

Section-by-Section Summary of H.R. _____, the Surface Transportation Reauthorization and Reform Act of 2015 – as released on 10/16/2015.

(Incomplete work in progress – does not yet summarize titles V, VII or X)

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations. Creates new HTF contract authority for certain programs for fiscal years 2016-2019. (See [this table](#) listing all funding authorizations in the bill, and [this table](#) for comparisons of the funding levels for individual highway formula programs in the House bill to the Senate DRIVE Act.) Continues current law DBE set-asides.

Sec. 1102. Obligation ceiling. Provides annual limitations on the obligation of highway contract authority for FY 2016-2021 under existing rules (i.e. \$100 million per year of emergency relief and \$639 million per year of NHPP is still exempt from limitation.) Funding totals are in [this table](#) (the obligation limitation is \$739 million per year less than the FHWA total obligation number).

Sec. 1103. Definitions. Amends 23 U.S.C. §101 to repeal the existing definition of “transportation alternatives” in §101(29) and add a new §101(15) defining the National Freight Highway Network.

Sec. 1104. Apportionment. Amends the method by which Federal-Aid Highway Program contract authority is apportioned to states and divided between programs. (See [this summary](#) for details and a comparison to current law and the Senate DRIVE Act.)

Sec. 1105. National highway performance program. Amends 23 U.S.C. §119 to add a new (h) that allows states to use NHPP apportionments to pay for TIFIA subsidy and administrative costs for NHPP-eligible projects and to add a new (i) allowing NHPP funds to be used for work on bridges that are not on the NHS if the bridge is on a federal-aid highway.

Sec. 1106. Surface transportation block grant program. Amends 23 U.S.C. §133 to convert the Surface Transportation Program to the Surface Transportation Block Grant Program. The bill restructures §133(b) and makes many changes to the list of eligible projects under the STBGP, but then nullifies any of the changes that remove existing STP-eligible programs by including new §133(b)(15), which says that any project or purpose eligible for STP funding under MAP-21 (including transportation alternatives) is still eligible for funding under the new STBGP. The bill does add a new §133(b)(13) allowing STBGP funds to be used to pay for subsidy and administrative costs of TIFIA credit agreements and a new §133(b)(14) to allow STBGP funds to be used by states to establish PPP oversight offices. Increases the percentage of funding sub-allocated to areas based on population – STP currently sub-allocates 50 percent, but the STRR Act increases this to 51 percent in FY 2016, rising by 1 percent per year to 55 percent in 2020 and 2021. A new §133(h) provides that \$819.9 million per year of STBGP money be taken off the top for the transportation alternatives program and apportioned to states in their overall formula ratios, and that 50 percent of each state’s share of this money be sub-allocated by population. Adds a new requirement that \$84.2 million per year of the \$819.9 million be spent on the recreational trails program (the FY 2009 dollar amount).

Sec. 1107. Railway-highway grade crossings. Amends 23 U.S.C. §130 to increase the current-law set-aside of highway safety improvement program funding for the rail-highway

grade crossing program from the current \$220 million per year by \$5 million per year, rising to \$250 million in FY 2016.

Sec. 1108. Highway safety improvement program. [Corrected.] Amends 23 U.S.C. §148(a)(4)(B) to tighten HSIP eligibility to only the types of projects listed therein. Adds vehicle-to-vehicle equipment installation, pedestrian hybrid beacons, roadway separation improvements, and physical infrastructure projects generally to that list. Repeals §148(a)(10). Amends §148(f) to add a new (f)(3) directing DOT to allow states to opt out of collecting safety data on gravel roads. Amends §148(g) to amend the high-risk rural road safety program to require states with rural road fatalities that are above the median fatality rate for rural roads in all states to amend their strategic safety plans to address the issue. Requires DOT to implement a best practices program to reduce commercial motor vehicle accidents.

Sec. 1109. Congestion mitigation and air quality improvement program. Amends 23 U.S.C. §149(b) to make installation of vehicle-to-vehicle communication equipment CMAQ-eligible. Revises §149(d) to provide that if a state does not have, and never has had, a CAA non-attainment area, the state can use the money for any CMAQ or STBGP-eligible purpose anywhere in the state. Provides that states which do have non-attainment areas which get more CMAQ money under STRRA than they did in FY 2009 can use the excess money for any CMAQ or STBGP-eligible purpose. Directs states and MPOs to give priority to projects that reduce direct PM_{2.5} emissions (except in low-density states).

Sec. 1110. National highway freight policy. Completely rewrites 23 U.S.C. §167 to: capitalize National Highway Freight Network everywhere it appears, add a reference to eliminating bottlenecks as a goal; emphasize that the goal of the program is better *highway* freight transportation (not just freight transportation); and add references to improving freight movement through rural areas and to improve state flexibility for multi-state corridor planning. Replaces the old requirement in §167(c) that the Secretary designate a National Freight Network with a new requirement that he designate a National Highway Freight Network consisting of the Interstate System, the non-Interstate highway segments he designated for the NFN under MAP-21, and additional non-Interstate highway segments designated by states within 1 year of enactment that close gaps, establish connections to the NHFN, or are critical emerging freight corridors. The Secretary and states have to redesignate NHFN routes every five years.

