

114TH CONGRESS
1ST SESSION

H. R. 3819

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2015

Mr. SHUSTER (for himself, Mr. RYAN of Wisconsin, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, 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; RECONCILIATION OF FUNDS;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Surface Transportation Extension Act of 2015”.

1 (b) RECONCILIATION OF FUNDS.—The Secretary of
 2 Transportation shall reduce the amount apportioned or al-
 3 located for a program, project, or activity under this Act
 4 in fiscal year 2016 by amounts apportioned or allocated
 5 pursuant to the Surface Transportation and Veterans
 6 Health Care Choice Improvement Act of 2015, including
 7 the amendments made by that Act, for the period begin-
 8 ning on October 1, 2015, and ending on October 29, 2015.

9 (c) TABLE OF CONTENTS.—The table of contents for
 10 this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

Sec. 1002. Administrative expenses.

Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration high-
 way safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration pro-
 grams.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

Subtitle C—Public Transportation Programs

Sec. 1201. Formula grants for rural areas.

Sec. 1202. Apportionment of appropriations for formula grants.

Sec. 1203. Authorizations for public transportation.

Sec. 1204. Bus and bus facilities formula grants.

Subtitle D—Hazardous Materials

Sec. 1301. Authorization of appropriations.

Sec. 1302. Ensuring safe implementation of positive train control systems.

TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

1 **TITLE I—SURFACE TRANSPOR-**
2 **TATION PROGRAM EXTEN-**
3 **SION**

4 **Subtitle A—Federal-Aid Highways**

5 **SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PRO-**
6 **GRAMS.**

7 (a) IN GENERAL.—Section 1001(a) of the Highway
8 and Transportation Funding Act of 2014 (128 Stat.
9 1840) is amended by striking “October 29, 2015” and in-
10 serting “November 20, 2015”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) HIGHWAY TRUST FUND.—Section
13 1001(b)(1)(B) of the Highway and Transportation
14 Funding Act of 2014 (128 Stat. 1840) is amended
15 by striking “for the period beginning on October 1,
16 2015, and ending on October 29, 2015, ²⁹/₃₆₆ of the
17 total amount” and inserting “for the period begin-
18 ning on October 1, 2015, and ending on November
19 20, 2015, ⁵¹/₃₆₆ of the total amount”.

20 (2) GENERAL FUND.—Section 1123(h)(1) of
21 MAP–21 (23 U.S.C. 202 note) is amended by strik-
22 ing “and \$2,377,049 out of the general fund of the
23 Treasury to carry out the program for the period be-
24 ginning on October 1, 2015, and ending on October
25 29, 2015” and inserting “and \$4,180,328 out of the

1 general fund of the Treasury to carry out the pro-
2 gram for the period beginning on October 1, 2015,
3 and ending on November 20, 2015”.

4 (c) USE OF FUNDS.—

5 (1) IN GENERAL.—Section 1001(c)(1)(B) of the
6 Highway and Transportation Funding Act of 2014
7 (128 Stat. 1840) is amended—

8 (A) by striking “October 29, 2015,” and
9 inserting “November 20, 2015,”; and

10 (B) by striking “ $29/366$ ” and inserting
11 “ $51/366$ ”.

12 (2) OBLIGATION CEILING.—Section 1102 of
13 MAP-21 (23 U.S.C. 104 note) is amended—

14 (A) by striking subsection (a)(4) and in-
15 serting the following:

16 “(4) \$5,595,839,851 for the period beginning
17 on October 1, 2015, and ending on November 20,
18 2015.”;

19 (B) in subsection (b)(12) by striking “,
20 and for the period beginning on October 1,
21 2015, and ending on October 29, 2015, only in
22 an amount equal to \$639,000,000, less any re-
23 ductions that would have otherwise been re-
24 quired for that year by section 251A of the Bal-
25 anced Budget and Emergency Deficit Control

1 Act of 1985 (2 U.S.C. 901a), then multiplied
2 by $\frac{29}{366}$ for that period” and inserting “, and
3 for the period beginning on October 1, 2015,
4 and ending on November 20, 2015, only in an
5 amount equal to \$639,000,000, less any reduc-
6 tions that would have otherwise been required
7 for that year by section 251A of the Balanced
8 Budget and Emergency Deficit Control Act of
9 1985 (2 U.S.C. 901a), then multiplied by $\frac{51}{366}$
10 for that period”;

11 (C) in subsection (c)—

12 (i) in the matter preceding paragraph
13 (1) by striking “October 29, 2015” and in-
14 serting “November 20, 2015”; and

15 (ii) in paragraph (2) in the matter
16 preceding subparagraph (A) by striking
17 “for the period beginning on October 1,
18 2015, and ending on October 29, 2015,
19 that is equal to $\frac{29}{366}$ of such unobligated
20 balance” and inserting “for the period be-
21 ginning on October 1, 2015, and ending on
22 November 20, 2015, that is equal to $\frac{51}{366}$
23 of such unobligated balance”; and

1 (D) in subsection (f)(1) in the matter pre-
2 ceding subparagraph (A) by striking “October
3 29, 2015” and inserting “November 20, 2015”.

