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AN ACT

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

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

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

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

4 (b) **SECRETARY DEFINED.**—In this Act, the term
 5 “Secretary” means the Secretary of Transportation.

6 (c) **TABLE OF CONTENTS.**—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title, table of contents.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization of Programs

- Sec. 1101. Authorizations of appropriations.
- Sec. 1102. Obligation ceiling.
- Sec. 1103. Apportionments.
- Sec. 1104. Minimum guarantee.
- Sec. 1105. Project approval and oversight.
- Sec. 1106. Use of excess funds.
- Sec. 1107. Temporary traffic control devices.
- Sec. 1108. Revenue aligned budget authority.
- Sec. 1109. Pay to play reform.
- Sec. 1110. Emergency relief.
- Sec. 1111. Surface transportation program.
- Sec. 1112. Highway use tax evasion projects.
- Sec. 1113. Appalachian development highway system.
- Sec. 1114. Construction of ferry boats and ferry terminal facilities.
- Sec. 1115. Interstate maintenance discretionary.
- Sec. 1116. Highway bridge.
- Sec. 1117. Transportation and community and system preservation program.
- Sec. 1118. Deployment of magnetic levitation transportation projects.
- Sec. 1119. Recreational trails.
- Sec. 1120. Federal lands highways.
- Sec. 1121. Conservation measures.
- Sec. 1122. Pedestrian and cyclist equity.
- Sec. 1123. National commissions.
- Sec. 1124. Adjustments for the Surface Transportation Extension Act of 2004,
 Part V.
- Sec. 1125. Roadway safety.
- Sec. 1126. Equity requirement.

Subtitle B—Congestion Relief

- Sec. 1201. Motor vehicle congestion relief.
- Sec. 1202. Transportation systems management and operations.
- Sec. 1203. Real-time system management information program.
- Sec. 1204. Expedited national intelligent transportation systems deployment
 program.

- Sec. 1205. Intelligent transportation systems deployment.
- Sec. 1206. Environmental review of activities that support deployment of intelligent transportation systems.
- Sec. 1207. State assumption of responsibilities for certain programs and projects.
- Sec. 1208. HOV facilities.
- Sec. 1209. Congestion pricing pilot program.
- Sec. 1210. Congestion mitigation and air quality improvement program eligibility.
- Sec. 1211. Special rules for State assumption of responsibilities.
- Sec. 1212. Opening of Interstate ramps.

Subtitle C—Mobility and Efficiency

- Sec. 1301. National corridor infrastructure improvement program.
- Sec. 1302. Coordinated border infrastructure program.
- Sec. 1303. Freight intermodal connectors.
- Sec. 1304. Projects of national and regional significance.
- Sec. 1305. Dedicated truck lanes.
- Sec. 1306. Truck parking facilities.
- Sec. 1307. Freight intermodal distribution pilot grant program.

Subtitle D—Highway Safety

- Sec. 1401. Highway safety improvement program.
- Sec. 1402. Worker injury prevention and free flow of vehicular traffic.
- Sec. 1403. High risk rural road safety improvement program.
- Sec. 1404. Transfers of apportionments to safety programs.
- Sec. 1405. Safety incentive grants for use of seat belts.
- Sec. 1406. Safety incentives to prevent operation of motor vehicles by intoxicated persons.
- Sec. 1407. Repeat offenders for driving while intoxicated.
- Sec. 1408. Repair or replacement of highway features on National Highway System.
- Sec. 1409. Rented or leased motor vehicles.

Subtitle E—Construction and Contract Efficiencies

- Sec. 1501. Design—build.
- Sec. 1502. Warranty highway construction project pilot program.
- Sec. 1503. Private investment study.
- Sec. 1504. Highways for LIFE pilot program.

Subtitle F—Finance

- Sec. 1601. Transportation Infrastructure Finance and Innovation Act.
- Sec. 1602. State infrastructure banks.
- Sec. 1603. Interstate System reconstruction and rehabilitation toll pilot program.
- Sec. 1604. Interstate System construction toll pilot program.
- Sec. 1605. Special rules relating to State infrastructure bank program.

Subtitle G—High Priority Projects

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

Subtitle H—Miscellaneous Provisions

- Sec. 1801. Budget justification.
- Sec. 1802. Motorist information.
- Sec. 1803. Motorist information concerning full-service restaurants.
- Sec. 1804. High priority corridors on the National Highway System.
- Sec. 1805. Additions to Appalachian region.
- Sec. 1806. Transportation assets and needs of Delta region.
- Sec. 1807. Toll facilities workplace safety study.
- Sec. 1808. Pavement marking systems demonstration projects.
- Sec. 1809. Work zone safety grants.
- Sec. 1810. Grant program to prohibit racial profiling.
- Sec. 1811. America's Byways Resource Center.
- Sec. 1812. Technical adjustment.
- Sec. 1813. Road user charge evaluation pilot project.
- Sec. 1814. Thomas P. "Tip" O'Neill, Jr. Tunnel.
- Sec. 1815. Conforming amendment for transportation planning sections.
- Sec. 1816. Distribution of metropolitan planning funds within States.
- Sec. 1817. Treatment of off ramp.
- Sec. 1818. Loan forgiveness.
- Sec. 1819. Lead agency designation.
- Sec. 1820. Use of debris from demolished bridges and overpasses.
- Sec. 1821. Hubzone program.
- Sec. 1822. Technical amendments to TEA 21 projects.
- Sec. 1823. National Work Zone Safety Information Clearinghouse.
- Sec. 1824. Transportation conformity.
- Sec. 1825. Eligibility to participate in western Alaska community development quota program.
- Sec. 1826. Metropolitan regional freight and passenger transportation study.
- Sec. 1827. Intermodal transportation facility expansion.
- Sec. 1828. Advanced truck stop electrification system.
- Sec. 1829. Technology.
- Sec. 1830. Extension of public transit vehicle exemption from axle weight restrictions.
- Sec. 1831. Motorecyclist Advisory Council.
- Sec. 1832. Sharing of monetary recoveries.
- Sec. 1833. Eligibility under CMAQ.
- Sec. 1834. Sense of Congress regarding Buy America.
- Sec. 1835. Community enhancement study.
- Sec. 1836. Transportation and local workforce investment.
- Sec. 1837. Special rule for fiscal year 2004.
- Sec. 1837. Special rule for fiscal year 2004.
- Sec. 1838. Amo Houghton bypass.
- Sec. 1839. Inclusion of certain route segments on the Interstate System.
- Sec. 1840. Rescission of unobligated balances.
- Sec. 1841. Transportation development credits.

TITLE II—HIGHWAY SAFETY

- Sec. 2001. Authorization of appropriations.
- Sec. 2002. Occupant protection incentive grants.
- Sec. 2003. Alcohol-impaired driving countermeasures.
- Sec. 2004. State traffic safety information system improvements.
- Sec. 2005. High visibility enforcement program.
- Sec. 2006. Motoreycle crash causation study.
- Sec. 2007. Child safety and child booster seat incentive grants.
- Sec. 2008. Motorecyclist safety.

- Sec. 2009. Driver fatigue.
- Sec. 2010. Authorization of appropriations for highway safety research and development.
- Sec. 2011. Safety data.
- Sec. 2012. Driver performance study.
- Sec. 2013. Drug impaired driving enforcement.
- Sec. 2014. Transportation of schoolchildren.
- Sec. 2015. Rural State emergency medical services optimization pilot program.
- Sec. 2016. State apportionments.
- Sec. 2017. Safe intersections.

TITLE III—FEDERAL TRANSIT ADMINISTRATION PROGRAMS

- Sec. 3001. Short title; amendments to title 49, United States Code.
- Sec. 3002. Policies, findings, and purposes.
- Sec. 3003. Definitions.
- Sec. 3004. Metropolitan planning.
- Sec. 3005. Statewide planning.
- Sec. 3006. Planning programs.
- Sec. 3007. Private enterprise participation.
- Sec. 3008. Urbanized area formula grants.
- Sec. 3009. Clean fuels formula grant program.
- Sec. 3010. Capital investment grants.
- Sec. 3011. Formula grants for special needs of elderly individuals and individuals with disabilities.
- Sec. 3012. Formula grants for other than urbanized areas.
- Sec. 3013. Research, development, demonstration, and deployment projects.
- Sec. 3014. Cooperative research program.
- Sec. 3015. National research and technology programs.
- Sec. 3016. National Transit Institute.
- Sec. 3017. Job access and reverse commute formula grants.
- Sec. 3018. New Freedom program.
- Sec. 3019. Bus testing facility.
- Sec. 3020. Bicycle facilities.
- Sec. 3021. Transit in the parks pilot program.
- Sec. 3022. Human resource programs.
- Sec. 3023. General provisions on assistance.
- Sec. 3024. Special provisions for capital projects.
- Sec. 3025. Contract requirements.
- Sec. 3026. Project management oversight and review.
- Sec. 3027. Investigations of safety and hazards.
- Sec. 3028. State safety oversight.
- Sec. 3029. Controlled substances and alcohol misuse testing.
- Sec. 3030. Employee protective arrangements.
- Sec. 3031. Administrative procedures.
- Sec. 3032. National transit database.
- Sec. 3033. Apportionments based on fixed guideway factors.
- Sec. 3034. Authorizations.
- Sec. 3035. Over-the-road bus accessibility program.
- Sec. 3036. Updated terminology.
- Sec. 3037. Project authorizations for new fixed guideway capital projects.
- Sec. 3038. Projects for bus and bus-related facilities.
- Sec. 3039. National fuel cell bus technology development program.
- Sec. 3040. High-intensity small-urbanized area formula grant program.
- Sec. 3041. Allocations for national research and technology programs.

- Sec. 3042. Relationship to other laws.
- Sec. 3043. Forgiveness of grant agreement.
- Sec. 3044. Cooperative procurement.
- Sec. 3045. Obligation ceiling.
- Sec. 3046. Adjustments for the Surface Transportation Extension Act of 2004,
Part V.
- Sec. 3047. Special rule for fiscal year 2004.

TITLE IV—MOTOR CARRIER TRANSPORTATION AND SAFETY

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- Sec. 4101. Authorization of appropriations.
- Sec. 4102. Motor carrier safety grants.
- Sec. 4103. Border enforcement grants.
- Sec. 4104. Commercial driver's license improvements.
- Sec. 4105. Hobbs Act.
- Sec. 4106. Penalty for denial of access to records.
- Sec. 4107. Medical Review Board.
- Sec. 4108. Increased penalties for out-of-service violations and false records.
- Sec. 4109. Commercial vehicle information systems and networks deployment.
- Sec. 4110. Safety fitness.
- Sec. 4111. Pattern of safety violations by motor carrier management.
- Sec. 4112. Motor carrier research and technology program.
- Sec. 4113. International cooperation.
- Sec. 4114. Performance and registration information System management.
- Sec. 4115. Data quality improvement.
- Sec. 4116. Driveaway saddlemount vehicles.
- Sec. 4117. Completion of uniform carrier registration.
- Sec. 4118. Registration of motor carriers and freight forwarders.
- Sec. 4119. Deposit of certain civil penalties into Highway Trust Fund.
- Sec. 4120. Outreach and education.
- Sec. 4121. Insulin treated diabetes mellitus.
- Sec. 4122. Grant program for commercial motor vehicle operators.
- Sec. 4123. Commercial motor vehicle safety advisory committee.
- Sec. 4124. Safety data improvement program.
- Sec. 4125. Commercial driver's license information System modernization.
- Sec. 4126. Maximum hours of service for operators of ground water well drill-
ing rigs.
- Sec. 4127. Safety performance history screening.
- Sec. 4128. Intermodal chassis roadability rule-making.
- Sec. 4129. Substance abuse professionals.
- Sec. 4130. Interstate van operations.
- Sec. 4131. Hours of service for operators of utility service vehicles.
- Sec. 4132. Technical corrections.
- Sec. 4133. Intrastate and foreign operations of interstate motor carriers.
- Sec. 4134. Operators of vehicles transporting agricultural commodities and
farm supplies.
- Sec. 4135. Hours of service rules for operators providing transportation to
movie production sites.
- Sec. 4136. State laws relating to vehicle towing.
- Sec. 4137. Special rule for fiscal year 2004.
- Sec. 4138. Nebraska custom harvesters length exemption.
- Sec. 4139. Truckload fuel surcharge.

Subtitle B—Household Goods Transportation

- Sec. 4201. Federal-State relations relating to transportation of household goods.
- Sec. 4202. Arbitration requirements.
- Sec. 4203. Civil Penalties relating to household goods brokers and unauthorized transportation.
- Sec. 4204. Civil penalty for holding household goods hostage.
- Sec. 4205. Working group for development of practices and procedures to enhance Federal-State relations.
- Sec. 4206. Consumer handbook on DOT web site.
- Sec. 4207. Release of household goods broker information.
- Sec. 4208. Consumer complaint information.
- Sec. 4209. Insurance regulations.
- Sec. 4210. Estimating requirements.
- Sec. 4211. Application of State consumer protection laws to certain household goods carriers.
- Sec. 4212. Applicability to household goods motor carriers.
- Sec. 4213. Violations of Out-of-Service Orders.
- Sec. 4214. Criminal penalty for holding goods hostage.

TITLE V—TRANSPORTATION RESEARCH AND EDUCATION

Subtitle A—Funding

- Sec. 5101. Authorization of appropriations.
- Sec. 5102. Obligation ceiling.
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Subtitle B—Research, Technology, and Education

- Sec. 5201. Research, technology, and education.
- Sec. 5202. Long-term bridge performance program; innovative bridge research and deployment program.
- Sec. 5203. Surface transportation environment and planning cooperative research program.
- Sec. 5204. Technology deployment.
- Sec. 5205. Training and education.
- Sec. 5206. Freight planning capacity building.
- Sec. 5207. Advanced travel forecasting procedures program.
- Sec. 5208. National cooperative freight transportation research program.
- Sec. 5209. Future strategic highway research program.
- Sec. 5210. Transportation safety information management system project.
- Sec. 5211. Surface transportation congestion relief solutions research initiative.
- Sec. 5212. Motor carrier efficiency study.
- Sec. 5213. Transportation research and development strategic planning.
- Sec. 5214. Limitation on remedies for future strategic highway research program.
- Sec. 5215. Center for Transportation Advancement and Regional Development.
- Sec. 5216. Hazardous materials research projects.

Subtitle C—University Transportation Research; Scholarship Opportunities

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

Subtitle D—Advanced Technologies

- Sec. 5401. Advanced heavy-duty vehicle technologies research program.
- Sec. 5402. Commercial remote sensing products and spatial information technologies.
- Sec. 5403. Transportation technology innovation and demonstration program.

Subtitle E—Transportation Data and Analysis

- Sec. 5501. Bureau of Transportation Statistics.
- Sec. 5502. Reports of Bureau of Transportation Statistics.

Subtitle F—Intelligent Transportation Systems Research

- Sec. 5601. Short title.
- Sec. 5602. Goals and purposes.
- Sec. 5603. General authorities and requirements.
- Sec. 5604. National architecture and Standards.
- Sec. 5605. Research and development.
- Sec. 5606. Infrastructure development.
- Sec. 5607. Road weather research and development program.
- Sec. 5608. Definitions.
- Sec. 5609. Rural interstate corridor communications study.
- Sec. 5610. Centers for surface transportation excellence.
- Sec. 5611. Repeal.
- Sec. 5612. Special rule for fiscal year 2004.

TITLE VI—TRANSPORTATION PLANNING AND PROJECT DELIVERY

- Sec. 6001. Transportation planning.
- Sec. 6002. Efficient environmental reviews for project decisionmaking.
- Sec. 6003. Policy on historic sites.
- Sec. 6004. Exemption of Interstate System.
- Sec. 6005. Interstate compacts.
- Sec. 6006. Development of transportation plan.
- Sec. 6007. Interstate agreements.
- Sec. 6008. Regulations relating to transportation planning.
- Sec. 6009. Special rules relating to project development procedures.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

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

- Sec. 7018. Enforcement.
- Sec. 7019. Civil penalty.
- Sec. 7020. Criminal penalty.
- Sec. 7021. Preemption.
- Sec. 7022. Relationship to other laws.
- Sec. 7023. Judicial review.
- Sec. 7024. Authorization of appropriations.
- Sec. 7025. Determining amount of undeclared shipments of hazardous materials entering the United States.
- Sec. 7026. Conforming amendments.
- Sec. 7027. National first responder transportation incident response system.
- Sec. 7028. Common carrier pipeline system.

TITLE VIII—TRANSPORTATION DISCRETIONARY SPENDING
GUARANTEE

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

TITLE IX—RAIL PROVISIONS

- Sec. 9001. High-speed rail corridor development.

TITLE X—TAX PROVISIONS

- Sec. 10001. Short title.
- Sec. 10002. Extension of highway-related taxes and trust funds.
- Sec. 10003. Technical corrections regarding highway-related taxes.

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

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

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

9 (1) INTERSTATE MAINTENANCE PROGRAM.—

10 For the Interstate maintenance program under sec-
11 tion 119 of title 23, United States Code,

1 \$4,323,076,000 for fiscal year 2004,
2 \$4,486,153,000 for fiscal year 2005,
3 \$4,601,932,000 for fiscal year, 2006,
4 \$4,715,480,000 for fiscal year 2007,
5 \$4,831,867,000 for fiscal year 2008, and
6 \$4,951,164,000 for fiscal year 2009.

7 (2) NATIONAL HIGHWAY SYSTEM.—For the Na-
8 tional Highway System under section 103 of that
9 title, \$5,187,691,000 for fiscal year 2004,
10 \$5,557,383,000 for fiscal year 2005,
11 \$5,705,318,000 for fiscal year 2006,
12 \$5,831,576,000 for fiscal year 2007,
13 \$5,971,240,000 for fiscal year 2008, and
14 \$6,111,396,000 for fiscal year 2009.

15 (3) BRIDGE PROGRAM.—For the bridge pro-
16 gram under section 144 of that title,
17 \$3,709,440,000 for fiscal year 2004,
18 \$3,942,176,000 for fiscal year 2005,
19 \$4,037,231,000 for fiscal year 2006,
20 \$4,134,661,000 for fiscal year 2007,
21 \$4,234,528,000 for fiscal year 2008, and
22 \$4,336,891,000 for fiscal year 2009.

23 (4) HIGHWAY SAFETY IMPROVEMENT PRO-
24 GRAM.—For the highway safety improvement pro-
25 gram under sections 130 and 152 of that title,

1 \$630,000,000 for fiscal year 2005, \$645,000,000 for
2 fiscal year 2006, \$660,000,000 for fiscal year 2007,
3 \$680,000,000 for fiscal year 2008, and
4 \$695,000,000 for fiscal year 2009. Of such funds $\frac{1}{3}$
5 per fiscal year shall be available to carry out section
6 130 and $\frac{2}{3}$ shall be available to carry out section
7 152.

8 (5) SURFACE TRANSPORTATION PROGRAM.—
9 For the surface transportation program under sec-
10 tion 133 of that title, \$6,052,306,000 for fiscal year
11 2004, \$6,950,614,000 for fiscal year 2005,
12 \$6,788,704,000 for fiscal year 2006,
13 \$6,947,672,000 for fiscal year 2007,
14 \$7,110,614,000 for fiscal year 2008, and
15 \$7,282,629,000 for fiscal year 2009.

16 (6) CONGESTION MITIGATION AND AIR QUALITY
17 IMPROVEMENT PROGRAM.—For the congestion miti-
18 gation and air quality improvement program under
19 section 149 of that title, \$1,469,846,000 for fiscal
20 year 2004, \$1,521,592,000 for fiscal year 2005,
21 \$1,559,257,000 for fiscal year 2006,
22 \$1,597,863,000 for fiscal year 2007,
23 \$1,637,435,000 for fiscal year 2008, and
24 \$1,677,996,000 for fiscal year 2009.

1 (7) APPALACHIAN DEVELOPMENT HIGHWAY
2 SYSTEM PROGRAM.—For the Appalachian develop-
3 ment highway system program under section 14501
4 of title 40, United States Code, \$460,000,000 for
5 fiscal year 2004 and \$470,000,000 for each of fiscal
6 years 2005 through 2009.

7 (8) RECREATIONAL TRAILS PROGRAM.—For the
8 recreational trails program under section 206 of title
9 23, United States Code, \$53,000,000 for fiscal year
10 2004, \$70,000,000 for fiscal year 2005,
11 \$80,000,000 for fiscal year 2006, \$90,000,000 for
12 fiscal year 2007, \$100,000,000 for fiscal year 2008,
13 and \$110,000,000 for fiscal year 2009.

14 (9) FEDERAL LANDS HIGHWAYS PROGRAM.—

15 (A) INDIAN RESERVATION ROADS.—For
16 Indian reservation roads under section 204 of
17 title 23, United States Code, \$325,000,000 for
18 fiscal year 2004, \$365,000,000 for fiscal year
19 2005, \$390,000,000 for fiscal year 2006,
20 \$395,000,000 for fiscal year 2007,
21 \$420,000,000 for fiscal year 2008, and
22 \$420,000,000 for fiscal year 2009.

23 (B) PARK ROADS AND PARKWAYS.—For
24 park roads and parkways roads under section
25 204 of that title, \$170,000,000 for fiscal year

1 2004, \$185,000,000 for fiscal year 2005,
2 \$200,000,000 for fiscal year 2006,
3 \$215,000,000 for fiscal year 2007,
4 \$225,000,000 for fiscal year 2008, and
5 \$225,000,000 for fiscal year 2009.

6 (C) PUBLIC LANDS HIGHWAY.—For public
7 lands highway under section 204 of that title,
8 \$250,000,000 for fiscal year 2004,
9 \$260,000,000 for fiscal year 2005,
10 \$280,000,000 for fiscal year 2006,
11 \$280,000,000 for fiscal year 2007,
12 \$290,000,000 for fiscal year 2008, and
13 \$300,000,000 for fiscal year 2009.

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

17 (10) NATIONAL CORRIDOR INFRASTRUCTURE
18 IMPROVEMENT PROGRAM.—For the national corridor
19 infrastructure improvement program under section
20 1301 of this title, \$600,000,000 for fiscal year 2005,
21 \$600,000,000 for fiscal year 2006, \$600,000,000 for
22 fiscal year 2007, \$600,000,000 for fiscal year 2008,
23 and \$600,000,000 for fiscal year 2009.

24 (11) COORDINATED BORDER INFRASTRUCTURE
25 PROGRAM.—For the coordinated border infrastruc-

1 ture program under section 1302 of this title,
2 \$200,000,000 for fiscal year 2005, \$200,000,000 for
3 fiscal year 2006, \$200,000,000 for fiscal year 2007,
4 \$200,000,000 for fiscal year 2008, and
5 \$225,000,000 for fiscal year 2009.

6 (12) PROJECTS OF NATIONAL AND REGIONAL
7 SIGNIFICANCE PROGRAM.—For the projects of na-
8 tional and regional significance program under sec-
9 tion 1304 of this title, \$1,100,000,000 for fiscal
10 year 2005, \$1,100,000,000 for fiscal year 2006,
11 \$1,200,000,000 for fiscal year 2007,
12 \$1,300,000,000 for fiscal year 2008, and
13 \$1,300,000,000 for fiscal year 2009.

14 (13) NATIONAL SCENIC BYWAYS PROGRAM.—
15 For the national scenic byways program under sec-
16 tion 162 of title 23, United States Code,
17 \$30,000,000 for fiscal year 2004, \$40,000,000 for
18 fiscal year 2005, \$45,000,000 for fiscal year 2006,
19 \$55,000,000 for fiscal year 2007, \$55,000,000 for
20 fiscal year 2008, and \$60,000,000 for fiscal year
21 2009.

22 (14) DEPLOYMENT OF 511 TRAVELER INFORMA-
23 TION PROGRAM.—For the 511 traveler information
24 program under section 1204(c)(7) of this title,

1 \$6,000,000 for each of fiscal years 2005 through
2 2009.

3 (15) HIGH PRIORITY PROJECTS PROGRAM.—
4 For the high priority projects program under section
5 117 of title 23, United States Code, \$2,496,450,000
6 for fiscal year 2005, \$2,244,550,000 for fiscal year
7 2006, \$2,143,250,000 for fiscal year 2007,
8 \$2,192,450,000 for fiscal year 2008, and
9 \$2,050,450,000 for fiscal year 2009.

10 (16) FREIGHT INTERMODAL CONNECTOR PRO-
11 GRAM.—For the freight intermodal connector pro-
12 gram under section 1303 of this title, \$421,000,000
13 for fiscal year 2005, \$421,000,000 for fiscal year
14 2006, \$421,000,000 for fiscal year 2007,
15 \$421,000,000 for fiscal year 2008, and
16 \$426,000,000 for fiscal year 2009.

17 (17) HIGH RISK RURAL ROAD SAFETY IM-
18 PROVEMENT PROGRAM.—For the high risk rural
19 road safety improvement program under section
20 1403 of this title, \$105,000,000 for fiscal year 2005,
21 \$110,000,000 for fiscal year 2006, \$120,000,000 for
22 fiscal year 2007, \$125,000,000 for fiscal year 2008,
23 and \$130,000,000 for fiscal year 2009.

24 (18) PEDESTRIAN AND CYCLIST EQUITY—SAFE
25 ROUTES TO SCHOOL PROGRAM.—For the safe routes

1 to school program under section 1122(a) of this
2 title, \$175,000,000 for fiscal year 2005,
3 \$200,000,000 for fiscal year 2006, \$200,000,000 for
4 fiscal year 2007, \$200,000,000 for fiscal year 2008,
5 and \$225,000,000 for fiscal year 2009.

6 (b) DISADVANTAGED BUSINESS ENTERPRISES.—

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

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

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

1 \$17,420,000, as adjusted by the Secretary for
2 inflation.

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

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

23 (4) UNIFORM CERTIFICATION.—The Secretary
24 shall establish minimum uniform criteria for State
25 governments to use in certifying whether a concern

1 qualifies for purposes of this subsection. Such min-
2 imum uniform criteria shall include, but not be lim-
3 ited to, on-site visits, personal interviews, licenses,
4 analysis of stock ownership, listing of equipment,
5 analysis of bonding capacity, listing of work com-
6 pleted, resume of principal owners, financial capac-
7 ity, and type of work preferred.

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

18 **SEC. 1102. OBLIGATION CEILING.**

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

23 (1) \$33,643,000,000 for fiscal year 2004;

24 (2) \$34,412,000,000 for fiscal year 2005;

25 (3) \$36,287,100,000 for fiscal year 2006;

1 (4) \$37,616,700,000 for fiscal year 2007;

2 (5) \$38,876,400,000 for fiscal year 2008; and

3 (6) \$40,231,500,000 for fiscal year 2009.

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

6 (1) under section 125 of title 23, United States
7 Code;

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

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

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

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

17 (6) under sections 1103 through 1108 of the
18 Intermodal Surface Transportation Efficiency Act of
19 1991;

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

22 (8) under section 105 of title 23, United States
23 Code (but, for each of fiscal years 1998 through
24 2013), only in an amount equal to \$639,000,000 per
25 fiscal year; and

1 (9) for Federal-aid highway programs for which
2 obligation authority was made available under the
3 Transportation Equity Act for the 21st Century or
4 subsequent public laws for multiple years or to re-
5 main available until used, but only to the extent that
6 such obligation authority has not lapsed or been
7 used.

8 (c) DISTRIBUTION OF OBLIGATION AUTHORITY.—
9 For each of fiscal years 2004 through 2009, the Secretary
10 shall—

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

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

23 (3) determine the ratio that—

24 (A) the obligation authority provided by
25 subsection (a) for such fiscal year less the ag-

1 aggregate of amounts not distributed under para-
2 graphs (1) and (2), bears to

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

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

1 paragraph (3) or 0.932 in any case in which such
2 ratio is less than 0.932 (except that the higher ratio
3 shall not apply to the program under section 14501
4 of title 40, United States Code) by the sums author-
5 ized to be appropriated for such section (except in
6 the case of section 105, \$2,000,000,000) for such
7 fiscal year;

8 (5) distribute the obligation authority provided
9 by subsection (a) less the aggregate amounts not
10 distributed under paragraphs (1) and (2) and
11 amounts distributed under paragraph (4) for each of
12 the programs that are allocated by the Secretary
13 under this Act and title 23, United States Code
14 (other than activities to which paragraph (1) applies
15 and programs to which paragraph (4) applies) by
16 multiplying the ratio determined under paragraph
17 (3) or 0.932 in any case in which such ratio is less
18 than 0.932 (except that the higher ratio shall not
19 apply to the program under section 14501 of title
20 40, United States Code) by the sums authorized to
21 be appropriated for such program for such fiscal
22 year; and

23 (6) distribute the obligation authority provided
24 by subsection (a) less the aggregate amounts not
25 distributed under paragraphs (1) and (2) and

1 amounts distributed under paragraphs (4) and (5)
2 for Federal-aid highway and highway safety con-
3 struction programs (other than the minimum guar-
4 antee program, but only to the extent that amounts
5 apportioned for the minimum guarantee program for
6 such fiscal year exceed \$2,639,000,000, and the Ap-
7 palachian development highway system program)
8 that are apportioned by the Secretary under this Act
9 and title 23, United States Code, in the ratio that—

10 (A) sums authorized to be appropriated for
11 such programs that are apportioned to each
12 State for such fiscal year, bear to

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

16 (d) REDISTRIBUTION OF UNUSED OBLIGATION AU-
17 THORITY.—Notwithstanding subsection (c), the Secretary
18 shall after August 1 of each of fiscal years 2004 through
19 2009 revise a distribution of the obligation authority made
20 available under subsection (c) if an amount made available
21 under this section will not be obligated during the fiscal
22 year and redistribute sufficient amounts to those States
23 able to obligate amounts in addition to those previously
24 distributed during that fiscal year. In making the redis-
25 tribution, the Secretary shall give priority to those States

1 having large unobligated balances of funds apportioned
2 under sections 104 and 144 of title 23, United States
3 Code.

4 (e) APPLICABILITY OF OBLIGATION LIMITATIONS TO
5 TRANSPORTATION RESEARCH PROGRAMS.—Obligation
6 limitations imposed by subsection (a) shall apply to trans-
7 portation research programs carried out under chapter 5
8 of title 23, United States Code, and under title V of this
9 Act; except that obligation authority made available for
10 such programs under such limitations shall remain avail-
11 able for a period of 3 fiscal years.

12 (f) REDISTRIBUTION OF CERTAIN AUTHORIZED
13 FUNDS.—Not later than 30 days after the date of the dis-
14 tribution of obligation authority under subsection (e) for
15 each of fiscal years 2004 through 2009, the Secretary
16 shall distribute to the States any funds (1) that are au-
17 thorized to be appropriated for such fiscal year for Fed-
18 eral-aid highway programs, and (2) that the Secretary de-
19 termines will not be allocated to the States, and will not
20 be available for obligation, in such fiscal year due to the
21 imposition of any obligation limitation for such fiscal year.
22 Such distribution to the States shall be made in the same
23 ratio as the distribution of obligation authority under sub-
24 section (e)(6). The funds so distributed shall be available

1 for any purposes described in section 133(b) of title 23,
2 United States Code.

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

10 (h) INCREASE IN OBLIGATION LIMIT.—Limitations
11 on obligations imposed by subsection (a) for a fiscal year
12 shall be increased by an amount equal to the amount de-
13 termined pursuant to section 251(b)(1)(B)(ii)(I)(cc) of the
14 Balanced Budget and Emergency Deficit Control Act of
15 1985 (2 U.S.C. 901(b)(2)(B)(ii)(I)(cc)) for such fiscal
16 year. Any such increase shall be distributed in accordance
17 with this section.

18 (i) LIMITATIONS ON OBLIGATIONS FOR ADMINISTRA-
19 TIVE EXPENSES.—Notwithstanding any other provision of
20 law, the total amount of all obligations under section
21 104(a) of title 23, United States Code, shall not exceed—

- 22 (1) \$390,000,000 for fiscal year 2004;
- 23 (2) \$395,000,000 for fiscal year 2005;
- 24 (3) \$395,000,000 for fiscal year 2006;
- 25 (4) \$395,000,000 for fiscal year 2007;

1 (5) \$395,000,000 for fiscal year 2008; and

2 (6) \$400,000,000 for fiscal year 2009.

3 **SEC. 1103. APPORTIONMENTS.**

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

6 (1) by striking paragraphs (1) and (2) and in-
7 serting the following:

8 “(1) DEDUCTION FOR ADMINISTRATIVE EX-
9 PENSES.—Whenever an apportionment is made of
10 the sums made available for expenditure on the sur-
11 face transportation program under section 133 for a
12 fiscal year, the Secretary shall deduct \$390,000,000
13 for fiscal year 2004, \$365,000,000 for fiscal year
14 2005, \$395,000,000 for fiscal year 2006,
15 \$395,000,000 for fiscal year 2007, \$395,000,000 for
16 fiscal year 2008, and \$400,000,000 for fiscal year
17 2009.

18 “(2) USE OF FUNDS.—The amounts deducted
19 by paragraph (1) are authorized for the following
20 purposes:

21 “(A) To administer the provisions of law to
22 be financed from appropriations for the Fed-
23 eral-aid highway program and programs au-
24 thorized under chapter 2.

1 “(B) To make transfers of such sums as
2 the Secretary determines to be appropriate to
3 the Appalachian Regional Commission for ad-
4 ministrative activities associated with the Appa-
5 lachian development highway system.”; and

6 (2) in paragraph (4) by striking “and the Fed-
7 eral Motor Carrier Safety Administration”.

8 (b) NATIONAL HIGHWAY SYSTEM.—Section 104(b)
9 of such title is amended—

10 (1) by striking “the deduction authorized by
11 subsection (a) and”; and

12 (2) in paragraph (1)(A)—

13 (A) by striking “\$36,400,000 for each fis-
14 cal year” and inserting “\$40,000,000 for fiscal
15 year 2004, \$40,000,000 for fiscal year 2005,
16 \$40,000,000 for fiscal year 2006, \$50,000,000
17 for fiscal year 2007, \$50,000,000 for fiscal year
18 2008, and \$50,000,000 for fiscal year 2009”;
19 and

20 (B) by striking “\$18,800,000 for each of
21 fiscal years 1998 through 2002” and inserting
22 “\$20,000,000 for fiscal year 2004 and
23 \$30,000,000 for each of fiscal years 2005
24 through 2009”.

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

6 (d) SET-ASIDES.—Section 104 of such title is amend-
7 ed by adding at the end the following:

8 “(m) SET-ASIDES.—

9 “(1) HIGHWAY USE TAX EVASION PROGRAM.—

10 Whenever an apportionment is made of the sums
11 made available for expenditure on the National
12 Highway System under section 103 for a fiscal year,
13 the Secretary shall set aside for highway use tax
14 evasion projects under section 143 of this title
15 \$12,000,000 for fiscal year 2004, \$30,000,000 for
16 fiscal year 2005, \$30,000,000 for fiscal year 2006,
17 \$20,000,000 for fiscal year 2007, \$10,000,000 for
18 fiscal year 2008, and \$7,000,000 for fiscal year
19 2009.

20 “(2) COMMONWEALTH OF PUERTO RICO HIGH-
21 WAY PROGRAM.—Whenever an apportionment is
22 made of the sums made available for expenditure on
23 the National Highway System under section 103 for
24 a fiscal year, the Secretary shall set aside for the
25 Commonwealth of Puerto Rico highway program

1 under section 1214(r) of the Transportation Equity
2 Act for the 21st Century (112 Stat. 209),
3 \$115,000,000 for fiscal year 2004, \$125,000,000 for
4 fiscal year 2005, \$130,000,000 for fiscal year 2006,
5 \$130,000,000 for fiscal year 2007, \$140,000,000 for
6 fiscal year 2008, and \$140,000,000 for fiscal year
7 2009.

8 “(3) DEPLOYMENT OF MAGNETIC LEVITATION
9 TRANSPORTATION PROJECTS.—Whenever an appor-
10 tionment is made of the sums made available for ex-
11 penditure on the National Highway System under
12 section 103 for a fiscal year, the Secretary shall set
13 aside for carrying out section 1118 of the Transpor-
14 tation Equity Act: A Legacy for Users, relating to
15 deployment of magnetic levitation transportation
16 projects, \$15,000,000 for fiscal year 2005 and
17 \$20,000,000 for each of fiscal years 2006 through
18 2009.

19 “(4) CONGESTION PRICING PILOT PROGRAM.—
20 Whenever an apportionment is made of the sums
21 made available for expenditure on the congestion
22 mitigation and air quality improvement program
23 under section 149 for a fiscal year, the Secretary
24 shall set aside for the congestion pricing pilot pro-
25 gram under section 1209 of the Transportation Eq-

1 uity Act: A Legacy for Users \$15,000,000 for fiscal
2 year 2004, \$15,000,000 for fiscal year 2005,
3 \$15,000,000 for fiscal year 2006, \$15,000,000 for
4 fiscal year 2007, \$15,000,000 for fiscal year 2008,
5 and \$15,000,000 for fiscal year 2009.

6 “(5) HIGHWAYS FOR LIFE PROGRAM.—When-
7 ever an apportionment is made of the sums made
8 available for expenditure on the Interstate mainte-
9 nance program under section 119 for a fiscal year,
10 the Secretary shall set aside for the Highways for
11 LIFE program under section 1504 of the Transpor-
12 tation Equity Act: A Legacy for Users \$55,000,000
13 for fiscal year 2005 and \$60,000,000 for each of fis-
14 cal years 2006 through 2009.

15 “(6) CONSTRUCTION OF FERRY BOATS AND
16 FERRY TERMINAL FACILITIES.—Whenever an appor-
17 tionment is made of the sums made available for ex-
18 penditure on the National Highway System under
19 section 103 for a fiscal year, the Secretary shall set
20 aside for construction of ferry boats and ferry ter-
21 minal facilities under section 165 of this title
22 \$60,000,000 for fiscal year 2004, \$70,000,000 for
23 fiscal year 2005, \$75,000,000 for fiscal year 2006,
24 \$75,000,000 for fiscal year 2007, \$75,000,000 for

1 fiscal year 2008, and \$75,000,000 for fiscal year
2 2009.

3 “(7) ITS DEPLOYMENT.—Whenever an appor-
4 tionment is made of the sums made available for ex-
5 penditure on the surface transportation program
6 under section 133 for a fiscal year, the Secretary
7 shall set aside for carrying out sections 5208 and
8 5209 of the Transportation Equity Act for the 21st
9 Century (112 Stat. 458; 112 Stat. 460),
10 \$100,000,000 for each of fiscal years 2004 and
11 2005.

12 “(8) SAFETY INCENTIVE GRANTS FOR USE OF
13 SEAT BELTS.—Whenever an apportionment is made
14 of the sums made available for expenditure on the
15 surface transportation program under section 133
16 for a fiscal year, the Secretary shall set aside for
17 safety incentive grants for use of seat belts under
18 section 157 of this title \$112,000,000 for each of
19 fiscal years 2004 and 2005.

20 “(9) SAFETY INCENTIVES TO PREVENT OPER-
21 ATION OF MOTOR VEHICLES BY INTOXICATED PER-
22 SONS.—Whenever an apportionment is made of the
23 sums made available for expenditure on the surface
24 transportation program under section 133 for a fis-
25 cal year, the Secretary shall set aside for safety in-

1 centives to prevent operation of motor vehicles by in-
2 toxicated persons under section 163 of this title
3 \$110,000,000 for each of fiscal years 2004 and
4 2005.

5 “(10) TRANSPORTATION AND COMMUNITY AND
6 SYSTEM PRESERVATION PROGRAM.—Whenever an
7 apportionment is made of the sums made available
8 for expenditure on the surface transportation pro-
9 gram under section 133 for a fiscal year, the Sec-
10 retary shall set aside for the transportation and
11 community and system preservation program under
12 section 1221 of the Transportation Equity Act for
13 the 21st Century (23 U.S.C. 101 note) \$25,000,000
14 for fiscal year 2004, \$30,000,000 for fiscal year
15 2005, \$35,000,000 for fiscal year 2006,
16 \$35,000,000 for fiscal year 2007, and \$35,000,000
17 for each of fiscal years 2008 and 2009.”.

18 (e) CONFORMING AMENDMENTS.—Section 104 of
19 such title is amended—

20 (1) in subsection (b) by striking “set-aside au-
21 thorized by subsection (f)” and inserting “set-asides
22 authorized by subsections (f) and (m)”;

23 (2) in subsection (f)(1)—

1 (A) by striking “, after making the deduc-
2 tion authorized by subsection (a) of this sec-
3 tion,”; and

4 (B) by striking “remaining”; and

5 (3) in subsection (i) by striking “deducted” and
6 inserting “authorized to be appropriated”.

7 (f) PUERTO RICO HIGHWAY PROGRAM.—Section
8 1214(r) of the Transportation Equity Act for the 21st
9 Century (112 Stat. 209; 117 Stat. 1114; 118 Stat. 1149)
10 is amended—

11 (1) in paragraph (1) by striking “authorized by
12 section 1101(a)(15) for each of fiscal years 1998
13 through 2005” and inserting “set aside by section
14 104(m)(2) of title 23, United States Code, for each
15 of fiscal years 2004 through 2009”; and

16 (2) in paragraph (2) by striking “made avail-
17 able by section 1101(a)(15) of this Act” and insert-
18 ing “set aside by section 104(m)(2) of title 23,
19 United States Code,”.

20 **SEC. 1104. MINIMUM GUARANTEE.**

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

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

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

6 (3) by inserting “(other than subsection (g))”
7 after “under this section”.

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

10 (1) by striking “\$2,800,000,000” and inserting
11 “\$2,870,000,000 in fiscal year 2004,
12 \$2,941,750,000 in fiscal year 2005, \$3,015,293,750
13 in fiscal year 2006, \$3,090,676,094 in fiscal year
14 2007, \$3,167,942,996 in fiscal year 2008, and
15 \$3,247,141,571 in fiscal year 2009”; and

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

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

1 (d) SPECIAL RULE.—Section 105(e) of such title is
2 amended to read as follows:

3 “(e) SPECIAL RULE.—Notwithstanding any other
4 provision of this section, if, in any of fiscal years 2004
5 through 2009, the quotient obtained by dividing—

6 “(1) a State’s percentage share of the total ap-
7 portionments for such fiscal year for programs re-
8 ferred to in subsection (a) (other than minimum
9 guarantee), by

10 “(2) the percentage for such State listed in sub-
11 section (b),

12 is greater than 1.3, the Secretary shall allocate to the
13 State with the highest quotient the minimum appor-
14 tionment specified in subsection (a). The appor-
15 tionments for the programs referred to in subsection (a) for the State
16 with the highest quotient, estimated tax payments to the
17 Highway Trust Fund attributable to highway users re-
18 ferred to in subsection (f) for such State, and percentage
19 referred to in subsection (b) for such State shall be ex-
20 cluded from the computations required in subsection (f).”.

21 (e) GUARANTEED SPECIFIED RETURN.—Section
22 105(f) of such title is amended—

23 (1) in the subsection heading by striking “OF
24 90.5” and inserting “SPECIFIED”; and

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

3 (f) EQUITY ADJUSTMENT.—Section 105 of such title
4 is further amended by adding at the end the following:

5 “(g) EQUITY ADJUSTMENT.—

6 “(1) IN GENERAL.—For each of fiscal years
7 2004 through 2009, after making the allocations
8 under subsection (a), the Secretary shall allocate
9 among the States additional amounts sufficient to
10 ensure that no State receives an allocation under
11 this subsection and subsection (a) that in the aggregate
12 is less than the amount the State would have
13 received under subsection (a) had high priority
14 projects not been included among the list of programs
15 referred to in subsection (a). Any such additional
16 allocations shall be excluded from the computations
17 required in subsection (f).

18 “(2) RATE OF RETURN.—For each of fiscal
19 years 2004 through 2009, the Secretary shall allocate
20 among the States amounts sufficient to ensure
21 that, for the aggregate of funds distributed under
22 subsection (a), paragraph (1) of this subsection, and
23 this paragraph, the rate of return, as defined in subsection
24 (f)(1), is not less than 90.5. The special rule

1 in subsection (e) shall not apply to the calculation
2 made under this paragraph.”.

3 (g) CONFORMING AMENDMENTS.—

4 (1) SECTION 131.—Section 131(m) of title 23,
5 United States Code, is amended by striking “in ac-
6 cordance with the program of projects approval
7 process of section 105” and inserting “in accordance
8 with the approval process of section 106”.

9 (2) SECTION 140.—Section 140 of such title is
10 amended—

11 (A) in subsection (a) by striking “pro-
12 grams for projects as provided for in subsection
13 (a) of section 105 of this title” and inserting
14 “project under this chapter”; and

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

18 (h) SCOPE ADJUSTMENT.—

19 (1) DETERMINATION OF SET-ASIDE.—Before
20 allocating funds provided to carry out the program
21 under section 1301 of this Act, the Secretary shall
22 set aside an amount sufficient to ensure that the
23 quotient obtained by dividing—

24 (A) the sum of—

1 (i) the amounts authorized for the
2 programs identified in section 105(a) of
3 title 23, United States Code,

4 (ii) the amounts authorized under sec-
5 tion 105(g) of such title, and

6 (iii) the amount apportioned under
7 this subsection, by

8 (B) the total contract authority authorized
9 for the Federal-aid highway program,
10 equals 0.926.

11 (2) APPORTIONMENT OF FUNDS.—The amount
12 set aside under paragraph (1) shall be added to the
13 amount authorized for the Surface Transportation
14 Program under section 104(b)(3)(A) of title 23,
15 United States Code, and shall be included in the cal-
16 culation of minimum guarantee under section 105(a)
17 of such title.

18 (3) RESTORATION.—The Secretary shall make
19 available such sums as may be necessary to restore
20 to the funds made available to carry out the pro-
21 gram under section 1301 an amount equal to the
22 amount set aside under paragraph (1).

23 (4) AUTHORIZATION OF APPROPRIATIONS.—
24 There is authorized to be appropriated out of the
25 Highway Trust Fund (other than the Mass Transit

1 Account) such sums as may be necessary to carry
2 out this subsection.

3 (5) APPLICABILITY OF TITLE 23.—Funds made
4 available to carry out this subsection shall be avail-
5 able for obligation in the same manner as if such
6 funds were apportioned under chapter 1 of title 23,
7 United States Code.

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

9 Section 106 of title 23, United States Code, is
10 amended by striking subsection (h) and inserting the fol-
11 lowing:

12 “(h) OVERSIGHT PROGRAM.—

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

19 “(2) FINANCIAL INTEGRITY.—

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

1 “(B) PROJECT COSTS.—The Secretary
2 shall develop minimum standards for estimating
3 project costs and shall periodically evaluate the
4 States’ practices for estimating project costs,
5 awarding contracts, and reducing project costs.

6 “(C) RESPONSIBILITY OF THE STATES.—
7 The States are responsible for determining that
8 subrecipients of Federal funds under this title
9 have sufficient accounting controls to properly
10 manage such Federal funds. The Secretary
11 shall periodically review the States’ monitoring
12 of subrecipients.

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

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

24 “(5) SPECIFIC OVERSIGHT RESPONSIBIL-
25 ITIES.—Nothing in this section shall affect or dis-

1 charge any oversight responsibility of the Secretary
2 specifically provided for under this title or other
3 Federal law. In addition, the Secretary shall retain
4 full oversight responsibilities for the design and con-
5 struction of all Appalachian development highways
6 under section 14501 of title 40.

7 “(i) MAJOR PROJECTS.—

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

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

23 “(3) FINANCIAL PLAN.—The financial plan
24 shall be based on detailed estimates of the cost to
25 complete the project. Annual updates shall be sub-

1 mitted based on reasonable assumptions, as deter-
2 mined by the Secretary, of future increases in the
3 cost to complete the project.

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

11 **SEC. 1106. USE OF EXCESS FUNDS.**

12 Section 106 of title 23, United States Code, is further
13 amended by adding at the end the following:

14 “(k) USE OF EXCESS FUNDS.—

15 “(1) AUDITS.—A State may audit projects
16 funded with amounts apportioned under sections
17 104 and 144 to determine whether any amounts ob-
18 ligated for a project are excess funds.

19 “(2) PLANS FOR USE OF EXCESS FUNDS.—If a
20 State determines, after conducting an audit under
21 paragraph (1), that funds obligated for a project are
22 excess funds, the State may develop a plan for obli-
23 gating the funds for the design and construction
24 of—

1 “(A) with respect to excess funds derived
2 from the surface transportation program under
3 section 133(d)(1), 133(d)(2), or 133(d)(3), the
4 highway bridge replacement and rehabilitation
5 program under section 144, the congestion miti-
6 gation and air quality improvement program
7 under section 149, or the recreational trails
8 program under section 206, one or more
9 projects that are eligible for funding under that
10 program; and

11 “(B) with respect to excess funds derived
12 from any other program under this title, one or
13 more projects that are eligible for funding those
14 programs or the surface transportation program
15 under section 133.

16 “(3) CERTIFICATION TO THE SECRETARY.—A
17 State that has developed a plan under paragraph (2)
18 shall transmit to the Secretary a certification that
19 the State has conducted an audit under paragraph
20 (1) and developed the plan in accordance with para-
21 graph (2).

22 “(4) IMPLEMENTATION OF PLANS.—After
23 transmitting a certification to the Secretary with re-
24 spect to a plan under paragraph (3), the State may
25 carry out the plan.

1 “(5) APPLICABILITY OF REQUIREMENTS.—

2 “(A) IN GENERAL.—Except as provided by
3 subparagraph (B), excess funds used to carry
4 out a project under this section shall be subject
5 to the requirements of this title that are appli-
6 cable to the program under which the project is
7 carried out.

8 “(B) STP ALLOCATIONS.—Section 133(d)
9 shall not apply to excess funds used to carry
10 out a project under this section, unless such
11 funds are derived from amounts apportioned
12 under 104(b)(3).

13 “(6) EXCESS FUNDS DEFINED.—In this sub-
14 section, the term ‘excess funds’ means funds obli-
15 gated for a project that remain available for the
16 project after the project has been completed or can-
17 celed.”.

18 **SEC. 1107. TEMPORARY TRAFFIC CONTROL DEVICES.**

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

21 (1) by striking “(e) No funds” and inserting
22 the following:

23 “(e) INSTALLATION OF SAFETY DEVICES.—

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

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

2 “(2) TEMPORARY TRAFFIC CONTROL DE-
3 VICES.—No funds shall be approved for expenditure
4 on any Federal-aid highway, or highway affected
5 under chapter 2 of this title, unless proper tem-
6 porary traffic control devices to improve safety in
7 work zones will be installed and maintained during
8 construction, utility, and maintenance operations on
9 that portion of the highway with respect to which
10 such expenditures are to be made. Installation and
11 maintenance of the devices shall be in accordance
12 with the Manual on Uniform Traffic Control De-
13 vices.”.

14 (b) LETTING OF CONTRACTS.—Section 112 of such
15 title is amended—

16 (1) by striking subsection (f);

17 (2) by redesignating subsection (g) as sub-
18 section (f); and

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

20 “(g) TEMPORARY TRAFFIC CONTROL DEVICES.—

21 “(1) ISSUANCE OF REGULATIONS.—The Sec-
22 retary, after consultation with appropriate Federal
23 and State officials, shall issue regulations estab-
24 lishing the conditions for the appropriate use of, and
25 expenditure of funds for, uniformed law enforcement

1 officers, positive protective measures between work-
2 ers and motorized traffic, and installation and main-
3 tenance of temporary traffic control devices during
4 construction, utility, and maintenance operations.

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

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

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

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

24 “(4) POSITIVE PROTECTIVE MEASURES DE-
25 FINED.—In this subsection, the term ‘positive pro-

1 tective measures’ means temporary traffic barriers,
2 crash cushions, and other strategies to avoid traffic
3 accidents in work zones, including full road clo-
4 sures.”.

5 **SEC. 1108. REVENUE ALIGNED BUDGET AUTHORITY.**

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

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

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

11 (b) REDUCTION.—Section 110(a)(2) of such title is
12 amended—

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

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

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

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

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

1 **SEC. 1109. PAY TO PLAY REFORM.**

2 Section 112 of title 23, United States Code, is
3 amended by adding at the end the following:

4 “(h) CONSTRUCTION.—Nothing in this section may
5 be construed to prohibit a State from enacting a law or
6 issuing an order that limits the amount of money an indi-
7 vidual, who is doing business with a State agency for a
8 Federal-aid highway project, may contribute to a political
9 campaign.”.

10 **SEC. 1110. EMERGENCY RELIEF.**

11 There is authorized to be appropriated for a fiscal
12 year such sums as may be necessary for allocations by the
13 Secretary described in subsections (a) and (b) of sections
14 125 of title 23, United States Code, if the total of those
15 allocations in such fiscal year are in excess of
16 \$100,000,000.

17 **SEC. 1111. SURFACE TRANSPORTATION PROGRAM.**

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

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

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

24 **SEC. 1112. HIGHWAY USE TAX EVASION PROJECTS.**

25 (a) ELIGIBLE ACTIVITIES.—

1 (1) INTERGOVERNMENTAL ENFORCEMENT EF-
2 FORTS.—Section 143(b)(2) of title 23, United States
3 Code, is amended by inserting before the period the
4 following: “; except that of funds so made available
5 for each of fiscal years 2004 through 2009,
6 \$2,000,000 shall be available only to carry out inter-
7 governmental enforcement efforts, including research
8 and training”.

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

14 (3) LIMITATION ON USE OF FUNDS.—Section
15 143(b)(4) of such title is amended—

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

18 (B) by striking the period at the end of
19 subparagraph (G) and inserting a semicolon;
20 and

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

22 “(H) to support efforts between States and
23 Indian tribes to address issues related to State
24 motor fuel taxes; and

1 “(I) to analyze and implement programs to
2 reduce tax evasion associated with foreign im-
3 ported fuel.”.

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

6 “(9) REPORTS.—The Commissioner of the In-
7 ternal Revenue Service and each State shall submit
8 to the Secretary an annual report that describes the
9 projects, examinations, and criminal investigations
10 funded by and carried out under this section. Such
11 report shall specify the annual yield estimated for
12 each project funded under this section.”.

13 (b) EXCISE FUEL REPORTING SYSTEM.—

14 (1) IN GENERAL.—Section 143(c)(1) of such
15 title is amended—

16 (A) by striking “August 1, 1998,” and in-
17 serting “90 days after the date of enactment of
18 the Transportation Equity Act: A Legacy for
19 Users,”;

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

22 (C) by striking “an excise fuel reporting
23 system (in this subsection referred to as ‘the
24 system’)” and inserting “an excise summary
25 terminal activity reporting system”.

1 (2) ELEMENTS OF MEMORANDUM OF UNDER-
2 STANDING.—Section 143(c)(2) of such title is
3 amended—

4 (A) by striking “the system” the first place
5 it appears and inserting “the excise summary
6 terminal activity reporting system”;

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

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

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

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

14 “(D) the Commissioner of the Internal
15 Revenue Service shall submit and the Secretary
16 shall approve a budget and project plan for the
17 completion, operation, and maintenance of the
18 system.”; and

19 (3) FUNDING PRIORITY.—Section 143(c)(3) of
20 such title is amended to read as follows:

21 “(3) FUNDING.—Of the amounts made avail-
22 able to carry out this section for each of fiscal years
23 2004 through 2009, the Secretary shall make avail-
24 able to the Internal Revenue Service such funds as
25 may be necessary to complete, operate, and maintain

1 the excise summary terminal activity reporting sys-
2 tem in accordance with this subsection.”.

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

6 “(d) PIPELINE, VESSEL, AND BARGE REGISTRATION
7 SYSTEM.—

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

17 “(2) ELEMENTS OF MEMORANDUM OF UNDER-
18 STANDING.—The memorandum of understanding
19 shall provide that—

20 “(A) the Internal Revenue Service shall de-
21 velop and maintain the registration system
22 through contracts;

23 “(B) the Commissioner of the Internal
24 Revenue Service shall submit and the Secretary
25 shall approve a budget and project plan for de-

1 velopment, operation, and maintenance of the
2 registration system;

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

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

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

19 “(e) HEAVY VEHICLE USE TAX PAYMENT DATA-
20 BASE.—

21 “(1) IN GENERAL.—Not later than 90 days
22 after the date of enactment of this subsection, the
23 Secretary shall enter into a memorandum of under-
24 standing with the Commissioner of the Internal Rev-
25 enue Service for the purposes of the establishment,

1 operation, and maintenance of an electronic data-
2 base of heavy vehicle highway use tax payments.

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

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

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

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

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

21 “(3) FUNDING.—Of the amounts made avail-
22 able to carry out this section for each of fiscal years
23 2004 through 2009, the Secretary shall make avail-
24 able to the Internal Revenue Service such funds as
25 may be necessary to establish, operate, and maintain

1 an electronic database of heavy vehicle highway use
2 tax payments in accordance with this subsection.

3 “(f) REPORTS.—Not later than March 31 and Sep-
4 tember 30 of each year, the Commissioner of the Internal
5 Revenue Service shall provide reports to the Secretary on
6 the status of the Internal Revenue Service projects funded
7 under this section related to the excise summary terminal
8 activity reporting system, the pipeline, vessel, and barge
9 registration system, and the heavy vehicle use tax elec-
10 tronic database.”.

11 **SEC. 1113. APPALACHIAN DEVELOPMENT HIGHWAY SYS-**
12 **TEM.**

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

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

1 such section 14501 of title 40, United States Code, and
2 such funds shall be available to construct highways and
3 access roads under such section and shall remain available
4 until expended.

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

9 **SEC. 1114. CONSTRUCTION OF FERRY BOATS AND FERRY**
10 **TERMINAL FACILITIES.**

11 (a) IN GENERAL.—Subchapter I of chapter 1 of title
12 23, United States Code, is amended by adding at the end
13 the following:

14 **“§ 165. Construction of ferry boats and ferry terminal**
15 **facilities**

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

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

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

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

1 “(1) IN GENERAL.—\$20,000,000 of the amount
2 made available to carry out this section for each of
3 fiscal years 2004 through 2009 shall be obligated for
4 the construction or refurbishment of ferry boats and
5 ferry terminal facilities and approaches to such fa-
6 cilities within marine highway systems that are part
7 of the National Highway System.

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

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

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

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

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

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

4 (c) NATIONAL FERRY DATABASE.—

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

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

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

20 (4) REQUIREMENTS.—The Secretary shall—

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

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

1 (C) make available, from the ferry boat
2 and ferry terminal program authorized under
3 section 165 of title 23, United States Code, not
4 more than \$500,000 for each of fiscal years
5 2005 through 2009 to establish the database.

6 **SEC. 1115. INTERSTATE MAINTENANCE DISCRETIONARY.**

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

9 (1) in subsection (c)(1) by striking “2003” and
10 inserting “2005”;

11 (2) by striking subsection (c);

12 (3) in subsection (e) by inserting “SPECIAL
13 RULES.—” before “Funds made”; and

14 (4) by redesignating subsections (d) and (e) as
15 subsections (c) and (d), respectively.

16 (b) CONFORMING AMENDMENT.—Section 103(d)(1)
17 of such title is amended by striking “or 118(e)”.

18 (c) TECHNICAL AMENDMENTS.—

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

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

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

4 (4) SECTION 126.—Section 126(a) of such title
5 is amended by inserting “under” before “section
6 104(b)(3)”.

7 (5) SECTION 127.—Section 127 of such title is
8 amended by striking “118(b)(1)” and inserting
9 “118(b)(2)”.

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

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

21 (e) EFFECTIVE DATE.—The amendments made by
22 paragraphs (2) through (4) of subsection (a) and by sub-
23 section (b) shall take effect on September 30, 2005.

1 **SEC. 1116. HIGHWAY BRIDGE.**

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

5 “(d) APPLICATIONS FOR AND APPROVAL OF ASSIST-
6 ANCE.—

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

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

1 countermeasures or application of acetate or sodium
2 acetate/formate or such anti-icing or de-icing com-
3 position to, such structure.

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

14 (b) BRIDGE DISCRETIONARY SET-ASIDE.—Section
15 144(g)(1) of such title is amended by adding at the end
16 the following:

17 “(D) FISCAL YEARS 2004 THROUGH 2009.—
18 Of the amounts authorized to be appropriated
19 to carry out the bridge program under this sec-
20 tion for each of the fiscal years 2004 through
21 2009, all but \$100,000,000 shall be appor-
22 tioned as provided in subsection (e). Such
23 \$100,000,000 shall be available at the discre-
24 tion of the Secretary; except that \$25,000,000
25 shall be available only for projects for the seis-

1 mic retrofit of bridges, and of which
2 \$10,000,000 shall be available only for the seis-
3 mic retrofit of a bridge described in subsection
4 (l), and except as provided in subparagraph
5 (E).

6 “(E) GRAVINA ACCESS.—

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

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

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

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

25 (2) by striking “1987” and inserting “2005”;

1 (3) by striking “2004” the first place it appears
2 and all that follows through “2005,” and inserting
3 “2009 for the bridge program,”;

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

6 (5) by inserting a comma before “to highway
7 bridges”.

8 (d) SET-ASIDE FOR TRANSPORTATION INFRASTRUC-
9 TURE FINANCE AND INNOVATION ACT.—Section 144(g)
10 of such title is amended by adding at the end the fol-
11 lowing:

12 “(4) TRANSPORTATION INFRASTRUCTURE FI-
13 NANCE AND INNOVATION ACT.—Whenever an appor-
14 tionment is made under subsection (e) of the sums
15 made available for carrying out the bridge program
16 under this section for a fiscal year, the Secretary
17 shall set aside \$130,000,000 for fiscal year 2004
18 and \$140,000,000 for each of fiscal years 2005
19 through 2009 to carry out chapter 6 of title 23,
20 United States Code.”.

21 (e) TECHNICAL AMENDMENT.—Section 144(i) of
22 such title is amended by striking “at the same time” and
23 all that follows through “Congress”.

1 **SEC. 1117. TRANSPORTATION AND COMMUNITY AND SYS-**
2 **TEM PRESERVATION PROGRAM.**

3 (a) FEDERAL SHARE.—Section 1221(e)(2) of the
4 Transportation Equity Act for the 21st Century (23
5 U.S.C. 101 note; 112 Stat. 223; 118 Stat. 879; 118 Stat.
6 1149) is amended by inserting before the period at the
7 end “; except that such funds shall not be transferable
8 and the Federal share for projects and activities carried
9 out with such funds shall be determined in accordance
10 with section 120(b) of title 23, United States Code”.

11 (b) PLANNING ACTIVITIES PILOT PROGRAM.—Sec-
12 tion 1221 of such Act is amended by adding at the end
13 the following:

14 “(f) PLANNING ACTIVITIES PILOT PROGRAM.—

15 “(1) IN GENERAL.—The Secretary shall estab-
16 lish a pilot program using funds set aside under
17 paragraph (4) to support planning and public par-
18 ticipation activities related to highway and public
19 transportation projects.

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

23 “(A) Improving data collection and anal-
24 ysis to improve freight movement, intermodal
25 connections, and transportation access and effi-
26 ciency for all users, including children, older in-

1 individuals, individuals with disabilities, low-in-
2 come individuals, and minority communities.

3 “(B) Supporting public participation by
4 holding public meetings using an interactive
5 workshop format facilitated by design or plan-
6 ning experts (or both) to consider public input
7 at the initial stages of project development and
8 during other phases of a project.

9 “(C) Using innovative planning or design
10 visualization and simulation tools to improve
11 the evaluation of alternatives and their impacts
12 and to enhance public participation in the
13 transportation planning process, including tools
14 having a structure that enables modifications to
15 scenarios and assumptions in real time.

16 “(D) Enhancing coordination among trans-
17 portation, land use, workforce development,
18 human service, economic development, and
19 other agencies to strengthen access to job train-
20 ing services, daycare centers, health care facili-
21 ties, senior centers, public schools, universities,
22 and residential areas, including the use of inte-
23 grated planning and service delivery, especially
24 for transit dependent and low-income individ-
25 uals.

1 “(E) Contracting with nonprofit organiza-
2 tions, universities, and local agencies to deliver
3 community-oriented transportation plans and
4 projects, including public outreach, context sen-
5 sitive design, transit-oriented development,
6 multimodal corridor investments, commuter
7 benefits deployment, and brownfield redevelop-
8 ment.

9 “(F) Measuring and reporting on the an-
10 nual performance of the transportation system
11 (or parts of) relative to State or locally-estab-
12 lished criteria regarding—

13 “(i) maintenance and operating costs
14 of the transportation system, vehicle miles
15 traveled, peak-period travel times, trans-
16 portation choices, and mode shares;

17 “(ii) location of housing units, jobs,
18 medical facilities, and commercial centers
19 to transit;

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

22 “(iv) transportation-related pollution
23 emissions into the air and water;

24 “(v) land consumption; and

25 “(vi) other locally-significant factors.

1 “(G) Improving regional travel and emis-
2 sion modeling to examine factors not currently
3 considered, such as induced travel and land use
4 effects of transportation alternatives, types of
5 vehicles owned and used by households, time-of-
6 day of travel and linkage of trips to each other
7 throughout the day, effects of urban design and
8 pedestrian and bicycle environment on travel
9 behavior, and impacts of alternatives on the dis-
10 tribution of benefits and burdens among various
11 groups protected under title VI of the Civil
12 Rights Act of 1964 (42 U.S.C. 2000d et seq.).

13 “(3) FEDERAL SHARE.—Notwithstanding sub-
14 section (e)(2), the Federal share of the cost of ac-
15 tivities carried out under the pilot program shall be
16 100 percent.

17 “(4) SET ASIDE.—The Secretary shall make
18 available \$1,500,000 of the amounts made available
19 to carry out this section for each of fiscal years
20 2005 through 2009 to carry out the pilot program
21 under this subsection.”.

22 **SEC. 1118. DEPLOYMENT OF MAGNETIC LEVITATION**
23 **TRANSPORTATION PROJECTS.**

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

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

3 (A) means the capital cost of the fixed
4 guideway infrastructure of a MAGLEV project,
5 including land, piers, guideways, propulsion
6 equipment and other components attached to
7 guideways, power distribution facilities (includ-
8 ing substations), control and communications
9 facilities, access roads, and storage, repair, and
10 maintenance facilities, but not including costs
11 incurred for a new station; and

12 (B) includes the costs of preconstruction
13 planning activities.

14 (2) FULL PROJECT COSTS.—The term “full
15 project costs” means the total capital costs of a
16 MAGLEV project, including eligible project costs
17 and the costs of stations, vehicles, and equipment.

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

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

25 (b) IN GENERAL.—

1 (1) ASSISTANCE FOR ELIGIBLE PROJECTS.—

2 The Secretary shall make available financial assist-
3 ance to pay the Federal share of full project costs
4 of eligible projects authorized by this section.

5 (2) USE OF ASSISTANCE.—Financial assistance
6 provided under paragraph (1) shall be used only to
7 pay eligible project costs of projects authorized by
8 this section.

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

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

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

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

20 (3) be approved by the Secretary based on an
21 application submitted to the Secretary by a State or
22 authority designated by 1 or more States.

23 **SEC. 1119. RECREATIONAL TRAILS.**

24 (a) RECREATIONAL TRAILS PROGRAM FORMULA.—
25 Section 104(h)(1) of title 23, United States Code, is

1 amended by striking “research and technical” and all that
2 follows through “Committee” and inserting “research,
3 technical assistance, and training under the recreational
4 trails program”.

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

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

10 “(A) maintenance and restoration of exist-
11 ing recreational trails;

12 “(B) development and rehabilitation of
13 trailside and trailhead facilities and trail link-
14 ages for recreational trails;

15 “(C) purchase and lease of recreational
16 trail construction and maintenance equipment;

17 “(D) construction of new recreational
18 trails, except that, in the case of new rec-
19 reational trails crossing Federal lands, con-
20 struction of the trails shall be—

21 “(i) permissible under other law;

22 “(ii) necessary and recommended by a
23 statewide comprehensive outdoor recreation
24 plan that is required by the Land and
25 Water Conservation Fund Act of 1965 (16

1 U.S.C. 4601–4 et seq.) and that is in ef-
2 fect;

3 “(iii) approved by the administering
4 agency of the State designated under sub-
5 section (c)(1); and

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

20 “(E) acquisition of easements and fee sim-
21 ple title to property for recreational trails or
22 recreational trail corridors;

23 “(F) assessment of trail conditions for ac-
24 cessibility and maintenance;

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

7 “(H) payment of costs to the State in-
8 curred in administering the program, but in an
9 amount not to exceed 7 percent of the appor-
10 tionment made to the State for the fiscal year
11 to carry out this section.”.

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

14 (1) by striking subparagraph (C);

15 (2) by redesignating subparagraph (D) as sub-
16 paragraph (C); and

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

19 (d) FEDERAL SHARE.—Section 206(f) of such title
20 is amended—

21 (1) in paragraph (1)—

22 (A) by inserting “and the Federal share of
23 the administrative costs of a State” after
24 “project”; and

1 (B) by striking “not exceed 80 percent”
2 and inserting “be determined in accordance
3 with section 120(b)”;

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

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

9 (4) by striking paragraph (5);

10 (5) by redesignating paragraph (4) as para-
11 graph (5);

12 (6) in paragraph (5) (as so redesignated) by
13 striking “80 percent” and inserting “the Federal
14 share as determined in accordance with section
15 120(b)”;

16 (7) by inserting after paragraph (3) the fol-
17 lowing:

18 “(4) USE OF RECREATIONAL TRAILS PROGRAM
19 FUNDS TO MATCH OTHER FEDERAL PROGRAM
20 FUNDS.—Notwithstanding any other provision of
21 law, funds made available under this section may be
22 used toward the non-Federal matching share for
23 other Federal program funds that are—

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

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

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

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

20 (f) ENCOURAGEMENT OF USE OF YOUTH CONSERVA-
21 TION OR SERVICE CORPS.—The Secretary shall encourage
22 the States to enter into contracts and cooperative agree-
23 ments with qualified youth conservation or service corps
24 to perform construction and maintenance of recreational
25 trails under section 206 of title 23, United States Code.

1 **SEC. 1120. FEDERAL LANDS HIGHWAYS.**

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

5 “(3) CONTRACTS AND AGREEMENTS WITH IN-
6 DIAN TRIBES.—

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

24 “(B) EXCLUSION OF AGENCY PARTICIPA-
25 TION.—In accordance with subparagraph (A),
26 all funds for a project to which subparagraph

1 (A) applies shall be paid to the Indian tribal
2 government without regard to the organiza-
3 tional level at which the Department of the In-
4 terior has previously carried out, or the Depart-
5 ment of Transportation has previously carried
6 out under the Federal lands highway programs,
7 the programs, functions, services, or activities
8 involved.

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

15 “(D) SECRETARY AS SIGNATORY.—Not-
16 withstanding any other provision of law, the
17 Secretary is authorized to enter into a funding
18 agreement with an Indian tribe or tribal gov-
19 ernment to carry out a highway, road, bridge,
20 parkway, or transit project under subparagraph
21 (A) that is located on an Indian reservation or
22 provides access to the reservation or a commu-
23 nity of the Indian tribe.

24 “(E) FUNDING.—The amount an Indian
25 tribal government receives for a project under

1 subparagraph (A) shall equal the sum of the
2 funding that the Indian tribal government
3 would otherwise receive for the project in ac-
4 cordance with the funding formula established
5 under this subsection and such additional
6 amount as the Secretary determines equal the
7 amounts that would have been withheld for the
8 costs of the Bureau of Indian Affairs for ad-
9 ministration of the project.

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

1 “(G) ASSUMPTION OF FUNCTIONS AND DU-
2 TIES.—An Indian tribal government receiving
3 funding under subparagraph (A) for a project
4 shall assume all functions and duties that the
5 Secretary of the Interior would have performed
6 with respect to projects under this chapter,
7 other than those functions and duties that in-
8 herently cannot be legally transferred under the
9 Indian Self-Determination and Education As-
10 sistance Act (25 U.S.C. 450b et seq.).

11 “(H) POWERS.—An Indian tribal govern-
12 ment receiving funding under subparagraph (A)
13 for a project shall have all powers that the Sec-
14 retary of the Interior would have exercised in
15 administering the funds transferred to the In-
16 dian tribal government for such project under
17 this section if such funds had not been trans-
18 ferred, except to the extent that such powers
19 are powers that inherently cannot be legally
20 transferred under the Indian Self-Determina-
21 tion and Education Assistance Act (25 U.S.C.
22 450b et seq.).

23 “(I) DISPUTE RESOLUTION.—In the event
24 of a disagreement between the Secretary of
25 Transportation or the Secretary of the Interior

1 and an Indian tribe over whether a particular
2 function, duty, or power may be lawfully trans-
3 ferred under the Indian Self-Determination and
4 Education Assistance Act (25 U.S.C. 450b et
5 seq.), the Indian tribe shall have the right to
6 pursue all alternative dispute resolutions and
7 appeal procedures authorized by such Act, in-
8 cluding regulations issued to carry out such
9 Act.”.

10 (b) ALASKA NATIVE VILLAGE INVENTORY.—Section
11 202(d)(2) of such title is amended by adding at the end
12 the following:

13 “(E) ALASKA NATIVE ROAD INVENTORY.—

14 “(i) IN GENERAL.—For fiscal year
15 2005 and each fiscal year thereafter, any
16 allocation of sums authorized to be appro-
17 priated for Indian reservation roads in
18 Alaska shall be based on an inventory of
19 roads within the exterior boundaries of vil-
20 lage corporation land selected pursuant to
21 the Alaska Native Claims Settlement Act
22 (43 U.S.C. 1601 et seq.) that includes all
23 routes previously included in such an in-
24 ventory. The Secretary of Transportation
25 and the Secretary of the Interior may in-

1 clude, in the inventory of roads, those pro-
2 posed for inclusion by tribal village govern-
3 ments from among community streets
4 within the village and those proposed pri-
5 mary access routes for inclusion by tribal
6 village governments, including roads and
7 trails between villages (including links over
8 water), roads and trails to landfills, roads
9 and trails to drinking water sources, roads
10 and trails to natural resources identified
11 for economic development, and roads and
12 trails that provide access to intermodal ter-
13 mini, such as airports, harbors, or boat
14 landings.

15 “(ii) LIMITATION ON PRIMARY ACCESS
16 ROUTES.—For purposes of this subpara-
17 graph, a proposed primary access route is
18 the shortest practicable route connecting 2
19 points of the proposed route.”.

20 (c) BIA ADMINISTRATIVE EXPENSES.—Section
21 202(d)(2) of such title is further amended by adding at
22 the end the following:

23 “(F) ADMINISTRATIVE EXPENSES.—Of the
24 funds authorized to be appropriated for Indian
25 reservation roads, \$27,000,000 for fiscal year

1 2006, \$28,000,000 for fiscal year 2007,
2 \$29,000,000 for fiscal year 2008, and
3 \$30,000,000 for fiscal year 2009 may be used
4 by the Secretary of the Interior for program
5 management oversight and project-related ad-
6 ministrative expenses.”.

7 (d) BRIDGE PRECONSTRUCTION ACTIVITIES ELIGI-
8 BILITY.—Section 202(d)(4)(B) of such title is amended by
9 adding at the end the following: “Of the amount reserved
10 under this paragraph for a fiscal year, not more than 15
11 percent may be used for preconstruction activities, such
12 as engineering and design.”.

13 (e) GRANTS FOR FINANCING TRANSPORTATION
14 DEBT.—Section 202(d)(2)(A) of such title is amended by
15 inserting before the period at the end the following: “; ex-
16 cept that, beginning October 1, 2004, the Secretary may
17 use up to 3 percent of such funds for making grants to
18 Indian tribes for the purpose of financing transportation
19 debt for individual Indian reservation roads subject to all
20 requirements governing Federal assistance for Indian
21 roads under this section and section 204”.

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

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

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

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

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

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

1 transportation facilities identified by Alaska Native
2 Villages.

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

9 **SEC. 1121. CONSERVATION MEASURES.**

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

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

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

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

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

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

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

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

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

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

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

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

19 (2) CONTENTS.—

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

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

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

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

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

11 (4) REPORT.—

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

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

18 (i) Causes of wildlife vehicle collisions.

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

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

23 (5) MANUAL.—

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

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

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

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

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

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

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

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

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

23 **SEC. 1122. PEDESTRIAN AND CYCLIST EQUITY.**

24 (a) SAFE ROUTES TO SCHOOL PROGRAM.—

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

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

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

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

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

21 (3) APPORTIONMENT OF FUNDS.—

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

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

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

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

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

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

20 (D) SET-ASIDE FOR NONMOTORIZED PILOT
21 PROGRAM.—Before apportioning amounts made
22 available to carry out this subsection under this
23 paragraph and the set-aside under subpara-
24 graph (C) for a fiscal year, the Secretary shall
25 set aside for the nonmotorized pilot program

1 under subsection (b) of this section
2 \$25,000,000 for each of fiscal years 2005
3 through 2009.

4 (E) DETERMINATION OF STUDENT EN-
5 ROLLMENTS.—Determinations under this para-
6 graph concerning student enrollments shall be
7 made by the Secretary.

8 (4) ADMINISTRATION OF AMOUNTS.—Amounts
9 apportioned to a State under this subsection shall be
10 administered by the State’s department of transpor-
11 tation.

12 (5) ELIGIBLE RECIPIENTS.—Amounts appor-
13 tioned to a State under this subsection shall be used
14 by the State to provide financial assistance to State,
15 local, and regional agencies, including nonprofit or-
16 ganizations, that demonstrate an ability to meet the
17 requirements of this subsection.

18 (6) ELIGIBLE PROJECTS AND ACTIVITIES.—

19 (A) INFRASTRUCTURE-RELATED
20 PROJECTS.—

21 (i) IN GENERAL.—Amounts appor-
22 tioned to a State under this subsection
23 may be used for the planning, design, and
24 construction of infrastructure-related
25 projects that will substantially improve the

1 ability of students to walk and bike to
2 school, including sidewalk improvements,
3 traffic calming and speed reduction im-
4 provements, pedestrian and bicycle cross-
5 ing improvements, on-street bicycle facili-
6 ties, off-street bicycle and pedestrian facili-
7 ties, secure bicycle parking facilities, and
8 traffic diversion improvements in the vicin-
9 ity of schools.

10 (ii) LOCATION OF PROJECTS.—Infra-
11 structure-related projects under subpara-
12 graph (A) may be carried out on any pub-
13 lic road or any bicycle or pedestrian path-
14 way or trail in the vicinity of schools.

15 (B) NONINFRASTRUCTURE-RELATED AC-
16 TIVITIES.—

17 (i) IN GENERAL.—In addition to
18 projects described in subparagraph (A),
19 amounts apportioned to a State under this
20 subsection may be used for noninfrastruc-
21 ture-related activities to encourage walking
22 and bicycling to school, including public
23 awareness campaigns and outreach to
24 press and community leaders, traffic edu-
25 cation and enforcement in the vicinity of

1 schools, student sessions on bicycle and pe-
2 destrian safety, health, and environment,
3 and funding for training, volunteers, and
4 managers of safe routes to school pro-
5 grams.

6 (ii) ALLOCATION.—Not less than 10
7 percent and not more than 30 percent of
8 the amount apportioned to a State under
9 this subsection for a fiscal year shall be
10 used for noninfrastructure-related activities
11 under this subparagraph.

12 (C) SAFE ROUTES TO SCHOOL COORDI-
13 NATOR.—Each State receiving an apporportion-
14 ment under this subsection for a fiscal year
15 shall use a sufficient amount of the apporportion-
16 ment to fund a full-time position of coordinator
17 of the State’s safe routes to school program.

18 (7) CLEARINGHOUSE.—

19 (A) IN GENERAL.—The Secretary shall
20 make grants to a national nonprofit organiza-
21 tion engaged in promoting safe routes to
22 schools to—

23 (i) operate a national safe routes to
24 school clearinghouse;

1 (ii) develop information and edu-
2 cational programs on safe routes to school;
3 and

4 (iii) provide technical assistance and
5 disseminate techniques and strategies used
6 for successful safe routes to school pro-
7 grams.

8 (B) FUNDING.—The Secretary shall carry
9 out this paragraph using amounts set aside for
10 administrative expenses under paragraph
11 (3)(C).

12 (8) TASK FORCE.—

13 (A) IN GENERAL.—The Secretary shall es-
14 tablish a national safe routes to school task
15 force composed of leaders in health, transpor-
16 tation, and education, including representatives
17 of appropriate Federal agencies, to study and
18 develop a strategy for advancing safe routes to
19 school programs nationwide.

20 (B) REPORT.—Not later than March 31,
21 2006, the Secretary shall transmit to Congress
22 a report containing the results of the study con-
23 ducted, and a description of the strategy devel-
24 oped, under subparagraph (A) and information
25 regarding the use of funds for infrastructure-re-

1 lated and noninfrastructure-related activities
2 under subparagraphs (A) and (B) of paragraph
3 (6).

4 (C) FUNDING.—The Secretary shall carry
5 out this paragraph using amounts set aside for
6 administrative expenses under paragraph
7 (3)(C).

8 (9) APPLICABILITY OF TITLE 23.—Funds made
9 available to carry out this subsection shall be avail-
10 able for obligation in the same manner as if such
11 funds were apportioned under chapter 1 of title 23,
12 United States Code; except that such funds shall not
13 be transferable and shall remain available until ex-
14 pended and the Federal share of the cost of a
15 project or activity under this section shall be 100
16 percent. Notwithstanding any other provision of law,
17 projects assisted under this subsection shall be treat-
18 ed as projects on a Federal-aid system under such
19 chapter.

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

22 (A) IN THE VICINITY OF SCHOOLS.—The
23 term “in the vicinity of schools” means, with
24 respect to a school, the area within bicycling

1 and walking distance of the school (approx-
2 imately 2 miles).

3 (B) PRIMARY AND MIDDLE SCHOOLS.—

4 The term “primary and middle schools” means
5 schools providing education from kindergarten
6 through eighth grade.

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

10 (b) NONMOTORIZED TRANSPORTATION PILOT PRO-
11 GRAM.—

12 (1) ESTABLISHMENT.—The Secretary shall es-
13 tablish and carry out a nonmotorized transportation
14 pilot program to construct, in 4 communities se-
15 lected by the Secretary, a network of nonmotorized
16 transportation infrastructure facilities, including
17 sidewalks, bicycle lanes, and pedestrian and bicycle
18 trails, that connect directly with transit stations,
19 schools, residences, businesses, recreation areas, and
20 other community activity centers.

21 (2) PURPOSE.—The purpose of the program
22 shall be to demonstrate the extent to which bicycling
23 and walking can carry a significant part of the
24 transportation load, and represent a major portion

1 of the transportation solution, within selected com-
2 munities.

3 (3) GRANTS.—In carrying out the program, the
4 Secretary may make grants to State, local, and re-
5 gional agencies, that the Secretary determines are
6 suitably equipped and organized to carry out the ob-
7 jectives and requirements of this subsection. An
8 agency that receives a grant under this subsection
9 may suballocate grant funds to a nonprofit organiza-
10 tion to carry out the program under this subsection.

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

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

1 **SEC. 1123. NATIONAL COMMISSIONS.**

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

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

7 (A) a study evaluating alternative short-
8 term sources of Highway Trust Fund revenue
9 to support the requirements of section 1125;
10 and

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

19 (2) FUNCTIONS.—The Commission shall—

20 (A) develop recommendations to generate
21 Highway Trust Fund revenue necessary to ac-
22 complish the requirements of section 1125;

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

1 (C) consult with the Secretary of Trans-
2 portation and the Secretary of the Treasury to
3 assure that their views concerning essential at-
4 tributes of Highway Trust Fund revenue alter-
5 natives are understood;

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

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

18 (3) SPECIFIC MATTERS TO BE ADDRESSED.—
19 The study under paragraph (1)(B) shall address
20 specifically—

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

1 (B) the time frame within which actions
2 must be taken to transition from the fuel tax to
3 alternative revenue sources to support the
4 Highway Trust Fund;

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

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

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

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

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

1 under paragraph (2), the Commission shall con-
2 sider—

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

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

9 (C) administrative costs, including enforce-
10 ment, to implement each option;

11 (D) potential taxpayer privacy concerns;

12 (E) likely technological advances that could
13 ease implementation of each option;

14 (F) the equity and economic efficiency of
15 each option;

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

19 (H) potential compatibility issues with
20 States tax mechanisms under each alternative.

21 (5) MEMBERSHIP.—

22 (A) COMPOSITION.—The Commission shall
23 be composed of nine members of whom—

24 (i) three members shall be appointed
25 by the Secretary;

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

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

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

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

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

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

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

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

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

8 (6) STAFF.—

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

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

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

1 (7) ADMINISTRATIVE SUPPORT SERVICES.—

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

7 (8) REPORTS AND RECOMMENDATIONS.—

8 (A) REVENUE ACTIONS.—Not later than
9 September 30, 2005, the Commission shall
10 transmit to Congress a report on revenue ac-
11 tions that would support the requirements of
12 section 1125.

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

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

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

4 (10) AUTHORIZATION OF APPROPRIATIONS.—

5 There is authorized to be appropriated from the
6 Highway Trust Fund (other than the Mass Transit
7 Account) \$1,500,000 for each of fiscal years 2005
8 and 2006 to carry out this subsection.

9 (11) APPLICABILITY OF TITLE 23.—Funds

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

17 (b) DECLARATION OF POLICY REGARDING FUTURE
18 OF THE INTERSTATE HIGHWAY SYSTEM STUDY.—Section
19 101(b) of title 23, United States Code, is amended by
20 striking the last paragraph and inserting the following:

21 “It is further declared that it is in the national inter-
22 est to preserve and enhance the Dwight D. Eisenhower
23 National System of Interstate and Defense Highways to
24 meet the Nation’s needs for the 21st century. The current
25 urban and long distance personal travel and freight move-

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

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

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

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

3 (2) FUNCTION.—The Commission shall—

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

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

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

17 (3) SPECIFIC MATTERS TO BE ADDRESSED.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (6) MEMBERSHIP.—

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

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

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

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

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

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

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

1 representing surface transportation owners and
2 operators.

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

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

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

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

15 (7) STAFF.—

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

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

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

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

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

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

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

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

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

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

13 (2) FUNDING.—There is authorized to be ap-
14 propriated from the Highway Trust Fund (other
15 than the Mass Transit Account) \$500,000 for each
16 of fiscal years 2005 through 2009 to carry out this
17 subsection.

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

24 (b) BICYCLE AND PEDESTRIAN SAFETY GRANTS.—

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

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

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

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

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

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

21 **SEC. 1126. EQUITY REQUIREMENT.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (13) The safe routes to schools program under
4 section 1122 of this Act.

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

7 (c) CONSIDERATION OF COMMISSION FINDINGS.—In
8 considering a law that increases the guaranteed rate of
9 return referred to in subsection (a), Congress should con-
10 sider the findings of the report on alternative short-term
11 sources of Highway Trust Fund revenue to be published
12 by the National Commission on Future Revenue Sources
13 to Support the Highway Trust Fund pursuant to section
14 1123 of this Act.

15 **Subtitle B—Congestion Relief**

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

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

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

20 “(a) IN GENERAL.—Each State that has an urban-
21 ized area with an urbanized area population of over
22 200,000 individuals shall obligate in each of fiscal years
23 2005 through 2009 a portion of the State’s apportion-
24 ments under section 104(b) in such fiscal year, as cal-
25 culated under subsection (b), for congestion relief activi-

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

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

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

10 “(2) 10 percent; by

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

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

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

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

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

1 “(A) Under one congestion relief activities.

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

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

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

13 “(d) OBLIGATION OF AMOUNTS.—

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

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

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

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

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

16 “(g) TRANSFERS.—

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

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

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

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

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

18 “(1) CONGESTION RELIEF ACTIVITIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“139. Motor vehicle congestion relief.”.

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

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

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

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

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

13 (5) in section 153(i)—

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

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

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

20 (7) in section 405(f)—

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

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

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

3 (a) DEFINITIONS.—

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

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

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

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

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

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

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

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

6 “(B) INCLUDED ACTIVITIES AND IMPROVE-
7 MENTS.—The term includes regional operations
8 collaboration and coordination activities be-
9 tween transportation and public safety agencies
10 and improvements such as traffic detection and
11 surveillance, arterial management, freeway
12 management, demand management, work zone
13 management, emergency management, elec-
14 tronic toll collection, automated enforcement,
15 traffic operations measures to improve capacity,
16 traffic signal coordination, optimization of traf-
17 fic signal timing, traffic incident management,
18 communications equipment related to traffic in-
19 cident management (including integrated, inter-
20 operable, emergency communications equip-
21 ment), roadway weather management, traveler
22 information services, commercial vehicle oper-
23 ations, traffic control, freight management, and
24 coordination of highway, rail, transit, bicycle,
25 and pedestrian operations.”.

1 (b) SURFACE TRANSPORTATION PROGRAM ELIGI-
2 BILITY.—Section 133(b) of such title is amended—

3 (1) by redesignating paragraphs (13) and (14)
4 as paragraphs (12) and (13), respectively; and

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

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

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

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

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

22 “§ 166. **Transportation systems management and op-**
23 **erations**

24 “(a) AUTHORITY.—The Secretary may—

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

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

17 “(B) sharing of information among opera-
18 tors, service providers, public safety officials,
19 and the general public; and

20 “(C) guiding, in a regionally-coordinated
21 manner, the implementation of regional trans-
22 portation system management and operations
23 initiatives, including emergency evacuation and
24 response, traffic incident management, tech-
25 nology deployment, and traveler information

1 systems delivery, in a manner consistent with
2 and integrated into the ongoing metropolitan
3 and statewide transportation planning processes
4 and regional intelligent transportation system
5 architecture, if required; and

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

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

18 “(1) Assist and cooperate with other Federal
19 departments and agencies, State and local govern-
20 ments, metropolitan planning organizations, private
21 industry representatives, and other interested parties
22 to improve regional collaboration and real-time infor-
23 mation sharing between transportation system man-
24 agers and operators, public safety officials, emer-
25 gency managers, and the general public to increase

1 the security, safety, and reliability of Federal-aid
2 highways.

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

10 (e) CONFORMING AMENDMENT.—The analysis for
11 such chapter is further amended by adding at the end the
12 following:

“166. Transportation systems management and operations.”.

13 (f) INTELLIGENT TRANSPORTATION SYSTEM PRO-
14 CUREMENT POLICY.—

15 (1) STUDY.—The Secretary shall—

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

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

23 (2) RECOMMENDATIONS.—Based on the results
24 of the study, the Secretary shall make recommenda-
25 tions in the report under paragraph (4) regarding

1 procurement standards, including recommendations
2 regarding any changes in Federal and State stat-
3 utes, regulations, and policies necessary to ensure
4 that national interests are served in meeting future
5 intelligent transportation system needs.

6 (3) SPECIFIC MATTERS TO BE ADDRESSED.—

7 The study under this subsection shall specifically ad-
8 dress the following:

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

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

23 (C) ALTERNATIVES.—The range of legisla-
24 tive, regulatory, and policy alternatives to ad-

1 dress identified needs and goals, including fund-
2 ing needs.

3 (D) RECOMMENDATIONS.—Recommendations
4 regarding procurement standards, including
5 recommendations regarding any changes in
6 Federal and State statutes, regulations, and
7 policies necessary for expedited and streamlined
8 procurements.

9 (4) REPORT AND RECOMMENDATIONS.—Not
10 later than March 31, 2006, the Secretary shall
11 transmit to the appropriate committees of Congress
12 a final report regarding the results of the study conducted
13 under this subsection and recommendations
14 to address the needs identified in such study.

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

23 (6) AUTHORIZATION OF APPROPRIATIONS.—
24 There is authorized to be appropriated from the
25 Highway Trust Fund (other than the Mass Transit

1 Account) \$1,000,000 in fiscal year 2005 to carry out
2 this subsection.

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

11 **SEC. 1203. REAL-TIME SYSTEM MANAGEMENT INFORMA-**
12 **TION PROGRAM.**

13 (a) ESTABLISHMENT.—

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

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

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

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

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

13 (b) NATIONAL STEERING COMMITTEE.—

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

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

23 (3) PURPOSE.—The purpose of the national
24 steering committee shall be to provide guidance re-

1 regarding the content and uniformity of data exchange
2 formats.

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

12 (d) REGIONAL INTELLIGENT TRANSPORTATION SYS-
13 TEM ARCHITECTURE.—

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

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

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

15 (f) LIMITATION ON STATUTORY CONSTRUCTION.—
16 Nothing in this section shall be construed as altering or
17 otherwise affecting the applicability of the requirements
18 of chapter 1 of title 23, United States Code (including
19 requirements relating to the eligibility of a project for as-
20 sistance under the program, the location of the project,
21 and the Federal-share payable on account of the project),
22 to amounts apportioned to a State for a program under
23 section 104(b) that are obligated by the State for activities
24 and projects under this section.

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

8 **SEC. 1204. EXPEDITED NATIONAL INTELLIGENT TRANSPOR-**
9 **TATION SYSTEMS DEPLOYMENT PROGRAM.**

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

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

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

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

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

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

22 (4) enhance fully integrated intelligent trans-
23 portation system deployment;

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

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

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

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

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

19 **SEC. 1205. INTELLIGENT TRANSPORTATION SYSTEMS DE-**
20 **PLOYMENT.**

21 (a) **PURPOSE.**—The purpose of this section is to en-
22 sure that a minimum of \$2,500,000,000 of the amounts
23 authorized to be appropriated for the National Highway
24 System, Interstate maintenance, surface transportation,
25 and congestion mitigation and air quality improvement

1 programs for fiscal years 2005 through 2009 is utilized
2 to expand deployment of intelligent transportation sys-
3 tems.

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

7 **“§ 150. Deployment of intelligent transportation sys-**
8 **tems**

9 “(a) IN GENERAL.—In each of fiscal years 2005
10 through 2009, each State shall obligate a portion of the
11 funds apportioned to the State under sections 104(b)(1),
12 104(b)(2), 104(b)(3), and 104(b)(4) for such fiscal year,
13 calculated under subsection (b), for projects described in
14 subsection (c) that support deployment of intelligent
15 transportation systems in the State.

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

21 “(1) the aggregate of amounts apportioned to
22 the State for such fiscal year under sections
23 104(b)(1), 104(b)(2), 104(b)(3), and 104(b)(4);
24 bears to

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

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

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

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

21 “(3) SAFETY.—Implementation of intelligent
22 transportation system technologies that improve
23 highway safety through linkages connecting the vehi-
24 cle, the infrastructure, and information to the driver.

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

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

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

17 “(d) OBLIGATION OF AMOUNTS.—

18 “(1) IN GENERAL.—In complying with the re-
19 quirements of this section, the amounts obligated by
20 a State for projects under subsection (c) that sup-
21 port deployment of intelligent transportation systems
22 in such State under subsection (a) shall be allocated
23 among the individual programs for which funds are
24 apportioned under sections 104(b)(1), 104(b)(2),
25 104(b)(3), and 104(b)(4).

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

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

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

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

“150. Deployment of intelligent transportation systems.”.

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

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

15 (b) NATIONWIDE PROGRAMMATIC AGREEMENT.—

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

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

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

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

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

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

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

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

21 “(1) PILOT PROGRAM.—

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

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

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

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

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

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

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

22 “(b) AGREEMENTS.—

23 “(1) IN GENERAL.—The Secretary shall enter
24 into a memorandum of understanding with a State
25 participating in the pilot program setting forth the

1 responsibilities to be assigned under subsection
2 (a)(2) and the terms and conditions under which the
3 assignment is being made.

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

12 “(3) MAXIMUM DURATION.—A memorandum of
13 understanding with a State under this section shall
14 be established for an initial period of no more than
15 3 years and may be renewed by mutual agreement
16 on a periodic basis for periods of not more than 3
17 years.

18 “(4) COMPLIANCE.—

19 “(A) IN GENERAL.—After entering into a
20 memorandum of understanding under para-
21 graph (1), the Secretary shall review and deter-
22 mine compliance by the State with the memo-
23 randum of understanding.

24 “(B) RENEWALS.—The Secretary shall
25 take into account the performance of a State

1 under the pilot program when considering re-
2 newal of a memorandum of understanding with
3 the State under the program.

4 “(c) SELECTION OF STATES FOR PILOT PROGRAM.—

5 “(1) APPLICATION.—To be eligible to partici-
6 pate in the pilot program, a State shall submit to
7 the Secretary an application that contains such in-
8 formation as the Secretary may require. At a min-
9 imum, an application shall include—

10 “(A) a description of the projects or class-
11 es of projects for which the State seeks to as-
12 sume responsibilities under subsection (a)(2);
13 and

14 “(B) a certification that the State has the
15 capability to assume such responsibilities.

16 “(2) PUBLIC NOTICE.—Before entering into a
17 memorandum of understanding allowing a State to
18 participate in the pilot program, the Secretary
19 shall—

20 “(A) publish notice in the Federal Register
21 of the Secretary’s intent to allow the State to
22 participate in the program, including a copy of
23 the State’s application to the Secretary and the
24 terms of the proposed agreement with the
25 State; and

1 “(B) provide an opportunity for public
2 comment.

3 “(3) SELECTION CRITERIA.—The Secretary
4 may approve the application of a State to assume re-
5 sponsibilities under the program only if—

6 “(A) the requirements under paragraph
7 (2) have been met; and

8 “(B) the Secretary determines that the
9 State has the capability to assume the respon-
10 sibilities.

11 “(4) OTHER FEDERAL AGENCY VIEWS.—Before
12 assigning to a State a responsibility of the Secretary
13 that requires the Secretary to consult with another
14 Federal agency, the Secretary shall solicit the views
15 of the Federal agency.

16 “(d) STATE DEFINED.—With respect to the rec-
17 reational trails program, the term ‘State’ means the State
18 agency designated by the Governor of the State in accord-
19 ance with section 206(e)(1).

20 “(e) PRESERVATION OF PUBLIC INTEREST CONSID-
21 ERATION.—Nothing in this section shall be construed to
22 limit the requirements under any applicable law providing
23 for the consideration and preservation of the public inter-
24 est, including public participation and community values
25 in transportation decisionmaking.”.

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

“167. State assumption of responsibilities for certain programs and projects.”.

4 **SEC. 1208. HOV FACILITIES.**

5 (a) IN GENERAL.—Subchapter I of chapter 1 of title
6 23, United States Code, is amended by adding at the end
7 the following:

8 **“§ 168. HOV facilities**

9 “(a) IN GENERAL.—

10 “(1) AUTHORITY OF STATE AGENCIES.—A
11 State agency that has jurisdiction over the operation
12 of a HOV facility shall establish the occupancy re-
13 quirements of vehicles operating on the facility.

14 “(2) OCCUPANCY REQUIREMENT.—Except as
15 otherwise provided by this section, no fewer than 2
16 occupants per vehicle may be required for use of a
17 HOV facility.

18 “(b) EXCEPTIONS.—Notwithstanding the occupancy
19 requirements of subsection (a)(2), the following exceptions
20 shall apply with respect to a State agency operating a
21 HOV facility:

22 “(1) MOTORCYCLES AND BICYCLES.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B), the State agency shall allow motor-
25 cycles and bicycles to use the HOV facility.

1 “(B) SAFETY EXCEPTION.—A State agen-
2 cy may restrict use of the HOV facility by mo-
3 torcycles or bicycles (or both) if the agency cer-
4 tifies to the Secretary that such use would cre-
5 ate a safety hazard and the Secretary accepts
6 the certification. The Secretary may accept a
7 certification under this subparagraph only after
8 the Secretary publishes notice of the certifi-
9 cation in the Federal Register and provides an
10 opportunity for public comment.

11 “(2) PUBLIC TRANSPORTATION VEHICLES.—
12 The State agency may allow public transportation
13 vehicles to use the HOV facility if the agency—

14 “(A) establishes requirements for clearly
15 identifying the vehicles; and

16 “(B) establishes procedures for enforcing
17 the restrictions on the use of the facility by
18 such vehicles.

19 “(3) HIGH OCCUPANCY TOLL VEHICLES.—The
20 State agency may allow vehicles not otherwise ex-
21 empt pursuant to this subsection to use the HOV fa-
22 cility if the operators of such vehicles pay a toll
23 charged by the agency for use of the facility and the
24 agency—

1 “(A) establishes a program that addresses
2 how motorists can enroll and participate in the
3 toll program;

4 “(B) develops, manages, and maintains a
5 system that will automatically collect the toll;
6 and

7 “(C) establishes policies and procedures
8 to—

9 “(i) manage the demand to use the fa-
10 cility by varying the toll amount that is
11 charged; and

12 “(ii) enforce violations of use of the
13 facility.

14 “(4) LOW EMISSION AND ENERGY-EFFICIENT
15 VEHICLES.—

16 “(A) INHERENTLY LOW-EMISSION VEHI-
17 CLE.—Before September 30, 2009, the State
18 agency may allow vehicles that are certified as
19 inherently low-emission vehicles pursuant to
20 section 88.311–93 of title 40, Code of Federal
21 Regulations, and are labeled in accordance with
22 section 88.312–93 of such title, to use the HOV
23 facility if the agency establishes procedures for
24 enforcing the restrictions on the use of the fa-
25 cility by such vehicles.

1 “(B) OTHER LOW EMISSION AND ENERGY-
2 EFFICIENT VEHICLES.—Before September 30,
3 2009, the State agency may allow vehicles cer-
4 tified as low emission and energy-efficient vehi-
5 cles under subsection (e), and labeled in accord-
6 ance with subsection (e), to use the HOV facil-
7 ity if the operators of such vehicles pay a toll
8 charged by the agency for use of the facility
9 and the agency—

10 “(i) establishes a program that ad-
11 dresses the selection of vehicles under this
12 paragraph; and

13 “(ii) establishes procedures for enforce-
14 ing the restrictions on the use of the facil-
15 ity by such vehicles.

16 “(C) AMOUNT OF TOLLS.—Under subpara-
17 graph (B), a State agency may charge no toll
18 or a toll that is less than tolls charged under
19 paragraph (3).

20 “(c) REQUIREMENTS APPLICABLE TO TOLLS.—

21 “(1) IN GENERAL.—Tolls may be charged
22 under subsections (b)(3) and (b)(4) notwithstanding
23 section 301 and, except as provided in paragraphs
24 (2) and (3), subject to the requirements of section
25 129.

1 “(2) HOV FACILITIES ON THE INTERSTATE
2 SYSTEM.—Notwithstanding section 129, tolls may be
3 charged under subsections (b)(3) and (b)(4) on a
4 HOV facility on the Interstate System.

5 “(3) EXCESS TOLL REVENUES.—If a State
6 agency makes a certification under the last sentence
7 of section 129(a)(3) with respect to toll revenues col-
8 lected under subsections (b)(3) and (b)(4), the
9 State, in the use of tolls revenues under that sen-
10 tence, shall give priority consideration to projects for
11 developing alternatives to single occupancy vehicle
12 travel and projects for improving highway safety.

13 “(d) HOV FACILITY MANAGEMENT, OPERATION,
14 MONITORING, AND ENFORCEMENT.—

15 “(1) IN GENERAL.—A State agency that allows
16 vehicles to use a HOV facility under subsection
17 (b)(3) or (b)(4) in a fiscal year shall certify to the
18 Secretary that the agency will carry out the fol-
19 lowing responsibilities with respect to the facility in
20 the fiscal year:

21 “(A) Establishing, managing, and sup-
22 porting a performance monitoring, evaluation,
23 and reporting program for the facility that pro-
24 vides for continuous monitoring, assessment,
25 and reporting on the impacts that such vehicles

1 may have on the operation of the facility and
2 adjacent highways.

3 “(B) Establishing, managing, and sup-
4 porting an enforcement program that ensures
5 that the facility is being operated in accordance
6 with the requirements of this section.

7 “(C) Limiting or discontinuing the use of
8 the facility by such vehicles if the presence of
9 such vehicles has degraded the operation of the
10 facility.

11 “(2) DEGRADED FACILITY.—

12 “(A) IN GENERAL.—For purposes of para-
13 graph (1), the operation of a HOV facility shall
14 be considered to be degraded if vehicles oper-
15 ating on the facility are failing to maintain a
16 minimum average operating speed 90 percent of
17 the time over a consecutive 6-month period dur-
18 ing morning or evening weekday peak hour pe-
19 riods (or both).

20 “(B) MINIMUM AVERAGE OPERATING
21 SPEED DEFINED.—In subparagraph (A), the
22 term ‘minimum average operating speed’
23 means—

1 “(i) 45 miles per hour, in the case of
2 a HOV facility with a speed limit of 50
3 miles per hour or greater; and

4 “(ii) not more than 10 miles per hour
5 below the speed limit, in the case of a
6 HOV facility with a speed limit of less
7 than 50 miles per hour.

8 “(e) CERTIFICATION OF LOW EMISSION AND EN-
9 ERGY-EFFICIENT VEHICLES.—Not later than 6 months
10 after the date of enactment of this section, the Adminis-
11 trator of the Environmental Protection Agency shall issue
12 a final rule establishing requirements for certification of
13 vehicles as low emission and energy-efficient vehicles for
14 purposes of this section and requirements for the labeling
15 of such vehicles.

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

18 “(1) ALTERNATIVE FUEL VEHICLE.—The term
19 ‘alternative fuel vehicle’ means a vehicle that oper-
20 ates on—

21 “(A) methanol, denatured ethanol, or other
22 alcohols;

23 “(B) a mixture containing at least 85 per-
24 cent of methanol, denatured ethanol, and other
25 alcohols by volume with gasoline or other fuels;

1 “(C) natural gas;

2 “(D) liquefied petroleum gas;

3 “(E) hydrogen;

4 “(F) coal derived liquid fuels;

5 “(G) fuels (except alcohol) derived from bi-
6 ological materials;

7 “(H) electricity (including electricity from
8 solar energy); or

9 “(I) any other fuel that the Secretary pre-
10 scribes by regulation that is not substantially
11 petroleum and that would yield substantial en-
12 ergy security and environmental benefits.

13 “(2) HOV FACILITY.—The term ‘HOV facility’
14 means a high occupancy vehicle facility.

15 “(3) LOW EMISSION AND ENERGY EFFICIENT
16 VEHICLE.—The term ‘low emission and energy-effi-
17 cient vehicle’ means a vehicle that—

18 “(A) has been certified by the Adminis-
19 trator of the Environmental Protection Agency
20 as meeting the Tier II emission level established
21 in regulations prescribed by the Administrator
22 under section 202(i) of the Clean Air Act (42
23 U.S.C. 7521(i)) for that make and model year
24 vehicle; and

1 “(B)(i) has been certified by the Adminis-
2 trator to have a 45-mile-per-gallon or greater
3 fuel economy highway rating; or

4 “(ii) is an alternative fuel vehicle.

5 “(4) PUBLIC TRANSPORTATION VEHICLE.—The
6 term ‘public transportation vehicle’ means a vehicle
7 that provides public transportation (as defined in
8 section 5302(a) of title 49).

9 “(5) STATE AGENCY.—The term ‘State agency’,
10 as used with respect to a HOV facility, means an
11 agency of a State or local government having juris-
12 diction over the operation of the facility and includes
13 a State transportation department.”.

14 (b) CONFORMING AMENDMENTS.—

15 (1) PROGRAM EFFICIENCIES.—Section 102 of
16 title 23, United States Code, is amended by striking
17 subsection (a) and redesignating subsections (b) and
18 (c) as subsections (a) and (b), respectively.

19 (2) CHAPTER ANALYSIS.—The analysis for sub-
20 chapter I of chapter 1 of such title is amended by
21 adding at the end the following:

 “168. HOV facilities.”.

22 (c) TECHNICAL AMENDMENT.—Section 102(b) of
23 title 23, United States Code, as redesignated by subsection
24 (b)(1) of this section, is amended by striking “10 years”
25 and all that follows through “after” and inserting “10

1 years (or such longer period as the State requests and the
2 Secretary determines to be reasonable) after”.

3 (d) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Secretary and the States should provide ad-
5 ditional incentives (including the use of high occupancy
6 vehicle lanes on State and Interstate highways) for the
7 purchase and use of hybrid and other fuel efficient vehi-
8 cles, which have been proven to minimize air emissions
9 and decrease consumption of fossil fuels.

10 **SEC. 1209. CONGESTION PRICING PILOT PROGRAM.**

11 (a) ESTABLISHMENT.—Section 1012(b)(1) of the
12 Intermodal Surface Transportation Efficiency Act of 1991
13 (23 U.S.C. 149 note; 105 Stat. 1938) is amended to read
14 as follows:

15 “(1) ESTABLISHMENT.—

16 “(A) IN GENERAL.—The Secretary may
17 enter into cooperative agreements with State
18 and local governments to carry out not more
19 than 25 congestion pricing pilot projects.

20 “(B) PREVIOUSLY APPROVED PROJECTS.—

21 Projects carried out under paragraph (1) shall
22 include each project approved under this sub-
23 section before the date of enactment of the
24 Transportation Equity Act: A Legacy for Users

1 and under which highway tolls are being col-
2 lected as of such date of enactment.”.

3 (b) SET-ASIDE FOR PROJECTS NOT INVOLVING
4 HIGHWAY TOLLS.—At the end of section 1012(b)(8) of
5 such Act add the following:

6 “(D) SET-ASIDE FOR PROJECTS NOT IN-
7 VOLVING HIGHWAY TOLLS.—Of the amounts
8 made available to carry out this subsection,
9 \$3,000,000 per fiscal year shall be available
10 only for congestion pricing pilot projects that do
11 not involve highway tolls.”.

12 (c) CONFORMING AMENDMENTS.—Section 1012(b)
13 of such Act is amended—

14 (1) in the subsection heading by striking
15 “VALUE PRICING” and inserting “CONGESTION
16 PRICING”;

17 (2) in paragraph (2)—

18 (A) by striking “(2) Notwithstanding” and
19 inserting the following:

20 “(2) FEDERAL SHARE; ELIGIBLE COSTS.—Not-
21 withstanding”;

22 (B) in the first sentence by striking “pro-
23 grams” and inserting “projects”; and

24 (C) in the second sentence by striking
25 “program” and inserting “project”;

1 (3) in paragraph (3) by striking “(3) Revenues” and inserting the following:

2 “(3) USE OF REVENUES.—Revenues”;

3 (4) in paragraph (4)—

4 (A) by striking “(4) Notwithstanding” and
5 inserting the following:

6 “(4) USE OF TOLLS ON INTERSTATE SYSTEM.—
7 Notwithstanding”;

8 (B) by striking “value pricing pilot program” and inserting “congestion pricing pilot
9 project”;

10 (5) in paragraph (5)—

11 (A) by striking “(5) The Secretary” and
12 inserting the following:

13 “(5) MONITORING.—The Secretary”; and

14 (B) by striking “programs” the first and
15 second place it appears and inserting
16 “projects”; and

17 (6) in paragraph (6) by striking “value pricing
18 pilot program” and inserting “congestion pricing
19 pilot project”.

1 **SEC. 1210. CONGESTION MITIGATION AND AIR QUALITY IM-**
2 **PROVEMENT PROGRAM ELIGIBILITY.**

3 Section 149(b)(5) of title 23, United States Code, is
4 amended by inserting “improve transportation systems
5 management and operations,” after “intersections,”.

6 **SEC. 1211. SPECIAL RULES FOR STATE ASSUMPTION OF RE-**
7 **SPONSIBILITIES.**

8 (a) **LIMITATIONS.**—Section 167(a) of title 23, United
9 States Code, as added by section 1207(a) of this Act, is
10 amended by adding at the end the following:

11 “(3) **LIMITATIONS.**—

12 “(A) **PROCEDURAL AND SUBSTANTIVE RE-**
13 **QUIREMENTS.**—A State that assumes the re-
14 sponsibilities of the Secretary under this section
15 shall be subject to the same procedural and
16 substantive requirements as would apply if the
17 responsibilities were carried out by the Sec-
18 retary. When a State assumes responsibilities
19 for carrying out a Federal law under this sec-
20 tion, the State assents to Federal jurisdiction
21 and shall be solely responsible and solely liable
22 for complying with and carrying out that law
23 instead of the Secretary.

24 “(B) **ASSUMPTION OF RESPONSIBIL-**
25 **ITIES.**—Any responsibility of the Secretary not
26 assumed by the State in a memorandum of un-

1 derstanding shall remain a responsibility of the
2 Secretary.

3 “(C) POWERS OF OTHER AGENCIES.—
4 Nothing in this section preempts or limits any
5 power, jurisdiction, responsibility, or authority
6 of an agency, other than the Department of
7 Transportation, with respect to a project.”.

8 (b) ACCEPTANCE OF FEDERAL COURTS JURISDIC-
9 TION; TERMINATION OF AGREEMENTS.—Section 167(b)
10 of title 23, United States Code, as added by section
11 1207(a) of this Act, is amended by adding at the end the
12 following:

13 “(5) ACCEPTANCE OF FEDERAL COURTS JURIS-
14 DICTION.—A memorandum of understanding with a
15 State under this section shall include a provision
16 under which the State consents to accept the juris-
17 diction of the Federal courts for the compliance, dis-
18 charge, and enforcement of any responsibility of the
19 Secretary that the State may assume under the
20 memorandum.

21 “(6) TERMINATION OF AGREEMENTS.—A
22 memorandum of understanding with a State under
23 this section shall include a provision authorizing the
24 Secretary to terminate the agreement if the Sec-
25 retary, after providing an opportunity for a hearing,

1 issues a finding that the State is not in compliance
2 with the terms of the agreement.”.

3 (c) STATE SUBJECT TO FEDERAL LAWS.—Section
4 167 of title 23, United States Code, as added by section
5 1207(a) of this Act, is further amended by adding at the
6 end the following:

7 “(f) STATE SUBJECT TO FEDERAL LAWS.—For pur-
8 poses of assuming responsibilities of the Secretary under
9 this section, a State agency entering into a memorandum
10 of understanding under subsection (b) is deemed to be a
11 Federal agency to the extent the State is carrying out the
12 Secretary’s responsibilities under the National Environ-
13 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.), this
14 title, and any other provision of Federal law.”.

15 **SEC. 1212. OPENING OF INTERSTATE RAMPS.**

16 (a) IN GENERAL.—Not later 30 days after the date
17 of enactment of this Act, the Secretary shall open the
18 ramp connecting Interstate Route 495 and Arena Drive
19 in Prince George’s County, Maryland, for the purpose of
20 allowing motor vehicles to exit Interstate Route 495 in
21 both northern and southern directions onto Arena Drive.
22 Such ramp shall be open for 24 hours a day, every day
23 during the calendar year.

24 (b) FULLY OPENING ARENA DRIVE RAMP.—

1 (1) STUDY.—The Secretary shall conduct a
2 study to determine the most appropriate method for
3 opening the ramps for allowing motor vehicles to
4 enter Interstate Route 495 from Arena Drive.

5 (2) REPORT.—Not later than 1 year after the
6 date of enactment of this Act, the Secretary shall
7 transmit to Congress a report on the results of the
8 study.

9 (c) LIMITATION ON STATUTORY CONSTRUCTION.—
10 Nothing in the section shall be construed as altering cur-
11 rent traffic management protocols to the Arena Drive
12 ramps during stadium events.

13 **Subtitle C—Mobility and Efficiency**

14 **SEC. 1301. NATIONAL CORRIDOR INFRASTRUCTURE IM-** 15 **PROVEMENT PROGRAM.**

16 (a) IN GENERAL.—The Secretary shall establish and
17 implement a program to make allocations to States for
18 highway construction projects in corridors of national sig-
19 nificance to promote economic growth and international
20 or interregional trade pursuant to the selection factors
21 provided in this section. A State must submit an applica-
22 tion to the Secretary in order to receive an allocation
23 under this section.

24 (b) SELECTION PROCESS.—

1 (1) PRIORITY.—In the selection process under
2 this section, the Secretary shall give priority to
3 projects in corridors that are a part of, or will be
4 designated as part of, the Dwight D. Eisenhower
5 National System of Interstate and Defense High-
6 ways after completion of the work described in the
7 application received by the Secretary and to any
8 project that will be completed within 5 years of the
9 date of the allocation of funds for the project.

10 (2) SELECTION FACTORS.—In making alloca-
11 tions under this section, the Secretary shall consider
12 the following factors:

13 (A) The extent to which the corridor pro-
14 vides a link between 2 existing segments of the
15 Interstate System.

16 (B) The extent to which the project will fa-
17 cilitate major multistate or regional mobility
18 and economic growth and development in areas
19 underserved by existing highway infrastructure.

20 (C) The extent to which commercial vehicle
21 traffic in the corridor—

22 (i) has increased since the date of en-
23 actment of the North American Free
24 Trade Agreement Implementation Act (16
25 U.S.C. 4401 et seq.); and

1 (ii) is projected to increase in the fu-
2 ture.

3 (D) The extent to which international
4 truck-borne commodities move through the cor-
5 ridor.

6 (E) The extent to which the project will
7 make improvements to an existing segment of
8 the Interstate System that will result in a de-
9 crease in congestion.

10 (F) The reduction in commercial and other
11 travel time through a major freight corridor ex-
12 pected as a result of the project.

13 (G) The value of the cargo carried by com-
14 mercial vehicle traffic in the corridor and the
15 economic costs arising from congestion in the
16 corridor.

17 (H) The extent of leveraging of Federal
18 funds provided to carry out this section, includ-
19 ing—

20 (i) use of innovative financing;

21 (ii) combination with funding provided
22 under other sections of this Act and title
23 23, United States Code; and

24 (iii) combination with other sources of
25 Federal, State, local, or private funding.

1 (c) PERIOD OF AVAILABILITY.—Funds allocated for
2 a project to a State under this section shall remain avail-
3 able for obligation in that State until 6 months from the
4 day on which they are allocated. Sums not obligated within
5 6 months of the day on which they are allocated shall be
6 available to the Secretary to be allocated for other projects
7 eligible under this section.

8 (d) FEDERAL SHARE.—The Federal share of the cost
9 of a project under this section shall be determined in ac-
10 cordance with section 120(b) of title 23, United States
11 Code.

12 (e) APPLICABILITY OF TITLE 23.—Except as pro-
13 vided in subsections (c) and (d), funds made available by
14 section 1101(a)(10) of this Act to carry out this section
15 shall be available for obligation in the same manner as
16 if such funds were apportioned under chapter 1 of title
17 23, United States Code.

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

21 **SEC. 1302. COORDINATED BORDER INFRASTRUCTURE PRO-**
22 **GRAM.**

23 (a) GENERAL AUTHORITY.—The Secretary shall im-
24 plement a coordinated border infrastructure program
25 under which the Secretary shall distribute funds to border

1 States to improve the safe movement of motor vehicles at
2 or across the border between the United States and Can-
3 ada and the border between the United States and Mexico.

4 (b) ELIGIBLE USES.—A State may use funds appor-
5 tioned under this section only for—

6 (1) improvements in a border region to existing
7 transportation and supporting infrastructure that fa-
8 cilitate cross-border motor vehicle and cargo move-
9 ments;

10 (2) construction of highways and related safety
11 and safety enforcement facilities in a border region
12 that facilitate motor vehicle and cargo movements
13 related to international trade;

14 (3) operational improvements in a border re-
15 gion, including improvements relating to electronic
16 data interchange and use of telecommunications, to
17 expedite cross border motor vehicle and cargo move-
18 ment;

19 (4) modifications to regulatory procedures to
20 expedite safe and efficient cross border motor vehicle
21 and cargo movements; and

22 (5) international coordination of transportation
23 planning, programming, and border operation with
24 Canada and Mexico relating to expediting cross bor-
25 der motor vehicle and cargo movements.

1 (c) APPORTIONMENT OF FUNDS.—On October 1 of
2 each fiscal year, the Secretary shall apportion among bor-
3 der States sums authorized to be appropriated to carry
4 out this section for such fiscal year as follows:

5 (1) 20 percent in the ratio that—

6 (A) the total number of incoming commer-
7 cial trucks that pass through the land border
8 ports of entry within the boundaries of a border
9 State, as determined by the Secretary; bears to

10 (B) the total number of incoming commer-
11 cial trucks that pass through such ports of
12 entry within the boundaries of all the border
13 States, as determined by the Secretary.

14 (2) 30 percent in the ratio that—

15 (A) the total number of incoming personal
16 motor vehicles and incoming buses that pass
17 through land border ports of entry within the
18 boundaries of a border State, as determined by
19 the Secretary; bears to

20 (B) the total number of incoming personal
21 motor vehicles and incoming buses that pass
22 through such ports of entry within the bound-
23 aries of all the border States, as determined by
24 the Secretary.

25 (3) 25 percent in the ratio that—

1 (A) the total weight of incoming cargo by
2 commercial trucks that pass through land bor-
3 der ports of entry within the boundaries of a
4 border State, as determined by the Secretary;
5 bears to

6 (B) the total weight of incoming cargo by
7 commercial trucks that pass through such ports
8 of entry within the boundaries of all the border
9 States, as determined by the Secretary.

10 (4) 25 percent of the ratio that—

11 (A) the total number of land border ports
12 of entry within the boundaries of a border
13 State, as determined by the Secretary; bears to

14 (B) the total number of land border ports
15 of entry within the boundaries of all the border
16 States, as determined by the Secretary.

17 (d) APPLICABILITY OF TITLE 23.—Funds made
18 available to carry out this section shall be available for
19 obligation in the same manner as if such funds were ap-
20 portioned under chapter 1 of title 23, United States Code;
21 except that such funds shall not be transferable and shall
22 remain available until expended and the Federal share of
23 the cost of a project under this section shall be 80 percent.

24 (e) DEFINITIONS.—In this section, the following defi-
25 nitions apply:

1 (1) BORDER REGION.—The term “border re-
2 gion” means any portion of a border State within 20
3 miles of an international land border with Canada or
4 Mexico.

5 (2) BORDER STATE.—The term “border State”
6 means any State that has an international land bor-
7 der with Canada or Mexico.

8 (3) COMMERCIAL TRUCK.—The term “commer-
9 cial truck” means a commercial motor vehicle as de-
10 fined in section 31301(4) (other than subparagraph
11 (B)) of title 49, United States Code.

12 (4) MOTOR VEHICLE.—The term “motor vehi-
13 cle” has the meaning such term has under section
14 101(a) of title 23, United States Code.

15 (5) STATE.—The term “State” has the mean-
16 ing such term has in section 101(a) of such title 23.

17 **SEC. 1303. FREIGHT INTERMODAL CONNECTORS.**

18 (a) IN GENERAL.—

19 (1) ESTABLISHMENT.—The Secretary shall es-
20 tablish a freight intermodal connector program to
21 improve productivity and improve the efficiency of
22 the transportation of freight, while mitigating con-
23 gestion in the area of freight intermodal connectors.

24 (2) PURPOSES.—The purposes of the program
25 shall be—

1 (A) to facilitate and support intermodal
2 freight transportation initiatives at the State
3 and local levels in order to improve freight
4 intermodal connectors and mitigate the impact
5 of congestion in the area of such connectors;
6 and

7 (B) to provide capital funding to address
8 infrastructure and freight operational needs at
9 freight intermodal connectors.

10 (b) STATE RESPONSIBILITIES.—Under the program,
11 each State shall ensure that intermodal freight transpor-
12 tation and trade facilitation and are adequately addressed
13 integrated into the project development process, including
14 transportation planning, through final design and con-
15 struction of freight related transportation projects.

16 (c) ELIGIBLE PROJECTS.—

17 (1) IN GENERAL.—Projects eligible for funding
18 under this section may include the construction of
19 and improvements to publicly owned freight inter-
20 modal connectors, the provision of access to such
21 connectors, and operational improvements for such
22 connectors (including capital investment for intel-
23 ligent transportation systems); except that a project
24 located within the boundaries of an intermodal
25 freight facility shall only include highway infrastruc-

1 ture modifications necessary to facilitate direct inter-
2 modal access between the connector and the facility.

3 (2) SPECIAL RULE.—If a State that does not
4 have any freight intermodal connectors within its
5 boundaries or has only freight intermodal connectors
6 within its boundaries that are in good condition and
7 provide an adequate level of service, projects within
8 the boundaries of the State that are eligible for as-
9 sistance under section 103(b)(6) of title 23, United
10 States Code, relating to the National Highway Sys-
11 tem, shall be eligible for funding under this section.

12 (d) PRIORITY.—Under the program, a State shall
13 give priority to projects on freight intermodal connectors
14 to the National Highway System as identified according
15 to the criteria set forth in the report of the Department
16 of Transportation to Congress entitled “Pulling Together:
17 The NHS and its Connections to Major Intermodal Termi-
18 nals”.

19 (e) APPORTIONMENT.—On October 1 of each fiscal
20 year after the deductions under subsection (i), the Sec-
21 retary shall apportion among the States sums made avail-
22 able to carry out this section for such fiscal year as fol-
23 lows:

24 (1) 33.3 percent in the ratio that—

1 (A) the number of freight intermodal con-
2 nectors identified in the most recent Intermodal
3 Freight Connectors study of the Federal High-
4 way Administration within the boundaries of a
5 State; bears to

6 (B) the total number of such connectors
7 within the boundaries of all the States.

8 (2) 33.3 percent in the ratio that—

9 (A) the total of each State's annual con-
10 tributions to the Highway Trust Fund (other
11 than the Mass Transit Account) attributable to
12 commercial motor vehicles; bears to

13 (B) the total of such annual contributions
14 by all States.

15 (3) 33.4 percent in the same ratios as funds are
16 apportioned for the National Highway System under
17 clauses (i), (ii), (iii), and (iv) of section 104(b)(1)(A)
18 of title 23, United States Code.

19 (f) APPLICABILITY OF TITLE 23.—Funds made avail-
20 able to carry out this section shall be available for obliga-
21 tion in the same manner as if such funds were apportioned
22 under chapter 1 of title 23, United States Code; except
23 that such funds shall not be transferable and shall remain
24 available until expended and the Federal share of the cost
25 of a project under this section shall be 80 percent.

1 (g) UPDATE REPORT.—Not later than August 1,
2 2005, the Secretary shall publish an update to the report
3 entitled “Pulling Together: the National Highway System
4 and its Connections to Major Intermodal Terminals”.

5 (h) DEFINITIONS.—In this section, the following defi-
6 nitions apply:

7 (1) FREIGHT INTERMODAL CONNECTORS.—The
8 term “freight intermodal connector” means the
9 roadway that connects to an intermodal freight facil-
10 ity that carries or will carry intermodal traffic.

11 (2) INTERMODAL FREIGHT FACILITY.—The
12 term “intermodal freight facility” means a port, air-
13 port, truck-rail terminal, and pipeline-truck ter-
14 minal.

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

18 (i) DEDUCTIONS.—

19 (1) FREIGHT INTERMODAL DISTRIBUTION
20 PILOT GRANT PROGRAM.—Whenever an apporportion-
21 ment is made of the sums made available for car-
22 rying out this section for a fiscal year, the Secretary
23 shall deduct \$6,000,000 for each of fiscal years
24 2005 through 2009 for the freight intermodal dis-

1 tribution pilot grant program under section 1307 of
2 this Act.

3 (2) DEDICATED TRUCK LANES.—Whenever an
4 apportionment is made of the sums made available
5 for carrying out this section for a fiscal year, the
6 Secretary shall deduct for dedicated truck lanes
7 under section 1305 of this title \$165,000,000 for
8 each of fiscal years 2005 through 2008 and
9 \$170,000,000 for fiscal year 2009.

10 **SEC. 1304. PROJECTS OF NATIONAL AND REGIONAL SIG-**
11 **NIFICANCE.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) Under current law, surface transportation
14 programs rely primarily on formula capital appor-
15 tionments to States.

16 (2) Despite the significant increase for surface
17 transportation program funding in the Transpor-
18 tation Equity Act of the 21st Century, current levels
19 of investment are insufficient to fund critical high-
20 cost transportation infrastructure facilities that ad-
21 dress critical national economic and transportation
22 needs.

23 (3) Critical high-cost transportation infrastruc-
24 ture facilities often include multiple levels of govern-
25 ment, agencies, modes of transportation, and trans-

1 portation goals and planning processes that are not
2 easily addressed or funded within existing surface
3 transportation program categories.

4 (4) Projects of national and regional signifi-
5 cance have national and regional benefits, including
6 improving economic productivity by facilitating inter-
7 national trade, relieving congestion, and improving
8 transportation safety by facilitating passenger and
9 freight movement.

10 (5) The benefits of such projects described in
11 paragraph (4) accrue to local areas, States, and the
12 Nation as a result of the effect such projects have
13 on the national transportation system.

14 (6) A program dedicated to constructing
15 projects of national and regional significance is nec-
16 essary to improve the safe, secure, and efficient
17 movement of people and goods throughout the
18 United States and improve the health and welfare of
19 the national economy.

20 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
21 shall establish a program to provide grants to qualified
22 entities for projects of national and regional significance.

23 (c) DEFINITIONS.—

24 (1) ELIGIBLE PROJECT COSTS.—The term “eli-
25 gible project costs” means the costs of—

1 (A) development phase activities, including
2 planning, feasibility analysis, revenue fore-
3 casting, environmental review, preliminary engi-
4 neering and design work, and other
5 preconstruction activities; and

6 (B) construction, reconstruction, rehabili-
7 tation, and acquisition of real property (includ-
8 ing land related to the project and improve-
9 ments to land), environmental mitigation, con-
10 struction contingencies, acquisition of equip-
11 ment, and operational improvements.

12 (2) ELIGIBLE PROJECT.—The term “eligible
13 project” means any surface transportation project
14 eligible for Federal assistance under title 23, United
15 States Code, including freight railroad projects and
16 activities eligible under such title.

17 (3) QUALIFIED ENTITY.—The term “qualified
18 entity” means a State as defined in section 101(a)
19 of title 23, United States Code.

20 (d) ELIGIBILITY.—To be eligible for assistance under
21 this section, a project shall have eligible project costs that
22 are reasonably anticipated to equal or exceed the lesser
23 of—

24 (1) \$500,000,000; or

1 (2) 75 percent of the amount of Federal high-
2 way assistance funds apportioned for the most re-
3 cently completed fiscal year to the State in which
4 the project is located.

5 (e) APPLICATIONS.—Each qualified entity seeking to
6 receive a grant under this section for an eligible project
7 shall submit to the Secretary an application in such form
8 and in accordance with such requirements as the Secretary
9 shall establish.

10 (f) COMPETITIVE GRANT SELECTION AND CRITERIA
11 FOR GRANTS.—

12 (1) IN GENERAL.—The Secretary shall—

13 (A) establish criteria for selecting among
14 projects that meet the eligibility criteria speci-
15 fied in subsection (d);

16 (B) conduct a national solicitation for ap-
17 plications; and

18 (C) award grants on a competitive basis.

19 (2) CRITERIA FOR GRANTS.—The Secretary
20 may approve a grant under this section for a project
21 only if the Secretary determines that the project—

22 (A) is based on the results of preliminary
23 engineering;

24 (B) is justified based on the project's abil-
25 ity—

1 (i) to generate national economic ben-
2 efits, including creating jobs, expanding
3 business opportunities, and impacting the
4 gross domestic product;

5 (ii) to reduce congestion, including
6 impacts in the State, region, and Nation;

7 (iii) to improve transportation safety,
8 including reducing transportation acci-
9 dents, injuries, and fatalities;

10 (iv) to otherwise enhance the national
11 transportation system; and

12 (v) to garner support for non-Federal
13 financial commitments and provide evi-
14 dence of stable and dependable financing
15 sources to construct, maintain, and operate
16 the infrastructure facility; and

17 (C) is supported by an acceptable degree of
18 non-Federal financial commitments, including
19 evidence of stable and dependable financing
20 sources to construct, maintain, and operate the
21 infrastructure facility.

22 (3) SELECTION CONSIDERATIONS.—In selecting
23 a project under this section, the Secretary shall con-
24 sider the extent to which the project—

1 (A) leverages Federal investment by en-
2 couraging non-Federal contributions to the
3 project, including contributions from public-pri-
4 vate partnerships;

5 (B) uses new technologies, including intel-
6 ligent transportation systems, that enhance the
7 efficiency of the project.

8 (C) helps maintain or protect the environ-
9 ment.

10 (4) PRELIMINARY ENGINEERING.—In evalu-
11 ating a project under paragraph (2)(A), the Sec-
12 retary shall analyze and consider the results of pre-
13 liminary engineering for the project.

14 (5) NON-FEDERAL FINANCIAL COMMITMENT.—

15 (A) EVALUATION OF PROJECT.—In evalu-
16 ating a project under paragraph (2)(C), the
17 Secretary shall require that—

18 (i) the proposed project plan provides
19 for the availability of contingency amounts
20 that the Secretary determines to be reason-
21 able to cover unanticipated cost increases;
22 and

23 (ii) each proposed non-Federal source
24 of capital and operating financing is stable,

1 reliable, and available within the proposed
2 project timetable.

3 (B) CONSIDERATIONS.—In assessing the
4 stability, reliability, and availability of proposed
5 sources of non-Federal financing under sub-
6 paragraph (A), the Secretary shall consider—

7 (i) existing financial commitments;

8 (ii) the degree to which financing
9 sources are dedicated to the purposes pro-
10 posed;

11 (iii) any debt obligation that exists or
12 is proposed by the recipient for the pro-
13 posed project; and

14 (iv) the extent to which the project
15 has a non-Federal financial commitment
16 that exceeds the required non-Federal
17 share of the cost of the project.

18 (6) REGULATIONS.—Not later than 120 days
19 after the date of enactment of this Act, the Sec-
20 retary shall issue regulations on the manner in
21 which the Secretary will evaluate and rate the
22 projects based on the results of preliminary engi-
23 neering, project justification, and the degree of non-
24 Federal financial commitment, as required under
25 this subsection.

1 (7) PROJECT EVALUATION AND RATING.—A
2 proposed project may advance from preliminary en-
3 gineering to final design and construction only if the
4 Secretary finds that the project meets the require-
5 ments of this subsection and there is a reasonable
6 likelihood that the project will continue to meet such
7 requirements. In making such findings, the Sec-
8 retary shall evaluate and rate the project as “highly
9 recommended”, “recommended”, or “not rec-
10 ommended” based on the results of preliminary engi-
11 neering, the project justification criteria, and the de-
12 gree of non-Federal financial commitment, as re-
13 quired under this subsection. In rating the projects,
14 the Secretary shall provide, in addition to the overall
15 project rating, individual ratings for each of the cri-
16 teria established under the regulations issued under
17 paragraph (6).

18 (g) LETTERS OF INTENT AND FULL FUNDING
19 GRANT AGREEMENTS.—

20 (1) LETTER OF INTENT.—

21 (A) IN GENERAL.—The Secretary may
22 issue a letter of intent to an applicant announc-
23 ing an intention to obligate, for a project under
24 this section, an amount from future available
25 budget authority specified in law that is not

1 more than the amount stipulated as the finan-
2 cial participation of the Secretary in the
3 project.

4 (B) NOTIFICATION.—At least 60 days be-
5 fore issuing a letter under subparagraph (A) or
6 entering into a full funding grant agreement,
7 the Secretary shall notify in writing the Com-
8 mittee on Transportation and Infrastructure of
9 the House of Representatives and the Com-
10 mittee on Environment and Public Works of the
11 Senate of the proposed letter or agreement. The
12 Secretary shall include with the notification a
13 copy of the proposed letter or agreement as well
14 as the evaluations and ratings for the project.

15 (C) NOT AN OBLIGATION.—The issuance
16 of a letter is deemed not to be an obligation
17 under sections 1108(c) and (d), 1501, and
18 1502(a) of title 31, United States Code, or an
19 administrative commitment.

20 (D) OBLIGATION OR COMMITMENT.—An
21 obligation or administrative commitment may
22 be made only when contract authority is allo-
23 cated to a project.

24 (2) FULL FUNDING GRANT AGREEMENT.—

1 (A) IN GENERAL.—A project financed
2 under this subsection shall be carried out
3 through a full funding grant agreement. The
4 Secretary shall enter into a full funding grant
5 agreement based on the evaluations and ratings
6 required under subsection (f)(7).

7 (B) TERMS.—If the Secretary makes a full
8 funding grant agreement with an applicant, the
9 agreement shall—

10 (i) establish the terms of participation
11 by the United States Government in a
12 project under this section;

13 (ii) establish the maximum amount of
14 Government financial assistance for the
15 project;

16 (iii) cover the period of time for com-
17 pleting the project, including a period ex-
18 tending beyond the period of an authoriza-
19 tion; and

20 (iv) make timely and efficient man-
21 agement of the project easier according to
22 the laws of the United States.

23 (C) AGREEMENT.—An agreement under
24 this paragraph obligates an amount of available
25 budget authority specified in law and may in-

1 clude a commitment, contingent on amounts to
2 be specified in law in advance for commitments
3 under this paragraph, to obligate an additional
4 amount from future available budget authority
5 specified in law. The agreement shall state that
6 the contingent commitment is not an obligation
7 of the Government. Interest and other financing
8 costs of efficiently carrying out a part of the
9 project within a reasonable time are a cost of
10 carrying out the project under a full funding
11 grant agreement, except that eligible costs may
12 not be more than the cost of the most favorable
13 financing terms reasonably available for the
14 project at the time of borrowing. The applicant
15 shall certify, in a way satisfactory to the Sec-
16 retary, that the applicant has shown reasonable
17 diligence in seeking the most favorable financ-
18 ing terms.

19 (3) AMOUNTS.—The total estimated amount of
20 future obligations of the Government and contingent
21 commitments to incur obligations covered by all out-
22 standing letters of intent and full funding grant
23 agreements may be not more than the greater of the
24 amount authorized to carry out this section or an
25 amount equivalent to the last 2 fiscal years of fund-

1 ing authorized to carry out this section less an
2 amount the Secretary reasonably estimates is nec-
3 essary for grants under this section not covered by
4 a letter. The total amount covered by new letters
5 and contingent commitments included in full funding
6 grant agreements may be not more than a limitation
7 specified in law.

8 (h) GRANT REQUIREMENTS.—

9 (1) IN GENERAL.—A grant for a project under
10 this section shall be subject to all of the require-
11 ments of title 23, United States Code, and chapter
12 52 of title 49, United States Code.

13 (2) OTHER TERMS AND CONDITIONS.—The Sec-
14 retary shall require that all grants under this section
15 be subject to all terms, conditions, and requirements
16 that the Secretary decides are necessary or appro-
17 priate for purposes of this section, including require-
18 ments for the disposition of net increases in value of
19 real property resulting from the project assisted
20 under this section.

21 (i) GOVERNMENT'S SHARE OF PROJECT COST.—

22 Based on engineering studies, studies of economic feasi-
23 bility, and information on the expected use of equipment
24 or facilities, the Secretary shall estimate the cost of a
25 project receiving assistance under this section. A grant for

1 the project is for 80 percent of the project cost, unless
2 the grant recipient requests a lower grant percentage. A
3 refund or reduction of the remainder may be made only
4 if a refund of a proportional amount of the grant of the
5 Government is made at the same time.

6 (j) FISCAL CAPACITY CONSIDERATIONS.—If the Sec-
7 retary gives priority consideration to financing projects
8 that include more than the non-Government share re-
9 quired under subsection (i) the Secretary shall give equal
10 consideration to differences in the fiscal capacity of State
11 and local governments.

12 (k) REPORTS.—

13 (1) ANNUAL REPORT.—Not later than the first
14 Monday in February of each year, the Secretary
15 shall submit to the Committee on Transportation
16 and Infrastructure of the House of Representatives
17 and the Committee on Environment and Public
18 Works of the Senate a report that includes a pro-
19 posal on the allocation of amounts to be made avail-
20 able to finance grants under this section.

21 (2) RECOMMENDATIONS ON FUNDING.—The
22 annual report under this paragraph shall include
23 evaluations and ratings, as required under sub-
24 section (f). The report shall also include rec-
25 ommendations of projects for funding based on the

1 evaluations and ratings and on existing commit-
2 ments and anticipated funding levels for the next 3
3 fiscal years and for the next 10 fiscal years based
4 on information currently available to the Secretary.

5 (l) APPLICABILITY OF TITLE 23.—Funds made avail-
6 able to carry out this section shall be available for obliga-
7 tion in the same manner as if such funds were apportioned
8 under chapter 1 of title 23, United States Code; except
9 that such funds shall not be transferable and shall remain
10 available until expended and the Federal share of the cost
11 of a project under this section shall be as provided in this
12 section.

13 **SEC. 1305. DEDICATED TRUCK LANES.**

14 (a) IN GENERAL.—The Secretary shall establish and
15 implement a pilot program to make allocations to States
16 for the construction of projects that separate commercial
17 truck traffic from other motor vehicle traffic. A State
18 must submit an application to the Secretary in order to
19 receive an allocation under this section.

20 (b) SELECTION PROCESS.—

21 (1) PRIORITY.—In the selection process under
22 this section, the Secretary shall give priority to
23 projects that provide additional capacity.

1 (2) SELECTION FACTORS.—In making alloca-
2 tions under this section, the Secretary shall consider
3 the following factors:

4 (A) The extent to which the project will
5 improve the safe and efficient movement of
6 freight.

7 (B) The extent to which the project pro-
8 vides positive separation of commercial trucks
9 from other motor vehicle traffic.

10 (C) The extent to which the project con-
11 nects an intermodal freight facility or an inter-
12 national port of entry to the Dwight D. Eisen-
13 hower National System of Interstate and De-
14 fense Highways by providing limited access
15 lanes that allow commercial truck traffic to
16 enter the Interstate System at the posted speed
17 limit.

18 (D) The extent to which the project will re-
19 move truck traffic from surface streets.

20 (E) The extent to which travel time is ex-
21 pected to be reduced as a result of the proposed
22 project.

23 (F) The extent of leveraging of Federal
24 funds provided to carry out this section, includ-
25 ing—

- 1 (i) use of innovative financing;
- 2 (ii) combination with funding provided
- 3 under other sections of this Act and title
- 4 23, United States Code; and
- 5 (iii) combination with other sources of
- 6 Federal, State, local, or private funding.

7 (c) FEDERAL SHARE.—The Federal share of the cost

8 of a project under this section shall be determined in ac-

9 cordance with section 120(b) of title 23, United States

10 Code.

11 (d) DEFINITIONS.—In this section, the following defi-

12 nitions apply:

13 (1) COMMERCIAL TRUCK.—The term “commer-

14 cial truck” means a self-propelled or towed vehicle

15 used on highways in commerce principally to trans-

16 port cargo if the vehicle has a gross vehicle weight

17 rating or gross vehicle weight of at least 10,001

18 pounds, whichever is greater.

19 (2) STATE.—The term “State” has the mean-

20 ing such term has under section 101 of title 23,

21 United States Code.

22 **SEC. 1306. TRUCK PARKING FACILITIES.**

23 (a) ESTABLISHMENT.—In cooperation with appro-

24 priate State, regional, and local governments, the Sec-

25 retary shall establish a pilot program to address the short-

1 age of long-term parking for commercial motor vehicles
2 on the National Highway System.

3 (b) ALLOCATION OF FUNDS.—

4 (1) IN GENERAL.—The Secretary shall allocate
5 funds made available to carry out this section among
6 States, metropolitan planning organizations, and
7 local governments.

8 (2) APPLICATIONS.—To be eligible for an allo-
9 cation under this section, a State, metropolitan plan-
10 ning organization, or local government shall submit
11 to the Secretary an application at such time and
12 containing such information as the Secretary may
13 require.

14 (3) ELIGIBLE PROJECTS.—Funds allocated
15 under this subsection shall be used by the recipient
16 for projects described in an application approved by
17 the Secretary. Such projects shall serve the National
18 Highway System and may include the following:

19 (A) Constructing safety rest areas, as de-
20 fined in section 120(c) of title 23, United
21 States Code, that include parking for commer-
22 cial motor vehicles.

23 (B) Constructing commercial motor vehicle
24 parking facilities adjacent to commercial truck
25 stops and travel plazas.

1 (C) Opening existing facilities to commer-
2 cial motor vehicle parking, including inspection
3 and weigh stations and park-and-ride facilities.

4 (D) Promoting the availability of publicly
5 or privately provided commercial motor vehicle
6 parking on the National Highway System using
7 intelligent transportation systems and other
8 means.

9 (E) Constructing turnouts along the Na-
10 tional Highway System for commercial motor
11 vehicles.

12 (F) Making capital improvements to public
13 commercial motor vehicle parking facilities cur-
14 rently closed on a seasonal basis to allow the fa-
15 cilities to remain open year-round.

16 (G) Improving the geometric design of
17 interchanges on the National Highway System
18 to improve access to commercial motor vehicle
19 parking facilities.

20 (4) PRIORITY.—In allocating funds made avail-
21 able to carry out this section, the Secretary shall
22 give priority to applicants that—

23 (A) demonstrate a severe shortage of com-
24 mercial motor vehicle parking capacity in the
25 corridor to be addressed;

1 (B) have consulted with affected State and
2 local governments, community groups, private
3 providers of commercial motor vehicle parking,
4 and motorist and trucking organizations; and

5 (C) demonstrate that their proposed
6 projects are likely to have positive effects on
7 highway safety, traffic congestion, or air qual-
8 ity.

9 (c) FUNDING.—

10 (1) IN GENERAL.—There is authorized to be
11 appropriated from the Highway Trust Fund (other
12 than the Mass Transit Account) to carry out this
13 section \$5,000,000 for each of fiscal years 2005
14 through 2009.

15 (2) CONTRACT AUTHORITY.—Funds authorized
16 under this subsection shall be available for obligation
17 in the same manner as if the funds were apportioned
18 under chapter 1 of title 23, United States Code.

19 (d) REPORT TO CONGRESS.—Not later than 5 years
20 after the date of enactment of this Act, the Secretary shall
21 transmit to Congress a report on the results of the pilot
22 program.

23 (e) FEDERAL SHARE.—The Federal share of the cost
24 of a project carried out using amounts made available

1 under this section shall be determined in accordance with
2 sections 120(b) and 120(c) of title 23, United States Code.

3 (f) **APPLICABILITY OF TITLE 23.**—Notwithstanding
4 any other provision of law, projects funded under this sec-
5 tion shall be treated as projects on a Federal-aid system
6 under chapter 1 of title 23, United States Code.

7 **SEC. 1307. FREIGHT INTERMODAL DISTRIBUTION PILOT**
8 **GRANT PROGRAM.**

9 (a) **IN GENERAL.**—The Secretary shall establish and
10 implement a freight intermodal distribution pilot grant
11 program.

12 (b) **PURPOSES.**—The purposes of the program estab-
13 lished under subsection (a) shall be—

14 (1) to facilitate and support intermodal freight
15 transportation initiatives at the State and local lev-
16 els to relieve congestion and improve safety; and

17 (2) to provide capital funding to address infra-
18 structure and freight distribution needs at inland
19 ports and intermodal freight facilities.

20 (c) **SELECTION PROCESS.**—

21 (1) **APPLICATIONS.**—A State shall submit an
22 application to the Secretary containing such infor-
23 mation as the Secretary may require to receive fund-
24 ing under this section.

1 (2) PRIORITY.—In selecting projects to be fund-
2 ed under the pilot program, the Secretary shall give
3 priority to projects that will—

4 (A) reduce congestion into and out of
5 international ports located on the west coast of
6 the United States;

7 (B) demonstrate ways to increase the like-
8 lihood that freight container movements involve
9 freight containers carrying goods; and

10 (C) establish or expand intermodal facili-
11 ties that encourage the development of inland
12 freight distribution centers.

13 (d) ELIGIBLE PROJECTS.—Funds made available
14 under this section shall be used by the recipient for
15 projects described in an application approved by the Sec-
16 retary. Such projects shall help relieve congestion, improve
17 transportation safety, facilitate international trade, and
18 encourage public-private partnership. Such projects may
19 include developing and constructing intermodal freight
20 distribution and transfer facilities at inland ports.

21 (e) TREATMENT OF PROJECTS.—Notwithstanding
22 any other provision of law, projects assisted under this
23 section shall be treated as projects on a Federal-aid sys-
24 tem under such chapter.

1 **Subtitle D—Highway Safety**

2 **SEC. 1401. HIGHWAY SAFETY IMPROVEMENT PROGRAM.**

3 (a) SAFETY IMPROVEMENT PROJECT DEFINED.—

4 Section 101(a)(30) of title 23, United States Code, is
5 amended by inserting “installs fluorescent, yellow-green
6 signs at pedestrian or bicycle crossings or school zones,”
7 after “call boxes,”.

8 (b) OPERATION LIFESAVER.—Section 104(d)(1) of
9 such title is amended—

10 (1) by striking “subsection (b)(3) of this sec-
11 tion” and inserting “section 130(f)”; and

12 (2) by striking “\$500,000” and inserting
13 “\$600,000”.

14 (c) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
15 NATION IN HIGH SPEED RAIL CORRIDORS.—

16 (1) IN GENERAL.—Section 104(d)(2) of such
17 title is amended—

18 (A) in subparagraph (A) by striking
19 “\$5,250,000” and inserting “\$7,500,000 for
20 each of fiscal years 2004 and 2005,
21 \$10,000,000 for each of fiscal years 2006 and
22 2007, and \$15,000,000 for each of fiscal years
23 2008 and 2009”; and

24 (B) in subparagraph (E)—

1 (i) by striking “Not less than
2 \$250,000 of such set-aside” and inserting
3 “Of such set-aside, not less than \$875,000
4 for each of fiscal years 2004 and 2005,
5 \$1,500,000 for each of fiscal years 2006
6 and 2007, and \$2,750,000 for each of fis-
7 cal years 2008 and 2009”; and

8 (ii) by striking “per fiscal year”.

9 (2) DESIGNATION OF CORRIDORS.—Of the rail
10 corridors selected by the Secretary in accordance
11 with section 104(d)(2) of title 23, United States
12 Code—

13 (A) the Northern New England High
14 Speed Rail Corridor is expanded to include the
15 train routes from Boston, Massachusetts, to Al-
16 bany, New York, and from Springfield, Massa-
17 chusetts, to New Haven, Connecticut; and

18 (B) the South Central Corridor is ex-
19 panded to include the train route from Killeen,
20 Texas, to Houston, Texas, via Bryan-College
21 Station.

22 (d) RAILWAY-HIGHWAY CROSSINGS.—

23 (1) FUNDS FOR PROTECTIVE DEVICES.—Sec-
24 tion 130(e) of such title is amended—

1 (A) by striking “At” and inserting the fol-
2 lowing:

3 “(1) IN GENERAL.—At”; and

4 (B) by adding at the end the following:

5 “(2) SPECIAL RULE.—If a State demonstrates
6 to the satisfaction of the Secretary that the State
7 has met all its needs for installation of protective de-
8 vices at railway-highway crossings, the State may
9 use funds made available by this subsection for other
10 purposes by this section.”

11 (2) APPORTIONMENT.—Section 130(f) of such
12 title is amended to read as follows:

13 “(f) APPORTIONMENT.—

14 “(1) FORMULA.—Fifty percent of the funds au-
15 thorized to be appropriated to carry out this section
16 shall be apportioned to the States in accordance with
17 the formula set forth in section 104(b)(3)(A), and
18 50 percent of such funds shall be apportioned to the
19 States in the ratio that total public railway-highway
20 crossings in each State bears to the total of such
21 crossings in all States.

22 “(2) MINIMUM APPORTIONMENT.—Notwith-
23 standing paragraph (1), each State shall receive a
24 minimum of $\frac{1}{2}$ of 1 percent of the funds appor-
25 tioned under paragraph (1).

1 “(3) FEDERAL SHARE.—The Federal share
2 payable on account of any project financed with
3 funds authorized to be appropriated to carry out this
4 section shall be 90 percent of the cost thereof.”.

5 (3) BIENNIAL REPORT TO CONGRESS.—The
6 third sentence of section 130(g) of such title is
7 amended by striking “not later than April 1 of each
8 year,” and inserting “, not later than April 1, 2006,
9 and every 2 years thereafter,”.

10 (4) EXPENDITURE OF FUNDS.—Section 130 of
11 such title is further amended by adding at the end
12 the following:

13 “(k) EXPENDITURE OF FUNDS.—Not more than 2
14 percent of funds apportioned to a State to carry out this
15 section may be used by the State for compilation and anal-
16 ysis of data in support of activities carried out under sub-
17 section (g).”.

18 (e) SURFACE TRANSPORTATION PROGRAM.—

19 (1) IN GENERAL.—Section 133(d) of such title
20 is amended—

21 (A) by striking paragraph (1); and

22 (B) by redesignating paragraphs (2)
23 through (5) as paragraphs (1) through (4), re-
24 spectively; and

1 (C) in paragraph (2) (as so redesignated)—
2

3 (i) in subparagraph (A) by striking
4 “80 percent” and inserting “90 percent”;

5 (ii) in subparagraph (B) by striking
6 “tobe” and inserting “to be”; and

7 (iii) in subparagraph (D) by adding a
8 period at the end.

9 (2) CONFORMING AMENDMENTS.—

10 (A) SECTION 133.—Section 133(e) is
11 amended by striking “(d)(2)” and inserting
12 “(d)(1)” in each of paragraphs (3)(B)(i),
13 (5)(A), and (5)(B).

14 (B) SECTION 126.—Section 126(b) of such
15 title is amended—

16 (i) by striking “to the last sentence of
17 section 133(d)(1) or”;

18 (ii) by striking “section 133(d)(3)”
19 and inserting “section 133(d)(2)”; and

20 (iii) by striking “or 133(d)(2)”.

21 (f) HAZARD ELIMINATION PROGRAM.—

22 (1) PURPOSES.—Section 152(a)(1) of such title
23 is amended—

24 (A) by striking “and” after “bicyclists,”;

25 and

1 (B) by inserting after “pedestrians,” the
2 following: “and the disabled, identify roadway
3 safety improvement needs for such locations,
4 sections, and elements,”.

5 (2) HAZARDS.—Section 152(a)(2)(A) of such
6 title is amended by inserting “the disabled,” after
7 “pedestrians,”.

8 (3) APPROVAL OF PROJECTS.—Section 152(b)
9 of such title is amended by inserting before the pe-
10 riod at the end the following: “that reduces the like-
11 lihood of crashes involving road departures, intersec-
12 tions, pedestrians, the disabled, bicyclists, older driv-
13 ers, or construction work zones”.

14 (4) EXPENDITURE OF FUNDS.—Section 152(c)
15 of such title is amended—

16 (A) in paragraph (2) by striking “or” at
17 the end;

18 (B) in paragraph (3) by striking the period
19 at the end and inserting a semicolon; and

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

21 “(4) police assistance for traffic and speed
22 management in construction work zones;

23 “(5) installation of barriers between construc-
24 tion work zones and traffic lanes for the safety of
25 motorists and workers;

1 “(6) installation of protective devices at rail-
2 way-highway crossings; and

3 “(7) compilation and analysis of data under
4 subsections (f) and (g) if the funds used for this
5 purpose by a State do not exceed 2 percent of the
6 amount apportioned to such State to carry out this
7 section.”.

8 (5) APPORTIONMENT.—Section 152(d) of such
9 title is amended to read as follows:

10 “(d) APPORTIONMENT.—

11 “(1) FORMULA.—Funds authorized to be ap-
12 propriated to carry out this section shall be appor-
13 tioned to the States in accordance with the formula
14 set forth in section 104(b)(3)(A).

15 “(2) MINIMUM APPORTIONMENT.—Notwith-
16 standing paragraph (1), each State shall receive a
17 minimum of $\frac{1}{2}$ of 1 percent of the funds appor-
18 tioned under paragraph (1).

19 “(3) FEDERAL SHARE.—The Federal share
20 payable on account of any project financed with
21 funds authorized to be appropriated to carry out this
22 section shall be 90 percent of the cost thereof.”.

23 (6) BIENNIAL REPORT TO CONGRESS.—

1 (A) IN GENERAL.—Section 152 of such
2 title is amended by adding at the end the fol-
3 lowing:

4 “(i) BIENNIAL REPORT TO CONGRESS.—Not later
5 than 2 years after the date of enactment of this sub-
6 section, and every 2 years thereafter, the Secretary shall
7 transmit to the Committee on Transportation and Infra-
8 structure of the House of Representatives and the Com-
9 mittee on Environment and Public Works of the Senate
10 a report on the results of the program under this section.
11 The report shall include, at a minimum, the following:

12 “(1) A summary of State projects completed
13 under this section categorized by the types of haz-
14 ards and a statement of the cost of such projects.

15 “(2) An analysis of the effectiveness of such
16 categories of projects in reducing the number and
17 severity of crashes at high hazard locations.

18 “(3) An assessment of the adequacy of author-
19 ized funding for the program and State use of such
20 funding to address the national need for such
21 projects.

22 “(4) Recommendations for funding and pro-
23 gram improvements to reduce the number of high
24 hazard locations.

1 **SEC. 1403. HIGH RISK RURAL ROAD SAFETY IMPROVEMENT**
2 **PROGRAM.**

3 (a) ESTABLISHMENT.—The Secretary shall establish
4 and implement a high risk rural road safety improvement
5 program in accordance with this section.

6 (b) ELIGIBLE PROJECTS.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), a State may obligate funds apportioned
9 to it under this section only for construction and
10 operational improvement projects on high risk rural
11 roads and only if the primary purpose of the project
12 is to improve highway safety on a high risk rural
13 road.

14 (2) SPECIAL RULE.—A State may use funds
15 apportioned to it under this section for any project
16 approved by the Secretary under section 152 of title
17 23, United States Code, if the State certifies to the
18 Secretary that it has no projects described in para-
19 graph (1).

20 (c) STATE ALLOCATION SYSTEM.—Each State shall
21 establish a system for allocating funds apportioned to it
22 under this section among projects eligible for assistance
23 under this section that have the highest benefits to high-
24 way safety. Such system may include a safety manage-
25 ment system established by the State under section 303

1 of title 23, United States Code, or a survey established
2 pursuant to section 152(a) of such title.

3 (d) APPORTIONMENT OF FUNDS.—On October 1 of
4 each fiscal year, the Secretary shall apportion among
5 States sums authorized to be appropriated to carry out
6 this section for such fiscal year as follows:

7 (1) $\frac{1}{3}$ in the ratio that—

8 (A) each State's public road lane mileage
9 for rural minor collectors and rural local roads;
10 bears to

11 (B) the total public road lane mileage for
12 rural minor collectors and rural local roads of
13 all States.

14 (2) $\frac{1}{3}$ in the ratio that—

15 (A) the population of areas other than ur-
16 banized areas in each State, as shown by the
17 most recent Government decennial census of
18 population; bears to

19 (B) the population of all areas other than
20 urbanized areas in the United States, as shown
21 by that census.

22 (3) $\frac{1}{3}$ in the ratio that—

23 (A) the total vehicle miles traveled on pub-
24 lic roads in each State; bears to

1 (B) the total number of vehicle miles trav-
2 eled on public roads in all States.

3 (e) APPLICABILITY OF TITLE 23.—Funds made
4 available to carry out this section shall be available for
5 obligation in the same manner as if such funds were ap-
6 portioned under chapter 1 of title 23, United States Code;
7 except that such funds shall not be transferable and shall
8 remain available until expended and the Federal share of
9 the cost of a project under this section shall be 80 percent.
10 Notwithstanding any other provision of law, projects as-
11 sisted under this section shall be treated as projects on
12 a Federal-aid system under such chapter.

13 (f) DEFINITIONS.—In this section, the following defi-
14 nitions apply:

15 (1) HIGH RISK RURAL ROAD.—The term “high
16 risk rural road” means any roadway functionally
17 classified as a rural major or minor collector or a
18 rural local road—

19 (A) on which the accident rate for fatali-
20 ties and incapacitating injuries exceeds the
21 statewide average for these functional classes of
22 roadway; or

23 (B) which will likely have increases in traf-
24 fic volume that are likely to create an accident
25 rate for fatalities and incapacitating injuries

1 that exceeds the statewide average for these
2 functional classes of roadway.

3 (2) STATE AND URBANIZED AREA.—The terms
4 “State” and “urbanized area” have the meaning
5 such terms have under section 101(a) of title 23,
6 United States Code.

7 **SEC. 1404. TRANSFERS OF APPORTIONMENTS TO SAFETY**
8 **PROGRAMS.**

9 (a) USE OF SAFETY BELTS AND MOTORCYCLE HEL-
10 METS.—Section 153(h) of title 23, United States Code,
11 is amended—

12 (1) in paragraph (2)—

13 (A) in the paragraph heading by striking
14 “THEREAFTER.—” and inserting “FISCAL
15 YEARS 1995–2004.—”; and

16 (B) by inserting “and ending before Octo-
17 ber 1, 2004,” after “September 30, 1994,”;

18 (2) by redesignating paragraphs (3) through
19 (5) as paragraphs (4) through (6), respectively;

20 (3) by inserting after paragraph (2) the fol-
21 lowing:

22 “(3) FISCAL YEAR 2005 AND THEREAFTER.—On
23 October 1, 2004, and each October 1 thereafter, if
24 a State does not have in effect a law described in
25 subsection (a)(2), the Secretary shall transfer from

1 the funds apportioned to the State on that date
2 under each of subsections (b)(1), (b)(2), and (b)(3)
3 of section 104 to the apportionment of the State
4 under section 402 an amount equal to 3 percent of
5 the funds apportioned to the State under such sub-
6 sections for fiscal year 2003.”; and

7 (4) in paragraph (5) (as so redesignated)—

8 (A) by striking “which is determined by
9 multiplying” and inserting “which, for fiscal
10 year 2005 and each fiscal year thereafter, is de-
11 termined by multiplying”; and

12 (B) in subparagraph (B) by striking “such
13 fiscal year” each place it appears and inserting
14 “fiscal year 2003”.

15 (b) OPEN CONTAINER REQUIREMENTS.—Section
16 154(c) of title 23, United States Code, is amended—

17 (1) in paragraph (2)—

18 (A) in the paragraph heading by striking
19 “FISCAL YEARS THEREAFTER” and inserting
20 “FISCAL YEAR 2004” ; and

21 (B) by striking “and each October 1 there-
22 after,”;

23 (2) by redesignating paragraphs (3) through
24 (7) as paragraphs (4) through (8), respectively;

1 (3) by inserting after paragraph (2) the fol-
2 lowing:

3 “(3) FISCAL YEAR 2005 AND THEREAFTER.—On
4 October 1, 2004, and each October 1 thereafter, if
5 a State has not enacted or is not enforcing an open
6 container law described in subsection (b), the Sec-
7 retary shall transfer from the funds apportioned to
8 the State on that date under each of paragraphs (1),
9 (3), and (4) of section 104(b) an amount equal to
10 3 percent of the funds apportioned to the State
11 under such paragraphs for fiscal year 2003 to be
12 used or directed as described in subparagraph (A) or
13 (B) of paragraph (1).”;

14 (4) in paragraph (5) (as so redesignated) by
15 striking “paragraph (3)” and inserting “paragraph
16 (4)”;

17 (5) in paragraphs (4), (5), and (6) (as so redesi-
18 gnated) by striking “paragraph (1) or (2)” and in-
19 serting “paragraph (1), (2), or (3)”;

20 (6) in paragraph (7)(B) (as so redesignated)—

21 (A) by striking “The amount” and insert-
22 ing “For fiscal year 2005 and each fiscal year
23 thereafter, the amount”;

1 (B) in subclauses (I) and (II) of clause (ii)
2 by striking “the fiscal year” and inserting “fis-
3 cal year 2003”.

4 (c) MINIMUM PENALTIES FOR CERTAIN REPEAT OF-
5 FENDERS.—Section 164(b) of title 23, United States
6 Code, is amended—

7 (1) in paragraph (2)—

8 (A) in the paragraph heading by striking
9 “AND FISCAL YEARS THEREAFTER” and insert-
10 ing “FISCAL YEAR 2004” ; and

11 (B) by striking “and each October 1 there-
12 after,”;

13 (2) by redesignating paragraphs (3) through
14 (7) as paragraphs (4) through (8), respectively;

15 (3) by inserting after paragraph (2) the fol-
16 lowing:

17 “(3) FISCAL YEAR 2005 AND THEREAFTER.—On
18 October 1, 2004, and each October 1 thereafter, if
19 a State has not enacted or is not enforcing a repeat
20 intoxicated driver law, the Secretary shall transfer
21 from the funds apportioned to the State on that date
22 under each of paragraphs (1), (3), and (4) of section
23 104(b) an amount equal to 3 percent of the funds
24 apportioned to the State under such paragraphs for

1 fiscal year 2003 to be used or directed as described
2 in subparagraph (A) or (B) of paragraph (1).”;

3 (4) in paragraph (5) (as so redesignated) by
4 striking “paragraph (3)” and inserting “paragraph
5 (4)”;

6 (5) in paragraphs (4), (5), and (6) (as so redesi-
7 gnated) by striking “paragraph (1) or (2)” and in-
8 serting “paragraph (1), (2), or (3)”;

9 (6) in paragraph (7)(B) (as so redesignated)—

10 (A) by striking “The amount” and insert-
11 ing “For fiscal year 2005 and each fiscal year
12 thereafter, the amount”;

13 (B) in subclauses (I) and (II) of clause (ii)
14 by striking “the fiscal year” and inserting “fis-
15 cal year 2003”.

16 **SEC. 1405. SAFETY INCENTIVE GRANTS FOR USE OF SEAT**
17 **BELTS.**

18 Section 157(g) of title 23, United States Code, is
19 amended—

20 (1) in paragraph (1) by inserting “and” after
21 “2002,”;

22 (2) in paragraph (1) by striking “2003,” and
23 all that follows through “2005” and inserting
24 “2003”;

1 104(b) an amount equal to the amount specified in
2 paragraph (2).

3 “(2) AMOUNT TO BE WITHHELD.—If a State is
4 subject to a penalty under paragraph (1), the Sec-
5 retary shall withhold for a fiscal year from the ap-
6 portionments of the State described in paragraph
7 (1) an amount equal to a percentage of the funds
8 apportioned to the State under paragraphs (1), (3),
9 and (4) of section 104(b) for fiscal year 2003. The
10 percentage shall be as follows:

11 “(A) For fiscal year 2004, 2 percent.

12 “(B) For fiscal year 2005, 4 percent.

13 “(C) For fiscal year 2006, 6 percent.

14 “(D) For fiscal year 2007, and each fiscal
15 year thereafter, 8 percent.

