

Union Calendar No. 448

117TH CONGRESS
2^D SESSION

H. R. 2187

[Report No. 117-622]

To amend title 23, United States Code, to direct the Secretary of Transportation to set aside certain funds to provide parking for commercial motor vehicles on the Federal-aid highway system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2021

Mr. BOST (for himself, Ms. CRAIG, Mr. JOHNSON of South Dakota, Mr. GARAMENDI, Mr. STAUBER, and Ms. WILD) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

DECEMBER 13, 2022

Additional sponsors: Mr. VAN DREW, Mr. TIFFANY, Mr. PENCE, Mr. MALINOWSKI, Mr. LAMALFA, Mrs. HARTZLER, Ms. MACE, Mr. LAHOOD, Mr. CRAWFORD, Mr. ROUZER, Mr. DELGADO, Mr. KELLY of Mississippi, Mr. REED, Mr. KIND, Mr. SWALWELL, Mr. PAPPAS, Mr. EMMER, Mr. JOHNSON of Ohio, Mr. BABIN, Mr. GIBBS, Mr. PHILLIPS, Mr. COOPER, Ms. WEXTON, Ms. SPANBERGER, Mrs. MILLER-MEEKS, Mr. BACON, Mr. CHABOT, Mr. MEUSER, Ms. HERRERA BEUTLER, Mr. NEHLS, Mr. GONZALEZ of Ohio, Mr. HARDER of California, Mr. BURGESS, and Ms. PORTER

DECEMBER 13, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 26, 2021]

A BILL

To amend title 23, United States Code, to direct the Secretary of Transportation to set aside certain funds to provide parking for commercial motor vehicles on the Federal-aid highway system, 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 “Truck Parking Safety*
5 *Improvement Act”.*

6 **SEC. 2. SENSE OF CONGRESS.**

7 *It is the sense of Congress that it should be a national*
8 *priority to address the shortage of parking for commercial*
9 *motor vehicles on the Federal-aid highway system to im-*
10 *prove highway safety.*

11 **SEC. 3. PARKING FOR COMMERCIAL MOTOR VEHICLES.**

12 *(a) IN GENERAL.—Chapter 1 of title 23, United States*
13 *Code, is amended by adding at the end the following:*

14 **“§ 177. Parking for commercial motor vehicles**

15 *“(a) GRANT AUTHORITY.—Subject to the availability*
16 *of funds, the Secretary shall make grants under this section,*
17 *on a competitive basis, to eligible entities for projects to pro-*
18 *vide parking for commercial motor vehicles and improve*
19 *the safety of commercial motor vehicle operators.*

20 *“(b) APPLICATIONS.—To be eligible for a grant under*
21 *this section, an eligible entity shall submit to the Secretary*
22 *an application at such time and in such manner as the*
23 *Secretary may require.*

24 *“(c) APPLICATION CONTENTS.—An application sub-*
25 *mitted under subsection (b) shall contain—*

1 “(1) a description of the proposed project; and

2 “(2) any other information that the Secretary
3 may require.

4 “(d) *ELIGIBLE ENTITIES*.—The following entities shall
5 be eligible to receive amounts under this section:

6 “(1) A State.

7 “(2) A metropolitan planning organization.

8 “(3) A unit of local government.

9 “(4) A political subdivision of a State or local
10 government carrying out responsibilities relating to
11 commercial motor vehicle parking.

12 “(5) A Tribal government or a consortium of
13 Tribal governments.

14 “(6) A multistate or multijurisdictional group of
15 entities described in paragraphs (1) through (5).

16 “(e) *PRIVATE SECTOR PARTICIPATION*.—An eligible
17 entity that receives a grant under this section may partner
18 with a private entity to carry out an eligible project under
19 this section.

20 “(f) *ELIGIBLE PROJECTS*.—

21 “(1) *IN GENERAL*.—An entity may use a grant
22 awarded under this section for a project described in
23 paragraph (2) that is on—

24 “(A) a Federal-aid highway; or

25 “(B) a facility with reasonable access to—

1 “(i) a Federal-aid highway; or

2 “(ii) a freight facility.

