

Calendar No. 114

104TH CONGRESS
1ST SESSION

S. 440

[Report No. 104-86]

A BILL

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

MAY 22 (legislative day, MAY 15), 1995

Reported with an amendment

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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, Mr. PELL, Mr. BREAUX, Mr. BINGAMAN, Mr. JOHNSTON, Mr. SIMPSON, Mr. BRYAN, Mr. ASHCROFT, Mr. MURKOWSKI, Mr. ROBB, Mr. EXON, Mr. DORGAN, Mr. MCCONNELL, Mr. FORD, Mr. COATS, Mr. DASCHLE, Mr. LOTT, Mr. DOLE, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

MAY 22 (legislative day, MAY 15), 1995

Reported by Mr. CHAFEE, with an amendment

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

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

7 “(c) NATIONAL HIGHWAY SYSTEM DESIGNATION.—

8 “(1) DESIGNATION.—The most recent National
9 Highway System (as of the date of enactment of this
10 Act) as submitted by the Secretary of Transpor-
11 tation pursuant to this section is designated as the
12 National Highway System.

13 “(2) MODIFICATIONS.—

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

16 “(i) add a new route segment to the
17 National Highway System, including a new
18 intermodal connection; or

19 “(ii) delete a route segment in exist-
20 ence on the date of the request and any
21 connection to the route segment;

22 if the total mileage of the National Highway
23 System (including any route segment or connec-
24 tion proposed to be added under this subpara-
25 graph) does not exceed 165,000 miles (265,542
26 kilometers).

1 ~~“(B) PROCEDURES FOR CHANGES RE-~~
2 ~~QUESTED BY STATES.—~~Each State that makes
3 a request for a change in the National Highway
4 System pursuant to subparagraph (A) shall es-
5 tablish that each change in a route segment or
6 connection referred to in the subparagraph has
7 been identified by the State, in cooperation with
8 local officials, pursuant to applicable transpor-
9 tation planning activities for metropolitan areas
10 carried out under section 134 and statewide
11 planning processes carried out under section
12 135.

13 ~~“(3) APPROVAL BY THE SECRETARY.—~~The Sec-
14 retary may approve a request made by a State for
15 a change in the National Highway System pursuant
16 to paragraph (2) if the Secretary determines that
17 the change—

18 ~~“(A) meets the criteria established for the~~
19 National Highway System under this title; and

20 ~~“(B) enhances the national transportation~~
21 characteristics of the National Highway Sys-
22 tem.”.

1 **SEC. 3. ELIGIBLE PROJECTS FOR THE NATIONAL HIGHWAY**
2 **SYSTEM.**

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

6 “(8) Capital and operating costs for traffic
7 monitoring, management, and control facilities and
8 programs.”.

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

13 “The term ‘operating costs for traffic monitoring,
14 management, and control’ includes labor costs, adminis-
15 trative costs, costs of utilities and rent, and other costs
16 associated with the continuous operation of traffic control
17 activities, such as integrated traffic control systems, inci-
18 dent management programs, and traffic control centers.”.

19 **SEC. 4. TRANSFERABILITY OF APPORTIONMENTS.**

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

1 **SEC. 5. FEDERAL SHARE FOR HIGHWAYS, BRIDGES, AND**
 2 **TUNNELS.**

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

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

10 **SEC. 6. FEDERAL SHARE FOR BICYCLE TRANSPORTATION**
 11 **FACILITIES AND PEDESTRIAN WALKWAYS.**

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

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

17 Section 323 of title 23, United States Code, is
 18 amended—

19 (1) by redesignating subsection (c) as sub-
 20 section (d); and

21 (2) by inserting after subsection (b) the follow-
 22 ing:

23 “(c) **CREDIT FOR DONATIONS OF FUNDS, MATE-**
 24 **RIALS, OR SERVICES.**—Nothing in this title or any other
 25 law shall prevent a person from offering to donate funds,
 26 materials, or services in connection with an activity eligible

1 for Federal assistance under this title. In the case of such
 2 an activity with respect to which the Federal Government
 3 and the State share in paying the cost, any donated funds,
 4 or the fair market value of any donated materials or serv-
 5 ices, that are accepted and incorporated into the activity
 6 by the State highway agency shall be credited against the
 7 State share.”.

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

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

12 (1) erect any highway sign that establishes any
 13 speed limit, distance, or other measurement using
 14 the metric system; or

15 (2) modify any highway sign that establishes
 16 any speed limit, distance, or other measurement so
 17 that the sign uses the metric system.

18 **SEC. 9. TIME LIMIT FOR OBLIGATION OF FUNDS FOR IN-**
 19 **TELLIGENT VEHICLE-HIGHWAY SYSTEMS**
 20 **PROJECTS.**

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

25 “(f) OBLIGATION OF FUNDS.—

1 ~~“(1) IN GENERAL.—Funds made available pur-~~
 2 ~~suant to subsections (a) and (b) after the date of en-~~
 3 ~~actment of this subsection, and other funds made~~
 4 ~~available after that date to carry out specific intel-~~
 5 ~~ligent vehicle-highway systems projects, shall be obli-~~
 6 ~~gated not later than the last day of the fiscal year~~
 7 ~~following the fiscal year with respect to which the~~
 8 ~~funds are made available.~~

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

15 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

16 (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*
 17 *tional Highway System Designation Act of 1995”.*

18 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 19 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—HIGHWAY PROVISIONS

Sec. 101. National Highway System designation.

Sec. 102. Eligible projects for the National Highway System.

Sec. 103. Transferability of apportionments.

Sec. 104. Design criteria for the National Highway System.

Sec. 105. Applicability of transportation conformity requirements.

Sec. 106. Use of recycled paving material.

Sec. 107. Inapplicability of Davis-Bacon Act.

Sec. 108. Limitation on advance construction.

Sec. 109. Preventive maintenance.

- Sec. 110. Eligibility of bond and other debt instrument financing for reimbursement as construction expenses.
- Sec. 111. Federal share for highways, bridges, and tunnels.
- Sec. 112. Streamlining for transportation enhancement projects.
- Sec. 113. Non-Federal share for certain toll bridge projects.
- Sec. 114. Congestion mitigation and air quality improvement program.
- Sec. 115. Repeal of national maximum speed limit.
- Sec. 116. Federal share for bicycle transportation facilities and pedestrian walkways.
- Sec. 117. Repeal of restrictions on toll facilities.
- Sec. 118. Suspension of management systems.
- Sec. 119. Intelligent vehicle-highway systems.
- Sec. 120. Donations of funds, materials, or services for federally assisted activities.
- Sec. 121. Metric conversion of traffic control signs.
- Sec. 122. Identification of high priority corridors.
- Sec. 123. Revision of authority for innovative project in Florida.
- Sec. 124. Revision of authority for priority intermodal project in California.
- Sec. 125. National recreational trails funding program.
- Sec. 126. Intermodal facility in New York.
- Sec. 127. Clarification of eligibility.
- Sec. 128. Bristol, Rhode Island, street marking.
- Sec. 129. Public use of rest areas.
- Sec. 130. Collection of tolls to finance certain environmental projects in Florida.
- Sec. 131. Hours of service of drivers of ground water well drilling rigs.

TITLE II—NATIONAL CAPITAL REGION INTERSTATE
TRANSPORTATION AUTHORITY

- Sec. 201. Short title.
- Sec. 202. Findings.
- Sec. 203. Purposes.
- Sec. 204. Definitions.
- Sec. 205. Establishment of Authority.
- Sec. 206. Government of Authority.
- Sec. 207. Ownership of Bridge.
- Sec. 208. Capital improvements and construction.
- Sec. 209. Additional powers and responsibilities of Authority.
- Sec. 210. Funding.
- Sec. 211. Availability of prior authorizations.

