

107TH CONGRESS
2^D SESSION

H. R. 5712

To amend title 23, United States Code, to improve roadway safety for motor vehicles, bicycles, and pedestrians and workers in proximity to vehicle traffic.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2002

Mr. BORSKI introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to improve roadway safety for motor vehicles, bicycles, and pedestrians and workers in proximity to vehicle traffic.

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. ELIMINATION OF HAZARDS RELATED TO HIGH-**
4 **WAY FACILITIES.**

5 (a) DEFINITION OF SAFETY IMPROVEMENT
6 PROJECT.—Section 101(a)(30) of title 23, United States
7 Code, is amended by inserting “installs or maintains fluo-
8 rescent, yellow-green signs at pedestrian or bicycle cross-
9 ings or school zones,” after “call boxes,”.

10 (b) RAILWAY-HIGHWAY CROSSINGS.—

1 (1) ELIGIBLE PROJECTS.—The first sentence of
2 section 130(a) of such title is amended by inserting
3 “maintenance of protective devices,” after
4 “structures,”.

5 (2) FUNDS FOR PROTECTIVE DEVICES.—Sec-
6 tion 130(e) of such title is amended by striking “At
7 least 1/2” and inserting “For each fiscal year, at
8 least \$150,000,000”.

9 (3) BIENNIAL REPORTS TO CONGRESS.—The
10 third sentence of section 130(g) of such title is
11 amended—

12 (A) by striking “not later than April 1 of
13 each year” and inserting “every other year”;

14 (B) by adding at the end the following:
15 “The Secretary shall combine this report with
16 the Secretary’s report under section 152(h).”.

17 (4) EXPENDITURE OF FUNDS.—Section 130 of
18 such title is further amended by adding at the end
19 the following:

20 “(k) EXPENDITURE OF FUNDS.—Funds made avail-
21 able to carry out this section shall be available for expendi-
22 ture on compilation and analysis of data in support of ac-
23 tivities carried out under subsection (g).”.

1 (c) AVAILABILITY OF SURFACE TRANSPORTATION
2 PROGRAM FUNDS.—The second sentence of section
3 133(d)(1) of such title is amended—

4 (1) by inserting “equal” after “year an”; and
5 (2) by striking “which is” and all that follows
6 before the period.

7 (d) HAZARD ELIMINATION PROGRAM.—

8 (1) PURPOSES.—Section 152(a)(1) of such title
9 is amended by inserting after “pedestrians,” the fol-
10 lowing: “identify roadway safety improvement needs
11 for such locations, sections, and elements,”.

12 (2) APPROVAL OF PROJECTS.—Section 152(b)
13 of such title is amended by inserting before the pe-
14 riod at the end the following: “, that reduces the
15 likelihood of crashes involving road departures,
16 intersections, pedestrians, bicycles, older drivers, or
17 construction work zones”.

18 (3) EXPENDITURE OF FUNDS.—Section 152(c)
19 of such title is amended—

20 (A) in paragraph (2) by striking “or” at
21 the end;

22 (B) in paragraph (3) by striking the period
23 at the end and inserting a semicolon; and

24 (C) by adding at the end the following:

1 “(4) police assistance for traffic and speed
2 management in construction work zones; or

3 “(5) compilation and analysis of data under
4 subsections (f) and (g).”.

5 (4) CONFORMING AMENDMENT.—Section
6 152(g) of such title is amended by striking the third
7 sentence and all that follows through the period at
8 the end of the section.

9 (5) BIENNIAL REPORT TO CONGRESS.—Section
10 152 of such title is amended—

11 (A) by redesignating subsection (h) as sub-
12 section (i); and

13 (B) by inserting after subsection (g) the
14 following:

15 “(h) BIENNIAL REPORTS TO CONGRESS.—Not later
16 than 1 year after the date of enactment of this subsection,
17 and every 2 years thereafter, the Secretary shall transmit
18 to the Committee on Transportation and Infrastructure
19 of the House of Representatives and the Committee on
20 Environment and Public Works of the Senate a report on
21 the results of the program under this section. The report
22 shall include, at a minimum, the following:

23 “(1) A summary of State projects completed
24 under this section categorized by the types of haz-

1 ards described in subsection (b) and a statement of
2 the cost of such projects.

3 “(2) An analysis of the effectiveness of such
4 projects in reducing the number and severity of
5 crashes at high hazard locations.

6 “(3) An assessment of the adequacy of author-
7 ized funding for the program and State use of such
8 funding to address the national need for such
9 projects.

10 “(4) Recommendations for funding and pro-
11 gram improvements to reduce the number of high
12 hazard locations.”.

13 **SEC. 2. WORKER INJURY PREVENTION AND FREE FLOW OF**
14 **VEHICULAR TRAFFIC.**

15 Not later than 1 year after the date of enactment
16 of this Act, the Secretary of Transportation shall issue
17 regulations to decrease the likelihood of worker injury and
18 maintain the free flow of vehicular traffic by requiring
19 workers whose duties place them on or in close proximity
20 to a Federal-aid highway (as defined in section 101 of title
21 23, United States Code) to wear high visibility garments.
22 Such regulations may also require such other worker-safe-
23 ty measures for workers with those duties as the Secretary
24 determines appropriate.

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