

Union Calendar No. 195

104TH CONGRESS
1ST Session

H. R. 325

[Report No. 104-387]

A BILL

To amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone non-attainment areas designated as severe, and for other purposes.

DECEMBER 6, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. MANZULLO (for himself, Mr. ARCHER, Mr. BARTLETT of Maryland, Mr. CRANE, Mr. CUNNINGHAM, Mr. FAWELL, Mr. HASTERT, Mr. HOEKSTRA, Mr. HUNTER, Mr. HYDE, Mr. KLINK, Mr. KNOLLENBERG, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. WALKER, Mr. WELDON of Pennsylvania, Mr. WILSON, and Mr. ROHRBACHER) introduced the following bill; which was referred to the Committee on Commerce

DECEMBER 6, 1995

Additional sponsors: Mr. BILBRAY, Mr. CASTLE, Mr. FOX of Pennsylvania, Mr. BONO, Mr. SENSENBRENNER, Mr. EMERSON, Mr. PORTMAN, Mr. CONDIT, Mr. ROBERTS, Mr. HOSTETTLER, Mr. NEUMANN, Mr. DAVIS, Mr. DICKEY, Mr. GUNDERSON, Mr. ENSIGN, Mr. MICA, Mr. COOLEY, Mr. LATOURETTE, Mr. KIM, Mr. BAKER of California, Mr. WELLER, Mr. SCARBOROUGH, Mr. BALLENGER, Mr. MCHUGH, Mr. MYERS of Indiana, Mrs. VUCANOVICH, Mr. WALSH, Mr. GEKAS, Mr. METCALF, Mr. EWING, Mr. GOODLING, Mr. SOLOMON, Mr. FLANAGAN, Mr. CHRISTENSEN, Mr. MCINTOSH, Mr. WATTS of Oklahoma, Mr. TALENT, Mrs. MYRICK, Mr. CHRYSLER, Mr. MCHALE, Mr. BARRETT of Wisconsin, Mr. DORNAN, Mr. FRELINGHUYSEN, Mr. WELDON of Florida, Mr. RIGGS, Mr. UNDERWOOD, Mr. LEWIS of Kentucky, Mr. HAYWORTH, Mr. CHAMBLISS, Mr. KINGSTON, Mr. FUNDERBURK, Mr. GILMAN, Mr. BUNNING of Kentucky, Mr. GUTKNECHT, Mr. MILLER of Florida, Mr. REGULA, Mr. WICKER, Mr. BROWNBACK, Mr. POMBO, Mr. BOEHNER, Mr. BARR of Georgia, Mr. LAUGHLIN, Mr. DUNCAN, Mr. KLECZKA, Mr. STUMP, Mr. LIPINSKI, Mr. SCHAEFER, Mr. EVERETT, Mr. ACKERMAN, Mr. GOODLATTE, Mr. FIELDS of Texas, Mr. TAUZIN, Mr. LAHOOD, Mr. LIV-