4 **SEC. 1002. ADMINISTRATIVE EXPENSES.**

5 Section 1002 of the Highway and Transportation
6 Funding Act of 2014 (128 Stat. 1842) is amended—

7 (1) by striking subsection (a)(2) and inserting
8 the following:

9 “(2) \$61,311,475 for the period beginning on
10 October 1, 2015, and ending on November 20,
11 2015.”; and

12 (2) in subsection (b)(2) by striking “and for the
13 period beginning on October 1, 2015, and ending on
14 October 29, 2015, subject to the limitations on ad-
15 ministrative expenses under the heading ‘Federal
16 Highway Administration’” and inserting “and for
17 the period beginning on October 1, 2015, and ending
18 on November 20, 2015, subject to the limitations on
19 administrative expenses for the Federal Highway
20 Administration and Appalachian Regional Commis-
21 sion”.

1 **Subtitle B—Extension of Highway**
2 **Safety Programs**

3 **SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC**
4 **SAFETY ADMINISTRATION HIGHWAY SAFETY**
5 **PROGRAMS.**

6 (a) EXTENSION OF PROGRAMS.—

7 (1) HIGHWAY SAFETY PROGRAMS.—Section
8 31101(a)(1)(D) of MAP–21 (126 Stat. 733) is
9 amended to read as follows:

10 “(D) \$32,745,902 for the period beginning
11 on October 1, 2015, and ending on November
12 20, 2015.”.

13 (2) HIGHWAY SAFETY RESEARCH AND DEVEL-
14 OPMENT.—Section 31101(a)(2)(D) of MAP–21 (126
15 Stat. 733) is amended to read as follows:

16 “(D) \$15,815,574 for the period beginning
17 on October 1, 2015, and ending on November
18 20, 2015.”.

19 (3) NATIONAL PRIORITY SAFETY PROGRAMS.—
20 Section 31101(a)(3)(D) of MAP–21 (126 Stat. 733)
21 is amended to read as follows:

22 “(D) \$37,901,639 for the period beginning
23 on October 1, 2015, and ending on November
24 20, 2015.”.

1 (4) NATIONAL DRIVER REGISTER.—Section
2 31101(a)(4)(D) of MAP-21 (126 Stat. 733) is
3 amended to read as follows:

4 “(D) \$696,721 for the period beginning on
5 October 1, 2015, and ending on November 20,
6 2015.”.

7 (5) HIGH VISIBILITY ENFORCEMENT PRO-
8 GRAM.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—Section 31101(a)(5)(D) of MAP-21
11 (126 Stat. 733) is amended to read as follows:

12 “(D) \$4,040,984 for the period beginning
13 on October 1, 2015, and ending on November
14 20, 2015.”.

15 (B) LAW ENFORCEMENT CAMPAIGNS.—
16 Section 2009(a) of SAFETEA-LU (23 U.S.C.
17 402 note) is amended—

18 (i) in the first sentence by striking
19 “October 29, 2015” and inserting “No-
20 vember 20, 2015”; and

21 (ii) in the second sentence by striking
22 “October 29, 2015,” and inserting “No-
23 vember 20, 2015,”.

1 (6) ADMINISTRATIVE EXPENSES.—Section
2 31101(a)(6)(D) of MAP–21 (126 Stat. 733) is
3 amended to read as follows:

4 “(D) \$3,553,279 for the period beginning
5 on October 1, 2015, and ending on November
6 20, 2015.”.

7 (b) COOPERATIVE RESEARCH AND EVALUATION.—
8 Section 403(f)(1) of title 23, United States Code, is
9 amended by striking “and \$198,087 of the total amount
10 available for apportionment to the States for highway
11 safety programs under section 402(c) in the period begin-
12 ning on October 1, 2015, and ending on October 29,
13 2015,” and inserting “and \$348,361 of the total amount
14 available for apportionment to the States for highway
15 safety programs under section 402(c) in the period begin-
16 ning on October 1, 2015, and ending on November 20,
17 2015,”.

18 (c) APPLICABILITY OF TITLE 23.—Section 31101(c)
19 of MAP–21 (126 Stat. 733) is amended by striking “Octo-
20 ber 29, 2015,” and inserting “November 20, 2015,”.

21 **SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFE-**
22 **TY ADMINISTRATION PROGRAMS.**

23 (a) MOTOR CARRIER SAFETY GRANTS.—Section
24 31104(a)(11) of title 49, United States Code, is amended
25 to read as follows:

1 “(11) \$30,377,049 for the period beginning on
2 October 1, 2015, and ending on November 20,
3 2015.”.

4 (b) ADMINISTRATIVE EXPENSES.—Section
5 31104(i)(1)(K) of title 49, United States Code, is amend-
6 ed to read as follows:

7 “(K) \$36,090,164 for the period beginning
8 on October 1, 2015, and ending on November
9 20, 2015.”.

10 (c) GRANT PROGRAMS.—

11 (1) COMMERCIAL DRIVER’S LICENSE PROGRAM
12 IMPROVEMENT GRANTS.—Section 4101(c)(1) of
13 SAFETEA–LU (119 Stat. 1715) is amended by
14 striking “and \$2,377,049 for the period beginning
15 on October 1, 2015, and ending on October 29,
16 2015” and inserting “and \$4,180,328 for the period
17 beginning on October 1, 2015, and ending on No-
18 vember 20, 2015”.

19 (2) BORDER ENFORCEMENT GRANTS.—Section
20 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is
21 amended by striking “and \$2,535,519 for the period
22 beginning on October 1, 2015, and ending on Octo-
23 ber 29, 2015” and inserting “and \$4,459,016 for
24 the period beginning on October 1, 2015, and ending
25 on November 20, 2015”.