16 “(3) FAILURE TO COMPLY.—If, within 4 years
17 from the date that an apportionment for a State is
18 withheld in accordance with this subsection, the Sec-
19 retary determines that the State has enacted and is
20 enforcing a law described in subsection (a), the ap-
21 portionment of the State shall be increased by an
22 amount equal to the amount withheld. If, at the end
23 of such 4-year period, any State has not enacted or
24 is not enforcing a law described in subsection (a)

1 any amounts so withheld from such State shall
2 lapse.”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
4 163(f)(1) of such title, as redesignated by subsection
5 (a)(1) of this section, is amended—

6 (1) by inserting “and” after “2002,”; and

7 (2) by striking “, \$110,000,000 for fiscal year
8 2004” and all that follows through “2005”.

9 (c) REPEAL.—Section 351 of the Department of
10 Transportation and Related Agencies Appropriations Act,
11 2001 (23 U.S.C. 163 note; 114 Stat. 1356A–34) is re-
12 pealed.

13 (d) CONFORMING AMENDMENT.—Section 163(f)(2)
14 of such title, as redesignated by subsection (a)(1) of this
15 section, is amended by inserting after “by this subsection”
16 the following: “and the funds set aside to carry out this
17 section”.

18 **SEC. 1407. REPEAT OFFENDERS FOR DRIVING WHILE IN-**
19 **TOXICATED.**

20 Section 164(a)(5)(A) of title 23, United States Code,
21 is amended to read as follows:

22 “(A) receive (i) a driver’s license suspen-
23 sion for not less than 1 year, or (ii) a combina-
24 tion of suspension of all driving privileges of an
25 individual for the first 45 days of the suspen-

1 sion period followed by a reinstatement of lim-
2 ited driving privileges for the propose of getting
3 to and from work, school, or an alcohol treat-
4 ment program if an ignition interlock device is
5 installed on each of the motor vehicles owned or
6 operated, or both, by the individual;”.

7 **SEC. 1408. REPAIR OR REPLACEMENT OF HIGHWAY FEA-**
8 **TURES ON NATIONAL HIGHWAY SYSTEM.**

9 (a) **RULEMAKING PROCEEDING.**—The Secretary shall
10 conduct a rulemaking proceeding to determine the appro-
11 priate conditions under which a State when choosing to
12 repair or replace damaged highway features on the Na-
13 tional Highway System with State funds (rather than with
14 available Federal financial assistance) should be required
15 to repair or replace such features with highway features
16 that have been tested, evaluated, and found to be accept-
17 able under the guidelines contained in the report of the
18 Transportation Research Board of the National Research
19 Council entitled “NCHRP Report 350-Recommended Pro-
20 cedures for the Safety Performance Evaluation of High-
21 way Features”.

22 (b) **MATTERS TO BE CONSIDERED.**—The rulemaking
23 proceeding shall cover those highway features that are cov-
24 ered by the guidelines referred to in subsection (a). The
25 conditions to be considered by the Secretary in the rule-

1 making proceeding shall include types of highway features,
2 cost-effectiveness, and practicality of replacement with
3 highway features that have been found to be acceptable
4 under such guidelines.

5 (c) REGULATIONS.—Not later than 1 year after the
6 date of enactment of this Act, the Secretary shall issue
7 regulations regarding the conditions under which States
8 when choosing to repair or replace damaged highway fea-
9 tures described in subsection (a) will be required to repair
10 or replace such features with highway features that have
11 been tested, evaluated, and found to be acceptable as de-
12 scribed in subsection (a).

13 **SEC. 1409. RENTED OR LEASED MOTOR VEHICLES.**

14 (a) IN GENERAL.—Subchapter I of chapter 301 of
15 title 49, United States Code, is amended by adding at the
16 end the following:

17 **“§ 30106. Rented or leased motor vehicle safety and**
18 **responsibility**

19 “(a) IN GENERAL.—An owner of a motor vehicle that
20 rents or leases the vehicle to a person (or an affiliate of
21 the owner) shall not be liable under the law of any State
22 or political subdivision thereof, by reason of being the
23 owner of the vehicle (or an affiliate of the owner), for
24 harm to persons or property that results or arises out of

1 the use, operation, or possession of the vehicle during the
2 period of the rental or lease, if—

3 “(1) the owner (or an affiliate of the owner) is
4 engaged in the trade or business of renting or leas-
5 ing motor vehicles; and

6 “(2) there is no negligence or criminal wrong-
7 doing on the part of the owner (or an affiliate of the
8 owner).

9 “(b) FINANCIAL RESPONSIBILITY LAWS.—Nothing
10 in this section supersedes the law of any State or political
11 subdivision thereof—

12 “(1) imposing financial responsibility or insur-
13 ance standards on the owner of a motor vehicle for
14 the privilege of registering and operating a motor ve-
15 hicle; or

16 “(2) imposing liability on business entities en-
17 gaged in the trade or business of renting or leasing
18 motor vehicles for failure to meet the financial re-
19 sponsibility or liability insurance requirements under
20 State law.

21 “(c) APPLICABILITY AND EFFECTIVE DATE.—Not-
22 withstanding any other provision of law, this section shall
23 apply with respect to any action commenced on or after
24 the date of enactment of this section without regard to
25 whether the harm that is the subject of the action, or the

1 conduct that caused the harm, occurred before such date
2 of enactment.

3 “(d) DEFINITIONS.—In this section, the following
4 definitions apply:

5 “(1) AFFILIATE.—The term “affiliate” means a
6 person other than the owner that directly or indi-
7 rectly controls, is controlled by, or is under common
8 control with the owner. In the preceding sentence,
9 the term “control” means the power to direct the
10 management and policies of a person whether
11 through ownership of voting securities or otherwise.

12 “(2) OWNER.—The term ‘owner’ means a per-
13 son who is—

14 “(A) a record or beneficial owner, holder of
15 title, lessor, or lessee of a motor vehicle;

16 “(B) entitled to the use and possession of
17 a motor vehicle subject to a security interest in
18 another person; or

19 “(C) a lessor, lessee, or a bailee of a motor
20 vehicle, in the trade or business of renting or
21 leasing motor vehicles, having the use or posses-
22 sion thereof, under a lease, bailment, or other-
23 wise.

24 “(3) PERSON.—The term ‘person’ means any
25 individual, corporation, company, limited liability

1 company, trust, association, firm, partnership, soci-
2 ety, joint stock company, or any other entity.”.

3 (b) CLERICAL AMENDMENT.—The analysis for such
4 chapter is amended by inserting after the item relating
5 to section 30105 the following:

“30106. Rented or leased motor vehicle safety and responsibility.”.

6 **Subtitle E—Construction and**
7 **Contract Efficiencies**

8 **SEC. 1501. DESIGN—BUILD.**

9 (a) QUALIFIED PROJECTS.—Section 112(b)(3)(C) of
10 title 23, United States Code, is amended to read as fol-
11 lows:

12 “(C) QUALIFIED PROJECTS.—A qualified
13 project referred to in subparagraph (A) is a
14 project under this chapter for which the Sec-
15 retary has approved the use of design-build con-
16 tracting under criteria specified in regulations
17 issued by the Secretary.”.

18 (b) EXPERIMENTAL PROCUREMENT.—Section
19 112(b)(3) of such title is further amended—

20 (1) by redesigning subparagraph (D) as sub-
21 paragraph (G); and

22 (2) by inserting after subparagraph (C) the fol-
23 lowing:

24 “(D) EXPERIMENTAL PROCUREMENT.—As
25 part of any experimental program carried out

1 under this section, the Secretary shall evaluate
2 the use of procurement procedures under this
3 paragraph where subjective evaluation criteria
4 account for the majority of the selection deter-
5 mination.

6 “(E) LIMITATION ON STATUTORY CON-
7 STRUCTION.—Nothing in this section shall be
8 construed as effecting the authority to carry out
9 any experimental program concerning design-
10 build contracting that is being carried out by
11 the Secretary on the date of enactment of this
12 subparagraph.

13 “(F) REPORT.—Not later than 3 years
14 after the date of enactment of this subpara-
15 graph, the Secretary shall transmit to Congress
16 a report on the effectiveness of design-build
17 contracting procedures in which the majority of
18 the selection determinations are made based on
19 subjective criteria in accordance with subpara-
20 graph (D).”.

21 **SEC. 1502. WARRANTY HIGHWAY CONSTRUCTION PROJECT**
22 **PILOT PROGRAM.**

23 (a) IN GENERAL.—The Secretary shall establish and
24 implement a pilot program designed to encourage States

1 to incorporate warranties in the letting of contracts for
2 highway construction projects.

3 (b) MAXIMUM NUMBER OF PROJECTS.—The Sec-
4 retary may allow not more than 15 projects a year to be
5 carried out under the pilot program.

6 (c) FEDERAL SHARE.—The Federal share of the
7 costs of a project under the pilot program may not exceed
8 90 percent.

9 (d) MINIMUM PROJECT COST.—The estimated total
10 cost of a project to be carried out under the pilot program
11 must be greater than \$15,000,000.

12 (e) SELECTION PROCESS.—In the selection process
13 for the pilot program, the Secretary shall select, to the
14 extent possible, projects from several different regions of
15 the United States in order to demonstrate the effects that
16 different climates and traffic patterns have on warranty
17 highway construction projects.

18 (f) RULEMAKING.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Secretary
21 shall issue a rule to implement the pilot program.
22 The rule shall include the following factors for eligi-
23 bility of a highway construction project to be in-
24 cluded in the program:

1 (A) A requirement that the contract for
2 the project must include a long-term limited
3 warranty that is of a duration sufficient to en-
4 sure that—

5 (i) the cost to the State of the project
6 that will be carried out is less than the es-
7 timated cost to construct the project with-
8 out the warranty plus the estimated costs
9 that would be incurred by the State and
10 that would otherwise be covered during the
11 proposed warranty period if a warranty
12 were in effect; and

13 (ii) the estimated cost to road users
14 during the warranty period is less than
15 such estimated cost without a warranty.

16 (B) In determining the sufficient duration
17 of a long-term limited warranty under subpara-
18 graph (A), the Secretary shall establish sepa-
19 rate sufficient durations for different types of
20 projects, such as initial construction, pavement
21 resurfacing and rehabilitation, and pavement
22 markings.

23 (C) A requirement that the limited war-
24 ranty must address, at a minimum—

1 (i) the responsibilities of the warranty
2 provider;

3 (ii) the responsibilities of the Depart-
4 ment of Transportation;

5 (iii) the terms of the warranty, includ-
6 ing duration and, if applicable, traffic vol-
7 umes and vehicle classification; and

8 (iv) performance criteria to be met to
9 determine if maintenance is required.

10 (2) FACTORS TO CONSIDER.—In issuing the
11 rule, the Secretary may consider the following fac-
12 tors as requirements for the warranty contract for
13 eligibility under the pilot program:

14 (A) A plan to account for inflation during
15 the warranty period.

16 (B) The frequency of performance assess-
17 ments performed.

18 (C) The response time for repairs.

19 (D) A plan for emergency repairs.

20 (E) Clearly set out limits of liability under
21 the warranty, if any.

22 (F) Dispute resolution provisions.

23 (G) A severability provision.

24 (H) Other provisions the Secretary con-
25 siders necessary for carrying out the program.

1 (g) SAVINGS.—Section 112 of title 23, United States
2 Code, shall apply to the projects carried out under this
3 section unless the Secretary determines that applying such
4 section to such projects is inconsistent with the provisions
5 of this section.

6 (h) REPORTS.—Not later than 5 years after the date
7 of enactment of this Act and every year thereafter, the
8 Secretary shall transmit to the Committee on Transpor-
9 tation and Infrastructure of the House of Representatives
10 and the Committee on Environment and Public Works of
11 the Senate a report outlining activities carried out under
12 the program and the results of the program.

13 **SEC. 1503. PRIVATE INVESTMENT STUDY.**

14 (a) STUDY.—Not later than 6 months after the date
15 of enactment of this Act, the Secretary shall enter into
16 an agreement with the National Academy of Sciences to
17 conduct a comprehensive study of private investment in
18 surface transportation infrastructure.

19 (b) MATTERS TO BE EVALUATED.—Under the agree-
20 ment, the National Academy of Sciences shall evaluate the
21 advantages and disadvantages of private investment in
22 surface transportation infrastructure and the impact of
23 such investment on the ability of State and local authori-
24 ties to use innovative financing, including—

25 (1) preconstruction funding requirements;

1 (2) integration of private investment in the
2 transportation planning process;

3 (3) use of toll revenues by State and local au-
4 thorities;

5 (4) use of toll credits by State and local au-
6 thorities;

7 (5) requirements for debt financing instru-
8 ments, reimbursable expenses, and conditions on
9 payments;

10 (6) limitation on fees charged at federally fund-
11 ed fringe and corridor parking facilities;

12 (7) revenues needed to provide a reasonable
13 rate of return to private investors;

14 (8) costs to users of facilities due to imposition
15 of tolls;

16 (9) sales-in-lease-out arrangement of transpor-
17 tation assets; and

18 (10) such other matters as the Secretary con-
19 siders appropriate.

20 (c) REPORT.—

21 (1) TO SECRETARY.—Under the agreement, the
22 National Academy of Sciences shall submit to the
23 Secretary a report on the results of the study by
24 such date as the Secretary may require.

1 (2) TO CONGRESS.—Not later than January 1,
2 2007, the Secretary shall transmit to the Committee
3 on Transportation and Infrastructure of the House
4 of Representatives and the Committee on Environ-
5 ment and Public Works of the Senate a copy of the
6 report of the National Academy of Sciences, together
7 with such recommendations as the Secretary con-
8 siders appropriate.

9 **SEC. 1504. HIGHWAYS FOR LIFE PILOT PROGRAM.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—The Secretary shall establish
12 and implement a pilot program to be known as the
13 “Highways for LIFE pilot program”.

14 (2) PURPOSE.—The purpose of the pilot pro-
15 gram shall be to advance longer-lasting highways
16 using innovative technologies and practices to ac-
17 complish the fast construction of efficient and safe
18 highways and bridges.

19 (3) OBJECTIVES.—Under the pilot program,
20 the Secretary shall provide leadership and incentives
21 to demonstrate and promote state-of-the-art tech-
22 nologies, elevated performance standards, and new
23 business practices in the highway construction pro-
24 cess that result in improved safety, faster construc-

1 tion, reduced congestion from construction, and im-
2 proved quality and user satisfaction.

3 (b) PROJECTS.—

4 (1) APPLICATIONS.—To be eligible to partici-
5 pate in the pilot program, a State shall submit to
6 the Secretary an application that is in such form
7 and contains such information as the Secretary re-
8 quires. Each application shall contain a description
9 of proposed projects to be carried by the State under
10 the pilot program.

11 (2) ELIGIBILITY.—A proposed project shall be
12 eligible for assistance under the pilot program if the
13 project—

14 (A) constructs, reconstructs, or rehabili-
15 tates a route or connection on a Federal-aid
16 highway eligible for assistance under chapter 1
17 of title 23, United States Code;

18 (B) uses innovative technologies, manufac-
19 turing processes, financing, or contracting
20 methods that improve safety, reduce congestion
21 due to construction, and improve quality; and

22 (C) meets additional criteria as determined
23 by the Secretary.

24 (3) PROJECT PROPOSAL.—A project proposal
25 submitted under paragraph (1) shall contain—

1 (A) an identification and description of the
2 projects to be delivered;

3 (B) a description of how the projects will
4 result in improved safety, faster construction,
5 reduced congestion due to construction, user
6 satisfaction, and improved quality;

7 (C) a description of the innovative tech-
8 nologies, manufacturing processes, financing,
9 and contracting methods that will be used for
10 the proposed projects; and

11 (D) such other information as the Sec-
12 retary may require.

13 (4) SELECTION CRITERIA.—In selecting
14 projects for approval under this section, the Sec-
15 retary shall ensure that the projects provide an eval-
16 uation of a broad range of technologies in a wide va-
17 riety of project types and shall give priority to the
18 projects that—

19 (A) address achieving the Highways for
20 LIFE performance standards for quality, safe-
21 ty, and speed of construction;

22 (B) deliver and deploy innovative tech-
23 nologies, manufacturing processes, financing,
24 contracting practices, and performance meas-
25 ures that will demonstrate substantial improve-

1 ments in safety, congestion, quality, and cost-
2 effectiveness;

3 (C) include innovation that will lead to
4 change in the administration of the State's
5 transportation program to more quickly con-
6 struct long-lasting, high-quality, cost-effective
7 projects that improve safety and reduce conges-
8 tion;

9 (D) are or will be ready for construction
10 within 12 months of approval of the project
11 proposal; and

12 (E) meet such other criteria as the Sec-
13 retary determines appropriate.

14 (5) FINANCIAL ASSISTANCE.—

15 (A) FUNDS FOR HIGHWAYS FOR LIFE
16 PROJECTS.—Out of amounts made available to
17 carry out this section for a fiscal year, the Sec-
18 retary may allocate to a State up to 20 percent,
19 but not more than \$15,000,000, of the total
20 cost of a project approved under this section.
21 Notwithstanding any other provision of law,
22 funds allocated to a State under this subpara-
23 graph may be applied to the non-Federal share
24 of the cost of construction of a project under
25 title 23, United States Code.

1 (B) USE OF APPORTIONED FUNDS.—A
2 State may obligate not more than 10 percent of
3 the amount apportioned to the State under 1 or
4 more of paragraphs (1), (2), (3), and (4) of sec-
5 tion 104(b) of title 23, United States Code, for
6 a fiscal year for projects approved under this
7 section.

8 (C) INCREASED FEDERAL SHARE.—Not-
9 withstanding sections 120 and 129 of title 23,
10 United States Code, the Federal share payable
11 on account of any project constructed with Fed-
12 eral funds allocated under this section, or ap-
13 portioned under section 104(b) of such title, to
14 a State under such title and approved under
15 this section may amount to 100 percent of the
16 cost of construction of such project.

17 (D) LIMITATION ON STATUTORY CON-
18 STRUCTION.—Except as provided in subpara-
19 graph (C), nothing in this subsection shall be
20 construed as altering or otherwise affecting the
21 applicability of the requirements of chapter 1 of
22 title 23, United States Code (including require-
23 ments relating to the eligibility of a project for
24 assistance under the program and the location
25 of the project), to amounts apportioned to a

1 State for a program under section 104(b) that
2 are obligated by the State for projects approved
3 under this subsection.

4 (6) PROJECT SELECTIONS.—In the period of
5 fiscal years 2005 through 2009, the Secretary shall
6 approve at least one project in each State for par-
7 ticipation in the pilot program and for financial as-
8 sistance under paragraph (5) if the State submits an
9 application and the project meets the eligibility re-
10 quirements and selection criteria under this sub-
11 section.

12 (c) TECHNOLOGY PARTNERSHIPS.—

13 (1) IN GENERAL.—The Secretary may make
14 grants or enter into cooperative agreements or other
15 transactions to foster the development, improvement,
16 and creation of innovative technologies and facilities
17 to improve safety, enhance the speed of highway
18 construction, and improve the quality and durability
19 of highways.

20 (2) FEDERAL SHARE.—The Federal share of
21 the cost of an activity carried out under this sub-
22 section shall not exceed 80 percent.

23 (d) TECHNOLOGY TRANSFER AND INFORMATION
24 DISSEMINATION.—

1 (1) IN GENERAL.—The Secretary shall conduct
2 a Highways for LIFE technology transfer program.

3 (2) AVAILABILITY OF INFORMATION.—The Sec-
4 retary shall ensure that the information and tech-
5 nology used, developed, or deployed under this sub-
6 section is made available to the transportation com-
7 munity and the public.

8 (e) STAKEHOLDER INPUT AND INVOLVEMENT.—The
9 Secretary shall establish a process for stakeholder input
10 and involvement in the development, implementation, and
11 evaluation of the Highways for LIFE pilot program. The
12 process may include participation by representatives of
13 State departments of transportation and other interested
14 persons.

15 (f) PROJECT MONITORING AND EVALUATION.—The
16 Secretary shall monitor and evaluate the effectiveness of
17 any activity carried out under this section.

18 (g) CONTRACT AUTHORITY.—Funds authorized to be
19 appropriated to carry out this section shall be available
20 for obligation in the same manner as if the funds were
21 apportioned under chapter 1 of title 23, United States
22 Code.

23 (h) STATE DEFINED.—In this section, the term
24 “State” has the meaning such term has under section
25 101(a) of title 23, United States Code.

Subtitle F—Finance

SEC. 1601. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT.

(a) DEFINITIONS.—Section 181 of title 23, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking “category”; and

(B) by striking “offered into the capital markets”;

(2) by striking paragraph (7);

(3) by redesignating paragraphs (8) through (15) as paragraphs (7) through (14), respectively;

(4) by striking the period at the end of paragraph (8)(B) (as so redesignated) and inserting a semicolon; and

(5) in paragraph (10) (as so redesignated) by striking “bond” and inserting “credit”.

(b) DETERMINATION OF ELIGIBILITY.—Section 182(a) of such title is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) INCLUSION IN TRANSPORTATION PLANS AND PROGRAMS.—The project shall satisfy the applicable planning and programming requirements of sections 134 and 135 at such time as an agreement

1 to make available a Federal credit instrument is en-
2 tered into under this subchapter.

3 “(2) APPLICATION.—A State, a local govern-
4 ment, public authority, public-private partnership, or
5 any other legal entity undertaking the project and
6 authorized by the Secretary, shall submit a project
7 application to the Secretary.”;

8 (2) in paragraph (3)(A)(i) by striking
9 “\$100,000,000” and inserting “\$50,000,000”;

10 (3) in paragraph (3)(B) by striking
11 “\$30,000,000” and inserting “\$15,000,000”; and

12 (4) in paragraph (4)—

13 (A) by striking “Project financing” and in-
14 serting “The Federal credit instrument”; and

15 (B) by inserting before the period at the
16 end “that also secure the project obligations”.

17 (c) PROJECT SELECTION.—Section 182(b) of such
18 title is amended—

19 (1) in paragraph (1) by striking “criteria” the
20 second place it appears and inserting “require-
21 ments”; and

22 (2) in paragraph (2)(B) by inserting “, which
23 may be the Federal credit instrument,” after “obli-
24 gations”.

25 (d) SECURED LOANS.—

1 (1) AGREEMENTS.—Section 183(a)(1) of such
2 title is amended—

3 (A) in each of subparagraphs (A) and (B)
4 by inserting “of any project selected under sec-
5 tion 602” after “costs”; and

6 (B) by striking the semicolon at the end of
7 subparagraph (B) and all that follows through
8 “under section 602”.

9 (2) INVESTMENT-GRADE RATING REQUIRE-
10 MENT.—Section 183(a)(4) of such title is amend-
11 ed—

12 (A) by striking “The funding” and insert-
13 ing “The execution”; and

14 (B) by striking the first comma and all
15 that follows through “1 rating agency”.

16 (3) TERMS AND LIMITATIONS.—Section 183(b)
17 of such title is amended—

18 (A) in paragraph (2) by inserting “the
19 lesser of” after “exceed”;

20 (B) in paragraph (2) by inserting “or the
21 amount of the senior project obligations” after
22 “costs”;

23 (C) in paragraph (3)(A)(i) by inserting
24 “that also secure the senior project obligations”
25 after “sources”; and

1 (D) in paragraph (4) by striking “market-
2 able”.

3 (4) REPAYMENT.—Section 183(c) is amended—

4 (A) by striking paragraph (3); and

5 (B) by redesignating paragraphs (4) and
6 (5) as paragraphs (3) and (4), respectively.

7 (e) LINES OF CREDIT.—

8 (1) TERMS AND LIMITATIONS.—Section 184(b)
9 of such title is amended—

10 (A) in paragraph (3)—

11 (i) by striking the first comma; and

12 (ii) by striking “any debt service re-
13 serve fund, and any other available re-
14 serve” and inserting “but not including
15 reasonably required financing reserves”;

16 (B) in paragraph (4)—

17 (i) by striking “marketable”;

18 (ii) by striking “on which” and insert-
19 ing “of execution of”; and

20 (iii) by striking “is obligated” and in-
21 serting “agreement”; and

22 (C) in paragraph (5)(A)(i) by inserting
23 “that also secure the senior project obligations”
24 after “sources”; and

1 (2) REPAYMENT.—Section 184(c) of such title
2 is amended—

3 (A) in paragraph (2)—

4 (i) by striking “scheduled”;

5 (ii) by inserting “be scheduled to”
6 after “shall”; and

7 (iii) by striking “be fully repaid, with
8 interest,” and inserting “conclude, with
9 full repayment of principal and interest,”;
10 and

11 (B) by striking paragraph (3).

12 (f) PROGRAM ADMINISTRATION.—Section 185 of
13 such title is amended to read as follows:

14 **“§ 185. Program administration**

15 “(a) REQUIREMENT.—The Secretary shall establish
16 a uniform system to service the Federal credit instrument
17 made available under this chapter.

18 “(b) FEES.—The Secretary may establish fees at a
19 level to cover all or a portion of the costs to the Federal
20 Government of servicing the Federal credit instrument.

21 “(c) SERVICES.—The Secretary may identify a finan-
22 cial entity to assist the Secretary in servicing a Federal
23 credit instrument. The services—

24 “(1) shall act as the agent for the Secretary;
25 and

1 “(2) shall receive a servicing fee, subject to ap-
2 proval by the Secretary.

3 “(d) ASSISTANCE FROM EXPERT FIRMS.—The Sec-
4 retary may retain the services of one or more expert firms,
5 including counsel, in the field of municipal and project fi-
6 nance to assist in the underwriting and servicing of Fed-
7 eral credit instruments.”.

8 (g) FUNDING.—Section 188 of such title is amended
9 to read as follows:

10 **“§ 188. Special rules**

11 “(a) AVAILABILITY.—Amounts made available to
12 carry out this chapter shall remain available until ex-
13 pended.

14 “(b) ADMINISTRATIVE COSTS.—From funds made
15 available to carry out this chapter, the Secretary may use,
16 for the administration of this subchapter, not more than
17 \$3,000,000 for each of fiscal years 2004 through 2009.

18 “(c) LIMITATIONS ON CREDIT AMOUNTS.—For each
19 of fiscal years 2004 through 2009, principal amounts of
20 Federal credit instruments made available under this
21 chapter shall be limited to \$2,600,000,000.”.

22 **SEC. 1602. STATE INFRASTRUCTURE BANKS.**

23 (a) IN GENERAL.—Section 189 of title 23, United
24 States Code, is amended to read as follows:

1 **“§ 189. State infrastructure bank program**

2 “(a) DEFINITIONS.—In this section, the following
3 definitions apply:

4 “(1) CAPITAL PROJECT.—The term ‘capital
5 project’ has the meaning such term has under sec-
6 tion 5302 of title 49, United States Code.

7 “(2) OTHER FORMS OF CREDIT ASSISTANCE.—
8 The term ‘other forms of credit assistance’ includes
9 any use of funds in an infrastructure bank—

10 “(A) to provide credit enhancements;

11 “(B) to serve as a capital reserve for bond
12 or debt instrument financing;

13 “(C) to subsidize interest rates;

14 “(D) to insure or guarantee letters of cred-
15 it and credit instruments against credit risk of
16 loss;

17 “(E) to finance purchase and lease agree-
18 ments with respect to transit projects;

19 “(F) to provide bond or debt financing in-
20 strument security; and

21 “(G) to provide other forms of debt financ-
22 ing and methods of leveraging funds that are
23 approved by the Secretary and that relate to
24 the project with respect to which such assist-
25 ance is being provided.

1 “(3) STATE.—The term ‘State’ has the mean-
2 ing such term has under section 401 of this title.

3 “(4) CAPITALIZATION.—The term ‘capitaliza-
4 tion’ means the process used for depositing funds as
5 initial capital into a State infrastructure bank to es-
6 tablish the infrastructure bank.

7 “(5) COOPERATIVE AGREEMENT.—The term
8 ‘cooperative agreement’ means written consent be-
9 tween a State and the Secretary which sets forth the
10 manner in which the infrastructure bank established
11 by the State in accordance with this section will be
12 administered.

13 “(6) LOAN.—The term ‘loan’ means any form
14 of direct financial assistance from a State infra-
15 structure bank that is required to be repaid over a
16 period of time and that is provided to a project
17 sponsor for all or part of the costs of the project.

18 “(7) GUARANTEE.—The term ‘guarantee’
19 means a contract entered into by a State infrastruc-
20 ture bank in which the bank agrees to take responsi-
21 bility for all or a portion of a project sponsor’s fi-
22 nancial obligations for a project under specified con-
23 ditions.

24 “(8) INITIAL ASSISTANCE.—The term ‘initial
25 assistance’ means the first round of funds that are

1 loaned or used for credit enhancement by a State in-
2 frastructure bank for projects eligible for assistance
3 under this section.

4 “(9) LEVERAGE.—The term ‘leverage’ means a
5 financial structure used to increase funds in a State
6 infrastructure bank through the issuance of debt in-
7 struments.

8 “(10) LEVERAGED.—The term ‘leveraged’, as
9 used with respect to a State infrastructure bank,
10 means that the bank has total potential liabilities
11 that exceed the capital of the bank.

12 “(b) COOPERATIVE AGREEMENTS.—Subject to the
13 provisions of this section, the Secretary may enter into co-
14 operative agreements with States for the establishment of
15 State infrastructure banks for making loans and providing
16 other forms of credit assistance to public and private enti-
17 ties carrying out or proposing to carry out projects eligible
18 for assistance under this section.

19 “(d) FUNDING.—

20 “(1) HIGHWAY ACCOUNT.—Subject to sub-
21 section (j), the Secretary may permit a State enter-
22 ing into a cooperative agreement under this section
23 to establish a State infrastructure bank to deposit
24 into the highway account of the bank not to ex-
25 ceed—

1 “(A) 10 percent of the funds apportioned
2 to the State for each of fiscal years 2005
3 through 2009 under each of sections 104(b)(1),
4 104(b)(3), 104(b)(4), and 144; and

5 “(B) 10 percent of the funds allocated to
6 the State for each of such fiscal years under
7 section 105.

8 “(2) TRANSIT ACCOUNT.—Subject to subsection
9 (j), the Secretary may permit a State entering into
10 a cooperative agreement under this section to estab-
11 lish a State infrastructure bank, and any other re-
12 cipient of Federal assistance under section 5307,
13 5309, or 5311 of title 49, to deposit into the transit
14 account of the bank not to exceed 10 percent of the
15 funds made available to the State or other recipient
16 in each of fiscal years 2005 through 2009 for capital
17 projects under each of such sections.

18 “(3) RAIL ACCOUNT.—Subject to subsection (j),
19 the Secretary may permit a State entering into a co-
20 operative agreement under this section to establish
21 a State infrastructure bank, and any other recipient
22 of Federal assistance under subtitle V of title 49, to
23 deposit into the rail account of the bank funds made
24 available to the State or other recipient in each of

1 fiscal years 2005 through 2009 for capital projects
2 under such subtitle.

3 “(4) CAPITAL GRANTS.—

4 “(A) HIGHWAY ACCOUNT.—Federal funds
5 deposited into a highway account of a State in-
6 frastructure bank under paragraph (1) shall
7 constitute for purposes of this section a capital-
8 ization grant for the highway account of the
9 bank.

10 “(B) TRANSIT ACCOUNT.—Federal funds
11 deposited into a transit account of a State in-
12 frastructure bank under paragraph (2) shall
13 constitute for purposes of this section a capital-
14 ization grant for the transit account of the
15 bank.

16 “(C) RAIL ACCOUNT.—Federal funds de-
17 posited into a rail account of a State infrastruc-
18 ture bank under paragraph 3 shall constitute
19 for purposes of this section a capitalization
20 grant for the rail account of the bank.

21 “(5) SPECIAL RULE FOR URBANIZED AREAS OF
22 OVER 200,000.—Funds in a State infrastructure bank
23 that are attributed to urbanized areas of a State
24 with urbanized populations of over 200,000 under
25 section 133(d)(3) may be used to provide assistance

1 with respect to a project only if the metropolitan
2 planning organization designated for such area con-
3 curs, in writing, with the provision of such assist-
4 ance.

5 “(6) DISCONTINUANCE OF FUNDING.—If the
6 Secretary determines that a State is not imple-
7 menting the State’s infrastructure bank in accord-
8 ance with a cooperative agreement entered into
9 under subsection (b), the Secretary may prohibit the
10 State from contributing additional Federal funds to
11 the bank.

12 “(e) FORMS OF ASSISTANCE FROM INFRASTRUC-
13 TURE BANKS.—An infrastructure bank established under
14 this section may make loans or provide other forms of
15 credit assistance to a public or private entity in an amount
16 equal to all or a part of the cost of carrying out a project
17 eligible for assistance under this section. The amount of
18 any loan or other form of credit assistance provided for
19 the project may be subordinated to any other debt financ-
20 ing for the project. Initial assistance provided with respect
21 to a project from Federal funds deposited into an infra-
22 structure bank under this section may not be made in the
23 form of a grant.

24 “(f) ELIGIBLE PROJECTS.—Subject to subsection (e),
25 funds in an infrastructure bank established under this sec-

1 tion may be used only to provide assistance for projects
2 eligible for assistance under this title and capital projects
3 defined in section 5302 of title 49, and any other projects
4 related to surface transportation that the Secretary deter-
5 mines to be appropriate.

6 “(g) INFRASTRUCTURE BANK REQUIREMENTS.—In
7 order to establish an infrastructure bank under this sec-
8 tion, the State establishing the bank shall—

9 “(1) deposit in cash, at a minimum, into each
10 account of the bank from non-Federal sources an
11 amount equal to 25 percent of the amount of each
12 capitalization grant made to the State and deposited
13 into such account; except that, if the deposit is into
14 the highway account of the bank and the State has
15 a non-Federal share under section 120(b) that is
16 less than 25 percent, the percentage to be deposited
17 from non-Federal sources shall be the lower percent-
18 age of such grant;

19 “(2) ensure that the bank maintains on a con-
20 tinuing basis an investment grade rating on its debt,
21 or has a sufficient level of bond or debt financing in-
22 strument insurance, to maintain the viability of the
23 bank;

1 “(3) ensure that investment income derived
2 from funds deposited to an account of the bank
3 are—

4 “(A) credited to the account;

5 “(B) available for use in providing loans
6 and other forms of credit assistance to projects
7 eligible for assistance from the account; and

8 “(C) invested in United States Treasury
9 securities, bank deposits, or such other financ-
10 ing instruments as the Secretary may approve
11 to earn interest to enhance the leveraging of
12 projects assisted by the bank;

13 “(4) ensure that any loan from the bank will
14 bear interest at or below market interest rates, as
15 determined by the State, to make the project that is
16 the subject of the loan feasible;

17 “(5) ensure that repayment of any loan from
18 the bank will commence not later than 5 years after
19 the project has been completed or, in the case of a
20 highway project, the facility has opened to traffic,
21 whichever is later;

22 “(6) ensure that the term for repaying any loan
23 will not exceed 30 years after the date of the first
24 payment on the loan; and

1 “(7) require the bank to make an annual report
2 to the Secretary on its status no later than Sep-
3 tember 30 of each year and such other reports as
4 the Secretary may require under guidelines issued to
5 carry out this section.

6 “(i) UNITED STATES NOT OBLIGATED.—The deposit
7 of Federal funds into an infrastructure bank established
8 under this section shall not be construed as a commitment,
9 guarantee, or obligation on the part of the United States
10 to any third party, nor shall any third party have any right
11 against the United States for payment solely by virtue of
12 the contribution. Any security or debt-financing instru-
13 ment issued by the infrastructure bank shall expressly
14 state that the security or instrument does not constitute
15 a commitment, guarantee, or obligation of the United
16 States.

17 “(j) MANAGEMENT OF FEDERAL FUNDS.—Sections
18 3335 and 6503 of title 31, shall not apply to funds depos-
19 ited into an infrastructure bank under this section.

20 “(k) PROGRAM ADMINISTRATION.—For each of fiscal
21 years 2005 through 2009, a State may expend not to ex-
22 ceed 2 percent of the Federal funds contributed to an in-
23 frastructure bank established by the State under this sec-
24 tion to pay the reasonable costs of administering the
25 bank.”.

1 (b) PREPARATORY AMENDMENTS.—

2 (1) SECTION 181.—Section 181 of such title is
3 further amended—

4 (A) by striking the section designator and
5 heading and inserting the following:

6 **“§ 181. Generally applicable provisions”;**

7 (B) by striking “In this subchapter” and
8 inserting “(a) DEFINITIONS.—In this chapter”;

9 (C) in paragraph (5) by striking “184”
10 and inserting “604”;

11 (D) in paragraph (11) (as redesignated by
12 section 1601(a) of this Act) by striking “183”
13 and inserting “603”; and

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

15 “(b) TREATMENT OF CHAPTER.—For purposes of
16 this title, this chapter shall be treated as being part of
17 chapter 1.”.

18 (2) SECTION 182.—Section 182(b)(2)(A)(viii) of
19 such title is further amended by inserting “and
20 chapter 1” after “this chapter”.

21 (3) SECTION 183.—Section 183(a) of such title
22 is further amended—

23 (A) in paragraph (1) by striking “182”
24 and inserting “602”; and

1 (B) in paragraph (3) by striking
2 “182(b)(2)(B)” and inserting “602(b)(2)(B)”.

3 (4) SECTION 184.—Section 184 of such title is
4 further amended—

5 (A) in subsection (a)(1) by striking “182”
6 and inserting “602”;

7 (B) in subsection (a)(3) by striking
8 “182(b)(2)(B)” and inserting “602(b)(2)(B)”;
9 and

10 (C) in subsection (b)(10) by striking
11 “183” and inserting “603”.

12 (5) REFERENCES IN SUBCHAPTER.—Sub-
13 chapter II of chapter 1 of such title is amended by
14 striking “this subchapter” each place it appears and
15 inserting “this chapter”.

16 (6) SUBCHAPTER HEADINGS.—Chapter 1 of
17 such title is further amended—

18 (A) by striking “**SUBCHAPTER I—GEN-**
19 **ERAL PROVISIONS**” preceding section 101;
20 and

21 (B) by striking “**SUBCHAPTER II—IN-**
22 **FRASTRUCTURE FINANCE**” preceding section
23 181.

24 (c) CHAPTER 6.—Such title is further amended by
25 adding at the end the following:

“CHAPTER 6—INFRASTRUCTURE FINANCE

“Sec.

“601. Generally applicable provisions.

“602. Determination of eligibility and project selection.

“603. Secured loans.

“604. Lines of credit.

“605. Program administration.

“606. State and local permits.

“607. Regulations.

“608. Special rules.

“609. State infrastructure bank program.”.

1 (d) MOVING AND REDESIGNATING.—Such title is fur-
2 ther amended—

3 (1) by redesignating sections 181 through 189
4 as sections 601 through 609, respectively;

5 (2) by moving such sections from chapter 1 to
6 chapter 6 (as added by subsection (c)); and

7 (3) by inserting such sections after the analysis
8 for chapter 6.

9 (e) ANALYSIS FOR CHAPTER 1 AND TABLE OF CHAP-
10 TERS.—

11 (1) ANALYSIS FOR CHAPTER 1.—The analysis
12 for chapter 1 of such title is amended—

13 (A) by striking the headings for sub-
14 chapters I and II; and

15 (B) by striking the items relating to sec-
16 tions 181 through 189.

17 (2) TABLE OF CHAPTERS.—The table of chap-
18 ters for such title is amended by inserting after the
19 item relating to chapter 5 the following:

“6. Infrastructure Finance 601”.

1 **SEC. 1603. INTERSTATE SYSTEM RECONSTRUCTION AND**
2 **REHABILITATION TOLL PILOT PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Secretary shall establish
4 and implement an Interstate System reconstruction and
5 rehabilitation toll pilot program under which the Sec-
6 retary, notwithstanding sections 129 and 301 of title 23,
7 United States Code, may permit a State to collect tolls
8 on a highway, bridge, or tunnel on the Interstate System
9 for the purpose of reconstructing and rehabilitating the
10 facility.

11 (b) **LIMITATION ON NUMBER OF FACILITIES.**—The
12 Secretary may permit the collection of tolls under this sec-
13 tion on 3 facilities on the Interstate System. Each of such
14 facilities shall be located in a different State.

15 (c) **ELIGIBILITY.**—To be eligible to participate in the
16 pilot program, a State shall submit to the Secretary an
17 application that contains, at a minimum, the following:

18 (1) An identification of the facility on the Inter-
19 state System proposed to be a toll facility, including
20 the age, condition, and intensity of use of the facil-
21 ity.

22 (2) In the case of a facility that affects a met-
23 ropolitan area, an assurance that the metropolitan
24 planning organization designated under chapter 52
25 of title 49, United States Code, for the area has

1 been consulted concerning the placement and
2 amount of tolls on the facility.

3 (3) An analysis demonstrating that financing
4 the reconstruction or rehabilitation of the facility
5 with the collection of tolls under the pilot program
6 is the most efficient and economical way to advance
7 the project.

8 (4) A facility management plan that includes—

9 (A) a plan for implementing the imposition
10 of tolls on the facility;

11 (B) a schedule and finance plan for the re-
12 construction or rehabilitation of the facility
13 using toll revenues;

14 (C) a description of the public transpor-
15 tation agency that will be responsible for imple-
16 mentation and administration of the pilot pro-
17 gram;

18 (D) a description of whether consideration
19 will be given to privatizing the maintenance and
20 operational aspects of the facility, while retain-
21 ing legal and administrative control of the por-
22 tion of the Interstate route; and

23 (E) such other information as the Sec-
24 retary may require.

1 (d) SELECTION CRITERIA.—The Secretary may ap-
2 prove the application of a State under subsection (c) only
3 if the Secretary determines that—

4 (1) the State’s analysis under subsection (c)(3)
5 is reasonable;

6 (2) the facility has a sufficient intensity of use,
7 age, or condition to warrant the collection of tolls;

8 (3) the State plan for implementing tolls on the
9 facility takes into account the interests of local, re-
10 gional, and interstate travelers;

11 (4) the State plan for reconstruction or reha-
12 bilitation of the facility using toll revenues is reason-
13 able;

14 (5) the State will develop, manage, and main-
15 tain a system that will automatically collect the tolls;
16 and

17 (6) the State has given preference to the use of
18 a public toll agency with demonstrated capability to
19 build, operate, and maintain a toll expressway sys-
20 tem meeting criteria for the Interstate System.

21 (e) PROHIBITION ON NONCOMPETE AGREEMENTS.—
22 Before the Secretary may permit a State to participate
23 in the pilot program, the State must enter into an agree-
24 ment with the Secretary that provides that the State will
25 not enter into an agreement with a private person under

1 which the State is prevented from improving or expanding
2 the capacity of public roads adjacent to the toll facility
3 to address conditions resulting from traffic diverted to
4 such roads from the toll facility, including—

5 (1) excessive congestion;

6 (2) pavement wear; and

7 (3) an increased incidence of traffic accidents,
8 injuries, or fatalities.

9 (f) LIMITATIONS ON USE OF REVENUES; AUDITS.—

10 Before the Secretary may permit a State to participate
11 in the pilot program, the State must enter into an agree-
12 ment with the Secretary that provides that—

13 (1) all toll revenues received from operation of
14 the toll facility will be used only for—

15 (A) debt service;

16 (B) reasonable return on investment of any
17 private person financing the project; and

18 (C) any costs necessary for the improve-
19 ment of and the proper operation and mainte-
20 nance of the toll facility, including reconstruc-
21 tion, resurfacing, restoration, and rehabilitation
22 of the toll facility; and

23 (2) regular audits will be conducted to ensure
24 compliance with paragraph (1) and the results of
25 such audits will be transmitted to the Secretary.

1 (g) LIMITATION ON USE OF INTERSTATE MAINTENANCE FUNDS.—During the term of the pilot program, 2 funds apportioned for Interstate maintenance under section 104(b)(4) of title 23, United States Code, may not 3 be used on a facility for which tolls are being collected 4 under the program. 5

6 (h) PROGRAM TERM.—The Secretary may approve 7 an application of a State for permission to collect a toll 8 under this section only if the application is received by 9 the Secretary before the last day of the 10-year period 10 beginning on the date of enactment of this Act. 11

12 (i) INTERSTATE SYSTEM DEFINED.—In this section, 13 the term “Interstate System” has the meaning such term 14 has under section 101 of title 23, United States Code. 15

16 (j) REPORT.—Not later than September 30, 2011, 17 the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on traffic congestion on, 18 pavement wear of, and incidence of accidents, injuries, and 19 fatalities on public roads adjacent to toll facilities established under this section and section 1604. 20 21 22

23 (k) REPEAL.—Section 1216(b) of the Transportation 24 Equity Act for the 21st Century (23 U.S.C. 129 note; 112 25 Stat. 212) is repealed.

1 **SEC. 1604. INTERSTATE SYSTEM CONSTRUCTION TOLL**
2 **PILOT PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Secretary shall establish
4 and implement an Interstate System construction toll pilot
5 program under which the Secretary, notwithstanding sec-
6 tions 129 and 301 of title 23, United States Code, may
7 permit a State or an interstate compact of States to collect
8 tolls on a highway, bridge, or tunnel on the Interstate Sys-
9 tem for the purpose of constructing Interstate highways.

10 (b) **LIMITATION ON NUMBER OF FACILITIES.**—The
11 Secretary may permit the collection of tolls under this sec-
12 tion on 3 facilities on the Interstate System.

13 (c) **ELIGIBILITY.**—To be eligible to participate in the
14 pilot program, a State shall submit to the Secretary an
15 application that contains, at a minimum, the following:

16 (1) An identification of the facility on the Inter-
17 state System proposed to be a toll facility.

18 (2) In the case of a facility that affects a met-
19 ropolitan area, an assurance that the metropolitan
20 planning organization designated under chapter 52
21 of title 49, United States Code, for the area has
22 been consulted concerning the placement and
23 amount of tolls on the facility.

24 (3) An analysis demonstrating that financing
25 the construction of the facility with the collection of

1 tolls under the pilot program is the most efficient
2 and economical way to advance the project.

3 (4) A facility management plan that includes—

4 (A) a plan for implementing the imposition
5 of tolls on the facility;

6 (B) a schedule and finance plan for the
7 construction of the facility using toll revenues;

8 (C) a description of the public transpor-
9 tation agency that will be responsible for imple-
10 mentation and administration of the pilot pro-
11 gram;

12 (D) a description of whether consideration
13 will be given to privatizing the maintenance and
14 operational aspects of the facility, while retain-
15 ing legal and administrative control of the por-
16 tion of the Interstate route; and

17 (E) such other information as the Sec-
18 retary may require.

19 (d) SELECTION CRITERIA.—The Secretary may ap-
20 prove the application of a State under subsection (c) only
21 if the Secretary determines that—

22 (1) the State's analysis under subsection (c)(3)
23 is reasonable;

1 (2) the State plan for implementing tolls on the
2 facility takes into account the interests of local, re-
3 gional, and interstate travelers;

4 (3) the State plan for construction of the facil-
5 ity using toll revenues is reasonable;

6 (4) the State will develop, manage, and main-
7 tain a system that will automatically collect the tolls;
8 and

9 (5) the State has given preference to the use of
10 a public toll agency with demonstrated capability to
11 build, operate, and maintain a toll expressway sys-
12 tem meeting criteria for the Interstate System.

13 (e) PROHIBITION ON NONCOMPETE AGREEMENTS.—
14 Before the Secretary may permit a State to participate
15 in the pilot program, the State must enter into an agree-
16 ment with the Secretary that provides that the State will
17 not enter into an agreement with a private person under
18 which the State is prevented from improving or expanding
19 the capacity of public roads adjacent to the toll facility
20 to address conditions resulting from traffic diverted to
21 such roads from the toll facility, including—

22 (1) excessive congestion;

23 (2) pavement wear; and

24 (3) an increased incidence of traffic accidents,
25 injuries, or fatalities.

1 (f) LIMITATIONS ON USE OF REVENUES; AUDITS.—
2 Before the Secretary may permit a State to participate
3 in the pilot program, the State must enter into an agree-
4 ment with the Secretary that provides that—

5 (1) all toll revenues received from operation of
6 the toll facility will be used only for—

7 (A) debt service;

8 (B) reasonable return on investment of any
9 private person financing the project; and

10 (C) any costs necessary for the improve-
11 ment of and the proper operation and mainte-
12 nance of the toll facility, including reconstruc-
13 tion, resurfacing, restoration, and rehabilitation
14 of the toll facility; and

15 (2) regular audits will be conducted to ensure
16 compliance with paragraph (1) and the results of
17 such audits will be transmitted to the Secretary.

18 (g) LIMITATION ON USE OF INTERSTATE MAINTENANCE FUNDS.—During the term of the pilot program,
19 funds apportioned for Interstate maintenance under sec-
20 tion 104(b)(4) of title 23, United States Code, may not
21 be used on a facility for which tolls are being collected
22 under the program.
23

24 (h) PROGRAM TERM.—The Secretary may approve
25 an application of a State for permission to collect a toll

1 under this section only if the application is received by
2 the Secretary before the last day of the 10-year period
3 beginning on the date of enactment of this Act.

4 (i) INTERSTATE SYSTEM DEFINED.—In this section,
5 the term “Interstate System” has the meaning such term
6 has under section 101 of title 23, United States Code.

7 **SEC. 1605. SPECIAL RULES RELATING TO STATE INFRA-**
8 **STRUCTURE BANK PROGRAM.**

9 (a) INTERSTATE COMPACTS.—Section 189 of title 23,
10 United States Code, as amended by section 1602(a) of this
11 Act, is amended by inserting after subsection (b) the fol-
12 lowing:

13 “(c) INTERSTATE COMPACTS.—

14 “(1) IN GENERAL.—Congress grants consent to
15 2 or more of the States, entering into a cooperative
16 agreement under subsection (a) with the Secretary
17 for the establishment by such States of a multi-State
18 infrastructure bank in accordance with this section,
19 to enter into an interstate compact establishing such
20 bank in accordance with this section.

21 “(2) RESERVATION OF RIGHTS.—The right to
22 alter, amend or repeal interstate compacts entered
23 into under this subsection is expressly reserved.”.

24 (b) APPLICABILITY OF FEDERAL LAW.—Section 189
25 of title 23, United States Code, as amended by section

1 1602(a) of this Act, is further amended by inserting after
2 subsection (g) the following:

3 “(h) APPLICABILITY OF FEDERAL LAW.—

4 “(1) IN GENERAL.—The requirements of this
5 title and title 49 that would otherwise apply to funds
6 made available under this title or such title and
7 projects assisted with those funds shall apply to—

8 “(A) funds made available under this title
9 or such title and contributed to an infrastruc-
10 ture bank established under this section, includ-
11 ing the non-Federal contribution required under
12 subsection (g); and

13 “(B) projects assisted by the bank through
14 the use of the funds;

15 except to the extent that the Secretary determines
16 that any requirement of such title (other than sec-
17 tions 113 and 114 of this title and section 5333 of
18 title 49), is not consistent with the objectives of this
19 section.

20 “(2) REPAYMENTS.—The requirements of this
21 title and title 49 shall apply to repayments from
22 non-Federal sources to an infrastructure bank from
23 projects assisted by the bank. Such a repayment
24 shall be considered to be Federal funds.”.

1 **Subtitle G—High Priority Projects**

2 **SEC. 1701. HIGH PRIORITY PROJECTS PROGRAM.**

3 (a) AUTHORIZATION OF HIGH PRIORITY
4 PROJECTS.—Section 117(a) of title 23, United States
5 Code, is amended by striking “1602 of the Transportation
6 Equity Act for the 21st Century” and inserting “1701 of
7 the Transportation Equity Act: A Legacy for Users”.

8 (b) ALLOCATION PERCENTAGES.—Section 117(b) of
9 such title is amended by striking paragraphs (1) through
10 (6) and inserting the following:

11 “(1) 22.4 percent of such amount shall be avail-
12 able for obligation beginning in fiscal year 2005;

13 “(2) 20.2 percent of such amount shall be avail-
14 able for obligation beginning in fiscal year 2006;

15 “(3) 19.3 percent of such amount shall be avail-
16 able for obligation beginning in fiscal year 2007;

17 “(4) 19.7 percent of such amount shall be avail-
18 able for obligation beginning in fiscal year 2008; and

19 “(5) 18.4 percent of such amount shall be avail-
20 able for obligation beginning in fiscal year 2009.”.

21 (c) FEDERAL SHARE.—Section 117(c) of such title
22 is amended by striking “; except” and all that follows
23 through “cost thereof”.

24 (d) ADVANCE CONSTRUCTION.—Section 117(e) of
25 such title is amended by striking “1602 of the Transpor-

1 tation Equity Act for the 21st Century” each place it ap-
2 pears and inserting “1701 of the Transportation Equity
3 Act: A Legacy for Users”.

4 (e) AVAILABILITY OF OBLIGATION LIMITATION.—
5 Section 117(g) of such title is amended by striking
6 “Transportation Equity Act for the 21st Century” and in-
7 serting “Transportation Equity Act: A Legacy for Users”.

8 (f) FEDERAL-STATE RELATIONSHIP.—Section
9 145(b) of such title is amended—

10 (1) by inserting after “described in” the fol-
11 lowing: “section 1702 of the Transportation Equity
12 Act: A Legacy for Users,”;

13 (2) by inserting after “for such projects by” the
14 following: “section 1101(a)(17) of the Transpor-
15 tation Equity Act: A Legacy for Users,”; and

16 (3) by striking “117 of title 23, United States
17 Code,” and inserting “section 117 of this title,”.

18 **SEC. 1702. PROJECT AUTHORIZATIONS.**

19 Subject to section 117 of title 23, United States
20 Code, the amount listed for each high priority project in
21 the following table shall be available (from amounts made
22 available by section 1101(a)(17) of the Transportation
23 Equity Act: A Legacy for Users) for fiscal years 2005
24 through 2009 to carry out each such project:

HIGH PRIORITY PROJECTS

No.	State	Project Description	Amount
1	CA	Construct safe access to streets for bicyclists and pedestrians including crosswalks, sidewalks and traffic calming measures, Covina	\$500,000
2	CA	Develop and implement ITS master plan in Anaheim	\$1,500,000
3	TN	Improve circuitry on vehicle protection device installed at highway—RR crossing in Athens, TN	\$59,000
4	CA	Builds a pedestrian bridge from Hiller Street to the Bay Trail, Belmont	\$2,450,000
5	OH	Renovate and expand National Packard Museum and adjacent historic Packard facilities	\$3,000,000
6	IL	Land acquisition for the widening of Rt. 47 in Yorkville, IL	\$1,000,000
7	NE	Interstate 80 Interchange at Pflug Road, Sarpy County, Nebraska	\$2,000,000
8	TX	Construction of Segment #1 of Morrison Road for the City of Brownsville	\$2,000,000
9	MI	I-96 at Latson Road Interchange Improvements	\$6,000,000
10	IL	Preconstruction and Construction of IL 83 at IL 132	\$1,000,000
11	TN	Add third lane on U.S. 27 (State Route 29) for truck-climbing lane and realignment of roadway at Wolf Creek Road to Old U.S. 27 north of Robbins	\$6,000,000
12	MI	Reconfiguration of U.S. 31 from the Manistee Basquel Bridge to Lincoln Street in the city of Manistee	\$750,000
13	AR	Bentonville, Arkansas—widen and improve I-540 and SH-102 Interchange	\$1,420,000
14	WA	41st St. Interstate 5 Interchange Project in Everett	\$4,850,000
15	CA	Reconstruct and deep-lift asphalt on various roads throughout the district in Santa Barbara County	\$5,000,000
16	OK	Improving the I-35 Interchange at Milepost 1 Near Thackerville	\$2,000,000
17	NJ	Laurel Avenue Bridge replacement in Holmdel Township	\$1,000,000
18	OH	Construct overpass over CSX Railroad on Columbia Road (State Route 252), Olmsted Falls	\$460,000
19	TN	Reconstruct and widen U.S. 72 from south of State Route 175 to State Route 57, Shelby County	\$1,000,000
20	NY	Construct roundabout at Oregon Road—Westbrook Dr—Red Mill Road in Town of Cortlandt	\$475,000
21	IL	Construct Bike, Pedestrian Paths, Orland Hills	\$400,000
22	PA	Construct I-79/Rte 3025 missing ramps at Jackson Township, PA	\$1,150,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
23	PR	Construction of PR 833 to PR 831. PR 831 to PR 5. Bridge #667 PR 830, KM 2.40 PR 5 connector from PR 167 to intersation with PR 5 and Las Cumbres Ave	\$6,000,000
24	TX	Extension of SH 349 to US 87 Relief Route in Dawson County	\$2,500,000
25	IL	Parking facility in Peoria, IL	\$1,000,000
26	IL	Construct Interchange on Interstate 255 at Dupo/Columbia	\$19,000,000
27	MN	Construction and right-of-way acquisition for interchange at TH65 and TH242 in Blaine, MN	\$4,000,000
28	CA	Huntington Beach, Remove off-ramp on I-405 at Beach Blvd. Construct fourth lane on I-405 North, at the Beach Blvd. interchange ..	\$500,000
29	TN	Addition of an interchange on I-40 in Roane County at Buttermilk Road and I-40	\$3,000,000
30	NY	Purchase Three Ferries and Establish System for Ferry Service from Rockaway Peninsula to Manhattan	\$15,000,000
31	IL	Reconstruction of Mockingbird Lane and Stratford St, Granite City	\$2,000,000
32	FL	Construction a new multi-lane tunnel below the channel to link the Port of Miami on Dodge Island with I-395 on Watson Island and I-95 in Downtown Miami	\$500,000
33	MD	Rehabilitation of West Baltimore Trail and Implementation of Pedestrian Improvements Along Associated Roadways	\$900,000
34	TN	Removal and Reconfiguration of Interstate Ramps—I-240, Memphis	\$3,000,000
35	CA	Replace structurally unsafe Winters Bridge for vehicles, bicycles and pedestrians between Yolo and Solano Counties	\$2,000,000
36	IL	City of Havana, Illinois Upgrades to Broadway Street	\$952,572
37	MN	Construction of Gitchi-Gami State Trail from Cascade River to Grand Marais	\$900,000
38	LA	Develop master transportation plan for the New Orleans Regional Medical Center	\$500,000
39	VA	Final Design and Construction for improvements at I-64 and City Line Road, Virginia Beach and Chesapeake	\$1,000,000
40	MA	Replacement of Cross Street Bridge spanning flood prone Aberjona River, Winchester	\$1,000,000
41	NC	Construction of and improvement to I-73, I-74, U.S. 220 in Montgomery and Randolph Counties, NC	\$11,000,000
42	IA	Access and transportation enhancements to access Lake Belva Deer, Sigourney	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
43	CA	Roadway surface improvements, street lighting, and storm drain improvements to South Center Street from Baughman Road to State Route 78/86, Westmorland	\$800,000
44	TX	Construct two connectors between SH 288 and Beltway 8	\$5,000,000
45	NY	Implement Central NY highway grade crossing and grade separation project	\$2,000,000
46	CA	Douglas St. Improvements, El Segundo	\$4,000,000
47	MA	Reconstruction of Massachusetts Avenue including safety improvements and related pedestrian, bike way in Arlington	\$2,000,000
48	NY	Reconstruction of Rt 5, 8, 12 (North South Arterial) Burrstone Rd. to Oriskany Circle, City of Utica	\$1,000,000
49	OK	Construction of Norman highway-rail Grade Separation	\$2,000,000
50	PA	Construction of the Montour Trail, Great Allegheny Passage	\$2,000,000
51	CA	Route 1 San Pedro Creek Bridge replacement in Pacifica	\$3,000,000
52	MI	South Lyon, 2nd St. between Warren and Haggadorn	\$125,000
53	PA	Street improvements, Abington Township	\$2,000,000
54	IA	Study of a direct link to I 80, Pella	\$500,000
55	TN	Sweetwater, TN Improving Vehicle Efficiencies at At-Grade highway-railroad Crossings	\$96,000
56	OR	Construct bike/pedestrian path, Powers	\$440,000
57	IL	IL 6 to I-180—Phase 2 study and land acquisition	\$2,000,000
58	FL	Construct a new bridge at Indian Street, Martin County	\$1,000,000
59	GA	Improve sidewalks, upgrade lighting, and add landscaping in downtown Glennville	\$500,000
60	LA	Continue planning and construction of the New Orleans Regional Planning Commission Mississippi River trail in St. John, Plaquemines St. Bernard and St. Charles parishes	\$1,900,000
61	MO	Road widening and curb and gutter improvements on Hwy 33 in Kearney	\$3,000,000
62	TX	The SH146, Port Rd direct connectors allows traffic bypass several rail lines & traffic signals at, near intersection of SH146 and Port Rd	\$13,200,000
63	UT	Reconstruct South Moore Cut-off Road in Emery County	\$7,500,000
64	PA	Improvements to exits along Interstate 81 in Franklin County, PA—Antrim Road	\$8,200,000
65	OH	Plan and construct the Southeast Arterial Connector highway at Delaware, Ohio	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
66	TN	To construct transportation enhancements on a multi-faceted greenway in downtown Columbia on the Duck River	\$8,000,000
67	RI	New Interchange constructed from I-195 to Taunton and Warren Avenue in East Providence	\$5,800,000
68	NY	Town of Chester reconstruction of Walton Lake Estates subdivision and related roads	\$80,000
69	NC	Extend M.L. King Jr. Boulevard in Monroe	\$2,000,000
70	NY	Town of Fishkill Old Glenham Road (aka Washington Ave) reconstruction	\$325,500
71	PA	U.S. Route 13 Corridor Reconstruction, Redevelopment and Beautification, Bucks County	\$4,000,000
72	NY	Rochester & Southern Highway-Rail Grade Crossing Bypass, Silver Springs, New York ..	\$1,500,000
73	IL	Upgrade streets in the City of Rushville, IL	\$1,000,000
74	MO	Construct 2 lanes on Chouteau Trafficway from MO 210 to I-35	\$2,000,000
75	AZ	US 60 to Gonzalez Pass	\$3,500,000
76	LA	Interstate lighting system (I 10 and LA 93)	\$300,000
77	GU	Reconstruct Hagåtña River Bridges, Municipality of Hagåtña	\$6,600,000
78	WA	SR 704 Cross-Base Highway, Spanaway Loop Road to SR 7	\$1,500,000
79	NY	Village of Brewster Main Street and Route 6 related construction and improvements	\$975,000
80	PA	Design and construct relocation of US 11 between Ridge Hill and Hempt Roads	\$5,680,000
81	VA	Improve Route 42 (Main Street) in Bridgewater, Virginia	\$500,000
82	NY	Construction of Route 59 Palisades Interstate Parkway to Route 303	\$1,000,000
83	IL	Improve University Drive, Macomb	\$500,000
84	CA	Adams Street Rehabilitation Project, Glendale	\$388,000
85	NY	Construct grade separation-interchange between Taconic Parkway and Pudding Street	\$1,450,000
86	IA	Construction of 100th St interchange on I-35—80, Urbandale	\$1,000,000
87	MO	Lewis and Clark Expressway	\$2,000,000
88	PA	Mercer County, PA I-79 and PA 208 Interchange Improvement Project	\$3,000,000
89	WA	Plan to relieve traffic until North-South freeway HWY 2	\$550,000
90	CA	San Diego River Multiuse Bicycle and Pedestrian Path	\$500,000
91	PA	Construction of the Lafayette Street extension project in Montgomery County, PA	\$10,400,000
92	NJ	Construct new ramps between I-295 and Route 42	\$5,000,000
93	PA	Construct S.R. 29 Wal-mart to River Betterment, Eaton Tunkhannock, Wyoming County	\$1,700,000
94	WV	Construct Shawnee Parkway	\$1,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
95	FL	Improve pedestrian and bicycle sidewalks, lighting, and ADA ramps—Main Street, Canal Street, Miramar	\$600,000
96	MN	Reconstruct CSAH 19 from CSAH 36 to CSAH 2, Morrison County	\$200,000
97	TN	Develop trails, bike paths and recreational facilities on Bird Mountain, Morgan County for Cumberland Trail State Park	\$250,000
98	MN	Lyndale Avenue Bridge, Richfield	\$13,000,000
99	MI	Provide a bypass around the Village of Almont during M-53 reconstruction which is contiguous with Macomb County	\$100,000
100	NY	Town of Wallkill new construction road-tunnel under Rt. 17	\$1,000,000
101	NY	Village of Cold Spring Main Street and ancillary road and sidewalk improvements	\$820,000
102	IL	West Ridge Nature Preserve, Chicago	\$3,000,000
103	TN	widen Campbell Station Road in Knoxville, TN	\$1,800,000
104	AL	Widen Hwy. 84 to 4 lanes west of I-65 from Evergreen to Monroeville and beyond to the State of AL line	\$6,000,000
105	MS	Widen State Highway 57 from I-10 through Vaneleave	\$6,000,000
106	WA	Widening SR 527 from 2 lanes to 5 from Bothell to Mill Creek	\$1,500,000
107	OH	Construct proposed connection SR 207, SR 104, and US 23 in Ross County	\$2,000,000
108	MI	Construct improvements to Finkbeiner Road from Patterson Road to Whitneyville Road in Barry County, and new bridge over Thornapple River	\$4,400,000
109	PA	York Road improvements from Horsham Road to Summit Avenue, Borough of Hatboro	\$1,250,000
110	OH	Construct Highland Road pedestrian path and intersection improvements at Highland and Bishop Roads in the City of Highland Heights, OH	\$612,000
111	WI	Reconstruct Wisconsin State Highway 21 at I-94 interchange	\$3,000,000
112	MN	Safety improvements and intersection enhancements of TH 95 and TH 169, Princeton	\$1,800,000
113	NY	Wading River Bicycle and Pedestrian Project in Riverhead	\$1,200,000
114	FL	Widen County Line Road (CR 578) from Suncoast Parkway to US 41 to four lanes	\$6,000,000
115	IL	Improve Great River Road, Warsaw	\$750,000
116	WA	SR 518 3rd lane construction, King County	\$2,000,000
117	FL	Construct East Central Regional Rail Trail in Volusia County, Florida	\$1,000,000
118	MO	Y Highway US 71 to MO 58, Cass County	\$2,000,000
119	WY	WYO 59 Reconstruction	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
120	LA	Plan and construct bike/pedestrian crossings of Washington-Palmetto Canal in the vicinity of Xavier University, New Orleans	\$4,000,000
121	NC	Winston-Salem Northern Beltway, Eastern Section and Extension, NC	\$5,000,000
122	CA	Willow and Herndon Traffic Flow Improvements, City of Clovis, California	\$300,000
123	MO	US 71 at Y Highway North and Southbound Ramps	\$2,000,000
124	CA	Will add landscaping enhancements along the Ronald Reagan Freeway Route 118 for aesthetic purposes	\$2,900,000
125	NC	Widens US 29 Business Freeway Drive from South Scales St. to NC 14 in Rockingham County	\$10,000,000
126	PA	Widening, rechannelization, signalization to 2nd ave and Bates street, replace Elisa Furnace bridge over Bates Street	\$800,000
127	KS	Resurfacing, grading, replacing guardrails & adding shoulders to Highway 77 in Geary Cty, to accommodate expected traffic increase	\$784,000
128	MO	Widening, curb and gutter improvements on Hwy 92 as part of Hwy 33 redevelopment project in Kearney	\$3,000,000
129	IL	Construct streetscape along Morse avenue from Clark street to Sheridan road, Chicago	\$2,000,000
130	SC	Build extension of North Rhett Boulevard from Liberty Hall Road to US 176 in SC	\$7,000,000
131	NH	Construct and upgrade intersection of Route 3 and Franklin Industrial Drive in Franklin ...	\$1,000,000
132	GA	Construct Waveross East Bypass from US 84 in Pierce County, Georgia to US 1 in Ware County, Georgia	\$3,200,000
133	NY	Design and Construction of a transportation enhancement project at the Erie Canal Aqueduct in downtown Rochester	\$1,500,000
134	CA	Improvement of intersection at Balboa Blvd. and San Fernando Rd	\$500,000
135	TN	Improve Vehicle Efficiencies at highway At-Grade Railroad Crossing in Athens, TN	\$99,000
136	WI	Develop pedestrian and bike connections that link to Hank Aaron State Trail in Milwaukee	\$2,100,000
137	AK	Keystone Drive Road Improvements	\$1,000,000
138	GA	Pedestrian and streetscape improvements, Ellaville	\$400,000
139	NY	Construct and improve pedestrian access on Main Street in Hempstead	\$2,000,000
140	IL	Preconstruction activities IL 336 from Macomb to Peoria	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
141	OH	Purchase of right-of-ways for construction of pedestrian and bicycle improvements in the City of Aurora, OH	\$500,000
142	IL	Replacement of bridge on Harlem Avenue, The Village of River Forest	\$1,000,000
143	CA	State Route 86S and Ave 66 highway safety grade separation	\$4,500,000
144	IL	Construct Bissel Street Roadway Connector, Tri-City Regional Port District	\$1,000,000
145	CT	Improve Route 1 between East Avenue and Belden Avenue, Norwalk, CT	\$2,000,000
146	IA	Central IA Trail Loop, bicycle and pedestrian, Ankeny to Woodward section	\$1,000,000
147	MI	Chippewa County, Upgrade Tilson Road between M-28 South to intersection of M-48 at Rudyard	\$1,000,000
148	WA	Coal Creek Parkway Bridge Replacement, Newcastle WA	\$1,000,000
149	PA	Complete gaps in the Pittsburgh Riverfront Trail Network including the Hot Metal Bridge	\$750,000
150	TX	Construct passing lanes on Texas State Highway 16 in Atascosa County	\$797,000
151	TX	Construct street and drainage improvements to road system in Encinal	\$250,000
152	MN	Environmental assessment and right of way acquisition at US 52 and CSAH 24 Interchange, Cannon Falls, Goodhue Cnty, MN ...	\$2,000,000
153	NY	Construction for Peace Bridge Redevelopment Project, Buffalo	\$10,000,000
154	MN	Construct recreational visitor center on the Mesabi Trail, City of Virginia	\$1,300,000
155	NE	Engineering, right-of-way and construction of the 23rd Street Viaduct in Fremont, Nebraska	\$500,000
156	MN	Phase III of Devil Track Road Project, Cook County	\$1,200,000
157	ME	Relocation of southbound on-ramp to I-95 at exit 184, Bangor	\$1,500,000
158	MA	Construct access roads to Hospital Hill project in Northampton, MA	\$2,000,000
159	IN	Construct interchange for 146th St. and I-69, Hamilton County, Indiana	\$3,000,000
160	NY	Design & Construct a Bicycle and Pedestrian Walkway along the Decommissioned Putnam Rail Line	\$950,000
161	AK	False Pass Road construction from small boat harbor dock to airport and town	\$3,000,000
162	IL	Improve North Illinois St and related roads, Belleville	\$6,937,000
163	AR	Construction of I-49, Highway 71: Arkansas portion of Bella Vista Bypass	\$9,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
164	NM	Coors—I-40 Interchange Reconstruction, Albuquerque	\$17,000,000
165	GA	Extend the south Toccoa Bypass east of Toccoa to CR 311, four lanes for approximately 5.7 miles on new location	\$2,900,000
166	TX	Construct SH 183 from SH 360 to Belt Line Road in Irving, Texas	\$2,000,000
167	CA	Construct pedestrian, bicycle and ADA accessible boardwalks at the Pismo Beach Promenade in San Luis Obispo County	\$300,000
168	TX	SH 44 E of Alice near SH 359 to US 281, Jim Wells County	\$2,000,000
169	AR	Conway Western Loop—For engineering, rights-of-way, relocations, and continued planning and design	\$500,000
170	PA	For design, land & ROW acquisition, & construction of a parking facility and associated activities in the City of Wilkes-Barre	\$1,000,000
171	TN	Hawkins County, Tennessee SR-31 reconstruction	\$1,000,000
172	WI	Reconstruct US Highway 41—STH 67 interchange (Dodge County, Wisconsin)	\$650,000
173	MA	Reconstruct Route 24/Route 140 Interchange, replace bridge and ramps, widen and extend acceleration and deceleration lanes	\$14,750,000
174	OR	Study landslides on U.S. Hwy. 20 between Cascadia and Santiam Pass to develop long-term repair strategy	\$1,000,000
175	MS	Upgrade Alex Gates Road and Walnut Road in Quitman County, and roads in Falcon, Sledge and Lambert	\$1,750,000
176	IL	Upgrades for Muller Road in the City of Washington, IL	\$280,000
177	AL	Construction of Valleydale Road Flyover and widening and improvements from U.S. 31 to I-65 (Shelby County Rd 17)	\$6,000,000
178	MS	Upgrade roads in Beauregard (U.S. Hwy 51), Crystal Springs (U.S. Hwy 51 and I-55), and Hazelhurst (U.S. Hwy 51 and I-55), Copiah County	\$1,000,000
179	NY	Westchester County, NY Rehabilitation of June Road Town of North Salem	\$650,000
180	CA	Implement streetscape improvements on segments of Laurel Canyon Blvd. and Victory Blvd. in North Hollywood	\$1,200,000
181	OH	Construct loop road along US 23 in City of Fostoria, Seneca County	\$8,700,000
182	PA	Design, engineering, ROW acquisition, & construction of street improvements, parking, safety enhancements & roadway redesign in Nanticoke	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
183	LA	Improve Ralph Darden Memorial Parkway Between LA 182 and Martin Luther King Road, St. Mary Parish	\$350,000
184	CA	Reconstruct segments of Hollister Avenue between San Antonio Road and State Route 154 in Santa Barbara County	\$2,500,000
185	NY	Reconstruction of Schenck Avenue from Jamaica Avenue to Flatlands Avenue, Brooklyn	\$5,000,000
186	CO	Construct Wadsworth Interchange over US 36 in Broomfield	\$2,000,000
187	NY	Enhance Battery Park Bikeway Perimeter, New York City	\$2,000,000
188	FL	I-95 Interchange in the City of Boca Raton	\$14,250,000
189	NJ	Construct Long Valley Bypass	\$1,000,000
190	MI	Alpena County, Resurface 3.51 miles of Hamilton and Wessel Roads	\$640,000
191	CA	Construct a 2.8 mile bikeway along Lambert Road from Mills Ave. to Valley Home Ave. in the City of Whittier, CA	\$2,500,000
192	TX	Hidalgo County Loop	\$1,000,000
193	ME	Improvements to Route 108 to enhance access to business park, Rumford	\$1,500,000
194	NY	Installation of new turning lane from Mohansic Ave onto eastbound Route 202, & addition of new striped crosswalk	\$425,000
195	NY	Rockland County Hudson River Greenway Trail Project construction	\$2,000,000
196	TX	Construct a segment of FM 110 in San Marcos	\$1,000,000
197	TX	Big Spring, TX Construction of the Big Spring Reliever Route	\$2,800,000
198	NY	Improvements to Intermodal Transportation Facility and Construction of Waterfront Esplanade at Fort Totten	\$2,800,000
199	PA	Reconstruction and repair of Haverford Ave. Between 68th St. and Lansdowne Ave	\$300,000
200	ND	Bismarck/Mandan Liberty Memorial Bridge over the Missouri River	\$30,000,000
201	WI	City of Glendale, WI. Develop and rehabilitate exit ramps on I-43, and improvements at West Silver Spring Dr. and North Port Washington Rd	\$3,000,000
202	TX	Construction of Lake Ridge and US 67 Project, Cedar Hill, TX	\$3,000,000
203	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS K277	\$250,000
204	WI	Resurface USH 8 between CTH C and Monico	\$1,100,000
205	PA	South Phila. Access Rd. Design and construction of port access road from South Phila Port and intermodal facilities, Philadelphia ..	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
206	NY	Implement ITS system and apparatus to enhance citywide truck route system on Broadway to Irwin Ave between 232 to 231 in the neighborhood of Kingsbridge, NY	\$100,000
207	PA	SR 219 Purchase of Right of Way and completion of four lane extension from the Town of Somerset to the Maryland border	\$17,000,000
208	WI	Expand USH 41 between Oconto and Peshtigo, Wisconsin (Oconto and Marinette Counties, Wisconsin)	\$2,000,000
209	IA	Study for NE Beltway, Polk Co	\$500,000
210	NY	This project involves a full reconstruction of all the streets in Long Island City surrounding 11th Street	\$2,400,000
211	AZ	Upgrade and Widen SR85 to I-10 (Mileposts 120–141)	\$1,500,000
212	MS	Upgrade Dog Pen Road and Galilee Road in Holmes County, and roads in Cruger, Pickens, and Goodman	\$1,000,000
213	GA	U.S. 19/SR92 median work from Ellis RD to West Taylor ST, Griffin	\$1,500,000
214	MS	Upgrade roads at Coahoma Community College, and roads in Coahoma and Jonestown, Coahoma County	\$1,500,000
215	IN	Construction of Dixon Road from Markland Avenue to Judson Road in Kokomo, Indiana	\$500,000
216	CA	Construction of Cross Vally Connector between I-5 and SR 14	\$5,000,000
217	MA	State Street Corridor Redevelopment Project includes street resurfacing, pedestrian walkway improvements and ornate lighting from Main Street to St. Michael's Cemetery, Springfield	\$6,000,000
218	MI	Resurfacing of Stephenson Highway in Madison Heights	\$350,000
219	CA	Soundwall construction on the 210 Freeway, Pasadena	\$1,800,000
220	GA	Streetscape-Ashburn	\$250,000
221	NY	Design, Study and Construct Ferry Terminal Facilities at Floyd Bennett Field	\$2,000,000
222	WI	Improve Superior Avenue: Interstate 43 to State Highway 32, Sheboygan County, Wisconsin	\$1,000,000
223	TX	Design and construction streetscape improvements to enhance pedestrian access, pedestrian access to bus services and facilities	\$1,000,000
224	IL	Upgrade roads, The Village of Berkeley	\$1,000,000
225	GA	Upgrade sidewalks and lighting, Wrightsville ...	\$400,000
226	PA	Upgrades to Bedford Route 220 at the entrance of the Bedford Business Park to Beldon Ridge intersection	\$2,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
227	MI	Widen Baldwin Road from Morgan to Waldon in Orion Township	\$4,000,000
228	FL	Construct Saxon Boulevard Extension, Volusia County, Florida	\$2,100,000
229	NY	Construction and rehabilitation of East and West Gates Avenues in the Village of Lindenhurst, NY	\$1,020,000
230	TN	Widen Interstate 240 from Interstate 55 to Interstate 40 West of Memphis, Shelby County	\$1,000,000
231	NJ	Rahway River Corridor Greenway Bicycle and Pedestrian Path, South Orange	\$1,500,000
232	CT	Reconstruct Pearl Harbor Memorial Bridge, New Haven	\$2,000,000
233	PA	Development of Northwest Lancaster County River Trail	\$250,000
234	CA	Widen SR 89 at existing mousehole two lane RR underpass	\$3,534,680
235	LA	Construct Mississippi River Trail and Bikepath, New Orleans	\$500,000
236	NY	Utica Marsh-Reestablish Water Street	\$2,650,000
237	AR	Widen to 5 lanes, improvement, and other development to U.S. Highway 79 B/Univeristy Ave. in Pine Bluff	\$3,200,000
238	WA	SR 9 & 20th St. SE Intersection Reconstruction in Snohomish County	\$1,000,000
239	OH	Streetscape and related safety improvements to US 20 in Painesville Township, OH	\$350,000
240	PA	Design, construct intersection and other upgrades on PA 24 and 124 in York County, PA	\$1,000,000
241	WA	Issaquah Historical Society, Issaquah Valley Trolley Project	\$250,000
242	IL	Construct new bridge on Illinois Prairie Path over East Branch River in Milton Township, IL	\$300,000
243	TN	Plan and construct improvements, Livingston public square	\$50,000
244	GA	Construction on US 82 from Dawson to Alabama Line	\$1,000,000
245	IA	Construct I-74 Bridge in Bettendorf, IA	\$1,500,000
246	CA	Operations and management improvements, including ITS technologies, on U.S. Highway 101 in Santa Barbara County	\$1,000,000
247	OH	Plan and construct new interchange on Interstate 71 at Big Walnut Road in Delaware County, Ohio	\$5,000,000
248	PA	Design and construct access to intermodal facility in York County	\$2,000,000
249	WA	Complete preliminary engineering and environmental analysis for SR 14 through Camas and Washougal	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
250	UT	Construct Bingham Junction Boulevard in Midvale City	\$7,000,000
251	MD	Construct Centreville, MD spur of Queen Annes County Cross Island Trail, Centreville to US Route 301	\$382,000
252	MN	Polk, Pennington, Marshall County 10-Ton Corridor in Northwestern Minnesota	\$5,600,000
253	CA	Quincy-Oroville Highway Rehabilitation in Plumas County	\$1,000,000
254	CA	Construct Coyote Creek Trail Project from Story Road to Montague Expressway in San Jose	\$2,500,000
255	TX	Construct Depression of Belt Line Road at I-35 E Intermodal Transportation Project in Carrollton, TX	\$6,000,000
256	AL	Construct Anniston Eastern Bypass from Golden Springs Road to US Hwy 431	\$27,000,000
257	NY	Construct greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan	\$1,250,000
258	NE	Construction of I-80-Cherry Avenue Interchange and East Bypass, Kearney, Nebraska	\$8,000,000
259	MN	Corridor study, EIS, and ROW acquisition for a future highway and bridge over the Mississippi River, City of Brainerd	\$1,000,000
260	CA	Esecondido, CA Construction of Bear Valley Parkway, East Valley Parkway	\$2,000,000
261	AR	Junction Bridge—rehabilitation & conversion from rail to pedestrian use	\$1,600,000
262	WA	Port of Tacoma Rd.—Construct a second left turn lane for traffic from westbound Pae. Hwy E. to Port of Tacoma Rd. and I-5	\$500,000
263	NY	Realign Union Valley Road in Town of Carmel	\$330,000
264	MO	Roadway improvements to U.S. 67 in St. Francois County	\$4,000,000
265	FL	Homestead, FL Widening of SW 328 from SW 137 Ave to 152 Ave	\$7,000,000
266	CA	Reconstruct I-710 southern terminus off ramps, Long Beach	\$3,000,000
267	GA	SR 4 widen from Milledgeville Road to Government Street, Richmond County	\$4,000,000
268	TN	Develop trails, bike paths and recreational facilities on Western Slope of Black Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
269	NJ	Routes 1 & 9 Secaucus Road to Broad Avenue in Hudson and Bergen Counties	\$1,000,000
270	MA	Massachusetts Avenue Reconstruction, Boston	\$5,000,000
271	NY	Improve Ashburton Ave. from the Saw Mill River Parkway to the waterfront, Yonkers ...	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
272	MN	Trail extensions to Mesabi Trail, City of Aurora	\$294,745
273	LA	I-10 Ryan Street exit ramp to include relocation and realignment of Lakeshore Drive to include portions of Front Street and or Ann Street, and to include expansion of Contraband Bayou Bridge	\$5,000,000
274	MI	Van Buren, Belleville Road widen to 5 lanes between Tyler and Ecorse	\$1,100,000
275	IA	Widening University Blvd, Clive	\$1,000,000
276	HI	Construct Waimea Bypass	\$1,000,000
277	IL	Widening two blocks of Poplar St from Park Ave to 13th Street, Williamson County	\$480,000
278	CA	Widening the highway and reconstructing off ramps on Hwy 101 between Steele Lane and Windsor, CA to reduce traffic and promote carpools	\$7,000,000
279	WA	Granite Falls Alternate Freight Route in Granite Falls	\$2,930,000
280	NY	Construction and rehabilitation of North Queens Avenue and Grand Avenue in the Village of Lindenhurst, NY	\$770,000
281	SC	Extension & Expansion of Lower Richland Roads Phase I	\$1,000,000
282	OR	Kuebler Boulevard improvements, Salem	\$1,500,000
283	NC	Upgrade US 1 in Rockingham	\$10,000,000
284	CA	Implement Southwest San Fernando Valley Road and Safety Improvements	\$2,300,000
285	VA	Upgrade DOT crossing #467662S to constant warning time devices	\$201,800
286	TX	Construct new location highway & interchanges on Inner Loop, from Global Reach to Loop 375 including the Global Reach ext., El Paso	\$16,000,000
287	CA	Rehabilitation, repair, and/or reconstruction of deficient two-lane roads that connect to Interstate 5, SR 180, SR 41 and SR 99 countywide, Fresno County	\$3,500,000
288	OH	Relocate SR 149 from 26th Street to Trough Run in Bellaire	\$650,000
289	WA	Auburn, Washington—M Street SE rehabilitation between 29th Street SE and 37th Street SE	\$500,000
290	KY	Replace Bridge over Stoner Creek, 2 Miles East of US 27 Junction, Bourbon County	\$1,000,000
291	NM	Development of Paseo del Volcan corridor located in Sandoval County from Iris Road to U.S. Highway 550	\$2,000,000
292	OH	Stan Hywet Hall and Gardens to restore, expand, construct, and improve pedestrian paths and bike trail system	\$180,000
293	MS	Construct bicycle path, Petal	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
294	NJ	Construction of Route 206 Chester Township, NJ	\$2,000,000
295	IL	For IDOT to conduct Phase II engineering for reconstruction of 159th St-US 6-IL 7 in Will and Cook Counties	\$1,000,000
296	IL	For Will County to begin Phase II engineering and preconstruction activities for a high level bridge linking Caton Farm Road with Bruce Road	\$2,000,000
297	CA	Study of Thomas Bridge to meet future cargo and passenger traffic needs of the ports of Long Beach and Los Angeles	\$2,000,000
298	TX	US377 Hood Co., TX—From BU377H east of Granbury to the new location of FM 4	\$1,500,000
299	IL	Construct Citywide bicycle path network, city of Evanston	\$250,000
300	CA	Mount Vernon Avenue grade separation and bridge expansion in Colton	\$2,000,000
301	NJ	Widening Routes 1 and 9, Production Way to East Lincoln Avenue, Union County	\$500,000
302	PA	Design, construct and upgrade interchange of US 15 and US 30 in Adams County	\$4,000,000
303	OH	State Route 8 Improvements in Northern Summit County	\$3,000,000
304	CO	US 50 East, State Line to Pueblo	\$7,500,000
305	IN	Widening road (along Gordon Road, Sixth Street, and West Shafer Drive) to 3-lane street, with sidewalk and improvements to existing bridge White County/Monticello, Indiana	\$14,400,000
306	OH	Widening Pleasant Valley Bagley Road (Rte 27), Parma and Middleburg Heights	\$1,000,000
307	MA	Rehabilitation of I-95 Whittier Bridge—Amesbury and Newburyport	\$2,000,000
308	CA	Streetscape improvements at East 14th St-Mission Blvd in Alameda County	\$750,000
309	NY	Construct W. 79th St Rotunda, New York City	\$2,000,000
310	TX	Acquire Kelly Parkway Corridor Right-of-way through San Antonio	\$2,000,000
311	NC	Construct new route from US 17 to US 421 in Brunswick and New Hanover Counties	\$1,000,000
312	PA	Construct safety and capacity improvements to Route 309 and Old Packhouse Road	\$250,000
313	OR	Delta Ponds Bike/Pedestrian Path	\$2,880,000
314	FL	Hollywood US Route 1 Young Circle Safety Improvement	\$2,300,000
315	MI	Houghton County, Gravel and paving of remaining 3.2 miles in 5.5 mile stretch of Jacobsville Rd	\$430,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
316	PA	Improve access to Airport Connector from PA 283 to the terminus of the Airport Connector at State Route 230 and adjacent access roads	\$1,000,000
317	CA	Construct one additional all purpose lane in each direction on I 405 and provide additional capital improvements from SR 73 through the LA County line	\$3,210,000
318	IL	Improve Roads and Bridges, Cook County	\$4,000,000
319	CA	Improve traffic safety, including streetlights, from Queen to Barclay to Los Angeles River to Riverside in Elysian Valley, Los Angeles ..	\$1,400,000
320	MI	Construction and improvements to Western Avenue and associated streets between Third Street and Terrace Street in Muskegon	\$2,300,000
321	IL	Construct Reed Station Parkway Extension to IL Rt 3, Carbondale	\$2,068,755
322	AL	Construction of Patton Island Bridge Corridor	\$10,000,000
323	MI	Highland, Clyde Road from Hickory Ridge to Stratheona	\$125,000
324	MI	Alger County, Repaving a portion of H-58 between Sullivan Creek towards Little Beaver Road	\$1,600,900
325	TX	Improvements to US 183 in Gonzales County ..	\$500,000
326	CA	Construct a raised landscaped median on Alondra Blvd between Clark Ave and Woodruff Ave in Bellflower	\$400,000
327	MN	Right of way acquisition for TH 23 Paynesville Bypass	\$2,500,000
328	FL	Construct interchange improvements at I-75 and University Parkway	\$500,000
329	CO	For construction and architectural improvements of Wadsworth Bypass (SH121) Burlington Northern Railroad and Grandview Grade Separation	\$6,000,000
330	KS	Construction of 4-lane improvement on K-18 in Riley County, Kansas	\$2,500,000
331	NJ	Replace Rockaway Road Bridge, Randolph Township, New Jersey	\$1,000,000
332	FL	Construction of paved road over existing unpaved roadway on SE 144th Ave from SR 100 to US 301, distance of 1.2 miles	\$3,000,000
333	FL	Construct I-4 Frontage Rd, Volusia County, Florida	\$2,000,000
334	MD	Construction of Fringe and Corridor Parking Facility at intersection of Clinton Street and Keith Avenue in Baltimore	\$4,000,000
335	OH	Purchase of Right of Way for transportation enhancement activities in Bainbridge Township, OH	\$1,440,000
336	NJ	Rowan Boulevard Parking adjacent to Highway 322 Corridor in Glassboro Township	\$1,000,556

