

104TH CONGRESS
1ST SESSION

S. 440

To amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16 (legislative day, JANUARY 30), 1995

Mr. WARNER (for himself, Mr. CHAFEE, Mr. BAUCUS, Mr. MOYNIHAN, Mr. BOND, Mr. FAIRCLOTH, Mr. KEMPTHORNE, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. INHOFE, Mr. REID, Mr. SMITH, Mr. LUGAR, Mrs. BOXER, Mr. GRAHAM, and Mr. PELL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to provide for the designation of the National Highway System, 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. SHORT TITLE.**

4 This Act may be cited as the “National Highway Sys-
5 tem Designation Act of 1995”.

6 **SEC. 2. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

7 Section 103 of title 23, United States Code, is
8 amended by inserting after subsection (b) the following:

1 “(c) NATIONAL HIGHWAY SYSTEM DESIGNATION.—

2 “(1) DESIGNATION.—The most recent National
3 Highway System (as of the date of enactment of this
4 Act) as submitted by the Secretary of Transpor-
5 tation pursuant to this section is designated as the
6 National Highway System.

7 “(2) MODIFICATIONS.—

8 “(A) IN GENERAL.—At the request of a
9 State, the Secretary may—

10 “(i) add a new route segment to the
11 National Highway System, including a new
12 intermodal connection; or

13 “(ii) delete a route segment in exist-
14 ence on the date of the request and any
15 connection to the route segment;

16 if the total mileage of the National Highway
17 System (including any route segment or connec-
18 tion proposed to be added under this subpara-
19 graph) does not exceed 165,000 miles (265,542
20 kilometers).

21 “(B) PROCEDURES FOR CHANGES RE-
22 QUESTED BY STATES.—Each State that makes
23 a request for a change in the National Highway
24 System pursuant to subparagraph (A) shall es-
25 tablish that each change in a route segment or

1 connection referred to in the subparagraph has
2 been identified by the State, in cooperation with
3 local officials, pursuant to applicable transpor-
4 tation planning activities for metropolitan areas
5 carried out under section 134 and statewide
6 planning processes carried out under section
7 135.

8 “(3) APPROVAL BY THE SECRETARY.—The Sec-
9 retary may approve a request made by a State for
10 a change in the National Highway System pursuant
11 to paragraph (2) if the Secretary determines that
12 the change—

13 “(A) meets the criteria established for the
14 National Highway System under this title; and

15 “(B) enhances the national transportation
16 characteristics of the National Highway Sys-
17 tem.”.

18 **SEC. 3. ELIGIBLE PROJECTS FOR THE NATIONAL HIGHWAY**
19 **SYSTEM.**

20 (a) IN GENERAL.—Section 103(i) of title 23, United
21 States Code, is amended by striking paragraph (8) and
22 inserting the following:

23 “(8) Capital and operating costs for traffic
24 monitoring, management, and control facilities and
25 programs.”.

1 (b) DEFINITION.—Section 101(a) of title 23, United
2 States Code, is amended by striking the undesignated
3 paragraph defining “startup costs for traffic management
4 and control” and inserting the following:

5 “The term ‘operating costs for traffic monitoring,
6 management, and control’ includes labor costs, adminis-
7 trative costs, costs of utilities and rent, and other costs
8 associated with the continuous operation of traffic control
9 activities, such as integrated traffic control systems, inci-
10 dent management programs, and traffic control centers.”.

11 **SEC. 4. TRANSFERABILITY OF APPORTIONMENTS.**

12 The third sentence of section 104(g) of title 23, Unit-
13 ed States Code, is amended by striking “40 percent” and
14 inserting “60 percent”.

15 **SEC. 5. FEDERAL SHARE FOR HIGHWAYS, BRIDGES, AND**
16 **TUNNELS.**

17 Section 129(a) of title 23, United States Code, is
18 amended by striking paragraph (5) and inserting the fol-
19 lowing:

20 “(5) LIMITATION ON FEDERAL SHARE.—The
21 Federal share payable for an activity described in
22 paragraph (1) shall be a percentage determined by
23 the State, but not to exceed 80 percent.”.

1 **SEC. 6. FEDERAL SHARE FOR BICYCLE TRANSPORTATION**
2 **FACILITIES AND PEDESTRIAN WALKWAYS.**

3 Section 217(f) of title 23, United States Code, is
4 amended by striking “80 percent” and inserting “deter-
5 mined in accordance with section 120(b)”.

6 **SEC. 7. DONATIONS OF FUNDS, MATERIALS, OR SERVICES**
7 **FOR FEDERALLY ASSISTED ACTIVITIES.**

8 Section 323 of title 23, United States Code, is
9 amended—

10 (1) by redesignating subsection (c) as sub-
11 section (d); and

12 (2) by inserting after subsection (b) the follow-
13 ing:

14 “(c) CREDIT FOR DONATIONS OF FUNDS, MATE-
15 RIALS, OR SERVICES.—Nothing in this title or any other
16 law shall prevent a person from offering to donate funds,
17 materials, or services in connection with an activity eligible
18 for Federal assistance under this title. In the case of such
19 an activity with respect to which the Federal Government
20 and the State share in paying the cost, any donated funds,
21 or the fair market value of any donated materials or serv-
22 ices, that are accepted and incorporated into the activity
23 by the State highway agency shall be credited against the
24 State share.”.

1 **SEC. 8. METRIC CONVERSION OF TRAFFIC CONTROL SIGNS.**

2 Notwithstanding section 3(2) of the Metric Conver-
3 sion Act of 1975 (15 U.S.C. 205b(2)) or any other law,
4 no State shall be required to—

5 (1) erect any highway sign that establishes any
6 speed limit, distance, or other measurement using
7 the metric system; or

8 (2) modify any highway sign that establishes
9 any speed limit, distance, or other measurement so
10 that the sign uses the metric system.

11 **SEC. 9. TIME LIMIT FOR OBLIGATION OF FUNDS FOR IN-**
12 **TELLIGENT VEHICLE-HIGHWAY SYSTEMS**
13 **PROJECTS.**

14 Section 6058 of the Intermodal Surface Transpor-
15 tation Efficiency Act of 1991 (Public Law 102–240; 23
16 U.S.C. 307 note) is amended by adding at the end the
17 following:

18 “(f) OBLIGATION OF FUNDS.—

19 “(1) IN GENERAL.—Funds made available pur-
20 suant to subsections (a) and (b) after the date of en-
21 actment of this subsection, and other funds made
22 available after that date to carry out specific intel-
23 ligent vehicle-highway systems projects, shall be obli-
24 gated not later than the last day of the fiscal year
25 following the fiscal year with respect to which the
26 funds are made available.

1 “(2) REALLOCATION OF FUNDS.—If funds de-
2 scribed in paragraph (1) are not obligated by the
3 date described in the paragraph, the Secretary may
4 make the funds available to carry out any other ac-
5 tivity with respect to which funds may be made
6 available under subsection (a) or (b).”.

○