

Calendar No. 227

117TH CONGRESS
1ST SESSION

S. 2016

To authorize elements of the Department of Transportation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2021

Ms. CANTWELL (for herself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 17, 2021

Reported by Ms. CANTWELL, with an amendment

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

A BILL

To authorize elements of the Department of Transportation, 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; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the

5 “~~Surface Transportation Investment Act of 2021~~”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—MULTIMODAL AND FREIGHT TRANSPORTATION

Subtitle A—Multimodal Freight Policy

- Sec. 1101. Office of Multimodal Freight Infrastructure and Policy.
 Sec. 1102. Updates to National Freight Plan.
 Sec. 1103. State collaboration with National Multimodal Freight Network.
 Sec. 1104. Improving State freight plans.
 Sec. 1105. Implementation of National Multimodal Freight Network.
 Sec. 1106. Multi-State freight corridor planning.

Subtitle B—Multimodal Investment

- Sec. 1201. National infrastructure project assistance.
 Sec. 1202. Local and regional project assistance.
 Sec. 1203. National culvert removal, replacement, and restoration grant program.
 Sec. 1204. Nationally significant multimodal freight projects.
 Sec. 1205. National multimodal cooperative freight research program.
 Sec. 1206. Rural and Tribal infrastructure advancement.

Subtitle C—Railroad Rehabilitation and Improvement Financing Reforms

- Sec. 1301. RRIFF codification and reforms.
 Sec. 1302. Substantive criteria and standards.
 Sec. 1303. Semiannual report on transit-oriented development eligibility.

TITLE II—RAIL

- Sec. 2001. Short title.

Subtitle A—Authorization of Appropriations

- Sec. 2101. Grants to Amtrak.
 Sec. 2102. Federal Railroad Administration.
 Sec. 2103. Consolidated rail infrastructure and safety improvements grants.
 Sec. 2104. Railroad Crossing Elimination Program.
 Sec. 2105. Restoration and enhancement grants.
 Sec. 2106. Federal-State partnership for intercity passenger rail grants.
 Sec. 2107. Amtrak Office of Inspector General.

Subtitle B—Amtrak Reforms

- Sec. 2201. Amtrak findings, mission, and goals.
 Sec. 2202. Composition of Amtrak's Board of Directors.
 Sec. 2203. Station agents.
 Sec. 2204. Increasing oversight of changes to Amtrak long-distance routes and other intercity services.
 Sec. 2205. Improved oversight of Amtrak accounting.
 Sec. 2206. Improved oversight of Amtrak spending.
 Sec. 2207. Increasing service line and asset line plan transparency.

- Sec. 2208. Passenger experience enhancement.
- Sec. 2209. Amtrak smoking policy.
- Sec. 2210. Protecting Amtrak routes through rural communities.
- Sec. 2211. State-Supported Route Committee.
- Sec. 2212. Enhancing cross border service.
- Sec. 2213. Creating quality jobs.

Subtitle C—Intercity Passenger Rail Policy

- Sec. 2301. Northeast Corridor planning.
- Sec. 2302. Northeast Corridor Commission.
- Sec. 2303. Consolidated rail infrastructure and safety improvements.
- Sec. 2304. Restoration and enhancement grants.
- Sec. 2305. Railroad Crossing Elimination Program.
- Sec. 2306. Interstate rail compacts.
- Sec. 2307. Federal-State partnership for intercity passenger rail grants.
- Sec. 2308. Corridor Identification and Development Program.
- Sec. 2309. Surface Transportation Board Passenger Rail Program.
- Sec. 2310. Railroad rights-of-way.

Subtitle D—Rail Safety

- Sec. 2401. Railway-highway crossings program evaluation.
- Sec. 2402. Grade crossing accident prediction model.
- Sec. 2403. Periodic updates to highway-rail crossing reports and plans.
- Sec. 2404. Blocked crossing portal.
- Sec. 2405. Data accessibility.
- Sec. 2406. Emergency lighting.
- Sec. 2407. Comprehensive rail safety review of Amtrak.
- Sec. 2408. Completion of hours of service and fatigue studies.
- Sec. 2409. Positive train control study.
- Sec. 2410. Operating crew member training, qualification, and certification.
- Sec. 2411. Transparency and safety.
- Sec. 2412. Research and development.
- Sec. 2413. Rail Research and Development Center of Excellence.
- Sec. 2414. Quarterly report on positive train control system performance.
- Sec. 2415. Speed limit action plans.
- Sec. 2416. New passenger service pre-revenue safety validation plan.
- Sec. 2417. Federal Railroad Administration accident and incident investigations.
- Sec. 2418. Civil penalty enforcement authority.
- Sec. 2419. Advancing safety and innovative technology.
- Sec. 2420. Passenger rail vehicle occupant protection systems.
- Sec. 2421. Federal Railroad Administration safety reporting.
- Sec. 2422. National Academies study on trains longer than 7,500 feet.
- Sec. 2423. High-speed train noise emissions.
- Sec. 2424. Critical incident stress plans.

TITLE III—MOTOR CARRIER SAFETY

- Sec. 3001. Authorization of appropriations.
- Sec. 3002. Motor carrier safety advisory committee.
- Sec. 3003. Combating human trafficking.
- Sec. 3004. Immobilization grant program.
- Sec. 3005. Commercial motor vehicle enforcement training and support.
- Sec. 3006. Study of commercial motor vehicle crash causation.

- See: 3007. Promoting women in the trucking workforce.
- See: 3008. State inspection of passenger-carrying commercial motor vehicles.
- See: 3009. Truck Leasing Task Force.
- See: 3010. Automatic emergency braking.
- See: 3011. Underride protection.
- See: 3012. Providers of recreational activities.
- See: 3013. Amendments to regulations relating to transportation of household goods in interstate commerce.
- See: 3014. Improving Federal-State motor carrier safety enforcement coordination.
- See: 3015. Limousine research.
- See: 3016. National Consumer Complaint Database.
- See: 3017. Electronic logging device oversight.

TITLE IV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

- See: 4101. Authorization of appropriations.
- See: 4102. Highway safety programs.
- See: 4103. Highway safety research and development.
- See: 4104. High-visibility enforcement programs.
- See: 4105. National priority safety programs.
- See: 4106. Multiple substance-impaired driving prevention.
- See: 4107. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.
- See: 4108. Crash data.
- See: 4109. Review of Move Over or Slow Down Law public awareness.
- See: 4110. Review of laws, safety measures, and technologies relating to school buses.
- See: 4111. Motorcyclist Advisory Council.
- See: 4112. Safe Streets and Roads for All grant program.
- See: 4113. Implementation of GAO recommendations.

Subtitle B—Vehicle Safety

- See: 4201. Authorization of appropriations.
- See: 4202. Recall completion.
- See: 4203. Recall engagement.
- See: 4204. Motor vehicle seat back safety standards.
- See: 4205. Automatic shutoff.
- See: 4206. Petitions by interested persons for standards and enforcement.
- See: 4207. Child safety seat accessibility study.
- See: 4208. Crash avoidance technology.
- See: 4209. Reduction of driver distraction.
- See: 4210. Rulemaking report.
- See: 4211. Global harmonization.
- See: 4212. Headlamps.
- See: 4213. New Car Assessment Program.
- See: 4214. Hood and bumper standards.
- See: 4215. Emergency medical services and 9-1-1.
- See: 4216. Early warning reporting.
- See: 4217. Improved vehicle safety databases.
- See: 4218. National Driver Register Advisory Committee repeal.
- See: 4219. Research on connected vehicle technology.
- See: 4220. Advanced impaired driving technology.

TITLE V—RESEARCH AND INNOVATION

- Sec. 5001. Intelligent Transportation Systems Program Advisory Committee.
- Sec. 5002. Smart Community Resource Center.
- Sec. 5003. Federal support for local decisionmaking.
- Sec. 5004. Bureau of Transportation Statistics.
- Sec. 5005. Strengthening mobility and revolutionizing transportation grant program.
- Sec. 5006. Electric vehicle working group.
- Sec. 5007. Risk and system resilience.
- Sec. 5008. Coordination on emerging transportation technology.
- Sec. 5009. Interagency Infrastructure Permitting Improvement Center.
- Sec. 5010. Rural opportunities to use transportation for economic success initiative.
- Sec. 5011. Advanced transportation technologies deployment program.
- Sec. 5012. Safety data initiative.
- Sec. 5013. Advanced transportation research.
- Sec. 5014. Open research initiative.
- Sec. 5015. Transportation research and development 5-year strategic plan.
- Sec. 5016. Research planning modifications.
- Sec. 5017. Incorporation of Department of Transportation research.
- Sec. 5018. University transportation centers program.
- Sec. 5019. National travel and tourism infrastructure strategic plan.
- Sec. 5020. Local hiring preference for construction jobs.
- Sec. 5021. Transportation workforce development.
- Sec. 5022. Intermodal Transportation Advisory Board repeal.
- Sec. 5023. GAO cybersecurity recommendations.
- Sec. 5024. Volpe oversight.

TITLE VI—HAZARDOUS MATERIALS

- Sec. 6001. Authorization of appropriations.
- Sec. 6002. Assistance for local emergency response training grant program.
- Sec. 6003. Real-time emergency response information.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **DEPARTMENT.**—The term “Department”
 4 means the Department of Transportation.

5 (2) **SECRETARY.**—The term “Secretary” means
 6 the Secretary of Transportation.

1 **TITLE I—MULTIMODAL AND**
 2 **FREIGHT TRANSPORTATION**
 3 **Subtitle A—Multimodal Freight**
 4 **Policy**

5 **SEC. 1101. OFFICE OF MULTIMODAL FREIGHT INFRASTRUC-**
 6 **TURE AND POLICY.**

7 (a) IN GENERAL.—Chapter 1 of title 49, United
 8 States Code, is amended by adding at the end the fol-
 9 lowing:

10 **“§ 118. Office of Multimodal Freight Infrastructure**
 11 **and Policy**

12 “(a) DEFINITIONS.—In this section:

13 “(1) DEPARTMENT.—The term ‘Department’
 14 means the Department of Transportation.

15 “(2) FREIGHT OFFICE.—The term ‘Freight Of-
 16 fice’ means the Office of Multimodal Freight Infra-
 17 structure and Policy established under subsection
 18 (b).

19 “(3) SECRETARY.—The term ‘Secretary’ means
 20 the Secretary of Transportation.

21 “(b) ESTABLISHMENT.—The Secretary shall estab-
 22 lish within the Department an Office of Multimodal
 23 Freight Infrastructure and Policy.

24 “(c) PURPOSES.—The purposes of the Freight Office
 25 shall be—

1 “(1) to carry out the national multimodal
2 freight policy described in section 70101;

3 “(2) to administer and oversee certain
4 multimodal freight grant programs within the De-
5 partment in accordance with subsection (d);

6 “(3) to promote and facilitate the sharing of in-
7 formation between the private and public sectors
8 with respect to freight issues;

9 “(4) to conduct research on improving
10 multimodal freight mobility, and to oversee the
11 freight research activities of the various agencies
12 within the Department;

13 “(5) to assist cities and States in developing
14 freight mobility and supply chain expertise;

15 “(6) to liaise and coordinate with other Federal
16 departments and agencies; and

17 “(7) to carry out other duties, as prescribed by
18 the Secretary.

19 “(d) ADMINISTRATION OF POLICIES AND PRO-
20 GRAMS.—The Freight Office shall—

21 “(1) develop and manage—

22 “(A) the national freight strategic plan de-
23 scribed in section 70102; and

24 “(B) the National Multimodal Freight
25 Network established under section 70103;

1 “(2)(A) oversee the development and updating
2 of the State freight plans described in section
3 70202; and

4 “(B) provide guidance or best practices relating
5 to the development and updating of State freight
6 plans under that section;

7 “(3)(A) administer multimodal freight grant
8 programs, including multimodal freight grants estab-
9 lished under section 117 of title 23; and

10 “(B) establish procedures for analyzing and
11 evaluating applications for grants under those pro-
12 grams;

13 “(4) assist States in the establishment of—

14 “(A) State freight advisory committees
15 under section 70201; and

16 “(B) multi-State freight mobility compacts
17 under section 70204; and

18 “(5) provide to the Bureau of Transportation
19 Statistics input regarding freight data and planning
20 tools.

21 “(e) ASSISTANT SECRETARY.—

22 “(1) IN GENERAL.—The Freight Office shall be
23 headed by an Assistant Secretary for Multimodal
24 Freight, who shall—

1 “(A) be appointed by the President, by and
2 with the advice and consent of the Senate; and

3 “(B) have professional standing and dem-
4 onstrated knowledge in the field of freight
5 transportation.

6 “(2) DUTIES.—The Assistant Secretary shall—

7 “(A) report to the Under Secretary of
8 Transportation for Policy;

9 “(B) be responsible for the management
10 and oversight of the activities, decisions, oper-
11 ations, and personnel of the Freight Office;

12 “(C) work with the modal administrations
13 of the Department to encourage multimodal col-
14 laboration; and

15 “(D) carry out such additional duties as
16 the Secretary may prescribe.

17 “(f) CONSOLIDATION AND ELIMINATION OF DUPLI-
18 CATIVE OFFICES.—

19 “(1) CONSOLIDATION OF OFFICES AND OFFICE
20 FUNCTIONS.—The Secretary may consolidate into
21 the Freight Office any office or office function with-
22 in the Department that the Secretary determines
23 has duties, responsibilities, resources, or expertise
24 that support the purposes of the Freight Office.

1 “(2) ELIMINATION OF OFFICES.—The Sec-
2 retary may eliminate any office within the Depart-
3 ment if the Secretary determines that—

4 “(A) the purposes of the office are duplica-
5 tive of the purposes of the Freight Office;

6 “(B) the office or the functions of the of-
7 fice have been substantially consolidated with
8 the Freight Office pursuant to paragraph (1);

9 “(C) the elimination of the office will not
10 adversely affect the requirements of the Sec-
11 retary under any Federal law; and

12 “(D) the elimination of the office will im-
13 prove the efficiency and effectiveness of the pro-
14 grams and functions conducted by the office.

15 “(g) STAFFING AND BUDGETARY RESOURCES.—

16 “(1) IN GENERAL.—The Secretary shall ensure
17 that the Freight Office is adequately staffed and
18 funded.

19 “(2) STAFFING.—

20 “(A) TRANSFER OF POSITIONS TO
21 FREIGHT OFFICE.—Subject to subparagraph
22 (B), the Secretary may transfer to the Freight
23 Office any position within any other office of
24 the Department if the Secretary determines

1 that the position is necessary to carry out the
2 purposes of the Freight Office.

3 “(B) REQUIREMENT.—If the Secretary
4 transfers a position to the Freight Office pursu-
5 ant to subparagraph (A), the Secretary, in co-
6 ordination with the appropriate modal adminis-
7 tration of the Department, shall ensure that the
8 transfer of the position does not adversely af-
9 fect the requirements of the modal administra-
10 tion under any Federal law.

11 “(3) BUDGETARY RESOURCES.—

12 “(A) TRANSFER OF FUNDS FROM CON-
13 SOLIDATED OR ELIMINATED OFFICES.—

14 “(i) IN GENERAL.—To carry out the
15 purposes of the Freight Office, the Sec-
16 retary may transfer to the Freight Office
17 from any office or office function that is
18 consolidated or eliminated under sub-
19 section (f) any funds allocated for the con-
20 solidated or eliminated office or office
21 function.

22 “(ii) RETRANSFER.—Any portion of
23 any funds or limitations of obligations
24 transferred to the Freight Office pursuant

1 to clause (i) may be transferred back to,
2 and merged with, the original account.

3 ~~“(B) TRANSFER OF FUNDS ALLOCATED~~
4 ~~FOR ADMINISTRATIVE COSTS.—~~

5 ~~“(i) IN GENERAL.—The Secretary~~
6 ~~may transfer to the Freight Office any~~
7 ~~funds allocated for the administrative costs~~
8 ~~of the programs referred to in subsection~~
9 ~~(d)(3).~~

10 ~~“(ii) RETRANSFER.—Any portion of~~
11 ~~any funds or limitations of obligations~~
12 ~~transferred to the Freight Office pursuant~~
13 ~~to clause (i) may be transferred back to,~~
14 ~~and merged with, the original account.~~

15 ~~“(h) WEBSITE.—~~

16 ~~“(1) DESCRIPTION OF FREIGHT OFFICE.—The~~
17 ~~Secretary shall make publicly available on the~~
18 ~~website of the Department a description of the~~
19 ~~Freight Office, including a description of—~~

20 ~~“(A) the programs managed or made avail-~~
21 ~~able by the Freight Office; and~~

22 ~~“(B) the eligibility requirements for those~~
23 ~~programs.~~

24 ~~“(2) CLEARINGHOUSE.—The Secretary may es-~~
25 ~~tablish a clearinghouse for tools, templates, guid-~~

1 ance, and best practices on a page of the website of
2 the Department that supports the purposes of this
3 section.

4 “(i) NOTIFICATION TO CONGRESS.—Not later than
5 1 year after the date of enactment of this section, and
6 not less frequently than once every 180 days thereafter
7 until the date on which the Secretary determines that the
8 requirements of this section have been met, the Secretary
9 shall submit to the Committee on Commerce, Science, and
10 Transportation of the Senate and the Committee on
11 Transportation and Infrastructure of the House of Rep-
12 resentatives a notification that—

13 “(1) describes—

14 “(A) the programs and activities adminis-
15 tered or overseen by the Freight Office; and

16 “(B) the status of those programs and ac-
17 tivities;

18 “(2) identifies—

19 “(A) the number of employees working in
20 the Freight Office as of the date of the notifica-
21 tion; and

22 “(B) the total number of employees ex-
23 pected to join the Freight Office to support the
24 programs and activities described in paragraph
25 (1);

1 “(3)(A) indicates whether the Secretary has
2 consolidated into the Freight Office any office or of-
3 fice function pursuant to subsection (f)(1); and

4 “(B) if the Secretary has so consolidated such
5 an office or function, describes the rationale for the
6 consolidation;

7 “(4)(A) indicates whether the Secretary has
8 eliminated any office pursuant to subsection (f)(2);
9 and

10 “(B) if the Secretary has so eliminated such an
11 office, describes the rationale for the elimination;

12 “(5) describes any other actions carried out by
13 the Secretary to implement this section; and

14 “(6) describes any recommendations of the Sec-
15 retary for legislation that may be needed to further
16 implement this section.

17 “(j) SAVINGS PROVISIONS.—

18 “(1) EFFECT ON OTHER LAW.—Except as oth-
19 erwise provided in this section, nothing in this sec-
20 tion alters or affects any law (including regulations)
21 with respect to a program referred to in subsection
22 (d).

23 “(2) EFFECT ON RESPONSIBILITIES OF OTHER
24 AGENCIES.—Except as otherwise provided in this
25 section, nothing in this section abrogates the respon-

1 sibilities of any agency, operating administration, or
 2 office within the Department that is otherwise
 3 charged by law (including regulations) with any as-
 4 pect of program administration, oversight, or project
 5 approval or implementation with respect to a pro-
 6 gram or project subject to the responsibilities of the
 7 Freight Office under this section.

8 “(3) EFFECT ON PENDING APPLICATIONS.—

9 Nothing in this section affects any pending applica-
 10 tion under a program referred to in subsection (d)
 11 that was received by the Secretary on or before the
 12 date of enactment of this section.

13 “(k) AUTHORIZATION OF APPROPRIATIONS.—There

14 are authorized to be appropriated to the Secretary such
 15 sums as are necessary to carry out this section.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-

17 ter 1 of title 49, United States Code, is amended by insert-
 18 ing after the item relating to section 117 the following:

“118. Office of Multimodal Freight Infrastructure and Policy.”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) Section 70101(c) of title 49, United States

21 Code, is amended, in the matter preceding para-

22 graph (1), by striking “Under Secretary of Trans-

23 portation for Policy” and inserting “Assistant Sec-

24 retary for Multimodal Freight”.

1 (2) Section 70102 of title 49, United States
2 Code, is amended—

3 (A) in subsection (a), in the matter pre-
4 ceeding paragraph (1), by striking “Not later”
5 and all that follows through “the Under Sec-
6 retary of Transportation for Policy” and insert-
7 ing “The Assistant Secretary for Multimodal
8 Freight (referred to in this section as the ‘As-
9 sistant Secretary)’”;

10 (B) in subsection (b)(4), in the matter pre-
11 ceeding subparagraph (A), by striking “Under
12 Secretary” and inserting “Assistant Secretary”;

13 (C) in subsection (c), by striking “Under
14 Secretary” and inserting “Assistant Secretary”;
15 and

16 (D) in subsection (d), in the matter pre-
17 ceeding paragraph (1), by striking “Under Sec-
18 retary” and inserting “Assistant Secretary”.

19 (3) Section 70103 of title 49, United States
20 Code, is amended—

21 (A) in subsection (a), in the matter pre-
22 ceeding paragraph (1), by striking “Under Sec-
23 retary of Transportation for Policy” and insert-
24 ing “Assistant Secretary for Multimodal

1 Freight (referred to in this section as the ‘As-
2 sistant Secretary’);

3 (B) by striking subsection (b);

4 (C) by redesignating subsections (e) and
5 (d) as subsections (b) and (e), respectively;

6 (D) in subsection (b) (as so redesi-
7 gnated)—

8 (i) in the subsection heading, by strik-
9 ing “FINAL NETWORK” and inserting
10 “DESIGNATION OF NATIONAL
11 MULTIMODAL FREIGHT NETWORK”;

12 (ii) in paragraph (1), in the matter
13 preceding subparagraph (A), by striking
14 “Not later” and all that follows through
15 “Under Secretary” and inserting “Assist-
16 ant Secretary”;

17 (iii) in paragraph (2), in the matter
18 preceding subparagraph (A), by striking
19 “Under Secretary” and inserting “Assist-
20 ant Secretary”; and

21 (iv) in paragraph (3), in the matter
22 preceding subparagraph (A), by striking
23 “Under Secretary” and inserting “Assist-
24 ant Secretary”; and

1 ~~(E)~~ in subsection (c) (as so redesignated)—

2
3 (i) by striking “subsection (c)” each
4 place it appears and inserting “subsection
5 (b)”;

6 (ii) by striking “Under Secretary”
7 and inserting “Assistant Secretary”.

8 **SEC. 1102. UPDATES TO NATIONAL FREIGHT PLAN.**

9 Section 70102(b) of title 49, United States Code, is
10 amended—

11 (1) in paragraph (10), by striking “and” at the
12 end;

13 (2) in paragraph (11), by striking the period at
14 the end and inserting a semicolon; and

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

16 “(12) best practices for reducing environmental
17 impacts of freight movement (including stormwater
18 runoff) and improving resiliency of the national
19 multimodal freight system;

20 “(13) consideration of any potential unique im-
21 pacts of the national freight system on rural and
22 other underserved and historically disadvantaged
23 communities;

24 “(14) strategies for decarbonizing freight move-
25 ment, as appropriate; and

1 “(15) consideration of the impacts of e-com-
2 merce on the national multimodal freight system.”.

3 **SEC. 1103. STATE COLLABORATION WITH NATIONAL**
4 **MULTIMODAL FREIGHT NETWORK.**

5 Subsection (b) of section 70103 of title 49, United
6 States Code (as redesignated by section 1101(e)(3)(C)),
7 is amended—

8 (1) in paragraph (3), by striking subparagraph
9 (C) and inserting the following:

10 “(C) provide to the States an opportunity
11 to submit proposed designations from the
12 States in accordance with paragraph (4).”; and
13 (2) in paragraph (4)—

14 (A) in subparagraph (C)(i), by striking
15 “20 percent” and inserting “30 percent”; and

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

17 “(E) **CONDITION FOR ACCEPTANCE.**—The
18 Secretary shall accept from a State a designa-
19 tion under subparagraph (D) only if the Sec-
20 retary determines that the designation meets
21 the applicable requirements of subparagraph
22 (A).”.

23 **SEC. 1104. IMPROVING STATE FREIGHT PLANS.**

24 (a) **IN GENERAL.**—Section 70202 of title 49, United
25 States Code, is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (9), by striking “and” at
3 the end;

4 (B) by redesignating paragraph (10) as
5 paragraph (16); and

6 (C) by inserting after paragraph (9) the
7 following:

8 “(10) the most recent commercial motor vehicle
9 parking facilities assessment conducted by the State
10 under subsection (f);

11 “(11) the most recent supply chain cargo flows
12 in the State, expressed by mode of transportation;

13 “(12) an inventory of commercial ports in the
14 State;

15 “(13) if applicable, consideration of the findings
16 or recommendations made by any multi-State freight
17 compact to which the State is a party under section
18 70204;

19 “(14) the impacts of e-commerce on freight in-
20 frastructure in the State;

21 “(15) considerations of military freight; and”;
22 and

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

24 “(f) COMMERCIAL MOTOR VEHICLE PARKING FA-
25 CILITIES ASSESSMENTS.—As part of the development or

1 updating, as applicable, of a State freight plan under this
 2 section, each State that receives funding under section 167
 3 of title 23, in consultation with relevant State motor car-
 4 rier safety personnel, shall conduct an assessment of—

5 “(1) the capability of the State, together with
 6 the private sector in the State, to provide adequate
 7 parking facilities and rest facilities for commercial
 8 motor vehicles engaged in interstate transportation;

9 “(2) the volume of commercial motor vehicle
 10 traffic in the State; and

11 “(3) whether there exist any areas within the
 12 State with a shortage of adequate commercial motor
 13 vehicle parking facilities, including an analysis (eco-
 14 nomic or otherwise, as the State determines to be
 15 appropriate) of the underlying causes of such a
 16 shortage.”.

17 (b) ALIGNMENT OF TRANSPORTATION PLANNING.—

18 Section 70202 of title 49, United States Code, is amend-
 19 ed—

20 (1) in subsection (d), by striking “5-year” and
 21 inserting “8-year”; and

22 (2) in subsection (e)(1), by striking “5 years”
 23 and inserting “4 years”.

1 **SEC. 1105. IMPLEMENTATION OF NATIONAL MULTIMODAL**
 2 **FREIGHT NETWORK.**

3 Not later than 30 days after the date of enactment
 4 of this Act, the Secretary shall submit to the Committee
 5 on Commerce, Science, and Transportation of the Senate
 6 and the Committee on Transportation and Infrastructure
 7 of the House of Representatives a report that—

8 (1) describes the status of the designation of
 9 the final National Multimodal Freight Network re-
 10 quired under section 70103 of title 49, United
 11 States Code;

12 (2) explains the reasons why the designation of
 13 the network referred to in paragraph (1) has not
 14 been finalized, if applicable; and

15 (3) estimates the date by which that network
 16 will be designated.

17 **SEC. 1106. MULTI-STATE FREIGHT CORRIDOR PLANNING.**

18 (a) IN GENERAL.—Chapter 702 of title 49, United
 19 States Code, is amended—

20 (1) by redesignating section 70204 as section
 21 70206; and

22 (2) by inserting after section 70203 the fol-
 23 lowing:

24 **“§ 70204. Multi-State freight corridor planning**

25 **“(a) CONSENT TO MULTI-STATE FREIGHT MOBILITY**
 26 **COMPACTS.—Congress grants consent to States, cities, re-**

1 gional planning organizations, federally recognized Indian
 2 Tribes, and local public authorities (including public port
 3 authorities) that are regionally linked with an interest in
 4 a specific nationally or regionally significant multi-State
 5 freight corridor to enter into multi-State compacts to pro-
 6 mote the improved mobility of goods, including—

7 “(1) identifying projects along the corridor that
 8 benefit multiple States;

9 “(2) assembling rights-of-way; and

10 “(3) performing capital improvements.

11 “(b) FINANCING.—A multi-State freight compact es-
 12 tablished by entities under subsection (a) may provide
 13 that, in order to carry out the compact, the relevant States
 14 or other entities may—

15 “(1) accept contributions from a unit of State
 16 or local government;

17 “(2) use any Federal or State funds made
 18 available for freight mobility infrastructure planning
 19 or construction, including applying for grants;

20 “(3) subject to such terms and conditions as
 21 the States consider to be advisable—

22 “(A) borrow money on a short-term basis;

23 and

24 “(B) issue—

1 “(i) notes for borrowing under sub-
2 paragraph (A); and

3 “(ii) bonds; and

4 “(4) obtain financing by other means permitted
5 under applicable Federal or State law.

6 “(e) **ADVISORY COMMITTEES.**—

7 “(1) **IN GENERAL.**—A multi-State freight com-
8 pact under this section may establish a multi-State
9 freight corridor advisory committee, which shall in-
10 clude representatives of State departments of trans-
11 portation and other public and private sector entities
12 with an interest in freight mobility, such as—

13 “(A) ports;

14 “(B) freight railroads;

15 “(C) shippers;

16 “(D) carriers;

17 “(E) freight-related associations;

18 “(F) third-party logistics providers;

19 “(G) the freight industry workforce;

20 “(H) environmental organizations;

21 “(I) community organizations; and

22 “(J) units of local government.

23 “(2) **ACTIVITIES.**—An advisory committee es-
24 tablished under paragraph (1) may—

1 “(A) advise the parties to the applicable
2 multi-State freight compact with respect to
3 freight-related priorities, issues, projects, and
4 funding needs that impact multi-State—

5 “(i) freight mobility; and

6 “(ii) supply chains;

7 “(B) serve as a forum for States, Indian
8 Tribes, and other public entities to discuss deci-
9 sions affecting freight mobility;

10 “(C) communicate and coordinate multi-
11 State freight priorities with other organizations;

12 “(D) promote the sharing of information
13 between the private and public sectors with re-
14 spect to freight issues; and

15 “(E) provide information for consideration
16 in the development of State freight plans under
17 section 70202.

18 “(d) GRANTS.—

19 “(1) ESTABLISHMENT.—The Secretary of
20 Transportation (referred to in this section as the
21 ‘Secretary’) shall establish a program under which
22 the Secretary shall provide grants to multi-State
23 freight compacts that seek to improve a route or cor-
24 ridor that is a part of the National Multimodal
25 Freight Network established under section 70103.

1 “(2) NEW COMPACTS.—

2 “(A) IN GENERAL.—To incentivize the es-
3 tablishment of multi-State freight compacts, the
4 Secretary may award a grant to multi-State
5 freight compacts established under subsection
6 (a) during the 2-year period beginning on the
7 date of establishment for operations costs in an
8 amount of not more than \$2,000,000.

9 “(B) ELIGIBILITY.—A multi-State freight
10 compact shall be eligible for a grant under this
11 paragraph only during the initial 3 years of op-
12 eration of the compact.

13 “(C) REQUIREMENTS.—To be eligible to
14 receive a grant under this paragraph, a multi-
15 State freight compact shall—

16 “(i) submit to the Secretary an appli-
17 cation at such time, in such manner, and
18 containing such information as the Sec-
19 retary may require;

20 “(ii) provide a non-Federal match
21 equal to not less than 25 percent of the op-
22 erating costs of the multi-State freight
23 compact; and

24 “(iii) commit to establishing a multi-
25 State freight corridor advisory committee

1 under subsection (c)(1) during the initial
2 2-year period of operation of the compact.

3 ~~“(3) EXISTING COMPACTS.—~~

4 ~~“(A) IN GENERAL.—~~The Secretary may
5 award a grant to multi-State freight compacts
6 that are not eligible to receive a grant under
7 paragraph (2) for operations costs in an
8 amount of not more than \$1,000,000.