1 **TITLE I—HIGHWAY PROVISIONS**

2 **SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

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

5 “(c) NATIONAL HIGHWAY SYSTEM DESIGNATION.—

6 “(1) DESIGNATION.—The most recent National
7 Highway System (as of the date of enactment of this

1 *Act) as submitted by the Secretary of Transportation*
2 *pursuant to this section is designated as the National*
3 *Highway System.*

4 “(2) *MODIFICATIONS.—*

5 “(A) *IN GENERAL.—At the request of a*
6 *State, the Secretary may—*

7 “(i) *add a new route segment to the*
8 *National Highway System, including a new*
9 *intermodal connection; or*

10 “(ii) *delete a route segment in existence*
11 *on the date of the request and any connec-*
12 *tion to the route segment;*

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

18 “(B) *PROCEDURES FOR CHANGES RE-*
19 *QUESTED BY STATES.—Each State that makes a*
20 *request for a change in the National Highway*
21 *System pursuant to subparagraph (A) shall es-*
22 *tablish that each change in a route segment or*
23 *connection referred to in the subparagraph has*
24 *been identified by the State, in cooperation with*
25 *local officials, pursuant to applicable transpor-*

1 *tation planning activities for metropolitan areas*
2 *carried out under section 134 and statewide*
3 *planning processes carried out under section 135.*

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

9 *“(A) meets the criteria established for the*
10 *National Highway System under this title; and*

11 *“(B) enhances the national transportation*
12 *characteristics of the National Highway Sys-*
13 *tem.”.*

14 **SEC. 102. ELIGIBLE PROJECTS FOR THE NATIONAL HIGH-**
15 **WAY SYSTEM.**

16 *(a) IN GENERAL.*—*Section 103(i) of title 23, United*
17 *States Code, is amended—*

18 *(1) by striking paragraph (8) and inserting the*
19 *following:*

20 *“(8) Capital and operating costs for traffic mon-*
21 *itoring, management, and control facilities and pro-*
22 *grams.”; and*

23 *(2) by adding at the end the following:*

24 *“(14) Construction, reconstruction, resurfacing,*
25 *restoration, and rehabilitation of, and operational*

1 *improvements for, public highways connecting the*
2 *National Highway System to—*

3 *“(A) ports, airports, and rail, truck, and*
4 *other intermodal freight transportation facilities;*
5 *and*

6 *“(B) public transportation facilities.*

7 *“(15) Construction of, and operational improve-*
8 *ments for, the Alameda Transportation Corridor*
9 *along Alameda Street from the entrance to the ports*
10 *of Los Angeles and Long Beach to Interstate 10, Los*
11 *Angeles, California. The Federal share of the cost of*
12 *the construction and improvements shall be deter-*
13 *mined in accordance with section 120(b).”.*

14 *(b) DEFINITION.—Section 101(a) of title 23, United*
15 *States Code, is amended by striking the undesignated para-*
16 *graph defining “startup costs for traffic management and*
17 *control” and inserting the following:*

18 *“The term ‘operating costs for traffic monitoring,*
19 *management, and control’ includes labor costs, administra-*
20 *tive costs, costs of utilities and rent, and other costs associ-*
21 *ated with the continuous operation of traffic control activi-*
22 *ties, such as integrated traffic control systems, incident*
23 *management programs, and traffic control centers.”.*

1 **SEC. 103. TRANSFERABILITY OF APPORTIONMENTS.**

2 *The third sentence of section 104(g) of title 23, United*
3 *States Code, is amended by striking “40 percent” and in-*
4 *serting “60 percent”.*

5 **SEC. 104. DESIGN CRITERIA FOR THE NATIONAL HIGHWAY**
6 **SYSTEM.**

7 *Section 109 of title 23, United States Code, is*
8 *amended—*

9 *(1) by striking subsection (a) and inserting the*
10 *following:*

11 *“(a) IN GENERAL.—The Secretary shall ensure that*
12 *the plans and specifications for each proposed highway*
13 *project under this chapter provide for a facility that will—*

14 *“(1) adequately serve the existing and planned*
15 *future traffic of the highway in a manner that is con-*
16 *ducive to safety, durability, and economy of mainte-*
17 *nance; and*

18 *“(2) be designed and constructed in accordance*
19 *with criteria best suited to accomplish the objectives*
20 *described in paragraph (1) and to conform to the par-*
21 *ticular needs of each locality.”;*

22 *(2) by striking subsection (c) and inserting the*
23 *following:*

24 *“(c) DESIGN CRITERIA FOR THE NATIONAL HIGHWAY*
25 *SYSTEM.—*

1 “(1) *IN GENERAL.*—A design for new construc-
2 tion, reconstruction, resurfacing (except for mainte-
3 nance resurfacing), restoration, or rehabilitation of a
4 highway on the National Highway System (other
5 than a highway also on the Interstate System) shall
6 take into account, in addition to the criteria described
7 in subsection (a)—

8 “(A) the constructed and natural environ-
9 ment of the area;

10 “(B) the environmental, scenic, aesthetic,
11 historic, community, and preservation impacts
12 of the activity; and

13 “(C) as appropriate, access for other modes
14 of transportation.

15 “(2) *DEVELOPMENT OF CRITERIA.*—The Sec-
16 retary, in cooperation with State highway agencies,
17 shall develop criteria to implement paragraph (1). In
18 developing the criteria, the Secretary shall consider
19 the results of the committee process of the American
20 Association of State Highway and Transportation Of-
21 ficials as adopted and published in ‘A Policy on Geo-
22 metric Design of Highways and Streets’, after ade-
23 quate opportunity for input by interested parties.”;
24 and

1 *by the Administrator as an attainment area for the*
2 *standard and that is required to develop a mainte-*
3 *nance plan under section 175A of the Clean Air Act*
4 *(42 U.S.C. 7505a).”.*

5 ***(b) CLEAN AIR ACT REQUIREMENTS.***—*Section 176(c)*
6 *of the Clean Air Act (42 U.S.C. 7506(c)) is amended by*
7 *adding at the end the following:*

8 ***(5) APPLICABILITY.***—*This subsection shall*
9 *apply only with respect to—*

10 ***(A)*** *a nonattainment area and each spe-*
11 *cific pollutant for which the area is designated*
12 *as a nonattainment area; and*

13 ***(B)*** *an area that was designated as a non-*
14 *attainment area but that was later redesignated*
15 *by the Administrator as an attainment area and*
16 *that is required to develop a maintenance plan*
17 *under section 175A with respect to the specific*
18 *pollutant for which the area was designated non-*
19 *attainment.”.*

20 ***SEC. 106. USE OF RECYCLED PAVING MATERIAL.***

21 ***(a) IN GENERAL.***—*Section 1038 of the Intermodal*
22 *Surface Transportation Efficiency Act of 1991 (Public Law*
23 *102–240; 23 U.S.C. 109 note) is amended—*

24 ***(1)*** *by striking subsection (d) and inserting the*
25 *following:*

1 “(d) ASPHALT PAVEMENT CONTAINING RECYCLED
2 RUBBER.—

3 “(1) CRUMB RUBBER MODIFIER RESEARCH.—
4 *Not later than 180 days after the date of enactment*
5 *of the National Highway System Designation Act of*
6 *1995, the Administrator of the Federal Highway Ad-*
7 *ministration shall develop testing procedures and con-*
8 *duct research to develop performance grade classifica-*
9 *tions, in accordance with the strategic highway re-*
10 *search program carried out under section 307(d) of*
11 *title 23, United States Code, for crumb rubber modi-*
12 *fier binders. The testing procedures and performance*
13 *grade classifications should be developed in consulta-*
14 *tion with representatives of the crumb rubber modifier*
15 *industry and other interested parties (including the*
16 *asphalt paving industry) with experience in the devel-*
17 *opment of the procedures and classifications.*

18 “(2) CRUMB RUBBER MODIFIER PROGRAM DE-
19 VELOPMENT.—

20 “(A) IN GENERAL.—*The Administrator of*
21 *the Federal Highway Administration shall make*
22 *grants to States to develop programs to use*
23 *crumb rubber from scrap tires to modify asphalt*
24 *pavements. Each State may receive not more*
25 *than \$500,000 under this paragraph.*

1 “(B) *USE OF GRANT FUNDS.*—Grant funds
2 made available to States under this paragraph
3 may be used—

4 “(i) to develop mix designs for crumb
5 rubber modified asphalt pavements;

6 “(ii) for the placement and evaluation
7 of crumb rubber modified asphalt pavement
8 field tests; and

9 “(iii) for the expansion of State crumb
10 rubber modifier programs in existence on
11 the date the grant is made available.”; and

12 (2) in subsection (e), by striking paragraph (1)
13 and inserting the following:

14 “(1) the term ‘asphalt pavement containing recy-
15 cled rubber’ means any mixture of asphalt and crumb
16 rubber derived from whole scrap tires, such that the
17 physical properties of the asphalt are modified
18 through the mixture, for use in pavement mainte-
19 nance, rehabilitation, or construction applications;
20 and”.

