

TO DIRECT THE SECRETARY OF TRANSPORTATION TO UPDATE A RESEARCH REPORT AND ISSUE GUIDANCE TO THE STATES WITH RESPECT TO REDUCING LIGHTING ON THE FEDERAL-AID SYSTEM DURING PERIODS OF LOW TRAFFIC DENSITY, AND FOR OTHER PURPOSES

SEPTEMBER 22, 2010.—Ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 1997]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1997) to direct the Secretary of Transportation to update a research report and issue guidance to the States with respect to reducing lighting on the Federal-aid system during periods of low traffic density, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 1997 directs the Secretary of Transportation, within 120 days of the date of enactment, to update a research report and issue guidance to States with respect to reducing lighting on the Federal-aid system during periods of low traffic density.

BACKGROUND AND NEED FOR LEGISLATION

Highway lighting is designed to provide and improve roadway visibility and safety, enabling motorists to see roadway details, alignment, and any obstacles. Properly placed lighting is designed to illuminate areas of potential vehicle conflict, such as exit and entrance ramps.

While proper freeway lighting provides significant roadway safety benefits, reducing lighting during periods—under appropriate circumstances—can lead to energy and cost savings. Both the Federal Highway Administration (FHWA) and the American Association of State Highway and Transportation Officials (AASHTO) have provided guidance and information to roadway owners regarding

the appropriate lighting to ensure safety, as well as techniques to provide energy and cost savings during periods of low traffic volumes. The most recent FHWA research report on this topic, which was entitled “Reduced Lighting on Freeways During Periods of Low Traffic Density”, was released in August 1985.

SUMMARY OF THE LEGISLATION

Section 1. Research and guidance with respect to reducing lighting on the Federal-aid system during periods of low traffic density

Section 1 directs the Secretary of Transportation, acting through the Administrator of the FHWA and in cooperation with AASHTO officials, to update the research report of the FHWA entitled “Reduced Lighting on Freeways During Periods of Low Traffic Density”, within 120 days of the date of enactment of this Act.

Subsection (a)(2) directs the Secretary, in updating the report, to address the specific issues of: optimal times and conditions for reduced lighting; appropriate lighting levels for various roads and road features; appropriate manner in which to carry out reducing lighting; energy savings and reduction in greenhouse gases that may result from reducing lighting; and any legal issues relating to reducing lighting.

Subsection (b) directs the Secretary to issue guidance to States, within 180 days of the date of the enactment of this Act, with respect to reducing lighting on the Federal-aid system during periods of low traffic density based on the updated research report.

Subsection (c) provides definitions.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On January 27, 2009, the Subcommittee on Highways and Transit held a hearing on “Energy Reduction and Environmental Sustainability in Surface Transportation”.

On April 21, 2009, Representative Jim Gerlach introduced H.R. 1997. This bill has not been introduced in a previous Congress. On July 29, 2010, the Committee on Transportation and Infrastructure met in open session to consider H.R. 1997. The Committee ordered the bill reported favorably to the House by voice vote with a quorum present.

RECORD VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with consideration of H.R. 1997 or ordering the bill reported. A motion to order H.R. 1997 reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and section 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to update a 1985 FHWA research report on “Reduced Lighting on Freeways During Periods of Low Traffic Density” and to issue guidance to States based on the findings of the updated research report.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1997 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 4, 2010.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1997, a bill to direct the Secretary of Transportation to update a research report and issue guidance to the states with respect to reducing lighting on the federal-aid system during periods of low traffic density, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sarah Puro.

Sincerely,

ROBERT A. SUNSHINE
(For Douglas W. Elmendorf, Director).

Enclosure.

H.R. 1997—A bill to direct the Secretary of Transportation to update a research report and issue guidance to the states with respect to reducing lighting on the federal-aid system during periods of low traffic density, and for other purposes

H.R. 1997 would require the Federal Highway Administration (FHWA), in conjunction with industry representatives, to update a research report regarding the reduction of lighting on the federal-aid highway system during periods of low traffic. The updated report would have to include new information about improvements in

lighting technology since the report was originally issued in 1985. FHWA also would be required to develop guidance for states based on the updated information.

Based on the cost of similar efforts and on information from the agency and industry sources, CBO estimates that implementing H.R. 1997 would have no significant impact on the federal budget. Enacting H.R. 1997 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

H.R. 1997 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Sarah Puro. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. H.R. 1997 does not contain any earmarks, limited tax benefits, or limited tariff benefits under clause 9(e), 9(f), or 9(g) of rule XXI.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (P.L. 104-4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 1997 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or

accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 1997 makes no changes in existing law.

