

**SUMMARY OF
H.R. 3617, THE SURFACE TRANSPORTATION EXTENSION ACT OF 2009
SEPTEMBER 23, 2009**

Background

The current long-term authorization of Federal highway, highway safety, motor carrier safety, and public transportation programs, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (SAFETEA-LU), expires on September 30, 2009.

The Committee on Transportation and Infrastructure has developed comprehensive surface transportation authorization legislation, H.R. _____, the “Surface Transportation Authorization Act of 2009”, to authorize these programs for Fiscal Years (FY) 2010 through 2015. This legislation will transform current surface transportation programs to develop the 21st Century transportation network the nation needs and deserves.

On June 24, 2009, the Subcommittee on Highways and Transit reported a Committee Print of this legislation to the full Committee on Transportation and Infrastructure. While the House has worked to develop long-term legislation, the four Senate committees with jurisdiction over these programs have reported extensions providing for an 18-month delay in consideration of a long-term surface transportation authorization. Given that Congress will not be able to complete consideration of the Surface Transportation Authorization Act of 2009 prior to September 30, 2009, a short-term extension of surface transportation programs will be necessary to ensure Federal funds continue to flow to the states while work on a long term authorization bill is completed.

H.R. 3617

H.R. 3617, the “Surface Transportation Extension Act of 2009”, provides an extension of surface transportation programs authorized under SAFETEA-LU through December 31, 2009. In general, this legislation extends all of the programs and provisions of SAFETEA-LU including any amendment made by SAFETEA-LU to other acts, which would otherwise expire on or cease to apply after September 30, 2009.

Funding levels are also extended at the current SAFETEA-LU levels. The funding made available under H.R. 3617 would pro-rate FY 2009 funding levels, as authorized in SAFETEA-LU, for the first three months of FY 2010. H.R. 3617 provides a total of \$13.638 billion for highway, highway safety, motor carrier safety, and public transportation programs. This includes: \$10.736 billion for highway category programs; \$2.585 billion for public transportation category programs; \$182 million for highway safety programs; and \$135 million for motor carrier safety programs. This extension of funds will allow States and local governments to carry out important capital and operating programs, projects, and activities, pending enactment of a multi-year law authorizing surface transportation programs.

H.R. 3617 does not include congressional earmarks. It does not continue the highway program earmarks contained in SAFETEA-LU. Instead, H.R. 3617 provides each State with an additional amount of formula funding for the core highway programs that is equivalent, when

annualized, to the amount that the State received in FY 2009 to carry out the High Priority Projects program, Transportation Improvements, and Highway Bridge Program set-asides. H.R. 3617 also does not continue the transit and research program earmarks contained in SAFETEA-LU.

H.R. 3617 continues the Projects of National and Regional Significance, the National Corridor Infrastructure Improvement, and the Magnetic Levitation programs. Funds made available by H.R. 3617 for these programs will be available to the Secretary of Transportation to provide grants to qualified projects using criteria established in SAFETEA-LU for these programs.

H.R. 3617 also extends the authority and funding for the Pipeline and Hazardous Material Safety Administration to continue carrying out hazardous material research projects authorized under Section 7131 of SAFETEA-LU.

Finally, H.R. 3617 extends boating safety activities authorized under the Dingell-Johnson Sport Fish Restoration Act, and authorizes expenditure of funds from the Sport Fish Restoration and the Boating Trust Fund.