21 (b) *FUNDING.*—Section 307(e)(13) of title 23, United
22 States Code, is amended by inserting after the second sen-
23 tence the following: “Of the amounts authorized to be ex-
24 pended under this paragraph, \$500,000 shall be expended
25 in fiscal year 1996 to carry out section 1038(d)(1) of the

1 *Intermodal Surface Transportation Efficiency Act of 1991*
2 *(Public Law 102-240; 23 U.S.C. 109 note) and \$10,000,000*
3 *shall be expended in each of fiscal years 1996 and 1997*
4 *to carry out section 1038(d)(2) of the Act.”.*

5 **SEC. 107. INAPPLICABILITY OF DAVIS-BACON ACT.**

6 *Section 113 of title 23, United States Code, is amended*
7 *to read as follows:*

8 **“§ 113. Prevailing rate of wage**

9 *“The Act entitled ‘An Act relating to the rate of wages*
10 *for laborers and mechanics employed on public buildings*
11 *of the United States and the District of Columbia by con-*
12 *tractors and subcontractors, and for other purposes’, ap-*
13 *proved March 3, 1931 (commonly known as the ‘Davis-*
14 *Bacon Act’) (40 U.S.C. 276a et seq.), shall not apply with*
15 *respect to any project carried out or assisted under any*
16 *chapter of this title.”.*

17 **SEC. 108. LIMITATION ON ADVANCE CONSTRUCTION.**

18 *Section 115(d) of title 23, United States Code, is*
19 *amended to read as follows:*

20 *“(d) REQUIREMENT OF INCLUSION IN TRANSPOR-*
21 *TATION IMPROVEMENT PROGRAM.—The Secretary may not*
22 *approve an application under this section unless the project*
23 *is included in the transportation improvement program of*
24 *the State developed under section 135(f).”.*

1 **SEC. 109. PREVENTIVE MAINTENANCE.**

2 *Section 116 of title 23, United States Code, is amended*
3 *by adding at the end the following:*

4 “(d) *PREVENTIVE MAINTENANCE.*—A preventive
5 *maintenance activity shall be eligible for Federal assistance*
6 *under this title if the State demonstrates to the satisfaction*
7 *of the Secretary that the activity is a cost-effective means*
8 *of extending the life of a Federal-aid highway.”.*

9 **SEC. 110. ELIGIBILITY OF BOND AND OTHER DEBT INSTRU-**
10 **MENT FINANCING FOR REIMBURSEMENT AS**
11 **CONSTRUCTION EXPENSES.**

12 (a) *IN GENERAL.*—Section 122 of title 23, United
13 *States Code, is amended to read as follows:*

14 **“SEC. 122. PAYMENTS TO STATES FOR BOND AND OTHER**
15 **DEBT INSTRUMENT FINANCING.**

16 “(a) *DEFINITION OF ELIGIBLE DEBT FINANCING IN-*
17 *STRUMENT.*—*In this section, the term ‘eligible debt financ-*
18 *ing instrument’ means a bond or other debt financing in-*
19 *strument, including a note, certificate, mortgage, or lease*
20 *agreement, issued by a State or political subdivision of a*
21 *State, the proceeds of which are used for an eligible Federal-*
22 *aid project under this title.*

23 “(b) *FEDERAL REIMBURSEMENT.*—*Subject to sub-*
24 *sections (c) and (d), the Secretary may reimburse a State*
25 *for expenses and costs incurred by the State or a political*
26 *subdivision of the State, for—*

1 “(1) interest payments under an eligible debt fi-
2 nancing instrument;

3 “(2) the retirement of principal of an eligible
4 debt financing instrument;

5 “(3) the cost of the issuance of an eligible debt
6 financing instrument;

7 “(4) the cost of insurance for an eligible debt fi-
8 nancing instrument; and

9 “(5) any other cost incidental to the sale of an
10 eligible debt financing instrument (as determined by
11 the Secretary).

12 “(c) *CONDITIONS ON PAYMENT.*—The Secretary may
13 reimburse a State under subsection (b) with respect to a
14 project funded by an eligible debt financing instrument
15 after the State has complied with this title to the extent
16 and in the manner that would be required if payment were
17 to be made under section 121.

18 “(d) *FEDERAL SHARE.*—The Federal share of the cost
19 of a project payable under this section shall not exceed the
20 pro-rata basis of payment authorized in section 120.

21 “(e) *STATUTORY CONSTRUCTION.*—Notwithstanding
22 any other law, the eligibility of an eligible debt financing
23 instrument for reimbursement under subsection (a) shall
24 not—

1 *paragraph (1) shall be a percentage determined by*
 2 *the State, but not to exceed 80 percent.”.*

3 **SEC. 112. STREAMLINING FOR TRANSPORTATION ENHANCE-**
 4 **MENT PROJECTS.**

5 *Section 133(e) of title 23, United States Code, is*
 6 *amended—*

7 *(1) in paragraph (3)—*

8 *(A) by striking “(3) PAYMENTS.—The” and*
 9 *inserting the following:*

10 “*(3) PAYMENTS.—*

11 “*(A) IN GENERAL.—Except as provided in*
 12 *subparagraph (B), the”;* and

13 *(B) by adding at the end the following:*

14 “*(B) ADVANCE PAYMENT OPTION FOR*
 15 *TRANSPORTATION ENHANCEMENT ACTIVITIES.—*

16 “*(i) IN GENERAL.—The Secretary may*
 17 *advance funds to the State for transpor-*
 18 *tation enhancement activities funded from*
 19 *the allocation required by subsection (d)(2)*
 20 *for a fiscal year if the Secretary certifies for*
 21 *the fiscal year that the State has authorized*
 22 *and uses a process for the selection of trans-*
 23 *portation enhancement projects that in-*
 24 *volves representatives of affected public enti-*
 25 *ties, and private citizens, with expertise re-*

1 *lated to transportation enhancement activi-*
 2 *ties.*

3 “(ii) *LIMITATION ON AMOUNTS.—*
 4 *Amounts advanced under this subparagraph*
 5 *shall be limited to such amounts as are nec-*
 6 *essary to make prompt payments for project*
 7 *costs.*

8 “(iii) *EFFECT ON OTHER REQUIRE-*
 9 *MENTS.—This subparagraph shall not ex-*
 10 *empt a State from other requirements of*
 11 *this title relating to the surface transpor-*
 12 *tation program.”; and*

13 *(2) by adding at the end the following:*

14 “(5) *TRANSPORTATION ENHANCEMENT ACTIVI-*
 15 *TIES.—*

16 “(A) *CATEGORICAL EXCLUSIONS.—To the*
 17 *extent appropriate, the Secretary shall develop*
 18 *categorical exclusions from the requirement that*
 19 *an environmental assessment or an environ-*
 20 *mental impact statement under section 102 of*
 21 *the National Environmental Policy Act of 1969*
 22 *(42 U.S.C. 4332) be prepared for transportation*
 23 *enhancement activities funded from the alloca-*
 24 *tion required by subsection (d)(2).*

1 “(B) *NATIONWIDE PROGRAMMATIC AGREE-*
2 *MENT.—The Administrator of the Federal High-*
3 *way Administration, in consultation with the*
4 *National Conference of State Historic Preserva-*
5 *tion Officers and the Advisory Council on His-*
6 *toric Preservation established under title II of*
7 *the National Historic Preservation Act (16*
8 *U.S.C. 470i et seq.), shall develop a nationwide*
9 *programmatic agreement governing the review of*
10 *transportation enhancement activities funded*
11 *from the allocation required by subsection (d)(2),*
12 *in accordance with—*

13 “(i) *section 106 of the National His-*
14 *toric Preservation Act (16 U.S.C. 470f); and*

15 “(ii) *the regulations of the Advisory*
16 *Council on Historic Preservation.”.*

17 **SEC. 113. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE**
18 **PROJECTS.**

19 *Section 144(l) of title 23, United States Code, is*
20 *amended by adding at the end the following: “Any non-*
21 *Federal funds expended for the seismic retrofit of the bridge*
22 *may be credited toward the non-Federal share required as*
23 *a condition of receipt of any Federal funds for seismic retro-*
24 *fit of the bridge made available after the date of the expendi-*
25 *ture.”.*

1 **SEC. 114. CONGESTION MITIGATION AND AIR QUALITY IM-**
2 **PROVEMENT PROGRAM.**

3 (a) *AREAS ELIGIBLE FOR FUNDS.*—

4 (1) *IN GENERAL.*—*The first sentence of section*
5 *149(b) of title 23, United States Code, is amended—*

6 (A) *by inserting “for areas in the State that*
7 *were designated as nonattainment areas under*
8 *section 107(d) of the Clean Air Act (42 U.S.C.*
9 *7407(d))” after “may obligate funds”; and*

10 (B) *in paragraph (1)(A)—*

11 (i) *by striking “contribute to the” and*
12 *inserting the following: “contribute to—*

13 *“(i) the”; and*

14 (ii) *by adding at the end the following:*

15 *“(ii) the maintenance of a national ambient*
16 *air quality standard in an area that was des-*
17 *ignated as a nonattainment area but that was*
18 *later redesignated by the Administrator of the*
19 *Environmental Protection Agency as an attain-*
20 *ment area under section 107(d) of the Clean Air*
21 *Act (42 U.S.C. 7407(d)); or”.*

22 (2) *APPORTIONMENT.*—*Section 104(b)(2) of title*
23 *23, United States Code, is amended—*

24 (A) *in the second sentence, by striking “is*
25 *a nonattainment area (as defined in the Clean*
26 *Air Act) for ozone” and inserting “was a non-*

1 attainment area (as defined in section 171(2) of
2 the Clean Air Act (42 U.S.C. 7501(2))) for ozone
3 during any part of fiscal year 1995”; and

4 (B) in the third sentence—

5 (i) by striking “is also” and inserting
6 “was also”; and

7 (ii) by inserting “during any part of
8 fiscal year 1995” after “monoxide”.

