

112TH CONGRESS  
2D SESSION

# H. R. 5713

To amend the Transportation Equity Act for the 21st Century to ensure that the highest priority consideration is given to local comments when selecting a toll pilot project, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2012

Mr. BUTTERFIELD (for himself, Mr. WATT, and Mr. KISSELL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Transportation Equity Act for the 21st Century to ensure that the highest priority consideration is given to local comments when selecting a toll pilot project, 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 “Talk Before You Toll  
5 Act of 2012”.

1 **SEC. 2. INTERSTATE SYSTEM RECONSTRUCTION AND RE-**  
2 **HABILITATION PILOT PROGRAM.**

3 Section 1216(b)(4) of the Transportation Equity Act  
4 for the 21st Century (Public Law 105–178) is amended—

5 (1) by redesignating subparagraphs (D) and  
6 (E) as subparagraphs (E) and (F), respectively; and

7 (2) by inserting after subparagraph (C) the fol-  
8 lowing:

9 “(D) the State has solicited, received, and  
10 published on its Web site public comments re-  
11 garding the facility and has disclosed whether  
12 the majority of such comments approved or dis-  
13 approved the facility, including comments re-  
14 garding the economic impact study, environ-  
15 mental assessment, and any other documents  
16 required to be submitted with the application;”.

17 **SEC. 3. PRIORITY CONSIDERATION.**

18 Section 1216(b) of the Transportation Equity Act for  
19 the 21st Century (Public Law 105–178) is amended—

20 (1) by redesignating paragraphs (5) through  
21 (8) as paragraphs (9) through (12), respectively;  
22 and

23 (2) by inserting after paragraph (4) the fol-  
24 lowing:

25 “(5) PRIORITY CONSIDERATION.—In addition  
26 to the selection criteria listed in paragraph (4), the

1 Secretary shall give the highest priority consider-  
2 ation to local comments that both approve and dis-  
3 approve the proposed toll facility.

4 “(6) PERIODIC CONSIDERATION.—Once a State  
5 begins the application process under this subsection,  
6 the Secretary (or the Secretary’s designee) shall  
7 meet monthly with local representatives of transpor-  
8 tation and consumer advocacy groups who reside  
9 near the location of the proposed toll facility to dis-  
10 cuss their views and recommendations for any  
11 changes or modifications to the State’s plans with  
12 respect to the facility.

13 “(7) PUBLIC MEETING.—

14 “(A) IN GENERAL.—Not later than 30  
15 days after the date of submission of the final  
16 facility management plan under paragraph  
17 (3)(D)(i), the State shall hold at least one pub-  
18 lic meeting to review the specifics of the plan  
19 (especially details not disclosed prior to the  
20 plan’s final submission) and solicit participation  
21 and comment from the public.

22 “(B) COMMENTS RECEIVED.—

23 “(i) IN GENERAL.—During the public  
24 meeting and in the 30-day period following  
25 the date on which the meeting is held, the

1 State shall accept comments on and sug-  
2 gestions for any changes to the facility  
3 management plan and written comments  
4 with respect to any of the comments or  
5 suggestions.

6 “(ii) PUBLICATION AND TRANS-  
7 MITTAL.—The State shall publish the com-  
8 ments and suggestions on its Web site and  
9 transmit the comments and suggestions,  
10 along with the minutes of the public meet-  
11 ing, to the Administrator of the Federal  
12 Highway Administration.

13 “(8) FEDERAL HIGHWAY ADMINISTRATION.—  
14 Not later than 30 days after the date of receipt of  
15 the comments and suggestions and the minutes of  
16 the public meeting referred to in paragraph (8), the  
17 Administrator shall publish on the Web site of the  
18 Federal Highway Administration all comments and  
19 suggestions received by a State regarding the pro-  
20 posed toll facility. Before making a final determina-  
21 tion on a State’s application, the Administrator shall  
22 consider all such comments and suggestions re-  
23 ceived.”.

1 **SEC. 4. APPLICATION OF AMENDMENTS.**

2       The amendments made by this Act shall apply to any  
3 State that has not completed a final application under sec-  
4 tion 1216(b) of the Transportation Equity Act for the  
5 21st Century (Public Law 105–178) as of the date of en-  
6 actment of this Act.

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