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
337	CA	Construct interchange on US 50 at Empire Ranch Road in Folsom	\$1,800,000
338	FL	Bicycle and Pedestrian Improvements in the Town of Windermere, Florida	\$300,000
339	TN	Plan and construct a bicycle and pedestrian trail, Smyrna	\$3,000,000
340	CA	Santa Anita Avenue Corridor Improvement project, Arcadia, California	\$3,000,000
341	AS	Shoreline protection and drainage mitigation for Nuuuli village roads	\$1,000,000
342	PA	Design, engineering, ROW acquisition, & construction of a connector road between Pennsylvania Rt. 93 & Pennsylvania Rt. 309 in Hazle Township	\$600,000
343	GA	South Tifton Bypass from US 82/SR 520 west to US 319/SR 35 east, Tift County	\$500,000
344	NJ	Streetscape and Traffic Improvement Project to Downtown West Orange	\$1,000,000
345	NJ	Bergen County, NJ On Route 17, address congestion, safety, drainage, maintenance, signing, access, pedestrian circulation and transit access	\$5,500,000
346	CA	Road widening, construct bike path, lighting, and safety improvements on road leading to Hansen Dam Recreation Area, Los Angeles	\$6,500,000
347	TX	Construct additional 2 lanes to Loop 335 in Amarillo from .3 miles West of Western street to .5 miles West of Broadway	\$3,000,000
348	NY	Reconstruct a historic bridge crossing Maxwell Creek in the Town of Sodus, NY	\$580,000
349	NJ	Safety and operation improvements on Route 73 in Berlin, Voorhees and Evesham	\$1,200,000
350	NJ	Study and preliminary engineering designs for a boulevard on State Route 440 and U.S. Highway Route 1 & 9, Jersey City	\$1,000,000
351	VA	Construction of Route 17 Dominion Boulevard, Chesapeake, VA	\$8,000,000
352	LA	Installation of proper lighting standards to illuminate inbound and outbound ramps of I-10 and portions of HWY 95	\$200,000
353	IN	Cyntheanne Rd. Interchange and Corridor Improvements, Town of Fishers, Indiana	\$1,000,000
354	ME	Plan and construct North-South Aroostook highways, to improve access to St. John Valley, including Presque Isle Bypass and other improvements	\$4,000,000
355	TN	Plan and construct a bicycle and pedestrian trail, LaVergne	\$1,500,000
356	TX	Build Arkansas Street Grade Separation in Laredo	\$1,000,000
357	CA	Construct new left turn lane at State Route 19 and Telstar in El Monte	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
358	NY	Meadow Drive Extension—North Tonawanda, New York	\$2,000,000
359	CA	Reconstruct I-880 & Coleman Avenue Interchange & implement other I-880 Corridor operational improvements in Santa Clara County	\$10,000,000
360	OR	Improve Millican, West Butte Road which connects U.S. Highway 20 with U.S. Highway 126	\$2,000,000
361	VA	Metropolitan Washington, D.C. Regional Transportation Coordination Program	\$2,000,000
362	NY	Brooks Landing Transportation Improvements and Enhancement project, Rochester	\$500,000
363	NJ	Construct CR 538 Coles Mill Road Bridge over Scotland Run, Gloucester County	\$500,000
364	TX	Convert discontinuous two-way frontage roads to continuous one-way frontage roads on IH 30 in Texarkana, TX	\$5,000,000
365	TX	Regional bicycle routes on existing highways in Austin, TX	\$1,000,000
366	IN	Construct Interchange at I-65 and 109th Avenue, Crown Point	\$7,454,219
367	GA	Intersection improvement at Harris Drive at SR 42	\$600,000
368	IL	Engineering and construction of the East Branch DuPage River Greenway Trail in central DuPage County, IL	\$100,000
369	NY	Rehabilitate a historic transportation-related warehouse on the Erie Canal in the Town of Lyons, NY	\$600,000
370	NY	Relocating Miller Highway W 59th-72 St. Manhattan under future expansion of Riverside Park	\$2,500,000
371	MI	Allen Road under the CN Railroad Grade Separation, Woodhaven	\$4,450,000
372	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Larksville Borough, Luzerne County	\$200,000
373	AR	Northeast Arkansas Connector (relocation of Highway 226)	\$3,000,000
374	NJ	Reconstruct Route 168 from Route 41 to 6th Avenue in Runnemede	\$658,000
375	NY	Renovation of Metropolitan Avenue center islands	\$1,700,000
376	PA	Rt 60 Millennium Park Interchange, construct new interchange on Rt 60 to provide access to new Lawrence County Industrial Park	\$800,000
377	AR	Bentonville, Arkansas—widen Arkansas Highway 102 between U.S. 71B and the west city limits	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
378	PA	Purchase of right-of-way, utilities and construction for Northern Access to Altoona from Interstate 99, Blair County, PA	\$3,000,000
379	CA	Construct Class I bike and pedestrian path from San Luis Obispo to Avila Beach	\$400,000
380	MN	Reconstruct CSAH 61 from south county line to TH 73, Moose Lake	\$316,000
381	AZ	Improving Lone Pine Dam Road in Navajo County	\$2,000,000
382	MI	Construct Road Improvements to North Henry St. from Vermont Ave. to Wilder Rd. Bay City	\$2,700,000
383	TX	Reconstruct I-35E Trinity River Bridge, Dallas	\$15,000,000
384	NY	Town of Greenville rehabilitation of Grahamtown Rd. & Burnt Corners Rd	\$125,000
385	NJ	Completion of Hudson River Waterfront Walkway through Stevens Institute of Technology in Hoboken	\$1,000,000
386	NC	Construct US 74 Bypass, Shelby, NC	\$3,000,000
387	WA	Tukwila Urban Access Improvement Project—address necessary improvements to Southcenter Parkway in Tukwila to relieve congestion	\$1,000,000
388	CA	Construction of a traffic signal at the intersection of Independence Avenue and Sherman Way	\$125,000
389	NH	Design and construction of intersection of Rte 101A and Rte 13 in Milford	\$1,000,000
390	NJ	Construct Rte 30—Pomona Road Intersection Improvements, Atlantic County	\$5,000,000
391	CA	I-10 and Indian Ave Interchange, Palm Springs, CA	\$2,750,000
392	NY	Reconstruction of street, sidewalks and curbs outside of Museum of Modern Art (MOMA)	\$500,000
393	KY	Right of way for and construction of Pennyrile Parkway Extension from 41A S. to I-24	\$3,200,000
394	TN	Sevier County, Tennessee SR-66 widening	\$1,750,000
395	TN	Plan and construct interchange improvements, I-65 at Highland Road	\$400,000
396	IA	Reconstruction of NW Madrid Dr, Polk Co	\$1,000,000
397	NH	Relocation and Reconstruction of intersection at Route 103 and North Street in Claremont	\$1,300,000
398	IL	To construct a new 2-lane road extending 1650 feet north from intersection with University Park Drive, Edwardsville	\$500,000
399	NY	Town of Highlands reconstruction of bridge on School Street	\$225,000
400	AK	Unalaska, AK Construction of AMHW ferry terminal including approach, staging, and upland improvements	\$7,500,000
401	PA	Design and construct interchange and related improvements to I 83 Exit 4	\$3,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
402	OR	U.S. 101 Improvements, Bandon	\$3,300,000
403	MI	Northwestern Highway Extension projects in Oakland County	\$9,100,000
404	PA	PA Route 61 safety improvements, Leesport Borough and Ontelaunee and Muhlenburg Townships	\$3,000,000
405	OH	Improve Rt 62 (Main and Town Streets) Bridges over Scioto River, Columbus	\$6,500,000
406	AK	Planning, design, and construction of a bridge joining the Island of Gravina to the Community of Ketchikan	\$125,000,000
407	MN	U.S. Trunk Highway 14 from Waseca to Owatonna, Minnesota	\$14,000,000
408	TX	Construct Mission Trails Project Packages 4 & 5 in San Antonio	\$5,500,000
409	MS	Upgrade Roads in Carthage, Leake County	\$200,000
410	MI	Construct access road at intersection of Doerr Road and Schell Street to Develop 65-Acre of Municipal Tract of Industrial Land. Village of Cass City, Tuscola County	\$26,000
411	MS	Upgrade roads in Humphreys County Districts 1 and 5 and Isola	\$850,000
412	IN	126th Street Project, Town of Fishers, Indiana	\$1,250,000
413	HI	Construct Puanaiko Street	\$1,000,000
414	AZ	Burro Creek section between Wikieup and the Santa Maria River	\$1,000,000
415	PA	Conduct Environmental Impact Statement study for Parkway West corridor	\$1,000,000
416	SC	Build Railroad Avenue Extension in Berkeley County, SC—SCDOT	\$2,000,000
417	MD	Construct a visitors center and related roads serving Ft. McHenry	\$4,700,000
418	OH	Construction of Gracemont Street Exchange Interstate 77—Bethlehem Township and Pike Township, Ohio	\$3,000,000
419	MI	Design, Right-of-Way and Construction of the I-196 Chicago Drive (Baldwin Street) Interchange Modificaiton, Michigan	\$18,400,000
420	CA	Folsom Blvd. Transportation Enhancements, City of Rancho Cordova	\$7,000,000
421	TN	improve streetscape and pavement repair, Monroe County, TN	\$300,000
422	TX	IH37 frontage roads in Mathis	\$2,000,000
423	WV	Construct New River Parkway	\$4,500,000
424	NY	Construct sidewalk and improvements on Broadway in the Town of Cortlandt	\$330,000
425	PA	Erie, PA Powell Avenue Bridge Replacement, Asbury Road Improvement Project	\$4,000,000
426	VA	Liberty Street Construction in Martinsville, Virginia	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
427	CA	Implement streetscape project on Central Avenue from 103rd Street to Watts/103rd Street Station, Watts	\$4,000,000
428	MA	Realignments and reconstruction of a section of Route 32 in Palmer to the Ware town line ...	\$3,200,000
429	CA	Seismic retrofit of the Golden Gate Bridge	\$11,000,000
430	CA	Upgrade and extend Commerce Avenue, City of Concord	\$2,000,000
431	MA	Somerville Roadway Improvements	\$2,300,000
432	LA	Replace Almonaster Bridge, New Orleans	\$500,000
433	IN	Upgrade Traffic Signals Phase III in the City of Muncie, Indiana	\$640,000
434	FL	Sharpes Ferry Bridge replacement in Marion County	\$2,800,000
435	IA	US 34 Missouri River bridge relocation and replacement	\$2,500,000
436	NY	Village of Highland Falls repaving and sidewalk construction of Oak Avenue	\$150,000
437	MN	Interchange Reconstruction at CSAH 4 and US 169	\$1,000,000
438	IL	Development and construction of an interchange at Brisbin Rd and Interstate 80	\$6,000,000
439	NE	Design, right-of-way and construction of rail-grade separations throughout Nebraska as identified by Nebraska Dept. of Roads	\$15,000,000
440	MO	Redesign & Reconstruction of the I-270 Dorsett Road Interchange Complex in the City of Maryland Heights	\$2,000,000
441	SC	Build Berlin Myers Extension in Summerville, SC	\$8,000,000
442	IN	Improve 100 South, Porter County	\$1,000,000
443	NY	Improve safety measures at the railroad grade crossings on the West Short River Line, Rockland County	\$1,600,000
444	NJ	Street Improvements and Traffic Signal Replacement in Union City Central Business District	\$800,000
445	GA	Streetscape project to replace sidewalks in downtown Forsyth	\$300,000
446	AK	Westside development Williamsport-Pile Bay Road	\$5,000,000
447	NV	Construct Interstate 15—Las Vegas Beltway Interchange	\$10,250,000
448	NY	Palisades Trailway Phase 2—Rockland County, New York	\$200,000
449	PA	Replace a Highway Rail Grade crossing in Jeanette, PA at Wegleys Road	\$500,000
450	CA	Conduct project design and environmental analysis of Heritage Bridge on Heritage Road linking Chula Vista to Otay Mesa	\$3,500,000
451	MA	Assabet River National Wildlife Refuge, MA, Design and Construction of parking areas ...	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
452	NY	Reconstruct Main Street in the Town of Lewisboro	\$90,000
453	MA	Study and analysis of Lowell Westford St. Wood St. Rourke Bridge Corridor, Lowell	\$600,000
454	OR	Highway 20, Lincoln County	\$7,000,000
455	MN	Construction of 8th Street North: Stearns C.R. 120 to T.H. 15 in St. Cloud, MN	\$2,000,000
456	IL	Construction of a pedestrian sidewalk along S. Chicago Street in Geneseo, IL	\$145,000
457	OH	Construct Bike and Walking Path from West 210 St to Metroparks Fairview Park	\$250,000
458	NY	Improve Bronx River Greenway 180th St Park Link to Bronx Park	\$800,000
459	MN	City of East Grand Forks Construct 13th St SE Extension	\$1,200,000
460	NY	Improvements to Clark Pl and Cherry Ln—Rt. 6 and 6 N in Putnam County	\$370,000
461	NJ	Construct Garden State Parkway Grade Separation, Cape May County	\$40,000,000
462	VA	High Knob Horse Trails—construction of horse riding trails and associated facilities in High Knob area of Jefferson National Forest	\$750,000
463	TN	Plan and construct a bicycle and pedestrian trail, Cookeville	\$2,500,000
464	UT	Provo, Utah Westside Connector from I-15 to Provo Municipal Airport	\$1,000,000
465	CA	I-5 Santa Clarita-Los Angeles Gateway Improvement Project	\$2,000,000
466	NY	Project will revitalize staircases used as streets due to steep grade of terrain in areas in which they are located, the Bronx	\$1,000,000
467	TX	Construct and rehabilitate pedestrian walkways along the Main Street Corridor to improve transit-related accessibility	\$1,000,000
468	MD	Reconstruct East North Avenue (US Route 1) in Baltimore	\$5,000,000
469	CT	Reconstructoin of Lakeville Center to improve pedestrian and vehicle safety at the intersection of Routes 41 and 44	\$895,000
470	SC	Widen 8 miles of S-83 (Hardscrabble Road) from intersection with SC Route 555 (Farrow Road) to Road S-54 (Langford Road) ...	\$2,000,000
471	CA	San Gabriel Blvd Rehabilitation Project—Mission Rd to Broadway, San Gabriel	\$300,000
472	NC	To plan, design, and construct the 10th Street Connector Project in Greenville, NC	\$9,000,000
473	OH	To widen Western Reserve Road from SR 7 to Hitchcock Road, Mahoning Co	\$2,500,000
474	NY	Binghamton, Improve Front Street	\$5,000,000
475	FL	U.S. Highway 19 Bayside Segment	\$2,000,000
476	MI	Arenac County, Upgrade Maple Ridge Road from Briggs Road east to M-65	\$1,646,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
477	NY	Village of Highland Falls repaving and sidewalk construction of Mearns Ave	\$225,000
478	NY	Village of Nelsonville improvements, paving & sidewalk installation to North Pearl St, Crown St, Pine St, & Wood Ave	\$250,000
479	CA	Widen Firestone Blvd between Ryerson Blvd and Stewart and Gray Road in Downey	\$2,000,000
480	CA	Construct Air Cargo Access Road to Oakland International Airport	\$900,000
481	MD	Peer review study of conflicts between road system and light rail operations in Linthicum, MD	\$100,000
482	GA	Resurface and widen Jac-Art Road as part of the Bleckley County Development Authority project	\$200,000
483	VA	Construction of Virginia Blue Ridge Trail in Amherst County, VA	\$300,000
484	FL	Implement NE 6th Street/Sistrunk Boulevard Streetscape and Enhancement Project, City of Ft. Lauderdale	\$1,000,000
485	CA	Widen Lakewood Blvd between Telegraph Rd and Fifth St in Downey	\$2,000,000
486	TX	Widen Motor Street thoroughfare in Dallas to improve accessibility to Southwestern Medical District	\$5,500,000
487	MN	Construction of Gitchi-Gami State Trail, Lutsen Phase, CR 34 to Lockport store	\$500,000
488	PA	Widen of SR 309 through the Borough of Coopersburg to create left-turn lanes and complete the Rt. 309 Corridor Improvement Project	\$3,000,000
489	CA	Pasadena Ave/Monterey Rd Partial Grade Separation—Preliminary Engineering—Feasibility, South Pasadena	\$300,000
490	OH	Intermodal Bikeway, Independence	\$2,500,000
491	MO	Widen shoulder and resurface US 136 and replace 2 deficient bridges between Rock Port and Bethany, Missouri	\$3,000,000
492	FL	S.R. 43 (U.S.301) Improvement Project—Ellentown to Parrish, Florida	\$4,000,000
493	GA	Bike and pedestrian paths and other transportation enhancements at Georgia Veterans Memorial Park	\$800,000
494	AK	Citywide pavement rehabilitation in City of North Pole	\$1,000,000
495	GA	Replace and upgrade sidewalks, Glenwood	\$50,000
496	NY	Bruckner blvd along Bronx River Ave, Story Ave to Soundview Park Greenway	\$1,600,000
497	GA	Widen SR 133 from Spence Field to SR 35 in Colquitt County, Georgia	\$1,000,000
498	CA	Mariposa County, CA Improve 16 roads, bridge and one bike path	\$3,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
499	LA	Upgrade highway-rail crossings at Madison Street, City of Gretna	\$200,000
500	PA	Two-lane Extension of Bristol Road, Bucks County	\$2,000,000
501	TN	Widen SR30 From Athens to Etowah, Tennessee	\$5,758,000
502	MI	Iosco County, Reconstruct Bissonette Road from Lorenz Road to Chambers Road	\$322,500
503	TX	Development of one-story 300-vehicle parking facility	\$1,200,000
504	WA	Design and construct improved I-182 interchange ramps at Broadmoor Blvd. in Pasco, WA	\$2,000,000
505	NY	Erie Canalway National Heritage Corridor in Lockport, NY—Transportation Enhancements	\$3,250,000
506	MI	M-6 Paul Henry Freeway trail design and construction	\$2,780,000
507	CT	Reconstruction and conversion of Union Station in North Canaan to establish a transportation museum	\$1,705,000
508	OR	Construct passing lanes on U.S. 199, Josephine County	\$1,827,000
509	CA	Scenic preservation and run-off mitigation in the Santa Monica Mountains National Recreation Area near PCH and US101	\$1,500,000
510	IL	South Shore Drive and 67th Underpass	\$1,300,000
511	CA	Mission Boulevard/State Route 71 Interchange—Corridor Improvements	\$4,200,000
512	OR	For purchase of right of way, planning, design and construction of a highway, Newberg	\$11,000,000
513	VA	Smith River Trail—Construction of trail along Smith River in Henry County	\$500,000
514	IL	Resurface Clifton Park Ave. and S. Louis Ave., Village of Evergreen	\$400,000
515	NJ	University Heights Connector for improvements to First Street in Newark from Sussex Street to West Market Street	\$637,000
516	GA	Broad Avenue Bridge: Albany	\$500,000
517	CA	Caelsbad, CA Construction of Poinsettia Lane	\$2,000,000
518	CA	Construct pedestrian enhancements on Broadway in Los Angeles	\$2,500,000
519	NJ	Construct Rt 56 Maurice River Bridge Replacement, Salem & Cumberland Counties	\$2,000,000
520	WA	Conduct route analysis for community pathway through Chehalis	\$50,000
521	WA	Construct a multi-jurisdictional non-motorized transportation project parallel to SR 99 called the Interurban Trail	\$2,000,000
522	FL	Construct Downtown Bypass Roadway Connector, Lake Mary, Florida	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
523	NY	To study, design and construct the Brooklyn Waterfront Greenway in Red Hook, Greenpoint, and the Navy Yard in Brooklyn	\$8,250,000
524	NY	Update all county and town traffic signage in Wayne County, NY	\$275,000
525	CA	Construct Route 101 Auxiliary Lanes 3rd Ave in the City of San Mateo to Millbrae Ave in Millbrae	\$5,000,000
526	CA	Undertake Cordelia Hill Sky Valley transportation enhancement project, including upgrade of pedestrian and bicycle corridors, Solano County	\$3,000,000
527	MS	Construct I-20 Interchange at Hawkins Crossing, Lauderdale County	\$2,000,000
528	TN	Sevier, Jefferson, Cocke Counties, Tennessee SR-35 & U.S. 411 widening	\$1,750,000
529	GA	Upgrade Safety of Bicycle and Pedestrian Access to Public Schools, Dekalb County	\$3,000,000
530	OH	Construction of Safety and related improvements on Rutlege Transfer Road in Vernon Township, OH	\$120,000
531	WI	Reconstruct USH 45 in Antigo	\$2,020,000
532	WA	SR 2/Main Street/Old Owen Road Intersection in Monroe	\$480,000
533	GA	Install landscaping and upgrade lighting on Fall Line Freeway, Reynolds	\$350,000
534	WA	Congestion relief on I-405 with added lanes from SR 520-SR 522 including 2 lanes each way from NE 85th-NE 124th	\$1,000,000
535	NY	Conduct NYS 5 construction study	\$80,000
536	PA	Widen lanes, add left turn lanes and update & install traffic signals at SR309, SR 4010 interchange in North Whitehall Township	\$1,500,000
537	KY	Reconstruct I-64-KY 180 Interchange, Boyd County, Kentucky	\$2,000,000
538	TX	Widen US 271 from a 2-lane facility to a 4-lane divided facility from Paris, TX to Pattonville, TX	\$2,000,000
539	TN	Carter County, Tennessee SR-362 reconstruction	\$500,000
540	OH	Construct Ohio River Trail, Anderson Township	\$275,000
541	MI	Delta County, CR 515 from US 2 and US 41 in Rapid River to County Road 446 at Days River Road-Bituminous overlay and joint repair	\$320,000
542	FL	Fund design phase for widening US 41 north of Dunnellon to four lanes	\$1,000,000
543	TN	Construction of Elizabethton Connector in Carter County, Tennessee	\$1,000,000
544	NJ	Newark Waterfront Pedestrian and Bicycle Access project	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
545	ME	Plan and construct Lewiston/Auburn Downtown Connector	\$5,800,000
546	OH	Conduct Miami St along SR Route 53 safety enhancement project to improve access to railroad crossing	\$1,000,000
547	AK	Planning, design, and construction of Juneau access roads in Juneau, Alaska	\$15,000,000
548	TN	Construction of an intersection/interchange in the City of Cleveland along I-75	\$2,400,000
549	FL	Construct Flagler Avenue Improvements, City of Key West, Florida	\$1,010,000
550	CA	Rehabilitate street surface of Cedros Avenue between Burbank Blvd. and Magnolia Blvd ..	\$43,000
551	VA	Engineering and Right of Way to widen Route 221 in Forest, Virginia	\$1,250,000
552	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS Q200	\$250,000
553	TX	SH 146 grade separation over Red Bluff Rd ...	\$17,000,000
554	TN	construction of park access road and adjacent trails at the Athens Regional Park in Athens, TN	\$300,000
555	IL	State Street Road Improvements from 43rd Street to IL Rt 157, East St. Louis	\$3,850,000
556	GA	Streetscape-Dawson	\$200,000
557	SC	Build Carolina Bays Parkway Segment from SC 544 to US 17 in Myrtle Beach, SC	\$3,000,000
558	GA	US 341 US 41 SR 7 from Barnesville to SR 3, Georgia	\$4,000,000
559	OH	Reconstruct and widen State Route 82 in North Royalton	\$1,000,000
560	FL	Acquisition, engineering, and construction of West Avenue Connector Bridge, City of Miami Beach, FL	\$1,000,000
561	ME	Safety Enhancements on Routes 11, 6, and 16 for Piscataquis County Industrial Development	\$400,000
562	IL	Study, design, and construction of a designated truck route through the City of Monticello ...	\$1,132,000
563	CA	Improvement of intersection at Aviation Blvd. and Rosecrans Ave. to reduce congestion, City of Hawthorne	\$2,000,000
564	WI	Preliminary engineering for upgrading I 94 between Illinois State Line and Mitchell Interchange in SE Wisconsin	\$9,000,000
565	MI	Cogshall Road Crossing Improvement and Life Safety Access Project in Holly, MI	\$1,200,000
566	MI	Ontonagon County, Improve Fed Forest Hwy 16 from M-38 to Houghton County Line	\$500,000
567	UT	Forest Street Improvements, Brigham City, UT	\$2,500,000
568	NC	I40 Union Cross Road Interchange in Forsyth County, NC	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
569	NJ	Construct Sea Isle Boulevard Reconstruction from Garden State Parkway to Ludlams Thoroughfare, Cape May County	\$2,000,000
570	CA	I-5 HOV Improvements from Route 134 to Route 170	\$500,000
571	NY	Reconfiguration of intersection and redesign of traffic signal timing at Mohegan Ave and Lakeland St	\$500,000
572	CA	Shoal Creek Pedestrian Bridge (San Diego)	\$1,500,000
573	GA	Streetscape-Cordele	\$250,000
574	CA	Construct I-605 Interchange Capacity Improvements in Irwindale	\$2,000,000
575	SC	Construction of interchange at I-385 and SC 14, Exit 19, in Laurens County, South Carolina	\$2,200,000
576	NE	Design, right-of-way and construction of Nebraska Highway 35 between Norfolk and South Sioux City	\$9,500,000
577	MO	Complete impact study for North Oak Highway corridor redevelopment	\$500,000
578	MA	Design and construct the 1.5 mile East Longmeadow Redstone rail Trail bike path	\$1,500,000
579	NY	Improve bicycle and pedestrian safety on Main Street, Holbrook	\$100,000
580	CA	Tuolumne, Stanislaus and Merced Counties Upgrade existing county highway, J59	\$2,500,000
581	FL	U.S. 19 Continuous right turn lanes in Pasco County	\$7,200,000
582	NJ	Union Boulevard Revitalization and Streetscape Enhancements, Totowa	\$500,000
583	IL	Improve roads, The Village of Westchester	\$1,000,000
584	IN	Reconstruct 45th Avenue from Colfax Street to Grant Street, Lake County	\$2,700,000
585	IN	Construct Grade Separation Underpass on Main Street in Mishawaka, Indiana	\$2,000,000
586	UT	Construct two-lane divided highway from the Atkinville Interchange to the new replacement airport access road in St. George	\$6,000,000
587	CA	Diamond Bar On-Off Ramp at Lemon Ave on SR-60	\$12,000,000
588	NY	Transportation parking facility serving the Harlem Hospital Complex	\$10,000,000
589	MA	Downtown revitalization for Pleasant Street, Malden	\$1,900,000
590	NY	Install Improvements for Pedestrian Safety in the vicinity of Prospect Park Yeshiva	\$250,000
591	NY	Emergency vehicle preemption system at traffic signals, Smithtown	\$500,000
592	CA	Reconstruct interchange for south-bound traffic entering I-80 from Central Avenue, City of Richmond	\$3,900,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
593	KY	Reconstruct KY 393, Oldham County, Kentucky	\$2,000,000
594	CA	Reduce Orange County Congestion Program	\$250,000
595	CA	Street Closure at Chevy Chase Drive, Glendale	\$800,000
596	PA	Allegheny County Urban Runoff Mitigation—eliminate urban highway runoff and the discharge of culverted streams into municipal combined sewers	\$1,000,000
597	SC	Construct Briggs-Pearson-DeLaine Connector	\$25,000,000
598	NM	Construct an interchange on I-25 to provide access to Mesa del Sol in Albuquerque	\$6,000,000
599	OR	Short Haul Intermodal Pilot Project, Eugene ..	\$2,500,000
600	VA	Rivermont Ave. (Lynchburg) Bridge improvements	\$2,200,000
601	MA	Construct new interchange on I-95 between existing Route 1 A ramp to the north and Route 123 ramp to the south, Attleboro	\$500,000
602	OH	Construct Waverly, Ohio South Connector from US 23 to SR 104 to SR 220	\$3,200,000
603	VA	Craig County Trail—improvements to trail in Craig County	\$150,000
604	CO	US 160, State Highway 3 to East of the Florida River	\$6,000,000
605	AS	Village road improvements for Ta'u, Ofu, and Olosega-Sili counties in Manu'a district	\$1,400,000
606	PR	Construction of 4 lane connector serving PR 9922, PR 9939 and PR 183	\$1,950,000
607	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking, garage & roadway redesign in Duryea Borough, Luzerne County	\$200,000
608	OK	SH-33, Widen SH-33 from the Cimarron River East to U.S. 177 Payne County, OK	\$8,000,000
609	TX	Washington Boulevard Improvements in Beaumont, Texas	\$2,600,000
610	FL	Widen Midway Road from South 25th Street to U.S. 1 in St. Lucie County	\$2,000,000
611	NY	Enhance road and transportation facilities in the vicinity of W. 65th St and Broadway, New York City	\$5,000,000
612	LA	Construct Kansas-Garrett Connector and I-20 Interchange Improvements	\$5,000,000
613	PA	Construct the SR 1058 Connector between PA 309 and the Pennsylvania Turnpike Northeast Extension in Montgomery County	\$1,600,000
614	OK	Reconstruct the Interstate 44 193rd street interchange	\$3,000,000
615	NY	Roadway improvements to Woodbury Rd at intersection with Syosset-Woodbury Rd	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
616	RI	Construct a handicapped accessible trail and platform at Kettle Pond Visitor Center Administrative Facility	\$200,000
617	NJ	Construct Great Swamp National Wildlife Refuge Road	\$250,000
618	CA	Grade Separation at 32nd Street between I-15 and Harbor Drive, San Diego	\$1,000,000
619	IN	Widen Old Meridian Street from 2 to 4 lanes, City of Carmel, Indiana	\$1,125,000
620	WI	Construct a bicycle/pedestrian path, City of Portage	\$2,200,000
621	VA	Widen Route 17 in Stafford	\$5,000,000
622	VA	Widen Route 820 in Bergton, Virginia	\$1,550,000
623	IL	Construction of 2 North/South Blvds. and 2 East/West Blvds. in the vicinity of Northern Illinois University	\$7,500,000
624	CA	Begin construction of road from U.S. 395 west towards SR-14	\$1,000,000
625	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Old Forge Borough, Lackawanna County	\$200,000
626	PA	Improvements to Amtrak Keystone Corridor grade crossings at Irishtown Rd., New Comer Rd., and a new bridge at Ebychiques Rd	\$500,000
627	TN	Acquire and construct trail and bikeway along S. Chickamauga Creek in Chattanooga, TN	\$1,600,000
628	TX	Interchange improvements IH-30 Arlington at FM 157 (Collins Street) and Center Street ..	\$2,000,000
629	MO	Highway 350 Access Management Study from I435 to I470	\$1,000,000
630	TX	Reconstruct Mile 6 W from US83 to SH 107, Hidalgo County	\$1,000,000
631	NJ	Pedestrian facilities and street lighting on Haddon Avenue from Albertson Avenue to Glenwood Avenue, Haddon Township	\$433,000
632	NY	Rehabilitate highway bridges—Ithaca secondary line	\$2,500,000
633	WA	Buckley, WA; New Road alignments on 112th Street Corridor	\$2,000,000
634	ID	Construct Washington Street North from Addison Avenue to Pole Line Road	\$4,500,000
635	SC	Construction of the U.S. 15/SC-341 connector parallel to I-20, Lee County	\$4,500,000
636	PA	Construct Recreational Trail from Oil City to Rynd Farm (Venango County)	\$1,500,000
637	TX	FM 1637 from FM 3051 to FM 185, Waco	\$2,000,000
638	VA	Green Cove Station—improvements to existing Forest Service facility located at trailhead of Virginia Creeper Trail	\$100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
639	NJ	South Essex Street Bridge Pedestrian Access Improvements, Orange	\$578,000
640	TX	FM 3391 (East Renfro St.) from I-35W to CR 602, Burleson	\$2,000,000
641	WI	Replace Wisconsin Street Bridge (STH 44) in Oshkosh, Wisconsin	\$10,000,000
642	CT	Construct Route 11 Extension and bicycle and pedestrian path from Salem to Waterford	\$16,000,000
643	TX	Drainage Study and Engineering for US 83 in Starr County	\$1,000,000
644	TN	widen SR-62 in Knox County, TN	\$6,500,000
645	GA	Widen US 17 SR 25 from Yacht Drive to Harry Driggers Boulevard, Glynn County, Georgia	\$2,000,000
646	KY	Widen US 25 from US 421 North to KY 876, Madison County	\$1,000,000
647	GA	Widen US 280/SR 30 from east of Flint River to SR 300 Connector west of Cordele	\$1,000,000
648	MS	Upgrade roads in Gunnison, Mound Bayou, Beulah, Benoit, and Shaw, Bolivar County ...	\$2,000,000
649	NY	Construct and enhance Fillmore Avenue and traffic down-grade and infrastructure improvements to Humboldt Parkway, Buffalo ..	\$1,500,000
650	NJ	Construct Route 46 & Main Street intersection in Lodi	\$2,000,000
651	MN	Phase III construction of Trunk Highway 610-10 Minnesota	\$5,000,000
652	NM	NM 128 JCT NM 31 East to Texas State Line	\$4,000,000
653	NJ	Replacement of Prospect Avenue Culvert, City of Summit, County of Union	\$400,000
654	FL	US 441 Traffic Improvements—Road surface, road access, curb, gutter, and right of way, Miami Gardens	\$900,000
655	MN	Environmental studies and right of way acquisition for Trunk Highway 55 Corridor Protection Project	\$5,000,000
656	NY	Roadway improvements on Woodbine Avenue between 5th Avenue and Beach Avenue	\$800,000
657	NY	Saugerties, Improve downtown streets	\$1,200,000
658	IN	Widen US 31 Hamilton County, Indiana	\$1,000,000
659	GA	Build a bridge across Big Indian Creek, Perry	\$1,500,000
660	MI	Carpenter Road Reconstruction—700 feet South of Textile Road to I-94, Washtenaw County	\$2,000,000
661	IN	Resurface and widen Shelby County Indiana 400 North Phases IV and V	\$1,000,000
662	SC	Widen West Georgia Road from Neely Ferry Road to Fork Shoals Road	\$2,000,000
663	TX	Construct Phase II of City of Killeen SH-201 ..	\$6,000,000
664	MN	Interchange improvements at I-94 and CSAH 19 and at CSAH 37 in the city of Albertville, MN	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
665	KY	Construction of bypass between KY 55 and US 68 at Lebanon in Marion County	\$1,500,000
666	NY	Peruville Road. Creating overpass to address intersection safety issue	\$2,000,000
667	OR	Add a southbound lane to section of I-5 through Portland, OR between Delta Park and Lombard	\$5,000,000
668	MN	10th Street Bridge Expansion in St. Cloud, MN	\$1,000,000
669	NJ	Intermodal Access Improvements to the Peninsula at Bayonne Harbor	\$2,000,000
670	TX	Nolana Loop from FM 1426 to FM 88, Hidalgo County	\$2,000,000
671	OH	Perry Park Road Improvements and Pedestrian Trail Expansion at Call Road in the Village of Perry, OH	\$67,000
672	NV	Implement Regional Transportation of Southern Nevada FAST system	\$5,000,000
673	NY	Bronx River Greenway 233rd Street Connection	\$1,000,000
674	PA	Construction of turn lanes, increase curve radius at the intersection of SR 3041 and Industrial Park Road, Somerset, Pa	\$435,000
675	FL	Planning and design for development of future highway connections to the Southwest Florida International Airport	\$500,000
676	WI	Reconstruct and rebuild St. Croix River Crossing, connecting Wisconsin State Highway 64 in Houlton, Wisconsin to Minnesota State Highway 36 in Stillwater Minnesota	\$7,000,000
677	TN	Conduct study for SR 45 to SR 386 Connector	\$500,000
678	IN	Reconstruct and widen Shelby County Indiana 500 East from 1200 N to US 52	\$1,000,000
679	MO	Removal and Replacement of the Grand Avenue Bridge in the City of St. Louis	\$3,500,000
680	TX	Conduct reconstruction and managed lanes project on Airport Freeway (SH 183-SH 121) from IH 820 to the Dallas County Line	\$5,000,000
681	FL	Reconstruction of Hanford Boulevard, North Miami Beach	\$2,750,000
682	MA	Commonwealth Ave/Kenmore Sq. Roadway & Pedestrian Improvements	\$5,000,000
683	NY	Pedestrian walkway and bikeway improvements along the NYC Greenway System in Coney Island	\$3,200,000
684	PA	Restore Route 222 in Maxatawny and Richmond Townships, Berks County, PA	\$2,500,000
685	OH	Study and design of modifications to I-75 interchanges at M.L. King-Hopple, I-74, and Mitchell in Cincinnati	\$3,000,000
686	VA	Widen Route 10 to six lanes from Route 1 to Meadowville Road, Chesterfield	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
687	GA	Rebuild sidewalks, install sidewalks, and add speed monitoring system, Alamo	\$250,000
688	CA	Widen Wilmington Ave from 223rd street including ramp modifications, Carson	\$5,000,000
689	WI	Construct STH 32 (Claude Allouez) bridge in DePere, Wisconsin (Brown County, Wisconsin)	\$500,000
690	NY	Construction of drainage improvements and aesthetic enhancements to Oak Beach Road in the Town of Babylon, NY	\$510,000
691	WI	Construct an alternative connection to divert local traffic from I-90, a major highway, and allow movement through the Gateway commercial development project	\$4,000,000
692	WA	East Marine View Drive Widening in Everett ..	\$3,500,000
693	OH	Construction of safety improvements at intersection of US 422 and SR 700 in Geauga County, OH	\$300,000
694	WV	Upgrade Route 10, Logan Co	\$5,000,000
695	TX	Conduct Preliminary Engineering for Funnel Project on SH 114 from BS 114L to Dallas County Line and on SH 121 from SH 360 to Dallas Co Line	\$4,000,000
696	NC	Install ITS on US 70 Clayton Bypass	\$1,000,000
697	PA	Brighton Road Extension-add new street to N Shore roadway network to facilitate access to amphitheater	\$1,000,000
698	NJ	Broad Street Streetscape Project in Elizabeth to provide physical improvements and to enhance transportation flow and efficiency	\$700,000
699	FL	Construction of 4 lane highway around Jacksonville connecting US1 to Route 9A	\$3,000,000
700	WA	510-507 Loop—Conduct engineering, design, and ROW acquisition for alternative route to two existing highways that bisect Yelm, WA	\$2,500,000
701	CA	Develop and implement traffic calming measures for traffic exiting the I-710 into Long Beach	\$2,000,000
702	CA	San Diego, CA Construction of the I-5 and SR-56 Connectors	\$6,000,000
703	IL	Upgrade Ridge Avenue, Evanston	\$3,000,000
704	SC	Widening and Improvements for Highway 901, York County	\$2,000,000
705	IA	Widening and Reconstruction, I 235, Des Moines	\$10,900,000
706	CA	Bay Road improvements between University Avenue to Fordham, and from Clarke Avenue to Cooley Landing. Northern access improvements between University and Illinois Avenues, East Palo Alto	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
707	NC	Project to widen US 501 from NC 49 in Roxboro to the VA state line with part on new location	\$4,000,000
708	NY	Congestion reduction, traffic flow improvement and intermodal transfer study at Roosevelt Avenue/74th Street in Queens	\$640,000
709	CA	Construct bicycle and pedestrian bridge between Oyster Bay Regional Park in San Leandro and Metropolitan Golf Course in Oakland	\$750,000
710	TX	For right-of-way acquisition and construction of Seg 5 and 6 of SH 130 from 183 to Seguin, TX	\$6,000,000
711	NJ	Construct the Airport Circle Elimination at Tilton and Delilah Roads, Atlantic County ...	\$1,000,000
712	CA	The Alameda Corridor SR 47 Port Access Expressway design funding	\$5,000,000
713	NV	Construct US Highway 95—Las Vegas Beltway Interchange	\$10,000,000
714	NY	Repair and repave the north side of the Mineola train station	\$150,000
715	IL	Repair of CH 29 and reconstruction of CH 8 at interchanges with Interstate 55 at Towanda and Lexington Illinois	\$1,000,000
716	CA	Conduct a Project Study Report for new Highway 99 interchange between SR 165 and Bradbury Road, serving Turlock/Hilmar region	\$500,000
717	PA	Construction of U.S. 22 to I-79 Section of Southern Beltway, Pittsburgh, Pennsylvania	\$1,500,000
718	MN	Construction of new highway between the bridge over Partridge River on CR 565 in Hoyt Lakes to the intersection of CSAH 21 and 70, Babbitt	\$3,000,000
719	CA	State Route 1 improvements between Soquel and Morrissey Blvd including merge lanes and the La Fonda overpass, Santa Cruz	\$3,670,000
720	WA	The West Corridor Coalition in Washington state	\$500,000
721	WA	North Sound Connecting Communities Transportation Project Planning	\$1,200,000
722	FL	West Relief Bridge Rehabilitation, Bay Harbor Islands	\$1,500,000
723	NE	Western Douglas County Trails Project, Nebraska	\$7,000,000
724	TN	Bristol, Tennessee highway—RR grade Crossing improvement—Hazelwood Street	\$100,000
725	GA	Extend East Greene Street, install street lights, utilities, and landscaping, Milledgeville	\$400,000
726	CA	Grade Separation at Vanowen and Cliveborne, Burbank	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
727	MA	Improve traffic signal operations, pavement markings & regulatory signage, Milton-Boston City Line	\$1,500,000
728	NY	Port Jervis, NY downtown pedestrian mall and promenade	\$650,000
729	MN	Construct Soo Line Trail from north of Bowlus to the east side of Mississippi River	\$495,000
730	WI	Construct traffic mitigation signals, signs, and other upgrades for Howard Ave, St. Francis	\$400,000
731	NH	Reconstruction of NH 11 and NH 28 Intersection in Alton	\$700,000
732	CA	Riverside Drive Improvements, Los Angeles	\$400,000
733	CA	Upgrade CA SR 4 East from the vicinity of Loveridge Road to G Street, Contra Costa County	\$20,000,000
734	TX	Widen SH 24 from a 2-lane facility to 4-lane divided facility from SH 19 to Cooper, TX ...	\$2,000,000
735	PA	Rail crossing signalization upgrade, Willow Street, Fleetwood, Berks	\$325,400
736	IL	25th Avenue Grade Separation, Melrose Park ..	\$500,000
737	SC	Construct Hub City Connector Passage (12.5 miles of bicycle-pedestrian improvements, 176-SC 56), part of State-wide Palmetto Trail Project	\$1,000,000
738	FL	Construct US 1/SR 100 Connector, Bunnell, Florida	\$2,500,000
739	MN	Construction of Gitchi-Gami State Trail from Gooseberry Falls State Park Trail Head parking lot to 2.3 miles east	\$700,000
740	CA	Design and environmental analysis for State Route 11 connecting State Route 905 to the new East Otay Mesa Port of Entry, San Diego	\$1,000,000
741	NY	Improve North Fork Trail, Southold	\$200,000
742	HI	Interstate Route H1 Deck Repair, Airport Viaduct	\$4,770,000
743	OH	Replace Grade Separation at Eastland and Sheldon Road, Berea	\$750,000
744	WA	Widen I-5 through Lewis County	\$5,350,000
745	SC	Engineering design and construction of I-73 from the North Carolina State Line to I-95	\$10,000,000
746	OH	Planning and construction of a bicycle trail adjacent to the I-90 and SR 615 Interchange in Lake County, OH	\$2,500,000
747	SC	Widening of Boiling Springs 9 from Rainbow Lake Rd. to SC 292	\$6,000,000
748	IL	Construct Streetscape Project, Orland Hills	\$400,000
749	IL	Widening of Lake Cook Road ITS in Deerfield, IL	\$540,000
750	OR	Widening of Oregon Hwy 217 between Tualatin Valley Hwy and the US 26 interchange, Beaverton	\$10,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
751	PR	Widening of PR 111 at the intersections of PR-444 through PR-423	\$6,000,000
752	MI	Widen M-72 from U.S. 31 easterly 7.2 miles to Old M-72	\$2,500,000
753	PA	Widening of Rt.22 and SR.26 in Huntingdon. Upgrades to the interchange at US RT 22 and SR26	\$3,375,000
754	MN	Widening of US Highway 61 at Frontenac Station, MN	\$800,000
755	KS	Construction and reconstruction of four interchanges on I-435, I-35 and U.S. 69 in Johnson Co	\$4,000,000
756	MA	Melnea Cass Blvd Reconstruction	\$2,700,000
757	NH	Improve Meredith Village Traffic Rotary	\$1,000,000
758	FL	Implement Blue Heron Boulevard Streetscape Improvements, City of Riviera Beach	\$2,500,000
759	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS Q114	\$250,000
760	WI	Reconstruct STH 181 between Florist Ave and North Milwaukee County Line	\$4,500,000
761	LA	Replace the Prospect Street Bridge (LA 3087), Houma	\$3,000,000
762	GA	Streetscape improvements along LaVista Road in the Northlake business district of DeKalb County, Georgia	\$200,000
763	MD	Study Greater Towson Area traffic flow and future needs	\$200,000
764	FL	Construct US 1 Improvements, Cities of Holly Hill and Ormond Beach, Florida	\$400,000
765	OH	Transportation Enhancements to the downtown area of the Village of Chagrin Falls, OH	\$700,000
766	MA	Pedestrian Walkway for the Town of Norwood	\$780,000
767	NJ	Restoration of Route 35 in Ocean County, New Jersey	\$2,000,000
768	PA	Extension of Third Street from Interstate 83 to Chestnut Street, Harrisburg	\$5,000,000
769	TX	Carlton road grade separation, Laredo, TX	\$5,000,000
770	OH	Construct connector roadway between SR13 13 and Horns Hill Road in north Newark	\$250,000
771	TN	Construct new lighting on Veterans Memorial Bridge, Loudon County, Tennessee	\$250,000
772	NY	Roadway improvements on CR3 between Ruland Rd and I-495	\$2,220,000
773	TN	Construct State Route 385 (North and East) around the city of Memphis	\$3,150,000
774	NY	Waterloo, NY by-pass project	\$7,000,000
775	IN	Extend Everbrook Drive from SR 332 to Bethel Avenue in the City of Muncie, Indiana	\$640,000
776	TN	Construct Proposed SR 397 extension from SR96 West to US 431 North to Franklin Williamson County	\$2,225,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
777	AK	Construct linking road from airport to port in Akutan	\$1,500,000
778	PA	Uniontown to Brownsville section of Pennsylvania Mon/Fayette Expressway	\$5,000,000
779	NY	Ashburton Avenue Reconstruction, Yonkers, New York	\$1,000,000
780	OR	Highway 22, Polk County	\$1,000,000
781	FL	I-75 Widening and Improvements in Collier and Lee County, Florida	\$45,000,000
782	WI	Pioneer Road Rail Grade Separation (Fond du Lac, Wisconsin)	\$4,000,000
783	FL	Design and construction of double-deck roadway system exiting FLL airport connecting Y.S. 1 and I-595	\$4,000,000
784	MI	Wayne, Reconstruct one quarter of a mile stretch of Laurenwood	\$125,000
785	GA	Construct the West Cleveland Bypass from US 129 SR 11 near Hope Road extending west of Cleveland, on new and existing locations to SR 75	\$2,900,000
786	IL	Reconstruct Highway-Railway crossing over US 14 and realignment of US 14, Des Plaines ...	\$2,000,000
787	OR	Highway 22-Cascade Highway interchange improvements, Marion County	\$500,000
788	VA	Widen Route 29 between Eaton Place and Route 123 in Fairfax City, VA	\$3,000,000
789	WI	Reroute State Hwy 11 near Burlington, WI (Walworth and Racine Counties, WI)	\$4,000,000
790	IL	East Peoria, Illinois Technology Blvd. upgrades	\$1,000,000
791	DC	Metro Branch Trail Construction	\$2,000,000
792	MA	Study and design I-93/Mystic Ave. Interchange at Assembly Sq	\$500,000
793	NM	Widening of US 491 from Navajo 9 to Colorado state border	\$2,000,000
794	FL	Construct access road to link Jacksonville International Airport to I-95	\$5,000,000
795	FL	Widening of SR 60 from 66th Avenue to I-95 in Indian River County, FL	\$1,000,000
796	GA	Widening of SR 133: Colquitt Co./Daughtery Co	\$1,000,000
797	PA	Rail Bridge Removal and intersection improvements, Cameron and Paxton Streets, Harrisburg	\$1,400,000
798	PA	Widening of SR 1001 Section 601 in Clinton County	\$1,000,000
799	PA	Widening of Route 40 in Wharton Township, Fayette County, Pa	\$2,000,000
800	NJ	Widening of Route 1 and intersection improvements in South Brunswick	\$1,000,000
801	PA	construct PA 706 Wyalusing Bypass Bradford County, Pennsylvania	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
802	IL	Construct four lane extension of IL RT29 from Rochester to Taylorville	\$600,000
803	IL	Widening of Old Madison Road, St. Clair County	\$2,000,000
804	NY	Construction of Bicycle Path and Pedestrian Trail in City of Dunkirk	\$500,000
805	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Plains Township, Luzerne County	\$200,000
806	CA	Replace I-880 overpass at Davis St in San Leandro	\$750,000
807	PA	DuBois-Jefferson County Airport Access Road Construction	\$1,500,000
808	GA	Streetscape project to improve accessibility and safety for pedestrians, Mount Vernon	\$500,000
809	IL	Replacement of Fullerton Avenue Bridge and Pedestrian Walkway	\$4,800,000
810	NH	Construct intersection at US 3 and Pembroke Hill Road in Pembroke	\$700,000
811	FL	A new interchange with the Pineda Causeway Extension and I-95	\$13,000,000
812	CT	Make Improvements to Groton Bicycle and Pedestrian Trails and Facilities	\$380,000
813	MN	TH 36—Stillwater Bridge; cut-and-cover approach to river crossing	\$500,000
814	NM	US 54 Reconstruction, Tularosa to Santa Rosa	\$3,000,000
815	VA	Daniel Boone Wilderness Trail Corridor—acquire site; design and construction of interpretative center, enhancement of trail corridor	\$3,200,000
816	MI	Widening of M-24 from two lanes to four lanes with a boulevard from I-69 to the county line	\$1,000,000
817	IN	Construct US 231 in Spencer and Dubois Counties in Indiana	\$6,000,000
818	TN	Construct overpass at Highway 321 and Highway 11 Loudon County, Tennessee	\$6,500,000
819	SD	Improve the SD Advanced Traveler Information System	\$1,000,000
820	NV	Construct I-15 Widening—U.S. 95/I-515 Interchange to Apex Road	\$8,000,000
821	NY	Implement ITS system and apparatus to enhance citywide truck route system on Avenue P between Coney Island Avenue and Ocean Avenue in the 9th District of New York	\$100,000
822	GA	Install sidewalks, trails, lighting, and amenities in Balls Ferry Park, Wilkinson County	\$1,250,000
823	CA	Construct Inland Empire Transportation Management Center in Fontana to better regulate traffic and dispatch personnel to incidents	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
824	IL	Reconstruct Milwaukee Avenue, including Six Corners	\$17,000,000
825	TX	Implementation and quantification of benefits of large-scale landscaping along freeways and interchanges in the Houston region	\$34,984,000
826	PA	Design, engineering, ROW acquisition & construction of a connector road between PA 115 & Interstate 81 in Luzerne County	\$250,000
827	AL	Pedestrian Improvements for Homewood, AL ..	\$300,000
828	TN	Plan and construct a bicycle and pedestrian trail, Gallatin	\$665,000
829	MA	Conduct design, feasibility and environmental impact studies of proposal to relocate New Bedford/Fairhaven bridge	\$2,000,000
830	IA	Iowa City, IA Construction of arterial extension project connecting Coralville to west and south Iowa City	\$2,500,000
831	NJ	Rehabilitate Route 139 in Jersey City—Portway	\$2,000,000
832	NJ	Route 605 extension to U.S. 206	\$1,000,000
833	OH	Widen SR 170 Calcutta	\$2,500,000
834	IA	Widening of Hwy 44, Grimes	\$1,000,000
835	VA	Widening of Highway 15 in Farmville, Virginia	\$5,700,000
836	MA	Design and construct intersection improvements at Memorial Park II on Roosevelt Ave from Bay St to Page Boulevard, Springfield	\$1,000,000
837	SC	Widening of Frontage Road from U.S. 72 to U.S. 56, Laurens, SC	\$2,800,000
838	NY	Mill Road: NY Rte 261 to North Avenue in the Town of Greece	\$2,500,000
839	NC	Widening of Beckford Drive, City of Henderson	\$960,000
840	NY	Realignment of Clove Road and Rt 208, access management improvements in Orange County	\$1,200,000
841	NY	City of Peeskill, NY Street Resurfacing Program. Brown Street	\$52,000
842	FL	Fund advanced Right-of-Way Acquisition along SR 52 in Pasco County, Florida	\$3,700,000
843	MA	Design, engineer, permit, and construct “Border to Boston Bikeway” rails-trails project, from Salisbury to Danvers	\$1,000,000
844	FL	Soutel Drive Road Enhancements, Jacksonville	\$1,500,000
845	NJ	Bicycle facilities in West Deptford Township ...	\$115,000
846	PA	Create a direct connection between State Road 29 and State Route 113	\$3,000,000
847	MA	Design and construction of the north and southbound ramps on Interstate 91 at Exit 19	\$1,500,000
848	IA	NW 70th Ave reconstruction, Johnston	\$5,000,000
849	NY	Town of Minisink South Plank Road	\$275,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
850	VA	Town of St. Paul—restoration of historic Hillman House to serve as trail system information center and construction of stations on trails	\$150,000
851	PA	Conduct environmental review and acquire right of way for preferred alternative to improve PA 41	\$4,200,000
852	FL	Acquire Right-of-Way for Ludlam Trail, Miami, Florida	\$500,000
853	NY	Construct Safe Routes to Schools projects in New York City	\$3,500,000
854	CO	Construction of US 24—Tennessee Pass, Colorado	\$6,000,000
855	CA	Implement Riverside Avenue Railroad Bridge improvements, south of Interstate 10 in Rialto	\$500,000
856	MA	Longwood Ave/Urban Ring Tunnel Study	\$450,000
857	IL	Traffic Signal Coordination at US 45 at IL 132 (Grand Avenue) and IL 132 at Rollins Road and US 45 at Rollins Road	\$100,000
858	IA	US 63 improvement near New Hampton, Iowa	\$8,700,000
859	NY	Village of Unionville reconstruction of Main Street	\$80,000
860	TX	Widening from two lanes to four of SH 36 from Bellville, TX to Sealy, TX	\$9,000,000
861	KY	Comprehensive Traffic Study for intersection of Main Street and Berea College Campus, Berea	\$600,000
862	TN	Improve State Route 62 in Morgan County near U.S. 27 in Wartburg to Petit Lane from existing two lane highway to four lanes	\$4,500,000
863	IL	Construct West Corbin Overpass over Illinois 255, Bethalto	\$5,000,000
864	OR	I-5/99W connector	\$250,000
865	FL	Improvements to I-75 in the City of Pembroke Pines, Florida	\$7,500,000
866	CA	Planning, design, engineering and construction of Naval Air Station, North Island access tunnel on SR 75-282 corridor, San Diego	\$5,000,000
867	CA	Construct road from Mace Blvd in Yolo County to federally supported Pacific Flyway wildlife area	\$1,000,000
868	PA	Construction of ramps on I-95 and US 322, widening of streets and intersections	\$3,000,000
869	NY	Construct and restore pedestrian and residential roadways in downtown business district in Rockville Centre	\$1,000,000
870	LA	Plan, design and construct Pointe Clair Expressway in Iberville Parish	\$3,000,000
871	MA	Construction of East Milton Parking Deck over Interstate/Rt. 93	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
872	PA	Reconstruction of I-176 in Cumru and Robeson Townships, Berks County	\$5,000,000
873	MI	Resurfacing of Masonic Boulevard in Fraser	\$1,160,000
874	OH	Construct Ohio River Trail from Downtown Cincinnati, Ohio to Salem Road	\$2,000,000
875	PA	Realignment and reconstruction of SR 60 interchange with U.S. 22-30 and reconstruct adjacent Tonidale-Bayer intersection	\$2,000,000
876	NY	Construction and rehabilitation of East and West John Streets in the Village of Lindenhurst, NY	\$1,045,000
877	NY	Construct Northern State Parkway and Long Island Expressway access at Marcus Avenue and Lakeville Road and associated Park and Ride	\$6,000,000
878	PA	Deployment of an Intelligent Transportation System along I-476 Pa Tpke NE Ext/Pa-309 and I-76 Schuylkill Exwy in Montgomery County	\$4,000,000
879	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS Q153	\$250,000
880	TX	Build 36th Street Extension in San Antonio	\$2,000,000
881	CA	North Atlantic Pedestrian Bridge, Monterey Park	\$600,000
882	CA	Reconstruct Eastern Ave from Muller St to Watcher St in Bell Gardens	\$1,000,000
883	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in West Pittston, Luzerne County	\$200,000
884	CA	Design Traffic Flow Improvements Azusa and Amar, City of West Covina	\$1,250,000
885	MI	Reconstruction of Nine Mile Road in Eastpointe	\$1,120,000
886	WA	Redmond, WA City-wide ITS	\$1,000,000
887	IL	Reconstruction and realignment of Baseline Rd, Montgomery, IL	\$2,080,000
888	NY	Transportation Enhancements to support Development of Erie Canal in Niagara and Orleans Counties	\$750,000
889	CO	US 160, East of Wolf Creek Pass	\$15,000,000
890	MA	Design, engineering and construction at I-93 The Junction Interchange, Andover, Tewksbury and Wilmington	\$2,500,000
891	CA	Rosemead Boulevard/Highway 19 Renovation Project, Pico Rivera	\$100,000
892	PA	Intersection improvements at PA Route 209 and Water Company Road, construction of a bridge and access enhancements to Nature and Arts Center, Upper Paxton Township	\$750,000
893	TX	Improvements to FM 1979 in Caldwell County	\$300,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
894	HI	Interstate Route H 1 guard rail and shoulder improvements, Waialeale Bridge to Airport Interchange, Honolulu	\$3,800,000
895	MI	M-168 Reconstruction in the village of Elberta	\$2,200,000
896	CA	Colima Road at Fullerton Road Intersection Improvements	\$1,000,000
897	OH	Design and construct Youngstown State University Roadway and Pedestrian Safety Improvements, Youngstown	\$2,500,000
898	MO	Reconstruct Interstate 44 and Highway 39 Interchange	\$5,000,000
899	WA	Complete final Columbia River crossing Environmental Impact Statement for SR35 in Klickitat County	\$800,000
900	KY	Reconstruct US 127 at Bellows Road, Mercer County	\$600,000
901	NY	Roadway and Pedestrian Improvements for Times and Duffy Squares in New York City	\$4,000,000
902	FL	Six lane expansion of State Road 200 (A1A) from Interstate 95 east to Amelia Island	\$4,000,000
903	MI	Widen and reconstruct Tienken Road in Rochester Hills from Livernois to Sheldon	\$13,500,000
904	NV	Design and Construct I-580 Meadowood Complex Improvements, Washoe County	\$2,000,000
905	NY	Town of Chester reconstruction of 13 independent town roads	\$200,000
906	NY	Implement ITS system and apparatus to enhance citywide truck route system at 9th Street and 3rd Avenue intersection in Kings County	\$100,000
907	TX	Construction of highway infrastructure to provide flood protection for Nueces County	\$1,000,000
908	FL	Widen State Road 80, Hendry County	\$3,500,000
909	NE	Construction of the Columbus, Nebraska North Arterial Road	\$4,500,000
910	KY	Extension of Newtown Pike from West Main Street to South Limestone Street, Lexington	\$20,000,000
911	OH	Road construction and related improvements in the Village of Gates Mills, OH	\$500,000
912	IL	Widening and Reconstruction of 55th Street from Holmes Avenue to Williams Street in Westmont and Clarendon Hills	\$1,500,000
913	IL	Road upgrades for the Village of Oreana, IL	\$884,000
914	ID	Widen Amity Road from Chestnut Street to Robinson Road in Nampa, Idaho	\$2,000,000
915	TX	Widening FM 60 (University Drive) from SH 6 to FM 158, College Station	\$3,000,000
916	GA	Widening Cedarcrest Road from Paulding County line to Governors Towne	\$3,150,000
917	CA	Widening Avenue 416 in Dinuba California	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
918	MA	Design and construction of streetscape improvements on Main and Maywood Streets, Worcester	\$600,000
919	TX	Extend Munn Street from Demaree Ln to Gellhorn Drive	\$1,000,000
920	MN	City of Moorhead SE Main GSI, 34th St. and I94 Interchange and Moorhead Comprehensive Rail Safety Program	\$3,000,000
921	AL	Widening and safety improvements to SR-216 between SR-215 and I-59, I-20	\$3,000,000
922	GA	The Carrollton Greenbelt Project, City of Carrollton, Georgia	\$350,000
923	IL	Improve safety of culvert replacement on 250th Rd between 460th St and Cty Hwy 20 in Grandview Township, Edgar County, IL	\$320,000
924	NY	Kingston, Improve uptown streets	\$1,000,000
925	PA	Replace Blair Creek Bridge over the Little Lehigh Creek, just west of the Maple Grove Bridge, in Longswamp Township, Berks County	\$1,600,000
926	CA	Construct highway connecting State Route 78/86 and State Route 111, Brawley	\$9,500,000
927	GA	Widening and improvements on Colerain Road in St. Marys, Georgia	\$1,000,000
928	MD	Implement Pedestrian and Roadway Improvements Contained in the Druid Hill Park Neighborhood Access Program in Baltimore	\$2,000,000
929	AZ	Kabba Wash project between I-40 and Wikieup	\$2,000,000
930	ME	Route 2 Improvements from Bethel to Gilead ..	\$2,500,000
931	FL	Widening and Improvements for I-75 in Collier and Lee County	\$27,000,000
932	TX	Widening 349 Dawson and Martin County	\$2,000,000
933	WI	Widen Wisconsin State Highway 64 between Houlton and New Richmond	\$4,000,000
934	IN	Widen Wheeling Avenue from Centennial to McGalliard Road in the City of Muncie, Indiana	\$960,000
935	MN	Construct a bike trail along the north side of TH 11 to the Voyageurs National Park Visitor Center on Black Bay of Rainy Lake	\$540,000
936	FL	Construct pedestrian underpass and safety improvements at SR A1A and Castillo Drive, City of St. Augustine	\$1,600,000
937	CA	Rehabilitate street surfaces in Sherman Oaks ..	\$124,000
938	CA	Repair and realignment of Brahma Dr. and Winnetka Ave	\$300,000
939	NJ	Riverwalk in Millburn along the West Branch of the Rahway River	\$750,000
940	AL	I-20 widening and safety improvements in St. Clair County	\$5,000,000
941	TN	Plan and construct Rutherford County visitor's center/ transportation information hub	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
942	UT	Streetscape a two-lane road and add turning lanes at key intersections on Santa Clara Drive in Santa Clara	\$1,250,000
943	CA	US 101 Operational Improvements, San Jose ..	\$5,000,000
944	IL	Upgrade traffic signal system on 87th Street, Chicago	\$500,000
945	LA	Water Well Road Gateway Corridor (LA 478)—Design, Right of Way, and Construction of 3.6 miles from I-49 to LA 1	\$5,650,000
946	CO	East 104th and US 85 Intersection: Study, design and construction of needed improvements to intersection	\$1,000,000
947	FL	Widen West Virginia Drive from Floresta Drive to US 1 in St. Lucie	\$3,000,000
948	ID	Widen U.S. 95 in Idaho from Jet. SH-1 to Canadian Border	\$3,000,000
949	IL	Engineering of the Willow Creek Trail Extension from Rock Cut State Park to the Long Prairie Trail	\$200,000
950	CA	Widen Interstate 8 overpass at Dogwood Road, Imperial County	\$2,122,500
951	CA	Improve bridge 58-7 on SR 115 that crosses the Alamo River in Holtville and also project design and environmental analysis of a new bridge over the same river	\$1,000,000
952	ID	Widen U.S. 95 from Worley to Mica Creek, Idaho	\$3,000,000
953	MI	Complete the 2 segments of U.S. 127 from Ithaca to St. Johns to a limited access freeway	\$5,000,000
954	CA	Construct a new interchange where I-15 meets Cajaleo Road in Corona, CA	\$10,000,000
955	OH	Construct interchange at CR 80 on IR 77 near Dover	\$5,000,000
956	TX	US 67, widening from Nolan River to West Buffalo Creek, Cleburne	\$3,000,000
957	NC	Widen and improve I 85 through Cabarrus County from US 29—49 to 29—601	\$8,000,000
958	NC	US 401 from Raleigh to Fayetteville	\$4,000,000
959	GA	Construct and Improve Westside Parkway, Northern Section, in Fulton County	\$4,000,000
960	NY	City of Peeskill, NY Street Resurfacing Program. Hudson Avenue	\$130,000
961	CA	Construction of CA 101 Auxiliary Lanes, Marsh Rd. to Santa Clara County Line	\$2,250,000
962	NY	For the acquisition of ferry boats and ferry terminal facilities and operation of ferry service from Rockland County-Yonkers-Manhattan ..	\$1,500,000
963	IL	For engineering, right-of-way acquisition and reconstruction of two existing lanes on Arsenal Road from Baseline Rd to Rt 53	\$2,125,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
964	PA	For the Scranton City Redevelopment Authority to design, engineer, acquire ROW & construct streetscaping enhancements, paving, lighting & safety improvements, parking & roadway redesign	\$2,500,000
965	FL	Construct landscaped sidewalks, bus lanes, pedestrian/bicycle paths, vehicular lanes, City of Plantation	\$1,536,041
966	NY	Improve Route 17—Access Control, Elmira to Chemung	\$2,500,000
967	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Plymouth Borough, Luzerne County	\$200,000
968	ID	Improve SH 75 from Timmerman to Ketchum	\$7,000,000
969	OR	Improve U.S. 97 from Modoc Point to Algoma	\$2,000,000
970	SD	Construct an interchange on I-90 at Marion Road west of Sioux Falls	\$7,000,000
971	CA	Realign First St between Mission Rd and Clarence St in Los Angeles	\$1,250,000
972	MO	Relocation of Route 13 Branson West Bypass	\$5,200,000
973	IL	Resurfacing Congress Parkway, The Illinois Department of Transportation	\$500,000
974	RI	Establish interchange between Route 4 and Interstate 95	\$6,000,000
975	TX	Improvements to FM 676 in Alton	\$500,000
976	MA	Reconstruction of Goddard Memorial Drive from State Route 9 to Airport Drive, Worcester	\$2,000,000
977	FL	Homestead, FL Widening of SW 320 Street (Mowry Drive) from Flagler Avenue to SW 187 Avenue	\$2,500,000
978	CT	Broad Street Reconstruction Project in New Britain	\$2,500,000
979	PA	Construct Johnsonburg Bypass	\$4,400,000
980	CT	Construct Valley Service Road Extension, North Haven	\$2,000,000
981	VA	Construction of transportation related enhancements and infrastructure of the VMFA project	\$1,000,000
982	MI	Reconstruct and Widen I-94 in Kalamazoo, MI	\$16,000,000
983	MD	Land Acquisition for Highway Mitigation in Cecil and Worcester Counties, MD	\$19,500,000
984	CA	Construct overpass on Central Ave at the railroad crossing in Newark	\$750,000
985	IL	City of Bartonville, Street widening and improvements and sidewalk improvements	\$952,572
986	OH	Construct Williamsburg, Ohio to Batavia, Ohio Hike & Bike Trail	\$300,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
987	IL	The continuation of US Route 12 from the Wisconsin state line to the intersection of Tryon Grove Road, Route 12 and Illinois State Route 31	\$3,000,000
988	FL	U.S. 17-92 and French Ave. Roundabout, Sanford	\$500,000
989	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Hanover Township, Luzerne County	\$200,000
990	MI	Reduction from 3.5 miles of travel to 1.0 miles of travel crossing over the Tittabawassee River on Meridian Road	\$3,000,000
991	ID	Widen U.S. 95 from Top of Lewiston Hill to Moscow, Idaho	\$2,000,000
992	TX	Construct a pedestrian/bicycle trail in the Sunnyside area of Houston	\$750,000
993	TX	Construct remaining 800-foot 4-lane divided thoroughfare for Preston Rd segment between Beltway 8 and Genoa Red Bluff Rd ...	\$1,160,000
994	AS	Shoreline protection and drainage mitigation for Aua village roads	\$1,000,000
995	SC	Medical University of South Carolina Roadway Enhancement	\$4,000,000
996	PR	Replacement ferries on Culebra and Vieques routes	\$2,000,000
997	MI	Livonia, reconstruct Stark Rd. between Plymouth Rd. and I-96	\$1,000,000
998	PA	PA Route 309 roadway construction and signalization improvements in Tamaqua Borough	\$2,000,000
999	MA	Union Square Roadway & Streetscape Improvements	\$500,000
1000	TX	Improvements to South McColl Road in Hidalgo County	\$2,400,000
1001	MS	Widen US Hwy 61 and improve major intersections, Natchez	\$2,000,000
1002	TX	Widen US 82 from 2-lane facility to 4-lane facility from FM 1417 in Sherman, TX to US 69 in Bells, TX	\$4,500,000
1003	TX	Widen US 79, from FM 1512 near Jewett to IH-45 to a four-lane divided highway	\$2,000,000
1004	TN	Construct shoulder and turn lane on SR 35 in Seymour, Tennessee	\$1,500,000
1005	NE	Construction of Heartland Expressway between Alliance and Minatare, NE	\$7,500,000
1006	WA	Pedestrian Sidewalk Construction in Snohomish	\$175,000
1007	TN	North Second Street Corridor Upgrade, Memphis	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1008	OH	Purchase High Speed Ferries for Black River Excursion Boat Service, Lorain	\$750,000
1009	MD	MD4 at Suitland Parkway	\$4,000,000
1010	OK	Widen US 60 from approximately 2 miles east of the US 60-US 75 interchange east ap- proximately 5.5 miles	\$2,000,000
1011	NC	Widen US 401 from Wake County to Louisburg	\$3,000,000
1012	PA	CUPSS, Pennsylvania, Urban Maglev Dem- onstration Test Project	\$5,000,000
1013	TX	Widen US 287 Bypass at Ennis from two to four lanes	\$8,000,000
1014	KY	Widen US 27 from KY 34 to US 150 Bypass, Garrard County and Lincoln County	\$2,000,000
1015	MN	Right of way acquisition for Mississippi River Bridge connecting I 94 and US 10 between US 169 and TH 101	\$1,000,000
1016	WI	Rehabilitate Highway 53 between Chippewa Falls and New Auburn	\$4,000,000
1017	IL	Widen U.S. Route 67 from Macomb to Illinois 101	\$2,000,000
1018	IL	Widen U.S. Route 51 from Pana to Vandalia ..	\$3,000,000
1019	IL	Widen U.S. Route 34 from U.S. 67 to Carmen Road	\$4,000,000
1020	WA	Alaskan Way Viaduct and Seawall	\$14,000,000
1021	NJ	East Coast Greenway bicycle and pedestrian path from New Brunswick to Hudson River	\$1,000,000
1022	FL	Construct bicycle and pedestrian underpass and park under I-95, Miami	\$1,500,000
1023	CA	Implement Van Nuys Road and Safety Im- provements	\$500,000
1024	FL	New systems interchange ramps at SR 417 and Boggy Creek Road in Orange County, FL	\$8,000,000
1025	NY	Reconstruction of Tappan Street Bridge in Town of Newark Valley	\$1,000,000
1026	IL	Widen Rakow Road from Ackman Road to IL Rt 31 in McHenry County, Illinois	\$7,150,000
1027	IL	Widen U.S. Route 30 from Rock Falls to Round Grove, Whiteside County	\$500,000
1028	TN	Bristol, Tennessee highway-RR grade crossing improvement—Cedar Street	\$50,000
1029	IL	Perform Broadway and Sheridan Road signal interconnect project, Chicago	\$1,500,000
1030	IL	Widen U.S. Highway 30 in Whiteside County, Illinois	\$1,000,000
1031	WI	Rehabilitate existing bridge and construct new bridge on Michigan Street in Sturgeon Bay, Wisconsin	\$7,000,000
1032	ME	Replacement of the Route 201-A “covered” bridge, Norridgewock	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1033	AR	Widen to four lanes, improvement, and other development to U.S. Highway 167 from LA state line north to I-530	\$5,000,000
1034	PA	Widen the Route 412 corridor from I-78 into the City of Bethlehem	\$10,000,000
1035	HI	Construct access road for Kahului Airport	\$1,000,000
1036	IL	Improve Highway-Railroad Crossings, Galesburg	\$750,000
1037	MN	Sauk Rapids Bridge and Roadway Replacement in Sauk Rapids, MN	\$6,000,000
1038	TN	Construct Transportation and Heritage Museum in Townsend, Tennessee	\$1,000,000
1039	CA	Widen State Route 98, including storm drain developments, from Kloke Road to State Route 111, Calexico	\$3,000,000
1040	CA	Widen State Route 98 from Route 111 to State Route 7, Calexico	\$5,000,000
1041	GA	Construction of bypass around town of Hiram, from SR 92 to US 278, Paulding County, Georgia	\$2,000,000
1042	TX	Construction of the interchanges at BI20 and IH20 for JBS Parkway	\$2,500,000
1043	CA	Widen State Route 46 between Airport Road and the Shandon Rest Stop in San Luis Obispo County	\$33,461,000
1044	TN	Widen State Route 4 (US-78) from Mississippi State Line to Getwell Road (SR-176) in Memphis, Shelby County	\$1,000,000
1045	MI	Baraga County, Reconstruction of county primary road on Bayshore Drive from Haanpaa Road northerly 1.7 miles to Whirligig Road	\$750,000
1046	NY	Town of Warwick, NY walking and biking trail	\$500,000
1047	AK	Bridge over Fish Creek in Matanuska-Susitna Borough	\$1,000,000
1048	GA	GA 400 and McGinnis Ferry Road Interchange, Forsyth County, GA	\$3,000,000
1049	NY	Implement Improvements for Pedestrian Safety in Kings County	\$1,000,000
1050	NY	Reconfigure road through FDR VA Hospital to provide access to Battery Place in Town of Cortlandt	\$395,000
1051	CA	Widen State Route 262, replace two railroad overpass structures, and rebuild on and off ramps between SR 262 and Kato Rd in Fremont	\$4,000,000
1052	TN	Widen State Route 101 in Cumberland County from two lane highway to five lanes between State Routes 282 (Dunbar Road) and 392 in Crossville	\$8,000,000
1053	FL	Widen State Road 50 in Lake County, Florida	\$7,000,000
1054	AZ	Widen SR 95 through Lake Havasu City	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1055	GA	Widen SR 85 from SR 74 to County Route 126 Bernhard Road, Fayette County, Georgia	\$3,000,000
1056	CT	Construct New arterial roadway from Boston Avenue north to proposed Lake Success Business Park in Bridgeport, CT	\$10,000,000
1057	MI	M-13 Washington Avenue Streetscape Project. Phase II of High Priority Project 192 in Pub. L. 105-550. City of Saginaw	\$1,500,000
1058	TX	Improvements to FM 716 in Duval County	\$1,000,000
1059	NY	Town of Chester Surrey Meadow subdivision road improvements	\$300,000
1060	PA	Cresheim Valley Drive Revitalization project involving scenic enhancements & pedestrian safety improvements from Lincoln Drive to Navajo Street	\$1,100,000
1061	NC	Transportation Improvements at Piedmont Triad Research Park, Winston-Salem, NC ...	\$3,000,000
1062	MO	Upgrade and partially relocate MO Rt 141 from I-64 to Rt 340	\$3,600,000
1063	NY	Construct Millennium Parkway in the Towns of Dunkirk and Sheridan	\$10,500,000
1064	AZ	Construct the Rio Salado Parkway to connect I-10 and Loop 202 freeways to 7th Street in downtown Phoenix	\$8,000,000
1065	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Lenoir City, TN	\$104,000
1066	NJ	Replacement of Monmouth County bridges W-7, W-8, and W-9	\$3,000,000
1067	OK	US-54, Widen US-54 from North of Optima Northeast to Kansas State Line, Texas County, OK	\$1,000,000
1068	FL	Widen Palm Coast Parkway and I-95 interchange and overpass, Flagler County, Florida	\$2,900,000
1069	FL	Delray Beach Federal Highway pedestrian improvements SE 4th Street to NE 4th Street	\$2,000,000
1070	WI	Expand Highway 10 between Marshfield and Stevens Point	\$20,000,000
1071	NY	Install Improvements for Pedestrian Safety including in the vicinity of IS R72/PS R69	\$250,000
1072	TN	Upgrade roads for Slack Water Port facility and industrial park Lake County	\$1,875,000
1073	AK	Emergency evacuation road at Point Hope in North Slope Borough	\$3,000,000
1074	MI	Construct railroad grade separation on M-85 (Fort Street) North of Van Horn Road, Trenton	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1075	IL	Land acquisition, engineering, and construction for the initial 2-lane segments of the Corridor between IL 31 to IL 25 and other segments of the Corridor as appropriate	\$1,000,000
1076	PA	Modernize traffic signals, complete minor roadway realignment, and improve channelization at US 322 and PA 10 intersection	\$480,000
1077	KS	Construction of a four-lane access controlled improvement for 4 miles on US-54/400 in Pratt County	\$10,686,000
1078	IN	Upgrade rail crossing at 93rd Avenue, St. John	\$200,000
1079	FL	Widen SR 710 by 2 lanes from Congress Avenue to US-1	\$3,000,000
1080	GA	Widen SR 234/Gillionville Road from Eight Mile Road to Lockett Station, Dougherty County	\$1,000,000
1081	CA	Widen SR 12 to four lanes through Jamieson Canyon (between I-80 and SR 29) for safety concerns and economic growth	\$8,000,000
1082	GA	Widen SR 104 from SR 383/Belaire Road to CR 515/Cumberland Drive (including bridges) in Columbia County	\$4,000,000
1083	IN	Study Traffic on Muncie By-Pass from Centennial Avenue to McGalliard Road in the City of Muncie and Delaware County, Indiana	\$120,000
1084	FL	Construct US 17-92 improvements, Maitland, Florida	\$1,500,000
1085	CA	Widen South Main St.-Soda Bay Rd. between CR 400A (mile marker 0.0-miler marker and 0.7) and CR 502 (mile marker 0.0 and 0.9)	\$4,000,000
1086	VA	Replacement of the 635 Bridge in Orange County, VA	\$500,000
1087	TX	construct Loop 20 in Laredo	\$2,000,000
1088	IA	Construct SE Connector/MLK Pkwy, Des Moines	\$9,000,000
1089	FL	Construction and Design of Miami River Greenway Road Improvements and 5th Street Improvements	\$2,000,000
1090	TX	Widen SH 317 from two lanes to four lane divided facility	\$2,000,000
1091	TX	Widen SH 205 from two lanes to a six lane urban divided highway from North of SH 66 to proposed SH 276	\$1,000,000
1092	CA	Widen Santa Maria River Bridge on U.S. Highway 101 between Santa Barbara County and San Luis Obispo County	\$3,400,000
1093	CA	Widen San Fernando Road North, including streetscape projects, Sylmar	\$1,060,000
1094	PA	Central Susquehanna Valley Transportation Project US 15: \$5 million for the final design	\$6,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1095	NJ	Construct Rt 49 Cohansey River Bridge Replacement, Cumberland County	\$3,000,000
1096	ME	Construction and snowmobile safety accommodations for Route 116 Bridge, Medway ...	\$4,000,000
1097	MI	Construct pedestrian trail and bridge in Kearsley Park in Flint	\$100,000
1098	IA	Coralville, IA Implementation of final phase of Safety Improvements Project from 12th Ave to 22nd Ave	\$2,000,000
1099	IL	Expand and improve Illinois Route 47 Roadway from Reed Road to Kreutzer Road in Huntley, Illinois	\$7,150,000
1100	NY	Build Route 15, Pennsylvania to Presho	\$10,000,000
1101	GA	I-285 Riverside interchange reconstruction, Fulton County, Georgia	\$2,000,000
1102	MN	Construct 3 segments of Cuyuna Lakes Trails, Crow Wing County	\$1,200,000
1103	WA	Improve I-5 interchange at 134th Street in Clark County	\$12,000,000
1104	GA	Construct Pedestrian Safety Improvements on Buford Hwy (SR-13), Dekalb County	\$3,000,000
1105	DC	11th St. Bridges, Rehabilitation of structures as well as new ramps to provide for traffic at Navy Yard, Southeast Federal Ctr., and Gateway Government Ctr	\$32,000,000
1106	MO	Improve U.S. 36 to divided four lane expressway from Macon to Route 24	\$10,000,000
1107	VA	Mill Road Slip Ramp	\$500,000
1108	NY	Construct sidewalks and curbing on Tate Avenue in Village of Buchanan	\$375,000
1109	MI	Delta County, Widen, pulverize, improve drainage at County Rd 497 from US 2 at Nahma Junction southerly 4.75 miles to the village of Nahma	\$575,000
1110	UT	Construction of 200 North Street highway-rail graded crossing separation, Kaysville, Utah ..	\$4,000,000
1111	FL	Kennedy Blvd. Reconstruction, Eatonville	\$2,000,000
1112	VA	Improvements to public roadways within the campus boundaries of the Virginia Biotechnology Park, Richmond, VA	\$3,000,000
1113	VA	Install Transportation Critical Incident Mobile Data Collection Device in Charlottesville	\$400,000
1114	NY	Ithaca, Design and construct pedestrian and bicycle path	\$544,000
1115	AZ	Navajo Mountain Road on the Navajo Nation ..	\$1,300,000
1116	PA	Expansion of existing PA Turnpike ITS System	\$4,100,000
1117	TX	Construction of ferryboat for City of Port Aransas	\$400,000
1118	NY	Project will rehabilitate and reopen historic High Bridge, which crosses the Harlem River between Manhattan and the Bronx	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1119	NJ	Route 17 Congestion Improvements and Widening, from Williams Avenue to the Garden State Parkway and Route 4 in Bergen County	\$12,000,000
1120	IN	Design and construct Tanner Creek Bridge on US 50, Dearborn County Indiana	\$1,240,000
1121	NC	Environmental studies and construction of US 74 Monroe Bypass Extension	\$6,000,000
1122	OH	Construct Pedestrian Bridge from east of Dock 32 to Voinovich Park southwest corner, Cleveland	\$2,140,000
1123	GA	Extension of Sugarloaf Parkway, Gwinnett County	\$3,000,000
1124	ME	Construct bicycle and pedestrian bridge over Stillwater River, Orono	\$1,000,000
1125	IL	For widening from two to four lanes, the Brookmont Boulevard Viaduct in Kankakee, IL and adjusting approach grades	\$1,000,000
1126	GA	I-285 SR 400 interchange reconstruction and HOV interchange, Fulton County, Georgia ...	\$1,000,000
1127	MN	Construct a road between Highway 332 and TH 11 including a signalized rail road crossing, Koochiching County	\$300,000
1128	MO	Hanley Road from I-64 to south of State Route 100, St. Louis County	\$10,000,000
1129	AL	Expand SR-167 from Troy, AL to Enterprise, AL	\$3,000,000
1130	MN	Construction of primary and secondary access roadways to the Duluth Air National Guard Base, City of Duluth	\$4,250,000
1131	CT	Construct high-speed rail crossing to bike and pedestrian trails -Enfield, CT	\$2,300,000
1132	TX	Expansion of Port Rd at Northbound Frontage Rd of SH 146 east to intersection with Cruise Terminal Rd to 6-lane section with raised median	\$7,340,000
1133	TN	Construct Western Bypass from Zinc Plant Road to Dotsonville Road, Montgomery County	\$3,400,000
1134	CA	Improvements to SR-67, Maplevue to Dye Road (San Diego)	\$5,000,000
1135	TN	Plan and construct a bicycle and pedestrian trail, Springfield	\$250,000
1136	TX	Expansion of Daniel McCall Dr., Lufkin, TX ...	\$2,750,000
1137	NY	Rehabilitate the Pines Bridge Road and Lake Avenue and Ryder Road, in Ossining, Yorktown, and New Castle	\$2,765,000
1138	CA	Construct Valley Boulevard Drainage Improvements, El Monte	\$750,000
1139	NJ	Route 82 Union County Streetscape and Intersection Improvements	\$1,000,000
1140	NY	Short Clove Road Rail Overpass, Haverstraw ...	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1141	FL	Construct Atlantic Boulevard Improvements, Key West, Florida	\$1,000,000
1142	CA	Implement intelligent management & logistics measures to improve freight movement, Gateway Cities	\$3,000,000
1143	WI	Expand USH 45 between CTH G and Winchester, Winnebago County, WI	\$5,000,000
1144	NY	Implement ITS system and apparatus to enhance citywide truck route system on LIE Eastbound Service Road at 74th Street to Caldwell Ave, Grand Ave from 69th Street to Flushing Ave, and Eliot Ave from 69th Street to Woodhaven Blvd	\$100,000
1145	IA	Construct IA-32 Arterial from US 20 in Dubuque Co, IA to US 61 and US 151	\$19,000,000
1146	HI	Kapolei Transportation Improvements, Island of Oahu	\$1,000,000
1147	MA	Quincy Avenue Bridge Replacement	\$1,000,000
1148	CA	Los Angeles Regional Diesel Emissions Reduction Program For Engine Retrofit, Gateway Cities	\$500,000
1149	IL	Reconstruct intersection of Wood Dale and Irving Park roads in DuPage County, IL	\$14,300,000
1150	GA	Social Circle bypass completion, from Stanford Road to SR 11, Social Circle	\$3,000,000
1151	GA	Streetscape Project to install sidewalks and bicycle trails, Gray	\$500,000
1152	MO	Reconstruction of the Tucker Street Bridge in the City of St. Louis	\$7,000,000
1153	PA	Bethlehem Pike improvements from Valley Green Road to South of Gordon Lane, Springfield Township	\$1,000,000
1154	GA	Construct I-75 I-575 HOV interchange, Cobb County, Georgia	\$600,000
1155	IL	Construct multi-use pedestrian path between Oakton St. and Dempster St., Skokie	\$250,000
1156	AZ	Construct link from Twin Peaks Road to I-10 and Linda Vista Blvd. including bridge over Santa Cruz River and overpass of Union Pacific Rail Road	\$6,000,000
1157	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Newport Township, Luzerne County	\$200,000
1158	VA	Fries Train Station and Trail—restoration of former train station for use as visitors center and construction of trail along New River	\$1,000,000
1159	PA	Construction SR 3024, Middle Creek Bridge II, South Canaan, Wayne County	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1160	WI	Expand USH 141 between STH 22 and STH 64 (Oconto and Marinette Counties, Wisconsin)	\$2,000,000
1161	IL	Development of a coordinated trail system, parking and trail systems in Dixon, IL	\$3,200,000
1162	PA	Installation of comprehensive signage system across 1700 acres of urban parks in Pittsburgh	\$900,000
1163	GA	Interstate 75/Windy Hill Road Interchange	\$2,000,000
1164	NJ	Bridge replacement and SR 31 widening over the Raritan Valley Line in Glen Gardner, Hampton, Hunterdon County	\$1,000,000
1165	VA	Bristol Train Station—historic preservation and rehabilitation of former Bristol, VA train station	\$500,000
1166	CO	I-25 Improvements—Douglas—Arapahoe County Line to El Paso County Line	\$6,000,000
1167	TN	Reconstruct connection with Hermitage Avenue to Cumberland River Bluff in Nashville	\$500,000
1168	IL	For Village of Lemont to construct a bridge over Chicago Ship and Sanitary Canal linking Centennial Trail to I&M Canal Trail	\$100,000
1169	OH	Construct roadway improvement along State Route 62 in Berlin	\$100,000
1170	NY	Reconstruction and improvements of University Avenue and the extension of the ARTWalk project, Rochester	\$2,000,000
1171	NH	Reconstruction and Improvements to NH Route 110 in Berlin	\$2,000,000
1172	PA	Route 6 Resurfacing from Mansfield Borough in Richmond Township to the Village of Mainesburg in Sullivan Township	\$1,500,000
1173	WA	SR 167—Right of way acquisition for a new freeway connecting SR 509 to SR 161	\$2,500,000
1174	MD	I-70: Frederick	\$2,000,000
1175	NY	Planning and Construction of Fort Drum Connector Rd	\$6,500,000
1176	CA	Study and construct highway alternatives between Orange and Riverside Counties, directed by RCTC, working with local transp. authorities, and guided by the current MIS ..	\$4,000,000
1177	CA	Fresno County, CA Widen Friant Road to four lanes with class II bicycle lanes	\$1,500,000
1178	MO	Study for Highway 160 & Kansas Expressway Corridor	\$2,000,000
1179	FL	Construct Route 9B from US 1 to Route 9A (I-295) to the Duval County line	\$5,000,000
1180	PA	Design, const. widening of PA 94 from York-Adams County line to Elm Street in Hanover, PA	\$3,000,000
1181	CA	Improvement of intersection at Burbank Blvd. and Woodley Ave	\$160,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1182	NY	I-81 Corridor Improvements in Syracuse, NY ..	\$2,000,000
1183	WA	Perform final interchange design and property acquisition at Fleshman Way where it crosses SR 129, that enhances safety and passenger and freight mobility and reduces congestion	\$1,050,000
1184	WA	Roosevelt Extension at Urban Avenue to Cameron Way in Mount Vernon	\$4,000,000
1185	NJ	Hazel Street reconstruction, Passaic County	\$4,000,000
1186	FL	Improvements to Eller Drive including right-of-way acquisition and construction of return loop connector	\$1,000,000
1187	MO	Study Highway 37-60 Entire Corridor	\$2,500,000
1188	TX	The District-Tyler Outer Loop 49 Construction	\$6,480,000
1189	PA	Tidal Schuylkill Riverfront project consists of an eight mile bike and pedestrian recreation trail from Locust Street to Historic Bartram's Gardens	\$1,680,000
1190	NY	Town of Fishkill reconstruct Maple Ave	\$24,500
1191	IL	For IDOT to expedite pre-construction and construction to widen I-55 from Naperville Road south to I-80	\$3,500,000
1192	UT	200 East Minor Arterial, Logan City, Utah	\$900,000
1193	NJ	Construct I-287, I-80, Route 202 Interchange	\$1,000,000
1194	NY	Design and construction of Fulton Street from Clinton Avenue to Bedford Avenue in Brooklyn, New York	\$5,600,000
1195	TX	Port of Corpus Christi Joe Fulton International Trade Corridor for congestion and safety enhancements	\$500,000
1196	MO	Renovations and Enhancements on the Bicycle Pedestrian Facility on the Old Chain of Rocks Bridge spanning the Mississippi River	\$800,000
1197	CT	Construct Shoreline Greenway Trail, Guilford, Branford, East Haven	\$2,000,000
1198	NJ	Transportation Improvements in Liberty Corridor	\$5,000,000
1199	OH	Construct SR 104 into a 4 lane facility with a turning lane in Ross County	\$6,000,000
1200	MO	Construct 2 lanes on Hwy 45 from Hwy 9 to Graden Road in Platte County	\$3,000,000
1201	MS	Plan and Construct Highway 45 Bypass in Columbus	\$4,000,000
1202	PA	Reconstruct hwy & replace of bridge on US 422 between the Berks County Line and the Schuylkill River in Montgomery and Chester Counties	\$1,500,000
1203	FL	Construct SR 20 connection to SR 100 via CR 309-C, Putnam County, Florida	\$4,300,000
1204	OH	Road and related pedestrian improvements at SR 283 in the Village of Grand River, OH ...	\$100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1205	NY	Road infrastructure projects to improve commercial access in the Towns of Malta and Stillwater and the Village of Round Lake, Saratoga County, New York	\$8,150,000
1206	NY	Replace structurally deficient bridge over the Pocantico River, the Village of Pleasantville	\$1,000,000
1207	IL	Complete Heavy Truck Loop for DuQuoin Industrial Park	\$625,000
1208	MD	Construction and dualization of US 113	\$15,000,000
1209	GA	Streetscape-Quitman	\$200,000
1210	NY	Town of New Windsor Toleman & Station Roads Reconstruction and area Improvements	\$715,000
1211	IL	Turning lanes to US Rt. 14 (Northwest Highway) at the Arthur Ave Union Pacific Grade in Arlington Heights	\$1,100,000
1212	WA	Design and construct pedestrian land bridge spanning SR 14	\$2,000,000
1213	MI	Construction of Greenways in Pittsfield Charter Township—2.5 miles to existing Ann Arbor Greenways, Pittsfield Charter Township	\$299,000
1214	CA	Golden Gate National Parks Conservancy—Plan and Implement Trails & Bikeways Plan for the Golden Gate National Recreation Area and Presidio	\$6,200,000
1215	NY	State of NY Village of Kiryas Joel sidewalk project	\$750,000
1216	OH	Tuscarawas Township, Stark County, Ohio. Improvements to Alabama Ave	\$800,000
1217	IL	Transportation Enhancement and road improvements necessary for Downtown Plaza improvements in Jacksonville, IL	\$952,572
1218	CA	Upgrade and reconstruct I-580/Vasco Road Interchange, City of Livermore	\$2,500,000
1219	TX	Build Bike Trail at Chacon Creek in Laredo	\$3,300,000
1220	UT	3200 South Project, Nibley, Utah	\$1,000,000
1221	NJ	Expand Route 440—State Street Interchange in Perth Amboy	\$5,000,000
1222	GA	Improvement and construction of SR 40 from east of St. Marys cutoff at mile post 5.0, Charlton County to County Route 61, Camden County, Georgia	\$1,000,000
1223	PA	Erie, PA Regional upgrades to urban-rural corridors	\$1,600,000
1224	GA	Georgia Construct Three Greenway Trail Project, Dekalb County	\$2,000,000
1225	FL	Cross Creek Boulevard Widening	\$1,800,000
1226	MD	Implement Intelligent Transportation System in Baltimore	\$1,400,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1227	OH	Construct an access road into the industrial park near SR 209 and CR 345 in Guernsey County	\$800,000
1228	CA	Improve the Rosecrans Ave and Alondra Blvd bridges over the San Gabriel River in Bellflower	\$50,000
1229	PA	Independence National Historic Park scenic enhancement and pedestrian walkways improvement project in conjunction with the park's Executive Mansion Exhibit	\$4,500,000
1230	CA	Modesto, Riverbank & Oakdale, CA Improve SR 219 to 4-lanes	\$2,000,000
1231	ME	Modifications to Exit 7/I-295 and to Franklin Arterial, Portland	\$3,380,000
1232	KY	Replace Bridge and Approaches on Searcy School Road over Beaver Creek, Anderson County	\$875,000
1233	NJ	Route 22 Sustainable Corridor Plan	\$3,000,000
1234	NY	Conduct studies, if necessary, and construct the High Line Trail Project, New York City	\$5,000,000
1235	WA	Install dual left turn lanes and intersection signal modifications at SR 432 and Columbia Blvd	\$1,750,000
1236	OK	Transportation enhancements for Highway 19 from Ada to Stratford	\$3,000,000
1237	CA	Interstate 15-Base Line Road Interchange Project, Rancho Cucamonga, California	\$5,000,000
1238	SC	Build Interchange at US 17 and Bowman Road in Mount Pleasant, SC	\$6,000,000
1239	CA	Complete Monterey Bay Sanctuary Scenic Trail between Monterey and Santa Cruz counties	\$6,000,000
1240	NY	Improve Hospital Road Bridge between CR99 and CR101, Patchogue	\$6,000,000
1241	NV	Construct Martin Luther King Blvd.—Industrial Rd. Connector	\$8,000,000
1242	MI	I-96 Beck,Wixom Road Interchange, design, ROW, and construction	\$3,000,000
1243	IA	Muscatine, IA Construction of 4.2 mile multi-purpose trail from Musser Park to Weggens Road	\$500,000
1244	GA	Historic preservation of a city bus station in downtown Eastman	\$134,917
1245	TX	Construction of internal roads at Port of Brownsville to make roads safer with less wear and tear	\$2,500,000
1246	NY	NYS DOT Route 55 turning lane at Gardner Hollow Road	\$500,000
1247	TN	Plan and construct a bicycle and pedestrian trail, Lewisburg	\$100,000
1248	TX	Reconstruct Danieldale Rd from I-35E to Houston School Rd in Lancaster	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1249	CT	Relocation of Edmond Road in Newtown and construction of additional turning lanes at Rte 6 and Commerce and Edmond Rds	\$2,000,000
1250	OH	Construction of Interchange at State Route 8 and Seasons Road, Stow, OH	\$1,500,000
1251	NJ	North Avenue-Route 1 Elizabeth Pedestrian and Bicycle Project	\$75,000
1252	AL	Pedestrian Improvements for Morris, AL	\$100,000
1253	NY	Preliminary design and environmental impact study for a collector-distributor road along I-95 from Westchester Ave. to Bartow Ave	\$7,360,000
1254	NJ	Replacement of Signals at the Intersections of Centennial Ave @ Lincoln Ave and Walnut Ave @ Lincoln Ave, Cranford, NJ	\$490,000
1255	KS	Replacement or rehabilitation of the Amelia Earhart US-59 Bridge in Atchison County, Kansas	\$2,500,000
1256	CA	San Diego, CA Interstate 15 Managed Lanes ..	\$1,000,000
1257	CA	Central Galt & State Route 99 Interchange and Access Improvements	\$3,000,000
1258	OH	Springfield, OH Relocation of North Street	\$3,450,000
1259	KY	Reconstruct KY 89 from Irvine Bypass to 2000 Feet North of Estill County High School, Estill County	\$750,000
1260	NY	Town of East Fishkill new construction Bypass road	\$800,000
1261	CA	Establish new grade separation at Sunset Ave in Banning	\$2,000,000
1262	CT	Construct and Widen Stamford Rail Underpass & Road Realignment Project	\$1,000,000
1263	TN	Hamblen County, Tennessee US 11E (SR 34) interchange improvements	\$1,000,000
1264	IL	Implement ITS and congestion Mitigation Project on I-294 and I-90	\$4,000,000
1265	AZ	Bridge at 59th Ave and Glendale Ave	\$2,000,000
1266	TX	Hike and bike trail will tie into the Gellhorn Dr. project providing an improved multi-modal transportation facility	\$1,000,000
1267	OH	Jackson Township, Ohio—Hill and Dales Road widening	\$2,000,000
1268	SC	Build 701 Connector (Southern Conway Bypass) in SC	\$5,000,000
1269	MN	Reconstruct I-694 White Bear Avenue (CSAH 65) Interchange in White Bear Lake	\$500,000
1270	WI	Replace 17th Street Lift Bridge, Two Rivers, Wisconsin	\$6,000,000
1271	MA	Route 116 and Bay Road Intersection Improvements- Amherst	\$4,000,000
1272	IL	Streetscape improvements on Blue Island from 19th-21st St, Chicago	\$1,000,000
1273	TN	Construct and improves intersections in Niota, Tennessee	\$100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1274	CA	Upgrade Bellflower intersections at Alondra Blvd and at Rosecrans Ave in Bellflower	\$350,000
1275	NJ	Construct Riverbank Park Bike Trail, Kearny	\$2,500,000
1276	NC	Install ITS on US 52 in Forsyth County	\$400,000
1277	MD	Construction and dualization of MD 404 in Queen Anne, Talbot and Caroline Counties ..	\$7,000,000
1278	NY	Land acquisition and improvements on Louisa Street, Peekskill, NY	\$925,000
1279	IL	Upgrade connector road from IL Rt I-255 to IL Rt 3, Sauget	\$2,400,000
1280	NJ	Reconstruction of Route 46/Route 3/Valley Rd/Notch Rd Interchange	\$12,000,000
1281	MS	Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 3 (U.S. Hwy 16), and Ethel (U.S. Hwy 12), Attala County	\$1,000,000
1282	TX	Construction of streets in the White Heather area of Houston	\$9,250,000
1283	MS	Upgrade roads in Canton (U.S. Hwy 51, 22, 16 and I-55), Madison County	\$400,000
1284	IA	Reconstruction of the Neal Smith Trail, bicycle and pedestrian, Polk Co	\$3,600,000
1285	CA	Rehabilitate pavement on Azusa Avenue and San Gabriel Avenue in Azusa	\$500,000
1286	CA	South Bay Cities COG Coastal Corridor Transportation Initiative, Phase 3, El Segundo	\$2,000,000
1287	MS	Upgrade roads in Terry, Edwards, Utica and Bolton, Hinds County	\$1,250,000
1288	FL	US 1 six laning from St. Lucie County line to south of 4th St in Indian River County, FL	\$1,000,000
1289	MD	Expand Route 29 in Howard County	\$6,800,000
1290	WA	Issaquah SE Bypass	\$5,000,000
1291	NY	Town of Patterson Couch Road project	\$75,000
1292	MD	US 220 MD 53 North South Corridor	\$1,000,000
1293	NJ	Improvements to Clove Road and Long Hill Road in Little Falls and Upper Mountain Ave. in Montclair	\$3,500,000
1294	HI	Study of East Hawaii Alternative Road, Island of Hawaii	\$200,000
1295	FL	Town of Southwest Ranches Urban Interchange	\$2,000,000
1296	CA	Long Beach Intelligent Transportation System: Integrate functioning traffic management center that includes the port, transit, airport as well as the city's police and fire departments, Long Beach	\$3,000,000
1297	CA	Almaden Expressway Improvements between Branham Lane and Blossom Road, San Jose	\$3,500,000
1298	AR	Construct and rehabilitate University of Arkansas Technology Corridor Enhancement Project	\$1,200,000
1299	CO	US 550, New Mexico State Line to Durango ...	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1300	TX	Construct bicycle and pedestrian trails in Houston's historic Third Ward	\$750,000
1301	NY	Village of Cold Spring Main St. sidewalk and lighting improvements	\$250,000
1302	NY	Village of Goshen Hatfield Lane reconstruction	\$250,000
1303	SC	Plan and build Interstate 73 from NC line to Myrtle Beach, SC	\$10,000,000
1304	TX	IH-35E Bridge Reconstruction over Lake Lewisville	\$1,000,000
1305	FL	Construct College Road Improvements, Key West, Florida	\$500,000
1306	NY	West Harlem Waterfront-ferry, intermodal and street improvements	\$14,000,000
1307	CA	Construct sound barriers at the I-805/S.R. 54 Interchange, National City	\$850,000
1308	NY	Road projects that develop Access to Port Byron and Erie Canal	\$1,250,000
1309	FL	West Palm Beach, Florida, Flagler Drive Reconfiguration	\$1,000,000
1310	AL	Construct extension of I-565 westward from existing interchange to existing Tennessee River bridges at Decatur, AL	\$5,000,000
1311	CT	Construct Farmington Canal Greenway, City of New Haven and Hamden	\$2,500,000
1312	GA	Replace sidewalks, upgrade lighting, and install landscaping, Helena	\$400,000
1313	IA	Upgrade US 30 Liberty Square in City of Clinton, Iowa	\$9,500,000
1314	HI	Study of Waianae Coast Emergency Access Road	\$500,000
1315	NY	Westchester County, NY Rehabilitation of Lexington Ave, Mt. Kisco	\$500,000
1316	CA	Widen and Improve County Line Road in Calimesa	\$2,000,000
1317	OH	Construct turn lane, install traffic light, and reorient traffic on SR 146 near Bussemer Lane in Muskingum County	\$600,000
1318	RI	Restore and Expand Maritime Heritage site in Bristol	\$1,000,000
1319	OH	City of Green, Ohio. Lauby Road exit improvements	\$1,500,000
1320	NY	Construct Bicycle Path in Town of Bedford	\$650,000
1321	CA	Compton Arterial Reconstruction and Improvement Program, Compton	\$4,000,000
1322	MT	Construction of S. 323 from Alzada to Ekalaka in Carter County	\$12,000,000
1323	IL	Improve Great River Road, Mercer County	\$500,000
1324	FL	Normandy Blvd. & Cassat Ave. Transportation Enhancements, Jacksonville	\$500,000
1325	OH	North Canton, OH Applegrove St. road widening	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1326	MA	Design & Build Cape Cod Bike Trail, with Shining Sea Bikeway, to link core with outer Cape communities & heavily visited national sites	\$4,000,000
1327	TN	Plan and construct N. Tennessee Boulevard enhancements	\$500,000
1328	NJ	Quinn Road realignment, Clifton	\$3,000,000
1329	MO	Reconstruct Interstate 44 and Highway 65 Interchange	\$16,300,000
1330	MN	Reconstruct TH 61 from Beaver Bay to Silver Bay. Construction of Gitchi-Gami Spur Trail between main trail and Silver Bay Marina along TH 61 roadway segment	\$6,800,000
1331	KY	Reconstruction of KY 259 in Edmonson County from Green River Bridge at Brownsville to Kyrock Elementary School	\$1,500,000
1332	LA	Construction of a merge lane at the intersection of I-49 and US 190	\$500,000
1333	AL	Expand SR-210 (Ross Clark Circle) from US 231 North to US 231 South in Dothan, AL	\$4,000,000
1334	MD	Construct interchange at MD Route 355 at Montrose and Randolph Roads in Montgomery County	\$2,000,000
1335	CA	Construct new interchange and related road improvements on US 101 near Airport Blvd, Salinas	\$3,670,000
1336	PA	Construct the French Creek Parkway in Phoenixville, PA	\$5,000,000
1337	MN	Capacity and safety improvements to TH 8, west of 306th St. to eastern city limits, Lindstrom	\$7,200,000
1338	VA	Eastern Seaboard Intermodal Transportation Applications Center (ESITAC) in Hampton Roads	\$1,500,000
1339	IL	Construct underpass at intersection of Damen/Fullerton/Elston Avenues, Chicago	\$5,500,000
1340	AR	Highway 165: Railroad Overpass	\$2,000,000
1341	FL	Implement Snake Road (BIA Route 1281) Widening and Improvements	\$1,000,000
1342	CA	Construction of new freeway between I-15 and US-395, including new interchange at I—15	\$5,000,000
1343	OH	Lake Township, Ohio. Market Avenue-Lake Center intersections improvement	\$2,200,000
1344	CT	Construct Quinnipiac Linear Trail, Wallingford	\$1,000,000
1345	MI	Construction of a hike and bike path from Riverbends Park, 22 Mile Road, to Stony Creek Park, 25 Mile Road in Shelby Township	\$500,000
1346	IN	Reconstruct Boston Street, from State Road 2 to Bach St., Larson-Whirlpool St. in LaPorte, Indiana	\$750,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1347	OR	Improvements to Bandon-Charleston State Scenic Tour on Randolph Road and North Bank Lane	\$4,200,000
1348	VA	Conduct study of Route 460 Corridor, Virginia	\$5,000,000
1349	NJ	Construct Sparta Stanhope Road Bridge (AKA Bridge K-07)	\$1,000,000
1350	KY	Reconstruct Turkeyfoot Road, Kenton County, Kentucky	\$3,000,000
1351	OH	Construct additional lane to alleviate traffic congestion on US 40 in and adjacent to St. Clairsville	\$800,000
1352	CO	CO 56th Avenue & Quebec Street Improvements Phase I, Denver	\$6,500,000
1353	OH	Construct Truck Bypass-Orville, Ohio	\$6,004,400
1354	PA	Conversion of Penn and Park Bridges located over Spring Run in Altoona, Pa into pedestrian bridges	\$50,000
1355	CA	Coyote Creek Trail Project—Story Road to Montague Expressway	\$2,500,000
1356	PA	Construct Cameron Street Bridge Northumberland County, Pennsylvania	\$1,000,000
1357	OH	Construct upgrade of SR 16 to 4 lanes from SR 60 to SR 16 in Coschocton County	\$3,000,000
1358	OH	Medina, Ohio. Guilford Avenue urban road collector pavement reconstruction	\$1,960,000
1359	TN	Improvements to I-40 interchange at I-240 East of Memphis (Phase II)	\$3,000,000
1360	WY	Casper Bypass: Reconstruct Old Yellowstone Hwy and 2nd St	\$5,000,000
1361	NY	Construct sidewalks and roadway improvements on Oscawana Lake Road in the Town of Putnam Valley	\$600,000
1362	LA	Engineering and right of way acquisition for I-49 Corridor	\$10,000,000
1363	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Edwardsville Borough, Luzerne County	\$200,000
1364	IL	Foster Avenue at Kedzie Avenue Streetscape ...	\$2,000,000
1365	WV	Construct I-73/74 High Priority Corridor, Mercer Co	\$11,200,000
1366	NY	Improve Long and Short Beach Road, Southampton	\$2,100,000
1367	CA	Modify I-880 & Stevens Creek Boulevard Interchange to ease traffic congestion in San Jose	\$12,000,000
1368	NY	Improve road and streetscape along Prospect Avenue in North Hempstead	\$1,000,000
1369	CA	Palm Drive & Interstate 10 interchange project	\$2,750,000
1370	MN	Reconstruct TH 36 from expressway to freeway in North St. Paul	\$6,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1371	CA	Construct I-580 Interchange Improvements in Castro Valley	\$1,200,000
1372	AL	Expand US 331 from Luverne, AL to Montgomery, AL	\$3,000,000
1373	TX	Construction of highway medians, pedestrian walkways for City of South Padre Island	\$500,000
1374	NY	Construct Rt. 12 intersection between Pamela Drive-River Road-Located in the Town of Chenango	\$2,400,000
1375	IL	Construct Streetscape Project, Village of Robbins	\$800,000
1376	GA	Effingham Parkway to Connect SR119 to SR30	\$3,000,000
1377	MD	Construct Phase 2 of the Jones Falls Trail from Baltimore Penn Station to the Maryland Science Center on the Inner Harbor	\$4,000,000
1378	IL	For Will County for engineering and right-of-way acquisition to extend 95th Street from Plainfield-Naperville Road east to Boughton Road	\$500,000
1379	PA	Construct Valley Business Park Access Road C, Bradford County	\$2,700,000
1380	LA	Improve by widening, realigning, & resurfacing 3.2 miles of LA Hwy 820 btwn LA Hwy 145 & LA Hwy 821	\$3,000,000
1381	IN	45th Street Improvements, Munster	\$500,000
1382	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS K124	\$250,000
1383	VT	Construction and engineering for the Vermont Smugglers Notch Scenic Highway Corridor Southern Gateway and Notch Proper Facilities	\$1,085,514
1384	OH	Planning and construction of a network of recreational trails in Perry Township	\$950,000
1385	GA	Construction of the Truman Linear Park Trail-Phase II	\$1,260,000
1386	NJ	Pedestrian and bicycle facilities, and street lighting in Haddon Heights/Barrington	\$750,000
1387	CA	Reconstruct interchange at I-10 and Riverside Avenue to improve traffic in Rialto	\$2,000,000
1388	CA	Reconstruct Bloomfield Av. with medians from Carson St. to north city limits in Hawaiian Gardens	\$400,000
1389	SC	Extension of Wells Highway, Oconee County, South Carolina	\$2,000,000
1390	CA	Reconstruct Paramount Bl. with medians and improve drainage from Artesia Bl. to Candlewood St. in Long Beach	\$600,000
1391	IL	Reconstruction of 5th Street Road (FAS 569)in Logan County, IL	\$952,570
1392	WA	Reconstruction of SR 99 (Aurora Ave N) between N 145th St and N 205th St	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1393	NY	Page Green—Phase III—Reconstruction of 2.6 miles. Town of Virgil, Cortland County	\$3,600,000
1394	MI	Gogebic County, Reconstruct Lake Road in Ironwood from Margaret Street to Airport Road	\$805,000
1395	GU	Piti, GU Construct Cabras Island Intermodal Facility	\$6,000,000
1396	IN	Redevelop and Complete the Cardinal Greenway and Starr-Gennett Area in the City of Richmond, Indiana	\$3,000,000
1397	NY	Rehabilitate and redesign Erie Canal Museum in Syracuse, NY through the Erie Canalway National Heritage Corridor Commission	\$500,000
1398	OH	Construction of 6.25 mile bicycle project in Mahoning County	\$500,000
1399	NM	I-40/Munoz Reconstruction in the City of Gallup	\$1,500,000
1400	TX	Rehabilitate Yale Street between IH 10 to IH 610	\$1,000,000
1401	CA	Reconstruct Long Beach Bl. with medians and improve drainage from Palm Av. to Tweedy Bl. in Lynwood	\$3,000,000
1402	CA	Expand carsharing pilot program to serve low- and moderate-income neighborhoods in the City and County of San Francisco	\$2,000,000
1403	FL	Implement Kennedy Boulevard corridor improvements to improve safety in Tampa	\$2,500,000
1404	MD	Construct Broadneck Peninsula Trail, Anne Arundel County, Maryland	\$1,500,000
1405	MO	Relocation and reconstruction of Rt MM from Rt 21 to Rt 30	\$17,180,000
1406	MN	Replace three at-grade highway-railroad crossings with grade-separated crossings adjacent to Winona State University	\$2,000,000
1407	CA	Construct Traffic flow improvements Vincent and Lakes Drive, West Covina	\$750,000
1408	CA	Construction of an interchange located at the intersection of future State Route 65 and Ferrari Ranch Road-Westwood in Placer County	\$3,000,000
1409	KS	Construct highway-rail grade separation from Douglas Avenue to 17th Street North in Wichita, KS	\$14,000,000
1410	OH	Conduct Phase II of U.S. Route 68 bypass project in Urbana	\$2,300,000
1411	GA	Construct sidewalks and install landscaping, Vienna	\$500,000
1412	TX	Extension of FM 1427 in Penitas	\$700,000
1413	MD	MD 124, Woodfield Road, from Midcounty Highway to Warfield Road	\$2,000,000
1414	CA	Rio Vista Bridge Realignment Study & Street Sign Safety Program	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1415	CO	SH 121—Bowles Ave Intersection and Roadway Improvements, Jefferson County Colorado	\$2,000,000
1416	NY	Implement Improvements for Pedestrian Safety in Queens County	\$1,000,000
1417	NY	Repair and improve Jericho Turnpike (NYS HWY 25) and construct streetscapes along the Turnpike in New Hyde Park	\$2,000,000
1418	GA	SR 316/SR 20 interchange construction Gwinnett, County	\$500,000
1419	IL	Construct Pedestrian walkways and streetscaping projects in the Village of Western Springs	\$4,210,000
1420	WA	SR 518 corridor—Improvements to SR 518-509 interchange and addition of eastbound travel lane on a portion of the corridor	\$1,000,000
1421	CA	Development and construction of improvements to State Route 79 in the San Jacinto Valley	\$3,000,000
1422	MN	Construct roadway improvements on the Great River Road on CSAH 10 and CSAH 21, Aitkin County	\$6,960,000
1423	WA	Conduct preliminary engineering and EIS for Columbia River Crossing in WA and OR	\$12,854,000
1424	NC	Greensboro Signal System Replacement ITS Enhancement Project	\$12,500,000
1425	MN	Reconstruction of 1 mile of CR 107 from CSAH 2 to Highway 11 and 71, Koochiching County	\$500,000
1426	OH	Plain Township, Ohio. Market Avenue widening	\$5,000,000
1427	LA	Construct right of way improvements from Third St. at James St. to LA. Hwy. One at Broadway St. Acquire property at Third St. and Winn St	\$3,000,000
1428	PA	State Street Bridge Rehabilitation, Hamburg ..	\$1,500,000
1429	OH	Construct Flats East Bulkhead and Riverwalk: construct bulkhead and riverwalk connecting Front and Maine Ave	\$4,650,000
1430	NY	Construct/reconstruct Lincoln Road: Commercial Street to Route 31F in the Town-Village of East Rochester	\$900,000
1431	OH	Acquire land and construct Portage Bike and Hike Trail, Portage Co	\$1,000,000
1432	NC	Continued development of Cary, NC pedestrian bike paths	\$1,500,000
1433	TX	Cottonflat Road overpass at Interstate 20	\$1,500,000
1434	NY	Improve Rt. 17M access, safety and traffic management	\$750,000
1435	OH	Safety improvements to Paris Avenue intersections and Meese Rd. and Easton St. -Nimishillen Township, Ohio	\$1,500,000
1436	CA	Alameda Corridor-East Construction Authority, San Gabriel Valley	\$300,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1437	WA	Construct a tunnel as part of the Bremerton Pedestrian-Bremerton Transportation Center Access Improvement project	\$21,000,000
1438	NC	Eliminate highway-railway crossings in the city of Fayetteville, NC	\$1,000,000
1439	NJ	Hoboken Observer Highway Operational and Safety Improvements	\$2,500,000
1440	CA	Reconfigure San Fernando Road from Fletcher Drive to I-5 Fwy, Los Angeles	\$7,000,000
1441	NY	Construction of an access road, drainage improvements, and aesthetic enhancements adjacent to Ocean Parkway in the Town of Babylon, NY	\$2,695,000
1442	TX	Construct highway improvements on E. Tidwell, Ley Rd, and E. Little York Rd	\$2,800,000
1443	AZ	Construct pedestrian and bicycle overpass at McDowell Road & 35th Avenue in Phoenix ...	\$3,000,000
1444	TX	Reconstruct I-30 Trinity River Bridge, Dallas	\$25,000,000
1445	PA	Armstrong and Indiana County, Pennsylvania, U.S. 422 Improvements	\$2,000,000
1446	TX	Bicycle and Pedestrian Trail Network in East Austin	\$9,600,000
1447	NV	Construct I-15 Cactus Avenue	\$10,000,000
1448	AL	I-65 Widening from U.S. 31 in Alabaster (Exit 238) to AL 25 in Calera (Exit 228)	\$8,000,000
1449	NY	Improve Route 4 Streetscape and replace waterlines, Town and Village of Fort Edward, Washington County	\$4,350,000
1450	OH	Planning and construction on bike paths and trails as part of Phases III-VI in Ashtabula Metroparks Western Reserve Greenway	\$1,000,000
1451	CO	Construction of Powers Boulevard and Woodman Road interchange, Colorado Springs	\$10,000,000
1452	MN	Environmental review for TH 8 upgrade, Forest Lake to Chisago City	\$600,000
1453	MD	Construct Pedestrian Bridge and Garage at Coppin State University in Baltimore	\$3,000,000
1454	MD	Historic Preservation and Traffic Improvements along Liberty Heights Ave. and in Druid Hill Park in Baltimore	\$1,900,000
1455	NC	I-85 in Vance County	\$1,000,000
1456	PA	Design and construct interchange and related improvements at I 83 Exit 19	\$6,000,000
1457	IL	Preconstruction and Construction at IL 31 from Bull Valley Road to IL 176	\$2,420,000
1458	MS	Replace Popps Ferry Road Bridge, Biloxi	\$5,000,000
1459	IL	Reconstruct Lakeshore Drive Overpass over Wilson avenue, Chicago	\$1,500,000
1460	AL	Pedestrian Improvements for Moody, AL	\$100,000
1461	MA	Design and construct Canal and Union Street Corridor improvements, Lawrence	\$800,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1462	OH	Construct new two lane road to Sycamore Street in Gallia County	\$1,250,000
1463	AL	Construct interchange on Interstate 85 at Beehive Road in Auburn, AL	\$500,000
1464	ME	Improvements to the Interconnecting Trail System for bike/pedestrian trails near Baxter State Park	\$500,000
1465	TX	ROW acquisition for 87 Relief Route	\$1,500,000
1466	WA	Restore and construct historic Naches Depot and Trail project	\$500,000
1467	GA	S.R. 20 widening from I-575 to S.R. 369, Cherokee County	\$1,000,000
1468	IL	Road Construction and reconstruction in the Village of Hampshire: Keyes Ave., Industrial Drive Overlay, and Mill Avenue	\$2,300,000
1469	IL	Conduct study and design of Chicago North lakefront path expansion project	\$1,000,000
1470	MS	I-59 interchange at US 84 and SR 15, Laurel	\$5,000,000
1471	TX	Improvements to IH-35E from US 77 North of Waxahachie to US 77 South of Waxahachie	\$4,000,000
1472	MO	Scudder Road and I-170 Interchange Improvements, St. Louis County	\$2,000,000
1473	GA	Construct and Improve Cobb County Trails	\$1,500,000
1474	MS	Extend SR 590 from US 11 to SR 29 near Ellisville	\$4,000,000
1475	IN	Improve Intersection at Jackson Street and Morrison Road in the City of Muncie, Delaware County, Indiana	\$560,000
1476	CO	Construction of McCaslin Boulevard US 36 Interchange in Superior	\$1,000,000
1477	MA	Route 128 Improvements—Route 114 in Peabody to Route 62 in Danvers	\$2,000,000
1478	TX	Lubbock, Texas Construction for Marsha Sharp Freeway main lanes between Chicago and Salem Avenues	\$15,550,000
1479	NH	South Road Mitigation in Londonderry	\$1,500,000
1480	NY	Paul Road—Fisher Road Improvements, Town of Chili, Monroe County	\$4,000,000
1481	CA	Construct truck lane on Keystone Road from State Route 111 to Austin Road, Imperial County	\$2,500,000
1482	MS	Construct East Metropolitan Corridor linking I-20 at Brandon to Hwy 25 at Flowood	\$5,000,000
1483	LA	Leeville Bridge, Port Fourchon to Golden Meadow	\$5,000,000
1484	GA	National Infantry Museum Transportation Network	\$3,000,000
1485	AL	Interchange at I-65 and Limestone County Road 24 Constuction	\$1,000,000
1486	PA	Project to realign intersection of King of Prussia Road and Upper Gulph Road to provide turning lanes and signalization	\$1,649,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1487	FL	Widen State Road 80, Hendry County	\$1,000,000
1488	SD	Construction of four-lane highway on US 79 between Maverick Junction, and the Nebraska border	\$8,000,000
1489	IL	130th and Torrance Avenue Intersection Improvement, Chicago	\$9,000,000
1490	OK	Improvements to Hereford Lane and US69 Interchange, McAlester	\$1,000,000
1491	GA	Athens-Clarke County Bike Trail Project	\$1,400,000
1492	CT	Construct UCONN Storrs Campus-Hillside Road	\$5,000,000
1493	NM	I-25, Tramway North to Bernalillo, Reconstruction	\$3,000,000
1494	NJ	Planning for Liberty Corridor	\$500,000
1495	OR	Sellwood Bridge Replacement,—Multnomah County	\$3,000,000
1496	NM	Statewide ITS Deployment	\$2,000,000
1497	FL	Acquire Land and Construct the Englewood Interstate Connector in Sarasota County, Florida	\$3,000,000
1498	NY	Elevate and construct drainage improvements to Beach Road, Canal Road, and Sea Breeze Road in Massapequa, New York	\$3,000,000
1499	TX	Design and construction streetscape improvements in Midtown, enhance pedestrian access	\$1,000,000
1500	NY	Replace sidewalk along Route 9A in Hamlet of Montrose, Town of Cortlandt	\$330,000
1501	MN	Construction and widening of TH 241 in the city of St. Michael, MN	\$2,000,000
1502	GA	I-75 lanes from Aviation Boulevard to SR 54, Clayton County	\$1,500,000
1503	VT	Construction and rehabilitation of the Cross Vermont Trail for the Cross Vermont Trail Association	\$1,386,000
1504	NY	Construction of a new ramp from 9A Southbound to Taconic State Parkway Southbound, Westchester County	\$1,775,000
1505	NY	Restore vehicular traffic to Main Street in Downtown Buffalo	\$5,000,000
1506	MI	Construction of 5 lane concrete pavement with curb, gutter and sewer on Romeo Plank Road from M-59 to 23 Mile Road in Macomb Township	\$10,000,000
1507	NY	Enhance road and transportation facilities in the vicinity of the Brooklyn Children's Museum	\$550,000
1508	IL	Construct and expand Northwest Illinois US Rte 20 from Freeport to Galena, IL	\$4,000,000
1509	CA	Construction of new roadway lighting on major transportation corridors in the Southwest San Fernando Valley	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1510	MO	Construct Interstate flyover at Hughes Road and Liberty Drive to 76th Street. Part of Liberty Parkway Project	\$19,000,000
1511	CA	Freeway 180 Improvements Fresno	\$9,500,000
1512	NY	Construct sidewalks and curbs on Valley Road in Town of Bedford	\$450,000
1513	OK	Construction of rail crossing in Claremore at Blue Star Drive and SH 66	\$2,000,000
1514	IL	Improve U.S. Route 34 from Kewanee to Kentville Road	\$500,000
1515	IL	For Naperville Township to fund improvements to North Aurora Road	\$200,000
1516	WA	Kent—Construct a single point urban interchange (SPUI) under I-5 at South 272nd St	\$1,000,000
1517	TN	Construct Interpretive Visitor Center for the Cherokee Removal Memorial Park Trail of Tears site in Meigs County, TN	\$1,000,000
1518	GA	Create a greenway trail along the Oconee River connecting parks, preserving historic sites, and promoting economic development	\$2,000,000
1519	PA	Design, engineering, ROW acquisition, & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Dunmore Borough, Lackawanna County	\$400,000
1520	PA	Add turn lane, modify signals and install pavement markings at intersection of PA 422 and PA 662 in Amity Township	\$2,430,000
1521	WI	Construct bicycle/pedestrian path and facilities in the Central park area of Madison	\$3,500,000
1522	VA	Expand Route 15 29 in Culpeper, Virginia	\$2,000,000
1523	WV	Fairmont Gateway Connector System to provide an improved highway link between downtown Fairmont and I-79 in the vicinity of Fairmont	\$22,000,000
1524	OR	Construct Barber Street extension, Wilsonville	\$3,000,000
1525	FL	Four-laning SR 281 (Avalon Boulevard) in Santa Rosa County from Interstate 10 to north of CSX RR Bridge	\$14,500,000
1526	OR	Interstate 5 Interchange at City of Coburg	\$9,000,000
1527	IL	Construction of a bridge at Stearns Road in Kane County, Illinois	\$2,000,000
1528	TX	East 7th Street Improvements in Austin	\$525,000
1529	GA	Rebuild SR-10 Memorial Drive for bicycle and pedestrian safety, from Mountain Drive to Goldsmith Road, Dekalb County	\$2,000,000
1530	NJ	Provide an alternative route for traffic passing through congested SR 31 corridor in Flemington NJ	\$2,500,000
1531	CA	Construction of a smart crosswalk system at the intersection of Arminta St. and Mason Ave	\$50,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1532	WI	Reconstruct U.S. Highway 41 north of Lake Butte des Morts Bridge, Wisconsin	\$15,400,000
1533	PA	Improvements to 8th and 9th Street bridges between Pleasant Valley Blvd. and Valley View Blvd, Altoona, Pa	\$490,000
1534	LA	Construction of a direct intermodal truck access road from Interstate 210 to the City Docks of the Port of Lake Charles	\$13,000,000
1535	TX	Construct Links Hike & Bike Trail Project. 2.2 mile trail project connecting Gaylord Texan to Grapevine Mills Mall. Grapvine, TX	\$500,000
1536	GA	Construct sidewalks between Marion Middle School, City Park, and Community Center, Buena Vista	\$300,000
1537	IL	Construct a four lane connection between Rt. 13 and Rt. 45 and upgrades to Netty Green Road in Saline Co Illinois	\$2,000,000
1538	MI	Plymouth, Haggerty Road from Plymouth Rd. to Schoolcraft Rd	\$500,000
1539	TN	Provide streetscape improvements and pavement repair, Greenback, Tennessee	\$250,000
1540	IA	Reconstruction of NE 56th St, eastern Polk Co	\$1,000,000
1541	IL	Relocate Pocket Road for Access to Racehorse Business Park, Alorton	\$900,000
1542	CT	Construct roadway on East Commerce Drive, Oxford, CT	\$500,000
1543	TN	Niota, TN Improve vehicle efficiencies at highway At-Grade Railroad Crossing	\$57,000
1544	FL	Plan and Construct 17th Street connector in the City of Sarasota, FL	\$2,000,000
1545	VT	Reconstruction and widening of U.S. Route 5 for the Town of Hartford	\$1,500,000
1546	MO	Relocate the entrance to the Shaw Nature Reserve that is being altered due to a redesign of the Gray Summit I-44 interchange project	\$500,000
1547	DC	Replace and reconstruct South Capitol Street/ Frederick Douglass Memorial Bridge	\$50,000,000
1548	MI	Complete 13.8 miles of nonmotorized pedestrain Fred Meijer Heartland Trail of 30.1 miles ...	\$2,700,000
1549	MO	Roadway improvements on U.S. 60 from Willow Springs to the Van Buren Area	\$10,000,000
1550	UT	Construct Parley's Creek Trail	\$5,000,000
1551	ME	Construction of Calais/St. Stephen Border Crossing Project	\$8,500,000
1552	FL	Alleviate congestion at Atlantic Corridor Greenway Network, City of Miami Beach, FL	\$3,000,000
1553	MD	Construction of MD 331 Dover Bridge	\$4,318,000
1554	NY	Improve Traffic Flow on Noel Road between Church and Crossbay Boulevard Including Work Necessary to Demolish and Reconstruct the Firehouse Facility	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1555	PA	Construct 9th and 10th Street bridges over Norfolk Southern Tracks, Lebanon	\$8,000,000
1556	AS	Drainage mitigation in Malaeloa-Leone village roads	\$1,400,000
1557	CA	Improve I-8 off ramp at Ocotillo to the Imperial Valley College Desert Museum/Regional Traveler Visitor Center, Imperial County	\$1,000,000
1558	CA	Install new grade separation at Ranchero Road in Hesperia	\$5,000,000
1559	NY	Bartow Ave Ramp and Reconstruction at the Hutchinson Parkway	\$1,600,000
1560	FL	Airport Access Rd., Gainesville	\$2,000,000
1561	WA	Intersection project at South Access-522 beginning and ending at the UWB-CCC campus to improve access and alleviate congestion	\$3,000,000
1562	NJ	Reconstruction of CR 530 from RT 206 to CR 644. Construct shoulders, travel lanes, center turn lane, drainage improvements & traffic signal	\$10,000,000
1563	NY	Improve SCCC roads, Fallsburg	\$1,500,000
1564	CA	Add turn lane and adaptive traffic control system at intersection of San Tomas Expressway and Hamilton Avenue in Campbell	\$1,600,000
1565	CA	Interchange improvements at Rice Avenue and U.S. Highway 101 in the City of Oxnard	\$3,300,000
1566	GA	Northside Drive Multi Modal Corridor	\$2,000,000
1567	GA	Replace sidewalks, meet ADA guidelines, and install a crosswalk, McRae	\$400,000
1568	TX	Ritchie Road from FM 1695 to US 84, Waco ..	\$3,000,000
1569	AR	Maumelle Interchange—for third entrance into Maumelle	\$1,000,000
1570	CT	Construct Housatonic Riverwalk, Shelton	\$1,000,000
1571	MD	Rehabilitate Roadways Around East Baltimore Life Science Park in Baltimore	\$8,500,000
1572	AL	City of Vestavia Hills Pedestrian Walkway to Cross U.S. 31	\$700,000
1573	IN	Replace Samuelson Road Underpass, Portage ..	\$3,162,890
1574	IL	Construct Commuter Parking Structure in the Central Business District in the vicinity of La Grange Road	\$3,700,000
1575	PA	Design and construct inner loop roadway around Shippensburg Boro	\$500,000
1576	WV	Construct I-73/74 High Priority Corridor, Mingo Co	\$12,000,000
1577	NY	Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue	\$2,250,000
1578	OR	Rogue River Bikeway/Pedestrian Path, Curry County	\$600,000
1579	CA	San Gabriel Blvd Intersection Improvements at Broadway and at Las Tunas, San Gabriel	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1580	NY	Improvements to Erie Station Road, Town of Henrietta, Monroe County	\$1,000,000
1581	IA	Sioux City, Iowa Hoeven Corridor—Outer Drive Project	\$2,000,000
1582	KY	Study & rehabilitate the I-471 corridor, Campbell County, Kentucky	\$2,000,000
1583	WA	Improve NE 10th Avenue in Vancouver	\$1,000,000
1584	NY	Construction and rehabilitation of North and South Delaware Avenues in the Village of Lindenhurst, NY	\$870,000
1585	NY	Study on extending Rt. 5 to Auburn	\$150,000
1586	AL	Expand US-84 from Andalusia, AL to Enterprise, AL	\$3,000,000
1587	NJ	Susse County, NJ Safety and Operational Improvements on Route 23 in Hardyston Township and Franklin Borough	\$4,300,000
1588	PA	State Street and Mulberry Street Bridge Lighting project, Harrisburg	\$4,000,000
1589	AS	To upgrade, repair and continue construction of Ta'u harbor/ferry terminal facility on Manu'a island	\$1,600,000
1590	CA	Interstate 15 and State Route 79 South Freeway Interchange and Ramp Improvement Project	\$2,000,000
1591	OH	Road Improvements, streetscapes, and pedestrian safety additions in Ashtabula Harbor ..	\$1,000,000
1592	NY	Town of East Fishkill improvements to Robinson La & Lake Walton Road at NYS Route 376	\$500,000
1593	WI	Construct a bicycle/pedestrian path, Wisconsin Dells	\$2,000,000
1594	NY	Construct improvements in Sight Distance at Road Grade and Trail Crossings in Oneida and Herkimer Counties	\$200,000
1595	NY	Repair Silver Mine Bridge in the Town of Lewisboro	\$150,000
1596	IL	River walk Reconstruction, City of Chicago	\$600,000
1597	AR	Rogers, Arkansas—Construct new interchange on I-540 near the existing Perry Road overpass	\$4,400,000
1598	IN	Design and construct Indiana Ohio River Bridges Project on I-65 and 265	\$20,000,000
1599	RI	Transportation Enhancements at Blackstone Valley Heritage Corridor	\$500,000
1600	TX	Reconstruction of US 79 from FM 1460 to Williamson County Road 195	\$2,000,000
1601	CA	Transportation enhancements to Children's Museum of Los Angeles	\$1,200,000
1602	IN	Construct Shelby County Indiana Shelbyville Parkway	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1603	NY	Reconstruct the Niagara Street culvert/bridge which crosses over Two Mile Creek, City of Tonawanda	\$400,000
1604	MA	Reconstruction of Main Street and Lebanon Street in Melrose	\$700,000
1605	OH	Construct the existing IR 70 interchange at US 40, SR 331 west of St. Clairsville	\$11,550,000
1606	GA	Install traffic lights and pedestrian walkways on Highway 441 at MLK, Jr. Boulevard, Dublin	\$500,000
1607	OH	Pike County, OH Fog Road Upgrade	\$1,200,000
1608	CA	Project design, environmental assessment, and roadway construction of Lonestar Road from Alta Road to Enrico Fermi Drive San Diego County	\$500,000
1609	CA	Project Study Reports for I-105 and I-405 Interchanges at Los Angeles International Airport	\$400,000
1610	CA	Reconstruct Whittier Blvd. and improve parkway drainage from Philadelphia Av. to Five Points in Whittier	\$1,700,000
1611	NY	Rockland County Railroad Grade Crossings Safety Study	\$1,400,000
1612	TX	San Angelo Ports-to-Plains Route Loop 306 at F.M. 388	\$1,500,000
1613	MN	City of Hutchinson School Road Underpass of TH7 and TH22 Improvements	\$1,000,000
1614	TN	construct and widen SR-33 in Monroe County, TN	\$5,000,000
1615	PA	Construct the realignment of Cool Creek Road in York County, PA	\$1,000,000
1616	NJ	Construct Waterfront Walkway from North Sinatra Drive and 12th St. south to Sinatra Drive in Hoboken	\$2,000,000
1617	TX	Add shoulders to FM 156 from Ponder, Texas to Krum, Texas	\$2,000,000
1618	NJ	Bridge replacement on Section 6V of Route 1 from Ryders Lane to Milltown Road, North Brunswick	\$2,000,000
1619	MN	Construct Two Harbors High School Trail connecting Two Harbors High School to Two Harbors City	\$891,600
1620	SC	Construct I-85 Brockman-McClimon Interchange between Greenville Spartanburg Airport and SC Highway 101 interchanges	\$1,000,000
1621	IA	Fort Madison, IA Construction of US 61 bypass around Fort Madison to create a safer and faster route	\$3,400,000
1622	PA	Germantown Avenue Revitalization with Mt. Airy USA for landscaping, scenic enhancements and pedestrian safety improvements along the heavily traveled thoroughfare	\$2,320,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1623	NM	I-10 Reconstruction, Las Cruces to Texas State Line	\$3,000,000
1624	TX	IH 820 Widening Project	\$2,000,000
1625	IL	For Naperville Township to fund improvements to Diehl Road between Eola Road and Route 59	\$800,000
1626	KS	Remove and Replace Topeka Blvd. Bridge over the Kansas River	\$7,000,000
1627	VA	Clifton, VA Main Street parking and sidewalk improvements	\$250,000
1628	SC	Replace Milford Road Bridge, Anderson, SC	\$500,000
1629	LA	Improvements to Essen Lane at I-12; and to Perkins Rd.; and to Central Thruway; and to O'Neal Lane; and to Burbank Dr.; and to Essen Park Extension; and for LA408 study	\$30,000,000
1630	GA	Streetscape project for lighting and landscaping on Main Street along Georgia Highway 231, Davisboro	\$300,000
1631	IA	City of Council Bluffs and Pottawattamie county East Beltway Roadway and Connectors Project	\$1,500,000
1632	OR	U.S. 199/Laurel Road Intersection	\$2,880,000
1633	CA	Conduct project report study on Old River School Rd—Firestone Blvd intersection re-configuration	\$500,000
1634	FL	Conduct study for Port of Miami Tunnel, Miami, FL	\$2,000,000
1635	NY	Ithaca, Design and construct pedestrian and bicycle path (Cayuga Waterfront Trail)	\$1,200,000
1636	NC	Rails to Trails Project, Elizabeth City	\$640,000
1637	IL	Reconstruct Lakeshore Drive overpass over Lawrence Avenue	\$1,500,000
1638	SC	Replace Murphy Road West Bridge, Anderson, SC	\$235,000
1639	CA	Resurface and construct truck lane at CA Hwy 94 and Interstate 8 interchange, Boulevard ..	\$3,000,000
1640	CT	Undertake road improvements associated with Coltsville Area Redevelopment, Hartford	\$2,000,000
1641	AZ	Upgrade and Re-opening of Main Street in Yuma	\$1,200,000
1642	NJ	Pedestrian facilities, street lighting and streetscaping improvements in downtown Laurel Springs	\$596,324
1643	MS	Upgrade Blue Cane Road in Tallahatchie County, and roads in Webb and Tutwiler	\$750,000
1644	OH	Upgrade circuitry on vehicle protection device at Sheldon Road rail crossing in Berea	\$140,000
1645	NY	Design and construct Upper Delaware Scenic Byway Visitor Center, Cohecton	\$500,000
1646	NY	Construct sidewalks and curbing on Westchester Avenue in Village of Buchanan	\$275,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1647	NC	Downtown Redevelopment Project, City of Rocky Mount	\$6,336,000
1648	TX	Construction of divided four lane concrete arterial with drainage improvements—Sandy Lake Road: Denton Tap Rd to North Coppel Road	\$1,000,000
1649	IL	Preconstruction and Construction at IL 120 at Bacon Road and Cedar Lake Road	\$1,365,000
1650	GA	Revitalization project will extend and resurface the Roberta Walking Trail, Roberta	\$500,000
1651	KY	Construct Westbound Access to Mountain Parkway from Exit 18 (KY 1057), Powell County	\$2,900,000
1652	NC	Development of 2 miles of road parallel to I-95 located approximately between the I-95/NC-125 interchange and I-95/US-158 interchange	\$1,500,000
1653	CA	Engineering, right of way and construction of HOV lanes on I-580 in the Livermore Valley, California	\$5,000,000
1654	IL	Construct Streetscape Project, City of Markham	\$500,000
1655	CA	Landscape south side of the 91 fwy at Bellflower Blvd in Bellflower	\$250,000
1656	MA	Southwick and Westfield Rail Trail, Design & Construction	\$5,000,000
1657	VA	Upgrade DOT crossing #467665M to constant warning time devices	\$194,600
1658	TX	Reconstruct and add two lanes to US 287 from the Oklahoma State line to US 54 in Stratford	\$3,000,000
1659	WY	Casper West Belt Loop	\$2,000,000
1660	MN	Munger Trail extension, City of Duluth	\$3,200,000
1661	AK	Bogard/Sheldon Extension in Matanuska-Susitna Borough	\$4,000,000
1662	CA	City of Redondo Beach Esplanade Improvement Project	\$1,000,000
1663	MN	Kandiyohi and Meeker Counties Hwy 7 between TH 71 and TH 22	\$2,000,000
1664	NJ	Construction of Rowan Boulevard from US Route 322 to Main Street, Glassboro	\$600,000
1665	CA	Conduct Study of SR 130 Realignment Project, San Joaquin County & Santa Clara County, CA	\$2,000,000
1666	CA	Passons Grade Separation in the City of Pico Rivera	\$3,700,000
1667	MD	Construct South Shore Trail, Anne Arundel County, MD	\$1,000,000
1668	NJ	Realignment of the Routes35/36 intersection in Eatontown	\$2,000,000
1669	IN	Construct Hoosier Heartland Highway in Cass and Carroll County, Indiana	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1670	MI	Oscoda County, Reconstruction and surfacing of Valley Road from M-33 west to Mapes Road	\$960,000
1671	TX	Reconstruct Precinct Line Road 2-lane bridge as 4-lane bridge and widen Precinct Line Road to 4-lane roadway from SH 10 to Trammel Davis Rd	\$1,000,000
1672	CT	Reconstruct Waterfront Street Corridor, City of New Haven	\$1,500,000
1673	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Philadelphia, Tn	\$99,000
1674	TX	Reconstruct Mile 2 W from Mile 12 N to US 83, Hidalgo County	\$1,000,000
1675	NY	Reconstruction of West Neck Road from Huntington-Lloyd Harbor boundary to the end of the Village-maintained road	\$3,000,000
1676	GA	Rehabilitate sidewalks and replace street lights, Swainsboro	\$500,000
1677	SC	Replace Murphy Road East Bridge, Anderson, SC	\$265,000
1678	MO	Access improvements and safety and mobility upgrades along US 7 as part of the Highway 7 Corridor Development Plan in Blue Springs	\$5,000,000
1679	OH	Construct Stearns Road Grade Separation, Olmsted Township	\$3,750,000
1680	CA	Implement Grove Avenue Corridor Interstate 10 interchange improvements in Ontario	\$3,000,000
1681	MA	Construct & Replace West Corner Bridge & Culvert, Rte 228, spanning Weir River Estuary & Straits Pond Inlet	\$1,000,000
1682	OK	Complete Reconstruction of the I-35—SH 9 West Interchange	\$4,000,000
1683	NJ	Construct Rte 50 Tuckahoe River Bridge Replacement, Cape May and Atlantic Counties	\$4,000,000
1684	NY	Rt. 12 reconstruction- Town and Village of Greene	\$4,110,000
1685	MN	Becker County CR 143 and CR 124 Improvements	\$960,000
1686	NY	Construct and extend existing pedestrian streetscape areas in Valley Stream	\$1,350,000
1687	MI	Construct Interchange at I-675 and M-13 (Washington Avenue). Northbound Exit. Phase I of Construction. City of Saginaw	\$2,300,000
1688	OH	Construct Cleveland Towpath Trail. 6-mile extension towards downtown. Cleveland	\$5,000,000
1689	FL	Construct widening of US 17 to 4 lanes from San Mateo to Volusia County line, Putnam County, Florida	\$16,300,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1690	MD	Construct Phase 1 of the South Shore Trail in Anne Arundel County from Maryland Route 3 at Millersville Road to I-97 at Waterbury Road	\$1,000,000
1691	MI	Construction of 5 lane concrete pavement with curb, gutter and storm sewer on Van Dyke Ave. from 23 Mile Road to 26 Mile Road, Macomb Co	\$2,079,500
1692	FL	Design and construct replacement for A. Max Brewer Bridge, Titusville	\$10,000,000
1693	NY	Implement ITS system and apparatus to enhance citywide truck route system on Victory Blvd Between Travis Ave and West Shore Expressway Travis Section of SI	\$100,000
1694	MI	Purchase and implementation of various Intelligent Transportation System technologies in the Grand Rapids metro region	\$12,430,000
1695	WI	Recondition USH 45 between New London and Clintonville, Wisconsin (Waupaca County, Wisconsin)	\$2,000,000
1696	CA	Reconstruction of The Strand in the City of Manhattan Beach to improve beach access and accommodate increased pedestrian traffic	\$2,000,000
1697	CA	Construction of new roadway lighting on major transportation corridors in the Northeast San Fernando Valley	\$500,000
1698	MD	Rehabilitate Hanover Street Bridge in Baltimore	\$1,500,000
1699	NY	Rehabilitation of Hornbeck Road in the Town of Poughkeepsie	\$426,000
1700	CA	Rehabilitation of Tulare County Farm to Market road system	\$4,000,000
1701	GA	Riverside Drive Streetscape Project, Macon	\$500,000
1702	GA	South Lumpkin Road Trail-Columbus	\$500,000
1703	CA	Implement Northeast San Fernando Valley Road and Safety Improvements	\$200,000
1704	NY	Big Ridge Road : Spencerport Village Line to Gillet Road in the Town of Ogden	\$2,500,000
1705	TX	Build south bound ramp from east bound I-20 to Clark Road at the southern terminus of Spur 408. Duncanville, TX	\$5,000,000
1706	MS	Plan and construct intermodal connector linking I-20 to Hwy 49, Pearl-Richland	\$1,000,000
1707	TN	Reconstruct US 64 from west of Bolivar to the Lawrence County Line in Hardemant, McNairy, Hardin, Wayne Counties	\$5,225,000
1708	PA	Improve safety of Route 145 in Whitehall Township	\$2,225,000
1709	GA	Construct Stone Mountain-Lithonia road Bike Lane and Sidewalks, Dekalb County	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1710	OK	Texanna Road improvements around Lake Eufaula	\$1,000,000
1711	PR	To build an extension of PR-53 between Yabucoa and Maunabo	\$5,000,000
1712	IL	To construct a new intersection of a public road and US Route 50 and a new street	\$550,000
1713	NC	To plan, design, and construct the Northwest Corridor-Western Blvd. Project in Jacksonville, NC	\$2,000,000
1714	CT	Upgrade Mark Twain Drive, Hartford	\$2,000,000
1715	CO	CO I-70 East Multimodal Corridor (Highway Expansion), Denver	\$2,500,000
1716	MS	Upgrade roads in Indianola, Ruleville, Moorehead, Doddsville, Sunflower and Drew, Sunflower County	\$2,000,000
1717	MS	Upgrade roads in North Carrollton (U.S. Hwy 35 and 82) McCain Street, South Street, Love Street, and Colver Street, Carroll County	\$400,000
1718	NJ	Passaic-Bergen intermodal transportation deployment initiative	\$15,000,000
1719	IL	Upgrade roads, The Village of Maywood	\$1,000,000
1720	PA	Upgrade Route 30 Corridor and Airport Access	\$1,000,000
1721	GA	Upgrade sidewalks and lighting, Lyons	\$500,000
1722	CA	State Route 88—Pine Grove Corridor Improvement Project	\$500,000
1723	WA	Tacoma—Lincoln Avenue Grade Separation	\$1,000,000
1724	NY	Improve NY 112 from Old Town Road to NY 347	\$10,000,000
1725	NJ	Construct I-195 Noise Barrier, Hamilton Twp, Mercer County	\$2,500,000
1726	AR	Highway 77 Rail Grade Separation	\$1,000,000
1727	WA	Kent, WA Willis Street BNSF Railroad Grade Separation Project	\$500,000
1728	MI	Menominee, Ogden Street Bridge rehabilitation project—replacement of deck, expansion joints, sidewalks, railing and all other joints	\$200,000
1729	VA	Pochantas Trail—development and construction of trail from Bluestone Junction to Pochantas adjacent to abandoned rail line	\$500,000
1730	NY	Suffolk County ITS arterial monitoring and performance measures	\$1,500,000
1731	LA	Conduct study for Highway 25 in Washington Parish	\$500,000
1732	IL	Construction of the 43rd Street Bicycle Pedestrian Bridge over Lake Shore Drive, City of Chicago	\$600,000
1733	NY	To design and reconstruct Nassau Avenue, improve sidewalks and include pedestrian amenities in Greenpoint, Brooklyn	\$2,400,000
1734	OH	Upgrade the I-480 and Tiedman Road interchange, Brooklyn	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1735	NJ	Interchange improvements and bridge replacement, Route 46, Passaic County	\$5,000,000
1736	PR	Construction of community bridge at Los López Sector, Quebrada Arenas Community	\$500,000
1737	IA	Construction of a Four Lane U.S. Highway 20 between Moville in Woodbury County, through Ida County and Sac County to U.S. 71 at Early, IA	\$10,000,000
1738	AZ	Paving of Navajo Route 9010-off of I-40 at Houck, AZ (Exit 348) to Pine Springs Day School	\$3,500,000
1739	OH	Red Bank Road Improvements from I-71 to Fair Lane in Eastern Hamilton County, Ohio	\$3,900,000
1740	CA	Construct earthen berm along Esperanza Road from Yorba Linda Blvd. to the west city limits to mitigate noise	\$2,000,000
1741	TX	US 90—Construct 6 mainlines from east of Mercury to east of Wallisville	\$2,000,000
1742	NY	Town of Chester Trout Brook road improvements and reconstruction	\$70,000
1743	OR	Upgrade the I-5 Fern Valley Interchange (Exit 24)	\$3,000,000
1744	CA	Construct I-80 Gilman Street interchange improvements in Berkeley	\$1,500,000
1745	NJ	Construct Vineland Boulevard and Sherman Avenue Intersection Improvements, Vineland, Cumberland County	\$1,750,000
1746	WA	Terry's Corner Park and Ride on Camano Island	\$1,400,000
1747	OR	Upgrade U.S. 101 and Utility Relocation, Gold Beach	\$200,000
1748	WI	Upgrade USH 41 from DePere to Suamico, Wisconsin (Brown County, Wisconsin)	\$2,500,000
1749	IL	Upgrade Veterans Drive in Pekin Illinois	\$1,000,000
1750	NY	Saugerties, Improve Tistle Road-Old Kings Highway intersection	\$500,000
1751	TX	Design and Construct the Cottonwood Trail pedestrian-bicycle connection	\$1,000,000
1752	NY	Rehabilitation of the Ashford Ave. bridge over I-87 in the Villages of Dobbs Ferry and Ardsley	\$2,600,000
1753	OH	Streetscape completion along US 40 in Bridgeport	\$100,000
1754	SD	Design and construct new Meridian Bridge across the Missouri River at Yankton	\$6,000,000
1755	MD	Upgrade MD 210 from MD 228 to I-495	\$5,000,000
1756	IL	For DuPage County to construct certain segments of Southern DuPage County Regional Trail	\$100,000
1757	IA	US 20 relocated, Webster, Sac and Calhoun Counties, Iowa	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1758	NJ	Construction of new access roads along Route 42/Blackhorse Pike in Washington Township	\$1,000,000
1759	CA	Highways 152-156 Intersection improvements, CA	\$1,000,000
1760	AK	Coffman Cove IFA ferry terminal or IFA vessel debt repayment for MV Prince of Wales Ferry	\$3,200,000
1761	MA	Acquisition, engineering design, and construction of the Assabet River Rail Trail, Acton, Hudson, Maynard, and Stow	\$2,000,000
1762	MI	Conduct Feasibility Study to Extend I-475 to US 23 in Genesee County	\$800,000
1763	TX	Construct a reliever route on US 287 South of Dumas to US 287 North of Dumas	\$3,000,000
1764	TN	construct new exit on I-75 and connect US-11, US-411, and SR-30	\$4,500,000
1765	PA	Design, engineering, ROW acquisition & construction of street improvements, parking, safety enhancements & roadway redesign in Pittston	\$1,750,000
1766	TX	Dowlen Road Imprvements for Beaumont, Texas	\$3,456,000
1767	CA	Construct Hwy 101 bicycle-pedestrian project in Marin and Sonoma Counties from north of Atherton Ave to south of Petaluma River bridge	\$500,000
1768	TX	Construct raised median from Loop 224 to Sradley St. in Nacogdoches, TX	\$3,350,000
1769	OH	Construction of bicycle trail extension in Geauga Park District in Chardon, OH	\$500,000
1770	CA	Extension of a regional Class I bikeway from the West City limits to the East City limits along leased railroad right-of-away	\$400,000
1771	AR	For rail grade separations identified by the MPO for the Little Rock/North Little Rock metropolitan area, (which may include: Edison Ave.; Springer Blvd; Hwy 89 Extension; McCain/Fairfax; Salem Road; J.P. Wright Loop; South Loop; Geyer Springs Rd)	\$10,000,000
1772	NY	Court Street & Smith Street Shopping District Enhancements	\$800,000
1773	MA	Hampshire County Bike Paths, Design & Construction	\$5,500,000
1774	NV	Construct I-15 Starr Interchange	\$10,000,000
1775	CA	Construct full-access interchange at SR 120—McKinley Avenue, with the necessary SR120 auxiliary lanes, Manteca, CA	\$4,000,000
1776	CA	Install emergency vehicle preemption equipment along major arterials in the I-880 corridor, Alameda County	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1777	OH	Construct a proposed relocation of US 22 and SR 93 from the current IR 70, US 40 west of Zanesville	\$10,000,000
1778	CA	Conduct Study and Construct I 205 Chrisman Road Interchange Project, Tracy, CA	\$1,000,000
1779	IL	Construction of part of a 230 mile corridor U.S. 67 near Jerseyville and Carrolton, Illinois	\$1,700,000
1780	CA	Construction of Campus Parkway from State Route 99 to Yosemite Ave., Merced County ..	\$500,000
1781	MI	Construction of Superior Road Roundabout, Superior Township	\$750,000
1782	OR	Construction and preliminary engineering of a railroad crossing at the intersection of Havlik Road and Hwy 30, Scappoose	\$200,000
1783	FL	Clark Road Clover Leaf at I95, Jacksonville ...	\$5,500,000
1784	PA	Construct and widen PA 94 from the Adams and York County line north to Appler Road	\$1,500,000
1785	IL	For the reconstruction and realignment of 2 miles of Evergreen Ave. located west of the City of Effingham	\$2,000,000
1786	IN	Improve State Road 332 and Nebo Road Intersection in Delaware County, Indiana	\$3,000,000
1787	AL	Birmingham Northern Beltline	\$10,000,000
1788	WI	Construct Lake Butte des Morts Bridge, US Highway 41, Winnebago County, Wisconsin	\$25,600,000
1789	MA	North Worcester County Bike Paths, Design & Construction	\$5,000,000
1790	TX	Old Reliance Road Overpass at SH 6 (Earl Rudder Freeway)—widening project in Brazos Co	\$2,500,000
1791	IA	Phase III of Main St project, Amana	\$1,000,000
1792	MN	Re-align Vadnais Boulevard at interchange of I-694/Highway 49, Ramsey County	\$1,000,000
1793	CA	Reconfigure intersection at Highways 152 and 156 in Santa Clara County	\$13,900,000
1794	KY	Construct Georgetown Northwest Bypass from US 460 West to I-75 North, Scott County ...	\$3,000,000
1795	AZ	Grand Canyon Greenway Trails	\$3,000,000
1796	NY	Remediate road runoff in vicinity of Peconic Estuary watershed	\$1,000,000
1797	MS	Construct I-55 Interchange at Madison-Ridgeland, Madison County	\$5,000,000
1798	OH	Construction of road improvements from Richmond Road to new Cuyahoga Community College in Warrensville Heights, OH	\$150,000
1799	MI	Construction of the I-696 and Northwestern Highway Interchange Freeway Ramps at Franklin Road in Southfield	\$2,000,000
1800	OH	Construct access improvements to I-680 and internal roadways for Corridor of Opportunity, Mahoning Co	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1801	NY	Mount Vernon Railroad Cut	\$2,250,000
1802	TX	Reconstruct and add two lanes to IH 27 from Western Street in Amarillo to Loop 335	\$3,000,000
1803	CO	SH 83-SH 88 Interchange Reconstruction— Arapahoe County, CO	\$4,000,000
1804	NY	Town of Pawling Old Rt 55	\$500,000
1805	IL	Upgrade Curtis Road in conjunction with state plan for I-57 interchange; from Duncan Rd to 1st Street in Champaign	\$7,000,000
1806	MO	Upgrade Rt. 249 [Range Line] from Rt. 171 to I-44	\$10,000,000
1807	VA	Bland County Trails and Visitor Center—es- tablishment of multi-use trail network, asso- ciated facilities and begin work on visitors center	\$1,000,000
1808	NH	Upgrade Sewalls Falls Road bridge over Merrimack River in Concord	\$1,000,000
1809	IL	Perform Old Orchard Road Expansion and im- provement project between harms road and US 41, Cook County	\$1,000,000
1810	MN	Design engineering and ROW acquisition to re- construct TH 95 bridge, North Branch	\$7,120,745
1811	NY	Tappan Zee Bridge to I 287 Transportation Corridor	\$1,000,000
1812	CA	Upgrade and reconstruct the I-80/I-680/SR12 Interchange, Solano County	\$21,850,000
1813	MD	US 219 Oakland Bypass	\$1,000,000
1814	NC	US 221 widening from US 421 to Jefferson, NC	\$2,000,000
1815	IL	Complete 80,000 lb truck route between CH 2 (Burma Rd) and IL Rte 130 in Cumberland County	\$3,000,000
1816	CA	Improvement of intersection at Burbank Blvd. and Hayvenhurst Ave	\$400,000
1817	OH	Construct pedestrain bridge over I77; tunnel underneath railroad; bridge over Tuscarawas River along OH and Erie Canal in Tuscarawas County	\$2,000,000
1818	MN	Lake Street Access to I-35W, Minneapolis	\$6,000,000
1819	WI	Upgrade USH 2 in Ashland County	\$4,000,000
1820	OR	Construct an urban arterial street between NE Weidler and NE Washington on NE 102nd, Portland	\$4,700,000
1821	CA	Construct an Interchange on Highway 70 at Georgia Pacific Road in Oroville	\$2,535,000
1822	AZ	Construct or Modify Railroad Grade Separations on 6th St. and 22nd St. and Recon- struct Speedway Blvd. Underpass in Tucson	\$13,300,000
1823	FL	Construct North Ormond Beach Business Park Interchange at I-95 between U.S. 1 and SR 40, Volusia County	\$1,100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1824	MN	Environmental review for improvement along the entire US 10 corridor	\$1,300,000
1825	NY	Construct visitor center, access road, and parking at Sam's Point Preserve, Ellenville	\$750,000
1826	OH	Installation of road improvements on Old State Road-SR 608 in Middlefield, OH	\$100,000
1827	WA	To replace BNSF trestle, Sammamish River bridge and reconstruct SR 202/127th Pl NE and SR 202/180th Ave NE intersections	\$2,000,000
1828	PA	Completion of beltway interchanges along Business Route 60 in Moon Township, Allegheny County	\$1,000,000
1829	TX	US 290 Improvements in Austin, TX	\$3,000,000
1830	CA	City of Madera, CA Improve SR 99—SR 145 Interchange	\$3,000,000
1831	AL	Construct a new interchange on I-65 at Cullman, AL County Road 222	\$1,000,000
1832	VA	Improve transportation projects for Jamestown 2007	\$4,250,000
1833	MI	Design and construction of West Michigan Regional Trail Network connector to link two trail systems together and to Grand Rapids	\$3,000,000
1834	TN	Plan and construct a bicycle and pedestrian trail including enhancements, Murfreesboro ..	\$9,000,000
1835	AZ	Replacement of Safford Bridge which crosses the Gila River directly north of Safford, AZ on North 8th Avenue	\$7,000,000
1836	TX	Design & construct streetscape improvements to Old Spanish Trail—SH 288 to Griggs, Griggs to Mykawa	\$1,000,000
1837	TN	For each rail-highway crossing: Improve circuitry on vehicle protection device installed at crossing in Knoxville, TN	\$57,000
1838	OH	Reconstruct Broadway Ave in Lorain	\$750,000
1839	OH	Road Widening and related improvements to SR 82 in Macedonia OH	\$3,410,000
1840	MN	Reconstruct CSAH 4 and CSAH 5 (Forest Highway 11) between CSAH 15 and TH 61, Silver Bay	\$1,740,000
1841	CA	Ramona Avenue Grade Separation, Montclair, California	\$2,000,000
1842	MN	Roadway improvements, City of Federal Dam ..	\$1,000,000
1843	VA	Rocky Knob Heritage Center—planning, design, site acquisition and construction for trail system and visitors center on Blue Ridge Parkway	\$1,500,000
1844	FL	Design and construct capacity and safety improvements for State Road 426-County Road 419 in Oviedo from Pine St to west of Lockwood Blvd	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1845	FL	Coordinated Regional Transportation Study of US 98 from Pensacola Bay Bridge, Escambia County to Hathaway Bridge, Bay County, Florida	\$1,500,000
1846	PA	Paving and reconstruction in the townships: North and South Eldorado, North Altoona, Fairview, Juniata, East End, Pleasant Valley, South Tracks, Lyswen-Altoona, PA	\$2,000,000
1847	AK	Ferry infrastructure at Seward Marine Center	\$3,000,000
1848	AZ	Realign Davis Road from State Route 80 to State Route 191	\$3,300,000
1849	PA	Reesdale Street roadway reconfiguration to allow HOV access to new parking facility	\$1,000,000
1850	WA	SR 538 (College Way) and North 26th St. Signal in Mount Vernon	\$175,000
1851	TX	Acquisition of right of way and environmental preservation from I-45 to U.S. 59 for Grand Parkway	\$14,000,000
1852	ID	Reconstruct Grangemont Road (Idaho Forest Highway 67) from Orofino to Milepost 9.3 ...	\$2,000,000
1853	VA	Expansion of South Airport Connector Road (Clarkson Road to Charles City)	\$7,800,000
1854	NY	Design and Construction of bicycle and pedestrian facilities in the area of the Roosevelt Avenue Bridge	\$480,000
1855	NC	Construct Endor Iron Furnace Greenway enhancements from Deep River to Sanford	\$1,000,000
1856	CO	Improve and widen State Highway 44 from Colorado Boulevard to State Highway 2	\$4,000,000
1857	FL	Fund improvement of US 301 corridor in Sumter and Marion Counties	\$2,000,000
1858	TN	complete construction and landscaping of visitor center on Cherohala Skyway in Monroe County, TN	\$100,000
1859	OR	Construction of the East Burnside Street improvements, Portland	\$5,700,000
1860	AL	Expand to 4 lanes US Highway 278 from Sulligent to Guin	\$1,000,000
1861	IL	Francis Cabrini/W. Green Homes CHA Street Construction, City of Chicago	\$600,000
1862	NY	Plan and construct greenway, bicycle path, esplanades and ferry landing along New York Bay in Sunset Park, Brooklyn	\$10,000,000
1863	PA	Construct Dubois Regional Medical Center Access Road	\$600,000
1864	NY	To design and construct safe route to school projects in Brooklyn, Queens and Manhattan, NY	\$2,100,000
1865	PA	US 30 corridor improvements from PA 896 to PA 897. Connects PA 41	\$3,250,000
1866	MD	US 40 Alternate, Middletown Bypass	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1867	CA	Construction of a smart crosswalk system at the intersection of Topanga Canyon Blvd. and Gault St	\$50,000
1868	WI	Expand USH 51 & STH 29 in Marathon County	\$8,000,000
1869	PA	Construct 2 flyover ramps and S Linden St ext for access to industrial sites in the cities of McKeesport and Duquesne	\$7,000,000
1870	NY	Improvements and upgrades on Main Street, Beekman, NY	\$200,000
1871	NY	Construct pedestrian walkway along Route 9A in Hudson River Park, New York City	\$7,000,000
1872	IN	Design engineering, right-of-way acquisition, and construction for the Grant County Economic Corridor	\$2,000,000
1873	MN	City of Marshall TH 23 4-Lane Extension	\$3,288,000
1874	IL	Henry Horner Homes CHA Street Construction, City of Chicago	\$1,000,000
1875	TN	Improve circuitry on vehicle protection device installed at highway-RR crossing in Knoxville, TN	\$158,000
1876	NJ	Construct Intersection at Route 46 and Little Ferry Circle in Little Ferry	\$1,500,000
1877	AR	Improve State Highway 88 (Higdon Ferry Road) in Hot Springs	\$4,000,000
1878	MD	Improve US 1, Washington Boulevard Corridor in Howard County	\$1,000,000
1879	NY	Downtown Flushing Traffic and Pedestrian Improvements	\$1,000,000
1880	FL	Arlington Expressway Access Rd., Jacksonville	\$1,500,000
1881	CO	Construct arterial on W side of Montrose to ease traffic congestion on SH 550 between Grand Avenue, N/S of city	\$7,500,000
1882	CO	North I-25: Denver to Fort Collins Colorado ...	\$8,000,000
1883	CA	Planning for Orange Line Mag Lev from downtown Los Angeles to central Orange County	\$350,000
1884	NJ	Rahway Streetscape Replacement Project	\$500,000
1885	CT	Reconstruct I-95/I-91 interchange and construct pedestrian walkway, New Haven	\$2,000,000
1886	VA	Blue Ridge Music Center—install lighting/steps, upgrade existing trail system and equip interpretative center with visitor information	\$1,500,000
1887	VA	Ceres Recreation Trail and Center—design and construct pedestrian/bicycle trail in community of Ceres and establish trail center	\$150,000
1888	ME	Construction of trails within the Eastern Trail Management District	\$1,000,000
1889	GA	I-75 interchanges from north of Tifton to Turner County line	\$1,000,000
1890	GA	City of Savannah, Construct bike and pedestrian paths along Heritage Rail	\$200,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1891	FL	Implementation of the Advanced Traffic Management System, Boca Raton, FL	\$2,000,000
1892	TX	Construct reliever route on US 287 South of Stratford to US 287 North of Stratford	\$4,000,000
1893	WI	Construct USH 151 between CTH D and STH 175, Fond du Lac County, WI	\$3,000,000
1894	OH	Construct transportation enhancement projects, Toledo	\$10,500,000
1895	TX	Construct grade separation at US 59 and SH 99. Replace the proposed interim cloverleaf ramps at the intersection	\$5,000,000
1896	MS	Gateways Transportation Enhancement Project, Hancock County	\$250,000
1897	NY	Install Improvements for Pedestrian Safety including in the vicinity of IS X194	\$250,000
1898	OK	Improvements to SH 412P at 412 Interchange	\$4,500,000
1899	FL	Acquire right-of-way and construct East-West Connector from SR 37 to SR 563 in Lakeland, FL	\$5,000,000
1900	WA	Design Valley Mall Blvd for Main St to I-82 and two I-82 interchanges at Mileposts 36 and 38 in Union Gap, WA	\$6,400,000
1901	WA	Extension of Waaga Way west to Old Frontier Rd and construction of a ramp from SR 3 to SR 303	\$500,000
1902	ME	Plan and construct highway access between US Route 161 and US Route 1 in Madawaska ...	\$1,000,000
1903	CA	Randolph St improvements between Wilmington Ave and Fishburn Ave in Huntington Park	\$1,200,000
1904	CA	Reconstruct Azusa Ave and San Gabriel Ave for two-way traffic in Azusa	\$2,500,000
1905	KS	Construction of a 1.5 mile alternate truck route in Downs, Kansas	\$500,000
1906	AL	Pedestrian Improvements for Columbiana, AL	\$100,000
1907	MN	Reconstruct CSAH 91 from the D.M. and I.R. Railroad crossing at 8th Street in Duluth to CSAH 56, St Louis County	\$5,000,000
1908	NY	Construct Wayne County, NY rails to trails initiative	\$345,000
1909	MA	Design and construct signal crossing and other safety improvements to Bicycle/ Pedestrian Path	\$750,000
1910	MI	Construction of Nonmotorized Pathway, City of Rockwood	\$300,000
1911	WA	Purchase of scenic easement at I-90 and Highway 18	\$600,000
1912	PA	Reconstruct the SR 33, 512 interchange in the Borough of Wind Gap	\$2,500,000
1913	NY	Access improvements for terminal located on 12th Ave between W. 44th and W. 54th St in Manhattan	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1914	IL	Completion of the Grand Illinois Trail, Cook County	\$1,292,500
1915	CA	Construct and improve medians and drainage on Imperial Highway from west border to east border of city in La Mirada	\$1,700,000
1916	CT	Construct Pomfret Pedestrian Bridge	\$120,000
1917	NV	Construct Laughlin Bullhead City Bridge	\$2,000,000
1918	PA	Design, engineering, ROW acquisition, & construction of the widening of Pennsylvania Rt. 443 Corridor in Carbon County	\$1,000,000
1919	NY	Palisades Interstate Parkway Mitigation Measures for New Square	\$600,000
1920	CA	Reconstruct and widen Del Amo Blvd to four lanes between Normandie Ave and New Hampshire Ave, Los Angeles County	\$3,000,000
1921	MN	Reconstruct Unorganized Township Road 488 from CSAH 138, Koochiching County	\$1,025,000
1922	NY	Reconstruction of Empire Boulevard	\$6,400,000
1923	PA	Reconstruction of PA 309 from Greenwood Avenue to Welsh Road	\$2,500,000
1924	TN	Construction of I-69 in Obion, Dyer, Lauderdale & Tipton Counties	\$14,125,000
1925	IL	Design, land acquisition, and construction of South Main St (IL 2) Corridor from Beltline Rd to Cedar Street in Rockford, IL	\$2,000,000
1926	OH	Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rick-enbacker Airport	\$15,000,000
1927	MA	Reconstruction of Pleasant Street, Watertown	\$2,000,000
1928	MN	Lake Wobegon Trail corridor from Sauk Centre to the Stearns County line	\$352,000
1929	RI	Replace Sakonnet Bridge	\$2,000,000
1930	CA	Conduct study and construct CA State Route 239 from State Route 4 in Brentwood area to I-205 in Tracy area	\$5,000,000
1931	MA	Geometric improvements, safety enhancements and signal upgrades at Rt. 28 & Rt.106, intersection West Bridgewater	\$1,500,000
1932	WA	Fife—Widen 70th Ave. East and Valley Ave. East	\$1,000,000
1933	CA	Construct two right hand turn for Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles	\$400,000
1934	WA	I-90 Two-Way Transit-HOV Project	\$4,000,000
1935	AL	Construct Talladega Mountains Natural Resource Center -an educational center and hub for hikers, bicyclists, and automobiles	\$1,000,000
1936	MD	Gaithersburg, MD Extension of Teachers Way—Olde Towne Gaithersburg Revitalization	\$1,400,000
1937	IL	Intersection Reconstruction and Bridge Rehabilitation at IL 60 and Peterson Road	\$2,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1938	AK	Planning, design, and EIS of Bradfield Canal Road	\$7,000,000
1939	TX	Reconstruct Clinton Dr. from Federal Rd. to N. Wayside Dr	\$14,000,000
1940	GA	Pave portions of CR 345, CR 44, and CR 45, Hancock County	\$370,000
1941	NY	Deer Avoidance System, to deter deer from milepost marker 494.5, Ripley, PA, to 304.2., Weedsport, NY along I-90	\$250,000
1942	CA	El Camino Real Grand Blvd Initiative in San Mateo County	\$3,500,000
1943	CA	Construct Guadalupe River Trail from I-880 to Highway 237 in Santa Clara County	\$8,000,000
1944	TN	Cocke County, Tennessee SR-32 reconstruction	\$1,000,000
1945	IL	Construct I-80, Ridgeland Ave. Improvements, Tinley Park	\$1,000,000
1946	KY	Construct Pedestrian Mall and Streetscape Improvements on Lexington, College, Walnut and Gilespe Sts, Wilmore	\$3,905,000
1947	PA	PA 23 corridor improvements from US 30 to US 322	\$3,000,000
1948	NJ	Replacement and realignment of Amwell Road Bridge over Neshanic River	\$1,055,000
1949	FL	City of Wilton Manors Powerline Road Streetscape Enhancement Project	\$375,000
1950	TX	Construct SH 199 (Henderson St.) through the Trinity Uptown Project between the West Fork and Clear Fork of the Trinity River in Fort Worth	\$8,000,000
1951	IN	Construction of multi-use paths, Town of Fishers, Indiana	\$250,000
1952	OH	Construct White Pond Dr. project in Akron	\$1,000,000
1953	MN	Design and right of way acquisition for I-35E-CSAH 14 Main Street Interchange, city of Lino Lakes, Minnesota	\$1,000,000
1954	OR	Expand storage facilities in Eugene to support transportation enhancement activities throughout the state	\$2,500,000
1955	CA	Improvements to US-101 ramps between Winnetka Ave. and Van Nuys Blvd	\$400,000
1956	IN	Acquire right of way for and construct University Parkway from Upper Mt. Vernon Road to SR 66	\$3,000,000
1957	CA	Pine Avenue extension from Route 71 to Euclid Avenue in the City of Chino, California	\$8,500,000
1958	MO	Confluence Greenway Land Acquisition for Riverfront Trail development in St. Louis	\$700,000
1959	TN	Retrofit noise abatement walls in Davidson County	\$2,500,000
1960	MA	Road Improvements between Museum Road & Forsyth Way	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1961	MI	Commerce, Haggerty Road from 14 Mile to Richardson	\$1,500,000
1962	WI	Expand STH 23, County Highway OJ to US Highway 41, WI	\$15,000,000
1963	FL	Construct interchange at I-95 and Matanzas Woods Parkway, Flagler County	\$1,000,000
1964	IL	Miller Road Widening and Improvement, McHenry	\$7,955,000
1965	NC	Construct Neuse River Trail in Johnston County	\$2,000,000
1966	TX	Construct landscaping and other pedestrian amenities in segments of the Old Spanish Trail and Griggs Road rights-of-way	\$2,000,000
1967	NY	Construction of and improvements to Union Road and Walden Avenue in Cheektowaga ...	\$1,000,000
1968	LA	Construction of West Covington Bypass-LA 21 Widening	\$4,000,000
1969	MS	Construct Byrd Parkway Extension, Petal	\$1,500,000
1970	NY	Intermodal transportation improvements in Coney Island	\$4,000,000
1971	MN	Construct one mile of new roadway and a bridge crossing the DM&IR railroad tracks, and construct connector between CSAH 14 and CSAH 284, Proctor	\$3,280,000
1972	NH	Construct Park and Ride, Exit 5 on I-93—Londonderry, NH	\$2,000,000
1973	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Exeter Borough, Luzerne County	\$200,000
1974	PA	Extension of River Road in Reading, PA to provide access to major industrial and brownfields sites	\$1,500,000
1975	AK	Point MacKenzie in Matanuska-Susitna Borough plan and design road access	\$1,000,000
1976	TX	Repair 4.35 miles of Lake Ridge Parkway. Widen roadway along with 2 bridges from 4 lanes to 6 across Joe Poole Lake in Grand Prairie, TX	\$6,000,000
1977	IL	Robert Taylor Homes CHA Street Construction, City of Chicago	\$550,000
1978	OR	Rockwood Town Center for Stark Street from 190th to 197th for pedestrian, bicycle and transit facilities and safety mitigation	\$3,000,000
1979	PA	Route 89 Curve Realignment one mile north of Titusville on Route 89	\$300,000
1980	FL	Sand Lake Road Improvements between Presidents Drive and I-4	\$6,000,000
1981	MI	Sault Ste. Marie, Reconstruct East Spruce Street with drainage, curb, gutter, pavement, traffic control devices	\$950,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
1982	MI	Study and construct I-96/US31-Sternberg Road area improvements	\$6,000,000
1983	PA	Provide access to HOV ramp from Reedsdale Street with traffic signals, pavement markings, lane control and fast acting gates	\$2,000,000
1984	IL	The extension of MacArthur Blvd. from Wabash to Iron Bridge Road. Springfield	\$1,500,000
1985	IL	Construct Cedar Creek Linear Park Trail, Quincy	\$500,000
1986	IN	Conduct study for US 50 Corridor Improvements, Dearborn County Indiana	\$300,000
1987	IL	Design, land acquisition, and construct West State St (US Business 20) from Meridan Rd to Rockton Ave in Rockford, IL	\$2,000,000
1988	CA	The Foothill South Project, construct 16 miles of a six-lane limited access highway system ..	\$10,000,000
1989	MI	Construct Road Improvements to Miller Rd. from I-75 to Linden Rd. Flint Township	\$3,000,000
1990	CA	State Route 99 improvements at Sheldon Road	\$4,000,000
1991	KY	The Kentucky Multi-Highway Preservation Project	\$1,600,000
1992	NY	Town of Warwick, NY. Bridge replacement on Buttermilk Falls Rd	\$175,000
1993	TN	Improve existing two lane highway to a four lane facility along the US-412 Corridor west of Natchez Trace to US-43 at Mt. Pleasant	\$10,000,000
1994	NY	Town of Warwick, NY East Shore Road reconstruction	\$800,000
1995	FL	Traffic Reconfiguration of SR 934 and US 1 Route, Miami	\$1,000,000
1996	PA	For design, engineering, ROW acquisition, and construction of the third phase of the Marshalls Creek Bypass Project in Monroe County, Pennsylvania	\$300,000
1997	MI	Construct North Central Muskegon County Corridor Improvements at US31 and Russell Road	\$2,300,000
1998	OH	Reconstruct I-75/I-475 Interchange, Toledo	\$3,000,000
1999	NY	College Point 20th Avenue Streetscapes Improvements Project in Queens	\$700,000
2000	OH	Construct a 4 lane limited access road to link Newcomerstown and Cadiz	\$750,000
2001	CO	Construct trail to extend the Pequonnock Valley rail-trail through Trumbull and into Bridgeport, CT	\$500,000
2002	MS	Plan and Construct Star Landing Corridor from US 78 to US 61	\$2,000,000
2003	TX	I Road Between Nolana Loop and FM 495 in Hidalgo County	\$1,900,000
2004	NC	North Carolina. Add passing lanes and safety improvements to US Hwy. 64 in Transylvania County	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2005	TN	improve streetscape and pavement repair, Blount County, TN	\$300,000
2006	CT	Reconstruction of State Route 111 from Purdy Hill Road to Fan Hill Road, Monroe, CT	\$1,500,000
2007	IL	Resurface Trumbull Ave. and Homan Ave., Evergreen Park	\$400,000
2008	GA	HWY 78 Corridor Improvement Gwinnett County	\$500,000
2009	TX	Construct Southwest Bypass in Georgetown, Texas, between SH 29 and Ranch Road 2243	\$4,000,000
2010	MO	To improve U.S. 54 to a four lane highway from the Osage River to MO Route KK	\$1,000,000
2011	MS	Upgrade roads in Mayersville (U.S. Hwy 14 and 1), Issaquena County	\$200,000
2012	MA	Gainsborough St & St. Botolph St. Improvements	\$1,000,000
2013	IN	Construct US 31 Kokomo Corridor Project for Kokomo Howard County, Indiana	\$1,000,000
2014	OH	Construction of Tri-State Outer Belt in Lawrence County	\$2,000,000
2015	PA	Completion of I-79-Kirwin Heights Interchange and construction of retaining walls, bridge and new ramps	\$2,000,000
2016	OH	Construction of the Carroll Area Interchange in Fairfield County	\$4,500,000
2017	CA	Construct the Silicon Valley Transportation Incident Management Center in San Jose	\$8,000,000
2018	CA	Design and Construction Camino Tassajara Crown Canyon to East Town Project, Danville, CA	\$1,000,000
2019	NY	Traffic mitigation on Bridge Street and Maple Avenue, Florida, NY	\$150,000
2020	WI	North 28th Street Phase 2 roadway safety improvements from Weeks Avenue to Hill Avenue in Superior	\$1,280,000
2021	NC	Upgrade US 74 in Columbus County	\$7,000,000
2022	MS	Upgrade US 78 to Interstates Standards from the MS-TN state line to the MS-AL state line	\$6,000,000
2023	IN	Improve Bailie Street, Kentland	\$320,000
2024	CA	Realignment of La Brea Avenue to reduce congestion, City of Inglewood	\$3,640,000
2025	IL	Resurface Elston Avenue from Milwaukee to Pulaski, Chicago	\$2,000,000
2026	TN	Sullivan, Washington Counties, Tennessee SR-75 widening	\$2,000,000
2027	GA	US 17/SR 404 Spur, Back River bridge replacement, Savannah	\$4,000,000
2028	MS	US 98 access improvements & new I-59 interchange, Lamar County	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2029	VA	Construct South Airport Connector, Richmond International Airport	\$500,000
2030	NY	City of Peeskill, NY Street Resurfacing Program. Riverview Avenue	\$130,000
2031	GA	SR 400 at SR 120 Old Milton Parkway intersection improvement Fulton County Georgia	\$1,000,000
2032	MA	East Boston Haul Road Construction	\$6,000,000
2033	NY	Town of Goshen Orzeck Road reconstruction ...	\$400,000
2034	VA	Revitalize Main Street in Dumfries	\$725,000
2035	FL	Replace Platt Street Bridge	\$3,000,000
2036	FL	Access Rd. Streetscaping, Sanford Airport	\$500,000
2037	NY	Rockland County and City of Yonkers to Lower-Manhattan Ferry Boat project	\$1,000,000
2038	SC	Complete construction of Palmetto Parkway (I-520) Extension (Phase II) to I-20	\$7,000,000
2039	NM	US 62-180 Reconstruction, Texas State Line to Carlsbad	\$5,000,000
2040	IL	For US Rt 30 intersection signals, turn & deceleration lanes btwn Williams St & IL Rt 43 incl. 80th Ave, Wolf Rd, Lincoln Way HS & Locust St	\$7,000,000
2041	OH	Construct Orchard Lane to Factory Road Connector, Greene County	\$500,000
2042	TX	Construct a bridge impact protection system for TxDOT	\$500,000
2043	NC	Design and construction of the Airport Area Roadway Network, High Point, North Carolina	\$5,000,000
2044	VA	Repair Colorado Street bridge in Salem, Virginia	\$1,750,000
2045	CA	Project to evaluate air quality and congestion mitigation benefits of a Hybrid Utility Vehicle in Santa Barbara County	\$100,000
2046	PA	Mill Street improvements, Borough of Lansdale	\$900,000
2047	MN	Construction of County State Aid Highway 21, Scott County, MN	\$3,200,000
2048	PA	Safety improvement to Chesnuts Turn-SR 475, Fulton County, Pa	\$2,600,000
2049	TX	Two direct connectors in Houston, Texas between IH 10 and SH 99, The Grand Parkway	\$5,000,000
2050	MO	Upgrade of Rt. 71 from Pineville to Arkansas State Line	\$15,000,000
2051	CA	Improve interstates and roads part of the Inland Empire Goods Movement Gateway project in and around the former Norton Air Force Base	\$25,000,000
2052	IL	Preconstruction activities for Sangamon Valley Bicycle Trail (IL)	\$500,000
2053	MI	St. Clair County Parks is working with 13 local units to develop the 54-mile Bridge-to-Bay trail	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2054	NJ	New Jersey Underground Railroad for preservation, enhancement and promotion of sites in New Jersey	\$320,000
2055	CA	Construction of an interchange at Lammers Road and I-205, Tracy, CA	\$1,000,000
2056	MN	Right of way acquisition for St. Cloud Metro Area Project Development Studies	\$3,000,000
2057	NY	Improve CR 39 from NY 27 to NY 27A, Suffolk County	\$3,000,000
2058	PA	Street improvements, Borough of Ambler	\$650,000
2059	KY	Reconstruction of KY 61 from Greensburg in Green County to Columbia in Adair County	\$1,000,000
2060	TX	Construct Loop 12-IH 35E and SH 183 west extension to MacArthur, Irving, Texas	\$1,000,000
2061	NC	To plan, design, and construct the segment of Berkeley Blvd. from Royal Avenue to Hew Hope Rd (SR 1003) in Goldsboro, NC	\$1,000,000
2062	OH	Upgrade Manchester Rd. in Akron	\$4,000,000
2063	IL	St. Charles Road, The Village of Bellwood	\$1,000,000
2064	TN	Engineer,design & construction of connector rd from I-75 interchange across Enterprise South Industrial Park to Hwy 58 in Hamilton County	\$9,000,000
2065	TX	Construct 4 lane divided roadway along SH 71 from the Perdarnales River to Bee Creek	\$2,000,000
2066	CT	I-84 Danbury Exits 1-11 Upgrade Interchanges	\$3,400,000
2067	CA	Complete the engineering design and acquire the right-of-way needed for the Arch-Sperry project in San Joaquin County	\$5,000,000
2068	UT	Increase lane capacity on bridge over Virgin River on Washington Fields Road in Washington	\$3,000,000
2069	NY	Installation of Utica Traffic Signal System	\$3,000,000
2070	NC	To construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County, NC	\$4,000,000
2071	WA	US12 Burbank to Walla Walla: Construct new four lane highway for portion of US 12	\$4,300,000
2072	TX	Construct direct connectors on US 59 Intersection of US 59, Business 59 and US 77 (previously Loop 463)	\$4,000,000
2073	OH	Structural improvements to two bridges over the Zimber Ditch between 38th St. and Whipple Ave. in Canton, Ohio	\$500,000
2074	OK	US-281, Widen US-281 from the new US-281 Spur North to Geary Canadian County, OK	\$1,000,000
2075	MI	City of Negaunee, Croix Street reconstruction- Streetscape and resurfacing from US 41 to Maas Street	\$1,125,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2076	KS	Construct I-35 and Lone Elm Road interchange and widen I-35 from 151st St. to 159th St., Olathe	\$5,000,000
2077	MI	Integrated highway realignment and grade separations at Port Huron, MI to eliminate road blockages from NAFTA rail traffic	\$500,000
2078	OK	US-60, Widen US-60 between Bartlesville and Pawhuska, Osage County, OK	\$3,000,000
2079	WA	Construct an off-ramp from I-5 to the intersection of Alderwood Mall Blvd and Alderwood Mall Pkwy	\$500,000
2080	CA	Reduce congestion and boost economies through safer access to the coast by realigning Hwy 299 between Trinity and Shasta Counties	\$7,000,000
2081	IL	Pre-construction and construction activities on US 45/LaGrange Road from 131st Street to 179th Street	\$1,000,000
2082	AR	Van Buren, Arkansas—Widen and reconstruct Rena Road	\$3,000,000
2083	GA	Construction of infrastructure for inter-parcel access, median upgrades, lighting, and beautification along Highway 78 corridor	\$6,000,000
2084	CA	Construct Alviso Bay Trail from Gold Street in historic Alviso to San Tomas Aquino Creek in San Jose	\$1,000,000
2085	MS	Construct bicycle and trolley path, Hattiesburg	\$850,000
2086	WI	Construct a bike and pedestrian bridge across STH 100 at the 1800 block of S. 108th Street, West Allis	\$300,000
2087	IL	Increasing the height on the IL Rt. 82 Railroad Underpass in Geneseo, IL	\$3,000,000
2088	NC	US-70 Goldsboro Bypass	\$1,000,000
2089	CA	Vasco Road Safety Improvements, Contra Costa Transportation Authority and the County of Alameda Public Works, California	\$1,000,000
2090	NY	Downtown Flushing Multi-Modal Connection Project, Queens	\$1,100,000
2091	MD	Construct Safety and Operations Improvements at MLK Jr. Blvd. and W. Baltimore Street in Baltimore	\$2,500,000
2092	NY	Rehabilitate Riis Park Boardwalk	\$1,300,000
2093	TX	Construct 25 mile stretch of the 177-mile loop, between IH-45 south and SH-288	\$11,500,000
2094	UT	Construction of Midvalley Highway, Tooele County, Utah	\$1,000,000
2095	WA	Improve Willapa Hills bicycle and pedestrian trail between Chehalis and Pacific County	\$700,000
2096	PA	Design and construct interchange and related improvements at I 83 Exit 18	\$6,000,000
2097	VA	Northern Virginia Potomac Heritage National Scenic Trail	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2098	NC	Construct new traffic path to receive and dispatch trucks from US 74, US 76, US 421, and US 17S	\$3,000,000
2099	OK	Construction of Midwest City Pedestrian Walkway	\$1,000,000
2100	TX	Construct parallel bridge for SH 35 over Capano Bay	\$1,000,000
2101	GA	Construct access roads on Airport Loop road in Hapeville	\$2,000,000
2102	TN	Construct 2nd Creek Greenway, Knoxville, Tennessee	\$685,700
2103	NE	Design, right-of-way and construction for the Louisville Bypass, Nebraska	\$2,500,000
2104	HI	Construct Honoapiilani Highway Realignment	\$3,000,000
2105	TN	Hamblen County, Tennessee US 25E interchange improvements	\$1,000,000
2106	IL	Construction of a new bicycle-pedestrian bridge in Wayne, IL	\$1,200,000
2107	PA	David Lawrence Convention Center Phase IV-reconstruction of roadways assoc. with HQ hotel project	\$1,200,000
2108	CO	I-70 and SH 58 Interchange: Reconstruction of existing ramps, building of missing ramps and ROW acquisition	\$9,000,000
2109	OH	Reconstruct U.S. Route 6 (Lake Road). Rocky River	\$2,000,000
2110	WA	Construct .6 mile span over I-5 in Thurston County to connect Chehalis Western Trail ...	\$5,000,000
2111	IL	Extend Frank Scott Parkway East Road to Scott AFB, St. Clair County	\$2,800,000
2112	OH	Reconfigure I-480 and Transportation Blvd. Interchange, Garfield Heights	\$750,000
2113	NY	Rehabilitation of Route 100 from Virginia Road to Westchester Community College	\$1,100,000
2114	TN	Restoration of historic L&N Depot, McMinn County, Tennessee	\$20,000
2115	SD	Resurface 10 miles of US18 from Okreek to Carter on the Rosebud Indian Reservation ...	\$2,300,000
2116	CA	Route 198 Expansion, from SR 99 to SR 43 ...	\$3,000,000
2117	WA	SR 543 Interstate 5 to International Boundary Enhancement in Blaine	\$2,500,000
2118	MD	Rockville, MD Construction of Maryland Avenue and Market Street Intermodal Access Project	\$4,000,000
2119	MN	US Highway 212 expansion from Carver Cnty Rd 147 to Cologne and from Cologne to Norwood Young America	\$1,000,000
2120	VA	Vienna, VA Maple Avenue improvement project	\$1,650,000
2121	IL	Village of South Jacksonville—West Vandalia Road upgrades	\$952,572
2122	AS	Village road improvements for Launiusaelua and Ituaui counties in the Central district	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2123	AS	Village road improvements for Tualauta, Tualatai, Aitulagi, Fofu, and Alataua counties in the Western district	\$3,000,000
2124	FL	Destiny Rd Reconstruction, Eatonville	\$1,000,000
2125	KY	Construct New Technology Triangle Access Road, Campbell County, Kentucky	\$2,000,000
2126	NY	Town of Wawayanda reconstruction of McVeigh Road	\$500,000
2127	VA	Virginia Creeper Trail—Trail needs, including construction of restroom facilities at Watauga and Alvarado and parking expansion at Watauga	\$850,000
2128	CA	Construct grade separation on State College Blvd. at the Burlington Northern Santa Fe railroad, Fullerton	\$16,000,000
2129	MA	Warren Street—Blue Hill Avenue	\$3,000,000
2130	FL	Design and construct Dunn Avenue Extension, Volusia County	\$2,000,000
2131	CA	Construct operational and safety improvements to I-880 N at 29th Ave in Oakland	\$2,500,000
2132	WA	U.S. 395, North Spokane Corridor Improvements	\$5,800,000
2133	NY	Route 531 Expansion Spencerport-Brockport, 4-lane Highway is a project to extend Rt. 531	\$7,400,000
2134	OR	Columbia Intermodal Corridor for rail congestion relief, improved intersections and access to Interstate-5 for trucks, and grade-separate road from rail, Portland	\$12,000,000
2135	OH	Interchange and related road improvements to SR 44 in Painesville, OH	\$2,000,000
2136	GA	Greene County, Georgia conversion of I-20 and Carey Station Road overpass to full interchange	\$1,200,000
2137	IL	Pioneer Parkway upgrade in Peoria—Extension from Allen Road to Route 91	\$2,000,000
2138	MS	Construct historic bicycle path, Pascagoula	\$150,000
2139	PA	Crows Run Relocation from SR 65 to Freedom Crider Road	\$3,850,000
2140	OH	Replace the Edward N. Waldvogel Viaduct in Cincinnati	\$10,000,000
2141	NC	Construct I-540 from NC 55 South to NC 55 North	\$11,000,000
2142	NY	Roadway, streetscape, pedestrian, and parking improvements to the Buffalo Niagara Medical Campus, Buffalo	\$4,000,000
2143	VA	Upgrade DOT crossing #470515H to constant warning devices in Halifax	\$150,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2144	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Avoca Borough, Luzerne County	\$200,000
2145	WA	Bridge Modification and Interstate Highway Protection Project, Skagit River, in Skagit County	\$4,000,000
2146	TN	Construct welcome center, Macon County	\$200,000
2147	CA	Construction of new roadway lighting on major transportation corridors in the Northwest San Fernando Valley	\$1,000,000
2148	MO	Interchange design and construction for the Main Street Extension at I-55, Cape Girardeau County	\$1,000,000
2149	CA	Replace SR 22 interchanges, construct HOV lanes, and lengthen bridges in Garden Gove	\$6,000,000
2150	IL	Construct I 290, The Village of Oak Park	\$1,000,000
2151	RI	Rehabilitation of Bridge Number 550 In Pawtucket	\$5,500,000
2152	WA	Complete analysis, permitting and right of way procurement for I-5/SR 501 Interchange replacement in Ridgefield	\$600,000
2153	CA	Design and construct new interchange at Potrero Blvd and State Route 60 in Beaumont	\$2,000,000
2154	TN	construction of a pedestrian bridge in Alcoa, TN	\$1,000,000
2155	WV	Construct 4 lane improvements on U.S. Route 35 in Mason County	\$44,250,000
2156	OH	Construct Grade Separation at Front Street, Berea	\$500,000
2157	CA	Crenshaw Blvd. Rehabilitation, 182nd St. 190th St.; and Crenshaw Blvd. at 182nd St. Fwy on-off Ramp Capacity Enhancement, City of Torrance	\$800,000
2158	CA	Construct Interchange at Intersection of SR 44 and Stillwater Road	\$5,000,000
2159	MN	CSAH 61 improvements, City of Coleraine	\$490,000
2160	KY	Expansion to four lanes of Hwy 55 and Hwy 555 Heartland Parkway in Taylor County	\$10,000,000
2161	KS	Interchange improvement at K-7 and 55th St. in Johnson Co	\$5,000,000
2162	CA	Construct truck lane on Baughman Road from State Route 78/86 to Forrester Road, Westmorland	\$550,000
2163	AZ	Construct bridges at Aspen St., at Birch St., at Cherry St., at Bonito St., at Thorpe St	\$3,000,000
2164	CT	Construct Putnam curb cuts	\$50,000
2165	OH	Canton, OH Cleveland Ave. bridge replacement over the Nimishilen Creek	\$400,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2166	MN	Design and right of way acquisition for I-35 and CSAH 2 interchange in Forest Lake, MN	\$3,000,000
2167	PA	Complete the connection of the American Parkway between the east and west sides of the Lehigh River with bridge and interchanges ...	\$10,000,000
2168	PA	Design, engineering, ROW acquisition & construction of street improvements, parking & safety enhancements Main & Parsonage Streets in Pittston	\$250,000
2169	TX	Grade separation bridges at Wintergreen Rd. and Millers Ferry Rd. in Hutchins and Pleasant Run Rd. and Millers Ferry Rd. in Wilmer	\$8,200,000
2170	GA	I-20 HOV lanes from Evans Mill Road to Salem Road, Dekalb and Rockdale Counties	\$1,500,000
2171	NV	Improve Las Vegas Beltway-Airport Connector Interchange	\$4,000,000
2172	CA	Oregon-Page Mill expressway Improvements between US 101 and SR 82, Palo Alto	\$4,000,000
2173	MA	Design and construct the Quinebaug River Rail Trail Bikeway	\$1,000,000
2174	CA	Park Boulevard-Harbor Drive Rail Grade Separation, San Diego	\$1,000,000
2175	MN	Paul Bunyan Trail, Walker to Bemidji segment	\$700,000
2176	CA	Construct road surface improvements, and improve road safety from Brawley Water plant to HWY 86 to 9th Street to 18th Street, Brawley	\$1,400,000
2177	TX	Improvements to FM 1017 in Hebronville	\$500,000
2178	CA	Alameda Corridor East Gateway to America Trade Corridor Project, Highway-Railgrade separation along 35 mile corridor from Alameda Corridor (Hobart Junction) to Los Angeles/San Bernardino County Line	\$15,500,000
2179	GA	Phase III Streetscape-Columbus	\$1,000,000
2180	IL	Pre-construction and construction IL 15 over Wabash River at Mt. Carmel	\$6,960,000
2181	NY	Queens, Bronx, and Kings, and Richmond County Graffiti Elimination Program including Kings Highway from Ocean Parkway to McDonald Avenue	\$6,250,000
2182	IA	Improvements at the IA 146 and I 80 interchange, Grinnell	\$1,000,000
2183	TX	Construct Grade separation at US 277 in Eagle Pass	\$5,000,000
2184	LA	Plan, design, land acquisition, and construction for improved access to I-10 and US 61/River Road in St. John the Baptist and in Ascension Parish on the LA 22 Corridor	\$2,750,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2185	KS	Construction of a two-lane on a four-lane right of way bypass with controlled access on US-400 at Dodge City	\$12,800,000
2186	MN	Reconstruct CR 203 between US 10 and CSAH 1, Morrison County	\$336,000
2187	NY	Reconstruction of York Street Industrial Corridor Project, Auburn, NY	\$3,500,000
2188	NY	Construction of and improvements to Route 62 in the Village of Hamburg	\$1,000,000
2189	IN	Downtown road improvements, Indianapolis	\$22,500,000
2190	AL	Construct pedestrian urban-edge riverwalk in Montgomery, AL	\$1,500,000
2191	PA	Johnstown, Pennsylvania, West End bypass safety improvements	\$5,000,000
2192	CA	Construction of traffic and pedestrian safety improvements in Yucca Valley	\$2,000,000
2193	CA	710 Freeway Study to Evaluate Technical Feasibility and Impacts of a Tunnel Alternative to Close 710 Freeway Gap	\$3,000,000
2194	CA	Greenleaf Right of Way Community Enhancement Project-design and construct bikeways, pedestrian walkways and upgrade signalization Compton	\$4,000,000
2195	KY	Improve Prospect Street Pedestrian Access, Berea	\$2,750,000
2196	OH	Construct Crocker Stearns Connection, North Olmsted and Westlake	\$900,000
2197	NY	Construction of and improvements to Seneca Street in Buffalo	\$600,000
2198	CA	Avalon Boulevard/I-405 Interchange modification project, Carson	\$6,000,000
2199	IL	Construct Illinois Route 336 from Macomb to Peoria	\$2,000,000
2200	NC	North Carolina. Pack Square Pedestrian and Roadway Improvements, Asheville	\$4,000,000
2201	PA	Provide pedestrian and water access to Convention Center from surrounding neighborhoods	\$1,100,000
2202	NY	Reconstruction of Times and Duffy Squares in New York City	\$1,500,000
2203	LA	Construction of I-10 Access Road (Crowley)	\$1,100,000
2204	NY	Repaving of I-86 in towns of Coldspring, Randolph, Allegany, and Olean; City of Olean; Village of Randolph in Cattaraugus County	\$10,000,000
2205	PA	Replace Bridge, S.R. 106, Tunkhannock Creek Bridge 2, Clifford Township, Susquehanna County	\$800,000
2206	NJ	Replace Route 7-Wittpen Bridge, Hudson County	\$1,000,000
2207	MN	Right-of-Way acquisition for 8th Street North & Pinecone Road	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2208	IL	For Village of Lemont to modernize and improve the intersection of McCarthy Road, Derby Road, and Archer Avenue	\$350,000
2209	CA	Construct I-80 HOV lanes and interchange in Vallejo	\$1,000,000
2210	PA	Rail Crossing signalization upgrade, East Wesner Road, Maidenecreek Twp, Berks County	\$206,300
2211	OH	Construct road projects and transportation enhancements as part of RiverScape Phase III, Montgomery County, Ohio	\$6,480,000
2212	TN	Riverside Drive Cobblestone Restoration and Walkway, Memphis	\$1,000,000
2213	TX	Road grade separation at Fairmont Parkway over Southern Pacific Rail road	\$5,000,000
2214	PA	Construct additional northbound lane on Rte 28 between Harmar and Creighton Interchange	\$1,650,000
2215	NJ	Roadway and intersection modifications on New Jersey Route 82	\$1,000,000
2216	OH	Jackson Township, Ohio. Intersection improvements at Fulton Dr. and Wales	\$2,000,000
2217	GA	Rockdale County Veteran's Park— create park trails	\$500,000
2218	MA	Construct the Blackstone River Bikeway and Worcester Bikeway Pavilion between Providence, RI and Worcester, MA	\$2,000,000
2219	OH	Improvements to SR 91 in City of Twinsburg, OH	\$1,950,000
2220	TX	Completion of US 77 relief route around City of Robstown	\$3,000,000
2221	NY	Improve Maple Avenue, Smithtown	\$1,000,000
2222	HI	Replace and Rehabilitate Kamehameha Highway Bridges, Island of Oahu	\$1,000,000
2223	TX	SH71 from W of FM 20 to Loop 150, Bastrop County	\$2,000,000
2224	IN	Construct US 31 Plymouth to South Bend Freeway Project in Marshall and St. Joseph Counties, Indiana	\$11,000,000
2225	LA	Plan and develop a four-lane roadway, Jeanerette to US 90 connection	\$200,000
2226	LA	Construct I-12 and LA 1088 Interchange	\$3,000,000
2227	CA	4 lane widening/safety improvements on State Route 25 from Hollister to Gilroy	\$3,660,000
2228	NY	Comprehensive traffic congestion mitigation study of Hauppauge Industrial Park and surrounding area	\$750,000
2229	NY	Develop an identity and signage program for the Erie Canalway National Heritage Corridor	\$1,000,000
2230	CO	Dillon Drive Overpass at Interstate 25 in Pueblo	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2231	NY	Improvements at highway-rail crossings along the Southern Tier Extension Railroad in Allegany, Cattaraugus, and Steuben Counties ..	\$1,000,000
2232	FL	Depot Ave. Enhancements, Gainesville	\$6,000,000
2233	CA	Interstate 15 and Winchester Road Interchange Project	\$2,000,000
2234	PA	Construct the Eastern Inner Loop in Centre County around State College, PA	\$5000,000
2235	NJ	Streetscape Improvements along Berlin road between Gibbsboro Road and White Horse Road in Lindenwold Borough	\$1,000,000
2236	FL	Conduct planning and engineering for SR 70 widening in Hardee, DeSoto and Okeechobee	\$2,000,000
2237	GA	Streetscape-Albany	\$500,000
2238	GA	Streetscape-Richland	\$200,000
2239	MO	Construct four lanes for Route 5 in Camden County	\$10,000,000
2240	IL	Improve Cottage Grove intersection, South Chicago Avenue and 71st Street	\$1,000,000
2241	NY	Study, design and reconstruction of pedestrian walkways, the Bronx	\$1,000,000
2242	MS	Upgrade roads in Anguilla and Rolling Fork, Sharkey County	\$750,000
2243	TX	For center to center communication link between highway traffic transportation management centers	\$1,000,000
2244	OH	Upgrade the interchange of Interstates 270 and 71 in Franklin County, Ohio	\$4,000,000
2245	CA	US 101 Corridor Improvements—Route 280 to the Capitol-Yerba Buena Interchange	\$5,000,000
2246	CA	Rancho Vista Blvd Widening Project	\$3,500,000
2247	NJ	Newark Access Variable Message Signage System	\$500,000
2248	IA	Construct SW Connector, West Des Moines	\$2,000,000
2249	IA	US 30 reconstruction , near Tama	\$4,000,000
2250	GA	Construction of interchange on I-985 north of SR-13, Hall County Georgia	\$4,000,000
2251	MI	Marquette County, Realignment of 3200 feet of County Road 492 from US-41 north to County Road HD	\$500,000
2252	WI	Realign USH 8 near Cameron, Barron County	\$2,000,000
2253	PA	Restoration of PA422, in Berks County, including slab repair and diamond grinding	\$1,000,000
2254	CA	Monte Vista Avenue Grade Separation, Montclair, California	\$2,000,000
2255	NY	Deploy intermodal chassis ITS project in New York	\$2,000,000
2256	NY	Reconstruction of Route 590 in the Town of Irondequoit, NY	\$6,200,000
2257	NY	Design and Construction of Downtown Jamestown Connector Trail	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2258	LA	Further construction to improve draining at Clearview Parkway (LA 3152) and Earhart Expressway (LA 3139)	\$3,300,000
2259	MI	Houghton County, Rehabilitate 2 piers and remove old bridge caissons for Sturgeon River Bridge	\$270,000
2260	AK	Make necessary improvements to Indian River Road in City and Borough of Sitka	\$2,000,000
2261	MN	Reconstruct CSAH 61 from Barnum to TH 210 at Carlton, and improve Munger Trail ...	\$1,680,000
2262	TX	Build I-30 Trinity River Bridge, Dallas, Texas	\$1,000,000
2263	AK	Realign rail track to eliminate highway-rail crossings and improve highway safety and transit times	\$5,000,000
2264	MS	Relocate SR 44 from SR 198 to Pierce Road, Columbia	\$4,000,000
2265	AL	Interstate 565 west extension towards Decatur	\$2,000,000
2266	MO	Roadway Improvements on Rte. 21 from Hayden Road to Lake Lorraine	\$5,000,000
2267	IL	Halsted Bridge over North Branch Canal Reconstruction, City of Chicago	\$600,000
2268	VA	Town of Pound Riverwalk—construction of pedestrian riverwalk in Town of Pound	\$100,000
2269	IL	US 67 west of Jacksonville, IL Bypass to east of IL 100	\$2,000,000
2270	NY	Village of Wappingers Falls North Mesier Ave	\$750,000
2271	AR	War Eagle Bridge Rehabilitation—Benton County, Arkansas	\$640,000
2272	WI	Build additional staircases, landscape, and other improvements to the marsupial bridge at the Holton St. Viaduct in Milwaukee	\$800,000
2273	TN	Washington County, Tennessee SR-36 widening	\$1,000,000
2274	MI	Westland, Ann Arbor Trail between Farmington and Merriman	\$3,150,000
2275	MI	White Lake, pave Cooley Lake Road Between Hix and Newburgh Roads	\$500,000
2276	GA	Bridge replacement on County Road 183-FAS Route 1509, Peach County	\$425,000
2277	NC	I40 I-77 Interchange in Iredell County, NC	\$5,000,000
2278	CA	Construct safe routes to school in Cherryland and Ashland	\$1,000,000
2279	CA	Install Central Ave Historic Corridor comprehensive streetscape improvements thus improving traffic, ped safety, and economic development, Los Angeles	\$2,000,000
2280	VA	Whitetop Station—completion of renovation of Whitetop Station (which serves as trailhead facility) including construction of trail	\$100,000
2281	CT	Make Improvements to Montville-Preston Moshogan Bridge	\$3,000,000
2282	IL	Widen and improve Pulaski Road, Alsip	\$700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2283	AK	For Completion of the Shotgun Cove Road, from Whittier, Alaska to the area of Decision Point, Alaska	\$4,000,000
2284	NY	Study and Implement Intelligent Transportation System Sensor Technology to Improve Safety at Bridges and Tunnels in Metropolitan New York City	\$1,000,000
2285	NY	Warburton avenue Bridge over Factory Lane, Hastings-on-Hudson, New York	\$1,000,000
2286	NY	Improve intersection of Old Doek and Church Street, Kings Park	\$500,000
2287	TN	Widen and improve State Route 33, Knox County, Tennessee	\$6,500,000
2288	CA	Reconstruct Paramount Bl. with medians and improve drainage from north border to south border of city in Lakewood	\$1,350,000
2289	NY	Upgrade Metro North stations in the Bronx and construct station at Yankee Stadium	\$3,000,000
2290	OH	Construct the existing industrial park road from local to state standards near Cadiz	\$4,100,000
2291	LA	Upgrade LA 28 to four lanes from LA 121 to LA 465	\$2,000,000
2292	NY	Reconstruction of Historic Eastern Parkway	\$2,400,000
2293	CA	Widen and make ITS improvements on Paramount Blvd between Telegraph Rd and Gardendale St in Downey	\$1,000,000
2294	VA	Conduct planning and engineering for Hampton Roads Third Crossing and Interconnected Roadways	\$3,000,000
2295	IL	Widen Annie Glidden Road to five lanes with intersection improvements. DeKalb, IL	\$4,000,000
2296	CA	Widen California State Route 132 from California State Route 99 west to Dakota Avenue	\$18,000,000
2297	NC	Widen Derita Road from Poplar Tent Road in Concord to the Cabarrus Mecklenburg County line	\$2,000,000
2298	TX	Widen from 4 to 6 lanes Interstate 35 East from Lake Lewisville to Loop 288	\$7,000,000
2299	CA	Widen Haskell Avenue between Chase St. and Roscoe Blvd	\$200,000
2300	TX	Widen Hempstead Highway from 12th Street to Washington Avenue from four lanes to six lanes	\$1,000,000
2301	NH	Reconstruction and relocation of the intersection of Maple Avenue and Charleston Road in Claremont	\$500,000
2302	OH	Construct highway-rail crossing safety upgrades at 3 grade crossings in Madison Village, OH	\$300,000
2303	WA	Cultural & Interpretive Center (Hanford Reach National Monument) facility, Richland, WA	\$1,600,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2304	NY	Implement Improvements for Pedestrian Safety in New York County	\$1,000,000
2305	NY	Construction of and improvements to Main Street in the Town of Eden	\$400,000
2306	GA	SR 85 widening from Adams DR to I-75 and reconstruct the Forest Parkway interchange, Clayton County	\$1,500,000
2307	GA	Jogging, and Bicycle Trails around CSU, Columbus	\$500,000
2308	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Throop Borough, Lackawanna County	\$200,000
2309	IL	Reconstruct Winter Ave, existing 1 lane RR subway, and 1 lane bridge to provide access to Winter Park in Danville	\$5,400,000
2310	OR	Construct highway and pedestrian access to Macadam Ave and street improvements as part of the South Waterfront development, Portland	\$9,000,000
2311	TX	Relocation of 10th Street near McAllen-Miller International Airport	\$750,000
2312	IL	Construct pedestrian tunnel at railroad crossing in Winfield, IL	\$1,000,000
2313	IN	Construct Margaret Avenue Safety and Capacity Enhancement Project	\$3,000,000
2314	TX	Construct Loop 574 from BU 77 to I-35 in McLennan Co	\$2,000,000
2315	NY	Construction of a bicycle / pedestrian off road scenic pathway from the Niagara Falls City Line to the southerly Lewiston Town / Village Line along the Niagara Gorge, Town of Lewiston, Village of Lewiston, Niagara County	\$2,300,000
2316	FL	Construct new bridge from West-Florida Turnpike to CR 714 to 36th Street—cross S. Fork of St. Lucie River—Indian Street to US 1 on east side	\$5,000,000
2317	WI	Recondition STH 16 from Columbus to STH 26 (Dodge County, Wisconsin)	\$4,000,000
2318	VI	Christiansted By-Pass Highway, St. Croix	\$8,000,000
2319	NY	Riverwalk in Irvington development	\$200,000
2320	OH	Road resurfacing and improvements in the Village of Bentleyville, OH	\$700,000
2321	PA	Improvements to Stella Street rail-highway crossing in Wormleysburg, PA	\$750,000
2322	CT	Construct Entrance Ramp at Route 8 Exit 11, Shelton, CT	\$1,000,000
2323	AL	Pedestrian Improvements for Leeds, AL	\$150,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2324	WA	Federal Way Triangle—Conduct final engineering work for the reconstruction of the I-5—SR 18 interchange	\$2,000,000
2325	MI	Garden City, Reconstruct Maplewood between Inkster and Merriman	\$1,225,000
2326	OR	Lake Road Reconstruction and Safety Improvements, Milwaukie	\$5,000,000
2327	NY	Resurface Grade Crossing at Old State Road ...	\$250,000
2328	MN	Construction of Cedar Avenue Busway, MN	\$6,000,000
2329	IL	Resurfacing of approx 30 miles of roadway in Village of Oak Lawn	\$7,000,000
2330	GA	Streetscape-Thomasville	\$300,000
2331	PR	To build the missing central segment of PR-10, to complete one of only two highways crossing Puerto Rico North to South	\$5,000,000
2332	PA	To enhance existing directional markers & increase wayfinding signage infrastructure in Monroe County	\$500,000
2333	CA	Construct and repair lining in four tunnels on Kanan, Kanan Dume, and Malibu Canyon Roads between US 1 and US 101	\$3,000,000
2334	GA	Sidewalk revitalization project in downtown Eastman	\$500,000
2335	TX	Port of Corpus Christi Up River Road for upgrade of roadway to and from docks & IH 37	\$500,000
2336	GA	Construct US 411 Connector from US 41 to I-75, Bartow County, Georgia	\$20,000,000
2337	NY	Construction of US Route 219 Expressway: Sections V and VI	\$8,000,000
2338	PA	Engineering, design and construction of an extension of Park Avenue north to Lakemont Park in Altoona	\$2,000,000
2339	MN	Reconstruct I-35E from I-94 to Maryland Avenue in St. Paul	\$3,500,000
2340	CA	Construct truck ramp linking Interstate 5 to the National City Marine Cargo Terminal, National City	\$3,000,000
2341	GA	Reconstruct the interchange at Interstate 185 and Victory Drive (SR 520), Columbus, GA	\$1,806,000
2342	OH	Streetscaping, bicycle trails, and related improvements to the I-90—SR 615 Interchange in Mentor, OH	\$3,500,000
2343	IN	Preliminary engineering, right-of-way, and construction for Perimeter Parkway -West Lafayette/Purdue University, Indiana	\$5,600,000
2344	TN	Reconstruct Interchange 55 at Mallory Avenue, Memphis, Shelby County	\$1,000,000
2345	CA	Upgrade first responders signal pre-emption hardware, Culver City	\$32,000
2346	IN	Construction of Maplecrest Rd Extension—Allen County, Indiana	\$11,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2347	MS	Upgrade roads in Arcola, Greenville, and Hollandale (U.S. Highway 61 and 18), Washington County	\$1,750,000
2348	MS	Canal Road Intermodal Connector, Gulfport	\$8,000,000
2349	PR	Construction of community bridge for Los Navarros Sector, Quebrada Arenas Community	\$500,000
2350	NY	Construct the Auburn Connector Road Corridor , Auburn, NY	\$1,000,000
2351	MA	Engineering and construction of Blackstone Valley Visitors Center at intersection of State Route 146 and Millbury Street, Worcester	\$6,400,000
2352	CA	Improve I-8 off ramp to the Desert Farming Institute, Imperial County	\$1,000,000
2353	KS	Construct bike and pedestrian path along K-10 between Douglas and Johnson Counties	\$500,000
2354	HI	Construct Bike Lanes on Kalaniana'ole Highway, vicinity of Makapuu to Keolu Drive	\$300,000
2355	TX	Donna/Rio Bravo International Bridge	\$2,000,000
2356	IL	Improve Sheridan Road, Evanston	\$2,000,000
2357	MD	Intercounty Connector	\$4,000,000
2358	MI	Resurfacing of Ten Mile Road in St. Clair Shores	\$896,000
2359	NY	Conduct studies to consider transportation planning and community involvement for infrastructure projects that address congestion relief in New York City	\$1,500,000
2360	MO	Construct an extension of MO 740 from U.S. 63 to the 1-70 Lake of the Woods Interchange	\$2,500,000
2361	LA	Improvements for LA 1148 in Iberville Parish; and LA/I-10 Connector Study; and improvements to LA 10/Zachary Taylor Parkway	\$4,000,000
2362	NY	Monroe County ITS project	\$900,000
2363	MO	Roadway improvement on I-44 in Phelps County Missouri	\$1,000,000
2364	MA	Rt128/95 ramp Northbound to Kendrick Street, Needham	\$2,000,000
2365	IN	Realign State Road 312, Hammond	\$4,162,891
2366	PA	Design, engineering, ROW acquisition & construction of surface improvements to the area adjacent to Exit 168 of Interstate 81 at the Wachovia Arena in Wilkes-Barre Township	\$250,000
2367	GA	SR 92 relocation from Durelee Road to SR 92 at Malone, including grade separation, Douglas County, Georgia	\$8,000,000
2368	IN	Construct I69 Evansville to Indianapolis, Indiana	\$14,000,000
2369	CA	Construct fourth bore of Caldecott Tunnel on SR 24, California	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2370	TN	Construct interchange on I-40 in Wilson County	\$1,000,000
2371	IN	Construct service road parallel to I-69 in the City of Anderson, Indiana	\$4,000,000
2372	NY	Croton-on-Hudson, NY Restoration of Van Cortlandt Manor entrance road	\$2,500,000
2373	OH	Construction and repair of pedestrian walkways along Lake Shore Blvd. in Lakeline Village, OH	\$289,000
2374	MD	Reconstruct MD 32 from MD 108 to I-70 in Howard County	\$3,800,000
2375	NY	Reconstruct Streets and Sidewalks in Middle Village	\$1,000,000
2376	MI	Reconstruct two bridges over Black Creek Drain in Sanilac County	\$712,500
2377	FL	Construction of Little Venice Road, Marathon, FL	\$1,000,000
2378	CA	Make traffic and safety improvements to Atlantic Blvd in Maywood	\$500,000
2379	MN	Stearns County Bridge no. 73501 Improvements	\$400,000
2380	LA	Construct LA 16 Interchange at I-12 and improvements, and Cook Road improvements ...	\$13,000,000
2381	MO	Reconstruct Highway 60 and Highway 65 Interchange	\$2,000,000
2382	CO	I-70, Havana, Yosemite Street Interchange Reconstruction Project, Denver	\$1,500,000
2383	CO	Reconstruct C 470-US 85 Interchange	\$4,000,000
2384	VA	Reconstruction of the entranceway to Montpelier on Orange County, Virginia	\$1,000,000
2385	TN	construct and widen underpass at intersection of Boydstation, Harvey, and McFee Roads, Knox County, TN	\$494,300
2386	GA	Extend sidewalks, upgrade landscaping in downtown Hawkinsville	\$500,000
2387	OH	Conduct Sarah St along SR 18 and 101 enhancement project to calm traffic in the City of Tiffin	\$2,600,000
2388	LA	Improvements to Zachary Taylor Parkway	\$2,000,000
2389	CA	Las Tunas Drive Pedestrian Enhancement, San Gabriel	\$150,000
2390	OH	Reconstruction, widening, and bicycle improvements to Pettibone Road in the City of Solon, OH	\$3,000,000
2391	NH	Replacement of Ash Street and Pillsbury Road Bridge	\$1,900,000
2392	PA	Swamp Road Corridor Safety and Roadway Improvements, Bucks County	\$3,000,000
2393	FL	Construct St. Augustine to Palatka Rail Trail, Florida	\$2,900,000
2394	IL	Construction of a traffic circle to reduce traffic congestion, Museum Campus Chicago	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2395	AL	Pedestrian Improvements for Gardendale, AL ..	\$500,000
2396	PA	Extension of Second Street from Race to the intersection of Lehigh and Poplar Street in the Borough of Catasauqua	\$1,100,000
2397	NE	Cuming Street Transportation Improvement Project, Omaha, Nebraska	\$4,500,000
2398	TN	Construct State Route 1 (US-70) to a four lane divided highway on new alignment from Centertown to McMinnville in Warren County	\$11,500,000
2399	CA	Improve access to I-80 at Eureka Road Interchange	\$2,000,000
2400	LA	Expand existing South Central Planning and Development Commission Intelligent Transportation System program in Houma-Thibodaux area by installing signals, sensors and systems	\$1,800,000
2401	IL	Install traffic control devices on traffic signals in Village of Oak Lawn	\$240,000
2402	CA	Interstate 15, California Oaks Road Interchange Project	\$2,000,000
2403	TX	Choate Road overpass to eliminate at-grade intersection between Choate Rd and SH146	\$9,800,000
2404	OH	Construction of I-75 Austin Road Interchange, Montgomery County, Ohio	\$7,500,000
2405	CA	Acquire lands for mitigation adjacent to US 101 as part of Southern Santa Clara County Wildlife Corridor Protection and Scenic Enhancement Project	\$500,000
2406	TX	Construct US Business 287 through the Trinity Uptown Project from 7th St. NE to 11th St. NE in Fort Worth	\$8,000,000
2407	KS	Construct K-10 and Lone Elm Road interchange, Lenexa	\$5,000,000
2408	OH	Construct connector road between SR 79 and Thornwood Drive in Licking County	\$5,000,000
2409	NH	Construct Pedestrian, Bicycle bridge in Keene	\$800,000
2410	FL	Coral Way, SR 972 Highway Beautification, Phase One, Miami, Florida	\$1,500,000
2411	TN	Develop historic preservation transportation enhancement project, Sumner Co. and surrounding counties	\$135,000
2412	NY	Develop terminal facilities for water taxi projects in New York City	\$5,000,000
2413	WI	Expand USH 151 between Dickeyville and Belmont	\$2,000,000
2414	NY	Improve bicycle and pedestrian safety, NY 25, Jamesport	\$300,000
2415	PA	PA Route 183 widening and ramp enhancement, Bern Township	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2416	IN	Reconstruct Hoosier Heartland Highway, Wabash, Huntington and Miami County Indiana segments	\$1,000,000
2417	GA	Replace sidewalks, upgrade lighting, and install landscaping, Soperton	\$500,000
2418	LA	Lafayette, LA Implementation of Intelligent Transportation System	\$11,000,000
2419	NY	Conduct improvements to I87—Exit 18 Interchange	\$2,500,000
2420	IL	To construct an extension of US-51 from .9 miles south of Moweaqua to 4.6 miles south of Moweaqua	\$2,000,000
2421	IL	Upgrade roads, The Village of Hillside	\$1,000,000
2422	MS	Upgrade safety devices at Front Street rail crossing, Ellisville	\$50,000
2423	CO	US 287—Ports-to-Plains Corridor in Colorado	\$6,000,000
2424	OH	Deconstruct the Bellaire Highway Bridge which connects Bellaire, Ohio and Benwood, WV ...	\$1,700,000
2425	VA	Construct I-95 Interchange at Temple Ave, Colonial Heights	\$2,000,000
2426	KS	Route designation, environmental clearance, final design and right-of-way acquisition for Crawford County, KS corridor of U.S. Highway 69	\$4,000,000
2427	CA	US-395 Realignment and Widening Project	\$500,000
2428	IL	To connect about a two-mile segment through Collinsville at two or three lanes	\$2,000,000
2429	IL	Construct Parking Facility and pedestrian walkways at 94th and S. Oak Park Ave, Oak Lawn	\$200,000
2430	UT	I-15 Freeway Reconstruction—Springville 200 South Interchange	\$4,500,000
2431	MA	Washington St. from High St. to Water St., Walpole	\$2,000,000
2432	VA	White's Mill Trail and Renovation—design and construction of recreational trail and preservation of watermill for use as visitors center	\$500,000
2433	CA	Implement San Francisco Street Improvements Program	\$8,000,000
2434	MA	Design, engineering and construction of Methuen Rotary alternative at I-93 and Routes 110 and 113, Methuen	\$1,000,000
2435	IL	Improve Mill Street, Rock Island	\$500,000
2436	PA	For the Nanticoke City Redevelopment Authority to design, acquire land, and construct a parking garage, streetscaping enhancements, paving, lighting and safety improvements, and roadway redesign in Nanticoke	\$7,000,000
2437	MI	Widen and reconstruct Walton Boulevard Bridge in Auburn Hills between Opdyke and Squirrel Road	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2438	OR	Widen Delaura Beach Lane and add a bike lane both directions, Warrenton	\$150,000
2439	MA	Design and construct the 3 $\frac{1}{2}$ mile long Grand Trunk Trail bikeway from Sturbridge to Southbridge	\$700,000
2440	TN	Develop trails, bike paths and recreational facilities on the Crest of Black Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
2441	NY	Study and Improve Traffic Flow Improvement at Atlantic Yard/ NETS Arena Development	\$3,000,000
2442	MD	Upgrade and widen MD 237 from Pegg Road to MD 235	\$15,000,000
2443	PA	Main Street improvements from Broad Street to Richardson Avenue and Main Street to Madison Avenue, Borough of Lansdale	\$800,000
2444	CA	Widen Highway 101 in Marin and Sonoma Counties from Hwy 37 in Novato to Old Redwood Highway in Petaluma	\$15,000,000
2445	NY	Road and pedestrian safety improvements Main Street, Village of Patchogue	\$1,400,000
2446	UT	Widen Highway 92 from Lehi to Highland	\$5,500,000
2447	AZ	Widen I-10 to 3 lanes in each direction north of Tucson from Marana Interchange to Cortato Interchange	\$1,700,000
2448	CA	Widen I-238 between I-580 & I-880 in Alameda County	\$1,000,000
2449	VA	Widen I-66 westbound inside the Capital Beltway from the Rosslyn Tunnel to the Dulles Connector Road	\$7,000,000
2450	NC	Construction of I-74 between I-40 and US 220, High Point, North Carolina	\$5,000,000
2451	MD	Widen I-695, Baltimore Beltway, Southwest ...	\$4,400,000
2452	GA	Replace sidewalks, upgrade lighting in downtown Vidalia	\$500,000
2453	MN	Construct bicycle and pedestrian trails in Cuyuna Recreation Area	\$700,000
2454	HI	Construct Kapaa Bypass	\$3,000,000
2455	FL	Temple Terrace Highway Modification	\$2,000,000
2456	TN	Widen Interstate 240 from Poplar Avenue (SR-57) to near Walnut Grove Road (SR-23) East of Memphis, Shelby County	\$1,000,000
2457	IL	For the Village of Woodridge to resurface Internationale Parkway	\$108,000
2458	OR	I-5 Trade Corridor, Portland Oregon to Vancouver, Washington segment	\$6,000,000
2459	GA	Streetscape, Pedestrian Improvements in City Center, City of Clarkston	\$5,000,000
2460	KY	Widen KY 1991 from Maysville Road to Midland Trail Industrial Park, Montgomery County	\$1,250,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2461	NC	Construct new Route from Beach Drive (SR 1104) to NC 211 in Brunswick County	\$4,000,000
2462	NJ	International Trade and Logistics Center Roadway Improvements at Exit 12 of the New Jersey Turnpike, Carteret	\$1,500,000
2463	IL	Interstate 41 and Route 176 Interchange replacement	\$1,010,000
2464	MA	Northern Avenue Bridge rehabilitation, Boston	\$3,000,000
2465	AK	Planning, design, and construction of Knik Arm Bridge	\$200,000,000
2466	IN	North Calumet Avenue Improvements, Valparaiso	\$1,200,000
2467	OR	I-205-Highway 213 interchange improvements	\$1,000,000
2468	TN	Improving Vehicle Efficiencies at highway At-Grade Railroad Crossing in Loudon, TN	\$57,000
2469	AZ	Design, right-of-way acquisition, and construction I 10 Collector Distributor Roadway from 40th Street to Baseline Maricopa County, Arizona	\$4,000,000
2470	LA	Improvements to LA 42 in Ascension Parish; and LA 73 improvements in Ascension Parish	\$10,000,000
2471	MN	Construct Paul Bunyan trail from Mississippi River Bridge Trail to Crow Wing State Park	\$775,000
2472	MN	Construct Mesabi Trail from Grand Rapids to City of Ely	\$2,700,000
2473	GA	Install sidewalks on Highway 23 from Dykes Street to Sarah Street, Cochran	\$300,000
2474	AK	Kodiak, AK Construction of AMHW ferry terminal and approach	\$7,500,000
2475	OK	Reconstruction of SH 66 from Craig and Rogers Counties to SH 66 and US 60 intersection	\$1,000,000
2476	CA	Enhance pedestrian environment and increase safety along Olympic Blvd between Vermont and Western Avenues, Los Angeles	\$2,000,000
2477	NY	Enhancement of the Michigan Avenue Corridor, Buffalo	\$2,000,000
2478	NJ	Kapkowski Road Area Improvements in Elizabeth	\$5,700,000
2479	CA	Construct landscape medians along Skyline Drive from Sears Avenue to 58th Street, San Diego	\$1,000,000
2480	NY	Jamaica Air Train Station Area Infrastructure Improvements	\$5,000,000
2481	MO	Construct Highway 465 to Highway 376 south from HWY 76 to HWY 376	\$6,000,000
2482	WA	New Country Road on Whidbey Island	\$1,200,000
2483	NM	Chaco Wash Bridge and Road Improvements on Navajo Route 46	\$2,000,000
2484	CA	Reconstruct Interstate 880-Route 92 interchange in Hayward	\$1,750,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2485	MA	Relocate Rt. 79 in Fall River to create 4-lane urban boulevard with landscaped median and developable waterfront	\$5,000,000
2486	IL	Road extension for Highway 22 in Macon County, IL	\$668,000
2487	NY	Portageville Bridge—purchase existing bridge to convert to pedestrian bridge	\$1,500,000
2488	PA	Rt. 422 complete preliminary engineering and four lane expansion from Ebensburg to Kittanning	\$3,000,000
2489	CA	Upgrade essential road arterials, connectors, bridges and other road infrastructure improvements in the Town of Desert Hot Springs, CA	\$2,000,000
2490	KY	Construct the Heartland Parkway in Adair County	\$1,200,000
2491	NV	Horse-US-95 Interchange Project	\$6,000,000
2492	CT	Make Improvements to Plainfield Moosup Pond Road	\$300,000
2493	FL	Construction design ROW US 27 from SR 540 to SR 544 & from I-4 to US 192 in Polk County, FL	\$10,000,000
2494	IA	Construction of approaches and viaduct on Edgewood Rd SW over the UP Railroad, Prairie Creek, and the CRANDIC railroad ...	\$1,600,000
2495	NJ	Construct Hackensack River Walkway in Bergen County	\$2,000,000
2496	TX	Hwy 80/123 Overpass at Hwy 181 in Karnes County	\$300,000
2497	NM	Improvements to U.S. Highway 87 from Clayton, NM to Raton, NM	\$2,000,000
2498	VA	Route 11 Interchange improvements in Lexington, Virginia	\$1,000,000
2499	CA	Improvements to Ben Maddox Way Bridge	\$2,000,000
2500	WA	SR 18 Widening, Maple Valley to I-90	\$7,500,000
2501	NY	City of Beacon construction of pedestrian & Bicycle trail	\$315,000
2502	TX	FM 544, widen 2-lane roadway to 6-lane roadway from SH 121 to Dozier-Parker Road	\$2,000,000
2503	TX	Construct an alternate truck route to Interstate 35 in Buda	\$500,000
2504	NY	Improvements on the Cross Island Bridge Overpass / 212th Street and vicinity, Queens	\$4,220,000
2505	MI	Novi, Reconstruct Grand River between Novi and Haggerty	\$1,000,000
2506	SD	Resurface US Hwy 18 from Lake Andes to US Hwy 50 on Yankton Sioux Reservation	\$1,200,000
2507	PR	To revitalize Old San Juan Historic District streets	\$3,000,000
2508	WY	U.S. 85 Passing Lanes	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2509	MA	Construct Blackstone River Bikeway and Worcester Bikeway Pavilion between Providence, RI and Worcester	\$2,000,000
2510	NY	Little Falls Access: Repair and reconstruct High School and Lower School Road	\$240,000
2511	FL	Replace Columbus Drive Bridge	\$4,000,000
2512	AS	Village road improvements for Sua and Vaifanua counties in the Eastern district	\$2,600,000
2513	MI	Construction of two railroad-highway grade separations on Farm Lane north of Mount Hope Road	\$2,300,000
2514	CA	Widen Atlantic Bl bridge over the Los Angeles River in Vernon	\$1,000,000
2515	CA	Widen Bundy Drive between Wilshire and Santa Monica Boulevards in the City of Los Angeles	\$4,250,000
2516	AL	To provide four lanes on US-80, Perry County, Marengo County, and Sumter County	\$14,000,000
2517	CA	Widen Maine Avenue in Baldwin Park	\$375,000
2518	NM	Ease traffic congestion and improve intersection safety by identifying alternative alignment to US 84/285 and NM 68 through Espanola	\$2,000,000
2519	MS	Widen MS Hwy 19 between Philadelphia and Collinsville, MS	\$10,000,000
2520	NY	Construct the Fire Island ferry terminal facility, Patchogue	\$2,000,000
2521	IL	IL 8 from East Peoria to Washington, IL	\$952,570
2522	NJ	Preliminary engineering for missing connections of NJ 23 and I-80	\$1,500,000
2523	ME	Penobscot Riverfront Development for bicycle trails, amenities, and traffic circulation improvements, Bangor and Brewer	\$2,000,000
2524	IL	Restoration and reconstruction of the central business district street. Cambridge, IL	\$1,200,000
2525	NC	Widen NC 150 from Cherryville to Lincolnton	\$1,000,000
2526	NY	Second phase of the Grand Concourse improvements from East 166th St. to East 171st St	\$10,000,000
2527	VT	U.S. Route 7 and U.S. Route 4 road improvements for the City of Rutland	\$3,560,000
2528	IL	Improve 63rd Street, Chicago	\$2,000,000
2529	MI	Alcona County, Reconstruction of Ritchie Road from Village of Lincoln to Hubbard Lake road	\$813,000
2530	SC	Construct roadway btwn I-26 and US 1 in Lexington County. Intermodal connector from US 1 to I-26 and I-77. SC 302 and SC 602 improvements	\$2,000,000
2531	OR	Agness Road, Curry County	\$2,000,000
2532	NY	Rehabilitation of Sharon Drive in the Town of Poughkeepsie	\$325,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2533	TX	Conduct study of I-10 and U.S. 190 with a focus on congestion relief and the need for a military & emergency relief transportation corridor	\$200,000
2534	MD	MD 85 at I270	\$5,000,000
2535	GA	SR 36 passing lanes north of Jackson to Newton County line, Butts County, Georgia	\$3,050,000
2536	VA	I-66 and Route 29 Gainesville Interchange Project	\$9,000,000
2537	NY	Construct and extend existing pedestrian streetscape areas in Lynbrook	\$1,000,000
2538	CA	Construct traffic intersection island improvements on North side of Olympic Blvd where Irolo St. and Normandie Ave. split in Koreatown, Los Angeles	\$200,000
2539	WA	Improvements in the SR 9 corridor in Snohomish County	\$1,500,000
2540	PA	Replace a highway railcrossing in Osborne Borough, PA	\$2,150,000
2541	AL	Pedestrian Improvements for Centerpoint, AL	\$500,000
2542	CA	Replace twin 2 lane bridge with single 4 lane bridge on SR 138 over Big Rock Wash	\$500,000
2543	CA	State Route 86S and Ave 50 highway safety grade separation	\$1,000,000
2544	TX	Construct Fredericksburg Road-Medical Drive grade separation in San Antonio	\$3,800,000
2545	PA	For design, engineering, ROW acquisition, & construction of a connector road between the Valmont Industrial Park & Pennsylvania Rt. 924 at Cranberry Creek	\$500,000
2546	AR	Interstates 30/440/530 Interchanges—for interchange improvements, Little Rock	\$1,500,000
2547	NJ	Rehabilitation of Benigno Boulevard from I-295 to Route 168 in Bellmawr	\$400,000
2548	PA	Preconstruction studies for improvement to US 22 from Irving Street to Mickley Road	\$1,000,000
2549	IL	Establish transportation museum on Navy Pier, Chicago	\$540,000
2550	WA	Continuing construction of I 90, Spokane to Idaho State Line	\$3,300,000
2551	VA	Improve transportation infrastructure for visitors to Jamestown 2007	\$531,900
2552	AR	Highway 67: Kiehl Avenue—Vandenberg Boulevard: rehabilitating and widening Highway 67 from four to six lanes from Kiehl Ave. to Vandenberg Blvd	\$3,700,000
2553	NY	Install Improvements for Pedestrian Safety including in the vicinity of PS X81	\$250,000
2554	GA	Memorial Drive Corridor	\$2,000,000
2555	VA	Route 11 improvements in Maurertown, Virginia	\$1,000,000
2556	PA	Street improvements, Whitemarsh Township ...	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2557	VT	Construction of the Lamoille Valley Rail Trail for the Vermont Association of Snow Travelers	\$7,268,486
2558	CO	I-76: Colorados Northeast Gateway	\$6,000,000
2559	VA	Construct Maersk Terminal interchange in Portsmouth	\$2,000,000
2560	GA	I-75 Welcom Project	\$250,000
2561	PA	Improve handicapped accessibility and provide pedestrian overpass in Villanova	\$3,000,000
2562	NY	Install Two Permanent Variable Message Signs (VMS) on Belt Parkway	\$500,000
2563	MI	Re-surfacing Sebewaing Road in Huron County	\$416,000
2564	IN	Complete construction of paths at Hamilton County Riverwalk, Noblesville, Indiana	\$375,000
2565	NY	Study and Implement Traffic and Pedestrian Safety Enhancements to Gerritsen Beach, Brooklyn	\$500,000
2566	PA	Upgrade circuit for gates and lights at Sixth Street in Emmaus, PA USDOT crossing number 592402P to constant warning time devices	\$275,000
2567	TN	Plan and construct a bicycle and pedestrian trail, Eagleville	\$200,000
2568	NY	Improvements for pedestrian and vehicular access to Baychester Avenue and Bartow Avenue	\$600,000
2569	GA	SR 400 reconstruction from I 285 to McFarland Road, Fulton and Forsyth Counties	\$1,000,000
2570	MI	Construct pedestrian and bicycle pathway at Chippewa Landing River Park in the Village of Caro	\$80,000
2571	GA	Upgrade sidewalks, replace street lights, and landscaping, Metter	\$500,000
2572	AR	Highway 412: Baxter Co. to Ash Flat	\$2,000,000
2573	NY	Town of North Salem improvements and repaving to Hawley Road	\$200,000
2574	IA	US 20 Mississippi River Bridge and approaches, Dubuque Co, IA	\$25,000,000
2575	NY	Construct access road and exit lanes for Center for Advanced Medicine: North Shore LIJ Health System	\$2,500,000
2576	NY	Improve key intersections and highway segments along Rt. 32 between Route 17-6-NYS Thruway interchange in Harriman and Highland Mills	\$750,000
2577	CA	Widen I-5 to 10 Lanes and Improve Corridor Arterials, SR 91 to I-710	\$5,200,000
2578	IL	For the construction of the Grand Avenue Underpass, Village of Franklin Park	\$1,160,000
2579	NY	Rehabilitation of North and South Ridge Street and Wappanocca Avenue in the Village of Rye Brook and City of Rye	\$2,160,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2580	NY	NYS DOT Route 55 construction over Fishkill Creek and left turn lane construction	\$1,500,000
2581	AL	Alabama Hwy 36 Extension and Widening-Phase II	\$1,000,000
2582	OH	Construct Eagle Avenue Viaduct-Demolition bridge, realignment of roadway to replace bridge and reconstruction of two other bridges, Cleveland	\$500,000
2583	NV	Construct US 93 Corridor -Boulder City	\$10,000,000
2584	NY	Reconstruction of NYS 5, 8, 12. Viaduct and Rt 5A and 5S: City of Utica	\$1,000,000
2585	CT	Street and streetscape improvements along Campbell Ave., West Haven	\$1,500,000
2586	MA	Reconstruct North Washington Street Bridge to connect Boston and Charlestown	\$6,000,000
2587	MS	Upgrade roads in Fayette (U.S. Hwy 61 and 33), Jefferson County	\$400,000
2588	MN	Heritage Center at the Grand Portage National Monument	\$1,400,000
2589	NY	Redesign and reconstruction of the Putnam Rail-Trail, Bronx	\$650,000
2590	OR	Highway 34/Corvallis Bypass Intersection	\$2,100,000
2591	CA	Install traffic signal on Balboa Blvd. at Knollwood Shopping Center	\$120,000
2592	MA	Chelsea Street Bridge Reconstruction	\$10,000,000
2593	AL	Pedestrian Improvements for Northport, AL ...	\$200,000
2594	NV	Construct widening of US50A from Fernley to Leeteville Junction	\$5,000,000
2595	WA	Rebuild & widen Cemetery Road bridge over US Bureau of Reclamation canal near Othello, WA	\$200,000
2596	FL	Roadway construction of SW 62—SW 24 Avenue in Gainesville	\$2,000,000
2597	WA	SR 2/Kelsey Street Intersection Improvements in Monroe	\$1,040,000
2598	NY	Town of Southeast construction and repaving of town roads	\$300,000
2599	MI	Reconstruct Third Ave. from Saginaw St. to Flint River, City of Flint	\$3,000,000
2600	PA	Upgrade circuit for gates and lights at 31st Street in Allentown, PA USDOT crossing number 592410G to constant warning time devices	\$275,000
2601	NV	Construct US 95 Widening from Rainbow Blvd to Kyle Canyon	\$8,000,000
2602	IN	Improve campus streets to increase pedestrian safety and ease vehicular congestion in the City of Anderson, Indiana	\$2,000,000
2603	PA	Schaefferstown Bypass, PA Route 501, Lebanon	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2604	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Dupont Borough, Luzerne County	\$200,000
2605	GA	Intersection improvement at Lake Dow Road and SR 81 Harris Dr at SR 42	\$600,000
2606	CA	Replace South Access to the Golden Gate Bridge—Doyle Drive	\$10,000,000
2607	IL	Resurface Yellow Banks Road, Franklin County	\$400,000
2608	AL	CR 52 from US 31 (Pelham) and continuation of CR 52 in Jefferson County, known as Morgan Road, to I-459, including proposed Highway 261 bypass around old town Helena	\$10,000,000
2609	IL	Intersection Reconstruction at US 12-IL 31-Tryon Grove Road	\$900,000
2610	NY	Streetscape of Herald and Greeley Squares in New York City	\$500,000
2611	NJ	Construct Cape May and Supawna Meadows National Wildlife Refuges Roadway and Parking Improvements	\$750,000
2612	TX	Del Rio-Laughlin Air Force Base Relief Route	\$16,000,000
2613	NC	Study feasibility of widening US 221-NC 226 from Woodlawn to Spruce Pine, start planning and design, and make upgrades to improve safety	\$3,500,000
2614	NY	Transportation improvements to the Far Rockaway Business District, Queens, New York ..	\$2,400,000
2615	VI	Upgrade West-East Corridor through Charlotte Amalie, St. Thomas	\$8,000,000
2616	NH	Hampton Bridge Rehabilitation -Hampton, NH	\$1,500,000
2617	CA	Gale Avenue widening between Fullerton Road and Nogales Street, and Nogales Street widening at Gale Avenue	\$100,000
2618	CA	Grade Separation at Cesar Chavez Parkway and Harbor Drive, San Diego	\$500,000
2619	MO	Improve access to I-55 at River Des Peres	\$10,000,000
2620	PA	PA Route 61 enhancements, Schuylkill Haven	\$10,000,000
2621	MO	Kansas City SmartPort ITS for highways	\$5,000,000
2622	PA	City of Philadelphia in conjunction with American Cities Foundation for neighborhood transportation enhancement and pedestrian safety projects	\$4,000,000
2623	DE	Reconstructing I-95/SR-1 interchange, adding a fifth lane, and replacing toll plaza on Delaware's portion of I-95 corridor	\$5,500,000
2624	OH	Study possible road upgrades in Tuscarawas County due to flood issues based on dams in Muskingum Watershed District	\$100,000
2625	OR	Sunrise Corridor, Clackamas County	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2626	CA	Construct Cabot-Camino Capistrano Bridge Project and related roadway improvements in Cities of Mission Viejo and Laguna Niguel, California	\$838,690
2627	TX	Construction of mainlanes and interchanges on SH 121 from Hillcrest to US 75	\$16,000,000
2628	WA	Enumclaw, WA Welcome Center	\$1,500,000
2629	PA	Upgrade narrow existing roads, Plank, Otts, Meyers, Seitz Roads, along 1 mile corridor to 2 lane road with shoulders, improve intersections	\$1,000,000
2630	GA	Widen Old Petersburg Road-Old Evans Road from Baston Road to Washington Road, Columbia County, Georgia	\$4,000,000
2631	CA	Widen Peyton Dr. from Grand Ave. to Chino Hills Pky., construct Eucalyptus Ave. from Peyton Dr. to Galloping Hills, improve English Channel	\$7,036,110
2632	TX	New construction for the SH 349 Reliever Route beginning at the SH 191 intersection in Midland	\$2,500,000
2633	PA	Widen Route 22 between Export and Delmont	\$1,450,000
2634	CA	Construction of a traffic signal at the intersection of Hamlin St. and Corbin Ave	\$125,000
2635	NY	Design/Environmental work on the Inner Loop from Clinton Avenue to East Main Street, Rochester	\$2,400,000
2636	MO	I-35 access modification planning, city of Kearney	\$1,500,000
2637	PR	Construction of community bridge at Los Olvidados Sector, Quebrada Arenas Community	\$425,000
2638	MN	North-South Corridor with Railroad Overpass, City of Staples	\$1,500,000
2639	CA	Port of Hueneme Intermodal Access Improvement Project, including grade separation at Rice Avenue and State Route 34; widen Hueneme Road	\$4,700,000
2640	CA	Reconstruct and deep-lift asphalt on various roads throughout the district in Ventura County	\$6,000,000
2641	GA	Upgrade sidewalks, parking, street lighting, and landscaping, Claxton	\$500,000
2642	MS	Upgrade roads in Itta Bena (U.S. Hwy 82 and 7) and in vicinity of Viking Range Corp. (U.S. Hwy 7 and 49) , Leflore County	\$1,500,000
2643	VA	Widen Route 262 in Augusta County	\$1,000,000
2644	CA	Forest Highway 171 Upper Skyway Improvement	\$7,250,000
2645	NV	Rehabilitate Lake Mead Parkway	\$3,000,000
2646	IL	Construct Bridge Overpass, DuSable Museum-Chicago	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2647	WA	Expand size and improve safety Lewis and Clark Discovery Trailhead and Scenic Overlook	\$146,000
2648	PA	Construction of access improvement at the I79 SR 228 interchange in vicinity of Cranberry Town Center	\$650,000
2649	PA	Development of bicycle and pedestrian trails and access links along North Delaware Riverfront	\$10,000,000
2650	OH	Highway—railroad grade separation over the Norfolk Southern Rail Line for the Hines Hill Road—Milford Connector project in Hudson, Ohio	\$300,000
2651	CA	Construct crosswalk bump-outs and related streetscape improvements on Temple St between Hoover St and Glendale Blvd, Los Angeles	\$400,000
2652	NC	Improve SR 1923 from US 70 Business to US 301 Smithfield	\$5,000,000
2653	MA	Improvements to Mass. Ave, Andover Street, Osgood Street, Salem Street, and Johnson Street in the Old Town Center of North Andover	\$1,000,000
2654	KY	Reconstruct US 127 at US 127 South, Mercer County	\$600,000
2655	CA	Construct truck lane from Britannia Blvd. to the Otay Mesa Port of Entry, San Diego County	\$4,000,000
2656	PA	Beford, Pa Relocation of Old Route 220 and Sweet Road. Complete preliminary engineering, purchase right-of-way, construction	\$9,750,000
2657	GA	Design and construction of 2.2 miles of multi-use trail in the City of Douglas, Georgia	\$200,000
2658	IL	Entry Road to SIU Research Park	\$1,636,000
2659	NY	Kingston, Construct pedestrian waterfront walkway	\$1,600,000
2660	MN	Reconstruct TH 61 north of Split Rock River to Chapins Curve, bridges number 8285 and 8286, Lake County	\$5,280,000
2661	KS	Replacement of US-169 bridge in Kansas City	\$8,500,000
2662	PA	Route 313 Turning Lanes and Truck Climbing Lanes, Bucks County	\$2,000,000
2663	CA	Purchase of Rosemead Blvd ROW, Temple City	\$1,000,000
2664	NJ	Reconfiguration of Bay Avenue and Polaris Street in Newark, NJ	\$8,000,000
2665	MI	Reconstruct highway under a railroad bridge, Wyoming Ave. from Eagle Pass to Michigan Avenue, Wayne County	\$1,000,000
2666	OK	Construct vehicular bridge over the Burlington Northern RR at War Bonnet Crossing, Mannford, OK	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2667	UT	Construction and Rehabilitation of 13th East in Sandy City	\$7,000,000
2668	VA	Construct 3.6 miles of Interstate 73 near Martinsville	\$2,600,000
2669	WA	Maple Valley SR 169 and SR 516 improvements	\$1,000,000
2670	FL	Construct access road to entrances to Opa-Loeka Airport at Opa-Loeka Airport at N.W. 135th Street and N.W. 47th Avenue, including improvements to N.W. 47th Avenue with median strip, City of Opa-Loeka	\$2,000,000
2671	UT	Expand Redhills Parkway from 2 to 5 lanes and improve alignment within rights-of-way in St. George	\$8,000,000
2672	OH	Bethlehem Township, Ohio. Riverland Avenue Bridge Replacement	\$1,300,000
2673	MD	MD 295, BWI Access Improvements	\$4,740,000
2674	OR	Connect Boeckman Road to Tooze Road, Wilsonville	\$1,000,000
2675	LA	Construct I-20 interchanges at US 167 and Tarbutton Rd. Construct East West frontage roads along I-20	\$5,000,000
2676	TX	FM 937 from SH 164 to FM 3371, Limestone Co	\$2,000,000
2677	MO	Construct additional exit ramp access lane from I-44 to Kingshighway and enhance Shaw Ave. corridor	\$4,820,000
2678	IN	Construction of I 64 Interchange, Harrison County, Indiana	\$5,310,000
2679	OH	Bridge Replacement at SR 84 and I-90 on Bishop Road in Willoughby Hills, OH	\$500,000
2680	TN	Continue Shelby Avenue—Demonbreun Street project in Nashville	\$6,500,000
2681	WI	Construct a bicycle/pedestrian path from Waunakee to Westport	\$2,000,000
2682	CT	Construct bike and pedestrian paths along Salem Greenway -Salem, CT	\$100,000
2683	TX	Construct I-635/35E Interchange in Dallas, TX	\$5,500,000
2684	CA	Hwy 199 Narrow Enhancement to reduce active slides that cause significant road closures on primary connecting route from US 101 to I-5	\$2,000,000
2685	MD	Construction of New Interchange at MD5, MD373, and Brandywine Road	\$15,000,000
2686	GA	I-20 West from SR 5 Bill Arp to SR 6—HOV Lanes	\$7,250,000
2687	PA	Install and construct signals, calming devices and signs in Mechanicsburg and surrounding municipalities	\$450,000
2688	FL	44th St. Extension to Golfair Blvd, Jacksonville	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2689	NJ	Passaic River-Newark Bay Restoration and Pollution Abatement Project, Route 21, River Road, CR 510	\$1,000,000
2690	CA	San Gabriel Blvd and Mission Road Intersection Improvements, San Gabriel	\$200,000
2691	NY	Rehabilitate 125th Street Corridor from Old Broadway to Marginal Street/Waterfront	\$2,000,000
2692	MI	Repair M-10 corridor from I-696 to downtown Detroit	\$1,000,000
2693	FL	Capital Circle Northwest, Tallahassee	\$10,000,000
2694	TN	Installation of Intelligent Transportation System on various major routes in Memphis	\$2,000,000
2695	MI	Planning and Engineering for The American Road, The Henry Ford Museum, Dearborn ..	\$1,500,000
2696	TX	Reconstruct Ella/Wheatley from Little York to West Gulf Bank	\$1,250,000
2697	NY	Implement Improvements for Pedestrian Safety in Richmond County	\$1,000,000
2698	FL	Palm Bay Parkway from Emerson Drive to US 192, Palm Bay, FL	\$1,000,000
2699	CA	Construct the Los Angeles River bicycle and pedestrian path in the San Fernando Valley	\$575,000
2700	TX	Construct Santa Fe Trail DART LR overpass from Hill St. to Commerce St. along abandoned Santa Fe Rail right of way in Dallas	\$2,400,000
2701	CA	Construct Route 101 bicycle/pedestrian overpass at Millbrae Ave for the San Francisco Bay Trail	\$1,000,000
2702	GU	Guam Mass Transit Authority Acquisition of transit vehicles for disabled persons	\$400,000
2703	LA	New Iberia Rail Grade Separation	\$2,000,000
2704	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Ashley Borough, Luzerne County	\$200,000
2705	MN	Reconstruct Grand Avenue (from Central Ave to 59 Ave W), Central Ave (from Grand Ave to I-35) and Bristol Street (from Central Ave to Grand Ave), Duluth	\$750,000
2706	TN	Plan and construct a bicycle and pedestrian trail, Cannon County	\$100,000
2707	TX	Develop, deploy and integrate municipal ITS in San Antonio	\$3,200,000
2708	TN	Jefferson, Hamblen Counties, Tennessee SR-66 relocation	\$2,000,000
2709	MD	Rehabilitate Pennington Avenue Drawbridge in Baltimore	\$1,500,000
2710	PA	Construction of I-79 to Mon-Fayette Section of Southern Beltway, Pittsburgh, Pennsylvania	\$1,500,000
2711	FL	Springfield Rd. Improvements, Jacksonville	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2712	LA	Elimination of highway-rail grade crossings along Louisiana and Delta railroad	\$1,000,000
2713	CA	Conduct necessary planning and engineering and implement comprehensive Corridor Management Plan for Arroyo Seco Historic Parkway, Los Angeles	\$1,400,000
2714	FL	Plant City Traffic Management System	\$3,000,000
2715	GA	SR 347 widen-new construction from I-985 to SR 211, Hall County, Georgia	\$10,000,000
2716	WA	SR 28 and SR285 Sellar Bridge Improvements: ramp & roadway network improvements at the west end and a new lane on the Sellar Bridge	\$5,000,000
2717	NY	Stabilize Poughkeepsie Railroad Bridge and construct a pedestrian walkway linking the two sides of the Hudson River, Poughkeepsie	\$1,092,500
2718	WA	International Mobility and Trade Corridor Project for Whatcom County	\$1,300,000
2719	CA	State Route 76 Road Widening, Melrose Drive to Interstate 15	\$5,000,000
2720	NJ	Streetscape Improvements to Clements Bridge Road from Newton Avenue to New Jersey Turnpike, Barrington	\$500,000
2721	FL	Construct Eastern Connector from SR 417 to I-95, Volusia & Seminole Counties Florida ...	\$1,000,000
2722	GA	Construction of the McIntosh Path on SR 99, 7.15 miles between Darien, Georgia and the Sapelo Island Visitor Center	\$200,000
2723	AL	Construction of Sulphur Springs Road Bypass in City of Hoover, Alabama	\$5,000,000
2724	AZ	Pliocene Cliffs reconstruction between Wikieup and the Santa Maria River	\$1,000,000
2725	MN	Construct roadway improvements to CSAH 76, Little Falls	\$1,064,000
2726	IN	Study alternatives along 2 miles of railroad to eliminate in-town highway-rail crossings to improve safety and reduce congestion in Delaware County	\$150,000
2727	NV	Design and construct separation of rail-highway crossings in downtown Reno	\$1,000,000
2728	NJ	Maple Shade Township Streetscape Improvements of Mill Road, Rudderow Ave., North & South Coles Ave. and Schoolhouse Lane	\$1,000,000
2729	WA	Conduct study for I-5 and SR503 interchange	\$300,000
2730	WA	Construct Webber Canyon Road realignment at I-82 Kiona-Benton interchange	\$3,500,000
2731	TX	Downtown Streetscape Improvements in Beaumont, Texas	\$640,000
2732	NY	Improve Traffic Flow on Lefferts Boulevard by Rehabilitating Facilities Surrounding LIRR/Kew Gardens Eastbound Station	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2733	FL	Construct reliever road to SR A-1-A in the City of Deerfield Beach beginning at A-1-A/Hillsboro Blvd and ending at A-1-A/NE 2nd Street	\$1,000,000
2734	TX	Reconstruct interchange at IH 10 and FM 364, Chambers County, Texas	\$1,000,000
2735	CA	SR 52 East Improvements (San Diego)	\$7,500,000
2736	OR	Study to evaluate alternatives in support of an eventual Astoria bypass, Astoria	\$250,000
2737	GA	Commission a study and report regarding the construction and designation of a new Interstate linking Savannah, Augusta, & Knoxville	\$100,000
2738	VT	Construction of the St. Albans, Vermont intermodal connector roadway with I-89 for the City of St. Albans	\$1,200,000
2739	OR	I-5-Highway 214 interchange improvements, Woodburn	\$1,000,000
2740	OR	Construction of transportation facilities at the Tualatin River Wildlife Refuge	\$800,000
2741	WY	I-80 Rock Springs Marginal	\$1,900,000
2742	PA	Improvements to Route 11 and access to I-81 ..	\$1,000,000
2743	IL	Improve safety of a horizontal curve on Clarksville St. .25 mile north of 275th Road in Grandview Township, Edgar County, Illinois	\$88,000
2744	UT	Provo Reservoir Canal Trail, Utah	\$3,000,000
2745	MO	South County Riverfront Access and Trails Project, Lemay	\$4,000,000
2746	AK	Road improvements in the City of Fairbanks ...	\$5,000,000
2747	MD	Construct Ferry Terminal, Somerset County, Maryland	\$1,000,000
2748	MS	Plan and Construct two lanes to SR-6 from SR 342 to Alabama state line	\$4,000,000
2749	CA	Construct bypass along Hwy 101 around Willits, CA to reduce congestion, improve air quality and enhance economic lifeline of No. Coast	\$7,000,000
2750	CA	Engineering support to I-5 Joint Powers Authority to widen I-5 freeway and improve corridor arterials from I-710 to Orange County line	\$150,000
2751	LA	Kerner Ferry Bridge, Jefferson Parish Bayou Baratavia	\$2,100,000
2752	WA	Renton, WA SR 167 HOV, Strander Boulevard Connection	\$1,000,000
2753	NJ	Sussex County, NJ Vernon Township, Mountain Creek Rt. 94 Traffic Calming, Ped. Safety and Traffic Congestion, Circulation Improvement	\$3,500,000
2754	PA	Linglestown Square, roadway and intersection improvements, Lower Paxton Township	\$3,000,000
2755	MD	Rehabilitate road including bridges over CSX tracks in Baltimore	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2756	WA	Extend 18th Street between 87th Avenue and NE 192nd Avenue in Vancouver	\$2,000,000
2757	TX	Implement repairs on Old Pleasanton Road Bridge in Atascosa County	\$403,000
2758	CA	Hazel Avenue Improvements, U.S. Highway 50 to Madison Avenue	\$3,000,000
2759	MI	Menominee County, County Road 557 Bridge Replacement over the Big Cedar River	\$280,000
2760	OH	Massillon, Ohio. Tremont Avenue Bridge Rehabilitation	\$720,000
2761	MI	Montmorency County, Reconstruction of County Road 612 from W. County Line to County Road 491	\$800,000
2762	CA	Conduct traffic study of proposed realignment of Nutwood Ave in Fullerton	\$500,000
2763	NM	Planning, design and construction of bikeways and walkway at the City of Santa Fe's downtown railyard redevelopment project	\$2,000,000
2764	GA	Streetscape-Bainbridge	\$250,000
2765	PA	Construct S.R. 706 Corridor, Susquehanna County, Pennsylvania	\$2,000,000
2766	NY	Town of North Salem reconstruction and repaving of Keeler Lane	\$150,000
2767	FL	Conduct planning and engineering for U.S. 17 widening and improvements in Hardee County, Florida	\$4,000,000
2768	IL	Traffic Signalization, Matteson	\$907,500
2769	MS	Upgrade roads in Kilmichael, Montgomery County	\$400,000
2770	NC	Upgrade U.S. 220 to I-73/74 interstate standards in Montgomery County	\$2,000,000
2771	WA	US 2/Sultan Basin Road Improvements in Sultan	\$600,000
2772	TX	Add 2 lanes to existing facility from Victoria County Line to 1.9 Miles West of SH 35 in Port Lavaca	\$1,000,000
2773	FL	A1A Transportation Enhancements, Daytona Beach	\$1,000,000
2774	MI	City of Menominee, Resurface Hattie Street Bridge deck 250 feet from 9th avenue in Menominee to Riverside Avenue in Marinette, WI	\$225,000
2775	TN	eliminate blockage of two lanes on Gay Street in Knoxville, TN, to accomodate loading dock	\$2,000,000
2776	MI	Emmet County, Ultra thin demonstration project resurfacing of Mitchell Road from the City of Petoskey limits east to Division	\$60,000
2777	NY	Gowanus Expressway Project	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2778	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Moosic Borough, Lackawanna County	\$200,000
2779	AL	Expand to 4 lanes on U.S. 278 from I-65 to U.S. 231	\$3,500,000
2780	IL	Preconstruction and construction McCarthy Road, Bell Road to US 45 and 123rd Street US 45 to 86th Avenue in Palos Park	\$892,000
2781	WY	Riverton: Reconstruct HWY 26- Main St	\$1,100,000
2782	MA	Somerville Bicycle Path Improvements—Cedar Street to Central Street	\$1,000,000
2783	MI	US 31 improvements and relocation between Holland and Grand Haven	\$9,450,000
2784	PA	Replace Messinger Street Bridge in the Borough of Bangor	\$1,000,000
2785	NY	Owego, Construct pedestrian waterfront walkway	\$1,250,000
2786	KY	Reconstruct US 127 from Hustonville Road to the Mercer County Line, Boyle County	\$1,500,000
2787	PA	Construction of an intermodal facility in Altoona, Pa	\$1,500,000
2788	CA	Design and construct access improvements in North Central Business District, Sacramento	\$8,000,000
2789	NC	Construction of the southbound lane of US 321 bridge replacement over the Catawba River ..	\$6,800,000
2790	FL	Grand Lagoon Bridge Replacement Project. The replacement of a two lane bridge with a four lane bridge	\$6,500,000
2791	FL	Construct SR 9B Extension, St. Johns County, Florida	\$4,400,000
2792	AL	Design and construct a 4-lane highway from Muscle Shoals, AL to I-10	\$1,000,000
2793	IN	Improve SR 9 Greenfield Corridor, Indiana	\$500,000
2794	NJ	Interstate 280 Interchange Improvements, Harrison	\$10,000,000
2795	KY	Construct Northern Bypass of Somerset, KY and I-66 from the Cumberland Parkway west of Somerset, Kentucky to I-75 south of London, Kentucky	\$35,000,000
2796	VA	Preliminary Engineer, Design, and Construct improvements to Virginia Beach Blvd in Virginia Beach and Norfolk	\$500,000
2797	PA	Fayette County, Pennsylvania, State Road 21 Improvements	\$2,000,000
2798	ME	Replacement of Waldo-Hancock Bridge	\$16,000,000
2799	CT	Reconstruct and widen Homer St and Chase Ave in Waterbury from Waterville Ave to Nottingham Terrace	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2800	FL	Construct new east-west road from the intersection of Beeline Highway and PGA Boulevard west to Seminole Pratt Whitney Road ..	\$1,000,000
2801	WI	Enhance West Silver Spring Ave with lighting enhancement, crosswalk improvements, signage, landscaping, Milwaukee	\$400,000
2802	NY	Completion of 1.6 mi trail network in the Utica Marsh, NY	\$124,000
2803	TX	Construct I635-I30 Interchange, Dallas, Texas	\$15,000,000
2804	IL	Establish transportation museum on Navy Pier, Chicago	\$500,000
2805	CA	Establish I-15 Interchange at Nisqualli and Mojave River crossing in San Bernardino County	\$1,500,000
2806	MA	Massachusetts Bay Transportation Authority Secure Station, Boston	\$1,000,000
2807	FL	Construct bridges on SR 710 in Palm Beach County	\$2,500,000
2808	PA	Reconstruct intersection of SR 51 and Franklin Ave, Beaver County	\$2,150,000
2809	NJ	Rehabilitation existing structure at the Bridge Street bridge over the CSX Railroad Trenton Line in Manville, NJ	\$1,000,000
2810	OR	Repair and recoat logging bridge over Highway 99 E, Canby	\$150,000
2811	CA	San Gabriel Blvd Rehabilitation Project—Broadway to Las Tunas, San Gabriel	\$200,000
2812	CA	Signal upgrades on Avenida de las Flores, Melinda Road, Avenida de las Banderas, and Alma Aldea, Rancho Santa Margarita, California	\$125,200
2813	CA	Construct State Route 905 to connect the Otay Mesa Port of Entry to Interstate 805, San Diego	\$15,000,000
2814	MA	Crosby Drive Improvement Project	\$1,000,000
2815	WI	Construct North Shore Extension of Friendship State Trail, Calumet and Winnebago Counties, Wisconsin	\$350,000
2816	AR	Construct and rehabilitate Fayetteville Expressway Economic Development Corridor	\$5,000,000
2817	PA	Armstrong County, Pennsylvania, construction of the Freeport Bridge	\$2,000,000
2818	IL	Road extension for Redco Drive to Skyline Dr, Williamson County	\$1,000,000
2819	CA	Rosecrans Avenue and Bridge Arterial Reconstruction Project, Compton	\$4,000,000
2820	MA	Canalside Rail Trail Construction of the Canalside Rail Trail, Deerfield & Montague	\$1,000,000
2821	CA	Conduct study and construct Daggett Road, Port of Stockton, CA, Access Project	\$5,000,000
2822	WI	Construct a bicycle/pedestrian path, and two bridges across Starkweather Creek, Madison	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2823	GA	Construct City of Fayetteville, Ga. School Access Bike Ped Project	\$625,000
2824	TN	Sevier County, Tennessee SR 449 extension	\$1,000,000
2825	GA	SR 133 south bound lane bridge replacement over the Georgia Florida Railnet line, Dougherty County	\$1,000,000
2826	CA	Construct grade separation on State Street and Cajon Boulevard along BNSF tracks in San Bernardino	\$2,000,000
2827	WA	Construct SR 9 Pedestrian Overpass in Arlington	\$1,100,000
2828	CA	Implement streetscape improvements along Wilbur Avenue to enhance traffic and pedestrian safety	\$100,000
2829	MD	I95, I495, MD5 Branch Avenue Metro Access	\$4,000,000
2830	TN	Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossing in Loudon, TN ...	\$57,000
2831	MO	I-470, I-435 & Rt 71 Completion of Interstate realignment	\$3,000,000
2832	PA	Ridge Avenue Revitalization project in conjunction with Roxborough Dev. Corp. for scenic enhancements & pedestrian safety improvements along a heavily traveled thoroughfare	\$1,000,000
2833	PA	Corridor improvements for PA 72 from PA 283 to PA Turnpike	\$1,000,000
2834	AR	Construction of I-49, Highway 71: Highway 22 to Highway 71 near Jenny Lind	\$5,000,000
2835	CA	Provide landscape enhancement of an existing open culvert on Atherton Street, Long Beach	\$1,500,000
2836	NY	Rehabilitate Guy Lombardo Avenue and construct drainage improvements and new sidewalks and curb cuts in Freeport, NY	\$1,195,000
2837	IA	I 35 interchange improvements, Ankeny	\$5,000,000
2838	PA	Improve Freemansburg Avenue and its intersections at Route 33	\$2,000,000
2839	NJ	Pedestrian facilities and street lighting on Route 551 from Route 130 to Chestnut Street, Brooklawn	\$400,000
2840	IL	I-57 and I-294 Interchange	\$3,000,000
2841	FL	New Kings Rd. Pedestrian Overpass & Enhancements, Jacksonville	\$1,000,000
2842	TX	Grimes Co., TX Bridge Improvement Project ...	\$500,000
2843	CA	Crenshaw Blvd. Rehabilitation, Maricopa St. to Sepulveda Blvd., City of Torrance	\$1,000,000
2844	VA	Engineering and Right of Way for Interstate 73 in Roanoke County	\$1,500,000
2845	GA	Johnson Ferry Road Glenridge Drive Widening, Abernathy Road to Hammond Drive ..	\$2,500,000
2846	GA	Install walkways, bridges, lighting, landscaping in Water Works Park and south along river through Ocmulgee Monument and Central City Park	\$6,020,083