3 “(2) *PROJECTS DESCRIBED.*—A project described
4 *in this paragraph is a project to—*

5 “(A) *construct safety rest areas (as such*
6 *term is defined in section 120(c)) that include*
7 *parking for commercial motor vehicles;*

8 “(B) *construct additional commercial motor*
9 *vehicle parking capacity—*

10 “(i) *adjacent to private commercial*
11 *truck stops and travel plazas;*

12 “(ii) *within the boundaries of, or adja-*
13 *cent to, a publicly owned freight facility,*
14 *including a port terminal operated by a*
15 *public authority; and*

16 “(iii) *at existing facilities, including*
17 *inspection and weigh stations and park-*
18 *and-ride locations;*

19 “(C) *open existing weigh stations, safety*
20 *rest areas, and park-and-ride facilities to com-*
21 *mmercial motor vehicle parking;*

22 “(D) *construct or make capital improve-*
23 *ments to existing public commercial motor vehi-*
24 *cle parking facilities to expand parking utiliza-*

1 *tion and availability, including at seasonal fa-*
2 *cilities;*

3 *“(E) identify, promote, and manage the*
4 *availability of publicly and privately provided*
5 *commercial motor vehicle parking, such as*
6 *through the use of intelligent transportation sys-*
7 *tems;*

8 *“(F) improve the safety of commercial*
9 *motor vehicle operators at parking facilities as*
10 *part of a project described in subparagraphs (A)*
11 *through (D); or*

12 *“(G) improve a parking facility, including*
13 *through truck stop electrification systems, as de-*
14 *finied in section 101(a), and other improvements*
15 *determined appropriate by the Secretary, as part*
16 *of a project described in subparagraphs (A)*
17 *through (D).*

18 *“(3) PUBLICLY ACCESSIBLE PARKING.—Commer-*
19 *cial motor vehicle parking constructed or opened with*
20 *a grant under this section shall be open and accessible*
21 *to all commercial motor vehicle operators.*

22 *“(g) USE OF FUNDS.—*

23 *“(1) IN GENERAL.—An eligible entity may use a*
24 *grant under this section for—*

1 “(A) *development phase activities, including*
2 *planning, feasibility analysis, benefit-cost anal-*
3 *ysis, environmental review, preliminary engi-*
4 *neering and design work, and other*
5 *preconstruction activities necessary to advance a*
6 *project under this section; and*

7 “(B) *construction and operational improve-*
8 *ments.*

9 “(2) *LIMITATION.—*

10 “(A) *IN GENERAL.—An eligible entity may*
11 *use not more than 25 percent of the amount of*
12 *a grant under this section for activities described*
13 *in paragraph (1)(A).*

14 “(B) *EXISTING FACILITIES.—Not more than*
15 *10 percent of the amounts available for each fis-*
16 *cal year for grants under the program may be*
17 *used for projects described under subsection*
18 *(f)(2)(E) that solely identify, promote, and man-*
19 *age the availability of existing commercial motor*
20 *vehicle parking.*

21 “(h) *SELECTION CRITERIA.—In making grants under*
22 *this subsection, the Secretary shall give priority to applica-*
23 *tions that demonstrate—*

1 “(1) a shortage of commercial motor vehicle
2 parking capacity in the corridor in which the project
3 is located;

4 “(2) consultation with motor carriers, commer-
5 cial motor vehicle operators, public safety officials,
6 and private providers of commercial motor vehicle
7 parking;

8 “(3) that the project will likely—

9 “(A) increase the availability or utilization
10 of commercial motor vehicle parking;

11 “(B) facilitate the efficient movement of
12 freight; and

13 “(C) improve highway safety, traffic conges-
14 tion, and air quality; and

15 “(4) the ability to provide for the maintenance
16 and operation of the facility.

17 “(i) *FEDERAL SHARE*.—Notwithstanding section 120,
18 the Federal share for a project carried out under this sub-
19 section shall be up to 100 percent.