9 (b) *REMOVAL OF CERTAIN FUNDING LIMITATIONS.*—

10 Section 149(b)(1)(A) of title 23, United States Code, is
11 amended by striking “(other than clauses (xii) and (xvi)
12 of such section), that the project or program” and inserting
13 “, that the publicly sponsored project or program”.

14 **SEC. 115. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT.**

15 (a) *IN GENERAL.*—Section 154 of title 23, United
16 States Code, is repealed.

17 (b) *CONFORMING AMENDMENTS.*—

18 (1) The analysis for chapter 1 of title 23, United
19 States Code, is amended by striking the item relating
20 to section 154.

21 (2) Section 141 of title 23, United States Code,
22 is amended—

23 (A) by striking subsection (a);

1 (B) by redesignating subsections (b), (c),
2 and (d) as subsections (a), (b), and (c), respec-
3 tively; and

4 (C) in subsection (b) (as so redesignated),
5 by striking “subsection (b)” each place it ap-
6 pears and inserting “subsection (a)”.

7 (3) Section 123(c)(3) of the Federal-Aid High-
8 way Act of 1978 (Public Law 95–599; 23 U.S.C. 141
9 note) is amended by striking “section 141(b)” and in-
10 serting “section 141(a)”.

11 (4) Section 153(i)(2) of title 23, United States
12 Code, is amended to read as follows:

13 “(2) MOTOR VEHICLE.—The term ‘motor vehicle’
14 means any vehicle driven or drawn by mechanical
15 power manufactured primarily for use on public
16 highways, except any vehicle operated exclusively on
17 a rail or rails.”.

18 (5) Section 1029 of the Intermodal Surface
19 Transportation Efficiency Act of 1991 (Public Law
20 102–240; 23 U.S.C. 154 note) is amended—

21 (A) by striking subsection (d); and

22 (B) by redesignating subsections (e), (f),
23 and (g) as subsections (d), (e), and (f), respec-
24 tively.

1 (6) Section 157(d) of title 23, United States
2 Code, is amended by striking “154(f) or”.

3 (7) Section 410(i)(3) of title 23, United States
4 Code, is amended to read as follows:

5 “(3) *MOTOR VEHICLE*.—The term ‘motor vehicle’
6 means any vehicle driven or drawn by mechanical
7 power manufactured primarily for use on public
8 highways, except any vehicle operated exclusively on
9 a rail or rails.”.

10 **SEC. 116. FEDERAL SHARE FOR BICYCLE TRANSPORTATION**

11 **FACILITIES AND PEDESTRIAN WALKWAYS.**

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

15 **SEC. 117. REPEAL OF RESTRICTIONS ON TOLL FACILITIES.**

16 (a) *IN GENERAL*.—Section 301 of title 23, United
17 States Code, is repealed.

18 (b) *AUTHORIZATION FOR FEDERAL PARTICIPATION*.—
19 Section 129(a)(1) of title 23, United States Code, is amend-
20 ed to read as follows:

21 “(1) *AUTHORIZATION FOR FEDERAL PARTICIPA-*
22 *TION*.—Subject to the other provisions of this section,
23 the Secretary shall permit Federal participation in
24 Federal-aid projects involving toll highways, bridges,
25 and tunnels on the same basis and in the same man-

1 *ner as in the construction of free highways under this*
2 *chapter.”.*

3 (c) *CONFORMING AMENDMENTS.*—

4 (1) *Section 129 of title 23, United States Code,*
5 *is amended—*

6 (A) *in subsection (b), by striking “Notwith-*
7 *standing the provisions of section 301 of this*
8 *title, the” and inserting “The”; and*

9 (B) *in subsection (c), by striking “Notwith-*
10 *standing section 301 of this title, the” and in-*
11 *serting “The”.*

12 (2) *The analysis for chapter 3 of title 23, United*
13 *States Code, is amended by striking the item relating*
14 *to section 301.*

15 **SEC. 118. SUSPENSION OF MANAGEMENT SYSTEMS.**

16 *Section 303 of title 23, United States Code, is*
17 *amended—*

18 (1) *by striking subsection (c) and inserting the*
19 *following:*

20 *“(c) STATE ELECTION.—A State may, at the option*
21 *of the State, elect, at any time, not to implement, in whole*
22 *or in part, 1 or more of the management systems required*
23 *under this section. The Secretary may not impose any sanc-*
24 *tion on, or withhold any benefit from, a State on the basis*
25 *of such an election.”; and*

1 (2) in subsection (f)—

2 (A) by striking “(f) ANNUAL REPORT.—

3 Not” and inserting the following:

4 “(f) REPORTS.—

5 “(1) ANNUAL REPORTS.—Not”; and

6 (B) by adding at the end the following:

7 “(2) REPORT ON IMPLEMENTATION.—Not later
8 than October 1, 1996, the Secretary, in consultation
9 with States, shall transmit to Congress a report on
10 the management systems required under this section
11 that makes recommendations as to whether, to what
12 extent, and how the management systems should be
13 implemented.”.

14 **SEC. 119. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.**

15 (a) IMPROVED COLLABORATION IN INTELLIGENT VE-
16 HICLE-HIGHWAY SYSTEMS RESEARCH AND DEVELOP-
17 MENT.—Section 6054 of the Intermodal Surface Transpor-
18 tation Efficiency Act of 1991 (Public Law 102–240; 23
19 U.S.C. 307 note) is amended by adding at the end the fol-
20 lowing:

21 “(e) COLLABORATIVE RESEARCH AND DEVELOP-
22 MENT.—In carrying out this part, the Secretary may carry
23 out collaborative research and development in accordance
24 with section 307(a)(2) of title 23, United States Code.”.

1 (b) *TIME LIMIT FOR OBLIGATION OF FUNDS FOR IN-*
 2 *TELLIGENT VEHICLE-HIGHWAY SYSTEMS PROJECTS.*—*Sec-*
 3 *tion 6058 of the Intermodal Surface Transportation Effi-*
 4 *ciency Act of 1991 (Public Law 102–240; 23 U.S.C. 307*
 5 *note) is amended by adding at the end the following:*

6 “(f) *OBLIGATION OF FUNDS.*—

7 “(1) *IN GENERAL.*—*Funds made available pur-*
 8 *suant to subsections (a) and (b) after the date of en-*
 9 *actment of this subsection, and other funds made*
 10 *available after that date to carry out specific intel-*
 11 *ligent vehicle-highway systems projects, shall be obli-*
 12 *gated not later than the last day of the fiscal year fol-*
 13 *lowing the fiscal year with respect to which the funds*
 14 *are made available.*

15 “(2) *REALLOCATION OF FUNDS.*—*If funds de-*
 16 *scribed in paragraph (1) are not obligated by the date*
 17 *described in the paragraph, the Secretary may make*
 18 *the funds available to carry out any other activity*
 19 *with respect to which funds may be made available*
 20 *under subsection (a) or (b).”.*

21 **SEC. 120. DONATIONS OF FUNDS, MATERIALS, OR SERVICES**

22 **FOR FEDERALLY ASSISTED ACTIVITIES.**

23 *Section 323 of title 23, United States Code, is*
 24 *amended—*

1 (1) by redesignating subsection (c) as subsection
2 (d); and

3 (2) by inserting after subsection (b) the follow-
4 ing:

5 “(c) *CREDIT FOR DONATIONS OF FUNDS, MATERIALS,*
6 *OR SERVICES.—Nothing in this title or any other law shall*
7 *prevent a person from offering to donate funds, materials,*
8 *or services in connection with an activity eligible for Fed-*
9 *eral assistance under this title. In the case of such an activ-*
10 *ity with respect to which the Federal Government and the*
11 *State share in paying the cost, any donated funds, or the*
12 *fair market value of any donated materials or services, that*
13 *are accepted and incorporated into the activity by the State*
14 *highway agency shall be credited against the State share.”.*

15 **SEC. 121. METRIC CONVERSION OF TRAFFIC CONTROL**
16 **SIGNS.**

17 Notwithstanding section 3(2) of the Metric Conversion
18 Act of 1975 (15 U.S.C. 205b(2)) or any other law, no State
19 shall be required to—

20 (1) erect any highway sign that establishes any
21 speed limit, distance, or other measurement using the
22 metric system; or

23 (2) modify any highway sign that establishes
24 any speed limit, distance, or other measurement so
25 that the sign uses the metric system.

