

105TH CONGRESS
1ST SESSION

S. 331

To amend title 23, United States Code, to provide a minimum allocation of highway funds for States that have low population densities and comprise large geographic areas.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1997

Mr. DORGAN (for himself, Mr. KEMPTHORNE, Mr. BINGAMAN, Mr. CONRAD, Mr. CRAIG, Mr. DOMENICI, Mr. THOMAS, and Mr. DASCHLE) 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 a minimum allocation of highway funds for States that have low population densities and comprise large geographic areas.

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 “Rural States Highway
5 Preservation Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) a national surface transportation system
2 that includes a national network of highways and
3 that provides for efficient and safe interstate travel
4 in every State is vital to the economic and social
5 wellbeing of the United States;

6 (2) Federal policy for allocating resources to
7 maintain an efficient and safe national surface
8 transportation system should reflect the unique
9 needs and circumstances of each State's ability to
10 participate in the transportation system;

11 (3) low-density States that comprise large geo-
12 graphic land areas—

13 (A) bear unique financial burdens in main-
14 taining their share of the national surface
15 transportation system; and

16 (B) typically support higher per-mile costs
17 of maintaining highways and contribute more
18 per capita to the Highway Trust Fund than
19 other States;

20 (4) many rural States have to maintain large
21 highway systems, which provide interstate access be-
22 tween major population centers, but have small local
23 populations to support their highways;

24 (5) since the approval and implementation of
25 the North American Free Trade Agreement, many

1 rural States along the northern border of the United
 2 States have experienced increased use of, and de-
 3 mands on, their share of the national surface trans-
 4 portation system due to increased international
 5 trade activities;

6 (6) Federal funding for surface transportation
 7 should include adjustments that reflect reasonable
 8 and appropriate resource allocations to ensure that
 9 rural, low-density States that comprise large geo-
 10 graphic land areas can adequately participate in the
 11 national surface transportation system; and

12 (7) contributions from all States permit the
 13 Federal Government to provide support for essential
 14 intermodal national priorities, such as a national
 15 system of highways, mass transit, maritime activi-
 16 ties, airports and air service, and passenger rail
 17 service.

18 **SEC. 3. MINIMUM HIGHWAY FUNDING ALLOCATION FOR**
 19 **CERTAIN TYPES OF STATES.**

20 Section 157(a)(4) of title 23, United States Code, is
 21 amended—

22 (1) by striking “In fiscal” and inserting the fol-
 23 lowing:

24 “(A) IN GENERAL.—In fiscal”; and

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

1 “(B) LOW-DENSITY, LARGE-GEOGRAPHIC-
2 AREA STATES.—

3 “(i) DEFINITION OF ELIGIBLE
4 STATE.—In this subparagraph, the term
5 ‘eligible State’ means a State that—

6 “(I) has a population density of
7 less than 20 individuals per square
8 mile; and

9 “(II) comprises a land area of
10 10,000 square miles or more.

11 “(ii) HISTORICAL APPORTION-
12 MENTS.—Notwithstanding any other provi-
13 sion of law, for fiscal year 1998 and each
14 fiscal year thereafter, the Secretary shall
15 increase the amount of funds that, but for
16 this clause, would be apportioned to an eli-
17 gible State under section 104(b)(3) so that
18 each eligible State receives not less of the
19 apportioned and allocated funds described
20 in section 1015(a)(1) of the Intermodal
21 Surface Transportation Efficiency Act of
22 1991 (23 U.S.C. 104 note; 105 Stat.
23 1943) (as in effect on October 1, 1996)
24 than the percentage listed for the State in

1 section 1015(a)(2) of that Act (as in effect
2 on October 1, 1996).

3 “(iii) SET-ASIDE.—Notwithstanding
4 any other provision of law, on October 1 of
5 fiscal year 1998 and each fiscal year there-
6 after, the Secretary shall—

7 “(I) before making any funds
8 available out of the Highway Trust
9 Fund (other than the Mass Transit
10 Account) for the fiscal year, set aside
11 from the amounts authorized to be
12 appropriated out of the Highway
13 Trust Fund (other than the Mass
14 Transit Account) for the fiscal year
15 an amount equal to 1 percent of the
16 funds that were made available out of
17 the Highway Trust Fund (other than
18 the Mass Transit Account) for the
19 preceding fiscal year;

20 “(II) after making any increase
21 for an eligible State necessary to carry
22 out clause (ii), allocate 50 percent of
23 the amount set aside under subclause
24 (I) among eligible States in the ratio
25 that—

1 “(aa) the number of miles of
2 highways on the National High-
3 way System in the eligible State;
4 bears to

5 “(bb) the number of miles of
6 highways on the National High-
7 way System in all eligible States;
8 and

9 “(III) after making any increase
10 for an eligible State necessary to carry
11 out clause (ii), allocate 50 percent of
12 the amount set aside under subclause
13 (I) among eligible States in the ratio
14 that—

15 “(aa) the number of vehicle
16 miles traveled on the National
17 Highway System in the eligible
18 State during the latest 1-year-pe-
19 riod for which data are available;
20 bears to

21 “(bb) the number of vehicle
22 miles traveled on the National
23 Highway System in all eligible
24 States during the latest 1-year-

- 1 period for which data are avail-
- 2 able.”.

