

116TH CONGRESS
2D SESSION

H. R. 6770

To amend title 23, United States Code, to encourage and promote the safe and efficient management, operation, and development of surface transportation systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2020

Mr. LIPINSKI (for himself, Mr. COHEN, and Ms. DELAURO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to encourage and promote the safe and efficient management, operation, and development of surface transportation systems, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Mobility Options, Resiliency, and Efficiency (MORE)
6 through TDM Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title.

TITLE I—ADOPTING THE NATIONAL PLANS TO SECTION 134

Sec. 1001. Policy.
 Sec. 1002. Definitions.
 Sec. 1003. Requirements.
 Sec. 1004. Planning.

TITLE II—ADOPTING THE STATE PLANS TO SECTION 135

Sec. 2001. Requirements.
 Sec. 2002. Planning.
 Sec. 2003. Relationship to long-range plan.

TITLE III—APPROPRIATIONS AND GRANT PROGRAMS

Sec. 3001. Authorizations of appropriations.
 Sec. 3002. Grants.

TITLE IV—NATIONAL AND STATE ADVISORY COMMITTEES ON
 TRANSPORTATION DEMAND MANAGEMENT

Sec. 4001. National and State advisory committees on transportation demand management.

1 **TITLE I—ADOPTING THE NA-**
 2 **TIONAL PLANS TO SECTION**
 3 **134**

4 **SEC. 1001. POLICY.**

5 Section 134(a)(1) of title 23, United States Code, is
 6 amended to read as follows:

7 “(1) to encourage and promote the safe and ef-
 8 ficient management, operation, and development of
 9 surface transportation systems and support trans-
 10 portation demand management expectations and
 11 goals that will serve the mobility needs of the people
 12 and freight, foster economic growth and development
 13 within and between States and urbanized areas, and
 14 to take into consideration resiliency needs while

1 minimizing transportation related fuel consumption,
2 congestion, and air pollution through metropolitan
3 and statewide transportation planning processes in
4 this chapter; and”.

5 **SEC. 1002. DEFINITIONS.**

6 Section 134(b) of title 23, United States Code, is
7 amended by inserting after paragraph (7) the following:

8 “(8) **TRANSPORTATION DEMAND MANAGEMENT;**
9 **TDM.**—The terms ‘Transportation Demand Manage-
10 ment’ and ‘TDM’ mean the use of strategies to in-
11 form and encourage travelers to maximize the effi-
12 ciency of a transportation system leading to im-
13 proved mobility, reduced congestion, and lower vehi-
14 cle emissions.

15 “(9) **TRANSPORTATION DEMAND MANAGEMENT**
16 **STRATEGIES.**—The term ‘Transportation Demand
17 Management Strategies’ means the use of planning,
18 programs, policy, marketing, communications, incen-
19 tives, pricing, and technology to shift travel mode,
20 routes used, departure times, number of trips, and
21 location and design work space or public attrac-
22 tions.”.

23 **SEC. 1003. REQUIREMENTS.**

24 Section 134(c) of title 23, United States Code, is
25 amended—

1 (1) by striking paragraph (2) and inserting the
2 following:

3 “(2) CONTENTS.—The plans and TIPs for each
4 metropolitan area shall provide for the development
5 and integrated management, including transpor-
6 tation demand management, and operation of trans-
7 portation systems and facilities (including accessible
8 pedestrian walkways, bicycle transportation facilities,
9 and intermodal facilities that support intercity trans-
10 portation and reduce the need of single-occupancy
11 vehicles and intercity bus facilities and commuter
12 vanpool providers) that will function as an inter-
13 modal transportation system for the metropolitan
14 planning area and as an integral part of an inter-
15 modal transportation system for the State and the
16 United States.”; and

17 (2) by striking paragraph (3) and inserting the
18 following:

19 “(3) PROCESS OF DEVELOPMENT.—The process
20 for developing the plans and TIPs shall provide for
21 consideration of all modes of transportation and
22 transportation demand management and shall be
23 continuing, cooperative, and comprehensive to the
24 degree appropriate, based on the complexity of the
25 transportation problems to be addressed.”.