Sec. 1111. Nationally significant freight and highway projects. Adds a new 23 U.S.C. §117 establishing a new competitive grant program for large freight and highway projects, which receives \$4.46 billion in contract authority over six years under the bill. States, local governments, port authorities, MPOs and other entities can apply to the Secretary of Transportation for funding for projects with a total cost of the lesser of \$350 million or a certain percentage of the state's total annual federal highway apportionment. Eligible project types are highway freight projects on the NHFN, highway or bridge projects on the NHS, or intermodal projects on the NHFN (though no more than \$500 million over six years, or 11.2 percent of the aggregate money, can be spent on intermodal projects). NSFHP money cannot exceed 50 percent of total project cost but states can use federal highway formula money so that the federal share of non-rural projects does not exceed 80 percent. States can use the NSFHP money for TIFIA subsidy and administrative costs. (See one-page comparison of this new NSFHP program versus the similar AMP program in the DRIVE Act [here](#).) Repeals section 1301 of SAFETEA-LU.

Sec. 1112. Territorial and Puerto Rico highway program. Amends 23 U.S.C. §165 to increase the annual set-aside for Puerto Rico highways from \$150 million to \$158 million

and increase the annual set-aside for other U.S. territorial highways from \$40 million to \$42 million.

Sec. 1113. Federal lands and tribal transportation program. Amends 23 U.S.C. §201(c)(6) to provide for increased tribal data collection.

Sec. 1114. Tribal transportation program. Amends 23 U.S.C. §202(a)(6) to cut the administrative expenses set-aside for the program from 6 percent to 5 percent.

Sec. 1115. Federal lands transportation program. Amends 23 U.S.C. §203 to allow funds to be used for capital transit costs and not just operation. Adds references to the Bureau of Reclamation as an entity receiving funds.

Sec. 1116. Tribal transportation self-governance program. Adds a new 23 U.S.C. §207 creating a new Tribal Transportation Self-Governance Program. Under the program, tribes that have demonstrated financial stability and management capacity for at least 3 years are eligible to participate in the program and negotiate a compact with USDOT that allows them to negotiate and enter into their own annual highway funding agreements with USDOT for their tribal highway and transit funding.

Sec. 1117. Emergency relief. Amends 23 U.S.C. §125 to make facilities on public lands that are “open to public travel” eligible for grants under the emergency relief program.

Sec. 1118. Highway use tax evasion projects. Amends 23 U.S.C. §143 to set aside \$6 million per year of FHWA administrative expense funding for highway use tax evasion projects.

Sec. 1119. Bundling of bridge projects. Amends 23 U.S.C. §144 to allow states to bundle multiple similar bridge projects together. See also section 11008 of the DRIVE Act.

Sec. 1120. Tribal High Priority Projects program. Amends section 1123(h)(1) of MAP-21 to extend that program through FY 2021.

Sec. 1121. Construction of ferry boats and ferry terminal facilities. Amends 23 U.S.C. §147 to extend the \$67 million per year contract authority authorization for the ferry boat and terminal facility program through FY 2021.

Subtitle B—Planning and Performance Management

Sec. 1201. Metropolitan transportation planning. Amends 23 U.S.C. 134(c)(2) to add intermodal facilities to the required contents of long-range plans. Amends §134(d) to require that MPOs determine their own representatives under the existing (d)(2) and that transit agency provider representatives can also represent municipalities. Adds tourism and natural disaster risk reduction to the consultation requirements in (g)(3)(A). Makes other clarifying changes including that private intercity bus operators and others are included under “private providers”.

Sec. 1202. Statewide and nonmetropolitan transportation planning. Makes changes to 23 U.S.C. §135 similar to those mentioned to §134 by section 1201, above.

Subtitle C—Acceleration of Project Delivery

Sec. 1301. Satisfaction of requirements for certain historic sites. Adds a new (c) to 23 U.S.C. §138 and an identical new (e) to 49 U.S.C. §303 requiring DOT to accelerate and coordinate historical site reviews with the Interior Department and other agencies through consultation.

Sec. 1302. Treatment of improvements to rail and transit under preservation requirements. Adds a new (d) to 23 U.S.C. §138 and an identical new (f) to 49 U.S.C. §303 to declare that improvements or operations of existing rail or rail transit lines that were historically used for transportation are not subject to historical preservation considerations even if the railroad or rail transit line is listed on the National Register.

Sec. 1303. Clarification of transportation environmental authorities. Adds a new (e) to 23 U.S.C. §138 and an identical new (g) to 49 U.S.C. §303 clarifying which versions of statutes are referred to as “4(f)” and “section 106”.

Sec. 1304. Treatment of certain bridges under preservation requirements. Adds a new (f) to 23 U.S.C. §138 and an identical new (h) to 49 U.S.C. §303 declaring that a common post-1945 concrete or steel bridge or culvert exempt from individual review under 54 U.S.C. §306108 has a *de minimis* impact.

