

109TH CONGRESS  
1ST SESSION

# S. 638

To extend the authorization for the ferry boat discretionary program, and  
for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 2005

Mrs. MURRAY (for herself, Ms. COLLINS, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. SCHUMER, Ms. SNOWE, and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To extend the authorization for the ferry boat discretionary  
program, 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 “Ferry Transportation  
5 Enhancement Act”.

1 **SEC. 2. AUTHORIZATION OF FUNDING FOR CONSTRUCTION**  
2 **OF FERRY BOATS AND FERRY TERMINAL FA-**  
3 **CILITIES.**

4 (a) **FUNDING.**—Section 1064(c) of the Intermodal  
5 Surface Transportation Efficiency Act of 1991 (23 U.S.C.  
6 129 note) is amended to read as follows:

7 “(c) **FUNDING.**—

8 “(1) **IN GENERAL.**—There shall be available,  
9 out of the Highway Trust Fund (other than the  
10 Mass Transit Account), to the Secretary for obliga-  
11 tion at the discretion of the Secretary \$150,000,000  
12 for each of the fiscal years 2004 through 2009.  
13 Sums made available to carry out this section shall  
14 remain available until expended.

15 “(2) **ALLOCATION OF FUNDS.**—The Secretary  
16 shall give priority in the allocation of funds under  
17 this section to those ferry systems, and public enti-  
18 ties responsible for developing facilities for ferries,  
19 that carry the greatest number of passengers and  
20 vehicles, carry the greatest number of passengers in  
21 passenger-only service, or provide critical access to  
22 areas that are not well-served by other modes of sur-  
23 face transportation.”.

1 **SEC. 3. ELIGIBILITY OF FERRY MAINTENANCE FACILITIES**  
2 **FOR FEDERAL FUNDING.**

3 (a) MAINTENANCE FACILITIES.—Section 129(c) of  
4 title 23, United States Code, is amended—

5 (1) in the matter preceding paragraph (1), by  
6 inserting “and maintenance” after “terminal”; and

7 (2) in paragraph (3), by inserting “or mainte-  
8 nance” after “terminal” each place it appears.

9 (b) CONFORMING AMENDMENTS.—Section 1064 of  
10 the Intermodal Surface Transportation Efficiency Act of  
11 1991 (23 U.S.C. 129 note) is amended by inserting “and  
12 maintenance” after “terminal” each place it appears.

13 **SEC. 4. ELIGIBILITY OF FERRIES FOR CLEAN FUELS PRO-**  
14 **GRAM.**

15 Section 5308 of title 49, United States Code, is  
16 amended—

17 (1) in clauses (i) and (iii) of subsection  
18 (a)(3)(A) and in subsection (e), by inserting “or fer-  
19 ries” after “buses” each place it appears;

20 (2) in subsection (e), by inserting “or ferry”  
21 after “bus” each place it appears;

22 (3) in the heading for subsection (e)(2), by in-  
23 serting “OR FERRIES” after “BUSES”; and

24 (4) in the heading for subsection (e)(3), by in-  
25 serting “OR FERRY” after “BUS”.

1 **SEC. 5. FERRY JOINT PROGRAM OFFICE.**

2 (a) ESTABLISHMENT.—The Secretary of Transpor-  
3 tation shall establish a Ferry Joint Program Office (in  
4 this section, referred to as the “Office”) to coordinate  
5 Federal programs affecting ferry boat and ferry facility  
6 construction, maintenance, and operations and to promote  
7 ferry service as a component of the Nation’s transpor-  
8 tation system. The Ferry Joint Program Office shall co-  
9 ordinate ferry and ferry-related programs within the De-  
10 partment of Transportation (including the Federal High-  
11 way Administration, the Federal Transit Administration,  
12 the Maritime Administration, and the Bureau of Trans-  
13 portation Statistics) and with the Department of Home-  
14 land Security and other Federal and State agencies, as  
15 appropriate.