1 **SEC. 1004. PLANNING.**

2 Section 134(h) of title 23, United States Code, is
3 amended—

4 (1) in paragraph (1)—

5 (A) by striking “and” at the end of sub-
6 paragraph (I);

7 (B) by striking the period at the end of
8 subparagraph (J) and inserting a semicolon;
9 and

10 (C) by adding at the end, the following:

11 “(K) summarize the issues, problems, bar-
12 riers and existing policies and programs of
13 transportation demand management;

14 “(L) incentivize lower-cost options for
15 transportation systems, including transportation
16 demand management;

17 “(M) identify strategies which provide
18 multimodal choices to single-occupancy vehicle
19 travel on the road; and

20 “(N) mitigate congestion-related issues
21 and identify alternative transportation routes
22 and options during times of severe weather
23 storms declared local, State, and Federal state
24 of emergencies.”; and

25 (2) in paragraph (2)(B), by inserting after
26 clause (ii) the following:

1 “(iii) TRANSPORTATION DEMAND
 2 MANAGEMENT TARGETS.—Each Metropoli-
 3 tan planning organization that is consid-
 4 ered to be in nonattainment or mainte-
 5 nance areas for at least one National Am-
 6 bient Air Quality Standard as defined the
 7 Clean Air Act shall establish demand man-
 8 agement targets that address the objec-
 9 tives, issues, and goals of transportation
 10 demand management described in sub-
 11 section (b), where applicable, to use in
 12 tracking progress toward attainment of
 13 such critical outcomes for the region of the
 14 metropolitan planning organization.”.

15 **TITLE II—ADOPTING THE STATE**
 16 **PLANS TO SECTION 135**

17 **SEC. 2001. REQUIREMENTS.**

18 Section 135(a)(2) of title 23, United States Code, is
 19 amended to read as follows:

20 “(2) CONTENTS.—The statewide transportation
 21 plan and the transportation improvement program
 22 developed for each State shall provide for transpor-
 23 tation demand management issues, objectives devel-
 24 opment, and integrated management and operation
 25 of transportation systems and facilities (including

1 accessible pedestrian walkways, bicycle transpor-
2 tation facilities, and intermodal facilities that sup-
3 port intercity transportation, including intercity
4 buses and intercity bus facilities and commuter van
5 pool providers) that will function as an intermodal
6 transportation system and reduce the need of single
7 occupancy vehicles for the State and an integral part
8 of an intermodal transportation system for the
9 United States.”.

10 **SEC. 2002. PLANNING.**

11 Section 135(d)(1) of title 23, United States Code, is
12 amended—

13 (1) by striking “and” at the end of subpara-
14 graph (I);

15 (2) by striking the period at the end of sub-
16 paragraph (J) and inserting a semicolon; and

17 (3) by adding at the end the following:

18 “(K) resolve issues, problems, and barriers
19 of transportation demand management;

20 “(L) guide transportation investment deci-
21 sions including transportation demand manage-
22 ment policies, strategies, and performance
23 measures of the State;

24 “(M) enhance private-sector involvement in
25 providing multimodal and multioccupancy

1 transportation programs and services that pro-
2 mote environmental goals and increase eco-
3 nomic activity; and

4 “(N) improve facilities with mobility issues
5 within the State, and a description of the strat-
6 egies the State is employing to address them,
7 considering the objectives of transportation de-
8 mand management.”.

9 **SEC. 2003. RELATIONSHIP TO LONG-RANGE PLAN.**

10 Section 135(f)(1) of title 23, United States Code, is
11 amended to read as follows:

12 “(1) DEVELOPMENT.—Each State shall develop
13 a long-range statewide transportation plan, with a
14 minimum 20-year forecast period for all areas of the
15 State, that provides for the development and imple-
16 mentation of the intermodal transportation system
17 and supports the objectives of transportation de-
18 mand management of the State.”.

19 **TITLE III—APPROPRIATIONS**
20 **AND GRANT PROGRAMS**

21 **SEC. 3001. AUTHORIZATIONS OF APPROPRIATIONS.**

22 (a) AMENDMENT.—Chapter 1 of title 23, United
23 States Code, is amended by inserting after section 170 the
24 following:

1 **“§ 171. Transportation demand management imple-**
2 **mentation program**

3 “The Secretary of Transportation shall establish pro-
4 gram to encourage and assist the development and fund-
5 ing of Transportation Demand Management related
6 projects in accordance with this section and to further di-
7 rect Federal resources, as authorized in this section, to-
8 wards implementation of Transportation Demand Man-
9 agement objectives described in section 134(b).”.

10 (b) IN GENERAL.—The following sums are author-
11 ized to be appropriated out of the Highway Trust Fund
12 (other than the Mass Transit Account): \$100,000,000 for
13 each of fiscal years 2020 through 2024, to carry out sec-
14 tion 171 of title 23, United States Code.

15 (c) DIVISION OF FUNDS AMONG STATES.—The Sec-
16 retary shall distribute the funds authorized in subsection
17 (b) to the 50 States and the District of Columbia in ac-
18 cordance with the formula described in subsection (d).

19 (d) CALCULATION OF STATE AMOUNTS.—For each
20 of fiscal years 2020 through 2024, funds shall be distrib-
21 uted to each State and the District of Columbia in a for-
22 mula that mirrors the allocation/apportionment percent-
23 age each State or the District of Columbia receives under
24 section 104(c) of title 23, United States Code.

