction of the project.

(2) The authorization for issuing extensions under this subsection shall terminate 3 years after the date of enactment of this section.

(3) To facilitate requests under this subsection, the Commission may consolidate the requests.

(c) UNION CITY, MICHIGAN.—Notwithstanding section 23(b) or section 4(e) of the Federal Power Act, it shall not be unlawful for the municipality of Union City, Michigan, to operate, maintain, repair, reconstruct, replace, or modify—

(1) any dam which, as of the date of the enactment of this Act, is owned and operated by Union City, Michigan, and located across a segment of the St. Joseph River, in Branch

County, Michigan, approximately 5 miles downstream from such municipality, or

(2) any water conduit, reservoir, power house, and other works incidental to such dam.

No license shall be required under part 1 of the Federal Power Act for the dam, water conduit, reservoir, power house, or other project works referred to in the preceding sentence and, subject to compliance with State laws, permission is hereby granted for such facilities to the same extent as in the case of facilities for which permission is granted under the last sentence of section 23(b) of that Act.

**SEC. 1076. SHORELINE PROTECTION.**

The project for shoreline protection, Atlantic Coast of New York City from Rockaway Inlet to Norton Point, authorized by section 501(a) of the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4135), is modified to authorize the Secretary to construct the project at a total first cost of \$69,200,000, based on the New York District Engineer's draft General Design Memorandum dated April 1991, with an estimated first Federal cost of \$39,800,000 and an estimated non-Federal cost of \$29,400,000, and an average annual cost of \$580,000 for periodic nourishment over the life of the project, with an estimated annual Federal cost of \$377,000 and an estimated annual non-Federal cost of \$203,000. The Secretary shall proceed with the storm damage reduction measures as the first construction feature. The project is further modified to authorize the Secretary to relocate existing comfort and lifeguard stations at full Federal expense, provided such relocations are desired by the non-Federal sponsor. Operation and maintenance of the facilities after relocation will be a non-Federal responsibility. The cost of these relocations shall not be treated as a project cost for purposes of either economic evaluation or project cost-sharing of the project.

**SEC. 1077. REVISION OF MANUAL.**

Not later than 90 days after the date of the enactment of this Act, the Secretary shall revise the Manual of Uniform Traffic Control Devices and such other regulations and agreements of the Federal Highway Administration as may be necessary to authorize States and local governments, at their discretion, to install stop or yield signs at any rail-highway grade crossing without automatic traffic control devices with 2 or more trains operating across the rail-highway grade crossing per day.

**SEC. 1078. DECLARATION OF NONNAVIGABILITY OF PORTION OF HUDSON RIVER, NEW YORK.**

(a) **DECLARATION OF NONNAVIGABILITY.**—Subject to subsections (c), (d), and (e), the area described in subsection (b) is declared to be nonnavigable waters of the United States.

(b) **AREA SUBJECT TO DECLARATION.**—The area described in this subsection is the portion of the Hudson River, New York, described as follows (according to coordinates and bearings in the system used on the Borough Survey, Borough President's Office, New York, New York):

Beginning at a point in the United States Bulkhead Line approved by the Secretary of War, July 31, 1941, having a coordinate of north 1918.003 west 9806.753;

Running thence easterly, on the arc of a circle curving to the left, whose radial line bears north  $3^{\circ}-44'-20''$  east, having a radius of 390.00 feet and a central angle of  $22^{\circ}-05'-50''$ , 150.41 feet to a point of tangency;

Thence north  $71^{\circ}-38'-30''$  east, 42.70 feet;

Thence south  $11^{\circ}-05'-40''$  east, 33.46 feet;

Thence south  $78^{\circ}-54'-20''$  west, 0.50 feet;

Thence south  $11^{\circ}-05'-40''$  east, 2.50 feet;

Thence north  $78^{\circ}-54'-20''$  east, 0.50 feet;

Thence south  $11^{\circ}-05'-40''$  east, 42.40 feet to a point of curvature;

Thence southerly, on the arc of a circle curving to the right, having a radius of 220.00 feet and a central angle of  $16^{\circ}-37'-40''$ , 63.85 feet to a point of compound curvature;

Thence still southerly, on the arc of a circle curving to the right, having a radius of 150.00 feet and a central angle of  $38^{\circ}-39'-00''$ , 101.19 feet to another point of compound curvature;

Thence westerly, on the arc of a circle curving to the right, having a radius of 172.05 feet and a central angle of  $32^{\circ}-32'-03''$ , 97.69 feet to a point of curve intersection;

Thence south  $13^{\circ}-16'-57''$  east, 50.86 feet to a point of curve intersection;

Thence westerly, on the arc of a circle curving to the left, whose radial bears north  $13^{\circ}-16'-57''$  west, having a radius of 6.00 feet and a central angle of  $180^{\circ}-32'-31''$ , 18.91 feet to a point of curve intersection;

Thence southerly, on the arc of a circle curving to the left, whose radial line bears north  $75^{\circ}-37'-11''$  east, having a radius of 313.40 feet and a central angle of  $4^{\circ}-55'-26''$ , 26.93 feet to a point of curve intersection;

Thence south  $70^{\circ}-41'-45''$  west, 36.60 feet;

Thence north  $13^{\circ}-45'-00''$  west, 42.87 feet;

Thence south  $76^{\circ}-15'-00''$  west, 15.00 feet;

Thence south  $13^{\circ}-45'-00''$  east, 44.33 feet;

Thence south  $70^{\circ}-41'-45''$  west, 128.09 feet to a point in the United States Pierhead Line approved by the Secretary of War, 1936;

Thence north  $63^{\circ}-08'-48''$  west, along the United States Pierhead Line approved by the Secretary of War, 1936, 114.45 feet to an angle point therein;

Thence north  $61^{\circ}-08'-00''$  west, still along the United States Pierhead Line approved by the Secretary of War, 1936, 202.53 feet;

The following three courses being along the lines of George Soilan Park as shown on map prepared by The City of New York, adopted by the Board of Estimate, November 13, 1981, Acc. N° 30071 and lines of property leased to Battery Park City Authority and B. P. C. Development Corp;

Thence north  $77^{\circ}-35'-20''$  east, 231.35 feet;

Thence north  $12^{\circ}-24'-40''$  west, 33.92 feet;

Thence north  $54^{\circ}-49'-00''$  east, 171.52 feet to a point in the United States Bulkhead Line approved by the Secretary of War, July 31, 1941;

Thence north 12°-24'-40" west, along the United States Bulkhead Line approved by the Secretary of War, July 31, 1941, 62.26 feet to the point or place of beginning;

(c) DETERMINATION OF PUBLIC INTEREST.—The declaration made in subsection (a) shall not take effect if the Secretary of the Army (acting through the Chief of Engineers), using reasonable discretion, finds that the proposed project is not in the public interest—

(1) before the date which is 120 days after the date of the submission to the Secretary of appropriate plans for the proposed project; and

(2) after consultation with local and regional public officials (including local and regional public planning organizations).

(d) LIMITATION ON APPLICABILITY OF DECLARATION.—

(1) AFFECTED AREA.—The declaration made in subsection (a) shall apply only to those portions of the area described in subsection (b) which are or will be occupied by permanent structures (including docking facilities) comprising the proposed project.

(2) APPLICATION OF OTHER LAWS.—Notwithstanding subsection (a), all activities conducted in the area described in subsection (b) are subject to all Federal laws which apply to such activities, including—

(A) sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C. 401, 403), commonly known as the River and Harbors Appropriation Act of 1899;

(B) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1254); and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(e) EXPIRATION DATE.—The declaration made in subsection (a) shall expire—

(1) on the date which is 6 years after the date of the enactment of this Act if work on the proposed project to be performed in the area described in subsection (b) is not commenced before such date; or

(2) on the date which is 20 years after the date of the enactment of this Act for any portion of the area described in subsection (b) which on such date is not bulkheaded, filled, or occupied by a permanent structure (including docking facilities).

(f) PROPOSED PROJECT DEFINED.—For the purposes of this section, the term “proposed project” means any project for the rehabilitation and development of—

(1) the structure located in the area described in subsection (b), commonly referred to as Pier A; and

(2) the area surrounding such structure.

**SEC. 1079. CLEVELAND HARBOR, OHIO.**

(a) DEAUTHORIZATION OF PORTION OF PROJECT FOR HARBOR MODIFICATION.—That portion described in subsection (b) of the project for harbor modification, Cleveland Harbor, Ohio, authorized by section 202(a) of the Water Resources Development Act of 1986



(100 Stat. 4095), is not authorized after the date of the enactment of this Act.

(b) AREA SUBJECT TO DEAUTHORIZATION.—The portion of the project for harbor modification, Cleveland Harbor, Ohio, described in this subsection is that portion situated in the City of Cleveland, Cuyahoga County, and State of Ohio, T7N, R13W and being more fully described as follows:

Beginning at an iron pin monument at the intersection of the centerline of East 9th Street (99 feet wide) with the centerline of relocated Erieside Avenue N.E. (70 ft. wide);

Thence south  $50^{\circ}-06'-52''$  west on the centerline of relocated Erieside Avenue N.E. a distance of 112.89 feet to a point;

Thence southwesterly continuing on the centerline of relocated Erieside Avenue N.E. along the arc of a curve to the left, with a radius of 300.00 feet and whose chord bears south  $42^{\circ}-36'-52''$  west 140.07 feet, an arc distance of 141.37 feet to a point;

Thence north  $60^{\circ}-53'-08''$  west a distance of 35.00 feet to a point on the northwesterly right-of-way line of relocated Erieside Avenue N.E.;

Thence south  $29^{\circ}-06'-52''$  west on the northwesterly right-of-way line of relocated Erieside Avenue N.E. a distance of 44.36 feet to a point;

Thence north  $33^{\circ}-53'-08''$  west a distance of 158.35 feet to a point;

Thence south  $56^{\circ}-06'-52''$  west a distance of 76.00 feet to a point;

Thence north  $78^{\circ}-53'-08''$  west a distance of 18.39 feet to a point;

Thence north  $33^{\circ}-53'-08''$  west a distance of 33.50 feet to a point, said point being the true place of beginning of the parcel herein described;

Thence south  $56^{\circ}-06'-52''$  west a distance of 84.85 feet to a point;

Thence north  $33^{\circ}-53'-08''$  west a distance of 137.28 feet to a point;

Thence north  $11^{\circ}-06'-52''$  east a distance of 225.00 feet to a point;

Thence south  $78^{\circ}-53'-08''$  east a distance of 160.00 feet to a point;

Thence south  $11^{\circ}-06'-52''$  west a distance of 46.16 feet to a point;

Thence south  $56^{\circ}-06'-52''$  west a distance of 28.28 feet to a point;

Thence south  $11^{\circ}-06'-52''$  west a distance of 89.70 feet to a point;

Thence south  $33^{\circ}-53'-08''$  east a distance of 28.28 feet to a point;

Thence south  $11^{\circ}-06'-52''$  west a distance of 83.29 feet to a point;

Thence south  $56^{\circ}-06'-52''$  west a distance of 4.14 feet to a true place of beginning containing 42,646 square feet more or less;

(c) REIMBURSEMENT NOT REQUIRED.—The Ohio Department of Natural Resources shall not be required to reimburse the Federal Government any portion of the credit received by the non-Federal project sponsor as provided for in Public Law 100–202 (101 Stat. 1329–108).

(d) AREA TO BE DECLARED NONNAVIGABLE; PUBLIC INTEREST.—Unless the Secretary of the Army finds, after consultation with local and regional public officials (including local and regional public planning organizations), that the proposed projects to be undertaken within the boundaries in the portions of Cleveland Harbor, Ohio, described below, are not in the public interest then, subject to subsections (e) and (f) of this section, those portions of such Harbor, bounded and described as follows, are declared to be nonnavigable waters of the United States:

Situated in the City of Cleveland, Cuyahoga County and State of Ohio, T7N, R13W and being more fully described as follows:

Beginning at an iron pin monument at the intersection of the centerline of East 9th Street (99 feet wide) with the centerline of relocated Erieside Avenue, N.E., (70 feet wide) at Cleveland Regional Geodetic Survey Grid System, (CRGS) coordinates N92,679.734, E86,085.955;

Thence south 56°–06′–52″ west on the centerline of relocated Erieside Avenue, N.E., a distance of 89.50 feet to a drill hole set;

orth 33°–53′–08″ west a distance of 35.00 feet to a drill hole set on the north-westerly right-of-way line of relocated Erieside Avenue, N.E., said point being the true place of beginning of the parcel herein described;

Thence south 56°–06′–52″ west on the northwesterly right-of-way line of relocated Erieside Avenue, N.E., a distance of 23.39 feet to a  $\frac{5}{8}$  inch re-bar set;

Thence southwesterly on the northwesterly right-of-way line of relocated Erieside Avenue, N.E., along the arc of a curve to the left with a radius of 335.00 feet, and whose chord bears south 42°–36′–52″ west 156.41 feet, an arc distance of 157.87 feet to a  $\frac{5}{8}$  inch re-bar set;

Thence south 29°–06′–52″ west on the northwesterly right-of-way line of relocated Erieside Avenue, N.E., a distance of 119.39 feet to a  $\frac{5}{8}$  inch re-bar set;

Thence southwesterly on the northwesterly right-of-way of relocated Erieside Avenue, N.E., along the arc of a curve to the right with a radius of 665.00 feet, and whose chord bears south 32°–22′–08″ west 75.50 feet, an arc distance of 75.54 feet to a  $\frac{5}{8}$  inch re-bar set;

Thence north 33°–53′–08″ west a distance of 279.31 feet to a drill hole set;

Thence south 56°–06′–52″ west a distance of 37.89 feet to a drill hole set;

Thence north 33°–53′–08″ west a distance of 127.28 feet to a point;

Thence north 11°–06′–52″ east a distance of 225.00 feet to a point;

Thence south 78°-53'-08" east a distance of 150.00 feet to a drill hole set;

Thence north 11°-06'-52" east a distance of 32.99 feet to a drill hole set;

Thence north 33°-53'-08" east a distance of 46.96 feet to a drill hole set;

Thence north 56°-06'-52" east a distance of 140.36 feet to a drill hole set on the southwesterly right-of-way line of East 9th Street;

Thence south 33°-53'-08" east on the southwesterly right-of-way line of East 9th Street a distance of 368.79 feet to a drill hole set;

Thence southwesterly along the arc of a curve to the right with a radius of 40.00 feet, and whose chord bears south 11°-06'-52" west 56.57 feet, an arc distance of 62.83 feet to the true place of beginning containing 174,764 square feet (4.012 acres) more or less.

(e) LIMITS ON APPLICABILITY; REGULATORY REQUIREMENTS.—The declaration under subsection (d) shall apply only to those parts of the areas described in subsection (d) which are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina facilities. All such work is subject to all applicable Federal statutes and regulations, including sections 9 and 10 of the Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 401 and 403), commonly known as the River and Harbors Appropriation Act of 1899, section 404 of the Federal Water Pollution Control Act, and the National Environmental Policy Act of 1969.

(f) EXPIRATION DATE.—If, 20 years from the date of the enactment of this Act, any area or part thereof described in subsection (d) is not bulkheaded or filled or occupied by permanent structures, including marina facilities, in accordance with the requirements set out in subsection (e) of this section, or if work in connection with any activity permitted in subsection (e) is not commenced within 5 years after issuance of such permit, then the declaration of non-navigability for such area or part thereof shall expire.

**SEC. 1080. DEAUTHORIZATION OF A PORTION OF THE CANAVERAL HARBOR, FLORIDA, PROJECT.**

The following portion of the project for navigation, Canaveral Harbor, Florida, authorized by the River and Harbor Act of 1945, as modified by the River and Harbor Act of 1962 (Public Law 87-874), shall not be authorized after the date of the enactment of this Act:

Begin at the northwesterly corner of the west turning basin, Federal navigation project, Canaveral Harbor, Brevard County, Florida, having a northing of 1,483,798.695 and an easting of 619,159.191 (Florida east zone, State plane transverse mercator standard conical projections) and being depicted on the Department of the Army, Jacksonville District, Corps of Engineers 'Construction Dredging 31 Foot Project', D.O. File No. 11-34, 465 sheet 35, dated October 1984; thence south 0°-18'-51" east, along said westerly boundary, a distance of 1320.00 feet; thence north 89°-41'-09" east, a distance of 1095.00 feet; thence north 62°-35'-15" west, a distance of 551.30 feet; thence north 00°-18'-51" west, a distance of

764.43 feet; thence north 56°-56'-18" east, a distance of 552.87 feet; thence south 89°-41'-09" west, a distance of 1072.00 feet to the point of beginning (containing 21.43 acres, more or less).

**SEC. 1081. INFRASTRUCTURE INVESTMENT COMMISSION.**

(a) **ESTABLISHMENT OF COMMISSION.**—There is established a commission to be known as the “Commission to Promote Investment in America’s Infrastructure” (hereinafter in this section referred to as the “Commission”).

(b) **FUNCTION OF COMMISSION.**—It shall be the function of the Commission to conduct a study on the feasibility and desirability of creating a type of infrastructure security to permit the investment of pension funds in funds used to design, plan, and construct infrastructure facilities in the United States. Such study may also include an examination of other methods of encouraging public and private investment in infrastructure facilities.

(c) **MEMBERSHIP.**—

(1) **NUMBER AND APPOINTMENT.**—The Commission shall be composed of 7 members appointed as follows:

(A) 2 members appointed by the majority leader of the Senate.

(B) 2 members appointed by the Speaker of the House of Representatives.

(C) 1 member appointed by the President.

(D) 1 member appointed by the minority leader of the Senate.

(E) 1 member appointed by the minority leader of the House of Representatives.

(2) **QUALIFICATIONS.**—Members of the Commission shall have appropriate backgrounds in finance, construction lending, actuarial disciplines, pensions, and infrastructure policy disciplines.

(3) **CHAIRPERSON.**—The Chairperson of the Commission shall be elected by the members.

(d) **PAY AND TRAVEL EXPENSES.**—Members shall serve without pay but shall be allowed travel expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Commission in the same manner as persons employed intermittently in the Government service are allowed under section 5703 of title 5, United States Code.

(e) **STAFF.**—Subject to such rules as may be prescribed by the Commission, the Chairperson may—

(1) appoint and fix the pay of an executive director, a general counsel, and such additional staff as the Chairperson considers necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of pay for such staff members may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commission shall transmit to the President and Congress a report containing its findings and recommendations.

(g) TERMINATION.—The Commission shall terminate on the 180th day following the date of the submission of its report under subsection (f).

**SEC. 1082. DEAUTHORIZATION OF ACADEMY CREEK FEATURE OF THE BRUNSWICK HARBOR, GEORGIA, PROJECT.**

The Academy Creek feature of the Brunswick Harbor, Georgia, project, authorized for construction by the River and Harbor Act of 1907 in accordance with House Document 407, 59th Congress, shall not be authorized after the date of the enactment of this Act.

**SEC. 1083. NAMINGS.**

(a) WILLIAM H. HARSHA BRIDGE.—The United States Route 68 bridge across the Ohio River between Aberdeen, Ohio, and Maysville, Kentucky, shall be known and designated as the “William H. Harsha Bridge”.

(b) J. CLIFFORD NAUGLE BYPASS.—The highway bypass being constructed around the Borough of Ligonier in Westmoreland County, Pennsylvania, shall be known and designated as the “J. Clifford Naugle Bypass”.

(c) LINDY CLAIBORNE BOGGS LOCK AND DAM.—

(1) DESIGNATION.—The lock and dam numbered 1 on the Red River Waterway in Louisiana shall be known and designated as the “Lindy Claiborne Boggs Lock and Dam”.

(2) REFERENCE.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the lock and dam referred to in paragraph (1) shall be deemed to be a reference to the “Lindy Boggs Lock and Dam”.

(d) JOSEPH RALPH SASSER BOAT RAMP.—

(1) DESIGNATION.—The boat ramp constructed on the left bank of the Mississippi River at River Mile 752.5 at Shelby Forest in Shelby County, Tennessee, shall be known and designated as the “Joseph Ralph Sasser Boat Ramp”.

(2) LEGAL REFERENCE.—A reference to any law, map, regulation, document, record, or other paper of the United States to such boat ramp shall be deemed to be a reference to the “Joseph Ralph Sasser Boat Ramp”.

**SEC. 1084. SIGNING OF UNITED STATES HIGHWAY 71.**

The Arkansas State Highway and Transportation Department shall erect the signs along United States Highway 71 from the I-40 intersection to the Missouri-Arkansas State line which are required to be erected by the Arkansas State law designated as Act 6 of 1989.

**SEC. 1085. CONTINUATION OF AUTHORIZATION FOR RHODE ISLAND NAVIGATION PROJECT.**

(a) CONTINUATION OF AUTHORIZATION.—Notwithstanding section 1001(a) of the Water Resources Development Act of 1986, the project for navigation, Providence, Rhode Island, authorized by section 1166(c) of the Water Resources Development Act of 1986, shall remain authorized to be carried out by the Secretary.

(b) TERMINATION DATE.—The project described in subsection (a) shall not be authorized for construction after the last day of the 5-year period that begins on the date of the enactment of this Act unless, during this period, funds have been obligated for construction, including planning and design, of the project.

**SEC. 1086. PENSACOLA, FLORIDA.**

(a) STUDY.—The Secretary shall conduct a study of the feasibility of constructing, in accordance with standards applicable to Interstate System highways, a 4-lane highway connecting Interstate Route 65 and Interstate Route 10 in the vicinity of Pensacola, Florida.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with recommendations for the location of a corridor in which to construct the highway described in subsection (a).

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**SEC. 1088. HANDICAPPED PARKING SYSTEM.**

(a) STUDY.—The Secretary shall conduct a study of the progress being made by the States in adopting and implementing the uniform system for handicapped parking established in regulations issued by the Secretary pursuant to Public Law 100-641 (102 Stat. 3335).

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit a report to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives on the results of the study conducted under this section.

**SEC. 1089. FEASIBILITY OF INTERNATIONAL BORDER HIGHWAY INFRASTRUCTURE DISCRETIONARY PROGRAM.**

(a) STUDY.—The Secretary shall conduct a study of the advisability and feasibility of establishing an international border highway infrastructure discretionary program. The purpose of such a program would be to enable States and Federal agencies to construct, replace, and rehabilitate highway infrastructure facilities at international borders when such States, agencies, and the Secretary find that an international bridge or a reasonable segment of a major highway providing access to such a bridge (1) is important; (2) is unsafe because of structural deficiencies, physical deterioration, or functional obsolescence; (3) poses a safety hazard to highway users; (4) by its construction, replacement, or rehabilitation, would minimize disruptions, delays, and costs to users; or (5) by its construction, replacement, or rehabilitation, would provide more efficient routes for international trade and commerce.

(b) REPORT.—Not later than September 30, 1993, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with any recommendations to the Secretary.

**SEC. 1090. METHODS TO REDUCE TRAFFIC CONGESTION DURING CONSTRUCTION.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that many highway projects are carried out in a way which unnecessarily disrupts traffic flow during construction and that methods need to be adopted to eliminate or reduce these disruptions.

(b) STUDY.—The Secretary shall conduct a study on methods of enhancing traffic flow and minimizing traffic congestion during construction of Federal-aid highway projects and on costs associated with implementing such methods.

(c) CONSIDERATIONS.—In conducting the study under this section, the Secretary shall consider—

(1) the feasibility of carrying out construction of Federal-aid highway projects during off-peak periods and limiting closure of highway lanes on Federal-aid highways to portions of highways for which actual construction is in progress and for which safety concerns require closure; and

(2) the need for establishment and operation by each State of a toll-free telephone number to receive complaints and provide information regarding the status of construction on Federal-aid highways in the State.

(d) REPORT.—Not later than September 30, 1992, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with such recommendations as the Secretary considers appropriate.

**SEC. 1091. STUDY OF VALUE ENGINEERING.**

(a) STUDY.—The Secretary shall study the effectiveness and benefits of value engineering review programs applied to Federal-aid highway projects. Such study shall include an analysis of and the results of specialized techniques utilized in all facets of highway construction for the purpose of reduction of costs and improvement of the overall quality of Federal-aid highway projects.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall report to Congress on the results of the study under subsection (a), including recommendations on how value engineering could be utilized and improved in Federal-aid highway projects.

**[Section 1092 repealed by section 307(b) of the National Highway System Designation Act of 1995 (P.L. 104-59; 109 Stat. 582)]**

**SEC. 1093. RENTAL RATES.**

Within 1 year after the date of the enactment of this Act, the Comptroller General shall complete a study on equipment rental rates for use in reimbursing contractors for extra work on Federal-aid projects. Such study shall include an analysis of the reasonableness of currently accepted equipment rental costs, adequacy of adjustments for regional or climactic differences, adequacy of consideration of mobilization costs, loss of time and productivity attend-

ant to short-term usage of equipment, and approvals of rental rate costs by the Federal Highway Administration.

**SEC. 1094. STUDY ON STATE COMPLIANCE WITH REQUIREMENTS FOR REVOCATION AND SUSPENSION OF DRIVERS' LICENSES.**

(a) **STUDY.**—The Secretary shall conduct a study of State efforts to comply with the provisions of section 333 of the Department of Transportation and Related Agencies Appropriations Acts, 1991 and 1992, relating to revocation and suspension of drivers' licenses.

(b) **REPORT.**—Not later than December 31, 1992, the Secretary shall transmit to Congress a report on the results of the study conducted under this section.

**SEC. 1095. BROOKLYN COURTHOUSE.**

The Administrator of the General Services Administration is authorized, subject to appropriations, to enter into a lease with the United States Postal Service for space to house the Federal Courts and related Federal agencies in Brooklyn, New York. The Administrator is further authorized—

(1) to advance the amount provided in the fiscal year 1992 Treasury, Postal Service, and General Government Appropriation Act to the Postal Service to expedite the start of construction; and

(2) to transfer the present Emanuel Celler Federal Building and Courthouse in Brooklyn to the Postal Service.

**SEC. 1096. BORDER STATION INTERNATIONAL FALLS, MINNESOTA.**

The Administrator of the General Services Administration is authorized to provide for the construction of a 9,000 occupiable square foot border station at International Falls, Minnesota, at a total estimated cost of \$2,480,000, in accordance with an amended prospectus submitted by the General Services Administration to the Senate Committee on Environment and Public Works on June 19, 1991.

**SEC. 1097. MILLER HIGHWAY.**

The Secretary shall deem the independent proposals to construct a new highway facility in the Route 9A corridor between the Battery and 59th Street, and to relocate the existing Miller Highway facility, between 59th Street and 72nd Street, on the west side of Manhattan, New York, New York, to be separate and distinct projects for the purposes of compliance with any applicable Federal laws.

**SEC. 1098. ALLOCATION FORMULA STUDY.**

(a) The General Accounting Office in conjunction with the Bureau of Transportation Statistics created pursuant to title VI of this Act, shall conduct a thorough study and recommend to the Congress within 2 years after the date of the enactment of this Act a fair and equitable apportionment formula for the allocation of Federal-aid highway funds that best directs highway funds to the places of greatest need for highway maintenance and enhancement based on the extent of these highway systems, their present use, and increases in their use.

(b) The results of this study shall be presented to the Senate Committee on Environment and Public Works and the House Com-



mittee on Public Works and Transportation on or before January 1, 1994, and shall be considered by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives as the committees reauthorize the surface transportation program in 1996.

**SEC. 1099. ESTABLISHMENT OF INTERSTATE STUDY COMMISSION.**

For the National Capital Region, comprised of the Washington, D.C., Metropolitan Statistical Area, a commission is established to recommend new mechanisms, authority, and/or agreements to fund, develop, and manage the transportation system of the National Capital Region, and primarily focusing on interstate highway and bridge systems. The commission shall develop its recommendations consistent with the transportation planning requirements for metropolitan areas as contained elsewhere in this bill. The study commission shall report to the Congress, the Department of Transportation, the Governors of Maryland and Virginia, the Mayor of the District of Columbia, and the National Capital Region Transportation Planning Board, the designated Metropolitan Planning Organization (MPO) for the Washington metropolitan area, no later than 12 months from the date of passage of this legislation. Representatives on the commission shall include a Member of Congress from each of Maryland, Virginia, and the District of Columbia; the Governors of Maryland and Virginia and the Mayor of the District of Columbia; 1 local elected official from each State and the District of Columbia appointed by the National Capital Region Transportation Planning Board; 3 private sector representatives appointed by the Governors and the Mayor; and the commission chairman to be appointed by the Secretary of Transportation. There is authorized to be appropriated for the purposes of carrying out this section such sums as may be necessary for the commission to carry out its functions.