16 (b) FUNCTIONS.—The functions of the Office shall  
17 include—

18 (1) ensuring resource accountability;

19 (2) coordinating policy relating to ferry trans-  
20 portation among the various agencies of the Depart-  
21 ment of Transportation and other departments of  
22 the United States Government;

23 (3) providing strategic leadership for ferry re-  
24 search, development, testing, and deployment; and

1           (4) promoting ferry transportation as a means  
2           to reduce social, economic, and environmental costs  
3           associated with traffic congestion.

4 **SEC. 6. NATIONAL FERRY DATA BASE.**

5           (a) IN GENERAL.—The Secretary of Transportation  
6           shall maintain a national ferry database, which shall con-  
7           tain current information regarding ferry systems, routes,  
8           vessels, passengers and vehicles carried, funding sources,  
9           and any other information that the Secretary determines  
10          to be useful. The Secretary shall utilize data from the  
11          study conducted under section 1207(c) of the Transpor-  
12          tation Equity Act for the 21st Century (23 U.S.C. 129  
13          note), and make modifications to that data, as appro-  
14          priate.

15          (b) UPDATED DATABASE.—The Secretary shall  
16          produce the first updated version of the national ferry  
17          database not later than 1 year after the date of enactment  
18          of this Act and shall update such database every 2 years  
19          after such date.

20          (c) PUBLIC ACCESSIBILITY.—The Secretary shall en-  
21          sure that the national ferry database is easily accessible  
22          to the public.

23 **SEC. 7. NATIONAL FERRY TRANSPORTATION INSTITUTE.**

24          (a) ESTABLISHMENT.—Not later than 1 year after  
25          the date of enactment of this Act, the Secretary of Trans-

1 portation shall award grants to an institution of higher  
2 education to establish a National Ferry Transportation  
3 Institute (referred to in this section as the “Institute”).

4 (b) ADMINISTRATION.—The Secretary shall develop  
5 and administer the Institute in cooperation with the De-  
6 partment of Transportation, State transportation depart-  
7 ments, public ferry transportation authorities, private  
8 ferry operators, ferry boat builders, ferry employees, and  
9 other institutions of higher education and research insti-  
10 tutes.

11 (c) FUNCTIONS.—The Institute shall—

12 (1) conduct research and recommend develop-  
13 ment activities on methods of improving ferry trans-  
14 portation programs in the United States, including  
15 methods of reducing wake and providing alternative  
16 propulsion;

17 (2) develop and conduct training programs for  
18 ferry system employees, Federal Government em-  
19 ployees, and other individuals, as appropriate, on re-  
20 cent developments, techniques, and procedures per-  
21 taining to the construction and operation of ferries;

22 (3) encourage and assist collaborative efforts by  
23 public and private entities to preserve, improve, and  
24 expand the use of ferries as a mode of transpor-  
25 tation; and

1           (4) preserve, utilize, and display historical in-  
2           formation about the use of ferries in the United  
3           States and in foreign countries.

4           (d) LOCATION.—In selecting the location for the In-  
5           stitute, the Secretary shall consider—

6           (1) the importance of public and private ferries  
7           to the region’s transportation system, including both  
8           regional travel and long-range travel and service to  
9           isolated communities;

10          (2) the historical importance of ferry transpor-  
11          tation to the region;

12          (3) the history and diversity of the region’s  
13          maritime community, including ferry construction  
14          and repair and other shipbuilding activities;

15          (4) the anticipated growth of ferry service and  
16          ferry boat building in the region;

17          (5) the availability of public-private collabora-  
18          tion in the region; and

19          (6) the presence of nationally recognized re-  
20          search universities in the region.

21          (e) FUNDING.—There are authorized to be appro-  
22          priated to the Secretary of Transportation \$2,000,000 for  
23          each of the fiscal years 2004 through 2009, to carry out  
24          the provisions of this section. The Secretary may authorize

1 the acceptance and expenditure of funding provided to the  
2 Institute by public and private entities.

3 (f) REPORT.—Not later than 1 year after the date  
4 of enactment of this Act, and annually thereafter, the Sec-  
5 retary shall submit a report to Congress describing the  
6 activities of the Institute and the progress in carrying out  
7 this section.

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