1 (3) PERFORMANCE AND REGISTRATION INFOR-
2 MATION SYSTEM MANAGEMENT GRANT PROGRAM.—
3 Section 4101(c)(3) of SAFETEA-LU (119 Stat.
4 1715) is amended by striking “and \$396,175 for the
5 period beginning on October 1, 2015, and ending on
6 October 29, 2015” and inserting “and \$696,721 for
7 the period beginning on October 1, 2015, and ending
8 on November 20, 2015”.

9 (4) COMMERCIAL VEHICLE INFORMATION SYS-
10 TEMS AND NETWORKS DEPLOYMENT PROGRAM.—
11 Section 4101(c)(4) of SAFETEA-LU (119 Stat.
12 1715) is amended by striking “and \$1,980,874 for
13 the period beginning on October 1, 2015, and ending
14 on October 29, 2015” and inserting “and
15 \$3,483,607 for the period beginning on October 1,
16 2015, and ending on November 20, 2015”.

17 (5) SAFETY DATA IMPROVEMENT GRANTS.—
18 Section 4101(c)(5) of SAFETEA-LU (119 Stat.
19 1715) is amended by striking “and \$237,705 for the
20 period beginning on October 1, 2015, and ending on
21 October 29, 2015” and inserting “and \$418,033 for
22 the period beginning on October 1, 2015, and ending
23 on November 20, 2015”.

24 (d) HIGH-PRIORITY ACTIVITIES.—Section
25 31104(k)(2) of title 49, United States Code, is amended

1 by striking “and up to \$1,188,525 for the period begin-
2 ning on October 1, 2015, and ending on October 29,
3 2015,” and inserting “and up to \$2,090,164 for the period
4 beginning on October 1, 2015, and ending on November
5 20, 2015,”.

6 (e) NEW ENTRANT AUDITS.—Section
7 31144(g)(5)(B) of title 49, United States Code, is amend-
8 ed by striking “and up to \$2,535,519 for the period begin-
9 ning on October 1, 2015, and ending on October 29,
10 2015,” and inserting “and up to \$4,459,016 for the period
11 beginning on October 1, 2015, and ending on November
12 20, 2015,”.

13 (f) OUTREACH AND EDUCATION.—Section 4127(e) of
14 SAFETEA-LU (119 Stat. 1741) is amended by striking
15 “and \$316,940 to the Federal Motor Carrier Safety Ad-
16 ministration for the period beginning on October 1, 2015,
17 and ending on October 29, 2015,” and inserting “and
18 \$557,377 to the Federal Motor Carrier Safety Adminis-
19 tration for the period beginning on October 1, 2015, and
20 ending on November 20, 2015,”.

21 (g) GRANT PROGRAM FOR COMMERCIAL MOTOR VE-
22 HICLE OPERATORS.—Section 4134(c) of SAFETEA-LU
23 (49 U.S.C. 31301 note) is amended by striking “and
24 \$79,235 for the period beginning on October 1, 2015, and
25 ending on October 29, 2015,” and inserting “and

1 \$139,344 for the period beginning on October 1, 2015,
2 and ending on November 20, 2015,”.

3 **SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION**
4 **ACT.**

5 Section 4 of the Dingell-Johnson Sport Fish Restora-
6 tion Act (16 U.S.C. 777c) is amended—

7 (1) in subsection (a) in the matter preceding
8 paragraph (1) by striking “October 29, 2015” and
9 inserting “November 20, 2015”; and

10 (2) in subsection (b)(1)(A) by striking “October
11 29, 2015,” and inserting “November 20, 2015,”.

12 **Subtitle C—Public Transportation**
13 **Programs**

14 **SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.**

15 Section 5311(c)(1) of title 49, United States Code,
16 is amended—

17 (1) in subparagraph (A) by striking “and
18 \$396,175 for the period beginning on October 1,
19 2015, and ending on October 29, 2015,” and insert-
20 ing “and \$696,721 for the period beginning on Oc-
21 tober 1, 2015, and ending on November 20, 2015,”;
22 and

23 (2) in subparagraph (B) by striking “and
24 \$1,980,874 for the period beginning on October 1,
25 2015, and ending on October 29, 2015,” and insert-

1 ing “and \$3,483,607 for the period beginning on Oc-
2 tober 1, 2015, and ending on November 20, 2015,”.

3 **SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR**
4 **FORMULA GRANTS.**

5 Section 5336(h)(1) of title 49, United States Code,
6 is amended by striking “and \$2,377,049 for the period
7 beginning on October 1, 2015, and ending on October 29,
8 2015,” and inserting “and \$4,180,328 for the period be-
9 ginning on October 1, 2015, and ending on November 20,
10 2015,”.