Sec. 1305. Efficient environmental reviews for project decisionmaking. Amends 23 U.S.C. §139(a) to redefine “multimodal project” to include projects that are not funded from title 23 or title 49 and to add a new (a)(9) defining “substantial deference.” Amends 23 U.S.C. 139(b) to require USDOT to ensure their programmatic reviews promote transparency, utilize timely information, and meet other criteria and requires a rulemaking to implement this provision within one year of enactment. Amends 23 U.S.C. §139(c) to allow DOT modal administrations designated by the Secretary to serve as lead agencies. Amends 23 U.S.C. §139(d) to set a 45-day clock on the lead agency’s ability to identify and invite other agencies into the process (measured from the publication of the notice of intent) and to require all federal permits to rely on a single NEPA environment document where possible. Amends 23 U.S.C. §139(e) to require the lead agency to develop a checklist of resources for project sponsors. Amends 23 U.S.C. §139(f) to require the lead agency to seek involvement of participating agencies and the public as early as possible. Amends 23 U.S.C. §139(g) to put a 90-day clock on the lead agency’s ability to publish a plan for agency coordination (measured from the date of the notice of intent). Extends and synchronizes other public comment deadlines. Amends 23 U.S.C. 139(h) to prohibit the re-opening of any issues resolved by the lead agency and participating agencies unless significant new information or circumstances arise. Redefines 23 U.S.C. §133(j)(1) and (2) to require that activities be directly relevant to the permitting process.

Sec. 1306. Improving transparency in environmental reviews. Requires USDOT, within 18 months of enactment, to produce a public website showing the status of projects requiring an environmental review.

Sec. 1307. Integration of planning and environmental review. Amends 23 U.S.C. §168(a) to redefine several definitions and amends §168(b) to require agencies to adopt such planning documents to the maximum extent practicable.

Sec. 1308. Development of programmatic mitigation plans. Amends 23 U.S.C. 169(f) to say that federal agencies “shall give substantial weight to” the recommendations of programmatic mitigation plans instead of “may use” the recommendations.

Sec. 1309. Delegation of authorities. Directs DOT to use authority under 23 U.S.C. §106 to the maximum extent practicable to delegate authority to states for project design, plans, inspections, etc.

Sec. 1310. Categorical exclusion for projects of limited Federal assistance. Amends sec. 1317 of MAP-21 to require annual inflation adjustments (CPI) for the \$5 million and \$30 million categorical exclusion thresholds. – both prospectively, and retroactively back to July 1, 2012.

Sec. 1311. Application of categorical exclusions for multimodal projects. Amends 49 U.S.C. §304 to change the relationships between lead authorities and cooperating authorities for multimodal projects.

Sec. 1312. Surface transportation project delivery program. Amends 23 U.S.C. §327(g) to require annual audits to be completed within 180 days. Further amends §327 to

direct DOT to carry out capacity-building programs with states and to clarify that states granted authority under this section can exercise such authority on behalf of local governments.

Sec. 1313. Program for eliminating duplication of environmental reviews. Adds a new 23 U.S.C. §330 requiring the Secretary to establish a five-state pilot program to authorize those states to conduct environmental reviews and approve projects under state laws and regulations instead of federal laws and regulations. In order to participate, the Secretary must determine that the state's laws and regulations are "substantially equivalent" to the comparable federal laws and regulations, that the state has the financial and personnel means to carry out approvals and reviews, and that the state has executed an agreement with the Secretary in accordance with 23 U.S.C. §327.

Sec. 1314. Assessment of progress on accelerating project delivery. Requires a GAO review within two years of enactment of the progress made under SAFETEA-LU, MAP-21 and this bill of accelerated project delivery provisions.

Sec. 1315. Improving State and Federal agency engagement in environmental reviews. Adds a new 49 U.S.C. 307 to allow public entities receiving USDOT funding for projects to petition USDOT for permission to let that entity give money to federal agencies to carry out environmental reviews.

Sec. 1316. Accelerated decisionmaking in environmental reviews. Adds a new 49 U.S.C. 304a allowing lead agencies to make additions to draft statements on errata sheets rather than rewriting the whole thing. Makes other changes that intend to save time by preventing the lead agency from having to rewrite an entire multi-thousand-page document repeatedly.

Sec. 1317. Aligning Federal environmental reviews. Adds a new 49 U.S.C. §310 requiring DOT to develop a "coordinated and concurrent environmental review and permitting process" within one year of enactment.

Subtitle D—Miscellaneous

Sec. 1401. Tolling; HOV facilities; Interstate reconstruction and rehabilitation.

Amends 49 U.S.C. §129(a) to strike references to increased lane capacity on bridges or tunnels and to repeal §129(a)(1)(G) which currently allows tolling Interstate RRR if the total number of non-toll, non-HOV lanes does not change. Repeals §129(a)(4) that currently limits conversion of HOV facilities but adds a reference elsewhere to 23 U.S.C. §166 and then amends §166 to allow more tolling of HOV facilities by public authorities. Amends the Interstate toll pilot program in section 1212(b) of TEA21 to force the three states approved for the pilot project to use their approval within three years or lose such approval.