9 ~~“(B) REQUIREMENTS.—~~To be eligible to
10 receive a grant under this paragraph, a multi-
11 State freight compact shall—

12 ~~“(i) submit to the Secretary an appli-~~
13 ~~cation at such time, in such manner, and~~
14 ~~containing such information as the Sec-~~
15 ~~retary may require;~~

16 ~~“(ii) provide a non-Federal match of~~
17 ~~not less than 50 percent of the operating~~
18 ~~costs of the compact; and~~

19 ~~“(iii) demonstrate that the compact~~
20 ~~has established a multi-State freight cor-~~
21 ~~ridor advisory committee under subsection~~
22 ~~(c)(1).~~

23 ~~“(4) AUTHORIZATION OF APPROPRIATIONS.—~~

24 There is authorized to be appropriated to the Sec-

1 retary \$5,000,000 for each fiscal year to carry out
2 this subsection.”.

3 (b) ~~CLERICAL AMENDMENT.~~—The analysis for chap-
4 ter 702 of title 49, United States Code, is amended by
5 striking the item relating to section 70204 and inserting
6 the following:

 “70204. Multi-State freight corridor planning.
 “70206. Savings provision.”.

7 **Subtitle B—Multimodal Investment**

8 **SEC. 1201. NATIONAL INFRASTRUCTURE PROJECT ASSIST-**
9 **ANCE.**

10 Subtitle III of title 49, United States Code, is amend-
11 ed by adding at the end the following:

12 **“CHAPTER 67—NATIONAL** 13 **INFRASTRUCTURE INVESTMENTS**

 “6701. National infrastructure project assistance.
 “6702. Local and regional project assistance.

14 **“§ 6701. National infrastructure project assistance**

15 “**(a) DEFINITIONS.**—In this section:

16 “(1) **DEPARTMENT.**—The term ‘Department’
17 means the Department of Transportation.

18 “(2) **ELIGIBLE ENTITY.**—The term ‘eligible en-
19 tity’ means—

20 “(A) a State or a group of States;

21 “(B) a metropolitan planning organization;

22 “(C) a unit of local government;

23 “(D) a political subdivision of a State;

1 “(E) a special purpose district or public
2 authority with a transportation function, includ-
3 ing a port authority;

4 “(F) a Tribal government or a consortium
5 of Tribal governments;

6 “(G) a partnership between Amtrak and 1
7 or more entities described in subparagraphs (A)
8 through (F); and

9 “(H) a group of entities described in any
10 of subparagraphs (A) through (G).

11 “(3) PROGRAM.—The term ‘program’ means
12 the program established by subsection (b).

13 “(4) SECRETARY.—The term ‘Secretary’ means
14 the Secretary of Transportation.

15 “(5) STATE.—The term ‘State’ means—

16 “(A) any of the several States;

17 “(B) the District of Columbia;

18 “(C) the Commonwealth of Puerto Rico;

19 “(D) the Commonwealth of the Northern
20 Mariana Islands;

21 “(E) the United States Virgin Islands;

22 “(F) Guam;

23 “(G) American Samoa; and

24 “(H) any other territory or possession of
25 the United States.

1 “(b) ESTABLISHMENT.—There is established a pro-
 2 gram under which the Secretary shall provide to eligible
 3 entities grants, on a competitive basis pursuant to single-
 4 year or multiyear grant agreements, for projects described
 5 in subsection (d).

6 “(c) APPLICATIONS.—

7 “(1) IN GENERAL.—To be eligible for a grant
 8 under the program, an eligible entity shall submit to
 9 the Secretary an application at such time, in such
 10 manner, and containing such information as the Sec-
 11 retary determines to be appropriate.

12 “(2) PLAN FOR DATA COLLECTION.—An appli-
 13 cation under paragraph (1) shall include a plan for
 14 data collection and analysis described in subsection
 15 (g).

16 “(d) ELIGIBLE PROJECTS.—The Secretary may pro-
 17 vide a grant under the program only for a project—

18 “(1) that is—

19 “(A) a highway or bridge project carried
 20 out on—

21 “(i) the National Multimodal Freight
 22 Network established under section 70103;

23 “(ii) the National Highway Freight
 24 Network established under section 167 of
 25 title 23; or

1 ~~“(iii) the National Highway System~~
 2 ~~(as defined in section 101(a) of title 23);~~

3 ~~“(B) a freight intermodal (including public~~
 4 ~~ports) or freight rail project that provides a~~
 5 ~~public benefit;~~

6 ~~“(C) a railway-highway grade separation~~
 7 ~~or elimination project;~~

8 ~~“(D) an intercity passenger rail project;~~

9 ~~“(E) a public transportation project that~~
 10 ~~is—~~

11 ~~“(i) eligible for assistance under chap-~~
 12 ~~ter 53; and~~

13 ~~“(ii) part of a project described in any~~
 14 ~~of subparagraphs (A) through (D); or~~

15 ~~“(F) a grouping, combination, or program~~
 16 ~~of interrelated, connected, or dependent projects~~
 17 ~~of any of the projects described in subpara-~~
 18 ~~graphs (A) through (E); and~~

19 ~~“(2) the eligible project costs of which are—~~

20 ~~“(A) reasonably anticipated to equal or ex-~~
 21 ~~ceed \$500,000,000; or~~

22 ~~“(B) for any project funded by the set-~~
 23 ~~aside under subsection (m)(2)—~~

24 ~~“(i) more than \$100,000,000; but~~

25 ~~“(ii) less than \$500,000,000.~~

1 “(e) GEOGRAPHICAL DISTRIBUTION.—In providing
2 grants under this section, the Secretary shall ensure
3 among grant recipients—

4 “(1) geographical diversity; and

5 “(2) a balance between rural and urban com-
6 munities.

7 “(f) PROJECT EVALUATION AND SELECTION.—

8 “(1) REQUIREMENTS.—The Secretary may se-
9 lect a project described in subsection (d) to receive
10 a grant under the program only if the Secretary de-
11 termines that—

12 “(A) the project is likely to generate na-
13 tional or regional economic, mobility, or safety
14 benefits;

15 “(B) the project is in need of significant
16 Federal funding;

17 “(C) the project will be cost-effective;

18 “(D) with respect to related non-Federal
19 financial commitments, ~~1~~ or more stable and
20 dependable sources of funding and financing
21 are available—

22 “(i) to construct, operate, and main-
23 tain the project; and

24 “(ii) to cover cost increases; and

1 “(E) the applicant has, or will have, suffi-
2 cient legal, financial, and technical capacity to
3 carry out the project.

4 “(2) EVALUATION CRITERIA.—In awarding a
5 grant under the program, the Secretary shall evalu-
6 ate—

7 “(A) the extent to which a project supports
8 achieving a state of good repair for each exist-
9 ing asset to be improved by the project;

10 “(B) the level of benefits a project is ex-
11 pected to generate, including—

12 “(i) the costs avoided by the preven-
13 tion of closure or reduced use of the asset
14 to be improved by the project;

15 “(ii) reductions in maintenance costs
16 over the life of the applicable asset;

17 “(iii) safety benefits, including the re-
18 duction of serious injuries and fatalities
19 and related costs;

20 “(iv) improved person or freight
21 throughput, including improved mobility
22 and reliability; and

23 “(v) environmental benefits and
24 health impacts, such as—

1 “(I) reductions in greenhouse gas
2 emissions;

3 “(II) air quality benefits;

4 “(III) preventing stormwater
5 runoff that would be a detriment to
6 aquatic species; and

7 “(IV) improved infrastructure re-
8 silience;

9 “(C) the benefits of the project, as com-
10 pared to the costs of the project;

11 “(D) the number of persons or volume of
12 freight, as applicable, supported by the project;
13 and

14 “(E) national and regional economic bene-
15 fits of the project, including with respect to
16 short- and long-term job access, growth, or cre-
17 ation.

18 “(3) *ADDITIONAL CONSIDERATIONS.*—In select-
19 ing projects to receive grants under the program, the
20 Secretary shall take into consideration—

21 “(A) contributions to geographical diver-
22 sity among grant recipients, including the need
23 for a balance between the needs of rural and
24 urban communities;

1 “(B) whether multiple States would benefit
2 from a project;

3 “(C) whether, and the degree to which, a
4 project uses—

5 “(i) construction materials or ap-
6 proaches that have—

7 “(I) demonstrated reductions in
8 greenhouse gas emissions; or

9 “(II) reduced the need for main-
10 tenance of other projects; or

11 “(ii) technologies that will allow for
12 future connectivity and automation;

13 “(D) whether a project would benefit—

14 “(i) a historically disadvantaged com-
15 munity or population; or

16 “(ii) an area of persistent poverty;

17 “(E) whether a project benefits users of
18 multiple modes of transportation, including—

19 “(i) pedestrians;

20 “(ii) bicyclists; and

21 “(iii) users of nonvehicular, railroad,
22 and public transportation; and

23 “(F) whether a project improves
24 connectivity between modes of transportation

1 moving persons or goods nationally or region-
2 ally.

3 ~~“(4) RATINGS.—~~

4 ~~“(A) IN GENERAL.—In evaluating applica-~~
5 ~~tions for a grant under the program, the Sec-~~
6 ~~retary shall assign the project proposed in the~~
7 ~~application a rating described in subparagraph~~
8 ~~(B), based on the information contained in the~~
9 ~~applicable notice published under paragraph~~
10 ~~(5).~~

11 ~~“(B) RATINGS.—~~

12 ~~“(i) HIGHLY RECOMMENDED.—The~~
13 ~~Secretary shall assign a rating of ‘highly~~
14 ~~recommended’ to projects that, in the de-~~
15 ~~termination of the Secretary—~~

16 ~~“(I) are exemplary projects of~~
17 ~~national or regional significance; and~~

18 ~~“(II) would provide significant~~
19 ~~public benefit, as determined based on~~
20 ~~the applicable criteria described in~~
21 ~~this subsection, if funded under the~~
22 ~~program.~~

23 ~~“(ii) RECOMMENDED.—The Secretary~~
24 ~~shall assign a rating of ‘recommended’ to~~

1 projects that, in the determination of the
2 Secretary—

3 “(I) are of national or regional
4 significance; and

5 “(II) would provide public ben-
6 efit, as determined based on the appli-
7 eable criteria described in this sub-
8 section, if funded under the program.

9 “(iii) NOT RECOMMENDED.—The Sec-
10 retary shall assign a rating of ‘not rec-
11 ommended’ to projects that, in the deter-
12 mination of the Secretary, should not re-
13 ceive a grant under the program, based on
14 the applicable criteria described in this
15 subsection.

16 “(C) TECHNICAL ASSISTANCE.—

17 “(i) IN GENERAL.—On request of an
18 eligible entity that submitted an applica-
19 tion under subsection (c) for a project that
20 is not selected to receive a grant under the
21 program, the Secretary shall provide to the
22 eligible entity technical assistance and
23 briefings relating to the project.

24 “(ii) TREATMENT.—Technical assist-
25 ance provided under this subparagraph

1 shall not be considered to provide a guar-
2 antee of future selection of the applicable
3 project under the program.

4 “(5) PUBLICATION OF PROJECT EVALUATION
5 AND SELECTION CRITERIA.—Not later than 90 days
6 after the date of enactment of this chapter, the Sec-
7 retary shall publish and make publicly available on
8 the website of the Department a notice that contains
9 a detailed explanation of—

10 “(A) the method by which the Secretary
11 will determine whether a project satisfies the
12 applicable requirements described in paragraph
13 (1);

14 “(B) any additional ratings the Secretary
15 may assign to determine the means by which a
16 project addresses the selection criteria and ad-
17 ditional considerations described in paragraphs
18 (2) and (3); and

19 “(C) the means by which the project re-
20 quirements and ratings referred to in subpara-
21 graphs (A) and (B) will be used to assign an
22 overall rating for the project under paragraph
23 (4).

24 “(6) PROJECT SELECTION PRIORITY.—In
25 awarding grants under the program, the Secretary

1 shall give priority to projects to which the Secretary
2 has assigned a rating of ‘highly recommended’ under
3 paragraph (4)(B)(i).

4 “(g) DATA COLLECTION AND ANALYSIS.—

5 “(1) PLAN.—

6 “(A) IN GENERAL.—An eligible entity
7 seeking a grant under the program shall submit
8 to the Secretary, together with the grant appli-
9 cation, a plan for the collection and analysis of
10 data to identify in accordance with the frame-
11 work established under paragraph (2)—

12 “(i) the impacts of the project; and

13 “(ii) the accuracy of any forecast pre-
14 pared during the development phase of the
15 project and included in the grant applica-
16 tion.

17 “(B) CONTENTS.—A plan under subpara-
18 graph (A) shall include—

19 “(i) an approach to measuring—

20 “(I) the criteria described in sub-
21 section (f)(2); and

22 “(II) if applicable, the additional
23 requirements described in subsection
24 (f)(3);

1 “(ii) an approach for analyzing the
2 consistency of predicted project character-
3 istics with actual outcomes; and

4 “(iii) any other elements that the Sec-
5 retary determines to be necessary.

6 “(2) FRAMEWORK.—The Secretary may publish
7 a standardized framework for the contents of the
8 plans under paragraph (1), which may include, as
9 appropriate—

10 “(A) standardized forecasting and meas-
11 urement approaches;

12 “(B) data storage system requirements;
13 and

14 “(C) any other requirements the Secretary
15 determines to be necessary to carry out this
16 section.

17 “(3) MULTIYEAR GRANT AGREEMENTS.—The
18 Secretary shall require an eligible entity, as a condi-
19 tion of receiving funding pursuant to a multiyear
20 grant agreement under the program, to collect addi-
21 tional data to measure the impacts of the project
22 and to accurately track improvements made by the
23 project, in accordance with a plan described in para-
24 graph (1).

25 “(4) REPORTS.—

1 “(A) PROJECT BASELINE.—Before the
2 date of completion of a project for which a
3 grant is provided under the program, the eligi-
4 ble entity carrying out the project shall submit
5 to the Secretary a report providing baseline
6 data for the purpose of analyzing the long-term
7 impact of the project in accordance with the
8 framework established under paragraph (2).

9 “(B) UPDATED REPORT.—Not later than 6
10 years after the date of completion of a project
11 for which a grant is provided under the pro-
12 gram, the eligible entity carrying out the
13 project shall submit to the Secretary a report
14 that compares the baseline data included in the
15 report under subparagraph (A) to project data
16 collected during the period—

17 “(i) beginning on the date that is 5
18 years after the date of completion of the
19 project; and

20 “(ii) ending on the date on which the
21 updated report is submitted.

22 “(h) ELIGIBLE PROJECT COSTS.—

23 “(1) IN GENERAL.—An eligible entity may use
24 a grant provided under the program for—

1 “(A) development-phase activities and
2 costs, including planning, feasibility analysis,
3 revenue forecasting, alternatives analysis, data
4 collection and analysis, environmental review
5 and activities to support environmental review,
6 preliminary engineering and design work, and
7 other preconstruction activities, including the
8 preparation of a data collection and post-con-
9 struction analysis plan under subsection (g);
10 and

11 “(B) construction, reconstruction, rehabili-
12 tation, acquisition of real property (including
13 land relating to the project and improvements
14 to that land), environmental mitigation (includ-
15 ing projects to replace or rehabilitate culverts
16 or reduce stormwater runoff for the purpose of
17 improving habitat for aquatic species), con-
18 struction contingencies, acquisition of equip-
19 ment, protection, and operational improvements
20 directly relating to the project.

21 “(2) INTEREST AND OTHER FINANCING
22 COSTS.—The interest and other financing costs of
23 carrying out any part of a project under a multiyear
24 grant agreement within a reasonable period of time
25 shall be considered to be an eligible project cost only

1 if the applicable eligible entity certifies to the Sec-
2 retary that the eligible entity has demonstrated rea-
3 sonable diligence in seeking the most favorable fi-
4 nancing terms.

5 “(i) COST SHARING.—

6 “(1) IN GENERAL.—The total amount awarded
7 for a project under the program may not exceed 60
8 percent of the total eligible project costs described in
9 subsection (h).

10 “(2) MAXIMUM FEDERAL INVOLVEMENT.—

11 “(A) IN GENERAL.—Subject to subpara-
12 graph (B), Federal assistance other than a
13 grant awarded under the program may be pro-
14 vided for a project for which a grant is awarded
15 under the program.

16 “(B) LIMITATION.—The total amount of
17 Federal assistance provided for a project for
18 which a grant is awarded under the program
19 shall not exceed 80 percent of the total cost of
20 the project.

21 “(C) LOCAL SHARE.—Secured loans or fi-
22 nancing provided under section 603 of title 23
23 or section 22402 of this title and repaid with
24 local funds or revenues shall be considered to be
25 part of the local share of the cost of a project.

1 ~~“(3) APPLICATION TO MULTIYEAR AGREE-~~
2 ~~MENTS.—~~Notwithstanding any other provision of
3 ~~this title, in any case in which amounts are provided~~
4 ~~under the program pursuant to a multiyear agree-~~
5 ~~ment, the disbursed Federal share of the cost of the~~
6 ~~project may exceed the limitations described in para-~~
7 ~~graphs (1) and (2)(B) for 1 or more years if the~~
8 ~~total amount of the Federal share of the cost of the~~
9 ~~project, once completed, does not exceed those limi-~~
10 ~~tations.~~

11 ~~“(j) GRANT AGREEMENTS.—~~

12 ~~“(1) IN GENERAL.—~~A project for which an eli-
13 ~~gible entity receives a multiyear grant under the pro-~~
14 ~~gram shall be carried out in accordance with this~~
15 ~~subsection.~~

16 ~~“(2) TERMS.—~~A multiyear grant agreement
17 ~~under this subsection shall—~~

18 ~~“(A) establish the terms of Federal partici-~~
19 ~~pation in the applicable project;~~

20 ~~“(B) establish the maximum amount of~~
21 ~~Federal financial assistance for the project;~~

22 ~~“(C) establish a schedule of anticipated~~
23 ~~Federal obligations for the project that provides~~
24 ~~for obligation of the full grant amount;~~

1 “(D) describe the period of time for com-
2 pleting the project, regardless of whether that
3 period extends beyond the period of an author-
4 ization; and

5 “(E) facilitate timely and efficient manage-
6 ment of the applicable project by the eligible en-
7 tity carrying out the project, in accordance with
8 applicable law.

9 “(3) SPECIAL RULES.—

10 “(A) IN GENERAL.—A multiyear grant
11 agreement under this subsection—

12 “(i) shall provide for the obligation of
13 an amount of available budget authority
14 specified in law;

15 “(ii) may include a commitment, con-
16 tingent on amounts to be specified in law
17 in advance for commitments under this
18 paragraph, to obligate an additional
19 amount from future available budget au-
20 thority specified in law; and

21 “(iii) shall provide that any funds dis-
22 bursed under the program for the project
23 before the completion of any review re-
24 quired under the National Environmental
25 Policy Act of 1969 (42 U.S.C. 4321 et

1 seq.) may only cover costs associated with
2 development-phase activities described in
3 subsection (h)(1)(A).

4 “(B) CONTINGENT COMMITMENT.—A con-
5 tingent commitment under this paragraph is
6 not an obligation of the Federal Government,
7 including for purposes of section 1501 of title
8 31.

9 “(4) SINGLE-YEAR GRANTS.—The Secretary
10 may only provide to an eligible entity a full grant
11 under the program in a single year if all reviews re-
12 quired under the National Environmental Policy Act
13 of 1969 (42 U.S.C. 4321 et seq.) with respect to the
14 applicable project have been completed before the re-
15 ceipt of any program funds.

16 “(k) CONGRESSIONAL NOTIFICATION.—

17 “(1) IN GENERAL.—Not later than 30 days be-
18 fore the date on which the Secretary publishes the
19 selection of projects to receive grants under the pro-
20 gram, the Secretary shall submit to the Committee
21 on Commerce, Science, and Transportation of the
22 Senate and the Committee on Transportation and
23 Infrastructure of the House of Representatives a
24 written notice that includes—

1 “(A) a list of all project applications re-
2 viewed by the Secretary as part of the selection
3 process;

4 “(B) the rating assigned to each project
5 under subsection (f)(4);

6 “(C) an evaluation and justification with
7 respect to each project for which the Secretary
8 will—

9 “(i) provide a grant under the pro-
10 gram; and

11 “(ii) enter into a multiyear grant
12 agreement under the program;

13 “(D) a description of the means by which
14 the Secretary anticipates allocating among se-
15 lected projects the amounts made available to
16 the Secretary to carry out the program; and

17 “(E) anticipated funding levels required
18 for the 3 fiscal years beginning after the date
19 of submission of the notice for projects selected
20 for grants under the program, based on infor-
21 mation available to the Secretary as of that
22 date.

23 “(2) CONGRESSIONAL DISAPPROVAL.—The Sec-
24 retary may not provide a grant or any other obliga-
25 tion or commitment to fund a project under the pro-

1 gram if a joint resolution is enacted disapproving
2 funding for the project before the last day of the 30-
3 day period described in paragraph (1).

4 “(1) REPORTS.—

5 “(1) TRANSPARENCY.—Not later than 60 days
6 after the date on which the grants are announced
7 under the program, the Secretary shall publish on
8 the website of the Department a report that in-
9 cludes—

10 “(A) a list of all project applications re-
11 viewed by the Secretary as part of the selection
12 process under the program;

13 “(B) the rating assigned to each project
14 under subsection (f)(4); and

15 “(C) a description of each project for
16 which a grant has been provided under the pro-
17 gram.

18 “(2) COMPTROLLER GENERAL.—

19 “(A) ASSESSMENT.—The Comptroller Gen-
20 eral of the United States shall conduct an as-
21 sessment of the administrative establishment,
22 solicitation, selection, and justification process
23 with respect to the funding of grants under the
24 program.

1 “(B) REPORT.—Not later than 18 months
2 after the date on which the initial grants are
3 awarded for projects under the program, the
4 Comptroller General shall submit to the Com-
5 mittee on Commerce, Science, and Transpor-
6 tation of the Senate and the Committee on
7 Transportation and Infrastructure of the House
8 of Representatives a report that describes, as
9 applicable—

10 “(i) the adequacy and fairness of the
11 process by which the projects were se-
12 lected; and

13 “(ii) the justification and criteria used
14 for the selection of the projects.

15 “(m) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There is authorized to be
17 appropriated to the Secretary to carry out the pro-
18 gram \$2,000,000,000 for each of fiscal years 2022
19 through 2026.

20 “(2) OTHER PROJECTS.—Of the amounts made
21 available under paragraph (1), 50 percent shall be
22 set aside for projects that have a project cost of—

23 “(A) more than \$100,000,000; but

24 “(B) less than \$500,000,000.

1 “(3) ADMINISTRATIVE EXPENSES.—Of the
2 amounts made available to carry out the program
3 for each fiscal year, the Secretary may reserve not
4 more than 2 percent for the costs of—

5 “(A) administering and overseeing the pro-
6 gram; and

7 “(B) hiring personnel for the program, in-
8 cluding personnel dedicated to processing per-
9 mitting and environmental review issues.

10 “(4) TRANSFER OF AUTHORITY.—The Sec-
11 retary may transfer any portion of the amounts re-
12 served under paragraph (3) for a fiscal year to the
13 Administrator of any of the Federal Highway Ad-
14 ministration, the Federal Transit Administration,
15 the Federal Railroad Administration, or the Mari-
16 time Administration to award and oversee grants in
17 accordance with this section.

18 “(n) ADDITIONAL REQUIREMENTS.—Each project
19 that receives a grant under the program shall achieve com-
20 pliance with the applicable requirements of—

21 “(1) title 23 relating to highway, road, and
22 bridge projects;

23 “(2) subchapter IV of chapter 31 of title 40;

24 “(3) title VI of the Civil Rights Act of 1964 (42
25 U.S.C. 2000d et seq.);

1 “(4) the National Environmental Policy Act of
 2 1969 (42 U.S.C. 4321 et seq.);
 3 “(5) chapter 53 relating to transit projects; and
 4 “(6) section 22905, as applicable, relating to
 5 rail projects.”.

6 **SEC. 1202. LOCAL AND REGIONAL PROJECT ASSISTANCE.**

7 (a) IN GENERAL.—Chapter 67 of subtitle III of title
 8 49, United States Code (as added by section 1201), is
 9 amended by adding at the end the following:

10 **“§ 6702. Local and regional project assistance**

11 “(a) DEFINITIONS.—In this section:

12 “(1) AREA OF PERSISTENT POVERTY.—The
 13 term ‘area of persistent poverty’ means—

14 “(A) any county (or equivalent jurisdic-
 15 tion) in which, during the 30-year period ending
 16 on the date of enactment of this chapter, 20
 17 percent or more of the population continually
 18 lived in poverty, as measured by—

19 “(i) the 1990 decennial census;

20 “(ii) the 2000 decennial census; and

21 “(iii) the most recent annual small
 22 area income and poverty estimate of the
 23 Bureau of the Census;

24 “(B) any census tract with a poverty rate
 25 of not less than 20 percent, as measured by the

1 5-year data series available from the American
2 Community Survey of the Bureau of the Census
3 for the period of 2014 through 2018; and

4 “(C) any territory or possession of the
5 United States.

6 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means—

8 “(A) a State;

9 “(B) the District of Columbia;

10 “(C) any territory or possession of the
11 United States;

12 “(D) a unit of local government;

13 “(E) a public agency or publicly chartered
14 authority established by 1 or more States;

15 “(F) a special purpose district or public
16 authority with a transportation function, includ-
17 ing a port authority;

18 “(G) a federally recognized Indian Tribe or
19 a consortium of such Indian Tribes;

20 “(H) a transit agency; and

21 “(I) a multi-State or multijurisdictional
22 group of entities described in any of subpara-
23 graphs (A) through (H).

24 “(3) ELIGIBLE PROJECT.—The term ‘eligible
25 project’ means—

1 “(A) a highway or bridge project eligible
2 for assistance under title 23;

3 “(B) a public transportation project eligi-
4 ble for assistance under chapter 53;

5 “(C) a passenger rail or freight rail trans-
6 portation project eligible for assistance under
7 this title;

8 “(D) a port infrastructure investment, in-
9 cluding—

10 “(i) inland port infrastructure; and

11 “(ii) a land port-of-entry;

12 “(E) the surface transportation compo-
13 nents of an airport project eligible for assist-
14 ance under part B of subtitle VII;

15 “(F) a project for investment in a surface
16 transportation facility located on Tribal land,
17 the title or maintenance responsibility of which
18 is vested in the Federal Government;

19 “(G) a project to replace or rehabilitate a
20 culvert or prevent stormwater runoff for the
21 purpose of improving habitat for aquatic species
22 that will advance the goal of the program de-
23 scribed in subsection (b)(2); and

24 “(H) any other surface transportation in-
25 frastructure project that the Secretary con-

1 siders to be necessary to advance the goal of
2 the program.

3 “(4) PROGRAM.—The term ‘program’ means
4 the Local and Regional Project Assistance Program
5 established under subsection (b)(1).

6 “(5) RURAL AREA.—The term ‘rural area’
7 means an area that is located outside of an urban-
8 ized area.

9 “(6) SECRETARY.—The term ‘Secretary’ means
10 the Secretary of Transportation.

11 “(7) URBANIZED AREA.—The term ‘urbanized
12 area’ means an area with a population of more than
13 200,000 residents, based on the most recent decen-
14 nial census.

15 “(b) ESTABLISHMENT.—

16 “(1) IN GENERAL.—The Secretary shall estab-
17 lish and carry out a program, to be known as the
18 ‘Local and Regional Project Assistance Program’, to
19 provide for capital investments in surface transpor-
20 tation infrastructure.

21 “(2) GOAL.—The goal of the program shall be
22 to fund eligible projects that will have a significant
23 local or regional impact and improve transportation
24 infrastructure.

25 “(c) GRANTS.—

1 “(1) IN GENERAL.—In carrying out the pro-
2 gram, the Secretary may make grants to eligible en-
3 tities, on a competitive basis, in accordance with this
4 section.

5 “(2) AMOUNT.—Except as otherwise provided
6 in this section, each grant made under the program
7 shall be in an amount equal to—

8 “(A) not less than \$5,000,000 for an ur-
9 banized area;

10 “(B) not less than \$1,000,000 for a rural
11 area; and

12 “(C) not more than \$25,000,000.

13 “(3) LIMITATION.—Not more than 15 percent
14 of the funds made available to carry out the pro-
15 gram for a fiscal year may be awarded to eligible
16 projects in a single State during that fiscal year.

17 “(d) SELECTION OF ELIGIBLE PROJECTS.—

18 “(1) NOTICE OF FUNDING OPPORTUNITY.—Not
19 later than 60 days after the date on which funds are
20 made available to carry out the program, the Sec-
21 retary shall publish a notice of funding opportunity
22 for the funds.

23 “(2) APPLICATIONS.—To be eligible to receive a
24 grant under the program, an eligible entity shall
25 submit to the Secretary an application—

1 “(A) in such form and containing such in-
2 formation as the Secretary considers to be ap-
3 propriate; and

4 “(B) by such date as the Secretary may
5 establish, subject to the condition that the date
6 shall be not later than 90 days after the date
7 on which the Secretary issues the solicitation
8 under paragraph (1).

9 “(3) PRIMARY SELECTION CRITERIA.—In
10 awarding grants under the program, the Secretary
11 shall evaluate the extent to which a project—

12 “(A) improves safety;

13 “(B) improves environmental sustain-
14 ability;

15 “(C) improves the quality of life of rural
16 areas or urbanized areas;

17 “(D) increases economic competitiveness
18 and opportunity;

19 “(E) contributes to a state of good repair;
20 and

21 “(F) improves mobility and community
22 connectivity.

23 “(4) ADDITIONAL SELECTION CRITERIA.—In
24 selecting projects to receive grants under the pro-

1 gram, the Secretary shall take into consideration the
2 extent to which—

3 “(A) the project sponsors collaborated with
4 other public and private entities;

5 “(B) the project adopts innovative tech-
6 nologies or techniques, including—

7 “(i) innovative technology;

8 “(ii) innovative project delivery tech-
9 niques; and

10 “(iii) innovative project financing;

11 “(C) the project has demonstrated readi-
12 ness; and

13 “(D) the project is cost effective.

14 ~~“(5) TRANSPARENCY.—~~

15 ~~“(A) IN GENERAL.—The Secretary, shall~~
16 ~~evaluate, through a methodology that is discern-~~
17 ~~ible and transparent to the public, the means by~~
18 ~~which each application submitted under para-~~
19 ~~graph (2) addresses the criteria under para-~~
20 ~~graphs (3) and (4) or otherwise established by~~
21 ~~the Secretary.~~

22 ~~“(B) PUBLICATION.—The methodology~~
23 ~~under subparagraph (A) shall be published by~~
24 ~~the Secretary as part of the notice of funding~~
25 ~~opportunity under the program.~~

1 “(6) AWARDS.—Not later than 270 days after
2 the date on which amounts are made available to
3 provide grants under the program for a fiscal year,
4 the Secretary shall announce the selection by the
5 Secretary of eligible projects to receive the grants in
6 accordance with this section.

7 “(7) TECHNICAL ASSISTANCE.—

8 “(A) IN GENERAL.—On request of an eligi-
9 ble entity that submitted an application under
10 paragraph (2) for a project that is not selected
11 to receive a grant under the program, the Sec-
12 retary shall provide to the eligible entity tech-
13 nical assistance and briefings relating to the
14 project.

15 “(B) TREATMENT.—Technical assistance
16 provided under this paragraph shall not be con-
17 sidered to provide a guarantee of future selec-
18 tion of the applicable project under the pro-
19 gram.

20 “(e) FEDERAL SHARE.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), the Federal share of the cost of an eligi-
23 ble project carried out using a grant provided under
24 the program shall not exceed 80 percent.