11 **SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPOR-**
12 **TATION.**

13 (a) FORMULA GRANTS.—Section 5338(a) of title 49,
14 United States Code, is amended—

15 (1) in paragraph (1) by striking “and
16 \$681,024,590 for the period beginning on October 1,
17 2015, and ending on October 29, 2015” and insert-
18 ing “and \$1,197,663,934 for the period beginning
19 on October 1, 2015, and ending on November 20,
20 2015”; and

21 (2) in paragraph (2)—

22 (A) in subparagraph (A) by striking “and
23 \$10,205,464 for the period beginning on Octo-
24 ber 1, 2015, and ending on October 29, 2015,”
25 and inserting “and \$17,947,541 for the period

1 beginning on October 1, 2015, and ending on
2 November 20, 2015,”;

3 (B) in subparagraph (B) by striking “and
4 \$792,350 for the period beginning on October
5 1, 2015, and ending on October 29, 2015,” and
6 inserting “and \$1,393,443 for the period begin-
7 ning on October 1, 2015, and ending on No-
8 vember 20, 2015,”;

9 (C) in subparagraph (C) by striking “and
10 \$353,281,011 for the period beginning on Octo-
11 ber 1, 2015, and ending on October 29, 2015,”
12 and inserting “and \$621,287,295 for the period
13 beginning on October 1, 2015, and ending on
14 November 20, 2015,”;

15 (D) in subparagraph (D) by striking “and
16 \$20,466,393 for the period beginning on Octo-
17 ber 1, 2015, and ending on October 29, 2015,”
18 and inserting “and \$35,992,623 for the period
19 beginning on October 1, 2015, and ending on
20 November 20, 2015,”;

21 (E) in subparagraph (E)—

22 (i) by striking “and \$48,159,016 for
23 the period beginning on October 1, 2015,
24 and ending on October 29, 2015,” and in-
25 serting “and \$84,693,443 for the period

beginning on October 1, 2015, and ending
on November 20, 2015,”;

(ii) by striking “and \$2,377,049 for
the period beginning on October 1, 2015,
and ending on October 29, 2015,” and in-
serting “and \$4,180,328 for the period be-
ginning on October 1, 2015, and ending on
November 20, 2015,”; and

(iii) by striking “and \$1,584,699 for
the period beginning on October 1, 2015,
and ending on October 29, 2015,” and in-
serting “and \$2,786,885 for the period be-
ginning on October 1, 2015, and ending on
November 20, 2015,”;

(F) in subparagraph (F) by striking “and
\$237,705 for the period beginning on October
1, 2015, and ending on October 29, 2015,” and
inserting “and \$418,033 for the period begin-
ning on October 1, 2015, and ending on No-
vember 20, 2015,”;

(G) in subparagraph (G) by striking “and
\$396,175 for the period beginning on October
1, 2015, and ending on October 29, 2015,” and
inserting “and \$696,721 for the period begin-

1 ning on October 1, 2015, and ending on No-
2 vember 20, 2015,”;

3 (H) in subparagraph (H) by striking “and
4 \$305,055 for the period beginning on October
5 1, 2015, and ending on October 29, 2015,” and
6 inserting “and \$536,475 for the period begin-
7 ning on October 1, 2015, and ending on No-
8 vember 20, 2015,”;

9 (I) in subparagraph (I) by striking “and
10 \$171,615,027 for the period beginning on Octo-
11 ber 1, 2015, and ending on October 29, 2015,”
12 and inserting “and \$301,805,738 for the period
13 beginning on October 1, 2015, and ending on
14 November 20, 2015,”;

15 (J) in subparagraph (J) by striking “and
16 \$33,896,721 for the period beginning on Octo-
17 ber 1, 2015, and ending on October 29, 2015,”
18 and inserting “and \$59,611,475 for the period
19 beginning on October 1, 2015, and ending on
20 November 20, 2015,”; and

21 (K) in subparagraph (K) by striking “and
22 \$41,669,672 for the period beginning on Octo-
23 ber 1, 2015, and ending on October 29, 2015,”
24 and inserting “and \$73,281,148 for the period

1 beginning on October 1, 2015, and ending on
2 November 20, 2015,”.

3 (b) RESEARCH, DEVELOPMENT DEMONSTRATION
4 AND DEPLOYMENT PROJECTS.—Section 5338(b) of title
5 49, United States Code, is amended by striking “and
6 \$5,546,448 for the period beginning on October 1, 2015,
7 and ending on October 29, 2015” and inserting “and
8 \$9,754,098 for the period beginning on October 1, 2015,
9 and ending on November 20, 2015”.

10 (c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—
11 Section 5338(c) of title 49, United States Code, is amend-
12 ed by striking “and \$554,645 for the period beginning on
13 October 1, 2015, and ending on October 29, 2015” and
14 inserting “and \$975,410 for the period beginning on Octo-
15 ber 1, 2015, and ending on November 20, 2015”.

16 (d) TECHNICAL ASSISTANCE AND STANDARDS DE-
17 VELOPMENT.—Section 5338(d) of title 49, United States
18 Code, is amended by striking “and \$554,645 for the pe-
19 riod beginning on October 1, 2015, and ending on October
20 29, 2015” and inserting “and \$975,410 for the period be-
21 ginning on October 1, 2015, and ending on November 20,
22 2015”.

23 (e) HUMAN RESOURCES AND TRAINING.—Section
24 5338(e) of title 49, United States Code, is amended by
25 striking “and \$396,175 for the period beginning on Octo-

ber 1, 2015, and ending on October 29, 2015” and inserting “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking “and \$151,101,093 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$265,729,508 for the period beginning on October 1, 2015, and ending on November 20, 2015”.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$8,240,437 for the period beginning on October 1, 2015, and ending on October 29, 2015” and inserting “and \$14,491,803 for the period beginning on October 1, 2015, and ending on November 20, 2015”;

(2) in paragraph (2) by striking “and not less than \$396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,” and inserting “and not less than \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015,”; and

(3) in paragraph (3) by striking “and not less than \$79,235 for the period beginning on October 1,

1 2015, and ending on October 29, 2015,” and insert-
2 ing “and not less than \$139,344 for the period be-
3 ginning on October 1, 2015, and ending on Novem-
4 ber 20, 2015,”.