**SEC. 1100. EFFECTIVE DATE; APPLICABILITY; CERTAIN UNOBLIGATED BALANCES.**

(a) **GENERAL RULE.**—This title, including the amendments made by this title, shall take effect on the date of the enactment of this Act.

(b) **APPLICABILITY.**—The amendments made by this title shall apply to funds authorized to be appropriated or made available after September 30, 1991, and, except as otherwise provided in subsection (c), shall not apply to funds appropriated or made available on or before September 30, 1991.

(c) **UNOBLIGATED BALANCES.**—

(1) **IN GENERAL.**—Unobligated balances of funds apportioned to a State under sections 104(b)(1), 104(b)(2), 104(b)(5)(B), and 104(b)(6) of title 23, United States Code, before October 1, 1991, shall be available for obligation in that State under the law, regulations, policies and procedures relating to the obligation and expenditure of those funds in effect on September 30, 1991.

(2) **TRANSFERABILITY.**—

(A) **PRIMARY SYSTEM.**—A State may transfer unobligated balances of funds apportioned to the State for the

Federal-aid primary system before October 1, 1991, to the apportionment to such State under section 104(b)(1) or 104(b)(3) of title 23, United States Code, or both.

(B) SECONDARY AND URBAN SYSTEM.—A State may transfer unobligated balances of funds apportioned to the State for the Federal-aid secondary system or the Federal-aid urban system before October 1, 1991, to the apportionment to such State under section 104(b)(3) of such title.

(C) APPLICABILITY OF CERTAIN LAWS, REGULATIONS, POLICIES, AND PROCEDURES.—Funds transferred under this paragraph shall be subject to the laws, regulations, policies, and procedures relating to the apportionment to which they are transferred.

Section 1101–1102—repealed by P.L. 105–362]

**SEC. 1103. HIGH COST BRIDGE PROJECTS.**

(a) PURPOSE.—The purpose of this section is to provide funds to accelerate construction of high cost bridge projects.

(b) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the high cost of bridge projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	HIGH COST BRIDGES	AMOUNT in millions
1. Delaware, Oklahoma .....	Construction of a replacement bridge on U.S. Rt. 59 over Grand Lake in Delaware, Oklahoma .....	9.7
2. Eugene, Oregon .....	Design, right-of-way acquisition, and construction of the Ferry Street Bridge, including pedestrian, bicycle, and vehicle approach roadways, intersections, signalization, and structural bridge changes, and related structures between East Broadway and Oakway Road .....	23.7
3. Beaver County, Pennsylvania .....	Construction of Aliquippa Ambridge Bridge of Beaver County, Pennsylvania .....	25.0
4. Arkansas .....	For an expanded study of environmental impact and geo technical information for Arkansas-Mississippi Great River Bridge .....	0.8
5. Gloucester Point, Virginia	Provide for additional crossing capacity of the York River and for repair, strengthening, and rehabilitation of the existing bridge ..	11.8
6. San Francisco, California	For preliminary work associated with the seismic upgrading of the Golden Gate Bridge in San Francisco, California .....	5.9
7. Cape May & Atlantic Counties, New Jersey ..	Replace critically important bridge between Ocean City and Longport, New Jersey .....	18.4

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CITY/STATE	HIGH COST BRIDGES	AMOUNT in millions
8. Ohio .....	Conduct environmental and feasibility studies for the construction of a bridge or tunnel across the Maumee River in the vicinity of an existing left span bridge	1.0
9. Maine .....	Donald B. Carter Memorial Bridge	32.1
10. Shakopee, Minnesota .....	Bloomington Ferry Bridge replacement project, including the bypass of, Shakopee, Minnesota .....	22.0
11. Charleston, South Carolina .....	Highway 17 Bridge replacement projects: Cooper River, Charleston, South Carolina .....	14.2
12. Ft. Lauderdale, Florida ..	17th Street Causeway Tunnel/Bridge replacement, Ft. Lauderdale, Florida .....	13.6
13. Maryland .....	Woodrow Wilson Bridge rehabilitation .....	29.6
14. New York .....	Macomb Dam Bridge, Manhattan Bridge Rehabilitation Project, Queensboro Bridge—Rehabilitation of Main Span, Williamsburg Bridge Rehabilitation Project, Brooklyn Bridge Rehabilitation ..	74.0
15. Miami, Florida .....	Complete construction of Dodge Island Bridge .....	3.4

(c) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) APPLICABILITY OF TITLE 23.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

**SEC. 1104. CONGESTION RELIEF PROJECTS.**

(a) PURPOSE.—The purpose of this section is to improve methods of congestion relief.

(b) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the congestion relief projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	CONGESTION RELIEF	AMOUNT in millions
1. Long Beach, California ...	Construction of downtown Long Beach access ramps into the southern terminus of I-710 .....	7.4
2. Philadelphia, Pennsylvania .....	Project to Construct Bridge-Pratt Terminal as part of an I-95 reconstruction mitigation project ...	34.5
3. Davidson-Williamson County, Tennessee .....	Study and construction of the Davidson-Williamson Bike Path .....	1.0
4. East St. Louis, Illinois to St. Louis, Missouri .....	To conduct a study to determine the feasibility of a bridge between East St. Louis, Illinois and St. Louis, Missouri .....	1.4
5. St. Louis, Missouri .....	Relocation of Lindbergh Boulevard and Interstate 70 at St. Louis Lambert Airport .....	14.8
6. District of Columbia .....	Primary Intermodal System, Washington, D.C. ....	6.8
7. Buffalo, New York .....	Construction of Peace Bridge truck inspection facility .....	19.5
8. Nashua, New Hampshire	Nashua River Bridge, Nashua, New Hampshire—Construction of second bridge .....	1.2
9. Las Vegas, Nevada .....	Reconstruct and upgrade I-15/U.S. 95 (Spaghetti Bowl) .....	45.0
10. San Diego, California .....	Construct bridge decking on Route 15 in downtown San Diego, California .....	5.0
11. Los Angeles, California ...	To extend I-110 North from its current terminus at I-10 into downtown Los Angeles via Central City West Area in Los Angeles, California .....	10.1
12. North Dakota .....	Design and construct 7.5 mile bypass around Lincoln State Park	1.1
13. Babylon, New York .....	Construct turning lanes, sign upgrades, traffic signal interconnections and road repair and resurfacing .....	2.1

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CITY/STATE	CONGESTION RELIEF	AMOUNT in millions	
14. Dixon, California .....	To improve 3 grade crossings in Dixon, California .....	1.8	
15. Fairfield, California .....	To construct 2 park & ride facilities, an information center and transfer hub for I-80 express and local bus service .....	7.7	
16. St. Louis, Missouri .....	Feasibility study for interchange improvements for I-255 at Rt. 231, St. Louis, Missouri .....	0.1	
17. Murfreesbro, Tennessee ..	Study and construction of a bicycle system to serve as an alternative form of commuter transportation, to reduce air pollution, and to enhance recreation .....	0.4	
18. Long Island, New York ...	To make improvements on the Van Wyck Expressway to improve traffic flow, Long Island, New York .....	3.6	
19. Fox River Valley, Illinois	Study, plan and construct up to 8 bridges across the Fox River .....	8.3	
20. Prince George's County, Maryland .....	To rehabilitate the Baltimore-Washington Parkway in Prince George's County, Maryland .....	16.3	
21. Toledo, Ohio .....	Conduct study of possible safety and traffic delay improvement benefits in 6 corridors .....	0.24	
22. Boston, Massachusetts ...	To plan and construct a bicycle and pedestrian path connecting Arlington, Cambridge and Boston, Massachusetts .....	1.2	
23. Tucson, Arizona .....	To make interchange improvements at Oracle and Orange Grove Roads in Tucson, Arizona, of which a total of \$3,609,620 shall be available for the project authorized by item 74 of the table contained in section 1106(b) .....	3.9	
24. Victorville, California ....	Construct interchange 1 mile north of Palmdale Road on I-15 .....	2.7	
25. Palm Beach, Florida .....	Acquire right-of-way and construct and widen to 4 lanes 19 mile segment of U.S. 27 .....	5.5	
26. Pennsylvania .....	Improve River Street, Towanda Borough and North Towanda Township to form highway bypass .....	8.8	
27. Maine .....	Topsham-Brunswick Bypass .....	10.5	
28. Rankin County, Mis-	East-Metro Center Access Road ....	4.6	
29. Kansas .....	West Leavenworth Trafficway Project, Leavenworth, Kansas ....	8.6	
30. Broward County, Florida	Hallandale Bridge Project, Broward County, Florida .....	8.5	
31. Idaho .....	Any of the Federal-aid projects eligible for funding under title 23, United States Code, located in Bannock or Caribou County, shall be eligible for funding .....	10.1	
32. Michigan .....	I-75/M57 Interchange improvement in the vicinity of Vienna Township, Michigan .....	8.9	

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CITY/STATE	CONGESTION RELIEF	AMOUNT in millions
33. Prince William County, Virginia .....	I-95 HOV lane extension .....	13.5
34. St. Thomas, Virgin Is- lands .....	Construction of Raphune Hill By- pass, St. Thomas, Virgin Islands	18.4
35. Merrillville, Indiana .....	Construction of four lane road and overpass .....	1.8
36. Milwaukee and Waukesha Counties, Wisconsin .....	I-794 Bicycle Transportation Project in Milwaukee and Waukesha Counties, Wisconsin ..	1.5
37. Richmond, California .....	I-80 Richmond Parkway Inter- change .....	1.8
38. New York, New York .....	Whitehall Street ferry terminals ...	3.6
39. Louisville, Kentucky .....	Waterfront Development Roadway Improvements .....	4.7
40. Sunnyvale, California .....	HOV lane improvements on Law- rence Expressway .....	10.1
41. Ohio .....	Construction of a bicycle/ped- estrian facility from Greene Coun- ty, Ohio, to Dayton, Ohio .....	3.0
42. Jefferson County and Berkeley County, West Virginia .....	Improvements of State Highway 9 from Martinsburg, West Virginia to Virginia State line .....	110.0
43. West Virginia .....	Construction of the Coalfields Ex- pressway from Beckley, West Virginia to Virginia State line ....	50.0
44. Maine .....	Improvements to the Carlton Bridge in Bath-Woolwich .....	10.0

(c) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

**SEC. 1105. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.**

(a) **FINDINGS.**—The Congress finds that—

(1) the construction of the Interstate Highway System connected the major population centers of the Nation and greatly enhanced economic growth in the United States;

(2) many regions of the Nation are not now adequately served by the Interstate System or comparable highways and require further highway development in order to serve the travel and economic development needs of the region; and

(3) the development of transportation corridors is the most efficient and effective way of integrating regions and improving efficiency and safety of commerce and travel and further promoting economic development.

(b) **PURPOSE.**—It is the purpose of this section to identify highway corridors of national significance; to include those corridors on the National Highway System; to allow the Secretary, in cooperation with the States, to prepare long-range plans and feasibility studies for these corridors; to allow the States to give priority to funding the construction of these corridors; and to provide increased funding for segments of these corridors that have been identified for construction.

(c) **IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.**—The following are high priority corridors on the National Highway System:

(1) North-South Corridor from Kansas City, Missouri, to Shreveport, Louisiana.

(2) Avenue of the Saints Corridor from St. Louis, Missouri, to St. Paul, Minnesota.

(3) East-West Transamerica Corridor commencing on the Atlantic Coast in the Hampton Roads area going westward across Virginia to the vicinity of Lynchburg, Virginia, continuing west to serve Roanoke and then to a West Virginia corridor centered around Beckley to Welch as part of the Coalfields Expressway described in section 1069(v), then to Williamson sharing a common corridor with the I-73/74 Corridor (referred to in item 12 of the table contained in subsection (f)), then to a Kentucky Corridor centered on the cities of Pikeville, Jenkins, Hazard, London, and Somerset; then, generally following the Louie B. Nunn Parkway corridor from Somerset to Columbia, to Glasgow, to I-65; then to Bowling Green, Hopkinsville, Benton, and Paducah, into Illinois, and

into Missouri and exiting western Missouri and moving westward across southern Kansas.

(4) Hoosier Heartland Industrial Corridor from Lafayette, Indiana, to Toledo, Ohio.

(5)(A) I-73/74 North-South Corridor from Charleston, South Carolina, through Winston-Salem, North Carolina, to Portsmouth, Ohio, to Cincinnati, Ohio, to termini at Detroit, Michigan and Sault Ste. Marie, Michigan. The Sault Ste. Marie terminus shall be reached via a corridor connecting Adrian, Jackson, Lansing, Mount Pleasant, and Grayling, Michigan.

(B)(i) In the Commonwealth of Virginia, the Corridor shall generally follow—

(I) United States Route 220 from the Virginia-North Carolina border to I-581 south of Roanoke;

(II) I-581 to I-81 in the vicinity of Roanoke;

(III) I-81 to the proposed highway to demonstrate intelligent transportation systems authorized by item 29 of the table in section 1107(b) in the vicinity of Christiansburg to United States Route 460 in the vicinity of Blacksburg; and

(IV) United States Route 460 to the West Virginia State line.

(ii) In the States of West Virginia, Kentucky, and Ohio, the Corridor shall generally follow—

(I) United States Route 460 from the West Virginia State line to United States Route 52 at Bluefield, West Virginia; and

(II) United States Route 52 to United States Route 23 at Portsmouth, Ohio.

(iii) In the States of North Carolina and South Carolina, the Corridor shall generally follow—

(I) in the case of I-73—

(aa) United States Route 220 from the Virginia State line to State Route 68 in the vicinity of Greensboro;

(bb) State Route 68 to I-40;

(cc) I-40 to United States Route 220 in Greensboro;

(dd) United States Route 220 to United States Route 1 near Rockingham;

(ee) United States Route 1 to the South Carolina State line; and

(ff)<sup>1</sup> South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina, including a connection to Andrews following the route 41 corridor and to Camden following the U.S. Route 521 corridor; and

(II) in the case of I-74—

(aa) I-77 from Bluefield, West Virginia, to the junction of I-77 and the United States Route 52 connector in Surry County, North Carolina;

<sup>1</sup> So in law.



- (bb) the I-77/United States Route 52 connector to United States Route 52 south of Mount Airy, North Carolina;
- (cc) United States Route 52 to United States Route 311 in Winston-Salem, North Carolina;
- (dd) United States Route 311 to United States Route 220 in the vicinity of Randleman, North Carolina;
- (ee) United States Route 220 to United States Route 74 near Rockingham;
- (ff) United States Route 74 to United States Route 76 near Whiteville;
- (gg) United States Route 74/76 to the South Carolina State line in Brunswick County; and
- (hh)<sup>1</sup> South Carolina State line to the Myrtle Beach Conway region to Georgetown, South Carolina.
- (6) United States Route 80 Corridor from Meridian, Mississippi, to Savannah, Georgia.
- (7) East-West Corridor from Memphis, Tennessee, through Huntsville, Alabama, to Atlanta, Georgia, and Chattanooga, Tennessee.
- (8) Highway 412 East-West Corridor from Tulsa, Oklahoma, through Arkansas along United States Route 62/63/65 to Nashville, Tennessee.
- (9) United States Route 220 and the Appalachian Thruway Corridor from Business 220 in Bedford, Pennsylvania, to the vicinity of Corning, New York, including United States Route 322 between United States Route 220 and I-80.
- (10) Appalachian Regional Corridor X.
- (11) Appalachian Regional Corridor V.
- (12) United States Route 25E Corridor from Corbin, Kentucky, to Morristown, Tennessee, via Cumberland Gap, to include that portion of Route 58 in Virginia which lies within the Cumberland Gap Historical Park.
- (13) Raleigh-Norfolk Corridor, Raleigh, North Carolina, to Norfolk, Virginia.
- (14) Heartland Expressway from Denver, Colorado, through Scottsbluff, Nebraska, to Rapid City, South Dakota.
- (15) Urban Highway Corridor along M-59 in Michigan.
- (16) Economic Lifeline Corridor along I-15 and I-40 in California, Arizona, and Nevada.
- (17) Route 29 Corridor from Greensboro, North Carolina, to the District of Columbia.
- (18) Corridor from Sarnia, Ontario, Canada, through Port Huron, Michigan, southwesterly along Interstate Route 69 through Indianapolis, Indiana, through Evansville, Indiana, Memphis, Tennessee, Mississippi, Arkansas, Shreveport/Bossier, Louisiana, to Houston, Texas, and to the Lower Rio Grande Valley at the border between the United States and Mexico, as follows:

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<sup>1</sup>So in law.

- (A) In Michigan, the corridor shall be from Sarnia, Ontario, Canada, southwesterly along Interstate Route 94 to the Ambassador Bridge interchange in Detroit, Michigan.
- (B) In Michigan and Illinois, the corridor shall be from Windsor, Ontario, Canada, through Detroit, Michigan, westerly along Interstate Route 94 to Chicago, Illinois.
- (C) In Tennessee, Mississippi, Arkansas, and Louisiana, the Corridor shall—
- (i) follow the alignment generally identified in the Corridor 18 Special Issues Study Final Report; and
  - (ii) include a connection between the Corridor east of Wilmar, Arkansas, and west of Monticello, Arkansas, to Pine Bluff, Arkansas.
- (D) In the Lower Rio Grande Valley, the Corridor shall—
- (i) include United States Route 77 from the Rio Grande River to Interstate Route 37 at Corpus Christi, Texas, and then to Victoria, Texas, via U.S. Route 77;
  - (ii) include United States Route 281 from the Rio Grande River to Interstate Route 37 and then to Victoria, Texas, via United States Route 59; and
  - (iii) include the Corpus Christi Northside Highway and Rail Corridor from the existing intersection of United States Route 77 and Interstate Route 37 to United States Route 181, including FM511 from United States Route 77 to the Port of Brownsville.
- (E) In Kentucky, the corridor shall utilize the existing Purchase Parkway from the Tennessee State line to Interstate 24.
- (19) United States Route 395 Corridor from the United States-Canadian border to Reno, Nevada.
- (20) United States Route 59 Corridor from Laredo, Texas, through Houston, Texas, to the vicinity of Texarkana, Texas.
- (21) United States Route 219 Corridor from Buffalo, New York, to the intersection of Interstate Route 80.
- (22) The Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California.
- (23) The Interstate Route 35 Corridor from Laredo, Texas, through Oklahoma City, Oklahoma, to Wichita, Kansas, to Kansas City, Kansas/Missouri, to Des Moines, Iowa, to Minneapolis, Minnesota, to Duluth, Minnesota, including I-29 between Kansas City and the Canadian border.
- (24) The Dalton Highway from Deadhorse, Alaska to Fairbanks, Alaska.
- (25) State Route 168 (South Battlefield Boulevard), Virginia, from the Great Bridge Bypass to the North Carolina State line.
- (26) The CANAMEX Corridor from Nogales, Arizona, through Las Vegas, Nevada, to Salt Lake City, Utah, to Idaho Falls, Idaho, to Montana, to the Canadian Border as follows:
- (A) In the State of Arizona, the CANAMEX Corridor shall generally follow—
- (i) I-19 from Nogales to Tucson;

- (ii) I-10 from Tucson to Phoenix; and
  - (iii) United States Route 93 in the vicinity of Phoenix to the Nevada Border.
- (B) In the State of Nevada, the CANAMEX Corridor shall follow—
- (i) United States Route 93 from the Arizona Border to Las Vegas; and
  - (ii) I-15 from Las Vegas to the Utah Border.
- (C) From the Utah Border through Montana to the Canadian Border, the CANAMEX Corridor shall follow I-15.
- (27) The Camino Real Corridor from El Paso, Texas, to Denver, Colorado, as follows:
- (A) In the State of Texas, the Camino Real Corridor shall generally follow—
- (i) arterials from the international ports of entry to I-10 in El Paso County; and
  - (ii) I-10 from El Paso County to the New Mexico border.
- (B) In the State of New Mexico, the Camino Real Corridor shall generally follow—
- (i) I-10 from the Texas Border to Las Cruces; and
  - (ii) I-25 from Las Cruces to the Colorado Border.
- (C) In the State of Colorado, the Camino Real Corridor shall generally follow I-25 from the New Mexico border to Denver continuing to the Wyoming border.
- (D) In the State of Wyoming, the Camino Real Corridor shall generally follow—
- (i) I-25 north to join with I-90 at Buffalo; and
  - (ii) I-90 to the Montana border.
- (E) In the State of Montana, the Camino Real Corridor shall generally follow—
- (i) I-90 to Billings; and
  - (ii) Montana Route 3, United States Route 12, United States Route 191, United States Route 87, to I-15 at Great Falls; and
  - (iii) I-15 from Great Falls to the Canadian border.
- (28) The Birmingham Northern Beltline beginning at I-59 in the vicinity of Trussville, Alabama, and traversing westwardly intersecting with United States Route 75, United States Route 79, and United States Route 31; continuing southwestwardly intersecting United States Route 78 and terminating at I-59 with the I-459 interchange.
- (29) The Coalfields Expressway beginning at Beckley, West Virginia, to Pound, Virginia, generally following the corridor defined as State Routes 54, 97, 10, 16, and 83.
- (30) Interstate Route 5 in the States of California, Oregon, and Washington, including California State Route 905 between Interstate Route 5 and the Otay Mesa Port of Entry.
- (31) The Mon-Fayette Expressway and Southern Beltway in Pennsylvania and West Virginia.
- (32) The Wisconsin Development Corridor from the Iowa, Illinois, and Wisconsin border near Dubuque, Iowa, to the Upper Mississippi River Basin near Eau Claire, Wisconsin, as follows:

(A) United States Route 151 from the Iowa border to Fond du Lac via Madison, Wisconsin, then United States Route 41 from Fond du Lac to Marinette via Oshkosh, Appleton, and Green Bay, Wisconsin.

(B) State Route 29 from Green Bay to I-94 via Wausau, Chippewa Falls, and Eau Claire, Wisconsin.

(C) United States Route 10 from Appleton to Marshfield, Wisconsin.

(33) The Capital Gateway Corridor following United States Route 50 from the proposed intermodal transportation center connected to I-395 in Washington, D.C., to the intersection of United States Route 50 with Kenilworth Avenue and the Baltimore-Washington Parkway in Maryland.

(34) The Alameda Corridor East and Southwest Passage, California. The Alameda Corridor East is generally described as 52.8 miles from east Los Angeles (terminus of Alameda Corridor) through the San Gabriel Valley terminating at Colton Junction in San Bernardino. The Southwest Passage shall follow I-10 from San Bernardino to the Arizona State line and I-8 from San Diego to the Arizona State line.

(35) Everett-Tacoma FAST Corridor.

(36) New York and Pennsylvania State Route 17 from Harriman, New York, to its intersection with I-90 in Pennsylvania.

(37) United States Route 90 from I-49 in Lafayette, Louisiana, to I-10 in New Orleans.

(38) The Ports-to-Plains Corridor from Laredo, Texas, via I-27 to Denver, Colorado, shall include:

(A) In the State of Texas the Ports-to-Plains Corridor shall generally follow—

(i) I-35 from Laredo to United States Route 83 at Exit 18;

(ii) United States Route 83 from Exit 18 to Carrizo Springs;

(iii) United States Route 277 from Carrizo Springs to San Angelo;

(iv) United States Route 87 from San Angelo to Sterling City;

(v) From Sterling City to Lamesa, the Corridor shall follow United States Route 87 and, the Corridor shall also follow Texas Route 158 from Sterling City to I-20, then via I-20 West to Texas Route 349 and, Texas Route 349 from Midland to Lamesa;

(vi) United States Route 87 from Lamesa to Lubbock;

(vii) I-27 from Lubbock to Amarillo; and

(viii) United States Route 287 from Amarillo to Dumas.

(B) The corridor designation contained in paragraph (A) shall take effect only if the Texas Transportation Commission has not designated the Ports-to-Plains Corridor in Texas by June 30, 2001.

(39) United States Route 63 from Marked Tree, Arkansas, to I-55.

(40) The Greensboro Corridor from Danville, Virginia, to Greensboro, North Carolina, along United States Route 29.

(41) The Falls-to-Falls Corridor—United States Route 53 from International Falls on the Minnesota/Canada border to Chippewa Falls, Wisconsin.

(42) The portion of Corridor V of the Appalachian development highway system from Interstate Route 55 near Batesville, Mississippi, to the intersection with Corridor X of the Appalachian development highway system near Fulton, Mississippi, and the portion of Corridor X of the Appalachian development highway system from near Fulton, Mississippi, to the intersection with Interstate Route 65 near Birmingham, Alabama.

(43) The United States Route 95 Corridor from the Canadian border at Eastport, Idaho, to the Oregon State border.

(44) The Louisiana Highway 1 corridor from Grand Isle, Louisiana, along Louisiana Highway 1, to the intersection with United States Route 90.

(d) INCLUSION ON NHS.—The Secretary shall include all corridors identified in subsection (c) on the proposed National Highway System submitted to Congress under section 103(b)(3) of title 23, United States Code.

(e) PROVISIONS APPLICABLE TO CORRIDORS.—

(1) LONG-RANGE PLAN.—The Secretary, in cooperation with the affected State or States, may prepare a long-range plan for the upgrading of each corridor to the appropriate standard for highways on the National Highway System. Each such plan may include a plan for developing the corridor and a plan for financing the development.

(2) FEASIBILITY STUDIES.—The Secretary, in cooperation with the affected State or States, may prepare feasibility and design studies, as necessary, for those corridors for which such studies have not been prepared. A feasibility study may be conducted under this subsection with respect to the corridor described in subsection (c)(2), relating to Avenue of the Saints, to determine the feasibility of an adjunct to the Avenue of the Saints serving the southern St. Louis metropolitan area and connecting with I-55 in the vicinity of Route A in Jefferson County, Missouri. A study may be conducted under this subsection to determine the feasibility of constructing a more direct limited access highway between Peoria and Chicago, Illinois. A feasibility study may be conducted under this paragraph to identify routes that will expedite future emergency evacuations of coastal areas of Louisiana.

(3) CERTIFICATION ACCEPTANCE.—The Secretary may discharge any of his responsibilities under title 23, United States Code, relative to projects on a corridor identified under subsection (c), upon the request of a State, by accepting a certification by the State in accordance with section 117 of such title.

(4) ACCELERATION OF PROJECTS.—To the maximum extent feasible, the Secretary may use procedures for acceleration of projects in carrying out projects on corridors identified in subsection (c).

(5) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—

(A) IN GENERAL.—The portions of the routes referred to in subsection (c)(1) subsection (c)(3) (solely as it relates to the Kentucky Corridor),<sup>1</sup> in clauses (i), (ii), and (except with respect to Georgetown County) (iii) of subsection (c)(5)(B), in subsection (c)(9), in subsections (c)(18) and (c)(20), in subsection (c)(36), in subsection (c)(37), in subsection (c)(40), and in subsection (c)(42) that are not a part of the Interstate System are designated as future parts of the Interstate System. Any segment of such routes shall become a part of the Interstate System at such time as the Secretary determines that the segment—

(i) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

(ii) connects to an existing Interstate System segment.