1 **SEC. 122. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.**

2 *Section 1105(c) of the Intermodal Surface Transpor-*
3 *tation Efficiency Act of 1991 (Pub. L. 102–240; 105 Stat.*
4 *2032) is amended—*

5 *(1) by striking paragraph (5) and inserting the*
6 *following:*

7 *“(5)(A) I–73/74 North-South Corridor from*
8 *Charleston, South Carolina, through Winston-Salem,*
9 *North Carolina, to Portsmouth, Ohio, to Cincinnati,*
10 *Ohio, and Detroit, Michigan.*

11 *“(B)(i) In the Commonwealth of Virginia, the*
12 *Corridor shall generally follow—*

13 *“(I) United States Route 220 from the Vir-*
14 *ginia-North Carolina border to I–581 south of*
15 *Roanoke;*

16 *“(II) I–581 to I–81 in the vicinity of Roa-*
17 *noke;*

18 *“(III) I–81 to the proposed highway to*
19 *demonstrate intelligent vehicle-highway systems*
20 *authorized by item 29 of the table in section*
21 *1107(b) in the vicinity of Christiansburg to*
22 *United States Route 460 in the vicinity of*
23 *Blacksburg; and*

24 *“(IV) United States Route 460 to the West*
25 *Virginia State line.*

1 “(ii) In the States of West Virginia, Kentucky,
2 and Ohio, the Corridor shall generally follow—

3 “(I) United States Route 460 from the West
4 Virginia State line to United States Route 52 at
5 Bluefield, West Virginia; and

6 “(II) United States Route 52 to United
7 States Route 23 at Portsmouth, Ohio.

8 “(iii) In the State of North Carolina, the Cor-
9 ridor shall generally follow—

10 “(I) in the case of I-73—

11 “(aa) United States Route 220 from
12 the Virginia State line to State Route 68 in
13 the vicinity of Greensboro;

14 “(bb) State Route 68 to I-40;

15 “(cc) I-40 to United States Route 220
16 in Greensboro;

17 “(dd) United States Route 220 to
18 United States Route 74 near Rockingham;

19 “(ee) United States Route 74 to United
20 States Route 76 near Whiteville;

21 “(ff) United States Route 74/76 to
22 United States Route 17 near Calabash; and

23 “(gg) United States Route 17 to the
24 South Carolina State line; and

25 “(II) in the case of I-74—

1 “(aa) I-77 from Bluefield, West Vir-
2 ginia, to the junction of I-77 and the Unit-
3 ed States Route 52 connector in Surry
4 County, North Carolina;

5 “(bb) the I-77/United States Route 52
6 connector to United States Route 52 south
7 of Mount Airy, North Carolina;

8 “(cc) United States Route 52 to United
9 States Route 311 in Winston-Salem, North
10 Carolina; and

11 “(dd) United States Route 311 to
12 United States Route 220 in the vicinity of
13 Randleman, North Carolina.

14 “(iv) Each route segment referred to in clause
15 (i), (ii), or (iii) that is not a part of the Interstate
16 System shall be designated as a route included in the
17 Interstate System, at such time as the Secretary de-
18 termines that the route segment—

19 “(I) meets Interstate System design stand-
20 ards approved by the Secretary under section
21 109(b) of title 23, United States Code; and

22 “(II) meets the criteria for designation pur-
23 suant to section 139 of title 23, United States
24 Code, except that the determination shall be
25 made without regard to whether the route seg-

1 *ment is a logical addition or connection to the*
 2 *Interstate System.”; and*

3 *(2) by adding at the end the following:*

4 *“(22) The Alameda Transportation Corridor*
 5 *along Alameda Street from the entrance to the ports*
 6 *of Los Angeles and Long Beach to Interstate 10, Los*
 7 *Angeles, California.*

8 *“(23) The Interstate Route 35 Corridor from La-*
 9 *redo, Texas, through Oklahoma City, Oklahoma, to*
 10 *Wichita, Kansas, to Kansas City, Kansas/Missouri, to*
 11 *Des Moines, Iowa, to Minneapolis, Minnesota, to Du-*
 12 *luth, Minnesota.”.*

13 **SEC. 123. REVISION OF AUTHORITY FOR INNOVATIVE**
 14 **PROJECT IN FLORIDA.**

15 *Item 196 of the table in section 1107(b) of the Inter-*
 16 *modal Surface Transportation Efficiency Act of 1991 (Pub-*
 17 *lic Law 102-240; 105 Stat. 2058) is amended—*

18 *(1) by striking “Orlando.”; and*

19 *(2) by striking “Land & right-of-way acquisition*
 20 *& guideway construction for magnetic limitation*
 21 *project” and inserting “1 or more regionally signifi-*
 22 *cant, intercity ground transportation projects”.*

1 **SEC. 124. REVISION OF AUTHORITY FOR PRIORITY INTER-**
 2 **MODAL PROJECT IN CALIFORNIA.**

3 *Item 31 of the table in section 1108(b) of the Inter-*
 4 *modal Surface Transportation Efficiency Act of 1991 (Pub-*
 5 *lic Law 102–240; 105 Stat. 2062) is amended by striking*
 6 *“To improve ground access from Sepulveda Blvd. to Los*
 7 *Angeles, California” and inserting the following: “For the*
 8 *Los Angeles International Airport central terminal ramp*
 9 *access project, \$3,500,000; for the widening of Aviation*
 10 *Boulevard south of Imperial Highway, \$3,500,000; for the*
 11 *widening of Aviation Boulevard north of Imperial High-*
 12 *way, \$1,000,000; and for transportation systems manage-*
 13 *ment improvements in the vicinity of the Sepulveda Boule-*
 14 *vard/Los Angeles International Airport tunnel, \$950,000”.*

15 **SEC. 125. NATIONAL RECREATIONAL TRAILS FUNDING PRO-**
 16 **GRAM.**

17 (a) *CONTRACT AUTHORITY.*—Section 1302 of the
 18 *Intermodal Surface Transportation Efficiency Act of 1991*
 19 *(16 U.S.C. 1261) is amended—*

20 (1) *by redesignating subsection (g) as subsection*
 21 *(i); and*

22 (2) *by inserting after subsection (f) the following:*

23 *“(g) CONTRACT AUTHORITY.—Funds authorized to be*
 24 *appropriated under this section shall be available for obli-*
 25 *gation in the manner as if the funds were apportioned*
 26 *under title 23, United States Code, except that the Federal*

1 *share of any project under this section shall be determined*
 2 *in accordance with this section and shall not be subject to*
 3 *any limitation on obligation applicable generally to the*
 4 *Federal-aid highway program.*

5 “(h) *FEDERAL SHARE.*—*The Federal share of the cost*
 6 *of a project under this section shall be 50 percent.*”.

7 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

8 (1) *IN GENERAL.*—*Section 1302 of the Inter-*
 9 *modal Surface Transportation Efficiency Act of 1991*
 10 *(16 U.S.C. 1261) is amended—*

11 (A) *by striking subsection (c) and inserting*
 12 *the following:*

13 “(c) *STATE ELIGIBILITY.*—*A State shall be eligible to*
 14 *receive moneys under this part if—*

15 “(1) *the Governor of the State has designated the*
 16 *State agency responsible for administering allocations*
 17 *under this section;*

18 “(2) *the State proposes to obligate and ulti-*
 19 *mately obligates any allocations received in accord-*
 20 *ance with subsection (e); and*

21 “(3) *a recreational trail advisory board on*
 22 *which both motorized and nonmotorized recreational*
 23 *trail users are represented exists in the State.*”;

24 (B) *in subsection (d), by striking paragraph*

25 (3);

1 (C) in subsection (e)—

2 (i) in paragraphs (3)(A), (5)(B), and
3 (8)(B), by striking “(c)(2)(A) of this sec-
4 tion” and inserting “(c)(3)”; and

5 (ii) in paragraph (5)(A)(i), by striking
6 “(g)(5)” and inserting “(i)(5)”; and

7 (D) in subsection (i) (as redesignated by
8 subsection (a)(1)), by striking paragraph (1) and
9 inserting the following:

10 “(1) *ELIGIBLE STATE.*—The term ‘eligible State’
11 means a State (as defined in section 101 of title 23,
12 United States Code) that meets the requirements of
13 subsection (c).”.

14 (2) Section 104 of title 23, United States Code,
15 is amended—

16 (A) by redesignating subsection (h) as sub-
17 section (i); and

18 (B) by inserting after subsection (g) the fol-
19 lowing:

20 “(h) *NATIONAL RECREATIONAL TRAILS FUNDING.*—
21 The Secretary shall expend, from administrative funds de-
22 ducted under subsection (a), to carry out section 1302 of
23 the Intermodal Surface Transportation Efficiency Act of
24 1991 (16 U.S.C. 1261) \$15,000,000 for each of fiscal years
25 1996 and 1997.”.