Sec. 1402. Prohibition on the use of funds for automated traffic enforcement.

Provides that no federal highway funding provided by the bill for FYs 2016-2021 can be used to purchase, operate or maintain automated traffic enforcement systems (speed and stoplight cameras) except in school zones.

Sec. 1403. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence. Amends 23 U.S.C. §164 to redefine "repeat intoxicated driver laws" to clarify that a combination of laws (as opposed to a single law) also qualify and to more explicitly allow a combination of a drivers license suspension and an ignition interlock device qualify.

Sec. 1404. Highway Trust Fund transparency and accountability. Adds a new 23 U.S.C. 104(g) requiring DOT to make public every six months a report on the amount of federal-aid highway funding apportioned to and obligated in each state, changes in

balances, and obligation rates by program, and requires annual reports of project-specific data.

Sec. 1405. High priority corridors on National Highway System. Amends section 1105(c) of ISTEA to redefine high priority corridor designations in North Carolina, Virginia and Texas and add new corridors in Nevada, North Carolina and Arizona. Amends section 1105(e)(5)(A) of ISTEA to strike some old designations and add a designation for Interstate 11 and the Kentucky spur portions of Interstate 66.

Sec. 1406. Flexibility for projects. Allows the Secretary to “exercise all existing flexibilities under and exceptions to” title 23 and other statutes.

Sec. 1407. Productive and timely expenditure of funds. Requires the Secretary to develop guidance within one year of enactment to encourage the use of programmatic approaches for project delivery.

Sec. 1408. Consolidation of programs. While section 1519(a) of MAP-21 funded the old legacy SAFETEA-LU allocated programs from a \$3 million per year takedown from FHWA administrative expenses, this section funds those programs via a \$3.5 million per year set-aside from total highway formula money.

Sec. 1409. Federal share payable. Amends 23 U.S.C. §120(c) to make “engineering or design approaches” to innovative project delivery methods also eligible for the higher federal share. Amends 23 U.S.C. §120(e)(2) to make a conforming change to emergency relief funding similar to that made in section 1117 above.

Sec. 1410. Elimination or modification of certain reporting requirements. Repeals reporting requirements for properties of asphalt under section 6016(e) of ISTA and repeals the express lane demonstration program progress report under section 1604(b) of SAFETEA-LU.

Sec. 1411. Technical corrections. Makes technical corrections to title 23, MAP-21, and SAFETEA-LU.

Sec. 1412. Safety for users. Requires the Secretary to encourage each state to adopt design standards that “provide for the safe and adequate accommodation...of all users on the surface transportation network, including motorized and nonmotorized users.”

Sec. 1413. Design standards. Amends 23 U.S.C. §109 to change the NHS aesthetics requirement in (c)(1) from “may take into account” to “shall consider” and add a consideration for cost savings by utilizing design flexibility and amends (c)(2) to make reference to new AASHTO publications. Provides that notwithstanding §109 states may allow localities to use different roadway design publications under certain circumstances.

Sec. 1414. Reserve fund. Provides that no funding in this Act can be distributed for fiscal years 2019, 2020 or 2021 unless a law enacted after this Act adds enough money to the Highway Trust Fund to maintain minimum balances of \$4 billion in the Highway Account and \$1 billion in the Mass Transit Account throughout such fiscal year. (See also sec. 80002 of the DRIVE Act.) Adds a new 23 U.S.C. §105 similar to the old RABA provision that used to be in §105, but whereas RABA was designed to raise or lower highway spending levels based on estimated Highway Account tax receipts, the new provision provides for automatic increases or decreases in both highway and mass transit contract authority and obligations starting in FY 2017 based on actual HTF-HA and HTF-MTA tax receipts received in past years. So the FY 2017 highway apportionments will be increased or decreased based on whether or not actual FY 2015 Highway Account tax receipts are higher or lower than the current estimate of \$34.413 billion and FY 2017 mass transit contract authority will rise or fall based on where Mass Transit Account receipts in FY 2015 were higher or lower than \$4.95 billion. FY 2018 spending will fluctuate based on FY 2016 actual tax receipts, etc.

OMB performs the calculations and submits them in the President's budget each year. FHWA, FMCSA and NHTSA administrative expenses and the highway emergency relief program are exempt from the adjustments.

Sec. 1415. Adjustments. Rescinds \$6 billion of highway formula contract authority effective on July 1, 2018. Safety programs and STBGP sub-allocated funds are exempt from the rescission.