5 **SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.**

6 Section 5339(d)(1) of title 49, United States Code,
7 is amended—

8 (1) by striking “and \$5,189,891 for the period
9 beginning on October 1, 2015, and ending on Octo-
10 ber 29, 2015,” and inserting “and \$9,127,049 for
11 the period beginning on October 1, 2015, and ending
12 on November 20, 2015,”;

13 (2) by striking “\$99,044 for such period” and
14 inserting “\$174,180 for such period”; and

15 (3) by striking “\$39,617 for such period” and
16 inserting “\$69,672 for such period”.

17 **Subtitle D—Hazardous Materials**

18 **SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—Section 5128(a)(4) of title 49,
20 United States Code, is amended to read as follows:

21 “(4) \$5,958,639 for the period beginning on
22 October 1, 2015, and ending on November 20,
23 2015.”.

1 (b) HAZARDOUS MATERIALS EMERGENCY PRE-
2 PAREDNESS FUND.—Section 5128(b)(2) of title 49,
3 United States Code, is amended to read as follows:

4 “(2) FISCAL YEAR 2016.—From the Hazardous
5 Materials Emergency Preparedness Fund established
6 under section 5116(i), the Secretary may expend for
7 the period beginning on October 1, 2015, and ending
8 on November 20, 2015—

9 “(A) \$26,197 to carry out section 5115;

10 “(B) \$3,037,705 to carry out subsections
11 (a) and (b) of section 5116, of which not less
12 than \$1,902,049 shall be available to carry out
13 section 5116(b);

14 “(C) \$20,902 to carry out section 5116(f);

15 “(D) \$87,090 to publish and distribute the
16 Emergency Response Guidebook under section
17 5116(i)(3); and

18 “(E) \$139,344 to carry out section
19 5116(j).”.

20 (c) HAZARDOUS MATERIALS TRAINING GRANTS.—
21 Section 5128(c) of title 49, United States Code, is amend-
22 ed by striking “and \$316,940 for the period beginning on
23 October 1, 2015, and ending on October 29, 2015,” and
24 inserting “and \$557,377 for the period beginning on Octo-
25 ber 1, 2015, and ending on November 20, 2015,”.

1 **SEC. 1302. ENSURING SAFE IMPLEMENTATION OF POSITIVE**
2 **TRAIN CONTROL SYSTEMS.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Positive Train Control Enforcement and Implementation
5 Act of 2015”.

6 (b) **IN GENERAL.**—Section 20157 of title 49, United
7 States Code, is amended—

8 (1) in subsection (a)(1)—

9 (A) by striking “18 months after the date
10 of enactment of the Rail Safety Improvement
11 Act of 2008” and inserting “90 days after the
12 date of enactment of the Positive Train Control
13 Enforcement and Implementation Act of 2015”;

14 (B) by striking “develop and”;

15 (C) by striking “a plan for implementing”
16 and inserting “a revised plan for imple-
17 menting”;

18 (D) by striking “December 31, 2015” and
19 inserting “December 31, 2018”; and

20 (E) in subparagraph (B) by striking
21 “parts” and inserting “sections”;

22 (2) by striking subsection (a)(2) and inserting
23 the following:

24 “(2) **IMPLEMENTATION.**—

25 “(A) **CONTENTS OF REVISED PLAN.**—A re-
26 vised plan required under paragraph (1) shall—

1 “(i) describe—

2 “(I) how the positive train con-
3 trol system will provide for interoper-
4 ability of the system with the move-
5 ments of trains of other railroad car-
6 riers over its lines; and

7 “(II) how, to the extent practical,
8 the positive train control system will
9 be implemented in a manner that ad-
10 dresses areas of greater risk before
11 areas of lesser risk;

12 “(ii) comply with the positive train
13 control system implementation plan con-
14 tent requirements under section 236.1011
15 of title 49, Code of Federal Regulations;
16 and

17 “(iii) provide—

18 “(I) the calendar year or years in
19 which spectrum will be acquired and
20 will be available for use in each area
21 as needed for positive train control
22 system implementation, if such spec-
23 trum is not already acquired and
24 available for use;

1 “(II) the total amount of positive
2 train control system hardware that
3 will be installed for implementation,
4 with totals separated by each major
5 hardware category;

6 “(III) the total amount of posi-
7 tive train control system hardware
8 that will be installed by the end of
9 each calendar year until the positive
10 train control system is implemented,
11 with totals separated by each hard-
12 ware category;

13 “(IV) the total number of em-
14 ployees required to receive training
15 under the applicable positive train
16 control system regulations;

17 “(V) the total number of employ-
18 ees that will receive the training, as
19 required under the applicable positive
20 train control system regulations, by
21 the end of each calendar year until
22 the positive train control system is im-
23 plemented;

24 “(VI) a summary of any remain-
25 ing technical, programmatic, oper-

1 ational, or other challenges to the im-
2 plementation of a positive train con-
3 trol system, including challenges
4 with—

5 “(aa) availability of public
6 funding;

7 “(bb) interoperability;

8 “(cc) spectrum;

9 “(dd) software;

10 “(ee) permitting; and

11 “(ff) testing, demonstration,
12 and certification; and

13 “(VII) a schedule and sequence
14 for implementing a positive train con-
15 trol system by the deadline established
16 under paragraph (1).