1 “(2) EXCEPTION.—The Federal share of the
2 cost of an eligible project carried out in a rural area
3 or an area of persistent poverty using a grant under
4 this subsection may exceed 80 percent, at the discre-
5 tion of the Secretary.

6 “(3) TREATMENT OF OTHER FEDERAL
7 FUNDS.—Amounts provided under any of the fol-
8 lowing programs shall be considered to be a part of
9 the non-Federal share for purposes of this sub-
10 section:

11 “(A) The tribal transportation program
12 under section 202 of title 23.

13 “(B) The Federal lands transportation
14 program under section 203 of title 23.

15 “(C) The TIFIA program (as defined in
16 section 601(a) of title 23).

17 “(D) The Railroad Rehabilitation and Im-
18 provement Financing Program under chapter
19 224.

20 “(4) LIMITATION.—The Secretary shall not
21 take into consideration the Federal share in select-
22 ing eligible projects to receive grants under the pro-
23 gram.

24 “(f) OTHER CONSIDERATIONS.—

1 “(1) IN GENERAL.—Of the total amount made
2 available to carry out the program for each fiscal
3 year—

4 “(A) not more than 50 percent shall be al-
5 located for eligible projects located in rural
6 areas; and

7 “(B) not more than 50 percent shall be al-
8 located for eligible projects located in urbanized
9 areas.

10 “(2) HISTORICALLY DISADVANTAGED COMMU-
11 NITIES AND AREAS OF PERSISTENT POVERTY.—Of
12 the total amount made available to carry out the
13 program for each fiscal year, not less than 1 percent
14 shall be awarded for projects in historically dis-
15 advantaged communities or areas of persistent pov-
16 erty.

17 “(3) MULTIMODAL AND GEOGRAPHICAL CON-
18 siderations.—In selecting projects to receive
19 grants under the program, the Secretary shall take
20 into consideration geographical and modal diversity.

21 “(g) PROJECT PLANNING.—Of the amounts made
22 available to carry out the program for each fiscal year,
23 not less than 5 percent shall be made available for the
24 planning, preparation, or design of eligible projects.

1 “(h) TRANSFER OF AUTHORITY.—Of the amounts
2 made available to carry out the program for each fiscal
3 year, the Secretary may transfer not more than 2 percent
4 for a fiscal year to the Administrator of any of the Federal
5 Highway Administration, the Federal Transit Administra-
6 tion, the Federal Railroad Administration, or the Mari-
7 time Administration to award and oversee grants and
8 credit assistance in accordance with this section.

9 “(i) CREDIT PROGRAM COSTS.—

10 “(1) IN GENERAL.—Subject to paragraph (2),
11 at the request of an eligible entity, the Secretary
12 may use a grant provided to the eligible entity under
13 the program to pay the subsidy or credit risk pre-
14 mium, and the administrative costs, of an eligible
15 project that is eligible for Federal credit assistance
16 under—

17 “(A) chapter 224; or

18 “(B) chapter 6 of title 23.

19 “(2) LIMITATION.—Not more than 20 percent
20 of the funds made available to carry out the pro-
21 gram for a fiscal year may be used to carry out
22 paragraph (1).

23 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated to carry out this section
25 \$1,500,000,000 for each of fiscal years 2022 through

1 2026, to remain available for a period of 3 fiscal years
2 following the fiscal year for which the amounts are appro-
3 priated.

4 “(k) REPORTS.—

5 “(1) ANNUAL REPORT.—The Secretary shall
6 make available on the website of the Department of
7 Transportation at the end of each fiscal year an an-
8 nual report that describes each eligible project for
9 which a grant was provided under the program dur-
10 ing that fiscal year.

11 “(2) COMPTROLLER GENERAL.—Not later than
12 1 year after the date on which the initial grants are
13 awarded for eligible projects under the program, the
14 Comptroller General of the United States shall—

15 “(A) review the administration of the pro-
16 gram, including—

17 “(i) the solicitation process; and

18 “(ii) the selection process, including—

19 “(I) the adequacy and fairness of
20 the process; and

21 “(II) the selection criteria; and

22 “(B) submit to the Committee on Com-
23 merce, Science, and Transportation of the Sen-
24 ate and the Committee on Transportation and
25 Infrastructure of the House of Representatives

1 a report describing the findings of the review
 2 under subparagraph (A), including rec-
 3 ommendations for improving the administration
 4 of the program, if any.”.

5 (b) CLERICAL AMENDMENT.—The analysis for sub-
 6 title III of title 49, United States Code, is amended by
 7 adding at the end the following:

“CHAPTER 67—NATIONAL INFRASTRUCTURE INVESTMENTS

“Sec. 6701. National infrastructure project assistance.

“Sec. 6702. Local and regional project assistance.”.

8 **SEC. 1203. NATIONAL CULVERT REMOVAL, REPLACEMENT,**
 9 **AND RESTORATION GRANT PROGRAM.**

10 (a) IN GENERAL.—Chapter 67 of title 49, United
 11 States Code (as amended by section 1202(a)), is amended
 12 by adding at the end the following:

13 **“§ 6703. National culvert removal, replacement, and**
 14 **restoration grant program**

15 “(a) DEFINITIONS.—In this section:

16 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’
 17 has the meaning given the term in section 4 of the
 18 Indian Self-Determination and Education Assistance
 19 Act (25 U.S.C. 5304).

20 “(2) PROGRAM.—The term ‘program’ means
 21 the annual competitive grant program established
 22 under subsection (b).

1 “(3) SECRETARY.—The term ‘Secretary’ means
2 the Secretary of Transportation.

3 “(4) UNDERSECRETARY.—The term ‘Undersec-
4 retary’ means the Undersecretary of Commerce for
5 Oceans and Atmosphere.

6 “(b) ESTABLISHMENT.—The Secretary, in consulta-
7 tion with the Undersecretary, shall establish an annual
8 competitive grant program to award grants to eligible enti-
9 ties for—

10 “(1) projects for the replacement, removal, and
11 repair of culverts that would meaningfully improve
12 or restore fish passage for anadromous fish; or

13 “(2) projects with the goal of addressing fresh-
14 water runoff that impacts marine or anadromous
15 fish and shellfish species.

16 “(c) ELIGIBLE ENTITIES.—An entity eligible to re-
17 ceive a grant under the program is—

18 “(1) a State;

19 “(2) a unit of local government; or

20 “(3) an Indian Tribe.

21 “(d) GRANT SELECTION PROCESS.—The Secretary,
22 in consultation with the Undersecretary, shall establish a
23 process for determining criteria for awarding grants under
24 the program, subject to subsection (e).

1 “(e) **PRIORITIZATION.**—The Secretary, in consulta-
2 tion with the Undersecretary, shall establish procedures
3 to prioritize awarding grants under the program to—

4 “(1) projects that would improve fish passage
5 for—

6 “(A) anadromous fish stocks listed as an
7 endangered species or a threatened species
8 under section 4 of the Endangered Species Act
9 of 1973 (16 U.S.C. 1533);

10 “(B) anadromous fish stocks identified by
11 the Undersecretary that could reasonably be
12 come listed as an endangered species or a
13 threatened species under that section;

14 “(C) anadromous fish stocks identified by
15 the Undersecretary as prey for endangered spe-
16 cies, threatened species, or protected species, in-
17 cluding Southern resident orcas (*Orcinus*
18 orcas); or

19 “(D) anadromous fish stocks identified by
20 the Undersecretary as climate resilient stocks;
21 and

22 “(2) with respect to culvert removal, projects
23 that would open up more than 200 meters of up-
24 stream habitat before the end of the natural habitat.

1 “(f) FEDERAL SHARE.—The Federal share of the
2 cost of a project carried out with a grant to a State or
3 a unit of local government under the program shall be not
4 more than 80 percent.

5 “(g) TECHNICAL ASSISTANCE.—The Secretary, in
6 consultation with the Undersecretary, shall develop a pro-
7 cess to provide technical assistance to Indian Tribes and
8 underserved communities to assist in the project design
9 and grant process and procedures.

10 “(h) ADMINISTRATIVE EXPENSES.—Of the amounts
11 made available for each fiscal year to carry out the pro-
12 gram, the Secretary and the Undersecretary may use not
13 more than 2 percent to pay the administrative expenses
14 necessary to carry out this section.

15 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out the program
17 \$800,000,000 for each of fiscal years 2022 through
18 2026.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-
20 ter 67 of title 49, United States Code (as added by section
21 1202(b)), is amended by adding at the end the following:
“6703. National culvert removal, replacement, and restoration grant program.”.

22 **SEC. 1204. NATIONALLY SIGNIFICANT MULTIMODAL**
23 **FREIGHT PROJECTS.**

24 (a) IN GENERAL.—Section 117 of title 23, United
25 States Code, is amended—

1 (1) in the section heading, by inserting
2 ~~“multimodal”~~ before ~~“freight”~~;

3 (2) in subsection (a)(2)—

4 (A) in subparagraph (C), by striking
5 “highway” and inserting “freight”; and

6 (B) in subparagraph (E), by striking
7 “highway” and inserting “freight”;

8 (3) in subsection (d)—

9 (A) in paragraph (1)(A)—

10 (i) in clause (iii)(II), by striking “or”
11 after the semicolon at the end;

12 (ii) in clause (iv), by striking “and” at
13 the end and inserting “or”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(v) a highway, bridge, or freight
17 project carried out on the National
18 Multimodal Freight Network established
19 under section 70103 of title 49; and”;

20 (B) in paragraph (2), by striking
21 “\$600,000,000” and inserting “50 percent”;

22 (4) in subsection (e)(1)—

23 (A) by striking “10 percent” and inserting
24 “not less than 15 percent”;

1 (B) by striking “subsection (d)(1)(A)” and
2 inserting “subsection (d)(1)”; and

3 (C) by striking “subsection (d)(1)(B)” and
4 inserting “subsection (d)(2)”;

5 (5) in subsection (f)(2), by inserting “(including
6 a project to replace or rehabilitate a culvert, or to
7 reduce stormwater runoff for the purpose of improv-
8 ing habitat for aquatic species)” after “environ-
9 mental mitigation”;

10 (6) in subsection (m), by striking paragraph (1)
11 and inserting the following:

12 “(1) IN GENERAL.—Not later than 60 days be-
13 fore the date on which a grant is provided for a
14 project under this section, the Secretary shall submit
15 to the Committees on Commerce, Science, and
16 Transportation and Environment and Public Works
17 of the Senate and the Committee on Transportation
18 and Infrastructure of the House of Representatives
19 a report describing the proposed grant, including—

20 “(A) an evaluation and justification for the
21 applicable project; and

22 “(B) a description of the amount of the
23 proposed grant award.”; and

24 (7) by adding at the end the following:

1 “(o) **ADDITIONAL AUTHORIZATION OF APPROPRIA-**
 2 **TIONS.**—In addition to amounts made available from the
 3 **Highway Trust Fund**, there are authorized to be appro-
 4 priated to carry out this section, to remain available for
 5 a period of 3 fiscal years following the fiscal year for which
 6 the amounts are appropriated—

7 “(1) \$1,100,000,000 for fiscal year 2022;
 8 “(2) \$1,200,000,000 for fiscal year 2023;
 9 “(3) \$1,300,000,000 for fiscal year 2024;
 10 “(4) \$1,400,000,000 for fiscal year 2025; and
 11 “(5) \$1,500,000,000 for fiscal year 2026.”.

12 (b) **CONFORMING AMENDMENT.**—Section
 13 116(d)(1)(D) of title 49, United States Code, is amended
 14 by striking “freight and highway projects program” and
 15 inserting “multimodal freight and highway projects pro-
 16 gram”.

17 **SEC. 1205. NATIONAL MULTIMODAL COOPERATIVE**
 18 **FREIGHT RESEARCH PROGRAM.**

19 (a) **IN GENERAL.**—Chapter 702 of title 49, United
 20 States Code (as amended by section 1106(a)), is amended
 21 by inserting after section 70204 the following:

22 **“§ 70205. National multimodal cooperative freight re-**
 23 **search program**

24 “(a) **ESTABLISHMENT.**—Not later than 1 year after
 25 the date of enactment of this section, the Secretary of

1 Transportation (referred to in this section as the ‘Sec-
 2 retary’) shall establish and support a national cooperative
 3 freight transportation research program.

4 “(b) ADMINISTRATION BY NATIONAL ACADEMY OF
 5 SCIENCES.—

6 “(1) IN GENERAL.—The Secretary shall enter
 7 into an agreement with the National Academy of
 8 Sciences to support and carry out administrative
 9 and management activities under the program estab-
 10 lished under subsection (a).

11 “(2) ADVISORY COMMITTEE.—To assist the Na-
 12 tional Academy of Sciences in carrying out this sub-
 13 section, the National Academy shall establish an ad-
 14 visory committee, the members of which represent a
 15 cross-section of multimodal freight stakeholders, in-
 16 cluding—

17 “(A) the Department of Transportation
 18 and other relevant Federal departments and
 19 agencies;

20 “(B) State (including the District of Co-
 21 lumbia) departments of transportation;

22 “(C) units of local government, including
 23 public port authorities;

24 “(D) nonprofit entities;

25 “(E) institutions of higher education;

1 ~~“(F) labor organizations representing em-~~
 2 ~~ployees in freight industries; and~~

3 ~~“(G) private sector entities representing~~
 4 ~~various transportation modes.~~

5 ~~“(e) ACTIVITIES.—~~

6 ~~“(1) NATIONAL RESEARCH AGENDA.—~~

7 ~~“(A) IN GENERAL.—The advisory com-~~
 8 ~~mittee established under subsection (b)(2), in~~
 9 ~~consultation with interested parties, shall rec-~~
 10 ~~ommend a national research agenda for the~~
 11 ~~program in accordance with subsection (d),~~
 12 ~~which shall include a multiyear strategic plan.~~

13 ~~“(B) ACTION BY INTERESTED PARTIES.—~~

14 ~~For purposes of subparagraph (A), an inter-~~
 15 ~~ested party may—~~

16 ~~“(i) submit to the advisory committee~~
 17 ~~research proposals;~~

18 ~~“(ii) participate in merit reviews of re-~~
 19 ~~search proposals and peer reviews of re-~~
 20 ~~search products; and~~

21 ~~“(iii) receive research results.~~

22 ~~“(2) RESEARCH CONTRACTS AND GRANTS.—~~

23 ~~“(A) IN GENERAL.—The National Acad-~~
 24 ~~emy of Sciences may award research contracts~~

1 and grants under the program established
2 under subsection (a) through—

3 “(i) open competition; and

4 “(ii) merit review, conducted on a reg-
5 ular basis.

6 “(B) EVALUATION.—

7 “(i) PEER REVIEW.—A contract or
8 grant for research under subparagraph (A)
9 may allow peer review of the research re-
10 sults.

11 “(ii) PROGRAMMATIC EVALUATIONS.—

12 The National Academy of Sciences may
13 conduct periodic programmatic evaluations
14 on a regular basis of a contract or grant
15 for research under subparagraph (A).

16 “(C) DISSEMINATION OF FINDINGS.—The

17 National Academy of Sciences shall disseminate
18 the findings of any research conducted under
19 this paragraph to relevant researchers, practi-
20 tioners, and decisionmakers through—

21 “(i) conferences and seminars;

22 “(ii) field demonstrations;

23 “(iii) workshops;

24 “(iv) training programs;

25 “(v) presentations;

- 1 “(vi) testimony to government offi-
2 cials;
3 “(vii) publicly accessible websites;
4 “(viii) publications for the general
5 public; and
6 “(ix) other appropriate means.

7 “(3) REPORT.—Not later than 1 year after the
8 date of establishment of the program under sub-
9 section (a), and annually thereafter, the Secretary
10 shall make available on a public website a report
11 that describes the ongoing research and findings
12 under the program.

13 “(d) AREAS FOR RESEARCH.—The national research
14 agenda under subsection (e)(1) shall consider research in
15 the following areas:

16 “(1) Improving the efficiency and resiliency of
17 freight movement, including—

18 “(A) improving the connections between
19 rural areas and domestic and foreign markets;

20 “(B) maximizing infrastructure utility, in-
21 cluding improving urban curb-use efficiency;

22 “(C) quantifying the national impact of
23 blocked railroad crossings;

1 “(D) improved techniques for estimating
2 and quantifying public benefits derived from
3 freight transportation projects; and

4 “(E) low-cost methods to reduce congest-
5 tion at bottlenecks.

6 “(2) Adapting to future trends in freight, in-
7 cluding—

8 “(A) considering the impacts of e-com-
9 merce;

10 “(B) automation; and

11 “(C) zero-emissions transportation.

12 “(3) Workforce considerations in freight, in-
13 cluding—

14 “(A) diversifying the freight transportation
15 industry workforce; and

16 “(B) creating and transitioning a work-
17 force capable of designing, deploying, and oper-
18 ating emerging technologies.

19 “(e) FEDERAL SHARE.—

20 “(1) IN GENERAL.—The Federal share of the
21 cost of an activity carried out under this section
22 shall be up to 100 percent.

23 “(2) USE OF NON-FEDERAL FUNDS.—In addi-
24 tion to using funds made available to carry out this
25 section, the National Academy of Sciences may seek

1 and accept additional funding from public and pri-
 2 vate entities capable of accepting funding from the
 3 Department of Transportation, States, units of local
 4 government, nonprofit entities, and the private sec-
 5 tor.

6 “(f) **AUTHORIZATION OF APPROPRIATIONS.**—There
 7 is authorized to be appropriated to the Secretary
 8 \$3,750,000 for each fiscal year to carry out the program
 9 established under subsection (a), to remain available until
 10 expended.

11 “(g) **SUNSET.**—The program established under sub-
 12 section (a) shall terminate 5 years after the date of enact-
 13 ment of this section.”.

14 (b) **CLERICAL AMENDMENT.**—The analysis for chap-
 15 ter 702 of title 49, United States Code (as amended by
 16 section 1106(b)), is amended by inserting after the item
 17 relating to section 70204 the following:

“70205. National multimodal cooperative freight research program.”.

18 **SEC. 1206. RURAL AND TRIBAL INFRASTRUCTURE AD-**
 19 **VANCEMENT.**

20 (a) **DEFINITIONS.**—In this section:

21 (1) **BUILD AMERICA BUREAU.**—The term
 22 “Build America Bureau” means the National Sur-
 23 face Transportation and Innovative Finance Bureau
 24 established under section 116 of title 49, United
 25 States Code.

1 (2) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a unit of local government or political
4 subdivision that is located outside of an urban-
5 ized area with a population of more than
6 150,000 residents, as determined by the Bureau
7 of the Census;

8 (B) a State seeking to advance a project
9 located in an area described in subparagraph
10 (A); and

11 (C) a federally recognized Indian Tribe.

12 (3) ELIGIBLE PROGRAM.—The term “eligible
13 program” means any program described in—

14 (A) subparagraph (A), (B), or (D) of sec-
15 tion 116(d)(1) of title 49, United States Code;
16 or

17 (B) chapter 67 of that title (as added by
18 section 1201).

19 (4) PILOT PROGRAM.—The term “pilot pro-
20 gram” means the Rural and Tribal Assistance Pilot
21 Program established under subsection (b)(1).

22 (b) ESTABLISHMENT.—

23 (1) IN GENERAL.—The Secretary shall establish
24 within the Build America Bureau a pilot program,
25 to be known as the “Rural and Tribal Assistance

1 Pilot Program”, to provide to eligible entities the as-
2 sistance and information described in paragraph (2).

3 ~~(2) ASSISTANCE AND INFORMATION.—~~In ear-
4 rying out the pilot program, the Secretary may pro-
5 vide to an eligible entity the following:

6 ~~(A) Financial, technical, and legal assist-~~
7 ~~ance to evaluate potential projects reasonably~~
8 ~~expected to be eligible to receive funding or fi-~~
9 ~~nancing assistance under an eligible program.~~

10 ~~(B) Assistance with development-phase ac-~~
11 ~~tivities, including—~~

12 ~~(i) project planning;~~

13 ~~(ii) feasibility studies;~~

14 ~~(iii) revenue forecasting and funding~~
15 ~~and financing options analyses;~~

16 ~~(iv) environmental review;~~

17 ~~(v) preliminary engineering and de-~~
18 ~~sign work;~~

19 ~~(vi) economic assessments and cost-~~
20 ~~benefit analyses;~~

21 ~~(vii) public benefit studies;~~

22 ~~(viii) statutory and regulatory frame-~~
23 ~~work analyses;~~

24 ~~(ix) value for money studies;~~

1 (x) evaluations of costs to sustain the
2 project;

3 (xi) evaluating opportunities for pri-
4 vate financing and project bundling; and

5 (xii) any other activity determined to
6 be appropriate by the Secretary.

7 (C) Information regarding innovative fi-
8 nancing best practices and case studies, if the
9 eligible entity is interested in using innovative
10 financing methods.

11 (e) ASSISTANCE FROM EXPERT FIRMS.—The Sec-
12 retary may retain the services of expert firms, including
13 counsel, in the field of municipal and project finance to
14 assist in providing financial, technical, and legal assistance
15 to eligible entities under the pilot program.

16 (d) WEBSITE.—

17 (1) DESCRIPTION OF PILOT PROGRAM.—

18 (A) IN GENERAL.—The Secretary shall
19 make publicly available on the website of the
20 Department a description of the pilot program,
21 including—

22 (i) the resources available to eligible
23 entities under the pilot program; and

24 (ii) the application process established
25 under paragraph (2)(A).

1 ~~(B) CLEARINGHOUSE.~~—The Secretary may
2 establish a clearinghouse for tools, templates,
3 and best practices on the page of the website of
4 the Department that contains the information
5 described in subparagraph (A).

6 ~~(2) APPLICATIONS.~~—

7 ~~(A) IN GENERAL.~~—Not later than 180
8 days after the date of enactment of this Act,
9 the Secretary shall establish a process by which
10 an eligible entity may submit to the Secretary
11 an application under the pilot program, in such
12 form and containing such information as the
13 Secretary may require.

14 ~~(B) ONLINE PORTAL.~~—The Secretary shall
15 develop and make available to the public an on-
16 line portal through which the Secretary may re-
17 ceive applications under subparagraph (A), on a
18 rolling basis.

19 ~~(C) APPROVAL.~~—

20 ~~(i) IN GENERAL.~~—Not later than 60
21 days after the date on which the Secretary
22 receives a complete application under sub-
23 paragraph (A), the Secretary shall provide
24 to each eligible entity that submitted the

1 application a notice describing whether the
2 application is approved or disapproved.

3 (ii) ~~ADDITIONAL WRITTEN NOTIFICA-~~
4 ~~TION.—~~

5 (I) ~~IN GENERAL.—~~Not later than
6 30 days after the date on which the
7 Secretary provides to an eligible entity
8 a notification under clause (i), the
9 Secretary shall provide to the eligible
10 entity an additional written notifica-
11 tion of the approval or disapproval of
12 the application.

13 (II) ~~DISAPPROVED APPLICA-~~
14 ~~TIONS.—~~If the application of an eligi-
15 ble entity is disapproved under this
16 subparagraph, the additional written
17 notification provided to the eligible en-
18 tity under subclause (I) shall include
19 an offer for a written or telephonic
20 debrief by the Secretary that will pro-
21 vide an explanation of, and guidance
22 regarding, the reasons why the appli-
23 cation was disapproved.

24 (iii) ~~INSUFFICIENT APPLICATIONS.—~~

25 The Secretary shall not approve an appli-

1 cation under this subparagraph if the ap-
2 plication fails to meet the applicable cri-
3 teria established under this section.

4 ~~(2) DASHBOARD.~~—The Secretary shall publish
5 on the website of the Department a monthly report
6 that includes, for each application received under the
7 pilot program—

8 (A) the type of eligible entity that sub-
9 mitted the application;

10 (B) the location of each potential project
11 described in the application;

12 (C) a brief description of the assistance re-
13 quested;

14 (D) the date on which the Secretary re-
15 ceived the application; and

16 (E) the date on which the Secretary pro-
17 vided the notice of approval or disapproval
18 under paragraph ~~(2)(C)(i)~~.

19 ~~(e) EXPERTS.~~—An eligible entity that receives assist-
20 ance under the pilot program may retain the services of
21 an expert for any phase of a project carried out using the
22 assistance, including project development, regardless of
23 whether the expert is retained by the Secretary under sub-
24 section ~~(e)~~.

25 ~~(f) FUNDING.~~—

1 (1) IN GENERAL.—For each of fiscal years
2 2022 through 2026, the Secretary may use to carry
3 out the pilot program, including to retain the serv-
4 ices of expert firms under subsection (c), any
5 amount made available to the Secretary to provide
6 credit assistance under an eligible program that is
7 not otherwise obligated, subject to paragraph (2).

8 (2) LIMITATION.—The amount used under
9 paragraph (1) to carry out the pilot program shall
10 be not more than—

11 (A) \$1,600,000 for fiscal year 2022;

12 (B) \$1,800,000 for fiscal year 2023;

13 (C) \$2,000,000 for fiscal year 2024;

14 (D) \$2,200,000 for fiscal year 2025; and

15 (E) \$2,400,000 for fiscal year 2026.

16 (3) GEOGRAPHICAL DISTRIBUTION.—Not more
17 than 20 percent of the funds made available to carry
18 out the pilot program for a fiscal year may be used
19 for projects in a single State during that fiscal year.

20 (g) SUNSET.—The pilot program shall terminate on
21 the date that is 5 years after the date of enactment of
22 this Act.

23 (h) NONAPPLICABILITY.—Nothing in this section
24 limits the ability of the Build America Bureau or the Sec-

1 retary to establish or carry out any other assistance pro-
 2 gram under title 23 or title 49, United States Code.

3 (i) ~~ADMINISTRATION BY BUILD AMERICA BUREAU.~~—

4 Section 116(d)(1) of title 49, United States Code, is
 5 amended by adding at the end the following:

6 “(E) The Rural and Tribal Assistance
 7 Pilot Program established under section
 8 1206(b)(1) of the Surface Transportation In-
 9 vestment Act of 2021.”.

10 **Subtitle C—Railroad Rehabilita-** 11 **tion and Improvement Financ-** 12 **ing Reforms**

13 **SEC. 1301. RRIF CODIFICATION AND REFORMS.**

14 (a) ~~CODIFICATION OF TITLE V OF THE RAILROAD~~
 15 ~~REVITALIZATION AND REGULATORY REFORM ACT OF~~
 16 1976.—Part B of subtitle V of title 49, United States
 17 Code, is amended—

18 (1) by inserting after chapter 223 the following
 19 chapter analysis:

“CHAPTER 224—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING

“Sec.

“22401. Definitions.

“22402. Direct loans and loan guarantees.

“22403. Administration of direct loans and loan guarantees.

“22404. Employee protection.

“22405. Authorization of appropriations.”;

20 (2) by inserting after the chapter analysis the
 21 following section headings:

1 **“§ 22401. Definitions**

2 **“§ 22402. Direct loans and loan guarantees**

3 **“§ 22403. Administration of direct loans and loan**
 4 **guarantees**

5 **“§ 22404. Employee protection”;**

6 (3) by inserting after the section heading for
 7 section 22401, as added by paragraph (2), the text
 8 of section 501 of the Railroad Revitalization and
 9 Regulatory Reform Act of 1976 (45 U.S.C. 821);

10 (4) by inserting after the section heading for
 11 section 22402, as added by paragraph (2), the text
 12 of section 502 of the Railroad Revitalization and
 13 Regulatory Reform Act of 1976 (45 U.S.C. 822);

14 (5) by inserting after the section heading for
 15 section 22403, as added by paragraph (2), the text
 16 of section 503 of the Railroad Revitalization and
 17 Regulatory Reform Act of 1976 (45 U.S.C. 823);
 18 and

19 (6) by inserting after the section heading for
 20 section 22404, as added by paragraph (2), the text
 21 of section 504 of the Railroad Revitalization and
 22 Regulatory Reform Act of 1976 (45 U.S.C. 836).

23 (b) CONFORMING REPEALS.—

24 (1) IN GENERAL.—Sections 501, 502, 503, and
 25 504 of the Railroad Revitalization and Regulatory

1 Reform Act of 1976 (45 U.S.C. 821, 822, 823, and
2 836) are repealed.

3 (2) SAVINGS PROVISION.—The section repeals
4 under paragraph (1) shall not affect the rights and
5 duties that matured under such sections; the pen-
6 alties that were incurred under such sections; or any
7 proceeding authorized under any such section that
8 commenced before the date of enactment of this Act.

9 (c) DEFINITIONS.—Section 22401 of title 49, United
10 States Code, as added by subsection (a)(2), and amended
11 by subsection (a)(3), is further amended—

12 (1) in the matter preceding paragraph (1), by
13 striking “For purposes of this title:” and inserting
14 “In this chapter:”;

15 (2) by amending paragraph (12) to read as fol-
16 lows:

17 “(12) The term ‘railroad’ includes—

18 “(A) any ‘railroad’ or ‘railroad carrier’ (as
19 such terms are defined in section 20102); and

20 “(B) any ‘rail carrier’ (as defined in sec-
21 tion 24102).”;

22 (3) by redesignating paragraph (14) as para-
23 graph (15); and

24 (4) by inserting after paragraph (13) the fol-
25 lowing:

1 “(14) The term ‘Secretary’ means the Secretary
2 of Transportation.”.

