

Suspend the Rules and Pass the Bill, H.R. 3960, With Amendments

(The amendments consist of a new text and a new title)

111TH CONGRESS
1ST SESSION

H. R. 3960

To provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, as well as all related agencies and departments thereof, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2009

Mr. McMAHON introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To provide authority and sanction for the granting and issuance of programs for residential and commuter toll, user fee and fare discounts by States, municipalities, other localities, as well as all related agencies and departments thereof, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Residential and Com-
5 muter Toll Fairness Act of 2010”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Residents of, and regular commuters to,
4 certain localities in the United States are subject to
5 a transportation toll when using a transportation fa-
6 cility to access or depart the locality.

7 (2) Revenue generated from these tolls is some-
8 times used to support infrastructure maintenance
9 and capital improvement projects that benefit not
10 only the users of these transportation facilities, but
11 the regional and national economy as well.

12 (3) Certain localities in the United States are
13 situated on islands, peninsulas, or other areas in
14 which transportation access is substantially con-
15 strained by geography, sometimes leaving residents
16 of, or regular commuters to, these localities with no
17 reasonable means of accessing or departing their
18 neighborhood or place of employment without paying
19 a transportation toll.

20 (4) Residents of, or regular commuters to, these
21 localities often pay far more for transportation ac-
22 cess than residents of, and commuters to, other
23 areas for similar transportation options, and these
24 increased transportation costs can impose a signifi-
25 cant and unfair burden on these residents and com-
26 muters.

1 (5) To address this inequality, and to reduce
2 the financial hardship often imposed on captive
3 tollpayers, several public authorities have developed
4 and implemented programs to provide discounts in
5 transportation tolls.

6 **SEC. 3. PURPOSE.**

7 The purpose of this Act is to clarify the existing au-
8 thority of, and as necessary provide express authorization
9 for, public authorities to offer discounts in transportation
10 tolls to captive tollpayers.

11 **SEC. 4. TRANSPORTATION TOLLS.**

12 (a) **AUTHORITY TO PROVIDE DISCOUNTS.**—A public
13 authority is authorized to carry out a program that offers
14 discounts in transportation tolls to captive tollpayers.

15 (b) **LIMITATIONS ON STATUTORY CONSTRUCTION.**—
16 Nothing in this Act may be construed to—

17 (1) limit any other authority of a public author-
18 ity, including the authority to offer discounts in
19 transportation tolls to other tollpayers; or

20 (2) affect, alter, or limit the applicability of a
21 State or local law with respect to the authority of a
22 public authority to impose toll discounts.

23 **SEC. 5. DEFINITIONS.**

24 In this Act, the following definitions apply:

1 (1) CAPTIVE TOLLPAYER.—The term “captive
2 tollpayer” means an individual who—

3 (A) is a resident of, or regular commuter
4 to, a locality in the United States that is situ-
5 ated on an island, peninsula, or other area
6 where transportation access is substantially
7 constrained by geography; and

8 (B) is subject to a transportation toll when
9 using a transportation facility to access or de-
10 part the locality.

11 (2) PUBLIC AUTHORITY.—The term “public au-
12 thority” has the meaning given that term by section
13 101 of title 23, United States Code.

14 (3) TRANSPORTATION FACILITY.—The term
15 “transportation facility” includes a road, highway,
16 bridge, rail, bus, or ferry facility.

17 (4) TRANSPORTATION TOLL.—The term “trans-
18 portation toll” means a toll or fare required for use
19 of a transportation facility.

Amend the title so as to read: “A bill to clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, and for other purposes.”.