TITLE II—INNOVATIVE PROJECT FINANCE

Sec. 2001. Transportation Infrastructure Financing and Innovation Act of 1988 amendments. Amends 23 U.S.C. §601 to change the definition of “master credit agreement” in (a)(10) to require that a project/projects get an investment grade rating prior to the Secretary entering into the MCA and to require that all conditions under §603(b)(1) be satisfied before contingent commitments are made. Redefines “rural infrastructure project” in §601(a)(15) so that it will be any project located outside a Census-designated urbanized area instead of any project outside an area that has at least 250,000 people in the city limits. Amends §602(b)(2) to make conforming changes to the definition of a MCA similar to the above. Amends §602(a)(5) to create a new, lower \$10 million minimum project size for projects where the applicant is a local government or local facility. Amends 23 U.S.C. §603(a) to define interim construction financing under (a)(2). Amends 23 U.S.C. §608(a)(4) to move the redistribution of unused TIFIA money back to April 1, 2016 and in (a)(6) to set specific dollar amounts of TIFIA set-aside for administrative expenses instead of a percentage of the total program.

Sec. 2002. State infrastructure bank program. Amends 23 U.S.C. §610 to once again allow states to use up to 10 percent of their annual NHPP and STBGP apportionments in FY 2016-2021 to capitalize state infrastructure banks.

Sec. 2003. Availability payment concession model. Amends 23 U.S.C. §121(a) and §106(b)(1) to allow payments to be made pursuant to long-term construction agreements to the list of potential eligible payments by USDOT to states.

TITLE III—PUBLIC TRANSPORTATION

Sec. 3001. Short Title. This title may be cited as the “Federal Public Transportation Act of 2015”

Sec. 3002. Definitions. Amends 49 U.S.C. §5302 to define the term “value capture” as a “recovering the increased property value to property located near public transportation resulting from investments in public transportation.” Defines the term “base-model bus” as “a heavy-duty public transportation bus manufactured to meet, but not exceed, transit-specific minimum performance criteria developed by the Secretary.”

Sec. 3003. Metropolitan and Statewide Transportation Planning. Amends 49 U.S.C. §5303 to:

- Include “intermodal facilities” in MPO decision-making and project selection.
- Allow MPO board composition to be determined by MPO bylaws or enabling legislation.
- Includes tourism and natural disaster risk reduction in the areas that MPOs are encourages to consult with other officials
- Encourage MPOs to consider the resiliency and reliability of the transportation system when selecting projects.

Sec. 3004. Urbanized Area Formula Grants. Amends 49 U.S.C. §5307 to clarify the definition of the grant recipient, add an exception to the vehicle hours special rule

requirement for sub-200K areas in (a), and amend the requirement to not expend less than one percent of the amount a recipient receives each fiscal year from this grant for transit improvements to one and half percent.

Sec. 3005. Fixed Guideway Capital Investment Grants. Amends 49 U.S.C. §5309 to introduce an optional early rating process for small starts projects. Lowers the maximum cost share of of federal assistance for a fixed guideway project or small start project in §5309(l) from not exceeding 80 percent to not exceeding 50 percent and redefines the non-federal share in (l)(4). Adds a new §5309(o) to ensure that the capital costs of art and landscaping are included in the annualized capital cost calculation.

Sec. 3006. Formula Grants for Enhanced Mobility of Seniors and Individuals with Disabilities. Amends 49 U.S.C. §5310 to direct USDOT to draft and disseminate a report exploring innovative practices, program models, new service delivery options in regards to performance measures.

Sec. 3007. Formula Grants for Rural Areas. Amends 49 U.S.C. §5311 to clarify where non-governmental project costs may be covered.

Sec. 3008. Public Transportation Innovation. Rewrites 49 U.S.C. §5312 to retitle it “Public transportation innovation.” Directs the Secretary to provide assistance for projects and activities that advance innovative public transportation R&D. Provides for grants to cover 80 percent of net project costs. Establishes an independent governing board for this program. Grants may be made through the National Academy of Sciences.

Sec. 3009. Technical Assistance and Workforce Development. Amends 49 U.S.C. §5314 to allow USDOT to enter into contracts, cooperative agreements, or other agreements, through a competitive bid process, to provide public transportation-related technical assistance specifically for compliance with ADA, human services transportation coordination requirements, to meet the needs of elderly individuals, increase coordination with MPOs, among others.

Sec. 3010. Bicycle Facilities. Amends 49 U.S.C. §5319 to lower the federal share for bicycle facilities to 80 percent.

Sec. 3011. General Provisions. Amends 49 U.S.C. §5323 prohibit a federal grant from being used to pay for incorporating art of landscaping into transportation facilities. Adjusts Buy America requirements for procuring rolling stock. Allows the use of value capture to account for local matching funds for capital projects.

Sec. 3012. Public Transportation Safety Program. Amends 49 U.S.C. §5329 to allow USDOT to withhold up to 25 percent of financial assistance under §5307 for lack of compliance with §5329.

Sec. 3013. Apportionments. Amends 49 U.S.C. §5336 to allow 27 percent of the fixed guideway vehicle revenue miles or fixed guideway directional route miles in a public transportation system of a recipient that is located outside the urbanized area for which the recipient receives funds.

Sec. 3014. State of Good Repair Grants. Amends 49 U.S.C. §5337 to clarify how recipients can use funds and directs the federal share for capital projects under this section to be 80 percent of the net project cost and clarifies what can be the non-federal share.