1 (3) *Section 9511(c) of the Trust Fund Code of*
2 *1981 is amended by striking “, as provided in appro-*
3 *riation Acts,”.*

4 **SEC. 126. INTERMODAL FACILITY IN NEW YORK.**

5 (a) *IN GENERAL.*—*The Secretary of Transportation*
6 *shall make grants to the National Railroad Passenger Cor-*
7 *poration for—*

8 (1) *engineering, design, and construction activi-*
9 *ties to permit the James A. Farley Post Office in New*
10 *York, New York, to be used as an intermodal trans-*
11 *portation facility and commercial center; and*

12 (2) *necessary improvements to and redevelop-*
13 *ment of Pennsylvania Station and associated service*
14 *buildings in New York, New York.*

15 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
16 *authorized to be appropriated to carry out this section a*
17 *total of \$69,500,000 for fiscal years following fiscal year*
18 *1995, to remain available until expended.*

19 **SEC. 127. CLARIFICATION OF ELIGIBILITY.**

20 *The improvements to, or adjacent to, the main line of*
21 *the National Railroad Passenger Corporation between mile-*
22 *post 190.23 at Central Falls, Rhode Island, and milepost*
23 *168.53 at Davisville, Rhode Island, that are necessary to*
24 *support the rail movement of freight shall be eligible for*

1 *funding under sections 103(e)(4), 104(b), and 144 of title*
2 *23, United States Code.*

3 **SEC. 128. BRISTOL, RHODE ISLAND, STREET MARKING.**

4 *Notwithstanding any other law, a red, white, and blue*
5 *center line in the Main Street of Bristol, Rhode Island, shall*
6 *be deemed to comply with the requirements of section 3B-*
7 *1 of the Manual on Uniform Traffic Control Devices of the*
8 *Department of Transportation.*

9 **SEC. 129. PUBLIC USE OF REST AREAS.**

10 *Notwithstanding section 111 of title 23, United States*
11 *Code, or any project agreement under the section, the Sec-*
12 *retary of Transportation shall permit the conversion of any*
13 *safety rest area adjacent to Interstate Route 95 within the*
14 *State of Rhode Island that was closed as of May 1, 1995,*
15 *to use as a motor vehicle emissions testing facility. At the*
16 *option of the State, vehicles shall be permitted to gain access*
17 *to and from any such testing facility directly from Inter-*
18 *state Route 95.*

19 **SEC. 130. COLLECTION OF TOLLS TO FINANCE CERTAIN EN-**
20 **VIRONMENTAL PROJECTS IN FLORIDA.**

21 *Notwithstanding section 129(a) of title 23, United*
22 *States Code, on request of the Governor of the State of Flor-*
23 *ida, the Secretary of Transportation shall modify the agree-*
24 *ment entered into with the transportation department of*
25 *the State and described in section 129(a)(3) of the title to*

1 *permit the collection of tolls to liquidate such indebtedness*
2 *as may be incurred to finance any cost associated with a*
3 *feature of an environmental project that is carried out*
4 *under State law and approved by the Secretary of the Inte-*
5 *rior.*

6 **SEC. 131. HOURS OF SERVICE OF DRIVERS OF GROUND**
7 **WATER WELL DRILLING RIGS.**

8 (a) *DEFINITIONS.—In this section:*

9 (1) *8 CONSECUTIVE DAYS.—The term “8 consecu-*
10 *tive days” means the period of 8 consecutive days be-*
11 *ginning on any day at the time designated by the*
12 *motor carrier for a 24-hour period.*

13 (2) *24-HOUR PERIOD.—The term “24-hour pe-*
14 *riod” means any 24-consecutive-hour period begin-*
15 *ning at the time designated by the motor carrier for*
16 *the terminal from which the driver is normally dis-*
17 *patched.*

18 (3) *GROUND WATER WELL DRILLING RIG.—The*
19 *term “ground water well drilling rig” means any ve-*
20 *hicle, machine, tractor, trailer, semi-trailer, or spe-*
21 *cialized mobile equipment propelled or drawn by me-*
22 *chanical power and used on highways to transport*
23 *water well field operating equipment, including water*
24 *well drilling and pump service rigs equipped to access*
25 *ground water.*

1 (b) *GENERAL RULE.*—In the case of a driver of a com-
2 mercial motor vehicle subject to regulations prescribed by
3 the Secretary of Transportation under sections 31136 and
4 31502 of title 49, United States Code, who is used primarily
5 in the transportation and operation of a ground water well
6 drilling rig, for the purpose of the regulations, any period
7 of 8 consecutive days may end with the beginning of an
8 off-duty period of 24 or more consecutive hours.

9 (c) *REPORT.*—The Secretary of Transportation shall
10 monitor the commercial motor vehicle safety performance
11 of drivers of ground water well drilling rigs. If the Sec-
12 retary determines that public safety has been adversely af-
13 fected by the general rule established by subsection (b), the
14 Secretary shall report to Congress on the determination.

15 **TITLE II—NATIONAL CAPITAL**
16 **REGION INTERSTATE TRANS-**
17 **PORTATION AUTHORITY**

18 **SEC. 201. SHORT TITLE.**

19 This title may be cited as the “National Capital Re-
20 gion Interstate Transportation Authority Act of 1995”.

21 **SEC. 202. FINDINGS.**

22 Congress finds that—

23 (1) traffic congestion imposes serious economic
24 burdens on the metropolitan Washington, D.C., area,
25 costing each commuter an estimated \$1,000 per year;

1 (2) *the volume of traffic in the metropolitan*
2 *Washington, D.C., area is expected to increase by*
3 *more than 70 percent between 1990 and 2020;*

4 (3) *the deterioration of the Woodrow Wilson Me-*
5 *morial Bridge and the growing population of the met-*
6 *ropolitan Washington, D.C., area contribute signifi-*
7 *cantly to traffic congestion;*

8 (4) *the Bridge serves as a vital link in the Inter-*
9 *state System and in the Northeast corridor;*

10 (5) *identifying alternative methods for main-*
11 *taining this vital link of the Interstate System is crit-*
12 *ical to addressing the traffic congestion of the area;*

13 (6) *the Bridge is—*

14 (A) *the only drawbridge in the metropolitan*
15 *Washington, D.C., area on the Interstate System;*

16 (B) *the only segment of the Capital Beltway*
17 *with only 6 lanes; and*

18 (C) *the only segment of the Capital Beltway*
19 *with a remaining expected life of less than 10*
20 *years;*

21 (7) *the Bridge is the only part of the Interstate*
22 *System owned by the Federal Government;*

23 (8)(A) *the Bridge was constructed by the Federal*
24 *Government;*

1 (B) prior to the date of enactment of this Act,
2 the Federal Government has contributed 100 percent
3 of the cost of building and rehabilitating the Bridge;
4 and

5 (C) the Federal Government has a continuing re-
6 sponsibility to fund future costs associated with the
7 upgrading of the Interstate Route 95 crossing, includ-
8 ing the rehabilitation and reconstruction of the
9 Bridge;

10 (9) the Woodrow Wilson Bridge Coordination
11 Committee, established by the Federal Highway Ad-
12 ministration and comprised of representatives of Fed-
13 eral, State, and local governments, is undertaking
14 planning studies pertaining to the Bridge, consistent
15 with the National Environmental Policy Act of 1969
16 (42 U.S.C. 4321 et seq.) and other applicable Federal
17 laws;

18 (10) the transfer of ownership of the Bridge to a
19 regional entity under the terms and conditions de-
20 scribed in this title would foster regional transpor-
21 tation planning efforts to identify solutions to the
22 growing problem of traffic congestion on and around
23 the Bridge;

24 (11) any material change to the Bridge must
25 take into account the interests of nearby communities,

1 *the commuting public, Federal, State, and local gov-*
2 *ernment organizations, and other affected groups; and*
3 *(12) a commission of congressional, State, and*
4 *local officials and transportation representatives has*
5 *recommended to the Secretary of Transportation that*
6 *the Bridge be transferred to an independent authority*
7 *to be established by the Capital Region jurisdictions.*

8 **SEC. 203. PURPOSES.**

9 *The purposes of this title are—*

10 *(1) to grant consent to the Commonwealth of*
11 *Virginia, the State of Maryland, and the District of*
12 *Columbia to establish the National Capital Region*
13 *Interstate Transportation Authority; and*

14 *(2) to authorize the transfer of ownership of the*
15 *Bridge to the Authority for the purposes of owning,*
16 *constructing, maintaining, and operating a bridge or*
17 *tunnel or a bridge and tunnel project across the Poto-*
18 *mac River.*

19 **SEC. 204. DEFINITIONS.**

20 *In this title:*

21 *(1) AUTHORITY.—The term “Authority” means*
22 *the National Capital Region Interstate Transpor-*
23 *tation Authority authorized by this title and by simi-*
24 *lar enactment by each of the Capital Region jurisdic-*
25 *tions.*

1 (2) *AUTHORITY FACILITY.*—The term “Authority
2 *facility*” means—

3 (A) *the Bridge (as in existence on the date*
4 *of enactment of this Act);*

5 (B) *any southern Capital Beltway crossing*
6 *of the Potomac River constructed in the vicinity*
7 *of the Bridge after the date of enactment of this*
8 *Act; or*

9 (C) *any building, improvement, addition,*
10 *extension, replacement, appurtenance, land, in-*
11 *terest in land, water right, air right, franchise,*
12 *machinery, equipment, furnishing, landscaping,*
13 *easement, utility, approach, roadway, or other*
14 *facility necessary or desirable in connection with*
15 *or incidental to a facility described in subpara-*
16 *graph (A) or (B).*

17 (3) *BOARD.*—The term “Board” means the board
18 *of directors of the Authority established under section*
19 *206.*

20 (4) *BRIDGE.*—The term “Bridge” means the
21 *Woodrow Wilson Memorial Bridge across the Potomac*
22 *River.*

23 (5) *CAPITAL REGION JURISDICTION.*—The term
24 *“Capital Region jurisdiction” means—*

25 (A) *the Commonwealth of Virginia;*

1 (B) the State of Maryland; or

2 (C) the District of Columbia.