(B) ROUTES.—

(i) DESIGNATION.—The portion of the route referred to in subsection (c)(9) is designated as Interstate Route I-99. The routes referred to in subsections (c)(18) and (c)(20) shall be designated as Interstate Route I-69. A State having jurisdiction over any segment of routes referred to in subsections (c)(18) and (c)(20) shall erect signs identifying such segment that is consistent with the criteria set forth in subsections (e)(5)(A)(i) and (e)(5)(A)(ii) as Interstate Route I-69, including segments of United States Route 59 in the State of Texas. The segment identified in subsection (c)(18)(D)(i) shall be designated as Interstate Route I-69 East, and the segment identified in subsection (c)(18)(D)(ii) shall be designated as Interstate Route I-69 Central. The State of Texas shall erect signs identifying such routes as segments of future Interstate Route I-69. The portion of the route referred to in subsection (c)(36) is designated as Interstate Route I-86. The Louie B. Nunn Parkway corridor referred to in subsection (c)(3) shall be designated as Interstate Route 66. A State having jurisdiction over any segment of routes and/or corridors referred to in subsections (c)(3) shall erect signs identifying such segment that is consistent with the criteria set forth in subsections (e)(5)(A)(i) and (e)(5)(A)(ii) as Interstate Route 66. Notwithstanding the provisions of subsections (e)(5)(A)(i) and (e)(5)(A)(ii), or any other provisions of this Act, the Commonwealth of Kentucky shall erect signs, as approved by the Secretary, identifying the routes and/or corridors described in subsection (c)(3) for the Commonwealth, as segments of future Interstate Route 66. The Purchase Parkway corridor

<sup>1</sup>So in law. See the amendment made by section 365(b) of the Department of Transportation and Related Agencies Appropriations Act, 2002 (P.L. 107-87; 115 Stat. 872).

referred to in subsection (c)(18)(E) shall be designated as Interstate Route 69. A State having jurisdiction over any segment of routes and/or corridors referred to in subsections (c)(18) shall erect signs identifying such segment that is consistent with the criteria set forth in subsections (e)(5)(A)(i) and (e)(5)(A)(ii) as Interstate Route 69. Notwithstanding the provisions of subsections (e)(5)(A)(i) and (e)(5)(A)(ii), or any other provisions of this Act, the Commonwealth of Kentucky shall erect signs, as approved by the Secretary, identifying the routes and/or corridors described in subsection (c)(18) for the Commonwealth, as segments of future Interstate Route 69.

(ii) RULEMAKING TO DETERMINE FUTURE INTERSTATE SIGN ERECTION CRITERIA.—The Secretary shall conduct a rulemaking to determine the appropriate criteria for the erection of signs for future routes on the Interstate System identified in subparagraph (A). Such rulemaking shall be undertaken in consultation with States and local officials and shall be completed not later than December 31, 1998.

(C) TREATMENT OF SEGMENTS.—Subject to subparagraph (C), segments designated as part of the Interstate System by this paragraph and the mileage of such segments shall be treated in the manner described in the last 2 sentences of section 139(a) of title 23, United States Code.

(D) USE OF FUNDS.—

(i) GENERAL RULE.—Funds apportioned under section 104(b)(5)(A) of title 23, United States Code, may be used on a project to construct a portion of a route referred to in this paragraph to standards set forth in section 109(b) of such title if the State determines that the project for which the funds were originally apportioned is unreasonably delayed or no longer viable.

(ii) LIMITATION.—If funds apportioned under section 104(b)(5)(A) of title 23, United States Code, for completing a segment of the Interstate System are used on a project pursuant to this subparagraph, no interstate construction funds may be made available, after the date of the enactment of this paragraph, for construction of such segment.

(f) HIGH PRIORITY SEGMENTS.—Highway segments of the corridors referred to in subsection (c) which are described in this subsection are high priority segments eligible for assistance under this section. Subject to subsection (g)(2), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out a project on each such segment the amount listed for each such segment:

CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
1. Pennsylvania .....	For the segment described in item 6 of this table and up to \$11,000,000 for upgrading U.S. 220 High Priority and the Appalachian Thruway Corridor between State College and I-80 .....	50.7
2. Alabama, Georgia, Mississippi, Tennessee .....	Upgrading of the East-West Corridor along Rt. 72 and up to \$1,500,000 from the State of Alabama's share of the project for modification of the Keller Memorial Bridge in Decatur, Alabama, to a pedestrian structure .....	25.4
3. Missouri .....	Improvement of North-South Corridor along Highway 71, Southwestern, MO .....	3.6
4. Arkansas .....	For construction of Highway 412 from Siloam Springs to Springdale, Arkansas as part of Highway 412 East-West Corridor .....	34.0
5. Arkansas .....	For construction of Highway 412 from Harrison to Springdale, Arkansas as part of the Highway 412 East-West Corridor .....	56.0
6. Pennsylvania .....	To improve U.S. 220 to a 4-lane limited access highway from Bald Eagle northward to the intersection of U.S. 220 and U.S. 322 .....	148.0
7. S. Dakota/Nebraska .....	Conduct a feasibility study of expressway from Rapid City, S. Dakota to Scotts Bluff, Nebraska .....	0.64
8. Alabama .....	Construction of Appalachian Highway Corridor X from Corridor V near Fulton, Mississippi to U.S. 31 at Birmingham, Alabama as part of Appalachian Highway X Corridor Project .....	59.2
9. Alabama .....	For construction of a portion of Appalachian Development Corridor V from Mississippi State Line near Red Bay, Alabama to the Tennessee State Line north of Bridgeport, Alabama .....	25.4
10. West Virginia .....	Construction of Shawnee Project from 3-Corner Junction to I-77 as part of I-73/74 Corridor project .....	4.5
11. West Virginia .....	Widening U.S. Rt. 52 from Huntington to Williamson, W. Virginia as part of the I-73/74 Corridor project .....	100.0
12. West Virginia .....	Replacement of U.S. Rt. 52 from Williamson, W. Virginia to I-77 as part of the I-73/74 Corridor project .....	14.0



CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
13. North Carolina/Virginia	For Upgrading I-64 and Route 17 Virginia and constructing a new highway from Rocky Mount to Elizabeth City, North Carolina as part of the Raleigh-Norfolk High Priority Corridor Improvements .....	17.8
14. Arkansas .....	Construction of Highway 71 between Fayetteville and Alma, Arkansas as part of the North-South High Priority Corridor .....	100.0
15. Arkansas/Texas .....	For construction of Highway 71 from Alma, Arkansas to Louisiana border .....	70.0
16. Michigan .....	To widen a 60 mile portion of highway M-59 from MacComb County to I-96 in Howell County, Michigan .....	29.6
17. South Dakota, Colorado, Nebraska .....	To improve the Heartland Expressway from Rapid City, South Dakota to Scotts Bluff, Nebraska .....	29.6
18. Indiana .....	To construct a 4-lane highway from Lafayette to Ft. Wayne, Indiana, following existing Indiana 25 and U.S. 24 .....	9.5
19. Ohio/Indiana .....	Conduct feasibility and economic study to widen Rt. 24 from Ft. Wayne, Indiana to Toledo, Ohio as part of the Lafayette to Toledo Corridor .....	0.32
20. California, Nevada, Arizona .....	For improvements on I-15 and I-40 in California, Nevada and Arizona (\$10,500,000 of which shall be expended on the Nevada portion of the corridor, including the I-15/U.S. 95 interchange) .....	59.2

CITY/STATE	HIGH PRIORITY CORRIDORS	AMOUNT in millions
21. Louisiana .....	To improve the North-South Corridor from Louisiana border to Shreveport, Louisiana, and up to \$6,000,000 for surface transportation projects in Louisiana, including \$4,500,000 for the I-10 and I-610 project in Jefferson Parish, Louisiana, in the corridor between the St. Charles Parish line and Tulane Avenue, \$500,000 for noise analysis and safety abatement measures or barriers along the Lakeview section of I-610 in New Orleans, and \$1,000,000 for 3 highway studies (including \$250,000 for a study to widen United States Route 84/Louisiana Route 6 traversing north Louisiana, \$250,000 for a study to widen Louisiana Route 42 from United States Route 61 to Louisiana Route 44 and extend to I-10 in East Ascension Parish, and \$500,000 for a study to connect I-20 on both sides of the Ouachita River) .....	29.6
22. Missouri, Iowa, Minnesota .....	For improvements for Avenue of the Saints from St. Paul, Minnesota to St. Louis, Missouri .....	118.0
24. Various States .....	I-66 Transamerica Highway Feasibility study .....	1.0
25. Kentucky, Tennessee, Virginia .....	To improve Cumberland Gap Tunnel and for various associated improvements as part of U.S. 25E Corridor, except that the allocation percentages under section 1105(g)(2) of this section shall not apply to this project after fiscal year 1992 .....	72.4
26. Indiana, Kentucky, Tennessee .....	To improve the Bloomington, Indiana, to Evansville, Indiana, segment of the Indianapolis, Indiana, to Memphis, Tennessee, high priority corridor .....	23.7
27. Washington .....	For improvements on the Washington State portion of the U.S. 395 corridor from the U.S.-Canadian border to Reno, Nevada .....	54.5
28. Virginia .....	Construction of a bypass of Danville, Virginia, on Route 29 Corridor .....	17.0
29. Arkansas .....	Highway 412 from Harrison to Mt. Home .....	20.0
30. New York .....	Improvements on Route 219 between Springville to Ellicottville in New York State .....	9.5

(g) PROVISIONS RELATING TO HIGH PRIORITY SEGMENTS.—

(1) DETAILED PLANS.—Each State in which a priority segment identified under subsection (f) is located may prepare a detailed plan for completion of construction of such segment and for financing such construction.

(2) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (f) for each high priority segment authorized by subsection (f) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(3) FEDERAL SHARE.—The Federal share payable on account of any project under subsection (f) shall be 80 percent of the cost thereof.

(4) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary may delegate responsibility for construction of a project or projects under subsection (f) to the State in which such project or projects are located upon request of such State.

(5) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(6) APPLICABILITY OF TITLE 23.—Funds authorized by subsection (f) and subsection (h) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under subsection (f) shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by subsection (f) shall not be subject to any obligation limitation.

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(8) SPECIAL RULE.—Amounts allocated by subsection (f) to the State of California for improvements on I-15 and I-40 shall not be subject to any State or local law relating to apportionment of funds available for the construction or improvement of highways.

(9) The States of South Dakota and Nebraska may, at their discretion, utilize funds allocated to them for the project described in section 1105(f)(17) of this Act to support the Nebraska/South Dakota feasibility study described in section

1105(f)(7) and may also utilize funds allocated for that study for the project described in section 1105(f)(17).

(h) AUTHORIZATION FOR FEASIBILITY STUDIES.—There is authorized to be appropriated to the Secretary out of the Highway Trust Fund (other than the Mass Transit Account) \$8,000,000 per fiscal year for each of the fiscal years 1992 through 1997 to carry out feasibility and design studies under subsection (e)(2).

(i) REVOLVING LOAN FUND.—

(1) ESTABLISHMENT.—The Secretary may establish a Priority Corridor Revolving Loan Fund.

(2) ADVANCES.—The Secretary shall make available as repayable advances amounts from the Revolving Loan Fund to States for planning and construction of corridors listed in subsection (c). In making such amounts available, the Secretary shall give priority to segments identified in subsection (f).

(3) REPAYMENT OF ADVANCES.—The amount of an advance to a State in a fiscal year under paragraph (2) may not exceed the amount of a State's estimated apportionments for the National Highway System for the 2 succeeding fiscal years. Advances shall be repaid (A) by reducing the State's National Highway System apportionment in each of the succeeding 3 fiscal years by 1/3 of the amount of the advance, or (B) by direct repayment. Repayments shall be credited to the Priority Corridor Revolving Loan Fund.

(4) AUTHORIZATION.—There is authorized to be appropriated to the Secretary, out of the Highway Trust Fund (other than the Mass Transit Account), \$40,000,000 per fiscal year for each of fiscal years 1993 through 1997 to carry out this subsection.

**SEC. 1106. RURAL AND URBAN ACCESS PROJECTS.**

(a) RURAL ACCESS PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to provide funds for projects that ensure better rural access and that promote economic development in rural areas.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out rural access projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	RURAL ACCESS	AMOUNT in millions
1. Cadiz, Ohio .....	Improvements of Short Creek Highway from Cadiz, Ohio to Rayland, Ohio .....	2.5
2. Boger City, North Carolina .....	Construction of 4-lane divided highway along Highway 321 to Boger City, NC to NC 127 South .....	14.2
3. Utica, New York .....	Improvement of the Utica North/South Arterial .....	9.9

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CITY/STATE	RURAL ACCESS	AMOUNT in millions	
4. Oneida County, New York .....	Upgrade a highway to 4 lanes in Oneida County, New York .....	8.0	
5. Southern, Oklahoma .....	Widening of U.S. 70 .....	0.24	
6. Southern, Oklahoma .....	Construction of a bridge and approaches at Pennington Creek, OK .....	1.0	
7. Johnsonburg, Pennsylvania .....	Relocation of a 2-lane highway from Center Street to PA Rt. 255 along U.S. 219, Johnsonburg Bypass .....	14.0	
8. Pennsylvania .....	Construction of truck driving lanes and safety improvements on U.S. 219 between I-80 and the NY State Line .....	26.0	
9. East St. Louis, Illinois ...	Feasibility study for 4-lane Access Road to Jefferson Memorial Park	0.24	
10. Illinois .....	To conduct an Environmental Impact Study & Design Study on a 58-mile stretch of U.S. 67 corridor from Alton, IL to Jacksonville, IL .....	2.5	
11. Venice, Illinois .....	For rehabilitation of McKinley Bridge near Venice, IL .....	5.9	
12. Decatur, Alabama .....	Project for replacement of Keller Memorial Bridge, Decatur, AL ...	12.7	
13. Lenoir City, Tennessee ...	Feasibility Study on Fort Loudon Dam Bridge on U.S. Highway 231 in Lenoir City, TN .....	0.5	
14. Blount City, Tennessee ...	Improvement of U.S. Highway #411 in Monroe and Blount Counties, TN .....	15.7	
15. Missouri .....	For improvements of Highway 60 in New Madrid, Stoddard, Carter and Butler Counties, MO	21.7	
16. Southern, Missouri .....	Improvement of Rt. 65 through Greene, Christian and Taney Counties, MO .....	14.1	
17. Lake Charles, Louisiana	Construction of roads and bridge to provide access to Rose Bluff Industrial Area, Lake Charles, LA .....	4.1	
18. Louisiana .....	For improvement and extension of Ambassador Caffery Parkway in Louisiana and for Zachary Taylor Parkway, Alexandria to Bogalusa, Louisiana, to I-59 in Mississippi not to exceed \$1,000,000 .....	14.9	
19. Ohio .....	Construction of U.S. Rt. 68 Bypass in Clark, Champaign and Logan Counties .....	15.8	
20. Aliquippa, Pennsylvania	For various 3-R Projects in Aliquippa, PA .....	12.8	
21. Riverton, Kansas .....	Construction of a new highway from Riverton, KS to Interstate 44 in Missouri .....	13.1	
22. North Minnesota .....	Construction and reconstruction of Forest Highway 11 connecting Aurora-Hoyt Lakes and Silver Bay, MN .....	9.5	
23. Richfield, Minnesota .....	77th Street Reconstruction Project, Richfield, MN .....	11.6	

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CITY/STATE		RURAL ACCESS	AMOUNT in millions
24.	Mississippi .....	Improvements on Highway 84 in Franklin and Lincoln Counties, MS .....	9.5
25.	Mississippi .....	Upgrading of U.S. Highway 98 from County line of Pike and Waltham Counties, MS to Lamar County, MS .....	0.4
26.	Mississippi .....	Upgrading Highway 61 from Natchez, MS to Louisiana State line .....	0.35
27.	Mississippi .....	Upgrading Highway 84 from Brookhaven, MS to U.S. 49 in Collins, MS .....	2.1
28.	Chattahoochee, Florida ...	Construction of Mosquito Creek Bridge .....	2.4
29.	Florida .....	To upgrade State Rt. 71 from State Rt. 10 to State Rt. 8 .....	2.9
30.	Florida .....	To upgrade Florida State Rt. 267 from State Rt. 8 to State Rt. 10 .....	4.7
31.	Illinois .....	Tollway feasibility study (East St. Louis to Carbondale, IL) .....	0.32
32.	Mt. Vernon, Illinois .....	Extension of 34th Street from IL Rt. 15 to County Road 10 .....	0.96
33.	Illinois .....	Reconstruction of Feather Trail Road from Ullin Road Interchange to Rt. 37, Pulaski County, IL .....	1.1
34.	Illinois .....	Bel-Air Road improvement from south of Carmi to State Route 141 in southeastern White County .....	1.8
35.	Williamson County, Illinois .....	Upgrading IL Rt. 13 in Williamson County, IL .....	7.8
36.	Saline County, Illinois ....	For improvements to Rt. 13 from Williamson-Saline County line to Harrisburg, IL .....	4.0
37.	Winchester, New Hampshire .....	Replacement of Winchester Bridge, Winchester, NH .....	0.8
38.	Hanover, New Hampshire .....	Ledyard Bridge reconstruction .....	7.8
39.	Asheville, North Carolina	U.S. 19-23 improvement project, Asheville, NC .....	11.1
40.	Niles, Ohio .....	Belmont Street Bridge Replacement, Niles, OH .....	1.2
41.	Struthers, Ohio .....	Bridge Street Bridge replacement, Struthers, OH .....	1.2
42.	Niles, Ohio .....	South Main Street Bridge replacement, Niles, OH .....	2.5
43.	St. Joseph County, Michigan .....	U.S. 131, St. Joseph County, MI ....	0.5
44.	Berrien County, Michigan .....	U.S. 31 relocation, Berrien County, MI .....	17.4
45.	Holland, Michigan .....	U.S. 31 upgrade, Holland, Ottawa County, MI .....	1.3
46.	North Carolina .....	I-85 Interchange improvement at State Route 1103 Granville County, NC .....	1.7
47.	Manchester, New Hampshire .....	Manchester Airport Road improvements .....	4.0

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CITY/STATE	RURAL ACCESS	AMOUNT in millions	
48. New Hampshire .....	Wetlands mitigation package for New Hampshire Rt. 101/51 .....	10.0	
49. Arkansas .....	To improve U.S. 65 from Harrison, Arkansas to Missouri Line .....	38.0	
50. Arkansas .....	To improve Phoenix Avenue in the vicinity of the Ft. Smith Airport, Ft. Smith, Arkansas .....	7.9	
51. Arkansas .....	To study bypass alternatives for U.S. 71 in the vicinity of Bella Vista, Arkansas .....	3.0	
52. Pennsylvania .....	To construct an access road in Bedford Springs, Pennsylvania, along Old U.S. 220 to the Springs Project and to construct other facilities to facilitate movement of traffic within the site and construction of a parking facility to be associated therewith or other projects in the counties of Bedford, Blair, Fulton, Franklin, Mifflin, Fulton and Clearfield, and Huntingdon, as selected by the State of Pennsylvania .....	19.7	
53. DeValls Bluff, Arkansas	Construction of a replacement bridge across the White River ....	2.5	
54. Jonesboro, Arkansas .....	Complete construction of 3 interchanges on the Highway 63 Bypass at Jonesboro .....	5.7	
55. Brevard County, Florida	Design and engineer improvements for State Rd. 3 between State Rd. 520 and State Rd. 528	0.16	
56. Louisiana .....	For construction of a new road from an area in the vicinity of I-59 to Alexandria, Louisiana .....	1.7	
57. Beaumont, Texas .....	Widen Highway FM-364 from a 2-lane to a 4-lane road .....	10.4	
58. Farmington Hills, Michigan .....	To widen 12-mile road corridor in the vicinity of Farmington Hills, Michigan .....	2.5	
59. Laredo, Texas .....	Expand capacity of 2-lane highway, construct interchanges and connector highway .....	7.4	
60. Montewma, Colorado .....	Upgrade farm to market road serving Ute Indian Reservation .....	2.9	
61. Lubbock, Texas .....	Initiate feasibility and route studies and preliminary engineering and design for highway to connect Lubbock with Interstate 10 through Interstate 20 and Interstate 27 north of Amarillo to the border between Texas and Oklahoma .....	2.9	
62. Rosenberg, Texas .....	To purchase right-of-way for Highway 36 Bypass West of Rosenberg, Texas .....	0.9	
63. Angleton, Texas .....	For various activities associated with relocation of Highway 288 in vicinity of Angleton, Texas .....	0.9	
64. Mentor, Ohio .....	For construction of an interchange on State Rt. 615 at I-90 in Mentor, Ohio .....	4.7	

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CITY/STATE		RURAL ACCESS	AMOUNT in millions
65.	W. Central, Illinois .....	For widening of U.S. 34 between Burlington, Iowa and Monmouth, Illinois .....	1.9
66.	Illinois .....	To make improvements including construction of a bridge on U.S. 67 in NW Illinois .....	2.4
67.	Monongahela Valley, Pennsylvania .....	For construction of southernmost extension of the Monongahela Expressway .....	14.0
68.	Dauphin County, Penn- sylvania .....	Design, acquire right-of-way and reconstruct 5.1 miles of 4-lane divided highway from Dauphin Borough to Speeceville, Pennsylvania .....	12.0
69.	Rutherford County, Ten- nessee .....	Replace existing bridge over the west fork of the Stone's River including a 5-foot elevated walkway; plan, design, and construct related, adjacent, or interlocking facilities, preserve any related historical remnants, and acquire the necessary lands or interests in lands for such facilities .....	0.8
70.	Wayne County, New York .....	To improve Rt. 104 from Furnace Road to Pound Road in the Wayne County Area of New York .....	6.4
71.	Chautauqua County, New York .....	Construct 2 additional expressway lanes and other improvements from Chautauqua Lake Bridge to Pennsylvania Border .....	17.0
72.	North Carolina .....	To reimburse the State of North Carolina for construction and repair of the Bonner Bridge, North Carolina .....	3.0
73.	North Carolina .....	Construct interstate link between I-95 and I-40 in vicinity of Wilson and Goldsboro, North Carolina .....	8.9
74.	Bossier City, Louisiana ..	To study grade separations along 10 miles of KC Railroad along U.S. 71 .....	0.16
75.	Pennsylvania .....	Road improvements on a 14-mile segment of United States Route 15 in Lycoming County, Pennsylvania .....	13.8
76.	Overland Park, Kansas ..	I-435 Interchange Project .....	4.1
77.	Fairmont, West Virginia	Riverside Expressway improve- ments .....	5.3
78.	Washington .....	State Rt. 14 Improvement Projects, Columbia River Gorge, Wash- ington .....	8.6
79.	Pennsylvania .....	Pennsylvania Industrial Park ac- cess, Washington County, Penn- sylvania .....	6.3
80.	Pennsylvania .....	Chadville Improvement Project, Southern Fayette County, Penn- sylvania .....	2.4
81.	Pennsylvania .....	U.S. Rt. 219 Meyersdale Bypass ....	48.0



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CITY/STATE	RURAL ACCESS	AMOUNT in millions	
82. Pennsylvania .....	U.S. Rt. 22 Improvements: Monroeville to Ebansburg .....	30.3	
83. Pennsylvania .....	Laurel Valley Expressway, Blairsville, Pennsylvania .....	5.0	
84. Brownsville, Texas .....	Brownsville Railroad Relocation Project .....	6.7	
85. South Carolina .....	Southern Connector Highway, Greenville County, South Carolina .....	3.6	
86. Ohio .....	Rt. 18 Bypass Study, Medina, Ohio	0.4	
87. Ohio .....	U.S. Rt. 250 Bypass Study, Norwalk, Ohio .....	0.4	
88. Mankato, Minnesota .....	Mankato South Rt. Improvements, Mankato, Minnesota .....	10.0	
89. Kentucky .....	U.S. 119 Upgrading, Pike County, KY .....	7.6	
90. Michigan .....	U.S. Rt. 127 Upgrading, Jackson County, Michigan .....	0.8	
91. Eden Prairie & Cologne, Minnesota .....	U.S. Trunk Highway 212 improvement project, Eden Prairie/Cologne, MN .....	8.7	
92. Ohio .....	Rt. 30 extension: East Canton/Minerva, Ohio .....	5.3	
93. New Mexico .....	United States Route 64/87 from Raton, New Mexico, through Clayton to the border between Texas and New Mexico .....	9.3	
94. New Mexico .....	Jicarilla Apache State Road, New Mexico .....	1.5	
95. Arizona .....	Turquoise Trail Highway, Navajo County, Arizona .....	5.9	
96. Pennsylvania .....	U.S. Rt. 222 Relocation, Lehigh County, Pennsylvania .....	1.5	
97. Pennsylvania .....	Pennsylvania Rt. 33 Extension, Northampton County, Pennsylvania .....	16.8	
98. Kentucky .....	Highway 92 Relocation Study, South Central Kentucky .....	0.1	
99. Kentucky .....	U.S. 27 Improvements, Jessamine County, Kentucky .....	9.2	
100. North Carolina .....	U-2519/X-2 Highways, Cumberland, North Carolina .....	15.9	
101. Missouri .....	Adams Dairy Parkway Project, Blue Springs, Missouri .....	1.5	
102. Lawrence, Kansas .....	Lawrence Circumferential Roadway, Douglas County, Kansas .....	3.3	
103. Kansas .....	Oakland Expressway, Eastern Shawnee, Kansas .....	5.9	
104. Missouri .....	Highway 63 improvements, Columbia, Missouri/Iowa border .....	5.9	
105. West Virginia .....	Highway Improvements: Mason County/Kanawha, West Virginia	19.5	
106. Pennsylvania .....	Warren Street Extension/U.S. 222 Reconstruction, Berks County, Pennsylvania .....	6.6	
107. Illinois .....	For construction of the Alton Bypass from the vicinity of Alton and Godfrey, Illinois .....	4.4	
108. Iowa .....	Construct Mason City Bypass, Gerro Gordo County, Iowa .....	14.8	

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CITY/STATE		RURAL ACCESS	AMOUNT in millions
109.	Prince Edward County, Virginia .....	A highway improvement project one mile south of Farmville in Prince Edward County, Virginia, to increase from two lanes to four lanes approximately two miles of Route 460. Such project shall connect the existing four lanes of Route 460 approaching the segment from the east and the west. The Secretary of the Army, acting through the Chief of Engineers, is directed, upon request of officials representing Prince Edward County, Virginia, to allow the immediate filling of the Sandy River Reservoir in accordance with the terms and conditions of the permit, without further amendment or modification in any respect, issued by the Department of the Army relating to the reservoir, except that no contingency in such permit pertaining to water demand or use shall become effective or shall be enforced prior to seven years from date of completion of such highway project .....	4.4
110.	Port Lavaca to Cuero, Texas .....	Construct upgraded, improved four-lane divided highway .....	43.9
111.	Parker and Tarrant Counties, Texas (SH199) .....	Upgrade existing highway in Tarrant County to freeway standards and in Parker County to a 4-lane divided highway .....	33.5
112.	Howell County, Missouri	Highway 63 .....	3.6
113.	Louisiana, Louisiana .....	Louisiana Bridge replacement, Louisiana, LA .....	9.5
114.	Travis County, Texas .....	Highway 620 bridge improvement	11.4
115.	Latrobe, Pennsylvania .....	Ligonier Street Reconstruction .....	0.8
116.	Carrolltown/DuBois, Pennsylvania .....	U.S. 219 Improvements .....	4.0
117.	Robinson Township, Pennsylvania .....	Design Work in Town Center .....	5.0
118.	West Virginia .....	Chelyan Bridge Replacement .....	8.5

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this

subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

(b) URBAN ACCESS AND URBAN MOBILITY PROJECTS.—

(1) PURPOSE.—The purpose of this subsection is to provide funds for projects that enhance urban access and urban mobility.