3 (d) DIRECT LOANS AND LOAN GUARANTEES.—Sec-
4 tion 22402 of title 49, United States Code, as added by
5 subsection (a)(2), and amended by subsection (a)(4), is
6 further amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2), by inserting “entities
9 implementing” before “interstate compacts”;

10 (B) in paragraph (5), by striking “and” at
11 the end; and

12 (C) by striking paragraph (6) and insert-
13 ing the following:

14 “(6) limited option freight shippers that own or
15 operate a plant or other facility, solely for the pur-
16 pose of constructing a rail connection between a
17 plant or facility and a railroad; and

18 “(7) private entities with controlling ownership
19 in 1 or more freight railroads other than Class I car-
20 riers.”;

21 (2) in subsection (b)—

22 (A) by amending paragraph (1) to read as
23 follows:

24 “(1) IN GENERAL.—Direct loans and loan guar-
25 antees authorized under this section shall be used—

1 “(A) to acquire, improve, or rehabilitate
2 intermodal or rail equipment or facilities, in-
3 cluding track, components of track, cuts and
4 fills, stations, tunnels, bridges, yards, buildings,
5 and shops, and costs related to these activities,
6 including pre-construction costs;

7 “(B) to develop or establish new inter-
8 modal or railroad facilities;

9 “(C) to develop landside port infrastruc-
10 ture for seaports serviced by rail;

11 “(D) to refinance outstanding debt in-
12 curred for the purposes described in subpara-
13 graph (A), (B), or (C);

14 “(E) to reimburse planning, permitting,
15 and design expenses relating to activities de-
16 scribed in subparagraph (A), (B), or (C); or

17 “(F) to finance economic development, in-
18 cluding commercial and residential development,
19 and related infrastructure and activities, that—

20 “(i) incorporates private investment of
21 greater than 20 percent of total project
22 costs;

23 “(ii) is physically connected to, or is
24 within ½ mile of, a fixed guideway transit
25 station, an intercity bus station, a pas-

1 senger rail station, or a multimodal station
2 that includes rail service;

3 “(iii) demonstrates the ability of the
4 applicant to commence the contracting
5 process for construction not later than 90
6 days after the date on which the direct
7 loan or loan guarantee is obligated for the
8 project under this chapter; and

9 “(iv) demonstrates the ability to gen-
10 erate new revenue for the relevant pas-
11 senger rail station or service by increasing
12 ridership, increasing tenant lease pay-
13 ments, or carrying out other activities that
14 generate revenue exceeding costs.”; and

15 (B) by striking paragraph (3);

16 (3) in subsection (c)—

17 (A) in paragraph (1), by striking “of title
18 49, United States Code”; and

19 (B) in paragraph (5), by striking “title 49,
20 United States Code,” and inserting “this title”;

21 (4) in subsection (c), by amending paragraph
22 (1) to read as follows:

23 “(1) DIRECT LOANS.—The interest rate on a
24 direct loan under this section shall be not less than
25 the yield on United States Treasury securities of a

1 similar maturity to the maturity of the secured loan
2 on the date of execution of the loan agreement.”;

3 ~~(5)~~ in subsection (f)—

4 (A) in paragraph (3)—

5 (i) in the matter preceding subpara-
6 graph (A)—

7 (I) by striking “An applicant
8 may propose and” and inserting
9 “Upon receipt of a proposal from an
10 applicant under this section,”; and

11 (II) by striking “tangible asset”
12 and inserting “collateral described in
13 paragraph (6)”;

14 (ii) in subparagraph (B)(ii), by insert-
15 ing “, including operating or tenant
16 charges, facility rents, or other fees paid
17 by transportation service providers or oper-
18 ators for access to, or the use of, infra-
19 structure, including rail lines, bridges, tun-
20 nels, yards, or stations” after “user fees”;

21 (iii) in subparagraph (C), by striking
22 “\$75,000,000” and inserting
23 “\$150,000,000”; and

24 (iv) by adding at the end the fol-
25 lowing:

1 “(D) Revenue from projected freight or
 2 passenger demand for the project based on re-
 3 gionally developed economic forecasts, including
 4 projections of any modal diversion resulting
 5 from the project.”; and

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

7 “(5) COHORTS OF LOANS.—For any direct loan
 8 issued before the date of enactment of the Fixing
 9 America’s Surface Transportation Act (Public Law
 10 114–94) pursuant to sections 501 through 504 of
 11 the Railroad Revitalization and Regulatory Reform
 12 Act of 1976 (Public Law 94–210), the Secretary
 13 shall repay the credit risk premiums of such loan,
 14 with interest accrued thereon, not later than—

15 “(A) 60 days after the date of enactment
 16 of the Surface Transportation Investment Act
 17 of 2021 if the borrower has satisfied all obliga-
 18 tions attached to such loan; or

19 “(B) if the borrower has not yet satisfied
 20 all obligations attached to such loan, 60 days
 21 after the date on which all obligations attached
 22 to such loan have been satisfied.

23 “(6) COLLATERAL.—

24 “(A) TYPES OF COLLATERAL.—An appli-
 25 cant or infrastructure partner may propose tan-

1 gible and intangible assets as collateral, exclu-
2 sive of goodwill. The Secretary, after evaluating
3 each such asset—

4 “(i) shall accept a net liquidation
5 value of collateral; and

6 “(ii) shall consider and may accept—

7 “(I) the market value of collat-
8 eral; or

9 “(II) in the case of a blanket
10 pledge or assignment of an entire op-
11 erating asset or basket of assets as
12 collateral, the market value of assets,
13 or, the market value of the going con-
14 cern, considering—

15 “(aa) inclusion in the pledge
16 of all the assets necessary for
17 independent operational utility of
18 the collateral, including tangible
19 assets such as real property,
20 track and structure, motive
21 power, equipment and rolling
22 stock, stations, systems and
23 maintenance facilities and intan-
24 gible assets such as long-term
25 shipping agreements, easements,

1 leases and access rights such as
2 for trackage and haulage;

3 “(bb) interchange commit-
4 ments; and

5 “(cc) the value of the asset
6 as determined through the cost
7 or market approaches, or the
8 market value of the going con-
9 cern, with the latter considering
10 discounted cash flows for a pe-
11 riod not to exceed the term of the
12 direct loan or loan guarantee.

13 “(B) APPRAISAL STANDARDS.—In evalu-
14 ating appraisals of collateral under subpara-
15 graph (A), the Secretary shall consider—

16 “(i) adherence to the substance and
17 principles of the Uniform Standards of
18 Professional Appraisal Practice, as devel-
19 oped by the Appraisal Standards Board of
20 the Appraisal Foundation; and

21 “(ii) the qualifications of the apprais-
22 ers to value the type of collateral offered.

23 “(7) REPAYMENT OF CREDIT RISK PRE-
24 MIUMS.—The Secretary shall return credit risk pre-
25 miums paid, and interest accrued on such premiums;

1 to the original source when all obligations of a loan
 2 or loan guarantee have been satisfied. This para-
 3 graph applies to any project that has been granted
 4 assistance under this section after the date of enact-
 5 ment of the Surface Transportation Investment Act
 6 of 2021.”;

7 (6) in subsection (g), by amending paragraph
 8 (1) the read as follows:

9 “(1) repayment of the obligation is required to
 10 be made within a term that is not longer than the
 11 shorter of—

12 “(A) 75 years after the date of substantial
 13 completion of the project;

14 “(B) the estimated useful life of the rail
 15 equipment or facilities to be acquired, rehabili-
 16 tated, improved, developed, or established, sub-
 17 ject to an adequate determination of long-term
 18 risk; or

19 “(C) for projects determined to have an es-
 20 timated useful life that is longer than 35 years,
 21 the period that is equal to the sum of—

22 “(i) 35 years; and

23 “(ii) the product of—

1 “(I) the difference between the
2 estimated useful life and 35 years;
3 multiplied by

4 “(II) 75 percent.”;

5 (7) in subsection (h)—

6 (A) in paragraph (3)(B), by striking “sec-
7 tion 836 of this title” and inserting “section
8 22404”; and

9 (B) in paragraph (4), by striking
10 “(b)(1)(E)” and inserting “(b)(1)(F)”;

11 (8) in subsection (i)—

12 (A) by amending paragraph (4) to read as
13 follows:

14 “(4) STREAMLINE APPLICATION REVIEW PROC-
15 ESS.—

16 “(A) IN GENERAL.—Not later than 180
17 days after the date of enactment of the Surface
18 Transportation Investment Act of 2021, the
19 Secretary shall implement procedures and
20 measures to economize and make available an
21 expedited application process or processes at
22 the request of applicants seeking loans or loan
23 guarantees.

24 “(B) CRITERIA.—Applicants seeking loans
25 and loan guarantees under this section shall—

1 “(i) seek a total loan or loan guar-
2 antee value not exceeding \$150,000,000;

3 “(ii) meet eligible project purposes de-
4 scribed in subparagraphs (A) and (B) of
5 subsection (b)(1); and

6 “(iii) meet other criteria considered
7 appropriate by the Secretary, in consulta-
8 tion with the Council on Credit and Fi-
9 nance of the Department of Transpor-
10 tation.

11 “(C) EXPEDITED CREDIT REVIEW.—The
12 total period between the submission of an appli-
13 cation and the approval or disapproval of an
14 application for a direct loan or loan guarantee
15 under this paragraph may not exceed 90 days.
16 If an application review conducted under this
17 paragraph exceeds 90 days, the Secretary
18 shall—

19 “(i) provide written notice to the ap-
20 plicant, including a justification for the
21 delay and updated estimate of the time
22 needed for approval or disapproval; and

23 “(ii) publish the notice on the dash-
24 board described in paragraph (5).”;

25 (B) in paragraph (5)—

1 (i) in subparagraph (E), by striking
2 “and” at the end;

3 (ii) in subparagraph (F), by adding “;
4 and” at the end; and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(G) whether the project utilized the expe-
8 dited application process under paragraph
9 (4).”; and

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

11 “(6) CREDITWORTHINESS REVIEW STATUS.—

12 “(A) IN GENERAL.—The Secretary shall
13 maintain status information related to each ap-
14 plication for a loan or loan guarantee, which
15 shall be provided to the applicant upon request,
16 including—

17 “(i) the total value of the proposed
18 loan or loan guarantee;

19 “(ii) the name of the applicant or ap-
20 plicants submitting the application;

21 “(iii) the proposed capital structure of
22 the project to which the loan or loan guar-
23 antee would be applied, including the pro-
24 posed Federal and non-Federal shares of
25 the total project cost;

1 “(iv) the type of activity to receive
2 credit assistance, including whether the
3 project is new construction, the rehabilita-
4 tion of existing rail equipment or facilities,
5 or the refinancing an existing loan or loan
6 guarantee;

7 “(v) if a deferred payment is pro-
8 posed, the length of such deferment;

9 “(vi) the credit rating or ratings pro-
10 vided for the applicant;

11 “(vii) if other credit instruments are
12 involved, the proposed subordination rela-
13 tionship and a description of such other
14 credit instruments;

15 “(viii) a schedule for the readiness of
16 proposed investments for financing;

17 “(ix) a description of any Federal per-
18 mits required, including under the Na-
19 tional Environmental Policy Act of 1969
20 (42 U.S.C. 4321 et seq.) and any waivers
21 under section 5323(j) (commonly known as
22 the ‘Buy America Act’);

23 “(x) other characteristics of the pro-
24 posed activity to be financed, borrower, key
25 agreements, or the nature of the credit

1 that the Secretary considers to be funda-
2 mental to the creditworthiness review;

3 “(xi) the status of the application in
4 the pre-application review and selection
5 process;

6 “(xii) the cumulative amounts paid by
7 the Secretary to outside advisors related to
8 the application, including financial and
9 legal advisors;

10 “(xiii) a description of the key rating
11 factors used by the Secretary to determine
12 credit risk, including—

13 “(I) the factors used to deter-
14 mine risk for the proposed applica-
15 tion; and

16 “(II) an adjectival risk rating for
17 each identified factor, ranked as ei-
18 ther low, moderate, or high;

19 “(xiv) a nonbinding estimate of the
20 credit risk premium, which may be in the
21 form of—

22 “(I) a range, based on the assess-
23 ment of risk factors described in
24 clause (xiii); or

1 “(H) a justification for why the
2 estimate of the credit risk premium
3 cannot be determined based on avail-
4 able information; and

5 “(xv) a description of the key infor-
6 mation the Secretary needs from the appli-
7 cant to complete the credit review process
8 and make a final determination of the
9 credit risk premium.

10 “(B) REPORT UPON REQUEST.—The Sec-
11 retary shall provide the information described
12 in subparagraph (A) not later than 30 days
13 after a request from the applicant.

14 “(C) EXCEPTION.—Applications processed
15 using the streamline application review process
16 under paragraph (4) are not subject to the re-
17 quirements under this paragraph.”; and
18 (9) by adding at the end the following:

19 “(n) NON-FEDERAL SHARE.—The proceeds of a loan
20 provided under this section may be used as the non-Fed-
21 eral share of project costs for any grant program adminis-
22 tered by the Secretary if such loan is repayable from non-
23 Federal funds.”.

24 (c) ADMINISTRATION OF DIRECT LOANS AND LOAN
25 GUARANTEES.—Section 22403 of title 49, United States

1 Code, as added by subsection (a)(2), and amended by sub-
 2 section (a)(5), is further amended—

3 (1) in subsection (a)—

4 (A) by striking “The Secretary shall” and
 5 inserting the following:

6 “~~(1) IN GENERAL.—~~The Secretary shall”; and

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

8 “~~(2) DOCUMENTATION.—~~An applicant meeting
 9 the size standard for small business concerns estab-
 10 lished under section ~~3(a)(2)~~ of the Small Business
 11 Act (~~15 U.S.C. 632(a)(2)~~) may provide unaudited fi-
 12 nancial statements as documentation of historical fi-
 13 nancial information if such statements are accom-
 14 panied by the applicant’s Federal tax returns and
 15 Internal Revenue Service tax verifications for the
 16 corresponding years.”; and

17 (2) in subsection (m), by striking “section 822
 18 of this title” and inserting “section 22402”.

19 (f) ~~AUTHORIZATION OF APPROPRIATIONS.—~~Chapter
 20 224 of title 49, United States Code, as added by sub-
 21 section (a), and amended by subsections (b) through (e),
 22 is further amended by adding at the end the following:

23 “**§ 22405. Authorization of appropriations**

24 “(a) ~~AUTHORIZATION.—~~

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated for credit assistance under this chap-
3 ter, which shall be provided at the discretion of the
4 Secretary, \$50,000,000 for each of fiscal years 2022
5 through 2026.

6 “(2) REFUND OF PREMIUM.—There is author-
7 ized to be appropriated to the Secretary
8 \$70,000,000 to repay the credit risk premium in ac-
9 cordance with section 22402(f)(5).

10 “(3) AVAILABILITY.—Amounts appropriated
11 pursuant to this subsection shall remain available
12 until expended.

13 “(b) USE OF FUNDS.—

14 “(1) IN GENERAL.—Credit assistance provided
15 under subsection (a) may not exceed \$20,000,000
16 for any loan or loan guarantee.

17 “(2) ADMINISTRATIVE COSTS.—Not less than 3
18 percent of the amounts appropriated pursuant to
19 subsection (a) in each fiscal year shall be made
20 available to the Secretary for use in place of charges
21 collected under section 22403(1)(1) for passenger
22 railroads and freight railroads other than Class I
23 carriers.

24 “(3) SHORT LINE SET-ASIDE.—Not less than
25 50 percent of the amounts appropriated pursuant to

1 subsection (a)(1) for each fiscal year shall be set
 2 aside for freight railroads other than Class I ear-
 3 riers.”.

4 (g) CLERICAL AMENDMENT.—The analysis for title
 5 49, United States Code, is amended by inserting after the
 6 item relating to chapter 223 the following:

**“224. Railroad rehabilitation and improvement financ-
 ing22401”.**

7 (h) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) NATIONAL TRAILS SYSTEM ACT.—Section
 9 8(d) of the National Trails System Act (16 U.S.C.
 10 1247(d)) is amended by inserting “(45 U.S.C. 801
 11 et seq.) and chapter 224 of title 49, United States
 12 Code” after “1976”.

13 (2) PASSENGER RAIL REFORM AND INVEST-
 14 MENT ACT.—Section 11315(e) of the Passenger Rail
 15 Reform and Investment Act of 2015 (23 U.S.C. 322
 16 note; Public Law 114–94) is amended by striking
 17 “sections 502 and 503 of the Railroad Revitalization
 18 and Regulatory Reform Act of 1976” and inserting
 19 “sections 22402 and 22403 of title 49, United
 20 States Code”.

21 (3) PROVISIONS CLASSIFIED IN TITLE 45,
 22 UNITED STATES CODE.—

23 (A) RAILROAD REVITALIZATION AND REG-
 24 ULATORY REFORM ACT OF 1976.—Section 101

1 of the Railroad Revitalization and Regulatory
2 Reform Act of 1976 (45 U.S.C. 801) is amend-
3 ed—

4 (i) in subsection (a), in the matter
5 preceding paragraph (1), by striking “It is
6 the purpose of the Congress in this Act to”
7 and inserting “The purpose of this Act and
8 chapter 224 of title 49, United States
9 Code, is to”; and

10 (ii) in subsection (b), in the matter
11 preceding paragraph (1), by striking “It is
12 declared to be the policy of the Congress in
13 this Act” and inserting “The policy of this
14 Act and chapter 224 of title 49, United
15 States Code, is”.

16 (B) RAILROAD INFRASTRUCTURE FINANC-
17 ING IMPROVEMENT ACT.—The Railroad Infra-
18 structure Financing Improvement Act (subtitle
19 F of title XI of Public Law 114–94)—

20 (i) in section 11607(b) (45 U.S.C.
21 821 note), by striking “All provisions
22 under sections 502 through 504 of the
23 Railroad Revitalization and Regulatory Re-
24 form Act of 1976 (45 U.S.C. 801 et seq.)”
25 and inserting “All provisions under section

1 22402 through 22404 of title 49, United
2 States Code,”; and

3 (ii) in section 11610(b) (45 U.S.C.
4 821 note), by striking “section 502(f) of
5 the Railroad Revitalization and Regulatory
6 Reform Act of 1976 (45 U.S.C. 822(f)), as
7 amended by section 11607 of this Act”
8 and inserting “section 22402(f) of title 49,
9 United States Code”.

10 (C) TRANSPORTATION EQUITY ACT FOR
11 THE 21ST CENTURY.—Section 7203(b)(2) of the
12 Transportation Equity Act for the 21st Century
13 (Public Law 105–178; 45 U.S.C. 821 note) is
14 amended by striking “title V of the Railroad
15 Revitalization and Regulatory Reform Act of
16 1976 (45 U.S.C. 821 et seq.)” and inserting
17 “chapter 224 of title 49, United States Code”.

18 (D) HAMM ALERT MARITIME SAFETY ACT
19 OF 2018.—Section 212(d)(1) of Hamm Alert
20 Maritime Safety Act of 2018 (title II of Public
21 Law 115–265; 45 U.S.C. 822 note) is amended,
22 in the matter preceding subparagraph (A), by
23 striking “for purposes of section 502(f)(4) of
24 the Railroad Revitalization and Regulatory Re-
25 form Act of 1976 (45 U.S.C. 822(f)(4))” and

1 inserting “for purposes of section 22402 of title
2 49, United States Code”.

3 (E) MILWAUKEE RAILROAD RESTRUC-
4 TURING ACT.—Section 15(f) of the Milwaukee
5 Railroad Restructuring Act (45 U.S.C. 914(f))
6 is amended by striking “Section 516 of the
7 Railroad Revitalization and Regulatory Reform
8 Act of 1976 (45 U.S.C. 836)” and inserting
9 “Section 22404 of title 49, United States
10 Code,”.

11 (F) ROCK ISLAND RAILROAD TRANSITION
12 AND EMPLOYEE ASSISTANCE ACT.—Section
13 104(b) of the Rock Island Railroad Transition
14 and Employee Assistance Act (45 U.S.C.
15 1003(b)) is amended—

16 (i) in paragraph (1)—

17 (I) by striking “title V of the
18 Railroad Revitalization and Regu-
19 latory Reform Act of 1976 (45 U.S.C.
20 821 et seq.)” and inserting “chapter
21 224 of title 49, United States Code,”;
22 and

23 (II) by striking “and section
24 18(b) of the Milwaukee Railroad Re-
25 structuring Act”; and

1 (ii) in paragraph (2), by striking
 2 “title V of the Railroad Revitalization and
 3 Regulatory Reform Act of 1976, and sec-
 4 tion 516 of such Act (45 U.S.C. 836)” and
 5 inserting “chapter 224 of title 49, United
 6 States Code, including section 22404 of
 7 such title.”

8 (G) PASSENGER RAIL INVESTMENT AND
 9 IMPROVEMENT ACT OF 2008.—Section 205(g) of
 10 the Passenger Rail Investment and Improve-
 11 ment Act of 2008 (division B of Public Law
 12 110–432; 49 U.S.C. 24101 note) is amended by
 13 striking “title V of the Railroad Revitalization
 14 and Regulatory Reform Act of 1976 (45 U.S.C.
 15 821 et seq.)” and inserting “chapter 224 of
 16 title 49, United States Code”.

17 (H) PASSENGER RAIL REFORM AND IN-
 18 VESTMENT ACT OF 2015.—Section 11311(d) of
 19 the Passenger Rail Reform and Investment Act
 20 of 2015 (Public Law 114–94; 49 U.S.C. 20101
 21 note) is amended by striking “; and section 502
 22 of the Railroad Revitalization and Regulatory
 23 Reform Act of 1976 (45 U.S.C. 822)”.

24 (4) TITLE 49.—

1 (A) NATIONAL SURFACE TRANSPORTATION
2 AND INNOVATIVE FINANCE BUREAU.—Section
3 116(d)(1)(B) of title 49, United States Code, is
4 amended by striking “sections 501 through 503
5 of the Railroad Revitalization and Regulatory
6 Reform Act of 1976 (45 U.S.C. 821–823)” and
7 inserting “sections 22401 through 22403”.

8 (B) PROHIBITED DISCRIMINATION.—See-
9 tion 306(b) of title 49, United States Code, is
10 amended—

11 (i) by striking “chapter 221 or 249 of
12 this title,” and inserting “chapter 221,
13 224, or 249 of this title, or”; and

14 (ii) by striking “, or title V of the
15 Railroad Revitalization and Regulatory Re-
16 form Act of 1976 (45 U.S.C. 821 et
17 seq.)”.

18 (C) GRANT CONDITIONS.—Section
19 22905(e)(2)(B) of title 49, United States Code,
20 is amended by striking “section 504 of the Rail-
21 road Revitalization and Regulatory Reform Act
22 of 1976 (45 U.S.C. 836)” and inserting “sec-
23 tion 22404”.

24 (D) AMTRAK AUTHORITY.—Section 24903
25 of title 49, United States Code, is amended—

1 (i) in subsection (a)(6), by striking
 2 “and the Railroad Revitalization and Reg-
 3 ulatory Reform Act of 1976 (45 U.S.C.
 4 801 et seq.)” and inserting “, the Railroad
 5 Revitalization and Regulatory Reform Act
 6 of 1976 (45 U.S.C. 801 et seq.); and chap-
 7 ter 224 of this title”; and

8 (ii) in subsection (e)(2), by striking
 9 “and the Railroad Revitalization and Reg-
 10 ulatory Reform Act of 1976 (45 U.S.C.
 11 801 et seq.)” and inserting “, the Railroad
 12 Revitalization and Regulatory Reform Act
 13 of 1976 (45 U.S.C. 801 et seq.); and chap-
 14 ter 224 of this title”.

15 **SEC. 1302. SUBSTANTIVE CRITERIA AND STANDARDS.**

16 Not later than 180 days after the date of enactment
 17 of this Act, the Secretary shall update the publicly avail-
 18 able credit program guide in accordance with the provi-
 19 sions of chapter 224 of title 49, United States Code, as
 20 added by section 1301.

21 **SEC. 1303. SEMIANNUAL REPORT ON TRANSIT-ORIENTED**
 22 **DEVELOPMENT ELIGIBILITY.**

23 Not later than 6 months after the date of enactment
 24 of this Act, and every 6 months thereafter, the Secretary
 25 shall submit a report to the Committee on Commerce,

1 Science, and Transportation of the Senate and the Com-
 2 mittee on Transportation and Infrastructure of the House
 3 of Representatives that identifies—

4 (1) the number of applications submitted to the
 5 Department for a direct loan or loan guarantee
 6 under section 22402(b)(1)(E) of title 49, United
 7 States Code, as amended by section 1301;

8 (2) the number of such loans or loan guaran-
 9 tees that were provided to the applicants; and

10 (3) for each such application, the reasons for
 11 providing or declining to provide the requested loan
 12 or loan guarantee.

13 **TITLE H—RAIL**

14 **SEC. 2001. SHORT TITLE.**

15 This title may be cited as the “Passenger Rail Expan-
 16 sion and Rail Safety Act of 2021”.

17 **Subtitle A—Authorization of** 18 **Appropriations**

19 **SEC. 2101. GRANTS TO AMTRAK.**

20 (a) **NORTHEAST CORRIDOR.**—There are authorized
 21 to be appropriated to the Secretary for grants to Amtrak
 22 for activities associated with the Northeast Corridor the
 23 following amounts:

24 (1) For fiscal year 2022, \$1,570,000,000.

25 (2) For fiscal year 2023, \$1,100,000,000.

1 (3) For fiscal year 2024, \$1,200,000,000.

2 (4) For fiscal year 2025, \$1,300,000,000.

3 (5) For fiscal year 2026, \$1,400,000,000.

4 (b) NATIONAL NETWORK.—There are authorized to
5 be appropriated to the Secretary for grants to Amtrak for
6 activities associated with the National Network the fol-
7 lowing amounts:

8 (1) For fiscal year 2022, \$2,300,000,000.

9 (2) For fiscal year 2023, \$2,200,000,000.

10 (3) For fiscal year 2024, \$2,450,000,000.

11 (4) For fiscal year 2025, \$2,700,000,000.

12 (5) For fiscal year 2026, \$3,000,000,000.

13 (c) OVERSIGHT.—The Secretary may withhold up to
14 0.5 percent from the amount appropriated for each fiscal
15 year pursuant to subsections (a) and (b) for the costs of
16 oversight of Amtrak.

17 (d) STATE-SUPPORTED ROUTE COMMITTEE.—The
18 Secretary may withhold up to \$3,000,000 from the
19 amount appropriated for each fiscal year pursuant to sub-
20 section (b) for use by the State-Supported Route Com-
21 mittee established under section 24712(a) of title 49,
22 United States Code.

23 (e) NORTHEAST CORRIDOR COMMISSION.—The Sec-
24 retary may withhold up to \$6,000,000 from the amount
25 appropriated for each fiscal year pursuant to subsection

1 (a) for use by the Northeast Corridor Commission estab-
2 lished under section 24905(a) of title 49, United States
3 Code.

4 (f) INTERSTATE RAIL COMPACTS.—The Secretary
5 may withhold up to \$3,000,000 from the amount appro-
6 priated for each fiscal year pursuant to subsection (b) for
7 grants authorized under section 22910 of title 49, United
8 States Code.

9 (g) ACCESSIBILITY UPGRADES.—

10 (1) IN GENERAL.—The Secretary shall withhold
11 \$50,000,000 from the amount appropriated for each
12 fiscal year pursuant to subsections (a) and (b) for
13 grants to assist Amtrak in financing capital projects
14 to upgrade the accessibility of the national rail pas-
15 senger transportation system by increasing the num-
16 ber of existing facilities that are compliant with the
17 requirements under the Americans with Disabilities
18 Act of 1990 (42 U.S.C. 12101 et seq.) until the Sec-
19 retary determines Amtrak’s existing facilities are in
20 compliance with such requirements.

21 (2) SAVINGS PROVISION.—Nothing in para-
22 graph (1) may be construed to prevent Amtrak from
23 using additional funds appropriated pursuant to this
24 section to carry out the activities authorized under
25 such paragraph.

1 (h) CORRIDOR DEVELOPMENT.—In addition to the
 2 activities authorized under subsection (b), Amtrak may
 3 use up to 10 percent of the amounts appropriated under
 4 subsection (b) in each fiscal year to support Amtrak-oper-
 5 ated corridors selected under section 2306 for—

6 (1) planning and capital costs; and

7 (2) operating assistance consistent with the
 8 Federal funding limitations under section 22908 of
 9 title 49, United States Code.

10 **SEC. 2102. FEDERAL RAILROAD ADMINISTRATION.**

11 (a) SAFETY AND OPERATIONS.—There are author-
 12 ized to be appropriated to the Secretary for the operations
 13 of the Federal Railroad Administration and to carry out
 14 railroad safety activities the following amounts:

15 (1) For fiscal year 2022, \$248,000,000.

16 (2) For fiscal year 2023, \$254,000,000.

17 (3) For fiscal year 2024, \$263,000,000.

18 (4) For fiscal year 2025, \$271,000,000.

19 (5) For fiscal year 2026, \$279,000,000.

20 (b) RAILROAD RESEARCH AND DEVELOPMENT.—

21 There are authorized to be appropriated to the Secretary
 22 for the use of the Federal Railroad Administration for ac-
 23 tivities associated with railroad research and development
 24 the following amounts:

25 (1) For fiscal year 2022, \$43,000,000.

1 (2) For fiscal year 2023, \$44,000,000.

2 (3) For fiscal year 2024, \$45,000,000.

3 (4) For fiscal year 2025, \$46,000,000.

4 (5) For fiscal year 2026, \$47,000,000.

5 (e) TRANSPORTATION TECHNOLOGY CENTER.—The
6 Secretary may withhold up to \$3,000,000 from the
7 amount appropriated for each fiscal year pursuant to sub-
8 section (b) for activities authorized under section
9 20108(d) of title 49, United States Code.

10 (d) RAIL RESEARCH AND DEVELOPMENT CENTER OF
11 EXCELLENCE.—The Secretary may withhold up to 10 per-
12 cent of the amount appropriated for each fiscal year under
13 subsection (b) for grants authorized under section
14 20108(j) of title 49, United States Code.

15 **SEC. 2103. CONSOLIDATED RAIL INFRASTRUCTURE AND**
16 **SAFETY IMPROVEMENTS GRANTS.**

17 (a) IN GENERAL.—There is authorized to be appro-
18 priated to the Secretary for grants under section 22907
19 of title 49, United States Code, \$1,000,000,000 for each
20 of fiscal years 2022 through 2026.

21 (b) OVERSIGHT.—The Secretary may withhold up to
22 2 percent from the amount appropriated for each fiscal
23 year pursuant to subsection (a) for the costs of project
24 management oversight of grants authorized under title 49,
25 United States Code.

1 **SEC. 2104. RAILROAD CROSSING ELIMINATION PROGRAM.**

2 (a) ~~IN GENERAL.~~—There is authorized to be appro-
 3 priated to the Secretary for grants under section 22909
 4 of title 49, United States Code, as added by section 2305,
 5 \$500,000,000 for each of fiscal years 2022 through 2026.

6 (b) ~~PLANNING PROJECTS.~~—Not less than 3 percent
 7 of the amount appropriated in each fiscal year pursuant
 8 to subsection (a) year shall be used for planning projects
 9 described in section 22909(d)(6) of title 49, United States
 10 Code.

11 (c) ~~HIGHWAY-RAIL GRADE CROSSING SAFETY IN-~~
 12 ~~FORMATION AND EDUCATION PROGRAM.~~—Of the amount
 13 appropriated under subsection (a) in each fiscal year, 0.25
 14 percent shall be used for contracts or grants to carry out
 15 a highway-rail grade crossing safety information and edu-
 16 cation program—

17 (1) to help prevent and reduce pedestrian,
 18 motor vehicle, and other accidents, incidents, inju-
 19 ries, and fatalities; and

20 (2) to improve awareness along railroad rights-
 21 of-way and at highway-rail grade crossings.

22 (d) ~~OVERSIGHT.~~—The Secretary may withhold up to
 23 2 percent from the amount appropriated for each fiscal
 24 year pursuant to subsection (a) for the costs of project
 25 management oversight of grants authorized under title 49,
 26 United States Code.

1 **SEC. 2105. RESTORATION AND ENHANCEMENT GRANTS.**

2 (a) IN GENERAL.—There is authorized to be appro-
 3 priated to the Secretary for grants under section 22908
 4 of title 49, United States Code, \$50,000,000 for each of
 5 fiscal years 2022 through 2026.

6 (b) OVERSIGHT.—The Secretary may withhold up to
 7 1 percent of the amount appropriated for each fiscal year
 8 pursuant to subsection (a) for the costs of project manage-
 9 ment oversight of grants authorized under section 22908
 10 of title 49, United States Code.

11 **SEC. 2106. FEDERAL-STATE PARTNERSHIP FOR INTERCITY**
 12 **PASSENGER RAIL GRANTS.**

13 (a) IN GENERAL.—There is authorized to be appro-
 14 priated to the Secretary for grants under section 24911
 15 of title 49, United States Code, \$1,500,000,000 for each
 16 of fiscal years 2022 through 2026.

17 (b) OVERSIGHT.—The Secretary may withhold up to
 18 2 percent of the amount appropriated under subsection
 19 (a) for the costs of project management oversight of
 20 grants authorized under title 49, United States Code.

21 **SEC. 2107. AMTRAK OFFICE OF INSPECTOR GENERAL.**

22 There are authorized to be appropriated to the Office
 23 of Inspector General of Amtrak the following amounts:

- 24 (1) For fiscal year 2022, \$26,500,000.
 25 (2) For fiscal year 2023, \$27,000,000.
 26 (3) For fiscal year 2024, \$27,500,000.