25 (e) USE OF FUNDS.—

1 (1) IN GENERAL.—States shall distribute funds
2 authorized under the TDM Implementation Program
3 in the form of competitive grants to eligible entities
4 to support the implementation of projects and pro-
5 grams identified within a State adopted Transpor-
6 tation Demand Management plans to support the
7 movement of people and resulting in reduced conges-
8 tion, environmental benefits, and support economic
9 activity.

10 (2) ELIGIBLE PROJECTS.—Funds apportioned
11 to the State under this section for the TDM Imple-
12 mentation program may be obligated to carry out
13 one or more of the following:

14 (A) Technologies designed to inform and
15 promote the use of non-single occupancy vehi-
16 cles.

17 (B) Technologies designed to inform and
18 promote alternative trip mode options that im-
19 prove and/or assist the movement of people.

20 (C) Marketing and promotional efforts to
21 promote mode choice and reduce the environ-
22 mental impacts of commuter movement.

23 (D) Real-time traffic and multimodal
24 transportation information systems that aim to
25 influence travel decisions and behavior.

1 (E) Work zone management and informa-
2 tion systems that aim to shift travel modes dur-
3 ing construction.

4 (F) Support the development of plans that
5 enhance disaster preparedness and mitigate
6 congestion along major travel routes during
7 times of emergency, natural disasters, and se-
8 vere construction.

9 (G) Enhancement of the resiliency of crit-
10 ical infrastructure, including infrastructure that
11 supports in times of national or regional emer-
12 gencies.

13 (H) Any other surface transportation
14 project to improve the flow of people and goods
15 within the existing national highway infrastruc-
16 ture network.

17 (3) ELIGIBLE ENTITIES.—States are authorized
18 to award competitive grant funds, as identified in
19 this section, to the following organizations or enti-
20 ties:

21 (A) Transportation Demand Management
22 product and service providers, and related
23 Transportation Demand Management associa-
24 tions.

1 (B) Transportation Management Associa-
2 tions and Transportation Management Organi-
3 zations.

4 (C) Metropolitan Organizations.

5 (D) Regional Planning Organizations.

6 (E) Public transportation Agencies.

7 (F) Local governments.

8 (f) DEFINITIONS.—For purposes of this section, the
9 terms “Transportation Management Associations” or
10 “TMAs” and “Transportation Management Organiza-
11 tions” or “(TMOs)” mean associations, organizations, or
12 cooperatives that provide transportation services and edu-
13 cation to businesses, property owners, residents, and em-
14 ployees in a defined geographic area, combining their ef-
15 forts to expand transportation options and reduce pro-
16 gram costs. TMAs and TMOs are not-for-profit collabora-
17 tions of private and public sector entities working together
18 toward common goals, such as congestion mitigation,
19 transportation services, and pollution reduction.

20 (g) CONFORMING AMENDMENT.—The table of sec-
21 tions for chapter 1 of title 23, United States Code, is
22 amended by inserting after the item relating to section
23 170 the following:

“171. Transportation demand management implementation program.”.

1 **SEC. 3002. GRANTS.**

2 (a) **AUTHORIZATION.**—The Secretary shall make
3 grants under this section to eligible nonprofit institutions
4 of higher education to establish and operate a university
5 transportation center for research and development re-
6 lated to Transportation Demand Management and Trans-
7 portation Demand Management Strategies.

8 (b) **AUTHORIZED FUNDS.**—The Secretary may dis-
9 tribute \$3,000,000 for the creation of a University Trans-
10 portation Center dedicated towards the advancement of
11 transportation demand management, the understanding of
12 behavior in mobility decisions, and the development of mo-
13 bility as a service applications.

14 (c) **ELIGIBLE USE OF FUNDS.**—The funds author-
15 ized in this section shall be used for the establishment of
16 university transportation dedicated towards the research
17 and development of transportation demand management
18 and transportation demand management strategies.
19 Funds may be used for the research of TDM related top-
20 ics, as defined under section 1002.

21 (d) **ELIGIBLE APPLICANTS.**—To receive a grant
22 under this section, applicants must be in accordance with
23 requirements outlined in title 49, United States Code.

24 (e) **COMPETITIVE SELECTION PROCESS.**—To receive
25 a grant under this section—

1 (1) a consortium of nonprofit institutions of
 2 higher education shall submit to the Secretary an
 3 application that is in such form and contains such
 4 information as the Secretary may require; and

5 (2) the awardee must follow and be in accord-
 6 ance with the process as described in section
 7 5505(b) of title 49, United States Code.