20 “(j) *TREATMENT OF PROJECTS*.—

21 “(1) *IN GENERAL*.—Notwithstanding any other
22 provision of law, projects funded under this section
23 shall be treated as projects on a Federal-aid highway
24 under this chapter.

1 “(2) *PERIOD OF AVAILABILITY.*—Funds appro-
2 priated for projects under this section shall remain
3 available for a period of 3 years after the last day of
4 the fiscal year in which the funds are made available.

5 “(k) *PROHIBITION ON CHARGING FEES.*—To be eligi-
6 ble for a grant under this section, an eligible entity shall
7 agree that no fees will be charged to a commercial motor
8 vehicle to access parking constructed, opened, or improved
9 with a grant under this section.

10 “(l) *NOTIFICATION OF CONGRESS.*—Not less than 3
11 business days before making a grant for a project under
12 this section, the Secretary shall notify, in writing, the Com-
13 mittee on Transportation and Infrastructure of the House
14 of Representatives and the Committee on the Environment
15 and Public Works of the Senate of the intention to award
16 such a grant.

17 “(m) *SURVEY AND COMPARATIVE ASSESSMENT.*—

18 “(1) *IN GENERAL.*—Not later than 18 months
19 after the date of enactment of this subsection, and
20 every 2 years thereafter, the Secretary, in consultation
21 with appropriate State motor carrier safety per-
22 sonnel, motor carriers, State departments of transpor-
23 tation, and private providers of commercial motor ve-
24 hicle parking shall submit to the Committee on
25 Transportation and Infrastructure of the House of

1 *Representatives and the Committee on the Environ-*
2 *ment and Public Works of the Senate a report that—*

3 *“(A) evaluates the availability of adequate*
4 *parking and rest facilities, taking into account*
5 *both private and public facilities, for commercial*
6 *motor vehicles engaged in interstate transpor-*
7 *tation;*

8 *“(B) evaluates the effectiveness of the*
9 *projects funded under this section in improving*
10 *access to commercial motor vehicle parking;*

11 *“(C) evaluates the ability of entities receiv-*
12 *ing a grant under this section to sustain the op-*
13 *eration of parking facilities constructed with*
14 *funds provided under this section; and*

15 *“(D) reports on the progress being made to*
16 *provide adequate commercial motor vehicle park-*
17 *ing facilities in the State.*

18 *“(2) RESULTS.—The Secretary shall make the*
19 *report and subsequent updated reports under para-*
20 *graph (1) available to the public on the website of the*
21 *Department of Transportation.*

22 *“(3) ALIGNMENT OF REPORTS.—In carrying out*
23 *this subsection, the Secretary shall consider the results*
24 *of the commercial motor vehicle parking facilities as-*
25 *sessments of the States under section 70202 of title 49*

1 *and seek to align the contents of the report and re-*
2 *porting deadlines under paragraph (1) with the re-*
3 *quirements of such section.*

4 *“(n) COMMERCIAL MOTOR VEHICLE DEFINED.—In*
5 *this section, the term ‘commercial motor vehicle’ has the*
6 *meaning given such term in section 31132 of title 49.”.*

7 *(b) CLERICAL AMENDMENT.—The analysis for chapter*
8 *1 of title 23, United States Code, is amended by adding*
9 *after the item relating to section 176 the following:*

“177. Parking for commercial motor vehicles.”.

10 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

11 *There are authorized to be appropriated out of the gen-*
12 *eral fund of the Treasury for projects for commercial vehicle*
13 *parking under section 177 of title 23, United States Code*
14 *(as added by this Act)—*

15 *(1) \$175,000,000 for fiscal year 2023;*

16 *(2) \$185,000,000 for fiscal year 2024;*

17 *(3) \$195,000,000 for fiscal year 2025; and*

18 *(4) \$200,000,000 for fiscal year 2026.*

19 **SEC. 5. PROHIBITION ON USE OF FUNDS.**

20 *None of the funds made available to carry out the*
21 *Truck Parking Safety Improvement Act, or the amendments*
22 *made by such Act, may be used for electric vehicle or electric*
23 *truck charging.*

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