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2847	OH	Intersection improvements and related road improvements in the City of Chardon, OH	\$612,000
2848	WV	Construct Coalfields Expressway	\$7,200,000
2849	CA	Improve pedestrian and biking trails within East Bay Regional Park District, Contra Costa County	\$1,000,000
2850	MA	Berkshire County Bike Paths, Design & Construction	\$5,000,000
2851	MI	Ogemaw County, Overlay of Fairview Road to improve network of all-season truck routes ...	\$369,600
2852	VA	Old Mill Road Extension	\$1,000,000
2853	PA	Construct Campbelltown Connector, Lebanon County	\$2,500,000
2854	NJ	Construct Rt 40 Reconstruction from Rt 77 to Elmer Lake, Elmer, Salem County	\$3,000,000
2855	OH	Design and Construct Riverwalk and adjacent facilities, Warren, Trumbull Co	\$1,500,000
2856	CA	Realign SR 4 within the City of Oakley	\$2,000,000
2857	IL	Construct recreational trail from Spring Creek Forest Preserve to Greene Valley Forest Preserve in DuPage County, IL	\$400,000
2858	MN	Construct trail link between Bruce Vento Regional Trail and Mississippi River Corridor in St. Paul	\$1,500,000
2859	FL	Construct Interstate-4/ Crosstown Connector ...	\$1,000,000
2860	UT	Add lights to road from Halchita to Mexican Hat in the Navajo Nation	\$200,000
2861	CA	Construct off ramp at Interstate 8/Imperial Avenue Interchange, El Centro	\$3,000,000
2862	VA	Cranesnest Trail—construction of hiking, biking, horse trail from Route 83 to Cranesnest Campground	\$650,000
2863	NC	Durham and Chatham Counties, NC Completion of American Tobacco Trail	\$2,000,000
2864	TX	Austin to Manor Rail Trail, Texas	\$2,000,000
2865	PA	Eliminate existing rail line in Indian, PA to eliminate 37 at grade crossings and reconstruct the line outside the town from Glenn Lock to Middletown	\$4,000,000
2866	MN	Extend Cuyuna Range and Great River Road Trails, Aitkin	\$400,000
2867	NY	Conduct planning, engineering, and eventual construction of Rte. 5 in City of Oneida, from Seneca St. to county line	\$500,000
2868	NY	Great Neck Road Traffic Calming Project	\$400,000
2869	NJ	Design and construct new streetscape through Irvington Center	\$1,000,000
2870	IL	Construct connector road between Collinsville Rd to IL 3/North 1st St, St. Clair County ...	\$6,000,000
2871	NJ	Carteret, NJ Ferry Service Terminal	\$2,100,000
2872	AL	Construct I 10-US 231 Connector from Dothan, AL to Florida	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2873	OH	Bicycle Paths for the Magic Mile in Willoughby, OH	\$800,000
2874	NC	Construct Interstate 73 74 in Montgomery County and Richmond County, North Carolina	\$18,000,000
2875	NY	Construct Phase II I-90 Connector ITS Laboratory in Rensselaer County	\$6,000,000
2876	NC	Design and construct Airport Area Roadway Network	\$2,800,000
2877	WA	Engineering and Construction of the Centennial Trail in Snohomish	\$1,000,000
2878	OR	I-5 Beltline Interchange	\$20,000,000
2879	IL	Extension North from Rt. 30 to Wheeler Road and Galena Boulevard extension west of Rt. 47 in Sugar Grove, IL	\$4,760,000
2880	NY	Newburgh, Improve East End Roads	\$1,863,500
2881	ME	Construction of the Kennebec River Rail Trail	\$400,000
2882	CA	Construct Bristol Street multi-modal corridor in Santa Ana	\$3,000,000
2883	CA	Construct pedestrian sidewalk enhancements in Bellflower	\$500,000
2884	KS	Improvement and expansion for 2.7 miles of K-18 in Geary County	\$14,500,000
2885	CA	I-110/SR 47/Harbor Blvd. Interchange Improvements, San Pedro	\$5,000,000
2886	MA	Oxbow National Wildlife Refuge, Design and construction of a Visitor Contact Station	\$2,000,000
2887	AL	Pedestrian Improvements for Pell City, AL	\$250,000
2888	WI	Rehabilitate Highway 51 between CTH S and USH 8 in Lincoln County	\$2,000,000
2889	OH	Rehabilitate tunnel and bridge on National Road Bikeway in St. Clairsville	\$700,000
2890	MD	Pennington Ave Drawbridge, Baltimore	\$1,000,000
2891	MA	Rehabilitation and paving of Parker River Road	\$250,000
2892	MN	Reconstruct CSAH 7 between Itasca CR 341 and the Scenic State Park entrance to improve safety and structural integrity	\$3,200,000
2893	OH	Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rick-enbacker Airport	\$6,500,000
2894	PA	Relocation of PA 52 at Longwood Gardens	\$1,200,000
2895	TX	Construct Interstate 35 improvements in Buda	\$1,000,000
2896	TN	improve streetscape and signage, McMinn County, TN	\$300,000
2897	OR	Culvert Replacement, Sweet Home	\$130,000
2898	AL	AL 5 Widening in Bibb County	\$3,000,000
2899	CO	Design and build a multimodal corridor on US 36	\$5,000,000
2900	WA	Development of highway-rail crossings in Spokane County, WA and Kootenai County, ID	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2901	OH	Acquire right of way land along US 24, Lucas County	\$1,000,000
2902	IL	Improve Streets, Westchester	\$150,000
2903	NY	Enhance road and transportation facilities in the vicinity of W. 65th St and Broadway, New York City	\$3,000,000
2904	TN	Construction of Knob Creek Road in Washington County, Tennessee	\$500,000
2905	TN	improve streetscape and pavement repair, Loudon County, TN	\$300,000
2906	CA	Improvement of intersection at Inglewood Ave and Marine Ave to reduce congestion, City of Lawndale	\$3,600,000
2907	HI	Interstate Route H1 rehabilitation, Kaahumanu Street to Kaimakani Street	\$7,430,000
2908	ID	Construct Interchange on I-84 at Ten Mile Rd, Meridian, Idaho	\$2,000,000
2909	NJ	Pedestrian facilities and street lighting on Haddon Avenue from Voorhees Township Line to Bate Avenue, Berlin Township	\$347,120
2910	WA	267th Street NW Pedestrian Path in Stanwood	\$600,000
2911	KY	Replace US 68 and US 150 Bridge over Chaplin River, Perryville	\$750,000
2912	UT	Geveva Rd-Provo Center Street, Orem 1600 North to I-15 FWY, Provo-widen from 2 to 4 lanes	\$7,500,000
2913	IL	Construction of a new roadway and grade separation of the UP West Line east of Elburn ..	\$7,000,000
2914	VA	Haymarket, VA. Washington Street improvements	\$500,000
2915	NJ	Improvements to implement the Readington Tewksbury Transportation Improvement District	\$500,000
2916	IL	Allow IDOT to proceed with engineering and construction of Airport-Lockport Rd and Illinois Route 126 interchanges on I-55	\$2,000,000
2917	AR	Caraway Bridge Overpass	\$9,000,000
2918	OH	Construction of an Intermodal Facility at University Circle in the City of Cleveland	\$500,000
2919	PA	Jeannette Truck Route	\$500,000
2920	MD	MD45, Cavan to Ridgley Roads	\$5,520,000
2921	MD	MD 30 Hampstead Bypass	\$1,000,000
2922	MI	Monroe Area Highway-Railway Crossing Improvements, City of Monroe	\$6,400,000
2923	OH	Obtain right-of-way and construct the 161,37 widening project in Franklin and Licking Counties, Ohio	\$2,000,000
2924	CT	Enfield, Connecticut Make improvements to South Maple Street Bridge	\$1,910,000
2925	NY	Conduct studies, if necessary, and construct infrastructure projects for Governor's Island ...	\$4,000,000
2926	NY	Harlem River Park and Bikeway	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2927	CT	Make Improvements to Plainfield Cemetary Road	\$300,000
2928	SC	Construct grade separation and interchange improvements at U.S. 521, Lancaster County	\$1,000,000
2929	NJ	Replacement of the Magnolia Avenue Bridge over Route 1 & 9	\$1,000,000
2930	IL	Resurfacing and restriping Euclid Ave between Walnut Ave and Douglas Ave in Arlington Heights	\$350,000
2931	MI	Resurfacing of Frazho Road in Roseville	\$1,280,000
2932	CA	Construct 213th Street pedestrian bridge to provide safe passage for pedestrians and wheelchairs, Carson	\$1,000,000
2933	MO	Conduct impact studies for Missouri River Bridge siting in Kansas City, MO	\$5,000,000
2934	CA	Construction of Lenwood Road Grade Separation in Barstow, CA	\$1,500,000
2935	PA	Improvements to Frankford Avenue from Cottman Avenue to Harbison Avenue	\$1,250,000
2936	IN	Revelop Hazeldell Road, Hamilton County, Indiana	\$1,000,000
2937	AK	Road Improvements and upgrades to service road areas and miscellaneous projects within Northstar Borough	\$5,000,000
2938	OH	Rehabilitation or replacement of highway-rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties	\$360,000
2939	MI	Otsego County, Resurfacing and widening of Parmater Rd	\$368,000
2940	WA	Realign West Main Street through Kelso	\$2,000,000
2941	TN	Reconstruct State Route 109 from I-40 in Wilson County to Portland in Sumner County ...	\$1,000,000
2942	PA	Redesigning the intersection of US 322/High Street and Rosedale Ave	\$1,500,000
2943	DE	Replacement of the Indian River Inlet Bridge, Sussex County Delaware	\$6,000,000
2944	FL	Construct link from I-95 to I-10 through Clay County with terminus points SR 23 to CAR 739B	\$5,000,000
2945	MN	Construct ramps and new bridge over Interstate 35 at CSAH 17, and reconstruct CSAH 17 from west County Line to CSAH 30, Chisago County	\$7,020,744
2946	CT	Conduct multi-modal study of Route 8 corridor between Beacon Falls-Seymour town line and exit 40	\$1,000,000
2947	AR	Hwy 65 improvements in Van Buren County, including construction of passing lanes, bridge improvements, intersection improvements and other roadway improvements	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2948	AZ	Construct sidewalks along White Spar Road -Prescott, AZ	\$1,500,000
2949	NY	Construction of Pedestrian and Bike Trail campus access & improvements, St. Bonaventure, NY	\$500,000
2950	NY	Eastern Laurelton Area Improvements, Queens, New York	\$8,600,000
2951	NY	Bicycle and pedestrian safety improvements, Main Street, Riverhead	\$1,200,000
2952	AL	Construct County Road 83 corridor from Foley Beach Express to I-10	\$10,000,000
2953	PA	Design and construct improvements to PA 465 from Walnut Bottom Rd. to PA 641 and at I 81 Exit 44	\$3,870,500
2954	IL	Reconstruct and Widen Route 60 Bridge over I-94 in Lake Forest	\$9,000,000
2955	VA	Improve Downtown Staunton, Virginia, Streetscape	\$1,500,000
2956	PA	Route 322 Halls Run Upgrades from the intersection of Horsecreek Road to Mapleshade Road -Venango County	\$1,700,000
2957	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Wilkes-Barre	\$2,500,000
2958	IN	SR56 Reconstruction, Aurora, Indiana	\$5,120,000
2959	MI	Study and implement transportation system alternatives in the vicinity of US 31/M 46	\$4,000,000
2960	MA	Longfellow Bridge Rehabilitation	\$5,000,000
2961	IL	For Village of Bolingbrook to construct Remington Blvd. extension	\$500,000
2962	AZ	Design and Construction of Rio Salado Pedestrian Bridge in Tempe, AZ	\$3,000,000
2963	MI	Study to determine replacement options for obsolete and structurally deteriorating bridge (Trenton- Grosse Ile Bridge) including approach roadways, Charter County of Wayne	\$4,000,000
2964	PA	Mount Joy Bridge Replacement on Route 230	\$450,000
2965	CA	Modifies 9 traffic signals between Willow Road and Middlefield Road and Hamilton Avenue, Menlo Park	\$300,000
2966	OH	Summit County Engineer Reconstruct Access Roads to Cuyahoga Valley National Park	\$500,000
2967	OR	To study the feasibility of widening Hwy 26 from the Hwy 217 interchange to the Cornelius Pass exit	\$1,000,000
2968	GA	Athens-Clarke County Greenway Enhancement Project	\$2,320,000
2969	WA	Improve Wahkiakum County Ferry landing	\$250,000
2970	IL	Irving Park Bridge over the Chicago River	\$4,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2971	MI	Design, right-of-way and construction of passing relief lanes and improvements necessary on M-55, between M-37 and M-115	\$2,200,000
2972	NE	Design, right-of-way and construction of South and West Beltway in Lincoln, Nebraska	\$4,000,000
2973	TX	Tower 55 CMAQ Congestion and Preliminary Engineering Study	\$2,000,000
2974	NY	Town of Chester, Lake Hill Farms subdivision road improvements	\$150,000
2975	MN	Improvements on TH 169 east and west of East Two Rivers Crossing and TH 135 from Enterprise Drive to TH 169	\$2,216,000
2976	IN	Reconstruct Standard Avenue, Whiting	\$1,300,000
2977	TX	Barron Rd. Interchange at SH 6 (Earl Rudder Freeway) College Station	\$3,000,000
2978	CA	Develop conceptual master plan to improve the efficiency of transportation facilities, Covina	\$215,000
2979	PA	Transportation enhancements along the Delaware Canal between Yardley, PA and Bristol, PA	\$3,000,000
2980	VA	Upgrade DOT crossing #467661K to constant warning time devices	\$171,700
2981	UT	Add lighting on Highway 262 on the Navajo Nation in Aneth	\$175,000
2982	VA	Chestnut Mountain Road—feasibility study, design and construction start for road improvement on National Forest lands	\$500,000
2983	MI	Construction of roads and trails Humbug Marsh Unit Linked Greenways System, Detroit International Wildlife Refuge	\$1,100,000
2984	TX	Construct access road connecting Port of Beaumont property on east bank of Neches River to I-10 access road east of the Neches River	\$1,800,000
2985	AR	Develop U.S. Highway 71 (I-49) to Interstate standards on new location between Mena, AR and LA state line	\$3,160,000
2986	SC	Lexington County, widen US 1 and SC 6, and improve US 1, SC 6, and US 378	\$2,000,000
2987	IL	Midlothian Road Signalization, Lake Zurich	\$600,000
2988	VA	Glen Alton—design and construction of recreation trails, access and visitor information center	\$1,000,000
2989	MI	Expansion of Cass Avenue in Clinton Township	\$9,194,000
2990	CO	Bromley Lane and US 85 interchange feasibility study and construction of needed improvements	\$1,000,000
2991	MD	Constructing Chestertown Trail, Chestertown, MD	\$300,000
2992	IL	Eastern Peoria Bypass	\$3,000,000
2993	VA	Conduct planning and engineering for Mayo Bridge in Richmond	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
2994	NY	Elevation of road and construction of drainage improvements on Sequams Lane Center and Sequams Lane West in the Town of Islip, NY	\$695,000
2995	NM	Improvements to San Juan County Road 7950	\$1,000,000
2996	WA	116th St/Interstate 5 Interchange Reconstruction in Marysville	\$2,000,000
2997	SC	Construction of public roads at the International Center for Automotive Research and reconstruction of Fairforest Way in Greenville, South Carolina	\$6,000,000
2998	PA	Provide 4 through-lanes on PA 100 by constructing two thru lanes to the east of Ludwigs Corner	\$5,000,000
2999	PA	Completion of construction of final 2 ramps of I-79 interchange with Parkway West; widening of 1 mile of Parkway West leading to ramps	\$2,000,000
3000	CA	Diamond Bar, CA Grand Avenue Rehabilitation	\$1,600,000
3001	NY	Reconfigure intersection of Ridge Street and Hallocks Mill Road & install new traffic signal	\$750,000
3002	WA	Guard Street Reconstruction Project in Friday Harbor	\$800,000
3003	CO	Roadway widening and interchange rebuilding on I-225 from I-70 to Parker Road	\$9,000,000
3004	PA	Roosevelt Boulevard improvements by the Pennsylvania Department of Transportation	\$4,000,000
3005	MN	Construct Paul Bunyan Trail Walker to Bemidji Segment	\$700,000
3006	HI	Upgrades to Farrington Highway	\$1,000,000
3007	KY	US 41A Phase II Design and Right of Way	\$4,000,000
3008	NM	US 54 Corona, Tularosa, and Vaughn Bridges Replacement and Rehabilitation	\$1,000,000
3009	OH	Construction of access road along east side of SR 8 in Summit County, OH	\$1,000,000
3010	TX	US 281 from Brooks County Line to FM 3066, Brooks County	\$2,000,000
3011	FL	Construction of an interchange at Florida's Turnpike & Stirling Rd. in Broward County	\$5,538,959
3012	NY	Construction of the City of Watertown Streetscape Enhancement Project	\$3,000,000
3013	IL	Improve Streets, Merrionette Park	\$500,000
3014	NY	Install Improvements for Pedestrian Safety in the vicinity of St. Roberts Bellarmine	\$250,000
3015	NY	Rebuild Queens Plaza, a 250-foot wide roadway on the eastern end of the Queensborough Bridge	\$8,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3016	PA	Upgrade circuit for gates and lights at Seventh Street in Emmaus, PA USDOT crossing number 592401H to constant warning time devices	\$275,000
3017	UT	SR-158 Improvements, Pine View Dam, Weber County, Utah	\$2,100,000
3018	CA	Valley Boulevard Capacity Improvement between 710 Freeway and Marguerita Avenue, Alhambra	\$2,000,000
3019	IL	Offramp and overpass from I-57 outside of Marion and necessary connector roads	\$5,000,000
3020	AK	Construction of and improvements to roads at Alaska Pacific University	\$3,000,000
3021	SC	Upgrade of the I-95/SC 327 Interchange near Florence	\$7,500,000
3022	CA	Valley View/Stage Grade Separation Project, La Mirada and Santa Fe Springs, California	\$900,000
3023	OR	Renewal of Wooden Bridge West of Albany	\$8,000,000
3024	MI	Northville, Taft Road from 8 Mile North to city limits	\$500,000
3025	NY	Village of Pawling Rehabilitation of Grandview Ave from Lakeside to end	\$100,000
3026	SD	Pave and curb Cheyenne River Tribe Route 900, “Chinatown” in Eagle Butte	\$1,500,000
3027	FL	Church Street Improvements, Orlando	\$15,000,000
3028	MI	Walled Lake, Widen Maple Road, west of Decker to Welch	\$125,000
3029	AR	Washington County, Arkansas—replace and rebuild Tilly Willy Bridge	\$800,000
3030	AR	Russellville Intermodal Facility construct access roads from AR Hwy 247, purchase Right-of-Way	\$2,000,000
3031	TX	Construct IH 30 Monty Stratton Parkway Interchange in Greenville, TX	\$1,500,000
3032	PA	Design and Construction of Portzer Road Connector, Bucks County	\$2,000,000
3033	IL	For Plainfield Township Park District to construct DuPage River Bike & Pedestrian Trail linking Grand Illinois, Midewin, & I&M Canal Trails	\$100,000
3034	TX	Pedestrian Path and Sidewalk Improvements along US 83 in Rio Grande City	\$500,000
3035	MS	Upgrade roads at Tougaloo College	\$500,000
3036	IL	Washington Street Widening, Gurnee	\$3,360,000
3037	LA	Replacement Bridge for Tunnel, Belle Chasse ..	\$500,000
3038	FL	Implement Busch Boulevard corridor improvements to improve safety in Tampa	\$2,500,000
3039	MI	Construction of Pittsfield Greenways Bridge—nonmotorized bridge enhancement onto existing Bemis Road Bridge, Pittsfield Charter Township	\$201,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3040	NC	North Carolina. Repair and improve safety features on US Hwy 19 from Maggie Valley to Cherokee	\$18,000,000
3041	NC	Northern Loop Project, City of Wilson	\$1,000,000
3042	OR	Weaver Road Extension and Bridge Project, Douglas County	\$17,500,000
3043	MI	Complete 58 miles of White Pine Trail from Grand Rapids to Cadillac	\$2,800,000
3044	NY	Elmira Congestion Mitigation	\$2,000,000
3045	IL	Improve Roads and Bridges, Cicero	\$1,500,000
3046	MI	John-Daly Road Reconstruction—2.5 miles from northern city limit to southern city limit, Inkster	\$2,500,000
3047	UT	Construct pedestrian safety project on the Navajo Nation in Montezuma Creek	\$325,000
3048	MD	Construct MD5, Hughesville Bypass	\$10,000,000
3049	OH	Repair & Construct Rock Spring Bridge, Portage County	\$500,000
3050	RI	Replace I-195 Washington Bridge Eastbound ..	\$2,000,000
3051	UT	Bear River Migratory Bird Refuge Access Road Improvements, Box Elder County, UT	\$4,500,000
3052	MA	Reconstruction of Union St. and Rt. 138W, Holbrook	\$1,720,000
3053	MI	Replacement of the interchange at 44th Street and U.S. 131 in Grand Rapids	\$9,000,000
3054	OH	Construct interchange improvements at SR 46 and 82 in Howland Township, Trumbull Co	\$1,000,000
3055	GA	Widen and construct US 84 Connector Bypass from west of US 84 SR 119 west of Hinesville to US 84 SR 196 south of Flemington, Liberty County, Georgia	\$3,000,000
3056	IL	Project is a stand-alone roadway improvement consisting of the complete reconstruction of the roadway, The Village of Forest Park	\$1,000,000
3057	MI	Jackson Freeway Modernization Project. I-94 Modernization Project from Michigan State Route 60 [M60] easterly to Sargent Road ...	\$16,000,000
3058	VA	Smart Travel and Traffic Management Systems in Salem and Staunton District, Virginia	\$500,000
3059	OH	Construct Great Miami River Multi-Use Trail, Miami County, Ohio	\$1,270,000
3060	DC	Rock Creek Recreational Trail study to assess feasibility of constructing recreation trail	\$1,000,000
3061	MI	Study road runoff in Little Black Creek between U.S. 31 and Seaway Drive	\$400,000
3062	CA	Conducts environmental review of proposed improvements related to the connection of Dumbarton Bridge to Highway 101	\$500,000
3063	NY	Construction of and improvements to Union Road in West Seneca	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3064	WI	Upgrade I 43 between State Highway 140 and East County Line in Rock County, Wisconsin	\$3,000,000
3065	NJ	Separation of the intersection of 13th Street and the Lehigh Rail Line through bridge or tunnel in Manville, NJ	\$1,055,000
3066	CA	Construct parking facility and improve access to Imperial Valley Expo	\$377,500
3067	CA	Develop bicycle paths and pedestrian access to Third Avenue, Chula Vista	\$300,000
3068	IL	Upgrade County Highways 18 and 22 in conjunction with state I-57 interchange plan north of Mattoon	\$2,000,000
3069	CA	Widen & Reconfigure Sepulveda & Culver Boulevards, Culver City	\$2,740,000
3070	OH	Construct interchange or other appropriate access on IR 70 west of existing mall road exit in Belmont County	\$6,935,000
3071	AZ	Widen and expand the existing roadway and railroad overpass in the Houghton Road Corridor	\$5,000,000
3072	OK	Construction of Duncan Bypass Grade Separation	\$3,000,000
3073	SC	Pine Needles Widening & Bridge Replacement	\$3,000,000
3074	CA	Olsen Road widening and roadway improvements in Simi Valley, California	\$2,100,000
3075	GA	Streetscape project to upgrade sidewalks, lighting and streets, Jeffersonville	\$500,000
3076	NY	Implement Diamond Grinding Measures on I-95, I-278, Mosholu Parkway, I-495, Grand Central Parkway, and Richmond Parkway ...	\$700,000
3077	MD	Upgrade Conduit System for Traffic Signal Systems, Street Lighting, and Traffic-related Video Cameras for Baltimore	\$1,300,000
3078	WA	5th Street/US 2 Signalization Improvements in Sultan	\$100,000
3079	WI	Implementation of recommendations contained in 2005 Safe Routes to School in Superior plan	\$600,000
3080	LA	Widen and improve LaPlaco Boulevard from Bayou Segnette to US 90, Jefferson Parish	\$4,000,000
3081	NY	Realign Kirk Lake Drive in Carmel	\$110,000
3082	NY	Town of Somers road reconstruction	\$500,000
3083	OH	Upgrade grade crossing safety devices in Elyria and North Ridgeville	\$952,000
3084	MS	Widen and improve Martin Bluff Road, Gautier	\$3,000,000
3085	CA	Widen and reconstruct Washington Blvd from westerly city boundary at Vernon to I-5 Fwy at Telegraph Rd in Commerce	\$3,000,000
3086	CA	San Diego, CA Interstate 5, Sorrento Valley Road and Genesee Avenue Interchange Project	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3087	OR	Widen I-5 between Portland, Oregon and Vancouver, Washington	\$5,000,000
3088	LA	North-South Corridor from Houma/Thibodaux to I-10	\$5,000,000
3089	GA	Warren County I-20 Frontage Road	\$3,000,000
3090	KY	Widen KY 11 from US 460 to the Mt. Sterling Bypass, Montgomery County	\$2,500,000
3091	OH	Traffic and safety improvements to county roadways in Geauga County, OH	\$1,070,000
3092	CA	Develop bicycle paths and public park space adjacent to the New River, Calexico	\$5,000,000
3093	TN	Construction of the Foothills Parkway in the Great Smoky Mountains National Park	\$7,500,000
3094	PA	Improvements to Torresdale Avenue from Harbison Avenue to Cottman Avenue	\$1,250,000
3095	GA	Butner Road and Stonewall Tell Road, Fulton County	\$1,000,000
3096	OH	Construction of highway-rail grade separations at intersections in Lima to improve motorist and pedestrian safety	\$3,250,000
3097	OR	Siuslaw River Bridge, Florence	\$4,250,000
3098	CA	Construct Cypress Avenue over-pass to separate Interstate 10 and Union Pacific Railroad tracks in Fontana	\$3,000,000
3099	CA	Modify and reconfigure Kanan Road interchange along US101 in Agoura Hills	\$5,000,000
3100	OH	Upgrade and widen intersection for SR 14 in Washingtonville	\$1,000,000
3101	NM	Upgrade NM 434 from Mora north to Black Lake	\$1,500,000
3102	NJ	Upgrade of Turnpike/Route 440 Interchange in Bayonne	\$4,000,000
3103	LA	Widen LA 18 from Northrup Grumman/Avondale Shipyards to US 90, Jefferson Parish	\$2,500,000
3104	PA	Widen PA 896 between Strasburg Borough and US 30	\$1,200,000
3105	MI	Eliminate major roadway on Cleary University campus and establish a new roadway	\$500,000
3106	PA	Reconstruction of 11 mile segment of the Lower Trail between Williamsport and Mt Edna, Blair County, Pa	\$500,000
3107	KY	Construction of interchange connecting US31W to I65 at mile marker 32 in Warren County	\$2,000,000
3108	AS	Drainage mitigation for Pago Pago village roads	\$1,000,000
3109	NC	Install Sugar Creek Grade Separation	\$3,000,000
3110	LA	Improvements to LA 46 in St. Bernard Parish	\$400,000
3111	IN	Construct Hoham Drive Extension in Plymouth, Indiana	\$500,000
3112	OR	Construct turn lane on Gateway Boulevard, Cottage Grove	\$90,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3113	TN	Replace Unitia Bridge in Loudon County, TN	\$900,000
3114	VA	Replacement of Robertson Bridge in Danville ..	\$6,150,000
3115	MA	Public Improvements to Springfield Symphony Hall	\$300,000
3116	NY	Realign Union Valley Road in Town of Carmel	\$550,000
3117	NY	Village of Pawling Improvements to Reservoir Road from State Rt 22 to Prospect St	\$125,000
3118	MS	Build connector between SR 609 and State Highway 15 near I-10, Jackson and Harrison Counties	\$3,000,000
3119	CO	I-70 West Mountain Corridor, Denver to Garfield County	\$4,000,000
3120	CA	Completion of Interstate 5 and Interstate 8 Connectors, San Diego	\$6,000,000
3121	FL	Construct US 1 interchange at CR 210, St. Johns County, Florida	\$6,600,000
3122	OH	Construct roadway improvement project along State Routes 37 and 78 through Fairfield, Perry, Morgan, Noble, Monroe Counties	\$250,000
3123	IL	Construct I-57 Bridge Overpass, City of Markham	\$600,000
3124	NJ	Design, plan and build a permanent pedestrian/bicycle path along the banks of the Elizabeth River	\$500,000
3125	NJ	Improve the US Interstate 78 Interchange at exit 15 in Franklin Township, Union Township, and Town of Clinton	\$1,000,000
3126	CA	Reconstruct Rosecrans Av. and construct bus pads from Garfield Av. to Century Bl. in Paramount	\$400,000
3127	TN	Bristol, Tennessee highway-RR crossing grade improvement—USDOT#731120J	\$100,000
3128	CO	Glenwood Springs South Bridge (new, off-system bridge)	\$6,500,000
3129	NJ	Improvements of Newark and First Streets in Hoboken	\$300,000
3130	OH	Construct I-70 interchange at Burnett Road, Springfield	\$1,250,000
3131	MN	Construction of Gitchi-Gami State Trail from Silver Bay to Tettegouche State Park	\$1,500,000
3132	CA	Improvements/Widening of SR 99 from Goshen to Kingsburg in Tulare County, California ...	\$8,200,000
3133	CA	Design and implement Harbor Boulevard ITS in Garden Grove	\$1,000,000
3134	WI	Complete the Glacial Drumlin Trail, from Madison to Waukesha	\$300,000
3135	PA	Design and construct turn lanes, signal upgrades and improvements at PA 34 and 174 intersection	\$580,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3136	PA	Design, engineering, ROW acquisition & construction of streetscaping enhancements, paving, lighting, safety improvements, parking & roadway redesign in Wright Township, Luzerne County	\$200,000
3137	PA	I-70-I-79 South Interchange Redesign and Upgrade	\$2,000,000
3138	KS	Elimination of highway-railway crossings at the city of Pittsburg Port Authority to increase safety and reduce congestion	\$5,730,000
3139	CA	Improve Access Road to Beale Air Force Base (Smartville Road)	\$3,750,000
3140	CA	Interstate 215, Los Alamos Road Interchange Project	\$2,000,000
3141	NE	Missouri River Bridges between US-34, I-29 in Iowa and US-75 in Nebraska	\$3,500,000
3142	AL	Huntsville Southern Bypass planning and engineering	\$3,000,000
3143	MO	Redesign and reconstruct I-170 interchange at Ladue Rd	\$400,000
3144	NY	Construct Interstate 87 Exit 3 Airport Connector in Albany	\$3,000,000
3145	CA	Citywide traffic signal upgrades requiring the installation of hardware and software at 9 major intersections, Palo Alto	\$500,000
3146	OH	Construct replacement of Morgan Township Road 209 between SR 60 and SR 78 in Morgan County	\$3,300,000
3147	GU	Construct Route 3A Extension, Municipality of Yigo	\$3,000,000
3148	NY	Construct the Setauket/Port Jefferson Greenway Trail Project	\$5,000,000
3149	AR	Develop a railroad overpass connecting U.S. Highway 67 and U.S. Highway 371 in Prescott	\$2,640,000
3150	FL	Construct SR 312 Extension Bypass, St. Johns County, Florida	\$5,300,000
3151	GA	Construct Welcome Center, and pedestrian trail, Abbeville	\$500,000
3152	VA	Improve Erickson Avenue and Stone Spring Road connection	\$750,000
3153	TX	Reconstruct Loop 12 IH 35E and SH 183 west extension to MacArthur, Irving, Texas	\$5,000,000
3154	OR	Completion of the first of three phases of trails in the Regional Trails Program	\$6,000,000
3155	MN	Construct bridge for Paul Bunyan Trail over Excelsior Road, Baxter	\$1,500,000
3156	KY	Reconstruct US-127 at the US-127 and US-127 North Bypass, Mercer County	\$600,000
3157	CA	Rehabilitate street surface of Addison St. between Kester Ave. and Lemona Ave	\$47,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3158	IL	City of Springfield, IL for improvements to Cockrell Lane	\$952,572
3159	OH	Repair/Construct Mill Street Bridge, Akron	\$1,800,000
3160	MI	Resurface Caseville Road in Huron County	\$192,000
3161	PA	River Trail and Esplanade Development at the Southside Riverfront Park	\$750,000
3162	IL	Construct access roads to National Great Rivers Research Center	\$1,410,000
3163	IL	Construct Roadway from Mississippi River Barge Dock to IL Rt 3-IL Rt 157, Cahokia	\$2,000,000
3164	PA	Context Sensitive Design Elements for the Market Street Bridge, Lycoming County, PA	\$1,500,000
3165	NY	Implement Pedestrian Safety Improvements on Queens Boulevard	\$500,000
3166	NV	Design and construct interchange on I-15 in Mesquite	\$1,000,000
3167	CA	Construct grade separations at Washington Ave & UPRR crossing east and Washington Ave & La Cadena Drive in Colton	\$500,000
3168	MD	Intercounty Connector	\$6,000,000
3169	MA	Charlemont Bridge, Route 2, Charlemont	\$4,800,000
3170	MN	CSAH 47 rehabilitation from 165th Ave to TH 25, Morrison County	\$440,000
3171	MS	Improve Old Augusta Road and construct Kaiser Road, Perry County	\$3,500,000
3172	PA	Reconstruction of US 30 from PA 10 to Business US 30 including travel lanes, shoulders, etc	\$5,000,000
3173	NY	Route 78 (Transit Road), Genesee Street to Main Street, Towns of Amherst, Cheektowaga and Clarence in Erie County ...	\$3,000,000
3174	NY	Southtowns Connector—Construct improvements to NY Route 5 from Coast Guard Base to Ohio Street, including Fuhrmann Boulevard	\$10,700,000
3175	CA	SR 91 I 605 Needs Assessment Study, Whittier, CA	\$16,000
3176	GA	SR 70/Fulton Industrial Boulevard widening from Camp Creek Parkway to the SCL RR, Fulton County	\$1,500,000
3177	MO	Ste. Genevieve Co., Missouri Rt. 61 bridge replacement over Establishment Creek	\$1,500,000
3178	MN	Construction of intersection at County Road 5 and TH 13 in City of Burnsville	\$3,000,000
3179	GA	SR 307 overpass over Georgia Port Authority rail line, Savannah	\$4,000,000
3180	MO	Study railroad reconfiguration to eliminate highway crossings in and around Springfield, MO	\$1,000,000
3181	NC	Construct relocated NC 16 in Lincoln and Catawba Counties, NC	\$1,700,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3182	IL	Construction of highway approaches to the Sullivan Road bridge in Aurora, IL	\$1,600,000
3183	IL	Engineering and construction of 15.1 mile Alliance trail between Lock 14 in LaSalle and Lock 2 in Bureau Junction	\$1,000,000
3184	CA	Construct parking facility and improve museum pedestrian access from trolley station, San Diego	\$1,000,000
3185	PA	Relocation and upgrade of Beaner Hallow Rd, Beaver County, PA	\$1,650,000
3186	MN	TH 36-Stillwater Bridge; Acquisition of ROW	\$5,000,000
3187	IL	To construct Veterans Memorial Drive Extension. Will link Mt. Vernon on the east side of I-57 with incorporated area lying west	\$1,000,000
3188	MN	I-494 US 169 Interchange Reconstruction, Twin Cities Metropolitan Area, Minnesota	\$5,000,000
3189	AL	Jackson County Industrial Park Access Road, Hollywood	\$1,000,000
3190	FL	4 lane Archer Road from SW 62nd to SW 24th Ave. , Gainesville	\$3,000,000
3191	AK	Construct access road and a bridge crossing the Naknek River terminus points in South Naknek-King Salmon Highway	\$3,000,000
3192	NY	Route 303 Orangeburg Road and Route 340 and Erie Street intersection	\$1,000,000
3193	MS	Upgrade roads in Port Gibson (U.S. Hwy 61), Claiborne County	\$400,000
3194	GA	Construct Horstestamp Road Interchange on I-95 in Camden County, Georgia	\$1,000,000
3195	MO	Upgrade Route 94 in St. Charles County from East of Harvester road to West of Mid-Rivers Drive	\$12,000,000
3196	OH	Upgrade Rt. 665 Bridge over I-71 and widen I-71 between Rt. 665 and I-270 by one lane in each direction in Grove City, OH	\$14,000,000
3197	NY	Village of Highland Falls repaving and sidewalk construction of Berry Hill Road	\$75,000
3198	PA	Westmoreland County, Pennsylvania, four lane limited access facility connecting State Road 119 to the Pennsylvania Turnpike (Sony Connector)	\$2,000,000
3199	NJ	Edison National Historic Site Traffic Improvement Project to improve traffic flow and promote safety	\$240,000
3200	IL	Construction of Eldamain Road over the Fox River	\$2,500,000
3201	CA	Construction of a traffic signal at the intersection of Oso Ave. and Vanowen St	\$125,000
3202	OR	Reroute U.S. 97 at Redmond, OR and improve the intersection of U.S. 97 and Oregon 126	\$7,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3203	CA	Widen & realign Cherry Avenue from 19th Street to one block south of Pacific Coast Highway, Signal Hill	\$4,000,000
3204	AR	Ft. Smith, Arkansas: Improvements to Jenny Lind Rd. and Ingersoll Rd	\$6,000,000
3205	OH	Widen Pearl Road in Strongsville	\$1,000,000
3206	CA	Interstate 5 and State Route 78 Interchange Improvements	\$5,000,000
3207	OK	Improvements to SH3 from Antlers to Broken Bow	\$6,250,000
3208	KY	Construct the Albany Bypass in Clinton County	\$6,000,000
3209	CA	Highway 74 and Interstate 215 Interchange Project	\$1,000,000
3210	SC	Improve intersection and corridor on US 278 to improve safety. Poss build frontage roads widen road & change traffic controls	\$10,000,000
3211	WA	Port of Bellingham Transportation Enhancement Projects	\$9,500,000
3212	OH	Rehabilitation of SR 53 from Miami St to North city limits including approaches to the CSX railroad bridge, City of Tiffin	\$1,000,000
3213	OH	Upgrade U.S. Route 30 between State Route 235 and Upper Sandusky in Hancock and Wyandot Counties	\$10,090,000
3214	MN	Main Street streetscape reconstruction, 2nd Street from Ash Ave. to State Hwy 2, and Grand Utley Ave from 2nd Street to 6th Street N. across State Hwy 2, Cass Lake	\$1,900,000
3215	NJ	Warren County, NJ Route 57 and County Route 519 Intersection Improvements	\$2,700,000
3216	HI	Widen Queen Kaahumanu Highway	\$3,000,000
3217	CT	Widen Route 34, Derby	\$3,000,000
3218	IN	Construction of County Road 17—Elkhart, IN	\$5,000,000
3219	PA	Widen Route 666 in Forest County	\$1,500,000
3220	CA	Upgrade Jepson Parkway at North and South Gates of Travis Air Force Base and widen Vanden Road segment, Solano County	\$4,000,000
3221	CT	Widen Route 67, Seymour	\$1,000,000
3222	PR	Widen Route 835 to provide ready access to Guaynado and facilitate housing, industrial, commercial, & recreational development	\$6,000,000
3223	CT	Widen Canal Street, Shelton, CT	\$500,000
3224	NJ	Construct CR 521-Ocean Drive & Middle Thoroughfare Bridge Replacement, Cape May County	\$2,000,000
3225	OR	I-205 widening, Clackamas County	\$2,000,000
3226	OK	Construct interchange south of I-40 along Indian Nation Turnpike near Henryetta	\$250,000
3227	MO	Complete upgrade of U.S. 40-61 to interstate status on two section, from I 70 to Lake St. Louis exit and Highway K to Highway DD ..	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3228	TX	Abilene, TX, Dyess Air Force Base North Entry Access Project with related improvements	\$13,900,000
3229	CA	Construction and enhancements of trails in the Santa Monica Mountains National Recreation Area	\$1,000,000
3230	KY	Construct South Airfield Road, Boone County, Kentucky	\$3,000,000
3231	LA	Construction of pedestrian and bike path adjacent to Tammany Trace Rails-to-Trails Corridor	\$200,000
3232	NY	Construction of pedestrian walkways in Village of Northport	\$100,000
3233	NV	Design and Construction of I-80 interchange in Fernley	\$2,000,000
3234	OH	Eastgate Area Improvements, I-275 & SR 32, Clermont County	\$4,200,000
3235	PA	Pennsylvania Turnpike-Interstate 95 Interchange Project, Bucks County, PA	\$10,000,000
3236	GA	Commission a study & report regarding construction & designation of a new Interstate linking Augusta, Macon, Columbus, Montgomery, & Natchez	\$100,000
3237	CT	Construct Shoreline Greenway Trail, Madison ..	\$1,000,000
3238	NE	New roads and overpasses to relieve congestion and improve traffic flow Antelope Valley—Lincoln, NE	\$9,000,000
3239	CA	Reconstruct Atlantic Av. and improve drainage from Ardmore St. to Imperial Hwy. in South Gate	\$3,250,000
3240	SD	Construct Railroad Underpass on Hwy 34 in Pierre	\$1,100,000
3241	AR	I40-Highway 89 Interchange	\$3,000,000
3242	WA	Kent, WA Willis Street UP Railroad Grade Separation Project	\$500,000
3243	IL	Replace Interstate 74 Bridge, Moline	\$4,000,000
3244	CA	Implement SFgo Van Ness Corridor Improvements	\$7,000,000
3245	NC	Battleground Avenue Rail to Trail Project, Guilford County, NC	\$1,000,000
3246	IL	Construction of an Extension of Atkinson Road to Intersect with IL 120 and IL 137	\$6,000,000
3247	OH	I-70, I-71 Split reconfiguration, Columbus	\$8,000,000
3248	MI	Delta County, CR 186 from M-35 at Brampton to US2 and US41-bituminous overlay with super elevation, correction, curb, and gutter	\$240,000
3249	TN	Niota, TN Improving Vehicle Efficiencies at At-Grade highway-Railroad Crossings	\$99,000
3250	NY	Construct access to the NYS Thruway -Montezuma National Wildlife Reserve	\$1,500,000
3251	MN	Corridor design work, I-94 and Radio Drive, Woodbury, MN	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3252	TN	Develop trails, bike paths and recreational facilities on Brady Mountain, Cumberland County for Cumberland Trail State Park	\$250,000
3253	WA	Access Downtown Phase II: I-405 Downtown Bellevue Circulation Improvements	\$11,500,000
3254	PA	Reconstruct PA Route 274, at PA Route 11/15, Duncannon	\$1,000,000
3255	PA	Road and pedestrian improvements and realignment, through construction, in York City NW Triangle	\$1,500,000
3256	NY	Rockland County highway railroad grade crossing safety improvements	\$1,750,000
3257	OH	Calm traffic on Greenfield St in City of Tiffin and improve intersection of Greenfield St with Routes 18 and 101	\$1,700,000
3258	IA	Construction of NW 26th St interchange on I 35, Polk Co	\$1,000,000
3259	NY	To conduct scoping studies along proposed Northern Tier Expressway	\$6,000,000
3260	IL	Undertake Traffic Mitigation and Circulation Enhancements on 57th and Lake Shore Drive, Chicago	\$2,000,000
3261	IL	For the the construction of a highway on new alignment to create a cross town route across Godfrey	\$1,750,000
3262	MI	Construct Industrial Park Service Road and Caine Road Bridge Replacement. Village of Millington, Tuscola County	\$494,000
3263	TX	Loop 281 Mobility and Safety Improvements, Longview, TX	\$3,420,000
3264	TX	Upgrade Fulghum Road Bridge on I-45 in Dallas County (TX) to provide safety and access for expanded intermodal traffic	\$3,100,000
3265	MN	Edge of Wilderness Discovery Center, Marcell	\$471,000
3266	IN	Construction of Star Hill Road, Clark County, Indiana	\$2,215,000
3267	TN	Plan and construct a bicycle and pedestrian trail, Shelbyville	\$400,000
3268	TX	Construct Park Row bypass from Texas State Highway 6 to the Eldridge Parkway in Houston, TX	\$2,000,000
3269	CA	Implement Northwest San Fernando Valley Road and Safety Improvements	\$3,056,000
3270	KY	Construct two bridges across the Ohio River from Louisville to southern Indiana	\$35,000,000
3271	ME	Construction of the Gorham Village Bypass, Gorham	\$11,220,000
3272	OK	Reconstruction of the I-40 Crosstown Expressway from I-44 to I-35 in downtown Oklahoma City, Oklahoma	\$20,000,000
3273	MD	I-695, MD147 to I-695	\$4,740,000
3274	SC	Upgrade Hwy. 21 Bypass Grade Crossings	\$1,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3275	MD	Upgrade MD 175 in Anne Arundel County between MD 170 and the Baltimore Washington Parkway	\$1,000,000
3276	OK	Construct and widen six lanes on Interstate 44 from the Arkansas River extending east approximately 3.7 miles to Yale Avenue in Tulsa, OK	\$11,000,000
3277	OR	North Bend Waterfront District Boardwalk Construction	\$992,000
3278	CT	Make Improvements to North Stonington, CT Westerly, R.I. Pawcatuck River Bridge	\$500,000
3279	VA	Construct improvements at I-264 Witchduck Road interchange in Virginia Beach	\$11,750,000
3280	CA	Construct Western Placerville Interchanges on State Route 50	\$3,000,000
3281	CT	Construction of Housatonic River Walk, Shelton, CT	\$1,000,000
3282	NY	NYS Route 5, 8, 12 Interchange reconstruction: Town of New Hartford	\$1,000,000
3283	NY	Implement Improvements for Pedestrian Safety in Bronx County	\$1,000,000
3284	CA	Improve West Adams Blvd Streetscape in West Adams Historic District, Los Angeles	\$200,000
3285	CA	Improve access from I-8 and construct parking lot for the Imperial Sand Dunes Recreation Area Visitor's Center, Imperial Valley	\$1,000,000
3286	PA	Construction of low-impact, spine roadway serving the North Delaware Riverfront corridor, City of Philadelphia	\$10,000,000
3287	AL	Construct interchange on I-59 between I-59 and 49th Street in Fort Payne, AL	\$3,000,000
3288	FL	Coordinated Regional Transportation Study of US 98 from Pensacola Bay Bridge, Escambia County, to Hathaway Bridge, Bay County, Florida	\$1,500,000
3289	GA	Leesburg North Bypass from US 19 to SR 195, Lee County	\$500,000
3290	LA	Peters Road improvements in Plaquemines Parish	\$1,000,000
3291	GA	Upgrade sidewalks, lighting, landscaping from Cherry Street to Hampton Street, Industrial Park to Dooly Street, Montezuma	\$500,000
3292	NY	Intermodal transportation facility just off of the Bronx River Parkway's exit 6	\$1,000,000
3293	GA	US 27 Reconstruction from Colquit to CR 279	\$1,000,000
3294	TX	Loop 180 (Project code 1190-01-035) in Whitney, TX from FM 933/ FM 1713 to FM 933S of Whitney	\$1,000,000
3295	IA	US 30 widening, reconstruction in Story and Marshall Counties, Iowa	\$2,300,000
3296	TX	US 377 interchange construction (at B377 and Hwy 144) Hood Co	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3297	NY	Construct and improve pedestrian streetscapes along Sunrise Highway in Freeport	\$500,000
3298	IA	Construct Principal Riverwalk, Des Moines	\$5,000,000
3299	NY	Construct access ramps to Rt. 32-6-17-CR 105 in Orange County	\$8,000,000
3300	IL	Resurface Shawnee College Road, Pulaski County	\$1,268,245
3301	MI	Canton, Pave Cherry Hill Rd. between Canton Ctr., and Haggerty	\$2,000,000
3302	AR	Springdale, AR—Improvements to Johnson Road. From Hwy 412 to I-540 through Springdale and Johnson	\$7,000,000
3303	NC	Environmental studies and construction of Garden Parkway	\$6,000,000
3304	AZ	US 60 and US 93 connection on the eastern edge of central Wickenburg	\$2,000,000
3305	GA	Construction of I-575 HOV Lanes from Sixes Road to S.R. 20, Cherokee County, Georgia	\$1,000,000
3306	WA	I-405-SR 167 interchange—rebuild the interchange and add additional lanes to relieve congestion	\$2,000,000
3307	MN	US10 corridor improvement between Blaine and St. Cloud: design and ROW acquisition	\$2,500,000
3308	CA	Walnut Grove at Broadway Intersection Capacity Enhancements, San Gabriel	\$250,000
3309	KY	Widen and Reconstruct KY 698 at Mason Gap Road, Lincoln County	\$1,200,000
3310	OR	Medford, OR to construct sidewalks and improve storm drainage and gutters for the City's Safe Walk Plan	\$1,000,000
3311	MN	Construct a pedestrian and bicycle bridge across TH 169, Onamia	\$1,097,600
3312	NY	Improve Montauk Highway from CR46 to Barnes Road, Suffolk County	\$8,000,000
3313	CA	San Diego, CA Construction of North Coast Interstate 5	\$1,000,000
3314	AR	Study and construction of 8th Street, in Bentonville, AR from Interstate 540, (including direct access to I-540) to SW Elm Tree Road	\$37,000,000
3315	MN	Cedar Lake Regional Trail, Minneapolis	\$3,000,000
3316	TX	Reconstruct Union Pacific Railroad bridge over widened Business U.S. 287	\$1,000,000
3317	AK	Anchorage Traffic Congestion Relief	\$10,000,000
3318	VA	Expansion of Battlefield Parkway from East Market Street at Route 7 to Sycolin Road, SE	\$2,000,000
3319	OR	Construction of the I-84, US 395 Stanfield Interchange Improvement Project	\$2,000,000
3320	IN	Design and reconstruct residential streets in the City of Muncie, Indiana	\$930,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3321	CA	Improvement of Main Street—Shenandoah Road/SR-49 Intersection, Plymouth	\$1,000,000
3322	SD	Design and construct new Meridian Bridge across the Missouri River south of Yankton, South Dakota	\$4,000,000
3323	AK	Earthwork and roadway construction Gravina Access Project	\$48,000,000
3324	GA	Improvement and construction of SR 40 from east of St. Marys cutoff at mile post 5.0, Charlton County to County Route 61, Camden County, Georgia	\$1,000,000
3325	NJ	Route 22 Sustainable Corridor Plan	\$3,750,000
3326	OR	Hood River, OR, Frontage Road Crossing Project	\$500,000
3327	GA	Construct and Improve Westside Parkway, Northern Section, in Fulton County	\$2,000,000
3328	MP	Planning design and construction of East Coast Highway/ Route 36, Saipan	\$12,000,000
3329	GA	Widen SR 133 from Spence Field to SR 35 in Colquitt County, Georgia	\$1,000,000
3330	FL	West Palm Beach, Florida, Flagler Drive Re-configuration	\$1,000,000
3331	FL	Implement Snake Road (BIA Route 1281) Widening and Improvements	\$1,000,000
3332	NY	Reconstruction of Portland Ave. from Rochester City line to Titus Ave in Irondequoit, NY	\$3,000,000
3333	FL	Alleviate congestion at Atlantic Corridor Greenway Network, City of Miami Beach, FL	\$500,000
3334	NM	Development of the Paseo del Volcan corridor equally split between Sandoval County from Iris Road to US Highway 550 and the I-40 Paseo del Vulean Interchange	\$2,000,000
3335	WA	SR 704 Cross-Base Highway, Spanaway Loop Road to SR 7	\$5,000,000
3336	CA	Restoration of Victoria Avenue in the City of Riverside, CA	\$500,000
3337	MN	I-494 Lane Addition	\$2,000,000
3338	GA	Uptown Jogging, Bicycle, Trolley Trail, Columbus Georgia	\$500,000
3339	CA	Study and construct highway alternatives between Orange and Riverside Counties, directed by RCTC, working with local transp. authorities, and guided by the current MIS ..	\$15,750,000
3340	OH	Rehabilitation or replacement of highway-rail grade separations along the West Central Ohio Port Authority route in Champaign and Clark Counties	\$300,000
3341	FL	Improvements to I-75 in the City of Pembroke Pines, Florida	\$2,250,000
3342	LA	Construction of new interchange Causeway at Earhart-LA 3139	\$1,800,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3343	GA	Construction of infrastructure for inter-parcel access, median upgrades, lighting, and beautification along Highway 78 corridor	\$500,000
3344	MI	Design, Right-of-Way and Construction of the I-196 Chicago Drive (Baldwin Street) Interchange Modificaiton, Michigan	\$3,000,000
3345	VA	I-66 and Route 29 Gainesville Interchange Project	\$7,000,000
3346	FL	SR 688 Ulmerton Road Widening (Lake Seminole Bypass Canal to El Centro Ranchero) ..	\$10,000,000
3347	OK	Navajoe Gateway Improvements Project, U.S. 62 in Altus, OK	\$1,000,000
3348	NV	Construction of Carson City Freeway	\$1,000,000
3349	TN	Upgrade lights and gates and motion sensor controlling circuitry at the highway rail grade crossing located on Wenasoga Road/FAS 8224, Middleton, TN	\$200,000
3350	WV	Construct connector road from north end of RHL Boulevard to State Route 601 (Jefferson Road)	\$750,000
3351	NY	Construct Siena College campus perimeter road, Loudonville, NY	\$1,000,000
3352	AL	Construct additional lanes on SR 77 from Southside, Alabama to Green Valley Road	\$1,700,000
3353	TX	Environmental mitigation related to the SH 195 project and related improvements in Williamson County that had adverse effects on the Karst cave system	\$2,000,000
3354	AL	The City of Calera, Alabama—Northern Bypass Segment (U.S. Highway 31 to Alabama State Highway 25)	\$6,800,000
3355	WA	Construct a single point urban interchange (SPUI) under I-5 at South 272nd St	\$1,350,000
3356	IN	Reconstruct bridges at County Roads 200E and 300E in LaPorte County, Indiana	\$500,000
3357	MI	Widen and Reconstruct Walton Blvd in Auburn Hills from Opdyke to Squirrel Rd	\$7,400,000
3358	GA	Commission a study and report regarding the construction and designation of a new Interstate linking Savannah, Augusta, & Knoxville	\$300,000
3359	TX	Construct pedestrian and bicycle amenities on Seawall Blvd Galveston, Tx	\$3,000,000
3360	CA	Pedestrian Beach Trail in San Clemente, CA ...	\$1,000,000
3361	TX	US90—Construct 6 mainlanes from east of Mercury to east of Wallisville	\$2,000,000
3362	PA	Construct highway safety and capacity improvements to improve the access to the KidsPeace Broadway Campus	\$900,000
3363	GA	GA 400 and McGinnis Ferry Road Interchange, Forsyth County, GA	\$900,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3364	GA	Construction of bypass around town of Hiram, from SR 92 to US 278, Paulding County, Georgia	\$500,000
3365	GA	Construct US 411 Connector from US 41 to I-75, Bartow County, Georgia	\$1,000,000
3366	TX	Construct access road connecting Port of Beaumont property on east bank of Neches River to I-10 access road east of the Neches River	\$1,320,000
3367	MD	US 220/MD 53 North-South Corridor	\$1,000,000
3368	FL	Acquire Right-of-Way for Ludlam Trail, Miami, Florida	\$250,000
3369	NY	Construct Northern State Parkway and LIE access at Marcus Ave. and Lakeville Rd. and associated Park and Ride	\$1,700,000
3370	PA	Construct interim U.S. 422 improvements at Valley Forge river crossing	\$1,000,000
3371	NY	Design and construction of Renaissance Square in Rochester, NY	\$2,000,000
3372	AL	Alabama Hwy 36 Extension and Widening—Phase II	\$300,000
3373	PA	Northfield site roadway extension from Rte 60 to Industrial Park near the Pittsburgh International Airport	\$500,000
3374	OH	Plan and construct pedestrian trail along the Ohio and Erie Canal Towpath Trail in downtown Akron, OH	\$950,000
3375	TX	Reconstruct I-30 Trinity River Bridge—Dallas, TX	\$34,000,000
3376	TX	Reconstruct I-30 Trinity River Bridge—Dallas, TX	\$1,000,000
3377	GA	Construction of interchange on I-985 north of SR-13, Hall County Georgia	\$1,000,000
3378	TX	Construction of circulation roadway at Galveston cruise ship terminal	\$1,500,000
3379	FL	Temple Terrace Highway Modification	\$1,000,000
3380	WY	Burma Rd: Extension from I-90 to Lakeway Rd	\$2,000,000
3381	NJ	Construct Western Blvd. extension from Northern Blvd to S.H. Rt. 9, Ocean County, NJ ...	\$4,000,000
3382	FL	Powerline Rearvision motor carrier backover motor carrier safety research	\$100,000
3383	NH	Environmental mitigation at Sybiak Farm in Londonderry to offset effects of I-93 improvements	\$1,500,000
3384	MI	East Grand River Improvements, Brighton Township, Michigan	\$2,000,000
3385	KY	Replace Brent Spence Bridge, Kenton County, Kentucky	\$2,000,000
3386	TX	Construction of projects that relieve congestion in and around the Texas Medical Center complex	\$12,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3387	CA	Hazel Avenue ITS Improvements, Folsom Blvd. to Placer County	\$500,000
3388	FL	SR 688 Ulmerton Road widening (west of 38th street to west of I275)	\$10,000,000
3389	NH	Environmental mitigation at Crystal Lake in Manchester to offset effects of I-93 improvements	\$1,900,000
3390	VA	Widening I-95 between Rte 123 and Fairfax County Parkway	\$1,000,000
3391	PA	Armstrong County, PA Slatelick Interchange for PA 28 at SR 3017	\$2,400,000
3392	OK	Reconstruct the I-44—Ft. Still Key Gate Interchange	\$1,000,000
3393	GA	Greene County, Georgia conversion of I-20 and Carey Station Road overpass to full interchange	\$2,000,000
3394	OH	Upgrade overpass and interchange at US 24 and SR 66 in the City of Defiance	\$1,000,000
3395	NE	I-80 Interchange at Pflug Road, Sarpy County, Nebraska	\$1,000,000
3396	FL	Conduct planning and engineering for SR70 widening in Hardee, DeSoto and Okeechobee Counties	\$500,000
3397	VA	Cathodic Bridge Protection for Veterans Memorial Bridge and the Berkely Bridge in the Commonwealth of Virginia	\$700,000
3398	IN	Reconstruct McClung Road from State Road 39 to Park Street in LaPorte, Indiana	\$750,000
3399	OH	Riversouth Street Network Improvements in Columbus	\$3,000,000
3400	GA	National Infantry Museum Transportation Network, Georgia	\$3,750,000
3401	AK	Wideband multimedia mobile emergency communications pilot project Wasilla, Alaska	\$5,000,000
3402	MD	Widen road and improve interchanges of I-81 from south of I-70 to north of Halfway Boulevard	\$1,000,000
3403	TX	Expansion of U.S. 385 4-lane divide south of Crane to McCarney	\$2,000,000
3404	VA	Old Mill Road Extension	\$1,000,000
3405	GA	Commission a study & report regarding construction & designation of a new Interstate linking Augusta, Macon, Columbus, Montgomery, & Natchez	\$300,000
3406	CO	Improvements on US 36 corridor from I-25 to Boulder. Improvements include interchange and overpass reconstruction	\$2,000,000
3407	AZ	Design and construct bridge and roadway approaches across Tonto Creek at Sheeps Crossing south of Payson, AZ	\$3,000,000
3408	NE	Missouri River Bridges between U.S. 34, I-29 in Iowa and U.S. 75 in Nebraska	\$2,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3409	NY	Reconstruct—Orangeport Road from NYS Rte 31 to Slayton Settlement Road—Niagara County, NY	\$850,000
3410	TN	Construct sound-walls between I-65 and Harding Place in Davidson County	\$830,000
3411	ID	Reconstruct and Realign SH-55 in Idaho between Mileposts 94 and 102	\$2,000,000
3412	FL	Pinellas Countywide Intelligent Transportation System—Phase 2	\$10,000,000
3413	OK	Realignment of US 287 around Boise City, OK	\$1,000,000
3414	FL	Replace Heckscher Drive (SR 105) Bridge across Broward River	\$2,000,000
3415	TX	FM 156 Road Relocation at Alliance Airport, Texas	\$1,000,000
3416	TX	Upgrade Caesar Chavez Boulevard from San Antonio Street to Brazos Street	\$3,000,000
3417	FL	Coral Way, SR 972 Highway Beautification, Phase One, Miami, Florida	\$500,000
3418	OR	Cascade Locks Marine Park Underpass to address necessary improvements	\$500,000
3419	NY	Reconstruction of East Genesee Street connective corridor to Syracuse University in Syracuse, NY	\$3,500,000
3420	IL	For Cook County to reconstruct and widen 127th Street between Smith Road and State Street in Lemont	\$450,000
3421	TN	Widen I-65 from SR-840 to SR-96, including interchange modification at Goose Creek Bypass, Williamson County	\$970,000
3422	CA	Auburn Boulevard Improvements, City of Citrus Heights	\$500,000
3423	LA	Bossier Parish Congestion Relief	\$3,000,000
3424	LA	Fund the 8.28 miles of the El Camino East-West Corridor along LA 6 from LA 485 near Robeline, LA to I-49	\$2,000,000
3425	FL	Bryan Dairy Road improvements from Starkey Road to 72nd Street	\$4,000,000
3426	GA	Buckhead Community Improvements to rehabilitate State Road 141, including lane straightening, addition of median, installation of left turn bays at two intersections, addition of bicycle lanes, sidewalks, clear zones and landscape buffers	\$1,000,000
3427	VA	Purchase specialized tunnel fire safety equipment, Hampton Roads	\$800,000
3428	MI	Holmes Road Reconstruction—From Prospect Road to Michigan Avenue, Charter Township of Ypsilanti	\$2,000,000
3429	TN	Construct a system of greenways in Nashville—Davidson County	\$1,000,000
3430	UT	Improve pedestrian and traffic safety in Holladay	\$2,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3431	OH	Construction of road improvements from Richmond Road to Cuyahoga Community College, Warrensville Heights	\$1,350,000
3432	OH	Construct road with access to memorial Shoreway, Cleveland	\$1,000,000
3433	TX	North Cameron County East-West Railroad Relocation Project	\$100,000
3434	OR	Construct Pathway From Multimodal Transit Station to Swanson Park, Albany	\$520,000
3435	NY	Transportation Initiative to provide for a parking facility, in the vicinity of the Manhattan College Community	\$750,000
3436	NY	Phase II Corning Preserve Transportation Enhancement Project	\$6,000,000
3437	NY	Study of Goods movement through I-278 in New York City and New Jersey	\$1,500,000
3438	NY	Study and Implement Traffic Improvements to the area surrounding the Stillwell Avenue train station	\$1,000,000
3439	CA	Expand Diesel Emission Reduction Program of Gateway Cities COG	\$3,100,000
3440	TX	Construct pedestrian walkway on Houston Texas' Main Street Corridor	\$1,000,000
3441	CA	Sacramento County, California—Watt Avenue Multi-modal Mobility Improvements, Kiefer Boulevard to Fair Oaks Boulevard	\$4,000,000
3442	NJ	Passaic River—Newark Bay Restoration and Pollution Abatement Project, Route 21	\$500,000
3443	NJ	Downtown West Orange streetscape and traffic improvement program	\$1,500,000
3444	NY	High-Speed EZ pass at the New Rochelle Toll Plaza, New Rochelle	\$1,000,000
3445	TX	Access to Regional Multi-Modal Center—FM 1016 and SH 115	\$2,000,000
3446	AR	For acquisition and construction of an alternate transportation (pedestrian/bicycle) trail from East Little Rock to Pinnacle Mountain State Park	\$200,000
3447	MN	Construct 4th Street overpass grade separation crossing a BNSF Rail Road, City of Carlton	\$199,794
3448	TX	North Rail Relocation Project, Harlingen	\$2,000,000
3449	MN	Construct Pfeifer Road, remove 10 foot raised crossing, Twin Lakes Township	\$251,717
3450	MS	Safety improvements and to widen Hardy Street at the intersection of U.S. 49 in Hattiesburg	\$800,000
3451	OH	Reconstruction of U.S. Route 20 and Ohio Route 113 (Center Ridge Road), Rocky River	\$500,000
3452	MN	Safety improvements to TH 169 between Virginia and Winton	\$23,400,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3453	LA	U.S. 190 (LA 22 to Little Bayou Castine) Widening	\$1,000,000
3454	NC	Acquisition of rail corridors for use as bicycle and pedestrian trails, Durham	\$2,000,000
3455	MN	TH 61 Reconstruction from 2.7 miles to 6.2 miles north of Tofte	\$10,067,000
3456	MN	Phase II/part II—CSAH 15 to East of Scenic Highway 7 (1.2 miles)	\$2,840,000
3457	MN	Reconstruction with some rehabilitation of roadway with storm water sewer system construction from eastern boundary of the Bois Forte Indian Reservation and ending at “T” intersection of roadway (3.5 miles)	\$1,000,000
3458	MS	Widen 4th Street in Hattiesburg	\$3,200,000
3459	NJ	Study of safe and efficient commercial multimodal transportation systems serving the East Coast Port Complex	\$500,000
3460	IL	Improve roads and enhance area in the vicinity of S. Archer Avenue and Midway Airport, Chicago	\$1,000,000
3461	IL	Construct Leon Pass overpass, Hodgkins	\$800,000
3462	IL	Undertake Streetscaping project on Harlem Avenue initiating from 71st Street to I-80, Cook County	\$4,000,000
3463	IL	Construct bike path, parking facility, and related transportation enhancement projects, North Riverside	\$2,000,000
3464	IL	Upgrade Roads, Summit	\$800,000
3465	IL	Undertake streetscaping on Ridgeland Avenue, Oak Park Avenue, and 26th Street, Berwyn	\$800,000
3466	IL	Construct bike/pedestrian path and related facilities in Spring Rock Park, Western Springs	\$600,000
3467	SD	Extend the Sioux Falls Bike Trail to the Great Bear Recreation Area	\$1,200,000
3468	SD	Redesign T corner on BIA #2 5 miles SW of Kyle on the Pine Ridge Reservation	\$750,000
3469	SD	Extend bike trail in Pine Ridge to the SuAnne Big Crow Boys & Girls Center	\$250,000
3470	SD	Extend bicycle trail system in Aberdeen	\$800,000
3471	GA	City of Moultrie Streetscape Improvements, Phase III	\$750,000
3472	GA	Restore and renovate for historic preservation and museum the 1906 AB&A Railroad Building, Fitzgerald	\$500,000
3473	GA	Improve sidewalks, upgrade lighting, and add landscaping, Ocilla	\$500,000
3474	GA	Improve sidewalks, upgrade lighting, and add landscaping, Newton County	\$750,000
3475	GA	Improve sidewalks, upgrade lighting, and add landscaping, Monticello	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3476	GA	City of Sylvester Bicycle and Pedestrian Project	\$500,000
3477	GA	Improve sidewalks, upgrade lighting, and add landscaping, Tifton	\$750,000
3478	GA	Improve sidewalks and curbs on Wheeler Avenue and Carlos Avenues, Ashburn	\$500,000
3479	GA	Improve sidewalks, upgrade lighting, and add landscaping, Jackson	\$500,000
3480	CA	Construct traffic circle in San Ysidro at the intersection of Via de San Ysidro and West San Ysidro Boulevard, San Diego	\$300,000
3481	CA	Construct and resurface unimproved roads in the Children's Village Ranch and improve access from Children's Village Ranch to Lake Morena Drive, San Diego County	\$1,000,000
3482	CA	Project design and environmental assessment of widening and improving the interchange at "H" Street and I-5, Chula Vista, Chula Vista	\$2,700,000
3483	FL	Jacksonville International Airport Access Rd. to I-95, Jacksonville	\$2,000,000
3484	FL	Mathews Bridge Replacement, Jacksonville	\$1,000,000
3485	FL	Hecksher Bridge Replacement, Jacksonville	\$1,000,000
3486	FL	NE 3 Ave to NE 8th Ave Rd Reconstruction, Gainesville	\$1,000,000
3487	FL	University Ave to NE 8 Avenue Rd Reconstruction, Gainesville	\$2,000,000
3488	KY	Central Kentucky Multi Highway Preservation Project	\$2,300,000
3489	WV	Construct East Beckley Bypass, including \$500,000 for preliminary engineering and design of the Shady Spring connector (Route 3/Airport Road)	\$5,000,000
3490	WV	Construct I-73/74 High Priority Corridor, Wayne Co	\$5,000,000
3491	KY	Construct Kidville Road (KY 974) Interchange at the Mountain Parkway, Clark County	\$1,700,000
3492	NY	Construction and improvements to Ridge Road, Lackawanna	\$500,000
3493	CA	Construction at I-580 and California SR 84 (Isabel Avenue) Interchange	\$2,500,000
3494	NY	Construction of and improvements to Amherst Street, Buffalo	\$200,000
3495	NY	Construction of and improvements to Grant Street, Buffalo	\$200,000
3496	NY	Construction of and improvements to Hertel Avenue, Buffalo	\$200,000
3497	NY	Construction of and improvements to Hopkins Street, Buffalo	\$200,000
3498	NY	Construction of and improvements to Main Street in the Town of Aurora	\$500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3499	NY	Construction of and improvements to McKinley Parkway, Buffalo	\$500,000
3500	NY	Construction of and improvements to Route 5 in the Town of Hamburg	\$500,000
3501	NY	Construction of and improvements to South Park Avenue and Lake Avenue in the Village of Blasdell	\$500,000
3502	NY	Construction of and improvements to South Park Avenue, Buffalo	\$200,000
3503	NY	Construction of Bicycle Path and Pedestrian Trail in City of Buffalo	\$800,000
3504	NY	Construction, redesign, and improvements to Fargo Street in Buffalo	\$2,000,000
3505	TN	Improve existing two lane highway to a five lane facility on State Route 53 from South of I-24 to Near Parks Creek Road, Coffee County	\$5,500,000
3506	ME	Improve portions of Route 116 between Lincoln and Medway to bring road up to modern standard	\$3,500,000
3507	ME	Improve portions of Route 26 between Bethel and Oxford	\$1,000,000
3508	NY	Road improvements and signage in City of Lackawanna	\$500,000
3509	NJ	Belmont Ave Gateway Community Enhancement Project, Haledon	\$500,000
3510	TX	Conduct feasibility study for an off ramp on I-30 on to Hall Street for direct access to Baylor University Medical Center in Dallas ..	\$1,000,000
3511	NJ	Livingston Pedestrian Streetscape Project along Mt. Pleasant and Livingston Avenues	\$900,000
3512	MD	MD4 at Suitland Parkway	\$5,000,000
3513	NJ	Pompton Lakes Downtown Streetscape	\$1,000,000
3514	PA	Street improvements along North Broad Street, Hatfield Borough	\$125,000
3515	PA	Street improvements to Old York Road, Jenkintown Borough	\$1,000,000
3516	PA	Street improvements to Ridge Pike and Joshua Road, Whitmarsh Township	\$800,000
3517	PA	Street improvements to Skippack Pike (Rte 73), Whitpain Township	\$600,000
3518	PA	Street Improvements, Upper Dublin Township	\$1,500,000
3519	PA	Street Improvements, Upper Gwynedd Township	\$375,000
3520	VA	Construct access road and roadway improvements to Chessie development site, Clifton Forge	\$1,300,000
3521	WA	Fruitdale and McGarigle Arterial Improvements Project in Sedro Woolley, Washington	\$950,000
3522	MS	Improve Ridge Road, Pearl River County	\$1,000,000
3523	MS	Port Bienville Intermodal Connector, Hancock County	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3524	WA	Realign Airport Road/Springhetti Ave. /Marsh Road in Snohomish County, Washington	\$400,000
3525	LA	Widen I-10 in New Orleans	\$2,800,000
3526	UT	Widen Redwood Road from Saratoga Springs to Bangerter Highway in Utah County	\$1,000,000
3527	VA	Widen Rolfe Highway from near the intersection of Rolfe Highway and Point Pleasant Road to the Surry ferry landing approach bridge	\$500,000
3528	VA	Construct access road and roadway improvements to Chessie development site, Clifton Forge	\$1,300,000
3529	WA	Fruitdale and McGarigle Arterial Improvements Project in Sedro Woolley, Washington	\$950,000
3530	MS	Improve Ridge Road, Pearl River County	\$1,000,000
3531	MS	Port Bienville Intermodal Connector, Hancock County	\$3,000,000
3532	WA	Realign Airport Road/Springhetti Ave. /Marsh Road in Snohomish County, Washington	\$400,000
3533	LA	Widen I-10 in New Orleans	\$2,800,000
3534	UT	Widen Redwood Road from Saratoga Springs to Bangerter Highway in Utah County	\$1,000,000
3535	VA	Widen Rolfe Highway from near the intersection of Rolfe Highway and Point Pleasant Road to the Surry ferry landing approach bridge	\$500,000
3536	MA	Cambridge Bicycle Path Improvements	\$1,000,000
3537	OR	Capitalize Oregon Transportation Infrastructure Bank	\$3,998,000
3538	MA	Chelsea Roadway Improvements	\$2,000,000
3539	NY	Congestion reduction measures in Richmond County	\$2,000,000
3540	NJ	Construct Hudson River Waterfront Walkway over Long Slip Canal—Hoboken and Jersey City	\$1,000,000
3541	CA	Construct Illinois Street Bridge/Amador Street Connection and Improvements, San Francisco	\$4,000,000
3542	NY	Construct multi-modal facility in the vicinity of Brooklyn Childrens Museum	\$300,000.00
3543	NJ	Construct Parking Facility at McGinley Square in Jersey City	\$1,050,000
3544	OR	Construction of access road including sidewalks, bike lanes and railroad crossing from Highway 99W to industrial zoned property, Corvallis	\$814,000
3545	NY	Continuation of the public awareness program to the subcontracting entity which was funded under Section 1212(b) of Pub. L. 105-178 about infrastructure in Lower Manhattan	\$500,000.00

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3546	OR	Continue bridge repair project authorized under Pub. L. 105–178, Coos Bay	\$8,000,000
3547	NJ	Expand TRANSCOM Regional ITS System in NJ, NY, and CT	\$1,000,000
3548	OR	Extend Willamette Valley Scenic Bikeway into Lane and Douglas Counties	\$1,000,000
3549	NY	Graffiti Elimination Program in Riverdale neighborhood of Bronx County	\$500,000.00
3550	NY	Graffiti Elimination Program on Smith Street in Kings County	\$500,000.00
3551	OR	Great Street Trail Connection, Eugene	\$900,000
3552	NJ	Hudson County Fire & Rescue Department, North Bergen: Transportation Critical Incident Mobile Data Collection Device	\$1,200,000
3553	NJ	Hudson County Pedestrian Safety Improvements	\$1,000,000
3554	OR	Hwy. 199 Safety Improvements, Josephine County	\$3,104,000
3555	OR	Hwy. 99E/Geary Street Safety Improvements, Albany	\$1,002,000
3556	NY	Implement Improvements for Pedestrian Safety in Riverdale neighborhood of Bronx County	\$1,000,000
3557	WA	Improve Mill Plain Blvd between SE 172nd and SE 192nd in Vancouver	\$1,250,000
3558	WA	Improve signage along scenic highways in Clark, Skamania and Pacific counties	\$150,000
3559	OR	ITS Improvements to TripCheck, Oregon	\$1,200,000
3560	NJ	Jersey City 6th Street Viaduct Pedestrian and Bicycle Pathway Project	\$2,000,000
3561	OR	Middle Fork Willamette River Path, Springfield	\$3,000,000
3562	OR	OR 42 Hoover Hill Passing Lane, Winston	\$1,495,000
3563	OR	Pedestrian improvements including boardwalk extension and sidewalk construction, Port of Brookings Harbor	\$600,000
3564	NJ	Port Reading—Improvements to air quality through reduction of engine idling behind Rosewood Lane	\$800,000
3565	OR	Purchase communications equipment related to traffic incident management in Linn, Benton, Lane, Douglas, Coos, Curry and Josephine Counties	\$10,000,000
3566	MA	Reconstruction of the I–95/Rte. 20 Interchange in Waltham	\$1,300,000
3567	NJ	Route 440 Rehabilitation and Boulevard Creation Project in Jersey City	\$1,250,000
3568	MA	Rutherford Avenue Improvements, Boston	\$1,000,000
3569	GA	SR 10/Peters Street/Olympic Drive interchange, Athens	\$3,000,000
3570	NY	Study and Improve Traffic Flow Around a New Stadium in Willets Point, Queens	\$3,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3571	OR	To construct and enhance bikeway between Hood River and McCord Creek	\$1,000,000
3572	NY	To construct greenway along East River waterfront between East River Park (ERP) and Brooklyn Bridge, and reconstruct South entrance to ERP, in Manhattan	\$1,500,000
3573	OR	Transportation enhancements at Eugene Depot, Eugene	\$1,000,000
3574	OR	U.S. 101 Slide Repair, Curry County	\$5,800,000
3575	OR	U.S. Hwy. 20 and Airport Road Intersection Improvements, Lebanon	\$837,000
3576	IL	Upgrade 31st Street and Golfview Rd intersection and construct parking facilities, Brookfield	\$1,500,000
3577	NJ	Weehawken Baldwin Avenue Improvements	\$2,000,000
3578	WA	Widen SR 503 through Woodland	\$1,000,000
3579	OR	Widen to three lanes and add urban features to OR 42 from Lookingglass Creek to Glenhart, Winston	\$3,250,000
3580	NY	Bicycle and pedestrian safety improvements, Main Street, Riverhead	\$1,200,000
3581	IL	Construct extension of Queeny Avenue from IL Rt 3 to Hog Haven Road, St. Clair County ..	\$750,000
3582	NY	Construct improvements to NY Route 5 from Coast Guard Base to Ohio Street, including Fuhrmann Boulevard	\$1,000,000
3583	IL	Extend and Construct Concrete Corridor between IL Rt 13 to IL Rt 15, Centreville	\$1,000,000
3584	NY	Implement a roadway evacuation study for the South Shore of Long Island, Mastic	\$1,000,000
3585	NY	Improve Brooksite Dr. from NY 25/25A to Rt. 347, Smithtown	\$900,000
3586	NY	Improve Clover Ln. from Bay Ave to Bay Rd, hamlet of Brookhaven	\$270,000
3587	NY	Improve CR 80, Montauk Highway, Village of Patchogue	\$600,000
3588	NY	Improve Dare Rd from Old Town Rd to Rt. 25, Selden	\$440,000
3589	NY	Improve Hospital Road Bridge between CR99 and CR101, Patchogue	\$690,000
3590	NY	Improve intersection of Old Dock and Church Street, Kings Park	\$120,000
3591	NY	Improve Maple Avenue in Smithtown	\$150,000
3592	NY	Improve Old Town Rd from Rt 347 to Slattery Rd, Setauket	\$420,000
3593	NY	Improve Old Willets Path from NY 454 to Rabro Dr., Smithtown	\$1,500,000
3594	NY	Improve Pipe Stave Hollow Rd. to Harbor Beach Rd., Miller Place	\$250,000
3595	IL	Reconstruction and Improvement of North Lincoln Ave, O'Fallon	\$1,970,000
3596	IL	Reconstruction of 20th Street, Granite City	\$1,500,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3597	IL	Road Alignment from Caseyville Road to Sullivan Drive, Swansea	\$1,125,000
3598	NY	Road Improvements Hamlet of Medford, Town of Brookhaven	\$500,000
3599	NY	Road improvements, Hamlet of Gordon Heights, Town of Brookhaven	\$430,000
3600	NY	Road improvements, Village of Patchogue	\$1,500,000
3601	NY	Roadway improvements, hamlet of Mastic Beach	\$400,000
3602	IL	Widening Fullerton Road from Metrolink to IL Rt 159, Swansea	\$880,000
3603	NY	WLIU Public Radio Emergency and Evacuation Transportation Information Initiative, Southampton	\$1,130,000
3604	UT	Reconstruct 500 West, including pedestrian and bicycle access, in Moab	\$250,000
3605	PA	Construct improvements to Chambers Hill Road and Lindle Road (S.R. 441) at its intersections with Interstate 283 and Eisenhower Boulevard	\$1,000,000
3606	PA	Construct Regional Trail, Muhlenberg Township	\$750,000
3607	PA	Rail Crossing signalization upgrade, Bowers Road, Lyons Station, Berks County	\$206,300
3608	PA	Rail Crossing signalization upgrade at Hill Road, Township of Blandon, County of Berks	\$206,300
3609	PA	Safety improvements at Liberty Street intersection with PA Route 61 in W. Brunswick and N. Manheim Twp., Schuylkill County	\$1,905,700
3610	PA	Replace Stossertown Bridge (Main Street) over West Creek in Branch Township, Schuylkill County	\$500,000
3611	PA	Replace bridge over Little Mahantongo Creek at intersection of Hepler and Valley Roads in Upper Mahantongo Twp., Schuylkill County	\$250,000
3612	PA	Replace Union Street Bridge over Middle Creek in the borough of Tremont, Schuylkill County	\$500,000
3613	PA	Replace Burd St. Bridge over Amtrak and Norfolk Southern railroad tracks in the Borough of Royalton, Dauphin County	\$500,000
3614	PA	Hummelstown Borough, PA for intersection and pedestrian realignment and drainage	\$2,000,000
3615	MN	City of Moorhead Southeast Main GSI 34th Street and I-94 interchange	\$2,000,000
3616	MN	Paynesville Highway 23 Bypass	\$2,000,000
3617	AR	Construction of I-530 between Pine Bluff and Wilmer	\$40,000,000
3618	NY	Conduct study to develop regional transit strategy in Herkimer and Oneida counties	\$100,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3619	NY	Improve Town weatherization capabilities on Tucker Drive, Poughkeepsie, NY	\$250,000
3620	NY	Bedell Road improvements, Poughkeepsie, NY	\$130,000
3621	NY	Land acquisition and improvements on Main Street, Beacon, NY	\$500,000
3622	NY	Construction of sidewalks in Sugar Loaf	\$100,000
3623	CT	I-84 Expressway Reconstruction from Waterbury to Southbury	\$1,500,000
3624	DC	Road and trail reconstruction and drainage improvements (APHCC)	\$600,000
3625	GA	Central Hall Recreation and Multi-Use Trail, Hall County, GA	\$2,000,000
3626	OH	Land acquisition for construction of pedestrian and bicycle trails at Mentor Marsh in Ohio ..	\$700,000
3627	OH	Design and construct road enhancements Andrews Road and Lakeshore Blvd in Mentor on-the-Lake, OH	\$300,000
3628	OH	Design and construct road enhancements Cleveland Port Authority in Cleveland, Ohio ..	\$2,500,000
3629	LA	Red River National Wildlife Refuge Visitor Center	\$3,000,000
3630	TN	For the advancement of project development activities for SR-33 from Knox County Line to SR-61 at Maynardville, TN	\$2,000,000
3631	CA	To convert a railroad bridge into a highway bridge spanning over the Feather River between Yuba City and Marysville	\$5,000,000
3632	CA	Reconstruct SR 1 from Westport to Marshall ..	\$9,000,000
3633	IL	Highway Construction on RT 1 between RT 14 and RT 9	\$9,000,000
3634	IL	SR 127 from Raymond to Unity	\$9,000,000
3635	CA	Improvements to US 101	\$11,000,000
3636	IA	Construct Rt 20 from Rockway City to Epworth	\$5,000,000
3637	CA	I-8 from San Diego to Kama	\$8,000,000
3638	CA	I-15 from Escondido to Barstow	\$12,000,000
3639	CA	Widening and improvements to RT 14 from RT 126 to RT 178	\$9,525,000
3640	IL	Bicycle and Pedestrian improvements in Georgetown and Middletown	\$6,000,000
3641	AZ	Safety Improvements to I-10 from SR 60 to Route 83	\$11,000,000
3642	KS	Northwest Bypass between K96 and 119th Street West	\$2,000,000
3643	CA	Safety improvements to SR 99	\$12,000,000
3644	IL	Construct I-70 from Greenville to Marshall	\$9,000,000
3645	CA	I-40 from Barstow to Needles	\$9,000,000
3646	AZ	Improvements on I-40 from Kingston to Navajo	\$8,000,000
3647	AZ	ITS related improvements on Interstates in AZ ..	\$6,000,000
3648	IA	Rehabilitate US 680 from SR59 to Des Moines ..	\$5,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3649	CA	Resurfacing and Reconstruction of U.S. 395 from RT 18 to RT 168	\$12,000,000
3650	IL	Improve I-74 from Colona to Mahomet	\$8,000,000
3651	CA	Safety improvements to I-5 from Santa Clarita to Haron	\$11,000,000
3652	IL	US 67 highway safety improvements from Godfrey to Viola	\$10,000,000
3653	OH	Safety improvements to U.S. 35 from Jamestown to Winchester	\$8,000,000
3654	CA	Construct Transportation Enhancements on SR 1 between RT 246 and RT 192	\$8,000,000
3655	IL	Reconstruct I-57 from Frankfurt to Masoon ...	\$9,000,000
3656	CA	ITS improvements to reduce congestion on I-405 from RT 118 to RT 36	\$10,575,000
3657	IL	Construction on I-80 from Geneseo to Joliet ...	\$9,000,000
3658	IA	Safety enhancements along Rt 30 from Carroll to Dewitt	\$4,000,000
3659	IL	Reconstruction on RT 40 from U.S. 52 to RT 90	\$8,000,000
3660	IL	Safety related improvements on RT 100 from U.S. 136 to RT 16	\$9,000,000
3661	IL	Construct I-55 from Bolingbrook to Gardner ..	\$10,000,000
3662	AZ	Construction of Route 77 from Route 277 to Route 80	\$9,000,000
3663	OH	Reconstruction of I-71 from Cincinnati to Columbus	\$8,000,000
3664	IL	Make safety improvements to I-94 from Chesterton to Deerfield	\$9,000,000
3665	IL	Acquire land for Environmental Mitigation to preserve wildlife habitat connectivity along U.S. 51 from RT 161 to RT 10	\$8,000,000
3666	CA	Construct I-80 from Truckee to Fairfield	\$8,000,000
3667	NC	Construct highway widening and safety improvements on Rt 301 between Rt 125 and Little River	\$5,000,000
3668	SC	Construction of operational improvements and purchase of ITS infrastructure on the I-26 corridor	\$6,500,000
3669	MI	Highway beautification of Rt 52 between Tr 46 and Fairfield	\$4,000,000
3670	TX	Resurfacing and Reconstruction on Rt 19 between Rt 71 and Rt 7	\$5,000,000
3671	IN	Highway-rail crossing safety related improvements on Rt 37 between U.S. 35 and U.S. 50	\$7,000,000
3672	AZ	Pave remaining stretch of the Turquoise Trail, BIA Route 4, which is a north-south road that joins AZ HW 160 in the north to AZ HW 264 in the south portion of BIA Route 4	\$2,000,000
3673	AK	Improve marine intermodal facilities in Ketchikan	\$25,000,000

HIGH PRIORITY PROJECTS—Continued

No.	State	Project Description	Amount
3674	DC	Highway improvements to improve access to the Kennedy Center	\$5,000,000
3675	MN	Construction of four lanes on Hwy 53 between Virginia and Cook and construction of two passing lanes between Cook and International Falls	\$7,000,000
3676	OR	McKenzie highway enhancements, Lane and Linn Counties	\$3,100,000

1 **Subtitle H—Miscellaneous**
2 **Provisions**

3 **SEC. 1801. BUDGET JUSTIFICATION.**

4 The Department of Transportation and each agency
5 therein shall submit to the Committee on Transportation
6 and Infrastructure of the House of Representatives a
7 budget justification concurrently with the President’s an-
8 nual budget submission to Congress under section 1105(a)
9 of title 31, United States Code.

10 **SEC. 1802. MOTORIST INFORMATION.**

11 Section 124 of title I of division F of the Consolidated
12 Appropriations Act, 2004 (118 Stat. 296–297) is re-
13 pealed.

14 **SEC. 1803. MOTORIST INFORMATION CONCERNING FULL-**
15 **SERVICE RESTAURANTS.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Secretary shall initiate a rulemaking to
18 determine whether or not—

1 (1) full-service restaurants should be given pri-
2 ority on not more than 2 panels of the camping or
3 attractions logo specific service signs in the Manual
4 on Uniform Traffic Control Devices of the Depart-
5 ment of Transportation when the food logo specific
6 service sign is fully utilized; and

7 (2) full service restaurants should be given pri-
8 ority on not more than two panels of the food logo
9 specific service signs in such Manual when the
10 camping or attractions logo specific service signs are
11 fully utilized.

12 **SEC. 1804. HIGH PRIORITY CORRIDORS ON THE NATIONAL**
13 **HIGHWAY SYSTEM.**

14 Section 1105(c) of the Intermodal Surface Transpor-
15 tation Efficiency Act of 1991 (105 Stat. 2032) is amend-
16 ed—

17 (1) in paragraph (23) by inserting before the
18 period at the end the following: “and the connection
19 from Wichita, Kansas, to Sioux City, Iowa, which in-
20 cludes I–135 from Wichita, Kansas to Salina, Kan-
21 sas, United States Route 81 from Salina, Kansas, to
22 Norfolk, Nebraska, Nebraska State Route 35 from
23 Norfolk, Nebraska, to South Sioux City, Nebraska,
24 and the connection to I–29 in Sioux City, Iowa”;

1 (2) by striking paragraph (34) and inserting
2 the following:

3 “(34) The Alameda Corridor-East and South-
4 west Passage, California. The Alameda Corridor-
5 East is generally described as the corridor from East
6 Los Angeles (terminus of Alameda Corridor)
7 through Los Angeles, Orange, San Bernardino, and
8 Riverside Counties, to termini at Barstow in San
9 Bernardino County and Coachella in Riverside
10 County. The Southwest Passage shall follow I-10
11 from San Bernardino to the Arizona State line.”;

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

13 “(46) Interstate Route 710 between the ter-
14 minus at Long Beach, California, to California State
15 Route 60.

16 “(47) Interstate Route 87 from the Quebec bor-
17 der to New York City.

18 “(48) The Route 50 High Plains Corridor along
19 the United States Route 50 corridor from Newton,
20 Kansas, to Pueblo, Colorado.

21 “(49) The Atlantic Commerce Corridor on
22 Interstate Route 95 from Jacksonville, Florida, to
23 Miami, Florida.

24 “(50) The East-West Corridor commencing in
25 Watertown, New York, continuing northeast through

1 New York, Vermont, New Hampshire, and Maine,
2 and terminating in Calais, Maine.

3 “(51) The SPIRIT Corridor on United States
4 Route 54 from El Paso, Texas, through New Mex-
5 ico, Texas, and Oklahoma to Wichita, Kansas.

6 “(52) The route in Arkansas running south of
7 and parallel to Arkansas State Highway 226 from
8 the relocation of United States Route 67 to the vi-
9 cinity of United States Route 49 and United States
10 Route 63.

11 “(53) United States Highway Route 6 from
12 Interstate Route 70 to Interstate Route 15, Utah.

13 “(54) The California Farm-to-Market Corridor,
14 California State Route 99 from south of Bakersfield
15 to Sacramento, California.

16 “(55) In Texas, Interstate Route 20 from
17 Interstate Route 35E in Dallas County, east to the
18 intersection of Interstate Route 635, north to the
19 intersection of Interstate Route 30, northeast
20 through Texarkana to Little Rock, Arkansas, Inter-
21 state Route 40 northeast from Little Rock east to
22 the proposed Interstate Route 69 corridor.

23 “(56) In the State of Texas, the La Entrada al
24 Pacifico Corridor consisting of the following high-
25 ways and any portion of a highway in a corridor on

1 2 miles of either side of the center line of the high-
2 way:

3 “(A) State Route 349 from Lamesa to the
4 point on that highway that is closest to 32 de-
5 grees, 7 minutes, north latitude, by 102 de-
6 grees, 6 minutes, west longitude.

7 “(B) The segment or any roadway extend-
8 ing from the point described by subparagraph
9 (A) to the point on Farm-to-Market Road 1788
10 closest to 32 degrees, 0 minutes, north latitude,
11 by 102 degrees, 16 minutes, west longitude.

12 “(C) Farm-to-Market Road 1788 from the
13 point described by subparagraph (B) to its
14 intersection with Interstate Route 20.

15 “(D) Interstate Route 20 from its intersec-
16 tion with Farm-to-Market Road 1788 to its
17 intersection with United States Route 385.

18 “(E) United States Route 385 from Odes-
19 sa to Fort Stockton, including those portions
20 that parallel United States Route 67 and Inter-
21 state Route 10.

22 “(F) United States Route 67 from Fort
23 Stockton to Presidio, including those portions
24 that parallel Interstate Route 10 and United
25 States Route 90.

1 “(57) United States Route 41 corridor between
2 Interstate Route I-94 near Milwaukee and Inter-
3 state Route I-43 near Green Bay in the State of
4 Wisconsin.”; and

5 (4) by aligning paragraph (45) with paragraph
6 (46).

7 **SEC. 1805. ADDITIONS TO APPALACHIAN REGION.**

8 (a) KENTUCKY.—Section 14102(a)(1)(C) of title 40,
9 United States Code, is amended—

10 (1) by inserting “Nicholas,” after “Morgan,”;

11 and

12 (2) by inserting “Robertson,” after “Pulaski,”.

13 (b) OHIO.—Section 14102(a)(1)(H) of such title is
14 amended—

15 (1) by inserting “Ashtabula,” after “Adams,”;

16 (2) by inserting “Fayette,” after “Coshocton,”;

17 (3) by inserting “Mahoning,” after “Law-
18 rence,”; and

19 (4) by inserting “Trumbull,” after “Scioto,”.

20 (c) TENNESSEE.—Section 14102(a)(1)(K) of such
21 title is amended—

22 (1) by inserting “Giles,” after “Franklin,”; and

23 (2) by inserting “Lawrence, Lewis, Lincoln,”
24 after “Knox,”.

1 (d) VIRGINIA.—Section 14102(a)(1)(L) of such title
2 is amended—

3 (1) by inserting “Henry,” after “Grayson,”;
4 and

5 (2) by inserting “Patrick,” after “Mont-
6 gomery,”.

7 **SEC. 1806. TRANSPORTATION ASSETS AND NEEDS OF**
8 **DELTA REGION.**

9 (a) AGREEMENT.—Not later than 6 months after the
10 date of enactment of this Act, the Secretary shall enter
11 into an agreement with the Delta Regional Authority (re-
12 ferred to in this section as the “DRA”) to conduct a com-
13 prehensive study of transportation assets and needs for
14 all modes of transportation (including passenger and
15 freight transportation) in the 8 States comprising the
16 Delta region (Alabama, Arkansas, Illinois, Kentucky, Lou-
17 isiana, Mississippi, Missouri and Tennessee).

18 (b) CONSULTATION.—Under the agreement, the
19 DRA, in conducting the study, shall consult with the De-
20 partment of Transportation, State transportation depart-
21 ments, local planning and development districts, local and
22 regional governments, and metropolitan planning organi-
23 zations.

24 (c) REPORT.—Under the agreement, the DRA, not
25 later than 24 months after the date of entry into the

1 agreement, shall submit to the Secretary and the Com-
2 mittee on Transportation and Infrastructure of the House
3 of Representatives and the Committee on Environment
4 and Public Works of the Senate a final report on the re-
5 sults of the study, together with such recommendation as
6 the DRA considers appropriate.

7 (d) PLAN.—Under the agreement, the DRA, upon
8 completion of the report, shall establish a regional stra-
9 tegic plan to implement the recommendations of the re-
10 port.

11 (e) FUNDING.—

12 (1) AUTHORIZATION OF APPROPRIATIONS.—

13 There is authorized to be appropriated out of the
14 Highway Trust Fund (other than the Mass Transit
15 Account), \$500,000 for each of the fiscal years 2005
16 and 2006 to carry out this section.

17 (2) CONTRACT AUTHORITY.—Funds authorized
18 by this section shall be available for obligation in the
19 same manner and to the same extent as if such
20 funds were apportioned under chapter 1 of title 23,
21 United States Code; except that such funds shall re-
22 main available until expended and shall not be trans-
23 ferable.

1 **SEC. 1807. TOLL FACILITIES WORKPLACE SAFETY STUDY.**

2 (a) IN GENERAL.—The Secretary shall conduct a
3 study on the safety of highway toll collection facilities, in-
4 cluding toll booths, to determine the safety of the facilities
5 for the toll collectors who work in and around the facili-
6 ties, including consideration of—

7 (1) the effect of design or construction of the
8 facilities on the likelihood of vehicle collisions with
9 the facilities;

10 (2) the safety of crosswalks used by toll collec-
11 tors in transit to and from toll booths;

12 (3) the extent of the enforcement of speed lim-
13 its in the vicinity of the facilities;

14 (4) the use of warning devices, such as vibra-
15 tion and rumble strips, to alert drivers approaching
16 the facilities;

17 (5) the use of cameras to record traffic viola-
18 tions in the vicinity of the facilities;

19 (6) the use of traffic control arms in the vicin-
20 ity of the facilities;

21 (7) law enforcement practices and jurisdictional
22 issues that affect safety in the vicinity of the facili-
23 ties; and

24 (8) the incidence of accidents and injuries in
25 the vicinity of toll booths.

1 (b) DATA COLLECTION.—As part of the study, the
2 Secretary shall collect data regarding the incidence of acci-
3 dents and injuries in the vicinity of highway toll collection
4 facilities.

5 (c) REPORT.—Not later than 1 year after the date
6 of enactment of this Act, the Secretary shall transmit to
7 the Committee on Transportation and Infrastructure of
8 the House of Representatives and the Committee on Envi-
9 ronment and Public Works of the Senate a report on the
10 results of the study, together with recommendations for
11 improving toll facilities workplace safety.

12 (d) FUNDING.—

13 (1) AUTHORIZATION OF APPROPRIATIONS.—
14 There is authorized to be appropriated to carry out
15 this section, out of the Highway Trust Fund (other
16 than the Mass Transit Account), \$500,000 for fiscal
17 year 2005.

18 (2) CONTRACT AUTHORITY.—Funds authorized
19 to be appropriated by this section shall be available
20 for obligation in the same manner and to the same
21 extent as if such funds were apportioned under
22 chapter 1 of title 23, United States Code; expect
23 that the Federal share of the cost of the project
24 shall be 100 percent, and such funds shall remain

1 available until expended and shall not be transfer-
2 able.

3 **SEC. 1808. PAVEMENT MARKING SYSTEMS DEMONSTRA-**
4 **TION PROJECTS.**

5 (a) IN GENERAL.—The Secretary shall conduct a
6 demonstration project in the State of Alaska, and a dem-
7 onstration project in the State of Tennessee, to study the
8 safety impacts, environmental impacts, and cost effective-
9 ness of different pavement marking systems and the effect
10 of State bidding and procurement processes on the quality
11 of pavement marking material employed in highway
12 projects. The demonstration projects shall each include an
13 evaluation of the impacts and effectiveness of increasing
14 the width of pavement marking edge lines from 4 inches
15 to 6 inches and an evaluation of advanced acrylic water-
16 borne pavement markings.

17 (b) REPORT.—Not later than June 30, 2009, the
18 Secretary shall transmit to Congress a report on the re-
19 sults of the demonstration projects, together with findings
20 and recommendations on methods that will optimize the
21 cost-benefit ratio of the use of Federal funds on pavement
22 marking.

23 (c) FUNDING.—

24 (1) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 this section, out of the Highway Trust Fund (other
2 than the Mass Transit Account), \$1,000,000 per fis-
3 cal year for each of the fiscal years 2005 through
4 2009.

5 (2) CONTRACT AUTHORITY.—Funds authorized
6 to be appropriated by this section shall be available
7 for obligation in the same manner and to the same
8 extent as if such funds were apportioned under
9 chapter 1 of title 23, United States Code; expect
10 that the Federal share of the cost of the demonstra-
11 tion projects shall be 100 percent, and such funds
12 shall remain available until expended and shall not
13 be transferable.

14 **SEC. 1809. WORK ZONE SAFETY GRANTS.**

15 (a) IN GENERAL.—The Secretary shall establish and
16 implement a work zone safety grant program under which
17 the Secretary may make grants to nonprofit organizations
18 to provide training to prevent or reduce highway work
19 zone injuries and fatalities.

20 (b) ELIGIBLE ACTIVITIES.—Grants may be made
21 under the program for the following purposes:

22 (1) Training for construction craft workers on
23 the prevention of injuries and fatalities in highway
24 and road construction.

1 (2) Development of guidelines for the preven-
2 tion of highway work zone injuries and fatalities.

3 (3) Training for State and local government
4 transportation agencies and other groups imple-
5 menting guidelines for the prevention of highway
6 work zone injuries and fatalities.

7 (c) FUNDING.—

8 (1) IN GENERAL.—There is authorized to be
9 appropriated from the Highway Trust Fund (other
10 than the Mass Transit Account) to carry out this
11 section \$5,000,000 for each of fiscal years 2005
12 through 2009.

13 (2) CONTRACT AUTHORITY.—Funds authorized
14 by this subsection shall be available for obligation in
15 the same manner as if the funds were apportioned
16 under chapter 1 of title 23, United States Code; ex-
17 cept that such funds shall not be transferable.

18 (d) CONSTRUCTION WORK IN ALASKA.—Section 114
19 of title 23, United States Code, is amended by adding at
20 the end of the following:

21 “(c) CONSTRUCTION WORK IN ALASKA.—

22 “(1) IN GENERAL.—The Secretary shall ensure
23 that a worker who is employed on a remote project
24 for the construction of a highway or portion of a
25 highway located on a Federal-aid system in the

1 State of Alaska and who is not a domiciled resident
2 of the locality shall receive meals and lodging.

3 “(2) LODGING.—The lodging under paragraph
4 (1) shall be in accordance with section 1910.142 of
5 title 29, Code of Federal Regulations (relating to
6 temporary labor camp requirements).

7 “(3) PER DIEM.—

8 “(A) IN GENERAL.—Contractors are en-
9 couraged to use commercial facilities and lodges
10 on remote projects, but, if such facilities are not
11 available, per diem in lieu of room and lodging
12 may be paid on remote Federal highway
13 projects at a basic rate of \$75.00 per day or
14 part thereof the worker is employed on the
15 project. If the contractor provides or furnishes
16 room and lodging or pays a per diem, the cost
17 of the amount shall not be considered a part of
18 wages, but shall be excluded therefrom.

19 “(B) SECRETARY OF LABOR.—Such per
20 diem rate shall be adopted by the Secretary of
21 Labor for all applicable remote Federal highway
22 projects in Alaska.

23 “(C) EXCEPTION.—Per diem shall not be
24 allowed on any of the following remote projects

1 for the construction of a highway or portion of
2 a highway located on a Federal-aid system:

3 “(i) West of Livengood on the Elliot
4 Highway.

5 “(ii) Mile 0 on the Dalton Highway to
6 the North Slope of Alaska; north of Mile
7 20 on the Taylor Highway.

8 “(iii) East of Chieken on the Top of
9 the World Highway and south of Tetlin
10 Junction to the Alaska Canadian border.

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

13 “(A) REMOTE.—The term ‘remote’, as
14 used with respect to a project, means that the
15 project is 65 miles or more from the United
16 States Post Office in either Fairbanks or An-
17 chorage, Alaska, or is inaccessible by road in a
18 2-wheel drive vehicle.

19 “(B) RESIDENT.—The term ‘resident’, as
20 used with respect to a project, means a person
21 living within 65 miles of the midpoint of the
22 project for at least 12 consecutive months prior
23 to the award of the project.”.

1 **SEC. 1810. GRANT PROGRAM TO PROHIBIT RACIAL**
2 **PROFILING.**

3 (a) GRANTS.—Subject to the requirements of this
4 section, the Secretary shall make grants to a State that—

5 (1)(A) has enacted and is enforcing a law that
6 prohibits the use of racial profiling in the enforce-
7 ment of State laws regulating the use of Federal-aid
8 highways; and

9 (B) is maintaining and allows public inspection
10 of statistical information for each motor vehicle stop
11 made by a law enforcement officer on a Federal-aid
12 highway in the State regarding the race and eth-
13 nicity of the driver and any passengers; or

14 (2) provides assurances satisfactory to the Sec-
15 retary that the State is undertaking activities to
16 comply with the requirements of paragraph (1).

17 (b) ELIGIBLE ACTIVITIES.—A grant received by a
18 State under subsection (a) shall be used by the State—

19 (1) in the case of a State eligible under sub-
20 section (a)(1), for costs of—

21 (A) collecting and maintaining of data on
22 traffic stops;

23 (B) evaluating the results of the data; and

24 (C) developing and implementing programs
25 to reduce the occurrence of racial profiling, in-

1 including programs to train law enforcement offi-
2 cers; and

3 (2) in the case of a State eligible under sub-
4 section (a)(2), for costs of—

5 (A) activities to comply with the require-
6 ments of subsection (a)(1); and

7 (B) any eligible activity under paragraph
8 (1).

9 (c) RACIAL PROFILING.—To meet the requirement of
10 subsection (a)(1), a State law shall prohibit, in the en-
11 forcement of State laws regulating the use of Federal-aid
12 highways, a State or local law enforcement officer from
13 using the race or ethnicity of the driver or passengers to
14 any degree in making routine or spontaneous law enforce-
15 ment decisions, such as ordinary traffic stops on Federal-
16 aid highways. Nothing in this subsection shall alter the
17 manner in which a State or local law enforcement officer
18 considers race or ethnicity whenever there is trustworthy
19 information, relevant to the locality or time frame, that
20 links persons of a particular race or ethnicity to an identi-
21 fied criminal incident, scheme, or organization.

22 (d) LIMITATIONS.—

23 (1) MAXIMUM AMOUNT OF GRANTS.—The total
24 amount of grants received by a State under this sec-
25 tion in a fiscal year may not exceed 5 percent of the

1 amount made available to carry out this section in
2 the fiscal year.

3 (2) ELIGIBILITY.—A State may not receive a
4 grant under subsection (a)(2) in more than 2 fiscal
5 years.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated from the Highway Trust Fund (other
9 than the Mass Transit Account) to carry out this
10 section \$10,000,000 for each of fiscal years 2005
11 through 2009.

12 (2) CONTRACT AUTHORITY.—Funds authorized
13 by this subsection shall be available for obligation in
14 the same manner as if the funds were apportioned
15 under chapter 1 of title 23, United States Code, ex-
16 cept the Federal share of the cost of activities car-
17 ried out using such funds shall be 100 percent, and
18 such funds shall remain available until expended and
19 shall not be transferable.

20 **SEC. 1811. AMERICA'S BYWAYS RESOURCE CENTER.**

21 (a) IN GENERAL.—The Secretary shall allocate funds
22 made available to carry out this section to the America's
23 Byways Resource Center established pursuant to section
24 1215(b)(1) of the Transportation Equity Act for the 21st
25 Century (112 Stat. 209).

1 (b) TECHNICAL SUPPORT AND EDUCATION.—

2 (1) USE OF FUNDS.—The Center shall use
3 funds allocated to the Center under this section to
4 continue to provide technical support and conduct
5 educational activities for the national scenic byways
6 program established under section 162 of title 23,
7 United States Code.

8 (2) ELIGIBLE ACTIVITIES.—Technical support
9 and educational activities carried out under this sub-
10 section shall provide local officials and organizations
11 associated with National Scenic Byways and All-
12 American Roads with proactive, technical, and on-
13 site customized assistance, including training, com-
14 munications (including a public awareness series),
15 publications, conferences, on-site meetings, and
16 other assistance considered appropriate to develop
17 and sustain such byways and roads.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated out of the Highway Trust
20 Fund (other than the Mass Transit Account) to carry out
21 this section \$3,500,000 for each of fiscal years 2004
22 through 2009.

23 (d) APPLICABILITY OF TITLE 23.—Funds authorized
24 by this section shall be available for obligation in the same
25 manner as if such funds were apportioned under chapter

1 1 of title 23, United States Code; except that the Federal
2 share of the cost of any project or activity carried out
3 under this section shall be 100 percent and such funds
4 shall remain available until expended and shall not be
5 transferable.

6 **SEC. 1812. TECHNICAL ADJUSTMENT.**

7 (a) IN GENERAL.—The donee of the vessel with the
8 Unit Identification Code number 13862 is deemed to be
9 the owner of that vessel free and clear as of September
10 1, 2000.

11 (b) FEDERAL CLAIMS.—All Federal claims arising
12 from the donation or use of the vessel described in sub-
13 section (a) are permanently extinguished.

14 **SEC. 1813. ROAD USER CHARGE EVALUATION PILOT**
15 **PROJECT.**

16 (a) IN GENERAL.—The Secretary shall carry out a
17 national evaluation pilot project to assess how intelligent
18 transportation system technology can be applied to assess
19 mileage-based road user charges for the purposes of col-
20 lecting revenues for the Highway Trust Fund.

21 (b) MATTERS TO BE EVALUATED.—The following
22 matters shall be evaluated under the pilot project:

23 (1) Technical feasibility of imposing mileage-
24 based road user charges, including cost, reliability,

1 and security of on-board and intelligent transpor-
2 tation systems.

3 (2) Compatibility of technology for imposing
4 such charges with automobile and truck design.

5 (3) Design and testing of a collection system
6 for such charges that is secure, low cost, and easy
7 to use.

8 (4) Methods of ensuring privacy of road users
9 and assessing public attitudes and views of motorists
10 who participate in field tests of the equipment and
11 system.

12 (c) REPORTS.—The Secretary shall transmit annual
13 reports on the status of the pilot project and, not later
14 than June 30, 2009, a final report on the results of the
15 pilot project, together with findings and recommendations,
16 to the Secretary of the Treasury, the Committee on Trans-
17 portation and Infrastructure and the Committee on Ways
18 and Means of the House of Representatives, and the Com-
19 mittee on Environment and Public Works and the Com-
20 mittee on Finance of the Senate.

21 (d) AUTHORIZATION OF APPROPRIATION.—

22 (1) IN GENERAL.—There is authorize from the
23 Highway Trust Fund (other than the Mass Transit
24 Account) to carry out this section \$1,000,000 for

1 each of fiscal years 2005 and 2006 and \$3,500,000
2 for each of fiscal years 2007, 2008, and 2009.

3 (2) CONTRACT AUTHORITY.—Funds authorized
4 under this subsection shall be available for obligation
5 in the same manner as if the funds were apportioned
6 under chapter 1 of title 23, United States Code; ex-
7 cept the Federal share of the cost of the pilot project
8 shall be 100 percent, and such funds shall remain
9 available until expended and shall not be transfer-
10 able.

11 **SEC. 1814. THOMAS P. “TIP” O’NEILL, JR. TUNNEL.**

12 (a) DESIGNATION.—In honor of his service to the
13 Commonwealth of Massachusetts and the United States
14 of America, and in recognition of his contributions toward
15 the construction of Central Artery project in Boston, the
16 northbound and southbound tunnel of Interstate Route
17 93, located in the city of Boston, which extends north of
18 the intersection of Interstate Route 90 and Interstate
19 Route 93 to the Leonard P. Zakim Bunker Hill Bridge,
20 is designated as the “Thomas P. ‘Tip’ O’Neill, Jr. Tun-
21 nel”.

22 (b) REFERENCES.—Any reference in law, map, regu-
23 lation, document, paper, or other record of the United
24 States to the tunnel referred to in subsection (a) shall be

1 deemed to be a reference to the “Thomas P. ‘Tip’ O’Neill,
2 Jr. Tunnel”.

3 **SEC. 1815. CONFORMING AMENDMENT FOR TRANSPOR-**
4 **TATION PLANNING SECTIONS.**

5 (a) METROPOLITAN PLANNING.—Section 134 of title
6 23, United States Code is amended to read as follows:

7 **“§ 134. Metropolitan planning**

8 “Metropolitan transportation planning programs
9 funded under section 104(f) shall be carried out in accord-
10 ance with the metropolitan planning provisions of chapter
11 52, title 49, United States Code.”.

12 (b) STATEWIDE PLANNING.—Section 135 of such
13 title is amended to read as follows:

14 **“§ 135. Statewide planning**

15 “Statewide transportation planning programs funded
16 under section 104(f) shall be carried out in accordance
17 with the statewide planning provisions of chapter 52, title
18 49, United States Code.”.

19 **SEC. 1816. DISTRIBUTION OF METROPOLITAN PLANNING**
20 **FUNDS WITHIN STATES.**

21 Section 104(f)(4) of title 23, United States Code, is
22 amended by adding at the end the following: “Such dis-
23 tribution of funds to metropolitan planning organizations
24 shall be made within 30 days of the date of receipt of such
25 funds from the Secretary.”.

1 **SEC. 1817. TREATMENT OF OFF RAMP.**

2 The Harbor Boulevard off ramp from Interstate
3 Route 405 in Costa Mesa, California, is deemed to satisfy
4 the requirements of title 23, United States Code, that gov-
5 ern the approval of the placement of ramps off of a Fed-
6 eral-aid highway.

7 **SEC. 1818. LOAN FORGIVENESS.**

8 Debt outstanding as of the date of enactment of this
9 Act for project number Q–DPM–0013(001) carried out
10 under section 108(c) of title 23, United States Code, is
11 deemed satisfied.

12 **SEC. 1819. LEAD AGENCY DESIGNATION.**

13 The public entity established under California law in
14 1989 to acquire rights-of-way in northwestern California
15 to maintain surface transportation infrastructure is here-
16 by designated as the lead agency for the purpose of accept-
17 ing Federal funds authorized under item 13 of the table
18 contained in section 1108(b) of the Intermodal Surface
19 Transportation Efficiency Act of 1991 (105 Stat. 2061).

20 **SEC. 1820. USE OF DEBRIS FROM DEMOLISHED BRIDGES**
21 **AND OVERPASSES.**

22 The project agreement for a Federal-aid highway
23 project shall provide that any debris from demolition of
24 a bridge or overpass that is on the Federal-aid highway
25 must be made available for beneficial public use by Fed-
26 eral, State, and local governments. Any additional cost as-

1 sociated with making available the debris shall be borne
2 by the recipient of the debris.

3 **SEC. 1821. HUBZONE PROGRAM.**

4 Section 3(p)(4)(B)(ii) of the Small Business Act (15
5 U.S.C. 632(p)(4)(B)(ii)) is amended—

6 (1) in subclause (I) by striking “or” at the end;

7 (2) in subclause (II) by striking the period at
8 the end and inserting “; or”; and

9 (3) by adding after subclause (II) the following:

10 “(III) there is located a difficult
11 development area, as designated by
12 the Secretary of Housing and Urban
13 Development in accordance with sec-
14 tion 42(d)(5)(C)(iii) of the Internal
15 Revenue Code of 1986, within Alaska,
16 Hawaii, or any territory or possession
17 of the United States outside the 48
18 contiguous States.”.

19 **SEC. 1822. TECHNICAL AMENDMENTS TO TEA 21 PROJECTS.**

20 The table contained in section 1602 of the Transpor-
21 tation Equity Act for the 21st Century (112 Stat. 257)
22 is amended—

23 (1) in item number 35 by adding “and for other
24 related purposes” after “Yard”;

1 (2) in item number 78 by striking “Third” and
2 all that follows through “Bridge” and inserting
3 “Bayview Transportation Improvements Project”;

4 (3) in item number 312 by inserting “through
5 construction” after “engineering”;

6 (4) in item number 566 by striking “Prunedale
7 Bypass” and inserting “improvements to
8 Prunedale”;

9 (5) in item number 744 by striking “Prelimi-
10 nary” and all that follows through “Fitchburg” and
11 inserting “Design, construction or reconstruction,
12 and right of way acquisition for roadway improve-
13 ments along the Route 12 corridor in Leominster
14 and Fitchburg to enhance access from Route 2 to
15 North Leominster and downtown Fitchburg”;

16 (6) in item number 800 by striking “Fairview
17 Township” and inserting “or other projects selected
18 by the York County, Pennsylvania MPO”;

19 (7) in item number 820 by striking “Conduct”
20 and all that follows through “interchange” and in-
21 sserting “Conduct a transportation needs study and
22 make improvements to I-75 interchanges in the
23 Grayling area”;

24 (8) in item number 897 by striking “Road up-
25 grade” and all that follows through “Hills” and in-

1 serting “Engineering and construction of a new ac-
2 cess road to a development near Interstate 57 and
3 167th Street in Country Club Hills”;

4 (9) in item number 1121 by striking “Con-
5 struct” and all that follows through “Douglaston
6 Parkway” and inserting “Provide landscaping along
7 both sides of the Grand Central Parkway from
8 188th Street to 172nd Street”;

9 (10) in item 1225 by striking “Construct SR 9
10 bypass” and inserting “Study, design, and construct
11 transportation solutions for SR 9 corridor”;

12 (11) in item number 1375 by striking “Prelimi-
13 nary” and all that follows through “Emmet County”
14 and inserting “Petoskey area transportation needs
15 study and trunkline preservation and safety in the
16 Petoskey area”;

17 (12) in item number 1392 by striking “Con-
18 struct” and all that follows through “multimodal
19 center” and inserting “Improve the ramp configura-
20 tion at the I-476 PA Turnpike Landsdale Inter-
21 change”; and

22 (13) in item number 1447 strike “Extend” and
23 all that follows through “Valparaiso” and insert
24 “Design and construction of interchange at I-65
25 and 109th Avenue, Crown Point”.

1 **SEC. 1823. NATIONAL WORK ZONE SAFETY INFORMATION**
2 **CLEARINGHOUSE.**

3 (a) GRANTS.—The Secretary shall make grants for
4 fiscal years 2005 through 2009 to a national nonprofit
5 foundation for the operation of the National Work Zone
6 Safety Information Clearinghouse, authorized by section
7 358(b)(2) of Public Law 104–59, created for the purpose
8 of assembling and disseminating, by electronic and other
9 means, information relating to improvement of roadway
10 work zone safety.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated out of the Highway Trust
13 Fund (other than the Mass Transit Account) to carry out
14 this section \$1,000,000 for each of fiscal years 2005
15 through 2009.

16 (c) CONTRACT AUTHORITY.—Funds authorized by
17 this subsection shall be available for obligation in the same
18 manner as if the funds were apportioned under chapter
19 1 of title 23, United States Code, except the Federal share
20 of the cost of activities carried out using such funds shall
21 be 100 percent, and such funds shall remain available
22 until expended and shall not be transferable.

23 **SEC. 1824. TRANSPORTATION CONFORMITY.**

24 (a) CONFORMITY REDETERMINATIONS.—Section
25 176(c)(2) of the Clean Air Act (42 U.S.C. 7506(c)) is
26 amended by adding at the end the following:

1 “(E) The appropriate metropolitan planning or-
2 ganization shall redetermine conformity for existing
3 transportation plans and programs not later than 2
4 years after the date on which the Administrator—

5 “(i) finds a motor vehicle emissions budget
6 in a submitted implementation plan to be ade-
7 quate in accordance with section 93.118(e)(4)
8 of title 40, Code of Federal Regulations (as in
9 effect on October 1, 2003); or

10 “(ii) approves an implementation plan
11 under section 110(k) or promulgates an imple-
12 mentation plan under section 110(c) that estab-
13 lishes a motor vehicle emissions budget where
14 there was no prior budget or that establishes a
15 budget that significantly varies from any motor
16 vehicle emissions budget in effect pursuant to
17 an adequacy determination in accordance with
18 section 93.118(e)(4) of title 40, Code of Fed-
19 eral Regulations (as in effect on October 1,
20 2003) or as part of an implementation plan ap-
21 proved or promulgated under section 110.”.

22 (b) FREQUENCY OF CONFORMITY DETERMINATION
23 UPDATES.—Section 176(c)(4) of the Clean Air Act (42
24 U.S.C. 7506(c)(4)) is amended follows:

1 (1) In subparagraph (A) by striking “one year
2 after the date of enactment of the Clean Air Act
3 Amendments of 1990” and inserting “one year after
4 the date of enactment of the Transportation Equity
5 Act: A Legacy for Users”.

6 (2) In subparagraph (B) by amending clause
7 (ii) to read as follows:

8 “(ii) provide that conformity determinations for
9 transportation plans and programs be determined
10 every 4 years in areas designated as nonattainment
11 or redesignated to attainment (unless a metropolitan
12 planning organization as designated in section
13 5213(b) of title 49, United States Code, elects to up-
14 date a transportation plan and program more fre-
15 quently or is required to determine conformity in ac-
16 cordance with paragraph (2)(E)).”.

17 (c) **TIME HORIZON FOR CONFORMITY DETERMINA-**
18 **TIONS IN NONATTAINMENT AREAS.**—Subsection (c) of
19 section 176 of the Clean Air Act (42 U.S.C. 7506(c)) is
20 amended by adding the following new paragraph at the
21 end thereof:

22 “(7) **TIME HORIZON FOR DETERMINATIONS.**—
23 Each conformity determination required under this
24 section for a transportation plan under section
25 5213(g) of title 49 of the United States Code shall

1 require a demonstration of conformity during the pe-
2 riod ending on either the final year of the transpor-
3 tation plan or, at the election of the metropolitan
4 planning organization and an air pollution control
5 agency, as defined in section 302(b), if such air pol-
6 lution control agency is responsible for developing
7 plans or controlling air pollution within the area cov-
8 ered by the transportation plan on the later of the
9 following dates (hereinafter in this paragraph re-
10 ferred to as the ‘final transportation conformity
11 date’):

12 “(A) The tenth year of the transportation
13 plan.

14 “(B) The attainment date set forth in the
15 applicable implementation plan for the air pol-
16 lutant concerned.

17 “(C) The year after the completion of a re-
18 gionally significant project, if the project will be
19 programmed in the transportation improvement
20 program or requires approval before the subse-
21 quent conformity determination.

22 Such conformity determination shall be accompanied
23 by a regional emissions analysis for any years of the
24 transportation plan that extend beyond such final
25 conformity date. In the case in which an area has

1 a revision to an implementation plan under section
2 175A(b) and the Administrator has found the motor
3 vehicle emissions budgets from that revision to be
4 adequate in accordance with section 93.118(e)(4) of
5 title 40, Code of Federal Regulations (as in effect
6 October 1, 2003), or has approved the revision, the
7 demonstration of conformity (at the election of the
8 metropolitan planning organization and an air pollu-
9 tion control agency, as defined in section 302(b), if
10 such air pollution control agency is responsible for
11 developing plans or controlling pollution within the
12 area covered by the transportation plan) and the
13 metropolitan planning organization shall be required
14 to extend only through the last year of the imple-
15 mentation plan required under section 175A(b).”.

16 (d) SUBSTITUTION OF TRANSPORTATION CONTROL
17 MEASURES.—Subsection 176(c) of the Clean Air Act (42
18 U.S.C. 7506(c)) is amended by adding at the end the end
19 the following new paragraph:

20 “(8)(A) Transportation control measures that
21 are specified in an implementation plan may be re-
22 placed in the implementation plan with substitute
23 transportation control measures if—

24 “(i) the substitute measures achieve equiv-
25 alent or greater emission reductions than the

1 control measures to be replaced, as determined
2 by the Administrator;

3 “(ii) the substitute measures utilize an
4 emissions impact analysis that is consistent
5 with the current methodology used for evalu-
6 ating replaced control measures in the imple-
7 mentation plan;

8 “(iii) the substitute control measures are
9 implemented not later than the date on which
10 such emission reductions are necessary to
11 achieve the purpose of the implementation plan;

12 “(iv) the substitute control measures were
13 developed with reasonable public notice and the
14 opportunity for comments; and

15 “(v) the metropolitan planning organiza-
16 tion finds that adequate funding is included in
17 the transportation improvement program to en-
18 sure timely implementation of the substitute
19 control measures.

20 “(B) After the requirements of subparagraph
21 (A) are met, a State may adopt the substitute meas-
22 ures in the applicable implementation plan within a
23 reasonable period of time.

24 “(C) The substitution of a transportation con-
25 trol measure in accordance with this paragraph shall

1 not be contingent on the existence of any provision
2 in the applicable implementation plan that expressly
3 permits such substitution.

4 “(D) The substitution of a transportation con-
5 trol measure in accordance with this paragraph shall
6 not require—

7 “(i) a new conformity determination for
8 the transportation plan, or

9 “(ii) a revision of the applicable implemen-
10 tation plan.

11 “(E) A control measure that is being replaced
12 by a substitute control measure under this para-
13 graph shall remain in effect until the substitute con-
14 trol measure is adopted.

15 “(F) Adoption of a substitute control measure
16 shall constitute rescission of the previously applica-
17 ble control measure.

18 Transportation control measures may be added to an im-
19 plementation plan subject to subparagraphs (B), (C), and
20 (D), on the same basis as if such measures were substitute
21 transportation control measures if such measures do not
22 increase emissions for which limitations have been estab-
23 lished in an implementation plan, and such measures meet
24 the requirements of clauses (ii), (iii), (iv), and (v) of sub-
25 paragraph (A).”.

1 (e) LAPSE OF CONFORMITY.—Subsection (c) of sec-
2 tion 176 of the Clean Air Act (42 U.S.C. 7506(c)) is
3 amended by adding the following new paragraphs at the
4 end thereof:

5 “(9) LAPSE OF CONFORMITY.—If a conformity
6 determination required under this subsection for a
7 transportation plan under section 5213(g) of title 49
8 of the United States Code or a transportation im-
9 provement program under section 5213(h) of title 49
10 of the United States Code is not made by the appli-
11 cable deadline and such failure is not corrected by
12 additional measures to either reduce motor vehicle
13 emissions sufficient to demonstrate compliance with
14 the requirements of this subsection within 12
15 months after such deadline or other measures suffi-
16 cient to correct such failures, the transportation
17 plan shall lapse.

18 “(10) LAPSE.—The term ‘lapse’ means that the
19 conformity determination for a transportation plan
20 or transportation improvement program has expired,
21 and thus there is no currently conforming transpor-
22 tation plan or transportation improvement pro-
23 gram.”.

1 **SEC. 1825. ELIGIBILITY TO PARTICIPATE IN WESTERN**
2 **ALASKA COMMUNITY DEVELOPMENT QUOTA**
3 **PROGRAM.**

4 A community is deemed to be eligible to participate
5 in the western Alaska community development quota pro-
6 gram established under section 305(i) of the Magnuson-
7 Stevens Fishery Conservation and Management Act (16
8 U.S.C. 1855(i)) if the community—

9 (1) is listed in table 7 to part 679 of title 50,
10 Code of Federal Regulations, as in effect on March
11 8, 2004; or

12 (2) was determined to be eligible participate in
13 such program by the National Marine Fisheries
14 Service on April 19, 1999.

15 **SEC. 1826. METROPOLITAN REGIONAL FREIGHT AND PAS-**
16 **SENGER TRANSPORTATION STUDY.**

17 (a) IN GENERAL.—The Secretary shall enter into an
18 agreement with a partnership comprised of 2 institutions
19 of higher learning to study metropolitan regional freight
20 and passenger transportation and system-wide perform-
21 ance utilizing an interdisciplinary technique of supply
22 chain management, geographic information systems, and
23 urban/suburban planning and management.

24 (b) CONTENTS OF STUDY.—The study under this
25 section shall include, at a minimum, evaluations of—

1 (1) best practices for regional transportation
2 operations and management;

3 (2) relationships among truck trip generation
4 and economic activities;

5 (3) spatial analysis of the distribution of eco-
6 nomic activity and transportation investments;

7 (4) congestion mitigation and management of
8 air quality through the concentration of modeling
9 and technology;

10 (5) supply chain management and geographic
11 information systems; and

12 (6) infrastructure management and renewal.

13 (c) FEDERAL SHARE.—The Federal share of the cost
14 of the study under this section shall be 100 percent.

15 (d) FUNDING.—Of the amounts made available to
16 carry out section 1305 for each of fiscal years 2005
17 through 2009, \$1,800,000 shall be made available to carry
18 out this section.

19 **SEC. 1827. INTERMODAL TRANSPORTATION FACILITY EX-**
20 **PANSION.**

21 Any Federal and non-Federal share provided for the
22 Port of Anchorage for an intermodal transportation ma-
23 rine facility or for access to that facility shall be trans-
24 ferred to and administered by the Administrator of the
25 Maritime Administration.

1 **SEC. 1828. ADVANCED TRUCK STOP ELECTRIFICATION SYS-**
2 **TEM.**

3 (a) DEFINITION.—Section 101(a) of title 23, United
4 States Code, as amended by section 1202 of this Act, is
5 further amended by adding at the end the following:

6 “(40) ADVANCED TRUCK STOP ELECTRIFICA-
7 TION SYSTEM.—The term ‘advanced truck stop elec-
8 trification system’ means a stationary system that
9 delivers heat, air conditioning, electricity, and com-
10 munications, and is capable of providing verifiable
11 evidence of use of those services, to a heavy-duty ve-
12 hicle and any occupants of the heavy-duty vehicle
13 without relying on components mounted onboard the
14 heavy-duty vehicle for delivery of those services.”.

15 (b) ELIGIBILITY UNDER STP.—Section 133(b)(6) of
16 such title is amended by inserting “, including advanced
17 truck stop electrification systems” before the period at the
18 end.

19 **SEC. 1829. TECHNOLOGY.**

20 States are encouraged to consider using a non-de-
21 structive technology able to detect cracks including sub-
22 surface flaws as small as 0.005 inches in length or depth
23 in steel bridges.

1 **SEC. 1830. EXTENSION OF PUBLIC TRANSIT VEHICLE EX-**
2 **EMPTION FROM AXLE WEIGHT RESTRIC-**
3 **TIONS.**

4 Section 1023(h)(1) of the Intermodal Surface Trans-
5 portation Efficiency Act of 1991 (23 U.S.C. 127 note; 106
6 Stat. 1552) is amended by striking “2005” and inserting
7 “2009”.

8 **SEC. 1831. MOTORCYCLIST ADVISORY COUNCIL.**

9 (a) IN GENERAL.—The Secretary, acting through the
10 Administrator of the Federal Highway Administration, in
11 consultation with the Committee on Transportation and
12 Infrastructure of the House of Representatives and the
13 Committee on Environment and Public Works of the Sen-
14 ate, shall appoint a Motorcyclist Advisory Council to co-
15 ordinate with and advise the Administrator on infrastruc-
16 ture issues of concern to motorcyclists, including—

- 17 (1) barrier design;
- 18 (2) road design, construction, and maintenance
19 practices; and
- 20 (3) the architecture and implementation of in-
21 telligent transportation system technologies.

22 (b) COMPOSITION.—The Council shall consist of not
23 more than 10 members of the motorcycle community
24 with professional expertise in national motorcyclist safety
25 advocacy, including—

- 26 (1) at least—

1 (A) 1 member recommended by a national
2 motorcyclist association;

3 (B) 1 member recommended by a national
4 motorcycle riders foundation;

5 (C) 1 representative of the National Asso-
6 ciation of State Motorcycle Safety Administra-
7 tors;

8 (D) 2 members of State motorcyclists' or-
9 ganizations;

10 (E) 1 member recommended by a national
11 organization that represents the builders of
12 highway infrastructure;

13 (F) 1 member recommended by a national
14 association that represents the traffic safety
15 systems industry; and

16 (G) 1 member of a national safety organi-
17 zation; and

18 (2) at least 1, and not more than 2, motorcy-
19 clists who are traffic system design engineers or
20 State transportation department officials.

21 **SEC. 1832. SHARING OF MONETARY RECOVERIES.**

22 Notwithstanding any other provision of law, mone-
23 tary judgments accruing to the Government from judg-
24 ments in Federal criminal prosecutions and civil pro-
25 ceedings pertaining to fraud in Federally funded highway

1 and public transportation projects and programs shall be
2 treated as follows:

3 (1) Any amount less than or equal to the single
4 damages incurred as the result of such fraud shall
5 be credited to the Federal account from which the
6 funds for the project or program that is at issue in
7 the fraud came, except to the extent that such Fed-
8 eral account has been credited as the result of any
9 judgment in favor of a grant recipient.

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

13 (A) the State or other recipient enters into
14 a legally binding agreement with the Secretary
15 to use the funds for a purpose eligible for Fed-
16 eral assistance under title 23 or chapter 53 of
17 title 49, United States Code, as the case may
18 be;

19 (B) the amount to be shared with the
20 State or other recipient is determined by the
21 Attorney General, in consultation with the Sec-
22 retary; and

23 (C) the Attorney General, in consultation
24 with the Secretary, determines that the fraud
25 did not occur as a result of negligent oversight

1 or actual involvement in the fraud by the State
2 or other recipient or any senior official of the
3 State or other recipient.

4 **SEC. 1833. ELIGIBILITY UNDER CMAQ.**

5 Section 149(b)(4) of title 23, United States Code is
6 amended by inserting “, including advanced truck stop
7 electrification systems,” after “facility or program”.

8 **SEC. 1834. SENSE OF CONGRESS REGARDING BUY AMER-**
9 **ICA.**

10 It is the sense of Congress that—

11 (1) the Buy America test required by section
12 165 of the Surface Transportation Assistance Act of
13 1982 (23 U.S.C. 101 note) needs to be applied to
14 an entire bridge project and not only to component
15 parts of such project;

16 (2) the law clearly states that domestic mate-
17 rials must be used in Federal highway projects un-
18 less there is a finding that the inclusion of domestic
19 materials will increase the cost of the overall project
20 by more than 25 percent;

21 (3) uncertainty regarding how to apply Buy
22 America laws for major bridge projects threatens the
23 domestic bridge industry;

24 (4) the Nation’s unemployment rate continues
25 to hover around 5.6 percent, steps are needed to

1 protect American workers and the domestic bridge
2 building industry; and

3 (5) the Buy American Act (41 U.S.C. 10a et
4 seq.) was designed to ensure that, when taxpayer
5 money is spent on direct Federal Government pro-
6 curement and infrastructure projects, these expendi-
7 tures stimulate United States production and job
8 creation.

9 **SEC. 1835. COMMUNITY ENHANCEMENT STUDY.**

10 (a) IN GENERAL.—The Secretary shall conduct a
11 study on—

12 (1) the role of well-designed transportation
13 projects in—

14 (A) promoting economic development;

15 (B) protecting public health, safety and the
16 environment; and

17 (C) enhancing the architectural design and
18 planning of communities; and

19 (2) the positive economic, cultural, aesthetic,
20 scenic, architectural, and environmental benefits of
21 such projects for communities.

22 (b) CONTENTS.—The study shall address the fol-
23 lowing:

24 (1) The degree to which well-designed transpor-
25 tation projects have positive economic, cultural, aes-

1 thetic, scenic, architectural, and environmental bene-
2 fits for communities.

3 (2) The degree to which such projects protect
4 and contribute to improvements in public health and
5 safety.

6 (3) The degree to which such projects use inclu-
7 sive public participation processes to achieve quicker,
8 more certain, and better results.

9 (4) The degree to which positive results are
10 achieved by linking transportation, design, and the
11 implementation of community visions for the future.

12 (5) Facilitating the use of successful models or
13 best practices in transportation investment or devel-
14 opment to accomplish each of the following:

15 (A) Enhancement of community identity.

16 (B) Protection of public health and safety.

17 (C) Provision of a variety of choices in
18 housing, shopping, transportation, employment,
19 and recreation.

20 (D) Preservation and enhancement of ex-
21 isting infrastructure.

22 (E) Creation of a greater sense of commu-
23 nity through public involvement.

24 (c) REPORT.—Not later than September 20, 2006,
25 the Secretary shall transmit to the Committee on Trans-

1 portation and Infrastructure of the House of Representa-
2 tives and the Committee on Environment and Public
3 Works of the Senate a report on the results of the study.

4 (d) ADMINISTRATION.—To carry out this section, the
5 Secretary shall make a grant to, or enter into a coopera-
6 tive agreement or contract with, a national organization
7 representing architects who have expertise in the design
8 of a wide range of transportation and infrastructure
9 projects, which include the design of buildings, public fa-
10 cilities, and surrounding communities.

11 (e) AUTHORIZATION.—Of the amounts made avail-
12 able to carry out section 1221 of the Transportation Eq-
13 uity Act for the 21st Century (23 U.S.C. 101 note),
14 \$1,000,000 shall be available for each of fiscal year 2005
15 and fiscal year 2006 to carry out this section; except that
16 notwithstanding section 1221(e)(2) of such Act, the Fed-
17 eral share of the cost of the study shall be 100 percent.

18 **SEC. 1836. TRANSPORTATION AND LOCAL WORKFORCE IN-**

19 **VESTMENT.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) Federal-aid highway programs provide State
22 and local governments and other recipients substan-
23 tial funds for projects that produce significant em-
24 ployment and job-training opportunities.

1 (2) Every \$1,000,000,000 in Federal infra-
2 structure investment creates an estimated 47,500
3 jobs.

4 (3) Jobs in transportation construction, includ-
5 ing apprenticeship positions, typically pay more than
6 twice the minimum wage, and include health and
7 other benefits.

8 (4) Transportation projects provide the impetus
9 for job training and employment opportunities for
10 low income individuals residing in the area in which
11 a transportation project is planned.

12 (5) Transportation projects can offer young
13 people, particularly those who are economically dis-
14 advantaged, the opportunity to gain productive em-
15 ployment.

16 (6) The Alameda Corridor, a \$2,400,000,000
17 transportation project, is an example of a transpor-
18 tation project that included a local hiring provision
19 resulting in a full 30 percent of the project jobs
20 being filled by locally hired and trained men and
21 women.

22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that Federal transportation projects should facilitate
24 and encourage the collaboration between interested per-
25 sons, including State, Federal, and local governments,

1 community colleges, apprentice programs, local high
2 schools, and other community based organizations that
3 have an interest in improving the job skills of low-income
4 individuals, to help leverage scarce training and commu-
5 nity resources and to help ensure local participation in the
6 building of transportation projects.

7 **SEC. 1837. SPECIAL RULE FOR FISCAL YEAR 2004.**

8 In any case in which an amount is authorized to be
9 appropriated, made available, allocated, set aside, taken
10 down, or subject to an obligation limitation for fiscal year
11 2004 for a program, project, or activity in any provision
12 of this title, including an amendment made by this title,
13 that is different than the amount authorized to be appro-
14 priated, made available, allocated, set aside, taken down,
15 or subject to an obligation limitation for fiscal year 2004
16 for such program, project, or activity in any provision of
17 the Surface Transportation Extension Act of 2004, Part
18 V (Public Law 108–310), including any amendment made
19 by such Act, the amount referred to in such Act shall be
20 the amount authorized to be appropriated, made available,
21 allocated, set aside, taken down, or subject to an obliga-
22 tion limitation.

23 **SEC. 1838. AMO HOUGHTON BYPASS.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) Amo Houghton first served his country
2 when he volunteered for military service during
3 World War II and served as a Private First Class
4 in the United States Marine Corps;

5 (2) Amo Houghton earned a bachelor's degree
6 from Harvard University and a master's degree
7 from the Harvard School of Business;

8 (3) Amo Houghton was Chief Executive Officer
9 of Corning, Incorporated, before running for Con-
10 gress and is remembered fondly for his tremendous
11 efforts to rebuild the City of Corning, New York,
12 and the Chemung Valley in the aftermath of Hurri-
13 cane Agnes and the devastating flood of 1972;

14 (4) Amo Houghton spent his energy and time
15 at Corning, Incorporated, Congress, and even after
16 Congress working to build up the economy of the
17 Southern Tier, Finger Lakes, and Rochester region
18 of New York;

19 (5) Amo Houghton worked tirelessly with oth-
20 ers to fund the building projects that brought New
21 York State Route 17 to the necessary standards to
22 be designated as Interstate Route 86;

23 (6) one of the major projects required to up-
24 grade New York State Route 17 to Interstate stand-
25 ards and at the same time eliminate a glaring prob-

1 lem and safety hazard was the construction of the
2 bypass route around the City of Corning, New York;

3 (7) Amo Houghton was a champion of many
4 economic, trade, and health issues during his service
5 on the Ways and Means Committee of the House of
6 Representatives, including numerous tax simplifica-
7 tion measures and successful House and Senate pas-
8 sage of the Clean Diamond Trade Act (Public Law
9 108–19) which was signed into law by President
10 George W. Bush;

11 (8) Amo Houghton was an active player on the
12 world stage as a member of the International Rela-
13 tions Committee of the House of Representatives
14 through his Chairmanships of the Canada-United
15 States Interparliamentary Group, the Asia-Pacific
16 Parliamentary Forum, the Oxford Forum, and the
17 United States-Japan Economic Agenda Forum and
18 Vice Chairmanship of the Africa Subcommittee of
19 the International Relations Committee;

20 (9) Amo Houghton served in many other capaci-
21 ties for the good of Congress, including his work as
22 a founding member of the Bipartisan Retreat Com-
23 mittee of the House of Representatives, the Mem-
24 bers and Family Room Committee of the House of

1 Representatives, and as Co-Chairman of the Faith
2 and Politics Institute; and

3 (10) among his colleagues in Congress, Amo
4 Houghton will always be remembered as a man of
5 principle, statesmanship, moderation, bipartisanship,
6 and civility.

7 (b) DESIGNATION.—The Secretary of Transportation
8 shall work with the State of New York to ensure that the
9 segment of Interstate Route 86 between its interchange
10 with New York State Route 15 in the vicinity of Painted
11 Post, New York, and its interchange with New York State
12 Route 352 in the vicinity of Corning, New York, is known
13 and designated as the “Amo Houghton Bypass”.

14 **SEC. 1839. INCLUSION OF CERTAIN ROUTE SEGMENTS ON**
15 **THE INTERSTATE SYSTEM.**

16 Section 1105(e)(5) of the Intermodal Surface Trans-
17 portation Efficiency Act of 1991 (105 Stat. 2032; 118
18 Stat. 293) is amended—

19 (1) in subparagraph (A) by striking “and sub-
20 section (c)(45)” and inserting “subsection (c)(45),
21 and subsection (c)(57)”; and

22 (2) by adding the following at the end of sub-
23 paragraph (B)(i): “The route referred to in sub-
24 section (c)(57) is designated as Interstate Route I-
25 41.”.