8 **TITLE IV—NATIONAL AND STATE**
 9 **ADVISORY COMMITTEES ON**
 10 **TRANSPORTATION DEMAND**
 11 **MANAGEMENT**

12 **SEC. 4001. NATIONAL AND STATE ADVISORY COMMITTEES**
 13 **ON TRANSPORTATION DEMAND MANAGE-**
 14 **MENT.**

15 (a) AMENDMENT.—Chapter 1 of title 23, United
 16 States Code, is amended by inserting after section 171 the
 17 following:

18 **“§ 172. National and State advisory committees on**
 19 **transportation demand management**

20 **“(a) ESTABLISHMENT OF NATIONAL ADVISORY COM-**
 21 **MITTEE OF TRANSPORTATION DEMAND MANAGEMENT.—**

22 **“(1) IN GENERAL.—**The Administrator of Fed-
 23 eral Highways Administration shall establish a Na-
 24 tional Advisory Committee for Transportation De-
 25 mand Management in accordance with this section

1 to strategically direct Federal resources and policies
2 toward implementation of Transportation Demand
3 Management objectives described in section 134(b).

4 “(2) COMMITTEE MEMBERSHIP.—The National
5 Advisory Committee of Transportation Demand
6 Management shall include no fewer than 11 rep-
7 resentatives chosen from—

8 “(A) the transportation industry, product
9 and service providers, and related Transpor-
10 tation Demand Management associations;

11 “(B) large corporations, large nonprofits,
12 and universities who need to move large num-
13 bers of students and employees;

14 “(C) organizations representing com-
15 muters;

16 “(D) State Transportation Demand Man-
17 agement workforce;

18 “(E) State departments of transportation;

19 “(F) public transportation entities;

20 “(G) regional and metropolitan planning
21 organizations; and

22 “(H) local governments.

23 “(3) TRANSPORTATION DEMAND MANAGEMENT
24 CONDITIONS AND PERFORMANCE REPORTS.—Not
25 later than 2 years after the date of enactment of

1 this section, and every 5 years thereafter, the Ad-
2 ministrator shall prepare and submit to Congress a
3 report that describes the conditions and performance
4 of the National Transportation Demand Manage-
5 ment Program in the United States.

6 “(b) ESTABLISHMENT OF STATE ADVISORY COMMIT-
7 TEES ON TRANSPORTATION DEMAND MANAGEMENT.—

8 “(1) IN GENERAL.—Each State shall develop
9 advisory committees focused on the development and
10 furthering of the principles of transportation de-
11 mand management within their respective jurisdic-
12 tion.

13 “(2) PURPOSE.—The State Transportation De-
14 mand Management Advisory Committees shall serve
15 as a body of transportation demand management ex-
16 perts from within a State that will draft and ap-
17 prove State Transportation Demand Management
18 plans.

19 “(3) SUBMISSION.—Approved State Transpor-
20 tation Demand Management plans shall be sub-
21 mitted to the Administrator of the Federal High-
22 ways Administration before a State is eligible to re-
23 ceive funds authorized under section 104(b).

24 “(4) ROLE.—The State Transportation De-
25 mand Management Advisory Committees shall—

1 “(A) advise the State on transportation de-
2 mand management-related priorities, issues,
3 projects, and funding needs;

4 “(B) serve as a forum for discussion for
5 State transportation decisions affecting the
6 movement of people;

7 “(C) communicate and coordinate regional
8 priorities with other organizations;

9 “(D) promote the sharing of information
10 between the private and public sectors on effi-
11 ciency of transportation infrastructure systems
12 and transportation demand management best
13 practices;

14 “(E) facilitate coordination and collabora-
15 tion between public and private organizations;
16 and

17 “(F) participate in the development of the
18 transportation demand management plan of the
19 State and region.

20 “(5) MEMBERSHIP.—

21 “(A) IN GENERAL.—A State Transpor-
22 tation Demand Management Advisory Com-
23 mittee shall consist of representatives from a
24 cross-section of public and private sector trans-
25 portation stakeholders.

1 “(B) REPRESENTATIVES.—A State Advi-
2 sory Committee shall consist of not fewer than
3 11 eligible representatives.

4 “(C) ELIGIBLE APPOINTEES.—Eligible
5 State Advisory Committee appointees includes
6 representatives from—

7 “(i) transportation product and serv-
8 ice providers;

9 “(ii) large nonprofits and universities
10 who need to move large numbers of stu-
11 dents and employees;

12 “(iii) large corporations who need to
13 move large numbers of employees;

14 “(iv) transportation demand manage-
15 ment-related associations;

16 “(v) organizations representing com-
17 muters;

18 “(vi) regional and metropolitan plan-
19 ning organizations;

20 “(vii) the transportation department
21 of the State;

22 “(viii) public transportation entities;

23 “(ix) association representing com-
24 muters; and

25 “(x) local governments.