17 “(B) ALTERNATIVE SCHEDULE AND SE-
18 QUENCE.—Notwithstanding the implementation
19 deadline under paragraph (1) and in lieu of a
20 schedule and sequence under paragraph
21 (2)(A)(iii)(VII), a railroad carrier or other enti-
22 ty subject to paragraph (1) may include in its
23 revised plan an alternative schedule and se-
24 quence for implementing a positive train control
25 system, subject to review under paragraph (3).

1 Such schedule and sequence shall provide for
2 implementation of a positive train control sys-
3 tem as soon as practicable, but not later than
4 the date that is 24 months after the implemen-
5 tation deadline under paragraph (1).

6 “(C) AMENDMENTS.—A railroad carrier or
7 other entity subject to paragraph (1) may file
8 a request to amend a revised plan, including
9 any alternative schedule and sequence, as appli-
10 cable, in accordance with section 236.1021 of
11 title 49, Code of Federal Regulations.

12 “(D) COMPLIANCE.—A railroad carrier or
13 other entity subject to paragraph (1) shall im-
14 plement a positive train control system in ac-
15 cordance with its revised plan, including any
16 amendments or any alternative schedule and se-
17 quence approved by the Secretary under para-
18 graph (3).

19 “(3) SECRETARIAL REVIEW.—

20 “(A) NOTIFICATION.—A railroad carrier or
21 other entity that submits a revised plan under
22 paragraph (1) and proposes an alternative
23 schedule and sequence under paragraph (2)(B)
24 shall submit to the Secretary a written notifica-

tion when such railroad carrier or other entity is prepared for review under subparagraph (B).

“(B) CRITERIA.—Not later than 90 days after a railroad carrier or other entity submits a notification under subparagraph (A), the Secretary shall review the alternative schedule and sequence submitted pursuant to paragraph (2)(B) and determine whether the railroad carrier or other entity has demonstrated, to the satisfaction of the Secretary, that such carrier or entity has—

“(i) installed all positive train control system hardware consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(II) on or before the implementation deadline under paragraph (1);

“(ii) acquired all spectrum necessary for implementation of a positive train control system, consistent with the plan contents provided pursuant to paragraph (2)(A)(iii)(I) on or before the implementation deadline under paragraph (1);

“(iii) completed employee training required under the applicable positive train control system regulations;

1 “(iv) included in its revised plan an
2 alternative schedule and sequence for im-
3 plementing a positive train control system
4 as soon as practicable, pursuant to para-
5 graph (2)(B);

6 “(v) certified to the Secretary in writ-
7 ing that it will be in full compliance with
8 the requirements of this section on or be-
9 fore the date provided in an alternative
10 schedule and sequence, subject to approval
11 by the Secretary;

12 “(vi) in the case of a Class I railroad
13 carrier and Amtrak, implemented a posi-
14 tive train control system or initiated rev-
15 enue service demonstration on the majority
16 of territories, such as subdivisions or dis-
17 tricts, or route miles that are owned or
18 controlled by such carrier and required to
19 have operations governed by a positive
20 train control system; and

21 “(vii) in the case of any other railroad
22 carrier or other entity not subject to clause
23 (vi)—

24 “(I) initiated revenue service
25 demonstration on at least 1 territory

1 that is required to have operations
2 governed by a positive train control
3 system; or

4 “(II) met any other criteria es-
5 tablished by the Secretary.

6 “(C) DECISION.—

7 “(i) IN GENERAL.—Not later than 90
8 days after the receipt of the notification
9 from a railroad carrier or other entity
10 under subparagraph (A), the Secretary
11 shall—

12 “(I) approve an alternative
13 schedule and sequence submitted pur-
14 suant to paragraph (2)(B) if the rail-
15 road carrier or other entity meets the
16 criteria in subparagraph (B); and

17 “(II) notify in writing the rail-
18 road carrier or other entity of the de-
19 cision.

20 “(ii) DEFICIENCIES.—Not later than
21 45 days after the receipt of the notification
22 under subparagraph (A), the Secretary
23 shall provide to the railroad carrier or
24 other entity a written notification of any
25 deficiencies that would prevent approval

1 under clause (i) and provide the railroad
2 carrier or other entity an opportunity to
3 correct deficiencies before the date speci-
4 fied in such clause.

5 “(D) REVISED DEADLINES.—

6 “(i) PENDING REVIEWS.—For a rail-
7 road carrier or other entity that submits a
8 notification under subparagraph (A), the
9 deadline for implementation of a positive
10 train control system required under para-
11 graph (1) shall be extended until the date
12 on which the Secretary approves or dis-
13 approves the alternative schedule and se-
14 quence, if such date is later than the im-
15 plementation date under paragraph (1).

16 “(ii) ALTERNATIVE SCHEDULE AND
17 SEQUENCE DEADLINE.—If the Secretary
18 approves a railroad carrier or other entity’s
19 alternative schedule and sequence under
20 subparagraph (C)(i), the railroad carrier or
21 other entity’s deadline for implementation
22 of a positive train control system required
23 under paragraph (1) shall be the date
24 specified in that railroad carrier or other
25 entity’s alternative schedule and sequence.