1 (4) For fiscal year 2025, \$28,000,000.

2 (5) For fiscal year 2026, \$28,500,000.

3 **Subtitle B—Amtrak Reforms**

4 **SEC. 2201. AMTRAK FINDINGS, MISSION, AND GOALS.**

5 (a) FINDINGS.—Section 24101(a) of title 49, United
6 States Code, is amended—

7 (1) in paragraph (1), by striking “between
8 crowded urban areas and in other areas of” and in-
9 serting “throughout”;

10 (2) in paragraph (4), by striking “to Amtrak to
11 achieve a performance level sufficient to justify ex-
12 pending public money” and inserting “in order to
13 meet the intercity passenger rail needs of the United
14 States”;

15 (3) in paragraph (5)—

16 (A) by inserting “intercity passenger and”
17 before “commuter”; and

18 (B) by inserting “and rural” after “major
19 urban;” and

20 (4) by adding at the end the following:

21 “(9) Long-distance routes are valuable resources of
22 the United States that are used by rural and urban com-
23 munities.”.

24 (b) GOALS.—Section 24101(c) of title 49, United
25 States Code, is amended—

1 (1) by amending paragraph (1) to read as fol-
2 lows:

3 “~~(1)~~ use its best business judgment in acting to
4 maximize the benefits of Federal investments, in-
5 cluding—

6 “~~(A)~~ offering competitive fares;

7 “~~(B)~~ increasing revenue from the transpor-
8 tation of mail and express;

9 “~~(C)~~ offering food service that meets the
10 needs of its customers;

11 “~~(D)~~ improving its contracts with rail ear-
12 riers over whose tracks Amtrak operates;

13 “~~(E)~~ controlling or reducing management
14 and operating costs; and

15 “~~(F)~~ providing economic benefits to the
16 communities it serves;”;

17 (2) in paragraph (11), by striking “and” at the
18 end;

19 (3) in paragraph (12), by striking the period at
20 the end and inserting “; and”; and

21 (4) by adding at the end the following:

22 “~~(13)~~ support and maintain established long-
23 distance routes to provide value to the Nation by
24 serving customers throughout the United States and
25 connecting urban and rural communities.”.

1 (e) INCREASING REVENUES.—Section 24101(d) of
 2 title 49, United States Code, is amended to read as fol-
 3 lows:

4 “(d) INCREASING REVENUES.—Amtrak is encour-
 5 aged to make agreements with private sector entities and
 6 to undertake initiatives that are consistent with good busi-
 7 ness judgment and designed to generate additional reve-
 8 nues to advance the goals described in subsection (e).”.

9 **SEC. 2202. COMPOSITION OF AMTRAK’S BOARD OF DIREC-**
 10 **TORS.**

11 (a) SELECTION; COMPOSITION; CHAIR.—Section
 12 24302(a) of title 49, United States Code, is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (B), by striking
 15 “President” and inserting “Chief Executive Of-
 16 ficer”; and

17 (B) in subparagraph (C), by striking “or
 18 a” and inserting “(including individuals with
 19 disabilities) or of a”;

20 (2) in paragraph (2), by striking “and try to
 21 provide adequate and balanced representation of the
 22 major geographic regions of the United States
 23 served by Amtrak”;

24 (3) by redesignating paragraph (5) as para-
 25 graph (7); and

1 (4) by striking paragraph (4) and inserting the
2 following:

3 “~~(4) Of the individuals appointed pursuant to~~
4 ~~paragraph (1)(C)—~~

5 “~~(A) 2 individuals shall reside in or near~~
6 ~~a location served by a regularly scheduled Am-~~
7 ~~trak service along the Northeast Corridor;~~

8 “~~(B) 4 individuals shall reside in or near~~
9 ~~regions of the United States that are geographi-~~
10 ~~cally distributed outside of the Northeast Cor-~~
11 ~~ridor, of whom—~~

12 “~~(i) 2 individuals shall reside in~~
13 ~~States served by a long-distance route op-~~
14 ~~erated by Amtrak;~~

15 “~~(ii) 2 individuals shall reside in~~
16 ~~States served by State-supported routes~~
17 ~~operated by Amtrak; and~~

18 “~~(iii) an individual who resides in a~~
19 ~~State that is served by a State-supported~~
20 ~~route and a long-distance route may be ap-~~
21 ~~pointed to serve either position referred to~~
22 ~~in clauses (i) and (ii);~~

23 “~~(C) 2 individuals shall reside either—~~

1 “(i) in or near a location served by a
2 regularly scheduled Amtrak service on the
3 Northeast Corridor; or

4 “(ii) in a State served by long-dis-
5 tance or State-supported routes; and

6 “(D) each individual appointed to the
7 Board pursuant to this paragraph may only fill
8 1 of the allocations set forth in subparagraphs
9 (A) through (C).

10 “(5) The Board shall elect a chairperson and
11 vice chairperson, other than the Chief Executive Of-
12 ficer of Amtrak, from among its membership. The
13 vice chairperson shall act as chairperson in the ab-
14 sence of the chairperson.

15 “(6) The Board shall meet at least annually
16 with—

17 “(A) representatives of Amtrak employees;

18 “(B) representatives of persons with dis-
19 abilities; and

20 “(C) the general public, in an open meet-
21 ing with a virtual attendance option, to discuss
22 financial performance and service results.”.

23 (b) **RULE OF CONSTRUCTION.**—None of the amend-
24 ments made by subsection (a) may be construed as affect-
25 ing the term of any director serving on the Amtrak Board

1 of Directors under section 24302(a)(1)(C) of title 49,
 2 United States Code, as of the date of enactment of this
 3 Act.

4 **SEC. 2203. STATION AGENTS.**

5 Section 24312 of title 49, United States Code, is
 6 amended by adding at the end the following:

7 “(e) AVAILABILITY OF STATION AGENTS.—

8 “(1) IN GENERAL.—Except as provided in para-
 9 graph (2), beginning on the date that is 1 year after
 10 the date of enactment of the Passenger Rail Expans-
 11 sion and Rail Safety Act of 2021, Amtrak shall en-
 12 sure that at least 1 Amtrak ticket agent is employed
 13 at each station building—

14 “(A) that Amtrak owns, or operates service
 15 through, as part of a long-distance or Northeast
 16 Corridor passenger service route;

17 “(B) where at least 1 Amtrak ticket agent
 18 was employed on or after October 1, 2017; and

19 “(C) for which an average of 40 pas-
 20 sengers boarded or deboarded an Amtrak vehi-
 21 cle per day during all of the days in fiscal year
 22 2017 when the station was serviced by Amtrak,
 23 regardless of the number of Amtrak vehicles
 24 servicing the station per day.

1 “(2) EXCEPTION.—Paragraph (1) shall not
2 apply to any station building in which a commuter
3 rail ticket agent has the authority to sell Amtrak
4 tickets.”.

5 **SEC. 2204. INCREASING OVERSIGHT OF CHANGES TO AM-**
6 **TRAK LONG-DISTANCE ROUTES AND OTHER**
7 **INTERCITY SERVICES.**

8 (a) **AMTRAK ANNUAL OPERATIONS REPORT.**—Sec-
9 tion 24315(a)(1) of title 49, United States Code, is
10 amended—

11 (1) in subparagraph (G), by striking “and” at
12 the end;

13 (2) in subparagraph (H), by adding “and” at
14 the end; and

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

16 “(I) any change made to a route’s or serv-
17 ice’s frequency or station stops;”.

18 (b) **5-YEAR BUSINESS LINE PLANS.**—Section
19 24320(b)(2) of title 49, United States Code, is amended—

20 (1) by redesignating subparagraphs (B)
21 through (L) as subparagraphs (C) through (M), re-
22 spectively; and

23 (2) by inserting after subparagraph (A) the fol-
24 lowing:

1 “(B) a detailed description of any plans to
2 permanently change a route’s or service’s fre-
3 quency or station stops for the service line;”.

4 **SEC. 2205. IMPROVED OVERSIGHT OF AMTRAK ACCOUNT-**
5 **ING.**

6 Section 24317 of title 49, United States Code, is
7 amended—

8 (1) in subsection (a)(2), by striking “and costs
9 among Amtrak business lines” and inserting “, in-
10 cluding Federal grant funds, and costs among Am-
11 trak service lines”;

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) ACCOUNT STRUCTURE.—

15 “(1) IN GENERAL.—The Secretary of Transpor-
16 tation, in consultation with Amtrak, shall define,
17 maintain, and periodically update an account struc-
18 ture and improvements to accounting methodologies,
19 as necessary, to support the Northeast Corridor and
20 the National Network.

21 “(2) NOTIFICATION OF SUBSTANTIVE
22 CHANGES.—The Secretary shall notify the Com-
23 mittee on Commerce, Science, and Transportation of
24 the Senate, the Committee on Appropriations of the
25 Senate, the Committee on Transportation and Infra-

1 structure of the House of Representatives, and the
2 Committee on Appropriations of the House of Rep-
3 resentatives regarding any substantive changes made
4 to the account structure, including changes to—

5 “(A) the service lines described in section
6 24320(b)(1); and

7 “(B) the asset lines described in section
8 24320(e)(1).”;

9 (3) in subsection (e), in the matter preceding
10 paragraph (1), by inserting “, maintaining, and up-
11 dating” after “defining”;

12 (4) in subsection (d), in the matter preceding
13 paragraph (1), by inserting “, maintaining, and up-
14 dating” after “defining”;

15 (5) by amending subsection (e) to read as fol-
16 lows:

17 “(e) IMPLEMENTATION AND REPORTING.—

18 “(1) IN GENERAL.—Amtrak, in consultation
19 with the Secretary of Transportation, shall maintain
20 and implement any account structures and improve-
21 ments defined under subsection (b) to enable Am-
22 trak to produce sources and uses statements for
23 each of the service lines described in section
24 24320(b)(1) and, as appropriate, each of the asset
25 lines described in section 24320(e)(1), that identify

1 sources and uses of revenues, appropriations, and
2 transfers between accounts.

3 ~~“(2) UPDATED SOURCES AND USES STATE-~~
4 ~~MENTS.—Not later than 30 days after the imple-~~
5 ~~mentation of subsection (b), and monthly thereafter,~~
6 ~~Amtrak shall submit to the Secretary of Transpor-~~
7 ~~tation updated sources and uses statements for each~~
8 ~~of the service lines and asset lines referred to in~~
9 ~~paragraph (1). The Secretary and Amtrak may~~
10 ~~agree to a different frequency of reporting.”;~~

11 (6) by striking subsection (h); and

12 (7) by redesignating subsection (i) as subsection
13 (h).

14 **SEC. 2206. IMPROVED OVERSIGHT OF AMTRAK SPENDING.**

15 (a) ~~ALLOCATION OF COSTS AND REVENUES.—Sec-~~
16 ~~tion 24318(a) of title 49, United States Code, is amended~~
17 ~~by striking “Not later than 180 days after the date of~~
18 ~~enactment of the Passenger Rail Reform and Investment~~
19 ~~Act of 2015.”.~~

20 (b) ~~GRANT PROCESS AND REPORTING.—Section~~
21 ~~24319 of title 49, United States Code, is amended—~~

22 (1) in the section heading, by inserting “**and**
23 **reporting**” after “**process**”;

24 (2) by amending subsection (a) to read as fol-
25 lows:

1 “(a) PROCEDURES FOR GRANT REQUESTS.—The
2 Secretary of Transportation shall—

3 “(1) establish and maintain substantive and
4 procedural requirements, including schedules, for
5 grant requests under this section; and

6 “(2) report any changes to such procedures
7 to—

8 “(A) the Committee on Commerce,
9 Science, and Transportation of the Senate;

10 “(B) the Committee on Appropriations of
11 the Senate;

12 “(C) the Committee on Transportation and
13 Infrastructure of the House of Representatives;
14 and

15 “(D) the Committee on Appropriations of
16 the House of Representatives.”;

17 “(3) by amending subsection (c) to read as fol-
18 lows:

19 “(c) CONTENTS.—

20 “(1) IN GENERAL.—Each grant request under
21 subsection (b) shall, as applicable—

22 “(A) categorize and identify, by source, the
23 Federal funds and program income that will be
24 used for the upcoming fiscal year for each of
25 the Northeast Corridor and National Network

1 in 1 of the categories or subcategories set forth
2 in paragraph (2);

3 “(B) describe the operations, services, pro-
4 grams, projects, and other activities to be fund-
5 ed within each of the categories set forth in
6 paragraph (2), including—

7 “(i) the estimated scope, schedule,
8 and budget necessary to complete each
9 project and program; and

10 “(ii) the performance measures used
11 to quantify expected and actual project
12 outcomes and benefits, aggregated by fiscal
13 year, project milestone, and any other ap-
14 propriate grouping; and

15 “(C) describe the status of efforts to im-
16 prove Amtrak’s safety culture.

17 “(2) GRANT CATEGORIES.—

18 “(A) OPERATING EXPENSES.—Each grant
19 request to use Federal funds for operating ex-
20 penses shall—

21 “(i) include estimated net operating
22 costs not covered by other Amtrak revenue
23 sources;

1 “(ii) specify Federal funding re-
2 requested for each service line described in
3 section 24320(b)(1); and

4 “(iii) be itemized by route.

5 “(B) DEBT SERVICE.—A grant request to
6 use Federal funds for expenses related to debt,
7 including payment of principle and interest, as
8 allowed under section 205 of the Passenger Rail
9 Investment and Improvement Act of 2008
10 (Public Law 110-432; 49 U.S.C. 24101 note).

11 “(C) CAPITAL.—A grant request to use
12 Federal funds and program income for capital
13 expenses shall include capital projects and pro-
14 grams primarily associated with—

15 “(i) normalized capital replacement
16 programs, including regularly recurring
17 work programs implemented on a system-
18 atic basis on classes of physical railroad
19 assets, such as track, structures, electric
20 traction and power systems, rolling stock,
21 and communications and signal systems, to
22 maintain and sustain the condition and
23 performance of such assets to support con-
24 tinued railroad operations;

1 “(ii) improvement projects to support
2 service and safety enhancements, including
3 discrete projects implemented in accord-
4 ance with a fixed scope, schedule, and
5 budget that result in enhanced or new in-
6 frastructure, equipment, or facilities;

7 “(iii) backlog capital replacement
8 projects, including discrete projects imple-
9 mented in accordance with a fixed scope,
10 schedule, and budget that primarily replace
11 or rehabilitate major infrastructure assets,
12 including tunnels, bridges, stations, and
13 similar assets, to reduce the state of good
14 repair backlog on the Amtrak network;

15 “(iv) strategic initiative projects, in-
16 cluding discrete projects implemented in
17 accordance with a fixed scope, schedule,
18 and budget that primarily improve overall
19 operational performance, lower costs, or
20 otherwise improve Amtrak’s corporate effi-
21 ciency; and

22 “(v) statutory, regulatory, or other le-
23 gally mandated projects, including discrete
24 projects implemented in accordance with a
25 fixed scope, schedule, and budget that en-

1 able Amtrak to fulfill specific legal or regu-
2 latory mandates.

3 “(D) CONTINGENCY.—A grant request to
4 use Federal funds for operating and capital ex-
5 pense contingency shall include—

6 “(i) contingency levels for specified
7 activities and operations; and

8 “(ii) a process for the utilization of
9 such contingency.

10 “(3) MODIFICATION OF CATEGORIES.—The
11 Secretary of Transportation and Amtrak may jointly
12 agree to modify the categories set forth in paragraph
13 (2) if such modifications are necessary to improve
14 the transparency, oversight, or delivery of projects
15 funded through grant requests under this section.”;

16 (4) in subsection (d)(1)(A)—

17 (A) by inserting “complete” after “submits
18 a”;

19 (B) by striking “shall complete” and in-
20 serting “shall finish”; and

21 (C) in clause (ii), by striking “incomplete
22 or”;

23 (5) in subsection (e)—

24 (A) in paragraph (1)—

1 (i) by striking “and other activities to
2 be funded by the grant” and inserting
3 “programs, projects, and other activities to
4 be funded by the grant, consistent with the
5 categories required for Amtrak in a grant
6 request under subsection (c)(1)(A)”;

7 (ii) by striking “or activities” and in-
8 serting “programs, projects, and other ac-
9 tivities”;

10 (B) in paragraph (3)—

11 (i) by redesignating subparagraphs
12 (A) and (B) as subparagraphs (B) and
13 (C), respectively; and

14 (ii) by inserting before subparagraph
15 (B), as redesignated, the following:

16 “(A) using an otherwise allowable ap-
17 proach to the method prescribed for a specific
18 project or category of projects under paragraph
19 (2) if the Secretary and Amtrak agree that a
20 different payment method is necessary to more
21 successfully implement and report on an oper-
22 ation, service, program, project, or other activ-
23 ity;”;

24 (6) by redesignating subsection (h) as sub-
25 section (j); and

1 (7) by inserting after subsection (g) the fol-
2 lowing:

3 “(h) APPLICABLE LAWS AND REGULATIONS.—

4 “(1) SINGLE AUDIT ACT OF 1984.—Notwith-
5 standing section 24301(a)(3) of this title and section
6 7501(a)(13) of title 31, Amtrak shall be deemed a
7 ‘non-Federal entity’ for purposes of chapter 75 of
8 title 31.

9 “(2) REGULATIONS AND GUIDANCE.—The Sec-
10 retary of Transportation may apply some or all of
11 the requirements set forth in the regulations and
12 guidance promulgated by the Secretary relating to
13 the management, administration, cost principles, and
14 audit requirements for Federal awards.

15 “(i) AMTRAK GRANT REPORTING.—The Secretary of
16 Transportation shall determine the varying levels of detail
17 and information that will be included in reports for oper-
18 ations, services, program, projects, program income, cash
19 on hand, and other activities within each of the grant cat-
20 egories described in subsection (e)(2).”.

21 (c) CONFORMING AMENDMENTS.—

22 (1) REPORTS AND AUDITS.—Section
23 24315(b)(1) of title 49, United States Code, is
24 amended—

1 (A) in subparagraph (A), by striking “the
2 goal of section 24902(b) of this title; and” and
3 inserting “the goal described in section
4 24902(a);”;

5 (B) in subparagraph (B), by striking the
6 period at the end and inserting “; and”; and

7 (C) by adding at the end the following:

8 “(C) shall incorporate the categories de-
9 scribed in section 24319(e)(2).”.

10 (2) CLERICAL AMENDMENT.—The analysis for
11 chapter 243 of title 49, United States Code, is
12 amended by striking the item relating to section
13 24319 and inserting the following:

“24319. Grant process and reporting.”.

14 **SEC. 2207. INCREASING SERVICE LINE AND ASSET LINE**
15 **PLAN TRANSPARENCY.**

16 (a) IN GENERAL.—Section 24320 of title 49, United
17 States Code, is amended—

18 (1) in the section heading, by striking “**busi-**
19 **ness line and asset plans**” and inserting
20 “**service line and asset line plans**”;

21 (2) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “of each year” and in-
24 serting “, 2020, and biennially thereafter”;

1 (ii) by striking “5-year business line
2 plans and 5-year asset plans” and insert-
3 ing “5-year service line plans and 5-year
4 asset line plans”; and

5 (iii) by adding at the end the fol-
6 lowing: “During each year in which Am-
7 trak is not required to submit a plan under
8 this paragraph, Amtrak shall submit to
9 Congress updated financial sources and
10 uses statements and forecasts with the an-
11 nual report required under section
12 24315(b).”; and

13 (B) in paragraph (2), by striking “asset
14 plan required in” and inserting “asset line plan
15 required under”;

16 (3) in subsection (b)—

17 (A) in the subsection heading, by striking
18 “BUSINESS” and inserting “SERVICE”;

19 (B) in paragraph (1)—

20 (i) in the paragraph heading, by strik-
21 ing “BUSINESS” and inserting “SERVICE”;

22 (ii) by striking “business” each place
23 such term appears and inserting “service”;

24 (iii) by amending subparagraph (B) to
25 read as follows:

1 “(B) Amtrak State-supported train serv-
2 ices.”;

3 (iv) in subparagraph (C), by striking
4 “routes” and inserting “train services”;
5 and

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

7 “(E) Infrastructure access services for use
8 of Amtrak-owned or Amtrak-controlled infra-
9 structure and facilities.”;

10 (C) in paragraph (2)—

11 (i) in the paragraph heading, by strik-
12 ing “BUSINESS” and inserting “SERVICE”;

13 (ii) by striking “business” each place
14 such term appears and inserting “service”;

15 (iii) in subparagraph (A), by striking
16 “Strategic Plan and 5-year asset plans”
17 and inserting “5-year asset line plans”;

18 (iv) in subparagraph (F) (as redesign-
19 ated by section 2204(b)(1)), by striking
20 “profit and loss” and inserting “sources
21 and uses”;

22 (v) by striking subparagraph (G) (as
23 redesignated by section 2204(b)(1));

24 (vi) by redesignating subparagraphs
25 (H) through (M) (as redesignated by sec-

1 tion ~~2204(b)(1)~~ as subparagraphs (G)
2 through (L), respectively; and

3 (vii) by amending subparagraph (I)
4 (as so redesignated) to read as follows:

5 “(I) financial performance for each route,
6 if deemed applicable by the Secretary, within
7 each service line, including descriptions of the
8 cash operating loss or contribution;”;

9 (D) in paragraph (3)—

10 (i) in the paragraph heading, by strik-
11 ing “BUSINESS” and inserting “SERVICE”;

12 (ii) by striking “business” each place
13 such term appears and inserting “service”;

14 (iii) by redesignating subparagraphs
15 (A), (B), (C), and (D) as clauses (i), (ii),
16 (iii), and (iv), respectively, and moving
17 such clauses 2 ems to the right;

18 (iv) by inserting before clause (i), as
19 redesignated, the following:

20 “(A) not later than 180 days after the date
21 of enactment of the Passenger Rail Expansion
22 and Rail Safety Act of 2021, submit to the Sec-
23 retary, for approval, a consultation process for
24 the development of each service line plan that
25 requires Amtrak to—”;

1 (v) in subparagraph (A), as amended
2 by clause (iv)—

3 (I) in clause (iii), as redesign-
4 nated, by inserting “and submit the
5 final service line plan required under
6 subsection (a)(1) to the State-Sup-
7 ported Route Committee” before the
8 semicolon at the end;

9 (II) in clause (iv), as redesign-
10 nated, by inserting “and” after the
11 semicolon at the end; and

12 (III) by adding at the end the
13 following:

14 “(v) for the infrastructure access serv-
15 ice line plan, consult with the Northeast
16 Corridor Commission and other entities, as
17 appropriate, and submit the final asset line
18 plan under subsection (a)(1) to the North-
19 east Corridor Commission;” and

20 (vi) by redesignating subparagraphs
21 (E) and (F) as subparagraphs (B) and
22 (C), respectively;

23 (E) by redesignating paragraph (4) as
24 paragraph (5); and

1 (F) by inserting after paragraph (3)(C), as
2 redesignated, the following:

3 ~~“(4) 5-YEAR SERVICE LINE PLANS UPDATES.—~~
4 Amtrak may modify the service line plans described
5 in paragraph (1), upon the approval of the Sec-
6 retary, if the Secretary determines that such modi-
7 fications are necessary to improve the transparency,
8 oversight, and delivery of Amtrak services and the
9 use of Federal funds by Amtrak.”; and

10 (4) in subsection (c)—

11 (A) in the subsection heading, by inserting
12 “LINE” after “ASSET”;

13 (B) in paragraph (1)—

14 (i) in the paragraph heading, by strik-
15 ing “CATEGORIES” and inserting “LINES”;

16 (ii) in the matter preceding subpara-
17 graph (A), by striking “asset plan for each
18 of the following asset categories” and in-
19 serting “asset line plan for each of the fol-
20 lowing asset lines”;

21 (iii) by redesignating subparagraphs
22 (A), (B), (C), and (D) as subparagraphs
23 (B), (C), (D), and (E), respectively;

24 (iv) by inserting before subparagraph
25 (B), as redesignated, the following:

1 “(A) Transportation, including activities
2 and resources associated with the operation and
3 movement of Amtrak trains, onboard services,
4 and amenities.”;

5 (v) in subparagraph (B), as redesign-
6 ated, by inserting “and maintenance of-
7 way equipment” after “facilities”; and

8 (vi) in subparagraph (C), as redesign-
9 ated, by striking “Passenger rail equip-
10 ment” and inserting “Equipment”;

11 (C) in paragraph (2)—

12 (i) in the paragraph heading, by in-
13 serting “LINE” after “ASSET”;

14 (ii) in the matter preceding subpara-
15 graph (A), by inserting “line” after
16 “asset”;

17 (iii) in subparagraph (A), by striking
18 “category” and inserting “line”;

19 (iv) in subparagraph (C)(iii)(III), by
20 striking “and” at the end;

21 (v) by amending subparagraph (D) to
22 read as follows:

23 “(D) annual sources and uses statements
24 and forecasts for each asset line; and”;

1 (vi) by adding at the end the fol-
2 lowing:

3 “(E) other elements that Amtrak elects to
4 include.”;

5 (D) in paragraph (3)—

6 (i) in the paragraph heading, by in-
7 serting “LINE” after “ASSET”;

8 (ii) by redesignating subparagraphs
9 (A) and (B) as clauses (i) and (ii) and
10 moving such clauses 2 ems to the right;

11 (iii) by inserting before clause (i), as
12 redesignated, the following:

13 “(A) not later than 180 days after the date
14 of enactment of the Passenger Rail Expansion
15 and Rail Safety Act of 2021, submit to the Sec-
16 retary, for approval, a consultation process for
17 the development of each asset line plan that re-
18 quires Amtrak to—”;

19 (iv) in subparagraph (A), as added by
20 clause (iii)—

21 (I) in clause (i), as redesisg-
22 nated—

23 (aa) by striking “business”
24 each place such term appears
25 and inserting “service”;

1 (bb) by inserting “line”
2 after “asset” each place such
3 term appears; and

4 (cc) by adding “and” at the
5 end; and

6 (H) in clause (ii), as redesign-
7 nated—

8 (aa) by inserting “consult
9 with the Secretary of Transpor-
10 tation in the development of
11 asset line plans and,” before “as
12 applicable”; and

13 (bb) by inserting “line”
14 after “5-year asset”;

15 (v) by redesignating subparagraph (C)
16 as subparagraph (B); and

17 (vi) in subparagraph (B), as redesign-
18 nated, by striking “category” and inserting
19 “line”;

20 (E) by redesignating paragraphs (4), (5),
21 (6), and (7) as paragraphs (5), (6), (7), and
22 (8), respectively;

23 (F) by inserting after paragraph (3) the
24 following:

1 “(4) 5-YEAR ASSET LINE PLAN UPDATES.—Am-
 2 trak may modify the asset line plans described in
 3 paragraph (1) if the Secretary determines that such
 4 modifications are necessary to improve the trans-
 5 parency, oversight, and delivery of Amtrak services
 6 and the use of Federal funds by Amtrak.”;

7 (G) in paragraph (5)(A), as redesignated,
 8 by inserting “, but shall not include corporate
 9 services (as defined pursuant to section
 10 24317(b))” after “national assets”; and

11 (H) in paragraph (7), as redesignated, by
 12 striking “paragraph (4)” and inserting “para-
 13 graph (5)”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
 15 ter 243 of title 49, United States Code, is amended by
 16 striking the item relating to section 24320 and inserting
 17 the following:

“24320. Amtrak 5-year service line and asset line plans.”.

18 (c) EFFECTIVE DATES.—Section 11203(b) of the
 19 Passenger Rail Reform and Investment Act of 2015 (49
 20 U.S.C. 24320 note) is amended—

21 (1) by striking “business” each place such term
 22 appears and inserting “service”; and

23 (2) by inserting “line” after “asset” each place
 24 such term appears.

1 **SEC. 2208. PASSENGER EXPERIENCE ENHANCEMENT.**

2 (a) IN GENERAL.—Section 24305(e)(4) of title 49,
3 United States Code, is amended by striking “only if reve-
4 nues from the services each year at least equal the cost
5 of providing the services”.

6 (b) FOOD AND BEVERAGE SERVICE WORKING
7 GROUP.—

8 (1) IN GENERAL.—Section 24321 of title 49,
9 United States Code, is amended to read as follows:

10 **“§ 24321. Food and beverage service**

11 **“(a) WORKING GROUP.—**

12 **“(1) ESTABLISHMENT.—**Not later than 180
13 days after enactment of the Passenger Rail Expan-
14 sion and Rail Safety Act of 2021, Amtrak shall es-
15 tablish a working group to provide recommendations
16 to improve Amtrak’s onboard food and beverage
17 service.

18 **“(2) MEMBERSHIP.—**The working group shall
19 consist of individuals representing—

20 **“(A) Amtrak;**

21 **“(B) the labor organizations representing**
22 **Amtrak employees who prepare or provide on-**
23 **board food and beverage service;**

24 **“(C) nonprofit organizations representing**
25 **Amtrak passengers; and**

1 “(D) States that are providing funding for
2 State-supported routes.

3 “(b) REPORT.—Not later than 1 year after the estab-
4 lishment of the working group pursuant to subsection (a);
5 the working group shall submit a report to the Committee
6 on Commerce, Science, and Transportation of the Senate
7 and the Committee on Transportation and Infrastructure
8 of the House of Representatives containing recommenda-
9 tions for improving Amtrak’s food and beverage service;
10 including—

11 “(1) ways to improve the financial performance
12 of Amtrak;

13 “(2) ways to increase and retain ridership;

14 “(3) the differing needs of passengers traveling
15 on long-distance routes, State supported routes, and
16 the Northeast Corridor;

17 “(4) Amtrak passenger survey data about the
18 food and beverages offered on Amtrak trains;

19 “(5) ways to incorporate local food and bev-
20 erage items on State-supported routes; and

21 “(6) any other issue that the working group de-
22 termines to be appropriate.

23 “(e) IMPLEMENTATION.—Not later than 180 days
24 after the submission of the report pursuant to subsection
25 (b), Amtrak shall submit a plan for implementing the rec-

1 ommendations of the working group, and an explanation
 2 for any of the working group’s recommendations it does
 3 not agree with and does not plan on implementing to the
 4 Committee on Commerce, Science, and Transportation of
 5 the Senate and the Committee on Transportation and In-
 6 frastructure of the House of Representatives.

7 “(d) SAVINGS CLAUSE.—Amtrak shall ensure that no
 8 Amtrak employee who held a position on a long distance
 9 or Northeast Corridor route as of the date of enactment
 10 of the Passenger Rail Expansion and Rail Safety Act of
 11 2021, is involuntarily separated because of the develop-
 12 ment and implementation of the plan required under this
 13 section.”.

14 (2) CLERICAL AMENDMENT.—The analysis for
 15 chapter 243 of title 49, United States Code, is
 16 amended by striking the item relating to section
 17 24321 and inserting the following:

“24321. Food and beverage service.”.

18 **SEC. 2209. AMTRAK SMOKING POLICY.**

19 (a) IN GENERAL.—Chapter 243 of title 49, United
 20 States Code, is amended by adding at the end the fol-
 21 lowing:

22 **“§ 24323. Prohibition on smoking on Amtrak trains**

23 “(a) PROHIBITION.—Beginning on the date of enact-
 24 ment of this section, Amtrak shall prohibit smoking, in-

1 eluding the use of electronic cigarettes, onboard all Am-
 2 trak trains.

3 “(b) **ELECTRONIC CIGARETTE DEFINED.**—In this
 4 section, the term ‘electronic cigarette’ means a device that
 5 delivers nicotine or other substances to a user of the device
 6 in the form of a vapor that is inhaled to simulate the expe-
 7 rience of smoking.”