(2) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out urban access and urban mobility projects described in this paragraph. Subject to paragraph (3), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	URBAN ACCESS & MOBILITY	AMOUNT in millions
1. Santa Ana, California .....	Bristol Street Project .....	4.1
2. Illinois/Missouri .....	Metro East/St. Louis, Missouri Bridge Feasibility Study .....	1.0
3. Beaver/Butler Counties, Pennsylvania .....	Construction of Crow's Run Ex- pressway from I-79 to PA Rt. 60, Beaver/Butler Counties, PA	3.5
4. Atlanta, Georgia .....	Improvement of Martin Luther King Drive .....	0.8
5. Chicago, Illinois .....	Handicapped Accessibility Projects on various Chicago Streets .....	2.4
6. Chicago, Illinois .....	Feasibility study for a road be- tween existing Lake Shore Drive and Indiana Road .....	0.16
7. San Jose, California .....	Improvement of Interchange at Highway 85/Highway 17 .....	35.0

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CITY/STATE	URBAN ACCESS & MOBILITY	AMOUNT in millions
8. Gilroy, California .....	For safety improvements on Highway 152 in vicinity of Gilroy, CA	5.9
9. New York, New York .....	Improvements on Miller Highway in New York City, NY, \$4,440,398, and redevelopment of the James A. Farley Post Office, Pennsylvania Station, and associated service buildings into an intermodal transportation facility and commercial center, \$11,159,602 .....	15.6
10. District of Columbia .....	Construction of missing segments of Eastern and Southern Avenues (Boundary Street Safety Initiative) .....	6.8
11. Buffalo, New York .....	Scajaquada Expressway Classification study .....	0.24
12. Buffalo, New York .....	NY State Thruway relocation study, Buffalo (Niagara), NY .....	0.24
13. Joliet, Illinois .....	For rehabilitation of Houbolt Road from Jefferson Street to Joliet Jr. College .....	1.0
14. Chicago, Illinois .....	WPA street improvements bounded on the north by 103rd, the east by Stoney Island, the west by Ashland, and the south by the city limits .....	3.7
15. Burnham, Illinois .....	To improve Dolton Avenue between Torrence Avenue and Indiana State Line, Burnham, IL ..	1.9
16. Calumet Park, Illinois .....	Ashland Avenue Bridge replacement .....	2.1
17. Harvey, Illinois .....	Illinois 1 Interchange improvement from U.S. 6 to I-80 .....	2.5
18. Markham, Illinois .....	Sibley Boulevard traffic flow improvement from Dixie Highway	3.5
19. Chicago, Illinois .....	Illinois 1 intersection improvement, Harvey, IL (intersection at 155th Street) .....	1.4
20. Youngstown, Ohio .....	Center Street Bridge replacement, Youngstown, OH, including Poland Avenue—Shirley Road connector and ramps at I-680 .....	12.2
21. Lake Porter and LaPort Counties, Indiana and Illinois .....	Study linkage roads to connect Lake Shore Drive and surrounding facilities .....	1.0
22. Indiana .....	Acquisition of West Lake Corridor Right-of-Way between Munster, IN and Hammond, IN .....	1.0
23. Portage, Indiana .....	Widen Willow Creek Road to 4 lanes .....	1.5
24. Hobart, Lake Station and New Chicago, Indiana	Various improvements to Ridge Road to relieve congestion .....	4.3
25. Passaic County, New Jersey .....	To complete construction of Rt. 21 in Passaic County, New Jersey ..	98.8
26. Northeastern, New Jersey .....	To raise 14 bridges over Molly Ann's Brook Northeastern, New Jersey .....	9.5

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CITY/STATE	URBAN ACCESS & MOBILITY	AMOUNT in millions	
27. Chambersburg, Pennsylvania .....	To improve the Wayne Avenue—I-81 Interchange and to widen Wayne Avenue to 5 lanes from Kriner Road to Coldbrook Avenue in the vicinity of Chambersburg, Pennsylvania .....	1.84	
28. Newark, New Jersey .....	To construct ramps to provide access to I-78 .....	7.2	
29. Newark, New Jersey .....	To construct a parking facility as part of a multi-modal transportation facility in the vicinity of United Hospitals Medical Center, Newark, New Jersey .....	4.9	
30. Lawrence, Massachusetts	Study, design, and construct new road service; road and ramps and widen I-495 .....	4.7	
31. Baltimore, Maryland .....	To improve various roads as part of project "Project Vision" in Baltimore, Maryland .....	5.0	
32. Bellevue, Washington .....	Conduct Phase I design study for I-405 interchange at Northeast 8th Street .....	5.0	
33. Springfield, Illinois .....	To extend 11th Street from Stevenson Drive to Toronto Road in the vicinity of Springfield, Illinois .....	8.3	
34. Middlesex, New Jersey .....	Route 1 widening in Middlesex County, New Jersey from Raritan River to Rahway River .....	7.4	
35. Perth Amboy & Woodbridge Township, New Jersey .....	Study whether additional river crossings may be necessary based on condition of 3 existing crossings .....	2.5	
36. Compton, California .....	For grade separations and other improvements in the city of Compton, California .....	6.6	
37. Parsippany, Troy Hills, New Jersey .....	Construct interchange and ramp improvements for east and west bound traffic on I-280 .....	3.1	
38. Queens, New York .....	To rehabilitate 39th Street Bridge over rail tracks at the Sunnyside Rail Yard in Queens, New York .....	10.4	
39. Omaha, Nebraska .....	For improvements to US Highway 6 (W. Dodge Road) from 86th Street to 118th including the intersection with I-680 in Omaha, Nebraska .....	5.2	
40. Suffolk County/Long Island, New York .....	Construct various roadway improvements on 7.1 miles of New York Rt. 112, including, resurfacing, widening, adding turning and parking lanes and improving traffic signals .....	3.4	
41. San Diego, California .....	To conduct environmental study on feasibility of constructing 4-lane highway from State Rt. 805 to International border near Otay Mesa .....	1.0	

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CITY/STATE	URBAN ACCESS & MOBILITY	AMOUNT in millions	
42. Sarasota, Florida .....	To construct a bridge interchange at US 301 and University Parkway in the vicinity of Sarasota, Florida .....	2.4	
43. Hartford, Connecticut .....	To rehabilitate Connecticut Rt. 99 South of Hartford, Connecticut ..	5.0	
44. Hartford, Connecticut .....	For improved access to the Connecticut River as in I-91 Mitigation Project, Hartford, Connecticut .....	2.3	
45. Chattanooga, Tennessee	Construct an urban diamond interchange to improve capacity and a connector road .....	3.1	
46. Commerce, California .....	To relocate a portion of Atlantic Blvd. in the vicinity of Telegraph Rd. as part of a grade separation project .....	4.7	
47. Scranton, Pennsylvania ..	Realign 3,000 feet of N. Scranton Expressway to connect with Mulberry Street .....	7.2	
48. Long Island, New York ...	Southern State Parkway Improvement .....	4.6	
49. New York .....	Exit 26 Ridge Project Schenectady, New York .....	5.7	
50. Capital Beltway, Springfield, Virginia .....	Upgrade interchanges on I-495, including Virginia Mixing Bowl Improvements .....	7.5	
51. Utah .....	Expansion of State Rd. 5600 West	3.3	
52. Chicago, Illinois .....	Reconstruct the Michigan Avenue viaduct .....	4.8	
53. Chicago, Illinois .....	Museum of Science & Industry: Various intermodal facilities, Chicago, Illinois .....	35.0	
54. Chicago, Illinois .....	Chicago Skyway Bridge, Chicago, Illinois .....	14.2	
55. Chicago, Illinois .....	Cermak Road Bridge reconstruction, Chicago, Illinois .....	9.2	
56. Chicago, Illinois .....	Roosevelt Rd. and Bridge Improvements, Chicago, Illinois .....	11.8	
56A. Chicago, Illinois .....	State Street Mall Improvements, Chicago, Illinois .....	14.2	
57. Chicago, Illinois .....	Cicero Avenue Improvements, vicinity of Chicago, Illinois .....	1.1	
58. Chicago, Illinois .....	183rd Street Reconstruction, Chicago, Illinois .....	1.5	
59. Chicago, Illinois .....	111th Street Reconstruction, Chicago, Illinois .....	2.5	
60. Chicago, Illinois .....	111th Street Upgrade: Cicero Avenue to Pulaski Road, Chicago, Illinois .....	2.5	
61. Chicago, Illinois .....	111th Street Widening; Central Avenue to Cicero Avenue, Chicago, Illinois .....	4.7	
62. Muncie, Indiana .....	State Rd. 67 Widening .....	10.0	
63. Columbus, Indiana .....	Columbus Entranceway project, Columbus, Indiana .....	3.3	
64. New Jersey .....	Rt. 17/4 Interchange Project, Paramus, New Jersey .....	5.7	
65. New Jersey .....	Hackensack Avenue/Kinderkamack Road Bridges over Rt. 4, Hackensack, New Jersey .....	5.7	
66. Los Angeles .....	Grade separation projects (3), Los Angeles County, California .....	7.1	

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CITY/STATE	URBAN ACCESS & MOBILITY		AMOUNT in millions
67. New York .....	Preservation of Rail Corridor (North Shore Rail Line), Staten Island .....		10.7
68. Maryland .....	Improvement of U.S. Route 1 in Baltimore County, Maryland .....		11.8
69. Camden, New Jersey .....	Renovation of South Jersey Port Corporation's Beckett Street Terminal .....		8.3
70. Washington, D.C. ....	Design and construction of noise barriers along Southeast/Southwest Freeway and Anacostia Freeway in D.C. ....		4.7
71. Anaheim, California .....	Construction of public HOV facilities to provide public access to I-5 in the vicinity of the Anaheim Regional Transportation Intermodal Complex .....		14.8
72. Atlanta, Georgia .....	Construction of I-20 interchange at Lithonia Industrial Boulevard .....		11.2
73. Buffalo, New York .....	The Southtowns Connector Buffalo, New York .....		8.5
74. Tucson, Arizona .....	Veterans Memorial Interchange/Palo Verde Overpass Bridge Replacement .....		2.4
75. Providence, Rhode Island	Memorial Boulevard Pedestrian/Traffic Improvements .....		5.0
76. Renton, Washington .....	Houser Way Relocation Expansion		3.0

(3) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by paragraph (2) for each project authorized by paragraph (2) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(4) FEDERAL SHARE.—The Federal share payable on account of any project under this subsection shall be 80 percent of the cost thereof.

(5) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this subsection to the State in which such project or projects are located upon request of such State.

(6) ADVANCE CONSTRUCTION.—When a State which has been delegated responsibility for construction of a project under this subsection—

(A) has obligated all funds allocated under this subsection for construction of such project; and

(B) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this subsection.

(7) APPLICABILITY OF TITLE 23.—Funds authorized by this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this subsection shall be determined in accordance with this subsection and such funds shall remain available until expended. Funds authorized by this subsection shall not be subject to any obligation limitation.

**SEC. 1107. INNOVATIVE PROJECTS.**

(a) IN GENERAL.—The purpose of this section is to provide assistance for highway projects demonstrating innovative techniques of highway construction and finance. Each State in which 1 of the projects authorized by subsection (b) is located shall select and use, in carrying out such project, innovative techniques in highway construction or finance. Such techniques may include state-of-the-art technology for pavement, safety, or other aspects of highway construction; innovative financing techniques; or accelerated procedures for construction.

(b) AUTHORIZATION OF PROJECTS.—The Secretary is authorized to carry out the innovative projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions
1. Cadiz, Ohio .....	Construction of 4-lane Limited Access Highway from Cadiz, OH to Interstate 70 Interchange at St. Clairsville, OH along U.S. Rt. 250 .....	20.0
2. Maryland .....	Construction of Durham Road Bridge #75 in Harford County, MD .....	0.5
3. Maryland .....	Construction of a replacement bridge at Furnace Road Bridge #74, Harford County, MD .....	0.6
4. Maryland .....	Construction of a replacement bridge at South Hampton Road Bridge #47, Harford County, MD .....	1.0
5. Maryland .....	Construction of a replacement bridge at Wheel Road Bridge #9, Harford County, MD .....	1.0
6. Maryland .....	For improvements to Bottom Road Bridge, Vinegar Hill Road Bridge and Southampton Road Bridge, Harford County, MD .....	1.1
7. Baltimore County, Maryland .....	Replacement Papermill Road Bridge #123 in Cockeysville Area of Baltimore, MD .....	5.3
8. Southern, Oklahoma .....	Testing of effectiveness of recyclable materials on a resurfacing project on U.S. 70 in Southern, OK .....	2.1
9. Tulsa, Oklahoma .....	Upgrade U.S. 75 to Expressway standards, Tulsa, OK .....	14.0



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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
10. Atlanta, Georgia .....	For various transportation improvements in connection with the 1996 Olympics, including the city of Atlanta advanced traffic management system (ITS) .....	58.1	
11. Chicago, Illinois .....	Computerized infrastructure management systems, Chicago, IL ....	4.3	
12. Oceanside, California .....	Construction of A, B, and C segments of State Route 76 .....	14.4	
13. Carlsbad, California .....	Improvements to the interchange at Palomar Airport Road and Interstate 5 .....	3.4	
14. Danville, Virginia .....	To replace bridges on Main and Worsham Streets in Danville, VA .....	10.0	
15. Mokena, Illinois .....	For construction of Wolf Road to an area between LaPort Road and U.S. Rt. 30 in Mokena, IL ...	1.4	
16. Frankfort, Illinois .....	Village of Frankfort Roadway improvement projects .....	1.3	
17. Plainfield, Illinois .....	Replacement of E J & E Viaduct over IL Rt. 59 and Dupage River Tributary .....	1.0	
18. Romeoville, Illinois .....	Replacement of 135th Street Bridge, Romeoville, IL .....	5.9	
19. Pennsylvania .....	Construction of a 2 lane bypass around the Borough of Water Street on U.S. 22 of Pennsylvania, or other projects in the counties of Bedford, Blair, Centre, Franklin, Mifflin, Fulton and Clearfield, and Huntingdon as selected by the State of Pennsylvania .....	8.0	
20. Pennsylvania .....	To relocate U.S. 22 around the Borough of Holidaysburg, Pennsylvania, or other projects in the counties of Bedford, Blair, Centre, Franklin, Mifflin, Fulton and Clearfield, and Huntingdon as selected by the State of Pennsylvania .....	52.0	
21. Lewistown, Pennsylvania	For safety improvements on the Narrows to eliminate potential problems brought on by rock slides .....	1.6	
22. Pennsylvania .....	To relocate U.S. Rt. 22 North of Lewistown, Pennsylvania .....	58.3	
23. Reedsville, Pennsylvania	For construction of a 4 lane highway between Reedsville and Seven Mountains, Pennsylvania	35.1	
24. Pennsylvania .....	To relocate section of railroad tracks between Hagerstown, Maryland and Shippensburg, Pennsylvania to eliminate 23 at-grade crossings and to make connection to an existing railroad line and for the purchase, rehabilitation, and improvement of any similar existing facility within a 150-mile radius of such project, as selected by the State of Pennsylvania .....	14.4	

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
25. Roaring Spring, Pennsylvania .....	To upgrade to 3 lanes by adding a center turning lane a section of Pennsylvania 36 from New U.S. 220 to the intersection at Roaring Spring, Pennsylvania .....	8.8	
26. Altoona, Pennsylvania ....	To widen and extend Chestnut Avenue from Altoona to Juniata, Pennsylvania .....	7.12	
27. Bedford County, Pennsylvania .....	To widen Rt. 30 from the Narrows in Bedford to Mt. Dallas, Pennsylvania .....	48.0	
28. Brevard County, Florida	Design, acquire right-of-way and construct a widened bridge on State Road 3 over the Barge Canal .....	6.9	
29. Blacksburg, Montgomery County, Virginia .....	Construction of 6 mile 4 lane highway to demonstrate methods of facilitating public and private participation in intelligent transportation systems .....	5.9	
30. Mobile, Alabama .....	For reconstruction of the West Tunnel Plaza Interchange on I-10 from Virginia Street to Mobile River Tunnel, Mobile, Alabama and for feasibility studies, preliminary engineering, and construction of a new bridge and approaches over the Mobile River .....	15.0	
31. Pennsylvania .....	To widen U.S. Rt. 202 from King of Prussia to Montgomeryville, Pennsylvania .....	8.9	
32. Galina, Illinois .....	To conduct environmental, preliminary engineering and design studies to widen a 47 mile stretch of U.S. 20 to 4 lanes .....	2.0	
33. Arenack County, Michigan .....	To improve a 12-mile stretch of U.S. 23 between Rt. 13 and Rt. 65, Michigan .....	4.7	
34. Brooks, Jim Wells, and Live Oak Counties, Texas .....	To improve, upgrade and widen U.S. 281 to the Mexican Border	27.6	
35. Alabama .....	To construct a 4-lane access controlled highway beginning on United States Route 80 west of Montgomery, Alabama, and connecting to I-65 south of Montgomery and I-85 east of Montgomery .....	11.8	
36. North Dakota .....	To design computerized system to inventory and manage off system bridge repairs or replacement statewide; begin repair activities .....	8.9	

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
37. Los Angeles, California ...	For preliminary work on a project to enhance the capacity of I-5 in Los Angeles and Orange County from the downtown area to the State Rt. 91 interchange in Buena Park .....	6.7	
38. Mendon, Illinois .....	To construct 14.8 miles of Highway 336 from Illinois Rt. 61 near Mendon, Illinois to West Point Road .....	5.0	
39. Bryden, Washington .....	Construct 3 miles of new and improved highways connecting Clarkston, Washington with Lewiston, Idaho .....	3.9	
40. Missouri .....	To widen I-55 between Rt. M and Rt. 67 in Jefferson County, Missouri .....	5.1	
41. Jefferson County, Missouri .....	To upgrade 7.9 miles of Missouri Highway 21 in Jefferson County, Missouri .....	5.1	
42. St. Louis, Missouri .....	To construct a 4-lane outer beltway connecting I-55 and I-44 in St. Louis and Jefferson County, Missouri .....	7.6	
43. Hillsborough, Florida .....	Widen and enhance safety and drainage features of I-4 from Tampa to the Hillsborough County Line .....	24.5	
44. Wichita, Kansas .....	To construct a 6 lane access controlled highway and interchange at Oliver Street .....	6.6	
45. Brigham City, Utah .....	To construct an interchange on I-15 at Forest St. in Brigham City, Utah .....	3.6	
46. Utah .....	For the upgrading of U.S. 89 in Davis and Weber Counties, Utah .....	3.0	
47. Grand Rapids, Michigan	For construction of a bypass around Grand Rapids, Michigan connecting I-96 and I-196 .....	6.9	
48. Suffolk County/Long Island, New York .....	Avoid erecting costly areas through selective black topping through high noise road segments .....	2.0	
49. Suffolk County, New York .....	Evaluate suitability of composting and recycling for use on Federal-aid highway medians and perimeters and provide funds to the towns of Brookhaven, Riverhead, Smithtown, East Hampton, Southold, Shelter Island, and Southampton for the purchase of vehicles to meet the transportation needs of the elderly and persons with disabilities .....	0.4	
50. Springfield, South Dakota .....	Plan, engineer and construct a bridge across the Missouri River to connect South Dakota Rt. 37 to Nebraska Highway 12 .....	4.7	

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
51. Vermillion, South Dakota	Engineer and construct bridge across the Missouri River in the vicinity of Vermillion, South Dakota .....	3.6	
52. Pennsylvania .....	Design, engineer and construct or rehabilitate (or both) highway and transportation infrastructure projects within 30 miles of I-81 or I-80 in northeastern Pennsylvania .....	16.7	
53. Genesse, Michigan .....	Widen and improve pavement in Mundy Township, from Baldwin Rd. to Cook Rd. ....	0.16	
54. Flint, Michigan .....	Engineer, design and construct improved and widened 5-lane road	0.5	
55. Flint, Michigan .....	Engineer, design and construct 1.02 miles of 5-lane roadway .....	0.9	
56. Flint, Michigan .....	Right-of-way acquisition, relocation and construction of Bristol Road	3.1	
57. Salem, Oregon .....	To construct the Salem Bypass around Salem, Oregon .....	6.0	
58. Montgomeryville, Pennsylvania .....	To improve U.S. 202 from Montgomeryville to Doylestown, Pennsylvania .....	10.8	
59. Amherst/Erie County, New York .....	Widen 2 miles of Rt. 263 from 2 lanes to 4 lanes and rehabilitate a 4 mile stretch of Rt. 78 .....	7.6	
60. Idaho .....	To improve the Bryden Canyon Rd. in Lewiston, Idaho .....	5.3	
61. Victorville, California .....	Widen and reconstruct Mojave bridge to CALTRANS height standards .....	1.8	
62. Freemont, Iowa .....	For construction of Iowa highway #2 from Sidney, Iowa to I-29 in Freemont County, Iowa .....	8.7	
63. Council Bluffs, Iowa .....	For a variety of improvements to the Valley View Corridor in Council Bluffs, Iowa .....	1.0	
64. Indiana .....	Construct extension of Interstate 69 to link Evansville and Indianapolis, Indiana .....	3.8	
65. Aberdeen, Ohio .....	U.S. 62 Ohio River Bridge .....	15.5	
66. Jacksonville, Illinois .....	U.S. 67 Jacksonville Bypass .....	15.8	
67. Snohomish, Washington	Snohomish County, Washington HOV Lanes .....	6.5	
68. Maine .....	Portland-S. Portland Bridge and improvements to the Carlton Bridge in Bath-Woolworth .....	134.5	
69. Iowa .....	Highway 63 Improvements, Waterloo to New Hampton, Iowa .....	15.1	
70. Brook Park, Ohio .....	Aerospace Technology Park Access Rd., Brook Park, Ohio .....	14.2	
71. California .....	Rt. 156 Hollister Bypass, San Benito, California .....	0.9	
72. Monterey, California .....	Rt. 101, Prunedale, California .....	4.2	
73. New Jersey .....	Rt. 21 Viaduct, Newark, New Jersey, City of Newark's Project .....	14.8	
74. New Jersey .....	Rt. 21 widening, Newark, New Jersey, City of Newark's Project	13.9	
75. North Carolina .....	U.S. 64 widening in Chatham and Wake Counties, North Carolina	5.3	

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
76. Tennessee .....	Improved access to I-81/Industrial Park South, Sullivan County, Tennessee via improvements at I-181/Eastern Star Road and I-81/Kendrick Creek Road .....	5.8	
77. Tennessee .....	Foothills Parkway: Pittman Center to Cosby, Tennessee .....	11.2	
78. Ohio .....	Kelly Avenue extension, Akron Innerbelt (State Route 59) corridor, Broadway viaduct replacement, and High Street viaduct replacement, Akron, Ohio .....	9.5	
79. Exton, Pennsylvania .....	Exton Bypass, Exton, Pennsylvania .....	26.8	
80. Alabama .....	Black Warrior River Bridge, Tuscaloosa County, Alabama .....	6.4	
81. Brooklyn Park, Minnesota .....	Highway 610 crosstown project, Brooklyn Park, Minnesota .....	36.0	
82. California .....	I-880/Alvarado-Niles Road Interchange, Union City, California ...	9.5	
83. Merrysville, Washington	Interstate 5 Interchange improvement: 88th Street, Merrysville, Washington .....	1.9	
84. Myrtle Beach, South Carolina .....	Carolina Bays Parkway, Myrtle Beach, South Carolina .....	5.9	
85. Mississippi .....	U.S. 90 improvements including 6 lane bridge and approaches, Pascagoula, Mississippi .....	4.3	
86. Bakersfield, California ...	Rt. 58 Improvements, Bakersfield, California .....	4.7	
87. Santa Fe Springs, California .....	Norwalk Blvd. grade separation, Santa Fe Springs .....	4.7	
88. Hoquiam, Washington ...	Gray's Harbor Industrial Corridor Bridge, Hoquiam, Washington ...	4.7	
89. Traverse City, Michigan	Traverse City Bypass, Traverse City, Michigan .....	4.5	
90. Nevada .....	Lamoille Highway widening, Elko County, Nevada .....	2.4	
91. Reno, Nevada .....	U.S. 395 Extension, in vicinity of Reno, Nevada .....	14.8	
92. Carson City, Nevada .....	Carson City Bypass, Carson City, Nevada .....	7.6	
93. Columbus, Ohio .....	I-270 North outerbelt widening, Franklin County, Ohio .....	10.2	
94. Virgin Islands .....	Feasibility study of constructing a second road to the west end of the island of St. Thomas and improvements to the VIPA Molasses Dock intermodal port facility on the island of St. Croix to make the facility capable of handling multiple cargo tasks .....	1.7	
95. Illinois .....	DeQuoin Highway Bridge .....	2.6	
96. Illinois .....	Tamarack Street Extension .....	0.6	
97. Indiana .....	East Chicago Marina Access Road	8.5	
98. District of Columbia .....	Hybrid Fuel Cell .....	3.6	
99. Ohio .....	Rehabilitation of Bridge on U.S. 224 near State Route 616 .....	1.0	
100. Arkansas .....	North Belt Freeway Project, Little Rock, Arkansas .....	8.9	

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CITY/STATE		INNOVATIVE PROJECTS	AMOUNT in millions
101.	Ft. Worth, Texas .....	I-35 Basswood Interchange, Ft. Worth, Texas .....	17.8
102.	Illinois .....	Illinois 17 road replacement, .2 miles west of Splear Road to Illinois 1: 5.3 miles .....	1.8
103.	Leroy, Illinois .....	U.S. 150 road replacement, North of Hemlock Street to South of Gilmore Street in Leroy: 1.6 miles .....	1.0
104.	Ford County, Illinois .....	U.S. 24 replacement, 1.1 miles east of Forrest to Ford County Line: 8.0 miles .....	1.8
105.	Illinois .....	U.S. 24 road replacement: Crescent City to Illinois 1 in Watseka: 6.3 miles .....	2.5
106.	Emington, Illinois .....	Emington Spur road replacement Illinois 47 to Emington: 2.9 miles Emington, Illinois .....	0.65
107.	Illinois .....	New Lenox Road Improvement .....	2.5
108.	Illinois .....	Shorewood Roadway Improvements .....	1.3
109.	Illinois .....	Bridge painting of various moveable bridges to prevent rusting, Chicago, Illinois .....	2.8
110.	Huntington County, Pennsylvania .....	Jacobs Timber Bridge over Greater Trough Creek .....	0.35
111.	Chicago, Illinois .....	Landscaping, resurfacing, repair and replacement of curbs and gutters, bridge cleaning and repair of lights and redesigning and installation of new signs historic 28 mile Boulevard, Chicago, Illinois .....	5.4
112.	Cadillac, Michigan .....	Improvements to highway U.S. 131, north of Cadillac .....	4.2
113.	Durham County, North Carolina .....	Accelerated construction of a four-lane divided freeway on Route 147, including the interchange at I-85 .....	38.3
114.	Corpus Christi to Angleton, Texas .....	Construct a 4-lane divided highway .....	41.7
115.	Fort Worth, Texas .....	Construction of an overpass and frontage road at the Fort Worth Hillwood/I-35 interchange .....	12.7
116.	West Sacramento, California .....	Construction of Industrial Boulevard Bridge over Sacramento River Barge Canal in West Sacramento, California .....	8.3
117.	Baltimore County, Maryland .....	I-695 Improvements in Baltimore County, Maryland .....	23.9
118.	Hampton Roads, Virginia	I-64 Crossing of Hampton Roads ..	5.9
119.	Calumet City, Illinois .....	Reconstruction of 156th Street and 156th Place from Burkham Avenue to State line .....	1.3
120.	Frankfort Township, Illinois .....	Improvements of streets in Frankfort Township .....	1.0
121.	Matteson, Illinois .....	I-57 Bridge Improvements .....	3.6

