

111TH CONGRESS  
1ST SESSION

# H. R. 2724

To amend title 49, United States Code, to establish national transportation objectives and performance targets for the purpose of assessing progress toward meeting national transportation objectives.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2009

Mr. HOLT (for himself, Mr. INSLEE, and Mr. CARNAHAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to establish national transportation objectives and performance targets for the purpose of assessing progress toward meeting national transportation objectives.

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 Transpor-  
5 tation Objectives Act of 2009”.

1 **SEC. 2. ESTABLISHMENT OF NATIONAL TRANSPORTATION**  
2 **OBJECTIVES AND PERFORMANCE TARGETS.**

3 (a) IN GENERAL.—Chapter 3 of title 49, United  
4 States Code, in amended:

5 (1) by redesignating sections 304 through 309  
6 as sections 307 through 312;

7 (2) by redesignating sections 303 and 303a as  
8 sections 305 and 306, respectively; and

9 (3) by inserting after section 302, the following:

10 **“§ 303. National transportation objectives and per-**  
11 **formance targets**

12 “(a) STATEMENT OF PURPOSE.—The purpose of this  
13 section is to establish national transportation objectives to  
14 provide a 21st century vision for the national surface  
15 transportation system and national transportation per-  
16 formance targets to ensure that transportation invest-  
17 ments result in a national surface transportation system  
18 that meets the needs of the 21st century.

19 “(b) NATIONAL TRANSPORTATION OBJECTIVES.—  
20 The national transportation objectives are established and  
21 prioritized, as follows:

22 “(1) Promote energy efficiency and achieve en-  
23 ergy security.

24 “(2) Ensure environmental protection, restore  
25 climate stability, and resolve persistent environ-  
26 mental justice issues.

1           “(3) Improve economic competitiveness, system  
2 efficiency, and workplace development opportunities.

3           “(4) Ensure safety for all transportation users  
4 and improved public health outcomes.

5           “(5) Improve transportation system conditions  
6 and connectivity.

7           “(6) Provide equal and equitable access to  
8 transportation options in urban, suburban, and rural  
9 communities.

10          “(c) NATIONAL TRANSPORTATION PERFORMANCE  
11 TARGETS.—The national transportation performance tar-  
12 gets are established for the purpose of assessing progress  
13 in the 20-year period beginning the day after the date of  
14 enactment of the National Transportation Objectives Act  
15 of 2009 toward meeting the national transportation objec-  
16 tives, as follows:

17           “(1) Reduce per capita vehicle miles traveled by  
18 16 percent.

19           “(2) Triple walking, biking, and public trans-  
20 portation usage.

21           “(3) Reduce transportation-generated carbon  
22 dioxide level by 40 percent.

23           “(4) Reduce delay per capita by 10 percent.

1           “(5) Increase proportion of freight transpor-  
2           tation provided by railroad and intermodal services  
3           by 20 percent.

4           “(6) Achieve 0 percent population exposure to  
5           at-risk levels of air pollution.

6           “(7) Improve public safety and lower congestion  
7           costs by reducing traffic crashes by 50 percent.

8           “(8) Increase share of major highways, regional  
9           transit fleets and facilities, and bicycling/pedestrian  
10          infrastructure in good state of repair condition by  
11          20 percent.

12          “(9) Reduce average household combined hous-  
13          ing plus transportation costs by 25 percent, using  
14          2000 as a base year.

15          “(10) Increase by 50 percent the number of es-  
16          sential destinations (work and non-work) accessible  
17          within 30 minutes by public transportation or 15  
18          minutes by walking, for low-income, senior, and dis-  
19          abled populations.

20          “(d) DEVELOPMENT OF BASELINE LEVELS.—Not  
21          later than one year after the date of enactment of the Na-  
22          tional Transportation Objectives Act of 2009, the Sec-  
23          retary of Transportation shall develop baseline levels for  
24          the national transportation performance targets estab-  
25          lished by this section and determine appropriate methods

1 of data collection to assess success in meeting such per-  
2 formance targets.

3 “(e) REQUIREMENTS.—The Secretary, consistent  
4 with the plan developed under section 304 and notwith-  
5 standing any other provision of law in effect as of the date  
6 of enactment of the National Transportation Objectives  
7 Act of 2009, shall—

8 “(1) develop appropriate data collections sys-  
9 tems for each Federal surface transportation pro-  
10 gram in order to evaluate:

11 “(A) whether such programs are consistent  
12 with the policy, objectives, and performance tar-  
13 gets established by this section; and

14 “(B) how effective such programs are in  
15 contributing to the achievement of the policy,  
16 objectives, and performance targets established  
17 by this section;

18 “(2) using the criteria developed under para-  
19 graph (1), annually evaluate each such program and  
20 provide the results to the public;

21 “(3) based on the evaluation performed under  
22 paragraph (2), make any necessary changes or im-  
23 provements to such programs to ensure such consist-  
24 ency and effectiveness;

1           “(4) align the availability and award of Federal  
2 surface transportation funding to meet the policy,  
3 objectives, and performance targets established by  
4 this section, consistent with the evaluation per-  
5 formed under paragraph (2);

6           “(5) carry out this section in a manner that is  
7 consistent with sections 302, 5503, 10101, and  
8 13101 of this title and section 101 of title 23 to the  
9 extent that such sections do not conflict with the  
10 policy, objectives, and performance targets estab-  
11 lished by this section;

12           “(6) review, update, and reissue all relevant  
13 surface transportation planning requirements to en-  
14 sure that such requirements require that regional,  
15 State, and local surface transportation planning ef-  
16 forts funded with Federal funds are consistent with  
17 the policy, objectives, and performance targets estab-  
18 lished by this section; and

19           “(7) require recipients of Federal surface trans-  
20 portation funds to annually report on the use of  
21 such funds, including a description of—

22                   “(A) which projects and priorities were  
23 funded with such funds;

1           “(B) the rationale and method employed  
2           for apportioning such funds to the projects and  
3           priorities; and

4           “(C) how the obligation of such funds is  
5           consistent with or advances the policy, objec-  
6           tives, and performance targets established by  
7           this section.