8 (b) **CONFORMING AMENDMENT.**—The analysis for
 9 chapter 243 of title 49, United States Code, is amended
 10 by adding at the end the following:

“24323. Prohibition on smoking on Amtrak trains.”.

11 **SEC. 2210. PROTECTING AMTRAK ROUTES THROUGH**
 12 **RURAL COMMUNITIES.**

13 Section 24706 of title 49, United States Code, is
 14 amended—

15 (1) in subsection (a), by striking “subsection
 16 (b) of this section, at least 180 days” and inserting
 17 “subsection (c), not later than 180 days”;

18 (2) by redesignating subsections (b) and (c) as
 19 subsections (c) and (d), respectively;

20 (3) by inserting after subsection (a) the fol-
 21 lowing:

22 “(b) **DISCONTINUANCE OR SUBSTANTIAL ALTER-**
 23 **ATION OF LONG-DISTANCE ROUTES.**—Except as provided
 24 in subsection (c), in an emergency, or during maintenance
 25 or construction outages impacting Amtrak routes, Amtrak

1 may not discontinue, reduce the frequency of, suspend, or
 2 substantially alter the route of rail service on any segment
 3 of any long-distance route in any fiscal year in which Am-
 4 trak receives adequate Federal funding for such route on
 5 the National Network.”; and

6 (4) by inserting after subsection (c), as redesignig-
 7 nated, the following:

8 “(d) CONGRESSIONAL NOTIFICATION OF DIS-
 9 CONTINUANCE.—Except as provided in subsection (c), not
 10 later than 210 days before discontinuing service over a
 11 route, Amtrak shall give written notice of such discontinu-
 12 ance to all of the members of Congress representing any
 13 State or district in which the discontinuance would
 14 occur.”.

15 **SEC. 2211. STATE-SUPPORTED ROUTE COMMITTEE.**

16 (a) STATE-SUPPORTED ROUTE COMMITTEE.—Sec-
 17 tion 24712(a) of title 49, United States Code, is amend-
 18 ed—

19 (1) in paragraph (1)—

20 (A) by striking “Not later than 180 days
 21 after the date of enactment of the Passenger
 22 Rail Reform and Investment Act of 2015, the
 23 Secretary of Transportation shall establish”
 24 and inserting “There is established”; and

1 (B) by inserting “current and future” be-
2 fore “rail operations”;

3 (2) by redesignating paragraphs (4), (5), and
4 (6) as paragraphs (5), (6), and (7), respectively;

5 (3) by inserting after paragraph (3) the fol-
6 lowing:

7 “~~(4) ABILITY TO CONDUCT CERTAIN BUSI-~~
8 ~~NESS.—~~If all of the members of 1 voting bloc de-
9 scribed in paragraph (3) abstain from a Committee
10 decision, agreement between the other 2 voting blocs
11 consistent with the procedures set forth in such
12 paragraph shall be deemed sufficient for purpose of
13 achieving unanimous consent.”;

14 (4) in paragraph (5), as redesignated, in the
15 matter preceding subparagraph (A)—

16 (A) by striking “convene a meeting and
17 shall define and implement” and inserting “de-
18 fine and periodically update”; and

19 (B) by striking “not later than 180 days
20 after the date of establishment of the Com-
21 mittee by the Secretary”; and

22 (5) in paragraph (7), as redesignated—

23 (A) in the paragraph heading, by striking
24 “ALLOCATION METHODOLOGY” and inserting
25 “METHODOLOGY POLICY”;

1 (B) in subparagraph (A), by striking “allo-
2 cation methodology” and inserting “method-
3 ology policy”;

4 (C) by amending subparagraph (B) to read
5 as follows:

6 “(B) REVISIONS TO COST METHODOLOGY
7 POLICY.—

8 “(i) REQUIREMENT TO REVISE AND
9 UPDATE.—Subject to rules and procedures
10 established pursuant to clause (iii), not
11 later than March 31, 2022, the Committee
12 shall revise and update the cost method-
13 ology policy required and previously ap-
14 proved under section 209 of the Passenger
15 Rail Investment and Improvement Act of
16 2008 (49 U.S.C. 20901 note). The Com-
17 mittee shall implement a revised cost meth-
18 odology policy during fiscal year 2023. Not
19 later than 30 days after the adoption of
20 the revised cost methodology policy, the
21 Committee shall submit a report docu-
22 menting and explaining any changes to the
23 cost methodology policy and plans for im-
24 plementation of such policy, including a de-
25 scription of the improvements to the ac-

1 counting information provided by Amtrak
2 to the States, to the Committee on Com-
3 merce, Science, and Transportation of the
4 Senate and the Committee on Transpor-
5 tation and Infrastructure of the House of
6 Representatives. The revised cost method-
7 ology policy shall ensure that States will be
8 responsible for costs attributable to the
9 provision of service for their routes.

10 “(ii) IMPLEMENTATION IMPACTS ON
11 FEDERAL FUNDING.—To the extent that a
12 revision developed pursuant to clause (i)
13 assigns to Amtrak costs that were pre-
14 viously allocated to States, Amtrak shall
15 request with specificity such additional
16 funding in the general and legislative an-
17 nual report required under section 24315
18 or in any appropriate subsequent Federal
19 funding request for the fiscal year in which
20 the revised cost methodology policy will be
21 implemented.

22 “(iii) PROCEDURES FOR CHANGING
23 METHODOLOGY.—Notwithstanding section
24 209(b) of the Passenger Rail Investment
25 and Improvement Act of 2008 (49 U.S.C.

1 20901 note), the rules and procedures im-
2 plemented pursuant to paragraph (5) shall
3 include—

4 “(I) procedures for changing the
5 cost methodology policy in accordance
6 with clause (i); and

7 “(II) procedures or broad guide-
8 lines for conducting financial plan-
9 ning, including operating and capital
10 forecasting, reporting, data sharing,
11 and governance.”;

12 (D) in subparagraph (C)—

13 (i) in the matter preceding clause (i),
14 by striking “allocation methodology” and
15 inserting “methodology policy”;

16 (ii) in clause (i), by striking “and” at
17 the end;

18 (iii) in clause (ii)—

19 (I) by striking “allocate” and in-
20 serting “assign”; and

21 (II) by striking the period and
22 inserting “; and”; and

23 (iv) by adding at the end the fol-
24 lowing:

1 “(iii) promote increased efficiency in
2 Amtrak’s operating and capital activities.”;

3 and

4 (E) by adding at the end the following:

5 “(D) INDEPENDENT EVALUATION.—Not
6 later than March 31 of each year, the Com-
7 mittee shall ensure that an independent entity
8 selected by the Committee has completed an
9 evaluation to determine whether State pay-
10 ments for the most recently concluded fiscal
11 year are accurate and comply with the applica-
12 ble cost allocation methodology.”.

13 (b) INVOICES AND REPORTS.—Section 24712(b) of
14 title 49, United States Code, is amended to read as fol-
15 lows:

16 “(b) INVOICES AND REPORTS.—

17 “(1) INVOICES.—Amtrak shall provide monthly
18 invoices to the Committee and to each State that
19 sponsors a State-supported route that identify the
20 operating costs for such route, including fixed costs
21 and third-party costs.

22 “(2) REPORTS.—

23 “(A) IN GENERAL.—The Committee shall
24 determine the frequency and contents of—

1 “(i) the financial and performance re-
2 ports that Amtrak is required to provide to
3 the Committee and the States; and

4 “(ii) the planning and demand reports
5 that the States are required to provide to
6 the Committee and Amtrak.

7 “(B) MONTHLY STATISTICAL REPORT.—

8 “(i) DEVELOPMENT.—Consistent with
9 the revisions to the policy required under
10 subsection (a)(7)(B), the Committee shall
11 develop a report that contains the general
12 ledger data and operating statistics from
13 Amtrak’s accounting systems used to cal-
14 culate payments to States.

15 “(ii) PROVISION OF NECESSARY
16 DATA.—Not later than 30 days after the
17 last day of each month, Amtrak shall pro-
18 vide to the States and to the Committee
19 the necessary data to complete the report
20 developed pursuant to clause (i) for such
21 month.”.

22 (e) DISPUTE RESOLUTION.—Section 24712(e) of title
23 49, United States Code, is amended—

24 (1) in paragraph (1)—

1 (A) by striking “(a)(4)” and inserting
2 “(a)(5)”; and

3 (B) by striking “(a)(6)” and inserting
4 “(a)(7)”; and

5 (2) in paragraph (4), by inserting “related to a
6 State-supported route that a State sponsors that is”
7 after “amount”.

8 (d) PERFORMANCE METRICS.—Section 24712(e) of
9 title 49, United States Code, is amended by inserting “,
10 including incentives to increase revenue, reduce costs, fi-
11 nalize contracts by the beginning of the fiscal year, and
12 require States to promptly make payments for services de-
13 livered” before the period at the end.

14 (e) STATEMENT OF GOALS AND OBJECTIVES.—See-
15 tion 24712(f) of title 49, United States Code, is amend-
16 ed—

17 (1) in paragraph (1), by inserting “, and review
18 and update, as necessary,” after “shall develop”;

19 (2) in paragraph (2), by striking “Not later
20 than 2 years after the date of enactment of the Pas-
21 senger Rail Reform and Investment Act of 2015, the
22 Committee shall transmit the statement” and insert-
23 ing “As applicable, based on updates, the Committee
24 shall submit an updated statement”; and

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

1 “(3) SENSE OF CONGRESS.—It is the sense of
2 Congress that—

3 “(A) the Committee shall be the forum
4 where Amtrak and the States collaborate on the
5 planning, improvement, and development of cor-
6 ridor routes across the National Network; and

7 “(B) such collaboration should include reg-
8 ular consultation with interstate rail compact
9 parties and other regional planning organiza-
10 tions that address passenger rail.”.

11 (f) OTHER REFORMS RELATED TO STATE-SUP-
12 PORTED ROUTES.—Section 24712 of title 49, United
13 States Code, as amended by subsections (a) through (e),
14 is further amended—

15 (1) by redesignating subsections (g) and (h) as
16 subsections (k) and (l), respectively; and

17 (2) by inserting after subsection (f) the fol-
18 lowing:

19 “(g) NEW STATE-SUPPORTED ROUTES.—

20 “(1) CONSULTATION.—In developing a new
21 State-supported route, Amtrak shall consult with—

22 “(A) the State or States and local municipi-
23 palities through which such new service would
24 operate;

1 “(B) commuter authorities and regional
2 transportation authorities in the areas that
3 would be served by the planned route;

4 “(C) host railroads;

5 “(D) the Administrator of the Federal
6 Railroad Administration; and

7 “(E) other stakeholders, as appropriate.

8 “(2) STATE COMMITMENTS.—Notwithstanding
9 any other provision of law, before beginning con-
10 struction necessary for, or beginning operation of, a
11 State-supported route that is initiated on or after
12 the date of enactment of the Passenger Rail Expans-
13 sion and Rail Safety Act of 2021, Amtrak shall
14 enter into a memorandum of understanding, or oth-
15 erwise secure an agreement, with each State in
16 which such route will operate for sharing—

17 “(A) ongoing operating costs and capital
18 costs in accordance with the cost methodology
19 policy referred to in subsection (a)(7) then in
20 effect; or

21 “(B) ongoing operating costs and capital
22 costs in accordance with the maximum funding
23 limitations described in section 22908(e).

24 “(3) APPLICATION OF TERMS.—In this sub-
25 section, the terms ‘capital costs’ and ‘operating

1 costs' shall apply in the same manner as such terms
2 apply under the cost methodology policy developed
3 pursuant to subsection (a)(7).

4 “(h) COST METHODOLOGY POLICY UPDATE IMPLE-
5 MENTATION REPORT.—Not later than 18 months after
6 the updated cost methodology policy required under sub-
7 section (a)(7)(B) is implemented, the Committee shall
8 submit a report to the Committee on Commerce, Science,
9 and Transportation of the Senate and the Committee on
10 Transportation and Infrastructure of the House of Rep-
11 resentatives that assesses the implementation of the up-
12 dated policy.

13 “(i) IDENTIFICATION OF STATE-SUPPORTED ROUTE
14 CHANGES.—Amtrak shall—

15 “(1) not later than 120 days before the submis-
16 sion of the general and legislative annual report re-
17 quired under section 24315(b), consult with the
18 Committee and any additional States through which
19 a State-supported route may operate regarding any
20 proposed changes to such route; and

21 “(2) include in such report an update of any
22 planned or proposed changes to State-supported
23 routes, including the introduction of new State-sup-
24 ported routes, including—

1 “(A) the timeframe in which such changes
2 would take effect; and

3 “(B) whether Amtrak has entered into
4 commitments with the affected States pursuant
5 subsection (g)(2).

6 “(j) ECONOMIC ANALYSIS.—Not later than 3 years
7 after the date of enactment of the Passenger Rail Expan-
8 sion and Rail Safety Act of 2021, the Committee shall
9 submit a report to the Committee on Commerce, Science,
10 and Transportation of the Senate and the Committee on
11 Transportation and Infrastructure of the House of Rep-
12 resentatives that—

13 “(1) describes the role of the State-supported
14 routes in economic development; and

15 “(2) examines the impacts of the State-sup-
16 ported routes on local station areas, job creation,
17 transportation efficiency, State economies, and the
18 national economy.”.

19 **SEC. 2212. ENHANCING CROSS BORDER SERVICE.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of enactment of this Act, Amtrak, after consultation
22 with the Secretary, the Secretary of Homeland Security,
23 relevant State departments of transportation, Canadian
24 governmental agencies and entities, and owners of the rel-
25 evant rail infrastructure and facilities, shall submit a re-

1 port to the Committee on Commerce, Science, and Trans-
 2 portation of the Senate and the Committee on Transpor-
 3 tation and Infrastructure of the House of Representatives
 4 regarding enhancing Amtrak passenger rail service be-
 5 tween the United States and Canada that—

6 (1) identifies challenges to Amtrak operations
 7 in Canada, including delays associated with custom
 8 and immigration inspections in both the United
 9 States and Canada; and

10 (2) includes recommendations to improve such
 11 cross border service, including the feasibility of and
 12 costs associated with a preclearance facility or facili-
 13 ties.

14 (b) ASSISTANCE AND SUPPORT.—The Secretary, the
 15 Secretary of State, and the Secretary of Homeland Secu-
 16 rity may provide assistance and support requested by Am-
 17 trak that is necessary to carry out this section, as deter-
 18 mined appropriate by the respective Secretary.

19 **SEC. 2213. CREATING QUALITY JOBS.**

20 Section 121 of the Amtrak Reform and Account-
 21 ability Act of 1997 (49 U.S.C. 24312 note) is amended—

22 (1) by redesignating subsection (d) as sub-
 23 section (f); and

24 (2) by inserting after subsection (e) the fol-
 25 lowing:

1 “(d) FURLOUGHED WORK.—Amtrak may not con-
 2 tract out work within the classification of work performed
 3 by an employee in a bargaining unit covered by a collective
 4 bargaining agreement entered into between Amtrak and
 5 an organization representing Amtrak employees during
 6 the period such employee has been laid off and has not
 7 been recalled to perform such work.

8 “(e) AGREEMENT PROHIBITIONS ON CONTRACTING
 9 OUT.—This section does not—

10 “(1) supersede a prohibition or limitation on
 11 contracting out work covered by an agreement en-
 12 tered into between Amtrak and an organization rep-
 13 resenting Amtrak employees; or

14 “(2) prohibit Amtrak and an organization rep-
 15 resenting Amtrak employees from entering into an
 16 agreement that allows for contracting out the work
 17 of a furloughed employee that would otherwise be
 18 prohibited under subsection (d).”.

19 **Subtitle C—Intercity Passenger** 20 **Rail Policy**

21 **SEC. 2301. NORTHEAST CORRIDOR PLANNING.**

22 Section 24904 of title 49, United States Code, is
 23 amended—

24 (1) by striking subsections (a) and (d);

1 (2) by redesignating subsections (b) and (c) as
2 subsections (c) and (d), respectively;

3 (3) by inserting before subsection (c), as redesi-
4 gnated, the following:

5 “(a) NORTHEAST CORRIDOR SERVICE DEVELOP-
6 MENT PLAN.—

7 “(1) IN GENERAL.—Not later than March 31,
8 2022, the Northeast Corridor Commission estab-
9 lished under section 24905 (referred to in this sec-
10 tion as the ‘Commission’) shall submit a service de-
11 velopment plan to Congress.

12 “(2) CONTENTS.—The plan required under
13 paragraph (1) shall—

14 “(A) identify key state-of-good-repair, ca-
15 pacity expansion, and capital improvement
16 projects planned for the Northeast Corridor;

17 “(B) provide a coordinated and consensus-
18 based plan covering a 15-year period;

19 “(C) identify service objectives and the
20 capital investments required to meet such objec-
21 tives;

22 “(D) provide a delivery-constrained strat-
23 egy that identifies—

24 “(i) capital investment phasing;

1 “(ii) an evaluation of workforce needs;
2 and

3 “(iii) strategies for managing re-
4 sources and mitigating construction im-
5 pacts on operations; and

6 “(E) include a financial strategy that iden-
7 tifies funding needs and potential funding
8 sources.

9 “(3) UPDATES.—The Commission shall update
10 the service development plan not less frequently than
11 once every 5 years.

12 “(b) NORTHEAST CORRIDOR CAPITAL INVESTMENT
13 PLAN.—

14 “(1) IN GENERAL.—Not later than November 1
15 of each year, the Commission shall—

16 “(A) develop an annual capital investment
17 plan for the Northeast Corridor; and

18 “(B) submit the capital investment plan
19 to—

20 “(i) the Secretary of Transportation;

21 “(ii) the Committee on Commerce,
22 Science, and Transportation of the Senate;
23 and

1 “(iii) the Committee on Transpor-
2 tation and Infrastructure of the House of
3 Representatives.

4 “(2) CONTENTS.—The plan required under
5 paragraph (1) shall—

6 “(A) reflect coordination across the entire
7 Northeast Corridor;

8 “(B) integrate the individual capital plans
9 developed by Amtrak, States, and commuter au-
10 thorities in accordance with the cost allocation
11 policy developed and approved under section
12 24905(e);

13 “(C) cover a period of 5 fiscal years, begin-
14 ning with the fiscal year during which the plan
15 is submitted;

16 “(D) notwithstanding section 24902(b),
17 document the projects and programs being un-
18 dertaken to advance the service objectives and
19 capital investments identified in the Northeast
20 Corridor service development plan developed
21 under subsection (a), and the asset condition
22 needs identified in the Northeast Corridor asset
23 management plans, after considering—

24 “(i) the benefits and costs of capital
25 investments in the plan;

- 1 “(ii) project and program readiness;
- 2 “(iii) the operational impacts; and
- 3 “(iv) Federal and non-Federal fund-
- 4 ing availability;
- 5 “(E) categorize capital projects and pro-
- 6 grams as primarily associated with 1 of the cat-
- 7 egories listed under section 24319(c)(2)(C);
- 8 “(F) identify capital projects and pro-
- 9 grams that are associated with more than 1
- 10 category described in subparagraph (E); and
- 11 “(G) include a financial plan that identi-
- 12 fies—
- 13 “(i) funding sources and financing
- 14 methods;
- 15 “(ii) the status of cost sharing agree-
- 16 ments pursuant to the cost allocation pol-
- 17 icy developed under section 24905(e);
- 18 “(iii) the projects and programs that
- 19 the Commission expects will receive Fed-
- 20 eral financial assistance; and
- 21 “(iv) the eligible entity or entities that
- 22 the Commission expects—
- 23 “(I) to receive the Federal finan-
- 24 cial assistance referred to in clause
- 25 (iii); and

1 “(H) to implement each capital
2 project.

3 ~~“(3) REVIEW AND COORDINATION.—~~The Com-
4 mission shall require that the information described
5 in paragraph (2) be submitted in a timely manner
6 to allow for a reasonable period of review by, and co-
7 ordination with, affected agencies before the Com-
8 mission submits the capital investment plan pursu-
9 ant to paragraph (1).”;

10 (4) in subsection (e), as redesignated, by strik-
11 ing “spent only on—” and all that follows and in-
12 serting “spent only on capital projects and programs
13 contained in the Commission’s capital investment
14 plan for the prior fiscal year.”; and

15 (5) by amending subsection (d), as redesi-
16 gnated, to read as follows:

17 ~~“(d) NORTHEAST CORRIDOR CAPITAL ASSET MAN-~~
18 ~~AGEMENT SYSTEM.—~~

19 “(1) IN GENERAL.—Amtrak and other infra-
20 structure owners that provide or support intercity
21 rail passenger transportation along the Northeast
22 Corridor shall develop an asset management system
23 and use and update such system, as necessary, to
24 develop submissions to the Northeast Corridor cap-
25 ital investment plan described in subsection (b).

1 ~~“(2) FEATURES.—~~The system required under
2 paragraph (1) shall develop submissions that—

3 ~~“(A) are consistent with the transit asset~~
4 management system (as defined in section
5 ~~5326(a)(3)~~); and

6 ~~“(B) include—~~

7 ~~“(i) an inventory of all capital assets~~
8 owned by the developer of the plan;

9 ~~“(ii) an assessment of condition of~~
10 such capital assets;

11 ~~“(iii) a description of the resources~~
12 and processes that will be necessary to
13 bring or to maintain such capital assets in
14 a state of good repair; and

15 ~~“(iv) a description of changes in the~~
16 condition of such capital assets since the
17 submission of the prior version of the
18 plan.”.

19 **SEC. 2302. NORTHEAST CORRIDOR COMMISSION.**

20 Section 24905 of title 49, United States Code, is
21 amended—

22 (1) in subsection (a)(1)(D), by inserting “au-
23 thorities” after “carriers”;

24 (2) in subsection (b)(3)(B)—

25 (A) in clause (i)—

1 (i) by inserting “, including ridership
2 trends,” after “transportation”; and

3 (ii) by striking “and” at the end;

4 (B) in clause (ii)—

5 (i) by inserting “first year of the”
6 after “the delivery of the”; and

7 (ii) by striking the period at the end
8 and inserting “; and”; and

9 (C) by adding at the end the following:

10 “(iii) progress in assessing and elimi-
11 nating the state-of-good-repair backlog.”;

12 (3) in subsection (c)—

13 (A) in paragraph (1)—

14 (i) in the paragraph heading, by strik-
15 ing “DEVELOPMENT OF POLICY” and in-
16 serting “POLICY”;

17 (ii) in subparagraph (A), by striking
18 “develop a standardized policy” and insert-
19 ing “develop and maintain the standard-
20 ized policy first approved on September 17,
21 2015, and update, as appropriate.”;

22 (iii) by amending subparagraph (B) to
23 read as follows:

24 “(B) develop timetables for implementing
25 and maintaining the policy.”;

1 (iv) in subparagraph (C), by striking
2 “the policy and the timetable” and insert-
3 ing “updates to the policy and timetables”;
4 and

5 (v) by amending subparagraph (D) to
6 read as follows:

7 “(D) support the efforts of the members of
8 the Commission to implement the policy in ac-
9 cordance with the timetables developed pursu-
10 ant to subparagraph (B);”;

11 (B) by amending paragraph (2) to read as
12 follows:

13 “(2) IMPLEMENTATION.—

14 “(A) IN GENERAL.—In accordance with
15 the timetables developed pursuant to paragraph
16 (1)(B), Amtrak and commuter authorities on
17 the Northeast Corridor shall implement the pol-
18 icy developed under paragraph (1) in their
19 agreements for usage of facilities or services.

20 “(B) EFFECT OF FAILURE TO IMPLEMENT
21 OR COMPLY WITH POLICY.—If the entities re-
22 ferred to in subparagraph (A) fail to implement
23 the policy in accordance with paragraph (1)(D)
24 or fail to comply with the policy thereafter, the
25 Surface Transportation Board shall—

1 “(i) determine the appropriate com-
 2 pensation in accordance with the proce-
 3 dures and procedural schedule applicable
 4 to a proceeding under section 24903(e),
 5 after taking into consideration the policy
 6 developed under paragraph (1); and

7 “(ii) enforce its determination on the
 8 party or parties involved.”; and

9 (C) in paragraph (4), by striking “public
 10 authorities providing commuter rail passenger
 11 transportation” and inserting “commuter au-
 12 thorities”; and

13 (4) in subsection (d)—

14 (A) by striking “2016 through 2020” and
 15 inserting “2022 through 2026”; and

16 (B) by striking “section 11101(g) of the
 17 Passenger Rail Reform and Investment Act of
 18 2015” and inserting “section 101(e) of the Pas-
 19 senger Rail Expansion and Rail Safety Act of
 20 2021”.

21 **SEC. 2303. CONSOLIDATED RAIL INFRASTRUCTURE AND**
 22 **SAFETY IMPROVEMENTS.**

23 (a) IN GENERAL.—Section 22907 of title 49, United
 24 States Code, is amended—

25 (1) in subsection (b)—

1 (A) in paragraph (1), by inserting “(in-
2 cluding the District of Columbia)” after
3 “State”;

4 (B) in paragraph (6), by inserting “rail
5 carrier and intercity rail passenger transpor-
6 tation are” before “defined”;

7 (C) by redesignating paragraphs (8)
8 through (11) as paragraphs (10) through (13),
9 respectively; and

10 (D) by inserting after paragraph (7) the
11 following:

12 “~~(8)~~ An association representing ~~1~~ or more rail-
13 roads described in paragraph (7).”;

14 “~~(9)~~ A federally recognized Indian Tribe.”;

15 ~~(2)~~ in subsection (c)—

16 (A) in paragraph (3), by adding “or safe-
17 ty” after “congestion”;

18 (B) in paragraph (6), by striking “and”
19 and inserting “or”;

20 (C) by redesignating paragraphs (11) and
21 ~~(12)~~ as paragraphs (12) and (13), respectively;

22 (D) by inserting after paragraph (10) the
23 following:

1 “~~(11)~~ The development and implementation of
2 measures to prevent trespassing and reduce associ-
3 ated injuries and fatalities.”; and

4 ~~(E)~~ by inserting after paragraph ~~(13)~~, as
5 redesignated, the following:

6 “~~(14)~~ Research, development, and testing to ad-
7 vance and facilitate innovative rail projects, includ-
8 ing projects using electromagnetic guideways in an
9 enclosure in a very low-pressure environment.

10 “~~(15)~~ The preparation of emergency plans for
11 communities through which hazardous materials are
12 transported by rail.”; and

13 ~~(3)~~ in subsection (h), by adding at the end the
14 following:

15 “~~(4)~~ **GRADE CROSSING AND TRESPASSING**
16 **PROJECTS.**—Applicants may use costs incurred pre-
17 viously for preliminary engineering associated with
18 highway-rail grade crossing improvement projects
19 under subsection ~~(e)(5)~~ and trespassing prevention
20 projects under subsection ~~(e)(11)~~ to satisfy the non-
21 Federal share requirements.”.

22 ~~(b)~~ **RULE OF CONSTRUCTION.**—The amendments
23 made by subsection (a) may not be construed to affect
24 any grant, including any application for a grant, made

1 under section 22907 of title 49, United States Code, be-
 2 fore the date of enactment of this Act.

3 (c) TECHNICAL CORRECTION.—

4 (1) IN GENERAL.—Section 22907(1)(1)(A) of
 5 title 49, United States Code, is amended by insert-
 6 ing “, including highway construction over rail facili-
 7 ties as an alternative to construction or improvement
 8 of a highway-rail grade crossing,” after “under
 9 chapter 227”.

10 (2) APPLICABILITY.—The amendment made by
 11 paragraph (1) shall apply to amounts remaining
 12 under section 22907(1) of title 49, United States
 13 Code, from appropriations for prior fiscal years.

14 **SEC. 2304. RESTORATION AND ENHANCEMENT GRANTS.**

15 Section 22908 of title 49, United States Code, is
 16 amended—

17 (1) by amending subsection (a) to read as fol-
 18 lows:

19 “(a) DEFINITIONS.—In this section:

20 “(1) APPLICANT.—Notwithstanding section
 21 22901(1), the term ‘applicant’ means—

22 “(A) a State, including the District of Co-
 23 lumbia;

24 “(B) a group of States;

1 ~~“(C) an entity implementing an interstate~~
2 ~~compact;~~

3 ~~“(D) a public agency or publicly chartered~~
4 ~~authority established by 1 or more States;~~

5 ~~“(E) a political subdivision of a State;~~

6 ~~“(F) a federally recognized Indian Tribe;~~

7 ~~“(G) Amtrak or another rail carrier that~~
8 ~~provides intercity rail passenger transportation;~~

9 ~~“(H) any rail carrier in partnership with~~
10 ~~at least 1 of the entities described in subpara-~~
11 ~~graphs (A) through (F); and~~

12 ~~“(I) any combination of the entities de-~~
13 ~~scribed in subparagraphs (A) through (F).~~

14 ~~“(2) OPERATING ASSISTANCE.—The term ‘oper-~~
15 ~~ating assistance’, with respect to any route subject~~
16 ~~to section 209 of the Passenger Rail Investment and~~
17 ~~Improvement Act of 2008 (Public Law 110–432),~~
18 ~~means any cost allocated, or that may be allocated,~~
19 ~~to a route pursuant to the cost methodology estab-~~
20 ~~lished under such section or under section 24712.”;~~

21 ~~(2) in subsection (c)(3), by striking “3 years”~~
22 ~~each place such term appears and inserting “6~~
23 ~~years”;~~

24 ~~(3) in subsection (d)—~~

25 ~~(A) in paragraph (8), by striking “and”;~~

1 (B) in paragraph (9), by striking the pe-
2 riod at the end and inserting “; and”; and

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

4 “(10) for routes selected under the Corridor
5 Identification and Development Program and oper-
6 ated by Amtrak.”; and

7 (4) in subsection (c)—

8 (A) in paragraph (1)—

9 (i) by striking “assistance”; and

10 (ii) by striking “3 years” and insert-
11 ing “6 years (including for any such routes
12 selected for funding before the date of en-
13 actment of the Passenger Rail Expansion
14 and Rail Safety Act of 2021)”; and

15 (B) in paragraph (3), by striking subpara-
16 graphs (A), (B), and (C) and inserting the fol-
17 lowing:

18 “(A) 90 percent of the projected net oper-
19 ating costs for the first year of service;

20 “(B) 80 percent of the projected net oper-
21 ating costs for the second year of service;

22 “(C) 70 percent of the projected net oper-
23 ating costs for the third year of service;

24 “(D) 60 percent of the projected net oper-
25 ating costs for the fourth year of service;

1 “(E) 50 percent of the projected net oper-
2 ating costs for the fifth year of service; and

3 “(F) 30 percent of the projected net oper-
4 ating costs for the sixth year of service.”.

5 **SEC. 2305. RAILROAD CROSSING ELIMINATION PROGRAM.**

6 (a) **IN GENERAL.**—Chapter 229 of title 49, United
7 States Code, is amended by adding at the end the fol-
8 lowing:

9 **“§ 22909. Railroad Crossing Elimination Program**

10 “(a) **IN GENERAL.**—The Secretary of Transpor-
11 tation, in cooperation with the Administrator of the Fed-
12 eral Railroad Administration, shall establish a competitive
13 grant program (referred to in this section as the ‘Pro-
14 gram’) under which the Secretary shall award grants to
15 eligible recipients described in subsection (c) for highway-
16 rail or pathway-rail grade crossing improvement projects
17 that focus on improving the safety and mobility of people
18 and goods.