3 (6) *INTERSTATE SYSTEM.*—The term “Interstate
4 System” means the Dwight D. Eisenhower National
5 System of Interstate and Defense Highways des-
6 ignated under section 103(e) of title 23, United States
7 Code.

8 (7) *NATIONAL CAPITAL REGION.*—The term “Na-
9 tional Capital Region” means the region consisting of
10 the metropolitan areas of—

11 (A)(i) the cities of Alexandria, Fairfax, and
12 Falls Church, Virginia; and

13 (ii) the counties of Arlington and Fairfax,
14 Virginia, and the political subdivisions of the
15 Commonwealth of Virginia located in the coun-
16 ties;

17 (B) the counties of Montgomery and Prince
18 Georges, Maryland, and the political subdivi-
19 sions of the State of Maryland located in the
20 counties; and

21 (C) the District of Columbia.

22 (8) *SECRETARY.*—The term “Secretary” means
23 the Secretary of Transportation.

1 **SEC. 205. ESTABLISHMENT OF AUTHORITY.**

2 (a) *CONSENT TO AGREEMENT.*—Congress grants con-
3 sent to the Commonwealth of Virginia, the State of Mary-
4 land, and the District of Columbia to enter into an inter-
5 state agreement or compact to establish the National Cap-
6 ital Region Interstate Transportation Authority in accord-
7 ance with this title.

8 (b) *ESTABLISHMENT OF AUTHORITY.*—

9 (1) *IN GENERAL.*—On execution of the interstate
10 agreement or compact described in subsection (a), the
11 Authority shall be considered to be established.

12 (2) *GENERAL POWERS.*—The Authority shall be
13 a body corporate and politic, independent of all other
14 bodies and jurisdictions, having the powers and juris-
15 diction described in this title and such additional
16 powers as are conferred on the Authority by the Cap-
17 ital Region jurisdictions, to the extent that the addi-
18 tional powers are consistent with this title.

19 **SEC. 206. GOVERNMENT OF AUTHORITY.**

20 (a) *IN GENERAL.*—The Authority shall be governed in
21 accordance with this section and with the terms of any
22 interstate agreement or compact relating to the Authority
23 that is consistent with this title.

24 (b) *BOARD.*—The Authority shall be governed by a
25 board of directors consisting of 12 members appointed by

1 *the Capital Region jurisdictions and 1 member appointed*
2 *by the Secretary.*

3 (c) *QUALIFICATIONS.*—*One member of the Board shall*
4 *have an appropriate background in finance, construction*
5 *lending, or infrastructure policy.*

6 (d) *CHAIRPERSON.*—*The chairperson of the Board*
7 *shall be elected biennially by the members of the Board.*

8 (e) *SECRETARY AND TREASURER.*—*The Board may—*

9 (1) *biennially elect a secretary and a treasurer,*
10 *or a secretary-treasurer, without regard to whether*
11 *the individual is a member of the Board; and*

12 (2) *prescribe the powers and duties of the sec-*
13 *retary and treasurer, or the secretary-treasurer.*

14 (f) *TERMS.*—

15 (1) *IN GENERAL.*—*Except as provided in para-*
16 *graph (2), a member of the Board shall serve for a*
17 *6-year term, and shall continue to serve until the suc-*
18 *cessor of the member has been appointed in accord-*
19 *ance with this subsection.*

20 (2) *INITIAL APPOINTMENTS.*—

21 (A) *BY CAPITAL REGION JURISDICTIONS.*—
22 *Members initially appointed to the Board by a*
23 *Capital Region jurisdiction shall be appointed*
24 *for the following terms:*

1 (i) 1 member shall be appointed for a
2 6-year term.

3 (ii) 1 member shall be appointed for a
4 4-year term.

5 (iii) 2 members shall each be appointed
6 for a 2-year term.

7 (B) *BY SECRETARY.*—The member of the
8 Board appointed by the Secretary shall be ap-
9 pointed for a 6-year term.

10 (3) *FAILURE TO APPOINT.*—The failure of a Cap-
11 ital Region jurisdiction to appoint 1 or more mem-
12 bers of the Board, as provided in this subsection, shall
13 not impair the establishment of the Authority if the
14 condition of the establishment described in section
15 205(b)(1) has been met.

16 (4) *VACANCIES.*—Subject to paragraph (5), a
17 person appointed to fill a vacancy on the Board shall
18 serve for the unexpired term.

19 (5) *REAPPOINTMENTS.*—A member of the Board
20 shall be eligible for reappointment for 1 additional
21 term.

22 (6) *PERSONAL LIABILITY OF MEMBERS.*—A
23 member of the Board, including any nonvoting mem-
24 ber, shall not be personally liable for—

1 (A) any action taken in the capacity of the
2 member as a member of the Board; or

3 (B) any note, bond, or other financial obli-
4 gation of the Authority.

5 (7) QUORUM.—

6 (A) IN GENERAL.—Subject to subparagraph
7 (B), for the purpose of carrying out the business
8 of the Authority, 7 members of the Board shall
9 constitute a quorum.

10 (B) APPROVAL OF BOND ISSUES AND BUDG-
11 ET.—Eight affirmative votes of the members of
12 the Board shall be required to approve bond is-
13 sues and the annual budget of the Authority.

14 (8) COMPENSATION.—A member of the Board
15 shall serve without compensation and shall reside
16 within a Capital Region jurisdiction.

17 (9) EXPENSES.—A member of the Board shall be
18 entitled to reimbursement for the expenses of the mem-
19 ber incurred in attending a meeting of the Board or
20 while otherwise engaged in carrying out the duties of
21 the Board.

22 **SEC. 207. OWNERSHIP OF BRIDGE.**

23 (a) CONVEYANCE BY SECRETARY.—

24 (1) IN GENERAL.—After the Capital Region ju-
25 risdictions enter into the agreement described in sub-

1 *section (c), the Secretary shall convey all right, title,*
2 *and interest of the Department of Transportation in*
3 *and to the Bridge to the Authority. Except as pro-*
4 *vided in paragraph (2), upon conveyance by the Sec-*
5 *retary, the Authority shall accept the right, title, and*
6 *interest in and to the Bridge, and all duties and re-*
7 *sponsibilities associated with the Bridge.*

8 (2) *INTERIM RESPONSIBILITIES.—Until such*
9 *time as a new crossing of the Potomac River described*
10 *in section 208 is constructed and operational, the con-*
11 *veyance under paragraph (1) shall in no way—*

12 (A) *relieve the Capital Region jurisdictions*
13 *of the sole and exclusive responsibility to main-*
14 *tain and operate the Bridge; or*

15 (B) *relieve the Secretary of the responsibil-*
16 *ity to rehabilitate the Bridge or to comply with*
17 *the National Environmental Policy Act of 1969*
18 *(42 U.S.C. 4321 et seq.) and all other require-*
19 *ments applicable with respect to the Bridge.*

20 (b) *CONVEYANCE BY THE SECRETARY OF THE INTE-*
21 *RIOR.—At the same time as the conveyance of the Bridge*
22 *by the Secretary under subsection (a), the Secretary of the*
23 *Interior shall transfer to the Authority all right, title, and*
24 *interest of the Department of the Interior in and to such*
25 *land under or adjacent to the Bridge as is necessary to*

1 *carry out section 208. Upon conveyance by the Secretary*
2 *of the Interior, the Authority shall accept the right, title,*
3 *and interest in and to the land.*

4 *(c) AGREEMENT.—The agreement referred to in sub-*
5 *section (a) is an agreement among the Secretary, the Gov-*
6 *ernors of the Commonwealth of Virginia and the State of*
7 *Maryland, and the Mayor of the District of Columbia as*
8 *to the Federal share of the cost of the activities carried out*
9 *under section 208.*