1 The Secretary may not approve a date for
2 implementation that is later than 24
3 months from the deadline in paragraph
4 (1).”;

5 (3) by striking subsections (c), (d), and (e) and
6 inserting the following:

7 “(c) PROGRESS REPORTS AND REVIEW.—

8 “(1) PROGRESS REPORTS.—Each railroad car-
9 rier or other entity subject to subsection (a) shall,
10 not later than March 31, 2016, and annually there-
11 after until such carrier or entity has completed im-
12 plementation of a positive train control system, sub-
13 mit to the Secretary a report on the progress toward
14 implementing such systems, including—

15 “(A) the information on spectrum acquisi-
16 tion provided pursuant to subsection
17 (a)(2)(A)(iii)(I);

18 “(B) the totals provided pursuant to sub-
19 clauses (III) and (V) of subsection
20 (a)(2)(A)(iii), by territory, if applicable;

21 “(C) the extent to which the railroad car-
22 rier or other entity is complying with the imple-
23 mentation schedule under subsection
24 (a)(2)(A)(iii)(VII) or subsection (a)(2)(B);

1 “(D) any update to the information pro-
2 vided under subsection (a)(2)(A)(iii)(VI);

3 “(E) for each entity providing regularly
4 scheduled intercity or commuter rail passenger
5 transportation, a description of the resources
6 identified and allocated to implement a positive
7 train control system;

8 “(F) for each railroad carrier or other en-
9 tity subject to subsection (a), the total number
10 of route miles on which a positive train control
11 system has been initiated for revenue service
12 demonstration or implemented, as compared to
13 the total number of route miles required to have
14 a positive train control system under subsection
15 (a); and

16 “(G) any other information requested by
17 the Secretary.

18 “(2) PLAN REVIEW.—The Secretary shall at
19 least annually conduct reviews to ensure that rail-
20 road carriers or other entities are complying with
21 the revised plan submitted under subsection (a), in-
22 cluding any amendments or any alternative schedule
23 and sequence approved by the Secretary. Such rail-
24 road carriers or other entities shall provide such in-

1 formation as the Secretary determines necessary to
2 adequately conduct such reviews.

3 “(3) PUBLIC AVAILABILITY.—Not later than 60
4 days after receipt, the Secretary shall make available
5 to the public on the Internet Web site of the Depart-
6 ment of Transportation any report submitted pursu-
7 ant to paragraph (1) or subsection (d), but may ex-
8 clude, as the Secretary determines appropriate—

9 “(A) proprietary information; and

10 “(B) security-sensitive information, includ-
11 ing information described in section 1520.5(a)
12 of title 49, Code of Federal Regulations.

13 “(d) REPORT TO CONGRESS.—Not later than July 1,
14 2018, the Secretary shall transmit to the Committee on
15 Transportation and Infrastructure of the House of Rep-
16 resentatives and the Committee on Commerce, Science,
17 and Transportation of the Senate a report on the progress
18 of each railroad carrier or other entity subject to sub-
19 section (a) in implementing a positive train control system.

20 “(e) ENFORCEMENT.—The Secretary is authorized to
21 assess civil penalties pursuant to chapter 213 for—

22 “(1) a violation of this section;

23 “(2) the failure to submit or comply with the
24 revised plan required under subsection (a), including
25 the failure to comply with the totals provided pursu-

1 ant to subclauses (III) and (V) of subsection
 2 (a)(2)(A)(iii) and the spectrum acquisition dates
 3 provided pursuant to subsection (a)(2)(A)(iii)(I);

4 “(3) failure to comply with any amendments to
 5 such revised plan pursuant to subsection (a)(2)(C);
 6 and

7 “(4) the failure to comply with an alternative
 8 schedule and sequence submitted under subsection
 9 (a)(2)(B) and approved by the Secretary under sub-
 10 section (a)(3)(C).”;

11 (4) in subsection (h)—

12 (A) by striking “The Secretary” and in-
 13 serting the following:

14 “(1) IN GENERAL.—The Secretary”; and

15 (B) by adding at the end the following:

16 “(2) PROVISIONAL OPERATION.—Notwith-
 17 standing the requirements of paragraph (1), the Sec-
 18 retary may authorize a railroad carrier or other enti-
 19 ty to commence operation in revenue service of a
 20 positive train control system or component to the ex-
 21 tent necessary to enable the safe implementation and
 22 operation of a positive train control system in
 23 phases.”;

24 (5) in subsection (i)—

1 (A) by redesignating paragraphs (1)
2 through (3) as paragraphs (3) through (5), re-
3 spectively; and

4 (B) by inserting before paragraph (3) (as
5 so redesignated) the following:

6 “(1) EQUIVALENT OR GREATER LEVEL OF
7 SAFETY.—The term ‘equivalent or greater level of
8 safety’ means the compliance of a railroad carrier
9 with—

10 “(A) appropriate operating rules in place
11 immediately prior to the use or implementation
12 of such carrier’s positive train control system,
13 except that such rules may be changed by such
14 carrier to improve safe operations; and

15 “(B) all applicable safety regulations, ex-
16 cept as specified in subsection (j).