1 **SEC. 1840. RESCISSION OF UNOBLIGATED BALANCES.**

2 (a) IN GENERAL.—On September 30, 2009,
3 \$12,000,000,000 of the unobligated balances of funds ap-
4 portioned before such date to the States for the Interstate
5 maintenance, national highway system, bridge, congestion
6 mitigation and air quality improvement, surface transpor-
7 tation (other than the STP set-aside programs), metro-
8 politan planning, minimum guarantee, Appalachian devel-
9 opment highway system, recreational trails, safe routes to
10 school, freight intermodal connectors, coordinated border
11 infrastructure, high risk rural road, and highway safety
12 improvement programs, and each of the STP set-aside
13 programs, is rescinded.

14 (b) ALLOCATION AMONG STATES.—The Secretary
15 shall determine each State's share of the amount to be
16 rescinded by subsection (a) on September 30, 2009, by
17 multiplying \$12,000,000,000 by the ratio of the aggregate
18 amount apportioned to such State for fiscal years 2004
19 through 2009 for all the programs referred to in sub-
20 section (a) to the aggregate amount apportioned to all
21 States for such fiscal years for those programs.

22 (c) CALCULATIONS.—To determine the allocation of
23 the amount to be rescinded for a State under subsection
24 (b) among the programs referred to in subsection (a), the
25 Secretary shall make the following calculations:

1 (1) The Secretary shall multiply such amount
2 to be rescinded by the ratio that the aggregate
3 amount of unobligated funds available to the State
4 on September 30, 2009, for each such program
5 bears to the aggregate amount of unobligated funds
6 available to the State on September 30, 2009, for all
7 such programs.

8 (2) The Secretary shall multiply such amount
9 to be rescinded by the ratio that the aggregate of
10 the amount apportioned to the State for each such
11 program for fiscal years 2004 through 2009 bears to
12 the aggregate amount apportioned to the State for
13 all such programs for fiscal years 2004 through
14 2009.

15 (d) ALLOCATION AMONG PROGRAMS.—

16 (1) IN GENERAL.—The Secretary, in consulta-
17 tion with the State, shall rescind for the State from
18 each program referred to in subsection (a) the
19 amount determined for the program under sub-
20 section (c)(1).

21 (2) SPECIAL RULE.—

22 (A) RESTORATION OF FUNDS FOR COV-
23 ERED PROGRAMS.—If the rescission calculated
24 under subsection (c)(1) for a covered program
25 exceeds the amount calculated for the covered

1 program under subsection (c)(2), the State
2 shall immediately restore to the apportionment
3 account for the covered program from the unob-
4 ligated balances of programs referred to in sub-
5 section (a) (other than covered programs) the
6 amount of funds required so that the net rescis-
7 sion from the covered program does not exceed
8 the amount calculated for the covered program
9 under subsection (c)(2).

10 (B) TREATMENT OF RESTORED FUNDS.—

11 Any funds restored under subparagraph (A)
12 shall be deemed to be the funds that were re-
13 scinded for the purposes of obligation.

14 (3) COVERED PROGRAM DEFINED.—In para-

15 graph (2), the term “covered program” means a
16 program authorized under sections 130 and 152 of
17 title 23, United States Code, paragraph (1), (2), or
18 (3) of section 133(d) of that title, section 144 of
19 that title, section 149 of that title, or section
20 1121(a) of this Act.

21 (e) TREATMENT OF SAFETY PROGRAMS.—In making

22 calculations under subsections (c)(1), (c)(2), and (d)(2),
23 the Secretary shall treat the STP set-aside program for
24 safety programs and the highway safety improvement pro-
25 gram as a single program.

1 (f) STP SET-ASIDE PROGRAM DEFINED.—In this
2 section, the term “STP set-aside program” means the
3 amount set aside under section 133(d) of title 23, United
4 States Code, for each of the safety programs, transpor-
5 tation enhancement activities, and division between urban-
6 ized areas of over 200,000 population and other areas.

7 **SEC. 1841. TRANSPORTATION DEVELOPMENT CREDITS.**

8 Section 120(j)(1) of title 23, United States Code, is
9 amended—

10 (1) by striking “A State” and inserting the fol-
11 lowing:

12 “(A) IN GENERAL.—A State”; and

13 (2) by striking the last sentence and inserting
14 the following:

15 “(B) SPECIAL RULE FOR USE OF FEDERAL
16 FUNDS.—If the public, quasi-public, or private
17 agency has built, improved, or maintained the
18 facility using Federal funds, the credit under
19 this paragraph shall be reduced by a percentage
20 equal to the percentage of the total cost of
21 building, improving, or maintaining the facility
22 that was derived from Federal funds.

23 “(C) FEDERAL FUNDS DEFINED.—In this
24 paragraph, the term ‘Federal funds’ does not
25 include loans of Federal funds or other finan-

1 cial assistance that must be repaid to the Gov-
2 ernment.”.

3 **TITLE II—HIGHWAY SAFETY**

4 **SEC. 2001. AUTHORIZATION OF APPROPRIATIONS.**

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

8 (1) HIGHWAY SAFETY PROGRAMS.—For car-
9 rying out section 402 of title 23, United States
10 Code, \$164,027,000 for fiscal year 2004,
11 \$163,680,000 for fiscal year 2005, \$229,000,000 for
12 fiscal year 2006, \$232,000,000 for fiscal year 2007,
13 \$238,000,000 for fiscal year 2008, and
14 \$245,000,000 for fiscal year 2009.

15 (2) OCCUPANT PROTECTION INCENTIVE
16 GRANTS.—For carrying out section 405 of title 23,
17 United States Code, \$19,882,000 for fiscal year
18 2004, \$19,840,000 for fiscal year 2005,
19 \$136,000,000 for fiscal year 2006, \$139,000,000 for
20 fiscal year 2007, \$143,000,000 for fiscal year 2008,
21 and \$150,000,000 for fiscal year 2009.

22 (3) ALCOHOL-IMPAIRED DRIVING COUNTER-
23 MEASURES INCENTIVE GRANT PROGRAM.—For car-
24 rying out section 410 of title 23, United States
25 Code, \$39,764,000 for fiscal year 2004,

1 \$39,680,000 for fiscal year 2005, \$129,000,000 for
2 fiscal year 2006, \$133,000,000 for fiscal year 2007,
3 \$138,000,000 for fiscal year 2008, and
4 \$144,000,000 for fiscal year 2009.

5 (4) STATE TRAFFIC SAFETY INFORMATION IM-
6 PROVEMENTS.—For carrying out section 412 of title
7 23, United States Code, \$30,000,000 for fiscal year
8 2006, \$35,000,000 for fiscal year 2007,
9 \$40,000,000 for fiscal year 2008, and \$40,000,000
10 for fiscal year 2009.

11 (5) NATIONAL DRIVER REGISTER.—For car-
12 rying out chapter 303 of title 49, United States
13 Code, by the National Highway Traffic Safety Ad-
14 ministration, \$3,976,000 for fiscal year 2004,
15 \$3,968,000 for fiscal year 2005, and \$4,000,000 for
16 each of fiscal years 2006 through 2009.

17 (6) HIGH VISIBILITY ENFORCEMENT PRO-
18 GRAM.—For carrying out section 2005 of this title,
19 \$15,000,000 for each of fiscal years 2006 through
20 2009.

21 (b) APPLICABILITY OF TITLE 23.—Except as other-
22 wise provided in chapter 4 of title 23, United States Code,
23 and this title, amounts made available under subsection
24 (a) for each of fiscal years 2004 through 2009 shall be
25 available for obligation in the same manner as if such

1 funds were apportioned under chapter 1 of title 23, United
2 States Code.

3 (c) TRANSFERS.—In each fiscal year, the Secretary
4 may transfer any amounts remaining available under
5 paragraph (2), (3), or (4) of subsection (a) to the amounts
6 made available under any other of such paragraphs in
7 order to ensure, to the maximum extent possible, that each
8 State receives the maximum incentive funding for which
9 the State is eligible under sections 405, 410, and 412 of
10 title 23, United States Code.

11 **SEC. 2002. OCCUPANT PROTECTION INCENTIVE GRANTS.**

12 (a) GENERAL AUTHORITY.—Section 405(a) of title
13 23, United States Code, is amended—

14 (1) in paragraph (2) by striking “Transportation
15 Equity Act for the 21st Century” and inserting
16 “Transportation Equity Act: A Legacy for
17 Users”;

18 (2) in paragraph (3) by striking “1997” and in-
19 serting “2003”; and

20 (3) in paragraphs (4)(A), (4)(B), and (4)(C) by
21 inserting after “years” the following: “beginning
22 after September 30, 2003,”.

23 (b) GRANT ELIGIBILITY.—Section 405(b) of title 23,
24 United States Code, is amended by striking “A State shall
25 become eligible” and inserting the following: “A State

1 shall be eligible for a grant under this section if the State
2 has a seat belt usage rate of 85 percent or greater as of
3 the date of the grant, as determined by the Secretary. A
4 State shall also become eligible”.

5 (c) GRANT AMOUNTS.—Section 405(c) of title 23,
6 United States Code, is amended—

7 (1) by striking “25 percent” and inserting “100
8 percent”; and

9 (2) by striking “1997” and inserting “2003”.

10 **SEC. 2003. ALCOHOL-IMPAIRED DRIVING COUNTER-**
11 **MEASURES.**

12 (a) GENERAL AUTHORITY.—Section 410(a) of title
13 23, United States Code, is amended—

14 (1) in paragraph (2) by striking “Transportation
15 Equity Act for the 21st Century” and insert-
16 ing “Transportation Equity Act: A Legacy for
17 Users”;

18 (2) in paragraph (3) by striking “1997” and in-
19 serting “2003”; and

20 (3) in paragraphs (4)(A), (4)(B), and (4)(C) by
21 inserting after “years” the following: “beginning
22 after September 30, 2003,”.

23 (b) BASIC GRANT A.—Section 410(b)(1) of title 23,
24 United States Code, is amended—

1 (1) by striking “A State shall become eligible”
2 and inserting the following: “A State shall be eligible
3 for a grant under this paragraph if the State has an
4 alcohol-related fatality rate per 100,000,000 vehicle
5 miles traveled of 0.5 or less as of the date of the
6 grant, as determined by the Secretary using the Fa-
7 tality Analysis Reporting System of the National
8 Highway Traffic Safety Administration. A State
9 shall also become eligible”;

10 (2) by striking “at least 5 of the following” and
11 inserting “at least 6 of the following for fiscal year
12 2005 and fiscal year 2006 and at least 7 of the fol-
13 lowing for each fiscal year thereafter”;

14 (3) in subparagraph (A)—

15 (A) by striking “and” at the end of clause
16 (i)(II);

17 (B) by striking the period at the end of
18 clause (ii) and inserting a semicolon; and

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

20 “(iii) the suspension referred to under
21 clause (i)(I) may allow an individual to op-
22 erate a motor vehicle, after the 15-day pe-
23 riod beginning on the date of the suspen-
24 sion, to and from employment, school, or
25 an alcohol treatment program if an igni-

1 tion interlock device is installed on each of
2 the motor vehicles owned or operated, or
3 both, by the individual; and

4 “(iv) the suspension and revocation
5 referred to under clause (i)(II) may allow
6 an individual to operate a motor vehicle,
7 after the 45-day period beginning on the
8 date of the suspension or revocation, to
9 and from employment, school, or an alco-
10 hol treatment program if an ignition inter-
11 lock device is installed on each of the
12 motor vehicles owned or operated, or both,
13 by the individual.”;

14 (4) in subparagraph (B)—

15 (A) by striking “may include the issuance”

16 and inserting the following:

17 “may include—

18 “(i) the issuance”; and

19 (B) by striking the period at the end and
20 inserting “; and” and the following:

21 “(ii) a program provided by a non-
22 profit organization for training point of
23 sale personnel concerning, at a minimum,
24 the following:

25 “(I) the clinical effects of alcohol;

1 “(II) methods of preventing sec-
2 ond party sales of alcohol;

3 “(III) recognizing signs of intoxi-
4 cation;

5 “(IV) methods to prevent under-
6 age drinking;

7 “(V) Federal, State, and local
8 laws that are relevant to such per-
9 sonnel.”;

10 (5) by striking subparagraph (F) and inserting
11 the following:

12 “(F) OUTREACH PROGRAM.—A judicial
13 and prosecutorial education, training, and out-
14 reach program that provides information on the
15 appropriateness and effectiveness of sentencing
16 options.”; and

17 (6) by adding at the end the following:

18 “(H) SELF-SUSTAINING DRUNK DRIVING
19 PREVENTION PROGRAM.—A self-sustaining
20 drunk driving prevention program under which
21 a significant portion of the fines or surcharges
22 collected from individuals apprehended and
23 fined for operating a motor vehicle while under
24 the influence of alcohol are returned to those
25 communities that have comprehensive programs

1 for the prevention of such operations of motor
2 vehicles.

3 “(I) PROGRAMS FOR EFFECTIVE ALCOHOL
4 REHABILITATION.—A program for effective in-
5 patient and outpatient alcohol rehabilitation
6 based on mandatory assessment and appro-
7 priate treatment for repeat offenders described
8 in subparagraph (A)(i)(II), including a program
9 of the court system (such as a driving while in-
10 toxicated court) for the purpose of changing the
11 behavior of alcohol or drug dependent offenders
12 arrested for driving while impaired.

13 “(J) PROGRAM FOR THE IMPOUNDMENT
14 OF VEHICLES.—A program to impound a vehi-
15 cle operated by a person who is arrested for op-
16 erating that vehicle while under the influence of
17 alcohol.”.

18 (c) BASIC GRANT B.—Section 410(b) of title 23,
19 United States Code, is amended—

20 (1) by striking paragraph (2) and inserting the
21 following:

22 “(2) BASIC GRANT B.—A State shall become el-
23 igible for a grant under this paragraph if the
24 State—

1 “(A) has an alcohol-related fatality rate
2 per 100,000,000 vehicle miles traveled of 0.8 or
3 more as of the date of the grant, as determined
4 by the Secretary using the Fatality Analysis
5 Reporting System of the National Highway
6 Traffic Safety Administration; and

7 “(B) establishes, subject to such require-
8 ments as the Secretary may prescribe, a task
9 force to evaluate and recommend changes to the
10 State’s drunk driving programs.”; and

11 (2) in paragraph (3)—

12 (A) by striking “25 percent” and inserting
13 “100 percent”; and

14 (B) by striking “1997” and inserting
15 “2003”.

16 (d) SUPPLEMENTAL GRANTS.—Section 410(e) of title
17 23, United States Code, is amended to read as follows:

18 “(c) ALLOCATION FOR BASIC GRANT B.—Not more
19 than \$20,000,000 per fiscal year of amounts made avail-
20 able to carry out this section shall be available for making
21 grants under subsection (b)(2).”.

22 (e) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on September 30, 2005.

1 **SEC. 2004. STATE TRAFFIC SAFETY INFORMATION SYSTEM**
2 **IMPROVEMENTS.**

3 (a) IN GENERAL.—Chapter 4 of title 23, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 412. State traffic safety information system im-**
7 **provements**

8 “(a) GENERAL AUTHORITY.—

9 “(1) AUTHORITY TO MAKE GRANTS.—Subject
10 to the requirements of this section, the Secretary
11 shall make grants to States that adopt and imple-
12 ment effective programs to—

13 “(A) improve the timeliness, accuracy,
14 completeness, uniformity, integration, and ac-
15 cessibility of the safety data of the State that
16 is needed to identify priorities for national,
17 State, and local highway and traffic safety pro-
18 grams;

19 “(B) evaluate the effectiveness of efforts to
20 make such improvements;

21 “(C) link these State data systems, includ-
22 ing traffic records, with other data systems
23 within the State, such as systems that contain
24 medical, roadway, and economic data; and

25 “(D) improve the compatibility and inter-
26 operability of the data systems of the State

1 with national data systems and data systems of
2 other States and enhance the ability of the Sec-
3 retary to observe and analyze national trends in
4 crash occurrences, rates, outcomes, and cir-
5 cumstances.

6 “(2) USE OF GRANTS.—A State may use a
7 grant received under this section only to implement
8 such programs.

9 “(3) MODEL DATA ELEMENTS.—The Secretary,
10 in consultation with States and other appropriate
11 parties, shall determine the model data elements
12 necessary to observe and analyze State and national
13 trends in crash occurrences, rates, outcomes, and
14 circumstances. In order to become eligible for a
15 grant under this section, a State shall certify to the
16 Secretary the State’s adoption and use of such
17 model data elements.

18 “(4) MAINTENANCE OF EFFORT.—No grant
19 may be made to a State under this section in any
20 fiscal year unless the State enters into such agree-
21 ments with the Secretary as the Secretary may re-
22 quire ensuring that the State will maintain its ag-
23 gregate expenditures from all other sources for high-
24 way safety data programs at or above the average

1 level of such expenditures in the 2 fiscal years pre-
2 ceding the date of enactment of this section.

3 “(5) FEDERAL SHARE.—The Federal share of
4 the cost of implementing in a fiscal year a program
5 of a State pursuant to paragraph (1) shall not ex-
6 ceed 80 percent.

7 “(b) FIRST-YEAR GRANTS.—To be eligible for a first-
8 year grant under this section, a State shall demonstrate
9 to the satisfaction of the Secretary that the State has—

10 “(1) established a highway safety data and traf-
11 fic records coordinating committee with a multidisci-
12 plinary membership that includes, among others,
13 managers, collectors, and users of traffic records
14 and public health and injury control data systems;
15 and

16 “(2) developed a multiyear highway safety data
17 and traffic records system strategic plan that ad-
18 dresses existing deficiencies in the State’s highway
19 safety data and traffic records system and is ap-
20 proved by the highway safety data and traffic
21 records coordinating committee and—

22 “(A) specifies how existing deficiencies in
23 the State’s highway safety data and traffic
24 records system were identified;

1 “(B) prioritizes, based on the identified
2 highway safety data and traffic records system
3 deficiencies, the highway safety data and traffic
4 records system needs and goals of the State, in-
5 cluding the activities described in subsection
6 (a)(1);

7 “(C) identifies performance-based meas-
8 ures by which progress toward those goals will
9 be determined;

10 “(D) specifies how the grant funds and
11 any other funds of the State will be used to ad-
12 dress needs and goals identified in the
13 multiyear plan; and

14 “(E) includes a current report on the
15 progress in implementing the multiyear plan
16 that documents progress toward the specified
17 goals.

18 “(c) SUCCEEDING-YEAR GRANTS.—

19 “(1) ELIGIBILITY.—A State shall be eligible for
20 a grant under this section in a fiscal year succeeding
21 the first fiscal year in which the State receives a
22 grant under subsection (b) if the State, to the satis-
23 faction of the Secretary—

1 “(A) submits an updated multiyear plan
2 that meets the requirements of subsection
3 (b)(2);

4 “(B) certifies that its highway safety data
5 and traffic records coordinating committee con-
6 tinues to operate and supports the multiyear
7 plan;

8 “(C) specifies how the grant funds and any
9 other funds of the State will be used to address
10 needs and goals identified in the multiyear plan;

11 “(D) demonstrates measurable progress to-
12 ward achieving the goals and objectives identi-
13 fied in the multiyear plan; and

14 “(E) includes a current report on the
15 progress in implementing the multiyear plan.

16 “(d) GRANT AMOUNTS.—

17 “(1) IN GENERAL.—The amount of a grant
18 made to a State for a fiscal year under this section
19 shall equal an amount determined by multiplying—

20 “(A) the amount appropriated to carry out
21 this section for such fiscal year; by

22 “(B) the ratio that the funds apportioned
23 to the State under section 402 for fiscal year
24 2003 bears to the funds apportioned to all
25 States under section 402 for fiscal year 2003.

1 “(2) MINIMUM AMOUNT.—Notwithstanding
2 subparagraph (A)—

3 “(A) a State eligible for a first-year grant
4 under this section shall not receive less than
5 \$300,000; and

6 “(B) a State eligible for a succeeding-year
7 grant under this section shall not receive less
8 than \$500,000.

9 “(e) ADMINISTRATIVE EXPENSES.—Funds author-
10 ized to be appropriated to carry out this section in a fiscal
11 year shall be subject to a deduction not to exceed 5 percent
12 for the necessary costs of administering the provisions of
13 this section.

14 “(f) APPLICABILITY OF CHAPTER 1.—The provisions
15 contained in section 402(d) shall apply to this section.”.

16 (b) CONFORMING AMENDMENT.—The analysis for
17 chapter 4 of title 23, United States Code, is amended by
18 adding at the end the following:

 “412. State traffic safety information system improvements.”.

19 **SEC. 2005. HIGH VISIBILITY ENFORCEMENT PROGRAM.**

20 The Secretary shall establish a program to support
21 national impaired driving mobilization and enforcement ef-
22 forts and national safety belt mobilization and enforce-
23 ment, including the purchase of national paid advertise-
24 ment (including production and placement) to support
25 such efforts.

1 **SEC. 2006. MOTORCYCLE CRASH CAUSATION STUDY.**

2 (a) IN GENERAL.—Using funds made available to
3 carry out section 403 of title 23, United States Code, the
4 Secretary shall conduct a study of the causes of motorcycle
5 crashes.

6 (b) REPORT.—Not later than 3 years after the date
7 of enactment of this Act, the Secretary shall transmit to
8 Congress a report on the results of the study.

9 **SEC. 2007. CHILD SAFETY AND CHILD BOOSTER SEAT IN-**
10 **CENTIVE GRANTS.**

11 (a) GENERAL AUTHORITY.—Subject to the require-
12 ments of this section, the Secretary shall make grants to
13 States that enact or have enacted and are enforcing a law
14 requiring that children riding in passenger motor vehicles
15 who are too large to be secured in a child safety seat be
16 secured in a child restraint that meets the requirements
17 prescribed by the Secretary under section 3 of Anton’s
18 Law (116 Stat. 2772).

19 (b) MAINTENANCE OF EFFORT.—No grant may be
20 made to a State under this section in a fiscal year unless
21 the State enters into such agreements with the Secretary
22 as the Secretary may require to ensure that the State will
23 maintain its aggregate expenditures from all other sources
24 for child safety seat and child booster seat programs at
25 or above the average level of such expenditures in its 2
26 fiscal years preceding the date of enactment of this Act.

1 (c) FEDERAL SHARE.—The Federal share of the cost
2 of implementing and enforcing in a fiscal year a law adopt-
3 ed by a State under subsection (a) shall not exceed—

4 (1) for the first 3 fiscal years for which a State
5 receives a grant under this section, 75 percent; and

6 (2) for the fourth fiscal year for which a State
7 receives a grant under this section, 50 percent.

8 (d) GRANT ELIGIBILITY.—

9 (1) IN GENERAL.—A State is eligible for a
10 grant under this section if the State has in effect
11 and enforces a law described in subsection (a).

12 (2) MAXIMUM PERIOD OF ELIGIBILITY.—No
13 State may receive grants under this section in more
14 than 4 fiscal years beginning after September 30,
15 2005.

16 (e) ELIGIBLE USES OF FUNDS.—A State may use
17 a grant under this section only to carry out child safety
18 seat and child booster seat programs, including the fol-
19 lowing:

20 (1) A program to educate the public concerning
21 the proper use and installation of child safety seats
22 and child booster seats.

23 (2) A program to train child passenger safety
24 professionals, police officers, fire and emergency
25 medical personnel, and educators concerning all as-

1 pects of the use of child safety seats and booster
2 seats.

3 (3) A program to purchase and distribute child
4 safety seats, child booster seats, and other appro-
5 priate passenger motor vehicle child restraints to
6 families that cannot otherwise afford such seats or
7 restraints.

8 (4) A program to support enforcement of child
9 restraint laws.

10 (f) GRANT AMOUNT.—The amount of a grant to a
11 State for a fiscal year under this section may not exceed
12 25 percent of the amount apportioned to the State for fis-
13 cal year 2003 under section 402 of title 23, United States
14 Code.

15 (g) ADMINISTRATIVE EXPENSES.—Funds authorized
16 to be appropriated to carry out this section in a fiscal year
17 shall be subject to a deduction not to exceed 2.5 percent
18 for the necessary costs of administering the provisions of
19 this section.

20 (h) APPLICABILITY OF CHAPTER 1.—The provisions
21 contained in section 402(d) of title 23, United States
22 Code, apply to this section.

23 (i) REPORT.—Each State to which a grant is made
24 under this section shall transmit to the Secretary a report
25 documenting the manner in which grant amounts were ob-

1 ligated and expended and identifying the specific programs
2 carried out with or supported by grant funds. The report
3 shall be in a form prescribed by the Secretary and may
4 be combined with other State grant reporting require-
5 ments under of chapter 4 of title 23, United States Code.

6 (j) DEFINITIONS.—In this section, the following defi-
7 nitions apply:

8 (1) CHILD RESTRAINT.—The term “child re-
9 straint” means any product designed to provide re-
10 straint to a child (including booster seats and other
11 products used with a lap and shoulder belt assem-
12 bly) that meets applicable Federal motor vehicle
13 safety standards prescribed by the National High-
14 way Traffic Safety Administration.

15 (2) CHILD SAFETY SEAT.—The term “child
16 safety seat” has the meaning such term has in sec-
17 tion 405(f) of title 23, United States Code.

18 (3) PASSENGER MOTOR VEHICLE.—The term
19 “passenger motor vehicle” has the meaning such
20 term has in such section 405(f).

21 (4) STATE.—The term “State” has the mean-
22 ing such term has in section 101(a) of such title.

23 (k) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section
25 from the Highway Trust Fund (other than the Mass Tran-

1 sit Account) \$6,000,000 for each of fiscal years 2006
2 through 2008 and \$7,000,000 for fiscal year 2009.

3 **SEC. 2008. MOTORCYCLIST SAFETY.**

4 (a) **AUTHORITY TO MAKE GRANTS.**—Subject to the
5 requirements of this section, the Secretary shall make
6 grants to States that adopt and implement effective pro-
7 grams to reduce the number of single- and multi-vehicle
8 crashes involving motorcyclists.

9 (b) **MAINTENANCE OF EFFORT.**—No grant may be
10 made to a State under this section in a fiscal year unless
11 the State enters into such agreements with the Secretary
12 as the Secretary may require to ensure that the State will
13 maintain its aggregate expenditures from all the other
14 sources for motorcyclist safety training programs and mo-
15 torcyclist awareness programs at or above the average
16 level of such expenditures in its 2 fiscal years preceding
17 the date of enactment of this Act.

18 (c) **MAXIMUM PERIOD OF ELIGIBILITY.**—No State
19 may receive grants under this section in more than 4 fiscal
20 years beginning after September 30, 2005.

21 (d) **FEDERAL SHARE.**—The Federal share of the cost
22 of implementing and enforcing, as appropriate, in a fiscal
23 year a program adopted by a State in accordance with
24 subsection (a) shall not exceed—

1 (1) for the first 3 years for which a State re-
2 ceives a grant under this section, 75 percent; and

3 (2) for the fourth fiscal year for which a State
4 receives a grant under this section, 50 percent.

5 (e) GRANT ELIGIBILITY.—

6 (1) IN GENERAL.—A State becomes eligible for
7 a grant under this section by adopting or dem-
8 onstrating to the satisfaction of the Secretary—

9 (A) for the first fiscal year for which the
10 State will receive a grant under this section, at
11 least 1 of the 6 criteria listed in paragraph (2);

12 (B) for the second, third, and fourth fiscal
13 years for which the State will receive a grant
14 under this section, at least 2 of the 6 criteria
15 listed in paragraph (2); and

16 (C) for any subsequent fiscal years for
17 which the State will receive a grant under this
18 section, at least 3 of the 6 criteria listed in
19 paragraph (2).

20 (2) CRITERIA.—The criteria for eligibility for a
21 grant under this section are the following:

22 (A) MOTORCYCLE RIDER TRAINING
23 COURSES.—An effective motorcycle rider train-
24 ing course that is offered throughout the State,
25 provides a formal program of instruction in ac-

1 eident avoidance and other safety-oriented oper-
2 ational skills to motorcyclists, and may include
3 innovative training opportunities to meet unique
4 regional needs.

5 (B) MOTORCYCLISTS AWARENESS PRO-
6 GRAM.—An effective statewide program to en-
7 hance motorist awareness of the presence of
8 motorcyclists on or near roadways and safe
9 driving practices that avoid injuries to motorcy-
10 clists.

11 (C) REDUCTION OF FATALITIES AND
12 CRASHES INVOLVING MOTORCYCLES.—A reduc-
13 tion for the preceding calendar year in the
14 number of motorcycle fatalities and the rate of
15 motor vehicle crashes involving motorcycles in
16 the State (expressed as a function of 10,000
17 motorcycle registrations).

18 (D) IMPAIRED DRIVING PROGRAM.—Imple-
19 mentation of a statewide program to reduce im-
20 paired driving, including specific measures to
21 reduce impaired motorcycle operation.

22 (E) REDUCTION OF FATALITIES AND ACCI-
23 DENTS INVOLVING IMPAIRED MOTORCY-
24 CLISTS.—A reduction for the preceding cal-
25 endar year in the number of fatalities and the

1 rate of reported crashes involving alcohol- or
2 drug-impaired motorcycle operators (expressed
3 as a function of 10,000 motorcycle registra-
4 tions).

5 (F) FEES COLLECTED FROM MOTORCY-
6 CLISTS.—All fees collected by the State from
7 motorcyclists for the purposes of funding mo-
8 torcycle training and safety programs are used
9 for motorcycle training and safety programs.

10 (f) ELIGIBLE USES.—

11 (1) IN GENERAL.—A State may use funds from
12 a grant under this section only for motorcyclist safe-
13 ty training and motorcyclist awareness programs, in-
14 cluding—

15 (A) improvements to motorcyclist safety
16 training curricula;

17 (B) improvements in program delivery of
18 motorcycle training to both urban and rural
19 areas, including—

20 (i) procurement or repair of practice
21 motorcycles;

22 (ii) instructional materials;

23 (iii) mobile training units; and

1 (iv) leasing or purchase of facilities
2 for classroom instruction and closed-course
3 skill training;

4 (C) measures designed to increase the re-
5 cruitment or retention of motorcyclist safety
6 training instructors; and

7 (D) public awareness, public service an-
8 nouncements, and other outreach programs to
9 enhance motorcyclist awareness.

10 (2) SUBALLOCATIONS OF FUNDS.—An agency
11 that receives a grant under this section may suballo-
12 cate funds from the grant to a nonprofit organiza-
13 tion incorporated in that State to carry out under
14 this section.

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

17 (1) MOTORCYCLIST SAFETY TRAINING.—The
18 term “motorcyclist safety training” means a formal
19 program of instruction that—

20 (A) provides accident avoidance and other
21 safety-oriented operational skills to motorcy-
22 clists; and

23 (B) is approved for use in a State by the
24 designated State authority having jurisdiction
25 over motorcyclist safety issues.

1 (2) MOTORCYCLIST AWARENESS.—The term
2 “motorcyclist awareness” means individual or collec-
3 tive awareness of—

4 (A) the presence of motorcycles on or near
5 roadways; and

6 (B) safe driving practices that avoid injury
7 to motorcyclists.

8 (3) MOTORCYCLIST AWARENESS PROGRAM.—

9 The term “motorcyclist awareness program” means
10 an informational or public awareness program de-
11 signed to enhance motorcyclist awareness that is de-
12 veloped by or in coordination with the designated
13 State authority having jurisdiction over motorcyclist
14 safety issues.

15 (4) STATE.—The term “State” has the same
16 meaning such term has in section 101(a) of title 23,
17 United States Code.

18 (h) MAXIMUM GRANT AMOUNT.—The amount of a
19 grant made to a State for a fiscal year under this section
20 may not exceed 25 percent of the amount apportioned to
21 the State for fiscal year 2003 under section 402 of title
22 23, United States Code.

23 (i) ADMINISTRATIVE EXPENSES.—Funds authorized
24 to be appropriated to carry out this section in a fiscal year
25 shall be subject to a deduction by the Secretary not to

1 exceed 5 percent for the necessary costs of administering
2 the provisions of this section.

3 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 from the Highway Trust Fund (other than the Mass Tran-
6 sit Account) \$6,000,000 for each of fiscal years 2006
7 through 2008 and \$7,000,000 for fiscal year 2009.

8 (k) APPLICABILITY OF TITLE 23.—Funds authorized
9 under this section shall be available for obligation in the
10 same manner as if the funds were apportioned under chap-
11 ter 1 of title 23, United States Code; except that such
12 funds shall not be transferable.

13 **SEC. 2009. DRIVER FATIGUE.**

14 Section 402(a) of title 23, United States Code, is
15 amended—

16 (1) by striking “and” before “(6)”; and

17 (2) by inserting before the period the following:

18 “; and (7) to reduce deaths and injuries resulting
19 from persons driving motor vehicles while fatigued”.

20 **SEC. 2010. AUTHORIZATION OF APPROPRIATIONS FOR**
21 **HIGHWAY SAFETY RESEARCH AND DEVELOP-**
22 **MENT.**

23 (a) IN GENERAL.—There is authorized to be appro-
24 priated out of the Highway Trust Fund (other than the
25 Mass Transit Account) for carrying out section 403 of title

1 23, United States Code, \$71,575,000 for fiscal year 2004,
2 \$71,424,000 for fiscal year 2005, and \$75,000,000 for
3 each of fiscal years 2006 through 2009.

4 (b) **APPLICABILITY OF TITLE 23.**—Except as other-
5 wise provided in chapter 4 of title 23, United States Code,
6 and this title, amounts made available under subsection
7 (a) for each of fiscal years 2004 through 2009 shall be
8 available for obligation in the same manner as if such
9 funds were apportioned under chapter 1 of title 23, United
10 States Code.

11 **SEC. 2011. SAFETY DATA.**

12 (a) **IN GENERAL.**—Using funds made available to
13 carry out section 403 of title 23, United States Code, for
14 fiscal years 2005 through 2009, the Secretary shall collect
15 data and compile statistics on accidents involving motor
16 vehicles being backed up that result in fatalities and inju-
17 ries and that occur on public and nonpublic roads and res-
18 idential and commercial driveways and parking facilities.

19 (b) **REPORT.**—Not later than January 1, 2009, the
20 Secretary shall transmit to the Committee on Transpor-
21 tation and Infrastructure of the House of Representatives
22 and the Committee on Commerce, Science, and Transpor-
23 tation of the Senate a report on accidents described in
24 subsection (a), including the data collected and statistics
25 compiled under subsection (a) and any recommendations

1 regarding measures to be taken to reduce the number of
2 such accidents and the resulting fatalities and injuries.

3 **SEC. 2012. DRIVER PERFORMANCE STUDY.**

4 (a) IN GENERAL.—Using funds made available to
5 carry out section 403 of title 23, United States Code, for
6 fiscal year 2005, the Secretary shall make \$1,000,000
7 available to conduct a study on the risks associated with
8 glare to oncoming drivers, including increased risks to
9 drivers on 2-lane highways, increased risks to drivers over
10 the age of 50, and the overall effects of glare on driver
11 performance.

12 (b) REPORT.—Not later than 18 months after the
13 date of enactment of this Act, the Secretary shall transmit
14 to the Committee on Transportation and Infrastructure
15 of the House of Representatives and the Committee on
16 Commerce, Science, and Transportation of the Senate a
17 report on the results of the study and any recommenda-
18 tions regarding measures to reduce the risks associated
19 with glare to oncoming drivers.

20 **SEC. 2013. DRUG IMPAIRED DRIVING ENFORCEMENT.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Drug Impaired Driving Research and Prevention Act”.

23 (b) DEFINITIONS.—In this section, the following defi-
24 nitions apply:

1 (1) CONTROLLED SUBSTANCE.—The term
2 “controlled substance” includes substances listed in
3 schedules I through V of section 112(e) of the Con-
4 trolled Substances Act (21 U.S.C. 812(e)).

5 (2) DRUG RECOGNITION EXPERT.—The term
6 “drug recognition expert” means an individual
7 trained in a specific evaluation procedure that en-
8 ables the person to determine whether an individual
9 is under the influence of drugs and then to deter-
10 mine the type of drug causing the observable impair-
11 ment.

12 (c) MODEL STATUTE.—

13 (1) IN GENERAL.—The Secretary shall develop
14 a model statute for States relating to drug impaired
15 driving.

16 (2) CONTENTS.—The model statute shall in-
17 clude—

18 (A) threshold levels of impairment for a
19 controlled substance;

20 (B) practicable methods for detecting the
21 presence of controlled substances; and

22 (C) penalties for drug impaired driving.

23 (3) RECOMMENDATIONS.—The model statute
24 shall be based on the recommendations contained in
25 the report submitted under subsection (f).

1 (4) DATE.—The model statute should be pro-
2 vided to States no later than 1 year after submission
3 of the report contained in subsection (f).

4 (d) RESEARCH AND DEVELOPMENT.—Section 403(b)
5 of title 23, United States Code, is amended by adding at
6 the end the following:

7 “(5) New technology to detect drug use.

8 “(6) Research and development to improve test-
9 ing technology, including toxicology lab resources
10 and field test mechanisms to enable States to proc-
11 ess toxicology evidence in a more timely manner.

12 “(7) Determining per se unlawful impairment
13 levels for controlled substances and the compound
14 effects of alcohol and controlled substances on im-
15 pairment to facilitate enforcement of per se drug im-
16 paired driving laws. Research under this paragraph
17 shall be carried out in collaboration with the Na-
18 tional Institute on Drug Abuse of the National Insti-
19 tutes of Health.”.

20 (e) DUTIES.—The Administrator of the National
21 Highway Traffic Safety Administration shall—

22 (1) advise and coordinate with other Federal
23 agencies on how to address the problem of driving
24 under the influence of an illegal drug; and

1 (2) conduct research on the prevention, detec-
2 tion, and prosecution of driving under the influence
3 of an illegal drug.

4 (f) REPORT.—

5 (1) IN GENERAL.—Not later than 18 months
6 after the date of enactment of this Act, the National
7 Institutes of Health shall submit to the Secretary
8 and to Congress a report on the problem of drug-
9 impaired driving.

10 (2) CONTENTS.—The report shall include—

11 (A) a description of the extent of the prob-
12 lem of driving under the influence of an illegal
13 drug in each State and any available informa-
14 tion relating thereto, including a description of
15 any laws relating to the problem of driving
16 under the influence of an illegal drug;

17 (B) an assessment of the status of drug
18 impaired driving laws in the United States;

19 (C) a review of the compound effects of al-
20 cohol and controlled substances on impairment;

21 (D) the role of drugs as a causal factor in
22 traffic crashes;

23 (E) an assessment of new research and
24 technologies developed in the area of drug de-

1 tection for drug-impaired driving enforcement,
2 including noninvasive methods of detection;

3 (F) recommendations for addressing the
4 problem of driving under the influence of an il-
5 legal drug, including recommendations on levels
6 of impairment;

7 (G) a State-by-State review of drug rec-
8 ognition expert programs and recommendations
9 for enhancing those programs through the
10 training and utilization of drug recognition ex-
11 perts; and

12 (H) recommendations for developing a
13 model statute relating to drug-impaired driving.

14 (g) FUNDING.—Out of amounts appropriated to
15 carry out section 403 of title 23, United States Code, for
16 fiscal years 2006 through 2009, the Secretary shall use
17 \$1,200,000 per fiscal year to carry out this section.

18 **SEC. 2014. TRANSPORTATION OF SCHOOLCHILDREN.**

19 The third sentence of section 402(a) of title 23,
20 United States Code, is amended—

21 (1) by striking “and” before “(6)”; and

22 (2) by inserting before the period at the end the
23 following: “, and (7) to prevent use of any motor ve-
24 hicle designed to transport between 9 and 15 pas-
25 sengers (including the driver) for the transportation

1 of children to and from school and events related to
2 school”.

3 **SEC. 2015. RURAL STATE EMERGENCY MEDICAL SERVICES**
4 **OPTIMIZATION PILOT PROGRAM.**

5 (a) IN GENERAL.—From funds made available to
6 carry out section 403 of title 23, United States Code, for
7 fiscal year 2006, the Secretary shall make \$1,000,000
8 available to conduct a pilot program for optimizing Emer-
9 gency Medical Services (EMS) in a rural State.

10 (b) COLLECTING DATA.—The pilot program shall
11 focus on collecting geo-coded data for highway accidents
12 and resulting injuries, analyzing data to develop injury
13 patterns and distributions, and improving placement and
14 management of EMS resources and personnel.

15 (c) SELECTION.—The Secretary shall enter into an
16 agreement with the State of Alaska to conduct the pilot
17 program.

18 (d) REPORT.—Not later than 12 months after the
19 completion of the pilot program, the Secretary shall trans-
20 mit to the Committee on Transportation and Infrastruc-
21 ture of the House of Representatives and the Committee
22 on Commerce, Science, and Transportation of the Senate
23 a report on the results of the pilot program and rec-
24 ommendations for application to other rural States.

1 **SEC. 2016. STATE APPORTIONMENTS.**

2 Section 402(c) of the title 23, United States Code,
3 is amended by striking “The annual apportionment to
4 each State shall not be less than one-half of 1 per centum”
5 and insert “The annual apportionment to each State shall
6 not be less than three-quarters of 1 percent”.

7 **SEC. 2017. SAFE INTERSECTIONS.**

8 (a) IN GENERAL.—Chapter 2 of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 **“§ 39. Traffic signal preemption transmitters**

12 “(a) OFFENSES.—

13 “(1) SALE.—A person who knowingly sells a
14 traffic signal preemption transmitter in or affecting
15 interstate or foreign commerce to a person who is
16 not acting on behalf of a public agency or private
17 corporation authorized by law to provide fire protec-
18 tion, law enforcement, emergency medical services,
19 transit services, maintenance, or other services for a
20 Federal, State, or local government entity, shall,
21 notwithstanding section 3571(b) of title 18, United
22 States Code, be fined according to this title, impris-
23 oned not more than 1 year, or both.

24 “(2) USE.—A person who makes unauthorized
25 use of a traffic signal preemption transmitter in or
26 affecting interstate or foreign commerce shall be

1 fined according to this title, imprisoned not more
2 than 6 months, or both.

3 “(b) DEFINITIONS.—In this section, the following
4 definitions apply:

5 “(1) TRAFFIC SIGNAL PREEMPTION TRANS-
6 MITTER.—The term ‘traffic signal preemption trans-
7 mitter’ means any mechanism that can change or
8 alter a traffic signal’s phase time or sequence.

9 “(2) UNAUTHORIZED USE.—The term ‘unau-
10 thorized use’ means use of a traffic signal preemp-
11 tion transmitter by a person who is not acting on be-
12 half of a public agency or private corporation au-
13 thorized by law to provide fire protection, law en-
14 forcement, emergency medical services, transit serv-
15 ices, maintenance, or other services for a Federal,
16 State, or local government entity. The term ‘unau-
17 thorized use’ does not apply to use of a traffic signal
18 preemption transmitter for classroom or instruc-
19 tional purposes.”.

20 (b) TABLE OF SECTIONS.—The table of sections for
21 chapter 2 of title 18, United States Code, is amended by
22 adding at the end the following:

“39. Traffic signal preemption transmitters.”.

1 **TITLE III—FEDERAL TRANSIT**
2 **ADMINISTRATION PROGRAMS**

3 **SEC. 3001. SHORT TITLE; AMENDMENTS TO TITLE 49,**
4 **UNITED STATES CODE.**

5 (a) **SHORT TITLE.**—This title may be cited as the
6 “Federal Public Transportation Act of 2005”.

7 (b) **AMENDMENTS TO TITLE 49, UNITED STATES**
8 **CODE.**—Except as otherwise specifically provided, when-
9 ever in this title an amendment or repeal is expressed in
10 terms of an amendment to, or repeal of, a section or other
11 provision of law, the reference shall be considered to be
12 made to a section or other provision of title 49, United
13 States Code.

14 **SEC. 3002. POLICIES, FINDINGS, AND PURPOSES.**

15 (a) **IN GENERAL.**—Section 5301(a) is amended to
16 read as follows:

17 “(a) **DEVELOPMENT AND REVITALIZATION OF PUB-**
18 **LIC TRANSPORTATION SYSTEMS.**—It is in the interest of
19 the United States to foster the development and revitaliza-
20 tion of public transportation systems that—

21 “(1) maximize the safe, secure, and efficient
22 mobility of individuals;

23 “(2) minimize environmental impacts; and

24 “(3) minimize transportation-related fuel con-
25 sumption and reliance on foreign oil.”.

1 (b) PRESERVING THE ENVIRONMENT.—Section
2 5301(e) is amended—

3 (1) by striking “an urban” and inserting “a”;
4 and

5 (2) by striking “under sections 5309 and 5310
6 of this title”.

7 (c) GENERAL PURPOSES.—Section 5301(f) is amend-
8 ed—

9 (1) in paragraph (1)—

10 (A) by striking “mass” the first place it
11 appears and inserting “public”; and

12 (B) by striking “public and private mass
13 transportation companies” and inserting “both
14 public transportation companies and private
15 companies engaged in public transportation”;

16 (2) in paragraph (2)—

17 (A) by striking “urban mass” and insert-
18 ing “public”; and

19 (B) by striking “public and private mass
20 transportation companies” and inserting “both
21 public transportation companies and private
22 companies engaged in public transportation”;

23 (3) in paragraph (3)—

24 (A) by striking “urban mass” and insert-
25 ing “public”; and

1 (B) by striking “public or private mass
2 transportation companies” and inserting “pub-
3 lic transportation companies or private compa-
4 nies engaged in public transportation”; and
5 (4) in paragraph (5) by striking “urban mass”
6 and inserting “public”.

7 **SEC. 3003. DEFINITIONS.**

8 (a) LEAD-IN.—Section 5302(a) is amended in the
9 matter preceding paragraph (1) by striking “In this chap-
10 ter” and inserting “Except as otherwise specifically pro-
11 vided, in this chapter”.

12 (b) CAPITAL PROJECT.—Section 5302(a)(1) is
13 amended—

14 (1) in subparagraph (G) by inserting “construc-
15 tion, renovation, and improvement of intercity bus
16 stations and terminals,” before “and the renovation
17 and improvement of historic transportation facili-
18 ties,”;

19 (2) in subparagraph (G)(ii) by inserting “(other
20 than an intercity bus station or terminal)” after
21 “commercial revenue-producing facility”;

22 (3) by striking “or” at the end of subparagraph
23 (H);

24 (4) by striking the period at the end of sub-
25 paragraph (I) and inserting a semicolon; and

1 (5) by adding at the end the following:

2 “(J) crime prevention and security—

3 “(i) including—

4 “(I) projects to refine and de-
5 velop security and emergency response
6 plans;

7 “(II) projects aimed at detecting
8 chemical and biological agents in pub-
9 lic transportation;

10 “(III) the conduct of emergency
11 response drills with public transpor-
12 tation agencies and local first re-
13 sponse agencies; and

14 “(IV) security training for public
15 transportation employees; but

16 “(ii) excluding all expenses related to
17 operations, other than such expenses in-
18 curred in conducting activities described in
19 subclauses (III) and (IV);

20 “(K) establishment of a debt service re-
21 serve made up of deposits with a bondholders’
22 trustee in a noninterest bearing account for the
23 purpose of ensuring timely payment of principal
24 and interest on bonds issued by a grant recipi-

1 ent for purposes of financing an eligible project
2 under this chapter; or

3 “(L) mobility management—

4 “(i) consisting of short-range planning
5 and management activities and projects for
6 improving coordination among public
7 transportation and other transportation
8 service providers carried out by a recipient
9 or subrecipient through an agreement en-
10 tered into with a person, including a gov-
11 ernmental entity, under this chapter (other
12 than section 5309); but

13 “(ii) excluding operating public trans-
14 portation services.”.

15 (c) INDIVIDUAL WITH A DISABILITY.—Section
16 5302(a)(5) is amended—

17 (1) by striking “HANDICAPPED INDIVIDUAL” in
18 the heading and inserting “INDIVIDUAL WITH A DIS-
19 ABILITY”; and

20 (2) by striking “handicapped individual” and
21 inserting “individual with a disability”.

22 (d) MASS TRANSPORTATION.—Section 5302(a)(7) is
23 amended to read as follows:

24 “(7) MASS TRANSPORTATION.—The term ‘mass
25 transportation’ means public transportation.”.

1 (e) PUBLIC TRANSPORTATION.—Section 5302(a)(10)
2 is amended to read as follows:

3 “(10) PUBLIC TRANSPORTATION.—The term
4 ‘public transportation’ means transportation by a
5 conveyance that provides regular and continuing
6 general or special transportation to the public, but
7 does not include schoolbus, charter, or sightseeing
8 transportation.”.

9 (f) URBANIZED AREA.—Section 5302(a)(17) is
10 amended to read as follows:

11 “(17) URBANIZED AREA.—The term ‘urbanized
12 area’ means an area encompassing a population of
13 at least 50,000 people that has been defined and
14 designated in the latest decennial census as an ur-
15 banized area by the Secretary of Commerce.”.

16 (g) AUTHORITY TO MODIFY DEFINITION.—Section
17 5302(b) is amended—

18 (1) by striking “HANDICAPPED INDIVIDUAL” in
19 the heading and inserting “INDIVIDUAL WITH A
20 DISABILITY”; and

21 (2) by striking “handicapped individual” and
22 inserting “individual with a disability”.

23 **SEC. 3004. METROPOLITAN PLANNING.**

24 Section 5303 is amended to read as follows:

1 **“§ 5303. Metropolitan planning**

2 “(a) IN GENERAL.—Grants made under sections
3 5307, 5308, 5309, 5310, 5311, 5316, and 5317 shall be
4 carried out in accordance with the metropolitan planning
5 provisions of chapter 52.

6 “(b) CERTIFICATION.—

7 “(1) IN GENERAL.—The Secretary shall ensure
8 and certify that each metropolitan planning organi-
9 zation in each transportation management area is
10 carrying out its responsibilities under applicable laws
11 of the United States. The Secretary may make the
12 certification only if the organization is complying
13 with chapter 52 and other applicable requirements
14 of laws of the United States and the organization
15 and chief executive officer have approved a transpor-
16 tation improvement program for the area.

17 “(2) LIMITATION ON WITHHOLDING CERTIFI-
18 CATION.—The Secretary may not withhold certifi-
19 cation based on the policies and criteria a metropoli-
20 tan planning organization or mass transportation
21 grant recipient establishes under section 5306(a) for
22 deciding the feasibility of private enterprise partici-
23 pation.”.

24 **SEC. 3005. STATEWIDE PLANNING.**

25 (a) IN GENERAL.—Section 5304 is amended to read
26 as follows:

1 **“§ 5304. Statewide planning**

2 “Grants made under sections 5307, 5308, 5309,
3 5310, 5311, 5316, and 5317 shall be carried out in ac-
4 cordance with the statewide planning provisions of chapter
5 52.”.

6 (b) CONFORMING AMENDMENT.—The analysis for
7 chapter 53 is amended by striking the item relating to
8 section 5304 and inserting the following:

“5304. Statewide planning.”.

9 **SEC. 3006. PLANNING PROGRAMS.**

10 (a) IN GENERAL.—Section 5305 is amended to read
11 as follows:

12 **“§ 5305. Planning programs**

13 “(a) STATE DEFINED.—In this section the term
14 ‘State’ means a State of the United States, the District
15 of Columbia, and Puerto Rico.

16 “(b) GENERAL AUTHORITY.—

17 “(1) ASSISTANCE.—Under criteria to be estab-
18 lished by the Secretary, the Secretary may provide
19 assistance for—

20 “(A) the development of transportation
21 plans and programs;

22 “(B) planning, engineering, designing, and
23 evaluating a public transportation project; and

24 “(C) for other technical studies.

1 “(2) GRANTS, AGREEMENTS, AND CON-
2 TRACTS.—The Secretary may provide assistance
3 under paragraph (1)—

4 “(A) by making grants to States, authori-
5 ties of States, metropolitan planning organiza-
6 tions, and local governmental authorities; or

7 “(B) by making agreements with other de-
8 partments, agencies, and instrumentalities of
9 the Government.

10 “(3) ELIGIBLE ACTIVITIES.—Activities eligible
11 for assistance under paragraph (1) include the fol-
12 lowing:

13 “(A) Studies related to management, plan-
14 ning, operations, capital requirements, and eco-
15 nomic feasibility.

16 “(B) Evaluating previously financed
17 projects.

18 “(C) Peer reviews and exchanges of tech-
19 nical data, information, assistance, and related
20 activities in support of planning and environ-
21 mental analyses among metropolitan planning
22 organizations and other transportation plan-
23 ners.

24 “(D) Other similar and related activities
25 preliminary to and in preparation for con-

1 structing, acquiring, or improving the operation
2 of facilities and equipment.

3 “(c) PURPOSE.—To the extent practicable, the Sec-
4 retary shall ensure that amounts appropriated or made
5 available under section 5338 to carry out this section and
6 sections 5303 and 5304 are used to support balanced and
7 comprehensive transportation planning that considers the
8 relationships among land use and all transportation
9 modes, without regard to the programmatic source of the
10 planning amounts.

11 “(d) METROPOLITAN PLANNING PROGRAM.—

12 “(1) APPORTIONMENT TO STATES.—

13 “(A) IN GENERAL.—The Secretary shall
14 apportion 80 percent of the amounts made
15 available under subsection (g)(1) among the
16 States to carry out sections 5303 and 5306 in
17 the ratio that—

18 “(i) the population of urbanized areas
19 in each State, as shown by the latest avail-
20 able decennial census of population; bears
21 to

22 “(ii) the total population of urbanized
23 areas in all States, as shown by that cen-
24 sus.

1 “(B) MINIMUM APPORTIONMENT.—Not-
2 withstanding subparagraph (A), a State may
3 not receive less than 0.5 percent of the amount
4 apportioned under this paragraph.

5 “(2) ALLOCATION TO MPO’S.—Amounts appor-
6 tioned to a State under paragraph (1) shall be made
7 available within 30 days after allocation to metro-
8 politan planning organizations in the State des-
9 ignated under this section under a formula that—

10 “(A) considers population of urbanized
11 areas;

12 “(B) provides an appropriate distribution
13 for urbanized areas to carry out the cooperative
14 processes described in this section;

15 “(C) the State develops in cooperation with
16 the metropolitan planning organizations; and

17 “(D) the Secretary approves.

18 “(3) SUPPLEMENTAL AMOUNTS.—

19 “(A) IN GENERAL.—The Secretary shall
20 apportion 20 percent of the amounts made
21 available under subsection (g)(1) among the
22 States to supplement allocations made under
23 paragraph (1) for metropolitan planning organi-
24 zations.

1 “(B) FORMULA.—The Secretary shall ap-
2 portion amounts referred to in subparagraph
3 (A) under a formula that reflects the additional
4 cost of carrying out planning, programming,
5 and project selection responsibilities under sec-
6 tions 5303 and 5306 in certain urbanized
7 areas.

8 “(e) STATE PLANNING AND RESEARCH PROGRAM.—

9 “(1) APPORTIONMENT TO STATES.—

10 “(A) IN GENERAL.—The Secretary shall
11 apportion the amounts made available under
12 subsection (g)(2) among the States for grants
13 and contracts to carry out sections 5303
14 through 5306, 5312, 5315, and 5322 in the
15 ratio that—

16 “(i) the population of urbanized areas
17 in each State, as shown by the latest avail-
18 able decennial census; bears to

19 “(ii) the population of urbanized areas
20 in all States, as shown by that census.

21 “(B) MINIMUM APPORTIONMENT.—Not-
22 withstanding subparagraph (A), a State may
23 not receive less than 0.5 percent of the amount
24 apportioned under this paragraph.

1 “(2) SUPPLEMENTAL AMOUNTS.—A State, as
2 the State considers appropriate, may authorize part
3 of the amount made available under this subsection
4 to be used to supplement amounts made available
5 under subsection (d).

6 “(f) GOVERNMENT’S SHARE OF COSTS.—The Gov-
7 ernment’s share of the cost of an activity funded using
8 amounts made available under this section may not exceed
9 80 percent of the cost of the activity unless the Secretary
10 determines that it is in the interests of the Government
11 not to require a State or local match.

12 “(g) ALLOCATION OF FUNDS.—Of the funds made
13 available by or appropriated to carry out this section
14 under section 5338(c) for fiscal years 2004 through
15 2009—

16 “(1) 82.72 percent shall be available for the
17 metropolitan planning program under subsection (d);
18 and

19 “(2) 17.28 percent shall be available to carry
20 out subsection (e).

21 “(h) AVAILABILITY OF FUNDS.—Funds apportioned
22 under this section in a State shall remain available for
23 obligation in that State for a period of 3 years after the
24 last day of the fiscal year for which the funds are author-
25 ized. Any amounts so apportioned that remain unobligated

1 at the end of that period shall be reapportioned among
2 the States.”.

3 (b) CONFORMING AMENDMENT.—The analysis for
4 chapter 53 is amended by striking the item relating to
5 section 5305 and inserting the following:

“5305. Planning programs.”.

6 **SEC. 3007. PRIVATE ENTERPRISE PARTICIPATION.**

7 (a) SECTION HEADING.—Section 5306 is amended by
8 striking the section heading and inserting the following:

9 **“§ 5306. Private enterprise participation in planning;
10 relationship to other limitations”.**

11 (b) CONFORMING AMENDMENT.—The analysis for
12 chapter 53 is amended by striking the item relating to
13 section 5306 and inserting the following:

“5306. Private enterprise participation in planning; relationship to other limita-
tions.”.

14 **SEC. 3008. URBANIZED AREA FORMULA GRANTS.**

15 (a) TECHNICAL AMENDMENTS.—Section 5307 is
16 amended—

17 (1) by striking subsections (h) and (k); and

18 (2) by redesignating subsections (i), (j), (l),
19 (m), and (n) as subsections (h), (i), (j), (k), and (l),
20 respectively.

21 (b) DEFINITIONS.—Section 5307(a)(2)(A) is amend-
22 ed—

1 (1) by striking “a person” and inserting “an
2 entity”; and

3 (2) by striking “section 5305(a) of this title”
4 and inserting “chapter 52”.

5 (c) GENERAL AUTHORITY.—Section 5307(b) is
6 amended—

7 (1) by striking paragraph (1) and inserting the
8 following:

9 “(1) GRANTS.—The Secretary may make
10 grants under this section for—

11 “(A) capital projects and associated capital
12 maintenance items;

13 “(B) planning;

14 “(C) transit enhancements;

15 “(D) operating costs of equipment and fa-
16 cilities for use in public transportation in an ur-
17 banized area with a population of less than
18 200,000; and

19 “(E)(i) in the case of fiscal years 2005
20 through 2007, 50 percent of the operating cost
21 of equipment and facilities for use in mass
22 transportation in an urbanized area with a pop-
23 ulation of more than 200,000 if the transit sys-
24 tem with respect to which the grant is being
25 made operates in an urbanized area that ex-

1 ceeded 200,000 in population according to the
2 2000 Census; or

3 “(ii) in the case of fiscal years 2008 and
4 2009, 25 percent of the operating cost referred
5 to in clause (i).”.

6 (2) in the heading to paragraph (2) by striking
7 “FISCAL YEARS 2003 AND 2004 AND FOR THE PERIOD
8 OF OCTOBER 1, 2004, THROUGH MAY 31, 2005” and
9 inserting “FISCAL YEARS 2003 THROUGH 2005”;

10 (3) in paragraph (2)(A) by striking “fiscal
11 years 2003” and all that follows through “2005”
12 and inserting “fiscal years 2003, 2004, and 2005”;

13 (4) in paragraph (3) by striking “section
14 5305(a) of this title” and inserting “chapter 52”;
15 and

16 (5) in paragraph (3)(A) by striking “section
17 5303 of this title” and inserting “chapter 52”.

18 (d) GRANT RECIPIENT REQUIREMENTS.—Section
19 5307(d)(1) is amended—

20 (1) in subparagraph (A) by inserting “, includ-
21 ing safety and security aspects of the program”
22 after “program”;

23 (2) in subparagraph (H) by striking “sections
24 5301(a) and (d), 5303–5306, and 5310(a)–(d) of

1 this title” and inserting “subsections (a) and (d) of
2 section 5301 and sections 5303 through 5306”;

3 (3) in subparagraph (I) by striking “and” at
4 the end; and

5 (4) by adding at the end the following:

6 “(K) in the case of a recipient for an ur-
7 banized area with a population of at least
8 200,000—

9 “(i) will expend one percent of the
10 amount the recipient receives each fiscal
11 year under this section for projects for
12 transit enhancements, as defined in section
13 5302(a); and

14 “(ii) will submit an annual report list-
15 ing projects carried out in the preceding
16 fiscal year with those funds; and”.

17 (e) GOVERNMENT’S SHARE OF COSTS.—Section
18 5307(e) is amended to read as follows:

19 “(e) GOVERNMENT’S SHARE OF COSTS.—

20 “(1) CAPITAL PROJECTS.—A grant for a capital
21 project (including associated capital maintenance
22 items) under this section shall be for 80 percent of
23 the net project cost of the project. The recipient may
24 provide additional local matching amounts.

1 “(2) OPERATING EXPENSES.—A grant for oper-
2 ating expenses under this section may not exceed 50
3 percent of the net project cost of the project.

4 “(3) REMAINDER.—The remainder of the net
5 project cost shall be provided—

6 “(A) in cash from sources other than
7 amounts of the Government or revenues from
8 providing public transportation (excluding reve-
9 nues derived from the sale of advertising and
10 concessions);

11 “(B) from an undistributed cash surplus, a
12 replacement or depreciation cash fund or re-
13 serve, or new capital; and

14 “(C) from amounts received under a serv-
15 ice agreement with a State or local social serv-
16 ice agency or private social service organiza-
17 tion.”.

18 (f) REVIEWS, AUDITS, AND EVALUATIONS.—Section
19 5307(h)(1)(A) (as redesignated by subsection (a) of this
20 section) is amended by striking “shall” and inserting
21 “may”.

22 (g) RELATIONSHIP TO OTHER LAWS.—Section
23 5307(l) (as redesignated by subsection (a) of this section)
24 is amended—

25 (1) by striking paragraph (1);

1 (2) by redesignating paragraph (2) as para-
2 graph (1);

3 (3) by inserting “This chapter.—” before “Sec-
4 tions 5302”;

5 (4) by adding at the end the following:

6 “(2) CHAPTER 15 OF TITLE 5.—The provision
7 of assistance under this chapter shall not be con-
8 strued as bringing within the application of chapter
9 15 of title 5 any nonsupervisory employee of a public
10 transportation system (or any other agency or entity
11 performing related functions) to which such chapter
12 is otherwise inapplicable.”; and

13 (5) by aligning the left margin of paragraph (1)
14 (as so redesignated) with paragraph (2) (as added
15 by paragraph (4) of this subsection).

16 (h) TREATMENT.—At the end of section 5307, add
17 the following:

18 “(m) TREATMENT.—For purposes of this section, the
19 United States Virgin Islands shall be treated as an urban-
20 ized area, as defined in section 5302.”.

21 **SEC. 3009. CLEAN FUELS FORMULA GRANT PROGRAM.**

22 Section 5308 is amended to read as follows:

23 **“§ 5308. Clean fuels formula grant program**

24 “(a) DEFINITIONS.—In this section, the following
25 definitions apply:

1 “(1) CLEAN FUEL BUS.—The term ‘clean fuel
2 bus’ means a passenger vehicle used to provide pub-
3 lic transportation that—

4 “(A) is powered by—

5 “(i) compressed natural gas;

6 “(ii) liquefied natural gas;

7 “(iii) biodiesel fuels;

8 “(iv) batteries;

9 “(v) alcohol-based fuels;

10 “(vi) hybrid electric;

11 “(vii) fuel cell;

12 “(viii) clean diesel, to the extent al-

13 lowed under this section; or

14 “(ix) other low or zero emissions tech-
15 nology; and

16 “(B) the Administrator of the Environ-
17 mental Protection Agency has certified suffi-
18 ciently reduces harmful emissions.

19 “(2) ELIGIBLE PROJECT.—The term ‘eligible
20 project’—

21 “(A) means a project in a nonattainment
22 or maintenance area described in paragraph
23 (4)(A) for—

1 “(i) purchasing or leasing clean fuel
2 buses, including buses that employ a light-
3 weight composite primary structure;

4 “(ii) constructing or leasing clean fuel
5 buses or electrical recharging facilities and
6 related equipment for such buses; or

7 “(iii) constructing new or improving
8 existing public transportation facilities to
9 accommodate clean fuel buses; and

10 “(B) at the discretion of the Secretary,
11 may include a project located in a nonattain-
12 ment or maintenance area described in para-
13 graph (4)(A) relating to clean fuel, biodiesel,
14 hybrid electric, or zero emissions technology
15 buses that exhibit equivalent or superior emis-
16 sions reductions to existing clean fuel or hybrid
17 electric technologies.

18 “(3) MAINTENANCE AREA.—The term ‘mainte-
19 nance area’ has the meaning such term has under
20 section 101 of title 23.

21 “(4) RECIPIENT.—

22 “(A) IN GENERAL.—The term ‘recipient’
23 means a designated recipient (as defined in sec-
24 tion 5307(a)(2)) for an area that, and a recipi-

1 ent for an urbanized area with a population of
2 less than 200,000 that—

3 “(i) is designated as a nonattainment
4 area for ozone or carbon monoxide under
5 section 107(d) of the Clean Air Act (42
6 U.S.C. 7407(d)); or

7 “(ii) is a maintenance area for ozone
8 or carbon monoxide.

9 “(B) SMALLER URBANIZED AREAS.—In
10 the case of an urbanized area with a population
11 of less than 200,000, the State in which the
12 area is located shall act as the recipient for the
13 area under this section.

14 “(b) AUTHORITY.—The Secretary shall make grants
15 in accordance with this section to recipients to finance eli-
16 gible projects.

17 “(c) APPORTIONMENT OF FUNDS.—

18 “(1) FORMULA.—The Secretary shall apportion
19 among recipients amounts made available to carry
20 out this section for a fiscal year. Of such amounts—

21 “(A) two-thirds shall be apportioned to re-
22 cipients serving urbanized areas with a popu-
23 lation of at least 1,000,000, of which—

24 “(i) 50 percent shall be apportioned
25 so that each such recipient receives a grant

1 under this section in an amount equal to
2 the ratio that—

3 “(I) the number of vehicles in the
4 bus fleet of the recipient, weighted by
5 severity of nonattainment for the area
6 served by the recipient; bears to

7 “(II) the total number of vehicles
8 in the bus fleets of all such recipients,
9 weighted by severity of nonattainment
10 for all areas served by such recipients;
11 and

12 “(ii) 50 percent shall be apportioned
13 so that each such recipient receives a grant
14 under this section in an amount equal to
15 the ratio that—

16 “(I) the number of bus passenger
17 miles (as defined in section 5336(e))
18 of the recipient, weighted by severity
19 of nonattainment of the area served
20 by the recipient; bears to

21 “(II) the total number of bus
22 passenger miles (as defined in section
23 5336(e)) of all such recipients,
24 weighted by severity of nonattainment

1 of all areas served by such recipients;
2 and

3 “(B) one-third shall be apportioned to re-
4 cipients serving urbanized areas with a popu-
5 lation of less than 1,000,000, of which—

6 “(i) 50 percent shall be apportioned
7 so that each such recipient receives a grant
8 under this section in an amount equal to
9 the ratio that—

10 “(I) the number of vehicles in the
11 bus fleet of the recipient, weighted by
12 severity of nonattainment for the area
13 served by the recipient; bears to

14 “(II) the total number of vehicles
15 in the bus fleets of all such recipients,
16 weighted by severity of nonattainment
17 for all areas served by such recipients;
18 and

19 “(ii) 50 percent shall be apportioned
20 so that each such recipient receives a grant
21 under this section in an amount equal to
22 the ratio that—

23 “(I) the number of bus passenger
24 miles (as defined in section 5336(e))
25 of the recipient, weighted by severity

1 of nonattainment of the area served
2 by the recipient; bears to

3 “(II) the total number of bus
4 passenger miles (as defined in section
5 5336(e)) of all such recipients,
6 weighted by severity of nonattainment
7 of all areas served by such recipients.

8 “(2) WEIGHTING OF SEVERITY OF NONATTAIN-
9 MENT.—

10 “(A) IN GENERAL.—For purposes of para-
11 graph (1), subject to subparagraph (B), the
12 number of buses in the bus fleet, or the number
13 of passenger miles, shall be multiplied by a fac-
14 tor of—

15 “(i) 1.0 if, at the time of the appor-
16 tionment, the area is a maintenance area
17 for ozone or carbon monoxide;

18 “(ii) 1.1 if, at the time of the appor-
19 tionment, the area is classified as a mar-
20 ginal ozone nonattainment area under sub-
21 part 2 of part D of title I of the Clean Air
22 Act (42 U.S.C. 7511 et seq.);

23 “(iii) 1.2 if, at the time of the appor-
24 tionment, the area is classified as a mod-

1 erate ozone nonattainment area under sub-
2 part 2 of such part;

3 “(iv) 1.3 if, at the time of the appor-
4 tionment, the area is classified as a serious
5 ozone nonattainment area under subpart 2
6 of such part;

7 “(v) 1.4 if, at the time of the appor-
8 tionment, the area is classified as a severe
9 ozone nonattainment area under subpart 2
10 of such part; or

11 “(vi) 1.5 if, at the time of the appor-
12 tionment, the area is classified as an ex-
13 treme ozone nonattainment area under
14 subpart 2 of such part.

15 “(B) ADDITIONAL ADJUSTMENT FOR CAR-
16 BON MONOXIDE AREAS.—If, in addition to
17 being classified as a nonattainment or mainte-
18 nance area for ozone under subpart 2 of such
19 part, the area was also classified under subpart
20 3 of such part as a nonattainment area for car-
21 bon monoxide, the weighted nonattainment or
22 maintenance area fleet and passenger miles for
23 the recipient, as calculated under subparagraph
24 (A), shall be further multiplied by a factor of
25 1.2.

1 “(d) CLEAN DIESEL BUSES.—Not more than 25 per-
2 cent of the amount made available by or appropriated
3 under section 5338 in each fiscal year to carry out this
4 section may be made available to fund clean diesel buses.

5 “(e) GRANT REQUIREMENTS.—

6 “(1) IN GENERAL.—A grant under this section
7 shall be subject to the requirements of section 5307.

8 “(2) GOVERNMENT’S SHARE OF COSTS FOR
9 CERTAIN PROJECTS.—Section 5323(i) applies to
10 projects carried out under this section.

11 “(f) AVAILABILITY OF FUNDS.—Any amount made
12 available or appropriated under this section—

13 “(1) shall remain available to a project for 1
14 year after the fiscal year for which the amount is
15 made available or appropriated; and

16 “(2) that remains unobligated at the end of the
17 period described in paragraph (1) shall be added to
18 the amount made available in the following fiscal
19 year.”.

20 **SEC. 3010. CAPITAL INVESTMENT GRANTS.**

21 (a) SECTION HEADING.—Section 5309 is amended by
22 striking the section heading and inserting the following:

23 **“§ 5309. Capital investment grants”.**

24 (b) LOANS FOR REAL PROPERTY INTERESTS.—Sec-
25 tion 5309 is amended—

1 (1) in subsections (a)(1) and (a)(2) by striking
2 “and loans”;

3 (2) by striking subsections (b) and (c); and

4 (3) by redesignating subsection (d) as sub-
5 section (b).

6 (c) PROJECT AS PART OF APPROVED PROGRAM OF
7 PROJECTS.—Section 5309(b) (as redesignated by sub-
8 section (b) of this section) is amended—

9 (1) by striking “Except as provided in sub-
10 sections (b)(2) and (e) of the section, the” and in-
11 serting “The”; and

12 (2) by striking “or loan”.

13 (d) CRITERIA AND FUNDING.—Section 5309 is
14 amended by striking subsections (e) through (p) and in-
15 serting the following:

16 “(c) MAJOR CAPITAL INVESTMENT GRANTS OF
17 \$75,000,000 OR MORE.—

18 “(1) FULL FUNDING GRANT AGREEMENT.—A
19 major new fixed guideway capital project financed
20 under this subsection shall be carried out through a
21 full funding grant agreement. The Secretary shall
22 enter into a full funding grant agreement based on
23 the evaluations and ratings required under this sub-
24 section. The Secretary shall not enter into a full
25 funding grant agreement for a project unless that

1 project is authorized for final design and construc-
2 tion.

3 “(2) APPROVAL OF GRANTS.—The Secretary
4 may approve a grant under this section for a major
5 new fixed guideway capital project only if the Sec-
6 retary, based upon evaluations and considerations
7 set forth in paragraph (3), determines that the pro-
8 posal is—

9 “(A) based on the results of an alter-
10 natives analysis and preliminary engineering;

11 “(B) justified based on a comprehensive
12 review of its mobility improvements, environ-
13 mental benefits, cost effectiveness, operating ef-
14 ficiencies, and transit supportive policies, and
15 existing land use; and

16 “(C) supported by an acceptable degree of
17 local financial commitment (including evidence
18 of stable and dependable financing sources) to
19 construct, maintain, and operate the system or
20 extension.

21 “(3) CONSIDERATIONS.—

22 “(A) RESULTS OF ALTERNATIVES ANAL-
23 YSIS AND PRELIMINARY ENGINEERING.—In
24 evaluating a proposed project for purposes of
25 making the finding required by paragraph

1 (2)(A), the Secretary shall analyze and consider
2 the results of the alternatives analysis and pre-
3 liminary engineering for the project.

4 “(B) PROJECT JUSTIFICATION.—In evalu-
5 ating a proposed project for purposes of making
6 the finding required by paragraph (2)(B), the
7 Secretary shall—

8 “(i) consider the direct and indirect
9 costs of relevant alternatives;

10 “(ii) consider factors such as conges-
11 tion relief, improved mobility, air pollution,
12 noise pollution, energy consumption, and
13 all associated ancillary and mitigation
14 costs necessary to carry out each alter-
15 native analyzed and recognize reductions in
16 local infrastructure costs achieved through
17 compact land use development;

18 “(iii) identify and consider public
19 transportation supportive existing land use
20 policies and future patterns and the cost of
21 suburban sprawl;

22 “(iv) consider the degree to which the
23 project increases the mobility of the public
24 transportation dependent population or
25 promotes economic development;

1 “(v) consider population density and
2 current transit ridership in the corridor;

3 “(vi) consider the technical capability
4 of the grant recipient to construct the
5 project;

6 “(vii) adjust the project justification
7 to reflect differences in local land, con-
8 struction, and operating costs; and

9 “(viii) consider other factors that the
10 Secretary determines appropriate to carry
11 out this chapter.

12 “(C) LOCAL FINANCIAL COMMITMENT.—In
13 evaluating a proposed project under paragraph
14 (2)(C), the Secretary shall require that—

15 “(i) the proposed project plan pro-
16 vides for the availability of contingency
17 amounts that the Secretary determines to
18 be reasonable to cover unanticipated cost
19 increases;

20 “(ii) each proposed local source of
21 capital and operating financing is stable,
22 reliable, and available within the proposed
23 project timetable; and

24 “(iii) local resources are available to
25 operate the overall proposed public trans-

1 portation system (including essential feeder
2 bus and other services necessary to achieve
3 the projected ridership levels) without re-
4 quiring a reduction in existing public
5 transportation services to operate the pro-
6 posed project.

7 “(D) ASSESSMENT OF LOCAL FINANC-
8 ING.—In assessing the stability, reliability, and
9 availability of proposed sources of local financ-
10 ing under paragraph (2)(C), the Secretary shall
11 consider—

12 “(i) existing grant commitments;

13 “(ii) the degree to which financing
14 sources are dedicated to the purposes pro-
15 posed;

16 “(iii) any debt obligation that exists
17 or is proposed by the recipient for the pro-
18 posed project or other public transpor-
19 tation purpose; and

20 “(iv) the extent to which the project
21 has a local financial commitment that ex-
22 ceeds the required non-Federal share of
23 the cost of the project.

24 “(4) EVALUATION AND RATING OF
25 PROJECTS.—A proposed project under this sub-

1 section may advance from alternatives analysis to
2 preliminary engineering, and may advance from pre-
3 liminary engineering to final design and construc-
4 tion, only if the Secretary finds that the project
5 meets the requirements of this section and there is
6 a reasonable likelihood that the project will continue
7 to meet such requirements. In making the findings,
8 the Secretary shall evaluate and rate the project as
9 ‘highly recommended’, ‘recommended’, or ‘not rec-
10 ommended’ based on the results of alternatives anal-
11 ysis, the project justification criteria, and the degree
12 of local financial commitment, as required under this
13 subsection. In rating the projects, the Secretary
14 shall provide, in addition to the overall project rat-
15 ing, individual ratings for each of the criteria estab-
16 lished by regulation.

17 “(5) MAJOR DEFINED.—In this section, the
18 term ‘major’, as used with respect to a new fixed
19 guideway capital project, means the Federal assist-
20 ance provided or to be provided under this section
21 for the project is \$75,000,000 or more.

22 “(d) CAPITAL INVESTMENT GRANTS LESS THAN
23 \$75,000,000.—

24 “(1) IN GENERAL.—Subject to the provisions of
25 this subsection, if the Federal assistance provided or

1 to be provided under this section with respect to a
2 new fixed guideway capital project is less than
3 \$75,000,000, and not less than \$25,000,000, and
4 the total estimated net capital cost of the project is
5 less than \$200,000,000, the project shall be subject
6 to the requirements in this subsection. A new fixed
7 guideway capital project is not subject to the re-
8 quirements of this subsection if the assistance pro-
9 vided under this section with respect to the project
10 is less than \$25,000,000.

11 “(2) SELECTION CRITERIA.—The Secretary
12 may provide Federal assistance under this sub-
13 section with respect to a proposed project only if the
14 Secretary finds that the project is—

15 “(A) based on the results of planning and
16 alternatives analysis;

17 “(B) justified based on a review of its pub-
18 lic transportation supportive land use policies,
19 cost effectiveness, and effect on local economic
20 development; and

21 “(C) supported by an acceptable degree of
22 local financial commitment.

23 “(3) PLANNING AND ALTERNATIVES.—In evalu-
24 ating a project under paragraph (2)(A), the Sec-

1 retary shall analyze and consider the results of plan-
2 ning and alternatives analysis for the project.

3 “(4) PROJECT JUSTIFICATION.—For purposes
4 of making the finding under paragraph (2)(B), the
5 Secretary shall—

6 “(A) determine the degree to which the
7 project is consistent with local land use policies
8 and is likely to achieve local developmental
9 goals;

10 “(B) determine the cost effectiveness of
11 the project at the time of the initiation of rev-
12 enue service;

13 “(C) determine the degree to which the
14 project will have a positive effect on local eco-
15 nomic development;

16 “(D) consider the reliability of the fore-
17 casts of costs and ridership associated with the
18 project; and

19 “(E) consider other factors that the Sec-
20 retary determines appropriate to carry out this
21 subsection.

22 “(5) LOCAL FINANCIAL COMMITMENT.—For
23 purposes of paragraph (2)(C), the Secretary shall re-
24 quire that each proposed local source of capital and

1 operating financing is stable, reliable, and available
2 within the proposed project timetable.

3 “(6) ADVANCEMENT OF PROJECT TO DEVELOP-
4 MENT AND CONSTRUCTION.—

5 “(A) GENERAL RULE.—A proposed project
6 under this subsection may advance from plan-
7 ning and alternatives analysis to project devel-
8 opment and construction only if—

9 “(i) the Secretary finds that the
10 project meets the requirements of this sub-
11 section and there is a reasonable likelihood
12 that the project will continue to meet such
13 requirements; and

14 “(ii) the metropolitan planning orga-
15 nization has adopted the locally preferred
16 alternative for the project into the long-
17 range transportation plan.

18 “(B) EVALUATION.—In making the find-
19 ings under subparagraph (A), the Secretary
20 shall evaluate and rate the project as ‘rec-
21 ommended’ or ‘not recommended’ based on the
22 results of the analysis of the project justifica-
23 tion criteria and the degree of local financial
24 commitment, as required by this subsection.

1 “(7) CONTENTS OF PROJECT CONSTRUCTION
2 GRANT AGREEMENT.—A project construction grant
3 agreement under this subsection shall specify the
4 scope of the project to be constructed, the estimated
5 net project cost of the project, the schedule under
6 which the project shall be constructed, the maximum
7 amount of funding to be obtained under this sub-
8 section, the proposed schedule for obligation of fu-
9 ture Federal grants, and the sources of funding
10 from other than the Government. The agreement
11 may include a commitment on the part of the Sec-
12 retary to provide funding for the project in future
13 fiscal years.

14 “(8) LIMITATION ON ENTRY INTO CONSTRU-
15 TION GRANT AGREEMENT.—The Secretary may
16 enter into a project construction grant agreement
17 for a project under this subsection only if the project
18 is authorized for construction and has been rated as
19 ‘recommended’ under this subsection.

20 “(9) REGULATIONS.—Not later than 120 days
21 after the date of enactment of the Federal Public
22 Transportation Act of 2005, the Secretary shall
23 issue regulations establishing an evaluation and rat-
24 ing process for proposed projects under this sub-
25 section that is based on the results of project jus-

1 tification and local financial commitment, as re-
2 quired under this subsection.

3 “(10) FIXED GUIDEWAY CAPITAL PROJECT.—In
4 this subsection, the term ‘fixed guideway capital
5 project’ includes a corridor-based public transpor-
6 tation bus capital project if the majority of the
7 project’s corridor right-of-way is dedicated alignment
8 for exclusive use by public transportation vehicles for
9 all or part of the day.

10 “(e) PREVIOUSLY ISSUED LETTER OF INTENT OR
11 FULL FUNDING GRANT AGREEMENT.—Subsections (c)
12 and (d) do not apply to projects for which the Secretary
13 has issued a letter of intent or entered into a full funding
14 grant agreement before the date of enactment of the Fed-
15 eral Public Transportation Act of 2005. Subsection (d)
16 also does not apply to projects for which the Secretary
17 has received an application for final design before such
18 date of enactment.

19 “(f) LETTERS OF INTENT, FULL FUNDING GRANT
20 AGREEMENTS, AND EARLY SYSTEMS WORK AGREE-
21 MENTS.—

22 “(1) LETTERS OF INTENT.—

23 “(A) AMOUNTS INTENDED TO BE OBLI-
24 GATED.—The Secretary may issue a letter of
25 intent to an applicant announcing an intention

1 to obligate, for a capital project under this sec-
2 tion, an amount from future available budget
3 authority specified in law that is not more than
4 the amount stipulated as the financial partici-
5 pation of the Secretary in the project. When a
6 letter is issued for fixed guideway projects, the
7 amount shall be sufficient to complete at least
8 an operable segment.

9 “(B) TREATMENT.—The issuance of a let-
10 ter under subparagraph (A) is deemed not to be
11 an obligation under sections 1108(c), 1108(d),
12 1501, and 1502(a) of title 31 or an administra-
13 tive commitment.

14 “(2) FULL FUNDING GRANT AGREEMENTS.—

15 “(A) TERMS.—The Secretary may make a
16 full funding grant agreement with an applicant.
17 The agreement shall—

18 “(i) establish the terms of participa-
19 tion by the Government in a project under
20 this section;

21 “(ii) establish the maximum amount
22 of Government financial assistance for the
23 project;

24 “(iii) cover the period of time for com-
25 pleting the project, including a period ex-

1 tending beyond the period of an authoriza-
2 tion; and

3 “(iv) make timely and efficient man-
4 agement of the project easier according to
5 the law of the United States.

6 “(B) SPECIAL FINANCIAL RULES.—

7 “(i) IN GENERAL.—An agreement
8 under this paragraph obligates an amount
9 of available budget authority specified in
10 law and may include a commitment, con-
11 tingent on amounts to be specified in law
12 in advance for commitments under this
13 paragraph, to obligate an additional
14 amount from future available budget au-
15 thority specified in law.

16 “(ii) STATEMENT OF CONTINGENT
17 COMMITMENT.—The agreement shall state
18 that the contingent commitment is not an
19 obligation of the Government.

20 “(iii) INTEREST AND OTHER FINANC-
21 ING COSTS.—Interest and other financing
22 costs of efficiently carrying out a part of
23 the project within a reasonable time are a
24 cost of carrying out the project under a
25 full funding grant agreement, except that

1 eligible costs may not be more than the
2 cost of the most favorable financing terms
3 reasonably available for the project at the
4 time of borrowing. The applicant shall cer-
5 tify, in a way satisfactory to the Secretary,
6 that the applicant has shown reasonable
7 diligence in seeking the most favorable fi-
8 nancing terms.

9 “(iv) COMPLETION OF OPERABLE
10 SEGMENT.—The amount stipulated in an
11 agreement under this paragraph for a fixed
12 guideway project shall be sufficient to com-
13 plete at least an operable segment.

14 “(3) EARLY SYSTEM WORK AGREEMENTS.—

15 “(A) CONDITIONS.—The Secretary may
16 make an early systems work agreement with an
17 applicant if a record of decision under the Na-
18 tional Environmental Policy Act of 1969 (42
19 U.S.C. 4321 et seq.) has been issued on the
20 project and the Secretary finds there is reason
21 to believe—

22 “(i) a full funding grant agreement
23 for the project will be made; and

1 “(ii) the terms of the work agreement
2 will promote ultimate completion of the
3 project more rapidly and at less cost.

4 “(B) CONTENTS.—

5 “(i) IN GENERAL.—A work agreement
6 under this paragraph obligates an amount
7 of available budget authority specified in
8 law and shall provide for reimbursement of
9 preliminary costs of carrying out the
10 project, including land acquisition, timely
11 procurement of system elements for which
12 specifications are decided, and other activi-
13 ties the Secretary decides are appropriate
14 to make efficient, long-term project man-
15 agement easier.

16 “(ii) PERIOD COVERED.—A work
17 agreement under this paragraph shall
18 cover the period of time the Secretary con-
19 siders appropriate. The period may extend
20 beyond the period of current authorization.

21 “(iii) INTEREST AND OTHER FINANC-
22 ING COSTS.—Interest and other financing
23 costs of efficiently carrying out the work
24 agreement within a reasonable time are a
25 cost of carrying out the agreement, except

1 that eligible costs may not be more than
2 the cost of the most favorable financing
3 terms reasonably available for the project
4 at the time of borrowing. The applicant
5 shall certify, in a way satisfactory to the
6 Secretary, that the applicant has shown
7 reasonable diligence in seeking the most
8 favorable financing terms.

9 “(iv) FAILURE TO CARRY OUT
10 PROJECT.—If an applicant does not carry
11 out the project for reasons within the con-
12 trol of the applicant, the applicant shall
13 repay all Government payments made
14 under the work agreement plus reasonable
15 interest and penalty charges the Secretary
16 establishes in the agreement.

17 “(4) LIMITATION ON AMOUNTS.—

18 “(A) MAJOR CAPITAL INVESTMENT
19 GRANTS CONTINGENT COMMITMENT AUTHOR-
20 ITY.—The total estimated amount of future ob-
21 ligations of the Government and contingent
22 commitments to incur obligations covered by all
23 outstanding letters of intent, full funding grant
24 agreements, and early systems work agreements
25 under this subsection for major new fixed

1 guideway capital projects may be not more than
2 the greater of the amount authorized under sec-
3 tions 5338(b) and 5338(h)(1) for such projects
4 or an amount equivalent to the last 3 fiscal
5 years of funding allocated under subsections
6 (m)(1)(B) and (m)(2)(B)(ii) for such projects,
7 less an amount the Secretary reasonably esti-
8 mates is necessary for grants under this section
9 for those of such projects that are not covered
10 by a letter or agreement. The total amount cov-
11 ered by new letters and contingent commit-
12 ments included in full funding grant agree-
13 ments and early systems work agreements for
14 such projects may be not more than a limitation
15 specified in law.

16 “(B) OTHER CONTINGENT COMMITMENT
17 AUTHORITY.—The total estimated amount of
18 future obligations of the Government and con-
19 tingent commitments to incur obligations cov-
20 ered by all project construction grant agree-
21 ments and early system work agreements under
22 this subsection for small capital projects de-
23 scribed in subsection (d) may be not more than
24 the greater of the amount allocated under sub-
25 section (m)(2)(A) for such projects or an

1 amount equivalent to the last fiscal year of
2 funding allocated under subsection (m)(2)(A)
3 for such projects, less an amount the Secretary
4 reasonably estimates is necessary for grants
5 under this section for those of such projects
6 that are not covered by an agreement. The total
7 amount covered by new contingent commit-
8 ments included in project construction grant
9 agreements and early systems work agreements
10 for such projects may be not more than a limi-
11 tation specified in law.

12 “(C) INCLUSION OF CERTAIN COMMIT-
13 MENTS.—Future obligations of the Government
14 and contingent commitments made against the
15 contingent commitment authority under section
16 3032(g)(2) of the Intermodal Surface Trans-
17 portation Efficiency Act of 1991 (106 Stat.
18 2125) for the San Francisco BART to the Air-
19 port project for fiscal years 2002, 2003, 2004,
20 2005, and 2006 shall be charged against sec-
21 tion 3032(g)(2) of that Act.

22 “(D) APPROPRIATION REQUIRED.—An ob-
23 ligation may be made under this subsection only
24 when amounts are appropriated for the obliga-
25 tion.

1 “(5) NOTIFICATION OF CONGRESS.—At least 60
2 days before issuing a letter of intent or entering into
3 a full funding grant agreement or project construc-
4 tion grant agreement under this section, the Sec-
5 retary shall notify, in writing, the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives and the Committee on Banking,
8 Housing, and Urban Affairs of the Senate of the
9 proposed letter or agreement. The Secretary shall in-
10 clude with the notification a copy of the proposed
11 letter or agreement as well as the evaluations and
12 ratings for the project.

13 “(g) GOVERNMENT’S SHARE OF NET PROJECT
14 COST.—

15 “(1) FEDERAL SHARE.—Based on engineering
16 studies, studies of economic feasibility, and informa-
17 tion on the expected use of equipment or facilities,
18 the Secretary shall estimate the net project cost. A
19 grant for the project shall be for 80 percent of the
20 net capital project cost, unless the grant recipient
21 requests a lower grant percentage.

22 “(2) REMAINDER OF NET PROJECT COST.—The
23 remainder of net project costs shall be provided from
24 an undistributed cash surplus, a replacement or de-
25 preciation cash fund or reserve, or new capital.

1 “(3) LIMITATION ON STATUTORY CONSTRU-
2 TION.—Nothing in this section, including paragraph
3 (1) and subsections (c)(3)(D)(iv) and (c)(4), shall be
4 construed as authorizing the Secretary to require a
5 non-Federal financial commitment for a project that
6 is more than 20 percent of the net capital project
7 cost.

8 “(4) SPECIAL RULE FOR ROLLING STOCK
9 COSTS.—In addition to amounts allowed pursuant to
10 paragraph (1), a planned extension to a fixed guide-
11 way system may include the cost of rolling stock pre-
12 viously purchased if the applicant satisfies the Sec-
13 retary that only amounts other than amounts of the
14 Government were used and that the purchase was
15 made for use on the extension. A refund or reduc-
16 tion of the remainder may be made only if a refund
17 of a proportional amount of the grant of the Govern-
18 ment is made at the same time.

19 “(5) LIMITATION ON APPLICABILITY.—This
20 subsection does not apply to projects for which the
21 Secretary has entered into a full funding grant
22 agreement before the date of enactment of the Fed-
23 eral Public Transportation Act of 2005.

24 “(h) FISCAL CAPACITY CONSIDERATIONS.—If the
25 Secretary gives priority consideration to financing projects

1 that include more than the non-Government share re-
2 quired under subsection (g), the Secretary shall give equal
3 consideration to differences in the fiscal capacity of State
4 and local governments.

5 “(i) REPORTS ON NEW STARTS.—

6 “(1) ANNUAL DOT REPORT.—Not later than
7 the first Monday in February of each year, the Sec-
8 retary shall submit to the Committee on Transpor-
9 tation and Infrastructure of the House of Represent-
10 atives and the Committee on Banking, Housing, and
11 Urban Affairs of the Senate a report that includes—

12 “(A) a proposal of allocations of amounts
13 to be available to finance grants for new fixed
14 guideway capital projects among applicants for
15 these amounts;

16 “(B) evaluations and ratings, as required
17 under subsection (e), for each such project that
18 is authorized by the Federal Public Transpor-
19 tation Act of 2005; and

20 “(C) recommendations of such projects for
21 funding based on the evaluations and ratings
22 and on existing commitments and anticipated
23 funding levels for the next 3 fiscal years and for
24 the next 10 fiscal years based on information
25 currently available to the Secretary.

1 “(2) ANNUAL GAO REVIEW.—The Comptroller
2 General shall—

3 “(A) conduct an annual review of—

4 “(i) the processes and procedures for
5 evaluating, rating, and recommending new
6 fixed guideway capital projects; and

7 “(ii) the Secretary’s implementation
8 of such processes and procedures; and

9 “(B) report to Congress on the results of
10 such review by May 31 of each year.

11 “(j) UNDERTAKING PROJECTS IN ADVANCE.—

12 “(1) IN GENERAL.—The Secretary may pay the
13 Government’s share of the net capital project cost to
14 a State or local governmental authority that carries
15 out any part of a project described in this section
16 without the aid of amounts of the Government and
17 according to all applicable procedures and require-
18 ments if—

19 “(A) the State or local governmental au-
20 thority applies for the payment;

21 “(B) the Secretary approves the payment;
22 and

23 “(C) before carrying out the part of the
24 project, the Secretary approves the plans and

1 specifications for the part in the same way as
2 other projects under this section.

3 “(2) FINANCING COSTS.—

4 “(A) IN GENERAL.—The cost of carrying
5 out part of a project includes the amount of in-
6 terest earned and payable on bonds issued by
7 the State or local governmental authority to the
8 extent proceeds of the bonds are expended in
9 carrying out the part.

10 “(B) LIMITATION ON AMOUNT OF INTER-
11 EST.—The amount of interest under this para-
12 graph may not be more than the most favorable
13 interest terms reasonably available for the
14 project at the time of borrowing.

15 “(C) CERTIFICATION.—The applicant shall
16 certify, in a manner satisfactory to the Sec-
17 retary, that the applicant has shown reasonable
18 diligence in seeking the most favorable financial
19 terms.

20 “(3) CAPITAL PROJECT COST INDICES.—The
21 Secretary shall consider changes in capital project
22 cost indices when determining the estimated cost
23 under paragraph (2).

24 “(k) BUS AND BUS FACILITIES PROJECTS.—In mak-
25 ing grants under subsections (m)(1)(C) and

1 (m)(2)(B)(iii), the Secretary shall consider the age of
2 buses, bus fleets, related equipment, and bus-related facili-
3 ties.

4 “(l) AVAILABILITY OF AMOUNTS.—An amount made
5 available or appropriated under section 5338(b), 5338(g),
6 or 5338(h) for replacement, rehabilitation, and purchase
7 of buses and related equipment and construction of bus-
8 related facilities or for new fixed guideway capital projects
9 shall remain available for 3 fiscal years, including the fis-
10 cal year in which the amount is made available or appro-
11 priated. Any of such amounts that are unobligated at the
12 end of the 3-fiscal-year period shall be deobligated and
13 may be used by the Secretary for any purpose under this
14 section.

15 “(m) ALLOCATING AMOUNTS.—

16 “(1) FISCAL YEAR 2004.—The total amount of
17 funds made available by or appropriated under sec-
18 tion 5338(b) for fiscal year 2004 shall be allocated
19 as follows:

20 “(A) 40 percent for fixed guideway mod-
21 ernization;

22 “(B) 40 percent for major new fixed guide-
23 way capital projects; and

1 “(C) 20 percent to replace, rehabilitate,
2 and purchase buses and related equipment and
3 to construct bus-related facilities.

4 “(2) FISCAL YEARS 2005–2009.—The total
5 amount of funds made available by section 5338(g),
6 and appropriated under section 5338(h), for each of
7 fiscal years 2005 through 2009 shall be allocated in
8 the fiscal year as follows:

9 “(A) SMALL CAPITAL PROJECTS.—From
10 funds appropriated under section 5338(h) for
11 new fixed guideway capital projects described in
12 subsection (d)—

13 “(i) \$135,000,000 in fiscal year 2005;

14 “(ii) \$175,000,000 in fiscal year
15 2006;

16 “(iii) \$200,000,000 in fiscal year
17 2007;

18 “(iv) \$200,000,000 in fiscal year
19 2008; and

20 “(v) \$225,000,000 in fiscal year
21 2009.

22 “(B) REMAINDER.—After the allocation
23 under subparagraph (A), the remainder of such
24 total amount shall be allocated as follows:

1 “(i) 40 percent for fixed guideway
2 modernization, to be derived from funds
3 made available under section 5338(g).

4 “(ii) 40 percent for major new fixed
5 capital guideway projects, to be derived
6 from funds appropriated under section
7 5338(h).

8 “(iii) 20 percent to replace, rehabili-
9 tate, and purchase buses and related
10 equipment and to construct bus-related fa-
11 cilities, to be derived from funds made
12 available under section 5338(g).

13 “(3) FUNDING FOR FERRY BOAT SYSTEMS.—Of
14 the amounts made available under paragraphs
15 (1)(B) and (2)(B)(ii), \$10,400,000 shall be available
16 in each of fiscal years 2004 through 2009 for new
17 fixed guideway capital projects in Alaska or Hawaii
18 that are for ferry boats or ferry terminal facilities or
19 that are for approaches to ferry terminal facilities.
20 Of the amounts made available under paragraphs
21 (1)(C) and (2)(B)(iii), \$10,000,000 shall be avail-
22 able in each of fiscal years 2005 through 2009 for
23 ferry boats or ferry terminal facilities.

24 “(4) FUEL CELL BUS PROGRAM.—Of the
25 amounts made available under subsections (m)(1)(C)

1 and (m)(2)(B)(iii) for a fiscal year, the following
2 amounts shall be set aside for the national fuel cell
3 bus technology development program under section
4 3039 of the Federal Public Transportation Act of
5 2005:

6 “(A) \$4,849,950 for fiscal year 2004.

7 “(B) \$10,000,000 for fiscal year 2005.

8 “(C) \$11,000,000 for fiscal year 2006.

9 “(D) \$12,000,000 for fiscal year 2007.

10 “(E) \$13,000,000 for fiscal year 2008.

11 “(F) \$14,000,000 for fiscal year 2009.

12 “(n) NEW FIXED GUIDEWAY CAPITAL PROJECT DE-
13 FINED.—In this section, the term ‘new fixed guideway
14 capital project’ means a minimum operable segment of a
15 capital project for a new fixed guideway system or exten-
16 sion to an existing fixed guideway system.”.

17 (e) CONFORMING AMENDMENTS.—

18 (1) CHAPTER ANALYSIS.—The analysis for
19 chapter 53 is amended by striking the item relating
20 to section 5309 and inserting the following:

“5309. Capital investment grants.”.

21 (2) SECTION 5328.—Section 5328(a) is amend-
22 ed—

23 (A) in paragraph (2) by striking “5309(e)”
24 and inserting “5309(c)”; and

1 (B) in paragraph (4) by striking “under
2 section 5309(o)(1)” and inserting “under sec-
3 tion 5309(i)(1)”.

4 **SEC. 3011. FORMULA GRANTS FOR SPECIAL NEEDS OF EL-**
5 **DERLY INDIVIDUALS AND INDIVIDUALS WITH**
6 **DISABILITIES.**

7 (a) IN GENERAL.—Section 5310 is amended—

8 (1) by striking the section heading and insert-
9 ing the following:

10 **“§ 5310. Formula grants for special needs of elderly**
11 **individuals and individuals with disabili-**
12 **ties”;**

13 (2) by striking subsections (a) through (g) and
14 inserting the following:

15 “(a) GENERAL AUTHORITY.—

16 “(1) GRANTS.—The Secretary may make
17 grants to States and local governmental authorities
18 under this section for public transportation capital
19 projects, and operating costs associated with public
20 transportation capital projects, planned, designed,
21 and carried out to meet the special needs of elderly
22 individuals and individuals with disabilities.

23 “(2) SUBRECIPIENTS.—A State that receives a
24 grant under this section may allocate the amounts of
25 the grant to—

1 “(A) a private nonprofit organization if the
2 public transportation service provided under
3 paragraph (1) is unavailable, insufficient, or in-
4 appropriate; or

5 “(B) a governmental authority that—

6 “(i) is approved by the State to co-
7 ordinate services for elderly individuals and
8 individuals with disabilities; or

9 “(ii) certifies that there are not any
10 nonprofit organizations readily available in
11 the area to provide the services described
12 under paragraph (1).

13 “(3) ACQUIRING PUBLIC TRANSPORTATION
14 SERVICES.—A public transportation capital project
15 under this section may include acquisition of public
16 transportation services as an eligible capital expense.

17 “(4) ADMINISTRATIVE EXPENSES.—A State or
18 local governmental authority may use not more than
19 10 percent of the amounts apportioned to the State
20 under this section to administer, plan, and provide
21 technical assistance for a project funded under this
22 section.

23 “(b) APPORTIONMENT AND TRANSFERS.—

24 “(1) APPORTIONMENT.—

1 “(A) FORMULA.—The Secretary shall ap-
2 portion amounts made available to carry out
3 this section under a formula the Secretary ad-
4 ministers that considers the number of elderly
5 individuals and individuals with disabilities in
6 each State.

7 “(B) LOW DENSITY ADJUSTMENT.—In ad-
8 ministering the apportionment formula under
9 subparagraph (A)—

10 “(i) in the case of a State with a pop-
11 ulation density of 10 or fewer persons per
12 square mile, the Secretary shall multiply
13 by a factor of 2 the number of elderly indi-
14 viduals and individuals with disabilities in
15 the State (as determined using the most
16 recent decennial United States Census);
17 and

18 “(ii) in the case of a State with a pop-
19 ulation density of more than 10 but equal
20 to or fewer than 30 persons per square
21 mile, the Secretary shall multiply by a fac-
22 tor of 1.25 the number of elderly individ-
23 uals and individuals with disabilities in the
24 State (as determined using the most recent
25 decennial United States Census).

1 “(2) TRANSFERS.—Any State’s apportionment
2 remaining available for obligation at the beginning
3 of the 90-day period before the end of the period of
4 availability of the apportionment is available to the
5 State for transfer to supplement amounts appor-
6 tioned to the State under section 5311(c) or
7 5336(a)(1), or both. Any funds transferred pursuant
8 to this paragraph shall be made available only for el-
9 igible projects as described in this section.

10 “(c) GOVERNMENT’S SHARE OF COSTS.—

11 “(1) CAPITAL PROJECTS.—A grant for a capital
12 project under this section shall be for 80 percent of
13 the net capital costs of the project, as determined by
14 the Secretary; except that in the case of a State de-
15 scribed in section 120(b)(1) of title 23, such percent-
16 age shall be increased in accordance with such sec-
17 tion.

18 “(2) OPERATING ASSISTANCE.—A grant made
19 under this section for operating assistance may not
20 exceed 50 percent of the net operating costs of the
21 project, as determined by the Secretary.

22 “(3) REMAINDER.—The remainder of the net
23 project costs—

24 “(A) may be provided from an undistrib-
25 uted cash surplus, a replacement or deprecia-

1 tion cash fund or reserve, a service agreement
2 with a State or local social service agency or a
3 private social service organization, or new cap-
4 ital; and

5 “(B) may be derived from amounts appro-
6 priated to or made available to a department or
7 agency of the Government (other than the De-
8 partment of Transportation) that are eligible to
9 be expended for transportation.

10 “(4) USE OF CERTAIN FUNDS.—For purposes
11 of paragraph (3)(B), the prohibitions on the use of
12 funds for matching requirements under section
13 403(a)(5)(C)(vii) of the Social Security Act (42
14 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal
15 or State funds to be used for transportation pur-
16 poses.

17 “(d) GRANT REQUIREMENTS.—

18 “(1) IN GENERAL.—A grant under this section
19 shall be subject to all requirements of a grant under
20 section 5307. A grant to a subrecipient under this
21 section shall be subject to such requirements to the
22 extent the Secretary considers appropriate.

23 “(2) COORDINATION WITH NONPROFIT PRO-
24 VIDERS.—A recipient that transfers funds to an ap-
25 portionment under section 5336(a)(1) pursuant to

1 subsection (b)(2) shall certify that the project for
2 which the funds are requested under this section has
3 been coordinated with nonprofit providers of serv-
4 ices.

5 “(3) PROJECT SELECTION AND PLANNING.—
6 Beginning in fiscal year 2007, a recipient of funds
7 under this section shall certify that—

8 “(A) the projects selected were derived
9 from a locally developed, coordinated public
10 transit-human services transportation plan; and

11 “(B) the plan was developed through a
12 process that included representatives of public,
13 private, and nonprofit transportation and
14 human services providers and participation by
15 the public.

16 “(4) FAIR AND EQUITABLE DISTRIBUTION.—A
17 recipient of a grant under this section shall certify
18 that allocations of the grant to subrecipients are dis-
19 tributed on a fair and equitable basis.

20 “(e) STATE PROGRAM.—

21 “(1) IN GENERAL.—Amounts made available to
22 carry out this section may be used for transportation
23 projects to assist in providing transportation services
24 for elderly individuals and individuals with disabil-

1 ities that are included in a State program of
2 projects.

3 “(2) SUBMISSION AND APPROVAL.—A program
4 shall be submitted annually to the Secretary for ap-
5 proval and shall contain an assurance that the pro-
6 gram provides for maximum feasible coordination of
7 transportation services assisted under this section
8 with transportation services assisted by other Gov-
9 ernment sources.

10 “(f) LEASING VEHICLES.—Vehicles acquired under
11 this section may be leased to local governmental authori-
12 ties to improve transportation services designed to meet
13 the special needs of elderly individuals and individuals
14 with disabilities.”; and

15 (3) by redesignating subsections (h) through (j)
16 as subsections (g) through (i), respectively.

17 (b) CONFORMING AMENDMENT.—The analysis for
18 chapter 53 is amended by striking the item relating to
19 section 5310 and inserting the following:

“5310. Formula grants for special needs of elderly individuals and individuals
with disabilities.”.

20 **SEC. 3012. FORMULA GRANTS FOR OTHER THAN URBAN-**
21 **IZED AREAS.**

22 (a) DEFINITIONS.—Section 5311(a) is amended to
23 read as follows:

1 “(a) DEFINITIONS.—In this section, the following
2 definitions apply:

3 “(1) RECIPIENT.—The term ‘recipient’ means a
4 State that receives a Federal transit program grant
5 directly from the Government.

6 “(2) SUBRECIPIENT.—The term ‘subrecipient’
7 means a State or local governmental authority, non-
8 profit organization, or operator of public transpor-
9 tation services that receives a Federal transit pro-
10 gram grant indirectly through a recipient.”.

11 (b) GENERAL AUTHORITY.—Section 5311(b) is
12 amended to read as follows:

13 “(b) GENERAL AUTHORITY.—

14 “(1) GRANTS.—Except as provided in para-
15 graph (2), the Secretary may make grants to other
16 than urbanized areas under this section for the fol-
17 lowing:

18 “(A) Public transportation capital projects.

19 “(B) Operating costs of equipment and fa-
20 cilities for use in public transportation.

21 “(C) Acquisition of public transportation
22 services, including service agreements with pri-
23 vate providers of public transportation services.

24 “(2) STATE PROGRAM.—

1 “(A) IN GENERAL.—Amounts made avail-
2 able to carry out this section shall be used for
3 projects included in a State program for public
4 transportation projects, including service agree-
5 ments with private providers of public transpor-
6 tation.

7 “(B) SUBMISSION.—The program shall be
8 submitted annually to the Secretary for ap-
9 proval.

10 “(C) APPROVAL.—The Secretary may ap-
11 prove the program only if the Secretary finds
12 that the program provides a fair distribution of
13 amounts in the State, including Indian reserva-
14 tions, and the maximum feasible coordination of
15 public transportation service assisted under this
16 section with transportation service assisted by
17 other Federal sources.

18 “(3) RURAL TRANSPORTATION ASSISTANCE
19 PROGRAM.—

20 “(A) IN GENERAL.—The Secretary shall
21 carry out a rural transportation assistance pro-
22 gram in other than urbanized areas.

23 “(B) GRANTS AND CONTRACTS.—In car-
24 rying out this paragraph, the Secretary may use
25 not more than 2 percent of the amount made

1 available to carry out this section to make
2 grants and contracts for transportation re-
3 search, technical assistance, training, and re-
4 lated support services in other than urbanized
5 areas.

6 “(C) PROJECTS OF A NATIONAL SCOPE.—
7 Not more than 15 percent of the amounts avail-
8 able under subparagraph (B) may be used by
9 the Secretary to carry out projects of a national
10 scope, with the remaining balance provided to
11 the States.”.

12 (c) APPORTIONMENTS.—Section 5311(c) is amended
13 to read as follows:

14 “(c) APPORTIONMENTS.—

15 “(1) IN GENERAL.—The Secretary shall appor-
16 tion amounts made available to carry out this sec-
17 tion among the States in the ratio that—

18 “(A) the population of other than urban-
19 ized areas in each State, as shown by the most
20 recent Government decennial census of popu-
21 lation; bears to

22 “(B) the population of all other than ur-
23 banized areas in the United States, as shown by
24 that census.

1 “(2) LOW DENSITY ADJUSTMENT.—In admin-
2 istering the apportionment formula under paragraph
3 (1)—

4 “(A) in the case of a State with a popu-
5 lation density of 10 or fewer persons per square
6 mile in other than urbanized areas of the State,
7 the Secretary shall multiply by a factor of 1.5
8 the population of such other than urbanized
9 areas (as determined using the most recent de-
10 cennial United States Census); and

11 “(B) in the case of a State with a popu-
12 lation density of more than 10 but equal to or
13 fewer than 12 persons per square mile in other
14 than urbanized areas of the State, the Sec-
15 retary shall multiply by a factor of 1.25 the
16 population of such other than urbanized areas
17 (as determined using the most recent decennial
18 United States Census).

19 “(3) AVAILABILITY.—The amount apportioned
20 to a State under this subsection may be obligated by
21 the State for 2 fiscal years after the fiscal year in
22 which the amount is apportioned. An amount that is
23 not obligated at the end of that period shall be re-
24 apportioned among the States for the next fiscal
25 year.”.

1 (d) USE FOR ADMINISTRATION, PLANNING, AND
2 TECHNICAL ASSISTANCE.—Section 5311(e) is amended—

3 (1) in the subsection heading by inserting “,
4 planning,” after “administration”;

5 (2) by striking “(1) The Secretary” and insert-
6 ing “The Secretary”;

7 (3) by striking paragraph (2); and

8 (4) by striking “recipient” and inserting “sub-
9 recipient”.

10 (e) INTERCITY BUS TRANSPORTATION.—Section
11 5311(f) is amended—

12 (1) in paragraph (1) by striking “after Sep-
13 tember 30, 1993,”; and

14 (2) in paragraph (2) by striking “A State” and
15 inserting “After consultation with affected intercity
16 bus service providers, a State”.

17 (f) GOVERNMENT’S SHARE OF COSTS.—Section
18 5311(g) is amended to read as follows:

19 “(g) GOVERNMENT’S SHARE OF COSTS.—

20 “(1) CAPITAL PROJECTS.—A grant for a capital
21 project under this section shall be for 80 percent of
22 the net capital costs of the project, as determined by
23 the Secretary; except that in the case of a State de-
24 scribed in section 120(b)(1) of title 23, such percent-

1 age shall be increased in accordance with such sec-
2 tion.

3 “(2) OPERATING ASSISTANCE.—A grant made
4 under this section for operating assistance may not
5 exceed 50 percent of the net operating costs of the
6 project, as determined by the Secretary.

7 “(3) REMAINDER.—The remainder of net
8 project costs—

9 “(A) may be provided from an undistrib-
10 uted cash surplus, a replacement or deprecia-
11 tion cash fund or reserve, a service agreement
12 with a State or local social service agency or a
13 private social service organization, or new cap-
14 ital; and

15 “(B) may be derived from amounts appro-
16 priated to or made available to a department or
17 agency of the Government (other than the De-
18 partment of Transportation) that are eligible to
19 be expended for transportation.

20 “(4) USE OF CERTAIN FUNDS.—For purposes
21 of paragraph (3)(B), the prohibitions on the use of
22 funds for matching requirements under section
23 403(a)(5)(C)(vii) of the Social Security Act (42
24 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal

1 or State funds to be used for transportation pur-
2 poses.

3 “(5) LIMITATION ON OPERATING ASSIST-
4 ANCE.—A State carrying out a program of operating
5 assistance under this section may not limit the level
6 or extent of use of the Government grant for the
7 payment of operating expenses.”.

8 (g) RELATIONSHIP TO OTHER LAWS.—Section 5311
9 is amended—

10 (1) by striking subsection (h); and

11 (2) by redesignating subsections (i) and (j) as
12 subsections (h) and (i), respectively.

13 (h) CORRECTION TO CHAPTER ANALYSIS.—The anal-
14 ysis for chapter 53 is amended by striking the item relat-
15 ing to section 5311 and inserting the following:

“5311. Formula grants for other than urbanized areas.”.

16 **SEC. 3013. RESEARCH, DEVELOPMENT, DEMONSTRATION,**
17 **AND DEPLOYMENT PROJECTS.**

18 (a) IN GENERAL.—Section 5312 is amended—

19 (1) in subsection (a)—

20 (A) by striking the first parenthetical
21 phrase;

22 (B) by striking “or contracts” and insert-
23 ing “, contracts, cooperative agreements, or
24 other transactions”;

1 (C) by striking “help reduce urban trans-
2 portation needs, improve mass transportation
3 service,” and inserting “improve transportation
4 service”;

5 (D) by striking “urban” each place it ap-
6 pears; and

7 (E) by striking “and demonstration
8 projects” and inserting “, demonstration or de-
9 ployment projects, or evaluation of technology
10 of national significance”;

11 (2) by striking subsections (b) and (c);

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

14 (4) in subsection (b)(2) (as so redesignated) by
15 striking “other agreements” and inserting “other
16 transactions”; and

17 (5) in subsection (c)(2) (as so redesignated) by
18 striking “public and” and inserting “public or”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) SECTION HEADING.—Section 5312 is
21 amended by striking the section heading and insert-
22 ing the following:

1 **“§ 5312. Research, development, demonstration, and**
2 **deployment projects”.**

3 (2) CHAPTER ANALYSIS.—The analysis for
4 chapter 53 is amended by striking the item relating
5 to section 5312 and inserting the following:

“5312. Research, development, demonstration, and deployment projects.”.

6 **SEC. 3014. COOPERATIVE RESEARCH PROGRAM.**

7 (a) IN GENERAL.—Section 5313 is amended—

8 (1) in subsection (a) by striking “(1) The
9 amounts made available under paragraphs (1) and
10 (2)(C)(ii) of section 5338(d) of this title” and insert-
11 ing “The amounts made available under paragraphs
12 (1)(C)(iv) and (2)(C) of section 5338(d)”;

13 (2) by striking subsection (b);

14 (3) in subsection (a)(2) by striking “(2) The”
15 and inserting “(b) FEDERAL ASSISTANCE.—The”;
16 and

17 (4) in subsection (c) by striking “subsection (a)
18 of”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) IN GENERAL.—Section 5313 is amended by
21 striking the section heading and inserting the fol-
22 lowing:

1 **“§ 5313. Cooperative research program”.**

2 (2) CHAPTER ANALYSIS.—The analysis for
3 chapter 53 is amended by striking the item relating
4 to section 5313 and inserting the following:

“5313. Cooperative research program.”.

5 **SEC. 3015. NATIONAL RESEARCH AND TECHNOLOGY PRO-**
6 **GRAMS.**

7 (a) IN GENERAL.—Section 5314 is amended—

8 (1) by striking the section heading and insert-
9 ing the following:

10 **“§ 5314. National research and technology programs”;**

11 (2) in subsection (a)(1)—

12 (A) by striking “subsections (d) and (h)(7)
13 of section 5338 of this title” and inserting “sec-
14 tion 5338(d)”;

15 (B) by striking “and contracts” and insert-
16 ing “, contracts, cooperative agreements, or
17 other transactions”;

18 (C) by striking “5303–5306,”; and

19 (D) by striking “5317,”;

20 (3) in subsection (a)(2) by striking “Of the
21 amounts” and all that follows through “\$3,000,000
22 to” and inserting “The Secretary shall”;

23 (4) by striking subsection (a)(4)(B);

24 (5) by redesignating subsection (a)(4)(C) as
25 subsection (a)(4)(B); and

1 (6) in subsection (b) by striking “or contract”
 2 and all that follows through “section,” and inserting
 3 “, contract, cooperative agreement, or other trans-
 4 action under subsection (a) or section 5312,”.

5 (b) CONFORMING AMENDMENT.—The analysis for
 6 chapter 53 is amended by striking the item relating to
 7 section 5314 and inserting the following:

“5314. National research and technology programs.”.

8 **SEC. 3016. NATIONAL TRANSIT INSTITUTE.**

9 Section 5315 is amended—

10 (1) in subsection (a) by striking “public mass
 11 transportation” and inserting “public transpor-
 12 tation”; and

13 (2) in subsection (d) by striking “mass” each
 14 place it appears.

15 **SEC. 3017. JOB ACCESS AND REVERSE COMMUTE FORMULA**
 16 **GRANTS.**

17 (a) IN GENERAL.—Chapter 53 is amended by insert-
 18 ing after section 5315 the following:

19 **“§ 5316. Job access and reverse commute formula**
 20 **grants**

21 “(a) DEFINITIONS.—In this section, the following
 22 definitions apply:

23 “(1) ACCESS TO JOBS PROJECT.—The term ‘ac-
 24 cess to jobs project’ means a project relating to the
 25 development and maintenance of transportation

1 services designed to transport welfare recipients and
2 eligible low-income individuals to and from jobs and
3 activities related to their employment, including—

4 “(A) transportation projects to finance
5 planning, capital, and operating costs of pro-
6 viding access to jobs under this chapter;

7 “(B) promoting public transportation by
8 low-income workers, including the use of public
9 transportation by workers with nontraditional
10 work schedules;

11 “(C) promoting the use of transit vouchers
12 for welfare recipients and eligible low-income in-
13 dividuals; and

14 “(D) promoting the use of employer-pro-
15 vided transportation, including the transit pass
16 benefit program under section 132 of the Inter-
17 nal Revenue Code of 1986.

18 “(2) ELIGIBLE LOW-INCOME INDIVIDUAL.—The
19 term ‘eligible low-income individual’ means an indi-
20 vidual whose family income is at or below 150 per-
21 cent of the poverty line (as that term is defined in
22 section 673(2) of the Community Services Block
23 Grant Act (42 U.S.C. 9902(2)), including any revi-
24 sion required by that section) for a family of the size
25 involved.

1 “(3) RECIPIENT.—The term ‘recipient’ means a
2 designated recipient (as defined in section
3 5307(a)(2)) and a State that receives a grant under
4 this section directly.

5 “(4) REVERSE COMMUTE PROJECT.—The term
6 ‘reverse commute project’ means a public transpor-
7 tation project designed to transport residents of ur-
8 banized areas and other than urbanized areas to
9 suburban employment opportunities, including any
10 projects to—

11 “(A) subsidize the costs associated with
12 adding reverse commute bus, train, carpool, van
13 routes, or service from urbanized areas and
14 other than urbanized areas to suburban work-
15 places;

16 “(B) subsidize the purchase or lease by a
17 nonprofit organization or public agency of a van
18 or bus dedicated to shuttling employees from
19 their residences to a suburban workplace; or

20 “(C) otherwise facilitate the provision of
21 public transportation services to suburban em-
22 ployment opportunities.

23 “(5) SUBRECIPIENT.—The term ‘subrecipient’
24 means a State or local governmental authority, non-
25 profit organization, or operator of public transpor-

1 tation services that receives a grant under this sec-
2 tion indirectly through a recipient.

3 “(6) WELFARE RECIPIENT.—The term ‘welfare
4 recipient’ means an individual who has received as-
5 sistance under a State or tribal program funded
6 under part A of title IV of the Social Security Act
7 at any time during the 3-year period before the date
8 on which the applicant applies for a grant under this
9 section.

10 “(b) GENERAL AUTHORITY.—

11 “(1) GRANTS.—The Secretary may make
12 grants under this section to a recipient for access to
13 jobs and reverse commute projects carried out by the
14 recipient or a subrecipient.

15 “(2) ADMINISTRATIVE EXPENSES.—A recipient
16 may use not more than 10 percent of the amounts
17 apportioned to the recipient under this section to ad-
18 minister, plan, and provide technical assistance for
19 a project funded under this section.

20 “(c) APPORTIONMENTS.—

21 “(1) FORMULA.—The Secretary shall apportion
22 amounts made available to carry out this section as
23 follows:

24 “(A) 60 percent of the funds shall be ap-
25 portioned among designated recipients (as de-

1 fined in section 5307(a)(2)) for urbanized areas
2 with a population of 200,000 or more in the
3 ratio that—

4 “(i) the number of eligible low-income
5 individuals and welfare recipients in each
6 such urbanized area; bears to

7 “(ii) the number of eligible low-income
8 individuals and welfare recipients in all
9 such urbanized areas.

10 “(B) 20 percent of the funds shall be ap-
11 portioned among the States in the ratio that—

12 “(i) the number of eligible low-income
13 individuals and welfare recipients in urban-
14 ized areas with a population of less than
15 200,000 in each State; bears to

16 “(ii) the number of eligible low-income
17 individuals and welfare recipients in urban-
18 ized areas with a population of less than
19 200,000 in all States.

20 “(C) 20 percent of the funds shall be ap-
21 portioned among the States in the ratio that—

22 “(i) the number of eligible low-income
23 individuals and welfare recipients in other
24 than urbanized areas in each State; bears
25 to

1 “(ii) the number of eligible low-income
2 individuals and welfare recipients in other
3 than urbanized areas in all States.

4 “(2) USE OF APPORTIONED FUNDS.—Except as
5 provided in paragraph (3)—

6 “(A) funds apportioned under paragraph
7 (1)(A) shall be used for projects serving urban-
8 ized areas with a population of 200,000 or
9 more;

10 “(B) funds apportioned under paragraph
11 (1)(B) shall be used for projects serving urban-
12 ized areas with a population of less than
13 200,000; and

14 “(C) funds apportioned under paragraph
15 (1)(C) shall be used for projects serving other
16 than urbanized areas.

17 “(3) EXCEPTIONS.—A State may use funds ap-
18 portioned under paragraphs (1)(B) and (1)(C)—

19 “(A) for projects serving areas other than
20 the area specified in paragraph (2)(B) or
21 (2)(C), as the case may be, if the Governor of
22 the State certifies that all of the objectives of
23 this section are being met in the specified area;
24 or

1 “(B) for projects anywhere in the State if
2 the State has established a statewide program
3 for meeting the objectives of this section.

4 “(d) COMPETITIVE PROCESS FOR GRANTS TO SUB-
5 RECIPIENTS.—

6 “(1) AREAWIDE SOLICITATIONS.—A recipient of
7 funds apportioned under subsection (c)(1)(A) shall
8 conduct, in cooperation with the appropriate metro-
9 politan planning organization, an areawide sollicita-
10 tion for applications for grants to the recipient and
11 subrecipients under this section.

12 “(2) STATEWIDE SOLICITATION.—A recipient of
13 funds apportioned under subsection (c)(1)(B) or
14 (c)(1)(C) shall conduct a statewide solicitation for
15 applications for grants to the recipient and sub-
16 recipients under this section.

17 “(3) APPLICATION.—Recipients and subrecipi-
18 ents seeking to receive a grant from funds appor-
19 tioned under subsection (c) shall submit to the re-
20 cipient an application in the form and in accordance
21 with such requirements as the recipient shall estab-
22 lish.

23 “(4) GRANT AWARDS.—The recipient shall
24 award grants under paragraphs (1) and (2) on a
25 competitive basis.

1 “(e) TRANSFERS.—

2 “(1) IN GENERAL.—A State may transfer any
3 funds apportioned to it under subsection (c)(1)(B)
4 or (c)(1)(C), or both, to an apportionment under
5 section 5311(c) or 5336, or both.

6 “(2) LIMITED TO ELIGIBLE PROJECTS.—Any
7 apportionment transferred under this subsection
8 shall be made available only for eligible job access
9 and reverse commute projects as described in this
10 section.

11 “(3) CONSULTATION.—A State may make a
12 transfer of an amount under this subsection only
13 after consulting with responsible local officials and
14 publicly owned operators of public transportation in
15 each area for which the amount originally was
16 awarded under subsection (d)(4).

17 “(f) GRANT REQUIREMENTS.—

18 “(1) IN GENERAL.—A grant under this section
19 shall be subject to the requirements of section 5307.

20 “(2) FAIR AND EQUITABLE DISTRIBUTION.—A
21 recipient of a grant under this section shall certify
22 to the Secretary that allocations of the grant to sub-
23 recipients are distributed on a fair and equitable
24 basis.

25 “(g) COORDINATION.—

1 “(1) IN GENERAL.—The Secretary shall coordi-
2 nate activities under this section with related activi-
3 ties under programs of other Federal departments
4 and agencies.

5 “(2) WITH NONPROFIT PROVIDERS.—A State
6 that transfers funds to an apportionment under sec-
7 tion 5336 pursuant to subsection (e) shall certify to
8 the Secretary that any project for which the funds
9 are requested under this section has been coordi-
10 nated with nonprofit providers of services.

11 “(3) PROJECT SELECTION AND PLANNING.—A
12 recipient of funds under this section shall certify to
13 the Secretary that—

14 “(A) the projects selected were derived
15 from a locally developed, coordinated public
16 transit-human services transportation plan; and

17 “(B) the plan was developed through a
18 process that included representatives of public,
19 private, and nonprofit transportation and
20 human services providers and participation by
21 the public.

22 “(h) GOVERNMENT’S SHARE OF COSTS.—

23 “(1) CAPITAL PROJECTS.—A grant for a capital
24 project under this section may not exceed 80 percent

1 of the net capital costs of the project, as determined
2 by the Secretary.

3 “(2) OPERATING ASSISTANCE.—A grant made
4 under this section for operating assistance may not
5 exceed 50 percent of the net operating costs of the
6 project, as determined by the Secretary.

7 “(3) REMAINDER.—The remainder of the net
8 project costs—

9 “(A) may be provided from an undistrib-
10 uted cash surplus, a replacement or deprecia-
11 tion cash fund or reserve, a service agreement
12 with a State or local social service agency or a
13 private social service organization, or new cap-
14 ital; and

15 “(B) may be derived from amounts appro-
16 priated to or made available to a department or
17 agency of the Government (other than the De-
18 partment of Transportation) that are eligible to
19 be expended for transportation.

20 “(4) USE OF CERTAIN FUNDS.—For purposes
21 of paragraph (3)(B), the prohibitions on the use of
22 funds for matching requirements under section
23 403(a)(5)(C)(vii) of the Social Security Act (42
24 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal

1 or State funds to be used for transportation pur-
2 poses.

3 “(5) LIMITATION ON OPERATING ASSIST-
4 ANCE.—A recipient carrying out a program of oper-
5 ating assistance under this section may not limit the
6 level or extent of use of the Government grant for
7 the payment of operating expenses.

8 “(i) PROGRAM EVALUATION.—

9 “(1) COMPTROLLER GENERAL.—Beginning 1
10 year after the date of enactment of the Federal Pub-
11 lic Transportation Act of 2005, and every 2 years
12 thereafter, the Comptroller General shall—

13 “(A) conduct a study to evaluate the grant
14 program authorized by this section; and

15 “(B) transmit to the Committee on Trans-
16 portation and Infrastructure of the House of
17 Representatives and the Committee on Bank-
18 ing, Housing, and Urban Affairs of the Senate
19 a report describing the results of the study
20 under subparagraph (A).

21 “(2) DEPARTMENT OF TRANSPORTATION.—Not
22 later than 3 years after the date of enactment of
23 Federal Public Transportation Act of 2005, the Sec-
24 retary shall—

1 “(A) conduct a study to evaluate the effec-
2 tiveness of the grant program authorized by
3 this section and the effectiveness of recipients
4 making grants to subrecipients under this sec-
5 tion; and

6 “(B) transmit to the committees referred
7 to in paragraph (1)(B) a report describing the
8 results of the study under subparagraph (A).”.

9 (b) CONFORMING AMENDMENT.—The analysis for
10 chapter 53 is amended by inserting after the item relating
11 to section 5315 the following:

 “5316. Job access and reverse commute formula grants.”.

12 (c) REPEAL.—Section 3037 of the Transportation
13 Equity Act for the 21st Century (49 U.S.C. 5309 note;
14 112 Stat. 387) is repealed.

15 **SEC. 3018. NEW FREEDOM PROGRAM.**

16 (a) IN GENERAL.—Chapter 53 is further amended by
17 inserting after section 5316 the following:

18 **“§ 5317. New Freedom program**

19 “(a) DEFINITIONS.—In this section, the following
20 definitions apply:

21 “(1) RECIPIENT.—The term ‘recipient’ means a
22 designated recipient (as defined in section
23 5307(a)(2)) and a State that receives a grant under
24 this section directly.

1 “(2) SUBRECIPIENT.—The term ‘subrecipient’
2 means a State or local governmental authority, non-
3 profit organization, or operator of public transpor-
4 tation services that receives a grant under this sec-
5 tion indirectly through a recipient.

6 “(b) GENERAL AUTHORITY.—

7 “(1) GRANTS.—The Secretary may make
8 grants under this section to a recipient for new pub-
9 lic transportation services and public transportation
10 alternatives beyond those required by the Americans
11 with Disabilities Act of 1990 (42 U.S.C. 12101 et
12 seq.) that assist individuals with disabilities with
13 transportation, including transportation to and from
14 jobs and employment support services.

15 “(2) ADMINISTRATIVE EXPENSES.—A recipient
16 may use not more than 10 percent of the amounts
17 apportioned to the recipient under this section to ad-
18 minister, plan, and provide technical assistance for
19 a project funded under this section.

20 “(c) APPORTIONMENTS.—

21 “(1) FORMULA.—The Secretary shall apportion
22 amounts made available to carry out this section as
23 follows:

24 “(A) 60 percent of the funds shall be ap-
25 portioned among designated recipients (as de-

1 fined in section 5307(a)(2)) for urbanized areas
2 with a population of 200,000 or more in the
3 ratio that—

4 “(i) the number of individuals with
5 disabilities in each such urbanized area;
6 bears to

7 “(ii) the number of individuals with
8 disabilities in all such urbanized areas.

9 “(B) 20 percent of the funds shall be ap-
10 portioned among the States in the ratio that—

11 “(i) the number of individuals with
12 disabilities in urbanized areas with a popu-
13 lation of less than 200,000 in each State;
14 bears to

15 “(ii) the number of individuals with
16 disabilities in urbanized areas with a popu-
17 lation of less than 200,000 in all States.

18 “(C) 20 percent of the funds shall be ap-
19 portioned among the States in the ratio that—

20 “(i) the number of individuals with
21 disabilities in other than urbanized areas
22 in each State; bears to

23 “(ii) the number of individuals with
24 disabilities in other than urbanized areas
25 in all States.

1 “(2) USE OF APPORTIONED FUNDS.—Except as
2 provided in paragraph (3)—

3 “(A) funds apportioned under paragraph
4 (1)(A) shall be used for projects serving urban-
5 ized areas with a population of 200,000 or
6 more;

7 “(B) funds apportioned under paragraph
8 (1)(B) shall be used for projects serving urban-
9 ized areas with a population of less than
10 200,000; and

11 “(C) funds apportioned under paragraph
12 (1)(C) shall be used for projects serving other
13 than urbanized areas.

14 “(3) LOW DENSITY ADJUSTMENT.—

15 “(A) SMALLER URBANIZED AREAS.—In
16 administering the apportionment formula under
17 paragraph (1)(B)—

18 “(i) in the case of a State with a pop-
19 ulation density of 10 or fewer persons per
20 square mile, the Secretary shall multiply
21 by a factor of 2 the number of individuals
22 with disabilities in urbanized areas of the
23 State with a population of less than
24 200,000 (as determined using the most re-
25 cent decennial United States Census); and

1 “(ii) in the case of a State with a pop-
2 ulation density of more than 10 but equal
3 to or fewer than 30 persons per square
4 mile, the Secretary shall multiply by a fac-
5 tor of 1.25 the number of individuals with
6 disabilities in urbanized areas of the State
7 with a population of less than 200,000 (as
8 determined using the most recent decennial
9 United States Census).

10 “(B) OTHER THAN URBANIZED AREAS.—
11 In administering the apportionment formula
12 under paragraph (1)(C)—

13 “(i) in the case of a State with a pop-
14 ulation density of 10 or fewer persons per
15 square mile in other than urbanized areas
16 of the State, the Secretary shall multiply
17 by a factor of 1.5 the number of individ-
18 uals with disabilities in other than urban-
19 ized areas of the State (as determined
20 using the most recent decennial United
21 States Census); and

22 “(ii) in the case of a State with a pop-
23 ulation density of more than 10 but equal
24 to or fewer than 12 persons per square
25 mile in other than urbanized areas of the

1 State, the Secretary shall multiply by a
2 factor of 1.25 the number of individuals
3 with disabilities in other than urbanized
4 areas of the State (as determined using the
5 most recent decennial United States Cen-
6 sus).

7 “(4) TRANSFERS.—

8 “(A) IN GENERAL.—A State may transfer
9 any funds apportioned to it under paragraph
10 (1)(B) or (1)(C), or both, to an apportionment
11 under section 5311(c) or 5336, or both.

12 “(B) LIMITED TO ELIGIBLE PROJECTS.—
13 Any funds transferred pursuant to this para-
14 graph shall be made available only for eligible
15 projects selected under this section.

16 “(C) CONSULTATION.—A State may make
17 a transfer of an amount under this subsection
18 only after consulting with responsible local offi-
19 cials and publicly owned operators of public
20 transportation in each area for which the
21 amount originally was awarded under sub-
22 section (d)(4).

23 “(d) COMPETITIVE PROCESS FOR GRANTS TO SUB-
24 RECIPIENTS.—

1 “(1) AREAWIDE SOLICITATIONS.—A recipient of
2 funds apportioned under subsection (c)(1)(A) shall
3 conduct, in cooperation with the appropriate metro-
4 politan planning organization, an areawide solicita-
5 tion for applications for grants to the recipient and
6 subrecipients under this section.

7 “(2) STATEWIDE SOLICITATION.—A recipient of
8 funds apportioned under subsection (c)(1)(B) or
9 (c)(1)(C) shall conduct a statewide solicitation for
10 applications for grants to the recipient and sub-
11 recipients under this section.

12 “(3) APPLICATION.—Recipients and subrecipi-
13 ents seeking to receive a grant from funds appor-
14 tioned under subsection (c) shall submit to the re-
15 cipient an application in the form and in accordance
16 with such requirements as the recipient shall estab-
17 lish.

18 “(4) GRANT AWARDS.—The recipient shall
19 award grants under paragraphs (1) and (2) on a
20 competitive basis.

21 “(e) GRANT REQUIREMENTS.—

22 “(1) IN GENERAL.—Except as provided in para-
23 graph (2), a grant under this section shall be subject
24 to all the requirements of section 5307.

1 “(2) EMPLOYEE PROTECTIVE ARRANGE-
2 MENTS.—Section 5333(b) shall apply to grants
3 under this section, except that the Secretary of
4 Labor shall utilize, for urbanized areas with a popu-
5 lation of less than 200,000 and for other than ur-
6 banized areas, a special warranty described in sec-
7 tion 215.7 of title 29, Code of Federal Regulations
8 (as in effect on the date of enactment of the Federal
9 Public Transportation Act of 2005), that provides a
10 fair and equitable arrangement to protect the inter-
11 est of employees.

12 “(3) FAIR AND EQUITABLE DISTRIBUTION.—A
13 recipient of a grant under this section shall certify
14 that allocations of the grant to subrecipients are dis-
15 tributed on a fair and equitable basis.

16 “(f) COORDINATION.—

17 “(1) IN GENERAL.—The Secretary shall coordi-
18 nate activities under this section with related activi-
19 ties under programs of other Federal departments
20 and agencies.

21 “(2) WITH NONPROFIT PROVIDERS.—A recipi-
22 ent that transfers funds to an apportionment under
23 section 5336 pursuant to subsection (c)(2) shall cer-
24 tify that the project for which the funds are re-

1 requested under this section has been coordinated with
2 nonprofit providers of services.

3 “(3) PROJECT SELECTION AND PLANNING.—
4 Beginning in fiscal year 2007, a recipient of funds
5 under this section shall certify that—

6 “(A) the projects selected were derived
7 from a locally developed, coordinated public
8 transit-human services transportation plan; and

9 “(B) the plan was developed through a
10 process that included representatives of public,
11 private, and nonprofit transportation and
12 human services providers and participation by
13 the public.

14 “(g) GOVERNMENT’S SHARE OF COSTS.—

15 “(1) CAPITAL PROJECTS.—A grant for a capital
16 project under this section may not exceed 80 percent
17 of the net capital costs of the project, as determined
18 by the Secretary.

19 “(2) OPERATING ASSISTANCE.—A grant made
20 under this section for operating assistance may not
21 exceed 50 percent of the net operating costs of the
22 project, as determined by the Secretary.

23 “(3) REMAINDER.—The remainder of the net
24 project costs—

1 “(A) may be provided from an undistrib-
2 uted cash surplus, a replacement or deprecia-
3 tion cash fund or reserve, a service agreement
4 with a State or local social service agency or a
5 private social service organization, or new cap-
6 ital; and

7 “(B) may be derived from amounts appro-
8 priated to or made available to a department or
9 agency of the Government (other than the De-
10 partment of Transportation) that are eligible to
11 be expended for transportation.

12 “(4) USE OF CERTAIN FUNDS.—For purposes
13 of paragraph (3)(B), the prohibitions on the use of
14 funds for matching requirements under section
15 403(a)(5)(C)(vii) of the Social Security Act (42
16 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal
17 or State funds to be used for transportation pur-
18 poses.

19 “(5) LIMITATION ON OPERATING ASSIST-
20 ANCE.—A recipient carrying out a program of oper-
21 ating assistance under this section may not limit the
22 level or extent of use of the Government grant for
23 the payment of operating expenses.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 chapter 53 is amended by inserting after the item relating
3 to section 5316 the following:

“5317. New freedom program.”.

4 **SEC. 3019. BUS TESTING FACILITY.**

5 (a) IN GENERAL.—Section 5318 is amended—

6 (1) by striking subsection (a) and inserting the
7 following:

8 “(a) FACILITY.—The Secretary of Transportation
9 shall maintain one facility for testing a new bus model
10 for maintainability, reliability, safety, performance (in-
11 cluding braking performance), structural integrity, fuel
12 economy, emissions, and noise.”;

13 (2) in subsection (d) by striking “under section
14 5309(m)(1)(C) of this title” and inserting “to carry
15 out this section”; and

16 (3) by striking subsection (e) and inserting the
17 following:

18 “(e) ACQUIRING NEW BUS MODELS.—Amounts ap-
19 propriated or made available under this chapter may be
20 obligated or expended to acquire a new bus model only
21 if a bus of that model has been tested at the facility main-
22 tained by the Secretary under subsection (a).”.

23 (b) CONFORMING AMENDMENT.—Section 5323(c) is
24 repealed.

1 **SEC. 3020. BICYCLE FACILITIES.**

2 The first sentence of section 5319 is amended—

3 (1) by striking “5309(h),” and inserting
4 “5309(g),”; and

5 (2) by striking “and 5311” and inserting
6 “5311, and 5320”.

7 **SEC. 3021. TRANSIT IN THE PARKS PILOT PROGRAM.**

8 (a) IN GENERAL.—Section 5320 is amended to read
9 as follows:

10 **“§ 5320. Transit in the parks pilot program**

11 “(a) PUBLIC TRANSPORTATION DEFINED.—In this
12 section, the term ‘public transportation’ means general or
13 special transportation to the public by a conveyance that
14 is publicly or privately owned. Such term does not include
15 schoolbus or charter transportation but does include sight-
16 seeing transportation.

17 “(b) ESTABLISHMENT.—Not later than 90 days after
18 the date of enactment of the Federal Public Transpor-
19 tation Act of 2005, the Secretary of Transportation and
20 the Secretary of the Interior shall enter into a memo-
21 randum of understanding to establish a transit in the
22 parks pilot program in accordance with the requirements
23 of this section.

24 “(c) PURPOSE.—The purpose of the pilot program
25 shall be to encourage and promote the development of
26 transportation systems described in section 5301(a) within

1 units of the National Park System to improve visitor mo-
2 bility and enjoyment (including visitors with disabilities),
3 reduce pollution and congestion, and enhance resource
4 protection through the use of public transportation.

5 “(d) ADMINISTRATION OF PROGRAM.—The program
6 shall be administered by the Secretary of Transportation,
7 in consultation with the Secretary of the Interior.

8 “(e) MEMORANDUM OF UNDERSTANDING.—

9 “(1) PLANNING.—The memorandum of under-
10 standing under subsection (b) shall include transpor-
11 tation planning procedures that are consistent with
12 the metropolitan and statewide planning processes
13 required under chapter 52.

14 “(2) PROGRAMS.—The memorandum of under-
15 standing shall include descriptions of programs and
16 activities eligible for assistance under the pilot pro-
17 gram.

18 “(3) EXCEPTIONS.—The memorandum of un-
19 derstanding shall limit or modify the applicability of
20 the provisions referred to in subsection (f) to the ex-
21 tent necessary to carry out the objectives of this sec-
22 tion and to be compatible with the laws and regula-
23 tions governing units of the National Park System.

24 “(f) ELIGIBLE USE OF FUNDS.—Except as provided
25 under subsection (e)(3), the Secretary may provide funds

1 made available to carry out this section to the Secretary
2 of the Interior under interagency agreements for the fol-
3 lowing purposes:

4 “(1) PLANNING, ENGINEERING, DESIGN, AND
5 EVALUATION.—Planning, engineering, design, and
6 evaluation of public transportation projects in units
7 of the National Park System, and for technical stud-
8 ies, in accordance with section 5305(b)(2).

9 “(2) PUBLIC TRANSPORTATION CAPITAL
10 PROJECTS.—Public transportation capital projects
11 (as defined in section 5302(a)(1)) for such units in
12 accordance with all the terms and conditions to
13 which a grant is made under subsections (a), (b),
14 (c), and (d) of section 5307 and such other terms
15 and conditions as are determined by the Secretary.
16 The Secretary of the Interior shall act as the des-
17 ignated recipient for the purposes of subsection
18 (a)(2) of section 5307.

19 “(3) OPERATING COSTS.—Operating costs of
20 equipment and facilities used in public transpor-
21 tation for such units.

22 “(g) GOVERNMENT’S SHARE OF COSTS.—

23 “(1) CAPITAL PROJECTS.—The Government
24 share of the cost of any capital project or activity

1 under this section shall be 100 percent of the costs
2 of the project, as determined by the Secretary.

3 “(2) OPERATING ASSISTANCE.—A grant made
4 under this section for operating assistance may not
5 exceed 50 percent of the net operating costs of the
6 project, as determined by the Secretary.

7 “(h) SAVINGS CLAUSE.—Nothing in this section shall
8 be construed as superseding, amending, modifying, or re-
9 pealing any provision of law applicable to units of the Na-
10 tional Park System.”.

11 (b) CONFORMING AMENDMENT.—The analysis for
12 such chapter is further amended by striking the item relat-
13 ing to section 5320 and inserting the following:

“5320. Transit in the parks pilot program.”.

14 **SEC. 3022. HUMAN RESOURCE PROGRAMS.**

15 Section 5322 is amended—

16 (1) by inserting “(a) In General.—” before
17 “The Secretary”; and

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

19 “(b) GRANTS TO HIGHER LEARNING INSTITU-
20 TIONS.—

21 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
22 retary may make grants to nonprofit institutions of
23 higher learning—

1 “(A) to conduct research and investiga-
2 tions into the theoretical or practical problems
3 of public transportation; and

4 “(B) to train individuals to conduct fur-
5 ther research or obtain employment in an orga-
6 nization that plans, builds, operates, or man-
7 ages a public transportation system.

8 “(2) RESEARCH AND INVESTIGATIONS.—Re-
9 search and investigations under this subsection in-
10 clude—

11 “(A) the design and use of public transpor-
12 tation systems and public roads and highways;

13 “(B) the interrelationship between various
14 modes of urban, suburban, rural, and intercity
15 transportation;

16 “(C) the role of transportation planning in
17 overall urban planning;

18 “(D) public preferences in transportation;

19 “(E) the economic allocation of transpor-
20 tation resources; and

21 “(F) the legal, financial, engineering, and
22 esthetic aspects of public transportation.

23 “(3) PREFERENCE.—When making a grant
24 under this subsection, the Secretary shall give pref-
25 erence to an institution that brings together knowl-

1 edge and expertise in the various social science and
2 technical disciplines related to public transportation
3 problems.

4 “(c) FELLOWSHIPS.—

5 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
6 retary may make grants to States, local govern-
7 mental authorities, and operators of public transpor-
8 tation systems to provide fellowships to train per-
9 sonnel employed in managerial, technical, and pro-
10 fessional positions in the public transportation field.

11 “(2) TERMS.—

12 “(A) PERIOD OF TRAINING.—A fellowship
13 under this subsection may be for not more than
14 one year of training in an institution that offers
15 a program applicable to the public transpor-
16 tation industry.

17 “(B) SELECTION OF INDIVIDUALS.—The
18 recipient of the grant shall select an individual
19 on the basis of demonstrated ability and for the
20 contribution the individual reasonably can be
21 expected to make to an efficient public trans-
22 portation operation.

23 “(C) AMOUNT.—A grant for a fellowship
24 may not be more than the lesser of \$65,000 or
25 75 percent of—

1 “(i) tuition and other charges to the
2 fellowship recipient;

3 “(ii) additional costs incurred by the
4 training institution and billed to the grant
5 recipient; and

6 “(iii) the regular salary of the fellow-
7 ship recipient for the period of the fellow-
8 ship to the extent the salary is actually
9 paid or reimbursed by the grant recipi-
10 ent.”.

11 **SEC. 3023. GENERAL PROVISIONS ON ASSISTANCE.**

12 (a) INTERESTS IN PROPERTY.—Section 5323(a)(1) is
13 amended—

14 (1) in the matter preceding subparagraph (A)—

15 (A) by striking “private mass transpor-
16 tation company” each place it appears and in-
17 serting “private company engaged in public
18 transportation”;

19 (B) by striking “mass transportation
20 equipment or a mass transportation facility”
21 and inserting “a public transportation facility
22 or equipment”; and

23 (C) by striking “mass transportation com-
24 pany” and inserting “public transportation
25 company”; and

1 (2) in subparagraph (B) by striking “private
2 mass transportation companies” and inserting “pri-
3 vate companies engaged in public transportation”.

4 (b) NOTICE AND PUBLIC HEARING.—Section
5 5323(b) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “(1) An application” and
8 inserting the following:

9 “(1) APPLICATIONS.—An application”;

10 (B) in the matter preceding subparagraph

11 (A) by striking “or loan”; and

12 (C) by moving subparagraphs (A) through
13 (D) 2 ems to the right;

14 (2) in paragraph (2) by striking “(2) Notice of”
15 and inserting the following:

16 “(2) NOTICE.—Notice of”; and

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

18 “(3) ENVIRONMENTAL RECORD.—An applicant
19 shall include in the environmental record for a
20 project under this chapter evidence that the appli-
21 cant has complied with the requirements of subpara-
22 graphs (A) through (D) of paragraph (1).”.

23 (c) CONDITION ON CHARTER BUS TRANSPORTATION
24 SERVICE.—Section 5323(d) is amended—

1 (1) by striking “(1) Financial assistance” and
2 inserting the following:

3 “(1) AGREEMENTS.—Financial assistance”; and

4 (2) by striking paragraph (2) and inserting the
5 following:

6 “(2) VIOLATIONS.—

7 “(A) INVESTIGATIONS.—On receiving a
8 complaint about a violation of the agreement
9 required under paragraph (1), the Secretary
10 shall investigate and decide whether a violation
11 has occurred.

12 “(B) ENFORCEMENT OF AGREEMENTS.—If
13 the Secretary decides that a violation has oc-
14 curred, the Secretary shall correct the violation
15 under terms of the agreement.

16 “(C) ADDITIONAL REMEDIES.—In addition
17 to any remedy specified in the agreement, the
18 Secretary shall bar a recipient or an operator
19 from receiving Federal transit assistance in an
20 amount the Secretary considers appropriate if
21 the Secretary finds a pattern of violations of
22 the agreement.”.

23 (d) BOND PROCEEDS ELIGIBLE FOR LOCAL
24 SHARE.—Section 5323(e) is amended to read as follows:

1 “(e) BOND PROCEEDS ELIGIBLE FOR LOCAL
2 SHARE.—

3 “(1) USE AS LOCAL MATCHING FUNDS.—Not-
4 withstanding any other provision of law, a recipient
5 of assistance under section 5307 or 5309 may use
6 the proceeds from the issuance of revenue bonds as
7 part of the local matching funds for a capital
8 project.

9 “(2) MAINTENANCE OF EFFORT.—The Sec-
10 retary shall approve of the use of the proceeds from
11 the issuance of revenue bonds for the remainder of
12 the net project cost only if the Secretary finds that
13 the aggregate amount of financial support for public
14 transportation in the urbanized area provided by the
15 State and affected local governmental authorities
16 during the next 3 fiscal years, as programmed in the
17 State transportation improvement program under
18 chapter 52 is not less than the aggregate amount
19 provided by the State and affected local govern-
20 mental authorities in the urbanized area during the
21 preceding 3 fiscal years.

22 “(3) DEBT SERVICE RESERVE.—The Secretary
23 may reimburse an eligible recipient for deposits of
24 bond proceeds in a debt service reserve that recipient
25 established pursuant to section 5302(a)(1)(K) from

1 amounts made available to the recipient under sec-
2 tion 5307 or 5309, or both; except that such reim-
3 bursement in a fiscal year may not exceed 10 per-
4 cent of the amounts made available to the recipient
5 under section 5307 in such fiscal year.”.

6 (e) SCHOOLBUS TRANSPORTATION.—Section 5323(f)
7 is amended—

8 (1) by striking “(1) Financial assistance” and
9 inserting the following:

10 “(1) AGREEMENTS.—Financial assistance”;

11 (2) in paragraph (1) by moving subparagraphs
12 (A), (B), and (C) 2 ems to the right; and

13 (3) by striking paragraph (2) and inserting the
14 following:

15 “(2) VIOLATIONS.—If the Secretary finds that
16 an applicant, governmental authority, or publicly
17 owned operator has violated the agreement required
18 under paragraph (1), the Secretary shall bar a re-
19 cipient or an operator from receiving Federal transit
20 assistance in an amount the Secretary considers ap-
21 propriate.”.

22 (f) BUYING BUSES UNDER OTHER LAWS.—Section
23 5323(g) is amended by striking “103(e)(4)” each place
24 it appears and inserting “133”.

25 (g) BUY AMERICA.—

1 (1) PUBLIC INTEREST WAIVER.—Section
2 5323(j) is amended—

3 (A) by redesignating paragraphs (3)
4 through (7) as paragraphs (4) through (8), re-
5 spectively; and

6 (B) by inserting after paragraph (2) the
7 following:

8 “(3) WRITTEN JUSTIFICATION FOR PUBLIC IN-
9 TEREST WAIVER.—When issuing a waiver based on
10 a public interest determination under paragraph
11 (2)(A), the Secretary shall issue a detailed written
12 justification as to why the waiver is in the public in-
13 terest. The Secretary shall publish such justification
14 in the Federal Register and provide the public with
15 a reasonable period of time for notice and com-
16 ment.”.

17 (2) INELIGIBILITY FOR CONTRACTS.—Section
18 5323(j)(6) (as so redesignated) is amended by strik-
19 ing “Intermodal Surface Transportation Efficiency
20 Act of 1991 (Public Law 102–240, 105 Stat.
21 1914)” and inserting “Federal Public Transpor-
22 tation Act of 2004”.

23 (3) ADMINISTRATIVE REVIEW.—Section 5323(j)
24 is amended by adding at the end the following:

1 “(9) ADMINISTRATIVE REVIEW.—A party ad-
2 versely affected by an agency action under this sub-
3 section shall have the right to seek review under sec-
4 tion 702 of title 5.”.

5 (4) REPEAL OF GENERAL WAIVER.—Sub-
6 sections (b) and (c) of Appendix A of section 661.7
7 of title 49, Code of Federal Regulations, shall cease
8 to be in effect beginning on the date of enactment
9 of this Act.

10 (5) RULEMAKING.—Not later than 180 days
11 after the date of enactment of this Act, the Sec-
12 retary shall issue a final rule on implementation of
13 the requirements of section 5323(j) of title 49,
14 United States Code (in this paragraph referred to as
15 the “Buy America requirements”). The purposes of
16 the regulations shall be as follows:

17 (A) MICROPROCESSOR WAIVER.—To clarify
18 that any waiver from the Buy America require-
19 ments issued under section 5323(j)(2) of such
20 title for a microprocessor, computer, or micro-
21 computer applies only to a device used solely for
22 the purpose of processing or storing data and
23 does not extend to a product containing a
24 microprocessor, computer, or microcomputer.

1 (B) DEFINITIONS.—To define the terms
2 “end product”, “negotiated procurement”, and
3 “contractor” for purposes of part 661 of title
4 49, Code of Federal Regulations. In defining
5 the terms, the Secretary shall develop a list of
6 representative items that are subject to the Buy
7 America requirements, and shall address the
8 procurement of systems under the definition to
9 ensure that major system procurements are not
10 used to circumvent the Buy America require-
11 ments.

12 (C) POST-AWARD WAIVERS.—To permit a
13 grantee to request a non-availability waiver
14 from the Buy America requirements under sec-
15 tion 661.7c of title 49, Code of Federal Regula-
16 tions, after contract award in any case in which
17 the contractor has made a certification of com-
18 pliance with the requirements in good faith.

19 (D) CERTIFICATION UNDER NEGOTIATED
20 PROCUREMENT PROCESS.—In any case in which
21 a negotiated procurement process is used, com-
22 pliance with the Buy America requirements
23 shall be determined on the basis of the certifi-
24 cation submitted with the final offer.

1 (h) GRANT REQUIREMENTS.—Section 5323(o) is
2 amended by striking “the Transportation Infrastructure
3 Finance and Innovation Act of 1998” and inserting
4 “chapter 6 (other than section 609) of title 23”.

5 (i) GOVERNMENT SHARE OF COSTS FOR CERTAIN
6 PROJECTS.—Section 5323(i) is amended—

7 (1) by striking “(including clean fuel or alter-
8 native fuel vehicle-related equipment)”; and

9 (1) by inserting “or facilities” after “equip-
10 ment” each place it occurs.

11 (j) ALTERNATIVE FUELING FACILITIES.—Section
12 5323 is further amended by adding at the end the fol-
13 lowing:

14 “(p) ALTERNATIVE FUELING FACILITIES.—A recipi-
15 ent of assistance under this chapter may allow the inci-
16 dental use of Federally funded alternative fueling facilities
17 and equipment by nontransit public entities and private
18 entities if—

19 “(1) the incidental use does not interfere with
20 the recipient’s public transportation operations;

21 “(2) all costs related to the incidental use are
22 fully recaptured by the recipient from the nontransit
23 public entity or private entity;

1 “(3) the recipient uses revenues received from
2 the incidental use in excess of costs for eligible
3 projects under this chapter; and

4 “(4) private entities pay all applicable excise
5 taxes on fuel.”.

6 **SEC. 3024. SPECIAL PROVISIONS FOR CAPITAL PROJECTS.**

7 (a) IN GENERAL.—Section 5324 is amended to read
8 as follows:

9 **“§ 5324. Special provisions for capital projects**

10 “(a) RELOCATION PROGRAM REQUIREMENTS.—Fi-
11 nancial assistance may be provided under section 5309
12 only if the Secretary decides that—

13 “(1) an adequate relocation program is being
14 carried out for families displaced by a project; and

15 “(2) an equal number of decent, safe, and sani-
16 tary dwellings are being, or will be, provided to those
17 families in the same area or in another area gen-
18 erally not less desirable for public utilities and public
19 and commercial facilities, at rents or prices within
20 the financial means of those families, and with rea-
21 sonable access to their places of employment.

22 “(b) CONSIDERATION OF ECONOMIC, SOCIAL, AND
23 ENVIRONMENTAL INTERESTS.—

24 “(1) COOPERATION AND CONSULTATION.—In
25 carrying out the policy of section 5301(e), the Sec-

1 retary shall cooperate and consult with the Secre-
2 taries of the Interior, Health and Human Services,
3 and Housing and Urban Development and the Ad-
4 ministrators of the Environmental Protection Agency
5 on each project that may have a substantial impact
6 on the environment.

7 “(2) PUBLIC PARTICIPATION IN ENVIRON-
8 MENTAL REVIEWS.—In performing environmental
9 reviews, the Secretary shall review each transcript of
10 a hearing submitted under section 5323(b) to estab-
11 lish that an adequate opportunity to present views
12 was given to all parties having a significant eco-
13 nomic, social, or environmental interest in the
14 project, and that the project application includes a
15 record of—

16 “(A) the environmental impact of the pro-
17 posal;

18 “(B) adverse environmental effects that
19 cannot be avoided;

20 “(C) alternatives to the proposal; and

21 “(D) irreversible and irretrievable impacts
22 on the environment.

23 “(3) APPROVAL OF APPLICATIONS FOR ASSIST-
24 ANCE.—

1 “(A) FINDINGS BY THE SECRETARY.—The
2 Secretary may approve an application for finan-
3 cial assistance for a capital project in accord-
4 ance with this chapter only if the Secretary
5 makes written findings, after reviewing the ap-
6 plication and the transcript of any hearing held
7 before a State or local governmental authority
8 under section 5323(b), that—

9 “(i) an adequate opportunity to
10 present views was given to all parties hav-
11 ing a significant economic, social, or envi-
12 ronmental interest;

13 “(ii) the preservation and enhance-
14 ment of the environment and the interest
15 of the community in which the project is
16 located were considered; and

17 “(iii) no adverse environmental effect
18 is likely to result from the project, or no
19 feasible and prudent alternative to the ef-
20 fect exists and all reasonable steps have
21 been taken to minimize the effect.

22 “(B) HEARING.—If a hearing has not been
23 conducted or the Secretary decides that the
24 record of the hearing is inadequate for making
25 the findings required by this subsection, the

1 Secretary shall conduct a hearing on an envi-
2 ronmental issue raised by the application after
3 giving adequate notice to interested persons.

4 “(C) AVAILABILITY OF FINDINGS.—The
5 Secretary’s findings under subparagraph (A)
6 shall be made a matter of public record.”.

7 (b) CONFORMING AMENDMENT.—The analysis for
8 chapter 53 is amended by striking the item relating to
9 section 5324 and inserting the following:

“5324. Special provisions for capital projects.”.

10 **SEC. 3025. CONTRACT REQUIREMENTS.**

11 (a) IN GENERAL.—Section 5325 is amended—

12 (1) by striking subsections (a) and (b) and in-
13 serting the following:

14 “(a) COMPETITION.—Recipients of Federal assist-
15 ance under this chapter shall conduct all procurement
16 transactions involving such assistance in a manner pro-
17 viding full and open competition, as determined by the
18 Secretary.

19 “(b) ARCHITECTURAL, ENGINEERING, AND DESIGN
20 CONTRACTS.—

21 “(1) PROCEDURES FOR AWARDING CON-
22 TRACT.—A contract or requirement for program
23 management, architectural engineering, construction
24 management, a feasibility study, and preliminary en-
25 gineering, design, architectural, engineering, sur-

1 veying, mapping, or related services for a project for
2 which Federal assistance is provided under this
3 chapter shall be awarded in the same way as a con-
4 tract for architectural and engineering services is ne-
5 gotiated under chapter 11 of title 40 or an equiva-
6 lent qualifications-based requirement of a State.

7 “(2) EFFECT OF STATE LAWS.—This sub-
8 section does not apply to the extent a State has
9 adopted, before the date of enactment of the Federal
10 Public Transportation Act of 2005, by law a formal
11 procedure for procuring those services.

12 “(3) ADMINISTRATION OF CONTRACTS.—When
13 awarding such contracts, recipients of assistance
14 under this chapter shall maximize efficiencies of ad-
15 ministration by accepting nondisputed audits con-
16 ducted by other governmental agencies as follows:

17 “(A) PERFORMANCE OF AUDITS.—Any
18 contract or subcontract awarded under this
19 chapter shall be performed and audited in com-
20 pliance with cost principles contained in the
21 Federal Acquisition Regulation (part 31 of title
22 48, Code of Federal Regulations).

23 “(B) INDIRECT COST RATES.—Instead of
24 performing its own audits, a recipient of funds
25 under a contract or subcontract awarded under

1 this chapter shall accept indirect cost rates es-
2 tablished in accordance with the Federal Acqui-
3 sition Regulation for one-year applicable ac-
4 counting periods by a cognizant Federal or
5 State government agency, if such rates are not
6 currently under dispute.

7 “(C) APPLICATION OF RATES.—Once a
8 firm’s indirect cost rates are accepted under
9 this paragraph, the recipient of the funds shall
10 apply such rates for the purposes of contract
11 estimation, negotiation, administration, report-
12 ing, and contract payment and shall not be lim-
13 ited by administrative or de facto ceilings.

14 “(D) PRENOTIFICATION; CONFIDEN-
15 TIALITY OF DATA.—A recipient of funds re-
16 questing or using the cost and rate data de-
17 scribed in paragraph (3) shall notify any af-
18 fected firm before such request or use. Such
19 data shall be confidential and shall not be ac-
20 cessible or provided, in whole or in part, to an-
21 other firm or to any government agency that is
22 not part of the group of agencies sharing cost
23 data under this paragraph, except by written
24 permission of the audited firm. If prohibited by

1 law, such cost and rate data shall not be dis-
2 closed under any circumstances.”; and

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

4 “(d) DESIGN-BUILD SYSTEM PROJECTS.—

5 “(1) DEFINITION.—In this section, the term
6 ‘design-build system project’ means a project under
7 which a recipient enters into a contract with a seller,
8 firm, or consortium of firms to design and build a
9 public transportation system or an operable segment
10 thereof that meets specific performance criteria.
11 Such project may also include an option to finance,
12 or operate for a period of time, the system or seg-
13 ment or any combination of designing, building, op-
14 erating, or maintaining such system or segment.

15 “(2) FINANCIAL ASSISTANCE.—Government fi-
16 nancial assistance under this chapter may be made
17 available for the capital costs of a design-build sys-
18 tem project after the recipient complies with Govern-
19 ment requirements.

20 “(e) MULTIYEAR ROLLING STOCK.—

21 “(1) CONTRACTS.—A recipient procuring roll-
22 ing stock with Government financial assistance
23 under this chapter may make a multiyear contract
24 to buy the rolling stock and replacement parts under
25 which the recipient has an option to buy additional

1 rolling stock or replacement parts for not more than
2 5 years after the date of the original contract.

3 “(2) COOPERATION AMONG RECIPIENTS.—The
4 Secretary shall allow at least 2 recipients to act on
5 a cooperative basis to procure rolling stock in com-
6 pliance with this subsection and other Government
7 procurement requirements.

8 “(f) ACQUIRING ROLLING STOCK.—A recipient of fi-
9 nancial assistance under this chapter may enter into a
10 contract to expend that assistance to acquire rolling
11 stock—

12 “(1) based on—

13 “(A) initial capital costs; or

14 “(B) performance, standardization, life
15 cycle costs, and other factors; or

16 “(2) with a party selected through a competi-
17 tive procurement process.

18 “(g) EXAMINATION OF THE RECORDS.—Upon re-
19 quest, the Secretary, the Comptroller General, or a rep-
20 resentative of the Secretary or the Comptroller General
21 shall have access to and the right to examine and inspect
22 all records, documents, papers, including contracts, re-
23 lated to a project for which a grant is made under this
24 chapter.

1 “(h) GRANT PROHIBITIONS.—A grant may not be
2 used to support a procurement that uses an exclusionary
3 or discriminatory specification.

4 “(i) BUS DEALER REQUIREMENTS.—No State law
5 requiring buses to be purchased through in-State dealers
6 shall apply to vehicles purchased with a grant under this
7 chapter.”.

8 (b) CONFORMING AMENDMENTS.—Section 5326, and
9 the item relating to section 5326 in the analysis for chap-
10 ter 53, are repealed.

11 **SEC. 3026. PROJECT MANAGEMENT OVERSIGHT AND RE-**
12 **VIEW.**

13 (a) PROJECT MANAGEMENT PLAN REQUIRE-
14 MENTS.—Section 5327(a) is amended—

15 (1) by striking “and” at the end of paragraph

16 (11);

17 (2) by striking the period at the end of para-
18 graph (12) and inserting “; and”; and

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

20 “(13) safety and security management.”.

21 (b) LIMITATIONS.—Section 5327(c) is amended to
22 read as follows:

23 “(c) LIMITATIONS.—

24 “(1) LIMITATIONS ON USE OF AVAILABLE
25 AMOUNTS.—The Secretary may use not more than

1 .5 percent of amounts made available for a fiscal
2 year to carry out section 5311, not more than .75
3 percent of amounts made available for a fiscal year
4 to carry out section 5307, and not more than 1 per-
5 cent of amounts made available for a fiscal year to
6 carry out section 5309 to make contracts for the fol-
7 lowing activities:

8 “(A) To oversee the construction of a
9 major project.

10 “(B) To review and audit the safety and
11 security, procurement, management, and finan-
12 cial compliance of a recipient or subrecipient of
13 funds under sections 5307, 5309, and 5311.

14 “(C) To provide technical assistance to
15 correct deficiencies identified in compliance re-
16 views and audits carried out under this section.

17 “(2) LIMITATIONS ON APPLICABILITY.—Sub-
18 sections (a), (b), and (e) do not apply to contracts
19 under this section for activities described in para-
20 graphs (1)(B) and (1)(C).

21 “(3) GOVERNMENT’S SHARE OF COSTS.—The
22 Government shall pay the entire cost of carrying out
23 a contract under this subsection.”

1 **SEC. 3027. INVESTIGATIONS OF SAFETY AND HAZARDS.**

2 (a) IN GENERAL.—Section 5329 is amended to read
3 as follows:

4 **“§ 5329. Investigation of safety and hazards**

5 “(a) IN GENERAL.—The Secretary may investigate
6 safety and security risks associated with a condition in
7 equipment, a facility, or an operation financed under this
8 chapter that the Secretary believes causes a serious hazard
9 of death or injury to establish the nature and extent of
10 the condition and how to eliminate, mitigate, or correct
11 it.