10 **SEC. 208. CAPITAL IMPROVEMENTS AND CONSTRUCTION.**

11 *The Authority shall take such action as is necessary*
12 *to address the need of the National Capital Region for an*
13 *enhanced southern Capital Beltway crossing of the Potomac*
14 *River that serves the traffic corridor of the Bridge (as in*
15 *existence on the date of enactment of this Act), in accord-*
16 *ance with the recommendations in the final environmental*
17 *impact statement prepared by the Secretary. The Authority*
18 *shall have the sole responsibility for the ownership, con-*
19 *struction, operation, and maintenance of a new crossing of*
20 *the Potomac River.*

21 **SEC. 209. ADDITIONAL POWERS AND RESPONSIBILITIES OF**
22 **AUTHORITY.**

23 *In addition to the powers and responsibilities of the*
24 *Authority under the other provisions of this title and under*
25 *any interstate agreement or compact relating to the Author-*

1 *ity that is consistent with this title, the Authority shall have*
2 *all powers necessary and appropriate to carry out the du-*
3 *ties of the Authority, including the power—*

4 *(1) to adopt and amend any bylaw that is nec-*
5 *essary for the regulation of the affairs of the Author-*
6 *ity and the conduct of the business of the Authority;*

7 *(2) to adopt and amend any regulation that is*
8 *necessary to carry out the powers of the Authority;*

9 *(3) subject to section 207(a)(2), to plan, estab-*
10 *lish, finance, operate, develop, construct, enlarge,*
11 *maintain, equip, or protect the Bridge or a new cross-*
12 *ing of the Potomac River described in section 208;*

13 *(4) to employ, in the discretion of the Authority,*
14 *a consulting engineer, attorney, accountant, construc-*
15 *tion or financial expert, superintendent, or manager,*
16 *or such other employee or agent as is necessary, and*
17 *to fix the compensation and benefits of the employee*
18 *or agent, except that—*

19 *(A) an employee of the Authority shall not*
20 *engage in an activity described in section*
21 *7116(b)(7) of title 5, United States Code, with*
22 *respect to the Authority; and*

23 *(B) an employment agreement entered into*
24 *by the Authority shall contain an explicit prohi-*
25 *bition against an activity described in subpara-*

1 *graph (A) with respect to the Authority by an*
2 *employee covered by the agreement;*

3 (5) to—

4 (A) *acquire personal and real property (in-*
5 *cluding land lying under water and riparian*
6 *rights), or any easement or other interest in real*
7 *property, by purchase, lease, gift, transfer, or ex-*
8 *change; and*

9 (B) *exercise such powers of eminent domain*
10 *in the Capital Region jurisdictions as are con-*
11 *ferred on the Authority by the Capital Region*
12 *jurisdictions, in the exercise of the powers and*
13 *the performance of the duties of the Authority;*

14 (6) *to apply for and accept any property, mate-*
15 *rial, service, payment, appropriation, grant, gift,*
16 *loan, advance, or other fund that is transferred or*
17 *made available to the Authority by the Federal Gov-*
18 *ernment or by any other public or private entity or*
19 *individual;*

20 (7) *to borrow money on a short-term basis and*
21 *issue notes of the Authority for the borrowing payable*
22 *on such terms and conditions as the Board considers*
23 *advisable, and to issue bonds in the discretion of the*
24 *Authority for any purpose consistent with this title,*
25 *which notes and bonds—*

1 (A) shall not constitute a debt of the United
2 States, a Capital Region jurisdiction, or any po-
3 litical subdivision of the United States or a Cap-
4 ital Region jurisdiction;

5 (B) may be secured solely by the general
6 revenues of the Authority, or solely by the income
7 and revenues of the Bridge or a new crossing of
8 the Potomac River described in section 208; and

9 (C) shall be exempt as to principal and in-
10 terest from all taxation (except estate and gift
11 taxes) by the United States;

12 (8) to fix, revise, charge, and collect any reason-
13 able toll or other charge;

14 (9) to enter into any contract or agreement nec-
15 essary or appropriate to the performance of the duties
16 of the Authority or the proper operation of the Bridge
17 or a new crossing of the Potomac River described in
18 section 208;

19 (10) to make any payment necessary to reim-
20 burse a local political subdivision having jurisdiction
21 over an area where the Bridge or a new crossing of
22 the Potomac River is situated for any extraordinary
23 law enforcement cost incurred by the subdivision in
24 connection with the Authority facility;

1 (11) to enter into partnerships or grant conces-
2 sions between the public and private sectors for the
3 purpose of—

4 (A) financing, constructing, maintaining,
5 improving, or operating the Bridge or a new
6 crossing of the Potomac River described in sec-
7 tion 208; or

8 (B) fostering development of a new trans-
9 portation technology;

10 (12) to obtain any necessary Federal authoriza-
11 tion, permit, or approval for the construction, repair,
12 maintenance, or operation of the Bridge or a new
13 crossing of the Potomac River described in section
14 208;

15 (13) to adopt an official seal and alter the seal,
16 as the Board considers appropriate;

17 (14) to appoint 1 or more advisory committees;

18 (15) to sue and be sued in the name of the Au-
19 thority; and

20 (16) to carry out any activity necessary or ap-
21 propriate to the exercise of the powers or performance
22 of the duties of the Authority under this title and
23 under any interstate agreement or compact relating
24 to the Authority that is consistent with this title, if
25 the activity is coordinated and consistent with the

1 *transportation planning process implemented by the*
2 *metropolitan planning organization for the Washing-*
3 *ton, District of Columbia, metropolitan area under*
4 *section 134 of title 23, United States Code, and sec-*
5 *tion 5303 of title 49, United States Code.*

6 **SEC. 210. FUNDING.**

7 (a) *SET-ASIDE.*—Section 104 of title 23, United States
8 Code (as amended by section 125(b)(2)(A)), is further
9 amended—

10 (1) *in the first sentence of subsection (b), by*
11 *striking “subsection (f) of this section” and inserting*
12 *“subsections (f) and (i)”;*

13 (2) *by redesignating subsection (i) as subsection*
14 *(j); and*

15 (3) *by inserting before subsection (j) the follow-*
16 *ing:*

17 *“(i) WOODROW WILSON MEMORIAL BRIDGE.—Before*
18 *making an apportionment of funds under subsection (b),*
19 *the Secretary shall set aside \$17,550,000 for fiscal year*
20 *1996 and \$80,050,000 for fiscal year 1997 for the rehabili-*
21 *tation of the Woodrow Wilson Memorial Bridge and for the*
22 *planning, preliminary design, engineering, and acquisition*
23 *of a right-of-way for, and construction of, a new crossing*
24 *of the Potomac River.”.*

1 (b) *APPLICABILITY OF TITLE 23.*—Funds made avail-
2 able under this section shall be available for obligation in
3 the manner provided for funds apportioned under chapter
4 1 of title 23, United States Code, except that—

5 (1) *the Federal share of the cost of any project*
6 *funded under this section shall be 100 percent; and*

7 (2) *the funds made available under this section*
8 *shall remain available until expended.*

9 (c) *STUDY.*—Not later than May 31, 1997, the Sec-
10 retary, in consultation with each of the Capital Region ju-
11 risdictions, shall prepare and submit to Congress a report
12 identifying the necessary Federal share of the cost of the
13 activities to be carried out under section 208.

14 (d) *DISTRIBUTION OF OBLIGATION AUTHORITY.*—Sec-
15 tion 1002(e)(3) of the Intermodal Surface Transportation
16 Efficiency Act of 1991 (Public Law 102–240; 23 U.S.C. 104
17 note) is amended by inserting before the period at the end
18 the following: “and the National Capital Region Interstate
19 Transportation Authority Act of 1995”.

20 (e) *REMOVAL OF ISTEA AUTHORIZATION FOR BRIDGE*
21 *REHABILITATION.*—Section 1069 of the Intermodal Surface
22 Transportation Efficiency Act of 1991 (Public Law 102–
23 240; 105 Stat. 2009) is amended by striking subsection (i).

1 **SEC. 211. AVAILABILITY OF PRIOR AUTHORIZATIONS.**

2 *In addition to the funds made available under section*
3 *210, any funds made available for the rehabilitation of the*
4 *Bridge under sections 1069(i) and 1103(b) of the Inter-*
5 *modal Surface Transportation Efficiency Act of 1991 (Pub-*
6 *lic Law 102-240; 105 Stat. 2009 and 2028) (as in effect*
7 *prior to the amendment made by section 210(e)) shall con-*
8 *tinue to be available after the conveyance of the Bridge to*
9 *the Authority under section 207(a), in accordance with the*
10 *terms under which the funds were made available under*
11 *the Act.*

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