19 “(b) **GOALS.**—The goals of the Program are—

20 “(1) to eliminate highway-rail grade crossings
21 that are frequently blocked by trains;

22 “(2) to improve the health and safety of com-
23 munities;

1 “(3) to reduce the impacts that freight move-
2 ment and railroad operations may have on under-
3 served communities; and

4 “(4) to improve the mobility of people and
5 goods.

6 “(e) ELIGIBLE RECIPIENTS.—The following entities
7 are eligible to receive a grant under this section:

8 “(1) A State, including the District of Colum-
9 bia, Puerto Rico, and other United States territories
10 and possessions.

11 “(2) A political subdivision of a State.

12 “(3) A federally recognized Indian Tribe.

13 “(4) A unit of local government or a group of
14 local governments.

15 “(5) A public port authority.

16 “(6) A metropolitan planning organization.

17 “(7) A group of entities described in any of
18 paragraphs (1) through (6).

19 “(d) ELIGIBLE PROJECTS.—The Secretary may
20 award a grant under the Program for a highway-rail or
21 pathway-rail grade crossing improvement project (includ-
22 ing acquiring real property interests) involving—

23 “(1) grade separation or closure, including
24 through the use of a bridge, embankment, tunnel, or
25 combination thereof;

1 “(2) track relocation;

2 “(3) the improvement or installation of protec-
3 tive devices, signals, signs, or other measures to im-
4 prove safety, provided that such activities are related
5 to a separation or relocation project described in
6 paragraph (1) or (2);

7 “(4) other means to improve the safety and mo-
8 bility of people and goods at highway-rail grade
9 crossings (including technological solutions);

10 “(5) a group of related projects described in
11 paragraphs (1) through (4) that would collectively
12 improve the mobility of people and goods; or

13 “(6) the planning, environmental review, and
14 design of an eligible project described in paragraphs
15 (1) through (5).

16 “(e) APPLICATION PROCESS.—

17 “(1) IN GENERAL.—An eligible entity seeking a
18 grant under the Program shall submit an application
19 to the Secretary at such time, in such manner, and
20 containing such information as the Secretary may
21 require.

22 “(2) RAILROAD APPROVALS.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (B), the Secretary shall require
25 applicants to obtain the necessary approvals

1 from any impacted rail carriers or real property
2 owners before proceeding with the construction
3 of a project funded by a grant under the Pro-
4 gram.

5 “(B) EXCEPTION.—The requirement under
6 subparagraph (A) shall not apply to planning
7 projects described in subsection (d)(6) if the ap-
8 plicant agrees to work collaboratively with rail
9 carriers and right-of-way owners.

10 “(f) PROJECT SELECTION CRITERIA.—

11 “(1) IN GENERAL.—In awarding grants under
12 the Program, the Secretary shall evaluate the extent
13 to which proposed projects would—

14 “(A) improve safety at highway-rail or
15 pathway-rail grade crossings;

16 “(B) grade separate, eliminate, or close
17 highway-rail or pathway-rail grade crossings;

18 “(C) improve the mobility of people and
19 goods;

20 “(D) reduce emissions, protect the environ-
21 ment, and provide community benefits, includ-
22 ing noise reduction;

23 “(E) improve access to emergency services;

24 “(F) provide economic benefits; and

1 “(G) improve access to communities sepa-
2 rated by rail crossings.

3 “(2) ~~ADDITIONAL~~ ~~CONSIDERATIONS.~~—In
4 awarding grants under the Program, the Secretary
5 shall consider—

6 “(A) the degree to which the proposed
7 project will use—

8 “(i) innovative technologies;

9 “(ii) innovative design and construc-
10 tion techniques; or

11 “(iii) construction materials that re-
12 duce greenhouse gas emissions;

13 “(B) the applicant’s planned use of con-
14 tracting incentives to employ local labor; to the
15 extent permissible under Federal law;

16 “(C) whether the proposed project will im-
17 prove the mobility of—

18 “(i) multiple modes of transportation,
19 including ingress and egress from freight
20 facilities; or

21 “(ii) users of nonvehicular modes of
22 transportation, such as pedestrians,
23 bicyclists, and public transportation;

24 “(D) whether the proposed project is iden-
25 tified in—

1 “(i) the freight investment plan com-
2 ponent of a State freight plan, as required
3 under section ~~70202(b)(9)~~;

4 “(ii) a State rail plan prepared in ac-
5 cordance with chapter ~~227~~; or

6 “(iii) a State highway-rail grade
7 crossing action plan, as required under sec-
8 tion ~~11401(b)~~ of the Passenger Rail Re-
9 form and Investment Act of 2015 (title ~~XI~~
10 of Public Law ~~114-94~~); and

11 “(E) the level of financial support provided
12 by impacted rail carriers.

13 “(3) AWARD DISTRIBUTION.—In selecting
14 grants for Program funds in any fiscal year, the
15 Secretary shall comply with the following limitations:

16 “(A) GRANT FUNDS.—Not less than 20
17 percent of the grant funds available for the
18 Program in any fiscal year shall be reserved for
19 projects located in rural areas or on Tribal
20 lands. The requirement under section ~~22907(l)~~,
21 which applies to this section, shall not apply to
22 grant funds reserved specifically under this sub-
23 section.

24 “(B) PLANNING GRANTS.—Not less than
25 25 percent of the grant funds set aside for

1 planning projects in any fiscal year pursuant to
2 section 2104(b) of the Passenger Rail Expan-
3 sion and Rail Safety Act of 2021 shall be
4 awarded for projects located in rural areas or
5 on tribal lands.

6 “(C) STATE LIMITATION.—Not more than
7 20 percent of the grant funds available for the
8 Program in any fiscal year may be selected for
9 projects in any single State.

10 “(D) MINIMUM SIZE.—No grant awarded
11 under this section shall be for less than
12 \$1,000,000, except for a planning grant de-
13 scribed in subsection (d)(6).

14 “(g) COST SHARE.—Except as provided in paragraph
15 (2), the Federal share of the cost of a project carried out
16 using a grant under the Program may not exceed 80 per-
17 cent of the total cost of the project. Applicants may count
18 costs incurred for preliminary engineering associated with
19 highway-rail and pathway-rail grade crossing improvement
20 projects as part of the total project costs.

21 “(h) CONGRESSIONAL NOTIFICATION.—Not later
22 than 3 days before awarding a grant for a project under
23 the Program, the Secretary shall submit written notifica-
24 tion of the proposed grant to the Committee on Com-
25 merce, Science, and Transportation of the Senate and the

1 Committee on Transportation and Infrastructure of the
2 House of Representatives, which shall include—

3 “(1) a summary of the project; and

4 “(2) the amount of the proposed grant award.

5 “(i) ANNUAL REPORT.—Not later than 60 days after
6 each round of award notifications, the Secretary shall
7 post, on the public website of the Department of Trans-
8 portation—

9 “(1) a list of all eligible applicants that sub-
10 mitted an application for funding under the Pro-
11 gram during the current fiscal year;

12 “(2) a list of the grant recipients and projects
13 that received grant funding under the Program dur-
14 ing such fiscal year; and

15 “(3) a list of the proposed projects and appli-
16 cants that were determined to be ineligible.

17 “(j) DEFINED TERM.—In this section, the term
18 ‘rural area’ means any area that is not within an area
19 designated as an urbanized area by the Bureau of the Cen-
20 sus.”.

21 (b) CLERICAL AMENDMENT.—The analysis for chap-
22 ter 229 of title 49, United States Code, is amended by
23 adding at the end the following:

“22909. Railroad Crossing Elimination Program.”.

1 **SEC. 2306. INTERSTATE RAIL COMPACTS.**

2 (a) IN GENERAL.—Chapter 229 of title 49, United
3 States Code (as amended by section 2305(a)), is further
4 amended by adding at the end the following:

5 **“§ 22910. Interstate Rail Compacts Grant Program**

6 “(a) GRANTS AUTHORIZED.—The Secretary of
7 Transportation shall establish a competitive grant pro-
8 gram to provide financial assistance to entities imple-
9 menting interstate rail compacts pursuant to section 410
10 of the Amtrak Reform and Accountability Act of 1997 (49
11 U.S.C. 24101 note) for—

12 “(1) costs of administration;

13 “(2) systems planning, including studying the
14 impacts on freight rail operations and ridership;

15 “(3) promotion of intercity passenger rail oper-
16 ation;

17 “(4) preparation of applications for competitive
18 Federal grant programs; and

19 “(5) operations coordination.

20 “(b) MAXIMUM AMOUNT.—The Secretary may not
21 award a grant under this section in an amount exceeding
22 \$1,000,000 per year.

23 “(c) SELECTION CRITERIA.—In selecting a recipient
24 of a grant for an eligible project under this section, the
25 Secretary shall consider—

1 “(1) the amount of funding received (including
2 funding from a rail carrier (as defined in section
3 24102) or other participation by State, local, and re-
4 gional governments and the private sector;

5 “(2) the applicant’s work to foster economic de-
6 velopment through rail service, particularly in rural
7 communities;

8 “(3) whether the applicant seeks to restore
9 service over routes formerly operated by Amtrak, in-
10 cluding routes described in section 11304(a) of the
11 Passenger Rail Reform and Investment Act of 2015
12 (title XI of division A of Public Law 114–94);

13 “(4) the applicant’s dedication to providing
14 intercity passenger rail service to regions and com-
15 munities that are underserved or not served by other
16 intercity public transportation;

17 “(5) whether the applicant is enhancing
18 connectivity and geographic coverage of the existing
19 national network of intercity passenger rail service;

20 “(6) whether the applicant prepares regional
21 rail or corridor service development plans and cor-
22 responding environmental analysis; and

23 “(7) whether the applicant has engaged with
24 appropriate government entities and transportation
25 providers to identify projects necessary to enhance

1 multimodal connections or facilitate service integra-
2 tion between rail service and other modes, including
3 between intercity passenger rail service and intercity
4 bus service or commercial air service.

5 “(d) NUMERICAL LIMITATION.—The Secretary may
6 not award grants under this section for more than 10
7 interstate rail compacts in any fiscal year.

8 “(e) OPERATOR LIMITATION.—The Secretary may
9 only award grants under this section to applicants with
10 eligible expenses related to intercity passenger rail service
11 to be operated by Amtrak.

12 “(f) NON-FEDERAL MATCH.—The Secretary shall re-
13 quire each recipient of a grant under this section to pro-
14 vide a non-Federal match of not less than 50 percent of
15 the eligible expenses of carrying out the interstate rail
16 compact under this section.

17 “(g) REPORT.—Not later than 3 years after the date
18 of enactment of the Passenger Rail Expansion and Rail
19 Safety Act of 2021, the Secretary, after consultation with
20 grant recipients under this section, shall submit a report
21 to the Committee on Commerce, Science, and Transpor-
22 tation of the Senate and the Committee on Transportation
23 and Infrastructure of the House of Representatives that
24 describes—

25 “(1) the implementation of this section;

1 ~~“(2) the status of the planning efforts and co-~~
 2 ~~ordination funded by grants awarded under this sec-~~
 3 ~~tion;~~

4 ~~“(3) the plans of grant recipients for continued~~
 5 ~~implementation of the interstate rail compacts;~~

6 ~~“(4) the status of, and data regarding, any~~
 7 ~~new, restored, or enhanced rail services initiated~~
 8 ~~under the interstate rail compacts; and~~

9 ~~“(5) any legislative recommendations.”.~~

10 (b) ~~CLERICAL AMENDMENT.~~—The analysis for chap-
 11 ~~ter 229 of title 49, United States Code (as amended by~~
 12 ~~section 2305(b)), is amended by adding at the end the~~
 13 ~~following:~~

~~“22910. Interstate Rail Compacts Grant Program.”.~~

14 (c) ~~IDENTIFICATION.~~—Section 410 of the Amtrak
 15 ~~Reform and Accountability Act of 1997 (Public Law 105-~~
 16 ~~134, 49 U.S.C. 24101 note) is amended—~~

17 (1) in subsection (b)(2), by striking ~~“(except~~
 18 ~~funds made available for Amtrak)”~~; and

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

20 ~~“(c) NOTIFICATION REQUIREMENT.—Any State that~~
 21 ~~enters into an interstate compact pursuant to subsection~~
 22 ~~(a) shall notify the Secretary of Transportation of such~~
 23 ~~compact not later than 60 days after it is formed. The~~
 24 ~~failure of any State to notify the Secretary under this sub-~~

1 section shall not affect the status of the interstate com-
 2 pact.

3 “(d) INTERSTATE RAIL COMPACTS PROGRAM.—The
 4 Secretary of Transportation shall—

5 “(1) make available on a publicly accessible
 6 website a list of interstate rail compacts established
 7 under subsection (a) before the date of enactment of
 8 the Passenger Rail Expansion and Rail Safety Act
 9 of 2021 and interstate rail compacts established
 10 after such date; and

11 “(2) make information regarding interstate rail
 12 compacts available to the public, including how
 13 States may establish interstate rail compacts under
 14 subsection (a), and update such information, as nec-
 15 essary.”.

16 **SEC. 2307. FEDERAL-STATE PARTNERSHIP FOR INTERCITY**
 17 **PASSENGER RAIL GRANTS.**

18 (a) IN GENERAL.—Section 24911 of title 49, United
 19 States Code, is amended—

20 (1) in the section heading, by striking “**for**
 21 **state of good repair**” and inserting “**for**
 22 **intercity passenger rail**”;

23 (2) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (F), by striking
2 “or” at the end;

3 (ii) by redesignating subsection (G) as
4 subsection (H);

5 (iii) by inserting after subparagraph
6 (F), the following:

7 “(G) A federally recognized Indian Tribe;
8 or”; and

9 (iv) in subsection (H), as redesign-
10 nated, by striking “(F)” and inserting
11 “(G)”;

12 (B) by striking paragraphs (2) and (5);
13 and

14 (C) by redesignating paragraphs (3) and
15 (4) as paragraphs (2) and (3), respectively;

16 (3) in subsection (b), by striking “with respect
17 to qualified railroad assets” and inserting “, improve
18 performance, or expand or establish new intercity
19 passenger rail service, including privately operated
20 intercity passenger rail service if an eligible appli-
21 cant is involved;”;

22 (4) by striking subsections (c) through (e) and
23 inserting the following:

1 “(e) ELIGIBLE PROJECTS.—The following capital
2 projects, including acquisition of real property interests,
3 are eligible to receive grants under this section:

4 “(1) A project to replace, rehabilitate, or repair
5 infrastructure, equipment, or a facility used for pro-
6 viding intercity passenger rail service to bring such
7 assets into a state of good repair.

8 “(2) A project to improve intercity passenger
9 rail service performance, including reduced trip
10 times, increased train frequencies, higher operating
11 speeds, improved reliability, expanded capacity, re-
12 duced congestion, electrification, and other improve-
13 ments, as determined by the Secretary.

14 “(3) A project to expand or establish new inter-
15 city passenger rail service.

16 “(4) A group of related projects described in
17 paragraphs (1) through (3).

18 “(5) The planning, environmental studies, and
19 final design for a project or group of projects de-
20 scribed in paragraphs (1) through (4).

21 “(d) PROJECT SELECTION CRITERIA.—In selecting a
22 project for funding under this section—

23 “(1) for projects located on the Northeast Cor-
24 ridor, the Secretary shall—

1 “(A) make selections consistent with the
2 Northeast Corridor Project Inventory published
3 pursuant to subsection (c)(1), unless when nec-
4 essary to address materially changed infrastruc-
5 ture or service conditions, changes in project
6 sponsor capabilities or commitments, or other
7 significant changes since the completion of the
8 most recently issued Northeast Corridor Project
9 Inventory; and

10 “(B) for projects that benefit intercity and
11 commuter rail services, only make such selec-
12 tions when Amtrak and the public authorities
13 providing commuter rail passenger transpor-
14 tation at the eligible project location—

15 “(i) are in compliance with section
16 24905(c)(2);

17 “(ii) have identified the intercity pas-
18 senger rail share of the eligible project;
19 and

20 “(iii) identify funding for the com-
21 muter rail share of the non-Federal share
22 of the project before the commencement of
23 the project;

24 “(2) for projects not located on the Northeast
25 Corridor, the Secretary shall—

1 “(A) give preference to eligible projects—
2 “(i) for which Amtrak is not the sole
3 applicant;
4 “(ii) that improve the financial per-
5 formance reliability, service frequency, or
6 address the state of good repair of an Am-
7 trak route; and
8 “(iii) that are identified in, and con-
9 sistent with, a corridor inventory prepared
10 under the Corridor Identification and De-
11 velopment Program pursuant to section
12 25101; and
13 “(B) take into account—
14 “(i) the cost-benefit analysis of the
15 proposed project, including anticipated pri-
16 vate and public benefits relative to the
17 costs of the proposed project, including—
18 “(I) effects on system and service
19 performance, including as measured
20 by applicable metrics set forth in part
21 273 of title 49, Code of Federal Regu-
22 lations;
23 “(II) effects on safety, competi-
24 tiveness, reliability, trip or transit

1 time, greenhouse gas emissions, and
2 resilience;

3 “(III) efficiencies from improved
4 connections with other modes; and

5 “(IV) ability to meet existing or
6 anticipated demand;

7 “(ii) the degree to which the proposed
8 project’s business plan considers potential
9 private sector participation in the financ-
10 ing, construction, or operation of the pro-
11 posed project;

12 “(iii) the applicant’s past performance
13 in developing and delivering similar
14 projects, and previous financial contribu-
15 tions;

16 “(iv) whether the applicant has, or
17 will have—

18 “(I) the legal, financial, and tech-
19 nical capacity to carry out the project;

20 “(II) satisfactory continuing ac-
21 cess to the equipment or facilities; and

22 “(III) the capability and willing-
23 ness to maintain the equipment or fa-
24 cilities;

1 “(v) if applicable, the consistency of
2 the project with planning guidance and
3 documents set forth by the Secretary or
4 otherwise required by law; and

5 “(vi) any other relevant factors, as de-
6 termined by the Secretary; and

7 “(3) the Secretary shall reserve—

8 “(A) not less than 45 percent of the
9 amounts appropriated for grants under this sec-
10 tion for projects not located along the North-
11 east Corridor, of which not less than 20 percent
12 shall be for projects that benefit (in whole or in
13 part) a long-distance route; and

14 “(B) not less than 45 percent of the
15 amounts appropriated for grants under this sec-
16 tion for projects listed on the Northeast Cor-
17 ridor project inventory published pursuant to
18 subsection (e)(1).

19 “(e) LONG-TERM PLANNING.—Not later than 1 year
20 after the date of enactment of the Passenger Rail Expan-
21 sion and Rail Safety Act of 2021, and every 2 years there-
22 after, the Secretary shall create a predictable project pipe-
23 line that will assist Amtrak, States, and the public with
24 long-term capital planning by publishing a Northeast Cor-
25 ridor project inventory that—

1 “(1) identifies capital projects for Federal in-
2 vestment, project applicants, and proposed Federal
3 funding levels under this section;

4 “(2) specifies the order in which the Secretary
5 will provide grant funding to projects that have iden-
6 tified sponsors and are located along the Northeast
7 Corridor, including a method and plan for appor-
8 tioning funds to project sponsors for the 2-year pe-
9 riod, which may be altered by the Secretary, as nec-
10 essary, if recipients are not carrying out projects in
11 accordance with the anticipated schedule;

12 “(3) takes into consideration the appropriate
13 sequence and phasing of projects described in the
14 Northeast Corridor capital investment plan devel-
15 oped pursuant to section 24904(a);

16 “(4) is consistent with the most recent North-
17 east Corridor service development plan update de-
18 scribed in section 24904(d);

19 “(5) takes into consideration the existing com-
20 mitments and anticipated Federal, project applicant,
21 sponsor, and other relevant funding levels for the
22 next 5 fiscal years based on information currently
23 available to the Secretary; and

1 “(6) is developed in consultation with the
2 Northeast Corridor Commission and the owners of
3 Northeast Corridor infrastructure and facilities.”;

4 (5) in subsection (f)(2), by inserting “, except
5 as specified under paragraph (4)” after “80 per-
6 cent”;

7 (6) in subsection (g)—

8 (A) in the subsection heading, by inserting
9 “; PHASED FUNDING AGREEMENTS” after “IN-
10 TENT”;

11 (B) in paragraph (1)—

12 (i) in the paragraph heading, by strik-
13 ing “IN GENERAL” and inserting “LET-
14 TERS OF INTENT”; and

15 (ii) by striking “shall, to the max-
16 imum extent practicable,” and inserting
17 “may”;

18 (C) by redesignating paragraphs (2) and
19 (3) as paragraphs (3) and (4), respectively;

20 (D) by inserting after paragraph (1) the
21 following:

22 “(2) PHASED FUNDING AGREEMENTS.—

23 “(A) IN GENERAL.—The Secretary may
24 enter into a phased funding agreement with an
25 applicant if—

1 “(i) the project is highly rated, based
2 on the evaluations and ratings conducted
3 pursuant to this section and the applicable
4 notice of funding opportunity; and

5 “(ii) the Federal assistance to be pro-
6 vided for the project under this section is
7 more than \$80,000,000.

8 “(B) TERMS.—A phased funding agree-
9 ment shall—

10 “(i) establish the terms of participa-
11 tion by the Federal Government in the
12 project;

13 “(ii) establish the maximum amount
14 of Federal financial assistance for the
15 project;

16 “(iii) include the period of time for
17 completing the project, even if such period
18 extends beyond the period for which Fed-
19 eral financial assistance is authorized;

20 “(iv) make timely and efficient man-
21 agement of the project easier in accordance
22 with Federal law; and

23 “(v) if applicable, specify when the
24 process for complying with the National
25 Environmental Policy Act of 1969 (42

1 U.S.C. 4321 et seq.) and related environ-
2 mental laws will be completed for the
3 project.

4 “(C) SPECIAL FINANCIAL RULES.—

5 “(i) IN GENERAL.—A phased funding
6 agreement under this paragraph obligates
7 an amount of available budget authority
8 specified in law and may include a commit-
9 ment, contingent on amounts to be speci-
10 fied in law in advance for commitments
11 under this paragraph, to obligate an addi-
12 tional amount from future available budget
13 authority specified in law.

14 “(ii) STATEMENT OF CONTINGENT
15 COMMITMENT.—The agreement shall state
16 that the contingent commitment is not an
17 obligation of the Government.

18 “(iii) INTEREST AND OTHER FINANC-
19 ING COSTS.—Interest and other financing
20 costs of efficiently carrying out a part of
21 the project within a reasonable time are a
22 cost of carrying out the project under a
23 phased funding agreement, except that eli-
24 gible costs may not be more than the cost
25 of the most favorable financing terms rea-

1 sonably available for the project at the
2 time of borrowing. The applicant shall cer-
3 tify, to the satisfaction of the Secretary,
4 that the applicant has shown reasonable
5 diligence in seeking the most favorable fi-
6 nancing terms.

7 “(iv) FAILURE TO CARRY OUT
8 PROJECT.—If an applicant does not carry
9 out the project for reasons within the con-
10 trol of the applicant, the applicant shall
11 repay all Federal grant funds awarded for
12 the project from all Federal funding
13 sources, for all project activities, facilities,
14 and equipment, plus reasonable interest
15 and penalty charges allowable by law or es-
16 tablished by the Secretary in the phased
17 funding agreement. For purposes of this
18 clause, a process for complying with the
19 National Environmental Policy Act of
20 1969 (42 U.S.C. 4321 et seq.) that results
21 in the selection of the no build alternative
22 is not within the applicant’s control.

23 “(v) CREDITING OF FUNDS RE-
24 CEIVED.—Any funds received by the Gov-
25 ernment under this paragraph, except for

1 interest and penalty charges, shall be cred-
 2 ited to the appropriation account from
 3 which the funds were originally derived.”;

4 ~~(E)~~ in paragraph ~~(3)~~, as redesignated—

5 (i) in subparagraph ~~(A)~~, in the matter
 6 preceding clause ~~(i)~~, by inserting “a
 7 phased funding agreement under para-
 8 graph ~~(2)~~ or” after “issuing”; and

9 (ii) in subparagraph ~~(B)~~(i), by insert-
 10 ing “the phased funding agreement or”
 11 after “a copy of”; and

12 ~~(F)~~ in paragraph ~~(4)~~, as redesignated—

13 (i) by striking “An obligation” and in-
 14 serting the following:

15 “~~(B)~~ APPROPRIATIONS REQUIRED.—An
 16 obligation”; and

17 (ii) by inserting before subparagraph
 18 ~~(B)~~, as added by clause ~~(i)~~, the following:

19 “~~(A)~~ IN GENERAL.—The Secretary may
 20 enter into phased funding agreements under
 21 this subsection that contain contingent commit-
 22 ments to incur obligations in such amounts as
 23 the Secretary determines are appropriate.”; and
 24 ~~(7)~~ by adding at the end the following:

1 “(j) ANNUAL REPORT ON PHASED FUNDING AGREE-
2 MENTS AND LETTERS OF INTENT.—Not later than the
3 first Monday in February of each year, the Secretary shall
4 submit a report to the Committee on Commerce, Science,
5 and Transportation of the Senate, the Committee on Ap-
6 propriations of the Senate, the Committee on Transpor-
7 tation and Infrastructure of the House of Representatives,
8 and the Committee on Appropriations of the House of
9 Representatives that includes—

10 “(1) a proposal for the allocation of amounts to
11 be available to finance grants for projects under this
12 section among applicants for such amounts;

13 “(2) evaluations and ratings, as applicable, for
14 each project that has received a phased funding
15 agreement or a letter of intent; and

16 “(3) recommendations for each project that has
17 received a phased funding agreement or a letter of
18 intent for funding based on the evaluations and rat-
19 ings, as applicable, and on existing commitments
20 and anticipated funding levels for the next 3 fiscal
21 years based on information currently available to the
22 Secretary.

23 “(k) REGIONAL PLANNING GUIDANCE CORRIDOR
24 PLANNING.—The Secretary may withhold up to 5 percent
25 of the total amount made available to carry out this sec-

1 tion to carry out planning and development activities re-
 2 lated to section 25101, including—

3 “(1) providing funding to public entities for the
 4 development of corridor development plans selected
 5 under the Corridor Identification and Development
 6 Program;

7 “(2) facilitating and providing guidance for
 8 intercity passenger rail systems planning;

9 “(3) providing funding for the development and
 10 refinement of intercity passenger rail systems plan-
 11 ning analytical tools and models; and

12 “(4) providing funding to public entities for the
 13 development of corridor development plans selected
 14 under the Corridor Identification and Development
 15 Program.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
 17 ter 249 of title 49, United States Code, is amended by
 18 striking the item relating to section 24911 and inserting
 19 the following:

“24911. Federal-State partnership for intercity passenger rail.”.

20 **SEC. 2308. CORRIDOR IDENTIFICATION AND DEVELOPMENT**
 21 **PROGRAM.**

22 (a) IN GENERAL.—Part C of subtitle V of title 49,
 23 United States Code, is amended by adding at the end the
 24 following:

1 **“CHAPTER 251—PASSENGER RAIL**
 2 **PLANNING**

“Sec.

“25101. Corridor Identification and Development Program.

3 **“§ 25101. Corridor Identification and Development**
 4 **Program**

5 “(a) IN GENERAL.—Not later than 180 days after
 6 the date of enactment of the Passenger Rail Expansion
 7 and Rail Safety Act of 2021, the Secretary of Transpor-
 8 tation shall establish a program to facilitate the develop-
 9 ment of intercity passenger rail corridors. The program
 10 shall include—

11 “(1) a process for eligible entities described in
 12 subsection (b) to submit proposals for the develop-
 13 ment of intercity passenger rail corridors;

14 “(2) a process for the Secretary to review and
 15 select proposals in accordance with subsection (c);

16 “(3) criteria for determining the level of readi-
 17 ness for Federal financial assistance of an intercity
 18 passenger rail corridor, which shall include—

19 “(A) identification of a service operator
 20 which may include Amtrak or private rail ear-
 21 ners;

22 “(B) identification of a service sponsor or
 23 sponsors;

24 “(C) identification capital project sponsors;

1 ~~“(D) engagement with the host railroads;~~
2 and

3 ~~“(E) other criteria as determined appro-~~
4 ~~priate by the Secretary;~~

5 ~~“(4) a process for preparing service develop-~~
6 ~~ment plans in accordance with subsection (d), in-~~
7 ~~cluding the identification of planning funds, such as~~
8 ~~funds made available under section 24911(k) and~~
9 ~~interstate rail compact grants established under sec-~~
10 ~~tion 22210;~~

11 ~~“(5) the creation of a pipeline of intercity pas-~~
12 ~~senger rail corridor projects under subsection (g);~~

13 ~~“(6) planning guidance to achieve the purposes~~
14 ~~of this section, including guidance for intercity pas-~~
15 ~~senger rail corridors not selected under this section;~~
16 and

17 ~~“(7) such other features as the Secretary con-~~
18 ~~siders relevant to the successful development of~~
19 ~~intercity passenger rail corridors.~~

20 ~~“(b) ELIGIBLE ENTITIES.—The Secretary may re-~~
21 ~~ceive proposals under this section from Amtrak, States,~~
22 ~~groups of States, entities implementing interstate com-~~
23 ~~pacts, regional passenger rail authorities, regional plan-~~
24 ~~ning organizations, political subdivisions of a State, feder-~~

1 ally recognized Indian Tribes, and other public entities,
2 as determined by the Secretary.

3 “(e) CORRIDOR SELECTION.—In selecting intercity
4 passenger rail corridors pursuant to subsection (a), the
5 Secretary shall consider—

6 “(1) whether the route was identified as part of
7 a regional or interregional intercity passenger rail
8 systems planning study;

9 “(2) projected ridership, revenues, capital in-
10 vestment, and operating funding requirements;

11 “(3) anticipated environmental, congestion miti-
12 gation, and other public benefits;

13 “(4) projected trip times and their competitive-
14 ness with other transportation modes;

15 “(5) anticipated positive economic and employ-
16 ment impacts, including development in the areas
17 near passenger stations, historic districts, or other
18 opportunity zones;

19 “(6) committed or anticipated State, regional
20 transportation authority, or other non-Federal fund-
21 ing for operating and capital costs;

22 “(7) benefits to rural communities;

23 “(8) whether the corridor is included in a
24 State’s approved State rail plan developed pursuant
25 to chapter 227;

1 “(9) whether the corridor serves historically
2 unserved or underserved and low-income commu-
3 nities or areas of persistent poverty;

4 “(10) whether the corridor would benefit or im-
5 prove connectivity with existing or planned transpor-
6 tation services of other modes;

7 “(11) whether the corridor connects at least 2
8 of the 100 most populated metropolitan areas;

9 “(12) whether the corridor would enhance the
10 regional equity and geographic diversity of intercity
11 passenger rail service;

12 “(13) whether the corridor is or would be inte-
13 grated into the national rail passenger transpor-
14 tation system and whether the corridor would create
15 benefits for other passenger rail routes and services;
16 and

17 “(14) whether a passenger rail operator, includ-
18 ing a private rail carrier, has expressed support for
19 the corridor.