Sec. 3015. Authorizations. Amends 49 U.S.C. §5338 to authorize funding for FTA programs for fiscal years 2016-2021. See [this table](#) for annual totals and see [this table](#) for a comparison of the annual totals for major formula programs versus the Senate DRIVE Act.

Sec. 3016. Bus and Bus Facility Grants. Amends 49 U.S.C. §5339 to introduce a pilot program for cost-effective capital investment that will allow states to transfer formula

grant funds made available under this section to other eligible recipients. Also introduces a competitive grant for bus state of good repair. USDOT will be directed to publicize a metrics based evaluation procedure to evaluate applicants. USDOT will also be directed to publish a summary of final scores for selected projects.

Sec. 3017. Obligation Ceiling. Sets annual limitations on the obligation of formula and bus grant contract authority. See [this table](#) for annual totals.

Sec. 3018. Innovative Procurement. Provides definitions.

Sec. 3019. Review of Public Transportation Safety Standards. Directs USDOT to review and evaluate the efficacy of safety standards and protocols used in public transportation systems. Based on the findings, it directs USDOT develop a comprehensive set of recommendations to improve safety.

Sec. 3023. Study on Evidentiary Protection for Public Transportation Safety Program Information. Directs the Comptroller General to evaluate whether it is in the public interest to withhold at data to comply with requires under 49 U.S.C. 5329.

Sec. 3021. Mobility of Seniors and Individuals with Disabilities. Directs the Interagency Transportation Coordinating Council on Access and Mobility (established under Executive Order 13330) to publish a strategic plan that outlines the roles and responsibilities of each Federal agency with respect to local transportation coordination, identifies a strategy to strengthen interagency collaboration, and addresses any outstanding recommendations made by the Council in the 2005 report to the President on the implementation of EO 13330.

Sec. 3022. Improved Transit Safety Measures. Directs USDOT to issue an NPRM on protecting transit operators from risk of assault within 90 days of the publication of the report required in sec. 3019.

TITLE IV—HIGHWAY SAFETY

Sec. 4001. Authorization of appropriations. Authorizes contract authority from the Highway Account of the Highway Trust Fund for various NHTSA programs for fiscal years 2016-2021 as shown in [this table](#).

Sec. 4002. Highway safety programs. Amends 23 U.S.C. §402(a) to require state highway safety programs to increase driver awareness of CMVs. Amends §402(c) to require states to conduct biennial surveys of red light cameras and other automated traffic enforcement systems in the states, which USDOT shall publish on its website. Amends §402(g) to strike the reference to §403 projects in the savings clause.

Sec. 4003. Highway safety research and development. Amends 23 U.S.C. §403(b) to allow NHTSA to do research on ignition interlock installation. Amends §403(h) to cap total funding for in-vehicle alcohol detection research at an aggregate \$30 million over the six years of the bill. Adds a new §403(i) directing USDOT to issue guidelines to that all persons contacted by voluntary drug or alcohol surveyors are made fully aware that the program is voluntary. Adds a new §403(j) to cap the federal cost share of all §403 activities at 100 percent.

Sec. 4004. High-visibility enforcement program. Strikes 23 U.S.C. §404 (the old National Highway Traffic Safety Advisory Committee) and replaces it with a new §404 directing NHTSA to carry out here high-visibility enforcement campaigns each year. Each campaign must focus on at least one of three goals: reducing alcohol and drug-impaired driving; increasing seatbelt usage; and reducing distracted driving.

Sec. 4005. National priority safety programs. Completely rewrites the text of 23 U.S.C. §405(a) to reduce the share of §405 funding that goes to occupant protection grants from

16% to 13% and to reduce the share that goes to anti-DUI technology research from 2% to zero (because that research would instead be funded from §403 funding under sec. 4002 of the bill, above. Adds a new safety grant program for nonmotorized safety in a new §405(h) to receive the remaining 5 percent of the annual budget. Amends §403(b) to allow states that demonstrate high seatbelt use rates to use of 100 percent of their OPIG money (instead of 75 percent) for any §402-eligible project. Amends §405(d) to allow medium-low range states to use grant money for impaired driver assessment programs and other anti-recidivism programs and limits the grant money that low-range states can spend on §402 programs to 50 percent. Allows limited exceptions from state interlock laws in areas where a state-certified interlock provider is not available within 100 miles of the individual's residence or the individual is required to operate a vehicle for work that he/she does not own. Rewrites §405(e) completely to require states that want the grant to include distracted driving awareness on the drivers exam and pass laws that prohibit texting while driving or stopped in traffic and prohibit under-18 drivers from using cell phones while driving or stopped in traffic. Amends §405(f) to tie the motorcyclist safety grant money to FY 2009 instead of FY 2003 and to allow the bottom quartile of states in the per-capita motorcycle fatality measure to use up to 50 percent of that grant for §402 programs. Amends §405(g) to clarify that the graduated license program should only affect novice drivers under 18, not under 21 and makes other changes in the grant program.