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CITY/STATE		INNOVATIVE PROJECTS	AMOUNT in millions
122.	Illinois .....	Road Improvement, U.S. 150/Ill. 1 from Belguim to South of Westville .....	3.8
123.	Illinois .....	Road Improvement, U.S. 45 from Savoy to Tolono .....	5.6
124.	Alabama .....	Patton Island Bridge Project .....	4.7
125.	Borough of Paulsboro, New Jersey .....	Construction of a new bridge to improve safety .....	2.7
126.	Minnesota .....	Completion of Cross-Range Expressway (Trunk Highway 169) .....	13.0
127.	Hinckley, Minnesota .....	Safety and capacity improvements to Trunk Highway 48 and relocation of County Road 134 .....	2.0
128.	Minnesota .....	Trunk Highway 53, Twig to Trunk Highway 37 .....	9.5
129.	Minnesota .....	Trunk Highway 169, Grand Rapids to High City .....	9.0
130.	Minnesota .....	Trunk Highway 61, Schroeder to Grand Marais .....	18.0
131.	Wisconsin .....	Improvements to Highway 41, Oshkosh to Green Bay .....	41.7
132.	Wisconsin .....	Improvements to Highway 29, Chippewa Falls to State Trunk Hwy. 73 .....	28.3
133.	Minnesota .....	Trunk Highway 37 and Hughes Rd .....	0.5
134.	Pennsylvania .....	Route 120 widening in vicinity of Lock Haven .....	4.0
135.	Pennsylvania .....	Replace U.S. 15 bridge across Tioga River .....	3.2
136.	Pennsylvania .....	Wysox Narrows Rd. (U.S. 6) .....	3.0
137.	Chicago, Illinois .....	Improvements on Kennedy Expressway, except that the allocation percentages under this section shall not apply to this project and, in lieu thereof, 1/3 of the funds for such projects shall be available for obligation in each of fiscal years 1992, 1993, and 1994 .....	175.0
138.	South Carolina .....	Southern Connector Highway improvements in Greenville County; Highway 17 Bridge Replacement Projects over Cooper River, Charleston; Carolina Bays Parkway improvements, Myrtle Beach (funds to be equitably divided among these facilities) .....	11.0
139.	South Carolina .....	Rail Corridor Revitalization in Columbia, South Carolina .....	4.0
140.	Rhode Island .....	For design and construction of a stormdrain retrofit on I-95 and other highway runoff programs to protect Narragansett Bay .....	13.0
141.	South Kingstown, Rhode Island .....	For historic renovation and development of an intermodal center at the Kingston Railroad Station .....	2.0
142.	Lincoln and Cumberland, Rhode Island .....	For historic rehabilitation of the Albion Bridge and Albion Trench Bridge .....	2.0

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
143. Newport, Rhode Island ...	To develop the marine mode of the intermodal Gateway Transportation Center .....	6.0	
144. Bristol, Rhode Island .....	For road improvements in Bristol, Rhode Island .....	2.0	
145. Pennsylvania .....	An applied technology demonstration in advanced technology demonstrations in advanced driver information systems, with a special emphasis on display instrumentation and information communications technology, to be carried out in cooperation with the Center for Advanced Design and Communication Arts Technology at the University of the Arts .....	2.0	
146. Vermont .....	Construction of a highway from U.S. 7, North of Bennington, Vermont southwest to NY 7 in Hoosick, NY .....	20.0	
147. Woonsocket, Rhode Island .....	For construction of Route 99 Extension .....	1.96	
148. Woonsocket, Rhode Island .....	For repaving streets in Woonsocket .....	1.40	
149. Woonsocket, Rhode Island .....	For improvements to 3 bridges crossing the Blackstone River ...	0.35	
150. Cranston, Rhode Island ..	For reconstruction and repaving of Park Avenue, Sockanossett Crossroads, Olney Arnold Road, South Comstock Parkway, Wildflower Drive, Aqueduct Road and Mapleton Street .....	5.7	
151. Rhode Island .....	For operating expenses of the Rhode Island Public Transit Authority .....	18.0	
152. New Hampshire .....	To study corridor protection for New Hampshire Route 16 .....	2.0	
153. North Conway, New Hampshire .....	To provide congestion relief on U.S. 302 and New Hampshire Route 16 .....	6.3	
154. Kansas .....	To widen U.S. 81 from Concordia to the Nebraska border .....	7.0	
155. Kansas .....	To construct Hutchinson Bypass between U.S. 50 and K-96 Hutchinson, Kansas .....	24.4	
156. Wyoming .....	For reconstruction of county roads not on the State Highway System by the Wyoming State Department of Transportation .....	20.0	
157. Virginia .....	For the rehabilitation, renovation, reconstruction, resurfacing, safety improvements and modernization on the existing 1,069 mile Interstate system in Virginia to be distributed by the Commonwealth Transportation Board, to the maximum extent possible, on an equitable regional basis .....	63.5	



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CITY/STATE		INNOVATIVE PROJECTS	AMOUNT in millions
158.	Minnesota .....	Hennepin County, Minnesota Bloomington Ferry Bridge/ C.S.A.H. 18 Replacement Project Bloomington, MN .....	18.0
159.	Minnesota .....	Nicollet County, Minnesota C.S.A.H. 41 for roadway sta- bilization and rockfall control North Mankato, MN .....	3.0
160.	Minnesota .....	St. Cloud, Minnesota T.H. 15 bridge across Mississippi River and Interchange with T.H. 10 ....	3.24
161.	Minnesota .....	Minnesota Safety Initiative Pro- gram (\$2 million to demonstrate the safety benefits of retroreflective pavement mark- ings and signs, especially for nighttime and older drivers; \$1 million to demonstrate the safe- ty and environmental benefits of elastomer modified asphalt in cold weather climates) .....	3.0
162.	New York, New York .....	Hell Gate Viaduct: upgrade, repair & paint, \$40,000,000, and James A. Farley Post Office, Pennsylv- ania Station, and associated service buildings: redevelopment, \$15,000,000 .....	55.0
163.	New York, New York .....	Ferry Landing, Battery Park: Re- construction of ferry landing within Battery Park .....	2.0
164.	New York, New York .....	Foley Square Plaza: Transpor- tation improvements & construc- tion activities for Foley Square Plaza development .....	5.25
165.	New York, NY .....	Franklin Delano Roosevelt Drive: To reconstruct & improve sev- eral sections of Franklin Delano Roosevelt Drive .....	10.0
166.	Corning, NY .....	Corning Bypass Improvements .....	11.0
167.	Nelson County, North Dakota .....	Grading and surfacing from U.S. Highway 2 at Michigan south- erly to ND Highway 15 at McVille and on FAS 3220 from ND 1 easterly to the county line	8.5
168.	Stutsman County, North Dakota .....	Widening and surfacing from I-94 north and east through Spiritwood, then north to ND Highway 9, FAS 4718 from ND 20 east to FAS 4745, and FAS 4712 from ND 20 to ND 9 .....	4.0
169.	Stelle/Griggs County, North Dakota .....	Grading & surfacing of FAS 4612 & FAS 2012 from ND 32 to ND 45 .....	2.9
170.	Grand Forks County, North Dakota .....	Surfacing of FAS 1822 from FAS 1833 to I-29, & FAS 1812 from FAS 1833 to I-29, & FAS 1833 from FAS 1824 to ND 15 .....	2.6

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions	
171. Richland County, North Dakota .....	Grading & surfacing from Wahpeton to the Froedtert Malt- ing Plant .....	0.6	
172. Ward/McHenry County, North Dakota .....	Grading & surfacing FAS 5158 & FAS 2546 from U.S. 83 to ND 41. ....	4.5	
173. Bottineau County, North Dakota .....	Grading & surfacing from Bottineau to ND Highway 43 .....	2.4	
174. McKenzie County, North Dakota .....	Grading and surfacing of FAS 2750 from U.S. 85 west .....	2.3	
175. Wells County, North Dakota .....	Grading & surfacing of FAS 5215 from FAS 5208 north to the county line, & from U.S. 52, one mile west of Manfred, north to FAS 5208 .....	2.5	
176. Traill County, North Dakota .....	Grading & surfacing of FAS 4916 from ND 200 east to the Red River .....	2.8	
177. Eddy County, North Dakota .....	Grading & surfacing of: FAS 1404 from U.S. 281 east 10.5 miles & from ND 20 west 5.5 miles; & of FAS 1427 from ND 20 south about 8 miles .....	2.5	
178. Renville/Ward County, North Dakota .....	Grading and surfacing, starting 3 miles west of ND 28 on FAS 3828, thence one mile west and four miles north and then west to FAS 3809 .....	0.9	
179. Morton County, North Dakota .....	Grading and surfacing of FAS 3025 and FAS 3020 from ND 49 southeasterly to FAS 3033 .....	3.1	
180. Walsh County, North Dakota .....	Surfacing of FAS 5017 from Lankin south to the Nelson County line & FAS 5022 from Fordville east to ND 18 .....	2.5	
181. Dickey County, North Dakota .....	Grading & surfacing of FAS 1112 from U.S. 281 east to FAS 1127, FAS 1111 from ND 11 south to FAS 1124, & FAS 1137 from ND 11 north to Guelph .....	4.0	
182. Burke County, North Dakota .....	Grading & surfacing of FAS 0717 from Lignite south to ND 50 .....	4.4	
183. Morton County, North Dakota .....	For a bypass around the west side of Fort Lincoln State Park from Mandan South .....	3.2	
184. Rolette County, North Dakota .....	Grading and surfacing from U.S. 281 around the access loop roads and parking facilities in the International Peace Garden .....	1.9	

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CITY/STATE		INNOVATIVE PROJECTS	AMOUNT in millions
185.	Oliver County, North Dakota .....	Grading and surfacing of FAS 3331 from ND 200A at Hensler southerly to ND 25 and FAS 3304 from FAS 3331 east to FAS 3339 and FAS 3339 .....	2.9
186.	Williams County, North Dakota .....	Grading & surfacing at County Rd. 5 from U.S. 2 southerly to ND 1804 .....	2.5
187.	Plummer, Idaho .....	Reconstruct a total of 2.9 miles of SH-5 (FAP-14) beginning at M.P. 0.5 in the City of Plummer in Benewah County to M.P. 1.1, and two additional segments located on Peedee Hill from approximately M.P. 3.6 to M.P. 4.9 and M.P. 5.7 to M.P. 6.7 .....	3.6
188.	Lemhi County, Idaho .....	Reconstruct an 8.3 mile section of U.S. 93 (FAP-35) in Lemhi County at the Idaho/Montana border. 23 U.S.C. 120(a) shall be applicable to the Federal share payable of the cost of such project .....	25.6
189.	St. Maries, Idaho .....	Rehabilitate existing pavement structure for a total of 14.2 miles of Idaho Forest Highway 50, the St. Joe River Road between St. Maries and the Benewah/Shoshone County Line .....	3.4
190.	Lewiston, Idaho .....	Construct a new road for a total of 2.4 miles along FAU Route 7344, M.P. 0.0-2.4, in Bryden Canyon, Lewiston .....	3.9
191.	Bear Lake County, Idaho	Reconstruct a 13.0 mile segment of U.S.-89 (FAP-53) between the communities of Montpelier and Geneva .....	18.5
192.	Alabama .....	Improvements to Anniston Eastern Bypass, in the vicinity of U.S. 431 and Alabama State Hwy. 21 north of Anniston to the Golden Springs interchange on I-20 .....	11.0
193.	Corning, New York .....	Additional funding for Corning Bypass (Route 1), except any excess funds from the \$13.4 million in total funding for this project shall be available for construction of two additional expressway lanes and other improvements from Chautauqua Lake Bridge to Pennsylvania border on Route 17 .....	2.4
194.	Billings, Montana .....	Construction of the Shilo I-90 Interchange .....	11.0
195.	Missoula, Montana .....	Construction of the Missoula Airport I-90 Interchange .....	7.0
196.	Florida .....	One or more regionally significant, intercity ground transportation projects .....	97.5

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CITY/STATE	INNOVATIVE PROJECTS	AMOUNT in millions
197. Toledo, Ohio .....	Design & initial construction of a new I-280 Maumee River crossing to replace the Craig Memorial Bridge .....	37.0
198. New London-Groton/ Bridgeport/New Haven, Connecticut .....	Rehabilitate or replace: The Gold Star Bridge over the Thames River I-95 between New London & Groton; the Bridge over the Yellow Mill Channel (Bridgeport); & the Tomlinson Bridge on Rte. 1 over the Quinnipiac River (New Haven) .....	62.0
199. Raleigh/Rocky Mount/ Elizabeth City, North Carolina .....	Design & Construction of interstate standard highway from Rocky Mount, NC to Elizabeth City, NC, & for the upgrading of I-64 from Raleigh, NC to Rocky Mount, NC, & Rte. 17 from Elizabeth City to Norfolk. A substantial portion of the funding should be used for the Rocky Mount to Elizabeth segment .....	30.0
200. Binghamton, New York ..	A study of the feasibility of rehabilitation of the South Washington Street Bridge in Binghamton, NY, to identify plans & specifications for repair if feasible. ....	0.5
201. District of Columbia .....	Advanced composite bridge deck demonstration at Catholic University .....	0.2
202. Georgia .....	For any highway improvement projects eligible for funding under title 23, United States Code .....	27.0
203. Hawaii .....	For any highway improvement projects eligible for funding under title 23, United States Code .....	6.0
204. Oklahoma .....	For any highway improvement projects eligible for funding under title 23, United States Code .....	59.0

(c) ALLOCATION PERCENTAGES.—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) FEDERAL SHARE.—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) DELEGATION TO STATES.—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) **ADVANCE CONSTRUCTION.**—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) **REPORTS.**—Not later than 1 year after completion of a project under this section, the State in which such project is located shall submit to the Secretary a report on the innovative techniques used in carrying out such project and on the results obtained through the use of such techniques.

(h) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

(i) The State of North Dakota may elect to utilize the total amount of funds authorized for such State under section 1107(b) in any given year for any project or projects in the State of North Dakota as authorized under section 1107.

(j) Any balance of funds authorized by this section that remains after construction is completed on any project authorized by subsection (b) in North Dakota may be transferred and used to pay the costs of any projects authorized by subsection (b) in North Dakota.

**SEC. 1108. PRIORITY INTERMODAL PROJECTS.**

(a) **PURPOSE.**—The purpose of this section is to provide for the construction of innovative intermodal transportation projects.

(b) **AUTHORIZATION OF PRIORITY PROJECTS.**—The Secretary is authorized to carry out the priority intermodal transportation projects described in this subsection. Subject to subsection (c), there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal years 1992 through 1997 to carry out each such project the amount listed for each such project:

CITY/STATE	INTERMODAL PROJECTS	AMOUNT in millions
1. Long Beach, California ...	Interchange at Terminal Island Freeway and Ocean Boulevard ...	11.8

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CITY/STATE	INTERMODAL PROJECTS	AMOUNT in millions	
2. Wilmington/Los Angeles, California .....	Widening of Anaheim Street Via- duct .....	11.8	
3. Wilmington/Los Angeles, California .....	Grade Separation Project of Pacific Coast Highway near Alameda Suite .....	11.8	
4. Compton City/Los Ange- les County, California	Widening of Alameda Street and grade separation between Rt. 91 and Del Amo Boulevard .....	11.8	
5. Pennsylvania .....	Upgrading U.S. Highway 30 from Ohio Border to Pittsburgh Inter- national Airport .....	3.2	
6. Philadelphia, Pennsyl- vania .....	Reconstruction of the Old Dela- ware Avenue Service Road .....	2.4	
7. Ardmore, Oklahoma .....	Study of upgraded State Route 53 off U.S. 35 leading to improved Ardmore Airport .....	2.5	
8. Detroit, Michigan .....	To relocate Van Dyke Street and construct a road depression under the runway at McNichols Road at the Detroit City Airport (\$1,000,000 of the Federal funds shall be for the relocation of Van Dyke Street) .....	4.3	
9. E. Haven/Wallingford, Connecticut .....	Improvement of highway and tran- sit projects in East Haven/Wal- lingford, Connecticut (East Haven Route 80, Wallingford I- 91, and Wallingford Oakdale) .....	10.1	
10. St. Louis, Missouri .....	Rehabilitation of Eads Bridge, St. Louis, Missouri .....	8.9	
11. Atlanta, Georgia .....	Study of 5-Points Intermodal Ter- minal-Atlanta, Georgia .....	2.4	
12. Buffalo, New York .....	Construction of Buffalo River/Gate- way Tunnel Project and the Crossroads Arena Project .....	20.2	
13. Northern California .....	Purchase right-of-way and develop a transportation corridor in ex- isting rail right-of-way from Larkspur to Korbel, and Novato to Lombard .....	15.1	
14. Portland, Oregon .....	To widen 2.7 miles of U.S. 26 from the Zoo interchange to the Syl- van Interchange to accommodate highway lanes and light rail alignment .....	14.2	
15. Los Angeles, California ...	For construction of a multi-modal transit parkway that includes both highway and transit im- provements on Santa Monica Blvd. from the San Diego Free- way to Hollywood Freeway, Los Angeles, California .....	8.9	
16. Jacksonville, Florida .....	Construct new I-295 Interchange and arterial access road to link Jacksonville's seaport, airport terminals and the interstate .....	7.1	

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CITY/STATE	INTERMODAL PROJECTS	AMOUNT in millions	
17. Las Vegas, Nevada .....	Conduct environmental studies, preliminary engineering, and construction for the Las Vegas beltway, including those portions linking McCarran International Airport and I-15 .....	3.8	
18. Ontario, California .....	To complete construction of access roads to Ontario International Airport, Ontario, California .....	4.7	
19. Allegheny County, Pennsylvania .....	For an expansion of the existing Martin Luther King, Jr. Busway in the vicinity of Allegheny County, Pennsylvania to serve the Greater Pittsburgh International Airport and adjoining communities .....	21.7	
20. Pierce County, Washington .....	Conduct feasibility study and analyze expanding Tacoma Narrows Bridge and other transportation alternatives between State Rd. 16 and I-5 .....	0.7	
21. San Jose, California .....	Upgrade Rt. 87 from 4 to 6 lanes including 2 HOV Lanes, a new freeway interchange and local circulation system for San Jose International Airport .....	14.8	
22. American Samoa .....	Rehabilitate 8 miles of Tau Road from Falessao to Fatuita American Samoa .....	1.1	
23. Manu'a Island, American Samoa .....	Rehabilitate and otherwise improve 8 miles of roadway from Ofu to Olofaga and Slie .....	1.2	
24. Spokane, Washington .....	Conduct feasibility study of future transportation needs of Southeastern, Washington .....	0.8	
25. Detroit, Michigan .....	To provide for construction of an access road to Detroit Metropolitan Airport including access on the southern end of the airport in order to provide a link to I-275 .....	33.8	
26. Pittsburgh, Pennsylvania	For design and construction of an exclusive busway linking Pittsburgh and the Pittsburgh Airport .....	9.8	
27. St. Louis, Missouri .....	To construct a multi-modal transportation facility in St. Louis, Missouri .....	5.9	
28. Orange & Rockland, New York .....	To construct park and ride facilities and establish innovative traffic management system measures to promote efficient transportation usage .....	4.7	
29. Philadelphia, Pennsylvania .....	To improve mobility for a variety of traffic flow projects in the vicinity of the Pennsylvania Convention Center, Philadelphia, Pennsylvania .....	9.5	

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CITY/STATE	INTERMODAL PROJECTS	AMOUNT in millions	
30. Oxnard, California .....	To extend Rice Rd., widen Huene Rd. and construct Rt. 1/ Rice Rd. interchange in order to improve access to Port Huene, Oxnard, California .....	8.9	
31. Los Angeles, California ...	For the Los Angeles International Airport central terminal ramp access project, \$3,500,000; for the widening of Aviation Boulevard south of Imperial Highway, \$3,500,000; for the widening of Aviation Boulevard north of Imperial Highway, \$1,000,000; and for transportation systems management improvements in the vicinity of the Sepulveda Boulevard/Los Angeles International Airport tunnel, \$950,000 .....	8.95	
32. Mt. Vernon, New York ...	To construct an intermodal facility at the Mt. Vernon Rail Station, Mt. Vernon, New York .....	7.1	
33. Orange County, New York .....	I-87/I-84 Stewart Airport interchange projects .....	15.7	
34. Mississippi .....	I-20 Interchange at Pirate .....	3.4	
35. Jackson, Mississippi .....	Jackson Airport Connectors .....	3.1	
36. Palmdale, California .....	Avenue P8 Improvements .....	3.6	
37. Lafayette, Indiana .....	Lafayette Railroad Relocation Project .....	24.3	
38. Provo, Utah .....	East-West Connector from United States Route 89-189 .....	1.0	
39. Pennsylvania .....	Eastside Connector Project/Port of Erie Access, Erie County, Pennsylvania .....	7.5	
40. Minneapolis, Minnesota	Intermodal Urban connection project, Minneapolis, Minnesota	19.9	
41. Kansas City, Missouri ...	Bruce Watkins Roadway Improvements .....	1.4	
42. Missouri .....	Smith Riverfront Expressway, Jackson/Kansas City, Missouri ...	12.7	
43. Portland, Oregon .....	Columbia Slough Intermodal Expansion Bridge, Portland, Oregon .....	2.1	
44. Ft. Worth, Texas .....	Ft. Worth Intermodal Center .....	13.4	
45. Gary, Indiana .....	Extension of U.S. Highway 12/20 to Lake Michigan .....	2.2	
46. Carson/Los Angeles Counties, California ...	Grade Separation Project at Sepulveda Boulevard and Alameda Street .....	9.5	
47. Williamson, Travis, Caldwell, and Guadalupe, Texas .....	Feasibility studies (including the effect of closing Bergstrom AFB on traffic corridor), Route studies, preliminary engineering, and right-of-way acquisition for Alternate Route to relieve I-H35 traffic congestion .....	5.2	
48. Augusta, Georgia .....	Railroad relocation demonstration project, overpass at 15th Street and Greene Street .....	5.9	



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CITY/STATE		INTERMODAL PROJECTS	AMOUNT in millions
49.	Louisiana .....	Saint Bernard Intermodal Facility Engineering, Design, and Con- struction .....	10.2
50.	Illinois .....	Interstate 255 Interchange .....	3.4
51.	Long Beach, California ...	Long Beach Airport Access .....	8.5

(c) **ALLOCATION PERCENTAGES.**—8 percent of the amount allocated by subsection (b) for each project authorized by subsection (b) shall be available for obligation in fiscal year 1992. 18.4 percent of such amount shall be available for obligation in each of fiscal years 1993, 1994, 1995, 1996, and 1997.

(d) **FEDERAL SHARE.**—The Federal share payable on account of any project under this section shall be 80 percent of the cost thereof.

(e) **DELEGATION TO STATES.**—Subject to the provisions of title 23, United States Code, the Secretary shall delegate responsibility for construction of a project or projects under this section to the State in which such project or projects are located upon request of such State.

(f) **ADVANCE CONSTRUCTION.**—When a State which has been delegated responsibility for construction of a project under this section—

(1) has obligated all funds allocated under this section for construction of such project; and

(2) proceeds to construct such project without the aid of Federal funds in accordance with all procedures and all requirements applicable to such project, except insofar as such procedures and requirements limit the State to the construction of projects with the aid of Federal funds previously allocated to it;

the Secretary, upon the approval of the application of a State, shall pay to the State the Federal share of the cost of construction of the project when additional funds are allocated for such project under this section.

(g) **APPLICABILITY OF TITLE 23.**—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of any project under this section shall be determined in accordance with this section and such funds shall remain available until expended. Funds authorized by this section shall not be subject to any obligation limitation.

(h) **HIGHWAY AND MASS TRANSIT PROJECTS.**—Each project authorized by this section or by any other section of this Act is a highway or an urban mass transportation project.

**SEC. 1109. INFRASTRUCTURE AWARENESS PROGRAM.**

(a) **IN GENERAL.**—For the purpose of creating an awareness by the public and State and local governments of the state of the Nation's infrastructure and to encourage and stimulate efforts by the public and such governments to undertake studies and projects to improve the infrastructure, the Secretary is authorized to fund the production of a documentary in cooperation with a not-for-profit national public television station.

(b) **FUNDING.**—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000 for fiscal years beginning after September 30, 1991, out of the Highway Trust Fund (other than the Mass Transit Account), which shall remain available until expended. All of the provisions of chapter 1 of title 23, United States Code, shall apply to the funds provided under this section. This section shall not be subject to any obligation limitation.

## **PART B—NATIONAL RECREATIONAL TRAILS FUND ACT**

### **SEC. 1301. SHORT TITLE.**

This part may be cited as the “Symms National Recreational Trails Act of 1991”.

【Section 1302—repealed by P.L. 105–178】

### **SEC. 1303. NATIONAL RECREATIONAL TRAILS ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT.**—There is established the National Recreational Trails Advisory Committee.

(b) **MEMBERS.**—There shall be 12 members of the advisory committee, consisting of—

(1) 8 members appointed by the Secretary from nominations submitted by recreational trail user organizations, one each representing the following recreational trail uses:

- (A) hiking,
- (B) cross-country skiing,
- (C) off-highway motorcycling,
- (D) snowmobiling,
- (E) horseback riding,
- (F) all-terrain vehicle riding,
- (G) bicycling, and
- (H) four-wheel driving;

(2) 1 member appointed by the Secretary representing individuals with disabilities;

(3) an appropriate official of government with a background in science or natural resources management, including any official of State or local government, designated by the Secretary;

(4) 1 member appointed by the Secretary from nominations submitted by water trail user organizations; and

(5) 1 member appointed by the Secretary from nominations submitted by hunting and fishing enthusiast organizations.

(c) **CHAIRMAN.**—The Chair of the advisory committee shall be the government official referenced in subsection (b)(3), who shall serve as a non-voting member.

(d) **SUPPORT FOR COMMITTEE ACTION.**—Any action, recommendation, or policy of the advisory committee must be supported by at least five of the members appointed under subsection (b)(1).

(e) **TERMS.**—Members of the advisory committee appointed by the Secretary shall be appointed for terms of three years, except that the members filling five of the eleven positions shall be ini-

tially appointed for terms of two years, with subsequent appointments to those positions extending for terms of three years.

(f) DUTIES.—The advisory committee shall meet at least twice annually to—

- (1) review utilization of allocated moneys by States;
- (2) establish and review criteria for trail-side and trail-head facilities that qualify for funding under this part; and
- (3) make recommendations to the Secretary for changes in Federal policy to advance the purposes of this part.

(g) ANNUAL REPORT.—The advisory committee shall present to the Secretary an annual report on its activities.

(h) REIMBURSEMENT FOR EXPENSES.—Nongovernmental members of the advisory committee shall serve without pay, but, to the extent funds are available pursuant to section 1302(d)(1)(B), shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(i) REPORT TO CONGRESS.—Not later than 4 years after the date of the enactment of this Act, the Secretary shall prepare and submit to the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a study which summarizes the annual reports of the National Recreational Trails Advisory Committee, describes the allocation and utilization of moneys under this part, and contains recommendations for changes in Federal policy to advance the purposes of this part.

(j) TERMINATION.—The advisory committee established by this section shall terminate on September 30, 2000.

## TITLE II—HIGHWAY SAFETY

### PART A—HIGHWAY SAFETY GRANT PROGRAMS

#### SEC. 2001. SHORT TITLE.

This part may be cited as the “Highway Safety Act of 1991”.

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#### SEC. 2005. AUTHORIZATION OF APPROPRIATIONS.

For purposes of carrying out the provisions of title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) NHTSA HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code, by the National Highway Traffic Safety Administration \$126,000,000 for fiscal year 1992, \$171,000,000 for each of fiscal years 1993, 1994, 1995, and 1996, \$146,000,000 for fiscal year 1997, and \$83,000,000 for the period of October 1, 1997, through March 31, 1998.

(2) NHTSA HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 by the National Highway Traffic Safety Administration \$44,000,000 for each of the fiscal years 1992 through 1997.

(3) ALCOHOL TRAFFIC SAFETY INCENTIVE GRANT PROGRAM.—  
For carrying out section 410 of such title \$25,000,000 for fiscal year 1992.

**SEC. 2006. DRUG RECOGNITION EXPERT TRAINING PROGRAM.**

(a) ESTABLISHMENT.—The Secretary, acting through the National Highway Traffic Safety Administration, shall establish a regional program for implementation of drug recognition programs and for training law enforcement officers (including enforcement officials under the motor carrier safety assistance program) to recognize and identify individuals who are operating a motor vehicle while under the influence of alcohol or one or more controlled substances or other drugs.

(b) ADVISORY COMMITTEE.—The Secretary shall establish a citizens advisory committee that shall report to Congress annually on the progress of the implementation of subsection (a). Members of the committee shall include 1 member of each of the following: Mothers Against Drunk Driving; a narcotics control organization; American Medical Association; American Bar Association; and such other organizations as the Secretary deems appropriate. The committee shall be subject to the provisions of the Advisory Committee Act and shall terminate 2 years after the date of the enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section \$4,000,000 for each of fiscal years 1992 through 1997.

(d) DEFINITION.—For purposes of this section, the term “controlled substance” means any controlled substance, as defined under section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), whose use the Secretary has determined poses a risk to transportation safety.

