

111TH CONGRESS
1ST SESSION

S. 884

To amend title 23, United States Code, to remove privatized highway miles as a factor in apportioning highway funding.

IN THE SENATE OF THE UNITED STATES

APRIL 23, 2009

Mr. BINGAMAN (for himself and Mr. GRASSLEY) 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 remove privatized highway miles as a factor in apportioning highway funding.

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 “Transportation Equity
5 for All Americans Act”.

6 **SEC. 2. REMOVAL OF PRIVATIZED HIGHWAY MILES.**

7 (a) IN GENERAL.—Section 104(b) of title 23, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 “(6) PRIVATIZED HIGHWAY MILES.—

1 “(A) DEFINITION OF PRIVATIZED HIGH-
 2 WAY.—In this paragraph, the term ‘privatized
 3 highway’ means a highway subject to an agree-
 4 ment giving a private entity—

5 “(i) control over the operation of the
 6 highway; and

7 “(ii) ownership over the toll revenues
 8 collected from the operation of the high-
 9 way.

10 “(B) EXCLUSION.—For the purposes of
 11 paragraphs (1), (3), and (4), the lane miles and
 12 vehicle miles traveled on a privatized highway
 13 that is otherwise an included highway shall be
 14 excluded from consideration as factors in the
 15 formula for apportionment of funds under this
 16 title.”.

17 (b) EQUITY BONUS.—Section 105 of title 23, United
 18 States Code, is amended by adding at the end the fol-
 19 lowing:

20 “(g) PRIVATIZED HIGHWAYS.—Calculations under
 21 this section shall be made without taking into account the
 22 exclusion under section 104(b)(6) of certain lane miles and
 23 vehicle miles traveled from consideration as factors in the

1 formula for apportionment of funds pursuant to this
2 title.”.