12 “(b) PLANS FOR ELIMINATING, MITIGATING, OR
13 CORRECTING HAZARDS.—If the Secretary establishes that
14 a condition causes a hazard, the Secretary shall require
15 the local governmental authority receiving amounts under
16 this chapter to submit a plan for eliminating, mitigating,
17 or correcting it.

18 “(c) WITHHOLDING FINANCIAL ASSISTANCE.—Fi-
19 nancial assistance under this chapter, in an amount to be
20 determined by the Secretary, may be withheld until a plan
21 is approved and carried out.”.

22 (b) CONFORMING AMENDMENT.—The analysis for
23 chapter 53 is amended by striking the item relating to
24 section 5329 and inserting the following:

“5329. Investigation of safety and hazards.”.

1 **SEC. 3028. STATE SAFETY OVERSIGHT.**

2 (a) IN GENERAL.—Section 5330 is amended—

3 (1) by striking the section heading and all that
4 follows through subsection (a) and inserting the fol-
5 lowing:

6 **“§ 5330. State safety oversight**

7 “(a) APPLICATION.—This section applies only to—

8 “(1) States that have rail fixed guideway public
9 transportation systems not subject to regulation by
10 the Federal Railroad Administration; and

11 “(2) States that are designing rail fixed guide-
12 way public transportation systems that will not be
13 subject to regulation by the Federal Railroad Ad-
14 ministration.”;

15 (2) in subsection (d) by inserting “shall ensure
16 uniform safety standards and enforcement and”
17 after “affected States”; and

18 (3) by striking subsection (f).

19 (b) CONFORMING AMENDMENT.—The analysis for
20 chapter 53 is amended by striking the item relating to
21 section 5330 and inserting the following:

“5330. State safety oversight.”.

22 **SEC. 3029. CONTROLLED SUBSTANCES AND ALCOHOL MIS-**
23 **USE TESTING.**

24 (a) DEFINITIONS.—Section 5331(a)(3) is amended
25 by striking the period at the end and inserting the fol-

1 lowing: “or section 2303a, 7101(i), or 7302(e) of title 46.
2 The Secretary may also decide that a form of public trans-
3 portation is covered adequately, for employee alcohol and
4 controlled substances testing purposes, under the alcohol
5 and controlled substance statutes or regulations of an
6 agency within the Department of Transportation or the
7 Coast Guard.”.

8 (b) TECHNICAL CORRECTIONS.—Subsections (b)(1)
9 and (g) of section 5331 are each amended by striking “or
10 section 103(e)(4) of title 23”.

11 (c) REGULATIONS.—Section 5331(f) is amended by
12 striking paragraph (3).

13 **SEC. 3030. EMPLOYEE PROTECTIVE ARRANGEMENTS.**

14 Section 5333(b)(1) is amended by striking “5318(d),
15 5323(a)(1), (b), (d), and (e), 5328, 5337, and 5338(b)”
16 each place it appears and inserting “5316, 5317, 5318,
17 5320, 5323(a)(1), 5323(b), 5323(d), 5328, 5337,
18 5338(b), 5338(g), and 5338(h)”.

19 **SEC. 3031. ADMINISTRATIVE PROCEDURES.**

20 Section 5334 is amended—

21 (1) in subsection (a)—

22 (A) by striking “and” at the end of para-
23 graph (9);

24 (B) by striking the period at the end of
25 paragraph (10) and inserting “; and”; and

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

2 “(11) issue regulations as necessary to carry
3 out the purposes of this chapter.”;

4 (2) by striking subsection (i);

5 (3) by redesignating subsections (b) through (h)
6 as subsections (c) through (i), respectively;

7 (4) by inserting after subsection (a) the fol-
8 lowing:

9 “(b) PROHIBITIONS AGAINST REGULATING OPER-
10 ATIONS AND CHARGES.—

11 “(1) IN GENERAL.—Except for purposes of na-
12 tional defense or in the event of a national or re-
13 gional emergency, the Secretary may not regulate
14 the operation, routes, or schedules of a public trans-
15 portation system for which a grant is made under
16 this chapter, nor may the Secretary regulate the
17 rates, fares, tolls, rentals, or other charges pre-
18 scribed by any provider of public transportation.

19 “(2) LIMITATION ON STATUTORY CONSTRUC-
20 TION.—Nothing in this subsection shall be construed
21 to prevent the Secretary from requiring a recipient
22 of funds under this chapter to comply with the
23 terms and conditions of its Federal assistance agree-
24 ment.”;

1 (5) in subsection (c)(4) (as redesignated by
2 paragraph (3) of this section)—

3 (A) by striking “subsections (h) and (i)”
4 and inserting “subsection (i)”; and

5 (B) by striking “5323(c), 5323(e),
6 5324(c),”; and

7 (6) by adding at the end of subsection (c) (as
8 redesignated by paragraph (3) of this section) the
9 following:

10 “(5) NONREGULATORY SUBSTANTIVE POLICY
11 STATEMENTS.—The Secretary shall provide notice
12 and an opportunity for public comment at least 60
13 days before issuing any nonregulatory substantive
14 policy statements (regardless of the form of
15 issuance), including guidance, policy statements, and
16 regulatory interpretations.”.

17 **SEC. 3032. NATIONAL TRANSIT DATABASE.**

18 (a) IN GENERAL.—Section 5335 is amended—

19 (1) by striking the section heading and insert-
20 ing the following:

21 **“§ 5335. National transit database”;**

22 (2) by striking subsection (b); and

23 (3) in subsection (a)—

24 (A) by striking “(1) To help” and insert-
25 ing “To help”; and

1 (B) by striking “(2) The Secretary” and
2 inserting “(b) REPORTING AND UNIFORM SYS-
3 TEMS.—The Secretary”.

4 (b) CONFORMING AMENDMENT.—The analysis for
5 chapter 53 is amended by striking the item relating to
6 section 5335 and inserting the following:

“5335. National transit database.”.

7 **SEC. 3033. APPORTIONMENTS BASED ON FIXED GUIDEWAY**
8 **FACTORS.**

9 (a) DISTRIBUTION.—Section 5337 is amended—

10 (1) by striking the section designation and all
11 that follows before paragraph (1) of subsection (a)
12 and inserting the following:

13 **“§ 5337. Apportionment based on fixed guideway fac-**
14 **tors**

15 “(a) DISTRIBUTION.—The Secretary shall apportion
16 amounts made available for fixed guideway modernization
17 under sections 5338(b) and 5338(g) as follows:”;

18 (2) in subsection (a) by striking “(e)(1)” each
19 place it appears and inserting “(e)”; and

20 (3) in subsection (a) by striking “(e)(2)” each
21 place it appears and inserting “(e)”.

22 (b) ROUTE SEGMENTS TO BE INCLUDED IN APPOR-
23 TIONMENT FORMULAS.—Section 5337(e) is amended by
24 striking paragraph (1) and all that follows through “(2)
25 Other Standards.—”.

1 (c) CONFORMING AMENDMENT.—The item relating
2 to section 5337 in the table of sections for chapter 53 is
3 amended to read as follows:

“5337. Apportionment based on fixed guideway factors.”.

4 **SEC. 3034. AUTHORIZATIONS.**

5 Section 5338 is amended to read as follows:

6 **“§ 5338. Authorizations**

7 “(a) FORMULA GRANTS.—

8 “(1) FISCAL YEAR 2004.—

9 “(A) FROM TRUST FUND.—There shall be
10 available from the Mass Transit Account of the
11 Highway Trust Fund to carry out sections
12 5307, 5308, 5310, 5311, 5316, 5317, and 5318
13 of this chapter, 1118(b) of the Transportation
14 Equity Act: A Legacy for Users (relating to the
15 nonmotorized transportation pilot program),
16 and section 3038 of the Transportation Equity
17 Act for the 21st Century (49 U.S.C. 5310 note;
18 112 Stat. 392–393) \$3,132,304,000 for fiscal
19 year 2004.

20 “(B) FROM GENERAL FUND.—In addition
21 to amounts made available under subparagraph
22 (A), there are authorized to be appropriated to
23 carry out sections 5307, 5308, 5310, 5311,
24 5316, and 5318 of this chapter, 1118(b) of the
25 Transportation Equity Act: A Legacy for Users

1 (relating to the nonmotorized transportation
2 pilot program), and section 3038 of the Trans-
3 portation Equity Act for the 21st Century (49
4 U.S.C. 5310 note; 112 Stat. 392–393)
5 \$783,076,000 for fiscal year 2004.

6 “(C) ALLOCATION OF FUNDS.—Of the ag-
7 gregate of amounts made available by and ap-
8 propriated under this paragraph for a fiscal
9 year—

10 “(i) \$4,849,950 shall be available to
11 the Alaska Railroad for improvements to
12 its passenger operations under section
13 5307;

14 “(ii) \$125,000,000 shall be available
15 to provide job access and reverse commute
16 formula grants under section 5316;

17 “(iii) \$50,000,000 shall be available
18 to provide clean fuels formula grants under
19 section 5308;

20 “(iv) \$8,000,000 shall be available to
21 provide over-the-road bus accessibility
22 grants under section 3038 of the Trans-
23 portation Equity Act for the 21st Century
24 (49 U.S.C. 5310 note);

1 “(v) \$3,100,000 shall be available to
2 carry out bus testing under section 5318;

3 “(vi) \$93,110,751 shall be available to
4 provide transportation services to elderly
5 individuals and individuals with disabilities
6 under section 5310;

7 “(vii) \$297,954,404 shall be available
8 to provide financial assistance for other
9 than urbanized areas under section 5311;
10 and

11 “(viii) \$3,333,364,895 shall be avail-
12 able to provide financial assistance for ur-
13 banized areas under section 5307, subject
14 to section 3041(h) of the Federal Public
15 Transportation Act of 2005.

16 “(2) FISCAL YEARS 2005 THROUGH 2009.—

17 “(A) FROM TRUST FUND.—There shall be
18 available from the Mass Transit Account of the
19 Highway Trust Fund to carry out sections
20 5307, 5308, 5310, 5311, 5316, 5317, 5318,
21 and 5320 of this chapter, section 3038 of the
22 Transportation Equity Act for the 21st Century
23 (49 U.S.C. 5310 note; 112 Stat. 392–393), and
24 section 1118(b) of the Transportation Equity

1 Act: A Legacy for Users (relating to the non-
2 motorized transportation pilot program)—

3 “(i) \$4,133,500,000 for fiscal year
4 2005;

5 “(ii) \$4,592,000,000 for fiscal year
6 2006;

7 “(iii) \$4,898,000,000 for fiscal year
8 2007;

9 “(iv) \$5,223,000,000 for fiscal year
10 2008; and

11 “(v) \$5,570,000,000 for fiscal year
12 2009.

13 “(B) ALLOCATION OF FUNDS FOR BUS
14 TESTING AND OVER-THE-ROAD BUS ACCESSI-
15 BILITY.—Of the aggregate of amounts made
16 available by this paragraph for a fiscal year—

17 “(i) \$3,100,000 shall be available to
18 carry out section 5318; and

19 “(ii) \$8,000,000 shall be available to
20 carry out section 3038 of the Transpor-
21 tation Equity Act for the 21st Century (49
22 U.S.C. 5310 note).

23 “(C) ALLOCATION OF FUNDS FOR CLEAN
24 FUELS FORMULA GRANT PROGRAM.—Of the ag-
25 gregate of amounts made available by this para-

1 graph, \$75,000,000 for fiscal year 2005 and
2 \$100,000,000 for each of fiscal years 2006,
3 2007, 2008, and 2009 shall be available to
4 carry out section 5308.

5 “(D) ALLOCATION OF FUNDS FOR JOB AC-
6 CESS AND REVERSE COMMUTE FORMULA GRANT
7 PROGRAM.—Of the aggregate of amounts made
8 available by this paragraph, \$150,000,000 for
9 fiscal year 2005, \$175,000,000 for fiscal year
10 2006, \$200,000,000 for fiscal year 2007,
11 \$200,000,000 for fiscal year 2008, and
12 \$200,000,000 for fiscal year 2009 shall be
13 available to carry out section 5316.

14 “(E) ALLOCATION OF FUNDS FOR NEW
15 FREEDOM PROGRAM.—Of the aggregate of
16 amounts made available by this paragraph,
17 \$95,000,000 for fiscal year 2005, \$100,000,000
18 for fiscal year 2006, \$105,000,000 for fiscal
19 year 2007, \$115,000,000 for fiscal year 2008,
20 and \$125,000,000 for fiscal year 2009 shall be
21 available to carry out section 5317.

22 “(F) ALLOCATION OF FUNDS FOR TRANSIT
23 IN THE PARKS PILOT PROGRAM.—Of the aggre-
24 gate of amounts made available by this para-
25 graph, \$8,000,000 for fiscal year 2005,

1 \$16,000,000 for fiscal year 2006, \$16,000,000
2 for fiscal year 2007, \$16,000,000 for fiscal year
3 2008, and \$16,000,000 for fiscal year 2009
4 shall be available to carry out section 5320.

5 “(G) ALLOCATION OF FUNDS FOR NON-
6 MOTORIZED TRANSPORTATION PILOT PRO-
7 GRAM.—Of the aggregate of amounts made
8 available by this paragraph, \$4,000,000 for fis-
9 cal year 2005, \$4,000,000 for fiscal year 2006,
10 \$4,000,000 for fiscal year 2007, \$8,000,000 for
11 fiscal year 2008, and \$8,000,000 for fiscal year
12 2009 shall be available to carry out section
13 1118(b) of the Transportation Equity Act: A
14 Legacy for Users (relating to the nonmotorized
15 transportation pilot program).

16 “(H) ALLOCATION OF FUNDS FOR THE
17 ALASKA RAILROAD.—Of the aggregate of
18 amounts made available by this paragraph,
19 \$10,000,000 for fiscal year 2005, \$11,000,000
20 for fiscal year 2006, \$12,000,000 for fiscal year
21 2007, \$13,000,000 for fiscal year 2008, and
22 \$14,000,000 for fiscal year 2009 shall be avail-
23 able to the Alaska Railroad for improvements to
24 its passenger operations under section 5307.

1 “(I) REMAINDER.—Of the remainder of
2 the aggregate amounts made available by this
3 paragraph for a fiscal year after the allocations
4 under subparagraphs (B) through (H) for such
5 fiscal year—

6 “(i) 2.5 percent shall be available to
7 provide transportation services to elderly
8 individuals and individuals with disabilities
9 under section 5310;

10 “(ii) 8.0 percent shall be available to
11 provide financial assistance for other than
12 urbanized areas under section 5311; and

13 “(iii) 89.5 percent shall be available to
14 provide financial assistance for urbanized
15 areas under section 5307, subject to sec-
16 tion 3041(h) of the Federal Public Trans-
17 portation Act of 2005.

18 “(b) CAPITAL PROGRAM GRANTS IN FISCAL YEAR
19 2004.—

20 “(1) FROM TRUST FUND.—There shall be avail-
21 able from the Mass Transit Account of the Highway
22 Trust Fund to carry out section 5309,
23 \$2,499,504,000 for fiscal year 2004.

24 “(2) FROM GENERAL FUND.—In addition to
25 amounts made available by paragraph (1), there is

1 authorized to be appropriated to carry out section
2 5309, \$624,876,200 for fiscal year 2004.

3 “(c) PLANNING.—

4 “(1) FISCAL YEAR 2004.—

5 “(A) FROM TRUST FUND.—There shall be
6 available from the Mass Transit Account of the
7 Highway Trust Fund to carry out sections
8 5303, 5304, and 5305, \$72,660,000 for fiscal
9 year 2004.

10 “(B) FROM GENERAL FUND.—In addition
11 to amounts made available by subparagraph
12 (A), there is authorized to be appropriated to
13 carry out sections 5303, 5304, and 5305,
14 \$18,165,000 for fiscal year 2004.

15 “(2) FISCAL YEARS 2005 THROUGH 2009.—

16 “(A) FROM THE TRUST FUND.—There
17 shall be available from the Mass Transit Ac-
18 count of the Highway Trust Fund to carry out
19 sections 5303, 5304, and 5305—

20 “(i) \$96,875,000 for fiscal year 2005;

21 “(ii) \$103,325,000 for fiscal year
22 2006;

23 “(iii) \$110,200,000 for fiscal year
24 2007;

1 “(iv) \$117,537,500 for fiscal year
2 2008; and

3 “(v) \$125,362,500 for fiscal year
4 2009.

5 “(B) ALLOCATION OF FUNDS.—Of the
6 funds made available by this paragraph for a
7 fiscal year—

8 “(i) 82.72 percent shall be available
9 for metropolitan planning under sections
10 5303, 5304, and 5305 (other than
11 5305(e)); and

12 “(ii) 17.28 percent shall be available
13 for State planning under section 5305(e).

14 “(d) RESEARCH.—

15 “(1) FISCAL YEAR 2004.—

16 “(A) FROM TRUST FUND.—There shall be
17 available from the Mass Transit Account of the
18 Highway Trust Fund to carry out sections
19 5311(b), 5312, 5313, 5314, 5315, 5322, and
20 5335, \$41,888,000 for fiscal year 2004.

21 “(B) FROM GENERAL FUND.—In addition
22 to amounts made available by subparagraph
23 (A), there is authorized to be appropriated to
24 carry out sections 5311(b), 5312, 5313, 5314,

1 5315, 5322, and 5335, \$10,472,000 for fiscal
2 year 2004.

3 “(C) ALLOCATION OF FUNDS.—Of the
4 funds made available by or appropriated pursu-
5 ant to this paragraph for fiscal year 2004—

6 “(i) not less than \$4,500,000 shall be
7 available to carry out programs under the
8 National Transit Institute under section
9 5315;

10 “(ii) not less than \$3,500,000 shall be
11 available to carry out section 5335;

12 “(iii) not less than \$3,500,000 shall
13 be available to carry out section
14 5314(a)(2); and

15 “(iv) not less than \$8,860,000 shall
16 be available to carry out section 5313(a).

17 “(2) FISCAL YEARS 2005 THROUGH 2009.—

18 “(A) FROM THE GENERAL FUND.—There
19 is authorized to be appropriated to carry out
20 sections 5312, 5313, 5314, 5315, 5322, and
21 5335—

22 “(i) \$54,500,000 for fiscal year 2005;

23 “(ii) \$57,000,000 for fiscal year 2006;

24 “(iii) \$59,500,000 for fiscal year
25 2007;

1 “(iv) \$62,000,000 for fiscal year
2 2008; and

3 “(v) \$64,500,000 for fiscal year 2009.

4 “(B) ALLOCATION OF FUNDS.—Of the
5 funds appropriated pursuant to this paragraph
6 for a fiscal year—

7 “(i) not less than \$4,500,000 shall be
8 available to carry out programs under the
9 National Transit Institute under section
10 5315;

11 “(ii) not less than \$3,500,000 shall be
12 available to carry out section 5335; and

13 “(iii) not less than \$3,500,000 shall
14 be available to carry out section
15 5314(a)(2).

16 “(C) TRANSIT COOPERATIVE RESEARCH
17 PROGRAM.—Of the funds appropriated pursu-
18 ant to this paragraph, \$9,000,000 for fiscal
19 year 2005, \$9,500,000 for fiscal year 2006,
20 \$10,000,000 for fiscal year 2007, \$10,500,000
21 for fiscal year 2008, and \$11,000,000 for fiscal
22 year 2009 shall be available to carry out section
23 5313(a).

24 “(D) REMAINDER.—The remainder of the
25 funds appropriated pursuant to this paragraph

1 for a fiscal year after the allocations under sub-
2 paragraphs (A) and (B) for such fiscal year
3 shall be available to carry out national research
4 and technology programs under sections 5312,
5 5314, and 5322.

6 “(e) UNIVERSITY TRANSPORTATION RESEARCH.—

7 “(1) FISCAL YEAR 2004.—

8 “(A) FROM TRUST FUND.—There shall be
9 available from the Mass Transit Account of the
10 Highway Trust Fund to carry out sections
11 5505 and 5506, \$6,400,000 for fiscal year
12 2004.

13 “(B) FROM GENERAL FUND.—In addition
14 to amounts made available by subparagraph
15 (A), there is authorized to be appropriated to
16 carry out sections 5505 and 5506, \$1,600,000
17 for fiscal year 2004.

18 “(2) FISCAL YEARS 2005 THROUGH 2009.—Sub-
19 ject to paragraph (3), there is authorized to be ap-
20 propriated to carry out sections 5505 and 5506,
21 \$8,000,000 for each of fiscal years 2005 through
22 2009.

23 “(3) FUNDING OF UNIVERSITY TRANSPOR-
24 TATION CENTERS.—

1 “(A) IN GENERAL.—Of the amounts made
2 available by and appropriated under paragraphs
3 (1) and (2) \$2,000,000 for each of fiscal years
4 2004, 2005, and 2006 shall be available for the
5 institution identified in section 5505(j)(3)(E),
6 as so in effect.

7 “(B) USE OF FUNDS.—Funds made avail-
8 able for the institution identified in subpara-
9 graph (A)(iii) shall be used to make grants
10 under 5506(f)(5) for that institution

11 “(C) SPECIAL RULE.—Nothing in this sub-
12 section shall be construed to limit the transpor-
13 tation research conducted by the centers funded
14 by this section.

15 “(f) ADMINISTRATION.—

16 “(1) FISCAL YEAR 2004.—

17 “(A) FROM TRUST FUND.—There shall be
18 available from the Mass Transit Account of the
19 Highway Trust Fund to carry out section 5334,
20 \$60,044,000 for fiscal year 2004.

21 “(B) FROM GENERAL FUND.—In addition
22 to amounts made available under subparagraph
23 (A), there are authorized to be appropriated to
24 carry out section 5334, \$15,011,000 for fiscal
25 year 2004.

1 “(2) FISCAL YEARS 2005 THROUGH 2009.—

2 There are authorized to be appropriated to carry out
3 section 5334—

4 “(A) \$78,000,000 for fiscal year 2005;

5 “(B) \$80,000,000 for fiscal year 2006;

6 “(C) \$82,000,000 for fiscal year 2007;

7 “(D) \$84,000,000 for fiscal year 2008;

8 and

9 “(E) \$86,000,000 for fiscal year 2009.

10 “(g) TRUST FUND CAPITAL PROGRAM GRANTS.—

11 There shall be available from the Mass Transit Account
12 of the Highway Trust Fund to carry out sections
13 5309(m)(2)(B)(i) and 5309(m)(2)(B)(iii)—

14 “(1) \$1,884,255,000 for fiscal year 2005;

15 “(2) \$2,080,005,000 for fiscal year 2006;

16 “(3) \$2,210,580,000 for fiscal year 2007;

17 “(4) \$2,366,677,500 for fiscal year 2008; and

18 “(5) \$2,518,882,500 for fiscal year 2009.

19 “(h) GENERAL FUND CAPITAL PROGRAM GRANTS.—

20 There are authorized to be appropriated to carry out sec-
21 tions 5309(m)(2)(A) and 5309(m)(2)(B)(ii)—

22 “(1) \$1,391,170,000 for fiscal year 2005;

23 “(2) \$1,561,670,000 for fiscal year 2006;

24 “(3) \$1,673,720,000 for fiscal year 2007;

25 “(4) \$1,777,785,000 for fiscal year 2008; and

1 “(5) \$1,904,255,000 for fiscal year 2009.

2 “(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

3 “(1) GRANTS FINANCED FROM HIGHWAY TRUST
4 FUND.—A grant or contract approved by the Sec-
5 retary, that is financed with amounts made available
6 under subsection (a)(1)(A), (a)(2), (b)(1), (c)(2),
7 (d)(1)(A), (e)(1)(A), (f)(1)(A), or (g) is a contrac-
8 tual obligation of the Government to pay the Gov-
9 ernment’s share of the cost of the project.

10 “(2) GRANTS FINANCED FROM GENERAL
11 FUND.—A grant or contract, approved by the Sec-
12 retary, that is financed with amounts made available
13 under subsection (a)(1)(B), (b)(2), (c)(1)(B),
14 (d)(1)(B), (d)(2), (e)(1)(B), (e)(2), (f)(1)(B), (f)(2),
15 or (h) is a contractual obligation of the Government
16 to pay the Government’s share of the cost of the
17 project only to the extent that amounts are provided
18 in advance in an appropriations Act.

19 “(j) AVAILABILITY OF AMOUNTS.—Amounts made
20 available by or appropriated under subsections (a) through
21 (h) shall remain available until expended.”.

22 **SEC. 3035. OVER-THE-ROAD BUS ACCESSIBILITY PROGRAM.**

23 (a) IN GENERAL.—Section 3038 of the Transpor-
24 tation Equity Act for the 21st Century (49 U.S.C. 5310
25 note; 112 Stat. 392) is amended—

1 (1) by striking the section heading and insert-
2 ing the following:

3 **“SEC. 3038. OVER-THE-ROAD BUS ACCESSIBILITY PRO-**
4 **GRAM.”;**

5 (2) by striking subsection (e) and inserting the
6 following:

7 “(e) FEDERAL SHARE OF COSTS.—The Federal
8 share of costs under this section shall be provided from
9 funds made available to carry out this section. The Fed-
10 eral share of the costs for a project shall not exceed 80
11 percent of the project cost.”; and

12 (3) by striking subsection (g) and inserting the
13 following:

14 “(g) FUNDING.—

15 “(1) INTERCITY, FIXED ROUTE OVER-THE-ROAD
16 BUS SERVICE.—Of the amounts made available to
17 carry out this section in each fiscal year, 75 percent
18 shall be available for operators of over-the-road
19 buses used substantially or exclusively in intercity,
20 fixed-route over-the-road bus service to finance the
21 incremental capital and training costs of the Depart-
22 ment of Transportation’s final rule regarding acces-
23 sibility of over-the-road buses. Such amounts shall
24 remain available until expended.

1 “(2) OTHER OVER-THE-ROAD BUS SERVICE.—
2 Of the amounts made available to carry out this sec-
3 tion in each fiscal year, 25 percent shall be available
4 for operators of other over-the-road bus service to fi-
5 nance the incremental capital and training costs of
6 the Department of Transportation’s final rule re-
7 garding accessibility of over-the-road buses. Such
8 amounts shall remain available until expended.”.

9 (b) CONFORMING AMENDMENTS.—The table of con-
10 tents contained in section 1(b) of the Transportation Eq-
11 uity Act for the 21st Century (112 Stat. 107) is amended
12 by striking the item relating to section 3038 and inserting
13 the following:

 “3038. Over-the-road bus accessibility program.”.

14 **SEC. 3036. UPDATED TERMINOLOGY.**

15 (a) AMENDMENTS TO CHAPTER 53.—Chapter 53 is
16 amended—

17 (1) in the chapter heading by striking “**MASS**”
18 and inserting “**PUBLIC**”;

19 (2) in section 5310(h) by striking “Mass” and
20 inserting “Public”;

21 (3) in the subsection heading for section
22 5331(b) by striking “MASS” and inserting “PUB-
23 LIC”; and

24 (4) by striking “mass” each place it appears in
25 such chapter before “transportation” and inserting

1 “public”, except in sections 5301(f), 5302(a)(7),
2 5315, 5323(a)(1), and 5323(a)(1)(B).

3 (b) TABLE OF CHAPTERS.—The table of chapters for
4 subtitle III is amended in the item relating to chapter 53
5 by striking “**MASS**” and inserting “**PUBLIC**”.

6 **SEC. 3037. PROJECT AUTHORIZATIONS FOR NEW FIXED**
7 **GUIDEWAY CAPITAL PROJECTS.**

8 (a) EXISTING FULL FUNDING GRANT AGREE-
9 MENTS.—The following projects are authorized for final
10 design and construction for existing full funding grant
11 agreements in not less than the amount specified for each
12 fiscal year:

13 (1) Baltimore—Central LRT Double Tracking
14 \$39,367,154 for fiscal year 2004, \$28,777,920 for
15 fiscal year 2005, and \$12,655,664 for fiscal year
16 2006.

17 (2) Chicago—Chicago Transit Authority Doug-
18 las Branch Reconstruction \$83,655,202 for fiscal
19 year 2004, \$84,320,000 for fiscal year 2005, and
20 \$45,825,190 for fiscal year 2006.

21 (3) Chicago—Chicago Transit Authority
22 Ravenswood Expansion Project \$9,841,789 for fiscal
23 year 2004, \$39,680,000 for fiscal year 2005,
24 \$40,000,000 for fiscal year 2006, \$40,000,000 for

1 fiscal year 2007, \$40,000,000 for fiscal year 2008,
2 and \$65,152,615 for fiscal year 2009.

3 (4) Cleveland—Euclid Corridor Transportation
4 Project \$10,825,967 for fiscal year 2004,
5 \$24,800,000 for fiscal year 2005, and \$24,974,513
6 for fiscal year 2006.

7 (5) Dallas—North Central LRT Extension
8 \$29,684,097 for fiscal year 2004.

9 (6) Denver Southeast Corridor LRT
10 \$78,734,308 for fiscal year 2004, \$79,360,000 for
11 fiscal year 2005, \$80,000,000 for fiscal year 2006,
12 \$80,000,000 for fiscal year 2007, and \$77,192,758
13 for fiscal year 2008.

14 (7) Fort Lauderdale—Tri-Rail Commuter Rail
15 Upgrade \$18,118,733 for fiscal year 2004 and
16 \$11,318,230 for fiscal year 2005.

17 (8) Los Angeles—Metro Gold Line Eastside
18 Extension \$59,520,000 for fiscal year 2005,
19 \$80,000,000 for fiscal year 2006, \$100,000,000 for
20 fiscal year 2007, \$80,000,000 for fiscal year 2008,
21 and \$80,000,000 for fiscal year 2009.

22 (9) Memphis—Medical Center Extension
23 \$9,101,281 for fiscal year 2004.

24 (10) Metra North Central Corridor Commuter
25 Rail \$19,177,300 for fiscal year 2004, \$24,084,000

1 for fiscal year 2005, and \$18,476,237 for fiscal year
2 2006.

3 (11) Metra South West Corridor Commuter
4 Rail \$15,000,000 for fiscal year 2004, \$15,500,000
5 for fiscal year 2005, and \$11,781,395 for fiscal year
6 2006.

7 (12) Metra Union Pacific West Line Extension
8 \$17,000,000 for fiscal year 2004, \$12,000,000 for
9 fiscal year 2005, and \$14,285,749 for fiscal year
10 2006.

11 (13) Minneapolis—Hiawatha Corridor LRT
12 \$73,793,730 for fiscal year 2004 and \$33,428,865
13 for fiscal year 2005.

14 (14) New Jersey Urban Core—Hudson-Bergen
15 LRT MOS-2 \$98,417,885 for fiscal year 2004,
16 \$99,200,000 for fiscal year 2005, \$100,000,000 for
17 fiscal year 2006, \$100,000,000 for fiscal year 2007,
18 and \$53,202,995 for fiscal year 2008.

19 (15) New Jersey Urban Core—Newark-Eliza-
20 beth Rail Link MOS-1 \$22,209,000 for fiscal year
21 2004, \$316,907 for fiscal year 2005, and
22 \$1,025,169 for fiscal year 2006.

23 (16) New Orleans MOS-1 Canal Street
24 \$22,922,877 for fiscal year 2004 and \$16,613,047
25 for fiscal year 2005.

1 (17) Phoenix—Central Phoenix/East Valley
2 LRT \$12,794,325 for fiscal year 2004, \$74,400,000
3 for fiscal year 2005, \$90,000,000 for fiscal year
4 2006, \$90,000,000 for fiscal year 2007,
5 \$90,000,000 for fiscal year 2008, and \$90,000,000
6 for fiscal year 2009.

7 (18) Pittsburgh—Stage II LRT Reconstruction
8 \$31,733,314 for fiscal year 2004 and \$1,131,666 for
9 fiscal year 2005.

10 (19) Portland—Interstate MAX LRT Exten-
11 sion \$76,273,861 for fiscal year 2004, \$23,292,160
12 fiscal year 2005, and \$18,292,550 for fiscal year
13 2006.

14 (20) Salt Lake City—Medical Center
15 \$30,178,231 for fiscal year 2004 and \$8,765,421 for
16 fiscal year 2005.

17 (21) San Diego—Mission Valley East LRT Ex-
18 tension \$63,971,625 for fiscal year 2004,
19 \$80,986,880 for fiscal year 2005, and \$8,353,424
20 for fiscal year 2006.

21 (22) San Diego—Oceanside Escondido Rail
22 Corridor \$47,240,585 for fiscal year 2004,
23 \$54,560,000 fiscal year 2005, and \$12,651,061 for
24 fiscal year 2006.

1 (23) San Francisco—BART Extension to San
2 Francisco Airport \$98,417,890 for fiscal year 2004,
3 \$99,200,000 fiscal year 2005, and \$82,655,680 for
4 fiscal year 2006.

5 (24) San Juan—Tren Urbano \$19,683,577 for
6 fiscal year 2004, \$44,263,040 fiscal year 2005, and
7 \$10,555,900 for fiscal year 2006.

8 (25) Seattle—Central Link Initial Segment
9 LRT \$73,813,414 for fiscal year 2004, \$79,360,000
10 for fiscal year 2005, \$80,000,000 for fiscal year
11 2006, \$80,000,000 for fiscal year 2007,
12 \$70,000,000 for fiscal year 2008, and \$24,028,149
13 for fiscal year 2009.

14 (26) Washington DC/MD—Largo Metrorail Ex-
15 tension \$63,971,625 for fiscal year 2004 and
16 \$76,156,450 for fiscal year 2005.

17 (b) FINAL DESIGN AND CONSTRUCTION.—The fol-
18 lowing projects are authorized for final design and con-
19 struction for fiscal years 2004 through 2009 under para-
20 graphs (1)(B), (2)(A), and (2)(B)(ii) of section 5309(m)
21 of title 49, United States Code:

22 (1) Baltimore—MARC Commuter Rail Im-
23 provements.

24 (2) Boston—Silver Line BRT Phase III.

25 (3) Charlotte—South Corridor LRT.

- 1 (4) Dallas Area Rapid Transit—Northwest-
2 Southeast LRT Extension.
- 3 (5) Delaware—Wilmington-Newark Commuter
4 Rail Improvements.
- 5 (6) Denver—West Corridor LRT.
- 6 (7) El Paso—Rapid Transit (SMART) Starter
7 Line.
- 8 (8) Harrisburg—Corridor One Commuter Rail
9 (MOS-1).
- 10 (9) Kansas City, Missouri—Southtown BRT.
- 11 (10) Las Vegas—Resort Corridor Downtown
12 Extension Project.
- 13 (11) Los Angeles MTA—Exposition LRT.
- 14 (12) Miami-Dade Transit—North Corridor.
- 15 (13) Minneapolis—North Star Corridor.
- 16 (14) Nashua—Commuter Rail.
- 17 (15) Nashville, Tennessee Commuter Rail.
- 18 (16) New Britain-Hartford Busway Project.
- 19 (17) New Orleans—Desire Corridor Streetcar.
- 20 (18) New York—Long Island Railroad East
21 Side Access Project.
- 22 (19) New York—Second Avenue Subway.
- 23 (20) Norfolk Light Rail.
- 24 (21) Northern Virginia—Dulles Corridor Ex-
25 tension to Wiehle Avenue (Phase 1).

- 1 (22) Orange County, California—Rapid Transit
2 Project.
- 3 (23) Philadelphia—Schuylkill Valley MetroRail.
- 4 (24) Pittsburgh—North Shore Connector.
- 5 (25) Portland, Oregon—South Corridor I-205/
6 Portland Mall LRT.
- 7 (26) Providence—South County Commuter
8 Rail.
- 9 (27) Sacramento—South Corridor LRT Exten-
10 sion (Phase 2), Meadowview to Consumnes River
11 College.
- 12 (28) Salt Lake City—Weber County to Salt
13 Lake City Commuter Rail.
- 14 (29) San Diego—Mid-Coast Extension.
- 15 (30) San Francisco Muni—Third Street LRT-
16 Phase I/II.
- 17 (31) Santa Clara Valley Transit Authority—Sil-
18 icon Valley Rapid Transit Corridor.
- 19 (32) Tampa Bay—Regional Rail.
- 20 (33) Triangle Transit Authority, North Caro-
21 lina—Regional Rail Project.
- 22 (34) Washington County, Oregon—Wilsonville
23 to Beaverton Commuter Rail.
- 24 (35) Wasilla-Girdwood, Alaska—Commuter
25 Rail.

1 (c) ALTERNATIVES ANALYSIS AND PRELIMINARY EN-
2 GINEERING.—The following projects are authorized for al-
3 ternatives analysis and preliminary engineering for fiscal
4 years 2004 through 2009 under paragraphs (1)(B),
5 (2)(A), and (2)(B)(ii) of section 5309(m) of title 49,
6 United States Code:

7 (1) Alameda, California—Fixed Guideway Cor-
8 ridor Project.

9 (2) Albuquerque—High Capacity Corridor.

10 (3) Ann Arbor/Detroit—Commuter Rail.

11 (4) Atlanta—MARTA Memorial Drive Bus
12 Rapid Transit.

13 (5) Atlanta—GRTA I-75 Corridor, Downtown
14 Atlanta—Cherokee County.

15 (6) Atlanta—Georgia 400 North Line Corridor
16 Project.

17 (7) Atlanta—Belt Line C-Loop.

18 (8) Atlanta—West Line I-20 Corridor Project.

19 (9) Austin—San Antonio I-35 Commuter Rail.

20 (10) Austin—Rapid Bus Project.

21 (11) Austin—Urban Commuter Rail.

22 (12) Baltimore Red Line Transit Project.

23 (13) Baltimore—Green Line Transit Project.

24 (14) Baton Rouge—Bus Rapid Transit.

- 1 (15) Bernillo-Santa Fe—New Mexico Com-
2 muter Rail.
- 3 (16) Birmingham, Alabama—Transit Corridor.
- 4 (17) Boise—Downtown Circulator.
- 5 (18) Boston—Lechmere Transit Improvement
6 to Somerville and Medford.
- 7 (19) Boston—North Shore Corridor and Blue
8 Line Extension.
- 9 (20) Boston—North/South Rail Link.
- 10 (21) Boston—Urban Ring BRT.
- 11 (22) Bridgeport, Connecticut—Bridgeport
12 Intermodal Facility.
- 13 (23) Broward County, Florida—Bus Rapid
14 Transit.
- 15 (24) Central Florida Commuter Rail System.
- 16 (25) Central Phoenix—East Valley Corridor
17 LRT Extensions.
- 18 (26) Charlotte—North Corridor Project.
- 19 (27) Charlotte—Northeast Corridor Project.
- 20 (28) Charlotte—South Corridor LRT extension
21 to Rock Hill, South Carolina.
- 22 (29) Charlotte—Southeast Corridor Project.
- 23 (30) Charlotte—West Corridor Project.
- 24 (31) Charlotte—Center City Streetcar Project.
- 25 (32) Chicago—Cermack Road BRT.

1 (33) Chicago CTA—Red Line Extension.

2 (34) Chicago CTA—Chicago Transit Hub (Cir-
3 cle Line-Ogden Streetcar).

4 (35) Chicago CTA—Orange Line Extension
5 (Midway Airport to Ford City).

6 (36) Chicago CTA—Southeast Service-La Salle
7 Street Station to Baltimore Race Track.

8 (37) Chicago CTA—Yellow Line Extension
9 (Dempster-Old Orchard).

10 (38) Chula Vista, California—Bus Rapid Tran-
11 sit.

12 (39) Clark County, Washington—MAX Exten-
13 sion.

14 (40) Cleveland-Akron-Canton (Northeast Ohio)
15 Commuter Rail.

16 (41) Columbia, South Carolina—Light Rail.

17 (42) Contra-Costa—BART Extension.

18 (43) Corpus Christi—Downtown Rail Trolley.

19 (44) Dallas Area Rapid Transit—Dallas Cen-
20 tral Business District.

21 (45) Dallas Area Rapid Transit—Rowlett LRT
22 Extension.

23 (46) Dallas Area Rapid Transit—Beltline to
24 DFW Airport.

- 1 (47) Dayton—Aviation Heritage Corridor
2 Streetcar Project.
- 3 (48) Denton County Transportation Authority,
4 Texas—Fixed Guideway Project.
- 5 (49) Denver—Gold Line Extension to Arvada.
- 6 (50) Denver—United States Route 36 Transit
7 Corridor.
- 8 (51) Denver—North Metro Corridor to Thorn-
9 ton.
- 10 (52) Denver—East Corridor to DIA Airport.
- 11 (53) Denver—I-225 Transit Corridor.
- 12 (54) Denver—Southeast Corridor Extension to
13 Lone-Tree/Ridgeway.
- 14 (55) Denver—Southwest Corridor Extension to
15 C470/Lucent Boulevard.
- 16 (56) Detroit—Center City Loop.
- 17 (57) District of Columbia—Light Rail Starter
18 Line.
- 19 (58) Fitchburg, Massachusetts—Commuter
20 Rail Extensions and Improvements.
- 21 (59) Florence-Myrtle Beach-Charleston, South
22 Carolina—High Speed Rail Corridor.
- 23 (60) Fort Lauderdale—Downtown Rail Link.
- 24 (61) Fort Lauderdale—Transit Project from
25 NW 215th and 79th Streets.

1 (62) Fort Worth—Cottonbelt Commuter Rail to
2 DFW.

3 (63) Fort Worth—Trinity Railway Express
4 Commuter Rail Extensions.

5 (64) Galveston—Rail Trolley Extension.

6 (65) Glendale, California—Downtown Streetcar.

7 (66) Grand Rapids—Fixed Guideway Corridor
8 Project.

9 (67) Guam—Tumon Bay-Airport Light Rail.

10 (68) Harrisburg, Pennsylvania—Corridor One
11 MOS-2 (East Mechanicsburg to Carlisle).

12 (69) Henderson-Las Vegas-North Las Vegas—
13 Regional Fixed Guideway Project.

14 (70) Honolulu—Rapid Transit Project.

15 (71) Houston Advanced Transit Program Light
16 Rail.

17 (72) Indianapolis—System of Metropolitan
18 Area Rapid Transit.

19 (73) Jacksonville—East-Southwest BRT.

20 (74) Jacksonville—North-Southeast BRT.

21 (75) Kansas City, Missouri-Lawrence, Kan-
22 sas—Commuter Rail.

23 (76) Kenosha-Racine-Milwaukee Metra Com-
24 muter Rail Extension (Wisconsin).

- 1 (77) Kenosha, Wisconsin Streetcar Expansion
2 Project.
- 3 (78) King County, Washington—I-405 Cor-
4 ridor Bus Rapid Transit.
- 5 (79) Lakeville, Minnesota—Cedar Avenue Cor-
6 ridor Bus Rapid Transit.
- 7 (80) Lane County, Oregon—Bus Rapid Tran-
8 sit, Phase 2.
- 9 (81) Little Rock—River Rail Streetcar Exten-
10 sions.
- 11 (82) Little Rock—West Little Rock Commuter
12 Rail.
- 13 (83) Long Island Railroad—Nassau Hub.
- 14 (84) Lorain-Cleveland Commuter Rail.
- 15 (85) LOSSAN Del Mar-San Diego—Rail Cor-
16 ridor Improvements.
- 17 (86) Lovejoy to Griffin, Georgia Commuter
18 Rail.
- 19 (87) Madison and Dane Counties, Wisconsin—
20 Transport 2020 Commuter Rail.
- 21 (88) Maryland—I-270 Corridor Cities
22 Transitway.
- 23 (89) Maryland—Route 5 Corridor to Waldorf.
- 24 (90) Maryland—Silver Spring Capacity Im-
25 provements.

- 1 (91) Memphis—Downtown Airport Corridor.
- 2 (92) Memphis Regional Rail Plan.
- 3 (93) Memphis, Medical Center Rail Extension
4 to Airport.
- 5 (94) Metra BNSF Naperville to Aurora Cor-
6 ridor Extension and Improvements.
- 7 (95) Metra South Suburban Airport Commuter
8 Rail Extension.
- 9 (96) Metra SouthEast Service Line Commuter
10 Rail.
- 11 (97) Metra STAR Line Inter-Suburban Com-
12 muter Rail.
- 13 (98) Metra UP Northwest Line Core Capacity
14 Upgrades.
- 15 (99) Metra UP West Line Core Capacity Up-
16 grades.
- 17 (100) Metra-West Line Extension, Elgin to
18 Rockford.
- 19 (101) Miami-Dade Transit—Douglas Road Ex-
20 tension.
- 21 (102) Miami-Dade Transit—East-West Cor-
22 ridor.
- 23 (103) Miami-Dade Transit—Kendall Corridor.
- 24 (104) Miami-Dade Transit—Northeast Cor-
25 ridor.

- 1 (105) Miami-Dade Transit—South Dade Cor-
2 ridor.
- 3 (106) Miami-Dade Transit—Miami Intermodal
4 Center to Earlington Heights.
- 5 (107) Miami—Downtown Streetcar Project.
- 6 (108) Middletown-South Fallsburg, New York,
7 Passenger Rail.
- 8 (109) Minneapolis-St. Paul—Central Corridor
9 Transit Project.
- 10 (110) Minneapolis-St. Paul-Hinckley, Min-
11 nesota—Rush Line Corridor.
- 12 (111) Missouri/Kansas—Interstate 35 Transit
13 Corridor.
- 14 (112) Monterey County, California—Commuter
15 Rail.
- 16 (113) Montgomery and Prince George’s Coun-
17 ties, Maryland—Bi-County Transitway (Purple
18 Line).
- 19 (114) Nashua-Manchester—Commuter Rail Ex-
20 tension.
- 21 (115) Nashville—Area Transit Corridors.
- 22 (116) Nashville—Southeast Rail Corridor.
- 23 (117) Nashville Tennessee Commuter Rail.
- 24 (118) Nassau and Queens Counties, New
25 York—LIRR Main Line Third Track Project.

1 (119) New Bedford-Fall River, Massachu-
2 setts—Commuter Rail Extension.

3 (120) New Haven, Connecticut-Hartford, Con-
4 necticut-Springfield, Massachusetts Commuter Line.

5 (121) New Jersey Trans-Hudson Midtown Cor-
6 ridor.

7 (122) New Jersey Transit—Northeast Corridor
8 Trans-Hudson Commuter Rail Improvements.

9 (123) New Jersey Transit—Morris/Essex/Boon-
10 ton Trans-Hudson Commuter Rail Improvements.

11 (124) New Jersey Transit—New York Susque-
12 hanna and Western RR Commuter Extension.

13 (125) New Jersey Transit—West Trenton Line
14 Commuter Line Service Extension.

15 (126) New Jersey Urban Core.

16 (127) New Orleans—Airport-CBD Commuter
17 Rail.

18 (128) New York—Rockaway-Brooklyn Army
19 Terminal-Manhattan Ferry Service.

20 (129) New York—Staten Island to Manhattan
21 High-Speed Ferry Service Extension.

22 (130) New York—Stewart Airport Rail Access.

23 (131) Newburg, New York—LRT System.

24 (132) North Carolina Piedmont Authority Re-
25 gional Rail—Greensboro to Winston-Salem.

1 (133) Northern Indiana—Commuter District
2 Line.

3 (134) Northern Indiana—West Lake Commuter
4 Rail Link (South Shore Commuter Rail).

5 (135) Norfolk—Naval Station Corridor.

6 (136) Norfolk-Petersburg—United States
7 Route 460 Commuter Rail Project.

8 (137) Northern Virginia—Crystal City Potomac
9 Yards Transit.

10 (138) Northern Virginia—Columbia Pike Rapid
11 Transit Project.

12 (139) Northern Virginia—Dulles Corridor Ex-
13 tension, Phase 2.

14 (140) Northern Virginia—Richmond Highway
15 (Route 1) Rapid Transit Project.

16 (141) Orlando-Orange County, Florida—Light
17 Rail Project.

18 (142) Philadelphia—Navy Yard Transit Exten-
19 sion.

20 (143) Philadelphia—52nd Street City Con-
21 nector Project.

22 (144) Philadelphia—Route 100 Rapid Trolley
23 Extension.

24 (145) Philadelphia—Broad Street Subway Line
25 Extension.

1 (146) Pinellas Mobility Initiative Bus Rapid
2 Transit.

3 (147) Pittsburgh—Allegheny and Armstrong
4 Counties, Commuter Rail.

5 (148) Pittsburgh—East-West Corridor Rapid
6 Transit.

7 (149) Pittsburgh—Martin Luther King, Jr.
8 Busway Extension.

9 (150) Portland Streetcar Extensions.

10 (151) Provo-Orem Utah—Bus Rapid Transit.

11 (152) Quakertown-Stoney Creek, Pennsyl-
12 vania—Rail Restoration.

13 (153) Raritan Valley, New Jersey—Commuter
14 Rail.

15 (154) Reno, Nevada—Virginia Street Bus
16 Rapid Transit Project.

17 (155) Riverside County, California—Perris Val-
18 ley Line Metrolink Extension.

19 (156) Roaring Fork Valley, Colorado—Bus
20 Rapid Transit.

21 (157) Rock Island, Illinois—Quad Cities Rapid
22 Transit System.

23 (158) Sacramento—Downtown Streetcar
24 Project.

- 1 (159) Sacramento—Regional Rail, Auburn to
2 Oakland.
- 3 (160) Sacramento—Downtown/Natomas Air-
4 port Transit Corridor.
- 5 (161) St. Paul-Hastings—Red Rock Corridor
6 Commuter Rail Project.
- 7 (162) Salt Lake City—Airport to University
8 LRT.
- 9 (163) Salt Lake City—Delta Center to Gateway
10 Intermodal Center LRT Extension.
- 11 (164) Salt Lake City—Draper to Sandy LRT
12 Extension.
- 13 (165) Salt Lake-Provo—Commuter Rail Exten-
14 sion.
- 15 (166) Salt Lake City—TRAX Capacity Im-
16 provements.
- 17 (167) Salt Lake City—West Valley City LRT
18 Extension.
- 19 (168) Salt Lake City—West Jordan LRT ex-
20 tension.
- 21 (169) San Antonio—Bus Rapid Transit.
- 22 (170) San Diego—San Diego Imperial County
23 Mag-Lev Rail Airport Corridor Project.
- 24 (171) San Diego—Sprinter Rail Line Extension
25 Project.

- 1 (172) San Francisco—BART Extension to
2 Livermore.
- 3 (173) San Francisco—BART Extension to
4 Oakland International Airport.
- 5 (174) San Francisco—MUNI Geary Boulevard
6 Bus Rapid Transit.
- 7 (175) San Gabriel Valley—Gold Line Foothill
8 Extension, Pasadena to Montclair.
- 9 (176) San Joaquin Regional Rail Commission
10 Commuter Rail (Altamont Commuter Express).
- 11 (177) San Juan Tren Urbano—Extension from
12 Rio Piedras to Carolina.
- 13 (178) San Juan—Tren Urbano Minillas Exten-
14 sion.
- 15 (179) Santa Fe—El Dorado Rail Link.
- 16 (180) Seattle—Monorail Project.
- 17 (181) Seattle—Link LRT Extensions.
- 18 (182) Seattle—Sound Transit Commuter Rail.
- 19 (183) Seattle—Sound Transit Regional Express
20 Bus.
- 21 (184) Sevierville to Pigeon Ford, Tennessee—
22 Bus Rapid Transit.
- 23 (185) Sonoma/Marin (SMART) Commuter
24 Rail, California.

- 1 (186) Southern California High Speed Regional
2 Transit.
- 3 (187) St. Louis Metro Link—Scott AFB to
4 Mid America Airport.
- 5 (188) St. Louis—East/West Gateway.
- 6 (189) St. Louis—Metro Link Northside Daniel
7 Boone Project.
- 8 (190) St. Louis—Metro South Corridor.
- 9 (191) St. Louis—University Downtown Trolley.
- 10 (192) Stamford, Connecticut—Boston Post
11 Road Intermodal Center and Capacity Expansion
12 Project.
- 13 (193) Stamford, Connecticut—Urban
14 Transitway Phase II.
- 15 (194) Tampa—Bus Rapid Transit Improve-
16 ments.
- 17 (195) Toledo, Ohio—CBD to Zoo.
- 18 (196) Toledo, Ohio—University Corridor.
- 19 (197) Trenton Trolley.
- 20 (198) Tri-Rail Dolphin Extension.
- 21 (199) Tri-Rail Florida East Coast Commuter
22 Rail Extension.
- 23 (200) Tri-Rail Jupiter Extension.
- 24 (201) Tri-Rail Scripps Corridor Extension
25 Project.

1 (202) Tucson—Old Pueblo Trolley Expansion.

2 (203) Vancouver—Interstate MAX Extension
3 to Clark County, Washington.

4 (204) Virginia Beach—Bus Rapid Transit.

5 (205) Virginia Railway Express Capacity Im-
6 provements.

7 (206) Washington State Ferries and Ferry Fa-
8 cilities.

9 (207) Washington State—Issaquah Valley Trol-
10 ley Project.

11 (208) Williamsburg-Newport News—Peninsula
12 Rail Transit.

13 (d) RULES RELATING TO FUNDING.—

14 (1) SUBSECTION (a) PROJECTS.—

15 (A) IN GENERAL.—The Secretary is au-
16 thorized to expend funds made available under
17 section 5309(m) of title 49, United States
18 Code, for final design and construction of
19 projects authorized by subsection (a) as existing
20 full funding grant agreements.

21 (B) MINIMUM FUNDING LEVELS.—The
22 Secretary shall make available not less than the
23 following amounts for projects authorized by
24 subsection (a): \$1,065,927,770 for fiscal year
25 2004, \$1,071,034,586 for fiscal year 2005,

1 \$731,532,532 for fiscal year 2006,
2 \$490,000,000 for fiscal year 2007,
3 \$410,395,753 for fiscal year 2008, and
4 \$259,180,764 for fiscal year 2009.

5 (2) SUBSECTION (b) PROJECTS.—

6 (A) IN GENERAL.—Projects authorized by
7 subsection (b) for final design and construction
8 are also authorized for alternatives analysis and
9 preliminary engineering.

10 (B) MINIMUM FUNDING LEVELS.—The
11 Secretary shall make available not less than the
12 following amounts for projects authorized by
13 subsection (b): \$30,579,750 for fiscal year
14 2004, \$186,475,050 for fiscal year 2005,
15 \$681,268,504 for fiscal year 2006,
16 \$1,024,856,176 for fiscal year 2007,
17 \$1,199,242,825 for fiscal year 2008, and
18 \$1,465,646,690 for fiscal year 2009.

19 (C) PRIORITY.—In making funds available
20 under subparagraph (B), the Secretary shall
21 first make such funds available for any full
22 funding grant agreement executed by the Sec-
23 retary in fiscal year 2005 after the date of en-
24 actment of this Act and for any full funding
25 grant agreement executed by the Secretary in

1 the amount indicated in fiscal years 2005
2 through 2009 in the amount indicated in the
3 “Schedule of Federal Funds for the Project”
4 included in such agreement.

5 (3) SUBSECTION (c) PROJECTS.—

6 (A) IN GENERAL.—Effective October 1,
7 2007, projects authorized by subsection (c) for
8 alternatives analysis and preliminary engineer-
9 ing are also authorized for final design and con-
10 struction.

11 (B) MAXIMUM FUNDING LEVELS.—The
12 Secretary shall make available not more than
13 the following amounts for projects authorized
14 by subsection (c): \$95,348,480 for fiscal year
15 2004, \$109,348,664 for fiscal year 2005,
16 \$122,852,264 for fiscal year 2006, and
17 \$131,726,624 in fiscal year 2007.

18 (C) MAXIMUM FUNDING LEVELS FOR AL-
19 TERNATIVES ANALYSIS AND PRELIMINARY EN-
20 GINEERING.—In fiscal years 2008 and 2009,
21 the Secretary shall make available not more
22 than the following amounts for projects author-
23 ized by subsection (b), and projects authorized
24 by subsection (c), to conduct alternatives anal-
25 ysis and preliminary engineering activities:

1 \$139,968,572 in fiscal year 2008 and
2 \$149,984,996 in fiscal year 2009.

3 (e) NEW JERSEY URBAN CORE PROJECT.—Section
4 3031(d) of the Intermodal Surface Transportation Effi-
5 ciency Act of 1991 (112 Stat. 380; 105 Stat. 2122) is
6 amended—

7 (1) by striking “associated components to and
8 at the contiguous New Jersey Meadowlands Sports
9 Complex),” and inserting “to and at the contiguous
10 New Jersey Meadowlands Sports Complex), includ-
11 ing a connection to the Hudson River Waterfront
12 Transportation System, the Lackawanna Cutoff,”;
13 and

14 (2) by striking “in Lakewood to Freehold to
15 Matawan or Jamesburg, New Jersey, as described in
16 section 3035(p) of the Intermodal Surface Transpor-
17 tation Efficiency Act of 1991 (105 Stat. 2131)” and
18 inserting “from Lakehurst to the Northeast Corridor
19 or the New Jersey Coast Line”.

20 (f) NEW JERSEY TRANS-HUDSON MIDTOWN COR-
21 RIDOR.—Project elements of the New Jersey Trans-Hud-
22 son Midtown Corridor advanced with 100 percent non-
23 Federal funds shall be given consideration by the Federal
24 Transit Administration when evaluating the local share of

1 the project in the new starts rating process, including the
 2 purchase of bilevel rail equipment.

3 **SEC. 3038. PROJECTS FOR BUS AND BUS-RELATED FACILI-**
 4 **TIES.**

5 Of the amounts made available to carry out section
 6 5309(m)(2)(B)(iii) of title 49, United States Code, for
 7 each of fiscal years 2006 through 2008, the Secretary
 8 shall make funds available for the following projects in not
 9 less than the amounts specified for the fiscal year:

Projects	FY 06	FY 07	FY 08
1. Glendale, CA Purchase of CNG Buses for Glendale Beeline Transit System	\$147,840	\$152,460	\$161,700
2. Detroit Fare Collection System	\$1,280,000	\$1,320,000	\$1,400,000
3. Flint, MI Construct Intermodal Hub at Bishop International Airport	\$640,000	\$660,000	\$700,000
4. Des Plaines, Wauconda, Cook and Lake Counties, IL Rand Road Transit Signal Priority	\$256,000	\$264,000	\$280,000
5. Indianapolis, IN Downtown transit center	\$4,480,000	\$4,620,000	\$4,900,000
6. Los Angeles, CA, Construction of Intermodal Transit Center at California State University Los Angeles	\$252,800	\$260,700	\$276,500
7. Columbus, OH—Central Ohio Transity Authority Paratransit Facility	\$1,920,000	\$1,980,000	\$2,100,000
8. Silver Spring, MD Construct Silver Spring Transit Center in downtown Silver Spring	\$1,168,000	\$1,204,500	\$1,277,500
9. Detroit, MI Enclosed heavy-duty maintenance facility with full operational functions for up to 300 buses	\$1,440,000	\$1,485,000	\$1,575,000

Projects	FY 06	FY 07	FY 08
10. Bronx, NY Wildlife Conservation Society intermodal transportation facility at the Bronx Zoo	\$160,000	\$165,000	\$175,000
11. Development of Gold Country Stage Transit Transfer Center, Nevada County, CA	\$297,702	\$307,006	\$325,612
12. Hoboken, NJ Rehabilitation of Hoboken Intermodal Terminal	\$576,000	\$594,000	\$630,000
13. Newark, NJ Penn Station Intermodal Improvements including the rehabilitation of boarding areas	\$320,000	\$330,000	\$350,000
14. Orlando, Florida—LYNX Bus Fleet Expansion Program	\$288,000	\$297,000	\$315,000
15. Fairfax County, VA Richmond Highway (U.S. Route 1) Public Transportation Improvements	\$640,000	\$660,000	\$700,000
16. Portland, OR Renovation of Union Station, including structural reinforcement and public safety upgrades	\$32,000	\$33,000	\$35,000
17. Davis, CA Davis Multimodal Station to improve entrance to Amtrak Depot and parking lot, provide additional parking and improve service	\$320,000	\$330,000	\$350,000
18. Reno-Sparks, Nevada—Intermodal Transportation Terminals and Related Development	\$1,280,000	\$1,320,000	\$1,400,000
19. Bar Harbor, ME Purchase new buses to enhance commuting near the Jackson Labs	\$96,000	\$99,000	\$105,000
20. Bronx, NY Establish an intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo	\$320,000	\$330,000	\$350,000

Projects	FY 06	FY 07	FY 08
21. Hingham, MA Hingham Marine Intermodal Center Improvements: Enhance public transportation infrastructure/parking	\$2,880,000	\$2,970,000	\$3,150,000
22. Philadelphia, PA Philadelphia Zoo Intermodal Transportation project w/parking consolidation, pedestrian walkways, public transportation complements & landscape improvements to surface parking lots	\$1,600,000	\$1,650,000	\$1,750,000
23. Construct intermodal transportation & parking facility, City of Winter Park	\$160,000	\$165,000	\$175,000
24. Roma, TX Bus Facility	\$168,000	\$173,250	\$183,750
25. New York City, NY First Phase Implementation of Bus Rapid Transit System	\$320,000	\$330,000	\$350,000
26. Scottsdale, Arizona— Plan, design, and construct intermodal center	\$800,000	\$825,000	\$875,000
27. Sonoma County, CA Purchase of CNG buses	\$160,000	\$165,000	\$175,000
28. Camden, NJ Construction of the Camden County Intermodal Facility in Cramer Hill	\$320,000	\$330,000	\$350,000
29. Sandy Hook, NJ National Park Service - Construct year-round ferry dock at Sandy Hook Unit of Gateway National Recreation Area	\$320,000	\$330,000	\$350,000
30. Sevier County, Tennessee—U.S. 441. bus rapid transit	\$80,000	\$82,500	\$87,500
31. St. Augustine, Florida—Intermodal Transportation and Parking Facility	\$320,000	\$330,000	\$350,000
32. Torrington, CT Construct bus-related facility (Northwestern Connecticut Central Transit District)	\$640,000	\$660,000	\$700,000

Projects	FY 06	FY 07	FY 08
33. Warren, PA—Construct Intermodal Transportation Center and related pedestrian and landscape improvements	\$480,000	\$495,000	\$525,000
34. Toledo, OH TARTA/TARPS Passenger Intermodal Facility construction	\$2,400,000	\$2,475,000	\$2,625,000
35. Union City, CA Intermodal Station, Phase 1: Modify BART station	\$1,360,000	\$1,402,500	\$1,487,500
36. Los Angeles, CA Wilshire-Vermont subway station reconstruction	\$320,000	\$330,000	\$350,000
37. Lancaster, PA—bus replacement	\$304,000	\$313,500	\$332,500
38. Monmouth County, NJ Construction of main bus facility for Freehold Township, including a terminal and repair shop	\$640,000	\$660,000	\$700,000
39. Monrovia, California—Transit Village Project ..	\$960,000	\$990,000	\$1,050,000
40. Duluth, MN Downtown Duluth Area Transit facility improvements	\$640,000	\$660,000	\$700,000
41. Brooklyn, NY New Urban Center—Broadway Junction Intermodal Center	\$307,200	\$316,800	\$336,000
42. Medford, MA Downtown revitalization featuring construction of a 200 space Park and Ride Facility	\$640,000	\$660,000	\$700,000
43. Needles, California—El Garces Intermodal Facility	\$640,000	\$660,000	\$700,000
44. Bridgeport, Connecticut—Greater Bridgeport Transit Authority Bus Facility	\$160,000	\$165,000	\$175,000
45. Palm Springs, California—Sunline Transit bus purchase	\$160,000	\$165,000	\$175,000
46. National Park Service - Design and construct 2.1-mile segment to complete Sandy Hook multi-use pathway in Sandy Hook, NJ	\$320,000	\$330,000	\$350,000

Projects	FY 06	FY 07	FY 08
47. Phoenix, AZ Construct City of Phoenix para-transit facility (Dial-a-Ride)	\$320,000	\$330,000	\$350,000
48. Project provides for the engineering and construction of a transportation center in Paoli, Chester County	\$320,000	\$330,000	\$350,000
49. Columbus, Georgia—Buses & Bus Facilities ...	\$310,080	\$319,770	\$339,150
50. Cleveland, Ohio—University Circle intermodal facility	\$2,720,000	\$2,805,000	\$2,975,000
51. Cleveland, OH acquisition of buses Greater Cleveland Regional Transit Authority	\$320,000	\$330,000	\$350,000
52. Greensboro, North Carolina—Replacement buses	\$1,849,600	\$1,907,400	\$2,023,000
53. Johnson Co., KS Bus and bus related facilities [I-35. corridor], Johnson Co. Transit	\$640,000	\$660,000	\$700,000
54. City of Alameda, CA Plan, design, and construct intermodal facility	\$640,000	\$660,000	\$700,000
55. New Orleans, LA Intermodal Riverfront Center	\$160,000	\$165,000	\$175,000
56. Brooklyn, NY—Rehabilitation of Bay Ridge 86th Street Subway Station	\$1,280,000	\$1,320,000	\$1,400,000
57. Wilmington, NC Build Intermodal Center	\$320,000	\$330,000	\$350,000
58. Yabucoa, Puerto Rico—Trolley buses	\$56,000	\$57,750	\$61,250
59. Beverly, MA Design and Construct Beverly Depot Intermodal Transportation Center	\$640,000	\$660,000	\$700,000
60. Georgia Statewide Bus Program	\$64,000	\$66,000	\$70,000
61. Trenton, New Jersey—Trenton Train Station Rehabilitation	\$480,000	\$495,000	\$525,000
62. Trenton, NJ Reconstruction and rehabilitation of the Trenton Train Station	\$2,240,000	\$2,310,000	\$2,450,000
63. Zapata, Texas Purchase Bus vehicles	\$80,000	\$82,500	\$87,500

Projects	FY 06	FY 07	FY 08
64. Zanesville, OH—bus system signage and shelters	\$20,800	\$21,450	\$22,750
65. York, Pennsylvania—Rabbit Transit facilities and communications equipment	\$886,560	\$914,265.	\$969,675
66. Canby, OR bus and bus facilities	\$48,000	\$49,500	\$52,500
67. New Orleans, LA Plan and construct New Orleans Union Passenger Terminal intermodal facilities	\$320,000	\$330,000	\$350,000
68. Northern Neck and Middle Peninsula, Virginia—Bay Transit Multimodal Facilities	\$1,040,000	\$1,072,500	\$1,137,500
69. Broward County, FL Busses & Bus Facilities	\$2,320,000	\$2,392,500	\$2,537,500
70. Palm Springs, California—Sunline Transit: CalStart-Weststart fuel cell bus program	\$320,000	\$330,000	\$350,000
71. San Juan, Puerto Rico—Buses	\$320,000	\$330,000	\$350,000
72. Hammond, Louisiana—Passenger Intermodal facility at Southeastern University	\$64,000	\$66,000	\$70,000
73. West Virginia Construct Beckley Intermodal Gateway pursuant to the eligibility provisions for projects listed under section 3030(d)(3) of P.L. 105-178.	\$7,680,000	\$7,920,000	\$8,400,000
74. Albany-Schenectady, NY Bus Rapid Transit Improvements in NY Route 5. Corridor	\$320,000	\$330,000	\$350,000
75. Alameda County, CA AC Transit Bus Rapid Transit Corridor Project	\$160,000	\$165,000	\$175,000
76. Baldwin Park, CA Construct vehicle and bicycle parking lot and pedestrian rest area at transit center	\$640,000	\$660,000	\$700,000

Projects	FY 06	FY 07	FY 08
77. Niagara Falls, NY Relocation, Development, and Enhancement of Niagara Falls International Railway Station/Intermodal Transportation Center	\$1,792,000	\$1,848,000	\$1,960,000
78. Utica, New York—Union Station Boehlert Center siding track improvements	\$32,000	\$33,000	\$35,000
79. Ionia County, MI—Purchase and implementation of communication equipment improvements	\$188,800	\$194,700	\$206,500
80. Flagler County, Florida—bus facility	\$192,000	\$198,000	\$210,000
81. Easton, Pennsylvania—Design and construct Intermodal Transportation Center	\$640,000	\$660,000	\$700,000
82. Yamhill County, OR For the construction of bus shelters, park and ride facilities, and a signage strategy to increase ridership	\$35,200	\$36,300	\$38,500
83. Woodland, CA Yolobus operations, maintenance, administration facility expansion and improvements to increase bus service with alternative fuel buses	\$640,000	\$660,000	\$700,000
84. Sacramento, CA Construct intermodal station and related improvements	\$2,240,000	\$2,310,000	\$2,450,000
85. Torrance Transit System, CA Acquisition of EPA and CARB-certified low emission replacement buses	\$960,000	\$990,000	\$1,050,000
86. Burlington County, NJ—BurLink and Burlington County Transportation System vehicles and equipment	\$1,280,000	\$1,320,000	\$1,400,000
87. Niles, OH Acquisition of bus operational and service equipment for Niles Trumbull Transit ..	\$64,000	\$66,000	\$70,000

Projects	FY 06	FY 07	FY 08
88. Rockport, MA Rockport Commuter Rail Station Improvements	\$880,000	\$907,500	\$962,500
89. Cincinnati, Ohio—Metro Regional Transit Hub Network Eastern Neighborhoods	\$296,000	\$305,250	\$323,750
90. Buses and bus related facilities throughout the State of Connecticut	\$1,920,000	\$1,980,000	\$2,100,000
91. Columbus, GA Bus replacement	\$96,000	\$99,000	\$105,000
92. Norwalk, CA Transit System Bus Procurement and Los Angeles World Airport Remote Fly-Away Facility Project	\$256,000	\$264,000	\$280,000
93. Salem, OR bus and bus facilities	\$640,000	\$660,000	\$700,000
94. Ilwaco, WA Procure shuttles for Lewis and Clark National Historical Park	\$32,000	\$33,000	\$35,000
95. Gainesville, FL Bus Replacement	\$1,280,000	\$1,320,000	\$1,400,000
96. SEPTA Montgomery County Intermodal Improvements at Glenside and Jenkintown Station Parking Garages	\$1,600,000	\$1,650,000	\$1,750,000
97. Fredericksburg, Virginia—Improve and repair Fredericksburg Station	\$800,000	\$825,000	\$875,000
98. Birmingham, AL Expansion of Downtown Intermodal Facility, Phase II	\$640,000	\$660,000	\$700,000
99. Gresham, Oregon Construct a new light rail station and transit plaza on Portland MAX system and serve Gresham Civic neighborhood	\$448,000	\$462,000	\$490,000
100. State of Wisconsin buses and bus facilities ..	\$5,120,000	\$5,280,000	\$5,600,000
101. Emeryville, CA Expand & Improve Intermodal Transit Center at Amtrak Station	\$320,000	\$330,000	\$350,000

Projects	FY 06	FY 07	FY 08
102. Jersey City, NJ Construct West Entrance to Pavonia-Newport PATH Station	\$640,000	\$660,000	\$700,000
103. Longwood, Florida—Construct Intermodal Transportation Facility ..	\$160,000	\$165,000	\$175,000
104. Marietta, Ohio Construction of transportation hub to accommodate regional bus traffic	\$160,000	\$165,000	\$175,000
105. Akron, Ohio—West Market Street transit center and related pedestrian improvements	\$208,000	\$214,500	\$227,500
106. Sandy, Oregon Transit Bus Facility	\$224,000	\$231,000	\$245,000
107. Jacksonville, FL Paratransit Vehicles	\$1,440,000	\$1,485,000	\$1,575,000
108. Carson, CA Purchase two tripper buses	\$160,000	\$165,000	\$175,000
109. Bloomington, IN—Bus and transfer facility	\$1,539,200	\$1,587,300	\$1,683,500
110. Cobb County, GA Cobb County Smart Card Technology/ Bus Facility Improvements ...	\$320,000	\$330,000	\$350,000
111. Construct West Houston and Fort Bend County, Texas—bus transit corridor	\$640,000	\$660,000	\$700,000
112. Mariposa, CA—Yosemite National Park CNG-Hydrogen transit buses and facilities	\$800,000	\$825,000	\$875,000
113. Snohomish County, WA Community Transit bus purchases and facility enhancement	\$960,000	\$990,000	\$1,050,000
114. Geneva, Illinois—Construct commuter parking deck for Metra Service ...	\$1,280,000	\$1,320,000	\$1,400,000
115. Rhode Island State-wide Bus Fleet	\$1,920,000	\$1,980,000	\$2,100,000
116. Pleasant Hill, CA Construct Diablo Valley College Bus Transit Center	\$480,000	\$495,000	\$525,000

Projects	FY 06	FY 07	FY 08
117. Broward, FL Purchase new articulated buses and bus stop improvements on State Road 7. (SR 7) between Golden Glades Interchange and Glades Road	\$160,000	\$165,000	\$175,000
118. Attleboro, MA Construction, engineering and site improvements at the Attleboro Intermodal Center	\$640,000	\$660,000	\$700,000
119. Burbank, CA CNG Transit Vehicles Purchase for Local Transit Network Expansion	\$144,000	\$148,500	\$157,500
120. Dayton Airport Intermodal Rail Feasibility Study	\$240,000	\$247,500	\$262,500
121. Los Angeles, CA Improve transit shelters, sidewalks lighting and landscaping around Cedar's-Sinai Medical Center	\$480,000	\$495,000	\$525,000
122. Baltimore, MD Construct Intercity Bus Intermodal Terminal	\$1,600,000	\$1,650,000	\$1,750,000
123. Cheltenham, PA Glenside Rail Station Parking Garage project involving the construction of a 300-400 space parking lot at Easton Road and Glenside Avenue	\$320,000	\$330,000	\$350,000
124. Haverhill, MA Design and Construct Intermodal Transit Parking Improvements	\$1,792,000	\$1,848,000	\$1,960,000
125. Palm Beach County, FL Plan and Construct Belle Glade Combined Passenger Transit Facility	\$1,120,000	\$1,155,000	\$1,225,000
126. Pittsburgh, PA Clean Fuel Bus Procurement ..	\$160,000	\$165,000	\$175,000
127. San Fernando, CA Purchase CNG buses and related equipment and construct facilities ...	\$972,800	\$1,003,200	\$1,064,000
128. Bayamon, Puerto Rico—bus terminal	\$192,000	\$198,000	\$210,000

Projects	FY 06	FY 07	FY 08
129. Bozeman, Montana— Intermodal and Parking Facility	\$1,280,000	\$1,320,000	\$1,400,000
130. New Brunswick, NJ Construct parking facil- ity at the Robert Wood Johnson University Hos- pital and UMDNJ-Rob- ert Wood Johnson Med- ical School	\$640,000	\$660,000	\$700,000
131. Stonington and Mys- tic, Connecticut—Inter- modal Center parking fa- cility and Streetscape	\$1,100,800	\$1,135,200	\$1,204,000
132. Carson, CA Purchase one bus	\$80,000	\$82,500	\$87,500
133. Miami-Dade County, Florida—Transit Secu- rity System	\$1,290,000	\$825,000	\$875,000
134. Town of Chapel Hill, NC Park and Ride Lot ..	\$480,000	\$495,000	\$525,000
135. Wheaton, IL Pace Suburban Bus—Pur- chase buses	\$320,000	\$330,000	\$350,000
136. Ocala and Marion County, Florida—re- placement buses	\$960,000	\$990,000	\$1,050,000
137. Philadelphia, PA Im- provements to the exist- ing Penn’s Landing Ferry Terminal	\$1,280,000	\$1,320,000	\$1,400,000
138. Long Branch, NJ De- sign and construct facili- ties for ferry service from Long Branch, NJ to New York City and other destinations	\$1,280,000	\$1,320,000	\$1,400,000
139. Quincy, MA MBTA Purchase high speed cat- amaran ferry for Quincy Harbor Express Service	\$640,000	\$660,000	\$700,000
140. Los Angeles, CA Crenshaw Bus Rapid Transit	\$2,728,960	\$2,814,240	\$2,984,800
141. South Bend, Indi- ana—Construct South Bend Bus Operations Center	\$320,000	\$330,000	\$350,000
142. Arlington County, VA Crystal City—Potomac Yard Busway, including construction of bus shel- ters	\$960,000	\$990,000	\$1,050,000

Projects	FY 06	FY 07	FY 08
143. Raleigh, NC Purchase eighteen replacement buses to replace buses that have reached their useful life according to Federal Transit Administration regulations	\$640,000	\$660,000	\$700,000
144. Augusta, GA Buses and Bus Facilities	\$128,000	\$132,000	\$140,000
145. Santa Ana, CA Improve Santa Ana transit terminal	\$320,000	\$330,000	\$350,000
146. Cooperstown, New York—Intermodal Facility Project	\$1,600,000	\$1,650,000	\$1,750,000
147. Santa Barbara, CA—Expansion of Regional Intermodal Transit Center	\$96,000	\$99,000	\$105,000
148. Tampa, FL Purchase buses and construct bus facilities	\$720,000	\$742,500	\$787,500
149. Yonkers, NY Trolley Bus Acquisition	\$96,000	\$99,000	\$105,000
150. Phoenix, AZ Construct regional heavy bus maintenance facility	\$320,000	\$330,000	\$350,000
151. Thurston County, WA Replace Thurston County Buses	\$288,000	\$297,000	\$315,000
152. San Juan, Puerto Rico—bus security equipment	\$960,000	\$990,000	\$1,050,000
153. Bryan, TX The District—Bryan Intermodal Transit Terminal and Parking Facility	\$960,000	\$990,000	\$1,050,000
154. City of Greenville, NC Expansion Buses and Greenville Intermodal Center	\$1,140,480	\$1,176,120	\$1,247,400
155. City of Livermore, CA Construct Bus Facility for Livermore Amador Valley Transit Authority	\$720,000	\$742,500	\$787,500
156. Detroit Replacement Buses	\$1,600,000	\$1,650,000	\$1,750,000
157. Bealeton, Virginia—Intermodal Station Depot Refurbishment	\$88,000	\$90,750	\$96,250

Projects	FY 06	FY 07	FY 08
158. Covina, El Monte, Baldwin Park, Upland, CA Parking and Electronic Signage Improvements	\$560,000	\$577,500	\$612,500
159. Eugene, OR Lane Transit District, Vehicle Replacement	\$960,000	\$990,000	\$1,050,000
160. Kearney, Nebraska—RYDE Transit Bus Maintenance and Storage Facility	\$640,000	\$660,000	\$700,000
161. Revere, MA Intermodal transit improvements in the Wonderland station (MBTA) area	\$576,000	\$594,000	\$630,000
162. Brownsville, TX Brownsville Urban System City-Wide Transit Improvement Project	\$800,000	\$825,000	\$875,000
163. Normal, Illinois—Multimodal Transportation Center, including facilities for adjacent public and nonprofit uses	\$1,600,000	\$1,650,000	\$1,750,000
164. Puerto Rico—Caribbean National Forest buses and bus facilities ..	\$960,000	\$990,000	\$1,050,000
165. Albany, OR Rehabilitate Building At Multimodal Transit Station	\$409,600	\$422,400	\$448,000
166. Bronx, NY Hebrew Home for the Aged elderly and disabled transportation support	\$48,000	\$49,500	\$52,500
167. Denver, CO Denver Union Station Intermodal Center	\$1,760,000	\$1,815,000	\$1,925,000
168. Eugene, OR Lane Transit District, Bus Rapid Transit Progressive Corridor Enhancements	\$960,000	\$990,000	\$1,050,000
169. Delaware—University of Delaware Fuel Cell Bus Deployment	\$160,000	\$165,000	\$175,000
170. Louisiana—Construct pedestrian walkways between Caddo St. and Milam St. along Edwards St. in Shreveport, LA	\$320,000	\$330,000	\$350,000

Projects	FY 06	FY 07	FY 08
171. Riverside, California—RTA Advanced Traveler Information System	\$160,000	\$165,000	\$175,000
172. Santa Monica, CA Purchase and service LNG buses for Santa Monica's Big Blue Bus to meet increased ridership needs and reduce emissions	\$1,200,000	\$1,237,500	\$1,312,500
173. Ontario, CA Construct Omnitrans Transcenter ..	\$320,000	\$330,000	\$350,000
174. Brockton, MA Bus replacement for the Brockton Area Transit Authority	\$480,000	\$495,000	\$525,000
175. Molalla, OR South Clackamas Transportation District, bus purchase	\$32,000	\$33,000	\$35,000
176. Boise, ID—Multi-modal facility	\$1,440,000	\$1,485,000	\$1,575,000
177. Fond du Lac Reservation, MN Purchase busses	\$48,000	\$49,500	\$52,500
178. Sandy City, UT Construct transit hub station and TRAX station at 9400 South	\$640,000	\$660,000	\$700,000
179. Cleveland, OH Construct passenger intermodal center near Dock 32	\$275,200	\$283,800	\$301,000
180. Tillamook, OR construction of a transit facility	\$32,000	\$33,000	\$35,000
181. Trenton, NJ Development of Trenton Trolley System	\$320,000	\$330,000	\$350,000
182. Utica, New York—Union Station rehabilitation and related infrastructure improvements	\$160,000	\$165,000	\$175,000
183. San Fernando Valley, CA Reseda Blvd. Bus Rapid Transit Route	\$192,000	\$198,000	\$210,000
184. Richmond, VA Renovation and construction for Main Street Station	\$352,000	\$363,000	\$385,000

Projects	FY 06	FY 07	FY 08
185. St. Paul to Hinckley, MN Construct bus amenities along Rush Line Corridor	\$480,000	\$495,000	\$525,000
186. Mattoon, Illinois—historic railroad depot restoration/intermodal center	\$512,000	\$528,000	\$560,000
187. Columbia County, OR To purchase buses	\$44,800	\$46,200	\$49,000
188. Westchester County, NY Bee-Line Bus Replacement program	\$80,000	\$82,500	\$87,500
189. Sacramento, CA Bus enhancement and improvements-construct maintenance facility and purchase clean-fuel buses to improve transit service	\$640,000	\$660,000	\$700,000
190. Calexico, CA Purchase new buses for the Calexico Transit System	\$96,000	\$99,000	\$105,000
191. Monterey Park, CA Safety improvements at a bus stop including creation of bus loading areas and street improvements	\$512,000	\$528,000	\$560,000
192. Buffalo, NY Intermodal Center Parking Facility	\$320,000	\$330,000	\$350,000
193. Mukilteo, WA Multi-Modal Terminal	\$1,856,000	\$1,914,000	\$2,030,000
194. Orange County Transit Authority, California—Security surveillance and monitoring equipment	\$1,692,800	\$1,745,700	\$1,851,500
195. Woodland Hills, CA Los Angeles Pierce College Bus Rapid Transit Station Extension	\$320,000	\$330,000	\$350,000
196. Design Downtown Carrollton Regional Multi-Modal Transit Hub Station	\$640,000	\$660,000	\$700,000
197. Brooklyn, NY Construct a multi-modal transportation facility	\$448,000	\$462,000	\$490,000
198. Cleveland, Ohio—Euclid Avenue University Hospital intermodal facility	\$1,440,000	\$1,485,000	\$1,575,000

Projects	FY 06	FY 07	FY 08
199. Las Vegas, NV Construct Central City Intermodal Transportation Terminal	\$1,920,000	\$1,980,000	\$2,100,000
200. Montebello, CA Bus Lines Bus Fleet Replacement Project	\$224,000	\$231,000	\$245,000
201. Philadelphia, PA Cruise Terminal Transportation Ctr. Phila. Naval Shipyard	\$1,120,000	\$1,155,000	\$1,225,000
202. Cleveland, OH Construct Fare Collection System Project, Cuyahoga County	\$160,000	\$165,000	\$175,000
203. Tempe, Arizona—Construct East Valley Metro Bus Facility	\$2,080,000	\$2,145,000	\$2,275,000
204. Boyssville of Michigan Transportation System ..	\$1,075,200	\$1,108,800	\$1,176,000
205. Woburn, MA Construction of an 89. space park and ride facility to be located on Magazine Hill, in the Heart of Woburn Square	\$576,000	\$594,000	\$630,000
206. Sylvester, GA Intermodal Facility	\$64,000	\$66,000	\$70,000
207. Culver City, CA Purchase compressed natural gas buses and expand natural gas fueling facility	\$1,184,000	\$1,221,000	\$1,295,000
208. Eastern Upper Peninsula, MI Ferry Dock and Facility upgrades for Drummond Island Ferry Services	\$80,000	\$82,500	\$87,500
209. Morristown, New Jersey—Intermodal Historic Station	\$320,000	\$330,000	\$350,000
210. San Antonio, TX Improve VIA bus facility and purchase new buses	\$2,240,000	\$2,310,000	\$2,450,000
211. Miami-Dade County, Florida—buses and bus facilities	\$1,600,000	\$1,650,000	\$1,750,000
212. Glendale, CA Construction of Downtown Streetcar Project	\$320,000	\$330,000	\$350,000
213. Gainesville, FL Bus Rapid Transit Study	\$160,000	\$165,000	\$175,000

Projects	FY 06	FY 07	FY 08
214. Mount Rainier, MD Intermodal and Pedestrian Project	\$144,000	\$148,500	\$157,500
215. Allentown, Pennsylvania—Da Vinci Center hydrogen fuel-celled transit vehicles	\$512,000	\$528,000	\$560,000
216. Wilsonville, OR South Metro Area Rapid Transit, bus and bus facilities	\$80,000	\$82,500	\$87,500
217. Charlotte, NC Construct Charlotte Multimodal Station	\$2,496,000	\$2,574,000	\$2,730,000
218. Enfield, Connecticut—intermodal station	\$640,000	\$660,000	\$700,000
219. Chicago, IL Feasibility Study for intermodal station on the Metra Rock Island near Kennedy-King College	\$96,000	\$99,000	\$105,000
220. Indianapolis, IN IndySMART program to relieve congestion, improve safety and air quality	\$640,000	\$660,000	\$700,000
221. Chicago, IL Construct intermodal facility at 35th Street at Metra Red Line (Northside)	\$1,600,000	\$1,650,000	\$1,750,000
222. Escondido, CA—Construct Bus Maintenance Facility	\$160,000	\$165,000	\$175,000
223. Los Angeles, CA Design and construct improved transit and pedestrian linkages between Los Angeles Community College and nearby MTA rail stop and bus lines ...	\$480,000	\$495,000	\$525,000
224. Montgomery County, MD Wheaton CBD Intermodal Access Program	\$160,000	\$165,000	\$175,000
225. Allentown, Pennsylvania—Design and construct Intermodal Transportation Center	\$640,000	\$660,000	\$700,000
226. Champaign, IL—Construct park and ride lot with attached daycare facility	\$480,000	\$495,000	\$525,000

Projects	FY 06	FY 07	FY 08
227. Berkeley, CA Construct Ed Roberts Campus Intermodal Transit Disability Center	\$960,000	\$990,000	\$1,050,000
228. Charlotte, North Carolina—Multimodal Station	\$1,280,000	\$1,320,000	\$1,400,000
229. Coconino County bus and bus facilities for the Sedona Transit System ..	\$320,000	\$330,000	\$350,000
230. Construction of Third Bus Depot on Staten Island	\$3,840,000	\$3,960,000	\$4,200,000
231. Harrison, Arkansas—Trolley Barn	\$12,800	\$13,200	\$14,000
232. Alexandria, VA Royal Street Bus Garage Replacement	\$160,000	\$165,000	\$175,000
233. Intermodal Facilities in Bucks County (Croydon and Levittown Stations)	\$960,000	\$990,000	\$1,050,000
234. Bronx, NY Jacobi Intermodal Center to North Central Bronx Hospital bus system	\$160,000	\$165,000	\$175,000
235. Indianapolis, IN Construct the Ivy Tech State College Multi-Modal Facility	\$1,600,000	\$1,650,000	\$1,750,000
236. Juneau, Alaska—transit bus acquisition and transit center	\$480,000	\$495,000	\$525,000
237. Knoxville, Tennessee—Central Station Transit Center	\$3,264,000	\$3,366,000	\$3,570,000
238. Levy County, Florida—Purchase 2. wheel chair equipped passenger buses and related equipment	\$96,000	\$99,000	\$105,000
239. Lafayette, Louisiana—Lafayette Transit System bus replacement program	\$288,000	\$297,000	\$315,000
240. Nebraska—statewide transit vehicles, facilities, and related equipment ...	\$1,280,000	\$1,320,000	\$1,400,000
241. Cincinnati, Ohio—Construct Uptown Crossings Joint Development Transit Project	\$960,000	\$990,000	\$1,050,000

Projects	FY 06	FY 07	FY 08
242. Des Moines, IA Purchase 40 foot buses	\$320,000	\$330,000	\$350,000
243. New Orleans, LA Regional Planning Commission, bus and bus facilities	\$160,000	\$165,000	\$175,000
244. Orange County, CA Purchase buses for rapid transit	\$320,000	\$330,000	\$350,000
245. Bus to provide Yorktown internal circulator to provide transportation throughout the Town	\$59,200	\$61,050	\$64,750
246. Providence, RI Expansion of Elmwood Paratransit Maintenance Facility	\$1,600,000	\$1,650,000	\$1,750,000
247. Atlanta, GA Intermodal Passenger Facility Improvements	\$640,000	\$660,000	\$700,000
248. Palm Beach, FL Palm Tran AVL-APC system with smart card fareboxes	\$80,000	\$82,500	\$87,500
249. Grand Rapids, MI—Purchase replacement and expansion buses	\$4,688,000	\$4,834,500	\$5,127,500
250. Maywood, IL Purchase buses	\$16,000	\$16,500	\$17,500
251. Redondo Beach, CA Capital Equipment procurement of 12. Compressed Natural Gas (CNG) Transit vehicles for Coastal Shuttle Services by Beach Cities Transit	\$256,000	\$264,000	\$280,000
252. Rochester, New York—Renaissance Square transit center	\$1,440,000	\$1,485,000	\$1,575,000
253. San Bernardino, CA Implement Santa Fe Depot improvements in San Bernardino	\$160,000	\$165,000	\$175,000
254. San Joaquin, California Regional Rail—Altamont Commuter Express Corridor intermodal centers	\$1,280,000	\$1,320,000	\$1,400,000
255. Albany, GA Multimodal Facility	\$256,000	\$264,000	\$280,000

Projects	FY 06	FY 07	FY 08
256. Savannah, GA Bus and Bus Facilities—Chatham Area Transit ...	\$1,600,000	\$1,650,000	\$1,750,000
257. Newburyport, MA Design and Construct Intermodal Facility	\$640,000	\$660,000	\$700,000
258. Cleveland, Ohio—Euclid Avenue and East 93rd Street intermodal facility	\$2,720,000	\$2,805,000	\$2,975,000
259. St. Charles, IL—Intermodal Parking Structures	\$1,440,000	\$1,485,000	\$1,575,000
260. Gardena, CA Purchase of alternative fuel buses for service expansion, on-board security system and bus facility training equipment	\$1,569,280	\$1,618,320	\$1,716,400
261. Thendra-Webb and Utica, New York—Install hadicap lifts in intermodal centers	\$32,000	\$33,000	\$35,000
262. Union City, NJ Construct Union City Intermodal Facility	\$640,000	\$660,000	\$700,000
263. Wilmar, AR Develop the Southeast Arkansas Intermodal Facility	\$640,000	\$660,000	\$700,000
264. Westchester County, NY Bus replacement program	\$1,200,000	\$1,237,500	\$1,312,500
265. Village of Tinley Park, Illinois, 80th Avenue Commuter Rail Station reconstruction and site enhancements	\$256,000	\$264,000	\$280,000
266. Martinez, CA Intermodal Facility Restoration	\$480,000	\$495,000	\$525,000
267. Middletown, CT Construct intermodal center	\$480,000	\$495,000	\$525,000
268. Nashville, TN Construct a parking garage on the campus of Lipscomb University, Nashville	\$640,000	\$660,000	\$700,000
269. New London, Connecticut—Intermodal Transportation Center and Streetscapes	\$640,000	\$660,000	\$700,000

Projects	FY 06	FY 07	FY 08
270. Vernon, Connecticut— Intermodal Center, Park- ing and Streetscapes	\$2,112,000	\$2,178,000	\$2,310,000
271. Huntington, NY Re- placement of three full sized transit buses with hybrid electric buses	\$192,000	\$198,000	\$210,000
272. Bend, Oregon—re- placement vans	\$320,000	\$330,000	\$350,000
273. Boston, MA Harbor Park Pavilion & Inter- modal Station	\$400,000	\$412,500	\$437,500
274. Philadelphia, PA SEPTA's Market St. Elevated Rail project in conjunction with Phila- delphia Commercial De- velopment Corporation for improvements and as- sistance to entities along rail corridor	\$448,000	\$462,000	\$490,000
275. Jesup, Georgia— Train Depot intermodal center	\$320,000	\$330,000	\$350,000
276. Long Beach, CA Mu- seum of Latin American Art, Long Beach, to build intermodal park and ride facility	\$640,000	\$660,000	\$700,000
277. Shreveport, LA— Intermodal Transit Fa- cility	\$1,072,000	\$1,105,500	\$1,172,500
278. Arlington County, VA Columbia Pike Bus Im- provements	\$1,120,000	\$1,155,000	\$1,225,000
279. Los Angeles, CA Pur- chase of clean fuel buses to improve bus service in South Los Angeles	\$273,920	\$282,480	\$299,600
280. Lowell, MA Imple- mentation of LRTA bus replacement plan	\$320,000	\$330,000	\$350,000
281. Falls Church, VA Falls Church Intermodal Transportation Center ...	\$640,000	\$660,000	\$700,000
282. San Diego, CA Com- pletion of San Diego Joint Transportation Op- erations Center (JTOC)	\$640,000	\$660,000	\$700,000
283. St. Bernard Parish, LA Intermodal facility improvements	\$320,000	\$330,000	\$350,000

Projects	FY 06	FY 07	FY 08
284. Cornwall, NY—Purchase Bus	\$27,840	\$28,710	\$30,450
285. Metro Gold Line Foothill Extension Light Rail Transit Project from Pasadena, CA to Montclair, CA	\$4,800,000	\$4,950,000	\$5,250,000
286. Richmond, CA BART Parking Structure	\$1,600,000	\$1,650,000	\$1,750,000
287. San Francisco, CA Implement ITS on Muni Transit System	\$960,000	\$990,000	\$1,050,000
288. Alameda County, CA AC Transit Bus Rapid Transit Corridor Project	\$640,000	\$660,000	\$700,000
289. Town of Warwick, NY Bus Facility Warwick Transit System	\$176,000	\$181,500	\$192,500
290. Galveston, Texas—Intermodal center and parking facility, The Strand	\$1,440,000	\$1,485,000	\$1,575,000
291. Joliet, Illinois—Union Station commuter parking facility	\$920,000	\$948,750	\$1,006,250
292. Lake County, Ohio—Ohio Department of Transportation transit improvements	\$48,000	\$49,500	\$52,500
293. Muskegon, Michigan—Muskegon Area Transit Terminal and related improvements	\$640,000	\$660,000	\$700,000
294. Orlando, FL Bus Replacement	\$1,280,000	\$1,320,000	\$1,400,000
295. Long Beach, CA Purchase one larger (75 passengers) and two smaller (40 passengers) ferryboats and construct related dock work to facilitate the use and accessibility of the ferryboats	\$960,000	\$990,000	\$1,050,000
296. Elgin to Rockford, Illinois—Intermodal stations along planned Metra Union Pacific West Line extension alignment, including necessary alternatives analysis	\$160,000	\$165,000	\$175,000

Projects	FY 06	FY 07	FY 08
297. Pilot Shuttle Train Project from the Ports of Los Angeles and Long Beach to the Inland Em- pire	\$1,600,000	\$1,650,000	\$1,750,000
298. Thomasville, GA Bus Replacement	\$64,000	\$66,000	\$70,000
299. Corvallis, OR Bus Re- placement	\$396,800	\$409,200	\$434,000
300. Geneva, New York— Multimodal facility— Construct passenger rail center	\$160,000	\$165,000	\$175,000
301. Barry County, MI— Barry County Transit equipment and dis- patching software	\$48,000	\$49,500	\$52,500
302. Greensboro, North Carolina—Piedmont Au- thority for Regional Transportation Multimodal Transpor- tation Center	\$4,006,400	\$4,131,600	\$4,382,000
303. Howard County, MD Construct Central Mary- land Transit Operations and Maintenance Facility	\$1,600,000	\$1,650,000	\$1,750,000
304. Coconino county buses and bus facilities for Flagstaff, AZ	\$800,000	\$825,000	\$875,000
305. Roanoke, Virginia— Intermodal Facility	\$64,000	\$66,000	\$70,000
306. Jacksonville, FL Bus Replacement	\$2,240,000	\$2,310,000	\$2,450,000
307. Los Angeles, CA Im- prove safety, mobility and access between LATTC, Metro line and nearby bus stops on Grand Ave between Washington and 23rd	\$160,000	\$165,000	\$175,000
308. Miami Dade, FL N.W. 7th Avenue Tran- sit Hub	\$960,000	\$990,000	\$1,050,000
309. Elyria, OH Construct the New York Central Train Station into an intermodal transpor- tation hub	\$655,360	\$675,840	\$716,800

Projects	FY 06	FY 07	FY 08
310. River Parishes, LA South Central Planning and Development Com- mission, bus and bus fa- cilities	\$320,000	\$330,000	\$350,000
311. Mammoth Lakes, California—Regional Transit Maintenance Fa- cility	\$160,000	\$165,000	\$175,000
312. Roanoke, Virginia— Improve Virginian Rail- way Station	\$80,000	\$82,500	\$87,500
313. Solana Beach, CA— Construct Intermodal Facility	\$480,000	\$495,000	\$525,000
314. San Diego, CA Widen sidewalks and bus stop entrance, and provide di- agonal parking, in the Skyline Paradise Hills neighborhood (Reo Drive)	\$96,000	\$99,000	\$105,000
315. Temecula, Cali- fornia—Intermodal Transit Facility	\$160,000	\$165,000	\$175,000
316. Philadelphia, Pennsylv- ania—SEPTA Market Street Elevated Line parking facility	\$1,280,000	\$1,320,000	\$1,400,000
317. Jamestown, NY Reha- bilitation of Intermodal Facility and associated property	\$640,000	\$660,000	\$700,000
318. Akron, Ohio Construct Downtown Multi-modal Transportation Center ...	\$1,280,000	\$1,320,000	\$1,400,000
319. Detroit Bus Mainte- nance Facility	\$2,880,000	\$2,970,000	\$3,150,000
320. Detroit, MI Bus Re- placement	\$2,400,000	\$2,475,000	\$2,625,000
321. Monterey Park, CA Catch Basins at Transit Stop Installation	\$102,400	\$105,600	\$112,000
322. Oneonta, New York- bus replacement	\$48,000	\$49,500	\$52,500
323. Lincoln County, OR bus purchase	\$80,000	\$82,500	\$87,500
324. Elon, North Caro- lina—Piedmont Author- ity for Regional Trans- portation buses and bus facilities	\$384,000	\$396,000	\$420,000

Projects	FY 06	FY 07	FY 08
325. Grants Pass, OR Purchase Vehicles For Use By Josephine Community Transit	\$54,720	\$56,430	\$59,850
326. Los Angeles, CA Install permanent irrigation system and enhanced landscaping on San Fernando Valley rapid bus transitway	\$960,000	\$990,000	\$1,050,000
327. Cleveland, OH Construct East Side Transit Center	\$960,000	\$990,000	\$1,050,000
328. New Jersey Transit Community Shuttle Buses	\$160,000	\$165,000	\$175,000
329. Quitman, Clay, Randolph, Stewart Co., GA Bus project	\$80,000	\$82,500	\$87,500
330. Framingham, MA Local Intra-Framingham Transit System enhancements	\$576,000	\$594,000	\$630,000
331. Gettysburg, Pennsylvania—transit transfer center	\$287,680	\$296,670	\$314,650
332. Long Beach, CA Park and Ride facility	\$320,000	\$330,000	\$350,000
333. Oak Harbor, WA Multimodal Facility	\$320,000	\$330,000	\$350,000
334. North Bend, Washington—Park and Ride ..	\$256,000	\$264,000	\$280,000
335. High Point, North Carolina—Bus Terminal	\$1,920,000	\$1,980,000	\$2,100,000
336. Dallas, TX Bus Passenger Facilities	\$4,096,000	\$4,224,000	\$4,480,000
337. Island Transit, WA Operations Base Facilities Project	\$768,000	\$792,000	\$840,000
338. Bronx, NY Intermodal facility near Exit 6. of the Bronx River Parkway	\$80,000	\$82,500	\$87,500
339. East San Diego County, California—Bus Maintenance Facility Expansion	\$640,000	\$660,000	\$700,000
340. New Jersey Intermodal Facilities and Bus Rolling Stock	\$960,000	\$990,000	\$1,050,000
341. San Gabriel Valley, CA—Foothill Transit Park and Rides	\$3,040,000	\$3,135,000	\$3,325,000

Projects	FY 06	FY 07	FY 08
342. St. Paul, MN Union Depot Multi Modal Transit Facility	\$640,000	\$660,000	\$700,000
343. Kings County, NY Construct a multi-modal transportation facility	\$320,000	\$330,000	\$350,000
344. Gainesville, FL Bus Facility Expansion	\$1,280,000	\$1,320,000	\$1,400,000
345. Kansas City, MO Bus Transit Infrastructure ...	\$320,000	\$330,000	\$350,000
346. Phoenix, AZ Construct metro bus facility in Phoenix's West Valley	\$1,600,000	\$1,650,000	\$1,750,000
347. Eastlake, Ohio—Eastlake Stadium transit intermodal facility	\$1,360,000	\$1,402,500	\$1,487,500
348. Savannah, Georgia—Water Ferry Riverwalk intermodal facilities	\$640,000	\$660,000	\$700,000
349. Kent, OH Construct Kent State University Intermodal Facility serving students and the general public	\$320,000	\$330,000	\$350,000
350. Milwaukee, WI Rehabilitate Intermodal transportation facility at downtown Milwaukee's Amtrak Station, increase parking for bus passengers	\$1,440,000	\$1,485,000	\$1,575,000
351. Charlotte North Carolina—Eastland Community Transit Center	\$640,000	\$660,000	\$700,000
352. Oakland, CA Construct streetscape & intermodal improvements at BART Station Transit Villages	\$320,000	\$330,000	\$350,000
353. Suffolk County, NY Purchase four handi-capped accessible vans to transport veterans to and from the VA facility in Northport	\$89,600	\$92,400	\$98,000
354. Norfolk, Virginia—Final Design and Construction Southside Bus Facility	\$560,000	\$577,500	\$612,500
355. Albany, GA Bus replacement	\$96,000	\$99,000	\$105,000
356. Lafayette Multimodal center, Final Phase	\$960,000	\$990,000	\$1,050,000

Projects	FY 06	FY 07	FY 08
357. Athens, GA Buses and Bus Facilities	\$454,400	\$468,600	\$497,000
358. Cicero, Chicago Establish Transit Signal Priority, Cicero Ave., Pace Suburban Bus	\$320,000	\$330,000	\$350,000
359. Arlington County, VA Pentagon City Multimodal Improvements	\$640,000	\$660,000	\$700,000
360. Richmond, VA Design and construction for a bus operations and maintenance facility for Greater Richmond Transit Company	\$480,000	\$495,000	\$525,000
361. Roanoke, Virginia—Roanoke Railway and Link Passenger facility ..	\$160,000	\$165,000	\$175,000
362. Akron, OH Construct City of Akron Commuter Bus Transit Facility	\$480,000	\$495,000	\$525,000
363. Corning, New York—Transportation Center ...	\$1,280,000	\$1,320,000	\$1,400,000
364. Santa Monica, CA Construct intermodal park-and-ride facility at Santa Monica College campus on South Bundy Drive near Airport Avenue	\$320,000	\$330,000	\$350,000
365. Pace Suburban Bus, IL South Suburban BRT Mobility Network	\$160,000	\$165,000	\$175,000
366. Orange County, CA Transportation Projects to Encourage Use of Transit to Reduce Congestion	\$320,000	\$330,000	\$350,000
367. Palm Beach, FL 20 New Buses for Palm Tran	\$480,000	\$495,000	\$525,000
368. Nassau County, NY Conduct planning and engineering for transportation system (HUB)	\$2,240,000	\$2,310,000	\$2,450,000
369. Norwalk, Connecticut—Pulse Point Joint Development intermodal facility	\$160,000	\$165,000	\$175,000

Projects	FY 06	FY 07	FY 08
370. Salem, MA Design and Construct Salem Intermodal Transportation Center	\$640,000	\$660,000	\$700,000
371. Las Vegas, NV Construct Las Vegas WestCare Intermodal Facility	\$80,000	\$82,500	\$87,500
372. Richmond, KY Purchase buses, bus equipment, and facilities	\$230,400	\$237,600	\$252,000
373. Niagara Frontier Transportation Authority, NY Replacement Buses	\$320,000	\$330,000	\$350,000
374. Metro-Atlanta, GA MARTA Automated Smart-Card Fare Collection system	\$320,000	\$330,000	\$350,000
375. Monterey, CA Purchase bus equipment	\$320,000	\$330,000	\$350,000
376. New York City, NY Purchase Handicapped-Accessible Livery Vehicles	\$320,000	\$330,000	\$350,000
377. San Francisco, CA Construct San Francisco Muni Islais Creek Maintenance Facility	\$1,920,000	\$1,980,000	\$2,100,000
378. Indianapolis, IN Relocate and improve intermodal transportation for pedestrian to Children's Museum of Indianapolis	\$4,480,000	\$4,620,000	\$4,900,000
379. Ramapo, NY Transportation Safety Field Bus	\$80,000	\$82,500	\$87,500
380. Columbiana County, OH Construct Intermodal Facility	\$1,600,000	\$1,650,000	\$1,750,000
381. San Francisco, CA Redesign and renovate intermodal facility at Glen Park Community ...	\$1,056,000	\$1,089,000	\$1,155,000
382. San Luis Rey, California—Transit Center Project	\$160,000	\$165,000	\$175,000

Projects	FY 06	FY 07	FY 08
383. South San Francisco, CA Construction of Ferry Terminal at Oyster Point in South San Francisco to the San Francisco Bay Area Water Transit Authority	\$1,600,000	\$1,650,000	\$1,750,000
384. Atlanta, GA MARTA Clean Fuel Bus Acquisition	\$1,920,000	\$1,980,000	\$2,100,000
385. Norristown, PA—Construct a 400 space parking structure at the northwest corner of Main and Cherry Streets	\$320,000	\$330,000	\$350,000
386. Suffolk County, NY Design and construction of intermodal transit facility in Wyandaneh	\$1,280,000	\$1,320,000	\$1,400,000
387. Fresno, CA—Develop program of low-emission transit vehicles	\$320,000	\$330,000	\$350,000
388. Sylmar, CA Los Angeles Mission College Transit Center construction ..	\$80,000	\$82,500	\$87,500
389. Lakewood, NJ—Ocean County Bus service and parking facilities	\$960,000	\$990,000	\$1,050,000
390. St. Lucie County, FL Purchase Buses	\$320,000	\$330,000	\$350,000
391. Hampton Roads, VA Final design and construction for a Hampton Roads Transit Southside Bus Facility	\$640,000	\$660,000	\$700,000
392. Oakland, CA Construct Bay Trail between Coliseum BART station and Martin Luther King, Jr. Regional Shoreline ...	\$288,000	\$297,000	\$315,000
393. South Amboy, NJ Construction of improvements to facilities at South Amboy Station under S Amboy, NJ Regional Intermodal Initiative	\$2,560,000	\$2,640,000	\$2,800,000
394. Hartford, CT Buses and bus-related facilities	\$1,280,000	\$1,320,000	\$1,400,000
395. Ilwaco, WA Construct park and ride	\$32,000	\$33,000	\$35,000

Projects	FY 06	FY 07	FY 08
396. Burbank, CA Construction of Empire Area Transit Center near Burbank Airport	\$80,000	\$82,500	\$87,500
397. Pottsville, PA Union Street Trade and Transfer Center Intermodal Facility	\$640,000	\$660,000	\$700,000
398. Amador County, California—Regional Transit Center	\$320,000	\$330,000	\$350,000
399. Pasadena, CA ITS Improvements	\$320,000	\$330,000	\$350,000
400. South FL Region, FL Regional Universal Automated Fare Collection System (UAFC) (for bus system)	\$640,000	\$660,000	\$700,000
401. South Pasadena, CA Silent Night Grade Crossing Project	\$288,000	\$297,000	\$315,000
402. Tampa, FL Establish Transit Emphasis Corridor and Improvements	\$240,000	\$247,500	\$262,500
403. San Francisco, CA Implement Transbay Terminal-Caltrain Downtown Extension Project ..	\$4,480,000	\$4,620,000	\$4,900,000
404. Rock Island, IL Improve Rock Island Mass Transit District Bus Facility	\$160,000	\$165,000	\$175,000
405. Las Vegas, NV Construct Boulder Highway BRT system and purchase vehicles and related equipment	\$640,000	\$660,000	\$700,000
406. Moultrie, GA Intermodal facility	\$96,000	\$99,000	\$105,000
407. Carson, CA Purchase one trolley-bus vehicle	\$80,000	\$82,500	\$87,500
408. Brooklyn, NY Construct a multi-modal transportation facility in the vicinity of Downstate Medical Center	\$320,000	\$330,000	\$350,000
409. Alexandria, VA Eisenhower Avenue Intermodal Station Improvements, including purchase of buses and construction of bus shelters	\$800,000	\$825,000	\$875,000

Projects	FY 06	FY 07	FY 08
410. Long Beach, CA Purchase ten clean fuel busses	\$960,000	\$990,000	\$1,050,000
411. Cleveland, OH Construction of an intermodal facility and related improvements at University Hospitals facility on Euclid Avenue ..	\$320,000	\$330,000	\$350,000
412. Nashville, TN Construct Downtown Nashville Transit Transfer Facility	\$480,000	\$495,000	\$525,000
413. Philadelphia, PA Penn's Landing water shuttle parking lot expansion and water shuttle ramp infrastructure construction	\$352,000	\$363,000	\$385,000
414. Hercules, CA Intermodal Rail Station Improvements	\$480,000	\$495,000	\$525,000
415. Purchase Buses and construct bus facilities in Broward County, FL	\$480,000	\$495,000	\$525,000
416. Improve marine intermodal facilities in Ketchikan	\$8,000,000	\$8,250,000	\$8,750,000
417. Indianapolis, Indiana—Childrens Museum Intermodal Center	\$320,000	\$330,000	\$350,000
418. Windham, New Hampshire—Construction of Park and Ride Bus facility at Exit 3	\$1,184,000	\$1,221,000	\$1,295,000
419. Brooklyn, NY—Rehabilitation of Bay Ridge 86th Street Subway Station	\$1,280,000	\$1,320,000	\$1,400,000
420. Purchase Buses and construct bus facilities in Broward County, FL	\$640,000	\$660,000	\$700,000
421. Bayamon, Puerto Rico—Purchase of Trolley Cars	\$272,000	\$280,500	\$297,500
422. C Street Expanded bus facility and intermodal parking garage, Anchorage, AK	\$1,600,000	\$1,650,000	\$1,750,000
423. Morris Thompson Cultural and Visitors Center intermodal parking facility, Fairbanks, AK	\$800,000	\$825,000	\$875,000

Projects	FY 06	FY 07	FY 08
424. Sharon, PA—Bus Facility Construction	\$160,000	\$165,000	\$175,000
425. CITC Non-profit Services Center intermodal parking facility, Anchorage, AK	\$960,000	\$990,000	\$1,050,000
426. Abilene, TX Vehicle replacement and facility improvements for transit system	\$128,000	\$132,000	\$140,000
427. Alaska Native Medical Center intermodal parking facility	\$1,600,000	\$1,650,000	\$1,750,000
428. Butler, PA—Multimodal Transit Center Construction	\$320,000	\$330,000	\$350,000
429. Normal, Illinois—Multimodal Transportation Center	\$640,000	\$660,000	\$700,000
430. Rochester, New York—Renaissance Square transit center	\$640,000	\$660,000	\$700,000
431. Erie, PA—EMTA Vehicle Acquisition	\$640,000	\$660,000	\$700,000
432. Miami-Dade County, Florida—Buses and bus facilities	\$1,280,000	\$1,320,000	\$1,400,000
433. Centralia, Illinois—South Central Mass Transit District Improvements	\$128,000	\$132,000	\$140,000
434. Roanoke, VA—Bus restoration in the City of Roanoke	\$80,000	\$82,500	\$87,500
435. Denver, Colorado—Regional Transportation District Bus Replacement	\$640,000	\$660,000	\$700,000
436. Intermodal facility improvements at the Port of Anchorage	\$8,000,000	\$8,250,000	\$8,750,000
437. American Village/Montevallo construction of closed loop Access Road, bus lanes and parking facility	\$96,000	\$99,000	\$105,000
438. Corpus Christi, TX Corpus Regional Transit Authority for maintenance facility improvements	\$800,000	\$825,000	\$875,000

Projects	FY 06	FY 07	FY 08
439. Central Florida Com- muter Rail intermodal facilities	\$1,600,000	\$1,650,000	\$1,750,000
440. Ames, Iowa—Expan- sion of CyRide Bus Maintenance Facility	\$640,000	\$660,000	\$700,000
441. St. Paul, MN Inter- modal Center	\$1,440,000	\$1,485,000	\$1,575,000
442. Albany, OR North Al- bany park and ride	\$256,000	\$264,000	\$280,000
443. Portland, OR Tri Met bus replacement	\$384,000	\$396,000	\$420,000

1 **SEC. 3039. NATIONAL FUEL CELL BUS TECHNOLOGY DE-**
2 **VELOPMENT PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Secretary shall establish
4 a national fuel cell bus technology development program
5 (in this section referred to as the “program”) to facilitate
6 the development of commercially viable fuel cell bus tech-
7 nology and related infrastructure.

8 (b) **GENERAL AUTHORITY.**—The Secretary may
9 enter into grants, contracts, and cooperative agreements
10 with no more than 3 geographically diverse nonprofit orga-
11 nizations and recipients under chapter 53 of title 49,
12 United States Code, to conduct fuel cell bus technology
13 and infrastructure projects under the program.

14 (c) **GRANT CRITERIA.**—In selecting applicants for
15 grants under the program, the Secretary shall consider the
16 applicant’s—

17 (1) ability to contribute significantly to fur-
18 thering fuel cell technology as it relates to transit

1 bus operations, including hydrogen production, en-
2 ergy storage, fuel cell technologies, vehicle systems
3 integration, and power electronics technologies;

4 (2) financing plan and cost share potential;

5 (3) fuel cell technology to ensure that the pro-
6 gram advances different fuel cell technologies, in-
7 cluding hydrogen-fueled and methanol-powered liq-
8 uid-fueled fuel cell technologies, that may be viable
9 for public transportation systems; and

10 (4) other criteria that the Secretary determines
11 are necessary to carry out the program.

12 (d) COMPETITIVE GRANT SELECTION.—The Sec-
13 retary shall conduct a national solicitation for applications
14 for grants under the program. Grant recipients shall be
15 selected on a competitive basis. The Secretary shall give
16 priority consideration to applicants that have successfully
17 managed advanced transportation technology projects, in-
18 cluding projects related to hydrogen and fuel cell public
19 transportation operations for a period of not less than 10
20 years.

21 (e) FEDERAL SHARE.—The Federal share of costs of
22 the program shall be provided from funds made available
23 to carry out this section. The Federal share of the cost
24 of a project carried out under the program shall not exceed
25 50 percent of such cost.

1 (f) GRANT REQUIREMENTS.—A grant under this sec-
2 tion shall be subject to—

3 (1) all terms and conditions applicable to a
4 grant made under section 5309 of title 49, United
5 States Code; and

6 (2) such other terms and conditions as are de-
7 termined by the Secretary.

8 **SEC. 3040. HIGH-INTENSITY SMALL-URBANIZED AREA FOR-**
9 **MULA GRANT PROGRAM.**

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

12 (1) ELIGIBLE AREA.—The term “eligible area”
13 means an urbanized area with a population of less
14 than 200,000 that meets or exceeds in one or more
15 performance categories the industry average for all
16 urbanized areas with a population of at least
17 200,000 but not more than 999,999, as determined
18 by the Secretary in accordance with subsection
19 (c)(2).

20 (2) PERFORMANCE CATEGORY.—The term
21 “performance category” means each of the following:

22 (A) Passenger miles traveled per vehicle
23 revenue mile.

24 (B) Passenger miles traveled per vehicle
25 revenue hour.

1 (C) Vehicle revenue miles per capita.

2 (D) Vehicle revenue hours per capita.

3 (E) Passenger miles traveled per capita.

4 (F) Passengers per capita.

5 (b) GENERAL AUTHORITY.—In order to address the
6 needs of small urbanized areas with unusually high levels
7 of public transportation service, the Secretary shall make
8 capital and operating grants under this section to eligible
9 recipients described in subsection (d) for use in eligible
10 areas.

11 (c) APPORTIONMENT.—

12 (1) APPORTIONMENT FORMULA.—Funds made
13 available for grants under this section in a fiscal
14 year shall be apportioned among eligible areas in the
15 ratio that—

16 (A) the number of performance categories
17 for which each eligible area meets or exceeds
18 the industry average in urbanized areas with a
19 population of at least 200,000 but not more
20 than 999,999; bears to

21 (B) the aggregate number of performance
22 categories for which all eligible areas meet or
23 exceed the industry average in urbanized areas
24 with a population of at least 200,000 but not
25 more than 999,999.

1 (2) DATA USED IN FORMULA.—The Secretary
2 shall calculate apportionments under this subsection
3 for a fiscal year using data from the national transit
4 database used to calculate apportionments for that
5 fiscal year under section 5336 of title 49, United
6 States Code.

7 (d) ELIGIBLE RECIPIENT.—Grant amounts appor-
8 tioned to an eligible area under this section shall be made
9 available to a public transportation agency or other gov-
10 ernmental entity in the eligible area for obligation in the
11 eligible area.

12 (e) GOVERNMENT'S SHARE OF COSTS.—

13 (1) CAPITAL GRANTS.—A grant for a capital
14 project under this section (including associated cap-
15 ital maintenance items) shall be for 80 percent of
16 the net capital costs of the project, as determined by
17 the Secretary. The recipient may provide additional
18 local matching amounts for such projects.

19 (2) OPERATING GRANTS.—A grant under this
20 section for operating assistance may not exceed 50
21 percent of the net operating costs of the project, as
22 determined by the Secretary.

23 (3) REMAINDER.—The remainder of the net
24 project costs may be provided from an undistributed

1 cash surplus, a replacement or depreciation cash
2 fund or reserve, or new capital.

3 (f) PERIOD OF AVAILABILITY.—Funds apportioned
4 under this section to an eligible area shall remain available
5 for obligation in that eligible area for a period of 3 years
6 after the last day of the fiscal year for which the funds
7 are apportioned. Any amounts so apportioned that remain
8 unobligated at the end of that period shall be added to
9 the amount that may be apportioned under this section
10 in the next fiscal year.

11 (g) APPLICATION OF OTHER SECTIONS.—Sections
12 5302, 5318, 5323, 5332, 5333, and 5336(e) of title 49,
13 United States Code, apply to this section and to a grant
14 made under this section.

15 (h) FUNDING.—Of the amounts made available to
16 carry out section 5307 of title 49, United States Code,
17 \$38,000,000 for fiscal year 2005, \$41,000,000 for fiscal
18 year 2006, \$44,000,000 for fiscal year 2007, \$47,000,000
19 for fiscal year 2008, and \$50,000,000 for fiscal year 2009
20 shall be available to carry out this section.

21 (i) TECHNICAL AMENDMENTS.—Section 5336 is
22 amended—

23 (1) in subsection (a)—

24 (A) by striking “of this title” and inserting

25 “to carry out section 5307”; and

1 (B) in paragraph (2) by inserting before
2 the period at the end the following: “, except
3 that the amount apportioned to the Anchorage
4 urbanized area under subsection (b) shall be
5 available to the Alaska Railroad for any costs
6 related to its passenger operations”;

7 (2) in subsection (b)(1) by inserting “and the
8 Alaska Railroad passenger operations” after “recipi-
9 ent”;

10 (3) in subsection (j) by striking “a grant made
11 under” each place it appears and inserting “a grant
12 made with funds apportioned under”; and

13 (4) in subsection (k)(1) by striking “section
14 5302(a)(13) of this title” and inserting “section
15 5302(a)”.

16 **SEC. 3041. ALLOCATIONS FOR NATIONAL RESEARCH AND**
17 **TECHNOLOGY PROGRAMS.**

18 (a) IN GENERAL.—Amounts appropriated pursuant
19 to section 5338(d) of title 49, United States Code, for na-
20 tional research and technology programs under sections
21 5312, 5314, and 5322 of such title shall be allocated by
22 the Secretary as follows:

23 (1) SAFETY AND EMERGENCY PREPARED-
24 NESS.—

1 (A) IN GENERAL.—For carrying out safety
2 and emergency preparedness research activities
3 consisting of technical assistance, training, and
4 data analysis and reporting to improve public
5 transportation system safety and security and
6 emergency preparedness—

7 (i) \$7,000,000 for fiscal year 2005;

8 (ii) \$7,400,000 for fiscal year 2006;

9 (iii) \$7,800,000 for fiscal year 2007;

10 (iv) \$8,200,000 for fiscal year 2008;

11 and

12 (v) \$8,700,000 for fiscal year 2009.

13 (B) PUBLIC TRANSPORTATION NATIONAL
14 SECURITY STUDY.—

15 (i) IN GENERAL.—Not later than 6
16 months after the date of enactment of this
17 Act, the Secretary shall enter into an
18 agreement with the National Academy of
19 Sciences to conduct a study and evaluation
20 of the value major public transportation
21 systems in the United States serving the
22 38 urbanized areas that have a population
23 of more than 1,000,000 individuals provide
24 to the Nation's security and the ability of
25 such systems to accommodate the evacu-

1 ation, egress or ingress of people to or
2 from critical locations in times of emer-
3 gency.

4 (ii) ALTERNATIVE ROUTES.—For each
5 system described in clause (i) the study
6 shall identify—

7 (I) potential alternative routes
8 for evacuation using other transpor-
9 tation modes such as highway, air,
10 marine, and pedestrian activities; and

11 (II) transit routes that, if dis-
12 rupted, do not have sufficient transit
13 alternatives available.

14 (iii) REPORT.—Not later than 24
15 months after the date of entry into the
16 agreement, the Academy shall submit to
17 the Secretary and the Committee on
18 Transportation and Infrastructure of the
19 House of Representatives and the Com-
20 mittee on Banking, Housing and Urban
21 Affairs of the Senate a final report on the
22 results of the study and evaluation, to-
23 gether with such recommendations as the
24 Academy considers appropriate.

1 (iv) FUNDING.—Of the amounts made
2 available under section 5338(d) of title 49,
3 United States Code, \$250,000 shall be
4 available for each of fiscal years 2005 and
5 2006 to carry out this subparagraph.

6 (2) EQUIPMENT AND INFRASTRUCTURE.—For
7 carrying out equipment and infrastructure research
8 activities on public transportation and infrastructure
9 technologies and methods and voluntary industry
10 standards development—

11 (A) \$5,700,000 for fiscal year 2005;

12 (B) \$6,200,000 for fiscal year 2006;

13 (C) \$6,550,000 for fiscal year 2007;

14 (D) \$6,900,000 for fiscal year 2008; and

15 (E) \$7,200,000 for fiscal year 2009.

16 (3) PUBLIC TRANSPORTATION OPERATIONS EF-
17 FICIENCY.—For carrying out public transportation
18 operations efficiency research activities on high-per-
19 formance public transportation services and other in-
20 novations in fleet operations and maintenance—

21 (A) \$4,700,000 for fiscal year 2005;

22 (B) \$4,900,000 for fiscal year 2006;

23 (C) \$5,200,000 for fiscal year 2007;

24 (D) \$5,500,000 for fiscal year 2008; and

25 (E) \$5,800,000 for fiscal year 2009.

1 (4) ENERGY INDEPENDENCE AND ENVIRON-
2 MENTAL PROTECTION.—

3 (A) IN GENERAL.—For carrying out en-
4 ergy independence and environmental protection
5 research activities on improved public transpor-
6 tation energy use and propulsion systems and
7 public transportation oriented development—

8 (i) \$3,700,000 for fiscal year 2005;

9 (ii) \$3,900,000 for fiscal year 2006;

10 (iii) \$4,150,000 for fiscal year 2007;

11 (iv) \$4,300,000 for fiscal year 2008;

12 and

13 (v) \$4,300,000 for fiscal year 2009.

14 (B) TRANSIT-ORIENTED DEVELOPMENT
15 CENTER.—Of the funds allocated for each of
16 fiscal years 2005 through 2009 under subpara-
17 graph (A), not less than \$1,000,000 shall be
18 made available by the Secretary for establish-
19 ment and operation of a national center for
20 transit-oriented development—

21 (i) to develop standards and defini-
22 tions for transit-oriented development adja-
23 cent to public transportation facilities;

24 (ii) to develop system planning guid-
25 ance, performance criteria, and modeling

1 techniques for metropolitan planning agen-
2 cies and public transportation agencies to
3 maximize ridership through land use plan-
4 ning and adjacent development; and

5 (iii) to provide research support and
6 technical assistance to public transpor-
7 tation agencies, metropolitan planning
8 agencies, and other persons regarding
9 transit-oriented development.

10 (5) MOBILITY MANAGEMENT.—

11 (A) IN GENERAL.—For carrying out re-
12 search activities on mobility management, as
13 described in section 5302(a)(1) of title 49,
14 United States Code—

15 (i) \$7,000,000 for fiscal year 2005;

16 (ii) \$7,400,000 for fiscal year 2006;

17 (iii) \$7,800,000 for fiscal year 2007;

18 (iv) \$8,200,000 for fiscal year 2008;

19 and

20 (v) \$8,700,000 for fiscal year 2009.

21 (B) TRANSPORTATION EQUITY RESEARCH
22 PROGRAM.—Of the funds allocated for each of
23 fiscal years 2005 through 2009 under subpara-
24 graph (A), not less than \$1,000,000 shall be
25 made available by the Secretary for research

1 and demonstration activities that focus on the
2 impacts that transportation planning, invest-
3 ment, and operations have on low-income and
4 minority populations that are transit dependent.
5 Such activities shall include the development of
6 strategies to advance economic and community
7 development in low-income and minority com-
8 munities and the development of training pro-
9 grams that promote the employment of low-in-
10 come and minority community residents on
11 Federal-aid transportation projects constructed
12 in their communities.

13 (C) COGNITIVE IMPAIRMENT STUDY.—Of
14 the funds allocated for fiscal year 2005 under
15 subparagraph (A), \$1,000,000 shall be made
16 available by the Secretary for research and
17 demonstration activities that focus on the ca-
18 pacity and resources of Oregon public transpor-
19 tation systems to address the needs, barriers,
20 and desires for travel of people with cognitive
21 impairments.

22 (6) PUBLIC TRANSPORTATION CAPACITY BUILD-
23 ING.—

24 (A) IN GENERAL.—For carrying out public
25 transportation capacity building activities con-

1 sisting of workforce and industry development,
2 the International Mass Transportation Pro-
3 gram, and technology transfer and industry
4 adoption activities—

5 (i) \$2,400,000 for fiscal year 2005;

6 (ii) \$2,500,000 for fiscal year 2006;

7 (iii) \$2,600,000 for fiscal year 2007;

8 (iv) \$2,700,000 for fiscal year 2008;

9 and

10 (v) \$3,000,000 for fiscal year 2009.

11 (B) TRANSIT CAREER LADDER TRAINING
12 PROGRAM.—Of the funds allocated for each fis-
13 cal year under subparagraph (A), not less than
14 \$1,000,000 shall be available for a nationwide
15 career ladder job training partnership program
16 for public transportation employees to respond
17 to technological changes in the public transpor-
18 tation industry, especially in the area of mainte-
19 nance. Such program shall be carried out by the
20 Secretary through a contract with a national
21 nonprofit organization with a demonstrated ca-
22 pacity to develop and provide such programs.

23 (7) STRATEGIC PLANNING AND PERFORMANCE
24 MEASURES.—For carrying out strategic planning
25 and performance measures consisting of policy and

1 program development, research program planning
2 and performance, evaluation, and industry out-
3 reach—

4 (A) \$3,500,000 for fiscal year 2005;

5 (B) \$3,700,000 for fiscal year 2006;

6 (C) \$4,000,000 for fiscal year 2007;

7 (D) \$4,200,000 for fiscal year 2008; and

8 (E) \$4,300,000 for fiscal year 2009.

9 (b) REMAINDER.—After making allocations under
10 subsection (a) of this section and section 5338(d)(2) of
11 title 49, United States Code, the remainder of funds made
12 available by section 5338(d)(2) of such title for national
13 research and technology programs under sections 5312,
14 5314, and 5322 for a fiscal year shall be allocated at the
15 discretion of the Secretary to other transit research, devel-
16 opment, demonstration and deployment projects author-
17 ized by sections 5312, 5314, and 5322 of such title.

18 **SEC. 3042. RELATIONSHIP TO OTHER LAWS.**

19 Section 5323(l) is amended to read as follows:

20 “(l) RELATIONSHIP TO OTHER LAWS.—Section 1001
21 of title 18 applies to a certificate, submission, or statement
22 provided under this chapter. The Secretary may terminate
23 financial assistance under this chapter and seek reim-
24 bursement directly, or by offsetting amounts, available
25 under this chapter, when a false or fraudulent statement

1 or related act within the meaning of such section 1001
2 is made in connection with a Federal transit program.”.

3 **SEC. 3043. FORGIVENESS OF GRANT AGREEMENT.**

4 Notwithstanding any other provision of law (includ-
5 ing any regulation), any outstanding balances on the fol-
6 lowing grant agreements made to the Lane County Tran-
7 sit District, Oregon, do not have to be repaid:

8 (1) Federal Contract Number OR–03–0087.

9 (2) Federal Contract Number OR–90–X094.

10 **SEC. 3044. COOPERATIVE PROCUREMENT.**

11 (a) REVIEW OF COOPERATIVE PROCUREMENT; AU-
12 THORITY TO INCREASE FEDERAL SHARE.—

13 (1) IN GENERAL.—Not later than 6 months
14 after the date of enactment of this Act, the Sec-
15 retary shall undertake a 30-day review of efforts to
16 use cooperative procurement to determine whether
17 benefits are sufficient to formally incorporate coop-
18 erative procurement into the mass transit program.
19 In particular the Secretary shall review the progress
20 made under the pilot program authorized under sec-
21 tion 166 of division F of the Consolidated Appro-
22 priations Act, 2004 (49 U.S.C. 5397 note; 118 Stat.
23 309), based on experience to date in the pilot pro-
24 gram and any available reports to Congress sub-
25 mitted under such section 166. The Secretary shall

1 also consider information gathered from grantees
2 about cooperative procurement, whether or not re-
3 lated to the pilot program.

4 (2) NOTIFICATION OF CONGRESS.—The Sec-
5 retary shall notify the Committee on Transportation
6 and Infrastructure of the House of Representatives
7 and the Committee on Banking, Housing, and
8 Urban Affairs of the Senate of the results of the re-
9 view required under paragraph (1), including a find-
10 ing of sufficient benefit or insufficient benefit and
11 the reasons for that finding.

12 **SEC. 3045. OBLIGATION CEILING.**

13 Notwithstanding any other provision of law, the total
14 of all obligations from amounts made available from the
15 Mass Transit Account of the Highway Trust Fund by, and
16 amounts appropriated under, subsections (a) through (f)
17 of section 5338 of title 49, United States Code, shall not
18 exceed—

- 19 (1) \$7,266,000,000 for fiscal year 2004;
20 (2) \$7,646,300,000 for fiscal year 2005;
21 (3) \$8,482,000,000 for fiscal year 2006;
22 (4) \$9,042,000,000 for fiscal year 2007;
23 (5) \$9,639,000,000 for fiscal year 2008; and
24 (6) \$10,277,000,000 for fiscal year 2009.

1 **SEC. 3046. ADJUSTMENTS FOR THE SURFACE TRANSPORTATION EXTENSION ACT OF 2004, PART V.**
2

3 (a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall ensure that the total apportionments and allocations made to a designated grant recipient under section 5338 of title 49, United States Code, for fiscal year 2005 shall be reduced by the amount apportioned to such designated recipient pursuant to section 8 of the Surface Transportation Extension Act of 2004, Part V.
10

11 (b) **FIXED GUIDEWAY MODERNIZATION ADJUSTMENT.**—In making the apportionments described in subsection (a), the Secretary shall adjust the amount apportioned to each urbanized area for fixed guideway modernization for fiscal year 2005 to reflect the method for apportioning funds in section 5337(a) of title 49, United States Code.
17

18 **SEC. 3047. SPECIAL RULE FOR FISCAL YEAR 2004.**

19 In any case in which an amount is authorized to be appropriated, made available, allocated, set aside, taken down, or subject to an obligation limitation for fiscal year 2004 for a program, project, or activity in any provision of this title, including an amendment made by this title, that is different than the amount authorized to be appropriated, made available, allocated, set aside, taken down, or subject to an obligation limitation for fiscal year 2004
26

1 for such program, project, or activity in any provision of
2 the Surface Transportation Extension Act of 2004, Part
3 IV (Public Law 108–280), including any amendment
4 made by such Act, the amount referred to in such Act
5 shall be the amount authorized to be appropriated, made
6 available, allocated, set aside, taken down, or subject to
7 an obligation limitation.

8 **TITLE IV—MOTOR CARRIER**
9 **TRANSPORTATION AND SAFETY**
10 **Subtitle A—Commercial Motor**
11 **Vehicle Safety**

12 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) ADMINISTRATIVE EXPENSES.—Section 31104 of
14 title 49, United States Code, is amended by adding the
15 following at the end:

16 “(i) ADMINISTRATIVE EXPENSES.—

17 “(1) AUTHORIZATION OF APPROPRIATIONS.—

18 There are authorized to be appropriated from the
19 Highway Trust Fund (other than the Mass Transit
20 Account) for the Secretary of Transportation to pay
21 administrative expenses of the Federal Motor Car-
22 rier Safety Administration—

23 “(A) \$173,450,000 for fiscal year 2004;

24 “(B) \$254,849,000 for fiscal year 2005;

25 “(C) \$215,000,000 for fiscal year 2006;

1 “(D) \$230,000,000 for fiscal year 2007;

2 “(E) \$234,000,000 for fiscal year 2008;

3 and

4 “(F) \$240,000,000 for fiscal year 2009.

5 “(2) USE OF FUNDS.—The funds authorized by
6 this subsection shall be used for personnel costs; ad-
7 ministrative infrastructure; rent; information tech-
8 nology; programs for research and technology, infor-
9 mation management, regulatory development (in-
10 cluding a medical review board), the administration
11 of the performance and registration information sys-
12 tem management, and outreach and education; other
13 operating expenses; and such other expenses as may
14 from time to time become necessary to implement
15 statutory mandates of the Administration not fund-
16 ed from other sources.

17 “(3) PERIOD OF AVAILABILITY.—The amounts
18 made available under this section shall remain avail-
19 able until expended.

20 “(4) INITIAL DATE OF AVAILABILITY.—Author-
21 izations from the Highway Trust Fund (other than
22 the Mass Transit Account) to carry out subtitle IV,
23 part B, and subtitle VI, part B, of this title, or the
24 provisions of title IV of the Transportation Equity
25 Act: A Legacy for Users, shall be available for obli-

1 gation on the date of their apportionment or alloca-
2 tion or on October 1 of the fiscal year for which they
3 are authorized, whichever occurs first.

4 “(5) CONTRACT AUTHORITY.—Approval by the
5 Secretary of a grant with funds made available
6 under paragraph (4) imposes upon the United
7 States a contractual obligation for payment of the
8 Government’s share of costs incurred in carrying out
9 the objectives of the grant.”.

10 (b) GRANT PROGRAMS.—There are authorized to be
11 appropriated from the Highway Trust Fund (other than
12 the Mass Transit Account) the following sums for the fol-
13 lowing Federal Motor Carrier Safety Administration pro-
14 grams:

15 (1) For commercial driver’s license program im-
16 provement grants under section 31313 of title 49,
17 United States Code \$26,000,000 for each of fiscal
18 years 2006 through 2009.

19 (2) For border enforcement grants under sec-
20 tion 31107 of such title—

21 (A) \$32,000,000 for fiscal year 2006;

22 (B) \$32,000,000 for fiscal year 2007;

23 (C) \$32,000,000 for fiscal year 2008; and

24 (D) \$32,000,000 for fiscal year 2009.

1 (3) For the performance and registration infor-
2 mation system management grant program under
3 section 31109 of such title—

4 (A) \$5,000,000 for fiscal year 2006;

5 (B) \$5,000,000 for fiscal year 2007;

6 (C) \$6,000,000 for fiscal year 2008; and

7 (D) \$6,000,000 for fiscal year 2009.

8 (4) COMMERCIAL VEHICLE INFORMATION SYS-
9 TEMS AND NETWORKS DEPLOYMENT.—For carrying
10 out the commercial vehicle information systems and
11 networks deployment program under section 4009 of
12 this Act, \$25,000,000 for each of fiscal years 2006
13 through 2009.

14 (c) PERIOD OF AVAILABILITY.—The amounts made
15 available under subsection (b) of this section shall remain
16 available until expended.

17 (d) INITIAL DATE OF AVAILABILITY.—Amounts au-
18 thorized to be appropriated from the Highway Trust Fund
19 (other than the Mass Transit Account) by subsection (b)
20 shall be available for obligation on the date of their appor-
21 tionment or allocation or on October 1 of the fiscal year
22 for which they are authorized, whichever occurs first.

23 (e) CONTRACT AUTHORITY.—Approval by the Sec-
24 retary of a grant with funds made available under sub-
25 section (b) imposes upon the United States a contractual

1 obligation for payment of the Government’s share of costs
2 incurred in carrying out the objectives of the grant.

3 **SEC. 4102. MOTOR CARRIER SAFETY GRANTS.**

4 (a) STATE PLAN CONTENTS.—Section 31102(b)(1)
5 of title 49, United States Code, is amended—

6 (1) by striking subparagraph (A) and inserting
7 the following:

8 “(A) implements performance-based activities,
9 including deployment of technology to enhance the
10 efficiency and effectiveness of commercial motor ve-
11 hicle safety programs;”;

12 (2) by striking subparagraph (Q) and inserting
13 the following:

14 “(Q) provides that the State has established a
15 program to ensure accurate, complete, and timely
16 motor carrier safety data is collected and reported to
17 the Secretary and that the State will participate in
18 a national motor carrier safety data correction sys-
19 tem prescribed by the Secretary;”;

20 (3) by aligning subparagraph (R) with subpara-
21 graph (S);

22 (4) by striking “and” at the end of subpara-
23 graph (S);

24 (5) by striking the period at the end of sub-
25 paragraph (T) and inserting a semicolon; and

1 (6) by adding at the end the following:

2 “(U) provides that the State will include in the
3 training manual for the licensing examination to
4 drive a noncommercial motor vehicle and a commer-
5 cial motor vehicle, information on best practices for
6 driving safely in the vicinity of commercial motor ve-
7 hicles and in the vicinity of noncommercial motor ve-
8 hicles, respectively;

9 “(V) provides that the State will enforce the
10 registration requirements of section 13902 by pro-
11 hibiting the operation of any vehicle discovered to be
12 operated by a motor carrier without a registration
13 issued under such section or to be operating beyond
14 the scope of such registration; and

15 “(W) provides that the State will conduct com-
16 prehensive and highly visible traffic enforcement and
17 commercial motor vehicle safety inspection programs
18 in high-risk locations and corridors.”.

19 (b) USE OF GRANTS TO ENFORCE OTHER LAWS.—
20 Section 31102 of such title is amended—

21 (1) by striking subsection (c) and inserting the
22 following:

23 “(c) USE OF GRANTS TO ENFORCE OTHER LAWS.—
24 A State may use amounts received under a grant under
25 subsection (a)—

1 “(1) for the following activities if the activities
2 are carried out in conjunction with an appropriate
3 inspection of the commercial motor vehicle to enforce
4 Government or State commercial motor vehicle safe-
5 ty regulations:

6 “(A) enforcement of commercial motor ve-
7 hicle size and weight limitations at locations
8 other than fixed weight facilities, at specific lo-
9 cations such as steep grades or mountainous
10 terrains where the weight of a commercial
11 motor vehicle can significantly affect the safe
12 operation of the vehicle, or at ports where inter-
13 modal shipping containers enter and leave the
14 United States; and

15 “(B) detection of the unlawful presence of
16 a controlled substance (as defined under section
17 102 of the Comprehensive Drug Abuse Preven-
18 tion and Control Act of 1970 (21 U.S.C. 802))
19 in a commercial motor vehicle or on the person
20 of any occupant (including the operator) of the
21 vehicle; and

22 “(2) for documented enforcement of State traf-
23 fic laws and regulations designed to promote the
24 safe operation of commercial motor vehicles, includ-
25 ing documented enforcement of such laws and regu-

1 lations relating to noncommercial motor vehicles
2 when necessary to promote the safe operation of
3 commercial motor vehicles if the number of roadside
4 safety inspections conducted in the State is main-
5 tained at a level at least equal to the average num-
6 ber conducted in the State in fiscal years 2001,
7 2002, and 2003; except that the State may not use
8 more than 5 percent of the aggregate amount the
9 State receives under the grant under subsection (a)
10 for enforcement activities relating to noncommercial
11 motor vehicles described in this paragraph.”; and

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

13 “(e) ANNUAL REPORT.—The Secretary shall submit
14 to the Committee on Transportation and Infrastructure
15 of the House of Representatives and the Committee on
16 Commerce, Science and Transportation of the Senate an
17 annual report that describes the effect of activities carried
18 out with funds from grants made under this section on
19 commercial motor vehicle safety.”.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
21 31104(a) of such title is amended to read as follows:

22 “(a) IN GENERAL.—Subject to subsection (f), there
23 are authorized to be appropriated from the Highway Trust
24 Fund (other than the Mass Transit Account) to carry out
25 section 31102—

1 “(1) \$188,852,000 for fiscal year 2004;

2 “(2) \$188,480,000 for fiscal year 2005;

3 “(3) \$188,000,000 for fiscal year 2006;

4 “(4) \$197,000,000 for fiscal year 2007;

5 “(5) \$202,000,000 for fiscal year 2008; and

6 “(6) \$209,000,000 for fiscal year 2009.”.

7 (d) NEW ENTRANT AUDITS.—Section 31104(f) of
8 such title is amended—

9 (1) in paragraph (1) by striking “deduction
10 under subsection (e)” and inserting “deductions
11 under subsection (e) and paragraphs (2) and (3)”;

12 (2) the first sentence of paragraph (2)(A)—

13 (A) by striking “or”; and

14 (B) by inserting after “technologies” the
15 following: “, or improve the quality and accu-
16 racy of data provided by the State”;

17 (3) in paragraph (2)—

18 (A) by striking “and border activities.—”
19 and all that follows through “5 percent” and
20 inserting “activities.—The Secretary may des-
21 ignate up to 10 percent”; and

22 (B) by striking subparagraph (B); and

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

24 “(3) NEW ENTRANT AUDITS.—The Secretary
25 may deduct up to \$15,000,000 of the amounts avail-

1 able under subsection (a) for a fiscal year for audits
2 of new entrant motor carriers under section
3 31144(g).”.

4 (e) TECHNICAL AMENDMENTS.—Sections
5 31102(b)(3) and 31103(a) of such title are amended by
6 striking “(1)(D)” and inserting “(1)(E)”.

7 **SEC. 4103. BORDER ENFORCEMENT GRANTS.**

8 (a) IN GENERAL.—Chapter 311 of title 49, United
9 States Code, is amended—

10 (1) by striking the heading for subchapter I
11 and inserting the following:

12 “SUBCHAPTER I—GENERAL AUTHORITY AND
13 STATE GRANTS”; and

14 (2) by striking section 31107 and inserting the
15 following:

16 **“§ 31107. Border enforcement grants**

17 “(a) GENERAL AUTHORITY.—The Secretary of
18 Transportation may make a grant in a fiscal year to a
19 State that shares a land border with another country for
20 carrying out border commercial motor vehicle safety pro-
21 grams and related enforcement activities and projects.

22 “(b) MAINTENANCE OF EXPENDITURES.—The Sec-
23 retary may make a grant to a State under this section
24 only if the State agrees that the total expenditure of
25 amounts of the State and political subdivisions of the

1 State, exclusive of amounts from the United States, for
2 carrying out border commercial motor vehicle safety pro-
3 grams and related enforcement activities and projects will
4 be maintained at a level at least equal to the average level
5 of that expenditure by the State and political subdivisions
6 of the State for the last 2 fiscal years of the State ending
7 before the date of enactment of the Transportation Equity
8 Act: A Legacy for Users.

9 “(c) GOVERNMENTS SHARE OF COSTS.—The Sec-
10 retary shall reimburse a State under a grant made under
11 this section an amount that is not more than 100 percent
12 of the costs incurred by the State in a fiscal year for car-
13 rying out border commercial motor vehicle safety pro-
14 grams and related enforcement activities and projects.

15 “(d) AVAILABILITY AND REALLOCATION OF
16 AMOUNTS.—Allocations to a State remain available for ex-
17 penditure in the State for the fiscal year in which they
18 are allocated and for the next fiscal year. Amounts not
19 expended by a State during those 2 fiscal years are avail-
20 able to the Secretary for reallocation under this section.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) ITEM RELATING TO SUBCHAPTER I.—The
23 analysis for such chapter is amended by striking the
24 item relating to subchapter I and inserting the fol-
25 lowing:

1 “(2) PURPOSES FOR WHICH GRANTS MAY BE
2 USED.—A State may use grants under paragraphs
3 (1)(A) and (1)(B) only for expenses directly related
4 to its compliance with section 31311; except that a
5 grant under paragraph (1)(B) may be used for im-
6 proving implementation of the State’s commercial
7 driver’s license program, including expenses for com-
8 puter hardware and software, publications, testing,
9 personnel, training, and quality control. The grant
10 may not be used to rent, lease, or buy land or build-
11 ings.

12 “(3) APPLICATION.—In order to receive a grant
13 under this section, a State must submit an applica-
14 tion for such grant that is in such form, and con-
15 tains such information, as the Secretary may re-
16 quire. The application shall include the State’s as-
17 sessment of its commercial drivers license program.

18 “(4) MAINTENANCE OF EXPENDITURES.—The
19 Secretary may make a grant to a State under this
20 subsection only if the State agrees that the total ex-
21 penditure of amounts of the State and political sub-
22 divisions of the State, exclusive of amounts from the
23 United States, for the State’s commercial driver’s li-
24 cense program will be maintained at a level at least
25 equal to the average level of that expenditure by the

1 State and political subdivisions of the State for the
2 last 2 fiscal years of the State ending before the
3 date of enactment of the Transportation Equity Act:
4 A Legacy for Users.

5 “(5) GOVERNMENT SHARE.—The Secretary
6 shall reimburse a State under a grant made under
7 this subsection an amount that is not more than 80
8 percent of the costs incurred by the State in a fiscal
9 year in complying with section 31311 and improving
10 its implementation of its commercial driver’s license
11 program. In determining such costs, the Secretary
12 shall include in-kind contributions by the State.
13 Amounts required to be expended by the State under
14 paragraph (4) may not be included as part of the
15 non-Federal share of such costs.

16 “(b) HIGH-PRIORITY ACTIVITIES.—

17 “(1) GRANTS FOR NATIONAL CONCERNS.—The
18 Secretary may make a grant to a State agency, local
19 government, or other person for 100 percent of the
20 costs of research, development, demonstration
21 projects, public education, and other special activi-
22 ties and projects relating to commercial driver li-
23 censing and motor vehicle safety that are of benefit
24 to all jurisdictions of the United States or are de-

1 signed to address national safety concerns and cir-
2 cumstances.

3 “(2) FUNDING.—The Secretary may deduct up
4 to 10 percent of the amounts made available to
5 carry out this section for a fiscal year to make
6 grants under this subsection.”.

7 (b) CONFORMING AMENDMENT.—The analysis for
8 such chapter is amended by inserting after the item relat-
9 ing to section 31312 the following:

“31313. Grants for commercial driver’s license program improvements.”.

10 (c) AMOUNTS WITHHELD.—Subsections (a) and (b)
11 of section 31314 of such title are each amended by insert-
12 ing “up to” after “withhold”.

13 **SEC. 4105. HOBBS ACT.**

14 (a) JURISDICTION OF COURT OF APPEALS OVER
15 COMMERCIAL MOTOR VEHICLE SAFETY REGULATION
16 AND OPERATORS AND MOTOR CARRIER SAFETY.—Section
17 2342(3)(A) of title 28, United States Code, is amended
18 by inserting before “of title 49” the following: “, sub-
19 chapter III of chapter 311, chapter 313, or chapter 315”.

20 (b) JUDICIAL REVIEW.—Section 351(a) of title 49,
21 United States Code, is amended by striking “Federal
22 Highway Administration” and inserting “Federal Motor
23 Carrier Safety Administration”.

24 (c) AUTHORITY TO CARRY OUT CERTAIN TRANS-
25 FERRED DUTIES AND POWERS.—Section 352 of title 49,

1 United States Code, is amended by striking “Federal
2 Highway Administration” and inserting “Federal Motor
3 Carrier Safety Administration”.

4 **SEC. 4106. PENALTY FOR DENIAL OF ACCESS TO RECORDS.**

5 Section 521(b) of title 49, United States Code, is
6 amended—

7 (1) by striking “(b)(1)(A) If the Secretary” and
8 inserting the following:

9 “(b) VIOLATIONS RELATING TO COMMERCIAL
10 MOTOR VEHICLE SAFETY REGULATION AND OPERA-
11 TIONS.—

12 “(1) NOTICE.—

13 “(A) IN GENERAL.—If the Secretary”; and

14 (2) by adding at the end of paragraph (2) the
15 following:

16 “(E) COPYING OF RECORDS AND ACCESS
17 TO EQUIPMENT, LANDS, AND BUILDINGS.—A
18 person subject to chapter 51 or part B of sub-
19 title VI who fails to allow the Secretary, or an
20 employee designated by the Secretary, promptly
21 upon demand to inspect and copy any record or
22 inspect and examine equipment, lands, build-
23 ings, and other property in accordance with sec-
24 tion 504(c), 5121(c), or 14122(b) shall be liable
25 to the United States for a civil penalty not to

1 exceed \$1,000 for each offense. Each day the
2 Secretary is denied the right to inspect and
3 copy any record or inspect and examine equip-
4 ment, lands, buildings, and other property shall
5 constitute a separate offense; except that the
6 total of all civil penalties against any violator
7 for all offenses related to a single violation shall
8 not exceed \$10,000. It shall be a defense to
9 such penalty that the records did not exist at
10 the time of the Secretary's request or could not
11 be timely produced without unreasonable ex-
12 pense or effort. Nothing in this subparagraph
13 shall be construed as amending or superseding
14 any remedy available to the Secretary under
15 section 502(d), section 507(e), or any other
16 provision of this title.”.

17 **SEC. 4107. MEDICAL REVIEW BOARD.**

18 Section 113 of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(j) MEDICAL REVIEW BOARD.—

21 “(1) ESTABLISHMENT AND FUNCTION.—The
22 Administrator shall establish a Medical Review
23 Board as an advisory committee to provide the Ad-
24 ministration with medical advice and recommenda-
25 tions on driver qualification medical standards and

1 guidelines, medical examiner education, and medical
2 research.

3 “(2) COMPOSITION.—The Medical Review
4 Board shall consist of 5 members appointed for a
5 term not to exceed 3 years by the Secretary from
6 medical institutions and private medical practice.
7 The membership shall reflect expertise in a variety
8 of medical specialties relevant to the functions of the
9 Administration.”.

10 **SEC. 4108. INCREASED PENALTIES FOR OUT-OF-SERVICE**
11 **VIOLATIONS AND FALSE RECORDS.**

12 (a) RECORDKEEPING AND REPORTING VIOLA-
13 TIONS.—Section 521(b)(2)(B) of title 49, United States
14 Code, is amended—

15 (1) in clause (i) by striking “\$500” and insert-
16 ing “\$1,000”; and

17 (2) by striking “\$5,000” each place it appears
18 and inserting “\$10,000”.

19 (b) VIOLATIONS OF OUT-OF-SERVICE ORDERS.—Sec-
20 tion 31310(i)(2) of title 49, United States Code, is amend-
21 ed—

22 (1) by striking “Not later than December 18,
23 1992, the” and inserting “The”;

24 (2) in subparagraph (A)—

1 (A) by striking “90 days” and inserting
2 “180 days”; and

3 (B) by striking “\$1,000” and inserting
4 “\$2,500”;

5 (3) in subparagraph (B)—

6 (A) by striking “one year” and inserting
7 “2 years”; and

8 (B) by striking “\$1,000; and” and insert-
9 ing “\$5,000;”; and

10 (4) in subparagraph (C) by striking “\$10,000.”
11 and inserting “\$25,000; and”.

12 **SEC. 4109. COMMERCIAL VEHICLE INFORMATION SYSTEMS**
13 **AND NETWORKS DEPLOYMENT.**

14 (a) IN GENERAL.—The Secretary shall carry out a
15 commercial vehicle information systems and networks pro-
16 gram to—

17 (1) improve the safety and productivity of com-
18 mercial vehicles and drivers; and

19 (2) reduce costs associated with commercial ve-
20 hicle operations and Federal and State commercial
21 vehicle regulatory requirements.

22 (b) PURPOSE.—The program shall advance the tech-
23 nological capability and promote the deployment of intel-
24 ligent transportation system applications for commercial

1 motor vehicle operations, commercial driver, and carrier-
2 specific information systems and networks.

3 (c) CORE DEPLOYMENT GRANTS.—

4 (1) IN GENERAL.—The Secretary shall make
5 grants to eligible States for the core deployment of
6 commercial vehicle information systems and net-
7 works.

8 (2) AMOUNT OF GRANTS.—The maximum ag-
9 gregate amount the Secretary may grant to a State
10 for the core deployment of commercial vehicle infor-
11 mation systems and networks under this subsection
12 and sections 5001(a)(5) and 5001(a)(6) of the
13 Transportation Equity Act for the 21st Century
14 (112 Stat. 420) may not exceed \$2,500,000.

15 (3) USE OF FUNDS.—Funds from a grant
16 under this subsection may only be used for the core
17 deployment of commercial vehicle information sys-
18 tems and networks. An eligible State that has either
19 completed the core deployment of commercial vehicle
20 information systems and networks or completed such
21 deployment before grant funds are expended under
22 this subsection may use the grant funds for the ex-
23 panded deployment of commercial vehicle informa-
24 tion systems and networks in the State.

25 (d) EXPANDED DEPLOYMENT GRANTS.—

1 (1) IN GENERAL.—For each fiscal year, from
2 the funds remaining after the Secretary has made
3 grants under subsection (c), the Secretary may make
4 grants to each eligible State, upon request, for the
5 expanded deployment of commercial vehicle informa-
6 tion systems and networks.

7 (2) ELIGIBILITY.—Each State that has com-
8 pleted the core deployment of commercial vehicle in-
9 formation systems and networks in such State is eli-
10 gible for an expanded deployment grant under this
11 subsection.

12 (3) AMOUNT OF GRANTS.—Each fiscal year, the
13 Secretary may distribute funds available for ex-
14 panded deployment grants equally among the eligible
15 States, but not to exceed \$1,000,000 per State.

16 (4) USE OF FUNDS.—A State may use funds
17 from a grant under this subsection only for the ex-
18 panded deployment of commercial vehicle informa-
19 tion systems and networks.

20 (e) ELIGIBILITY.—To be eligible for a grant under
21 this section, a State—

22 (1) shall have a commercial vehicle information
23 systems and networks program plan approved by the
24 Secretary that describes the various systems and
25 networks at the State level that need to be refined,

1 revised, upgraded, or built to accomplish deployment
2 of core capabilities;

3 (2) shall certify to the Secretary that its com-
4 mercial vehicle information systems and networks
5 deployment activities, including hardware procure-
6 ment, software and system development, and infra-
7 structure modifications—

8 (A) are consistent with the national intel-
9 ligent transportation systems and commercial
10 vehicle information systems and networks archi-
11 tectures and available standards; and

12 (B) promote interoperability and efficiency
13 to the extent practicable; and

14 (3) shall agree to execute interoperability tests
15 developed by the Federal Motor Carrier Safety Ad-
16 ministration to verify that its systems conform with
17 the national intelligent transportation systems archi-
18 tecture, applicable standards, and protocols for com-
19 mercial vehicle information systems and networks.

20 (f) FEDERAL SHARE.—The Federal share of the cost
21 of a project payable from funds made available to carry
22 out this section shall not exceed 50 percent. The total Fed-
23 eral share of the cost of a project payable from all eligible
24 sources shall not exceed 80 percent.

1 (g) DEFINITIONS.—In this section, the following defi-
2 nitions apply:

3 (1) COMMERCIAL VEHICLE INFORMATION SYS-
4 TEMS AND NETWORKS.—The term “commercial ve-
5 hicle information systems and networks” means the
6 information systems and communications networks
7 that provide the capability to—

8 (A) improve the safety of commercial
9 motor vehicle operations;

10 (B) increase the efficiency of regulatory in-
11 spection processes to reduce administrative bur-
12 dens by advancing technology to facilitate in-
13 spections and increase the effectiveness of en-
14 forcement efforts;

15 (C) advance electronic processing of reg-
16 istration information, driver licensing informa-
17 tion, fuel tax information, inspection and crash
18 data, and other safety information;

19 (D) enhance the safe passage of commer-
20 cial motor vehicles across the United States and
21 across international borders; and

22 (E) promote the communication of infor-
23 mation among the States and encourage
24 multistate cooperation and corridor develop-
25 ment.

1 (2) COMMERCIAL MOTOR VEHICLE OPER-
2 ATIONS.—The term “commercial motor vehicle oper-
3 ations”—

4 (A) means motor carrier operations and
5 motor vehicle regulatory activities associated
6 with the commercial motor vehicle movement of
7 goods, including hazardous materials, and pas-
8 sengers; and

9 (B) with respect to the public sector, in-
10 cludes the issuance of operating credentials, the
11 administration of motor vehicle and fuel taxes,
12 and roadside safety and border crossing inspec-
13 tion and regulatory compliance operations.

14 (3) CORE DEPLOYMENT.—The term “core de-
15 ployment” means the deployment of systems in a
16 State necessary to provide the State with the fol-
17 lowing capabilities:

18 (A) Safety information exchange to—

19 (i) electronically collect and transmit
20 commercial motor vehicle and driver in-
21 spection data at a majority of inspection
22 sites in the State;

23 (ii) connect to the safety and fitness
24 electronic records system for access to
25 interstate carrier and commercial motor

1 vehicle data, summaries of past safety per-
2 formance, and commercial motor vehicle
3 credentials information; and

4 (iii) exchange carrier data and com-
5 mercial motor vehicle safety and creden-
6 tials information within the State and con-
7 nect to such system for access to interstate
8 carrier and commercial motor vehicle data.

9 (B) Interstate credentials administration

10 to—

11 (i) perform end-to-end processing, in-
12 cluding carrier application, jurisdiction ap-
13 plication processing, and credential
14 issuance, of at least the international reg-
15 istration plan and international fuel tax
16 agreement credentials and extend this
17 processing to other credentials, including
18 intrastate registration, vehicle titling, over-
19 size vehicle permits, overweight vehicle per-
20 mits, carrier registration, and hazardous
21 materials permits;

22 (ii) connect to such plan and agree-
23 ment clearinghouses; and

24 (iii) have at least 10 percent of the
25 credentialing transaction volume in the

1 State handled electronically and have the
2 capability to add more carriers and to ex-
3 tend to branch offices where applicable.

4 (C) Roadside electronic screening to elec-
5 tronically screen transponder-equipped commer-
6 cial vehicles at a minimum of one fixed or mo-
7 bile inspection site in the State and to replicate
8 this screening at other sites in the State.

9 (4) EXPANDED DEPLOYMENT.—The term “ex-
10 panded deployment” means the deployment of sys-
11 tems in a State that exceed the requirements of a
12 core deployment of commercial vehicle information
13 systems and networks, improve safety and the pro-
14 ductivity of commercial motor vehicle operations,
15 and enhance transportation security.

16 (h) REPEAL.—Section 5209 of the Transportation
17 Equity Act for the 21st Century (23 U.S.C. 502 note; 112
18 Stat. 460–461) is repealed.

19 **SEC. 4110. SAFETY FITNESS.**

20 (a) IN GENERAL.—Section 31144(a) of title 49,
21 United States Code, is amended to read as follows:

22 “(a) IN GENERAL.—The Secretary shall—

23 “(1) determine whether an owner or operator is
24 fit to operate safely commercial motor vehicles, uti-
25 lizing among other things the accident and safety in-

1 specification record of an owner or operator during oper-
2 ations—

3 “(A) in interstate commerce in the United
4 States;

5 “(B) in a State that affects interstate com-
6 merce in the United States; and

7 “(C) in Canada or Mexico if the owner or
8 operator also conducts operations in the United
9 States;

10 “(2) periodically update such safety fitness de-
11 terminations;

12 “(3) make such final safety fitness determina-
13 tions readily available to the public; and

14 “(4) prescribe by regulation penalties for viola-
15 tions of this section consistent with section 521.”.

16 (b) PROHIBITED TRANSPORTATION.—The first sub-
17 section (c) of such section 31144 is amended by adding
18 at the end the following:

19 “(5) TRANSPORTATION AFFECTING INTER-
20 STATE COMMERCE.—Owners or operators of com-
21 mercial motor vehicles prohibited from operating in
22 interstate commerce pursuant to paragraphs (1)
23 through (3) may not operate any commercial motor
24 vehicle that affects interstate commerce until the

1 Secretary determines that such owner or operator is
2 fit.”.

3 (c) DETERMINATION OF UNFITNESS BY A STATE.—

4 Such section 31144 is further amended—

5 (1) by redesignating subsections (d), (e), and
6 the second subsection (e) as subsections (e), (f), and
7 (g), respectively;

8 (2) by inserting after the first subsection (e)
9 the following:

10 “(d) DETERMINATION OF UNFITNESS BY A STATE.—

11 If a State that receives a grant under section 31102 deter-
12 mines, by applying the standards prescribed by the Sec-
13 retary under subsection (b), that an owner or operator of
14 commercial motor vehicles that has its principal place of
15 business in that State and operates in intrastate com-
16 merce is unfit under such standards and prohibits the
17 owner or operator from operating such vehicles in the
18 State, the Secretary shall prohibit the owner or operator
19 from operating such vehicles in interstate commerce until
20 the State determines that the owner or operator is fit.”;
21 and

22 (3) in subsection (g) (as redesignated by para-
23 graph (1) of this subsection) by adding at the end
24 the following:

1 “(5) GRANTS FOR AUDITS.—From amounts de-
2 ducted under section 31104(f)(3), the Secretary may
3 make grants to States and local governments for
4 new entrant motor carrier audits under this sub-
5 section without requiring a matching contribution
6 from such States or local governments.

7 “(6) DOT AUDITS.—If the Secretary deter-
8 mines that a State or local government is unable to
9 use government employees to conduct new entrant
10 motor carrier audits, the Secretary may utilize the
11 funds deducted under section 31104(f)(3) to conduct
12 such audits in areas under the jurisdiction of such
13 State or local government.”.

14 **SEC. 4111. PATTERN OF SAFETY VIOLATIONS BY MOTOR**
15 **CARRIER MANAGEMENT.**

16 (a) DUTIES OF EMPLOYERS AND EMPLOYEES.—Sec-
17 tion 31135 of title 49, United States Code, is amended—

18 (1) by inserting “(a) IN GENERAL.—” before
19 “Each”; and

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

21 “(b) PATTERN OF NONCOMPLIANCE.—If the Sec-
22 retary finds that an officer of a motor carrier engages or
23 has engaged in a pattern or practice of avoiding compli-
24 ance, or masking or otherwise concealing noncompliance,
25 with regulations on commercial motor vehicle safety pre-

1 scribed under this subchapter, while serving as an officer
2 of any motor carrier, the Secretary may suspend, amend,
3 or revoke any part of the motor carrier’s registration
4 under section 13905.

5 “(c) REGULATIONS.—The Secretary shall by regula-
6 tion establish standards to implement subsection (b).

7 “(d) DEFINITIONS.—In this section, the following
8 definitions apply:

9 “(1) MOTOR CARRIER.—The term ‘motor car-
10 rier’ has the meaning such term has under section
11 13102.

12 “(2) OFFICER.—The term ‘officer’ means an
13 owner, director, chief executive officer, chief oper-
14 ating officer, chief financial officer, safety director,
15 vehicle maintenance supervisor, and driver super-
16 visor of a motor carrier, regardless of the title at-
17 tached to those functions, and any person, however
18 designated, exercising controlling influence over the
19 operations of a motor carrier.”.

20 (b) CROSS REFERENCE.—Section 13902(a)(1)(B) of
21 title 49, United States Code, is amended to read as fol-
22 lows:

23 “(B)(i) any safety regulations imposed by
24 the Secretary;

1 “(ii) the duties of employers and employees
2 established by the Secretary under section
3 31135; and

4 “(iii) the safety fitness requirements estab-
5 lished by the Secretary under section 31144;
6 and”.

7 **SEC. 4112. MOTOR CARRIER RESEARCH AND TECHNOLOGY**
8 **PROGRAM.**

9 (a) IN GENERAL.—Section 31108 of title 49, United
10 States Code, is amended to read as follows:

11 **“§ 31108. Motor carrier research and technology pro-**
12 **gram**

13 “(a) RESEARCH, TECHNOLOGY, AND TECHNOLOGY
14 TRANSFER ACTIVITIES.—

15 “(1) ESTABLISHMENT.—The Secretary of
16 Transportation shall establish and carry out a motor
17 carrier research and technology program.

18 “(2) MULTIYEAR PLAN.—The program must in-
19 clude a multi-year research plan that focuses on
20 nonredundant innovative research.

21 “(3) RESEARCH, DEVELOPMENT, AND TECH-
22 NOLOGY TRANSFER ACTIVITIES.—The Secretary may
23 carry out under the program research, development,
24 technology, and technology transfer activities with
25 respect to—

1 “(A) the causes of accidents, injuries, and
2 fatalities involving commercial motor vehicles;

3 “(B) means of reducing the number and
4 severity of accidents, injuries, and fatalities in-
5 volving commercial motor vehicles;

6 “(C) improving commercial motor vehicle
7 and motor carrier safety, and industry effi-
8 ciency, through technological improvement;

9 “(D) improving technology used by en-
10 forcement officers when conducting roadside in-
11 spections and compliance reviews to increase ef-
12 ficiency and information transfers; and

13 “(E) increasing the safety and security of
14 hazardous materials transportation.