\* \* \* \* \*

**SEC. 2008. EFFECTIVE DATE; APPLICABILITY.**

Except as otherwise provided, this title, including the amendments made by this title, shall take effect on the date of the enactment of this Act, shall apply to funds authorized to be appropriated or made available after September 30, 1991, and shall not apply to funds appropriated or made available on or before such date of enactment.

**SEC. 2009. OBLIGATION CEILINGS.**

(a) IN GENERAL.—Sums authorized for fiscal year 1992 by sections 2005(1), 2005(3), and 2006(c) of this Act and section 211(b) of the National Driver Register Act of 1982 shall be subject to the obligation limitation established by section 102 of this Act for fiscal year 1992.

(b) OBLIGATION LIMITATION.—If an obligation limitation is placed on sums authorized to be appropriated to carry out section 402 of title 23, United States Code, for fiscal year 1993 or subsequent fiscal years, any amounts made available out of such funds to carry out sections 2004 and 2006 of this Act and section 211(b) of the National Driver Register Act of 1982 shall be reduced proportionally.

## **PART B—NHTSA AUTHORIZATIONS AND GENERAL PROVISIONS**

### **SEC. 2500. SHORT TITLE.**

This part may be cited as the “National Highway Traffic Safety Administration Authorization Act of 1991”.

[Section 2501—Repealed by P.L. 103–272]

### **SEC. 2502. GENERAL PROVISIONS.**

(a) **DEFINITIONS.**—As used in this part—

(1) the term “bus” means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons;

(2) the term “multipurpose passenger vehicle” means a motor vehicle with motive power (except a trailer), designed to carry 10 persons or fewer, which is constructed either on a truck chassis or with special features for occasional off-road operation;

(3) the term “passenger car” means a motor vehicle with motive power (except a multipurpose passenger vehicle, motorcycle, or trailer), designed for carrying 10 persons or fewer;

(4) the term “truck” means a motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment; and

(5) the term “Secretary” means the Secretary of Transportation.

(b) **PROCEDURE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), any action taken under section 2503 shall be taken in accordance with the applicable provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.).

(2) **SPECIFIC PROCEDURE.**—

(A) **INITIATION.**—To initiate an action under section 2503, the Secretary shall, not later than May 31, 1992, publish in the Federal Register an advance notice of proposed rulemaking or a notice of proposed rulemaking, except that if the Secretary is unable to publish such a notice by such date, the Secretary shall by such date publish in the Federal Register a notice that the Secretary will begin such action by a certain date which may not be later than January 31, 1993 and include in such notice the reasons for the delay. A notice of delayed action shall not be considered agency action subject to judicial review. If the Secretary publishes an advance notice of proposed rulemaking, the Secretary is not required to follow such notice with a notice of proposed rulemaking if the Secretary determines on the basis of such advanced notice and the comments received thereon that the contemplated action should not be taken under the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), including the provisions of section 103 of such Act (15 U.S.C. 1392), and if the Secretary publishes the reasons for such determination consistent with chapter 5 of title 5, United States Code.

(B) COMPLETION.—

(i) PERIOD.—Action under paragraphs (1) through (4) of section 2503 which was begun under subparagraph (A) shall be completed within 26 months of the date of publication of an advance notice of proposed rulemaking or 18 months of the date of publication of a notice of proposed rulemaking. The Secretary may extend for any reason the period for completion of a rulemaking initiated by the issuance of a notice of proposed rulemaking for not more than 6 months if the Secretary publishes the reasons for such extension. The extension of such period shall not be considered agency action subject to judicial review.

ACTION.—A rulemaking under paragraphs (1) through (4) of section 2503 shall be considered completed when the Secretary promulgates a final rule or when the Secretary decides not to promulgate a rule (which decision may include deferral of the action or reinitiation of the action). The Secretary may not decide against promulgation of a final rule because of lack of time to complete rulemaking. Any such rulemaking actions shall be published in the Federal Register, together with the reasons for such decisions, consistent with chapter 5 of title 5, United States Code, and the National Traffic and Motor Vehicle Safety Act of 1966.

(iii) SPECIAL RULE.—

(I) PERIOD.—Action under paragraph (5) of section 2503 which was begun under subparagraph (A) shall be completed within 24 months of the date of publication of an advance notice of proposed rulemaking or a notice of proposed rulemaking. If the Secretary determines that there is a need for delay and if the public comment period is closed, the Secretary may extend the date for completion for not more than 6 months and shall publish in the Federal Register a notice stating the reasons for the extension and setting a date certain for completion of the action. The extension of the completion date shall not be considered agency action subject to judicial review.

(II) ACTION.—A rulemaking under paragraph (5) of section 2503 shall be considered completed when the Secretary promulgates a final rule with standards on improved head injury protection.

(C) STANDARD.—The Secretary may, as part of any action taken under section 2503, amend any motor vehicle safety standard or establish a new standard under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.).

**SEC. 2503. MATTERS BEFORE THE SECRETARY.**

The Secretary shall address the following matters in accordance with section 2502:

(1) Protection against unreasonable risk of rollovers of passenger cars, multipurpose passenger vehicles, and trucks with a gross vehicle weight rating of 8,500 pounds or less and an unloaded vehicle weight of 5,500 pounds or less.

(2) Extension of passenger car side impact protection to multipurpose passenger vehicles and trucks with a gross vehicle weight rating of 8,500 pounds or less and an unloaded vehicle weight of 5,500 pounds or less.

(3) Safety of child booster seats used in passenger cars and other appropriate motor vehicles.

(4) Improved design for safety belts.

(5) Improved head impact protection from interior components of passenger cars (i.e. roof rails, pillars, and front head-ers).

\* \* \* \* \*

**SEC. 2506. REAR SEATBELTS.**

The Secretary shall expend such portion of the funds authorized to be appropriated under the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1901 et seq.), for fiscal year 1993, as the Secretary deems necessary for the purpose of disseminating information to consumers regarding the manner in which passenger cars may be retrofitted with lap and shoulder rear seatbelts.

**SEC. 2507. BRAKE PERFORMANCE STANDARDS FOR PASSENGER CARS.**

Not later than December 31, 1993, the Secretary, in accordance with the National Traffic and Motor Vehicle Safety Act of 1966, shall publish an advance notice of proposed rulemaking to consider the need for any additional brake performance standards for passenger cars, including antilock brake standards. The Secretary shall complete such rulemaking (in accordance with section 2502(b)(2)(B)(ii)) not later than 36 months from the date of initiation of such advance notice of proposed rulemaking. In order to facilitate and encourage innovation and early application of economical and effective antilock brake systems for all such vehicles, the Secretary shall, as part of the rulemaking, consider any such brake system adopted by a manufacturer.

[SECTION 2508—REPEALED BY P.L. 103-272]

**SEC. 2509. HEAD INJURY IMPACT STUDY.**

The Secretary, in the case of any head injury protection matters not subject to section 2503(5) for which the Secretary is on the date of enactment of this Act examining the need for rulemaking and is conducting research, shall provide a report to Congress by the end of fiscal year 1993 identifying those matters and their status. The report shall include a statement of any actions planned toward initiating such rulemaking no later than fiscal year 1994 or 1995 through use of either an advance notice of proposed rulemaking or a notice of proposed rulemaking and completing such rulemaking as soon as possible thereafter.

**TITLE III—FEDERAL TRANSIT ACT  
AMENDMENTS OF 1991**

**SEC. 3001. SHORT TITLE.**

This title may be cited as the “Federal Transit Act Amendments of 1991”.

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**SEC. 3004. FEDERAL TRANSIT ADMINISTRATION.**

(a) REDESIGNATION OF UMTA.—The Urban Mass Transportation Administration of the Department of Transportation shall be known and designated as the “Federal Transit Administration”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Urban Mass Transportation Administration shall be deemed to be a reference to the “Federal Transit Administration”.

\* \* \* \* \*

**SEC. 3031. NEW JERSEY URBAN CORE PROJECT.**

(a) CONTRACTUAL COMMITMENTS.—

(1) FULL FUNDING GRANT AGREEMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall negotiate and enter into a full funding grant agreement under section 3 of the Federal Transit Act for those elements of the New Jersey Urban Core Project which can be fully funded in fiscal years 1992 through 1997. Such grant agreement shall not preclude the allocation of Federal funds for those elements of the project not covered under such grant agreement.

(2) PAYMENT.—The grant agreement under paragraph (1) shall provide that the Federal share of the cost of the New Jersey Urban Core Project shall be paid by the Secretary from amounts provided under section 3 of the Federal Transit Act as follows:

- (A) Not less than \$95,900,000 for fiscal year 1992.
- (B) Not less than \$71,700,000 for fiscal year 1993.
- (C) Not less than \$64,800,000 for fiscal year 1994.
- (D) Not less than \$146,000,000 for fiscal year 1995.
- (E) Not less than a total of \$256,000,000 for fiscal years 1996 and 1997.

Nothing in this section shall be construed as precluding other Federal funds from being committed to the project.

(3) ALLOCATIONS.—

(A) RAIL CONNECTION BETWEEN PENN STATION NEWARK AND BROAD STREET STATION, NEWARK.—Of the amounts made available for the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary shall set aside 10 percent, but not more than \$5,000,000, per fiscal year for preliminary engineering, design, and construction of the rail connection between Penn Station, Newark and Broad Street Station, Newark.

(B) NEWARK-NEWARK INTERNATIONAL AIRPORT-ELIZABETH TRANSIT LINK.—Of the amounts made available for



the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary, after making the set aside under subparagraph (A), shall set aside 10 percent, but not more than \$5,000,000 per fiscal year for preliminary engineering, design, and construction of the Newark-Newark International Airport-Elizabeth Transit Link, including construction of the auxiliary New Jersey Transit station, described in subsection (d).

(C) LIGHT RAIL CONNECTION AND ALIGNMENT WITHIN AND SERVING THE CITY OF ELIZABETH.—Of the amounts made available for the New Jersey Urban Core Project under section 5309(m)(1)(B) of title 49, United States Code, for fiscal years 1998 through 2003, the Secretary, after making the set-aside under subparagraphs (A) and (B), shall set aside 10 percent but not more than \$5,000,000 per fiscal year for preliminary engineering, design, and construction of the light rail connection and alignment within and serving the city of Elizabeth as described in subsection (d).

(b) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, for the purpose of calculating non-Federal contributions to the net cost of the New Jersey Urban Core Project, the Secretary shall include all non-Federal contributions made on or after January 1, 1987, for construction of any element of the project. Non-Federal funds committed to one element of the project may be used to meet the non-Federal share requirement for any other element of the project.

(c) EXEMPTION FROM CERTAIN REQUIREMENTS.—The requirements contained in section 5309(e) of title 49, United States Code, shall not apply with respect to the New Jersey Urban Core Project. No element of the project shall be subject to the major capital investment policy of the Federal Transit Administration.

(d) ELEMENTS OF URBAN CORE PROJECT.—For the purposes of this section, the New Jersey Urban Core Project consists of the following elements: Secaucus Transfer (including relocation and construction of the Bergen County and Pascack Valley Rail Lines and the relocation of the Main/Bergen Connection with construction of a rail station and associated components to and at the contiguous New Jersey Meadowlands Sports Complex), Kearny Connection, Waterfront Connection, Northeast Corridor Signal System, Hudson River Waterfront Transportation System (including a connection from the Vince Lombardi Station to Saddlebrook and Edgewater), restoration of commuter rail service along the Northern Branch Line or the West Shore Line, Newark-Newark International Airport-Elizabeth Transit Link (including construction of an auxiliary New Jersey Light Rail Transit station, providing access from the Newark-Newark International Airport-Elizabeth Light Rail Transit Link to the Newark International Airport), a rail connection between Penn Station Newark and Broad Street Station, Newark, New York Penn Station Concourse, the restoration of commuter rail service in Lakewood to Freehold to Matawan or Jamesburg, New Jersey, as described in section 3035(p) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2131), a light

rail extension of the Newark-Newark International Airport-Elizabeth Light Rail Transit Link from Elizabeth, New Jersey, to the towns of Cranford, Westfield, Fanwood, and Plainfield in Union County, New Jersey, and any appropriate light rail connections and alignments within the city of Elizabeth to be determined by the city of Elizabeth and the New Jersey Department of Transportation (and which shall include connecting midtown Elizabeth to Route 1 Park and Ride, the Elizabeth Car House Museum, Division Street, Singer Place, Ferry Terminal, Jersey Gardens Mall, Elizabeth Port to Lot D at Newark Airport) and any appropriate fixed guideway system in Passaic County, and the equipment needed to operate revenue service associated with improvements made by the project. The project includes elements advanced with 100 percent non-Federal funds.

**SEC. 3032. MULTIYEAR FUNDING FOR SAN FRANCISCO BAY AREA RAIL EXTENSION PROGRAM.**

(a) DRAFT ENVIRONMENTAL IMPACT STATEMENT.—

(1) COMPLETION DEADLINE.—Not later than 60 days after the date of the enactment of this Act and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete a draft environmental impact statement for an extension of the San Francisco Bay Area Rapid Transit District (hereinafter in this section referred to as “BART”) to the San Francisco International Airport.

(2) NOTICE OF AVAILABILITY AND REPORTING.—The Secretary shall publish a notice of availability of the draft environmental impact statement for public review. If the Secretary has not published such notice on or before the 60th day following the date of the enactment of this Act, the Secretary shall report to Congress on the status of the completion of such draft environmental impact statement. The Secretary shall continue to report to such committees every 30 days on the status of the completion of the draft environmental impact statement, including any proposed revisions to the statement or to the work plan, until a notice of availability of such document is published in the Federal Register.

(b) PRELIMINARY ENGINEERING GRANT.—

(1) TO BART.—Not later than 30 days after the date of submittal of a locally preferred alternatives report and notwithstanding any other provision of law, the Secretary shall make a grant to BART to conduct preliminary engineering and to complete an environmental impact statement on the locally preferred alternative for the extension of BART to the San Francisco International Airport. The amount of such grant shall be 75 percent of preliminary engineering costs, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(2) TO SANTA CLARA COUNTY.—Not later than 30 days after the date of the enactment of this Act and notwithstanding any other provision of the law, the Secretary shall make a grant to the Santa Clara County Transit District (hereinafter in this section referred to as “SCCTD”) to conduct preliminary engi-

neering and to complete an environmental impact statement in accordance with the National Environmental Policy Act of 1969 on the locally preferred alternative for the Tasman Corridor Project. The amount of such grant shall be \$12,750,000; except that the Federal share for all project costs may not exceed 50 percent, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent. Local funds expended on the Tasman Corridor Project after the locally preferred alternative was approved by the Metropolitan Transportation Commission on July 31, 1991, shall be considered eligible project costs under the Federal Transit Act.

(c) CONTRACTUAL COMMITMENTS.—

(1) APPROVAL OF CONSTRUCTION.—Notwithstanding any other provision of law, the Secretary shall approve the construction of the locally preferred alternative for the BART San Francisco International Airport Extension (Phase 1a to Colma and Phase 1b to San Francisco Airport) and the Tasman Corridor Project according to the following schedule; provided that the Secretary does not grant approval under subparagraphs (A), (B), and (C) before the 30th day after completion of the environmental impact statement:

(A) Not later than 90 days after the date of the enactment of this Act, the Secretary shall approve such construction for BART Phase 1a to Colma.

(B) Not later than 90 days after the date of the completion of preliminary engineering, the Secretary shall approve such construction for BART Phase 1b to San Francisco International Airport.

(C) Not later than 90 days after the date of the completion by SCCTD of preliminary engineering, the Secretary shall approve such construction for the Tasman Corridor Project.

(2) EXECUTION OF CONTRACT.—Upon approving construction under paragraph (1), the Secretary shall execute a multiyear grant agreement with BART to permit the expenditure of funds for the construction of the BART San Francisco International Airport Extension (Phase 1a and Phase 1b) and with SCCTD for the construction of the Tasman Corridor Project.

(d) FEDERAL SHARE.—

(1) BART EXTENSION.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the project cost for the locally preferred alternative for the BART San Francisco International Airport Extension (Phase 1a and Phase 1b) shall be 75 percent, unless the matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(2) TASMAN CORRIDOR PROJECT.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the project cost for the locally preferred alternative for the Tasman Corridor Project, including costs for preliminary engi-

neering, shall be 50 percent, unless that matching percentage is increased by a modification to Metropolitan Transportation Commission Resolution No. 1876 in a manner that would allow such Federal share to be increased to 80 percent.

(e) PAYMENT.—The grant agreement under subsection (c)(2) shall provide that the Federal share of the cost of the projects shall be paid by the Secretary from amounts provided under section 3 of the Federal Transit Act for construction of new fixed guideway systems and extensions to fixed guideway systems, as follows:

- (1) Not less than \$28,500,000 for fiscal year 1990.
- (2) Not less than \$40,000,000 for fiscal year 1991.
- (3) Not less than \$100,000,000 for each of fiscal years 1992 through 1995.
- (4) Not less than \$100,000,000 for fiscal years 1996 and 1997.

Apportionment of payments between BART and SCCTD shall be consistent with the Metropolitan Transportation Commission Resolution No. 1876.

(f) ADVANCE CONSTRUCTION.—The grant agreements under subsection (c)(2) shall provide that the Secretary shall reimburse BART and SCCTD from any amounts provided under section 3 of the Federal Transit Act for fiscal years 1992 through 1997 for the Federal share of the net project costs incurred by BART and SCCTD under subsections (c)(1) and (c)(2), including the amount of any interest earned and payable on bonds as provided in section 3(l)(2) of the Federal Transit Act, as follows:

- (1) Not later than September 30, 1994, the Secretary shall reimburse BART and SCCTD a total of \$368,500,000 (plus such interest), less amounts provided under subsection (e) for fiscal years 1992 through 1994.
- (2) Not later than September 30, 1997, the Secretary shall reimburse BART and SCCTD a total of \$568,500,000 (plus such interest), less amounts provided under subsection (e) for fiscal years 1992 through 1997.

(g) FULL FUNDING GRANT AGREEMENTS.—

(1) SCHEDULE.—Notwithstanding any other provision of law, the Secretary shall negotiate and execute full funding grant agreements that are consistent with Metropolitan Transportation Commission Resolution No. 1876 with BART for Phase 1a to Colma and Phase 1b to the San Francisco International Airport, and with SCCTD for the Tasman Corridor Project according to the following schedule:

(A) Not later than 90 days after the date of completion by SCCTD of preliminary engineering, the Secretary shall execute such agreement for the Tasman Corridor Project.

(B) Upon completion by BART of 85 percent of final design, the Secretary shall execute such agreement for Phase 1a to Colma.

(C) Upon completion by BART of 85 percent of final design, the Secretary shall execute such agreement for Phase 1b to the San Francisco International Airport.

(2) ADDITIONAL AMOUNTS.—In addition to the \$568,500,000 provided under this section, the Secretary shall, subject to annual appropriations, issue full funding grant agreements to

complete the projects utilizing the full amount of the unobligated balance in the Mass Transit Account of the Highway Trust Fund.

(h) ALTERNATIVES ANALYSIS.—The Secretary shall permit the Santa Clara County Transit District, in cooperation with the Metropolitan Transportation Commission, to conduct an Alternatives Analysis to examine transit alternatives including a possible BART extension from southern Alameda County through downtown San Jose to Santa Clara, California.

**SEC. 3033. QUEENS LOCAL/EXPRESS CONNECTION.**

(a) FULL FUNDING GRANT AGREEMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall negotiate and enter into a full funding grant agreement under section 3 of the Federal Transit Act for those elements of the Queens Local/Express Connection which can be fully funded in fiscal years 1992 through 1997. Such grant agreement shall not preclude the allocation of Federal funds for those elements of the project not covered under such grant agreement.

(b) PAYMENT.—The grant agreement under subsection (a) shall provide that the Federal share of the cost of the Queens Local/Express Connection shall be paid by the Secretary from amounts provided under section 3(k)(1)(B) of the Federal Transit Act as follows:

- (1) Not less than \$11,000,000 for fiscal year 1992.
- (2) Not less than \$18,700,000 for fiscal year 1993.
- (3) Not less than \$77,800,000 for fiscal year 1994.
- (4) Not less than \$76,800,000 for fiscal year 1995.
- (5) Not less than \$121,800,000 for fiscal year 1996.

Nothing in this section shall be construed as precluding other Federal funds from being committed to the project.

**SEC. 3034. MULTIYEAR CONTRACT FOR METRO RAIL PROJECT.**

(a) SUPPLEMENTAL EIS.—Not later than April 1, 1992, and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete preparation of a final supplemental environmental impact statement for Minimum Operable Segment-3 (other than the East Side Extension) and publish a notice of the completion of such statement in the Federal Register. Such statement shall reflect any alignment changes in the Los Angeles Metro Rail Project and any determination of an amended locally preferred alternative for the project. In preparing such statement, the Secretary shall rely, to the maximum extent feasible, upon existing environmental studies and analyses conducted with respect to the project, including the Draft Supplemental Environmental Impact Statement (dated November 1987) and the Final Supplemental Environmental Impact Statement (dated July 1989).

(b) AMENDMENT TO CONTRACT TO INCLUDE CONSTRUCTION OF MOS-3.—

(1) NEGOTIATION.—Not later than April 1, 1992, the Secretary shall begin negotiations with the Commission on an amendment to the full funding contract under section 3 of the Federal Transit Act (dated April 1990) for construction of Minimum Operable Segment-2 of the Los Angeles Metro Rail Project in order to include construction of Minimum Operable Segment-3 (including the commitment described in paragraph

(4) to provide Federal funding for the East Side Extension) in such contract.

(2) EXECUTION.—Not later than October 15, 1992, the Secretary shall—

(A) complete negotiations and execute the amended contract under paragraph (1); and

(B) issue a record of decision approving the construction of Minimum Operable Segment-3 (other than the East Side Extension).

(3) PAYMENT OF FEDERAL SHARE.—

(A) FEDERAL SHARE.—The amended contract under paragraph (1) shall provide that the Federal share of the cost of construction of Minimum Operable Segment-3 for fiscal years 1993 through 1997 shall be \$695,000,000.

(B) PAYMENT.—The amended contract under paragraph (1) shall provide that the Federal share of the cost of construction of Minimum Operable Segment-3 shall be paid by the Secretary from amounts available under section 3 of the Federal Transit Act in accordance with a schedule for annual payments set forth in such contract.

(4) EAST SIDE EXTENSION.—The amended contract under paragraph (1) shall include a commitment to provide Federal funding for the East Side Extension, subject to completion of alternatives analysis and satisfaction of Federal environmental requirements.

(5) ADVANCE CONSTRUCTION.—

(A) IN GENERAL.—The amended contract under paragraph (1) shall provide that the Commission may construct any portion of Minimum Operable Segment-3 in accordance with section 3(l) of the Federal Transit Act.

(B) AMOUNT.—The Commission may use advance construction authority in an amount not to exceed the sum of \$535,000,000 plus the difference (if any) between the Federal share specified in paragraph (3) for fiscal years 1993 through 1997 and the amount of Federal funds actually provided in those fiscal years.

(C) CONVERSION TO GRANTS.—In the event the Commission uses advance construction authority under this paragraph, the Secretary shall convert that authority into a grant and shall reimburse the Commission, from funds available under section 3 of the Federal Transit Act, for the Federal share of the amounts expended. Such conversion and reimbursement shall be made by the Secretary in fiscal years 1998, 1999, and 2000 and shall be equal to the Federal share of the amounts expended by the Commission pursuant to this paragraph (plus any eligible bond interest under section 3(l)(2) of the Federal Transit Act).

(c) FURTHER AMENDMENT TO CONTRACT.—Not later than October 15, 1996, the Secretary shall negotiate and enter into a further amendment to the contract described in subsection (b)(1) in order to provide Federal funding for Minimum Operable Segment-3 for fiscal years 1998 through 2000. The amended contract shall include provisions for the use and reimbursement of advance construction in the manner set forth in subsection (b)(5).

(d) CONTINUING PRELIMINARY ENGINEERING.—Before the date on which an amended contract is executed under subsection (b), the Secretary shall, upon receipt of an application from the Commission, make a grant to the Commission from amounts available under section 3 of the Federal Transit Act for continuing preliminary engineering and environmental analysis work for Minimum Operable Segment-3.

(e) ADDITION OF EAST SIDE EXTENSION.—

(1) ALTERNATIVES ANALYSIS AND ENVIRONMENTAL REVIEW.—The Secretary shall cooperate with the Commission in alternatives analysis and environmental review, including preparation of a draft environmental impact statement, for the East Side Extension. Upon receipt of an application from the Commission, the Secretary shall make a grant to the Commission, from amounts available under section 3 of the Federal Transit Act, for preliminary engineering, design, and related expenses for the East Side Extension, in an amount equal to 50 percent of the cost of such activities. Such funds shall be provided from the amounts made available by the Secretary under subsection (b)(3).

(2) SUPPLEMENTAL EIS.—Not later than December 1, 1993, and in accordance with the National Environmental Policy Act of 1969, the Secretary shall complete preparation of a final supplemental environmental impact statement for the East Side Extension and shall publish a notice of completion of such statement in the Federal Register.

(3) AMENDMENT TO CONTRACT TO INCLUDE EAST SIDE EXTENSION.—

(A) NEGOTIATION.—Immediately upon the completion of alternatives analysis and preliminary engineering for the East Side Extension, the Secretary shall begin negotiations with the Commission on a further amendment to the contract referred to in subsection (b)(1) in order to include construction of the East Side Extension.

(B) EXECUTION.—Not later than June 1, 1994, the Secretary shall—

(i) complete negotiations and execute the amended contract under subparagraph (A); and

(ii) issue a record of decision approving the construction of the East Side Extension.

(C) CONTENTS.—The amended contract under subparagraph (A) shall be consistent with the commitment made under subsection (b)(4) and shall include appropriate changes to the existing scope of work to include the East Side.

(f) APPLICABILITY OF FEDERAL REQUIREMENTS.—The amended contracts under this section shall provide that any activity under Minimum Operable Segment-3 that is financed entirely with non-Federal funds shall not be subject to any Federal statute, regulation, or program guidance, unless the Federal statute or regulation in question, by its terms, otherwise applies to and covers such activity.

(g) CRITERIA FOR NEW STARTS.—Minimum Operable Segment-3 shall be deemed to be a project described in and covered by sec-

tion 303(b) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

(h) NOTIFICATION OF NONCOMPLIANCE.—If the Secretary is unable to comply with a deadline established by this section, the Secretary shall report to Congress on the reasons for the noncompliance and shall provide such Committees a firm schedule for taking the action required.

(i) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) COMMISSION.—The term “Commission” means the Los Angeles County Transportation Commission (or any successor thereto).

(2) EAST SIDE EXTENSION.—The term “East Side Extension” means that portion of Minimum Operable Segment–3 described in paragraph (3)(C).

(3) MINIMUM OPERABLE SEGMENT–3.—The term “Minimum Operable Segment–3” means that portion of the Los Angeles Metro Rail Project which consists of 7 stations and approximately 11.6 miles of heavy rail subway on the following lines:

(A) One line running west and northwest from the Hollywood/Vine station to the North Hollywood station, with 2 intermediate stations.

(B) One line running west from the Wilshire/Western station to the Pico/San Vicente station, with one intermediate station.

(C) One line consisting of an initial line of approximately 3 miles in length, with at least 2 stations, beginning at Union Station and running generally east.

#### SEC. 3035. MISCELLANEOUS MULTIYEAR CONTRACTS.

(a) HAWTHORNE, NEW JERSEY-WARWICK, NEW YORK, SERVICE.—No later than 120 days after the date of the enactment of this Act, the Secretary shall negotiate and sign a multiyear grant agreement with the New Jersey Transit Corporation which includes not less than \$35,710,000 in fiscal year 1992 and not less than \$11,156,000 in fiscal year 1993 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of a project to provide commuter rail service from Hawthorne, New Jersey, to Warwick, New York (including a connection with the New Jersey Transit Main Line in Hawthorne, New Jersey, and improvements to the New Jersey Transit Main Line station in Paterson, New Jersey). Such agreement shall provide that amounts provided under the agreement may be used for purchasing equipment and for rehabilitating and constructing stations, parking facilities, and other facilities necessary for the restoration of such commuter rail service.