17 “(2) HARDWARE.—The term ‘hardware’ means
18 a locomotive apparatus, a wayside interface unit (in-
19 cluding any associated legacy signal system replace-
20 ments), switch position monitors needed for a posi-
21 tive train control system, physical back office system
22 equipment, a base station radio, a wayside radio, a
23 locomotive radio, or a communication tower or
24 pole.”; and

25 (6) by adding at the end the following:

1 “(j) EARLY ADOPTION.—

2 “(1) OPERATIONS.—From the date of enact-
3 ment of the Positive Train Control Enforcement and
4 Implementation Act of 2015 through the 1-year pe-
5 riod beginning on the date on which the last Class
6 I railroad carrier’s positive train control system sub-
7 ject to subsection (a) is certified by the Secretary
8 under subsection (h)(1) of this section and is imple-
9 mented on all of that railroad carrier’s lines required
10 to have operations governed by a positive train con-
11 trol system, any railroad carrier, including any rail-
12 road carrier that has its positive train control sys-
13 tem certified by the Secretary, shall not be subject
14 to the operational restrictions set forth in sections
15 236.567 and 236.1029 of title 49, Code of Federal
16 Regulations, that would apply where a controlling lo-
17 comotive that is operating in, or is to be operated
18 in, a positive train control-equipped track segment
19 experiences a positive train control system failure, a
20 positive train control operated consist is not pro-
21 vided by another railroad carrier when provided in
22 interchange, or a positive train control system other-
23 wise fails to initialize, cuts out, or malfunctions, pro-
24 vided that such carrier operates at an equivalent or
25 greater level of safety than the level achieved imme-

1 diately prior to the use or implementation of its
2 positive train control system.

3 “(2) SAFETY ASSURANCE.—During the period
4 described in paragraph (1), if a positive train control
5 system that has been certified and implemented fails
6 to initialize, cuts out, or malfunctions, the affected
7 railroad carrier or other entity shall make reasonable
8 efforts to determine the cause of the failure and ad-
9 just, repair, or replace any faulty component causing
10 the system failure in a timely manner.

11 “(3) PLANS.—The positive train control safety
12 plan for each railroad carrier or other entity shall
13 describe the safety measures, such as operating rules
14 and actions to comply with applicable safety regula-
15 tions, that will be put in place during any system
16 failure.

17 “(4) NOTIFICATION.—During the period de-
18 scribed in paragraph (1), if a positive train control
19 system that has been certified and implemented fails
20 to initialize, cuts out, or malfunctions, the affected
21 railroad carrier or other entity shall submit a notifi-
22 cation to the appropriate regional office of the Fed-
23 eral Railroad Administration within 7 days of the
24 system failure, or under alternative location and
25 deadline requirements set by the Secretary, and in-

1 clude in the notification a description of the safety
2 measures the affected railroad carrier or other entity
3 has in place.

4 “(k) SMALL RAILROADS.—Not later than 120 days
5 after the date of the enactment of this Act, the Secretary
6 shall amend section 236.1006(b)(4)(iii)(B) of title 49,
7 Code of Federal Regulations (relating to equipping loco-
8 motives for applicable Class II and Class III railroads op-
9 erating in positive train control territory), to extend each
10 deadline under such section by 3 years.

11 “(l) REVENUE SERVICE DEMONSTRATION.—When a
12 railroad carrier or other entity subject to (a)(1) notifies
13 the Secretary it is prepared to initiate revenue service
14 demonstration, it shall also notify any applicable tenant
15 railroad carrier or other entity subject to subsection
16 (a)(1).”.

17 (c) CONFORMING AMENDMENT.—Section 20157(g),
18 is amended—

19 (1) by striking “The Secretary” and inserting
20 the following:

21 “(1) IN GENERAL.—The Secretary”; and

22 (2) by adding at the end the following:

23 “(2) CONFORMING REGULATORY AMEND-
24 MENTS.—Immediately after the date of the enact-

ment of the Positive Train Control Enforcement and Implementation Act of 2015, the Secretary—

“(A) shall remove or revise the date-specific deadlines in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

“(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.

“(3) REVIEW.—Nothing in the Positive Train Control Enforcement and Implementation Act of 2015, or the amendments made by such Act, shall be construed to require the Secretary to issue regulations to implement such Act or amendments other than the regulatory amendments required by paragraph (2) and subsection (k).”.

TITLE II—REVENUE PROVISIONS

SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking “October 30, 2015” in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting “November 21, 2015”, and

1 (2) by striking “Surface Transportation and
2 Veterans Health Care Choice Improvement Act of
3 2015” in subsections (c)(1) and (e)(3) and inserting
4 “Surface Transportation Extension Act of 2015”.

5 (b) SPORT FISH RESTORATION AND BOATING TRUST
6 FUND.—Section 9504 of such Code is amended—

7 (1) by striking “Surface Transportation and
8 Veterans Health Care Choice Improvement Act of
9 2015” each place it appears in subsection (b)(2) and
10 inserting “Surface Transportation Extension Act of
11 2015”, and

12 (2) by striking “October 30, 2015” in sub-
13 section (d)(2) and inserting “November 21, 2015”.

14 (c) LEAKING UNDERGROUND STORAGE TANK TRUST
15 FUND.—Section 9508(e)(2) of such Code is amended by
16 striking “October 30, 2015” and inserting “November 21,
17 2015”.

○