15 “(4) TESTS AND DEVELOPMENT.—The Sec-
16 retary may test, develop, or assist in testing and de-
17 veloping any material, invention, patented article, or
18 process related to the research and technology pro-
19 gram.

20 “(5) TRAINING.—The Secretary may use the
21 funds made available to carry out this section for
22 training or education of commercial motor vehicle
23 safety personnel, including training in accident re-
24 construction and detection of controlled substances
25 or other contraband and stolen cargo or vehicles.

1 “(6) PROCEDURES.—The Secretary may carry
2 out this section—

3 “(A) independently;

4 “(B) in cooperation with other Federal de-
5 partments, agencies, and instrumentalities and
6 Federal laboratories; or

7 “(C) by making grants to, or entering into
8 contracts, cooperative agreements, and other
9 transactions with, any Federal laboratory, State
10 agency, authority, association, institution, for-
11 profit or nonprofit corporation, organization,
12 foreign country, or person.

13 “(7) DEVELOPMENT AND PROMOTION OF USE
14 OF PRODUCTS.—The Secretary shall use funds made
15 available to carry out this section to develop, admin-
16 ister, communicate, and promote the use of products
17 of research, technology, and technology transfer pro-
18 grams under this section.

19 “(b) COLLABORATIVE RESEARCH AND DEVELOP-
20 MENT.—

21 “(1) IN GENERAL.—To advance innovative solu-
22 tions to problems involving commercial motor vehicle
23 and motor carrier safety, security, and efficiency,
24 and to stimulate the deployment of emerging tech-
25 nology, the Secretary may carry out, on a cost-

1 shared basis, collaborative research and development
2 with—

3 “(A) non-Federal entities, including State
4 and local governments, foreign governments,
5 colleges and universities, corporations, institu-
6 tions, partnerships, and sole proprietorships
7 that are incorporated or established under the
8 laws of any State; and

9 “(B) Federal laboratories.

10 “(2) COOPERATIVE AGREEMENTS.—In carrying
11 out this subsection, the Secretary may enter into co-
12 operative research and development agreements (as
13 defined in section 12 of the Stevenson-Wydler Tech-
14 nology Innovation Act of 1980 (15 U.S.C. 3710a)).

15 “(3) COST SHARING.—

16 “(A) FEDERAL SHARE.—The Federal
17 share of the cost of activities carried out under
18 a cooperative research and development agree-
19 ment entered into under this subsection shall
20 not exceed 50 percent; except that, if there is
21 substantial public interest or benefit associated
22 with any such activity, the Secretary may ap-
23 prove a greater Federal share.

24 “(B) TREATMENT OF DIRECTLY INCURRED
25 NON-FEDERAL COSTS.—All costs directly in-

1 curred by the non-Federal partners, including
2 personnel, travel, and hardware or software de-
3 velopment costs, shall be credited toward the
4 non-Federal share of the cost of the activities
5 described in subparagraph (A).

6 “(4) USE OF TECHNOLOGY.—The research, de-
7 velopment, or use of a technology under a coopera-
8 tive research and development agreement entered
9 into under this subsection, including the terms
10 under which the technology may be licensed and the
11 resulting royalties may be distributed, shall be sub-
12 ject to the Stevenson-Wydler Technology Innovation
13 Act of 1980 (15 U.S.C. 3701 et seq.).”

14 (b) CONFORMING AMENDMENT.—The analysis for
15 chapter 311 of such title is amended by striking the item
16 relating to section 31108 and inserting the following:

“31108. Motor carrier research and technology program.”

17 **SEC. 4113. INTERNATIONAL COOPERATION.**

18 (a) IN GENERAL.—Chapter 311 of title 49, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 “SUBCHAPTER IV—MISCELLANEOUS

22 “§ 31161. **International cooperation**

23 “The Secretary of Transportation is authorized to
24 use funds made available by section 31104(i) to partici-
25 pate and cooperate in international activities to enhance

1 motor carrier, driver, and highway safety by such means
 2 as exchanging information, conducting research, and ex-
 3 amining needs, best practices, and new technology.

4 **“§ 31162. Operators registered in Mexico and Canada**

5 “No operator of a commercial motor vehicle (as de-
 6 fined in section 31101) licensed in Mexico or Canada may
 7 operate in the United States a commercial motor vehicle
 8 transporting hazardous material until the operator has un-
 9 dergone a background records check similar to the back-
 10 ground records check required of operators of commercial
 11 motor vehicles licensed in the United States to transport
 12 hazardous materials.”.

13 (b) CLERICAL AMENDMENT.—The analysis for such
 14 chapter is amended by adding at the end the following:

“SUBCHAPTER IV—MISCELLANEOUS

“31161. International cooperation.

“31162. Operators registered in Mexico and Canada.”.

15 **SEC. 4114. PERFORMANCE AND REGISTRATION INFORMA-**
 16 **TION SYSTEM MANAGEMENT.**

17 (a) DESIGN AND CONDITIONS FOR PARTICIPATION.—
 18 Section 31106(b) of title 49, United States Code, is
 19 amended by striking paragraphs (2), (3), and (4) and in-
 20 serting the following:

21 “(2) DESIGN.—The program shall link Federal
 22 motor carrier safety information systems with State

1 commercial vehicle registration and licensing systems
2 and shall be designed to enable a State to—

3 “(A) determine the safety fitness of a
4 motor carrier or registrant when licensing or
5 registering the registrant or motor carrier or
6 while the license or registration is in effect; and

7 “(B) deny, suspend, or revoke the commer-
8 cial motor vehicle registrations of a motor car-
9 rier or registrant that has been issued an oper-
10 ations out-of-service order by the Secretary.

11 “(3) CONDITIONS FOR PARTICIPATION.—The
12 Secretary shall require States, as a condition of par-
13 ticipation in the program, to—

14 “(A) comply with the uniform policies, pro-
15 cedures, and technical and operational stand-
16 ards prescribed by the Secretary under sub-
17 section (a)(4); and

18 “(B) possess or seek the authority to deny,
19 suspend, or revoke commercial motor vehicle
20 registrations based on the issuance of an oper-
21 ations out-of-service order by the Secretary.”.

22 (b) PERFORMANCE AND REGISTRATION INFORMA-
23 TION SYSTEM MANAGEMENT GRANTS.—

1 (1) IN GENERAL.—Subchapter I of chapter 311
2 of title 49, United States Code, is further amended
3 by adding at the end the following:

4 **“§31109. Performance and registration information**
5 **system management**

6 “(a) IN GENERAL.—The Secretary of Transportation
7 may make a grant to a State to implement the perform-
8 ance and registration information system management re-
9 quirements of section 31106(b).

10 “(b) AVAILABILITY OF AMOUNTS.—Amounts made
11 available to a State under this section shall remain avail-
12 able until expended.”.

13 (2) CONFORMING AMENDMENT.—The analysis
14 for such subchapter is amended by adding at the
15 end the following:

 “31109. Performance and registration information system management.”.

16 **SEC. 4115. DATA QUALITY IMPROVEMENT.**

17 Section 31106(a)(3) of title 49, United States Code,
18 is amended—

19 (1) by striking “and” at the end of subpara-
20 graph (D);

21 (2) by striking the period at the end of sub-
22 paragraph (E) and inserting a semicolon; and

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

24 “(F) ensure, to the maximum extent prac-
25 tical, all the data is complete, timely, and accu-

1 rate across all information systems and initia-
2 tives; and

3 “(G) establish and implement a national
4 motor carrier safety data correction system.”.

5 **SEC. 4116. DRIVEAWAY SADDLEMOUNT VEHICLES.**

6 (a) DEFINITION.—Section 31111(a) of title 49,
7 United States Code, is amended by adding at the end of
8 the following:

9 “(4) DRIVE-AWAY SADDLEMOUNT WITH
10 FULLMOUNT VEHICLE TRANSPORTER COMBINA-
11 TION.—The term ‘drive-away saddlemount with
12 fullmount vehicle transporter combination’ means a
13 vehicle combination designed and specifically used to
14 tow up to 3 trucks or truck tractors, each connected
15 by a saddle to the frame or fifth-wheel of the for-
16 ward vehicle of the truck or truck tractor in front
17 of it.”.

18 (b) GENERAL LIMITATIONS.—Section 31111(b)(1) of
19 such title is amended—

20 (1) by redesignating subparagraphs (D) and
21 (E) as subparagraphs (E) and (F), respectively; and

22 (2) by inserting after subparagraph (C) the fol-
23 lowing:

24 “(D) imposes a vehicle length limitation of not
25 less than or more than 97 feet on a driveaway

1 **SEC. 4118. REGISTRATION OF MOTOR CARRIERS AND**
2 **FREIGHT FORWARDERS.**

3 (a) DEFINITIONS RELATING TO MOTOR CARRIERS.—
4 Paragraphs (6), (7), (12), and (13) of section 13102 of
5 title 49, United States Code, are each amended by striking
6 “motor vehicle” and inserting “commercial motor vehicle
7 (as defined in section 31132)”.

8 (b) FREIGHT FORWARDERS.—Section 13903(a) of
9 title 49, United States Code, is amended—

10 (1) by striking “The Secretary” and inserting
11 the following:

12 “(1) HOUSEHOLD GOODS.—The Secretary”;

13 (2) by inserting “of household goods” after
14 “freight forwarder”; and

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

16 “(2) OTHERS.—The Secretary may register a
17 person to provide service subject to jurisdiction
18 under subchapter III of chapter 135 as a freight for-
19 warder (other than a freight forwarder of household
20 goods) if the Secretary finds that such registration
21 is needed for the protection of shippers and that the
22 person is fit, willing, and able to provide the service
23 and to comply with this part and applicable regula-
24 tions of the Secretary and Board.”.

1 **SEC. 4119. DEPOSIT OF CERTAIN CIVIL PENALTIES INTO**
2 **HIGHWAY TRUST FUND.**

3 Sections 31138(d)(5) and 31139(f)(5) of title 49,
4 United States Code, are each amended by striking “Treas-
5 ury as miscellaneous receipts” and inserting “Highway
6 Trust Fund (other than the Mass Transit Account)”.

7 **SEC. 4120. OUTREACH AND EDUCATION.**

8 (a) IN GENERAL.—The Secretary shall conduct,
9 through any combination of grants, contracts, or coopera-
10 tive agreements, an outreach and education program to
11 be administered by the Federal Motor Carrier Safety Ad-
12 ministration and the National Highway Traffic Safety Ad-
13 ministration.

14 (b) PROGRAM ELEMENTS.—The program shall in-
15 clude, at a minimum, the following:

16 (1) A program to promote a more comprehen-
17 sive and national effort to educate commercial motor
18 vehicle drivers and passenger vehicle drivers about
19 how commercial motor vehicle drivers and passenger
20 vehicle drivers can more safely share the road with
21 each other.

22 (2) A program to promote enhanced traffic en-
23 forcement efforts aimed at reducing the incidence of
24 the most common unsafe driving behaviors that
25 cause or contribute to crashes involving commercial
26 motor vehicles and passenger vehicles.

1 (3) A program to establish a public-private
2 partnership to provide resources and expertise for
3 the development and dissemination of information
4 relating to sharing the road referred to in para-
5 graphs (1) and (2) to each partner's constituents
6 and to the general public through the use of bro-
7 chures, videos, paid and public advertisements, the
8 Internet, and other media.

9 (c) FEDERAL SHARE.—The Federal share of a pro-
10 gram or activity for which a grant is made under this sec-
11 tion shall be 100 percent of the cost of such program or
12 activity.

13 (d) ANNUAL REPORT.—The Secretary shall prepare
14 and transmit to Congress an annual report on the pro-
15 grams and activities carried out under this section.

16 (e) FUNDING.—From amounts made available under
17 section 31104(i) of title 49, United States Code, the Sec-
18 retary shall make available \$1,000,000 to the Federal
19 Motor Carrier Safety Administration, and \$3,000,000 to
20 the National Highway Traffic Safety Administration, for
21 each of fiscal years 2005, 2006, 2007, 2008, and 2009
22 to carry out this section.

23 **SEC. 4121. INSULIN TREATED DIABETES MELLITUS.**

24 (a) NO PERIOD OF COMMERCIAL DRIVING WHILE
25 USING INSULIN REQUIRED FOR QUALIFICATION.—The

1 Secretary may not require individuals with insulin-treated
2 diabetes mellitus who are applying for an exemption from
3 the physical qualification standards to have experience op-
4 erating commercial motor vehicles while using insulin in
5 order to be exempted from the physical qualification
6 standards to operate a commercial motor vehicle in inter-
7 state commerce.

8 (b) MINIMUM PERIOD OF INSULIN USE.—Subject to
9 subsection (a), the Secretary shall require individuals with
10 insulin-treated diabetes mellitus to have a minimum period
11 of insulin use to demonstrate stable control of diabetes
12 before operating a commercial motor vehicle in interstate
13 commerce. For individuals who have been newly diagnosed
14 with type 1 diabetes, the minimum period of insulin use
15 may not exceed 2 months, unless directed by the treating
16 physician. For individuals who have type 2 diabetes and
17 are converting to insulin use, the minimum period of insu-
18 lin use may not exceed 1 month, unless directed by the
19 treating physician.

20 (c) LIMITATIONS.—Insulin-treated individuals may
21 not be held by the Secretary to a higher standard of phys-
22 ical qualification in order to operate a commercial motor
23 vehicle in interstate commerce than other individuals ap-
24 plying to operate, or operating, a commercial motor vehicle
25 in interstate commerce; except to the extent that limited

1 operating, monitoring, and medical requirements are
2 deemed medically necessary under regulations issued by
3 the Secretary.

4 **SEC. 4122. GRANT PROGRAM FOR COMMERCIAL MOTOR VE-**
5 **HICLE OPERATORS.**

6 (a) ESTABLISHMENT.—The Secretary shall establish
7 a grant program for training operators of commercial
8 motor vehicles (as defined in section 31301 of title 49,
9 United States Code). The purpose of the program shall
10 be to train operators and future operators in the safe use
11 of such vehicle.

12 (b) FEDERAL SHARE.—The Federal share of the cost
13 for which a grant is made under this section shall be 80
14 percent.

15 (c) FUNDING.—From amounts made available under
16 section 31104(i) of title 49, United States Code, the Sec-
17 retary shall make available \$1,000,000 for each of fiscal
18 years 2005, 2006, 2007, 2008, and 2009 to carry out this
19 section.

20 **SEC. 4123. COMMERCIAL MOTOR VEHICLE SAFETY ADVI-**
21 **SORY COMMITTEE.**

22 (a) ESTABLISHMENT.—The Secretary shall establish
23 a commercial motor vehicle safety advisory committee to
24 provide advice and recommendations to the Secretary on
25 commercial motor vehicle safety regulations and other

1 matters relating to activities and functions of the Federal
2 Motor Carrier Safety Administration.

3 (b) COMPOSITION.—The members of the advisory
4 committee shall be appointed by the Secretary and shall
5 include representatives of the motor carrier industry, driv-
6 ers, safety advocates, manufacturers, safety enforcement
7 officials, law enforcement agencies of border States, and
8 other individuals affected by rulemakings under consider-
9 ation by the Department of Transportation. Representa-
10 tives of a single interest group may not constitute a major-
11 ity of the members of the advisory committee.

12 (c) TERMINATION DATE.—The advisory committee
13 shall remain in effect until September 30, 2009.

14 **SEC. 4124. SAFETY DATA IMPROVEMENT PROGRAM.**

15 (a) IN GENERAL.—The Secretary shall make grants
16 to States for projects and activities to improve the accu-
17 racy, timeliness, and completeness of commercial motor
18 vehicle safety data reported to the Secretary.

19 (b) ELIGIBILITY.—A State shall be eligible for a
20 grant under this section in a fiscal year if the Secretary
21 determines that the State has—

22 (1) conducted a comprehensive audit of its com-
23 mercial motor vehicle safety data system within the
24 preceding 2 years;

1 (2) developed a plan that identifies and
2 prioritizes its commercial motor vehicle safety data
3 needs and goals; and

4 (3) identified performance-based measures to
5 determine progress toward those goals.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated from the Highway Trust
8 Fund (other than the Mass Transit Account) to carry out
9 this section \$3,000,000 for each of fiscal years 2006
10 through 2009.

11 (d) APPLICABILITY OF TITLE 23, UNITED STATES
12 CODE.—Funds authorized to be appropriated by this sec-
13 tion shall be available for obligation in the same manner
14 as if such funds were apportioned under chapter 1 of title
15 23, United States Code, except that the Federal share of
16 the cost of a project or activity carried out using such
17 funds shall be 80 percent and such funds shall remain
18 available until expended.

19 (e) BIENNIAL REPORT.—Not later 2 years after the
20 date of enactment of this Act, and biennially thereafter,
21 the Secretary shall transmit to Congress a report on the
22 activities and results of the program carried out under this
23 section, together with any recommendations the Secretary
24 determines appropriate.

1 **SEC. 4125. COMMERCIAL DRIVER'S LICENSE INFORMATION**
2 **SYSTEM MODERNIZATION.**

3 (a) **GENERAL AUTHORITY.**—The Secretary may
4 make a grant to a State or organization representing
5 agencies and officials of a State in a fiscal year to mod-
6 ernize its commercial driver's license information system
7 in accordance with subsection (c) if the State is in sub-
8 stantial compliance with the requirements of section
9 31311 of title 49, United States Code, and this section,
10 as determined by the Secretary. The Secretary shall estab-
11 lish criteria for the distribution of grants and notify each
12 State annually of such criteria.

13 (b) **MODERNIZATION PLAN.**—No later than 120 days
14 after the date of enactment of this Act, the Secretary shall
15 publish a comprehensive national plan to modernize the
16 commercial driver's license information system. The plan
17 shall be developed in consultation with representatives of
18 the motor carrier industry, State safety enforcement agen-
19 cies, and State licensing agencies designated by the Sec-
20 retary.

21 (c) **USE OF GRANT.**—A State may use a grant under
22 this section only to implement improvements that are con-
23 sistent with the modernization plan developed by the Sec-
24 retary.

25 (d) **PILOT PROGRAM.**—

1 (1) IN GENERAL.—The Secretary may conduct
2 with grants under this section a 3-year pilot pro-
3 gram in no more than 3 States to evaluate a system
4 for sharing driver’s license information on all com-
5 mercial and noncommercial driver’s licenses issued
6 in each participating State.

7 (2) FUNDING.—The Secretary may use no more
8 than 50 percent of the funds available to carry out
9 this section for the pilot program in any fiscal year.

10 (3) REPORT.—Not later than 1 year after the
11 last day of the pilot program, the Secretary shall
12 transmit to Congress a report on the results of the
13 pilot program.

14 (e) GOVERNMENT SHARE.—A grant under this sec-
15 tion to a State or organization may not be for more than
16 80 percent of the costs incurred by the State or organiza-
17 tion in a fiscal year in implementing the modernization
18 program developed by the Secretary. In determining these
19 costs, the Secretary shall include in-kind contributions of
20 the State.

21 (f) FUNDING.—There are authorized to be appro-
22 priated from the Highway Trust Fund (other than the
23 Mass Transit Account) to carry out this section—

24 (1) \$7,000,000 for fiscal year 2006;

25 (2) \$7,000,000 for fiscal year 2007;

1 (3) \$8,000,000 for fiscal year 2008; and

2 (4) \$8,000,000 for fiscal year 2009.

3 (g) CONTRACT AUTHORITY AND AVAILABILITY.—

4 (1) PERIOD OF AVAILABILITY.—The amounts
5 made available under subsection (f) shall remain
6 available until expended.

7 (2) INITIAL DATE OF AVAILABILITY.—Amounts
8 authorized to be appropriated from the Highway
9 Trust Fund (other than the Mass Transit Account)
10 by subsection (f) shall be available for obligation on
11 the date of their apportionment or allocation or on
12 October 1 of the fiscal year for which they are au-
13 thorized, whichever occurs first.

14 (3) CONTRACT AUTHORITY.—Approval by the
15 Secretary of a grant with funds made available
16 under subsection (f) imposes upon the United States
17 a contractual obligation for payment of the Govern-
18 ment's share of costs incurred in carrying out the
19 objectives of the grant.

20 **SEC. 4126. MAXIMUM HOURS OF SERVICE FOR OPERATORS**
21 **OF GROUND WATER WELL DRILLING RIGS.**

22 Section 345(a)(2) of the National Highway System
23 Designation Act of 1995 (49 U.S.C. 31136 note; 109 Stat
24 613) is amended by adding at the end the following: “Ex-
25 cept as required in section 395.3 of title 49, Code of Fed-

1 eral Regulations, as in effect on the date of enactment
2 of this sentence, no additional off-duty time shall be re-
3 quired in order to operate such vehicle.”.

4 **SEC. 4127. SAFETY PERFORMANCE HISTORY SCREENING.**

5 (a) IN GENERAL.—The Secretary shall provide per-
6 sons conducting preemployment screening services for the
7 motor carrier industry electronic access to the following
8 reports contained in the Motor Carrier Management Infor-
9 mation System:

10 (1) Commercial motor vehicle accident reports.

11 (2) Inspection reports that contain no driver-re-
12 lated safety violations.

13 (3) Serious driver-related safety violation in-
14 spection reports.

15 (b) CONDITIONS ON PROVIDING ACCESS.—Before
16 providing a person access to the Motor Carrier Manage-
17 ment Information System under subsection (a), the Sec-
18 retary shall—

19 (1) ensure that any information that is released
20 to such person will be in accordance with the Fair
21 Credit Reporting Act (15 U.S.C. 1681 et seq.) and
22 all other applicable Federal law;

23 (2) ensure that such person will not conduct a
24 screening without the operator-applicant’s written
25 consent;

1 (3) ensure that any information that is released
2 to such person will not be released to any person or
3 entity, other than the motor carrier requesting the
4 screening services or the operator-applicant, unless
5 expressly authorized or required by law; and

6 (4) provide a procedure for the operator-appli-
7 cant to correct inaccurate information in the System
8 in a timely manner.

9 (c) DESIGN.—The process for providing access to the
10 Motor Carrier Management Information System under
11 subsection (a) shall be designed to assist the motor carrier
12 industry in assessing an individual operator’s crash and
13 serious safety violation inspection history as a preemploy-
14 ment condition. Use of the process shall not be mandatory
15 and may only be used during the preemployment assess-
16 ment of an operator-applicant.

17 (d) SERIOUS OPERATOR-RELATED SAFETY VIOLA-
18 TION DEFINED.—In this section, the term “serious oper-
19 ator-related violation” means a violation by an operator
20 of a commercial motor vehicle (as defined in section 31102
21 of title 49, United States Code) that the Secretary deter-
22 mines will result in the operator being prohibited from
23 continuing to operate a commercial motor vehicle until the
24 violation is corrected.

1 **SEC. 4128. INTERMODAL CHASSIS ROADABILITY RULE-MAK-**
2 **ING.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Secretary, after pro-
5 viding notice and opportunity for comment, shall issue
6 regulations establishing a program to ensure that inter-
7 modal equipment used to transport intermodal containers
8 are safe.

9 (b) MOTOR CARRIER SAFETY REGULATIONS.—The
10 regulations under this section shall be issued as part of
11 the Federal motor carrier safety regulations of the De-
12 partment of Transportation.

13 (c) CONTENTS.—The regulations issued under this
14 section shall include, at a minimum—

15 (1) a requirement to identify providers of inter-
16 modal equipment that is interchanged or intended
17 for interchange to motor carriers in intermodal
18 transportation;

19 (2) a requirement to match such intermodal
20 equipment readily to the intermodal equipment pro-
21 vider through a unique identifying number;

22 (3) a requirement to ensure that each inter-
23 modal equipment provider maintains a system of
24 maintenance and repair records for such equipment;

1 (4) a requirement to evaluate the compliance of
2 intermodal equipment providers with the applicable
3 Federal motor carrier safety regulations;

4 (5) a provision that—

5 (A) establishes a civil penalty structure
6 consistent with section 521(b) of title 49,
7 United States Code, for intermodal equipment
8 providers that fail to attain satisfactory compli-
9 ance with applicable Federal motor carrier safe-
10 ty regulations; and

11 (B) prohibits intermodal equipment pro-
12 viders from placing intermodal equipment on
13 the public highways if such providers are found
14 to pose an imminent hazard;

15 (6) a process by which motor carriers and
16 agents of motor carriers may petition the Federal
17 Motor Carrier Safety Administration to undertake
18 an investigation of a noncompliant intermodal equip-
19 ment provider; and

20 (7) an inspection and audit program of inter-
21 modal equipment providers.

22 (d) DEADLINE FOR RULEMAKING PROCEEDING.—

23 The regulations under this section shall be issued pursu-
24 ant to a rulemaking proceeding initiated not later than
25 90 days after the date of enactment of this Act.

1 (e) DEFINITIONS.—In this section, the following defi-
2 nitions apply:

3 (1) INTERMODAL EQUIPMENT.—The term
4 “intermodal equipment” means equipment that is
5 commonly used in the intermodal transportation of
6 freight over public highways in interstate commerce
7 (as defined in section 31132 of title 49, United
8 States Code), including trailers, chassis, and any as-
9 sociated devices.

10 (2) INTERMODAL EQUIPMENT PROVIDER.—The
11 term “intermodal equipment provider” means any
12 person with any legal right, title, or interest in inter-
13 modal equipment that interchanges such equipment
14 to a motor carrier.

15 (3) INTERCHANGE.—The term “interchange”
16 means the act of providing intermodal equipment to
17 a motor carrier for the purpose of transporting the
18 equipment for loading or unloading by any person or
19 repositioning the equipment for the benefit of the
20 equipment provider. Such term does not include the
21 leasing of equipment to a motor carrier for use in
22 the motor carrier’s over-the-road freight hauling op-
23 erations.

24 (f) INSPECTION, REPAIR, AND MAINTENANCE OF
25 INTERMODAL EQUIPMENT.—Section 31136 of title 49,

1 United States Code, is amended by adding at the end the
2 following:

3 “(g) INSPECTION, REPAIR, AND MAINTENANCE OF
4 INTERMODAL EQUIPMENT.—The Secretary, or an em-
5 ployee of the Department of Transportation designated by
6 the Secretary, may inspect intermodal equipment, and
7 copy related maintenance and repair records for such
8 equipment, on demand and display of proper credentials
9 to inspect intermodal equipment.”.

10 (g) JURISDICTION OVER EQUIPMENT PROVIDERS.—
11 Section 31132(1) of such title is amended by inserting
12 after “towed vehicle” the following: “(including intermodal
13 equipment, including trailers, chassis and associated de-
14 vices, commonly used for the transportation of intermodal
15 freight via highway)”.

16 **SEC. 4129. SUBSTANCE ABUSE PROFESSIONALS.**

17 The Secretary shall conduct a rulemaking to permit
18 State licensed or certified Mental Health counselors, State
19 licensed or certified marriage and family therapists, or ad-
20 diction specialists certified by the American Academy of
21 Health Care Providers in the Addictive Disorders to act
22 as substance abuse professionals under subpart O of part
23 40 of title 49, Code of Federal Regulations.

1 **SEC. 4130. INTERSTATE VAN OPERATIONS.**

2 The Federal motor carrier safety regulations that
3 apply to Interstate operations of commercial motor vehi-
4 cles designed to transport between 9 and 15 passengers
5 (including the driver) shall apply to all Interstate oper-
6 ations of such carriers regardless of the distance traveled.

7 **SEC. 4131. HOURS OF SERVICE FOR OPERATORS OF UTIL-**
8 **ITY SERVICE VEHICLES.**

9 Section 345 of the National Highway System Des-
10 ignation Act of 1995 (49 U.S.C. 31136 note; 109 Stat.
11 613) is amended—

12 (1) in subsection (a) by striking paragraph (4)
13 and inserting the following:

14 “(4) OPERATORS OF UTILITY SERVICE VEHI-
15 CLES.—

16 “(A) INAPPLICABILITY OF FEDERAL REGU-
17 LATIONS.—Such regulations shall not apply to
18 a driver of a utility service vehicle.

19 “(B) PROHIBITION ON STATE REGULA-
20 TIONS.—A State, a political subdivision of a
21 State, an interstate agency, or other entity con-
22 sisting of 2 or more States, shall not enact or
23 enforce any law, rule, regulation, or standard
24 that imposes requirements on a driver of a util-
25 ity service vehicle that are similar to the re-
26 quirements contained in such regulations.”.

1 (2) in subsection (b) by striking “Nothing” and
2 inserting “Except as provided in subsection (a)(4),
3 nothing”; and

4 (3) in the first sentence of subsection (c) by
5 striking “paragraph (2)” and inserting “an exemp-
6 tion under paragraph (2) or (4)”.

7 **SEC. 4132. TECHNICAL CORRECTIONS.**

8 (a) INTERMODAL TRANSPORTATION ADVISORY
9 BOARD.—Section 5502(b) of title 49, United States Code,
10 is amended—

11 (1) by striking “and” at the end of paragraph
12 (4);

13 (2) by striking the period at the end of para-
14 graph (5) and inserting “; and”; and

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

16 “(6) the Federal Motor Carrier Safety Adminis-
17 tration.”.

18 (b) REFERENCE TO AGENCY.—Section 31502(e) of
19 such title is amended—

20 (1) in paragraph (2) by striking “Regional Di-
21 rector of the Federal Highway Administration” and
22 inserting “Field Administrator of the Federal Motor
23 Carrier Safety Administration”; and

24 (2) in paragraph (3) by striking “Regional Di-
25 rector” and inserting “Field Administrator”.

1 **SEC. 4133. INTRASTATE AND FOREIGN OPERATIONS OF**
2 **INTERSTATE MOTOR CARRIERS.**

3 Section 31144(a) of title 49, United States Code, is
4 amended to read as follows:

5 “(a) IN GENERAL.—The Secretary shall—

6 “(1) determine whether an owner or operator is
7 fit to operate safely commercial motor vehicles, uti-
8 lizing among other things the accident and safety in-
9 spection record of an owner or operator during oper-
10 ations—

11 “(A) in interstate commerce in the United
12 States;

13 “(B) in a State that affects interstate com-
14 merce in the United States; and

15 “(C) in Canada or Mexico if the owner or
16 operator also conducts operations in the United
17 States;

18 “(2) periodically update such safety fitness de-
19 terminations;

20 “(3) make such final safety fitness determina-
21 tions readily available to the public; and

22 “(4) prescribe by regulation penalties for viola-
23 tions of this section consistent with section 521.”.

1 **SEC. 4134. OPERATORS OF VEHICLES TRANSPORTING AGRICULTURAL**
2 **COMMODITIES AND FARM SUPPLIES.**
3 **PLIES.**

4 (a) AGRICULTURAL EXEMPTION.—Section 345(a)(1)
5 of the National Highway System Designation Act of 1995
6 (49 U.S.C. 31136 note; 109 Stat. 613) is amended to read
7 as follows:

8 “(1) TRANSPORTATION OF AGRICULTURAL COM-
9 MODITIES AND FARM SUPPLIES.—Regulations pre-
10 scribed by the Secretary under sections 31136 and
11 31502 of title 49, United States Code, regarding
12 maximum driving and on-duty time for drivers used
13 by motor carriers shall not apply during planting
14 and harvest periods, as determined by each State to
15 drivers transporting agricultural commodities or
16 farm supplies for agricultural purposes in a State if
17 such transportation is limited to an area within a
18 100 air mile radius from the source of the commod-
19 ities or the distribution point for the farm sup-
20 plies.”.

21 (b) REVIEW BY THE SECRETARY.—Section 345(c) of
22 such Act (109 Stat. 613) is amended by striking “other
23 than paragraph (2)” and inserting “other than paragraph
24 (1) or (2) of such subsection”.

25 (c) DEFINITIONS.—Section 345(e) of such Act (109
26 Stat. 614) is amended by adding at the end the following:

1 “(7) AGRICULTURAL COMMODITY.—The term
2 ‘agricultural commodity’ means any agricultural
3 commodity, food, feed, fiber, or livestock (including
4 livestock as defined in section 602 of the Emergency
5 Livestock Feed Assistance Act of 1988 (7 U.S.C.
6 1471) and insects).

7 “(8) FARM SUPPLIES FOR AGRICULTURAL PUR-
8 POSES.—The term ‘farm supplies for agricultural
9 purposes’ means products directly related to the
10 growing or harvesting of agricultural commodities
11 during the planting and harvesting seasons within
12 each State, as determined by the State, and livestock
13 feed at any time of the year.”.

14 **SEC. 4135. HOURS OF SERVICE RULES FOR OPERATORS**
15 **PROVIDING TRANSPORTATION TO MOVIE**
16 **PRODUCTION SITES.**

17 Notwithstanding sections 31136 and 31502 of title
18 49, United States Code, and any other provision of law,
19 the maximum daily hours of service for an operator of a
20 commercial motor vehicle providing transportation of
21 property or passengers to or from a theatrical or television
22 motion picture production site located within a 100 air
23 mile radius of the work reporting location of such operator
24 shall be those in effect under the regulations in effect
25 under such sections on April 27, 2003.

1 **SEC. 4136. STATE LAWS RELATING TO VEHICLE TOWING.**

2 Nothing in section 14501(c) of title 49, United States
3 Code, shall be construed to prevent a State from requiring
4 that, in the case of vehicles towed from private property
5 without the consent of the owner or operator of the vehi-
6 cle, towing companies have prior written authorization
7 from the property owner or lessee (or an employee or
8 agent thereof), or that such owner or lessee (or an em-
9 ployee or agent thereof) be present at the time the vehicle
10 is towed from the property, or both.

11 **SEC. 4137. SPECIAL RULE FOR FISCAL YEAR 2004.**

12 In any case in which an amount is authorized to be
13 appropriated, made available, allocated, set aside, taken
14 down, or subject to an obligation limitation for fiscal year
15 2004 for a program, project, or activity in any provision
16 of this title, including an amendment made by this title,
17 that is different than the amount authorized to be appro-
18 priated, made available, allocated, set aside, taken down,
19 or subject to an obligation limitation for fiscal year 2004
20 for such program, project, or activity in any provision of
21 the Surface Transportation Extension Act of 2004, Part
22 IV (Public Law 108–280), including any amendment
23 made by such Act, the amount referred to in such Act
24 shall be the amount authorized to be appropriated, made
25 available, allocated, set aside, taken down, or subject to
26 an obligation limitation.

1 **SEC. 4138. NEBRASKA CUSTOM HARVESTERS LENGTH EX-**
2 **EMPTION.**

3 Section 31112(c) of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(5) Nebraska may allow the operation of com-
6 mercial vehicle combinations of not to exceed 81
7 feet, 6 inches that are used only for harvesting
8 wheat, soybeans, and milo on a contract basis for
9 agricultural producers during the harvest months for
10 such crops as defined by the State of Nebraska.”.

11 **SEC. 4139. TRUCKLOAD FUEL SURCHARGE.**

12 (a) IN GENERAL.—Chapter 137 of title 49, United
13 States Code, is amended by adding at the end the fol-
14 lowing:

15 **“§ 13714. Fuel surcharge**

16 “(a) REQUIREMENT FOR FUEL SURCHARGE.—Any
17 contract or agreement, providing for truckload transpor-
18 tation or service involving a motor carrier, broker, or
19 freight forwarder subject to jurisdiction under chapter 135
20 of this title that regularly provides such transportation or
21 service, shall include a requirement that the payer of
22 transportation charges pay a fuel surcharge that is no less
23 than the amount of the Increased Cost of Fuel as deter-
24 mined under subsection (c).

25 “(b) IMPLEMENTATION.—The surcharge required by
26 subsection (a)—

1 “(1) shall apply during any period in which the
2 Current Diesel Fuel Price surpasses, by \$0.05 per
3 gallon of diesel fuel, the Benchmark Price deter-
4 mined under subsection (c);

5 “(2) shall expire when the Current Diesel Fuel
6 Price equals or is less than \$0.05 above the Bench-
7 mark Price set forth in subsection (c);

8 “(3) shall be calculated on the date the applica-
9 ble shipment is physically tendered to the motor car-
10 rier, broker, or freight forwarder;

11 “(4) shall be itemized separately on the invoices
12 of the motor carrier, broker, or freight forwarder;

13 “(5) shall be paid to the motor carrier, broker,
14 or freight forwarder by the payer of transportation
15 charges;

16 “(6) shall not apply to any transportation con-
17 tract or agreement, in effect on the date of enact-
18 ment of this section, that provides for a fuel cost ad-
19 justment or surcharge; and

20 “(7) may be expressed on a mileage basis, as a
21 percentage of the freight charge, or in any other
22 manner the motor carrier, broker, or freight for-
23 warder elects.

24 “(c) CALCULATION OF INCREASED COST OF FUEL.—

1 “(1) INCREASED COST OF FUEL.—For purposes
2 of this section, the Increased Cost of Fuel shall be
3 the amount determined by subtracting the Bench-
4 mark Price from the Current Diesel Fuel Price and
5 then multiplying the difference by the number of
6 gallons of diesel fuel used in the transportation or
7 service provided.

8 “(2) BENCHMARK PRICE.—For purposes of this
9 section, the following apply:

10 “(A) INITIAL PRICE.—For the period be-
11 ginning on the date of enactment of this section
12 and ending immediately before the effective
13 date of the first adjusted Benchmark Price
14 under subparagraph (B), the Benchmark Price
15 shall be \$1.10 per gallon of diesel fuel.

16 “(B) SUBSEQUENT ADJUSTMENTS.—Dur-
17 ing each calendar year subsequent to the cal-
18 endar year of enactment of this section, the
19 Secretary of Transportation shall adjust the
20 Benchmark Price by the percentage change in
21 the previous calendar year’s Annual Truckload
22 Producer Price Index as determined by the De-
23 partment of Labor and shall publish that ad-
24 justed Benchmark Price in the Federal Reg-
25 ister. The effective date of each adjusted

1 Benchmark Price shall be the first day of the
2 month following the date of such publication.

3 “(3) CURRENT DIESEL FUEL PRICE.—For pur-
4 poses of this section, the Current Diesel Fuel Price
5 shall—

6 “(A) be the latest weekly average price for
7 retail on-highway diesel fuel published by the
8 Energy Information Administration for the Pe-
9 troleum Administration for Defense district or
10 subdistrict where a shipment is physically ten-
11 dered to the motor carrier, broker, or freight
12 forwarder; and

13 “(B) take effect the midnight after the
14 weekly average price is published.

15 “(4) AMOUNT OF FUEL USED.—In calculating
16 the number of gallons of diesel fuel used in pro-
17 viding transportation or service under paragraph
18 (1)—

19 “(A) it shall be assumed that a gallon of
20 diesel fuel is used for each 5 miles of transpor-
21 tation; and

22 “(B) the mileage of the transportation or
23 service provided shall be the number of miles as
24 determined under the ‘Defense Table of Official
25 Distances’ issued by the Surface Deployment

1 and Distribution Command, Department of De-
2 fense or under any applicable mileage guide es-
3 tablished under section 13703(a)(1)(D).

4 “(d) LIMITATION ON AUTHORITY.—Notwithstanding
5 any other provision of this part, any action to enforce this
6 section may only be brought by the motor carrier, broker,
7 or freight forwarder that provided the transportation serv-
8 ices against the payor of the transportation charges or by
9 the payor of the transportation charges against the motor
10 carrier, broker, or freight forwarder that provided the
11 transportation services. In such action, a court shall have
12 the authority to determine whether a fuel surcharge re-
13 quired under this section has been assessed or paid. A
14 court shall not have the authority in such action to review
15 any other charges imposed by the provider of the transpor-
16 tation services. Notwithstanding the publication of the
17 Benchmark Price under subsection (c)(2), neither the Sec-
18 retary of Transportation nor the Surface Transportation
19 Board shall have regulatory or enforcement authority re-
20 lating to provisions of this section.

21 “(e) DEFINITIONS.—In this section, the following
22 definitions apply:

23 “(1) PAYER OF TRANSPORTATION CHARGES.—
24 The term ‘payer of transportation charges’ means

1 any person who pays for the transportation or serv-
2 ice involved.

3 “(2) PERSON RESPONSIBLE FOR PAYING FOR
4 FUEL.—The term ‘person responsible for paying for
5 fuel’ means any person who bears the cost of fuel
6 used for the transportation or service involved.”.

7 (b) CLERICAL AMENDMENT.—The analysis for such
8 chapter is amended by adding at the end the following:
“13714. Fuel surcharge.”.

9 (c) CONFORMING AMENDMENT.—Section 14102 of
10 title 49, United States Code is amended by adding at the
11 end the following:

12 “(c) MANDATORY PASS-THROUGH TO COST BEAR-
13 ER.—

14 “(1) IN GENERAL.—A motor carrier, broker, or
15 freight forwarder providing transportation or service
16 using fuel not paid for by it—

17 “(A) shall pass through to the person re-
18 sponsible for paying for fuel any fuel surcharge
19 or adjustment required pursuant to section
20 13714 or provided for in a transportation con-
21 tract or agreement at the same time payment
22 for the transportation or service is made to the
23 person responsible for paying for fuel;

24 “(B) shall disclose in writing to the person
25 responsible for paying for fuel the amount of all

1 freight rates, charges, and fuel surcharges ap-
2 plicable to that transportation or service; and

3 “(C) may not reduce, for the purpose of
4 adjusting for or avoiding the pass-through of a
5 fuel surcharge, nonfuel related compensatory
6 transportation payments to the person respon-
7 sible for paying for fuel.

8 “(2) LIMITATION ON AUTHORITY.—Notwith-
9 standing any other provision of this part, the person
10 responsible for paying for fuel may bring an action
11 to enforce this subsection under section 14704
12 against the motor carrier, freight forwarder, or
13 broker providing the transportation services with ve-
14 hicles not owned by it or with fuel not paid for by
15 it. Neither the Secretary of Transportation nor the
16 Surface Transportation Board shall have regulatory
17 or enforcement authority relating to provisions of
18 this subsection.”.

19 **Subtitle B—Household Goods**
20 **Transportation**

21 **SEC. 4201. FEDERAL-STATE RELATIONS RELATING TO**
22 **TRANSPORTATION OF HOUSEHOLD GOODS.**

23 (a) NONPREEMPTION OF INTRASTATE TRANSPOR-
24 TATION OF HOUSEHOLD GOODS.—Section

1 14501(c)(2)(B) of title 49, United States Code, is amend-
2 ed by inserting “intrastate” before “transportation”.

3 (b) ENFORCEMENT OF CONSUMER PROTECTION
4 WITH RESPECT TO INTERSTATE HOUSEHOLD GOODS
5 CARRIERS.—Chapter 145 of such title is amended by add-
6 ing at the end the following:

7 **“§ 14506. Enforcement of Federal regulations by State**
8 **attorneys general**

9 “(a) IN GENERAL.—A State, as *parens patriae*, may
10 bring a civil action on behalf of a resident of the State
11 in an appropriate district court of the United States to
12 enforce a regulation or order of the Secretary or Board—

13 “(1) to protect an individual shipper of house-
14 hold goods if such regulation or order governs the
15 delivery of the shipper’s household goods; or

16 “(2) to impose a civil penalty under section
17 14915 whenever the attorney general of the State
18 has reason to believe that the interests of the resi-
19 dents of the State have been or are being threatened
20 or adversely affected by—

21 “(A) a carrier or broker providing trans-
22 portation of household goods subject to jurisdic-
23 tion under subchapter I or III of chapter 135
24 who is committing repeat violations of section
25 14915; or

1 “(B) a foreign motor carrier providing
2 transportation of household goods who is reg-
3 istered under section 13902 and who is commit-
4 ting repeat violations of section 14915.

5 “(b) LIMITATION ON STATUTORY CONSTRUCTION.—
6 Nothing in this section shall be construed—

7 “(1) as preventing an attorney general from ex-
8 ercising the powers conferred on the attorney gen-
9 eral by the laws of such State to conduct investiga-
10 tions or to administer oaths or affirmations or to
11 compel the attendance of witnesses or the production
12 of documentary and other evidence;

13 “(2) as prohibiting a State official from pro-
14 ceeding in State court to enforce a criminal statute
15 of the State;

16 “(3) as authorizing a State or political subdivi-
17 sion of a State to bring an enforcement action under
18 a consumer protection law, regulation, or other pro-
19 vision of the State relating to interstate transpor-
20 tation of household goods (as defined in section
21 13102(10)(A)) with respect to an activity that is in-
22 consistent with Federal laws and regulations relating
23 to interstate transportation of household goods; or

24 “(4) as authorizing a State, as *parens patriae*,
25 to bring a class civil action on behalf of its residents

1 to enforce a regulation or order of the Secretary or
2 Board.

3 “(c) ACTIONS BY THE SECRETARY OR BOARD.—
4 Whenever a civil action has been instituted by or on behalf
5 of the Secretary or Board for violation of section 14915,
6 no State may, during the pendency of such action, insti-
7 tute a civil action under subsection (a) against any defend-
8 ant named in the complaint relating to such violation.

9 “(d) VENUE; SERVICE OF PROCESS.—Any civil ac-
10 tion to be brought under subsection (a) in a district court
11 of the United States may be brought in the district in
12 which the defendant is found, is an inhabitant, or trans-
13 acts business or wherever venue is proper under section
14 1391 of title 28. Process in such an action may be served
15 in any district in which the defendant is an inhabitant or
16 in which the defendant may be found.”.

17 (e) CONFORMING AMENDMENT.—The analysis for
18 such chapter is amended by adding at the end the fol-
19 lowing:

“14506. Enforcement of Federal regulations by State attorneys general.”.

20 **SEC. 4202. ARBITRATION REQUIREMENTS.**

21 (a) OFFERING SHIPPERS ARBITRATION.—Section
22 14708(a) of title 49, United States Code, is amended by
23 inserting before the period at the end the following: “and
24 to determine whether carrier charges, in addition to those
25 collected at delivery, must be paid by the shipper for trans-

1 portation and services related to the transportation of
2 household goods”.

3 (b) THRESHOLD FOR BINDING ARBITRATION.—Sec-
4 tion 14708(b)(6) of such title is amended by striking
5 “\$5,000” each place it appears and inserting “\$10,000”.

6 (c) DEADLINE FOR DECISION.—Section 14708(b)(8)
7 of such title is amended—

8 (1) by striking “and”; and

9 (2) by inserting after “for damages” the fol-
10 lowing: “, and an order requiring the payment of ad-
11 ditional carrier charges”.

12 (d) ATTORNEY’S FEES TO SHIPPERS.—Section
13 14708(d)(3) of such title is amended—

14 (1) by redesignating subparagraphs (A) and
15 (B) as subparagraphs (B) and (C), respectively; and

16 (2) by inserting before subparagraph (B) (as so
17 redesignated) the following:

18 “(A) the shipper was not advised by the carrier
19 during the claim settlement process that a dispute
20 settlement program was available to resolve the dis-
21 pute;”.

1 **SEC. 4203. CIVIL PENALTIES RELATING TO HOUSEHOLD**
2 **GOODS BROKERS AND UNAUTHORIZED**
3 **TRANSPORTATION.**

4 Section 14901(d) of title 49, United States Code, is
5 amended—

6 (1) by striking “If a carrier” and inserting the
7 following:

8 “(1) IN GENERAL.—If a carrier”; and

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

10 “(2) ESTIMATE OF BROKER WITHOUT CARRIER
11 AGREEMENT.—If a broker for transportation of
12 household goods subject to jurisdiction under sub-
13 chapter I of chapter 135 makes an estimate of the
14 cost of transporting any such goods before entering
15 into an agreement with a carrier to provide trans-
16 portation of household goods subject to such juris-
17 diction, the broker is liable to the United States for
18 a civil penalty of not less than \$10,000 for each vio-
19 lation.

20 “(3) UNAUTHORIZED TRANSPORTATION.—If a
21 person provides transportation of household goods
22 subject to jurisdiction under subchapter I of chapter
23 135 or provides broker services for such transpor-
24 tation without being registered under chapter 139 to
25 provide such transportation or services as a motor
26 carrier or broker, as the case may be, such person

1 is liable to the United States for a civil penalty of
2 not less than \$25,000 for each violation.”.

3 **SEC. 4204. CIVIL PENALTY FOR HOLDING HOUSEHOLD**
4 **GOODS HOSTAGE.**

5 (a) IN GENERAL.—Chapter 149 of title 49, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 **“§ 14915. Holding household goods hostage**

9 “(a) HOLDING HOUSEHOLD GOODS HOSTAGE DE-
10 FINED.—For purposes of this section, the term ‘holding
11 household goods hostage’ means the knowing and willful
12 refusal to relinquish possession of a shipment of household
13 goods described in section 13102(10)(A) upon payment of
14 not more than 100 percent of a binding estimate (or, in
15 the case of a nonbinding estimate, not more than 110 per-
16 cent of the estimated charges for such shipment).

17 “(b) CIVIL PENALTY.—Whoever is found holding a
18 household goods shipment hostage is liable to the United
19 States for a civil penalty of not less than \$10,000 for each
20 violation. If such person is a carrier or broker, the Sec-
21 retary may suspend for a period of not less than 6 months
22 the registration of such carrier or broker under chapter
23 139.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 such chapter is amended by adding at the end the fol-
3 lowing:

“14915. Holding household goods hostage.”.

4 **SEC. 4205. WORKING GROUP FOR DEVELOPMENT OF PRAC-**
5 **TICES AND PROCEDURES TO ENHANCE FED-**
6 **ERAL-STATE RELATIONS.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of enactment of this Act, the Secretary shall establish
9 a working group of State attorneys general, State con-
10 sumer protection administrators, and Federal and local
11 law enforcement officials for the purpose of developing
12 practices and procedures to enhance the Federal-State
13 partnership in enforcement efforts, exchange of informa-
14 tion, and coordination of enforcement efforts with respect
15 to interstate transportation of household goods and of
16 making legislative and regulatory recommendations to the
17 Secretary concerning such enforcement efforts.

18 (b) CONSULTATION.—In carrying out subsection (a),
19 the working group shall consult with industries involved
20 in the transportation of household goods.

21 (c) FEDERAL ADVISORY COMMITTEE ACT EXEMP-
22 TION.—The Federal Advisory Committee Act (5 U.S.C.
23 App.) shall not apply to the working group established
24 under subsection (a).

1 (d) TERMINATION DATE.—The working group shall
2 remain in effect until September 30, 2009.

3 **SEC. 4206. CONSUMER HANDBOOK ON DOT WEB SITE.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary shall take such action as may
6 be necessary to ensure that publication ESA 03005 of the
7 Federal Motor Carrier Safety Administration entitled
8 “Your Rights and Responsibilities When You Move”, is
9 prominently displayed, and available in language that is
10 readily understandable by the general public, on the Web
11 site of the Department of Transportation.

12 **SEC. 4207. RELEASE OF HOUSEHOLD GOODS BROKER IN-**
13 **FORMATION.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Secretary shall modify the regulations con-
16 tained in part 375 of title 49, Code of Federal Regula-
17 tions, to require a broker that is subject to such regula-
18 tions to provide shippers with the following information
19 whenever they have contact with a shipper or potential
20 shipper:

21 (1) The Department of Transportation number
22 of the broker.

23 (2) The ESA 03005 publication referred to in
24 section 4206 of this Act.

1 (3) A list of all motor carriers providing trans-
2 portation of household goods used by the broker and
3 a statement that the broker is not a motor carrier
4 providing transportation of household goods.

5 **SEC. 4208. CONSUMER COMPLAINT INFORMATION.**

6 (a) ESTABLISHMENT OF SYSTEM.—Not later than 1
7 year after the date of enactment of this Act, the Secretary
8 shall—

9 (1) establish a system for filing and logging
10 consumer complaints relating to motor carriers pro-
11 viding transportation of household goods and for
12 compiling complaint information gathered by the De-
13 partment of Transportation and the States with re-
14 gard to such carriers, a database of the complaints,
15 and a procedure for the public to have access to ag-
16 gregated information and for carriers to challenge
17 duplicate or fraudulent information in the database;
18 and

19 (2) issue regulations requiring each motor car-
20 rier of household goods to submit on a quarterly
21 basis a report summarizing—

22 (A) the number of shipments that originate
23 and are delivered for individual shippers during
24 the reporting period by the carrier;

1 (B) the number and general category of
2 complaints lodged by consumers with the car-
3 rier;

4 (C) the number of claims filed with the
5 carrier for loss and damage in excess of \$500;

6 (D) the number of such claims resolved
7 during the reporting period;

8 (E) the number of such claims declined in
9 the reporting period; and

10 (F) the number of such claims that are
11 pending at the close of the reporting period.

12 (b) USE OF INFORMATION.—The Secretary shall con-
13 sider information in the data base established under sub-
14 section (a) in its household goods compliance and enforce-
15 ment program.

16 **SEC. 4209. INSURANCE REGULATIONS.**

17 (a) REVIEW.—Not later than 1 year after the date
18 of enactment of this Act, the Secretary shall undertake
19 a review of the current Federal regulations regarding in-
20 surance coverage provided by motor carriers providing
21 transportation of household goods and revise such regula-
22 tions in order to provide enhanced protection for shippers
23 in the case of loss or damage as determined necessary.

24 (b) DETERMINATIONS.—The review shall include, but
25 not be limited to, a determination of—

1 (1) whether the current regulations provide ade-
2 quate protection for shippers;

3 (2) whether an individual shipper should pur-
4 chase insurance as opposed to the carrier; and

5 (3) whether there are abuses of the current reg-
6 ulations that leave the shipper unprotected in loss
7 and damage claims.

8 **SEC. 4210. ESTIMATING REQUIREMENTS.**

9 Section 14104(b)(1) of title 49, United States Code,
10 is amended to read as follows:

11 “(1) REQUIRED TO BE IN WRITING.—

12 “(A) IN GENERAL.—Except as otherwise
13 provided in this subsection, every motor carrier
14 providing transportation of household goods de-
15 scribed in section 13102(10)(A) subject to ju-
16 risdiction under subchapter I of chapter 135
17 shall conduct a physical survey of the household
18 goods to be transported on behalf of a prospec-
19 tive individual shipper and shall provide the
20 shipper with a written estimate of charges for
21 the transportation and all related services.

22 “(B) WAIVER.—A shipper may elect to
23 waive a physical survey under this paragraph by
24 written agreement signed by the shipper before
25 the shipment is loaded. A copy of the waiver

1 agreement must be retained as an addendum to
2 the bill of lading and shall be subject to the
3 same record inspection and preservation re-
4 quirements of the Secretary as are applicable to
5 bills of lading.

6 “(C) ESTIMATE.—

7 “(i) IN GENERAL.—Notwithstanding a
8 waiver under subparagraph (B), a carrier’s
9 statement of charges for transportation
10 must be submitted to the shipper in writ-
11 ing and must indicate whether it is binding
12 or nonbinding.

13 “(ii) BINDING.—A binding estimate
14 under this paragraph must indicate that
15 the carrier and shipper are bound by such
16 charges. The carrier may impose a charge
17 for providing a written binding estimate.

18 “(iii) NONBINDING.—A nonbinding
19 estimate under this paragraph must indi-
20 cate that the actual charges will be based
21 upon the actual weight of the individual
22 shipper’s shipment and the carrier’s lawful
23 tariff charges. The carrier may not impose
24 a charge for providing a nonbinding esti-
25 mate.”.

1 **SEC. 4211. APPLICATION OF STATE CONSUMER PROTEC-**
2 **TION LAWS TO CERTAIN HOUSEHOLD GOODS**
3 **CARRIERS.**

4 (a) **STUDY.**—The Comptroller General shall conduct
5 a study on the current consumer protection authorities
6 and actions of the Department of Transportation and the
7 impact on shippers and carriers of household goods in-
8 volved in interstate transportation of allowing State attor-
9 neys general to apply State consumer protection laws to
10 such transportation.

11 (b) **MATTERS TO BE CONSIDERED.**—In conducting
12 the study, the Comptroller General shall consider, at a
13 minimum—

14 (1) the level of consumer protection being pro-
15 vided to consumers through Federal household goods
16 regulations and how household goods regulations re-
17 lating to consumer protection compare to regulations
18 relating to consumer protection for other modes of
19 transportation regulated by the Department of
20 Transportation;

21 (2) the history and background of State en-
22 forcement of State consumer protection laws on
23 household goods carriers providing intrastate trans-
24 portation and what effects such laws have on the
25 ability of intrastate household goods carriers to op-
26 erate;

1 (b) HOUSEHOLD GOODS MOTOR CARRIER DE-
2 FINED.—In this section, the term “household goods motor
3 carrier” means a motor carrier as defined in section
4 13102(12) of title 49, United States Code, which, in the
5 ordinary course of its business of providing transportation
6 of household goods, offers some or all of the following ad-
7 ditional services: binding and nonbinding estimates,
8 inventorying, protective packing and unpacking of indi-
9 vidual items, and loading and unloading at personal resi-
10 dences.

11 **SEC. 4213. VIOLATIONS OF OUT-OF-SERVICE ORDERS.**

12 Section 31310(i)(2) of title 49, United States Code,
13 is amended by adding at the end the following:

14 “(D) an employer that knowingly and willfully
15 allows or requires an employee to operate a commer-
16 cial motor vehicle in violation of an out-of-service
17 order shall, upon conviction, be subject for each of-
18 fense to imprisonment for a term not to exceed one
19 year or a fine under title 18, or both.”.

20 **SEC. 4214. CRIMINAL PENALTY FOR HOLDING GOODS HOS-**
21 **TAGE .**

22 Section 14915 of title 49, United States Code, as
23 added by section 4204 of this Act is amended by adding
24 at the end the following:

1 “(c) CRIMINAL PENALTY.—A motor carrier that has
2 been convicted of knowingly and willfully holding house-
3 hold goods hostage by falsifying documents or demanding
4 the payment of charges for services that were not per-
5 formed or were not necessary in the safe and adequate
6 movement of a shipment of household goods shall be fined
7 under title 18, or imprisoned not more than 2 years, or
8 both.”.

9 **TITLE V—TRANSPORTATION**
10 **RESEARCH AND EDUCATION**

11 **Subtitle A—Funding**

12 **SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—The following sums are author-
14 ized to be appropriated out of the Highway Trust Fund
15 (other than the Mass Transit Account):

16 (1) SURFACE TRANSPORTATION RESEARCH, DE-
17 VELOPMENT, AND DEPLOYMENT PROGRAM.—To
18 carry out sections 502, 503, 506, 507, 509, and 510
19 of title 23, United States Code, and sections 5207,
20 5210, 5211, and 5402 of this title—

21 (A) \$169,000,000 for fiscal year 2004;

22 (B) \$239,500,000 for fiscal year 2005;

23 (C) \$239,500,000 for fiscal year 2006;

24 (D) \$239,500,000 for fiscal year 2007;

25 (E) \$239,500,000 for fiscal year 2008; and

1 (F) \$239,500,000 for fiscal year 2009.

2 (2) TRAINING AND EDUCATION.—To carry out
3 section 504 of title 23, United States Code, and sec-
4 tion 5211 of this Act, \$24,500,000 for fiscal year
5 2004 and \$33,500,000 for each of fiscal years 2005
6 through 2009.

7 (3) BUREAU OF TRANSPORTATION STATIS-
8 TICS.—For the Bureau of Transportation Statistics
9 to carry out section 111 of title 49, United States
10 Code, \$31,000,000 for fiscal year 2004 and
11 \$33,000,000 for each of fiscal years 2005 through
12 2009.

13 (4) UNIVERSITY TRANSPORTATION RE-
14 SEARCH.—To carry out sections 5505 and 5506 of
15 title 49, United States Code, \$54,500,000 for fiscal
16 year 2004 and \$71,000,000 for each of fiscal years
17 2005 through 2009.

18 (5) INTELLIGENT TRANSPORTATION SYSTEMS
19 (ITS) RESEARCH.—To carry out subtitle F of this
20 title, \$115,000,000 for each of fiscal years 2004
21 through 2009.

22 (6) ITS DEPLOYMENT.—To carry out sections
23 5208 and 5209 of the Transportation Equity Act for
24 the 21st Century (112 Stat. 458; 112 Stat. 460),
25 \$100,000,000 for fiscal years 2004 and 2005.

1 (b) APPLICABILITY OF TITLE 23, UNITED STATES
2 CODE.—Funds authorized to be appropriated by sub-
3 section (a) shall be available for obligation in the same
4 manner as if such funds were apportioned under chapter
5 1 of title 23, United States Code; except that the Federal
6 share of the cost of a project or activity carried out using
7 such funds shall be 50 percent, unless otherwise expressly
8 provided by this Act (including the amendments made by
9 this Act) or otherwise determined by the Secretary, and
10 such funds shall remain available until expended and shall
11 not be transferable.

12 **SEC. 5102. OBLIGATION CEILING.**

13 Notwithstanding any other provision of law, the total
14 of all obligations from amounts made available from the
15 Highway Trust Fund (other than the Mass Transit Ac-
16 count) by sections 5101(a) and 5401 of this Act shall not
17 exceed \$483,000,000 for fiscal year 2004, \$484,000,000
18 for fiscal year 2005, \$485,000,000 for fiscal year 2006,
19 \$485,000,000 for fiscal year 2007, \$486,000,000 for fis-
20 cal year 2008, and \$487,000,000 for fiscal year 2009.

21 **SEC. 5103. FINDINGS.**

22 Congress finds the following:

23 (1) Research and development are critical to de-
24 veloping and maintaining a transportation system
25 that meets the goals of safety, mobility, economic vi-

1 tality, efficiency, equity, and environmental protec-
2 tion.

3 (2) Federally sponsored surface transportation
4 research and development has produced many suc-
5 cesses. The development of rumble strips has in-
6 creased safety; research on materials has increased
7 the lifespan of pavements, saving money and reduc-
8 ing the disruption caused by construction; and Geo-
9 graphic Information Systems have improved the
10 management and efficiency of transit fleets.

11 (3) Despite these important successes, the Fed-
12 eral surface transportation research and develop-
13 ment investment represents less than one percent of
14 overall government spending on surface transpor-
15 tation.

16 (4) While Congress increased funding for over-
17 all transportation programs by about 40 percent in
18 the Transportation Equity Act for the 21st Century,
19 funding for transportation research and development
20 remained relatively flat.

21 (5) The Federal investment in research and de-
22 velopment should be balanced between short-term
23 applied and long-term fundamental research and de-
24 velopment. The investment should also cover a wide
25 range of research areas, including research on mate-

1 rials and construction, research on operations, re-
 2 search on transportation trends and human factors,
 3 and research addressing the institutional barriers to
 4 deployment of new technologies.

5 (6) Therefore, Congress finds that it is in the
 6 United States interest to increase the Federal in-
 7 vestment in transportation research and develop-
 8 ment, and to conduct research in critical research
 9 gaps, in order to ensure that the transportation sys-
 10 tem meets the goals of safety, mobility, economic vi-
 11 tality, efficiency, equity, and environmental protec-
 12 tion.

13 **Subtitle B—Research, Technology,**
 14 **and Education**

15 **SEC. 5201. RESEARCH, TECHNOLOGY, AND EDUCATION.**

16 (a) RESEARCH, TECHNOLOGY, AND EDUCATION.—
 17 Title 23, United States Code, is amended—

18 (1) in the table of chapters by striking the item
 19 relating to chapter 5 and inserting the following:

 “5. RESEARCH, TECHNOLOGY, AND EDUCATION 501”.

20 (2) by striking the heading for chapter 5 and
 21 inserting the following:

1 **“CHAPTER 5—RESEARCH, TECHNOLOGY,**
2 **AND EDUCATION”.**

3 (b) STATEMENT OF PRINCIPLES GOVERNING RE-
4 SEARCH AND TECHNOLOGY INVESTMENTS.—Section 502
5 of such title is amended—

6 (1) by redesignating subsections (a) through (g)
7 as subsections (b) through (h), respectively; and

8 (2) by inserting before subsection (b) (as so re-
9 designated) the following:

10 “(a) BASIC PRINCIPLES GOVERNING RESEARCH AND
11 TECHNOLOGY INVESTMENTS.—

12 “(1) COVERAGE.—Surface transportation re-
13 search and technology development shall include all
14 activities leading to technology development and
15 transfer, as well as the introduction of new and in-
16 novative ideas, practices, and approaches, through
17 such mechanisms as field applications, education and
18 training, and technical support.

19 “(2) FEDERAL RESPONSIBILITY.—Funding and
20 conducting surface transportation research and tech-
21 nology transfer activities shall be considered a basic
22 responsibility of the Federal Government when the
23 work—

24 “(A) is of national significance;

1 “(B) supports research in which there is a
2 clear public benefit and private sector invest-
3 ment is less than optimal;

4 “(C) supports a Federal stewardship role
5 in assuring that State and local governments
6 use national resources efficiently; or

7 “(D) presents the best means to support
8 Federal policy goals compared to other policy
9 alternatives.

10 “(3) ROLE.—Consistent with these Federal re-
11 sponsibilities, the Secretary shall—

12 “(A) conduct research;

13 “(B) support and facilitate research and
14 technology transfer activities by State highway
15 agencies;

16 “(C) share results of completed research;
17 and

18 “(D) support and facilitate technology and
19 innovation deployment.

20 “(4) PROGRAM CONTENT.—A surface transpor-
21 tation research program shall include—

22 “(A) fundamental, long-term highway re-
23 search;

1 “(B) research aimed at significant highway
2 research gaps and emerging issues with na-
3 tional implications; and

4 “(C) research related to policy and plan-
5 ning.

6 “(5) STAKEHOLDER INPUT.—Federal surface
7 transportation research and development activities
8 shall address the needs of stakeholders. Stakeholders
9 include States, metropolitan planning organizations,
10 local governments, the private sector, researchers,
11 research sponsors, and other affected parties, includ-
12 ing public interest groups.

13 “(6) COMPETITION AND PEER REVIEW.—Ex-
14 cept as otherwise provided in this Act, the Secretary
15 shall award all grants, contracts, and cooperative
16 agreements for research and development under this
17 Act based on open competition and peer review of
18 proposals.

19 “(7) PERFORMANCE REVIEW AND EVALUA-
20 TION.—To the maximum extent practicable, all sur-
21 face transportation research and development
22 projects shall include a component of performance
23 measurement and evaluation. Performance measures
24 shall be established during the proposal stage of a
25 research and development project and shall, to the

1 maximum extent possible, be outcome-based. All
2 evaluations shall be made readily available to the
3 public.”.

4 (c) PROCUREMENT FOR RESEARCH, DEVELOPMENT,
5 AND TECHNOLOGY TRANSFER ACTIVITIES.—Section
6 502(b)(3) of such title (as redesignated by subsection (b)
7 of this section) is amended to read as follows:

8 “(3) COOPERATION, GRANTS, AND CON-
9 TRACTS.—The Secretary may carry out research, de-
10 velopment, and technology transfer activities related
11 to transportation—

12 “(A) independently;

13 “(B) in cooperation with other Federal de-
14 partments, agencies, and instrumentalities and
15 Federal laboratories; or

16 “(C) by making grants to, or entering into
17 contracts, cooperative agreements, and other
18 transactions with one or more of the following:
19 the National Academy of Sciences, the Amer-
20 ican Association of State Highway and Trans-
21 portation Officials, any Federal laboratory,
22 Federal agency, State agency, authority, asso-
23 ciation, institution, for-profit or nonprofit cor-
24 poration, organization, foreign country, any
25 other person.”.

1 (d) TRANSPORTATION POOLED FUND PROGRAM.—
2 Section 502(b) of such title (as redesignated by subsection
3 (b) of this section), is amended by adding at the end the
4 following:

5 “(6) POOLED FUNDING.—

6 “(A) COOPERATION.—To promote effective
7 utilization of available resources, the Secretary
8 may cooperate with a State and an appropriate
9 agency in funding research, development, and
10 technology transfer activities of mutual interest
11 on a pooled funds basis.

12 “(B) SECRETARY AS AGENT.—The Sec-
13 retary may enter into contracts, cooperative
14 agreements, grants, and other transactions as
15 agent for all participating parties in carrying
16 out such research, development, or technology
17 transfer.”.

18 (e) OPERATIONS ELEMENTS IN RESEARCH ACTIVI-
19 TIES.—Section 502 of such title is further amended—

20 (1) in subsection (b)(1)(B) (as redesignated by
21 subsection (b) of this section) by inserting “trans-
22 portation system management and operations,” after
23 “operation,”.

1 (2) in subsection (d)(5)(C) (as redesignated by
2 subsection (b) of this section) by inserting “system
3 management and” after “transportation”; and

4 (3) by inserting at the end of subsection (d) (as
5 redesignated by subsection (b) of this section) the
6 following:

7 “(12) Investigation and development of various
8 operational methodologies to reduce the occurrence
9 and impact of recurrent congestion and nonrecurrent
10 congestion and increase transportation system reli-
11 ability.

12 “(13) Investigation of processes, procedures,
13 and technologies to secure container and hazardous
14 material transport, including the evaluation of regu-
15 lations and the impact of good security practices on
16 commerce and productivity.

17 “(14) Research, development, and technology
18 transfer related to asset management.”.

19 (f) FACILITATING TRANSPORTATION RESEARCH AND
20 TECHNOLOGY DEPLOYMENT PARTNERSHIPS.—Section
21 502(c)(2) of such title (as redesignated by subsection (b)
22 of this section) is amended to read as follows:

23 “(2) COOPERATION, GRANTS, CONTRACTS, AND
24 AGREEMENTS.—Notwithstanding any other provision
25 of law, the Secretary may directly initiate contracts,

1 cooperative research and development agreements
2 (as defined in section 12 of the Stevenson-Wydler
3 Technology Innovation Act of 1980 (15 U.S.C.
4 3710a)), and other transactions to fund, and accept
5 funds from, the Transportation Research Board of
6 the National Research Council of the National Acad-
7 emy of Sciences, State departments of transpor-
8 tation, cities, counties, and their agents to conduct
9 joint transportation research and technology ef-
10 forts.”.

11 (g) EXPLORATORY ADVANCED RESEARCH PRO-
12 GRAM.—Section 502(e) of such title (as redesignated by
13 subsection (b) of this section) is amended to read as fol-
14 lows:

15 “(e) EXPLORATORY ADVANCED RESEARCH.—

16 “(1) IN GENERAL.—The Secretary shall estab-
17 lish an exploratory advanced research program, con-
18 sistent with the surface transportation research and
19 technology development strategic plan developed
20 under section 508 that involves and draws upon
21 basic research results to provide a better under-
22 standing of problems and develop innovative solu-
23 tions. In carrying out the program, the Secretary
24 shall strive to develop partnerships with public and
25 private sector entities.

1 “(2) RESEARCH AREAS.—In carrying out the
2 program, the Secretary may make grants and enter
3 into cooperative agreements and contracts in such
4 areas of surface transportation research and tech-
5 nology as the Secretary determines appropriate, in-
6 cluding the following:

7 “(A) Characterization of materials used in
8 highway infrastructure, including analytical
9 techniques, microstructure modeling, and the
10 deterioration processes.

11 “(B) Assessment of the effects of transpor-
12 tation decisions on human health.

13 “(C) Development of surrogate measures
14 of safety.

15 “(D) Environmental research.

16 “(E) Data acquisition techniques for sys-
17 tem condition and performance monitoring.

18 “(F) System performance data and infor-
19 mation processing needed to assess the day-to-
20 day operational performance of the system in
21 support of hour-to-hour operational decision-
22 making.”.

23 (h) LONG-TERM PAVEMENT PERFORMANCE PRO-
24 GRAM.—

1 (1) IN GENERAL.—Section 502(f) of such title
2 (as redesignated by subsection (b) of this section) is
3 amended to read as follows:

4 “(f) LONG-TERM PAVEMENT PERFORMANCE PRO-
5 GRAM.—

6 “(1) AUTHORITY.—The Secretary shall com-
7 plete the 20-year long-term pavement performance
8 program tests initiated under the strategic highway
9 research program established under section 307(d)
10 (as in effect on June 8, 1998).

11 “(2) GRANTS, COOPERATIVE AGREEMENTS, AND
12 CONTRACTS.—Under the program, the Secretary
13 shall make grants and enter into cooperative agree-
14 ments and contracts to—

15 “(A) monitor, material-test, and evaluate
16 highway test sections in existence as of the date
17 of the grant, agreement, or contract;

18 “(B) analyze the data obtained under sub-
19 paragraph (A); and

20 “(C) prepare products to fulfill program
21 objectives and meet future pavement technology
22 needs.”.

23 (2) FUNDING.—Of the amounts made available
24 by section 5101(a)(1) of this Act, \$10,000,000 for
25 fiscal year 2004 and \$21,000,000 for each of fiscal

1 years 2005 through 2009 shall be available to carry
2 out section 502(f) of title 23, United States Code.

3 (i) TURNER-FAIRBANK HIGHWAY RESEARCH CEN-
4 TER.—Section 502 of title 23, United States Code, is fur-
5 ther amended by adding at the end the following:

6 “(i) TURNER-FAIRBANK HIGHWAY RESEARCH CEN-
7 TER.—

8 “(1) IN GENERAL.—The Secretary shall operate
9 in the Federal Highway Administration a Turner-
10 Fairbank Highway Research Center.

11 “(2) USES OF THE CENTER.—The Turner-
12 Fairbank Highway Research Center shall support—

13 “(A) the conduct of highway research and
14 development related to new highway technology;

15 “(B) the development of understandings,
16 tools, and techniques that provide solutions to
17 complex technical problems through the devel-
18 opment of economical and environmentally sen-
19 sitive designs, efficient and quality-controlled
20 construction practices, and durable materials;
21 and

22 “(C) the development of innovative high-
23 way products and practices.”.

24 (j) UNIVERSITY FUNDING.—Except as otherwise pro-
25 vided in this title and any amendments made by this title,

1 the Secretary may not provide financial assistance to a
2 university under section 5101 unless the university is se-
3 lected to receive such funds through a competitive process
4 that incorporates merit-based peer review and the selec-
5 tion is based on a proposal submitted to the Secretary by
6 the university in response to a request for proposals issued
7 by the Secretary.

8 **SEC. 5202. LONG-TERM BRIDGE PERFORMANCE PROGRAM;**
9 **INNOVATIVE BRIDGE RESEARCH AND DE-**
10 **PLOYMENT PROGRAM.**

11 (a) LONG-TERM BRIDGE PERFORMANCE PRO-
12 GRAM.—

13 (1) IN GENERAL.—Section 502 of title 23,
14 United States Code, is further amended by adding
15 at the end the following:

16 “(j) LONG-TERM BRIDGE PERFORMANCE PRO-
17 GRAM.—

18 “(1) AUTHORITY.—The Secretary shall estab-
19 lish a 20-year long-term bridge performance pro-
20 gram.

21 “(2) GRANTS, COOPERATIVE AGREEMENTS, AND
22 CONTRACTS.—Under the program, the Secretary
23 shall make grants and enter into cooperative agree-
24 ments and contracts to—

1 “(A) monitor, material-test, and evaluate
2 test bridges;

3 “(B) analyze the data obtained under sub-
4 paragraph (A); and

5 “(C) prepare products to fulfill program
6 objectives and meet future bridge technology
7 needs.”.

8 (2) FUNDING.—Of the amounts made available
9 by section 5101(a)(1) of this Act, \$5,000,000 for
10 fiscal year 2004 and \$15,000,000 for each of fiscal
11 years 2005 through 2009 shall be available to carry
12 out section 502(j) of title 23, United States Code.

13 (b) INNOVATIVE BRIDGE RESEARCH AND DEPLOY-
14 MENT PROGRAM.—

15 (1) IN GENERAL.—Section 503(b)(1) of such
16 title is amended to read as follows:

17 “(1) IN GENERAL.—The Secretary shall estab-
18 lish and carry out a program to promote, dem-
19 onstrate, evaluate, and document the application of
20 innovative designs, materials, and construction
21 methods in the construction, repair, and rehabilita-
22 tion of bridges and other highway structures.”.

23 (2) GOALS.—Section 503(b)(2) of such title is
24 amended to read as follows:

1 “(2) GOALS.—The goals of the program shall
2 include—

3 “(A) the development of new, cost-effective,
4 innovative highway bridge applications;

5 “(B) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

6 “(C) the development of engineering design
7 criteria for innovative products, materials, and
8 structural systems for use in highway bridges
9 and structures;

10 “(D) the reduction of maintenance costs
11 and life-cycle costs of bridges, including the
12 costs of new construction, replacement, or rehabilitation of deficient bridges;

13 “(E) the development of highway bridges
14 and structures that will withstand natural disasters;

15 “(F) the documentation and wide dissemination of objective evaluations of the performance and benefits of these innovative designs, materials, and construction methods;

16 “(G) the effective transfer of resulting information and technology; and
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1 “(H) the development of improved methods
2 to detect bridge scour and economical bridge
3 foundation designs that will withstand bridge
4 scour.”.

5 (3) FUNDING.—

6 (A) IN GENERAL.—Of the amounts made
7 available by section 5101(a)(1) of this Act,
8 \$20,000,000 for each of fiscal years 2004
9 through 2009 shall be available to carry out
10 section 503(b) of title 23, United States Code;
11 and

12 (B) HIGH PERFORMANCE CONCRETE
13 BRIDGE TECHNOLOGY RESEARCH AND DEPLOY-
14 MENT.—The Secretary shall obligate
15 \$2,000,000 of the amount described in subpara-
16 graph (A) for each of fiscal years 2004 through
17 2009 to conduct research and deploy technology
18 related to high-performance concrete bridges.

19 **SEC. 5203. SURFACE TRANSPORTATION ENVIRONMENT AND**
20 **PLANNING COOPERATIVE RESEARCH PRO-**
21 **GRAM.**

22 (a) IN GENERAL.—Section 507 of title 23, United
23 States Code, is amended to read as follows:

1 **“§ 507. Surface Transportation environment and**
2 **planning cooperative research program**

3 “(a) ESTABLISHMENT.—The Secretary shall estab-
4 lish and carry out a collaborative, public-private surface
5 transportation environment and planning cooperative re-
6 search program.

7 “(b) AGREEMENT.—The Secretary shall enter into an
8 agreement with the National Academy of Sciences to carry
9 out administrative and management activities relating to
10 the governance of the surface transportation environment
11 and planning cooperative research program.

12 “(c) ADVISORY COMMITTEE.—

13 “(1) ESTABLISHMENT.—The Secretary shall es-
14 tablish a committee that will be responsible for pro-
15 gram oversight and project selection.

16 “(2) MEMBERSHIP.—The members of the com-
17 mittee shall be appointed by the Secretary and shall
18 be composed of—

19 “(A) representatives of State, regional, and
20 local transportation agencies, including transit
21 agencies;

22 “(B) representatives of State environ-
23 mental agencies and other environmental orga-
24 nizations;

25 “(C) representatives of the transportation
26 private sector;

1 “(D) transportation and environmental sci-
2 entists and engineers; and

3 “(E) representatives of the Federal High-
4 way Administration, Federal Transit Adminis-
5 tration, Environmental Protection Agency,
6 United States Fish and Wildlife Service, Corps
7 of Engineers, American Association of State
8 Highway and Transportation Officials, and
9 American Public Transportation Association,
10 who shall serve in an ex officio capacity.

11 “(3) BALANCE.—The majority of the commit-
12 tee’s voting members shall be representatives of gov-
13 ernment transportation agencies.

14 “(4) MEETINGS.—The National Academy of
15 Sciences shall convene meetings of the committee.

16 “(d) GOVERNANCE.—The program established under
17 this section shall include the following administrative and
18 management elements:

19 “(1) NATIONAL RESEARCH AGENDA.—The advi-
20 sory committee, in consultation with interested par-
21 ties, shall carry out and periodically update research
22 and development called for in the Transportation
23 Research Board Special Report 268, entitled ‘Sur-
24 face Transportation Environmental Research: A
25 Long-Term Strategy’ and published in 2002, as de-

1 scribed in subsection (e). The national research
2 agenda shall include a multiyear strategic plan.

3 “(2) INVOLVEMENT.—Interested parties may—

4 “(A) submit research proposals;

5 “(B) participate in merit reviews of re-
6 search proposals and peer reviews of research
7 products; and

8 “(C) receive research results.

9 “(3) OPEN COMPETITION AND PEER REVIEW OF
10 RESEARCH PROPOSALS.—The National Academy of
11 Sciences may award under the program research
12 contracts and grants through open competition and
13 merit review conducted on a regular basis.

14 “(4) EVALUATION OF RESEARCH.—

15 “(A) PEER REVIEW.—Research contracts
16 and grants may allow peer review of the re-
17 search results.

18 “(B) PROGRAMMATIC EVALUATIONS.—The
19 National Academy of Sciences may conduct
20 periodic programmatic evaluations on a regular
21 basis.

22 “(5) DISSEMINATION OF RESEARCH FIND-
23 INGS.—The National Academy of Sciences shall dis-
24 seminate research findings to researchers, practi-
25 tioners, and decisionmakers, through conferences

1 and seminars, field demonstrations, workshops,
2 training programs, presentations, testimony to gov-
3 ernment officials, World Wide Web, and publications
4 for the general public.

5 “(e) CONTENTS.—The national research agenda for
6 the program required under subsection (d)(1) shall include
7 research in the following areas for the purposes described:

8 “(1) HUMAN HEALTH.—Human health to es-
9 tablish the links between transportation activities
10 and human health; substantiate the linkages between
11 exposure to concentration levels, emissions, and
12 health impacts; examine the potential health impacts
13 from the implementation and operation of transpor-
14 tation infrastructure and services; develop strategies
15 for avoidance and reduction of these impacts; and
16 develop strategies to understand the economic value
17 of health improvements and for incorporating health
18 considerations into valuation methods.

19 “(2) ECOLOGY AND NATURAL SYSTEMS.—Ecol-
20 ogy and natural systems to measure transportation’s
21 short- and long-term impact on natural systems; de-
22 velop ecologically based performance measures; de-
23 velop insight into both the spatial and temporal
24 issues associated with transportation and natural
25 systems; study the relationship between highway

1 density and ecosystem integrity, including the im-
2 pacts of highway density on habitat integrity and
3 overall ecosystem health; develop a rapid assessment
4 methodology for use by transportation and regu-
5 latory agencies in determining the relationship be-
6 tween highway density and ecosystem integrity; de-
7 velop ecologically based performance techniques to
8 evaluate the success of highway project mitigation
9 and enhancement measures; expand research and
10 thinking on the uses for and vegetation of transpor-
11 tation corridors in the United States; expand re-
12 search efforts aimed at understanding wildlife move-
13 ment near corridors, roadkill rates, and road-barrier
14 effects and at developing efficient mitigation designs
15 for road crossing by animals; catalyze research on
16 the effects of corridors and traffic on adjoining land,
17 including traffic disturbance and the spread of
18 invasive species; conduct further research on means
19 of restoring natural hydrologic and sediment flows
20 and distributions in the vicinity of roads; expand re-
21 search on transportation's effects on water quality,
22 aquatic ecosystems, and fish in various bodies of
23 water and on ecologically effective solutions; support,
24 expand, and initiate research on the ecological ef-
25 fects of air pollutants from roads and vehicles at the

1 roadside, neighborhood, regional, and global levels;
2 develop road-network models and approaches for re-
3 ducing habitat fragmentation, population extinction,
4 wildlife-corridor, and remote-area impacts; foster col-
5 laborative landscape-wide environmental analyses by
6 engineers, ecologists, and planners, with an empha-
7 sis on combining ecological solutions with other soci-
8 etal objectives; and stimulate research on under-
9 standing public preferences for improvements in nat-
10 ural systems of both short- and long-term signifi-
11 cance to society.

12 “(3) ENVIRONMENTAL AND SOCIOECONOMIC
13 RELATIONSHIPS.—Environmental and socioeconomic
14 relationships to understand differences in mobility,
15 access, travel behavior, and travel preferences across
16 socioeconomic groups; develop improved planning ap-
17 proaches that better reflect and respond to commu-
18 nity needs; improve evaluation methods for exam-
19 ining the incidence of benefits and costs; examine
20 the differential impacts of current methods of fi-
21 nance and explore alternatives; understand the socio-
22 economic implications of emerging land development
23 patterns and new transportation technologies; de-
24 velop cost-effective applications of technology that
25 improve the equity of the transport system; develop

1 improved methods for community involvement, col-
2 laborative planning, and conflict resolution; develop
3 operational definitions and indicators for environ-
4 mental justice and social equity as the concepts per-
5 tain to transportation; develop and demonstrate
6 methods that can be used to display the incidence of
7 transportation project and program effects, both
8 beneficial and adverse, and develop improved meth-
9 ods for evaluating costs and benefits when they are
10 not evenly distributed, including environmental and
11 social justice impact criteria in system performance
12 measures used in transportation planning and in-
13 vestment decisions; continue and expand studies on
14 the comparative costs of transportation and the ef-
15 fects of different development patterns, particularly
16 for economically disadvantaged communities; and de-
17 velop and test new methods for integrating public in-
18 volvement into transportation analysis and decision-
19 making, and examine the implications of emerging
20 citizen coalitions for environmental and social jus-
21 tice.

22 “(4) EMERGING TECHNOLOGIES.—Emerging
23 technologies to assist in the transition to environ-
24 mentally benign fuels and vehicles for passengers
25 and freight; develop responses to and demand for

1 new technologies that could offer improved environ-
2 mental performance; identify possible applications of
3 intelligent transportation systems technologies for
4 environmental benefit; develop policy instruments
5 that would encourage the development of beneficial
6 new technologies in a cost-effective manner; respond
7 to the impact of new technologies; and analyze user
8 response to and future demand for environmentally
9 beneficial vehicles, fuels, and mobility services, such
10 as the demand for and use of new environmentally
11 beneficial vehicles and fuels.

12 “(5) LAND USE.—Land use to assess land con-
13 sumption trends and contributing factors of trans-
14 portation investment, housing policies, school qual-
15 ity, and consumer preferences; incorporate impacts
16 of transportation investments on location decision
17 and land use; identify the costs and benefits of cur-
18 rent development patterns and their transportation
19 implications; determine the effect of the built envi-
20 ronment on people’s willingness to walk, drive, or
21 take public transportation; determine the roles of
22 public policy and institutional arrangements in cur-
23 rent and prospective land use and transportation
24 choices; develop improved data, methods, and proc-
25 esses for considering land use, transportation, and

1 the environment in an integrated, systematic fash-
2 ion; continue and expand research on the impacts of
3 transportation facilities; and assess and compare al-
4 ternative transportation and land use strategies,
5 such as models for regional cooperation.

6 “(6) PLANNING AND PERFORMANCE MEAS-
7 URES.—Planning and performance measures to im-
8 prove understanding of travel needs and preferences;
9 improve planning methods for system analysis, fore-
10 casting, and decisionmaking; expand information on
11 consumer choice processes and travel and activity
12 patterns for both local and long-distance trips and
13 both passenger and freight transportation analysis
14 of social, environmental, and economic benefits and
15 cost of various transport options; develop tools for
16 measuring and forecasting complex transportation
17 decisions for all modes and users; develop perform-
18 ance measures and policy analysis approaches that
19 can be used to determine effectiveness; develop a
20 more effective understanding of the perceptions and
21 priorities of the transportation system’s customers
22 (users and taxpayers); develop a more effective un-
23 derstanding of the nature of personal travel, as well
24 as associated trends and decision processes; develop
25 a more effective understanding of the nature of com-

1 mercial travel and the freight industry, as well as as-
2 sociated trends and decision processes, including key
3 trends such as e-commerce and e-freight; develop a
4 more effective understanding of the role of transpor-
5 tation services and facilities in the economy; develop
6 techniques for identifying community aspirations
7 and crafting community and regional visions related
8 to transportation planning; develop tools that incor-
9 porate the complex dynamics of travel behavior, and
10 develop the reliable data sets needed for these mod-
11 els; and develop methods and institutional structures
12 for integrating transportation planning, program-
13 ming, design, and operation.

14 “(7) OTHER RESEARCH AREAS.—Other re-
15 search areas to identify and address the emerging
16 and future surface transportation research needs re-
17 lated to planning and environment.

18 “(f) FEDERAL SHARE.—The Federal share of the
19 cost of an activity carried out under this section shall be
20 up to 100 percent, and such funds shall remain available
21 until expended.

22 “(g) USE OF NON-FEDERAL FUNDS.—In addition to
23 using funds authorized to be appropriated to carry out this
24 section, the National Academy of Sciences may seek and
25 accept additional funding sources to carry out this section

1 from public and private entities capable of attracting and
2 accepting funding from the Department of Transpor-
3 tation, Environmental Protection Agency, Department of
4 Energy, United States Fish and Wildlife Service, and
5 other Federal environmental agencies, States, local gov-
6 ernments, nonprofit foundations, and the private sector.

7 “(h) SOUND AND OBJECTIVE SCIENTIFIC PRAC-
8 TICES.—

9 “(1) IN GENERAL.—Assessments of risks to
10 human health or the environment and research con-
11 ducted under this section shall use sound and objec-
12 tive scientific practices. Assessments of risks to
13 human health or the environment conducted under
14 this section, where such an assessment concerns the
15 evaluation of multiple studies, shall consider the best
16 available science, and shall include a description of
17 the weight of the scientific evidence.

18 “(2) FEDERAL AGENCIES.—Federal agencies
19 using studies funded under this section to conduct
20 an assessment of risks to human health or the envi-
21 ronment shall use sound and objective scientific
22 practices in assessing risks, shall consider the best
23 available science, and shall include a description of
24 the weight of the scientific evidence.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 chapter 5 of such title is amended by striking the item
3 relating to section 507 and inserting the following:

“507. Surface transportation environment and planning cooperative research
program.”.

4 (c) FUNDING.—Of the amounts made available by
5 section 5101(a)(1) of this Act, \$5,000,000 for fiscal year
6 2004 and \$15,000,000 for each of fiscal years 2005
7 through 2009 shall be available to carry out section 507
8 of title 23, United States Code.

9 **SEC. 5204. TECHNOLOGY DEPLOYMENT.**

10 (a) TECHNOLOGY DEPLOYMENT PROGRAM.—Section
11 503(a) of title 23, United States Code, is amended—

12 (1) in the subsection heading by striking “INI-
13 TIATIVES AND PARTNERSHIPS”;

14 (2) by striking paragraph (1) and inserting the
15 following:

16 “(1) ESTABLISHMENT.—The Secretary shall
17 develop and administer a national technology deploy-
18 ment program.”;

19 (3) by striking paragraph (7) and inserting the
20 following:

21 “(7) GRANTS, COOPERATIVE AGREEMENTS, AND
22 CONTRACTS.—

23 “(A) IN GENERAL.—Under the program,
24 the Secretary shall make grants to, and enter

1 into cooperative agreements and contracts with,
2 States, other Federal agencies, universities and
3 colleges, private sector entities, and nonprofit
4 organizations to pay the Federal share of the
5 cost of research, development, and technology
6 transfer activities concerning innovative mate-
7 rials.

8 “(B) APPLICATIONS.—To receive a grant
9 under this subsection, an entity described in
10 subparagraph (A) shall submit an application to
11 the Secretary. The application shall be in such
12 form and contain such information as the Sec-
13 retary may require. The Secretary shall select
14 and approve an application based on whether
15 the project that is the subject of the grant
16 meets the purpose of the program described in
17 paragraph (2).”; and

18 (4) by striking paragraph (8) and inserting the
19 following:

20 “(8) TECHNOLOGY AND INFORMATION TRANS-
21 FER.—The Secretary shall ensure that the informa-
22 tion and technology resulting from research con-
23 ducted under paragraph (7) is made available to
24 State and local transportation departments and

1 other interested parties as specified by the Sec-
2 retary.”.

3 (b) INNOVATIVE PAVEMENT RESEARCH AND DE-
4 PLOYMENT PROGRAM.—

5 (1) IN GENERAL.—Section 503 of such title is
6 further amended by adding at the end the following:

7 “(c) INNOVATIVE PAVEMENT RESEARCH AND DE-
8 PLOYMENT PROGRAM.—

9 “(1) IN GENERAL.—The Secretary shall estab-
10 lish and implement a program to promote, dem-
11 onstrate, support, and document the application of
12 innovative pavement technologies, practices, per-
13 formance, and benefits.

14 “(2) GOALS.—The goals of the innovative pave-
15 ment research and deployment program shall in-
16 clude—

17 “(A) the deployment of new, cost-effective,
18 innovative designs, materials, recycled materials
19 (including taconite tailings and foundry sand),
20 and practices to extend pavement life and per-
21 formance and to improve customer satisfaction;

22 “(B) the reduction of initial costs and life-
23 cycle costs of pavements, including the costs of
24 new construction, replacement, maintenance,
25 and rehabilitation;

1 “(C) the deployment of accelerated con-
2 struction techniques to increase safety and re-
3 duce construction time and traffic disruption
4 and congestion;

5 “(D) the deployment of engineering design
6 criteria and specifications for innovative prac-
7 tices, products, and materials for use in high-
8 way pavements;

9 “(E) the deployment of new nondestructive
10 and real-time pavement evaluation technologies
11 and techniques;

12 “(F) the evaluation, refinement, and docu-
13 mentation of the performance and benefits of
14 innovative technologies deployed to improve life,
15 performance, cost effectiveness, safety, and cus-
16 tomer satisfaction;

17 “(G) effective technology transfer and in-
18 formation dissemination to accelerate imple-
19 mentation of innovative technologies and to im-
20 prove life, performance, cost effectiveness, safe-
21 ty, and customer satisfaction; and

22 “(H) the development of designs and mate-
23 rials to reduce storm water runoff.

24 “(3) RESEARCH TO IMPROVE NHS PAVE-
25 MENT.—The Secretary shall obligate not less than

1 \$2,000,000 for fiscal year 2004 and \$6,000,000 for
2 each of fiscal years 2005 through 2009 from funds
3 made available to carry out this subsection to con-
4 duct research to improve asphalt pavement, concrete
5 pavement, and aggregates used in highways on the
6 National Highway System.”.

7 (2) FUNDING.—Of the amounts made available
8 by section 5101(a)(1) of this Act, \$5,000,000 for
9 fiscal year 2004 and \$15,000,000 for each of fiscal
10 years 2005 through 2009 shall be available to carry
11 out section 503(c) of title 23, United States Code.

12 (c) SAFETY INNOVATION DEPLOYMENT PROGRAM.—

13 (1) IN GENERAL.—Section 503 of such title is
14 further amended by adding the following:

15 “(d) SAFETY INNOVATION DEPLOYMENT PRO-
16 GRAM.—

17 “(1) IN GENERAL.—The Secretary shall estab-
18 lish and implement a program to demonstrate the
19 application of innovative technologies in highway
20 safety.

21 “(2) GOALS.—The goals of the program shall
22 include—

23 “(A) the deployment and evaluation of
24 safety technologies and innovations at State
25 and local levels; and

1 “(B) the deployment of best practices in
2 training, management, design, and planning.

3 “(3) GRANTS, COOPERATIVE AGREEMENTS, AND
4 CONTRACTS.—

5 “(A) IN GENERAL.—Under the program,
6 the Secretary shall make grants to, and enter
7 into cooperative agreements and contracts with,
8 States, other Federal agencies, universities and
9 colleges, private sector entities, and nonprofit
10 organizations for research, development, and
11 technology transfer for innovative safety tech-
12 nologies.

13 “(B) APPLICATIONS.—To receive a grant
14 under this subsection, an entity described in
15 subparagraph (A) shall submit an application to
16 the Secretary. The application shall be in such
17 form and contain such information as the Sec-
18 retary may require. The Secretary shall select
19 and approve the applications based on whether
20 the project that is the subject of the application
21 meets the goals of the program described in
22 paragraph (2).

23 “(4) TECHNOLOGY AND INFORMATION TRANS-
24 FER.—The Secretary shall take such action as is
25 necessary to ensure that the information and tech-

1 nology resulting from research conducted under
2 paragraph (3) is made available to State and local
3 transportation departments and other interested
4 parties as specified by the Secretary.”.

5 (2) FUNDING.—Of the amounts made available
6 by section 5101(a)(1) of this Act, \$5,000,000 for
7 fiscal year 2004 and \$15,000,000 for each of fiscal
8 years 2005 through 2009 shall be available to carry
9 out section 503(d) of title 23, United States Code.

10 (d) AUTHORITY TO PURCHASE PROMOTIONAL
11 ITEMS.—Section 503 of such title is further amended by
12 adding at the end the following:

13 “(e) PROMOTIONAL AUTHORITY.—Funds authorized
14 to be appropriated for necessary expenses for administra-
15 tion and operation of the Federal Highway Administration
16 shall be available to purchase promotional items of nomi-
17 nal value for use in the recruitment of individuals and to
18 promote the programs of the Federal Highway Adminis-
19 tration.”.

20 (e) WOOD COMPOSITE MATERIALS DEMONSTRATION
21 PROJECT.—

22 (1) FUNDING.—Of the funds made available to
23 carry out section 5101(a)(1), \$1,000,000 shall be
24 made available by the Secretary for each of fiscal
25 years 2005 and 2006 for conducting a demonstra-

1 tion of the durability and potential effectiveness of
2 wood composite materials in multimodal transpor-
3 tation facilities.

4 (2) FEDERAL SHARE.—The Federal share of
5 the cost of the demonstration under paragraph (1)
6 shall be 100 percent.

7 (f) TURNER-FAIRBANK FACILITY.—Of the funds
8 made available to carry out section 5101(a)(1),
9 \$1,000,000 shall be made available by the Secretary for
10 each of fiscal years 2005 through 2008 to provide for
11 physical demonstrations of the ongoing work at the Turn-
12 er-Fairbanks facility with respect to ultra-high perform-
13 ance concrete with ductility.

14 **SEC. 5205. TRAINING AND EDUCATION.**

15 (a) NATIONAL HIGHWAY INSTITUTE.—

16 (1) IN GENERAL.—Section 504(a)(3) of title
17 23, United States Code, is amended to read as fol-
18 lows:

19 “(3) COURSES.—The Institute may develop and
20 administer courses in modern developments, tech-
21 niques, methods, regulations, management, and pro-
22 cedures in areas, including surface transportation,
23 environmental mitigation, compliance, stewardship,
24 and streamlining, acquisition of rights-of-way, relo-
25 cation assistance, engineering, safety, transportation

1 system management and operations, construction,
2 maintenance, contract administration, inspection,
3 and highway finance.”.

4 (2) FUNDING.—Of the amounts made available
5 by section 5101(a)(2) of this Act, \$8,000,000 for
6 fiscal year 2004 and \$8,500,000 for each of fiscal
7 years 2005 through 2009 shall be available to carry
8 out section 504(a) of title 23, United States Code.

9 (b) LOCAL TECHNICAL ASSISTANCE PROGRAM.—

10 (1) IN GENERAL.—Section 504(b) of such title
11 is amended by adding at the end the following:

12 “(3) FEDERAL SHARE.—

13 “(A) GRANTS.—A grant under this sub-
14 section may be used to pay up to 50 percent of
15 local technical assistance program costs. Funds
16 available for technology transfer and training
17 purposes under this title and title 49 may be
18 used to cover the remaining 50 percent of the
19 program costs.

20 “(B) TRIBAL TECHNICAL ASSISTANCE
21 CENTERS.—The Federal share of the cost of ac-
22 tivities carried out by the tribal technical assist-
23 ance centers under paragraph (2)(D)(ii) shall
24 be 100 percent.”.

1 (2) FUNDING.—Of the amounts made available
2 by section 5101(a)(2) of this Act, \$12,000,000 for
3 fiscal year 2004 and \$14,000,000 for each of fiscal
4 years 2005 through 2009 shall be available to carry
5 out section 504(b) of title 23, United States Code.

6 (c) EISENHOWER TRANSPORTATION FELLOWSHIP
7 PROGRAM.—Of the amounts made available by section
8 5101(a)(2) of this Act, \$2,000,000 for fiscal year 2004
9 and \$2,500,000 for each of fiscal years 2005 through
10 2009 shall be available to carry out section 504(c)(2) of
11 title 23, United States Code.

12 (d) GARRETT A. MORGAN TECHNOLOGY AND TRANS-
13 PORTATION EDUCATION PROGRAM.—

14 (1) IN GENERAL.—Section 504 of title 23,
15 United States Code, is further amended by adding
16 at the end the following new subsection:

17 “(d) GARRETT A. MORGAN TECHNOLOGY AND
18 TRANSPORTATION EDUCATION PROGRAM.—

19 “(1) IN GENERAL.—The Secretary shall estab-
20 lish the Garrett A. Morgan Technology and Trans-
21 portation Education Program to improve the prepa-
22 ration of students, particularly women and minori-
23 ties, in science, technology, engineering, and mathe-
24 matics through curriculum development and other
25 activities related to transportation.

1 “(2) AUTHORIZED ACTIVITIES.—The Secretary
2 shall award grants under this subsection on the
3 basis of competitive, peer review. Grants awarded
4 under this subsection may be used for enhancing
5 science, technology, engineering, and mathematics at
6 the elementary and secondary school level through
7 such means as—

8 “(A) internships that offer students experi-
9 ence in the transportation field;

10 “(B) programs that allow students to
11 spend time observing scientists and engineers in
12 the transportation field; and

13 “(C) developing relevant curriculum that
14 uses examples and problems related to trans-
15 portation.

16 “(3) APPLICATION AND REVIEW PROCE-
17 DURES.—

18 “(A) IN GENERAL.—An entity described in
19 subparagraph (C) seeking funding under this
20 subsection shall submit an application to the
21 Secretary at such time, in such manner, and
22 containing such information as the Secretary
23 may require. Such application, at a minimum,
24 shall include a description of how the funds will
25 be used and a description of how the funds will

1 be used to serve the purposes described in para-
2 graph (2).

3 “(B) PRIORITY.—In making awards under
4 this subsection, the Secretary shall give priority
5 to applicants that will encourage the participa-
6 tion of women and minorities.

7 “(C) ELIGIBILITY.—Local education agen-
8 cies and State education agencies, which may
9 partner with institutions of higher education,
10 businesses, or other entities, shall be eligible to
11 apply for grants under this subsection.

12 “(4) DEFINITIONS.—For purposes of this sub-
13 section—

14 “(A) the term ‘institution of higher edu-
15 cation’ has the meaning given that term in sec-
16 tion 101 of the Higher Education Act of 1965
17 (20 U.S.C. 1001);

18 “(B) the term ‘local educational agency’
19 has the meaning given that term in section
20 9101 of the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 7801); and

22 “(C) the term ‘State educational agency’
23 has the meaning given that term in section
24 9101 of the Elementary and Secondary Edu-
25 cation Act of 1965 (20 U.S.C. 7801).”.

1 (2) FUNDING.—Of the amounts made available
2 by section 5101(a)(2) of this Act, \$500,000 for
3 2004 and \$1,000,000 for each of fiscal years 2005
4 through 2009 shall be available to carry out section
5 504(d) of title 23, United States Code.

6 (e) SURFACE TRANSPORTATION WORKFORCE DE-
7 VELOPMENT, TRAINING, AND EDUCATION.—Section 504
8 of such title is further amended by adding at the end the
9 following:

10 “(e) SURFACE TRANSPORTATION WORKFORCE DE-
11 VELOPMENT, TRAINING, AND EDUCATION.—

12 “(1) FUNDING.—Subject to project approval by
13 the Secretary, a State may obligate funds appor-
14 tioned to the State under sections 104(b)(1),
15 104(b)(2), 104(b)(3), 104(b)(4), and 144(e) for sur-
16 face transportation workforce development, training
17 and education, including—

18 “(A) tuition and direct educational ex-
19 penses, excluding salaries, in connection with
20 the education and training of employees of
21 State and local transportation agencies;

22 “(B) employee professional development;

23 “(C) student internships;

24 “(D) university or community college sup-
25 port; and

1 “(E) education activities, including out-
2 reach, to develop interest and promote partici-
3 pation in surface transportation careers.

4 “(2) FEDERAL SHARE.—The Federal share of
5 the cost of activities carried out in accordance with
6 this subsection shall be 100 percent.

7 “(3) SURFACE TRANSPORTATION WORKFORCE
8 DEVELOPMENT, TRAINING, AND EDUCATION DE-
9 FINED.—In this subsection, the term ‘surface trans-
10 portation workforce development, training, and edu-
11 cation’ means activities associated with surface
12 transportation career awareness, student transpor-
13 tation career preparation, and training and profes-
14 sional development for surface transportation work-
15 ers, including activities for women and minorities.”.

16 (f) TRANSPORTATION EDUCATION DEVELOPMENT
17 PILOT PROGRAM.—Section 504 of such title is further
18 amended by inserting after subsection (e) the following:

19 “(f) TRANSPORTATION EDUCATION DEVELOPMENT
20 PILOT PROGRAM.—

21 “(1) ESTABLISHMENT.—The Secretary shall es-
22 tablish a program to make grants to institutions of
23 higher education that in partnership with industry
24 or State Departments of Transportation will de-
25 velop, test, and revise new curricula and education

1 programs to train individuals at all levels of the
2 transportation workforce.

3 “(2) SELECTION OF GRANT RECIPIENTS.—In
4 selecting applications for awards under this sub-
5 section, the Secretary shall consider—

6 “(A) the degree to which the new curricula
7 or education program meets the specific needs
8 of a segment of the transportation industry,
9 States, or regions;

10 “(B) providing for practical experience and
11 on-the-job training;

12 “(C) proposals oriented toward practi-
13 tioners in the field rather than the support and
14 growth of the research community;

15 “(D) the degree to which the new curricula
16 or program will provide training in areas other
17 than engineering, such as business administra-
18 tion, economics, information technology, envi-
19 ronmental science, and law;

20 “(E) programs or curricula in nontradi-
21 tional departments which train professionals for
22 work in the transportation field, such as mate-
23 rials, information technology, environmental
24 science, urban planning, and industrial tech-
25 nology; and

1 “(F) industry or a State’s Department of
2 Transportation commitment to the program.

3 “(3) FUNDING.—Of the amounts made avail-
4 able by section 5101(a)(2) of this Act, \$1,500,000
5 for each of fiscal years 2005 through 2009 shall be
6 available to carry out this subsection.

7 “(4) LIMITATIONS.—The amount of a grant
8 under this subsection shall not exceed \$250,000 per
9 year. After a recipient has received 3 years of Fed-
10 eral funding under this subsection, Federal funding
11 may equal no more than 75 percent of a grantee’s
12 program costs.”.

13 (g) DEFINITIONS AND DECLARATION OF POLICY.—
14 Section 101(a)(3) of such title is amended—

15 (1) by striking “and” at the end of subpara-
16 graph (G);

17 (2) by striking the period at the end of sub-
18 paragraph (H) and inserting “; and”; and

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

20 “(I) surface transportation workforce de-
21 velopment, training, and education.”.

22 (h) TRANSPORTATION TECHNOLOGY INNOVA-
23 TIONS.—

24 (1) FUNDAMENTAL PROPERTIES OF ASPHALTS
25 AND MODIFIED ASPHALTS.—The Secretary shall

1 continue to carry out section 5117(b)(5) of the
2 Transportation Equity Act for the 21st Century
3 (112 Stat. 450).

4 (2) TRANSPORTATION, ECONOMIC, AND LAND
5 USE SYSTEM.—The Secretary shall continue to carry
6 out section 5117(b)(7) of the Transportation Equity
7 Act for the 21st Century (112 Stat. 450).

8 (3) FUNDING.—Of the amounts made available
9 for each of fiscal years 2004 through 2009 by sec-
10 tion 5101(a)(1) of this Act, \$3,500,000 shall be
11 available to carry out paragraph (1) and \$1,000,000
12 shall be available to carry out paragraph (2).

13 (4) USE OF RIGHTS-OF-WAY.—Section
14 5117(b)(3) of the Transportation Equity Act for the
15 21st Century (112 Stat. 449; 112 Stat. 864; 115
16 Stat. 2330) is amended—

17 (A) by redesignating subparagraphs (E)
18 through (G) as subparagraphs (F) through (H),
19 respectively; and

20 (B) by inserting after subparagraph (D)
21 the following:

22 “(E) USE OF RIGHTS-OF-WAY.—

23 “(i) IN GENERAL.—An intelligent
24 transportation system project described in
25 paragraph (3), and an intelligent transpor-

1 tation system project described in para-
2 graph (6), that involves privately owned in-
3 telligent transportation system components
4 and is carried out using funds made avail-
5 able from the Highway Trust Fund (other
6 than the Mass Transit Account) shall not
7 be subject to any law or regulation of a
8 State or political subdivision of a State
9 prohibiting or regulating commercial activi-
10 ties in the rights-of-way of a highway for
11 which funds from the Highway Trust
12 Fund (other than the Mass Transit Ac-
13 count) have been used for planning, de-
14 sign, construction, or maintenance if the
15 Secretary determines that such use is in
16 the public interest.

17 “(ii) LIMITATION ON STATUTORY CON-
18 STRUCTION.—Nothing in this subpara-
19 graph shall be construed to affect the au-
20 thority of a State, or political subdivision
21 of a State, to regulate highway safety.”.

22 **SEC. 5206. FREIGHT PLANNING CAPACITY BUILDING.**

23 (a) IN GENERAL.—Section 504 of title 23, United
24 States Code, is further amended by adding at the end the
25 following:

1 “(g) FREIGHT CAPACITY BUILDING PROGRAM.—

2 “(1) ESTABLISHMENT.—The Secretary shall es-
3 tablish a freight planning capacity building initiative
4 to support enhancements in freight transportation
5 planning in order to—

6 “(A) better target investments in freight
7 transportation systems to maintain efficiency
8 and productivity; and

9 “(B) strengthen the decisionmaking capac-
10 ity of State transportation departments and
11 local transportation agencies with respect to
12 freight transportation planning and systems.

13 “(2) AGREEMENTS.—The Secretary shall enter
14 into agreements to support and carry out adminis-
15 trative and management activities relating to the
16 governance of the freight planning capacity initia-
17 tive.

18 “(3) STAKEHOLDER INVOLVEMENT.—In car-
19 rying out this section, the Secretary shall consult
20 with the Association of Metropolitan Planning Orga-
21 nizations, the American Association of State High-
22 way and Transportation Officials, and other freight
23 planning stakeholders, including the other Federal
24 agencies, State transportation departments, local

1 governments, nonprofit entities, academia, and the
2 private sector.

3 “(4) ELIGIBLE ACTIVITIES.—The freight plan-
4 ning capacity building initiative shall include re-
5 search, training, and education in the following
6 areas:

7 “(A) The identification and dissemination
8 of best practices in freight transportation.

9 “(B) Providing opportunities for freight
10 transportation staff to engage in peer exchange.

11 “(C) Refinement of data and analysis tools
12 used in conjunction with assessing freight
13 transportation needs.

14 “(D) Technical assistance to State trans-
15 portation departments and local transportation
16 agencies reorganizing to address freight trans-
17 portation issues.

18 “(E) Facilitating relationship building be-
19 tween governmental and private entities in-
20 volved in freight transportation.

21 “(F) Identifying ways to target the capac-
22 ity of State transportation departments and
23 local transportation agencies to address freight
24 considerations in operations, security, asset
25 management, and environmental excellence in

1 connection with long-range multimodal trans-
2 portation planning and project implementation.

3 “(5) FUNDING.—

4 “(A) FEDERAL SHARE.—The Federal
5 share of the cost of an activity carried out
6 under this section shall be up to 100 percent,
7 and such funds shall remain available until ex-
8 pended.

9 “(B) USE OF NON-FEDERAL FUNDS.—
10 Funds made available for the program estab-
11 lished under this subsection may be used for re-
12 search, program development, information col-
13 lection and dissemination, and technical assist-
14 ance. The Secretary may use such funds inde-
15 pendently or make grants to, or enter into con-
16 tracts, cooperative agreements, and other trans-
17 actions with, a Federal agency, State agency,
18 local agency, Federally recognized Indian tribal
19 government or tribal consortium, authority, as-
20 sociation, nonprofit or for-profit corporation, or
21 institution of higher education, to carry out the
22 purposes of this subsection.”.

23 (b) FUNDING.—Of the amounts made available by
24 section 5101(a)(2) of this Act, \$1,500,000 for fiscal year
25 2004 and \$5,000,000 for each of fiscal years 2005

1 through 2009 shall be available to carry out section 504(f)
2 of title 23, United States Code.

3 **SEC. 5207. ADVANCED TRAVEL FORECASTING PROCEDURES**
4 **PROGRAM.**

5 (a) CONTINUATION AND ACCELERATION OF
6 TRANSIMS DEPLOYMENT.—The Secretary shall accel-
7 erate the deployment of the advanced transportation
8 model known as the “Transportation Analysis Simulation
9 System” (in this section referred to as “TRANSIMS”),
10 developed by the Los Alamos National Laboratory. The
11 program shall assist State departments of transportation
12 and metropolitan planning organizations in the implemen-
13 tation of TRANSIMS, develop methods for TRANSIMS
14 applications to transportation planning and air quality
15 analysis, and provide training and technical assistance for
16 the implementation of TRANSIMS. The program may
17 support the development of methods to plan for the trans-
18 portation response to chemical and biological terrorism
19 and other security concerns.

20 (b) ELIGIBLE ACTIVITIES.—The Secretary shall use
21 funds made available by section 5101(a)(1) to—

22 (1) provide funding to State departments of
23 transportation and metropolitan planning organiza-
24 tions serving transportation management areas des-
25 igned under chapter 52 of title 49, United States

1 Code, representing a diversity of populations, geo-
2 graphic regions, and analytic needs to implement
3 TRANSIMS;

4 (2) develop methods to demonstrate a wide
5 spectrum of TRANSIMS applications to support
6 metropolitan and statewide transportation planning,
7 including integrating highway and transit oper-
8 ational considerations into the transportation Plan-
9 ning process; and

10 (3) provide training and technical assistance
11 with respect to the implementation and application
12 of TRANSIMS to States, local governments, and
13 metropolitan planning organizations with responsi-
14 bility for travel modeling.

15 (c) ALLOCATION OF FUNDS.—Not more than 75 per-
16 cent of the funds made available to carry out this section
17 may be allocated to activities described in subsection
18 (b)(1).

19 (d) FUNDING.—Of the amounts made available by
20 section 5101(a)(1) of this Act, \$1,000,000 for fiscal year
21 2004 and \$3,000,000 for each of fiscal years 2005
22 through 2009 shall be available to carry out this section.

1 **SEC. 5208. NATIONAL COOPERATIVE FREIGHT TRANSPOR-**
2 **TATION RESEARCH PROGRAM.**

3 (a) IN GENERAL.—Chapter 5 of title 23, United
4 States Code, is further amended by adding at the end the
5 following:

6 **“§ 509. National cooperative freight Transportation**
7 **research program**

8 “(a) ESTABLISHMENT.—The Secretary shall estab-
9 lish and support a national cooperative freight transpor-
10 tation research program.

11 “(b) AGREEMENT.—The Secretary shall enter into an
12 agreement with the National Academy of Sciences to sup-
13 port and carry out administrative and management activi-
14 ties relating to the governance of the national cooperative
15 freight transportation research program.

16 “(c) ADVISORY COMMITTEE.—The National Acad-
17 emy of Sciences shall select an advisory committee con-
18 sisting of a representative cross-section of freight stake-
19 holders, including the Department of Transportation,
20 other Federal agencies, State transportation departments,
21 local governments, nonprofit entities, academia, and the
22 private sector.

23 “(d) GOVERNANCE.—The national cooperative
24 freight transportation research program established under
25 this section shall include the following administrative and
26 management elements:

1 “(1) NATIONAL RESEARCH AGENDA.—The advi-
2 sory committee, in consultation with interested par-
3 ties, shall recommend a national research agenda for
4 the program. The agenda shall include a multiyear
5 strategic plan.

6 “(2) INVOLVEMENT.—Interested parties may—

7 “(A) submit research proposals to the advi-
8 sory committee;

9 “(B) participate in merit reviews of re-
10 search proposals and peer reviews of research
11 products; and

12 “(C) receive research results.

13 “(3) OPEN COMPETITION AND PEER REVIEW OF
14 RESEARCH PROPOSALS.—The National Academy of
15 Sciences may award research contracts and grants
16 under the program through open competition and
17 merit review conducted on a regular basis.

18 “(4) EVALUATION OF RESEARCH.—

19 “(A) PEER REVIEW.—Research contracts
20 and grants under the program may allow peer
21 review of the research results.

22 “(B) PROGRAMMATIC EVALUATIONS.—The
23 National Academy of Sciences may conduct
24 periodic programmatic evaluations on a regular
25 basis of research contracts and grants.

1 “(5) DISSEMINATION OF RESEARCH FIND-
2 INGS.—The National Academy of Sciences shall dis-
3 seminate research findings to researchers, practi-
4 tioners, and decisionmakers, through conferences
5 and seminars, field demonstrations, workshops,
6 training programs, presentations, testimony to gov-
7 ernment officials, World Wide Web, publications for
8 the general public, and other appropriate means.

9 “(e) CONTENTS.—The national research agenda re-
10 quired under subsection (d)(1) shall include research in
11 the following areas:

12 “(1) Techniques for estimating and quantifying
13 public benefits derived from freight transportation
14 projects.

15 “(2) Alternative approaches to calculating the
16 contribution of truck and rail traffic to congestion
17 on specific highway segments.

18 “(3) The feasibility of consolidating origins and
19 destinations for freight movement.

20 “(4) Methods for incorporating estimates of
21 international trade into landside transportation plan-
22 ning.

23 “(5) The use of technology applications to in-
24 crease capacity of highway lanes dedicated to truck-
25 only traffic.

1 “(6) Development of physical and policy alter-
2 natives for separating car and truck traffic.

3 “(7) Ways to synchronize infrastructure im-
4 provements with freight transportation demand.

5 “(8) The effect of changing patterns of freight
6 movement on transportation planning decisions re-
7 lating to rest areas.

8 “(9) Other research areas to identify and ad-
9 dress the emerging and future research needs re-
10 lated to freight transportation by all modes.

11 “(f) FUNDING.—

12 “(1) FEDERAL SHARE.—The Federal share of
13 the cost of an activity carried out under this section
14 shall be up to 100 percent, and such funds shall re-
15 main available until expended.

16 “(2) USE OF NON-FEDERAL FUNDS.—In addi-
17 tion to using funds authorized for this section, the
18 National Academy of Sciences may seek and accept
19 additional funding sources from public and private
20 entities capable of accepting funding from the De-
21 partment of Transportation, States, local govern-
22 ments, nonprofit foundations, and the private sec-
23 tor.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 such chapter is further amended by adding at the end the
3 following:

“509. National cooperative freight transportation research program.”.

4 (c) FUNDING.—Of the amounts made available by
5 section 5101(a)(1) of this Act, \$1,500,000 for fiscal year
6 2004 and \$4,000,000 for each of fiscal years 2005
7 through 2009 shall be available to carry out section 509
8 of title 23, United States Code.

9 **SEC. 5209. FUTURE STRATEGIC HIGHWAY RESEARCH PRO-**
10 **GRAM.**

11 (a) IN GENERAL.—Chapter 5 of title 23, United
12 States Code, is further amended by adding at the end the
13 following:

14 **“§ 510. Future strategic highway research program**

15 “(a) ESTABLISHMENT.—The Secretary, in consulta-
16 tion with the American Association of State Highway and
17 Transportation Officials, shall establish and carry out,
18 acting through the National Research Council of the Na-
19 tional Academy of Sciences, the future strategic highway
20 research program.

21 “(b) COOPERATIVE AGREEMENTS.—The Secretary
22 may make grants to, and enter into cooperative agree-
23 ments with, the American Association of State Highway
24 and Transportation Officials and the National Academy

1 of Sciences to carry out such activities under this sub-
2 section as the Secretary determines are appropriate.

3 “(c) PERIOD OF AVAILABILITY.—Funds made avail-
4 able to carry out this section shall remain available for
5 the fiscal year in which such funds are made available and
6 the 3 succeeding fiscal years.

7 “(d) PROGRAM PRIORITIES.—

8 “(1) PROGRAM ELEMENTS.—The program es-
9 tablished under this section shall be based on the
10 National Research Council Special Report 260, enti-
11 tled ‘Strategic Highway Research: Saving Lives, Re-
12 ducing Congestion, Improving Quality of Life’ and
13 the results of the detailed planning work subse-
14 quently carried out in 2002 and 2003 to identify the
15 research areas through National Cooperative Re-
16 search Program Project 20–58. The research pro-
17 gram shall include an analysis of the following:

18 “(A) Renewal of aging highway infrastruc-
19 ture with minimal impact to users of the facili-
20 ties.

21 “(B) Driving behavior and likely crash
22 causal factors to support improved counter-
23 measures.

24 “(C) Reducing highway congestion due to
25 nonrecurring congestion.

1 “(D) Planning and designing new road ca-
2 capacity to meet mobility, economic, environ-
3 mental, and community needs.

4 “(2) DISSEMINATION OF RESULTS.—The re-
5 search results of the program, expressed in terms of
6 technologies, methodologies, and other appropriate
7 categorizations, shall be disseminated to practicing
8 engineers for their use, as soon as practicable.

9 “(e) PROGRAM ADMINISTRATION.—In carrying out
10 the program under this section, the National Research
11 Council shall ensure, to the maximum extent practicable,
12 that—

13 “(1) projects and researchers are selected to
14 conduct research for the program on the basis of
15 merit and open solicitation of proposals and review
16 by panels of appropriate experts;

17 “(2) State department of transportation offi-
18 cials and other stakeholders, as appropriate, are in-
19 volved in the governance of the program at the over-
20 all program level and technical level through the use
21 of expert panels and committees;

22 “(3) the Council acquires a qualified, perma-
23 nent core staff with the ability and expertise to man-
24 age the program and multiyear budget; and

1 “(4) there is no duplication of research effort
2 between the program and any other research effort
3 of the Department.

4 “(f) REPORT ON IMPLEMENTATION OF RESULTS.—

5 “(1) REPORT.—The Transportation Research
6 Board of the National Research Council shall com-
7 plete a report on the strategies and administrative
8 structure to be used for implementation of the re-
9 sults of the future strategic highway research pro-
10 gram.

11 “(2) COMPONENTS.—The report under para-
12 graph (1) shall include with respect to the pro-
13 gram—

14 “(A) an identification of the most prom-
15 ising results of research under the program (in-
16 cluding the persons most likely to use the re-
17 sults);

18 “(B) a discussion of potential incentives
19 for, impediments to, and methods of, imple-
20 menting those results;

21 “(C) an estimate of costs of implementa-
22 tion of those results; and

23 “(D) recommendations on methods by
24 which implementation of those results should be
25 conducted, coordinated, and supported in future

1 years, including a discussion of the administra-
2 tive structure and organization best suited to
3 carry out those recommendations.

4 “(3) CONSULTATION.—In developing the report,
5 the Transportation Research Board shall consult
6 with a wide variety of stakeholders, including—

7 “(A) the Federal Highway Administration;

8 “(B) the National Highway Traffic Safety
9 Administration; and

10 “(C) the American Association of State
11 Highway and Transportation Officials.

12 “(4) SUBMISSION.—Not later than February 1,
13 2009, the report shall be submitted to the Com-
14 mittee on Environment and Public Works of the
15 Senate and the Committee on Transportation and
16 Infrastructure of the House of Representatives.

17 “(h) FUNDING.—

18 “(1) FEDERAL SHARE.—The Federal share of
19 the cost of an activity carried out using amounts
20 made available under a grant or cooperative agree-
21 ment under this section shall be 100 percent, and
22 such funds shall remain available until expended.

23 “(2) ADVANCE PAYMENTS.—The Secretary may
24 make advance payments as necessary to carry out
25 the program under this section.”.

1 (b) PROGRAMMATIC EVALUATIONS.—Within 3 years
2 after the first research and development project grants,
3 cooperative agreements, or contracts are awarded under
4 section 510 of title 23, United States Code, the Comp-
5 troller General shall review the program under such sec-
6 tion, and recommend improvements. The review shall as-
7 sess the degree to which projects funded under such sec-
8 tion have addressed the research and development topics
9 identified in the Transportation Research Board Special
10 Report 260, including identifying those topics which have
11 not yet been addressed.

12 (c) CONFORMING AMENDMENT.—The analysis for
13 chapter 5 of such title is further amended by adding at
14 the end the following:

“510. Future strategic highway research program.”.

15 (d) FUNDING.—Of the amounts made available by
16 section 5101(a)(1) of this Act, \$17,000,000 for fiscal year
17 2004, \$60,000,000 for fiscal year 2005, and \$63,000,000
18 for each of fiscal years 2006 through 2009, shall be avail-
19 able to carry out section 510 of title 23, United States
20 Code.

21 **SEC. 5210. TRANSPORTATION SAFETY INFORMATION MAN-**
22 **AGEMENT SYSTEM PROJECT.**

23 (a) IN GENERAL.—The Secretary shall fund and
24 carry out a project to further the development of a com-

1 prehensive transportation safety information management
2 system (in this section referred to as “TSIMS”).

3 (b) PURPOSES.—The purpose of the TSIMS project
4 is to further the development of a software application to
5 provide for the collection, integration, management, and
6 dissemination of safety data from and for use among State
7 and local safety and transportation agencies, including
8 driver licensing, vehicle registration, emergency manage-
9 ment system, injury surveillance, roadway inventory, and
10 motor carrier databases.

11 (c) FUNDING.—

12 (1) FEDERAL CONTRIBUTION.—Of the amounts
13 made available by section 5101(a)(1) of this Act,
14 \$1,000,000 for fiscal year 2004 and \$3,000,000 for
15 fiscal year 2005 shall be available to carry out the
16 TSIMS project under this section.

17 (2) STATE CONTRIBUTION.—The sums author-
18 ized in paragraph (1) are intended to supplement
19 voluntary contributions to be made by State depart-
20 ments of transportation and other State safety and
21 transportation agencies.

22 **SEC. 5211. SURFACE TRANSPORTATION CONGESTION RE-**
23 **LIEF SOLUTIONS RESEARCH INITIATIVE.**

24 (a) ESTABLISHMENT.—The Secretary, acting
25 through the Federal Highway Administration, shall estab-

1 lish a surface transportation congestion solutions research
2 initiative consisting of 2 independent research programs
3 described in subsections (b)(1) and (b)(2) and designed
4 to develop information to assist State transportation de-
5 partments and metropolitan planning organizations meas-
6 ure and address surface transportation congestion prob-
7 lems.

8 (b) SURFACE TRANSPORTATION CONGESTION SOLU-
9 TIONS RESEARCH PROGRAM.—

10 (1) IMPROVED SURFACE TRANSPORTATION CON-
11 GESTION MANAGEMENT SYSTEM MEASURES.—The
12 purposes of the first research program established
13 under this section shall be—

14 (A) to examine the effectiveness of surface
15 transportation congestion management systems
16 since enactment of the Intermodal Surface
17 Transportation Assistance Act of 1991 (Public
18 Law 102–240);

19 (B) to identify best case examples of lo-
20 cally designed reporting methods and incor-
21 porate such methods in research on national
22 models for developing and recommending im-
23 proved surface transportation congestion meas-
24 urement and reporting; and

1 (C) to incorporate such methods in the de-
2 velopment of national models and methods to
3 monitor, measure, and report surface transpor-
4 tation congestion information.

5 (2) ANALYTICAL TECHNIQUES FOR ACTION ON
6 SURFACE TRANSPORTATION CONGESTION.—The pur-
7 poses of the second research program established
8 under this section shall be—

9 (A) to analyze the effectiveness of proce-
10 dures used by State transportation departments
11 and metropolitan planning organizations to as-
12 sess surface transportation congestion problems
13 and communicate those problems to decision-
14 makers; and

15 (B) to identify methods to ensure that the
16 results of surface transportation congestion
17 analyses will lead to the targeting of funding
18 for programs, projects, or services with dem-
19 onstrated effectiveness in reducing travel delay,
20 congestion, and system unreliability.

21 (c) TECHNICAL ASSISTANCE AND TRAINING.—In fis-
22 cal year 2006, the Secretary, acting through the Federal
23 Highway Administration, shall develop a technical assist-
24 ance and training program to disseminate the results of
25 the surface transportation congestion solutions research

1 initiative for the purpose of assisting State transportation
2 departments and local transportation agencies with im-
3 proving their approaches to surface transportation conges-
4 tion measurement, analysis, and project programming.

5 (d) FUNDING.—Of the amounts made available by
6 sections 5101(a)(1) of this Act, \$4,000,000 for fiscal year
7 2004 and \$11,000,000 for each of fiscal years 2005
8 through 2009 shall be available to carry out subsections
9 (a) and (b). Of the amounts made available by section
10 5101(a)(2), \$500,000 for fiscal year 2004 and \$1,000,000
11 for each of fiscal years 2005 through 2009 shall be avail-
12 able to carry out subsection (c).

13 **SEC. 5212. MOTOR CARRIER EFFICIENCY STUDY.**

14 (a) IN GENERAL.—The Secretary, in coordination
15 with the motor carrier and wireless technology industry,
16 shall conduct a study to—

17 (1) identify inefficiencies in the transportation
18 of freight;

19 (2) evaluate the safety, productivity, and re-
20 duced cost improvements that may be achieved
21 through the use of wireless technologies to address
22 the inefficiencies identified in paragraph (1); and

23 (3) conduct, as appropriate, field tests dem-
24 onstrating the technologies identified in paragraph
25 (2).

1 (b) PROGRAM ELEMENTS.—The program shall in-
2 clude, at a minimum, the following:

3 (1) Fuel monitoring and management systems.

4 (2) Radio frequency identification technology.

5 (3) Electronic manifest systems.

6 (4) Cargo theft prevention.

7 (c) FEDERAL SHARE.—The Federal share of the cost
8 of the study under this section shall be 100 percent.

9 (d) ANNUAL REPORT.—The Secretary shall prepare
10 and transmit to Congress an annual report on the pro-
11 grams and activities carried out under this section.

12 (e) FUNDING.—From funds made available under
13 section 5101(a)(1), the Secretary shall make available
14 \$1,000,000 to the Federal Motor Carrier Safety Adminis-
15 tration for each of fiscal years 2005 through 2009 to carry
16 out this section.

17 **SEC. 5213. TRANSPORTATION RESEARCH AND DEVELOP-**
18 **MENT STRATEGIC PLANNING.**

19 (a) AMENDMENT.—Section 508 of title 23, United
20 States Code, is amended to read as follows:

21 **“§ 508. Transportation research and development**
22 **strategic planning**

23 “(a) IN GENERAL.—

24 “(1) DEVELOPMENT.—Not later than 1 year
25 after the date of enactment of the Transportation

1 Equity Act: A Legacy for Users, the Secretary shall
2 develop a 5-year transportation research and devel-
3 opment strategic plan to guide Federal transpor-
4 tation research and development activities. This plan
5 shall be consistent with section 306 of title 5, sec-
6 tions 1115 and 1116 of title 31, and any other re-
7 search and development plan within the Department
8 of Transportation.

9 “(2) CONTENTS.—The strategic plan developed
10 under paragraph (1) shall—

11 “(A) describe the primary purposes of the
12 transportation research and development pro-
13 gram, which shall include, at a minimum—

14 “(i) reducing congestion and improv-
15 ing mobility;

16 “(ii) promoting safety;

17 “(iii) promoting security;

18 “(iv) protecting and enhancing the en-
19 vironment;

20 “(v) preserving the existing transpor-
21 tation system; and

22 “(vi) improving the durability and ex-
23 tending the life of transportation infra-
24 structure;

1 “(B) for each purpose, list the primary re-
2 search and development topics that the Depart-
3 ment intends to pursue to accomplish that pur-
4 pose, which may include the fundamental re-
5 search in the physical and natural sciences, ap-
6 plied research, technology development, and so-
7 cial science research intended for each topic;
8 and

9 “(C) for each research and development
10 topic, describe—

11 “(i) the anticipated annual funding
12 levels for the period covered by the stra-
13 tegic plan; and

14 “(ii) the additional information the
15 Department expects to gain at the end of
16 the period covered by the strategic plan as
17 a result of the research and development in
18 that topic area.

19 “(3) CONSIDERATIONS.—In developing the stra-
20 tegic plan, the Secretary shall ensure that the
21 plan—

22 “(A) reflects input from a wide range of
23 stakeholders;

24 “(B) includes and integrates the research
25 and development programs of all the Depart-

1 ment’s operating administrations, including
2 aviation, transit, rail, and maritime; and

3 “(C) takes into account how research and
4 development by other Federal, State, private
5 sector, and not-for-profit institutions contrib-
6 utes to the achievement of the purposes identi-
7 fied under paragraph (2)(A), and avoids unnec-
8 essary duplication with these efforts.

9 “(4) PERFORMANCE PLANS AND REPORTS.—In
10 reports submitted under sections 1115 and 1116 of
11 title 31, the Secretary shall include—

12 “(A) a summary of the Federal transpor-
13 tation research and development activities for
14 the previous fiscal year in each topic area;

15 “(B) the amount of funding spent in each
16 topic area;

17 “(C) a description of the extent to which
18 the research and development is meeting the ex-
19 pectations set forth in paragraph (2)(C)(ii); and

20 “(D) any amendments to the strategic
21 plan.

22 “(b) The Secretary shall submit to Congress an an-
23 nual report, along with the President’s annual budget re-
24 quest, describing the amount spent in the last completed
25 fiscal year on transportation research and development

1 and the amount proposed in the current budget for trans-
2 portation research and development.

3 “(c) NATIONAL RESEARCH COUNCIL REVIEW.—The
4 Secretary shall enter into an agreement for the review by
5 the National Research Council of the details of each—

6 “(1) strategic plan under section 508;

7 “(2) performance plan required under section
8 1115 of title 31; and

9 “(3) program performance report required
10 under section 1116 of title 31,

11 with respect to transportation research and develop-
12 ment.”.

13 (b) CONFORMING AMENDMENT.—The analysis for
14 chapter 5 of such title is amended by striking the item
15 related to section 508 and inserting the following:

“508. Transportation research and development strategic planning.”.

16 **SEC. 5214. LIMITATION ON REMEDIES FOR FUTURE STRA-**
17 **TEGIC HIGHWAY RESEARCH PROGRAM.**

18 Section 510 of title 23, United States Code, as added
19 by section 5209 of this Act, is amended by inserting after
20 subsection (f) the following:

21 “(g) LIMITATION OF REMEDIES.—

22 “(1) SAME REMEDY AS IF UNITED STATES.—

23 The remedy against the United States provided by
24 sections 1346(b) and 2672 of title 28 for injury, loss
25 of property, personal injury, or death shall apply to

1 any claim against the National Academy of Sciences
2 for money damages for injury, loss of property, per-
3 sonal injury, or death caused by any negligent or
4 wrongful act or omission by employees and individ-
5 uals described in paragraph (3) arising from activi-
6 ties conducted under or in connection with this sec-
7 tion. Any such claim shall be subject to the limita-
8 tions and exceptions which would be applicable to
9 such claim if such claim were against the United
10 States. With respect to any such claim, the Sec-
11 retary shall be treated as the head of the appro-
12 priate Federal agency for purposes of sections 2672
13 and 2675 of title 28.

14 “(2) EXCLUSIVENESS OF REMEDY.—The rem-
15 edy referred to in paragraph (1) shall be exclusive
16 of any other civil action or proceeding for the pur-
17 pose of determining liability arising from any such
18 act or omission without regard to when the act or
19 omission occurred.

20 “(3) TREATMENT.—Employees of the National
21 Academy of Sciences and other individuals appointed
22 by the president of the National Academy of
23 Sciences and acting on its behalf in connection with
24 activities carried out under this section shall be
25 treated as if they are employees of the Federal Gov-

1 ernment under section 2671 of title 28 for purposes
2 of a civil action or proceeding with respect to a claim
3 described in paragraph (1). The civil action or pro-
4 ceeding shall proceed in the same manner as any
5 proceeding under chapter 171 of title 28 or action
6 against the United States filed pursuant to section
7 1346(b) of title 28 and shall be subject to the limita-
8 tions and exceptions applicable to such a proceeding
9 or action.

10 “(4) SOURCES OF PAYMENTS.—Payment of any
11 award, compromise, or settlement of a civil action or
12 proceeding with respect to a claim described in para-
13 graph (1) shall be paid first out of insurance main-
14 tained by the National Academy of Sciences, second
15 from funds made available to carry out this section,
16 and then from sums made available under section
17 1304 of title 31. For purposes of such section, such
18 an award, compromise, or settlement shall be
19 deemed to be a judgment, award, or settlement pay-
20 able under section 2414 or 2672 of title 28. The
21 Secretary may establish a reserve of funds made
22 available to carry out this section for making pay-
23 ments under this paragraph.”.

1 **SEC. 5215. CENTER FOR TRANSPORTATION ADVANCEMENT**
2 **AND REGIONAL DEVELOPMENT.**

3 (a) ESTABLISHMENT.—The Secretary shall establish
4 a Center for Transportation Advancement and Regional
5 Development to assist, through training, education and re-
6 search, in the comprehensive development of small metro-
7 politan and rural regional transportation systems that are
8 responsive to the needs of businesses and local commu-
9 nities.

10 (b) ACTIVITIES.—In carrying out this section, the
11 Center shall—

12 (1) provide training, information and profes-
13 sional resources for small metropolitan and rural re-
14 gions to pursue innovative strategies to expand the
15 capabilities, capacity and effectiveness of a region's
16 transportation network, including activities related
17 to freight projects, transit system upgrades, road-
18 ways and bridges, and intermodal transfer facilities
19 and operations;

20 (2) assist local officials, rural transportation
21 and economic development planners, officials from
22 State departments of transportation and economic
23 development, business leaders and other stakeholders
24 in developing public-private partnerships to enhance
25 their transportation systems; and

1 (3) promote the leveraging of regional transpor-
2 tation planning with regional economic and business
3 development planning to assure that appropriate
4 transportation systems are created.

5 (c) PROGRAM ADMINISTRATION.—To carry out this
6 section, the Secretary shall make a grant to, or enter into
7 a cooperative agreement or contract with, a national asso-
8 ciation of regional economic development and transpor-
9 tation professionals with a focus on small metropolitan
10 and rural regions.

11 (d) AUTHORIZATION.—From the amounts made
12 available in section 5101(a)(1), \$500,000 shall be avail-
13 able for each of fiscal years 2005 through 2009 to carry
14 out this section.

15 **SEC. 5216. HAZARDOUS MATERIALS RESEARCH PROJECTS.**

16 (a) IN GENERAL.—The Administrator of the Pipeline
17 and Hazardous Materials Safety Administration shall
18 enter into a contract with the National Academy of
19 Sciences to carry out the 9 research projects called for
20 in the 2005 Special Report 283 of the Transportation Re-
21 search Board entitled “Cooperative Research for Haz-
22 ardous Materials Transportation: Defining the Need, Con-
23 verging on Solutions”. In carrying out the research
24 projects, the National Academy of Sciences shall consult
25 with the Administrator.

1 (b) REPORT.—Not later than 6 months after the date
2 of enactment of this Act, the Secretary shall transmit a
3 report to the Committee on Transportation and Infra-
4 structure of the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transportation of the
6 Senate on the need to establish a cooperative research pro-
7 gram on hazardous materials transportation.

8 (c) FUNDING.—Of the amounts made available by
9 section 5101(a)(1) of this Act, \$1,000,000 for each of fis-
10 cal years 2005 through 2009 shall be available to carry
11 out this section.

12 **Subtitle C—University Transpor-**
13 **tation Research; Scholarship**
14 **Opportunities**

15 **SEC. 5301. NATIONAL UNIVERSITY TRANSPORTATION CEN-**
16 **TERS.**

17 (a) IN GENERAL.—Section 5505 of title 49, United
18 States Code, is amended to read as follows:

19 **“§ 5505. National university transportation centers**

20 “(a) IN GENERAL.—

21 “(1) ESTABLISHMENT AND OPERATION.—The
22 Secretary of Transportation shall make grants under
23 this section to eligible nonprofit institutions of high-
24 er learning to establish and operate national univer-
25 sity transportation centers.

1 “(2) ROLE OF CENTERS.—The role of each cen-
2 ter shall be to advance significantly transportation
3 research on critical national transportation issues
4 and to expand the workforce of transportation pro-
5 fessionals.

6 “(b) APPLICABILITY OF REQUIREMENTS.—A grant
7 received by an eligible nonprofit institution of higher
8 learning under this section shall be available for the same
9 purposes, and shall be subject to the same terms and con-
10 ditions, as a grant made to a nonprofit institution of high-
11 er learning under section 5506.

12 “(c) ELIGIBLE NONPROFIT INSTITUTION OF HIGHER
13 LEARNING DEFINED.—In this section, the term ‘eligible
14 nonprofit institution of higher learning’ means each of the
15 lead institutions identified in subsections (j)(4)(A),
16 (j)(4)(B), and (j)(4)(F) of section 5505 as in effect on
17 the day before the date of enactment of the Transpor-
18 tation Equity Act: A Legacy for Users, the university re-
19 ferred to in section 704 of Public Law 103–206 (107 Stat.
20 2447), and the university that, as of the day before such
21 date of enactment, is the lead institution for the regional
22 university transportation center for region 5 of the Stand-
23 ard Federal Regional Boundary System.

24 “(d) GRANTS.—In each of fiscal years 2004 through
25 2009, the Secretary shall make a grant under this section

1 to each eligible nonprofit institution of higher learning in
2 an amount not to exceed \$3,500,000.”.

3 (b) CONFORMING AMENDMENT.—The analysis for
4 subchapter I of chapter 55 of such title is amended by
5 striking the item relating to section 5505 and inserting
6 the following:

“5505. National university transportation centers.”.

7 **SEC. 5302. UNIVERSITY TRANSPORTATION RESEARCH.**

8 (a) IN GENERAL.—Section 5506 of title 49, United
9 States Code, is amended to read as follows:

10 **“§ 5506. University transportation research**

11 “(a) IN GENERAL.—The Secretary of Transportation
12 shall make grants under this section to nonprofit institu-
13 tions of higher learning to establish and operate university
14 transportation centers.

15 “(b) OBJECTIVES.—Grants received under this sec-
16 tion shall be used by nonprofit institutions of higher learn-
17 ing to advance significantly the state-of-the-art in trans-
18 portation research and expand the workforce of transpor-
19 tation professionals through the following programs and
20 activities:

21 “(1) RESEARCH.—Basic and applied research,
22 the products of which are judged by peers or other
23 experts in the field of transportation to advance the
24 body of knowledge in transportation.

1 “(2) EDUCATION.—An education program re-
2 relating to transportation that includes multidisci-
3 plinary course work and participation in research.

4 “(3) TECHNOLOGY TRANSFER.—An ongoing
5 program of technology transfer that makes transpor-
6 tation research results available to potential users in
7 a form that can be implemented, utilized, or other-
8 wise applied.

9 “(c) REGIONAL, TIER I, AND TIER II CENTERS.—

10 “(1) IN GENERAL.—For each of fiscal years
11 2004 through 2009, the Secretary shall make grants
12 under subsection (a) to nonprofit institutions of
13 higher learning to establish and operate—

14 “(A) 10 regional university transportation
15 centers; and

16 “(B) 10 Tier I university transportation
17 centers.

18 “(2) TIER II CENTERS.—For each of fiscal
19 years 2005 through 2009, the Secretary shall make
20 grants under subsection (a) to nonprofit institutions
21 of higher learning to establish and operate 10 Tier
22 II university transportation centers.

23 “(3) LOCATION OF REGIONAL CENTERS.—One
24 regional university transportation center shall be lo-
25 cated in each of the 10 United States Government

1 regions that comprise the Standard Federal Re-
2 gional Boundary System.

3 “(4) LIMITATION.—A nonprofit institution of
4 higher learning may not directly receive a grant
5 under this section for a fiscal year for more than
6 one university transportation center.

7 “(d) COMPETITIVE SELECTION PROCESS.—

8 “(1) APPLICATIONS.—In order to be eligible to
9 receive a grant under this section, a nonprofit insti-
10 tution of higher learning shall submit to the Sec-
11 retary an application that is in such form and con-
12 tains such information as the Secretary may require.

13 “(2) GENERAL SELECTION CRITERIA.—Except
14 as otherwise provided by this section, the Secretary
15 shall select each recipient of a grant under this sec-
16 tion through a competitive process on the basis of
17 the following:

18 “(A) The demonstrated research and ex-
19 tension resources available to the recipient to
20 carry out this section.

21 “(B) The capability of the recipient to pro-
22 vide leadership in making national and regional
23 contributions to the solution of immediate and
24 long-range transportation problems.

1 “(C) The recipient’s demonstrated commit-
2 ment of at least \$400,000 each year in regu-
3 larly budgeted institutional amounts to support
4 ongoing transportation research and education
5 programs.

6 “(D) The recipient’s demonstrated ability
7 to disseminate results of transportation re-
8 search and education programs through a state-
9 wide or regionwide continuing education pro-
10 gram.

11 “(E) The strategic plan the recipient pro-
12 poses to carry out under the grant.

13 “(e) REGIONAL UNIVERSITY TRANSPORTATION CEN-
14 TERS.—

15 “(1) COMPETITION.—Not later than August 31,
16 2005, and not later than March 31st of every 4th
17 year thereafter, the Secretary shall complete a com-
18 petition among nonprofit institutions of higher
19 learning for grants to establish and operate the 10
20 regional university transportation centers referred to
21 in subsection (c)(1)(A).

22 “(2) SELECTION CRITERIA.—In conducting a
23 competition under paragraph (1), the Secretary shall
24 select a nonprofit institution of higher learning on
25 the basis of—

1 “(A) the criteria described in subsection
2 (d)(2);

3 “(B) the location of the center within the
4 Federal region to be served; and

5 “(C) whether or not the institution (or, in
6 the case of a consortium of institutions, the
7 lead institution) can demonstrate that it has a
8 well-established, nationally recognized program
9 in transportation research and education, as
10 evidenced by—

11 “(i) not less than \$2,000,000 in high-
12 way or public transportation research ex-
13 penditures each year for each of the pre-
14 ceding 5 years;

15 “(ii) not less than 10 graduate de-
16 grees awarded in professional fields closely
17 related to highways and public transpor-
18 tation for year for each of the preceding 5
19 years; and

20 “(iii) not less than 5 tenured or ten-
21 ure-track faculty members who specialize
22 on a full-time basis in professional fields
23 closely related to highways and public
24 transportation who, as a group, have pub-
25 lished a total at least 50 refereed journal

1 publications on highway or public transpor-
2 tation research during the preceding 5
3 years.

4 “(3) GRANT RECIPIENTS.—After selecting a
5 nonprofit institution of higher learning as a grant
6 recipient on the basis of a competition conducted
7 under this subsection, the Secretary shall make a
8 grant to the recipient to establish and operate a re-
9 gional university transportation center in each of the
10 first 4 fiscal years beginning after the date of the
11 competition.

12 “(4) SPECIAL RULE FOR FISCAL YEARS 2004
13 AND 2005.—For each of fiscal years 2004 and 2005,
14 the Secretary shall make a grant under this section
15 to each of the 10 nonprofit institutions of higher
16 learning that were competitively selected for grants
17 by the Secretary under this section in July 1999 to
18 operate regional university transportation centers.

19 “(5) AMOUNT OF GRANTS.—For each of fiscal
20 years 2004 through 2009, a grant made by the Sec-
21 retary to a nonprofit institution of higher learning
22 for a fiscal year to establish and operate a regional
23 university transportation center shall not exceed
24 \$3,500,000.

1 “(f) TIER I UNIVERSITY TRANSPORTATION CEN-
2 TERS.—

3 “(1) COMPETITION.—Not later than March 31,
4 2006, and not later than March 31st of every 4th
5 year thereafter, the Secretary shall complete a com-
6 petition among nonprofit institutions of higher
7 learning for grants to establish and operate the 10
8 Tier I university transportation centers referred to
9 in subsection (c)(1)(B).

10 “(2) SELECTION CRITERIA.—In conducting a
11 competition under paragraph (1), the Secretary shall
12 select a nonprofit institution of higher learning on
13 the basis of—

14 “(A) the criteria described in subsection
15 (d)(2); and

16 “(B) whether or not the institution (or, in
17 the case of a consortium of institutions, the
18 lead institution) can demonstrate that it has an
19 established, recognized program in transpor-
20 tation research and education, as evidenced
21 by—

22 “(i) not less than \$1,000,000 in high-
23 way or public transportation research ex-
24 penditures each year for each of the pre-
25 ceding 5 years or not less than \$6,000,000

1 in such expenditures during the 5 pre-
2 ceding years;

3 “(ii) not less than 5 graduate degrees
4 awarded in professional fields closely re-
5 lated to highways and public transpor-
6 tation each year for each of the preceding
7 5 years; and

8 “(iii) not less than 3 tenured or ten-
9 ure-track faculty members who specialize
10 on a full-time basis in professional fields
11 closely related to highways and public
12 transportation who, as a group, have pub-
13 lished a total at least 20 refereed journal
14 publications on highway or public transpor-
15 tation research during the preceding 5
16 years.

17 “(3) GRANT RECIPIENTS.—After selecting a
18 nonprofit institution of higher learning as a grant
19 recipient on the basis of a competition conducted
20 under this subsection, the Secretary shall make a
21 grant to the recipient to establish and operate a Tier
22 I university transportation center in each of the first
23 4 fiscal years beginning after the date of the com-
24 petition.

1 “(4) SPECIAL RULE FOR FISCAL YEARS 2004,
2 2005, AND 2006.—For each of fiscal years 2004,
3 2005, and 2006, the Secretary shall make a grant
4 under this section to each of the 10 nonprofit insti-
5 tutions of higher learning that were competitively se-
6 lected for grant awards by the Secretary under this
7 section in May 2002 to operate university transpor-
8 tation centers (other than regional centers).

9 “(5) AMOUNT OF GRANTS.—A grant made by
10 the Secretary to a nonprofit institution of higher
11 learning for a fiscal year to establish and operate a
12 Tier I university transportation center shall not ex-
13 ceed \$1,000,000 for fiscal year 2004 and
14 \$1,500,000 for each of fiscal years 2005 through
15 2009.

16 “(g) TIER II UNIVERSITY TRANSPORTATION CEN-
17 TERS.—

18 “(1) COMPETITION.—Not later than 60 days
19 after the date of enactment of the Transportation
20 Equity Act: A Legacy for Users, not later than
21 March 31, 2008, and not later than March 31st of
22 every 4th year thereafter, the Secretary shall com-
23 plete a competition among nonprofit institutions of
24 higher learning for grants to establish and operate

1 the 10 Tier II university transportation centers re-
2 ferred to in subsection (c)(2).

3 “(2) SELECTION CRITERIA.—In conducting a
4 competition under paragraph (1), the Secretary shall
5 select a nonprofit institution of higher learning on
6 the basis of the criteria described in subsection
7 (f)(2).

8 “(3) GRANT RECIPIENTS.—After selecting a
9 nonprofit institution of higher learning as a grant
10 recipient on the basis of a competition conducted
11 under this subsection, the Secretary shall—

12 “(A) in the case of the competition to be
13 completed not later than 60 days after the date
14 of enactment of the Transportation Equity Act:
15 A Legacy for Users, make a grant to the recipi-
16 ent to establish and operate a Tier II university
17 transportation center in each of fiscal years
18 2005 through 2008; and

19 “(B) in the case of each subsequent com-
20 petition, make a grant to the recipient to estab-
21 lish and operate a Tier II university transpor-
22 tation center in each of the first 4 fiscal years
23 beginning after the date of the competition.

24 “(4) AMOUNT OF GRANTS.—For each of fiscal
25 years 2005 through 2009, a grant made by the Sec-

1 retary to a nonprofit institution of higher learning
2 for a fiscal year to establish and operate a Tier II
3 university transportation center shall not exceed
4 \$1,000,000.

5 “(h) SUPPORT OF NATIONAL STRATEGY FOR SUR-
6 FACE TRANSPORTATION RESEARCH.—In order to be eligi-
7 ble to receive a grant under this section, a nonprofit insti-
8 tution of higher learning shall provide assurances satisfac-
9 tory to the Secretary that the research and education ac-
10 tivities of its university transportation center will support
11 the national strategy for surface transportation research,
12 as identified by—

13 “(1) the report of the National Highway Re-
14 search and Technology Partnership entitled ‘High-
15 way Research and Technology: The Need for Great-
16 er Investment’, dated April 2002; and

17 “(2) the programs of the National Research
18 and Technology Program of the Federal Transit Ad-
19 ministration.

20 “(i) MAINTENANCE OF EFFORT.—In order to be eli-
21 gible to receive a grant under this section, a nonprofit in-
22 stitution of higher learning shall enter into an agreement
23 with the Secretary to ensure that the institution will main-
24 tain total expenditures from all other sources to establish
25 and operate a university transportation center and related

1 research activities at a level at least equal to the average
2 level of such expenditures in its 2 fiscal years prior to
3 award of a grant under this section.

4 “(j) FEDERAL SHARE.—The Federal share of the
5 costs of activities carried out using a grant made under
6 this section shall be 50 percent of such costs. The non-
7 Federal share may include funds provided to a recipient
8 under section 503, 504(b), or 505 of title 23.

9 “(k) PROGRAM COORDINATION.—

10 “(1) COORDINATION.—The Secretary shall co-
11 ordinate the research, education, and technology
12 transfer activities that grant recipients carry out
13 under this section, disseminate the results of the re-
14 search, and establish and operate a clearinghouse to
15 disseminate the results of the research.

16 “(2) ANNUAL REVIEW AND EVALUATION.—At
17 least annually, and consistent with the plan devel-
18 oped under section 508 of title 23, the Secretary
19 shall review and evaluate programs of grant recipi-
20 ents.

21 “(3) MANAGEMENT AND OVERSIGHT.—The Sec-
22 retary shall expend \$1,500,000 for each of fiscal
23 years 2005 through 2009 from amounts made avail-
24 able to carry out this section to carry out manage-

1 ment and oversight of the centers receiving assist-
2 ance under this section.

3 “(l) PROGRAM ADMINISTRATION.—The Secretary
4 shall carry out this section acting through the Adminis-
5 trator of the Research and Innovative Technology Admin-
6 istration.

7 “(m) LIMITATION ON AVAILABILITY OF FUNDS.—
8 Funds made available to carry out this section shall re-
9 main available for obligation by the Secretary for a period
10 of 2 years after the last day of the fiscal year for which
11 such funds are authorized.”.

12 (b) CONFORMING AMENDMENT.—The analysis for
13 subchapter I of chapter 55 of such title is amended by
14 striking the item relating to section 5506 and inserting
15 the following:

“5506. University transportation research.”.

16 **SEC. 5303. TRANSPORTATION SCHOLARSHIP OPPORTUNI-**
17 **TIES PROGRAM.**

18 (a) IN GENERAL.—

19 (1) ESTABLISHMENT OF PROGRAM.—The Sec-
20 retary may establish and implement a scholarship
21 program for the purpose of attracting qualified stu-
22 dents for transportation-related critical jobs.

23 (2) PARTNERSHIP.—The Secretary may estab-
24 lish the program in partnership with appropriate
25 nongovernmental institutions.

1 (b) PARTICIPATION AND FUNDING.—An operating
2 administration of the Department of Transportation and
3 the Office of Inspector General may participate in the
4 scholarship program. Notwithstanding any other provision
5 of law, the Secretary may use funds available to an oper-
6 ating administration or from the Office of Inspector Gen-
7 eral of the Department of Transportation for the purpose
8 of carrying out this section.

9 **Subtitle D—Advanced Technologies**

10 **SEC. 5401. ADVANCED HEAVY-DUTY VEHICLE TECH-** 11 **NOLOGIES RESEARCH PROGRAM.**

12 (a) IN GENERAL.—Subchapter I of chapter 55 of title
13 49, United States Code, is amended by adding at the end
14 the following:

15 **“§ 5507. Advanced heavy-duty vehicle technologies** 16 **research program**

17 “(a) IN GENERAL.—The Secretary of Transportation
18 shall conduct research, development, demonstration, and
19 testing to integrate emerging advanced heavy-duty vehicle
20 technologies in order to provide seamless, safe, secure, and
21 efficient transportation and to benefit the environment.

22 “(b) CONSULTATION.—To ensure the activities per-
23 formed pursuant to this section achieve the maximum ben-
24 efit, the Secretary of Transportation shall consult with the
25 Secretary of Energy, the Administrator of the Environ-

1 mental Protection Agency, and other relevant Federal
2 agencies on research, development, and demonstration ac-
3 tivities authorized under this section related to advanced
4 heavy-duty vehicle technologies.

5 “(c) GRANTS, COOPERATIVE AGREEMENTS, AND
6 OTHER TRANSACTIONS.—The Secretary may make grants
7 to, and enter into cooperative agreements and other trans-
8 actions with, Federal and other public agencies (including
9 State and local governments) and persons to carry out
10 subsection (a).

11 “(d) COST SHARING.—At least 50 percent of the
12 funding for projects carried out under this section must
13 be provided by non-Federal sources.

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated from the Highway Trust
16 Fund (other than the Mass Transit Account) to carry out
17 subsection (a) \$1,000,000 for fiscal year 2004 and
18 \$3,000,000 for each of fiscal years 2005 through 2009.

19 “(f) CONTRACT AUTHORITY.—The funds authorized
20 to be appropriated by subsection (e) shall be available for
21 obligation in the same manner as if such funds were ap-
22 portioned under chapter 1 of title 23 and shall be subject
23 to any limitation on obligations imposed on funds made
24 available to carry out title V of the Transportation Equity
25 Act: A Legacy for Users.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 subchapter I of chapter 55 of such title is amended by
3 adding at the end the following:

“5507. Advanced heavy-duty vehicle technologies research program.”.

4 **SEC. 5402. COMMERCIAL REMOTE SENSING PRODUCTS AND**
5 **SPATIAL INFORMATION TECHNOLOGIES.**

6 (a) IN GENERAL.—The Secretary shall establish and
7 carry out a program to validate commercial remote sens-
8 ing products and spatial information technologies for ap-
9 plication to national transportation infrastructure develop-
10 ment and construction.

11 (b) PROGRAM.—

12 (1) NATIONAL POLICY.—The Secretary shall es-
13 tablish and maintain a national policy for the use of
14 commercial remote sensing products and spatial in-
15 formation technologies in national transportation in-
16 frastructure development and construction.

17 (2) POLICY IMPLEMENTATION.—The Secretary
18 shall develop new applications of commercial remote
19 sensing products and spatial information tech-
20 nologies for the implementation of the national pol-
21 icy established and maintained under paragraph (1).

22 (c) COOPERATION.—The Secretary shall carry out
23 this section in cooperation with the commercial remote
24 sensing program of the National Aeronautics and Space

1 Administration and a consortium of university research
2 centers.

3 (d) FUNDING.—Of the amounts made available by
4 section 5101(a)(1) of this Act, \$3,000,000 for fiscal year
5 2004 and \$9,000,000 for each of fiscal years 2005
6 through 2009 shall be available to carry out this section.

7 **SEC. 5403. TRANSPORTATION TECHNOLOGY INNOVATION**
8 **AND DEMONSTRATION PROGRAM.**

9 Section 5117(b)(3) of the Transportation Equity Act
10 for the 21st Century (23 U.S.C. 502 note) is amended—

11 (1) in subparagraph (B)(i)—

12 (A) by striking “Build an” and inserting
13 “Build or integrate an”;

14 (B) by striking “\$2,000,000” and insert-
15 ing “\$2,500,000”;

16 (C) by striking “300,000 and that” and in-
17 serting “300,000,”; and

18 (D) by inserting before the period at the
19 end the following: “, and includes major trans-
20 portation corridors serving that metropolitan
21 area”;

22 (2) in subparagraph (C)(ii) by striking “by July
23 1, 2002” and inserting “by 6 months after the date
24 of enactment of the Transportation Equity Act: A
25 Legacy for Users”; and

1 (3) in subparagraph (E) by striking clause (ii)
2 and inserting the following:

3 “(ii) The term ‘follow-on deployment
4 areas’ means the metropolitan areas of Al-
5 bany, Atlanta, Austin, Baltimore, Bir-
6 mingham, Boston, Burlington, Charlotte,
7 Chicago, Cleveland, Columbus, Dallas/Ft.
8 Worth, Denver, Detroit, Greensboro, Hart-
9 ford, Houston, Indianapolis, Jacksonville,
10 Kansas City, Las Vegas, Los Angeles,
11 Louisville, Miami, Milwaukee, Minneapolis-
12 St. Paul, Nashville, New Orleans, New
13 York/Northern New Jersey, Norfolk,
14 Northern Kentucky/Cincinnati, Oklahoma
15 City, Orlando, Philadelphia, Phoenix,
16 Pittsburgh, Portland, Providence, Raleigh,
17 Richmond, Sacramento, Salt Lake, San
18 Diego, San Francisco, San Jose, St. Louis,
19 Seattle, Tampa, Tucson, Tulsa, and Wash-
20 ington, District of Columbia.”.

21 **Subtitle E—Transportation Data**
22 **and Analysis**

23 **SEC. 5501. BUREAU OF TRANSPORTATION STATISTICS.**

24 Section 111 of title 49, United States Code, is
25 amended to read as follows:

1 **“§ 111. Bureau of Transportation Statistics**

2 “(a) ESTABLISHMENT.—There is established in the
3 Research and Innovative Technology Administration a Bu-
4 reau of Transportation Statistics.

5 “(b) DIRECTOR.—

6 “(1) APPOINTMENT.—The Bureau shall be
7 headed by a Director who shall be appointed in the
8 competitive service by the Secretary.

9 “(2) QUALIFICATIONS.—The Director shall be
10 appointed from among individuals who are qualified
11 to serve as the Director by virtue of their training
12 and experience in the collection, analysis, and use of
13 transportation statistics.

14 “(c) RESPONSIBILITIES.—The Director of the Bu-
15 reau shall serve as the Secretary’s senior advisor on data
16 and statistics, and shall be responsible for carrying out
17 the following duties:

18 “(1) PROVIDING DATA, STATISTICS, AND ANAL-
19 YSIS TO TRANSPORTATION DECISIONMAKERS.—En-
20 suring that the statistics compiled under paragraph
21 (5) are designed to support transportation decision-
22 making by the Federal Government, State and local
23 governments, metropolitan planning organizations,
24 transportation-related associations, the private sec-
25 tor (including the freight community), and the pub-
26 lic.

1 “(2) COORDINATING COLLECTION OF INFORMA-
2 TION.—Working with the operating administrations
3 of the Department to establish and implement the
4 Bureau’s data programs and to improve the coordi-
5 nation of information collection efforts with other
6 Federal agencies.

7 “(3) DATA MODERNIZATION.—Continually im-
8 proving surveys and data collection methods to im-
9 prove the accuracy and utility of transportation sta-
10 tistics.

11 “(4) ENCOURAGING DATA STANDARDIZATION.—
12 Encouraging the standardization of data, data col-
13 lection methods, and data management and storage
14 technologies for data collected by the Bureau, the
15 operating administrations of the Department of
16 Transportation, States, local governments, metro-
17 politan planning organizations, and private sector
18 entities.

19 “(5) COMPILING TRANSPORTATION STATIS-
20 TICS.—Compiling, analyzing, and publishing a com-
21 prehensive set of transportation statistics on the per-
22 formance and impacts of the national transportation
23 system, including statistics on—

24 “(A) productivity in various parts of the
25 transportation sector;

1 “(B) traffic flows for all modes of trans-
2 portation;

3 “(C) other elements of the Intermodal
4 Transportation Database established under sub-
5 section (g);

6 “(D) travel times and measures of conges-
7 tion;

8 “(E) vehicle weights and other vehicle
9 characteristics;

10 “(F) demographic, economic, and other
11 variables influencing traveling behavior, includ-
12 ing choice of transportation mode, and goods
13 movement;

14 “(G) transportation costs for passenger
15 travel and goods movement;

16 “(H) availability and use of mass transit
17 (including the number of passengers served by
18 each mass transit authority) and other forms of
19 for-hire passenger travel;

20 “(I) frequency of vehicle and transpor-
21 tation facility repairs and other interruptions of
22 transportation service;

23 “(J) safety and security for travelers, vehi-
24 cles, and transportation systems;

1 “(K) consequences of transportation for
2 the human and natural environment;

3 “(L) the extent, connectivity, and condition
4 of the transportation system, building on the
5 National Transportation Atlas Database devel-
6 oped under subsection (g); and

7 “(M) transportation-related variables that
8 influence the domestic economy and global com-
9 petitiveness.

10 “(6) NATIONAL SPATIAL DATA INFRASTRUC-
11 TURE.—Building and disseminating the transpor-
12 tation layer of the National Spatial Data Infrastruc-
13 ture, including coordinating the development of
14 transportation geospatial data standards, compiling
15 intermodal geospatial data, and collecting geospatial
16 data that is not being collected by others.

17 “(7) ISSUING GUIDELINES.—Issuing guidelines
18 for the collection of information by the Department
19 of Transportation required for statistics to be com-
20 piled under paragraph (5) in order to ensure that
21 such information is accurate, reliable, relevant, and
22 in a form that permits systematic analysis. The Bu-
23 reau shall review and report to the Secretary of
24 Transportation on the sources and reliability of the
25 statistics proposed by the heads of the operating ad-

1 ministrations of the Department to measure outputs
2 and outcomes as required by the Government Per-
3 formance and Results Act of 1993, and the amend-
4 ments made by such Act, and shall carry out such
5 other reviews of the sources and reliability of other
6 data collected or statistical information published by
7 the heads of the operating administrations of the
8 Department as shall be requested by the Secretary.

9 “(8) MAKING STATISTICS ACCESSIBLE.—Mak-
10 ing the statistics published under this subsection
11 readily accessible.

12 “(d) INFORMATION NEEDS ASSESSMENT.—

13 “(1) IN GENERAL.—Within 60 days after the
14 date of the enactment of the Transportation Equity
15 Act: A Legacy for Users, the Secretary shall enter
16 into an arrangement with the National Research
17 Council to develop and publish a National Transpor-
18 tation Information Needs Assessment (referred to in
19 this subsection as the ‘Assessment’). The Assess-
20 ment shall be transmitted to the Secretary and the
21 Congress not later than 24 months after such ar-
22 rangement is entered into.