(b) WESTSIDE LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Tri-County Metropolitan Transportation District of Oregon which includes \$555,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act at the Federal share contained in House Report 101–584 to carry out the construction of the locally preferred alternative for the Westside Light Rail Project, including system related costs, set forth in Public Law



101–516 and as defined in House Report 101–584. Such agreement shall also provide for the completion of alternatives analysis, the final Environmental Impact Analysis, and preliminary engineering for the Hillsboro extension to the Westside Project as set forth in Public Law 101–516.

(c) **NORTH BAY FERRY SERVICE.**—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Vallejo, California, which includes \$8,000,000 in fiscal year 1992 and \$9,000,000 in fiscal year 1993 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out capital improvements under the North Bay Ferry Service Demonstration Program.

(d) **STATEN ISLAND-MIDTOWN MANHATTAN FERRY SERVICE.**—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the New York City Department of Transportation in New York, New York, which includes \$1,000,000 in fiscal year 1992 and \$11,000,000 in fiscal year 1993 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out capital improvements under the Staten Island-Midtown Ferry Service Demonstration Program.

(e) **CENTRAL AREA CIRCULATOR PROJECT.**—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Chicago, Illinois, which includes \$260,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the locally preferred alternative for the Central Area Circulator Project. Such grant agreement shall provide that the Federal share of the cost of such project shall be paid by the Secretary from amounts provided under such section 3(k)(1)(B) as follows:

- (1) Not less than \$21,000,000 for fiscal year 1992.
- (2) Not less than \$55,000,000 for fiscal year 1993.
- (3) Not less than \$70,000,000 for fiscal year 1994.
- (4) Not less than \$62,000,000 for fiscal year 1995.
- (5) Not less than a total of \$52,000,000 for fiscal years 1996 and 1997.

(f) **SALT LAKE CITY LIGHT RAIL PROJECT.**—No later than August 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Utah Transit Authority, which includes \$131,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the initial segment of the locally preferred alternative for the Salt Lake City Light Rail Project, including feeder bus and other system related costs.

(g) **LOS ANGELES-SAN DIEGO (LOSSAN) RAIL CORRIDOR IMPROVEMENT PROJECT.**—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Los Angeles-San Diego Rail Corridor Agency which includes not less than \$10,000,000 for fiscal year 1992 and not less than \$5,000,000 in each of fiscal years 1993 and 1994 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to provide for capital improvements to the rail corridor between Los Angeles and San Diego, California.

(h) **SAN JOSE-GILROY-HOLLISTER COMMUTER RAIL PROJECT.**—No later than April 30, 1992, the Secretary shall negotiate and sign

a multiyear grant agreement with the responsible operating entity for the San Francisco Peninsula Commute Service which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$13,000,000 for capital improvements and trackage rights related to the extension of commuter rail service from San Jose, through Gilroy, to Hollister, California. The Secretary shall allocate to the Santa Clara County Transit District in fiscal year 1992, from funds made available under such section 3(k)(1)(B), \$8,000,000 for the purpose of a one-time purchase of additional trackage rights and/or purchase of right-of-way between the existing termini in San Jose and Gilroy, California. In connection with the purchase of such additional trackage rights and/or purchase of right-of-way, the Secretary shall either approve a finding of no significant impact, or approve a final environmental impact statement and issue a record of decision no later than July 1, 1994. No later than August 1, 1994, the Secretary shall negotiate and sign a grant agreement with the Santa Clara County Transit District which includes the funds made available under this section for the purchase of additional trackage rights and/or purchase of right-of-way.

(i) DALLAS LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with Dallas Area Rapid Transit which includes \$160,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the locally preferred alternative for the initial 6.4 miles and 10 stations of the South Oak Cliff light rail line. Non-Federal funds used to acquire rights-of-way and to plan, design, and construct any of the elements of such light rail line on or after August 13, 1983, may be used to meet the non-Federal share funding requirement for financing construction of any of such elements.

(j) SOUTH BOSTON PIERS TRANSITWAY/LIGHT RAIL PROJECT.—No later than June 1, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Massachusetts Bay Transportation Authority which includes \$278,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the South Station to World Trade Center segment of the locally preferred alternative for the South Boston Piers Transitway/Light Rail Project. Not later than February 28, 1992, the Secretary shall allocate from such \$278,000,000 such sums as may be necessary to carry out preliminary engineering and design for the entirety of such preferred alternative. Section 330 of the Department of Transportation and Related Agencies Appropriations Act, 1992, is amended by striking “—”, by striking “(a)”, by striking “; and” at the end of paragraph (a) and all that follows through the period at the end of such section and inserting a period, and by running in the remaining matter of paragraph (a) following “Administration”.

(k) KANSAS CITY LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Kansas City Area Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$1,500,000 in fiscal year 1992, and \$4,400,000 in fiscal year 1993 to provide for the completion of alter-

natives analysis and preliminary engineering for the Kansas City Light Rail Project.

(l) ORLANDO STREETCAR (OSCAR) DOWNTOWN TROLLEY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Orlando, Florida, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$5,000,000 to provide for the completion of alternatives analysis and preliminary engineering for the Orlando Streetcar (OSCAR) Downtown Trolley Project.

(m) DETROIT LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and enter into a multiyear grant agreement with the city of Detroit, Michigan, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, not less than \$10,000,000 for fiscal year 1992, and not less than \$10,000,000 for fiscal year 1993, to provide for the completion of alternatives analysis and preliminary engineering for the Detroit Light Rail Project.

(n) BUS AND BUS RELATED EQUIPMENT PURCHASES IN ALTOONA, PENNSYLVANIA.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with Altoona Metro Transit for \$2,000,000 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Federal Transit Act to provide for the purchase of 10 buses, a fuel storage tank, a bus washer and 2 service vehicles.

(o) LONG BEACH METRO LINK FIXED RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Los Angeles County Transportation Commission which includes \$4,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to provide for the completion of alternatives analysis and preliminary engineering for the Metro Link Project in Long Beach, California.

(p) LAKEWOOD-FREEHOLD-MATAWAN OR JAMESBURG RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the New Jersey Transit Corporation, which includes, from funds made available to the Northeastern New Jersey urbanized area under section 3(k)(1)(B) of the Federal Transit Act, \$1,800,000 in fiscal year 1992 and \$3,000,000 in each of fiscal years 1993 and 1994 to provide for the completion of alternatives analysis, preliminary engineering, and environmental impact statement for the Lakewood-Freehold-Matawan or Jamesburg Rail Project.

(q) SAN FRANCISCO, CALIFORNIA.—No later than April 30, 1992, the Secretary shall enter into a grant agreement for \$2,500,000 from funds made available under section 3(k)(1)(C) for fiscal year 1992 to construct a parking facility as part of a multimodal transportation facility in the vicinity of California Pacific Medical Center, San Francisco, California.

(r) CHARLOTTE LIGHT RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City of Charlotte, North Carolina, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$125,000 in fiscal year 1992 and \$375,000 in fiscal year 1993 to provide for the completion of systems planning

and alternatives analysis for a priority light rail corridor in the Charlotte metropolitan area.

(s) BUCKHEAD PEOPLE MOVER CONCEPTUAL ENGINEERING STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Atlanta Regional Commission which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$200,000 in fiscal year 1992, to provide for the completion of a conceptual engineering study for a people mover system in Atlanta, Georgia.

(t) CLEVELAND DUAL HUB RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Greater Cleveland Regional Transit Authority which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$2,000,000 in fiscal year 1992, \$2,000,000 in fiscal year 1993, and \$1,000,000 in fiscal year 1994, to provide for the completion of alternatives analysis on the Cleveland Dual Hub Rail Project.

(u) SAN DIEGO MID COAST LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the San Diego Metropolitan Transit Development Board which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$2,000,000 in fiscal year 1992, \$5,000,000 in fiscal year 1993, and \$20,000,000 in fiscal year 1994, to provide for the completion of alternatives analysis and the final environmental impact statement, and to purchase right-of-way, for the San Diego Mid Coast Light Rail Project.

(v) CHATTANOOGA DOWNTOWN TROLLEY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Chattanooga Area Regional Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$1,000,000 in fiscal year 1992 and \$1,000,000 in fiscal year 1993 to provide for the completion of alternatives analysis on a proposed trolley circulator in downtown Chattanooga, Tennessee.

(w) NORTHEAST OHIO COMMUTER RAIL FEASIBILITY STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Northeast Ohio Areawide Coordinating Agency which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$800,000 in fiscal year 1992 and \$800,000 in fiscal year 1993 to study the feasibility of providing commuter rail service connecting urban and suburban areas in northeast Ohio.

(x) RAILTRAN COMMUTER RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Cities of Dallas and Fort Worth, Texas, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$2,480,000, in fiscal year 1992, and \$3,200,000 in fiscal year 1993 to provide for preliminary engineering and construction of improvements to the Dallas/Fort Worth RAILTRAN System.

(y) BUS AND BUS RELATED EQUIPMENT PURCHASES IN JOHNSTOWN, PENNSYLVANIA.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with the Cambria County Transit Authority for \$1,600,000 for fiscal year 1992 from funds made

available under section 3(k)(1)(C) of the Federal Transit Act to provide for the purchase of 6 midsize buses; spare engines, transmissions, wheels, tires; wheelchair lifts for urban buses; 20 2-way radios; 29 electronic fareboxes and related equipment; computer hardware and software; and shop tools, equipment and parts for the Cambria County Transit System; and a new 400 HP electric motor and related components; cable replacement; hillside erosion control; park-and-ride facilities; and a handicapped pedestrian crosswalk for the Johnstown Inclined Plane.

(z) BUS PURCHASE FOR EUREKA SPRINGS, ARKANSAS.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with Eureka Springs Transit for \$63,600 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Federal Transit Act to provide for the purchase of an electrically powered bus which is accessible to and usable by individuals with disabilities.

(aa) TUCSON DIAL-A-RIDE PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Tucson, Arizona, which includes, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$8,000,000 in fiscal year 1992 to make capital improvements related to the Tucson Dial-a-Ride Project.

(bb) LONG BEACH BUS FACILITY PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the Long Beach Transportation Company to include, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$13,875,000 in fiscal year 1992, to provide for the construction of a bus maintenance facility in the service area of such company.

(cc) PARK-AND-RIDE LOT.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the Southeastern Pennsylvania Transportation Authority which includes, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$4,000,000 in fiscal year 1992 to construct a park-and-ride lot in suburban Philadelphia, Pennsylvania.

(dd) NASHVILLE INTERMODAL TERMINAL.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Nashville, Tennessee, which includes, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$3,700,000 in fiscal year 1992 to provide for the construction of an intermodal passenger terminal in Nashville, Tennessee.

(ee) MAIN STREET TRANSIT MALL.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the City of Akron, Ohio, which includes, from funds made available to that State under section 3(k)(1)(C) of the Federal Transit Act, \$1,450,000 in fiscal year 1992 to provide for preliminary engineering and construction of an extension to the Main Street Transit Mall.

(ff) PEOPLE MOBILIZER.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with PACE which includes, from funds made available to the suburban Chicago urbanized area under section 3(k)(1)(C), \$2,300,000 in fiscal year 1992 to make capital purchases necessary for implementing the people mobilizer project in such area. The limitation on operating

assistance which but for this section would apply to the people mobilizer project for fiscal year 1992 under section 9(k)(2)(A) of the Federal Transit Act shall be increased by \$700,000.

(gg) CENTRE AREA TRANSPORTATION AUTHORITY REIMBURSEMENT.—Notwithstanding any other provision of law, the Secretary shall reimburse the Centre Area Transportation Authority in State College, Pennsylvania, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$1,000,000 in fiscal year 1992 for costs incurred by the Centre Area Transportation Authority between August 1989 and October 1991 in connection with the construction of an administrative maintenance and bus storage facility.

(hh) KEY WEST, FLORIDA.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a grant agreement with the city of Key West, Florida, which includes, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$239,666 in fiscal year 1992 for the cost of purchasing 3 buses.

(ii) BOSTON, MASSACHUSETTS.—The Secretary shall conduct at a cost of \$250,000 in fiscal year 1992 from funds made available under section 3(k)(1)(B) of the Federal Transit Act a feasibility study of a proposed rail link between North Station and South Station in Boston, Massachusetts.

(jj) BUFFALO, NEW YORK.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with the Niagara Frontier Transportation Authority for \$2,000,000 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Federal Transit Act to provide for the construction of metro bus transit centers in the service area of such transportation authority.

(kk) STATE OF MICHIGAN.—No later than June 30, 1992, the Secretary shall enter into a multiyear grant agreement with the State of Michigan for \$10,500,000 for fiscal year 1992, and not less than \$10,000,000 for each of fiscal years 1993 through 1997 from funds made available under section 3(k)(1)(C) of the Federal Transit Act for the purchase of buses and bus-related equipment to be distributed among local transit operators. Of the grant amount for fiscal year 1992, \$500,000 shall be made available for a study of the feasibility of consolidation of transit services.

(ll) ANN ARBOR, MICHIGAN.—No later than April 30, 1992, the Secretary shall enter into a grant agreement with the Ann Arbor Transportation Authority for \$1,500,000 for fiscal year 1992 from funds made available under section 3(k)(1)(C) of the Federal Transit Act for the purchase of equipment and software for advanced fare collection technology.

(mm) BAY AREA RAPID TRANSIT DISTRICT PARKING.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a multiyear grant agreement with the San Francisco Bay Area Rapid Transit District which includes, from funds made available under section 3(k)(1)(C) of the Federal Transit Act, \$12,600,000 for construction of a parking area for the planned East Dublin/Pleasanton BART station.

(nn) BALTIMORE-WASHINGTON TRANSPORTATION IMPROVEMENTS PROGRAM.—The Secretary shall carry out the Baltimore-Washington Transportation Improvements Program as follows:

(1) BALTIMORE-CENTRAL LIGHT RAIL EXTENSION.—By entering into a full funding grant agreement with the Mass Transit Administration of the Maryland Department of Transportation to carry out construction of locally preferred alternatives for the Hunt Valley, Baltimore-Washington International Airport and Penn Station extensions, and alternatives for double tracking and related improvements to the light rail line in Baltimore, Maryland. Funds for projects under this paragraph shall be provided at an 80 percent Government share. In applying the local share evaluation criteria in section 5309, of title 49, United States Code, the Secretary shall compare the aggregate expenditure of section 5309 funds to the aggregate expenditure of State and local funds, including Federal highway funds provided by the State of Maryland, for all phases of the Central Corridor Light Rail project. The grant agreement under this paragraph shall provide for double tracking and related improvements and shall provide that the Federal share shall be paid from amounts provided under section 3(k)(1)(B) of the Federal Transit Act as follows:

(A) Not less than \$30,000,000 for fiscal year 1993.

(B) Not less than \$30,000,000 for fiscal year 1994.

(2) MARC EXTENSIONS.—By entering into a full funding grant agreement with the Mass Transit Administration of the Maryland Department of Transportation for service extensions and other improvements, including extensions of the MARC commuter rail system to Frederick and mass transportation improvements to the Waldorf area, planning and engineering, purchase of rolling stock and station improvements and expansions, including capacity and efficiency improvements through construction of a Penn-Camden Connection, MARC maintenance and storage facilities, and other capacity related improvements, and the Silver Spring Intermodal Center. The transit improvements in the corridor from the Waldorf area to the Washington, D.C. area shall provide for construction of the Penn-Camden Connection, MARC maintenance and storage facilities, and other capacity related improvements, and the Silver Spring Intermodal Center, and shall be based on the locally preferred alternatives that result from the Southern Maryland Mass Transportation Alternatives Study of the Tri-County Council for Southern Maryland and shall include any additional work needed on that study, detailed planning and engineering to be carried out by the Maryland Department of Transportation in conjunction with the Tri-County Council, advanced land acquisition in the transit corridor, and implementation of interim and long-range transit improvements in the transit corridor. The grant agreement under this paragraph shall be paid from amounts provided under section 3(k)(1)(B) of the Federal Transit Act as follows:

(A) Not less than \$60,000,000 for fiscal year 1993.

(B) Not less than \$50,000,000 for fiscal year 1994.

(C) Not less than \$50,000,000 for fiscal year 1995.

(3) LARGO EXTENSION.—By entering into a full funding grant agreement with the State of Maryland or its designee to provide alternative analysis, the preparation of an environ-

mental impact statement and preliminary engineering for a proposed rail transit project to be located in the corridor between the Washington Metropolitan Area Transit Authority Addison Road rail station and Largo, Maryland. The grant agreement under this paragraph shall provide that the Federal share shall be paid from amounts provided under section 3(k)(1)(B) of the Federal Transit Act in an amount not less than \$5,000,000 for fiscal year 1993.

(oo) MILWAUKEE EAST-WEST CORRIDOR PROJECT.—The Secretary shall negotiate and sign a multiyear grant agreement with the State of Wisconsin which includes \$200,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the initial segment of the locally preferred alternative as identified in the alternatives analysis of the Milwaukee East-West Corridor Project.

(pp) BOSTON TO PORTLAND TRANSPORTATION CORRIDOR.—If the State of Maine or an agency thereof decides to initiate commuter rail service in the Boston to Portland transportation corridor, \$30,000,000 under section 3(k)(1)(B) is authorized to be appropriated for capital improvements to allow such service.

(qq) NORTHEAST PHILADELPHIA COMMUTER RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Southeastern Pennsylvania Transportation Authority, which includes \$400,000 from funds made available to the Philadelphia urbanized area under section 3(k)(1)(B) of the Federal Transit Act to provide for a study of the feasibility of instituting commuter rail service as an alternative to automobile travel to Center City Philadelphia on I-95.

(rr) ATLANTA COMMUTER RAIL STUDY.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Atlanta Regional Commission which includes, from funds made available to the Atlanta urbanized area under section 3(k)(1)(B) of the Federal Transit Act, \$100,000 to study the feasibility of instituting commuter rail service in the Greensboro corridor.

(ss) PITTSBURGH LIGHT RAIL REHABILITATION PROJECT.—No later than 90 days after the date of the enactment of this Act, the Secretary shall negotiate and sign a multiyear grant agreement with the Port Authority of Allegheny County which includes \$5,000,000 from funds made available to the Pittsburgh urbanized area under section 3(k)(1)(B) of the Federal Transit Act to complete preliminary engineering for Stage II LRT rehabilitation in Allegheny County, Pennsylvania.

(tt) ATLANTA NORTH LINE EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Metropolitan Atlanta Rapid Transit Authority which includes \$329,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the locally preferred alternative for a 3.1 mile extension of the North Line of the heavy rail rapid transit system in Atlanta, Georgia.

(uu) HOUSTON PRIORITY CORRIDOR FIXED GUIDEWAY PROJECT.—Provided that a locally preferred alternative for the Priority Corridor fixed guideway project has been selected by March



1, 1992, no later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Metropolitan Transit Authority of Harris County which includes \$500,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of such locally preferred alternative.

(vv) JACKSONVILLE AUTOMATED SKYWAY EXPRESS EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Jacksonville Transportation Authority which includes \$71.2 million from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the locally preferred alternative for a 1.8 mile extension to the Automated Skyway Express starter line.

(ww) HONOLULU RAPID TRANSIT PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the City and County of Honolulu which includes \$618,000,000 from funds made available under section 3(k)(1)(B) of the Federal Transit Act to carry out the construction of the locally preferred alternative of a 17.3 mile fixed guideway system.

(xx) SACRAMENTO LIGHT RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Sacramento Regional Transit District which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$26,000,000 to provide for the completion of alternatives analysis, preliminary engineering, and final design on proposed extensions to the light rail system in Sacramento, California.

(yy) PHILADELPHIA CROSS-COUNTY METRO RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Southeastern Pennsylvania Transportation Authority which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$2,400,000 to provide for the completion of alternatives analysis and preliminary engineering for the Philadelphia Cross-County Metro Rail Project.

(zz) CLEVELAND BLUE LINE LIGHT RAIL EXTENSION.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the Greater Cleveland Regional Transit Authority which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$1,200,000 to provide for the completion of alternatives analysis and preliminary engineering for an extension of the Blue Line to Highland Hills, Ohio.

(aaa) DULLES CORRIDOR RAIL PROJECT.—No later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the State of Virginia, or its assignee, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$6,000,000 to provide for the completion of alternatives analysis and preliminary engineering for a rail corridor from the West Falls Church Washington Metropolitan Area Transit Authority rail station to Dulles International Airport.

(bbb) PUGET SOUND CORE RAPID TRANSIT PROJECT.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the municipality of metropolitan Seattle, Washington, which includes, from funds made available

under section 3(k)(1)(B) of the Federal Transit Act, \$300,000,000 for the Puget Sound Core Rapid Transit Project.

(ccc) SEATTLE-TACOMA COMMUTER RAIL.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with a qualified local sponsor, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$25,000,000 for the Seattle-Tacoma Commuter Rail Project.

(ddd) ALTOONA PEDESTRIAN CROSSOVER.—Not later than April 30, 1992, the Secretary shall negotiate and sign a multiyear grant agreement with the city of Altoona, Pennsylvania, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$3,200,000 for construction of the 14th Street Pedestrian Crossover in Altoona, Pennsylvania.

(eee) MULTI-MODAL TRANSIT PARKWAY.—Not later than April 30, 1992, the Secretary shall negotiate and enter into a multiyear grant agreement with the State of California which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$15,000,000 for construction of a multi-modal transit parkway in western Los Angeles, California.

(fff) CANAL STREET CORRIDOR LIGHT RAIL, NEW ORLEANS, LOUISIANA.—No later than April 30, 1992, the Secretary shall negotiate and sign a grant agreement with the city of New Orleans, Louisiana, which includes, from funds made available under section 3(k)(1)(B) of the Federal Transit Act, \$4,800,000 to provide for the completion of alternatives analysis, preliminary engineering, and an environmental impact statement for the Canal Street Corridor Light Rail System in New Orleans, Louisiana.

**SEC. 3036. UNOBLIGATED M ACCOUNT BALANCES.**

Notwithstanding any other provision of law, any obligated M account balances remaining available for expenditure as of August 1, 1991, under “Urban Discretionary Grants” and “Interstate Transfer Grants-Transit” of the Federal Transit Administration program shall be exempt from the application of the provisions of section 1405 (b)(4) and (b)(6) of Public Law 101-510 and section 1552 of title 31, United States Code, and shall be available until expended.

**SEC. 3037. TECHNICAL ACCOUNTING PROVISIONS.**

Notwithstanding any other provision of law, any funds appropriated before October 1, 1983, under section 6, 10, 11, or 18 of the Act, or section 103(e)(4) of title 23, United States Code, in effect on September 30, 1991, that remain available for expenditure after October 1, 1991, may be transferred to and administered under the most recent appropriation heading for any such section.

**SEC. 3038. REDUCTION IN AUTHORIZATIONS FOR BUDGET COMPLIANCE.**

If the total amount authorized by this Act (including amendments made by this Act) out of the Mass Transit Account of the Highway Trust Fund exceeds \$1,900,000,000 for fiscal year 1992, or exceeds \$13,800,000,000 for fiscal years 1992 through 1996, then each amount so authorized shall be reduced proportionately so that the total equals \$1,900,000,000 for fiscal year 1992, or equals \$13,800,000,000 for fiscal years 1992 through 1996, as the case may be.

**SEC. 3039. PETROLEUM VIOLATION ESCROW ACCOUNT FUNDS.**

Notwithstanding any other provision of law, the Federal Transit Administration shall allow petroleum violation escrow account funds spent by the New Jersey Transit Corporation on transit improvements to be applied as credit towards the non-Federal match for any transit project funded under the Federal Transit Act. The New Jersey Transit Corporation shall demonstrate that the use of such a credit does not result in the reduction in non-Federal funding for transit projects within the fiscal year in which the credit is applied.

**SEC. 3040. CHARTER SERVICES DEMONSTRATION PROGRAM.**

(a) ESTABLISHMENT.—Notwithstanding any provision of law, the Secretary shall implement regulations, not later than 9 months after the date of the enactment of this Act, in not more than 4 States to permit transit operators to provide charter services for the purposes of meeting the transit needs of government, civic, charitable, and other community activities which otherwise would not be served in a cost effective and efficient manner.

(b) CONSULTATION.—In developing such regulations, the Secretary shall consult with a board that is equally represented by public transit operators and privately owned charter services.

(c) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report containing an evaluation of the effectiveness of the demonstration program regulations established under this section and make recommendations to improve current charter service regulations.

**SEC. 3041. GAO REPORT ON CHARTER SERVICE REGULATIONS.**

The Comptroller General shall submit to the Congress, not later than 12 months after the date of the enactment of this Act, a report evaluating the impact of existing charter service regulations. The report shall—

(1) assess the extent to which the regulations promote or impede the ability of communities to meet the transportation needs of government, civic, and charitable organizations in a cost-effective and efficient manner;

(2) assess the extent to which the regulations promote or impede the ability of communities to carry out economic development activities in a cost-effective and efficient manner;

(3) analyze the extent to which public transit operators and private charter carriers have entered into charter service agreements pursuant to the regulations; and

(4) analyze the extent to which such agreements enable private carriers to profit from the provision of charter service by public transit operators using federally subsidized vehicles.

The report shall also include an assessment of the factors specified in the preceding sentence within the context of not less than 3 communities selected by the Comptroller General.

**SEC. 3042. 1993 WORLD UNIVERSITY GAMES.**

Notwithstanding any other provision of law, before apportionment under section 9 of the Federal Transit Act of funds provided under section 21(a)(1) of such Act for fiscal year 1993, \$4,000,000 of such funds shall be made available to the State of New York or to any public body to which the State further delegates authority,

as the designated recipient for the purposes of this section, to carry out projects by contracts with private or public service providers to meet the transportation needs associated with the staging of the 1993 World University Games in the State of New York. Such funds shall be available for any purpose eligible under section 9 of such Act without limitation. The matching requirement for operating assistance under section 9(k)(1) of such Act shall not apply to funds made available under this section.

**SEC. 3043. OPERATING ASSISTANCE LIMITATION FOR STATEN ISLAND FERRY.**

The limitation of operating assistance which, but for this section, would apply to the Staten Island Ferry for fiscal year 1993 under section 9(k)(2)(A) of the Federal Transit Act shall be increased by \$2,700,000.

**SEC. 3044. FORGIVENESS OF CERTAIN OUTSTANDING OBLIGATIONS.**

Notwithstanding the fifth sentence of section 4(a) of the Federal Transit Act, the outstanding balance on grant agreement number NC-05-0021 made to the Fayetteville Transit Authority, North Carolina is forgiven.

**SEC. 3045. FORGIVENESS OF LOAN REPAYMENT.**

Notwithstanding any other provision of law (including any regulation), the outstanding balances on the following loan agreements do not have to be repaid:

- (1) Loan agreement number PA-03-9002 made to the Southeastern Pennsylvania Transit Authority.
- (2) Loan agreement number PA-03-9003 made to the Southeastern Pennsylvania Transit Authority.

**SEC. 3046. MODIFIED BUS SERVICE TO ACCOMMODATE THE NEEDS OF STUDENTS.**

Nothing in the Federal Transit Act, including the regulations issued to carry out such Act, shall be construed to prohibit the use of buses acquired or operated with Federal assistance under such Act to provide tripper bus service in New York City, New York, to accommodate the needs of students, if such buses carry normal designations and clear markings that such buses are open to the general public. For the purposes of this section, the term "tripper bus service" shall have the meaning such term has on the date of the enactment of this Act in regulations issued pursuant to the Federal Transit Act and shall include the service provided by express buses operating along regular routes and as indicated in published route schedules.

**SEC. 3047. ELIGIBILITY DETERMINATIONS FOR DISABILITY.**

(a) **STUDY.**—The Secretary shall conduct a study of procedures for determining disability for the purpose of obtaining off peak reduced fares under section 5(m) of the Federal Transit Act. The study should review different requirements, degree of uniformity, and degree of reciprocity between transit systems.

(b) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall report to Congress on the results of the study conducted under this section.