8           “(f) AUTHORITY.—

9           “(1) IN GENERAL.—Notwithstanding any other  
10          provision of law in effect as of the date of enactment  
11          of the National Transportation Objectives Act of  
12          2009, the Secretary may, through a process of pub-  
13          lic notice and comment and with reasonable prior  
14          notice to the Senate Committee on Commerce,  
15          Science, and Transportation and the House of Rep-  
16          resentatives Committee on Transportation and In-  
17          frastructure preceding any significant change, con-  
18          sistent with the public interest, amend the perform-  
19          ance targets under subsection (c) or develop addi-  
20          tional performance targets to effectively meet the  
21          policy and objectives set forth in this section.

22          “(2) RECOMMENDATIONS.—The Secretary may  
23          also make recommendations to those Committees for  
24          reorganizing the Department of Transportation, as  
25          necessary and consistent with the requirements of

1 section 304(b)(6), in order to achieve the policy, ob-  
2 jectives, and performance targets established by this  
3 section.

4 **“§ 304. National surface transportation performance**  
5 **plan**

6 “(a) DEVELOPMENT.—Not later than 2 years after  
7 the date of enactment of the National Transportation Ob-  
8 jectives Act of 2009, the Secretary of Transportation shall  
9 develop and implement a National Surface Transportation  
10 Performance Plan to achieve the policy, objectives, and  
11 performance targets set forth in section 303.

12 “(b) CONTENTS.—The plan shall include—

13 “(1) an assessment of the current performance  
14 of the national surface transportation system and an  
15 analysis of the system’s ability to achieve the policy,  
16 objectives, and performance targets set forth in sec-  
17 tion 303;

18 “(2) an analysis of emerging and long-term pro-  
19 jected trends that will impact the performance,  
20 needs, and uses of the national surface transpor-  
21 tation system;

22 “(3) a description of the major impediments to  
23 effectively meeting the policy, objectives, and per-  
24 formance targets set forth in section 303 and rec-  
25 ommended actions to address such impediments;

1           “(4) a comprehensive strategy and investment  
2           plan to meet the policy, objectives, and performance  
3           targets set forth in section 303;

4           “(5) initiatives to improve transportation mod-  
5           eling, research, data collection, and analysis; and

6           “(6) a plan for any reorganization of the De-  
7           partment of Transportation or its agencies necessary  
8           to meet the policy, objectives, and performance tar-  
9           gets set forth in section 303.

10          “(c) CONSULTATION.—In developing the plan re-  
11         quired by subsection (a), the Secretary shall—

12           “(1) consult with local, State, and tribal gov-  
13           ernments, public and private transportation pro-  
14           viders and carriers, non-profit organizations rep-  
15           resenting transportation employees, appropriate for-  
16           eign governments, and other interested parties; and

17           “(2) provide public notice and hearings and so-  
18           licit public comments on the plan.

19          “(d) SUBMITTAL.—The Secretary shall submit the  
20         completed plan to the Senate Committee on Commerce,  
21         Science, and Transportation and the House of Represent-  
22         atives Committee on Transportation and Infrastructure.

23          “(e) PROGRESS REPORTS.—The Secretary shall sub-  
24         mit biennial progress reports on the implementation of the  
25         plan beginning 2 years after the date of submittal of the

1 plan under subsection (d) to the Committees. The progress  
2 report shall—

3 “(1) describe progress made toward fully imple-  
4 menting the plan and achieving the policies, objec-  
5 tives, and performance targets established under sec-  
6 tion 303;

7 “(2) describe challenges and obstacles to full  
8 implementation;

9 “(3) describe updates to the plan necessary to  
10 reflect changed circumstances or new developments;  
11 and

12 “(4) make policy and legislative recommenda-  
13 tions the Secretary believes are necessary and appro-  
14 priate to fully implement the plan.

15 “(f) DATA.—The Secretary shall have the authority  
16 to conduct studies, gather information, and require the  
17 production of data necessary to develop or update this  
18 plan, consistent with Federal privacy standards.

19 “(g) FUNDING.—The Secretary may use such sums  
20 as may be necessary from any funds provided to the De-  
21 partment of Transportation for surface transportation  
22 programs for the purpose of completing and updating the  
23 plan and developing and issuing the progress reports pur-  
24 suant to this section.”.

25 (b) CONFORMING AMENDMENTS.—

1           (1) Section 302(a) of title 49, United States  
2 Code, is amended by striking “10101 and 13101”  
3 and inserting “303, 10101, and 13101”.

4           (2) Section 308, as redesignated, of title 49,  
5 United States Code, is amended by striking “sec-  
6 tions 301–09304” and inserting “sections 301  
7 through 307”.

8           (3) The table of contents for chapter 3 of title  
9 49, United States Code, is amended—

10                   (A) by redesignating the items relating to  
11 sections 303 through 309 as relating to sections  
12 305 through 312; and

13                   (B) by inserting after the item relating to  
14 section 302 the following:

“303. National surface transportation policy.

“304. National surface transportation performance plan.”.