23 “(2) CONTENT.—The Assessment shall—

24 “(A) identify, in priority order, transpor-
25 tation data that is not being collected by the

1 Bureau, Department of Transportation oper-
2 ating administrations, or other Federal, State,
3 or local entities, but is needed to improve trans-
4 portation decisionmaking at the Federal, State,
5 and local level and to fulfill the requirements of
6 subsection (c)(5);

7 “(B) recommend whether the data identi-
8 fied in subparagraph (A) should be collected by
9 the Bureau, other parts of the Department, or
10 by other Federal, State, or local entities, and
11 whether any data is a higher priority than data
12 currently being collected;

13 “(C) identify any data the Bureau or other
14 Federal, State, and local entities is collecting
15 that is not needed;

16 “(D) describe new data collection methods
17 (including changes in surveys) and other
18 changes the Bureau or other Federal, State,
19 and local entities should implement to improve
20 the standardization, accuracy, and utility of
21 transportation data and statistics; and

22 “(E) estimate the cost of implementing
23 any recommendations.

24 “(3) CONSULTATION.—In developing the As-
25 sessment, the National Research Council shall con-

1 sult with the Department’s Advisory Council on
2 Transportation Statistics and a representative cross-
3 section of transportation community stakeholders as
4 well as other Federal agencies, including the Envi-
5 ronmental Protection Agency, the Department of
6 Energy, and the Department of Housing and Urban
7 Development.

8 “(4) REPORT TO CONGRESS.—Not later than 6
9 months after the National Research Council trans-
10 mits the Assessment under paragraph (1), the Sec-
11 retary shall transmit a report to Congress that de-
12 scribes—

13 “(A) how the Department plans to fill the
14 data gaps identified under paragraph (2)(A);

15 “(B) how the Department plans to stop
16 collecting data identified under paragraph
17 (2)(C);

18 “(C) how the Department plans to imple-
19 ment improved data collection methods and
20 other changes identified under paragraph
21 (2)(D);

22 “(D) the expected costs of implementing
23 subparagraphs (A), (B), and (C) of this para-
24 graph;

1 “(E) any findings of the Assessment under
2 paragraph (1) with which the Secretary dis-
3 agrees, and why; and

4 “(F) any proposed statutory changes need-
5 ed to implement the findings of the Assessment
6 under paragraph (1).

7 “(e) INTERMODAL TRANSPORTATION DATA BASE.—

8 “(1) IN GENERAL.—In consultation with the
9 Under Secretary for Policy, the Assistant Secre-
10 taries, and the heads of the operating administra-
11 tions of the Department of Transportation, the Di-
12 rector shall establish and maintain a transportation
13 data base for all modes of transportation.

14 “(2) USE.—The data base shall be suitable for
15 analyses carried out by the Federal Government, the
16 States, and metropolitan planning organizations.

17 “(3) CONTENTS.—The data base shall in-
18 clude—

19 “(A) information on the volumes and pat-
20 terns of movement of goods, including local,
21 interregional, and international movement, by
22 all modes of transportation and intermodal
23 combinations, and by relevant classification;

24 “(B) information on the volumes and pat-
25 terns of movement of people, including local,

1 interregional, and international movements, by
2 all modes of transportation (including bicycle
3 and pedestrian modes) and intermodal combina-
4 tions, and by relevant classification;

5 “(C) information on the location and
6 connectivity of transportation facilities and
7 services; and

8 “(D) a national accounting of expenditures
9 and capital stocks on each mode of transpor-
10 tation and intermodal combination.

11 “(f) NATIONAL TRANSPORTATION LIBRARY.—

12 “(1) IN GENERAL.—The Director shall establish
13 and maintain a National Transportation Library,
14 which shall contain a collection of statistical and
15 other information needed for transportation decision-
16 making at the Federal, State, and local levels.

17 “(2) ACCESS.—The Director shall facilitate and
18 promote access to the Library, with the goal of im-
19 proving the ability of the transportation community
20 to share information and the ability of the Director
21 to make statistics readily accessible under subsection
22 (c)(8).

23 “(3) COORDINATION.—The Director shall work
24 with other transportation libraries and other trans-

1 portation information providers, both public and pri-
2 vate, to achieve the goal specified in paragraph (2).

3 “(g) NATIONAL TRANSPORTATION ATLAS DATA
4 BASE.—

5 “(1) IN GENERAL.—The Director shall develop
6 and maintain geospatial data bases that depict—

7 “(A) transportation networks;

8 “(B) flows of people, goods, vehicles, and
9 craft over the networks; and

10 “(C) social, economic, and environmental
11 conditions that affect or are affected by the net-
12 works.

13 “(2) INTERMODAL NETWORK ANALYSIS.—The
14 data bases shall be able to support intermodal net-
15 work analysis.

16 “(h) MANDATORY RESPONSE AUTHORITY FOR
17 FREIGHT DATA COLLECTION.—Whoever, being the
18 owner, official, agent, person in charge, or assistant to the
19 person in charge of any corporation, company, business,
20 institution, establishment, or organization of any nature
21 whatsoever, neglects or refuses, when requested by the Di-
22 rector or other authorized officer, employee, or contractor
23 of the Bureau, to answer completely and correctly to the
24 best of his or her knowledge all questions relating to the
25 corporation, company, business, institution, establishment,

1 or other organization, or to make available records or sta-
2 tistics in his or her official custody, contained in a data
3 collection request prepared and submitted under the au-
4 thority of subsection (c)(1), shall be fined not more than
5 \$500; but if he or she willfully gives a false answer to
6 such a question, he or she shall be fined not more than
7 \$10,000.

8 “(i) RESEARCH AND DEVELOPMENT GRANTS.—The
9 Secretary may make grants to, or enter into cooperative
10 agreements or contracts with, public and nonprofit private
11 entities (including State transportation departments, met-
12 ropolitan planning organizations, and institutions of high-
13 er education) for—

14 “(1) investigation of the subjects specified in
15 subsection (c)(5) and research and development of
16 new methods of data collection, standardization,
17 management, integration, dissemination, interpreta-
18 tion, and analysis;

19 “(2) demonstration programs by States, local
20 governments, and metropolitan planning organiza-
21 tions to harmonize data collection, reporting, man-
22 agement, storage, and archiving to simplify data
23 comparisons across jurisdictions;

24 “(3) development of electronic clearinghouses of
25 transportation data and related information, as part

1 of the National Transportation Library under sub-
2 section (f); and

3 “(4) development and improvement of methods
4 for sharing geographic data, in support of the na-
5 tional transportation atlas data base under sub-
6 section (g) and the National Spatial Data Infra-
7 structure developed under Executive Order No.
8 12906.

9 “(j) LIMITATIONS ON STATUTORY CONSTRUCTION.—
10 Nothing in this section shall be construed—

11 “(1) to authorize the Bureau to require any
12 other department or agency to collect data; or

13 “(2) to reduce the authority of any other officer
14 of the Department of Transportation to collect and
15 disseminate data independently.

16 “(k) PROHIBITION ON CERTAIN DISCLOSURES.—

17 “(1) IN GENERAL.—An officer, employee or
18 contractor of the Bureau may not—

19 “(A) make any disclosure in which the
20 data provided by an individual or organization
21 under subsection (c) can be identified;

22 “(B) use the information provided under
23 subsection (c) for a nonstatistical purpose; or

24 “(C) permit anyone other than an indi-
25 vidual authorized by the Director to examine

1 any individual report provided under subsection
2 (c).

3 “(3) INFORMING RESPONDENT OF USE OF
4 DATA.—In a case in which the Bureau is authorized
5 by statute to collect data or information for a non-
6 statistical purpose, the Director shall clearly distin-
7 guish the collection of the data or information, by
8 rule and on the collection instrument, so as to in-
9 form a respondent that is requested or required to
10 supply the data or information of the nonstatistical
11 purpose.

12 “(1) TRANSPORTATION STATISTICS ANNUAL RE-
13 PORT.—The Director shall transmit to the President and
14 Congress a Transportation Statistics Annual Report which
15 shall include information on items referred to in sub-
16 section (c)(5), documentation of methods used to obtain
17 and ensure the quality of the statistics presented in the
18 report, and recommendations for improving transportation
19 statistical information.

20 “(m) DATA ACCESS.—The Director shall have access
21 to transportation and transportation-related information
22 in the possession of any Federal agency except informa-
23 tion—

24 “(1) the disclosure of which to another Federal
25 agency is expressly prohibited by law; or

1 “(2) the disclosure of which the agency so re-
2 requested determines would significantly impair the
3 discharge of authorities and responsibilities which
4 have been delegated to, or vested by law, in such
5 agency.

6 “(n) PROCEEDS OF DATA PRODUCT SALES.—Not-
7 withstanding section 3302 of title 31, funds received by
8 the Bureau from the sale of data products, for necessary
9 expenses incurred, may be credited to the Highway Trust
10 Fund (other than the Mass Transit Account) for the pur-
11 pose of reimbursing the Bureau for the expenses.

12 “(o) ADVISORY COUNCIL ON TRANSPORTATION STA-
13 TISTICS.—

14 “(1) ESTABLISHMENT.—The Director of the
15 Bureau of Transportation Statistics shall establish
16 an Advisory Council on Transportation Statistics.

17 “(2) FUNCTION.—It shall be the function of the
18 Advisory Council established under this subsection
19 to—

20 “(A) advise the Director of the Bureau of
21 Transportation Statistics on the quality, reli-
22 ability, consistency, objectivity, and relevance of
23 transportation statistics and analyses collected,
24 supported, or disseminated by the Bureau of

1 Transportation Statistics and the Department
2 of Transportation;

3 “(B) provide input to and review the re-
4 port to Congress under subsection (d)(4); and

5 “(C) advise the Director on methods to en-
6 courage harmonization and interoperability of
7 transportation data collected by the Bureau, the
8 operating administrations of the Department of
9 Transportation, States, local governments, met-
10 ropolitan planning organizations, and private
11 sector entities.

12 “(3) MEMBERSHIP.—The Advisory Council es-
13 tablished under this subsection shall be composed of
14 not fewer than 9 and not more than 11 members ap-
15 pointed by the Director, who are not officers or em-
16 ployees of the United States. Each member shall
17 have expertise in transportation data collection or
18 analysis or application; except that 1 member shall
19 have expertise in economics, 1 member shall have ex-
20 pertise in statistics, and 1 member shall have experi-
21 ence in transportation safety. At least 1 member
22 shall be a senior official of a State department of
23 transportation. Members shall include representation
24 of a cross-section of transportation community
25 stakeholders.

1 “(4) TERMS OF APPOINTMENT.—(A) Except as
2 provided in subparagraph (B), members shall be ap-
3 pointed to staggered terms not to exceed 3 years. A
4 member may be renominated for one additional 3-
5 year term.

6 “(B) Members serving on the Advisory Council
7 on Transportation Statistics as of the date of enact-
8 ment of the Transportation Equity Act: A Legacy
9 for Users shall serve until the end of their appointed
10 terms.

11 “(5) APPLICABILITY OF FEDERAL ADVISORY
12 COMMITTEE ACT.—The Federal Advisory Committee
13 Act shall apply to the Advisory Council established
14 under this subsection, except that section 14 of such
15 Act shall not apply to such Advisory Council.”.

16 **SEC. 5502. REPORTS OF BUREAU OF TRANSPORTATION**
17 **STATISTICS.**

18 Section 111(k) of title 49, United States Code, as
19 amended by section 5501 of this Act, is amended by in-
20 serting after paragraph (1) the following:

21 “(2) COPIES OF REPORTS.—

22 “(A) IN GENERAL.—No department, bu-
23 reau, agency, officer, or employee of the United
24 States (except the Director in carrying out this
25 section) may require, for any reason, a copy of

1 any report that has been filed under subsection
2 (c) with the Bureau or retained by an indi-
3 vidual respondent.

4 “(B) LIMITATION ON JUDICIAL PRO-
5 CEEDINGS.—A copy of a report described in
6 subparagraph (A) that has been retained by an
7 individual respondent or filed with the Bureau
8 or any of its employees, contractors, or
9 agents—

10 “(i) shall be immune from legal proc-
11 ess; and

12 “(ii) shall not, without the consent of
13 the individual concerned, be admitted as
14 evidence or used for any purpose in any
15 action, suit, or other judicial or adminis-
16 trative proceedings.

17 “(C) APPLICABILITY.—This paragraph
18 shall apply only to reports that permit informa-
19 tion concerning an individual or organization to
20 be reasonably determined by direct or indirect
21 means.”.

1 **Subtitle F—Intelligent**
2 **Transportation Systems Research**

3 **SEC. 5601. SHORT TITLE.**

4 This subtitle may be cited as the “Intelligent Trans-
5 portation Systems Act of 2005”.

6 **SEC. 5602. GOALS AND PURPOSES.**

7 (a) GOALS.—The goals of the intelligent transpor-
8 tation system program include—

9 (1) enhancement of surface transportation effi-
10 ciency and facilitation of intermodalism and inter-
11 national trade to enable existing facilities to meet a
12 significant portion of future transportation needs,
13 including public access to employment, goods, and
14 services and to reduce regulatory, financial, and
15 other transaction costs to public agencies and sys-
16 tem users;

17 (2) achievement of national transportation safe-
18 ty goals, including the enhancement of safe oper-
19 ation of motor vehicles and nonmotorized vehicles as
20 well as improved emergency response to a crash,
21 with particular emphasis on decreasing the number
22 and severity of collisions;

23 (3) protection and enhancement of the natural
24 environment and communities affected by surface
25 transportation, with particular emphasis on assisting

1 State and local governments to achieve national en-
2 vironmental goals;

3 (4) accommodation of the needs of all users of
4 surface transportation systems, including operators
5 of commercial motor vehicles, passenger motor vehi-
6 cles, motorcycles, and bicycles and pedestrians, in-
7 cluding individuals with disabilities; and

8 (5) improvement of the Nation's ability to re-
9 spond to security-related or other manmade emer-
10 gencies and natural disasters and enhancement of
11 national defense mobility.

12 (b) PURPOSES.—The Secretary shall implement ac-
13 tivities under the intelligent system transportation pro-
14 gram to, at a minimum—

15 (1) expedite, in both metropolitan and rural
16 areas, deployment and integration of intelligent
17 transportation systems for consumers of passenger
18 and freight transportation;

19 (2) ensure that Federal, State, and local trans-
20 portation officials have adequate knowledge of intel-
21 ligent transportation systems for full consideration
22 in the transportation planning process;

23 (3) improve regional cooperation and operations
24 planning for effective intelligent transportation sys-
25 tem deployment;

1 (4) promote the innovative use of private re-
2 sources;

3 (5) facilitate, in cooperation with the motor ve-
4 hicle industry, the introduction of a vehicle-based
5 safety enhancing systems;

6 (6) support the application of intelligent trans-
7 portation systems that increase the safety and effi-
8 ciency of commercial motor vehicle operations;

9 (7) develop a workforce capable of developing,
10 operating, and maintaining intelligent transportation
11 systems; and

12 (8) provide continuing support for operations
13 and maintenance of intelligent transportation sys-
14 tems.

15 **SEC. 5603. GENERAL AUTHORITIES AND REQUIREMENTS.**

16 (a) SCOPE.—Subject to the provisions of this subtitle,
17 the Secretary shall conduct an ongoing intelligent trans-
18 portation system program to research, develop, and oper-
19 ationally test intelligent transportation systems and ad-
20 vance nationwide deployment of such systems as a compo-
21 nent of the surface transportation systems of the United
22 States.

23 (b) POLICY.—Intelligent transportation system re-
24 search projects and operational tests funded pursuant to
25 this subtitle shall encourage and not displace public-pri-

1 vate partnerships or private sector investment in such
2 tests and projects.

3 (c) COOPERATION WITH GOVERNMENTAL, PRIVATE,
4 AND EDUCATIONAL ENTITIES.—The Secretary shall carry
5 out the intelligent transportation system program in co-
6 operation with State and local governments and other pub-
7 lic entities, the private sector of the United States, the
8 Federal laboratories, and colleges and universities, includ-
9 ing historically Black colleges and universities and other
10 minority institutions of higher education.

11 (d) CONSULTATION WITH FEDERAL OFFICIALS.—In
12 carrying out the intelligent transportation system pro-
13 gram, the Secretary shall consult with the heads of other
14 Federal departments and agencies, as appropriate.

15 (e) TECHNICAL ASSISTANCE, TRAINING, AND INFOR-
16 MATION.—The Secretary may provide technical assistance,
17 training, and information to State and local governments
18 seeking to implement, operate, maintain, or evaluate intel-
19 ligent transportation system technologies and services.

20 (f) TRANSPORTATION PLANNING.—The Secretary
21 may provide funding to support adequate consideration of
22 transportation systems management and operations, in-
23 cluding intelligent transportation systems, within metro-
24 politan and statewide transportation planning processes.

25 (g) INFORMATION CLEARINGHOUSE.—

1 (1) IN GENERAL.—The Secretary shall—

2 (A) maintain a repository for technical and
3 safety data collected as a result of federally
4 sponsored projects carried out under this sub-
5 title (including the amendments made by this
6 subtitle); and

7 (B) make, on request, that information
8 (except for proprietary information and data)
9 readily available to all users of the repository at
10 an appropriate cost.

11 (2) AGREEMENT.—

12 (A) IN GENERAL.—The Secretary may
13 enter into an agreement with a third party for
14 the maintenance of the repository for technical
15 and safety data under paragraph (1)(A).

16 (B) FEDERAL FINANCIAL ASSISTANCE.—If
17 the Secretary enters into an agreement with an
18 entity for the maintenance of the repository, the
19 entity shall be eligible for Federal financial as-
20 sistance under this section.

21 (3) AVAILABILITY OF INFORMATION.—Informa-
22 tion in the repository shall not be subject to section
23 555 of title 5, United States Code.

24 (h) ADVISORY COMMITTEE.—

1 (1) IN GENERAL.—The Secretary shall establish
2 an Advisory Committee to advise the Secretary on
3 carrying out this subtitle.

4 (2) MEMBERSHIP.—The Advisory Committee
5 shall have no more than 20 members, be balanced
6 between metropolitan and rural interests, and in-
7 clude, at a minimum—

8 (A) a representative from a State highway
9 department;

10 (B) a representative from a local highway
11 department who is not from a metropolitan
12 planning organization;

13 (C) a representative from a State, local, or
14 regional transit agency;

15 (D) a representative from a metropolitan
16 planning organization;

17 (E) a private sector user of intelligent
18 transportation system technologies;

19 (F) an academic researcher with expertise
20 in computer science or another information
21 science field related to intelligent transportation
22 systems, and who is not an expert on transpor-
23 tation issues;

24 (G) an academic researcher who is a civil
25 engineer;

1 (H) an academic researcher who is a social
2 scientist with expertise in transportation issues;

3 (I) a representative from a not-for-profit
4 group representing the intelligent transpor-
5 tation system industry;

6 (J) a representative from a public interest
7 group concerned with safety;

8 (K) a representative from a public interest
9 group concerned with the impact of the trans-
10 portation system on land use and residential
11 patterns; and

12 (L) members with expertise in planning,
13 safety, and operations.

14 (3) DUTIES.—The Advisory Committee shall, at
15 a minimum, perform the following duties:

16 (A) Provide input into the development of
17 the Intelligent Transportation System aspects
18 of the strategic plan under section 508 of title
19 23, United States Code.

20 (B) Review, at least annually, areas of in-
21 telligent transportation systems research being
22 considered for funding by the Department, to
23 determine—

24 (i) whether these activities are likely
25 to advance either the state-of-the-practice

1 or state-of-the-art in intelligent transpor-
2 tation systems;

3 (ii) whether the intelligent transpor-
4 tation system technologies are likely to be
5 deployed by users, and, if not, to determine
6 the barriers to deployment; and

7 (iii) the appropriate roles for govern-
8 ment and the private sector in investing in
9 the research and technologies being consid-
10 ered.

11 (4) REPORT.—Not later than February 1 of
12 each year after the date of enactment of this Act,
13 the Secretary shall transmit to the Congress, a re-
14 port including—

15 (A) all recommendations made by the Ad-
16 visory Committee during the preceding calendar
17 year;

18 (B) an explanation of how the Secretary
19 has implemented those recommendations; and

20 (C) for recommendations not implemented,
21 the reasons for rejecting the recommendations.

22 (5) APPLICABILITY OF FEDERAL ADVISORY
23 COMMITTEE ACT.—The Advisory Committee shall be
24 subject to the Federal Advisory Committee Act (5
25 U.S.C. App.).

1 (i) REPORTING.—

2 (1) GUIDELINES AND REQUIREMENTS.—

3 (A) IN GENERAL.—The Secretary shall
4 issue guidelines and requirements for the re-
5 porting and evaluation of operational tests and
6 deployment projects carried out under this sub-
7 title.

8 (B) OBJECTIVITY AND INDEPENDENCE.—

9 The guidelines and requirements issued under
10 subparagraph (A) shall include provisions to en-
11 sure the objectivity and independence of the re-
12 porting entity so as to avoid any real or appar-
13 ent conflict of interest or potential influence on
14 the outcome by parties to any such test or de-
15 ployment project or by any other formal evalua-
16 tion carried out under this subtitle.

17 (C) FUNDING.—The guidelines and re-
18 quirements issued under subparagraph (A) shall
19 establish reporting funding levels based on the
20 size and scope of each test or project that en-
21 sure adequate reporting of the results of the
22 test or project.

23 (2) SPECIAL RULE.—Any survey, questionnaire,
24 or interview that the Secretary considers necessary
25 to carry out the reporting of any test, deployment

1 project, or program assessment activity under this
2 subtitle shall not be subject to chapter 35 of title 44.

3 **SEC. 5604. NATIONAL ARCHITECTURE AND STANDARDS.**

4 (a) IN GENERAL.—

5 (1) DEVELOPMENT, IMPLEMENTATION, AND
6 MAINTENANCE.—Consistent with section 12(d) of
7 the National Technology Transfer and Advancement
8 Act of 1995 (15 U.S.C. 272 note; 110 Stat. 783),
9 the Secretary shall develop, implement, and maintain
10 a national architecture and supporting standards
11 and protocols to promote the widespread use and
12 evaluation of intelligent transportation system tech-
13 nology as a component of the surface transportation
14 systems of the United States.

15 (2) INTEROPERABILITY AND EFFICIENCY.—To
16 the maximum extent practicable, the national archi-
17 tecture shall promote interoperability among, and ef-
18 ficiency of, intelligent transportation system tech-
19 nologies implemented throughout the United States.

20 (3) USE OF STANDARDS DEVELOPMENT ORGA-
21 NIZATIONS.—In carrying out this section, the Sec-
22 retary shall use the services of such standards devel-
23 opment organizations as the Secretary determines to
24 be appropriate.

25 (4) USE OF EXPERT PANEL.—

1 (A) DESIGNATION.—The Secretary shall
2 designate a panel of experts to recommend ways
3 to expedite and streamline the process for de-
4 veloping the standards and protocols to be de-
5 veloped pursuant to paragraph (1).

6 (B) NONAPPLICABILITY OF ADVISORY COM-
7 MITTEE ACT.—The expert panel shall not be
8 subject to the Federal Advisory Committee Act
9 (5 U.S.C. App.).

10 (C) DEADLINE FOR RECOMMENDATION.—
11 No later than September 30, 2006, the expert
12 panel shall provide the Secretary with a rec-
13 ommendation relating to such standards devel-
14 opment.

15 (b) PROVISIONAL STANDARDS.—

16 (1) IN GENERAL.—If the Secretary finds that
17 the development or balloting of an intelligent trans-
18 portation system standard jeopardizes the timely
19 achievement of the objectives identified in subsection
20 (a), the Secretary may establish a provisional stand-
21 ard, after consultation with affected parties, using,
22 to the extent practicable, the work product of appro-
23 priate standards development organizations.

24 (2) PERIOD OF EFFECTIVENESS.—A provisional
25 standard established under paragraph (1) shall be

1 published in the Federal Register and remain in ef-
2 fect until the appropriate standards development or-
3 ganization adopts and publishes a standard.

4 (c) CONFORMITY WITH NATIONAL ARCHITEC-
5 TURE.—

6 (1) IN GENERAL.—Except as provided in para-
7 graphs (2) and (3), the Secretary shall ensure that
8 intelligent transportation system projects carried out
9 using funds made available from the Highway Trust
10 Fund, including funds made available under this
11 subtitle to deploy intelligent transportation system
12 technologies, conform to the national architecture,
13 applicable standards or provisional standards, and
14 protocols developed under subsection (a).

15 (2) SECRETARY'S DISCRETION.—The Secretary
16 may authorize exceptions to paragraph (1) for—

17 (A) projects designed to achieve specific re-
18 search objectives outlined in the national intel-
19 ligent transportation system program plan or
20 the surface transportation research and devel-
21 opment strategic plan developed under section
22 508 of title 23, United States Code; or

23 (B) the upgrade or expansion of an intel-
24 ligent transportation system in existence on the

1 date of enactment of this Act if the Secretary
2 determines that the upgrade or expansion—

3 (i) would not adversely affect the
4 goals or purposes of this subtitle;

5 (ii) is carried out before the end of
6 the useful life of such system; and

7 (iii) is cost-effective as compared to
8 alternatives that would meet the con-
9 formity requirement of paragraph (1).

10 (3) EXCEPTIONS.—Paragraph (1) shall not
11 apply to funds used for operation or maintenance of
12 an intelligent transportation system in existence on
13 the date of enactment of this Act.

14 **SEC. 5605. RESEARCH AND DEVELOPMENT.**

15 (a) IN GENERAL.—The Secretary shall carry out a
16 comprehensive program of intelligent transportation sys-
17 tem research, development, and operational tests of intel-
18 ligent vehicles and intelligent infrastructure systems and
19 other similar activities that are necessary to carry out this
20 subtitle.

21 (b) PRIORITY AREAS.—Under the program, the Sec-
22 retary shall give higher priority to funding projects that—

23 (1) enhance mobility and productivity through
24 improved traffic management, incident management,
25 transit management, freight management, road

1 weather management, toll collection, traveler infor-
2 mation, or highway operations systems and remote
3 sensing products;

4 (2) utilize interdisciplinary approaches to de-
5 velop traffic management strategies and tools to ad-
6 dress multiple impacts of congestion concurrently;

7 (3) enhance safety through improved crash
8 avoidance and protection, crash and other notifica-
9 tion, commercial motor vehicle operations, and infra-
10 structure-based or cooperative safety systems; and

11 (4) facilitate the integration of intelligent infra-
12 structure, vehicle, and control technologies.

13 (c) FEDERAL SHARE.—The Federal share of the cost
14 of operational tests and demonstrations under subsection
15 (a) shall not exceed 80 percent.

16 **SEC. 5606. INFRASTRUCTURE DEVELOPMENT.**

17 Funds made available to carry out this subtitle for
18 operational tests—

19 (1) shall be used primarily for the development
20 of intelligent transportation system infrastructure;
21 and

22 (2) to the maximum extent practicable, shall
23 not be used for the construction of physical highway
24 and public transportation infrastructure unless the
25 construction is incidental and critically necessary to

1 the implementation of an intelligent transportation
2 system project.

3 **SEC. 5607. ROAD WEATHER RESEARCH AND DEVELOPMENT**
4 **PROGRAM.**

5 (a) ESTABLISHMENT.—The Secretary shall establish
6 a road weather research and development program to—

7 (1) maximize use of available road weather in-
8 formation and technologies;

9 (2) expand road weather research and develop-
10 ment efforts to enhance roadway safety, capacity,
11 and efficiency while minimizing environmental im-
12 pacts; and

13 (3) promote technology transfer of effective
14 road weather scientific and technological advances.

15 (b) STAKEHOLDER INPUT.—In carrying out this sec-
16 tion, the Secretary shall consult with the National Oceanic
17 and Atmospheric Administration, the National Science
18 Foundation, the American Association of State Highway
19 and Transportation Officials, nonprofit organizations, and
20 the private sector.

21 (c) CONTENTS.—The program established under this
22 section shall solely carry out research and development
23 called for in the National Research Council’s report enti-
24 tled “A Research Agenda for Improving Road Weather
25 Services”. Such research and development includes—

1 (1) integrating existing observational networks
2 and data management systems for road weather ap-
3 plications;

4 (2) improving weather modeling capabilities and
5 forecast tools, such as the road surface and atmos-
6 pheric interface;

7 (3) enhancing mechanisms for communicating
8 road weather information to users, such as transpor-
9 tation officials and the public; and

10 (4) integrating road weather technologies into
11 an information infrastructure.

12 (d) ACTIVITIES.—In carrying out this section, the
13 Secretary shall—

14 (1) enable efficient technology transfer;

15 (2) improve education and training of road
16 weather information users, such as State and local
17 transportation officials and private sector transpor-
18 tation contractors; and

19 (3) coordinate with transportation weather re-
20 search programs in other modes, such as aviation.

21 (e) FUNDING.—

22 (1) IN GENERAL.—In awarding funds under
23 this section, the Secretary shall give preference to
24 applications with significant matching funds from
25 non-Federal sources.

1 (2) FUNDS FOR ROAD WEATHER RESEARCH
2 AND DEVELOPMENT.—Of the amounts made avail-
3 able by section 5101(a)(5), \$4,000,000 shall be
4 available to carry out this section for each of fiscal
5 years 2004 through 2009.

6 **SEC. 5608. DEFINITIONS.**

7 In this subtitle, the following definitions apply:

8 (1) INCIDENT.—The term “incident” means a
9 crash, a natural disaster, workzone activity, special
10 event, or other emergency road user occurrence that
11 adversely affects or impedes the normal flow of traf-
12 fic.

13 (2) INTELLIGENT TRANSPORTATION INFRA-
14 STRUCTURE.—The term “intelligent transportation
15 infrastructure” means fully integrated public sector
16 intelligent transportation system components, as de-
17 fined by the Secretary.

18 (3) INTELLIGENT TRANSPORTATION SYSTEM.—
19 The term “intelligent transportation system” means
20 electronics, communications, or information proc-
21 essing used singly or in combination to improve the
22 efficiency or safety of a surface transportation sys-
23 tem.

1 (4) NATIONAL ARCHITECTURE.—The term “na-
2 tional architecture” means the common framework
3 for interoperability that defines—

4 (A) the functions associated with intel-
5 ligent transportation system user services;

6 (B) the physical entities or subsystems
7 within which the functions reside;

8 (C) the data interfaces and information
9 flows between physical subsystems; and

10 (D) the communications requirements as-
11 sociated with the information flows.

12 (5) PROJECT.—The term “project” means a
13 undertaking to research, develop, or operationally
14 test intelligent transportation systems or any other
15 undertaking eligible for assistance under this sub-
16 title.

17 (6) STANDARD.—The term “standard” means a
18 document that—

19 (A) contains technical specifications or
20 other precise criteria for intelligent transpor-
21 tation systems that are to be used consistently
22 as rules, guidelines, or definitions of character-
23 istics so as to ensure that materials, products,
24 processes, and services are fit for their pur-
25 poses; and

1 (B) may support the national architecture
2 and promote—

3 (i) the widespread use and adoption of
4 intelligent transportation system tech-
5 nology as a component of the surface
6 transportation systems of the United
7 States; and

8 (ii) interoperability among intelligent
9 transportation system technologies imple-
10 mented throughout the States.

11 (7) STATE.—The term “State” has the mean-
12 ing given the term under section 101 of title 23,
13 United States Code.

14 (8) TRANSPORTATION SYSTEMS MANAGEMENT
15 AND OPERATIONS.—The term “transportation sys-
16 tems management and operations” has the meaning
17 given the term under section 101(a) of such title.

18 **SEC. 5609. RURAL INTERSTATE CORRIDOR COMMUNICA-**
19 **TIONS STUDY.**

20 (a) STUDY.—The Secretary, in cooperation with the
21 Secretary of Commerce, State departments of transpor-
22 tation, and other appropriate State, regional, and local of-
23 ficials, shall conduct a study on feasibility of installing
24 fiber optic cabling and wireless communication infrastruc-
25 ture along multistate Interstate System route corridors for

1 improved communications services to rural communities
2 along such corridors.

3 (b) CONTENTS OF STUDY.—In conducting the study,
4 the Secretary shall identify—

5 (1) impediments to installation of the infra-
6 structure described in subsection (a) along
7 multistate Interstate System route corridors and to
8 connecting such infrastructure to the rural commu-
9 nities along such corridors;

10 (2) the effective geographic range of such infra-
11 structure;

12 (3) potential opportunities for the private sector
13 to fund, wholly or partially, the installation of such
14 infrastructure;

15 (4) potential benefits fiber optic cabling and
16 wireless communication infrastructure may provide
17 to rural communities along such corridors, including
18 the effects of the installation of such infrastructure
19 on economic development, deployment of intelligent
20 transportation systems technologies and applica-
21 tions, homeland security precaution and response,
22 and education and health systems in those commu-
23 nities;

24 (5) rural broadband access points for such in-
25 frastructure;

1 (6) areas of environmental conflict with such in-
2 stallation;

3 (7) real estate ownership issues relating to such
4 installation;

5 (8) preliminary design for placement of fiber
6 optic cable and wireless towers;

7 (9) monetary value of the rights-of-way nec-
8 essary for such installation;

9 (10) applicability and transferability of the ben-
10 efits of such installation to other rural corridors; and

11 (11) safety and other operational issues associ-
12 ated with the installation and maintenance of fiber
13 optic cabling and wire infrastructure within Inter-
14 state System rights-of-way and other publicly owned
15 rights-of-way.

16 (c) CORRIDOR LOCATIONS.—The study required
17 under subsection (a) shall be conducted for corridors
18 along—

19 (1) Interstate Route I–90 through rural Wis-
20 consin, southern Minnesota, northern Iowa, and
21 South Dakota;

22 (2) Interstate Route I–20 through Alabama,
23 Mississippi, and northern Louisiana;

24 (3) Interstate Route I–91 through Vermont,
25 New Hampshire, and Massachusetts; and

1 (4) any other rural corridor the Secretary con-
2 siders appropriate.

3 (d) FEDERAL SHARE.—The Federal share of the cost
4 of the study shall be 100 percent.

5 (e) REPORT TO CONGRESS.—Not later than Sep-
6 tember 30, 2006, the Secretary shall transmit to Congress
7 a report on the results of the study, including any rec-
8 ommendations of the Secretary.

9 (f) FUNDING.—Of the amounts made available under
10 section 5101(a)(5), \$1,000,000 shall be available for fiscal
11 year 2005, and \$2,000,000 for fiscal year 2006, to carry
12 out this section.

13 **SEC. 5610. CENTERS FOR SURFACE TRANSPORTATION EX-**
14 **CELLENCE.**

15 (a) ESTABLISHMENT.—The Secretary shall establish
16 3 centers for surface transportation excellence.

17 (b) GOALS.—The goals of the centers for surface
18 transportation excellence are to promote and support stra-
19 tegic national surface transportation programs and activi-
20 ties relating to the work of State departments of transpor-
21 tation in the areas of environment, rural safety, and
22 project finance.

23 (c) ROLE OF CENTERS.—To achieve the goals set
24 forth in subsection (b), the Secretary shall establish the
25 3 centers as follows:

1 (1) ENVIRONMENTAL EXCELLENCE.—To pro-
2 vide technical assistance, information sharing of best
3 practices, and training in the use of tools and deci-
4 sion-making processes that can assist States in plan-
5 ning and delivering environmentally sound surface
6 transportation projects.

7 (2) RURAL SAFETY.—To provide research,
8 training, and outreach on innovative uses of tech-
9 nology to enhance rural safety and economic devel-
10 opment, assess local community needs to improve ac-
11 cess to mobile emergency treatment, and develop on-
12 line and seminar training needs of rural transpor-
13 tation practitioners and policy-makers.

14 (3) PROJECT FINANCE.—To provide support to
15 State transportation departments in the development
16 of finance plans and project oversight tools and to
17 develop and offer training in state of the art financ-
18 ing methods to advance projects and leverage funds.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—Of the amounts made avail-
21 able under section 5101(a)(1), the Secretary shall
22 make available \$2,000,000 for each of fiscal years
23 2004 through 2009 to carry out this section.

1 (2) ALLOCATION OF FUNDS.—Of the funds
2 made available under paragraph (1) the Secretary
3 shall use such amounts as follows:

4 (A) 40 percent to establish the Center for
5 Environmental Excellence.

6 (B) 30 percent to establish the Center for
7 Excellence in Rural Safety.

8 (C) 30 percent to establish the Center for
9 Excellence in Project Finance.

10 (3) APPLICABILITY OF TITLE 23.—Funds au-
11 thorized by this section shall be available for obliga-
12 tion in the same manner as if such funds were ap-
13 portioned under chapter 1 of title 23, United States
14 Code, except that the Federal share shall be 100
15 percent.

16 (e) PROGRAM ADMINISTRATION.—

17 (1) COMPETITION.—A party entering into a
18 contract, cooperative agreement, or other transaction
19 with the Secretary, or receiving a grant to perform
20 research or provide technical assistance under this
21 section shall be selected on a competitive basis, to
22 the maximum extent practicable.

23 (2) STRATEGIC PLAN.—The Secretary shall re-
24 quire each center to develop a multiyear strategic
25 plan that describes—

1 (A) the activities to be undertaken; and

2 (B) how the work of the center is coordi-
3 nated with the activities of the Federal High-
4 way Administration and the various other re-
5 search, development, and technology transfer
6 activities authorized by this title. Such plans
7 shall be submitted to the Secretary by January
8 1, 2006, and each year thereafter.

9 **SEC. 5611. REPEAL.**

10 Subtitle C of title V of The Transportation Equity
11 Act for the 21st Century (23 U.S.C. 502 note; 112 Stat.
12 452–463) is repealed.

13 **SEC. 5612. SPECIAL RULE FOR FISCAL YEAR 2004.**

14 In any case in which an amount is authorized to be
15 appropriated, made available, allocated, set aside, taken
16 down, or subject to an obligation limitation for fiscal year
17 2004 for a program, project, or activity in any provision
18 of this title, including an amendment made by this title,
19 that is different than the amount authorized to be appro-
20 priated, made available, allocated, set aside, taken down,
21 or subject to an obligation limitation for fiscal year 2004
22 for such program, project, or activity in any provision of
23 the Surface Transportation Extension Act of 2004, Part
24 V (Public Law 108–310), including any amendment made
25 by such Act, the amount referred to in such Act shall be

1 the amount authorized to be appropriated, made available,
 2 allocated, set aside, taken down, or subject to an obliga-
 3 tion limitation.

4 **TITLE VI—TRANSPORTATION**
 5 **PLANNING AND PROJECT DE-**
 6 **LIVERY**

7 **SEC. 6001. TRANSPORTATION PLANNING.**

8 (a) IN GENERAL.—Subtitle III of title 49, United
 9 States Code, is amended by inserting after chapter 51 the
 10 following:

11 **“CHAPTER 52—TRANSPORTATION**
 12 **PLANNING AND PROJECT DELIVERY**

“SUBCHAPTER A—GENERAL PROVISIONS

“Sec.

“5201. Definitions.

“SUBCHAPTER B—TRANSPORTATION PLANNING AND PROJECT DELIVERY

“5211. Policy.

“5212. Definitions.

“5213. Metropolitan transportation planning.

“5214. Statewide transportation planning.

“SUBCHAPTER C—EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT
 DECISIONMAKING

“5251. Definitions and applicability.

“5252. Project development procedures.

13 **“SUBCHAPTER A—GENERAL PROVISIONS**

14 **“§ 5201. Definitions**

15 “In this chapter, the following definitions apply:

16 “(1) SECRETARY.—The term ‘Secretary’ means
 17 the Secretary of Transportation.

1 “(2) STATE.—The term ‘State’ means a State
2 of the United States, the District of Columbia, and
3 Puerto Rico.

4 “SUBCHAPTER B—TRANSPORTATION
5 PLANNING AND PROJECT DELIVERY

6 **“§ 5211. Policy**

7 “(a) IN GENERAL.—It is in the national interest to—

8 “(1) encourage and promote the safe and effi-
9 cient management, operation, and development of
10 surface transportation systems that will serve the
11 mobility needs of people and freight and foster eco-
12 nomic growth and development within and between
13 States and urbanized areas, while minimizing trans-
14 portation-related fuel consumption and air pollution
15 through metropolitan and statewide transportation
16 planning processes identified in this chapter; and

17 “(2) encourage the continued improvement and
18 evolution of the metropolitan and statewide trans-
19 portation planning processes by metropolitan plan-
20 ning organizations, State departments of transpor-
21 tation, and public transit operators as guided by the
22 planning factors identified in sections 5213(f) and
23 5214(d).

24 “(b) COMMON TRANSPORTATION PLANNING PRO-
25 GRAM.—This subchapter provides a common transpor-

1 tation planning program to be administered by the Fed-
2 eral Highway Administration and the Federal Transit Ad-
3 ministration.

4 **“§ 5212. Definitions**

5 “(a) APPLICABILITY BY REFERENCE.—Unless other-
6 wise specified in subsection (b), the definitions in section
7 101(a) of title 23 and section 5302 are applicable to this
8 subchapter.

9 “(b) ADDITIONAL DEFINITIONS.—In this subchapter,
10 the following definitions apply:

11 “(1) METROPOLITAN PLANNING AREA.—The
12 term ‘metropolitan planning area’ means the geo-
13 graphic area determined by agreement between the
14 metropolitan planning organization for the area and
15 the Governor under section 5213(c).

16 “(2) METROPOLITAN PLANNING ORGANIZA-
17 TION.—The term ‘metropolitan planning organiza-
18 tion’ means the policy board of an organization cre-
19 ated as a result of the designation process in section
20 5213(b).

21 “(3) NONMETROPOLITAN AREA.—The term
22 ‘nonmetropolitan area’ means a geographic area out-
23 side designated metropolitan planning areas.

24 “(4) NONMETROPOLITAN LOCAL OFFICIAL.—
25 The term ‘nonmetropolitan local official’ means

1 elected and appointed officials of general purpose
2 local government in a nonmetropolitan area with re-
3 sponsibility for transportation.

4 “(5) TIP.—The term ‘TIP’ means a transpor-
5 tation improvement program developed by a metro-
6 politan planning organization under section 5213.

7 “(6) URBANIZED AREA.—The term ‘urbanized
8 area’ means a geographic area with a population of
9 50,000 or more, as designated by the Bureau of the
10 Census.

11 **“§ 5213. Metropolitan transportation planning**

12 “(a) GENERAL REQUIREMENTS.—

13 “(1) DEVELOPMENT OF LONG-RANGE PLANS
14 AND TIPS.—To accomplish the objectives in section
15 5211, metropolitan planning organizations des-
16 ignated under subsection (b), in cooperation with the
17 State and public transportation operators, shall de-
18 velop long-range transportation plans and transpor-
19 tation improvement programs for metropolitan plan-
20 ning areas of the State.

21 “(2) CONTENTS.—The plans and TIPs for each
22 metropolitan area shall provide for the development
23 and integrated management and operation of trans-
24 portation systems and facilities (including accessible
25 pedestrian walkways and bicycle transportation fa-

1 cilities) that will function as an intermodal transpor-
2 tation system for the metropolitan planning area
3 and as an integral part of an intermodal transpor-
4 tation system for the State and the United States.

5 “(3) PROCESS OF DEVELOPMENT.—The process
6 for developing the plans and TIPs shall provide for
7 consideration of all modes of transportation and
8 shall be continuing, cooperative, and comprehensive
9 to the degree appropriate, based on the complexity
10 of the transportation problems to be addressed.

11 “(b) DESIGNATION OF METROPOLITAN PLANNING
12 ORGANIZATIONS.—

13 “(1) IN GENERAL.—To carry out the transpor-
14 tation planning process required by this section, a
15 metropolitan planning organization shall be des-
16 ignated for each urbanized area with a population of
17 more than 50,000 individuals—

18 “(A) by agreement between the Governor
19 and units of general purpose local government
20 that together represent at least 75 percent of
21 the affected population (including the largest
22 incorporated city (based on population) as
23 named by the Bureau of the Census); or

24 “(B) in accordance with procedures estab-
25 lished by applicable State or local law.

1 “(2) STRUCTURE.—Each metropolitan planning
2 organization that serves an area designated as a
3 transportation management area, when designated
4 or redesignated under this subsection, shall consist
5 of—

6 “(A) local elected officials;

7 “(B) officials of public agencies that ad-
8 minister or operate major modes of transpor-
9 tation in the metropolitan area; and

10 “(C) appropriate State officials.

11 “(3) LIMITATION ON STATUTORY CONSTRUC-
12 TION.—Nothing in this subsection shall be construed
13 to interfere with the authority, under any State law
14 in effect on December 18, 1991, of a public agency
15 with multimodal transportation responsibilities to—

16 “(A) develop the plans and TIPs for adop-
17 tion by a metropolitan planning organization;
18 and

19 “(B) develop long-range capital plans, co-
20 ordinate transit services and projects, and carry
21 out other activities pursuant to State law.

22 “(4) CONTINUING DESIGNATION.—A designa-
23 tion of a metropolitan planning organization under
24 this subsection or any other provision of law shall

1 remain in effect until the metropolitan planning or-
2 ganization is redesignated under paragraph (5).

3 “(5) REDESIGNATION PROCEDURES.—A metro-
4 politan planning organization may be redesignated
5 by agreement between the Governor and units of
6 general purpose local government that together rep-
7 resent at least 75 percent of the existing planning
8 area population (including the largest incorporated
9 city (based on population) as named by the Bureau
10 of the Census) as appropriate to carry out this sec-
11 tion.

12 “(6) DESIGNATION OF MORE THAN 1 METRO-
13 POLITAN PLANNING ORGANIZATION.—More than 1
14 metropolitan planning organization may be des-
15 ignated within an existing metropolitan planning
16 area only if the Governor and the existing metropoli-
17 tan planning organization determine that the size
18 and complexity of the existing metropolitan planning
19 area make designation of more than 1 metropolitan
20 planning organization for the area appropriate.

21 “(c) METROPOLITAN PLANNING AREA BOUND-
22 ARIES.—

23 “(1) IN GENERAL.—For the purposes of this
24 section, the boundaries of a metropolitan planning
25 area shall be determined by agreement between the

1 metropolitan planning organization and the Gov-
2 ernor.

3 “(2) INCLUDED AREA.—Each metropolitan
4 planning area—

5 “(A) shall encompass at least the existing
6 urbanized area and the contiguous area ex-
7 pected to become urbanized within a 20-year
8 forecast period for the transportation plan; and

9 “(B) may encompass the entire metropoli-
10 tan statistical area or consolidated metropolitan
11 statistical area, as defined by the Bureau of the
12 Census.

13 “(3) IDENTIFICATION OF NEW URBANIZED
14 AREAS WITHIN EXISTING PLANNING AREA BOUND-
15 ARIES.—The designation by the Bureau of the Cen-
16 sus of new urbanized areas within an existing metro-
17 politan planning area shall not require the redesis-
18 nation of the existing metropolitan planning organi-
19 zation.

20 “(4) EXISTING METROPOLITAN PLANNING
21 AREAS IN NONATTAINMENT.—Notwithstanding para-
22 graph (2), in the case of an urbanized area des-
23 igned as a nonattainment area for ozone or carbon
24 monoxide under the Clean Air Act (42 U.S.C. 7401
25 et seq.) as of the date of enactment of this para-

1 graph, the boundaries of the metropolitan planning
2 area in existence as of such date of enactment shall
3 be retained; except that the boundaries may be ad-
4 justed by agreement of the Governor and affected
5 metropolitan planning organizations in the manner
6 described in subsection (b)(5).

7 “(5) NEW METROPOLITAN PLANNING AREAS IN
8 NONATTAINMENT.—In the case of an urbanized area
9 designated after the date of enactment of this para-
10 graph as a nonattainment area for ozone or carbon
11 monoxide, the boundaries of the metropolitan plan-
12 ning area—

13 “(A) shall be established in the manner de-
14 scribed in subsection (b)(1);

15 “(B) shall encompass the areas described
16 in paragraph (2)(A);

17 “(C) may encompass the areas described in
18 paragraph (2)(B); and

19 “(D) may address any nonattainment area
20 identified under the Clean Air Act for ozone or
21 carbon monoxide.

22 “(d) COORDINATION IN MULTISTATE AREAS.—

23 “(1) IN GENERAL.—The Secretary shall encour-
24 age each Governor with responsibility for a portion
25 of a multistate metropolitan area and the appro-

1 appropriate metropolitan planning organizations to pro-
2 vide coordinated transportation planning for the en-
3 tire metropolitan area.

4 “(e) MPO CONSULTATION IN PLAN AND TIP CO-
5 ORDINATION.—

6 “(1) NONATTAINMENT AREAS.—If more than 1
7 metropolitan planning organization has authority
8 within a metropolitan area or an area which is des-
9 igned as a nonattainment area for ozone or carbon
10 monoxide under the Clean Air Act, each metropoli-
11 tan planning organization shall consult with the
12 other metropolitan planning organizations des-
13 igned for such area and the State in the coordina-
14 tion of plans and TIPs required by this section.

15 “(2) TRANSPORTATION IMPROVEMENTS LO-
16 CATED IN MULTIPLE MPOS.—If a transportation im-
17 provement funded from the Highway Trust Fund or
18 authorized under chapter 53 is located within the
19 boundaries of more than 1 metropolitan planning
20 area, the metropolitan planning organizations shall
21 coordinate plans and TIPs regarding the transpor-
22 tation improvement.

23 “(3) RELATIONSHIP WITH OTHER PLANNING
24 OFFICIALS.—The Secretary shall encourage each
25 metropolitan planning organization to consult with

1 those officials responsible for other types of planning
2 activities that are affected by transportation in the
3 area (including State and local planned growth, eco-
4 nomic development, environmental protection, air-
5 port operations, and freight movements) or to co-
6 ordinate its planning process, to the maximum ex-
7 tent practicable, with such planning activities. Under
8 the metropolitan planning process, transportation
9 plans and TIPs shall be developed with due consid-
10 eration of other related planning activities within the
11 metropolitan area, and the process shall provide for
12 the design and delivery of transportation services
13 within the metropolitan area that are provided by—

14 “(A) recipients of assistance under chapter
15 53;

16 “(B) governmental agencies and nonprofit
17 organizations (including representatives of the
18 agencies and organizations) that receive Federal
19 assistance from a source other than the Depart-
20 ment of Transportation to provide non-
21 emergency transportation services; and

22 “(C) recipients of assistance under section
23 204 of title 23.

24 “(f) SCOPE OF PLANNING PROCESS.—

1 “(1) IN GENERAL.—The goals and objectives
2 developed through the metropolitan planning process
3 for a metropolitan planning area under this section
4 shall address the following factors as they relate to
5 the performance of the metropolitan area transpor-
6 tation systems:

7 “(A) Support of the economic vitality of
8 the metropolitan area, especially by enabling
9 global competitiveness, productivity, and effi-
10 ciency.

11 “(B) Increases in the safety and security
12 of the transportation system for motorized and
13 nonmotorized users.

14 “(C) Increases in the accessibility and mo-
15 bility of people and for freight.

16 “(D) Protection and enhancement of the
17 environment, promotion of energy conservation,
18 improvement of the quality of life, and pro-
19 motion of consistency between transportation
20 improvements and State and local planned
21 growth and economic development patterns.

22 “(E) Enhancement of the integration and
23 connectivity of the transportation system,
24 across and between modes, for people and
25 freight.

1 “(F) Promotion of efficient system man-
2 agement and operation.

3 “(G) Emphasis on the preservation of the
4 existing transportation system.

5 “(2) FAILURE TO CONSIDER FACTORS.—The
6 failure to consider any factor specified in paragraph
7 (1) shall not be reviewable by any court under title
8 23 or this title, subchapter II of chapter 5 of title
9 5, or chapter 7 of title 5 in any matter affecting a
10 transportation plan, a TIP, a project or strategy, or
11 the certification of a planning process.

12 “(g) DEVELOPMENT OF TRANSPORTATION PLAN.—

13 “(2) TRANSPORTATION PLAN.—A transpor-
14 tation plan under this section shall be in a form that
15 the Secretary determines to be appropriate and shall
16 contain, at a minimum, the following:

17 “(A) An identification of transportation fa-
18 cilities (including major roadways, transit,
19 multimodal and intermodal facilities, and inter-
20 modal connectors) that should function as an
21 integrated metropolitan transportation system,
22 giving emphasis to those facilities that serve im-
23 portant national and regional transportation
24 functions. In formulating the transportation
25 plan, the metropolitan planning organization

1 shall consider factors described in subsection (f)
2 as such factors relate to a 20-year forecast pe-
3 riod.

4 “(B) A financial plan that demonstrates
5 how the adopted transportation plan can be im-
6 plemented, indicates resources from public and
7 private sources that are reasonably expected to
8 be made available to carry out the plan, and
9 recommends any additional financing strategies
10 for needed projects and programs. The financial
11 plan may include, for illustrative purposes, ad-
12 ditional projects that would be included in the
13 adopted transportation plan if reasonable addi-
14 tional resources beyond those identified in the
15 financial plan were available. For the purpose
16 of developing the transportation plan, the met-
17 ropolitan planning organization, transit oper-
18 ator, and State shall cooperatively develop esti-
19 mates of funds that will be available to support
20 plan implementation.

21 “(C) Operational and management strate-
22 gies to improve the performance of existing
23 transportation facilities to relieve vehicular con-
24 gestion and maximize the safety and mobility of
25 people and goods.

1 “(D) Capital investment and other strate-
2 gies to preserve the existing and projected fu-
3 ture metropolitan transportation infrastructure
4 and provide for multimodal capacity increases
5 based on regional priorities and needs.

6 “(E) Proposed transportation and transit
7 enhancement activities.

8 “(3) COORDINATION WITH CLEAN AIR ACT
9 AGENCIES.—In metropolitan areas which are in non-
10 attainment for ozone or carbon monoxide under the
11 Clean Air Act, the metropolitan planning organiza-
12 tion shall coordinate the development of a transpor-
13 tation plan with the process for development of the
14 transportation control measures of the State imple-
15 mentation plan required by the Clean Air Act.

16 “(4) PARTICIPATION BY INTERESTED PAR-
17 TIES.—Before approving a transportation plan, each
18 metropolitan planning organization shall provide citi-
19 zens, affected public agencies, representatives of
20 public transportation employees, freight shippers,
21 providers of freight transportation services, private
22 providers of transportation, representatives of users
23 of public transportation, representatives of users of
24 pedestrian walkways and bicycle transportation fa-
25 cilities, representatives of the disabled, and other in-

1 terested parties with a reasonable opportunity to
2 comment on the transportation plan, in a manner
3 that the Secretary deems appropriate.

4 “(5) PUBLICATION.—A transportation plan in-
5 volving Federal participation shall be published or
6 otherwise made readily available by the metropolitan
7 planning organization for public review and sub-
8 mitted for information purposes to the Governor at
9 such times and in such manner as the Secretary
10 shall establish.

11 “(6) SELECTION OF PROJECTS FROM ILLUS-
12 TRATIVE LIST.—Notwithstanding paragraph (2)(B),
13 a State or metropolitan planning organization shall
14 not be required to select any project from the illus-
15 trative list of additional projects included in the fi-
16 nancial plan under paragraph (2)(B).

17 “(h) METROPOLITAN TIP.—

18 “(1) DEVELOPMENT.—

19 “(A) IN GENERAL.—In cooperation with
20 the State and any affected public transportation
21 operator, the metropolitan planning organiza-
22 tion designated for a metropolitan area shall
23 develop a TIP for the area for which the orga-
24 nization is designated.

1 “(B) OPPORTUNITY FOR COMMENT.—In
2 developing the TIP, the metropolitan planning
3 organization, in cooperation with the State and
4 any affected public transportation operator,
5 shall provide citizens, affected public agencies,
6 representatives of public transportation employ-
7 ees, freight shippers, providers of freight trans-
8 portation services, private providers of transpor-
9 tation, representatives of users of public trans-
10 portation, representatives of the disabled, rep-
11 resentatives of users of pedestrian walkways
12 and bicycle facilities, and other interested par-
13 ties with a reasonable opportunity to comment
14 on the proposed TIP.

15 “(C) FUNDING ESTIMATES.—For the pur-
16 pose of developing the TIP, the metropolitan
17 planning organization, public transportation
18 agency, and State shall cooperatively develop
19 estimates of funds that are reasonably expected
20 to be available to support program implementa-
21 tion.

22 “(D) UPDATING AND APPROVAL.—The
23 TIP shall be updated at least once every 4
24 years and shall be approved by the metropolitan
25 planning organization and the Governor.

1 “(2) CONTENTS.—

2 “(A) PRIORITY LIST.—The TIP shall in-
3 clude a priority list of proposed federally sup-
4 ported projects and strategies to be carried out
5 within each 4-year period after the initial adop-
6 tion of the TIP.

7 “(B) FINANCIAL PLAN.—The TIP shall in-
8 clude a financial plan that—

9 “(i) demonstrates how the TIP can be
10 implemented;

11 “(ii) indicates resources from public
12 and private sources that are reasonably ex-
13 pected to be available to carry out the pro-
14 gram;

15 “(iii) identifies innovative financing
16 techniques to finance projects, programs,
17 and strategies; and

18 “(iv) may include, for illustrative pur-
19 poses, additional projects that would be in-
20 cluded in the approved TIP if reasonable
21 additional resources beyond those identi-
22 fied in the financial plan were available.

23 “(C) DESCRIPTIONS.—Each project in the
24 TIP shall include sufficient descriptive material
25 (such as type of work, termini, length, and

1 other similar factors) to identify the project or
2 phase of the project.

3 “(D) CONGESTION RELIEF ACTIVITIES.—
4 The TIP shall include a listing of congestion re-
5 lief activities to be carried out to meet the re-
6 quirements of section 139 of title 23, cat-
7 egorized as either under one or under three
8 congestion relief activities.

9 “(3) INCLUDED PROJECTS.—

10 “(A) PROJECTS UNDER TITLE 23 AND
11 CHAPTER 53.—A TIP developed under this sub-
12 section for a metropolitan area shall include the
13 projects within the area that are proposed for
14 funding under chapter 1 of title 23 and chapter
15 53.

16 “(B) PROJECTS UNDER CHAPTER 2 OF
17 TITLE 23.—All projects proposed for funding
18 under chapter 2 of title 23 shall be identified
19 individually in the TIP.

20 “(C) CONSISTENCY WITH LONG-RANGE
21 TRANSPORTATION PLAN.—Each project shall be
22 consistent with the long-range transportation
23 plan developed under subsection (g) for the
24 area.

1 “(D) REQUIREMENT OF ANTICIPATED
2 FULL FUNDING.—The program shall include a
3 project, or an identified phase of a project, only
4 if full funding can reasonably be anticipated to
5 be available for the project within the time pe-
6 riod contemplated for completion of the project.

7 “(4) NOTICE AND COMMENT.—Before approv-
8 ing a TIP, a metropolitan planning organization, in
9 cooperation with the State and any affected public
10 transportation operator, shall provide citizens, af-
11 fected public agencies, representatives of public
12 transportation employees, freight shippers, providers
13 of freight transportation services, private providers
14 of transportation, representatives of users of public
15 transportation, representatives of the disabled, rep-
16 resentatives of users of pedestrian walkways and bi-
17 cycle facilities, and other interested parties with rea-
18 sonable notice of and an opportunity to comment on
19 the proposed program.

20 “(5) SELECTION OF PROJECTS.—

21 “(A) IN GENERAL.—Except as otherwise
22 provided in subsection (i)(4) and in addition to
23 the TIP development required under paragraph
24 (1), the selection of federally funded projects in

1 metropolitan areas shall be carried out, from
2 the approved TIP—

3 “(i) by—

4 “(I) in the case of projects under
5 title 23, the State; and

6 “(II) in the case of projects
7 under chapter 53, the designated re-
8 cipients of public transportation fund-
9 ing; and

10 “(ii) in cooperation with the metro-
11 politan planning organization.

12 “(B) MODIFICATIONS TO PROJECT PRI-
13 ORITY.—Notwithstanding any other provision of
14 law, action by the Secretary shall not be re-
15 quired to advance a project included in the ap-
16 proved TIP in place of another project in the
17 program.

18 “(6) SELECTION OF PROJECTS FROM ILLUS-
19 TRATIVE LIST.—

20 “(A) NO REQUIRED SELECTION.—Notwith-
21 standing paragraph (2)(B)(iv), a State or met-
22 ropolitan planning organization shall not be re-
23 quired to select any project from the illustrative
24 list of additional projects included in the finan-
25 cial plan under paragraph (2)(B)(iv).

1 “(B) REQUIRED ACTION BY THE SEC-
2 RETARY.—Action by the Secretary shall be re-
3 quired for a State or metropolitan planning or-
4 ganization to select any project from the illus-
5 trative list of additional projects included in the
6 financial plan under paragraph (2)(B)(iv) for
7 inclusion in an approved TIP.

8 “(7) PUBLICATION.—

9 “(A) PUBLICATION OF TIPS.—A TIP in-
10 volving Federal participation shall be published
11 or otherwise made readily available by the met-
12 ropolitan planning organization for public re-
13 view.

14 “(B) PUBLICATION OF ANNUAL LISTINGS
15 OF PROJECTS.—An annual listing of projects
16 for which Federal funds have been obligated in
17 the preceding year shall be published or other-
18 wise made available by the metropolitan plan-
19 ning organization for public review. The listing
20 shall be consistent with the categories identified
21 in the TIP.

22 “(i) TRANSPORTATION MANAGEMENT AREAS.—

23 “(1) IDENTIFICATION AND DESIGNATION.—

24 “(A) REQUIRED IDENTIFICATION.—The
25 Secretary shall identify as a transportation

1 management area each urbanized area (as de-
2 fined by the Bureau of the Census) with a pop-
3 ulation of over 200,000 individuals.

4 “(B) DESIGNATIONS ON REQUEST.—The
5 Secretary shall designate any additional area as
6 a transportation management area on the re-
7 quest of the Governor and the metropolitan
8 planning organization designated for the area.

9 “(2) TRANSPORTATION PLANS.—In a metropoli-
10 tan planning area serving a transportation manage-
11 ment area, transportation plans shall be based on a
12 continuing and comprehensive transportation plan-
13 ning process carried out by the metropolitan plan-
14 ning organization in cooperation with the State and
15 public transportation operators.

16 “(3) CONGESTION MANAGEMENT PROCESS.—
17 Within a metropolitan planning area serving a trans-
18 portation management area, the transportation plan-
19 ning process under this section shall address conges-
20 tion management through a process that provides
21 for effective management and operation, based on a
22 cooperatively developed and implemented metropoli-
23 tan-wide strategy, of new and existing transportation
24 facilities eligible for funding under title 23 and chap-
25 ter 53 through the use of travel demand reduction

1 and operational management strategies and shall
2 identify a sufficient number of congestion relief ac-
3 tivities under section 139 of title 23 to meet the re-
4 quirements of such section. The Secretary shall es-
5 tablish an appropriate phase-in schedule for compli-
6 ance with the requirements of this section but no
7 sooner than one year after the identification of a
8 transportation management area.

9 “(4) SELECTION OF PROJECTS.—

10 “(A) IN GENERAL.—All federally funded
11 projects carried out within the boundaries of a
12 metropolitan planning area serving a transpor-
13 tation management area under title 23 (exclud-
14 ing projects carried out on the National High-
15 way System and projects carried out under the
16 bridge program or the Interstate maintenance
17 program) or under chapter 53 shall be selected
18 for implementation from the approved TIP by
19 the metropolitan planning organization des-
20 ignated for the area in consultation with the
21 State and any affected public transportation op-
22 erator.

23 “(B) NATIONAL HIGHWAY SYSTEM
24 PROJECTS.—Projects, carried out within the
25 boundaries of a metropolitan planning area

1 serving a transportation management area, on
2 the National Highway System and projects car-
3 ried out within such boundaries under the
4 bridge program or the Interstate maintenance
5 program under title 23 shall be selected for im-
6 plementation from the approved TIP by the
7 State in cooperation with the metropolitan plan-
8 ning organization designated for the area.

9 “(5) CERTIFICATION.—

10 “(A) IN GENERAL.—The Secretary shall—

11 “(i) ensure that the metropolitan
12 planning process of a metropolitan plan-
13 ning organization serving a transportation
14 management area is being carried out in
15 accordance with applicable provisions of
16 Federal law; and

17 “(ii) subject to subparagraph (B), cer-
18 tify, not less often than once every 4 years,
19 that the requirements of this paragraph
20 are met with respect to the metropolitan
21 planning process.

22 “(B) REQUIREMENTS FOR CERTIFI-
23 CATION.—The Secretary may make the certifi-
24 cation under subparagraph (A) if—

1 “(i) the transportation planning proc-
2 ess complies with the requirements of this
3 section and other applicable requirements
4 of Federal law; and

5 “(ii) there is a TIP for the metropoli-
6 tan planning area that has been approved
7 by the metropolitan planning organization
8 and the Governor.

9 “(C) EFFECT OF FAILURE TO CERTIFY.—

10 “(i) WITHHOLDING OF PROJECT
11 FUNDS.—If a metropolitan planning proc-
12 ess of a metropolitan planning organization
13 serving a transportation management area
14 is not certified, the Secretary may withhold
15 up to 20 percent of the funds attributable
16 to the metropolitan planning area of the
17 metropolitan planning organization for
18 projects funded under title 23 and chapter
19 53.

20 “(ii) RESTORATION OF WITHHELD
21 FUNDS.—The withheld funds shall be re-
22 stored to the metropolitan planning area at
23 such time as the metropolitan planning
24 process is certified by the Secretary.

1 “(D) REVIEW OF CERTIFICATION.—In
2 making certification determinations under this
3 paragraph, the Secretary shall provide for pub-
4 lic involvement appropriate to the metropolitan
5 area under review.

6 “(j) ABBREVIATED PLANS FOR CERTAIN AREAS.—

7 “(1) IN GENERAL.—Subject to paragraph (2),
8 in the case of a metropolitan area not designated as
9 a transportation management area under this sec-
10 tion, the Secretary may provide for the development
11 of an abbreviated transportation plan and TIP for
12 the metropolitan planning area that the Secretary
13 determines is appropriate to achieve the purposes of
14 this section, taking into account the complexity of
15 transportation problems in the area.

16 “(2) NONATTAINMENT AREAS.—The Secretary
17 may not permit abbreviated plans or TIPs for a
18 metropolitan area that is in nonattainment for ozone
19 or carbon monoxide under the Clean Air Act (42
20 U.S.C. 7401 et seq.).

21 “(k) ADDITIONAL REQUIREMENTS FOR CERTAIN
22 NONATTAINMENT AREAS.—

23 “(1) IN GENERAL.—Notwithstanding any other
24 provisions of title 23 or chapter 53, for transpor-
25 tation management areas classified as nonattain-

1 ment for ozone or carbon monoxide pursuant to the
2 Clean Air Act, Federal funds may not be advanced
3 in such area for any highway project that will result
4 in a significant increase in the carrying capacity for
5 single-occupant vehicles unless the project is ad-
6 dressed through a congestion management process.

7 “(2) APPLICABILITY.—This subsection applies
8 to a nonattainment area within the metropolitan
9 planning area boundaries determined under sub-
10 section (c).

11 “(1) LIMITATION ON STATUTORY CONSTRUCTION.—
12 Nothing in this section shall be construed to confer on
13 a metropolitan planning organization the authority to im-
14 pose legal requirements on any transportation facility,
15 provider, or project not eligible under title 23 or chapter
16 53.

17 “(m) FUNDING.—

18 “(1) SET-ASIDES.—Funds set aside under sec-
19 tion 104(f) of title 23 or section 5305(h) shall be
20 available to carry out this section.

21 “(2) OTHER FUNDING.—Funds made available
22 under section 5338(c) shall be available to carry out
23 this section.

24 “(n) CONTINUATION OF CURRENT REVIEW PRAC-
25 TICE.—Since plans and TIPs described in this section are

1 subject to a reasonable opportunity for public comment,
2 individual projects included in plans and TIPs are subject
3 to review under the National Environmental Policy Act of
4 1969 (42 U.S.C. 4321 et seq.), and decisions by the Sec-
5 retary concerning plans and TIPs described in this section
6 have not been reviewed under such Act as of January 1,
7 1997, any decision by the Secretary concerning a plan or
8 TIP described in this section shall not be considered to
9 be a Federal action subject to review under such Act.

10 **“§ 5214. Statewide transportation planning**

11 “(a) GENERAL REQUIREMENTS.—

12 “(1) DEVELOPMENT OF PLANS AND PRO-
13 GRAMS.—To accomplish the objectives stated in sec-
14 tion 5211, each State shall develop a statewide
15 transportation plan and a statewide transportation
16 improvement program for all areas of the State sub-
17 ject to section 5213. Such program shall cover a pe-
18 riod of 4 years and be updated every 4 years or
19 more frequently if the Governor elects to update
20 more frequently.

21 “(2) CONTENTS.—The statewide transportation
22 plan and the transportation improvement program
23 developed for each State shall provide for the devel-
24 opment and integrated management and operation
25 of transportation systems and facilities (including

1 accessible pedestrian walkways and bicycle transpor-
2 tation facilities) that will function as an intermodal
3 transportation system for the State and an integral
4 part of an intermodal transportation system for the
5 United States.

6 “(3) PROCESS OF DEVELOPMENT.—The process
7 for developing the statewide plan and the transpor-
8 tation improvement program shall provide for con-
9 sideration of all modes of transportation and the
10 policies stated in section 5211, and shall be con-
11 tinuing, cooperative, and comprehensive to the de-
12 gree appropriate, based on the complexity of the
13 transportation problems to be addressed.

14 “(b) COORDINATION WITH METROPOLITAN PLAN-
15 NING; STATE IMPLEMENTATION PLAN.—A State shall—

16 “(1) coordinate planning carried out under this
17 section with the transportation planning activities
18 carried out under section 5213 for metropolitan
19 areas of the State and with statewide trade and eco-
20 nomic development planning activities and related
21 multistate planning efforts; and

22 “(2) develop the transportation portion of the
23 State implementation plan as required by the Clean
24 Air Act (42 U.S.C. 7401 et seq.).

25 “(d) SCOPE OF PLANNING PROCESS.—

1 “(1) IN GENERAL.—Each State shall carry out
2 a statewide transportation planning process that
3 provides for consideration and implementation of
4 projects, strategies, and services that will—

5 “(A) support the economic vitality of the
6 United States, the States, nonmetropolitan
7 areas, and metropolitan areas, especially by en-
8 abling global competitiveness, productivity, and
9 efficiency;

10 “(B) increase the safety and security of
11 the transportation system for motorized and
12 nonmotorized users;

13 “(C) increase the accessibility and mobility
14 of people and freight;

15 “(D) protect and enhance the environment,
16 promote energy conservation, improve the qual-
17 ity of life, and promote consistency between
18 transportation improvements and State and
19 local planned growth and economic development
20 patterns;

21 “(E) enhance the integration and
22 connectivity of the transportation system,
23 across and between modes throughout the
24 State, for people and freight;

1 “(F) promote efficient system management
2 and operation; and

3 “(G) emphasize the preservation of the ex-
4 isting transportation system.

5 “(2) FAILURE TO CONSIDER FACTORS.—The
6 failure to consider any factor specified in paragraph
7 (1) shall not be reviewable by any court under title
8 23 or this title, subchapter II of chapter 5 of title
9 5, or chapter 7 of title 5 in any matter affecting a
10 statewide transportation plan, the transportation im-
11 provement program, a project or strategy, or the
12 certification of a planning process.

13 “(e) ADDITIONAL REQUIREMENTS.—In carrying out
14 planning under this section, each State shall consider, at
15 a minimum—

16 “(1) with respect to nonmetropolitan areas, the
17 concerns of affected local officials with responsibility
18 for transportation;

19 “(2) the concerns of Indian tribal governments
20 and Federal land management agencies that have
21 jurisdiction over land within the boundaries of the
22 State; and

23 “(3) coordination of transportation plans, the
24 transportation improvement program, and planning
25 activities with related planning activities being car-

1 ried out outside of metropolitan planning areas and
2 between States.

3 “(f) LONG-RANGE STATEWIDE TRANSPORTATION
4 PLAN.—

5 “(1) DEVELOPMENT.—Each State shall develop
6 a long-range statewide transportation plan, with a
7 minimum 20-year forecast period for all areas of the
8 State, that provides for the development and imple-
9 mentation of the intermodal transportation system
10 of the State.

11 “(2) CONSULTATION WITH GOVERNMENTS.—

12 “(A) METROPOLITAN AREAS.—The state-
13 wide transportation plan shall be developed for
14 each metropolitan area in the State in coopera-
15 tion with the metropolitan planning organiza-
16 tion designated for the metropolitan area under
17 section 5213.

18 “(B) NONMETROPOLITAN AREAS.—With
19 respect to nonmetropolitan areas, the statewide
20 transportation plan shall be developed in con-
21 sultation with affected nonmetropolitan officials
22 with responsibility for transportation. The Sec-
23 retary shall not review or approve the consulta-
24 tion process in each State.

1 “(C) INDIAN TRIBAL AREAS.—With respect
2 to each area of the State under the jurisdiction
3 of an Indian tribal government, the statewide
4 transportation plan shall be developed in con-
5 sultation with the tribal government and the
6 Secretary of the Interior.

7 “(3) PARTICIPATION BY INTERESTED PAR-
8 TIES.—In developing the statewide transportation
9 plan, the State shall—

10 “(A) provide citizens, affected public agen-
11 cies, representatives of public transportation
12 employees, freight shippers, private providers of
13 transportation, representatives of users of pub-
14 lic transportation, representatives of users of
15 pedestrian walkways and bicycle transportation
16 facilities, representatives of the disabled, pro-
17 viders of freight transportation services, and
18 other interested parties with a reasonable op-
19 portunity to comment on the proposed plan;
20 and

21 “(B) identify transportation strategies nec-
22 essary to efficiently serve the mobility needs of
23 people.

24 “(4) FINANCIAL PLAN.—The statewide trans-
25 portation plan may include a financial plan that

1 demonstrates how the adopted statewide transpor-
2 tation plan can be implemented, indicates resources
3 from public and private sources that are reasonably
4 expected to be made available to carry out the plan,
5 and recommends any additional financing strategies
6 for needed projects and programs. The financial
7 plan may include, for illustrative purposes, addi-
8 tional projects that would be included in the adopted
9 statewide transportation plan if reasonable addi-
10 tional resources beyond those identified in the finan-
11 cial plan were available.

12 “(5) SELECTION OF PROJECTS FROM ILLUS-
13 TRATIVE LIST.—A State shall not be required to se-
14 lect any project from the illustrative list of addi-
15 tional projects included in the financial plan de-
16 scribed in paragraph (4).

17 “(6) EXISTING SYSTEM.—The statewide trans-
18 portation plan should include capital, operations and
19 management strategies, investments, procedures,
20 and other measures to ensure the preservation and
21 most efficient use of the existing transportation sys-
22 tem.

23 “(g) STATEWIDE TRANSPORTATION IMPROVEMENT
24 PROGRAM.—

1 “(1) DEVELOPMENT.—Each State shall develop
2 a statewide transportation improvement program for
3 all areas of the State.

4 “(2) CONSULTATION WITH GOVERNMENTS.—

5 “(A) METROPOLITAN AREAS.—With re-
6 spect to each metropolitan area in the State,
7 the program shall be developed in cooperation
8 with the metropolitan planning organization
9 designated for the metropolitan area under sec-
10 tion 5213.

11 “(B) NONMETROPOLITAN AREAS.—With
12 respect to each nonmetropolitan area in the
13 State, the program shall be developed in con-
14 sultation with affected nonmetropolitan local of-
15 ficials with responsibility for transportation.
16 The Secretary shall not review or approve the
17 specific consultation process in the State.

18 “(C) INDIAN TRIBAL AREAS.—With respect
19 to each area of the State under the jurisdiction
20 of an Indian tribal government, the program
21 shall be developed in consultation with the trib-
22 al government and the Secretary of the Interior.

23 “(3) PARTICIPATION BY INTERESTED PAR-
24 TIES.—In developing the program, the State shall
25 provide citizens, affected public agencies, representa-

1 tives of public transportation employees, freight
2 shippers, private providers of transportation, pro-
3 viders of freight transportation services, representa-
4 tives of users of public transportation, representa-
5 tives of users of pedestrian walkways and bicycle
6 transportation facilities, representatives of the dis-
7 abled, and other interested parties with a reasonable
8 opportunity to comment on the proposed program.

9 “(4) INCLUDED PROJECTS.—

10 “(A) IN GENERAL.—A transportation im-
11 provement program developed under this sub-
12 section for a State shall include federally sup-
13 ported surface transportation expenditures
14 within the boundaries of the State.

15 “(B) PROJECTS UNDER CHAPTER 2 OF
16 TITLE 23.—All projects proposed for funding
17 under chapter 2 of title 23 shall be identified
18 individually in the transportation improvement
19 program.

20 “(C) CONSISTENCY WITH STATEWIDE
21 TRANSPORTATION PLAN.—Each project shall
22 be—

23 “(i) consistent with the statewide
24 transportation plan developed under this
25 section for the State;

1 “(ii) identical to the project or phase
2 of the project as described in an approved
3 metropolitan transportation plan; and

4 “(iii) in conformance with the applica-
5 ble State air quality implementation plan
6 developed under the Clean Air Act (42
7 U.S.C. 7401 et seq.), if the project is car-
8 ried out in an area designated as non-
9 attainment for ozone or carbon monoxide
10 under that Act.

11 “(D) REQUIREMENT OF ANTICIPATED
12 FULL FUNDING.—The transportation improve-
13 ment program shall include a project, or an
14 identified phase of a project, only if full funding
15 can reasonably be anticipated to be available for
16 the project within the time period contemplated
17 for completion of the project.

18 “(E) FINANCIAL PLAN.—The transpor-
19 tation improvement program may include a fi-
20 nancial plan that demonstrates how the ap-
21 proved transportation improvement program
22 can be implemented, indicates resources from
23 public and private sources that are reasonably
24 expected to be made available to carry out the
25 transportation improvement program, and rec-

1 ommends any additional financing strategies for
2 needed projects and programs. The financial
3 plan may include, for illustrative purposes, ad-
4 ditional projects that would be included in the
5 adopted transportation plan if reasonable addi-
6 tional resources beyond those identified in the
7 financial plan were available.

8 “(F) SELECTION OF PROJECTS FROM IL-
9 LUSTRATIVE LIST.—

10 “(i) NO REQUIRED SELECTION.—Not-
11 withstanding subparagraph (E), a State
12 shall not be required to select any project
13 from the illustrative list of additional
14 projects included in the financial plan
15 under subparagraph (E).

16 “(ii) REQUIRED ACTION BY THE SEC-
17 RETARY.—Action by the Secretary shall be
18 required for a State to select any project
19 from the illustrative list of additional
20 projects included in the financial plan
21 under subparagraph (E) for inclusion in an
22 approved transportation improvement pro-
23 gram.

24 “(G) PRIORITIES.—The transportation im-
25 provement program shall reflect the priorities

1 for programming and expenditures of funds, in-
2 cluding transportation enhancement activities,
3 required by title 23 and chapter 53.

4 “(H) PRIORITIZATION OF CONGESTION RE-
5 LIEF ACTIVITIES.—The transportation improve-
6 ment program shall reflect the priorities for
7 congestion relief activities included in the met-
8 ropolitan transportation plan to meet the re-
9 quirements of section 139 of title 23.

10 “(5) PROJECT SELECTION FOR AREAS OF LESS
11 THAN 50,000 POPULATION.—Projects carried out in
12 areas with populations of less than 50,000 individ-
13 uals shall be selected, from the approved transpor-
14 tation improvement program (excluding projects car-
15 ried out on the National Highway System and
16 projects carried out under the bridge program or the
17 Interstate maintenance program under title 23 or
18 sections 5310, 5311, 5316, and 5317), by the State
19 in cooperation with the affected nonmetropolitan
20 local officials with responsibility for transportation.
21 Projects carried out in areas with populations of less
22 than 50,000 individuals on the National Highway
23 System or under the bridge program or the Inter-
24 state maintenance program under title 23 or under
25 sections 5310, 5311, 5316, and 5317 shall be se-

1 lected, from the approved statewide transportation
2 improvement program, by the State in consultation
3 with the affected nonmetropolitan local officials with
4 responsibility for transportation.

5 “(6) TRANSPORTATION IMPROVEMENT PRO-
6 GRAM APPROVAL.—Every 4 years, a transportation
7 improvement program developed under this sub-
8 section shall be reviewed and approved by the Sec-
9 retary if based on a current planning finding.

10 “(7) PLANNING FINDING.—A finding shall be
11 made by the Secretary at least every 4 years that
12 the transportation planning process through which
13 statewide transportation plans and programs are de-
14 veloped is consistent with this section and section
15 5213.

16 “(8) MODIFICATIONS TO PROJECT PRIORITY.—
17 Notwithstanding any other provision of law, action
18 by the Secretary shall not be required to advance a
19 project included in the approved transportation im-
20 provement program in place of another project in
21 the program.

22 “(h) FUNDING.—

23 “(1) SET-ASIDE.—Funds set aside pursuant to
24 section 104(i) of title 23 shall be available to carry
25 out this section.

1 “(2) OTHER FUNDING.—Funds made available
2 under section 5338(c) shall be available to carry out
3 this section.

4 “(i) TREATMENT OF CERTAIN STATE LAWS AS CON-
5 GESTION MANAGEMENT PROCESSES.—For purposes of
6 this section and section 5213, State laws, rules, or regula-
7 tions pertaining to congestion management systems or
8 programs may constitute the congestion management
9 process under section 5213(i)(3) if the Secretary finds
10 that the State laws, rules, or regulations are consistent
11 with, and fulfill the intent of, the purposes of section
12 5213, as appropriate.

13 “(j) CONTINUATION OF CURRENT REVIEW PRAC-
14 TICE.—Since the statewide transportation plan and the
15 transportation improvement program described in this sec-
16 tion are subject to a reasonable opportunity for public
17 comment, since individual projects included in the state-
18 wide transportation plans and the transportation improve-
19 ment program are subject to review under the National
20 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
21 seq.), and since decisions by the Secretary concerning
22 statewide transportation plans or the transportation im-
23 provement program described in this section have not been
24 reviewed under such Act as of January 1, 1997, any deci-
25 sion by the Secretary concerning a metropolitan or state-

1 wide transportation plan or the transportation improve-
 2 ment program described in this section shall not be consid-
 3 ered to be a Federal action subject to review under such
 4 Act.”.

5 (b) CONFORMING AMENDMENT.—The analysis for
 6 such subtitle is amended by inserting the following after
 7 the item relating to chapter 51:

“52. Transportation planning and project delivery. 5201”.

8 **SEC. 6002. EFFICIENT ENVIRONMENTAL REVIEWS FOR**
 9 **PROJECT DECISIONMAKING.**

10 (a) POLICY AND PURPOSE.—

11 (1) POLICY.—The Enlibra principles, as ini-
 12 tially developed by the Western Governors Associa-
 13 tion and adopted by the National Governors Associa-
 14 tion, represent a sound basis for interaction among
 15 the Federal, State, local governments, and Indian
 16 tribes on environmental matters and should be fol-
 17 lowed in the development of highway construction
 18 and public transit improvements. These principles
 19 are as follows:

20 (A) Assign responsibilities at the right
 21 level.

22 (B) Use collaborative processes to break
 23 down barriers and find solutions.

24 (C) Move to a performance-based system.

1 (D) Separate subjective choices from objec-
2 tive data gathering.

3 (E) Pursue economic incentives whenever
4 appropriate.

5 (F) Ensure environmental understanding.

6 (G) Make sure environmental decisions are
7 fully informed.

8 (H) Use appropriate geographic bound-
9 aries for environmental problems.

10 (2) PURPOSE.—The purpose of this section is
11 to reduce delays in the delivery of highway construc-
12 tion and public transportation capital projects aris-
13 ing from the environmental review process, while
14 continuing to ensure the protection of the human
15 and natural environment.

16 (b) PROJECT DEVELOPMENT PROCEDURES.—Chap-
17 ter 52 of title 49, United States Code, as added by section
18 6001(a) of this Act, is amended by adding at the end the
19 following:

20 “SUBCHAPTER C—EFFICIENT ENVIRON-
21 MENTAL REVIEWS FOR PROJECT DECISION-
22 MAKING

23 “§ 5251. **Definitions and applicability**

24 “(a) DEFINITIONS.—In this subchapter, the following
25 definitions apply:

1 “(1) AGENCY.—The term ‘agency’ means any
2 agency, department, or other unit of Federal, State,
3 local, or Indian tribal government.

4 “(2) ENVIRONMENTAL IMPACT STATEMENT.—
5 The term ‘environmental impact statement’ means
6 the detailed statement of environmental impacts re-
7 quired to be prepared under the National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

9 “(3) ENVIRONMENTAL REVIEW PROCESS.—

10 “(A) IN GENERAL.—The term ‘environ-
11 mental review process’ means the process for
12 preparing for a project an environmental impact
13 statement, environmental assessment, categor-
14 ical exclusion, or other document prepared
15 under the National Environmental Policy Act of
16 1969 (42 U.S.C. 4321 et seq.).

17 “(B) INCLUSIONS.—The term includes the
18 process for and completion of any environ-
19 mental permit, approval, review, or study re-
20 quired for a project under any Federal law
21 other than the National Environmental Policy
22 Act of 1969 (42 U.S.C. 4321 et seq.).

23 “(4) LEAD AGENCY.—The term ‘lead agency’
24 means the Department of Transportation and, if ap-

1 plicable, any State or local governmental entity serv-
2 ing as a joint lead agency pursuant to this section.

3 “(5) MULTIMODAL PROJECT.—The term
4 ‘multimodal project’ means a project funded, in
5 whole or in part, under title 23 or chapter 53 and
6 involving the participation of more than one Depart-
7 ment of Transportation administration or agency.

8 “(6) PROJECT.—The term ‘project’ means any
9 highway project, public transportation capital
10 project, or multimodal project that requires the ap-
11 proval of the Secretary.

12 “(7) PROJECT SPONSOR.—The term ‘project
13 sponsor’ means the agency or other entity, including
14 any private or public-private entity, that seeks ap-
15 proval of the Secretary for a project.

16 “(8) STATE TRANSPORTATION DEPARTMENT.—
17 The term ‘State transportation department’ means
18 any statewide agency of a State with responsibility
19 for one or more modes of transportation.

20 “(b) APPLICABILITY.—This subchapter is applicable
21 to all projects for which an environmental impact state-
22 ment is prepared under the National Environmental Pol-
23 icy Act of 1969 (42 U.S.C. 4321 et seq.). This subchapter
24 may be applied, to the extent determined appropriate by
25 the Secretary, to other projects for which an environ-

1 mental document is prepared pursuant to such Act. Any
2 authorities granted in this subchapter may be exercised
3 for a project, class of projects, or program of projects.

4 **“§ 5252. Project development procedures**

5 “(a) LEAD AGENCIES.—

6 “(1) FEDERAL LEAD AGENCY.—The Depart-
7 ment of Transportation shall be the Federal lead
8 agency in the environmental review process for a
9 project.

10 “(2) PROJECT SPONSOR AS JOINT LEAD AGEN-
11 CY.—Any project sponsor that is a State or local
12 governmental entity receiving funds under title 23 or
13 chapter 53 for the project shall serve as a joint lead
14 agency with the Department for purposes of pre-
15 paring any environmental document under the Na-
16 tional Environmental Policy Act of 1969 (42 U.S.C.
17 4321 et seq.) and may prepare any such environ-
18 mental document required in support of any action
19 or approval by the Secretary if the Federal lead
20 agency furnishes guidance in such preparation and
21 independently evaluates such document and the doc-
22 ument is approved and adopted by the Secretary
23 prior to the Secretary taking any subsequent action
24 or making any approval based on such document,

1 whether or not the Secretary's action or approval re-
2 sults in Federal funding.

3 “(3) ENSURING COMPLIANCE.—The Secretary
4 shall ensure that the project sponsor complies with
5 all design and mitigation commitments made jointly
6 by the Secretary and the project sponsor in any en-
7 vironmental document prepared by the project spon-
8 sor in accordance with this subsection and that such
9 document is appropriately supplemented if project
10 changes become necessary.

11 “(4) ADOPTION AND USE OF DOCUMENTS.—
12 Any environmental document prepared in accordance
13 with this subsection may be adopted or used by any
14 Federal agency making any approval to the same ex-
15 tent that such Federal agency could adopt or use a
16 document prepared by another Federal agency.

17 “(b) PARTICIPATING AGENCIES.—

18 “(1) IN GENERAL.—The lead agency shall be
19 responsible for inviting and designating participating
20 agencies in accordance with this subsection.

21 “(2) INVITATION.—The lead agency shall iden-
22 tify, as early as practicable in the environmental re-
23 view process for a project, any other Federal and
24 non-Federal agencies that may have an interest in
25 the project, and shall invite such agencies to become

1 participating agencies in the environmental review
2 process for the project. The invitation shall set a
3 deadline for responses to be submitted. The deadline
4 may be extended by the lead agency for good cause.

5 “(3) FEDERAL PARTICIPATING AGENCIES.—Any
6 Federal agency that is invited by the lead agency to
7 participate in the environmental review process for a
8 project shall be designated as a participating agency
9 by the lead agency unless the invited agency informs
10 the lead agency, in writing, by the deadline specified
11 in the invitation that the invited agency—

12 “(A) has no jurisdiction or authority with
13 respect to the project;

14 “(B) has no expertise or information rel-
15 evant to the project; and

16 “(C) does not intend to submit comments
17 on the project.

18 “(4) EFFECT OF DESIGNATION.—Designation
19 as a participating agency under this subsection shall
20 not imply that the participating agency—

21 “(A) supports a proposed project; or

22 “(B) has any jurisdiction over, or special
23 expertise with respect to evaluation of, the
24 project.

1 “(5) COOPERATING AGENCY.—A participating
2 agency may also be designated by a lead agency as
3 a ‘cooperating agency’ under the regulations con-
4 tained in part 1500 of title 40, Code of Federal Reg-
5 ulations.

6 “(6) DESIGNATIONS FOR CATEGORIES OF
7 PROJECTS.—The Secretary may exercise the authori-
8 ties granted under this subsection for a project,
9 class of projects, or program of projects.

10 “(c) PROJECT INITIATION.—

11 “(1) IN GENERAL.—The project sponsor shall
12 initiate the environmental review process for a
13 project by submitting an initiation notice to the Sec-
14 retary.

15 “(2) CONTENTS OF NOTICE.—The initiation no-
16 tice shall include, at a minimum, a brief description
17 of the type of work, termini, length, and general lo-
18 cation of the proposed project, together with a state-
19 ment of any Federal approvals anticipated to be
20 needed for the project.

21 “(d) PURPOSE AND NEED.—

22 “(1) PARTICIPATION.—As early as practicable
23 during the environmental review process, the lead
24 agency shall provide an opportunity for involvement

1 by participating agencies and the public in defining
2 the purpose and need for a project.

3 “(2) DEFINITION.—Following participation
4 under paragraph (1), the lead agency shall define
5 the project’s purpose and need for purposes of any
6 document which the lead agency is responsible for
7 preparing for the project.

8 “(3) OBJECTIVES.—The statement of purpose
9 and need shall include a clear statement of the ob-
10 jectives that the proposed action is intended to
11 achieve, which may include—

12 “(A) achieving a transportation objective
13 identified in an applicable statewide or metro-
14 politan transportation plan;

15 “(B) supporting land use, economic devel-
16 opment, or growth objectives established in ap-
17 plicable Federal, State, local, or tribal plans;
18 and

19 “(C) serving national defense, national se-
20 curity, or other national objectives, as estab-
21 lished in Federal laws, plans, or policies.

22 “(e) ALTERNATIVES ANALYSIS.—

23 “(1) PARTICIPATION.—As early as practicable
24 during the environmental review process, the lead
25 agency shall provide an opportunity for involvement

1 by participating agencies and the public in deter-
2 mining the range of alternatives to be considered for
3 a project.

4 “(2) RANGE OF ALTERNATIVES.—Following
5 participation under paragraph (1), the lead agency
6 shall determine the range of alternatives for consid-
7 eration in any document which the lead agency is re-
8 sponsible for preparing for the project.

9 “(3) METHODOLOGIES.—The lead agency also
10 shall determine, in collaboration with participating
11 agencies at appropriate times during the study proc-
12 ess, the methodologies to be used and the level of de-
13 tail required in the analysis of each alternative for
14 a project.

15 “(4) PREFERRED ALTERNATIVE.—At the dis-
16 cretion of the lead agency, the preferred alternative
17 for a project, after being identified, may be devel-
18 oped to a higher level of detail than other alter-
19 natives in order to facilitate the development of miti-
20 gation measures or concurrent compliance with other
21 applicable laws if the lead agency determines that
22 the development of such higher level of detail will
23 not prevent the lead agency from making an impar-
24 tial decision as to whether to accept another alter-

1 native which is being considered in the environ-
2 mental review process.

3 “(f) COMMENT DEADLINES.—The lead agency shall
4 establish the following deadlines for comment during the
5 environmental review process for a project:

6 “(1) For comments by agencies and the public
7 on a draft environmental impact statement, a period
8 of no more than 60 days from the date of public
9 availability of such document, unless—

10 “(A) a different deadline is established by
11 agreement of the lead agency, the project spon-
12 sor, and all participating agencies; or

13 “(B) the deadline is extended by the lead
14 agency for good cause.

15 “(2) For all other comment periods established
16 by the lead agency for agency or public comments in
17 the environmental review process, a period of no
18 more than 30 days from availability of the materials
19 on which comment is requested, unless—

20 “(A) a different deadline is established by
21 agreement of the lead agency, the project spon-
22 sor, and all participating agencies; or

23 “(B) the deadline is extended by the lead
24 agency for good cause.

25 “(g) ISSUE IDENTIFICATION AND RESOLUTION.—

1 “(1) COOPERATION.—The lead agency and the
2 participating agencies shall work cooperatively in ac-
3 cordance with this section to identify and resolve
4 issues that could delay completion of the environ-
5 mental review process or could result in denial of
6 any approvals required for the project under applica-
7 ble laws.

8 “(2) LEAD AGENCY RESPONSIBILITIES.—The
9 lead agency shall make information available to the
10 participating agencies as early as practicable in the
11 environmental review process regarding the environ-
12 mental and socioeconomic resources located within
13 the project area and the general locations of the al-
14 ternatives under consideration. Such information
15 may be based on existing data sources, including ge-
16 ographic information systems mapping.

17 “(3) PARTICIPATING AGENCY RESPONSIBIL-
18 ITIES.—Based on information received from the lead
19 agency, participating agencies shall identify, as early
20 as practicable, any issues of concern regarding the
21 project’s potential environmental or socioeconomic
22 impacts. In this paragraph, issues of concern include
23 any issues that could substantially delay or prevent
24 an agency from granting a permit or other approval
25 that is needed for the project.

1 “(4) ISSUE RESOLUTION.—Whenever issues of
2 concern are identified or at any time upon request
3 of a project sponsor, the lead agency shall promptly
4 convene a meeting with the relevant participating
5 agencies. If a resolution cannot be achieved within
6 30 days following such a meeting and a determina-
7 tion by the lead agency that all information nec-
8 essary to resolve the issue has been obtained, the
9 lead agency shall notify the heads of all Federal
10 agencies involved in the meeting and the Committee
11 on Environment and Public Works of the Senate
12 and the Committee on Transportation and Infra-
13 structure of the House of Representatives and shall
14 publish such notification in the Federal Register.

15 “(h) PARTICIPATION OF STATE AGENCIES.—For any
16 project eligible for assistance under title 23 or chapter 53,
17 a State may require, under procedures established by
18 State law, that all State agencies that have jurisdiction
19 by State or Federal law over environmental-related issues
20 that may be affected by the project, or that are required
21 to issue any environmental-related reviews, analyses, opin-
22 ions, or determinations on issuing any permits, licenses,
23 or approvals for the project, be subject to the coordinated
24 environmental review process established under this sec-
25 tion unless the Secretary determines that a State agency’s

1 participation would not be in the public interest. A State
2 participating in the review process must require all State
3 agencies with jurisdiction to be subject to and comply with
4 the review process to the same extent as a Federal agency.

5 “(i) ASSISTANCE TO AFFECTED STATE AND FED-
6 ERAL AGENCIES.—

7 “(1) IN GENERAL.—For a project that is sub-
8 ject to the environmental review process established
9 under this section and for which funds are made
10 available to a State under title 23 or chapter 53, the
11 Secretary may approve a request by the State to
12 provide funds so made available to affected Federal
13 agencies (including the Department of Transpor-
14 tation), State agencies, and Indian tribes partici-
15 pating in the environmental review process for the
16 project. Such funds may be provided only to support
17 activities that directly and meaningfully contribute
18 to expediting and improving transportation project
19 planning and delivery. Such activities may include
20 dedicated staffing, training of agency personnel, in-
21 formation gathering and mapping, and development
22 of programmatic agreements. The Secretary may
23 also use funds made available under section 204 of
24 title 23 for a project for the purposes specified in

1 this subsection with respect to the environmental re-
2 view process for the project.

3 “(2) AMOUNTS.—Requests under paragraph (1)
4 may be approved only for the additional amounts
5 that the Secretary determines are necessary for the
6 Federal agencies, State agencies, or Indian tribes
7 participating in the environmental review process to
8 meet the time limits for environmental review.

9 “(3) CONDITION.—A request under paragraph
10 (1) to expedite time limits for environmental review
11 may be approved only if such time limits are less
12 than the customary time necessary for such re-
13 view.”.

14 (c) EXISTING ENVIRONMENTAL REVIEW PROC-
15 ESSES.—Nothing in this section shall be deemed to affect
16 any existing environmental review process approved by the
17 Secretary.

18 **SEC. 6003. POLICY ON HISTORIC SITES.**

19 (a) TITLE 49.—Section 303 of title 49, United States
20 Code, is amended by adding at the end the following:

21 “(d) SPECIAL RULES FOR HISTORIC SITES.—

22 “(1) IN GENERAL.—The requirements of this
23 section are deemed to be satisfied in any case in
24 which the treatment of a historic site has been
25 agreed upon in accordance with section 106 of the

1 National Historic Preservation Act (16 U.S.C. 470f)
2 and the agreement includes a determination that the
3 program or project will not have an adverse effect on
4 the historic site.

5 “(2) LIMITATION ON APPLICABILITY.—This
6 subsection does not apply in any case in which the
7 Advisory Council on Historic Preservation deter-
8 mines, concurrent with or prior to the conclusion of
9 section 106 consultation, that allowing section 106
10 compliance to satisfy the requirements of this sec-
11 tion would be inconsistent with the objectives of the
12 National Historic Preservation Act. The Council
13 shall make such a determination if petitioned to do
14 so by a section 106 consulting party, unless the
15 Council affirmatively finds that the views of the re-
16 questing party have been adequately considered and
17 that section 106 compliance will adequately protect
18 historic properties.

19 “(3) DEFINITIONS.—In this subsection, the fol-
20 lowing definitions apply:

21 “(A) SECTION 106 CONSULTATION.—The
22 term ‘section 106 consultation’ means the con-
23 sultation process required under section 106 of
24 the National Historic Preservation Act (16
25 U.S.C. 470f).

1 “(B) ADVERSE EFFECT.—The term ‘ad-
2 verse effect’ means altering, directly or indi-
3 rectly, any of the characteristics of a historic
4 property that qualify the property for inclusion
5 in the National Register in a manner that
6 would diminish the integrity of the property’s
7 location, design, setting, materials, workman-
8 ship, feeling, or association.”.

9 (b) TITLE 23.—Section 138 of title 23, United States
10 Code is amended—

11 (1) by inserting “(a) Policy.—” before “It is”;
12 and

13 (2) by striking “In carrying” and inserting the
14 following:

15 “(c) STUDIES.—In carrying”; and

16 (3) by inserting after subsection (a) (as des-
17 ignated by paragraph (1)) the following:

18 “(b) SPECIAL RULES FOR HISTORIC SITES.—

19 “(1) IN GENERAL.—The requirements of this
20 section are deemed to be satisfied in any case in
21 which the treatment of a historic site has been
22 agreed upon in accordance with section 106 of the
23 National Historic Preservation Act (16 U.S.C. 470f)
24 and the agreement includes a determination that the

1 program or project will not have an adverse effect on
2 the historic site.

3 “(2) LIMITATION ON APPLICABILITY.—This
4 subsection does not apply in any case in which the
5 Advisory Council on Historic Preservation deter-
6 mines, concurrent with or prior to the conclusion of
7 section 106 consultation, that allowing section 106
8 compliance to satisfy the requirements of this sec-
9 tion would be inconsistent with the objectives of the
10 National Historic Preservation Act. The Council
11 shall make such a determination if petitioned to do
12 so by a section 106 consulting party, unless the
13 Council affirmatively finds that the views of the re-
14 questing party have been adequately considered and
15 that section 106 compliance will adequately protect
16 historic properties.

17 “(3) DEFINITIONS.—In this subsection, the fol-
18 lowing definitions apply:

19 “(A) SECTION 106 CONSULTATION.—The
20 term ‘section 106 consultation’ means the con-
21 sultation process required under section 106 of
22 the National Historic Preservation Act (16
23 U.S.C. 470f).

24 “(B) ADVERSE EFFECT.—The term ‘ad-
25 verse effect’ means altering, directly or indi-

1 rectly, any of the characteristics of a historic
2 property that qualify the property for inclusion
3 in the National Register in a manner that
4 would diminish the integrity of the property’s
5 location, design, setting, materials, workman-
6 ship, feeling, or association.”.

7 **SEC. 6004. EXEMPTION OF INTERSTATE SYSTEM.**

8 Section 103(e) of title 23, United States Code, is
9 amended by adding at the end the following:

10 “(5) EXEMPTION OF INTERSTATE SYSTEM.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), the Interstate System shall
13 not be considered to be a historic site under
14 section 303 of title 49 or section 138 of this
15 title, regardless of whether the Interstate Sys-
16 tem or portions of the Interstate System are
17 listed on, or eligible for listing on, the National
18 Register of Historic Places.

19 “(B) INDIVIDUAL ELEMENTS.—Subject to
20 subparagraph (C), a portion of the Interstate
21 System that possesses an independent feature
22 of historic significance (such as a historic
23 bridge or a highly significant engineering fea-
24 ture) that is listed on, or eligible for listing on,
25 the National Register of Historic Places, shall

1 be considered to be a historic site under section
2 303 of title 49 or section 138 of this title, as
3 applicable.

4 “(C) CONSTRUCTION, MAINTENANCE, RES-
5 TORATION, AND REHABILITATION ACTIVITIES.—
6 Subparagraph (B) does not prohibit a State
7 from carrying out construction, maintenance,
8 restoration, or rehabilitation activities for a por-
9 tion of the Interstate System referred to in sub-
10 paragraph (B) upon compliance with section
11 303 of title 49 or section 138 of this title, as
12 applicable, and section 106 of the National His-
13 toric Preservation Act of 1966 (16 U.S.C.
14 470f).”.

15 **SEC. 6005. INTERSTATE COMPACTS.**

16 Section 5213(d), as inserted by section 6001(a) of
17 this Act, is amended by inserting after paragraph (1) the
18 following:

19 “(2) INTERSTATE COMPACTS.—The consent of
20 Congress is granted to any 2 or more States—

21 “(A) to enter into agreements or compacts,
22 not in conflict with any law of the United
23 States, for cooperative efforts and mutual as-
24 sistance in support of activities authorized
25 under this section as the activities pertain to

1 interstate areas and localities within the States;
2 and

3 “(B) to establish such agencies, joint or
4 otherwise, as the States may determine desir-
5 able for making the agreements and compacts
6 effective.

7 “(3) LAKE TAHOE REGION.—

8 “(A) DEFINITION.—In this paragraph, the
9 term ‘Lake Tahoe region’ has the meaning
10 given the term ‘region’ in subdivision (a) of ar-
11 ticle II of the Tahoe Regional Planning Com-
12 pact, as set forth in the first section of Public
13 Law 96–551 (94 Stat. 3234).

14 “(B) TRANSPORTATION PLANNING PROC-
15 ESS.—The Secretary shall—

16 “(i) establish with the Federal land
17 management agencies that have jurisdic-
18 tion over land in the Lake Tahoe region a
19 transportation planning process for the re-
20 gion; and

21 “(ii) coordinate the transportation
22 planning process with the planning process
23 required of State and local governments
24 under this section and section 5214.

25 “(C) INTERSTATE COMPACT.—

1 “(i) IN GENERAL.—Subject to clause
2 (ii), notwithstanding subsection (b), to
3 carry out the transportation planning proc-
4 ess required by this section, the consent of
5 Congress is granted to the States of Cali-
6 fornia and Nevada to designate a metro-
7 politan planning organization for the Lake
8 Tahoe region, by agreement between the
9 Governors of the States of California and
10 Nevada and units of general purpose local
11 government that together represent at
12 least 75 percent of the affected population
13 (including the central city or cities (as de-
14 fined by the Bureau of the Census)), or in
15 accordance with procedures established by
16 applicable State or local law.

17 “(ii) INVOLVEMENT OF FEDERAL
18 LAND MANAGEMENT AGENCIES.—

19 “(I) REPRESENTATION.—The
20 policy board of a metropolitan plan-
21 ning organization designated under
22 clause (i) shall include a representa-
23 tive of each Federal land management
24 agency that has jurisdiction over land
25 in the Lake Tahoe region.

1 “(II) FUNDING.—In addition to
2 funds made available to the metropoli-
3 tan planning organization under other
4 provisions of title 23 and under chap-
5 ter 53, not more than 1 percent of the
6 funds allocated under section 202 of
7 title 23 may be used to carry out the
8 transportation planning process for
9 the Lake Tahoe region under this
10 subparagraph.

11 “(D) ACTIVITIES.—Highway projects in-
12 cluded in transportation plans developed under
13 this paragraph—

14 “(i) shall be selected for funding in a
15 manner that facilitates the participation of
16 the Federal land management agencies
17 that have jurisdiction over land in the
18 Lake Tahoe region; and

19 “(ii) may, in accordance with chapter
20 2 of title 23, be funded using funds allo-
21 cated under section 202 of title 23.

22 “(4) RESERVATION OF RIGHTS.—The right to
23 alter, amend or repeal interstate compacts entered
24 into under this subsection is expressly reserved.”.

1 **SEC. 6006. DEVELOPMENT OF TRANSPORTATION PLAN.**

2 Section 5213(g), as inserted by section 6001(a) of
3 this Act, is amended by inserting before paragraph (2) the
4 following:

5 “(1) IN GENERAL.—Each metropolitan plan-
6 ning organization shall prepare, and update periodi-
7 cally, according to a schedule that the Secretary de-
8 termines to be appropriate, a transportation plan for
9 its metropolitan planning area in accordance with
10 the requirements of this subsection. The metropoli-
11 tan planning organization shall prepare and update
12 such plan every 4 years (or more frequently, if the
13 metropolitan planning organization elects to update
14 more frequently) in the case of each of the following:

15 “(A) Any area designated as nonattain-
16 ment, as defined in section 107(d) of the Clean
17 Air Act (42 U.S.C. 7407(d)).

18 “(B) Any area that was nonattainment
19 and subsequently designated to attainment in
20 accordance with section 107(d)(3) of that Act
21 (42 U.S.C. 7407(d)(3)) and that is subject to
22 a maintenance plan under section 175A of that
23 Act (42 U.S.C. 7505a).

24 In the case of any other area required to have a
25 transportation plan in accordance with the require-
26 ments of this subsection, the metropolitan planning

1 organization shall prepare and update such plan
2 every 4 years unless the metropolitan planning orga-
3 nization elects to update more frequently.”.

4 **SEC. 6007. INTERSTATE AGREEMENTS.**

5 Section 5214, as inserted by section 6001(a) of this
6 Act, is amended by inserting after subsection (b) the fol-
7 lowing:

8 “(c) INTERSTATE AGREEMENTS.—

9 “(1) IN GENERAL.—The consent of Congress is
10 granted to 2 or more States entering into agree-
11 ments or compacts, not in conflict with any law of
12 the United States, for cooperative efforts and mu-
13 tual assistance in support of activities authorized
14 under this section related to interstate areas and lo-
15 calities in the States and establishing authorities the
16 States consider desirable for making the agreements
17 and compacts effective.

18 “(2) RESERVATION OF RIGHTS.—The right to
19 alter, amend or repeal interstate compacts entered
20 into under this subsection is expressly reserved.”.

21 **SEC. 6008. REGULATIONS RELATING TO TRANSPORTATION**
22 **PLANNING.**

23 Not later than 18 months after the date of enactment
24 of this Act, the Secretary shall issue regulations that are
25 consistent with the provisions of subchapter B of chapter

1 52 of title 49, United States Code, that relate to the Clean
2 Air Act.

3 **SEC. 6009. SPECIAL RULES RELATING TO PROJECT DEVEL-**
4 **OPMENT PROCEDURES.**

5 Section 5252 of title 49, United States Code, as in-
6 serted by section 6001(a) of this Act, is amended by add-
7 ing at the end the following:

8 “(j) JUDICIAL REVIEW AND SAVINGS CLAUSE.—

9 “(1) JUDICIAL REVIEW.—Except as set forth
10 under subsection (k), nothing in this section shall af-
11 fect the reviewability of any final Federal agency ac-
12 tion in a court of the United States.

13 “(2) SAVINGS CLAUSE.—Nothing in this section
14 shall be construed as superseding, amending, or
15 modifying the National Environmental Policy Act of
16 1969 (42 U.S.C. 4321 et seq.) or any other Federal
17 environmental statute or affect the responsibility of
18 any Federal officer to comply with or enforce any
19 such statute.

20 “(3) LIMITATIONS.—Nothing in this section
21 shall preempt or interfere with—

22 “(A) any practice of seeking, considering,
23 or responding to public comment; or

24 “(B) any power, jurisdiction, responsibility,
25 or authority that a Federal, State, or local gov-

1 ernment agency, metropolitan planning organi-
2 zation, Indian tribe, or project sponsor has with
3 respect to carrying out a project or any other
4 provisions of law applicable to projects, plans,
5 or programs.

6 “(k) LIMITATIONS ON CLAIMS.—

7 “(1) IN GENERAL.—Notwithstanding any other
8 provision of law, a claim arising under Federal law
9 seeking judicial review of a permit, license, or ap-
10 proval issued by a Federal agency for a highway or
11 public transportation capital project shall be barred
12 unless it is filed within 90 days after the permit, li-
13 cense, or approval is final pursuant to the law under
14 which the agency action is taken, unless a shorter
15 time is specified in the Federal law pursuant to
16 which judicial review is allowed. Nothing in this sub-
17 section shall create a right to judicial review or place
18 any limit on filing a claim that a person has violated
19 the terms of a permit, license, or approval.

20 “(2) NEW INFORMATION.—The Secretary shall
21 consider new information received after the close of
22 a comment period if the information satisfies the re-
23 quirements for a supplemental environmental impact
24 statement under section 771.130 of title 23, Code of
25 Federal Regulations. The preparation of a supple-

1 mental environmental impact statement when re-
2 quired shall be considered a separate final agency
3 action and the deadline for filing a claim for judicial
4 review of such action shall be 90 days after the date
5 of such action.”.

6 **TITLE VII—HAZARDOUS**
7 **MATERIALS TRANSPORTATION**

8 **SEC. 7001. AMENDMENT OF TITLE 49, UNITED STATES**
9 **CODE.**

10 Except as otherwise expressly provided, whenever in
11 this title an amendment or repeal is expressed in terms
12 of an amendment to, or a repeal of, a section or other
13 provision, the reference shall be considered to be made to
14 a section or other provision of title 49, United States
15 Code.

16 **SEC. 7002. FINDINGS AND PURPOSE.**

17 (a) FINDINGS.—Congress finds with respect to haz-
18 ardous materials transportation that—

19 (1) approximately 4,000,000,000 tons of regu-
20 lated hazardous materials are transported each year
21 and approximately 1,200,000 movements of haz-
22 ardous materials occur each day, according to De-
23 partment of Transportation estimates;

24 (2) the movement of hazardous materials in
25 commerce is necessary to maintain economic vitality

1 and meet consumer demands and must be conducted
2 in a safe and efficient manner;

3 (3) accidents involving, or unauthorized access
4 to, hazardous materials in transportation may result
5 in a release of such materials and pose a serious
6 threat to public health and safety;

7 (4) many States and localities have enacted
8 laws and regulations that vary from Federal laws
9 and regulations pertaining to the transportation of
10 hazardous materials, thereby creating the potential
11 for unreasonable hazards in other jurisdictions and
12 confounding shippers and carriers that attempt to
13 comply with multiple regulatory requirements;

14 (5) because of the potential risks to life, prop-
15 erty, and the environment posed by unintentional re-
16 leases of hazardous materials, consistency in laws
17 and regulations governing the transportation of haz-
18 ardous materials is necessary and desirable;

19 (6) in order to achieve greater uniformity and
20 to promote the public health, welfare, and safety at
21 all levels, Federal standards for regulating the trans-
22 portation of hazardous materials in intrastate, inter-
23 state, and foreign commerce are necessary and desir-
24 able; and

1 (7) in order to provide reasonable, adequate,
2 and cost-effective protection from the risks posed by
3 the transportation of hazardous materials, a network
4 of well-trained State and local emergency response
5 personnel and hazmat employees is essential.

6 (b) PURPOSE.—The text of section 5101 is amended
7 to read as follows: “The purpose of this chapter is to pro-
8 tect against the risks to life, property, and the environ-
9 ment that are inherent in the transportation of hazardous
10 material in intrastate, interstate, and foreign commerce.”.

11 **SEC. 7003. DEFINITIONS.**

12 Section 5102 is amended—

13 (1) in paragraph (1)—

14 (A) by striking “or” at the end of subpara-
15 graph (A);

16 (B) by striking the period at the end of
17 subparagraph (B) and inserting “; or”; and

18 (C) by inserting at the end the following:

19 “(C) on a United States registered air-
20 craft.”;

21 (2) in paragraph (8) by striking “national re-
22 sponse team” each place it appears and inserting
23 “National Response Team”;

1 (3) by redesignating paragraphs (11), (12), and
2 (13) as paragraphs (12), (13), and (14), respec-
3 tively; and

4 (4) by inserting after paragraph (10) the fol-
5 lowing:

6 “(11) ‘Secretary’ means the Secretary of Trans-
7 portation.”.

8 **SEC. 7004. GENERAL REGULATORY AUTHORITY.**

9 (a) TECHNICAL AMENDMENTS.—Section 5103(a) is
10 amended—

11 (1) by striking “etiologic agent,” and inserting
12 “infectious substance,”; and

13 (2) by striking “poison,” and inserting “toxic,”.

14 (b) REGULATIONS FOR SAFE TRANSPORTATION.—

15 Section 5103(b)(1)(A) is amended—

16 (1) in clause (i) by striking “transporting” and
17 inserting “that transports”;

18 (2) in clause (ii)—

19 (A) by striking “causing” and inserting
20 “that causes”; and

21 (B) by striking “or” at the end; and

22 (3) by striking clause (iii) and inserting the fol-
23 lowing:

24 “(iii) that designs, manufactures, fab-
25 ricates, inspects, marks, maintains, recondi-

1 tions, repairs, or tests a package or container
2 that is represented, marked, certified, or sold by
3 that person as qualified for use in transporting
4 hazardous material in commerce;

5 “(iv) that prepares or accepts hazardous
6 material for transportation in commerce;

7 “(v) that is responsible for the safety of
8 transporting hazardous material in commerce;

9 “(vi) that certifies compliance with any re-
10 quirement of this chapter; or

11 “(vii) that misrepresents whether the per-
12 son is engaged in any of the activities described
13 in this subparagraph; and”.

14 (c) TECHNICAL AMENDMENT.—Section 5103(b) is
15 amended—

16 (1) by moving subparagraph (C) from the end
17 of paragraph (1) and inserting it after paragraph
18 (2);

19 (2) by redesignating such subparagraph as
20 paragraph (3); and

21 (3) by moving such paragraph (3) 2 ems to the
22 left.

23 **SEC. 7005. REPRESENTATION AND TAMPERING.**

24 (a) REPRESENTATION.—Section 5104(a) is amend-
25 ed—

1 (1) by striking “A person” and inserting “No
2 person”;

3 (2) in paragraph (1) by striking “only if” and
4 all that follows through “meets” and inserting “if it
5 does not conform to”; and

6 (3) in paragraph (2) by striking “only if” and
7 inserting “unless”.

8 (b) TAMPERING.—Section 5104(b) is amended by
9 striking “A person may not” and inserting “No person
10 may”.

11 **SEC. 7006. TECHNICAL AMENDMENTS.**

12 (a) ELIMINATION OF COMPLETED STUDY.—Section
13 5105 is amended—

14 (1) by striking subsection (d); and

15 (2) by redesignating subsection (e) as sub-
16 section (d).

17 (b) CLASSIFICATION OF EXPLOSIVES.—Section
18 5108(a)(1)(B) is amended by striking “class A or B” and
19 inserting “Division 1.1, 1.2, or 1.3”.

20 **SEC. 7007. TRAINING OF CERTAIN EMPLOYEES.**

21 Section 5107 is amended—

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

1 (2) in subsection (g)(2) (as so redesignated) by
2 striking “sections 5106, 5108(a)–(g)(1) and (h), and
3 5109 of this title” and inserting “section 5106”; and

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

6 “(f) TRAINING OF CERTAIN EMPLOYEES.—The Sec-
7 retary shall ensure that maintenance-of-way employees
8 and railroad signalmen receive general awareness/famil-
9 iarization training and safety training pursuant to section
10 172.704 of title 49, Code of Federal Regulations.”.

11 **SEC. 7008. REGISTRATION.**

12 (a) PERSONS REQUIRED TO FILE.—Section 5108(a)
13 is amended—

14 (1) in paragraph (2)(B) by striking “manufac-
15 turing, fabricating, marking, maintaining, recondi-
16 tioning, repairing, or testing” and inserting “design-
17 ing, manufacturing, fabricating, inspecting, marking,
18 maintaining, reconditioning, repairing, or testing”;
19 and

20 (2) by aligning the left margin of paragraph (4)
21 with the left margin of paragraph (3).

22 (b) FILING SCHEDULE.—Section 5108(c) is amend-
23 ed—

24 (1) by striking the subsection heading and in-
25 serting “FILING SCHEDULE”; and

1 (2) in paragraph (1)—

2 (A) by striking “must file the first” and
3 inserting “shall file that”;

4 (B) by striking “not later than March 31,
5 1992” and inserting “in accordance with regu-
6 lations issued by the Secretary”; and

7 (C) by striking the second sentence.

8 (c) FEES.—Section 5108(g) is amended—

9 (1) in paragraph (1) by striking “may” and in-
10 sserting “shall”;

11 (2) in paragraph (2)(A) by striking “\$5,000”
12 and inserting “\$3,000”; and

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

14 “(3) FEES ON EXEMPT PERSONS.—Notwith-
15 standing subsection (a)(4), the Secretary shall im-
16 pose and collect a fee of \$25 from a person who is
17 required to register under this section but who is
18 otherwise exempted by the Secretary from paying
19 any fee under this section. The fee shall be used to
20 pay the cost of the Secretary in processing registra-
21 tion statements filed by such persons.”.

22 (d) RELATIONSHIP TO OTHER LAWS.—Section
23 5108(i)(2)(B) is amended by inserting “, Indian tribe,”
24 after “State” the first place it appears.

1 (e) HAZMAT REGISTRATION NOTIFICATION.—As
2 soon as practicable, the Pipeline and Hazardous Materials
3 Safety Administrator of the Department of Transpor-
4 tation shall transmit to the Federal Motor Carrier Safety
5 Administration hazardous material registrant information
6 obtained before, on, or after the date of enactment of this
7 Act under section 5108 of title 49, United States Code,
8 together with any Department of Transportation identi-
9 fication number for each registrant.

10 **SEC. 7009. PROVIDING SHIPPING PAPERS.**

11 Section 5110 is amended—

12 (1) in subsection (a) by striking “under sub-
13 section (b) of this section” and inserting “by regula-
14 tion”; and

15 (2) in subsection (e) by striking “1 year” and
16 inserting “2 years after the date of preparation of
17 the shipping paper”.

18 **SEC. 7010. RAIL TANK CARS.**

19 Section 5111, and the item relating to such section
20 in the analysis for chapter 51, are repealed.

21 **SEC. 7011. UNSATISFACTORY SAFETY RATING.**

22 The text of section 5113 is amended to read as fol-
23 lows: “A person who violates section 31144(c)(3) shall be
24 subject to the penalties in sections 5123 and 5124.”.

1 **SEC. 7012. TRAINING CURRICULUM FOR THE PUBLIC SEC-**
2 **TOR.**

3 (a) REQUIREMENTS.—Section 5115(b)(1)(C) is
4 amended by striking “under other United States Govern-
5 ment grant programs, including those” and inserting
6 “with Federal financial assistance, including programs”.

7 (b) TRAINING ON COMPLYING WITH LEGAL RE-
8 QUIREMENTS.—Section 5115(c)(3) is amended by insert-
9 ing before the period at the end the following: “and such
10 other voluntary consensus standard-setting organizations
11 as the Secretary determines appropriate”.

12 (c) DISTRIBUTION AND PUBLICATION.—Section
13 5115(d) is amended—

14 (1) in the matter preceding paragraph (1) by
15 striking “national response team” and inserting
16 “National Response Team”;

17 (2) in paragraph (1) by striking “Director of
18 the Federal Emergency Management Agency” and
19 inserting “Secretary”; and

20 (3) in paragraph (2)—

21 (A) by inserting “and distribute” after
22 “publish”; and

23 (B) by striking “programs that uses” and
24 all that follows before the period at the end and
25 inserting “programs and courses developed
26 under this section”.

1 **SEC. 7013. PLANNING AND TRAINING GRANTS, MONI-**
2 **TORING, AND REVIEW.**

3 (a) **FACTORS TO CONSIDER IN DETERMINING**
4 **NEEDS.**—Section 5116(b)(4) is amended—

5 (1) by striking “and” at the end of subpara-
6 graph (D);

7 (2) by redesignating subparagraph (E) as sub-
8 paragraph (F); and

9 (3) by inserting after subparagraph (D) the fol-
10 lowing:

11 “(E) the report submitted by the State to the
12 Secretary under section 5125(f)(2); and”.

13 (b) **COMPLIANCE WITH CERTAIN LAW.**—Section
14 5116(c) is amended—

15 (1) by inserting “or Indian tribe” after “a
16 State”;

17 (2) by inserting “or Indian tribe” after “the
18 State” the first place it appears; and

19 (3) by inserting “(1) the State or Indian tribe
20 is complying with all applicable requirements of this
21 chapter (including section 5125(f)), and (2) in the
22 case of a State,” after “certifies that”.

23 (c) **GOVERNMENT’S SHARE OF COSTS.**—Section
24 5116(e) is amended by striking the second sentence and
25 inserting the following: “Amounts received by the State

1 or tribe under subsections (a)(1) and (b)(1) are not part
2 of the non-Government share under this subsection.”.

3 (d) MONITORING AND TECHNICAL ASSISTANCE.—

4 Section 5116(f) is amended—

5 (1) in the first sentence—

6 (A) by striking “Secretaries of Transpor-
7 tation and Energy,” and inserting “Secretary of
8 Energy, Director of the Federal Emergency
9 Management Agency,”; and

10 (B) by striking “Director of the Federal
11 Emergency Management Agency shall” and in-
12 serting “Secretary of Transportation shall”;
13 and

14 (2) in the second sentence—

15 (A) by striking “the Secretaries, Adminis-
16 trator, and Directors each shall” and inserting
17 “the Secretary shall”; and

18 (B) by striking “national response team”
19 and inserting “National Response Team”.

20 (e) DELEGATION OF AUTHORITY.—Section 5116(g)

21 is amended by striking “Government grant programs” and

22 inserting “Federal financial assistance”.

23 (f) HAZARDOUS MATERIALS EMERGENCY PRE-
24 PAREDNESS FUND.—Section 5116(i) is amended—

1 (1) by striking the subsection heading and in-
2 serting “HAZARDOUS MATERIALS EMERGENCY PRE-
3 PAREDNESS FUND.—”;

4 (2) in the matter preceding paragraph (1)—

5 (A) by inserting “, to be known as the
6 ‘Hazardous Materials Emergency Preparedness
7 Fund,’” after “account in the Treasury”; and

8 (B) by striking “section 5108(g)(2)(A) of
9 this title” and all that follows before the period
10 at the end of the first sentence and inserting
11 “this chapter”;

12 (3) by striking “and” at the end of paragraph
13 (2);

14 (4) by redesignating paragraph (3) as para-
15 graph (4); and

16 (5) by inserting after paragraph (2) the fol-
17 lowing:

18 “(3) to publish and distribute the Emergency
19 Response Guidebook; and”.

20 (g) REPORTS.—In section 5116(k)—

21 (1) by striking the first sentence and inserting
22 the following: “The Secretary shall submit to Con-
23 gress and make available to the public annually a re-
24 port on the allocation and uses of planning grants
25 under subsection (a), training grants under sub-

1 section (b), and grants under subsection (j) and
2 under section 5107.”; and

3 (2) in the second sentence by striking “Such re-
4 port” and inserting “The report”.

5 **SEC. 7014. SPECIAL PERMITS AND EXCLUSIONS.**

6 (a) SECTION HEADING.—

7 (1) IN GENERAL.—Section 5117 is amended by
8 striking the section number and heading and insert-
9 ing the following:

10 **“§ 5117. Special permits and exclusions”.**

11 (2) CONFORMING AMENDMENT.—The item re-
12 lating to section 5117 in the analysis for chapter 51
13 is amended to read as follows:

“5117. Special permits and exclusions.”.

14 (b) SUBSECTION HEADING.—The heading for sub-
15 section (a) of section 5117 is amended by striking “EX-
16 EMPT” and inserting “ISSUE SPECIAL PERMITS”.

17 (c) AUTHORITY TO ISSUE SPECIAL PERMITS.—Sec-
18 tion 5117(a)(1) is amended—

19 (1) by striking “an exemption” and inserting “,
20 modify, or terminate a special permit authorizing a
21 variance”; and

22 (2) by striking “transporting, or causing to be
23 transported, hazardous material” and inserting
24 “performing a function regulated by the Secretary
25 under section 5103(b)(1)”.

1 (d) PERIOD OF SPECIAL PERMIT.—Section
2 5117(a)(2) is amended to read as follows:

3 “(2) A special permit issued under this section shall
4 be effective for an initial period of not more than 2 years
5 and may be renewed by the Secretary upon application
6 for an additional period of not more than 4 years or, in
7 the case of a special permit relating to section 5112, for
8 an additional period of not more than 2 years.”.

9 (e) APPLICATIONS.—Sections 5117(b) is amended—

10 (1) by striking “an exemption” each place it ap-
11 pears and inserting “a special permit”; and

12 (2) by striking “the exemption” and inserting
13 “the special permit”.

14 (f) DEALING WITH APPLICATIONS PROMPTLY.—Sec-
15 tion 5117(c) is amended by striking “the exemption” each
16 place it appears and inserting “the special permit”.

17 (g) LIMITATION ON AUTHORITY.—Section 5117(e) is
18 amended—

19 (1) by striking “an exemption” and inserting “a
20 special permit”; and

21 (2) by striking “be exempt” and inserting “be
22 granted a variance”.

23 **SEC. 7015. UNIFORM FORMS AND PROCEDURES.**

24 Section 5119 is amended to read as follows:

1 **“§ 5119. Uniform forms and procedures**

2 “(a) ESTABLISHMENT OF WORKING GROUP.—The
3 Secretary shall establish a working group of State and
4 local government officials, including representatives of the
5 National Governors’ Association, the National Association
6 of Counties, the National League of Cities, the United
7 States Conference of Mayors, the National Conference of
8 State Legislatures, and the Alliance for Uniform Hazmat
9 Transportation Procedures.

10 “(b) PURPOSE OF WORKING GROUP.—The purpose
11 of the working group shall be to establish uniform forms
12 and procedures for a State to register, and to issue per-
13 mits to, persons that transport, or cause to be transported,
14 hazardous material by motor vehicle in the State.

15 “(c) LIMITATION ON WORKING GROUP.—The work-
16 ing group may not propose to define or limit the amount
17 of a fee a State may impose or collect.

18 “(d) PROCEDURE.—The Secretary shall develop a
19 procedure by which the working group shall harmonize ex-
20 isting State registration and permit laws and regulations
21 relating to the transportation of hazardous materials, with
22 special attention paid to each State’s unique safety con-
23 cerns and interest in maintaining strong hazmat safety
24 standards.

25 “(e) REPORT OF WORKING GROUP.—Not later than
26 18 months after the date of enactment of this subsection,

1 the working group shall transmit to the Secretary a report
2 containing recommendations for establishing uniform
3 forms and procedures described in subsection (b).

4 “(f) REGULATIONS.—Not later than 2 years after the
5 date of enactment of this subsection, the Secretary shall
6 issue regulations to carry out such recommendations of
7 the working group as the Secretary considers appropriate.

8 “(g) LIMITATION ON STATUTORY CONSTRUCTION.—
9 Nothing in this section shall be construed as prohibiting
10 a State from voluntarily participating in a program of uni-
11 form forms and procedures until such time as the Sec-
12 retary issues regulations under subsection (f).”.

13 **SEC. 7016. INTERNATIONAL UNIFORMITY OF STANDARDS**
14 **AND REQUIREMENTS.**

15 (a) CONSULTATION.—Section 5120(b) is amended by
16 inserting “and requirements” after “standards”.

17 (b) DIFFERENCES WITH INTERNATIONAL STAND-
18 ARDS AND REQUIREMENTS.—Section 5120(c) is amend-
19 ed—

20 (1) in paragraph (1) by inserting “or require-
21 ment” after “standard” each place it appears; and

22 (2) in paragraph (2)—

23 (A) by inserting “standard or” before “re-
24 quirement” each place it appears; and

25 (B) by striking “included in a standard”.

1 **SEC. 7017. ADMINISTRATIVE.**

2 (a) **GENERAL AUTHORITY.**—Section 5121(a) is
3 amended—

4 (1) in the first sentence by inserting “conduct
5 tests,” after “investigate,”;

6 (2) in the second sentence by striking “After”
7 and inserting “Except as provided in subsections (c)
8 and (d), after”;

9 (3) by striking “regulation prescribed” and in-
10 sserting “regulation, order, special permit, or ap-
11 proval issued”.

12 (b) **RECORDS, REPORTS, AND INFORMATION.**—Sec-
13 tion 5121(b) is amended—

14 (1) in paragraph (1) by inserting “and prop-
15 erty” after “records”; and

16 (2) in paragraph (2)—

17 (A) by inserting “property,” after
18 “records,”;

19 (B) by inserting “for inspection” after
20 “available”; and

21 (C) by striking “requests” and inserting
22 “undertakes an investigation or makes a re-
23 quest”.

24 (c) **ENHANCED AUTHORITY TO DISCOVER HIDDEN**
25 **SHIPMENTS OF HAZARDOUS MATERIAL.**—Section 5121(c)
26 is amended to read as follows:

1 “(c) INSPECTIONS AND INVESTIGATIONS.—

2 “(1) IN GENERAL.—A designated officer, em-
3 ployee, or agent of the Secretary—

4 “(A) may inspect and investigate, at a rea-
5 sonable time and in a reasonable manner,
6 records and property relating to a function de-
7 scribed in section 5103(b)(1);

8 “(B) except in the case of packaging im-
9 mediately adjacent to its hazardous material
10 contents, may gain access to, open, and exam-
11 ine a package offered for, or in, transportation
12 when the officer, employee, or agent has an ob-
13 jectively reasonable and articulable belief that
14 the package may contain a hazardous material;

15 “(C) may remove from transportation a
16 package or related packages in a shipment of-
17 fered for or in transportation for which—

18 “(i) such officer, employee, or agent
19 has an objectively reasonable and
20 articulable belief that the package may
21 pose an imminent hazard; and

22 “(ii) such officer, employee, or agent
23 contemporaneously documents such belief
24 in accordance with procedures set forth in

1 guidance or regulations prescribed under
2 subsection (e);

3 “(D) may gather information from the of-
4 feror, carrier, packaging manufacturer or re-
5 tester, or other person responsible for the pack-
6 age, to ascertain the nature and hazards of the
7 contents of the package;

8 “(E) as necessary, under terms and condi-
9 tions specified by the Secretary, may order the
10 offeror, carrier, packaging manufacturer or re-
11 tester, or other person responsible for the pack-
12 age to have the package transported to, opened,
13 and the contents examined and analyzed, at a
14 facility appropriate for the conduct of such ex-
15 amination and analysis; and

16 “(F) when safety might otherwise be com-
17 promised, may authorize properly qualified per-
18 sonnel to assist in the activities conducted
19 under this subsection.

20 “(2) DISPLAY OF CREDENTIALS.—An officer,
21 employee, or agent acting under this subsection shall
22 display proper credentials when requested.

23 “(3) SAFE RESUMPTION OF TRANSPOR-
24 TATION.—In instances when, as a result of an in-
25 spection or investigation under this subsection, an

1 imminent hazard is not found to exist, the Sec-
2 retary, in accordance with procedures set forth in
3 regulations prescribed under subsection (e), shall as-
4 sist—

5 “(A) in the safe resumption of transpor-
6 tation of the package concerned; or

7 “(B) in any case in which the hazardous
8 material being transported is perishable, in the
9 safe and expeditious resumption of transpor-
10 tation of the perishable hazardous material.”.

11 (d) EMERGENCY AUTHORITY FOR HAZARDOUS MA-
12 TERIAL TRANSPORTATION.—Section 5121 is amended—

13 (1) by redesignating subsections (d) and (e) as
14 subsections (f) and (g), respectively; and

15 (2) by inserting after subsection (c) the fol-
16 lowing:

17 “(d) EMERGENCY ORDERS.—

18 “(1) IN GENERAL.—If, upon inspection, inves-
19 tigation, testing, or research, the Secretary deter-
20 mines that either a violation of a provision of this
21 chapter or a regulation issued under this chapter, or
22 an unsafe condition or practice, constitutes or is
23 causing an imminent hazard, the Secretary may
24 issue an emergency order, without notice or the op-

1 portunity for a hearing, but only to the extent nec-
2 essary to abate the imminent hazard.

3 “(2) WRITTEN ORDERS.—An emergency order
4 issued under paragraph (1) shall be in writing, de-
5 scribe the violation, condition, or practice that is
6 causing the imminent hazard, and state the restric-
7 tions, prohibitions, recalls, or out-of-service orders
8 issued. The emergency order also shall describe the
9 standards and procedures for obtaining relief from
10 the order.

11 “(3) OPPORTUNITY FOR REVIEW.—After
12 issuing an emergency order under paragraph (1),
13 the Secretary shall provide an opportunity for review
14 of the order under section 554 of title 5 if a petition
15 for review is filed within 20 calendar days after the
16 date of issuance of the order.

17 “(4) EXPIRATION OF EFFECTIVENESS OF
18 EMERGENCY ORDER.—If a petition for review is filed
19 for an order and the review is not completed by the
20 end of the 30-day period beginning on the date the
21 petition was filed, the order shall cease to be effec-
22 tive at the end of that period unless the Secretary
23 determines in writing that the emergency situation
24 still exists.

25 “(e) REGULATIONS.—

1 “(1) TEMPORARY REGULATIONS.—Not later
2 than 60 days after the date of enactment of the
3 Transportation Equity Act: A Legacy for Users, the
4 Secretary shall issue temporary regulations to carry
5 out subsections (c) and (d). The temporary regula-
6 tions shall expire on the date of issuance of the reg-
7 ulations under paragraph (2).

8 “(2) FINAL REGULATIONS.—Not later than 1
9 year after such date of enactment, the Secretary
10 shall issue regulations to carry out subsections (c)
11 and (d) in accordance with subchapter II of chapter
12 5 of title 5.”.

13 (e) REPORT.—Section 5121(g) (as redesignated by
14 subsection (d)(1) of this section) is amended—

15 (1) in the matter preceding paragraph (1) by
16 striking “submit to the President for transmittal to
17 the Congress” and inserting “transmit to the Com-
18 mittee on Transportation and Infrastructure of the
19 House of Representatives and the Committee on
20 Commerce, Science, and Transportation of the Sen-
21 ate”; and

22 (2) in paragraph (4) by inserting “relating to a
23 function regulated by the Secretary under section
24 5103(b)(1)” after “activities”.

1 (f) REPEAL OF OBSOLETE PROVISION.—Section
2 5118, and the item relating to such section in the analysis
3 for chapter 51, are repealed.

4 **SEC. 7018. ENFORCEMENT.**

5 (a) GENERAL.—Section 5122(a) is amended by strik-
6 ing the second sentence and inserting “The court may
7 award appropriate relief, including a temporary or perma-
8 nent injunction, punitive damages, and assessment of civil
9 penalties considering the same penalty amounts and fac-
10 tors as prescribed for the Secretary in an administrative
11 case under section 5123.”.

12 (b) IMMINENT HAZARDS.—Section 5122(b)(1)(B) is
13 amended by striking “or ameliorate the” and inserting “or
14 mitigate the”.

15 **SEC. 7019. CIVIL PENALTY.**

16 (a) PENALTY.—Section 5123(a) is amended—

17 (1) in paragraph (1)—

18 (A) by striking “regulation prescribed or
19 order issued” and inserting “regulation, order,
20 special permit, or approval issued”; and

21 (B) by striking “\$25,000” and inserting
22 “\$50,000”;

23 (2) by redesignating paragraph (2) as para-
24 graph (3); and

1 (3) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) If the Secretary finds that a violation under
4 paragraph (1) results in death, serious illness, or severe
5 injury to any person or substantial destruction of prop-
6 erty, the Secretary may increase the amount of the civil
7 penalty for such violation to not more than \$100,000.”.

8 (b) HEARING REQUIREMENT.—Section 5123(b) is
9 amended by striking “regulation prescribed” and inserting
10 “regulation, order, special permit, or approval issued”.

11 (c) CIVIL ACTIONS TO COLLECT.—Section 5123(d)
12 is amended by adding at the end the following: “In such
13 action, the validity, amount, and appropriateness of the
14 civil penalty shall not be subject to review.”.

15 (d) COMPROMISE.—Section 5123(e) is amended by
16 striking “before referral to the Attorney General”.

17 **SEC. 7020. CRIMINAL PENALTY.**

18 Section 5124 is amended to read as follows:

19 **“§ 5124. Criminal penalty**

20 “(a) IN GENERAL.—A person knowingly violating
21 section 5104(b) or willfully or recklessly violating this
22 chapter or a regulation, order, special permit, or approval
23 issued under this chapter shall be fined under title 18,
24 imprisoned for not more than 5 years, or both; except that
25 the maximum amount of imprisonment shall be 10 years

1 in any case in which the violation involves the release of
2 a hazardous material that results in death or bodily injury
3 to any person.

4 “(b) KNOWING VIOLATIONS.—For purposes of this
5 section—

6 “(1) a person acts knowingly when—

7 “(A) the person has actual knowledge of
8 the facts giving rise to the violation; or

9 “(B) a reasonable person acting in the cir-
10 cumstances and exercising reasonable care
11 would have that knowledge; and

12 “(2) knowledge of the existence of a statutory
13 provision, or a regulation or a requirement required
14 by the Secretary, is not an element of an offense
15 under this section.

16 “(c) WILLFUL VIOLATIONS.—For purposes of this
17 section, a person acts willfully when—

18 “(1) the person has knowledge of the facts giv-
19 ing rise to the violation; and

20 “(2) the person has knowledge that the conduct
21 was unlawful.

22 “(d) RECKLESS VIOLATIONS.—For purposes of this
23 section, a person acts recklessly when the person displays
24 a deliberate indifference or conscious disregard to the con-
25 sequences of that person’s conduct.”.

1 **SEC. 7021. PREEMPTION.**

2 (a) DUAL COMPLIANCE AND OBSTACLE TESTS.—
3 Section 5125(a) is amended by striking the subsection
4 heading and inserting “DUAL COMPLIANCE AND OBSTA-
5 CLE TESTS.—”.

6 (b) SUBSTANTIVE DIFFERENCES.—The second sen-
7 tence of section 5125(b)(2) is amended by striking “after
8 November 16, 1990”.

9 (c) DECISIONS ON PREEMPTION.—The third sentence
10 of section 5125(d)(1) is amended by inserting “and pub-
11 lish in the Federal Register” after “issue”.

12 (d) INDEPENDENT APPLICATION OF EACH STAND-
13 ARD.—Section 5125 is amended by inserting after sub-
14 section (f), as redesignated by section 7023(a)(2) of this
15 Act, the following:

16 “(g) INDEPENDENT APPLICATION OF EACH STAND-
17 ARD.—Subsections (b), (c)(1), (d), and (g) are inde-
18 pendent in their application to a requirement of any State,
19 political subdivision of a State, or Indian tribe and shall
20 be reviewed independently.”.

21 **SEC. 7022. RELATIONSHIP TO OTHER LAWS.**

22 Section 5126(a) is amended by striking “must com-
23 ply” and inserting “shall comply”.

24 **SEC. 7023. JUDICIAL REVIEW.**

25 (a) REPEAL.—Section 5125 is amended—
26 (1) by striking subsection (f);

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

3 (3) in subsection (f) (as so redesignated) by
4 moving paragraph (2) (including subparagraphs (A)
5 through (D)) 2 ems to the left.

6 (b) JUDICIAL REVIEW.—Chapter 51 is amended by
7 redesignating section 5127 as section 5128 and by insert-
8 ing after section 5126 the following:

9 **“§ 5127. Judicial review**

10 “(a) FILING AND VENUE.—Except as provided in
11 section 20114(c), a person adversely affected or aggrieved
12 by a final action of the Secretary under this chapter may
13 petition for review of the final action in the United States
14 Court of Appeals for the District of Columbia or in the
15 court of appeals for the United States for the circuit in
16 which the person resides or has its principal place of busi-
17 ness. The petition must be filed not more than 60 days
18 after the Secretary’s action becomes final.

19 “(b) JUDICIAL PROCEDURES.—When a petition is
20 filed under subsection (a), the clerk of the court imme-
21 diately shall send a copy of the petition to the Secretary.
22 The Secretary shall file with the court a record of any
23 proceeding in which the final action was issued, as pro-
24 vided in section 2112 of title 28.

1 “(c) **AUTHORITY OF COURT.**—The court has exclu-
2 sive jurisdiction, as provided in subchapter II of chapter
3 5 of title 5, to affirm or set aside any part of the Sec-
4 retary’s final action and may order the Secretary to con-
5 duct further proceedings. Findings of fact by the Sec-
6 retary, if supported by substantial evidence, are conclu-
7 sive.

8 “(d) **REQUIREMENT FOR PRIOR OBJECTION.**—In re-
9 viewing a final action under this section, the court may
10 consider an objection to a final action of the Secretary
11 only if the objection was made in the course of a pro-
12 ceeding or review conducted by the Secretary or if there
13 was a reasonable ground for not making the objection in
14 the proceeding.”.

15 (c) **CONFORMING AMENDMENT.**—The analysis for
16 chapter 51 is amended by striking the item relating to
17 section 5127 and inserting the following:

“5127. Judicial review.

“5128. Authorization of appropriations.”.

18 **SEC. 7024. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 5128 (as redesignated by section 7024) is
20 amended to read as follows:

21 **“§ 5128. Authorizations of appropriations**

22 “(a) **IN GENERAL.**—In order to carry out this chap-
23 ter (except sections 5107(e), 5108(g)(2), 5113, 5115,

1 5116, and 5119), the following amounts are authorized
2 to be appropriated to the Secretary:

3 “(1) For fiscal year 2005, \$27,000,000.

4 “(2) For fiscal year 2006, \$29,000,000.

5 “(3) For fiscal year 2007, \$30,000,000.

6 “(b) EMERGENCY PREPAREDNESS FUND.—There
7 shall be available to the Secretary, from the account estab-
8 lished pursuant to section 5116(i), for each of fiscal years
9 2005 through 2007 the following:

10 “(1) To carry out section 5115, \$200,000.

11 “(2) To carry out section 5116(a), \$8,000,000.

12 “(3) To carry out section 5116(b),
13 \$13,800,000.

14 “(4) To carry out section 5116(f), \$150,000.

15 “(5) To publish and distribute the Emergency
16 Response Guidebook under section 5116(i)(3),
17 \$500,000.

18 “(6) To pay administrative expenses in accord-
19 ance with section 5116(i)(4), \$150,000.

20 “(7) To carry out section 5116(j), \$1,000,000.

21 “(c) TRAINING OF HAZMAT EMPLOYEE INSTRU-
22 TORS.—There shall be available to the Secretary, from the
23 account established pursuant to section 5116(i), to carry
24 out section 5107(e) \$4,000,000 for each of fiscal years
25 2005 through 2007.

1 “(d) UNIFORM FORMS AND PROCEDURES.—There is
2 authorized to be appropriated to the Secretary for making
3 grants to States participating in the working group estab-
4 lished under section 5119 \$1,000,000 for each of the fiscal
5 years 2005 and 2006.

6 “(e) ISSUANCE OF HAZMAT LICENSES.—There are
7 authorized to be appropriated for the Department of
8 Transportation such amounts as may be necessary to
9 carry out section 5103a.

10 “(f) CREDITS TO APPROPRIATIONS.—The Secretary
11 may credit to any appropriation to carry out this chapter
12 an amount received from a State, Indian tribe, or other
13 public authority or private entity for expenses the Sec-
14 retary incurs in providing training to the State, authority,
15 or entity.

16 “(g) AVAILABILITY OF AMOUNTS.—Amounts made
17 available by or under this section remain available until
18 expended.”.

19 **SEC. 7025. DETERMINING AMOUNT OF UNDECLARED SHIP-**
20 **MENTS OF HAZARDOUS MATERIALS ENTER-**
21 **ING THE UNITED STATES.**

22 (a) STUDY.—The Comptroller General shall conduct
23 a study to propose methods of determining the amount
24 of undeclared shipments of hazardous materials (as de-

1 fined in section 5101 of title 49, United States Code) en-
2 tering the United States.

3 (b) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Comptroller General shall
5 transmit to the Committee on Transportation and Infra-
6 structure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report on the results of the study.

9 **SEC. 7026. CONFORMING AMENDMENTS.**

10 Chapter 51 is amended by striking “Secretary of
11 Transportation” each place it appears (other than the sec-
12 ond place it appears in section 5108(g)(2)(C), the first
13 place it appears in section 5115(a), and in sections
14 5116(g), 5116(i), and 5120(a)) and inserting “Secretary”.

15 **SEC. 7027. NATIONAL FIRST RESPONDER TRANSPORTATION**
16 **INCIDENT RESPONSE SYSTEM.**

17 (a) IN GENERAL.—The Secretary shall provide fund-
18 ing to the Operation Respond Institute to design, build,
19 and operate a seamless first responder hazardous mate-
20 rials incident detection, preparedness, and response sys-
21 tem.

22 (b) EXPANSION.—This system shall include an ex-
23 pansion of the Operation Respond Emergency Information
24 System (OREIS).

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary to carry
3 out this section \$2,500,000 for each of fiscal years 2005
4 through 2007.

5 **SEC. 7028. COMMON CARRIER PIPELINE SYSTEM.**

6 (a) STUDY.—The Secretary shall conduct a study of
7 the economic, environmental, and homeland security ad-
8 vantages and disadvantages of operating a common carrier
9 pipeline system in the States of Texas, Louisiana, Mis-
10 sissippi, and Alabama for the transportation of aromatic
11 chemicals.

12 (b) EVALUATION.—In conducting the study, the Sec-
13 retary shall evaluate the appropriateness of different Fed-
14 eral incentives for the construction and operation of such
15 a pipeline system, including loan guarantees, other types
16 of financial assistance, and various types of tax incentives.

17 (c) REPORT.—Not later than December 31, 2005, the
18 Secretary shall transmit to Congress a report on the re-
19 sults of the study, including recommendations, if any, for
20 legislation.

1 **TITLE VIII—TRANSPORTATION**
2 **DISCRETIONARY SPENDING**
3 **GUARANTEE**

4 **SEC. 8001. DISCRETIONARY SPENDING LIMITS FOR THE**
5 **HIGHWAY AND MASS TRANSIT CATEGORIES.**

6 (a) LIMITS.—(1) Redesignate paragraphs (2)
7 through (9) of section 251(c) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985 as paragraphs (7)
9 through (14), respectively, and strike paragraph (1) of
10 such section 251(c) and insert the following new para-
11 graphs:

12 “(1) with respect to fiscal year 2004—

13 “(A) for the highway category:
14 \$28,052,000,000 in outlays;

15 “(B) for the mass transit category:
16 \$1,436,000,000 in new budget authority and
17 \$6,271,000,000 in outlays;

18 “(2) with respect to fiscal year 2005—

19 “(A) for the highway category:
20 \$34,215,000,000 in outlays;

21 “(B) for the mass transit category:
22 \$1,531,670,000 in new budget authority and
23 \$6,844,000,000 in outlays;

24 “(3) with respect to fiscal year 2006—

1 “(A) for the highway category:
2 \$36,814,000,000 in outlays;

3 “(B) for the mass transit category:
4 \$1,706,670,000 in new budget authority and
5 \$5,978,000,000 in outlays;

6 “(4) with respect to fiscal year 2007—

7 “(A) for the highway category:
8 \$38,428,000,000 in outlays;

9 “(B) for the mass transit category:
10 \$1,823,220,000 in new budget authority and
11 \$7,456,000,000 in outlays;

12 “(5) with respect to fiscal year 2008—

13 “(A) for the highway category:
14 \$39,815,000,000 in outlays;

15 “(B) for the mass transit category:
16 \$1,931,785,000 in new budget authority and
17 \$8,263,000,000 in outlays;

18 “(6) with respect to fiscal year 2009—

19 “(A) for the highway category:
20 \$40,880,000,000 in outlays;

21 “(B) for the mass transit category:
22 \$2,062,755,000 in new budget authority and
23 \$8,817,000,000 in outlays;

1 “(b) DEFINITIONS.—Section 250(c)(4) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985
3 is amended—

4 “(1) in subparagraph (B), by striking “the
5 Transportation Equity Act for the 21st Century and
6 all that follows through the colon and inserting: “the
7 Transportation Equity Act: A Legacy for Users.”;
8 and

9 “(2) in subparagraph (C), by—

10 “(A) inserting ‘(and successor accounts)’
11 after ‘budget accounts’; and

12 “(B) striking ‘the Transportation Equity
13 Act for the 21st Century’ and all that follows
14 thereafter through the colon and inserting ‘the
15 Transportation Equity Act: A Legacy for Users
16 or for which appropriations are provided pursu-
17 ant to authorizations contained in that Act.’;
18 and”

19 **SEC. 8002. ADJUSTMENTS TO ALIGN HIGHWAY SPENDING**
20 **WITH REVENUES.**

21 Subparagraphs (B) through (E) of section 251(b)(1)
22 of the Balanced Budget and Emergency Deficit Control
23 Act of 1985 are amended to read as follows:

24 “(B) ADJUSTMENT TO ALIGN HIGHWAY
25 SPENDING WITH REVENUES.—(i) When the

1 President submits the budget under section
2 1105 of title 31, United States Code, OMB
3 shall calculate and the budget shall make ad-
4 justments to the highway category for the budg-
5 et year and each outyear as provided in clause
6 (ii)(I)(cc).

7 “(ii)(I)(aa) OMB shall take the actual level
8 of highway receipts for the year before the cur-
9 rent year and subtract the sum of the estimated
10 level of highway receipts in subclause (II) plus
11 any amount previously calculated under item
12 (bb) for that year.

13 “(bb) OMB shall take the current estimate
14 of highway receipts for the current year and
15 subtract the estimated level of receipts for that
16 year.

17 “(cc) OMB shall add one-half of the sum
18 of the amount calculated under items (aa) and
19 (bb) to the obligation limitations set forth in
20 the section 8103 of the Transportation Equity
21 Act: A Legacy for Users and, using current es-
22 timates, calculate the outlay change resulting
23 from the change in obligations for the budget
24 year and the first outyear and the outlays flow-
25 ing therefrom through subsequent fiscal years.

1 After making the calculations under the pre-
2 ceding sentence, OMB shall adjust the amount
3 of obligations set forth in that section for the
4 budget year and the first outyear by adding
5 one-half of the sum of the amount calculated
6 under items (aa) and (bb) to each such year.

7 “(II) The estimated level of highway re-
8 ceipts for the purposes of this clause are—

9 “(aa) for fiscal year 2004,
10 \$29,172,000,000;

11 “(bb) for fiscal year 2005,
12 \$33,898,000,000;

13 “(cc) for fiscal year 2006,
14 \$35,393,000,000;

15 “(dd) for fiscal year 2007,
16 \$36,615,000,000;

17 “(ee) for fiscal year 2008,
18 \$37,770,000,000; and

19 “(ff) for fiscal year 2009,
20 \$38,857,000,000.

21 “(III) In this clause, the term ‘highway re-
22 ceipts’ means the governmental receipts cred-
23 ited to the highway account of the Highway
24 Trust Fund.

1 “(C) In addition to the adjustment required by
2 subparagraph (B), when the President submits the
3 budget under section 1105 of title 31, United States
4 Code, for fiscal year 2007, 2008, or 2009, OMB
5 shall calculate and the budget shall include for the
6 budget year and each outyear an adjustment to the
7 limits on outlays for the highway category and the
8 mass transit category equal to—

9 “(i) the outlays for the applicable category
10 calculated assuming obligation levels consistent
11 with the estimates prepared pursuant to sub-
12 paragraph (D), as adjusted, using current tech-
13 nical assumptions; minus

14 “(ii) the outlays for the applicable category
15 set forth in the subparagraph (D) estimates, as
16 adjusted.

17 “(D)(i) When OMB and CBO submit their final
18 sequester report for fiscal year 2006, that report
19 shall include an estimate of the outlays for each of
20 the categories that would result in fiscal years 2007
21 through 2010 from obligations at the levels specified
22 in section 8103 of the Transportation Equity Act: A
23 Legacy for Users using current assumptions.

24 “(ii) When the President submits the budget
25 under section 1105 of title 31, United States Code,

1 for fiscal year 2008, 2009, or 2010, OMB shall ad-
2 just the estimates made in clause (i) by the adjust-
3 ments by subparagraphs (B) and (C).

4 “(E) OMB shall consult with the Committees
5 on the Budget and include a report on adjustments
6 under subparagraphs (B) and (C) in the preview re-
7 port.”.

8 **SEC. 8003. LEVEL OF OBLIGATION LIMITATIONS.**

9 (a) HIGHWAY CATEGORY.—For the purposes of sec-
10 tion 251(b) of the Balanced Budget and Emergency Def-
11 icit Control Act of 1985, the level of obligation limitations
12 for the highway category is—

- 13 (1) for fiscal year 2004, \$34,309,000,000;
14 (2) for fiscal year 2005, \$35,160,000,000;
15 (3) for fiscal year 2006, \$37,417,000,000;
16 (4) for fiscal year 2007, \$38,787,000,000;
17 (5) for fiscal year 2008, \$40,077,000,000; and
18 (6) for fiscal year 2009, \$41,467,000,000.

19 (b) MASS TRANSIT CATEGORY.—For the purposes of
20 section 251(b) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985, the level of obligation limita-
22 tions for the mass transit category is—

- 23 (1) for fiscal year 2004, \$7,265,900,000;
24 (2) for fiscal year 2005, \$7,646,300,000;
25 (3) for fiscal year 2006, \$8,482,000,000;

1 (4) for fiscal year 2007, \$9,042,000,000;

2 (5) for fiscal year 2008, \$9,639,000,000; and

3 (6) for fiscal year 2009, \$10,277,000,000.

4 For purposes of this subsection, the term “obligation limi-
5 tations” means the sum of budget authority and obligation
6 limitations.

7 **SEC. 8004. ENFORCEMENT OF GUARANTEE.**

8 Clause 3 of rule XXI of the Rules of the House of
9 Representatives is amended—

10 (1) by striking “Transportation Equity Act for
11 the 21st Century” and inserting “Transportation
12 Equity Act: A Legacy for Users”; and

13 (2) by adding at the end the following: “For
14 purposes of this clause, any obligation limitation re-
15 lating to surface transportation projects under sec-
16 tion 1602 of the Transportation Equity Act for the
17 21st Century and section 1702 of the Transpor-
18 tation Equity Act: A Legacy for Users shall be as-
19 sumed to be administered on the basis of sound pro-
20 gram management practices that are consistent with
21 past practices of the administering agency permit-
22 ting States to decide High Priority Project funding
23 priorities within State program allocations.”.

1 **SEC. 8005. TRANSFER OF FEDERAL TRANSIT ADMINISTRA-**
 2 **TIVE EXPENSES.**

3 For purposes of clauses 2 and 3 of rule XXI of the
 4 House of Representatives, it shall be in order to transfer
 5 funds, in amounts specified in annual appropriation Acts
 6 to carry out the Transportation Equity Act: A Legacy for
 7 Users (including the amendments made by that Act), from
 8 the Federal Transit Administration’s administrative ex-
 9 penses account to other mass transit budget accounts
 10 under section 250(c)(4)(C) of the Balanced Budget and
 11 Emergency Deficit Control Act of 1985.

12 **TITLE IX—RAIL PROVISIONS**

13 **SEC. 9001. HIGH-SPEED RAIL CORRIDOR DEVELOPMENT.**

14 (a) CORRIDOR DEVELOPMENT.—

15 (1) AMENDMENTS.—Section 26101 of title 49,
 16 United States Code, is amended—

17 (A) in the section heading, by striking
 18 “**planning**” and inserting “**development**”;

19 (B) in the heading of subsection (a), by
 20 striking “PLANNING” and inserting “DEVELOP-
 21 MENT”;

22 (C) by striking “corridor planning” each
 23 place it appears and inserting “corridor devel-
 24 opment”;

25 (D) in subsection (b)(1)—

1 (i) by inserting “, or if it is an activity
2 described in subparagraph (M)” after
3 “high-speed rail improvements”;

4 (ii) by striking “and” at the end of
5 subparagraph (K);

6 (iii) by striking the period at the end
7 of subparagraph (L) and inserting “; and”;
8 and

9 (iv) by adding at the end the following
10 new subparagraph:

11 “(M) the acquisition of locomotives, rolling
12 stock, track, and signal equipment.”; and

13 (E) in subsection (c)(2), by striking “plan-
14 ning” and inserting “development”.

15 (2) CONFORMING AMENDMENT.—The item re-
16 lating to section 26101 in the table of sections of
17 chapter 261 of title 49, United States Code, is
18 amended by striking “planning” and inserting “de-
19 velopment”.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
21 26104 of title 49, United States Code, is amended to read
22 as follows:

23 **“§ 26104. Authorization of appropriations**

24 “(a) FISCAL YEARS 2006 THROUGH 2013.—There
25 are authorized to be appropriated to the Secretary—

1 “(1) \$70,000,000 for carrying out section
2 26101; and

3 “(2) \$30,000,000 for carrying out section
4 26102,

5 for each of the fiscal years 2006 through 2013.

6 “(b) FUNDS TO REMAIN AVAILABLE.—Funds made
7 available under this section shall remain available until ex-
8 pended.”.

9 **TITLE X—TAX PROVISIONS**

10 **SEC. 10001. SHORT TITLE.**

11 This title may be cited as the “Highway Reauthoriza-
12 tion Tax Act of 2005”.

13 **SEC. 10002. EXTENSION OF HIGHWAY-RELATED TAXES AND** 14 **TRUST FUNDS.**

15 (a) EXTENSION OF TAXES.—

16 (1) IN GENERAL.—The following provisions of
17 the Internal Revenue Code of 1986 are each amend-
18 ed by striking “2005” each place it appears and in-
19 serting “2011”:

20 (A) Section 4041(a)(1)(C)(iii)(I) (relating
21 to rate of tax on certain buses).

22 (B) Section 4041(a)(2)(B) (relating to rate
23 of tax on special motor fuels).

24 (C) Section 4041(m)(1) (relating to certain
25 alcohol fuels).

1 (D) Section 4051(c) (relating to termi-
2 nation of tax on heavy trucks and trailers).

3 (E) Section 4071(d) (relating to termi-
4 nation of tax on tires).

5 (F) Section 4081(d)(1) (relating to termi-
6 nation of tax on gasoline, diesel fuel, and ker-
7 osene).

8 (G) Section 4481(f) (relating to period tax
9 in effect).

10 (H) Section 4482(c)(4) (relating to taxable
11 period).

12 (I) Section 4482(d) (relating to special
13 rule for taxable period in which termination
14 date occurs).

15 (2) FLOOR STOCKS REFUNDS.—Section
16 6412(a)(1) of such Code (relating to floor stocks re-
17 funds) is amended—

18 (A) by striking “2005” each place it ap-
19 pears and inserting “2011”, and

20 (B) by striking “2006” each place it ap-
21 pears and inserting “2012”.

22 (b) EXTENSION OF CERTAIN EXEMPTIONS.—The fol-
23 lowing provisions of such Code are each amended by strik-
24 ing “2005” and inserting “2011”:

1 (1) Section 4221(a) (relating to certain tax-free
2 sales).

3 (2) Section 4483(h) (relating to termination of
4 exemptions for highway use tax).

5 (c) EXTENSION OF DEPOSITS INTO TRUST FUNDS.—

6 (1) IN GENERAL.—Paragraphs (1) and (2) of
7 subsection (b), and paragraphs (2) and (3) of sub-
8 section (c), of section 9503 of such Code (relating to
9 the Highway Trust Fund) are each amended—

10 (A) by striking “2005” each place it ap-
11 pears and inserting “2011”, and

12 (B) by striking “2006” each place it ap-
13 pears and inserting “2012”.

14 (2) MOTORBOAT AND SMALL-ENGINE FUEL TAX
15 TRANSFERS.—

16 (A) IN GENERAL.—Paragraphs (4)(A)(i)
17 and (5)(A) of section 9503(c) of such Code are
18 each amended by striking “2005” and inserting
19 “2011”.

20 (B) CONFORMING AMENDMENTS TO LAND
21 AND WATER CONSERVATION FUND.—Section
22 201(b) of the Land and Water Conservation
23 Fund Act of 1965 (16 U.S.C. 460l–11(b)) is
24 amended—

1 (i) by striking “2003” and inserting
2 “2009”, and

3 (ii) by striking “2004” each place it
4 appears and inserting “2010”.

5 (d) EXTENSION AND EXPANSION OF EXPENDITURES
6 FROM TRUST FUNDS.—

7 (1) HIGHWAY TRUST FUND.—

8 (A) HIGHWAY ACCOUNT.—Paragraph (1)
9 of section 9503(c) of such Code is amended—

10 (i) in the matter before subparagraph
11 (A), by striking “June 1, 2005” and in-
12 sserting “October 1, 2009”,

13 (ii) by striking “or” at the end of sub-
14 paragraph (J),

15 (iii) by striking the period at the end
16 of subparagraph (K) and inserting “, or”,

17 (iv) by inserting after subparagraph
18 (K) the following new subparagraph:

19 “(L) authorized to be paid out of the
20 Highway Trust Fund under the Transportation
21 Equity Act: A Legacy for Users.”, and

22 (v) in the matter after subparagraph
23 (L), as added by clause (iv), by striking
24 “Surface Transportation Extension Act of

1 2004, Part V” and inserting “Transportation Equity Act: A Legacy for Users”.

2
3 (B) MASS TRANSIT ACCOUNT.—Paragraph
4 (3) of section 9503(e) of such Code is amended—
5 ed—

6 (i) in the matter before subparagraph
7 (A), by striking “June 1, 2005” and inserting
8 “October 1, 2009”,

9 (ii) by striking “or” at the end of sub-
10 paragraph (H),

11 (iii) by inserting “or” at the end of
12 subparagraph (I),

13 (iv) by inserting after subparagraph
14 (I) the following new subparagraph:

15 “(J) Transportation Equity Act: A Legacy
16 for Users,” and

17 (v) in the matter after subparagraph
18 (J), as added by clause (iv), by striking
19 “Surface Transportation Extension Act of
20 2004, Part V” and inserting “Transportation
21 Equity Act: A Legacy for Users”.

22 (C) EXCEPTION TO LIMITATION ON TRANS-
23 FERS.—Subparagraph (B) of section
24 9503(b)(6) of such Code is amended by striking

1 “June 1, 2005” and inserting “October 1,
2 2009”.

3 (2) AQUATIC RESOURCES TRUST FUND.—

4 (A) SPORT FISH RESTORATION AC-
5 COUNT.—Paragraph (2) of section 9504(b) of
6 such Code is amended by striking “Surface
7 Transportation Extension Act of 2004, Part V”
8 each place it appears and inserting “Transpor-
9 tation Equity Act: A Legacy for Users”.

10 (B) BOAT SAFETY ACCOUNT.—Subsection
11 (c) of section 9504 of such Code is amended—

12 (i) by striking “June 1, 2005” and in-
13 serting “October 1, 2009”, and

14 (ii) by striking “Surface Transpor-
15 tation Extension Act of 2004, Part V” and
16 inserting “Transportation Equity Act: A
17 Legacy for Users” .

18 (C) EXCEPTION TO LIMITATION ON TRANS-
19 FERS.—Paragraph (2) of section 9504(d) of
20 such Code is amended by striking “June 1,
21 2005” and inserting “October 1, 2009”.

22 (e) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on the date of the enactment
24 of this Act.

1 **SEC. 10003. TECHNICAL CORRECTIONS REGARDING HIGH-**
2 **WAY-RELATED TAXES.**

3 (a) AMENDMENTS RELATED TO SECTION 301 OF
4 THE AMERICAN JOBS CREATION ACT OF 2004.—Section
5 6427 of such Code is amended—

6 (1) by striking subsection (f), and

7 (2) by striking subsection (o) and redesignating
8 subsection (p) as subsection (o).

9 (b) AMENDMENTS RELATED TO SECTION 853 OF
10 THE AMERICAN JOBS CREATION ACT OF 2004.—

11 (1) Subparagraph (C) of section 4081(a)(2) of
12 the Internal Revenue Code of 1986 is amended by
13 striking “for use in commercial aviation” and insert-
14 ing “for use in commercial aviation by a person reg-
15 istered for such use under section 4101”.

16 (2) So much of paragraph (2) of section
17 4081(d) of such Code as precedes subparagraph (A)
18 is amended to read as follows:

19 “(2) AVIATION FUELS.—The rates of tax speci-
20 fied in clauses (ii) and (iv) of subsection (a)(2)(A)
21 shall be 4.3 cents per gallon—”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect as if included in the provisions

1 of the American Jobs Creation Act of 2004 to which they
2 relate.

Passed the House of Representatives March 10,
2005.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 69

109TH CONGRESS
1ST Session

H. R. 3

AN ACT

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

APRIL 6, 2005

Read twice and placed on the calendar