Sec. 4006. Prohibition on funds to check helmet usage or create related checkpoints for a motorcycle driver or passenger. Prohibits USDOT from making grants to states, localities or tribes that is used for a program to check motorcycle helmet usage or motorcycle helmet checkpoints.

Sec. 4007. Marijuana-impaired driving. Requires USDOT to conduct a study on marijuana-impaired driving, to include whether or not an impairment standard is feasible.

Sec. 4008. National priority safety program grant eligibility. Requires USDOT to notify the public on its website of the identity of all NHTSA §405 grant recipients within 60 days of the grant being made.

Sec. 4009. Data collection. Amends sec. 1906 of SAFETEA-LU to change the racial profiling grant from one that rewards states that enact programs to keep records on traffic by rate to one that rewards states that maintain such records and extends the §403 set-aside for the program through 2021.

Sec. 4010. Technical corrections. Makes technical corrections to several highway safety statutes.

TITLE V—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grant Consolidation

Sec. 5101. Grants to States.

Sec. 5102. Performance and registration information systems management.

Sec. 5103. Authorization of appropriations.

Sec. 5104. Commercial driver's license program implementation.

Sec. 5105. Extension of Federal motor carrier safety programs for fiscal year 2016.

Sec. 5106. Motor carrier safety assistance program allocation.

Sec. 5107. Maintenance of effort calculation.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

Sec. 5201. Notice of cancellation of insurance. Sec. 5202. Regulations.
Sec. 5203. Guidance.
Sec. 5204. Petitions.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

Sec. 5221. Correlation study.
Sec. 5222. Beyond compliance.
Sec. 5223. Data certification.
Sec. 5224. Interim hiring standard.

Subtitle C—Commercial Motor Vehicle Safety

Sec. 5301. Implementing safety requirements.
Sec. 5302. Windshield mounted safety technology.
Sec. 5303. Prioritizing statutory rulemakings.
Sec. 5304. Safety reporting system.
Sec. 5305. New entrant safety review program.

Subtitle D—Commercial Motor Vehicle Drivers

Sec. 5401. Opportunities for veterans.
Sec. 5402. Drug free commercial drivers.
Sec. 5403. Certified medical examiners.
Sec. 5404. Graduated commercial driver's license pilot program.

Subtitle E—General Provisions

Sec. 5501. Minimum financial responsibility.
Sec. 5502. Delays in goods movement.
Sec. 5503. Report on motor carrier financial responsibility.
Sec. 5504. Emergency route working group.
Sec. 5505. Household goods consumer protection working group.
Sec. 5506. Technology improvements.
Sec. 5507. Notification regarding motor carrier registration.
Sec. 5508. Technical corrections.

TITLE VI—INNOVATION

Sec. 6001, Short Title. This title may be cited as the “Transportation for Tomorrow Act of 2015.”

Sec. 6002. Authorization of Appropriations. Authorizes HTF contract authority for Federal Highway Administration research programs. See [this table](#) for details.

Sec. 6003. Advanced Transportation and Congestion Management Technologies Deployment. Amends 23 U.S.C. §503(c) to direct USDOT to establish an advanced transportation and congestion management technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment. Directs USDOT to set aside \$75 million each year for grant making under this program. The federal share cannot exceed 50 percent of the cost of the project.

Sec. 6004. Technology and Innovation Deployment Program. Amends 23 U.S.C. §503(c) to direct USDOT to make available an annual report on the costs and benefits from deployment of new technology and innovations that substantially and directly results from the program established in sec. 6003.

Sec. 6005. Intelligent Transportation System Goals. Amends 23 U.S.C. §514(a) to include enhancement of the national freight system and national freight policy goals as a goal of the intelligent transportation system program.

Sec. 6006. Intelligent Transportation System Program Report. Amends 23 U.S.C. §515(h)(4) to change the due date of the annual ITS report from February 1 to May 1 of each year. Also directs that the report is made available on the USDOT website rather than through submission to Congress.

Sec. 6007. Intelligent Transportation System National Architecture and Standards. Amends 23 U.S.C. §517(a)(3) by changing the verbiage of “memberships are comprised of...” to “memberships include representatives of.”

Sec. 6008. Communication System Deployment Report. Amends 23 U.S.C. §518(a) to change the due date of the report to July 6, 2016.

Sec. 6009. Infrastructure Development. Adds a new 23 U.S.C. §519 to direct funds made available in chapter 5 to be used primarily for the development of ITS infrastructure, equipment, and systems.

Sec. 6010. Department Research Programs. Amends 49 U.S.C. §102(e) to add increase the number of Assistant Secretaries of Transportation from 5 to 6 and designate one an Assistant Secretary for Research and Technology. Amends 49 U.S.C. §330 to provide duties for the Secretary (presumably through the Assistant Secretary for Research and Technology) to oversee R&D programs and activities, advance innovative technologies, enter into grants and cooperative agreements to conduct research, among other activities. Makes conforming changes to title 5 U.S.C.