**SEC. 3048. MILWAUKEE ALTERNATIVES ANALYSIS APPROVAL.**

No later than January 15, 1992, the Secretary shall enter into an agreement with the Wisconsin Department of Transportation giving approval to undertake an alternatives analysis for the East-West Central Milwaukee Corridor. The alternatives analysis shall be funded entirely from non-Federal sources.

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**TITLE IV—MOTOR CARRIER ACT OF 1991**

**SEC. 4001. SHORT TITLE.**

This title may be cited as the “Motor Carrier Act of 1991”.

\* \* \* \* \*

[Section 4002—repealed by P.L. 103-272]

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**SEC. 4007. TRAINING OF DRIVERS; LONGER COMBINATION VEHICLE REGULATIONS, STUDIES, AND TESTING.**

[(a)—repealed by P.L. 104-287]

[(b)—repealed by P.L. 103-272]

(c) SAFETY CHARACTERISTICS.—

(1) STUDY.—The Comptroller General shall conduct a study of the safety of longer combination vehicles for the purpose of comparing the safety characteristics and performance, including engineering and design safety characteristics, of such vehicles to other truck-trailer combination vehicles and for the purpose of reviewing the history and effectiveness of State safety enforcement pertaining to such vehicles for those States in which such vehicles are permitted to operate. Such study shall include an assessment of each of the following:

(A) The adequacy of currently available data bases for the purpose of determining the safety of longer combination vehicles and recommending safety improvements.

(B) Whether or not such States are actively monitoring the safety of such operations.

(C) The best available information on the safety of such operations.

(D) Enforcement actions which have been taken in such States to ensure the safety of such operations.

(E) Current procedures and controls used by such States to ensure the safety of operation of such vehicles.

(F) Whether or not any special inspections of equipment maintenance is required to improve the safety of such operations.

(G) The economic and safety impact of longer combination vehicles on shared highways.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall transmit a report on the results of the study conducted under paragraph (1) to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation of

the Senate and the Committee on Public Works and Transportation of the House of Representatives.

[(d)—repealed by P.L. 104–287]

[(e)—repealed by P.L. 104–287]

[(f)—repealed by P.L. 103–272]

[Section 4008—repealed by P.L. 103–272]

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**SEC. 4012. BRAKE PERFORMANCE STANDARDS.**

(a) INITIATION OF RULEMAKING.—Not later than May 31, 1992, the Secretary shall initiate rulemaking concerning methods for improving braking performance of new commercial motor vehicles, including truck tractors, trailers, and their dollies. Such rulemaking shall include an examination of antilock systems, means of improving brake compatibility, and methods of ensuring effectiveness of brake timing.

(b) LIMITATION WITH RESPECT TO RULES.—Any rule which the Secretary determines to issue regarding improved braking performance pursuant to the rulemaking initiated under this section shall take into account the need for the rule and, in the case of trailers, shall include articulated vehicles and their manufacturers.

(c) RULEMAKING PROCEDURE.—Any rulemaking under this section shall, consistent with section 229 of the Motor Carrier Safety Act of 1984 (49 U.S.C. App. 2519(b)), be carried out pursuant to, and in accordance with, the National Traffic and Motor Vehicle Safety Act of 1966.

(d) COMPLETION OF RULEMAKING.—The Secretary shall complete the rulemaking within 18 months after its initiation; except that the Secretary may extend that period for an additional 6 months after giving notice in the Federal Register of the need for such an extension. Such extension shall not be reviewable.

(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of the Secretary under this Act (or preventing the Secretary) from simultaneously initiating a rulemaking concerning methods for improving brake performance in the case of vehicles, other than new manufactured commercial motor vehicles, and for considering the necessity for effective enforcement of any rule relating to improving such performance as part of the rulemaking proceeding and for considering the reliability, maintainability, and durability of any brake equipment.

(f) COMMERCIAL MOTOR VEHICLE DEFINED.—For purposes of this section only, the term “commercial motor vehicle” means any self-propelled or towed vehicle used on highways to transport passengers or property if such vehicle has a gross vehicle weight rating of 26,001 or more pounds.

**SEC. 4013. FHWA POSITIONS.**

To help implement the purposes of this title, the Secretary in fiscal year 1992 shall employ and maintain thereafter 2 additional employees in positions at the headquarters of the Federal Highway Administration in excess of the number of employees authorized for fiscal year 1991 for the Federal Highway Administration.

[Section 4014—repealed by P.L. 103–272]

## TITLE V—INTERMODAL TRANSPORTATION

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### SEC. 5002. DUTIES OF SECRETARY; OFFICE OF INTERMODALISM.

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[(b)–(c)—repealed by P.L. 103–272]  
[Section 5003—repealed by P.L. 103–272]

### SEC. 5004. SURFACE TRANSPORTATION ADMINISTRATION.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Public Administration to continue a study of options for organizing the Department of Transportation to increase the effectiveness of program delivery, reduce costs, and improve intermodal coordination among surface transportation-related agencies.

(b) REPORT.—The Secretary shall report to Congress on the findings of the study continued under subsection (a) and recommend appropriate organizational changes no later than January 1, 1993. No organizational changes shall be implemented until such changes are approved by law.

[Section 5005—repealed by P.L. 104–287]

## TITLE VI—RESEARCH

### PART A—PROGRAMS, STUDIES, AND ACTIVITIES

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### SEC. 6007. ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.

(a) ESTABLISHMENT.—The Director of the Bureau of Transportation Statistics shall establish an Advisory Council on Transportation Statistics.

(b) FUNCTION.—It shall be the function of the advisory council established under this section to advise the Director of the Bureau of Transportation Statistics on transportation statistics and analyses, including whether or not the statistics and analysis disseminated by the Bureau of Transportation Statistics are of high quality and are based upon the best available objective information.

(c) MEMBERSHIP.—The advisory council established under this section shall be composed of not more than 6 members appointed by the Director who are not officers or employees of the United States and who (except for 1 member who shall have expertise in economics and 1 member who shall have expertise in statistics) have expertise in transportation statistics and analysis.

(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act shall apply to the advisory council established under this section, except that section 14 of the Federal Advisory Committee Act shall not apply to the Advisory Committee established under this section.

**SEC. 6008. DOT DATA NEEDS.**

(a) **STUDY.**—Not later than 1 year after the date of the establishment of the Bureau of Transportation Statistics, the Secretary shall enter into an agreement with the National Academy of Sciences to conduct a study on the adequacy of data collection procedures and capabilities of the Department of Transportation.

(b) **CONSULTATION.**—The Secretary shall enter into the agreement under subsection (a) in consultation with the Director of the Bureau of Transportation Statistics.

(c) **CONTENTS.**—The study under subsection (a) shall include an evaluation of the Department of Transportation's data collection resources, needs, and requirements and an assessment and evaluation of the systems, capabilities, and procedures established by the Department to meet such needs and requirements, including the following:

- (1) Data collection procedures and capabilities.
- (2) Data analysis procedures and capabilities.
- (3) Ability of data bases to integrate with one another.
- (4) Computer hardware and software capabilities.
- (5) Information management systems, including the ability of information management systems to integrate with one another.
- (6) Availability and training of the personnel of the Department.
- (7) Budgetary needs and resources of the Department for data collection.

(d) **REPORT.**—Not later than 18 months after the date of the agreement under subsection (a), the National Academy of Sciences shall transmit to Congress a report on the results of the study under this section, including recommendations for improving the Department of Transportation's data collection systems, capabilities, procedures, and analytical hardware and software and recommendations for improving the Department's management information systems.

**SEC. 6009. SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT PLANNING.**

(a) **FINDINGS.**—Congress finds that—

(1) despite an annual expenditure in excess of \$10,000,000,000 on surface transportation and its infrastructure, the Federal Government has not developed a clear vision of—

(A) how the surface transportation systems of the 21st century will differ from the present;

(B) how they will interface with each other and with other forms of transportation;

(C) how such systems will adjust to changing American population patterns and lifestyles; and

(D) the role of federally funded research and development in ensuring that appropriate transportation systems are developed and implemented;

(2) the population of the United States is projected to increase by over 30,000,000 people within the next 20 years, mostly in existing major metropolitan areas, which will result in increased traffic congestion within and between urban



areas, more accidents, loss of productive time, and increased cost of transportation unless new technologies are developed to improve public transportation within cities and to move people and goods between cities;

(3) 18,000,000 crashes, 4,000,000 injuries, and 45,000 fatalities each year on the Nation's highways are intolerable and substantial research is required in order to develop safer technologies in their most useful and economic forms;

(4) current research and development funding for surface transportation is insufficient to provide the United States with the technologies essential to providing its own advanced transportation systems in the future and, as a result, the United States is becoming increasingly dependent on foreign surface transportation technologies and equipment to meet its expanding surface transportation needs;

(5) a more active, focused surface transportation research and development program involving cooperation among the Federal Government, United States based industry, and United States universities should be organized on a priority basis;

(6) intelligent transportation systems represent the best near-term technology for improving surface transportation for public benefit by providing equipment which can improve traffic flow and provide for enhanced safety;

(7) research and development programs related to surface transportation are fragmented and dispersed throughout government and need to be strengthened and incorporated in an integrated framework within which a consensus on the goals of a national surface transportation research and development program must be developed;

(8) the inability of government agencies to cooperate effectively, the difficulty of obtaining public support for new systems and rights-of-way, and the high cost of capital financing discourage private firms from investing in the development of new transportation equipment and systems; therefore, the Federal Government should sponsor and coordinate research and development of new technologies to provide safer, more convenient, and affordable transportation systems for use in the future; and

(9) an effective high technology applied research and development program should be implemented quickly by strengthening the Department of Transportation research and development staff and by contracting with private industry for specific development projects.

(b) SURFACE TRANSPORTATION RESEARCH AND DEVELOPMENT

PLAN.—

(1) DEVELOPMENT.—The Secretary shall develop an integrated national surface transportation research and development plan (hereinafter in this subsection referred to as the "plan").

(2) FOCUS.—The plan shall focus on surface transportation systems needed for urban, suburban, and rural areas in the next decade.

(3) CONTENTS.—The plan shall include the following:

(A) Details of the Department's surface transportation research and development programs, including appropriate funding levels and a schedule with milestones, preliminary cost estimates, appropriate work scopes, personnel requirements, and estimated costs and goals for the next 3 years for each area of research and development.

(B) A 10-year projection of long-term programs in surface transportation research and development and recommendations for the appropriate source or mechanism for surface transportation research and development funding, taking into account recommendations of the Research and Development Coordinating Council of the Department of Transportation and the plan of the National Council on Surface Transportation Research.

(C) Recommendations on changes needed to assure that Federal, State, and local contracting procedures encourage the adoption of advanced technologies developed as a consequence of the research programs in this Act.

(4) OBJECTIVES.—The plan shall provide for the following:

(A) The development, within the shortest period of time possible, of a range of technologies needed to produce convenient, safe, and affordable modes of surface transportation to be available for public use beginning in the mid-1990's.

(B) Maintenance of a long-term advanced research and development program to provide for next generation surface transportation systems.

(5) COOPERATION WITH INDUSTRY.—A primary component of the plan shall be cooperation with industry in carrying out this part and strengthening the manufacturing capabilities of United States firms in order to produce products for surface transportation systems.

(6) CONFORMANCE WITH PLAN.—All surface transportation research and development within the Department of Transportation shall be included in the plan and shall be evaluated in accordance with the plan.

(7) COORDINATION.—In developing the plan and carrying out this part, the Secretary shall consult with and, where appropriate, use the expertise of other Federal agencies and their laboratories.

(8) TRANSMITTAL.—On or before January 15, 1993, and annually thereafter, the Secretary shall transmit the plan to Congress, together with the Secretary's comments and recommendations. The Secretary shall review and update the plan before each transmittal under this paragraph.

(9) RECOMMENDATIONS FOR ALTERNATIVES.—In the event a different technology or alternative program can be identified that would accomplish the same or better results than those described in this part, the Secretary may make recommendations for an alternative, and shall promptly report such alternative recommendations to Congress.

**SEC. 6010. NATIONAL COUNCIL ON SURFACE TRANSPORTATION RESEARCH.**

(a) **ESTABLISHMENT.**—There is established a National Council on Surface Transportation Research (hereinafter in this section referred to as the “Council”).

(b) **FUNCTION.**—The Council shall make a complete investigation and study of current surface transportation research and technology developments in the United States and internationally. The Council shall identify gaps and duplication in current surface transportation research efforts, determine research and development areas which may increase efficiency, productivity, safety, and durability in the Nation’s surface transportation systems, and propose a national surface transportation research and development plan for immediate implementation.

(c) **SPECIFIC MATTERS TO BE ADDRESSED.**—The Council shall—

(1) survey current surface transportation public and private research efforts in the United States and internationally;

(2) examine factors which lead to fragmentation of surface transportation research efforts and determine how increased coordination in such efforts may be achieved;

(3) compare the role of the Federal Government with the role of foreign governments in promoting transportation research and evaluate the appropriateness of United States policy on government-sponsored surface transportation research;

(4) identify barriers to innovation in surface transportation systems;

(5) examine the range of funding arrangements available for surface transportation research and development and the level of resources currently available for such purposes; and

(6) identify surface transportation research areas and opportunities, including opportunities for international cooperation offering potential benefit to the Nation’s surface transportation system, assess the relative priority of such research areas and plans, and develop a plan for national surface transportation research and development which includes short-range and long-range objectives.

(d) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The Council shall be composed of 7 members as follows:

(A) Three members appointed by the President.

(B) One member appointed by the Speaker of the House of Representatives.

(C) One member appointed by the minority leader of the House of Representatives.

(D) One member appointed by the majority leader of the Senate.

(E) One member appointed by the minority leader of the Senate.

(2) **QUALIFICATIONS.**—

(A) **IN GENERAL.**—Members appointed pursuant to paragraph (1) shall be appointed from among individuals involved in surface transportation research, including representatives of Federal, State, and local governments, other public agencies, colleges and universities, public, pri-

vate, and nonprofit research organizations, and organizations representing transportation providers, shippers, labor, and the financial community.

(B) INTERNATIONAL ADVISOR.—One of the members appointed by the President pursuant to paragraph (1)(A) shall serve as an international research advisor for the Council.

(3) TERMS.—Members shall be appointed for the life of the Council.

(4) VACANCIES.—A vacancy in the Council shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(6) CHAIRMAN.—The Chairman of the Council shall be elected by the members.

(e) STAFF.—The Council may appoint and fix the pay of such personnel as it considers appropriate.

(f) STAFF OF FEDERAL AGENCIES.—Upon request of the Council, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist it in carrying out its duties under this section.

(g) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Council, the Administrator of General Services shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this section.

(h) OBTAINING OFFICIAL DATA.—The Council may secure directly from any department or agency of the United States information necessary for it to carry out its duties under this section. Upon request of the Council, the head of that department or agency shall furnish that information to the Council.

(i) REPORT.—Not later than September 30, 1993, the Council shall transmit to Congress a final report on the results of the investigation and study conducted under this section. The report shall include recommendations of the Council, including a proposed national surface transportation research plan for immediate implementation.

(j) TERMINATION.—The Council shall terminate on the 180th day following the date of transmittal of the report under subsection (i). All records and papers of the Council shall thereupon be delivered to the Administrator of General Services for deposit in the National Archives.

**SEC. 6011. RESEARCH ADVISORY COMMITTEE.**

(a) ESTABLISHMENT.—Not later than 180 days after the date of transmittal of the report to Congress under section 6010, the Secretary shall establish an independent surface transportation research advisory committee (hereinafter in this section referred to as the “advisory committee”).

(b) PURPOSES.—The advisory committee shall provide ongoing advice and recommendations to the Secretary regarding needs, ob-

jectives, plans, approaches, content, and accomplishments with respect to short-term and long-term surface transportation research and development. The advisory committee shall also assist in ensuring that such research and development is coordinated with similar research and development being conducted outside of the Department of Transportation.

(c) **MEMBERSHIP.**—The advisory committee shall be composed of not less than 20 and not more than 30 members appointed by the Secretary from among individuals who are not employees of the Department of Transportation and who are specially qualified to serve on the advisory committee by virtue of their education, training, or experience. A majority of the members of the advisory committee shall be individuals with experience in conducting surface transportation research and development. The Secretary in appointing the members of the advisory committee shall ensure that representatives of Federal, State, and local governments, other public agencies, colleges and universities, public, private, and non-profit research organizations, and organizations representing transportation providers, shippers, labor, and the financial community are represented on an equitable basis.

(d) **CHAIRMAN.**—The chairman of the advisory committee shall be designated by the Secretary.

(e) **PAY AND EXPENSES.**—Members of the advisory committee shall serve without pay, except that the Secretary may allow any member, while engaged in the business of the advisory committee or a subordinate committee, travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) **SUBORDINATE COMMITTEES.**—The Secretary shall establish a subordinate committee to the advisory committee to provide advice on advanced highway vehicle technology research and development, and may establish other subordinate committees to provide advice on specific areas of surface transportation research and development. Such subordinate committees shall be subject to subsections (e), (g), and (i) of this section.

(g) **ASSISTANCE OF SECRETARY.**—Upon request of the advisory committee, the Secretary shall provide such information, administrative services, support staff, and supplies as the Secretary determines to be necessary for the advisory committee to carry out its functions.

(h) **REPORTS.**—The advisory committee shall, within 1 year after the date of establishment of the advisory committee, and annually thereafter, submit to the Congress a report summarizing its activities under this section.

(i) **TERMINATION.**—Section 14 of the Federal Advisory Committee Act shall not apply to the advisory committee established under this section.

**SEC. 6012. MEMORATION OF DWIGHT D. EISENHOWER NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS.**

(a) **STUDY.**—The Secretary shall conduct a study to determine an appropriate symbol or emblem to be placed on highway signs referring to the Interstate System to commemorate the vision of President Dwight D. Eisenhower in creating the Dwight D. Eisenhower National System of Interstate and Defense Highways.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study under this section.

**SEC. 6013. STATE LEVEL OF EFFORT.**

(a) STUDY.—Not later than 3 months after the date of the enactment of this Act, the Secretary and the Director of the Bureau of Transportation Statistics shall begin a comprehensive study of the most appropriate and accurate methods of calculating State level of effort in funding surface transportation programs.

(b) CONTENTS.—The study under subsection (a) shall include collection of data relating to State and local revenues collected and spent on surface transportation programs. Such revenues include income from fuel taxes, toll revenues (including bridge, tunnel, and ferry tolls), sales taxes, general fund appropriations, property taxes, bonds, administrative fees, taxes on commercial vehicles, and such other State and local revenue sources as the Director of the Bureau considers appropriate.

(c) REPORT.—Not later than 9 months after the date of the enactment of this Act, the Secretary and the Director of the Bureau shall transmit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation of the House of Representatives a report on the results of the study under this section, including recommendations on the most appropriate measure of State level of effort in funding surface transportation programs and comprehensive data, by State, on revenue sources and amounts collected by States and local governments and devoted to surface transportation programs.

**SEC. 6014. EVALUATION OF STATE PROCUREMENT PRACTICES.**

(a) STUDY.—The Secretary shall conduct a study to evaluate whether or not current procurement practices of State departments and agencies, including statistical acceptance procedures, are adequate to ensure that highway and transit systems are designed, constructed, and maintained so as to achieve a high quality for such systems at the lowest overall cost.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under this section, together with an assessment of the need for establishing a national policy on transportation quality assurance and recommendations for appropriate legislative and administrative actions.

**SEC. 6015. BORDER CROSSINGS.**

(a) IDENTIFICATION.—The Secretary, in cooperation with other appropriate Federal agencies, shall identify existing and emerging trade corridors and transportation subsystems that facilitate trade between the United States, Canada, and Mexico.

(b) PRIORITIES AND RECOMMENDATIONS.—The Secretary shall investigate and develop priorities and recommendations for rail, highway, water, and air freight centers and all highway border crossings for States adjoining Canada and Mexico, including the Gulf of Mexico States and other States whose transportation subsystems affect the trade corridors. The recommendations shall pro-

vide for improvement and integration of transportation corridor subsystems, methods for achieving the optimum yield from such subsystems, methods for increasing productivity, methods for increasing the use of advanced technologies, and methods to encourage the use of innovative marketing techniques, such as just-in-time deliveries.

(c) **MINIMUM ELEMENTS.**—The highway border crossing assessment under this section shall at a minimum—

(1) determine whether or not the border crossings are in compliance with current Federal highway regulations and adequately designed for future growth and expansion;

(2) assess their ability to accommodate increased commerce due to the United States-Canada Free Trade Agreement and increased trade between the United States and Mexico; and

(3) assess their ability to accommodate increasing tourism-related traffic between the United States, Canada, and Mexico. The review shall specifically address issues related to the alignment of United States and adjoining Canadian and Mexican highways at the border crossings, the development of bicycle paths and pedestrian walkways, and potential energy savings to be realized by decreasing truck delays at the border crossings and related parking improvements.

(d) **CONSULTATION.**—In carrying out this section, the Secretary shall consult with appropriate Governors and representatives of the Republic of Mexico and Canada.

(e) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary shall report to Congress and border State Governors on transportation infrastructure needs, associated costs, and economic impacts identified and propose an agenda to develop systemwide integration of services for national benefits.

**SEC. 6016. FUNDAMENTAL PROPERTIES OF ASPHALTS AND MODIFIED ASPHALTS.**

(a) **STUDIES.**—The Administrator of the Federal Highway Administration (hereinafter in this section referred to as the “Administrator”) shall conduct studies of the fundamental chemical property and physical property of petroleum asphalts and modified asphalts used in highway construction in the United States. Such studies shall emphasize predicting pavement performance from the fundamental and rapidly measurable properties of asphalts and modified asphalts.

(b) **CONTRACTS.**—To carry out the studies under subsection (a), the Administrator shall enter into contracts with the Western Research Institute of the University of Wyoming in order to conduct the necessary technical and analytical research in coordination with existing programs which evaluate actual performance of asphalts and modified asphalts in roadways, including the Strategic Highway Research Program.

(c) **ACTIVITIES OF STUDIES.**—The studies under subsection (a) shall include the following activities:

- (1) Fundamental composition studies.
- (2) Fundamental physical and rheological property studies.
- (3) Asphalt-aggregate interaction studies.

(4) Coordination of composition studies, physical and rheological property studies, and asphalt-aggregate interaction studies for the purposes of predicting pavement performance, including refinements of Strategic Highway Research Program specifications.

(d) TEST STRIP.—

(1) IMPLEMENTATION.—The Administrator, in coordination with the Western Research Institute of the University of Wyoming, shall implement a test strip for the purpose of demonstrating and evaluating the unique energy and environmental advantages of using shale oil modified asphalts under extreme climatic conditions.

(2) FUNDING.—For the purposes of construction activities related to this test strip, the Secretary and the Director of the National Park Service shall make up to \$1,000,000 available from amounts made available from the authorization for parkroads and parkways.

(3) REPORT TO CONGRESS.—Not later than November 30, 1995, the Administrator shall transmit to Congress as part of a report under subsection (e) the Administrator's findings on activities conducted under this subsection, including an evaluation of the test strip implemented under this subsection and recommendations for legislation to establish a national program to support United States transportation and energy security requirements.

(e) ANNUAL REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and on or before November 30th of each year beginning thereafter, the Administrator shall transmit to Congress a report of the progress made in implementing this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—The Secretary shall expend from administrative and research funds deducted under section 104(a) of this title at least \$3,000,000 for each of fiscal years 1992, 1993, 1994, 1995, and 1996 to carry out subsection (b).

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[Sec. 6020—repealed by P.L. 104-287]

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**[Part B—repealed by P.L. 105-178]**

**PART C—ADVANCED TRANSPORTATION SYSTEMS AND ELECTRIC VEHICLES**

**SEC. 6071. ADVANCED TRANSPORTATION SYSTEM AND ELECTRIC VEHICLE RESEARCH AND DEVELOPMENT CONSORTIA.**

(a) GENERAL AUTHORITY.—

(1) PROPOSAL.—Not later than 3 months after the date of the enactment of this Act, an eligible consortium may submit to the Secretary a proposal for receiving grants made available under this section for electric vehicle and advanced transportation research and development.

(2) CONTENTS OF PROPOSAL.—A proposal submitted under paragraph (1) shall include—



- (A) a description of the eligible consortium making the proposal;
- (B) a description of the type of additional members targeted for inclusion in the consortium;
- (C) a description of the eligible consortium's ability to contribute significantly to the development of vehicles, transportation systems, or related subsystems and equipment, that are competitive in the commercial market and its ability to enable serial production processes;
- (D) a description of the eligible consortium's financing scheme and business plan, including any projected contributions of State and local governments and other parties;
- (E) assurances, by letter of credit or other acceptable means, that the eligible consortium is able to meet the requirement contained in subsection (b)(6); and
- (F) any other information the Secretary requires in order to make selections under this section.
- (3) GRANT AUTHORITY.—Except as provided in paragraph (4), not later than 6 months after the date of the enactment of this Act, the Secretary shall award grants to not less than 3 eligible consortia. No one eligible consortium may receive more than one-third of the funds made available for grants under this section.
- (4) EXTENSION.—If fewer than 3 complete applications from eligible consortia have been received in time to permit the awarding of grants under paragraph (3), the Secretary may extend the deadlines for the submission of applications and the awarding of grants.
- (b) ELIGIBILITY CRITERIA.—To be qualified to receive assistance under this section, an eligible consortium shall—
- (1) be organized for the purpose of designing and developing electric vehicles and advanced transportation systems, or related systems or equipment, or for the purpose of enabling serial production processes;
  - (2) facilitate the participation in the consortium of small- and medium-sized businesses in conjunction with large established manufacturers, as appropriate;
  - (3) to the extent practicable, include participation in the consortium of defense and aerospace suppliers and manufacturers;
  - (4) to the extent practicable, include participation in the consortium of entities located in areas designated as nonattainment areas under the Clean Air Act;
  - (5) be designed to use State and Federal funding to attract private capital in the form of grants or investments to further the purposes stated in paragraph (1); and
  - (6) ensure that at least 50 percent of the costs of the consortium, subject to the requirements of subsection (a)(3), be provided by non-Federal sources.
- (c) SERVICES.—Services to be performed by an eligible consortium using amounts from grants made available under this part shall include—

(1) obtaining funding for the acquisition of plant sites, conversion of plant facilities, and acquisition of equipment for the development or manufacture of advanced transportation systems or electric vehicles, or other related systems or equipment, especially for environmentally benign and cost-effective manufacturing processes;

(2) obtaining low-cost, long-term loans or investments for the purposes described in paragraph (1);

(3) recruiting and training individuals for electric vehicle- and transit-related technical design, manufacture, conversion, and maintenance;

(4) conducting marketing surveys for services provided by the consortium;

(5) creating electronic access to an inventory of industry suppliers and serving as a clearinghouse for such information;

(6) consulting with respect to applicable or proposed Federal motor vehicle safety standards;

(7) creating access to computer architecture needed to simulate crash testing and to design internal subsystems and related infrastructure for electric vehicles and advanced transportation systems to meet applicable standards; and

(8) creating access to computer protocols that are compatible with larger manufacturers' systems to enable small- and medium-sized suppliers to compete for contracts for advanced transportation systems and electric vehicles and other related systems and equipment.

**SEC. 6072. DEFINITIONS.**

For purposes of this part, the following definitions apply:

(1) **ADVANCED TRANSPORTATION SYSTEM.**—The term “advanced transportation system” means a system of mass transportation, such as an electric trolley bus or alternative fuels bus, which employs advanced technology in order to function cleanly and efficiently;

(2) **ELECTRIC VEHICLE.**—The term “electric vehicle” means a passenger vehicle, such as a van, primarily powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current, and that may include a nonelectrical source of supplemental power; and

(3) **ELIGIBLE CONSORTIUM.**—The term “eligible consortium” means a consortium of—

(A) businesses incorporated in the United States;

(B) public or private educational or research organizations located in the United States;

(C) entities of State or local governments in the United States; or

(D) Federal laboratories.

**SEC. 6073. FUNDING.**

Funds shall be made available to carry out this part as provided in section 21(b)(3)(E) of the Federal Transit Act.