INGSTON, Mr. COSTELLO, Mr. STENHOLM, Mr. BONILLA, Mr. POSHARD, Mr. ROYCE, Mr. LIGHTFOOT, Mr. TAYLOR of North Carolina, Mr. JONES, Mr. QUILLEN, Mr. BARRETT of Nebraska, Mr. MOORHEAD, Mr. HERGER, Mr. ZELIFF, Mr. HEINEMAN, Mr. CHABOT, Mr. TATE, Mr. BARTON of Texas, Mr. HANSEN, Mr. SKEEN, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. KASICH, Mr. ROTH, Mr. DELAY, Mr. HEFLEY, Mr. BEREUTER, Mr. HOUGHTON, Mr. KING, Mr. COMBEST, Mr. CRAPO, Ms. DUNN of Washington, Mr. ENGLISH of Pennsylvania, Mr. BRYANT of Tennessee, Mrs. CHENOWETH, Mr. BAESLER, Mr. TIAHRT, Mr. NORWOOD, Mr. SOUDER, Mr. CALVERT, Mr. MARTINI, Mr. MCCOLLUM, Mr. COLLINS of Georgia, Mr. FOLEY, Mr. THORNBERRY, Mr. WAMP, Mr. BENTSEN, Mrs. WALDHOLTZ, Mrs. SEASTRAND, Mr. COX of California, Mr. QUINN, Mr. DREIER, Mr. HANCOCK, Mr. KLUG, Mr. PETRI, Mr. STEARNS, Mr. NETHERCUTT, Mr. BACHUS, Mr. ROGERS, Mr. LEWIS of California, Mr. HAYES, Mr. INGLIS of South Carolina, Mr. DOYLE, Mr. RUSH, Mr. TOWNS, Mr. GENE GREEN of Texas, Mr. WAXMAN, Mr. HOYER, Mrs. KELLY, Mr. BOEHLERT, Mr. LOBIONDO, Mr. CHAPMAN, Mr. PACKARD, Mr. PORTER, and Mr. FRANKS of Connecticut

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[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone nonattainment areas designated as severe, and for other purposes.

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

3 **SECTION 1. OPTIONAL EMPLOYER MANDATED TRIP RE-**
 4 **DUCTION.**

5 ~~Section 182(d)(1)(b) of the Clean Air Act is amended~~
 6 ~~by to read as follows:~~

1 “(B) The State may also, in its discretion, sub-
2 mit a revision at any time requiring employers in
3 such area to implement programs to reduce work-re-
4 lated vehicle trips and miles travelled by employees.
5 Such revision shall be developed in accordance with
6 guidance issued by the Administrator pursuant to
7 section 108(f) and may require that employers in
8 such area increase average passenger occupancy per
9 vehicle in commuting trips between home and the
10 workplace during peak travel periods. The guidance
11 of the Administrator may specify average vehicle oc-
12 cupancy rates which vary for locations within a non-
13 attainment area (suburban, center city, business dis-
14 trict) or among nonattainment areas reflecting exist-
15 ing occupancy rates and the availability of high oc-
16 cupancy modes. The revision may require employers
17 subject to a vehicle occupancy requirement to submit
18 a compliance plan to demonstrate compliance with
19 the requirements of this paragraph.”.

20 **SECTION 1. OPTIONAL EMPLOYER MANDATED TRIP REDUC-**
21 **TION.**

22 *Section 182(d)(1)(B) of the Clean Air Act is amended*
23 *to read as follows:*

24 “(B) The State may also, in its discretion, sub-
25 mit a revision at any time requiring employers in

1 *such area to implement programs to reduce work-re-*
2 *lated vehicle trips and miles travelled by employees.*
3 *Such revision shall be developed in accordance with*
4 *guidance issued by the Administrator pursuant to sec-*
5 *tion 108(f) and may require that employers in such*
6 *area increase average passenger occupancy per vehicle*
7 *in commuting trips between home and the workplace*
8 *during peak travel periods. The guidance of the Ad-*
9 *ministrator may specify average vehicle occupancy*
10 *rates which vary for locations within a nonattain-*
11 *ment area (suburban, center city, business district) or*
12 *among nonattainment areas reflecting existing occu-*
13 *pancy rates and the availability of high occupancy*
14 *modes. Any State required to submit a revision under*
15 *this subparagraph (as in effect before the date of en-*
16 *actment of this sentence) containing provisions re-*
17 *quiring employers to reduce work-related vehicle trips*
18 *and miles travelled by employees may, in accordance*
19 *with State law, remove such provisions from the im-*
20 *plementation plan, or withdraw its submission, if the*
21 *State notifies the Administrator, in writing, that the*
22 *State has undertaken, or will undertake, one or more*
23 *alternative methods that will achieve emission reduc-*
24 *tions equivalent to those to be achieved by the removed*
25 *or withdrawn provisions.”.*