Sec. 6011. Research and Innovative Technology Administration. Repeals 49 U.S.C. 112, the organic statute establishing the Research and Innovative Technology Administration, to reflect the fact that Public Law 113-76 enacted January 17, 2014 provided that “notwithstanding any other provision of law, the powers and duties, functions, authorities and personnel of [RITA] are hereby transferred to the Office of the Assistant Secretary for Research and Technology...”

Sec. 6012. Office of Intermodalism. Repeals 49 U.S.C. §5503, the organic statute establishing the Office of Intermodalism (which also provided previous authority for an Assistant Secretary of Transportation for Research and Technology to exist).

Sec. 6013. University Transportation Centers. Amends 49 U.S.C. §5505 to prohibit an institution of higher education from receiving funding in a single fiscal year from more than one award within this section. In addition, it slightly adjusts the selection criteria. Adjusts the restrictions for monetary value of grants.

Sec. 6014. Bureau of Transportation Statistics. Amends 49 U.S.C. §6302(b)(3)(B) to expand the BTS Director’s responsibilities.

Sec. 6015. Surface Transportation System Funding Alternatives. Directs USDOT to establish a program to provide grants to state to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the HTF. Authorizes \$115 million over six years to be set aside from FHWA research contract authority under §503(b) to carry out this program.

Sec. 6016. Future Interstate Study. Directs USDOT to enter into an agreement with TRB to conduct a study exploring the actions needed to upgrade and restore the Interstate highway system. Authorizes up to \$5 million for FY2016 to be set aside from FHWA research contract authority under §503(b) to carry out this study.

Sec. 7001. Short title.

Sec. 7002. Authorization of appropriations.

Sec. 7003. National emergency and disaster response.

Sec. 7004. Enhanced reporting.

Sec. 7005. Wetlines.

Sec. 7006. Improving publication of special permits and approvals.

Sec. 7007. GAO study on acceptance of classification examinations.

Sec. 7008. Improving the effectiveness of planning and training grants.

Sec. 7009. Motor carrier safety permits.

Sec. 7010. Thermal blankets.

Sec. 7011. Comprehensive oil spill response plans.

Sec. 7012. Information on high-hazard flammable trains.

Sec. 7013. Study and testing of electronically-controlled pneumatic brakes.

Sec. 7014. Ensuring safe implementation of positive train control on poisonous or toxic-by-inhalation and passenger rail lines.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

Sec. 8001. Multimodal freight transportation. Repeals sections 1117 (state freight advisory committees) and 1118 (state freight strategic plans) of MAP-21. Adds new language to the currently vacant chapter IX of title 49 U.S.C. as follows:

- **§70101. National multimodal freight policy.** Declares the policy of the U.S. to maintain and improve the National Multimodal Freight Network and identifies goals of national multimodal freight policy.
- **§70102. National freight strategic plan.** Requires the Secretary of Transportation, within two years of enactment, to develop a national freight strategic plan in accordance with this section. (This presumably means that the national freight strategic plan released on October 18, 2015, in accordance with 23 U.S.C. 167(f), would not qualify.) Establishes criteria for such strategic plan.
- **§70103. National multimodal freight network.** Requires the Secretary to establish the National Multimodal Freight Network within 180 days of enactment, to consist of the National Highway Freight Network, the freight rail systems of class I railroads, the public ports of the U.S. with annual trade of at least 2 million short tons, the inland and intracoastal waterways systems, the Great Lakes, the St. Lawrence Seaway, the top 50 U.S. airports in terms of landed weight, and other strategic freight assets as designated by the Secretary. The network shall be updated every 5 years.
- **§70201. State freight advisory committees.** Directs the Secretary to encourage each state to establish a freight advisory committee consisting of a cross-section of public and private sector stakeholders to advise the state on freight issues.
- **§70202. State freight plans.** Directs each state to develop a state freight plan and sets minimum contents for said plans.
- **§70203. Data and tools.** Directs the Secretary, within one year of enactment, to begin development of new or improved tools to support outcome-oriented performance-based evaluations of freight and other transportation projects.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

Sec. 9001. National Surface Transportation and Innovative Finance Bureau. Adds a new 49 U.S.C. §116 establishing a National Surface Transportation and Innovative

Finance Bureau within USDOT, headed by an Executive Director to be appointed out of the competitive service by the Secretary, with the approval of the Secretary. The Executive Directory shall report to the Under Secretary for Policy and shall run the Bureau and support the Council on Credit and Finance. The Bureau shall run the TIFIA and RRIF programs, the qualified highway or surface transfer facility freight bonding program, and the new Nationally significant freight and highway projects. Directs the Bureau to establish general best practices for all its programs and to implement new transparency procedures for its programs. Directs the Bureau to act as the USDOT liaison for many environmental permitting meetings.

Sec. 9002. Council on Credit and Finance. Adds a new 49 U.S.C. §117 establishing a new Council on Credit and Finance within USDOT (to replace the current ad hoc credit council). Members are to be the Under Secretary for Policy, the CFO, the General Counsel, the Assistant Secretary for Policy, the FHWA, FTA and FRA Administrators, and up to 3 DOT officials named by the Secretary to be at-large members.