20 “(d) SERVICE DEVELOPMENT PLANS.—For each cor-
21 ridor proposal selected for development under this section,
22 the Secretary shall partner with the entity that submitted
23 the proposal and relevant States to prepare a service de-
24 velopment plan (or to update an existing service develop-
25 ment plan), which shall include—

1 “(1) a detailed description of the proposed
2 intercity passenger rail service, including train fre-
3 quencies, peak and average operating speeds, and
4 trip times;

5 “(2) a corridor project inventory that—

6 “(A) identifies the capital projects nec-
7 essary to achieve the proposed intercity pas-
8 senger rail service, including—

9 “(i) the capital projects for which
10 Federal investment will be sought;

11 “(ii) the likely project applicants; and

12 “(iii) the proposed Federal funding
13 levels;

14 “(B) specifies the order in which Federal
15 funding will be sought for the capital projects
16 identified under subparagraph (A), after consid-
17 ering the appropriate sequence and phasing of
18 projects based on the anticipated availability of
19 funds; and

20 “(C) is developed in consultation with the
21 entities listed in subsection (e);

22 “(3) a schedule and any associated phasing of
23 projects and related service initiation or changes;

24 “(4) project sponsors and other entities ex-
25 pected to participate in carrying out the plan;

1 “(5) a description of how the corridor would
2 comply with Federal rail safety and security laws,
3 orders, and regulations;

4 “(6) the locations of existing and proposed sta-
5 tions;

6 “(7) the needs for rolling stock and other
7 equipment;

8 “(8) a financial plan identifying projected—

9 “(A) annual revenues;

10 “(B) annual ridership;

11 “(C) capital investments before service
12 could be initiated;

13 “(D) capital investments required to main-
14 tain service;

15 “(E) annual operating and costs; and

16 “(F) sources of capital investment and op-
17 erating financial support;

18 “(9) a description of how the corridor would
19 contribute to the development of a multi-State re-
20 gional network of intercity passenger rail;

21 “(10) an intermodal plan describing how the
22 new or improved corridor facilitates travel connec-
23 tions with other passenger transportation services;

24 “(11) a description of the anticipated environ-
25 mental benefits of the corridor; and

1 “(12) a description of the corridor’s impacts on
2 highway and aviation congestion, energy consump-
3 tion, land use, and economic development in the
4 service area.

5 “(e) CONSULTATION.—In partnering on the prepara-
6 tion of a service development plan under subsection (d),
7 the Secretary shall consult with—

8 “(1) Amtrak;

9 “(2) appropriate State and regional transpor-
10 tation authorities and local officials;

11 “(3) representatives of employee labor organiza-
12 tions representing railroad and other appropriate
13 employees;

14 “(4) host railroads for the proposed corridor;
15 and

16 “(5) other stakeholders, as determined by the
17 Secretary.

18 “(f) UPDATES.—If at least 40 percent of the work
19 to implement a service development plan prepared under
20 subsection (d) has not yet been completed, the plan’s spon-
21 sor, in consultation with the Secretary, shall determine
22 whether such plan should be updated.

23 “(g) PROJECT PIPELINE.—Not later than 1 year
24 after the establishment of the program under this section,
25 and by February 1st of each year thereafter, the Secretary

1 shall submit to the Committee on Commerce, Science, and
2 Transportation of the Senate, the Committee on Appro-
3 priations of the Senate, and the Committee on Transpor-
4 tation and Infrastructure of the House of Representatives,
5 and the Committee on Appropriations of the House of
6 Representatives a project pipeline, in accordance with this
7 section, that—

8 “(1) identifies intercity passenger rail corridors
9 selected for development under this section;

10 “(2) identifies capital projects for Federal in-
11 vestment, project applicants, and proposed Federal
12 funding levels, as applicable, consistent with the cor-
13 ridor project inventory;

14 “(3) specifies the order in which the Secretary
15 would provide Federal financial assistance, subject
16 to the availability of funds, to projects that have
17 identified sponsors, including a method and plan for
18 apportioning funds to project sponsors for a 5-year
19 period, which may be altered by the Secretary, as
20 necessary, if recipients are not carrying out projects
21 on the anticipated schedule;

22 “(4) takes into consideration the appropriate
23 sequence and phasing of projects described in the
24 corridor project inventory;

1 “(5) takes into consideration the existing com-
 2 mitments and anticipated Federal, project applicant,
 3 sponsor, and other relevant funding levels for the
 4 next 5 fiscal years based on information currently
 5 available to the Secretary;

6 “(6) is prioritized based on the level of readi-
 7 ness of the corridor; and

8 “(7) reflects consultation with Amtrak.

9 “(h) DEFINITION.—In this section, the term ‘inter-
 10 city passenger rail corridor’ means—

11 “(1) a new intercity passenger rail route of less
 12 than 750 miles;

13 “(2) the enhancement of an existing intercity
 14 passenger rail route of less than 750 miles;

15 “(3) the restoration of service over all or por-
 16 tions of an intercity passenger rail route formerly
 17 operated by Amtrak; or

18 “(4) the increase of service frequency of a long-
 19 distance intercity passenger rail route.”.

20 (b) CLERICAL AMENDMENT.—The table of chapters
 21 for subtitle V of title 49, United States Code, is amended
 22 by inserting after the item relating to chapter 249 the fol-
 23 lowing:

 “Chapter 251. Passenger rail planning25101”.

1 **SEC. 2309. SURFACE TRANSPORTATION BOARD PASSENGER**
2 **RAIL PROGRAM.**

3 The Surface Transportation Board shall—

4 (1) establish a passenger rail program with pri-
5 mary responsibility for carrying out the Board's pas-
6 senger rail responsibilities; and

7 (2) hire up to 10 additional full-time employees
8 to assist in carrying out the responsibilities referred
9 to in paragraph (1).

10 **SEC. 2310. RAILROAD RIGHTS-OF-WAY.**

11 (a) **REVIEW.**—The Comptroller General of the United
12 States shall—

13 (1) conduct a review of the exemption for rail-
14 road rights-of-way under section 306108 of title 54,
15 United States Code, to determine whether and to
16 what extent the exemption streamlines compliance
17 with such section; and

18 (2) quantify the efficiencies achieved by such
19 exemption and the remaining inefficiencies.

20 (b) **CONSULTATION.**—In conducting the review pur-
21 suant to subsection (a), the Comptroller General shall con-
22 sult with the Secretary, the Advisory Council on Historic
23 Preservation, the National Conference of State Historic
24 Preservation Officers, the National Association of Tribal
25 Historic Preservation Officers, the Department of the In-
26 terior, and representatives of the railroad industry.

1 (c) RECOMMENDATIONS.—Not later than 1 year after
2 the date of enactment of this Act, the Comptroller General
3 shall submit a report to the Committee on Commerce,
4 Science, and Transportation of the Senate and the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives that—

7 (1) describes the results of the review conducted
8 pursuant to subsection (a); and

9 (2) includes recommendations for any regu-
10 latory or legislative amendments that may further
11 streamline compliance with the requirements under
12 section 306108 of title 54, United States Code, in
13 a manner that is consistent with railroad safety and
14 the policies and purposes of such section, including
15 recommendations regarding—

16 (A) the property based exemption; and

17 (B) ways to improve the process, while en-
18 suring that historical properties remain pro-
19 tected under such section.

20 (d) REPORT TO CONGRESS.—Not later than 180 days
21 after date of enactment of this Act, the Secretary and the
22 Advisory Council on Historic Preservation shall submit a
23 report to the Committee on Commerce, Science, and
24 Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of Rep-
2 resentatives that addresses—

3 (1) the recommendations received from the
4 Comptroller General pursuant to subsection (c)(2);
5 and

6 (2) the actions that the Secretary will take to
7 implement such recommendations.

8 **Subtitle D—Rail Safety**

9 **SEC. 2401. RAILWAY-HIGHWAY CROSSINGS PROGRAM EVAL-** 10 **UATION.**

11 (a) IN GENERAL.—The Secretary shall evaluate the
12 requirements of the railway-highway crossings program
13 authorized under section 130 of title 23, United States
14 Code, to determine whether—

15 (1) the requirements of the program provide
16 States sufficient flexibility to adequately address
17 current and emerging highway-rail grade crossing
18 safety issues;

19 (2) the structure of the program provides suffi-
20 cient incentives and resources to States and local
21 agencies to make changes at highway-rail grade
22 crossings that are most effective at reducing deaths
23 and injuries;

24 (3) there are appropriate tools and resources to
25 support States in using data driven programs to de-

1 terminate the most cost-effective use of program
2 funds; and

3 (4) any statutory changes are recommended to
4 improve the effectiveness of the program.

5 (b) REPORT.—Not later than 1 year after the date
6 of enactment of this Act, the Secretary shall submit a re-
7 port to the Committee on Commerce, Science, and Trans-
8 portation of the Senate, the Committee on Environment
9 and Public Works of the Senate, and the Committee on
10 Transportation and Infrastructure of the House of Rep-
11 resentatives that summarizes and describes the results of
12 the evaluation conducted pursuant to subsection (a), in-
13 cluding any recommended statutory changes.

14 **SEC. 2402. GRADE CROSSING ACCIDENT PREDICTION**
15 **MODEL.**

16 Not later than 2 years after the date of enactment
17 of this Act, the Administrator of the Federal Railroad Ad-
18 ministration shall—

19 (1) update the grade crossing accident pre-
20 diction and severity model used by the Federal Rail-
21 road Administration to analyze accident risk at high-
22 way-rail grade crossings; and

23 (2) provide training on the use of the updated
24 grade crossing accident prediction and severity
25 model.

1 **SEC. 2403. PERIODIC UPDATES TO HIGHWAY-RAIL CROSS-**
 2 **ING REPORTS AND PLANS.**

3 (a) **HIGHWAY-RAIL GRADE CROSSING SAFETY.**—Sec-
 4 tion 11401 of the Fixing America’s Surface Transpor-
 5 tation Act (Public Law 114–94; 49 U.S.C. 22907 note)
 6 is amended—

7 (1) by striking subsection (e); and

8 (2) by redesignating subsections (d) and (e) as
 9 subsections (e) and (d), respectively.

10 (b) **REPORTS ON HIGHWAY-RAIL GRADE CROSSING**
 11 **SAFETY.**—

12 (1) **IN GENERAL.**—Chapter 201 of title 49,
 13 United States Code, is amended by inserting after
 14 section 20166 the following:

15 **“§ 20167. Reports on highway-rail grade crossing**
 16 **safety**

17 **“(a) REPORT.**—Not later than 4 years after the date
 18 by which States are required to submit State highway-rail
 19 grade crossing action plans under section 11401(b) of the
 20 Fixing America’s Surface Transportation Act (49 U.S.C.
 21 22907 note), the Administrator of the Federal Railroad
 22 Administration, in consultation with the Administrator of
 23 the Federal Highway Administration, shall submit a re-
 24 port to the Committee on Commerce, Science, and Trans-
 25 portation of the Senate and the Committee on Transpor-
 26 tation and Infrastructure of the House of Representatives

1 that summarizes the State highway-rail grade crossing ac-
2 tion plans, including—

3 “(1) an analysis and evaluation of each State
4 railway-highway crossings program under section
5 130 of title 23, including—

6 “(A) compliance with section 11401 of the
7 Fixing America’s Surface Transportation Act
8 and section 130(g) of title 23; and

9 “(B) the specific strategies identified by
10 each State to improve safety at highway-rail
11 grade crossings, including crossings with mul-
12 tiple accidents or incidents;

13 “(2) the progress of each State in implementing
14 its State highway-rail grade crossings action plan;

15 “(3) the number of highway-rail grade crossing
16 projects undertaken pursuant to section 130 of title
17 23, including the distribution of such projects by
18 cost range, road system, nature of treatment, and
19 subsequent accident experience at improved loca-
20 tions;

21 “(4) which States are not in compliance with
22 their schedule of projects under section 130(d) of
23 title 23; and

1 “(5) any recommendations for future implemen-
2 tation of the railway-highway crossings program
3 under section 130 of title 23.

4 “(b) UPDATES.—Not later than 5 years after the
5 submission of the report required under subsection (a), the
6 Administrator of the Federal Railroad Administration, in
7 consultation with the Administrator of the Federal High-
8 way Administration, shall—

9 “(1) update the report based on the State an-
10 nual reports submitted pursuant to section 130(g) of
11 title 23 and any other information obtained by or
12 available to the Administrator of the Federal Rail-
13 road Administration; and

14 “(2) submit the updated report to the Com-
15 mittee on Commerce, Science, and Transportation of
16 the Senate and the Committee on Transportation
17 and Infrastructure of the House of Representatives.

18 “(c) DEFINITIONS.—In this section:

19 “(1) HIGHWAY-RAIL GRADE CROSSING.—The
20 term ‘highway-rail grade crossing’ means a location
21 within a State, other than a location at which 1 or
22 more railroad tracks cross 1 or more railroad tracks
23 at grade, at which—

24 “(A) a public highway, road, or street, or
25 a private roadway, including associated side-

1 walks and pathways, crosses 1 or more railroad
2 tracks, either at grade or grade-separated; or

3 “(B) a pathway explicitly authorized by a
4 public authority or a railroad carrier that—

5 “(i) is dedicated for the use of non-
6 vehicular traffic, including pedestrians,
7 bicyclists, and others;

8 “(ii) is not associated with a public
9 highway, road, or street, or a private road-
10 way; and

11 “(iii) crosses 1 or more railroad
12 tracks, either at grade or grade-separated.

13 “(2) STATE.—The term ‘State’ means a State
14 of the United States or the District of Columbia.”.

15 (2) CLERICAL AMENDMENT.—The analysis for
16 chapter 201 of title 49, United States Code, is
17 amended by inserting after the item relating to sec-
18 tion 20166 the following:

“20167. Reports on highway-rail grade crossing safety.”.

19 (c) ANNUAL REPORT.—Section 130(g) of title 23,
20 United States Code, is amended to read as follows:

21 “(g) ANNUAL REPORT.—

22 “(1) IN GENERAL.—Not later than August 31
23 of each year, each State shall submit a report to the
24 Administrator of the Federal Highway Administra-
25 tion that describes—

1 “(A) the progress being made to imple-
2 ment the railway-highway crossings program
3 authorized under this section; and

4 “(B) the effectiveness of the improvements
5 made as a result of such implementation.

6 “(2) CONTENTS.—Each report submitted pur-
7 suant to paragraph (1) shall contain an assessment
8 of—

9 “(A) the costs of the various treatments
10 employed by the State to implement the rail-
11 way-highway crossings program; and

12 “(B) the effectiveness of such treatments,
13 as measured by the accident experience at the
14 locations that received such treatments.

15 “(3) COORDINATION.—Not later than 30 days
16 after the Federal Highway Administration’s accept-
17 ance of each report submitted pursuant to para-
18 graph (1); the Administrator of the Federal High-
19 way Administration shall make such report available
20 to the Administrator of the Federal Railroad Admin-
21 istration.”.

22 **SEC. 2404. BLOCKED CROSSING PORTAL.**

23 (a) IN GENERAL.—The Administrator of the Federal
24 Railroad Administration shall establish a 3-year blocked
25 crossing portal, which shall include the maintenance of the

1 portal and corresponding database to receive, store, and
2 retrieve information regarding blocked highway-rail grade
3 crossings.

4 (b) **BLOCKED CROSSING PORTAL.**—The Adminis-
5 trator of the Federal Railroad Administration shall estab-
6 lish a blocked crossing portal that—

7 (1) collects information from the public, includ-
8 ing first responders, regarding blocked highway-rail
9 grade crossing events;

10 (2) solicits the apparent cause of the blocked
11 crossing and provides examples of common causes of
12 blocked crossings, such as idling trains or instances
13 when lights or gates are activated when no train is
14 present;

15 (3) provides each complainant with the contact
16 information for reporting a blocked crossing to the
17 relevant railroad; and

18 (4) encourages each complainant to report the
19 blocked crossing to the relevant railroad.

20 (c) **COMPLAINTS.**—The blocked crossing portal shall
21 be programmed to receive complaints from the general
22 public about blocked highway-rail grade crossings. Any
23 complaint reported through the portal shall indicate
24 whether the complainant also reported the blocked cross-
25 ing to the relevant railroad.

1 (d) INFORMATION RECEIVED.—In reviewing com-
2 plaints received pursuant to subsection (c), the Federal
3 Railroad Administration shall review, to the extent prac-
4 ticable, the information received from the complainant to
5 account for duplicative or erroneous reporting.

6 (e) USE OF INFORMATION.—The information re-
7 ceived and maintained in the blocked crossing portal data-
8 base shall be used by the Federal Railroad Administra-
9 tion—

10 (1) to identify frequent and long-duration
11 blocked highway-rail grade crossings;

12 (2) as a basis for conducting outreach to com-
13 munities, emergency responders, and railroads;

14 (3) to support collaboration in the prevention of
15 incidents at highway-rail grade crossings; and

16 (4) to assess the impacts of blocked crossings.

17 (f) SHARING INFORMATION RECEIVED.—

18 (1) IN GENERAL.—The Administrator of the
19 Federal Railroad Administration shall implement
20 and make publicly available procedures for sharing
21 any nonaggregated information received through the
22 blocked crossing portal with the public.

23 (2) RULE OF CONSTRUCTION.—Nothing in this
24 section may be construed to authorize the Federal

1 Railroad Administration to make publically available
2 sensitive security information.

3 (g) **ADDITIONAL INFORMATION.**—If the information
4 submitted to the blocked crossing portal is insufficient to
5 determine the locations and potential impacts of blocked
6 highway-rail grade crossings, the Federal Railroad Admin-
7 istration may collect, from the general public, State and
8 local law enforcement personnel, and others as appro-
9 priate, such additional information as may be necessary
10 to make such determinations.

11 (h) **LIMITATIONS.**—Complaints, data, and other in-
12 formation received through the blocked crossing portal
13 may not be used—

14 (1) to infer or extrapolate the rate or instances
15 of crossings beyond the data received through the
16 portal; or

17 (2) for any regulatory or enforcement purposes
18 except those specifically described in this section.

19 (i) **REPORTS.**—

20 (1) **ANNUAL PUBLIC REPORT.**—The Adminis-
21 trator of the Federal Railroad Administration shall
22 publish an annual report on a public website regard-
23 ing the blocked crossing program, including the un-
24 derlying causes of blocked crossings, program chal-
25 lenges, and other findings.

1 (2) REPORT TO CONGRESS.—Not later than 1
2 year after the date of enactment of this Act, the Ad-
3 ministrator of the Federal Railroad Administration
4 shall submit a report to the Committee on Com-
5 merce, Science, and Transportation of the Senate
6 and the Committee on Transportation and Infra-
7 structure of the House of Representatives that de-
8 scribes—

9 (A) based on the information received
10 through the blocked crossing portal, frequent
11 and long-duration blocked highway-rail grade
12 crossings, including the locations, dates, dura-
13 tions, and impacts resulting from such occur-
14 rences;

15 (B) the Federal Railroad Administration's
16 process for verifying the accuracy of the com-
17 plaints submitted to the blocked crossing portal,
18 including whether the portal continues to be ef-
19 fective in collecting such information and identi-
20 fying blocked crossings;

21 (C) the Federal Railroad Administration's
22 use of the data compiled by the blocked cross-
23 ing portal to assess the underlying cause and
24 overall impacts of blocked crossings;

1 ~~(D)~~ the engagement of the Federal Rail-
2 road Administration with affected parties to
3 identify and facilitate solutions to frequent and
4 long-duration blocked highway-rail grade cross-
5 ings identified by the blocked crossing portal;
6 and

7 ~~(E)~~ whether the blocked crossing portal
8 continues to be an effective method to collect
9 blocked crossing information and what changes
10 could improve its effectiveness.

11 ~~(j)~~ SUNSET.—This section (other than subsection
12 ~~(k)~~) shall have no force or effect beginning on the date
13 that is 3 years after the date of enactment of this Act.

14 ~~(k)~~ RULE OF CONSTRUCTION.—Nothing in this sec-
15 tion may be construed to invalidate any authority of the
16 Secretary with respect to blocked highway-rail grade
17 crossings. The Secretary may continue to use any such
18 authority after the sunset date set forth in subsection ~~(j)~~.

19 **SEC. 2405. DATA ACCESSIBILITY.**

20 ~~(a)~~ REVIEW.—Not later than 180 days after the date
21 of enactment of this Act, the Chief Information Officer
22 of the Department shall—

23 ~~(1)~~ conduct a review of the website of the Office
24 of Safety Analysis of the Federal Railroad Adminis-
25 tration; and

1 (2) provide recommendations to the Secretary
2 for improving the public's usability and accessibility
3 of the website referred to in paragraph (1).

4 (b) UPDATES.—Not later than 1 year after receiving
5 recommendations from the Chief Information Officer pur-
6 suant to subsection (a)(2), the Secretary, after considering
7 such recommendations, shall update the website of the Of-
8 fice of Safety Analysis of the Federal Railroad Adminis-
9 tration to improve the usability and accessibility of the
10 website.

11 **SEC. 2406. EMERGENCY LIGHTING.**

12 Not later than 1 year after the date of enactment
13 of this Act, the Secretary shall initiate a rulemaking to
14 require that all rail carriers providing intercity passenger
15 rail transportation or commuter rail passenger transpor-
16 tation (as such terms are defined in section 24102 of title
17 49, United States Code), develop and implement periodic
18 inspection plans to ensure that passenger equipment of-
19 fered for revenue service complies with the requirements
20 under part 238 of title 49, Code of Federal Regulations,
21 including ensuring that, in the event of a loss of power,
22 there is adequate emergency lighting available to allow
23 passengers, crew members, and first responders—

24 (1) to see and orient themselves;

25 (2) to identify obstacles;

1 (3) to safely move throughout the rail car; and

2 (4) to evacuate safely.

3 **SEC. 2407. COMPREHENSIVE RAIL SAFETY REVIEW OF AM-**

4 **TRAK.**

5 (a) **COMPREHENSIVE SAFETY ASSESSMENT.**—Not

6 later than 1 year after the date of enactment of this Act,

7 the Secretary shall—

8 (1) conduct a focused review of Amtrak's safe-

9 ty-related processes and procedures; compliance with

10 safety regulations and requirements; and overall

11 safety culture; and

12 (2) submit a report to the Committee on Com-

13 merce, Science, and Transportation of the Senate

14 and the Committee on Transportation and Infra-

15 structure of the House of Representatives that in-

16 cludes the findings and recommendations resulting

17 from such assessment.

18 (b) **PLAN.**—

19 (1) **INITIAL PLAN.**—Not later than 6 months

20 after the completion of the comprehensive safety as-

21 sessment under subsection (a)(1), Amtrak shall sub-

22 mit a plan to the Committee on Commerce, Science,

23 and Transportation of the Senate and the Com-

24 mittee on Transportation and Infrastructure of the

25 House of Representatives for addressing the findings

1 and recommendations raised in the comprehensive
2 safety assessment.

3 ~~(2) ANNUAL UPDATES.~~—Amtrak shall submit
4 annual updates of its progress toward implementing
5 the plan submitted pursuant to paragraph (1) to the
6 committees listed in such paragraph.

7 **SEC. 2408. COMPLETION OF HOURS OF SERVICE AND FA-**
8 **TIGUE STUDIES.**

9 (a) ~~IN GENERAL.~~—Not later than 90 days after the
10 date of enactment of this Act, the Administrator of the
11 Federal Railroad Administration shall commence the pilot
12 programs required under subparagraphs (A) and (B) of
13 section 21109(e)(1) of title 49, United States Code.

14 (b) ~~CONSULTATION.~~—The Federal Railroad Adminis-
15 tration shall consult with the class or craft of employees
16 impacted by the pilot projects, including railroad carriers,
17 and representatives of labor organizations representing
18 the impacted employees when designing and conducting
19 the pilot programs referred to in subsection (a).

20 (c) ~~REPORT.~~—If the pilot programs required under
21 section 21109(e)(1) of title 49, United States Code, have
22 not commenced on the date that is 1 year and 120 days
23 after the date of enactment of this Act, the Secretary, not
24 later than 30 days after such date, submit a report to the
25 Committee on Commerce, Science, and Transportation of

1 the Senate and the Committee on Transportation and In-
2 frastructure of the House of Representatives that de-
3 scribes—

4 (1) the status of such pilot programs;

5 (2) actions that the Federal Railroad Adminis-
6 tration has taken to commence the pilot programs,
7 including efforts to recruit participant railroads;

8 (3) any challenges impacting the commence-
9 ment of the pilot programs; and

10 (4) any other details associated with the devel-
11 opment of the pilot programs that affect progress to-
12 ward meeting the mandate under such section
13 21109(e)(1).

14 **SEC. 2409. POSITIVE TRAIN CONTROL STUDY.**

15 (a) **STUDY.**—The Comptroller General of the United
16 States shall conduct a study to determine the annual posi-
17 tive train control system operation and maintenance costs
18 for public commuter railroads.

19 (b) **REPORT.**—Not later than 2 years after the date
20 of enactment of this Act, the Comptroller General of the
21 United States shall submit a report to the Committee on
22 Commerce, Science, and Transportation of the Senate and
23 the Committee on Transportation and Infrastructure of
24 the House of Representatives that summarizes the study
25 conducted pursuant to subsection (a), including the esti-

1 mated annual positive train control system operation and
 2 maintenance costs for public commuter railroads.

3 **SEC. 2410. OPERATING CREW MEMBER TRAINING, QUALI-**
 4 **FICATION, AND CERTIFICATION.**

5 (a) AUDITS.—Not later than 60 days after the date
 6 of enactment of this Act, the Secretary shall initiate audits
 7 of the training, qualification, and certification programs
 8 of locomotive engineers and conductors of railroad ear-
 9 riers, subject to the requirements of parts 240 and 242
 10 of title 49, Code of Federal Regulations, which audits
 11 shall—

12 (1) be conducted in accordance with subsection

13 (b);

14 (2) consider whether such programs are in com-
 15 pliance with such parts 240 and 242;

16 (3) assess the type and content of training that
 17 such programs provide locomotive engineers and
 18 conductors, relevant to their respective roles, includ-
 19 ing training related to installed technology;

20 (4) determine whether such programs provide
 21 locomotive engineers and conductors the knowledge,
 22 skill, and ability to safely operate a locomotive or
 23 train, consistent with such parts 240 and 242;

1 (5) determine whether such programs reflect
2 the current operating practices of the railroad ear-
3 rier;

4 (6) assess the current practice by which rail-
5 roads utilize simulator training, or any other tech-
6 nologies used to train and qualify locomotive engi-
7 neers and conductors by examining how such tech-
8 nologies are used;

9 (7) consider international experience and prac-
10 tice using similar technology, as appropriate, par-
11 ticularly before qualifying locomotive engineers on
12 new or unfamiliar equipment, new train control,
13 diagnostics, or other on-board technology;

14 (8) assess the current practice for familiarizing
15 locomotive engineers and conductors with new terri-
16 tory and using recurrency training to expose such
17 personnel to normal and abnormal conditions; and

18 (9) ensure that locomotive engineers and con-
19 ductor training programs are considered separately,
20 as appropriate, based on the unique requirements
21 and regulations.

22 (b) AUDIT SCHEDULING.—The Secretary shall—

23 (1) schedule the audits required under sub-
24 section (a) to ensure that—

1 (A) each Class I railroad, including the
 2 National Railroad Passenger Corporation and
 3 other intercity passenger rail providers, is au-
 4 dited not less frequently than once every 5
 5 years; and

6 (B) a select number, as determined appro-
 7 priate by the Secretary, of Class II and Class
 8 III railroads, along with other railroads pro-
 9 viding passenger rail service that are not in-
 10 cluded in subparagraph (A), are audited annu-
 11 ally; and

12 (2) conduct the audits described in paragraph
 13 (1)(B) in accordance with the Small Business Regu-
 14 latory Enforcement Fairness Act of 1996 (5 U.S.C.
 15 601 note) and appendix C of part 209 of title 49,
 16 Code of Federal Regulations.

17 (e) UPDATES TO QUALIFICATION AND CERTIFI-
 18 CATION PROGRAM.—If the Secretary, while conducting the
 19 audits required under this section, identifies a deficiency
 20 in a railroad’s training, qualification, and certification pro-
 21 gram for locomotive engineers or conductors, the railroad
 22 shall update the program to eliminate such deficiency.

23 (d) CONSULTATION AND COOPERATION.—

24 (1) CONSULTATION.—In conducting any audit
 25 required under this section, the Secretary shall con-

1 sult with the railroad and its employees, including
2 any nonprofit employee labor organization rep-
3 resenting the engineers or conductors of the rail-
4 road.

5 (2) COOPERATION.—The railroad and its em-
6 ployees, including any nonprofit employee labor or-
7 ganization representing engineers or conductors of
8 the railroad, shall fully cooperate with any such
9 audit, including by—

10 (A) providing any relevant documents re-
11 quested; and

12 (B) making available any employees for
13 interview without undue delay or obstruction.

14 (3) FAILURE TO COOPERATE.—If the Secretary
15 determines that a railroad or any of its employees,
16 including any nonprofit employee labor organization
17 representing engineers or conductors of the railroad
18 is not fully cooperating with an audit, the Secretary
19 shall electronically notify the Committee on Com-
20 merce, Science, and Transportation of the Senate
21 and the Committee on Transportation and Infra-
22 structure of the House of Representatives.

23 (e) REVIEW OF REGULATIONS.—The Secretary shall
24 triennially determine whether any update to part 240 or
25 242 of title 49, Code of Federal Regulations, is necessary

1 to better prepare locomotive engineers and conductors to
2 safely operate trains by evaluating whether such regula-
3 tions establish appropriate Federal standards requiring
4 railroads—

5 (1) to provide locomotive engineers or conduc-
6 tors the knowledge and skills to safely operate trains
7 under conditions that reflect industry practices;

8 (2) to adequately address locomotive engineer
9 or conductor route situational awareness, including
10 ensuring locomotive engineers and conductors to
11 demonstrate knowledge on the physical characteris-
12 ties of a territory under various conditions and using
13 various resources;

14 (3) to provide relevant and adequate hands-on
15 training before a locomotive engineer or conductor is
16 certified;

17 (4) to adequately prepare locomotive engineers
18 or conductors to understand relevant locomotive op-
19 erating characteristics; to include instructions on
20 functions they are required to operate on any in-
21 stalled technology; and

22 (5) to address any other safety issue that the
23 Secretary determines to be appropriate for better
24 preparing locomotive engineers or conductors.

1 (f) ANNUAL REPORT.—The Secretary shall publish
 2 an annual report on the public website of the Federal Rail-
 3 road Administration that—

4 (1) summarizes the findings of the prior year’s
 5 audits;

6 (2) summarizes any updates made pursuant to
 7 subsection (c); and

8 (3) excludes and confidential business informa-
 9 tion or sensitive security information.

10 **SEC. 2411. TRANSPARENCY AND SAFETY.**

11 Section 20103(d) of title 49, United States Code, is
 12 amended to read as follows:

13 “(d) NONEMERGENCY WAIVERS.—

14 “(1) IN GENERAL.—The Secretary of Transpor-
 15 tation may waive, or suspend the requirement to
 16 comply with, any part of a regulation prescribed or
 17 an order issued under this chapter if such waiver or
 18 suspension is in the public interest and consistent
 19 with railroad safety.

20 “(2) NOTICE REQUIRED.—The Secretary
 21 shall—

22 “(A) provide timely public notice of any re-
 23 quest for a waiver under this subsection or for
 24 a suspension under subpart E of part 211 of

1 title 49, Code of Federal Regulations, or suc-
2 cessor regulations;

3 “(B) make available the application for
4 such waiver or suspension and any nonconfiden-
5 tial underlying data to interested parties;

6 “(C) provide the public with notice and a
7 reasonable opportunity to comment on a pro-
8 posed waiver or suspension under this sub-
9 section before making a final decision; and

10 “(D) publish on a publicly accessible
11 website the reasons for granting each such
12 waiver or suspension.

13 “(3) INFORMATION PROTECTION.—Nothing in
14 this subsection may be construed to require the re-
15 lease of information protected by law from public
16 disclosure.

17 “(4) RULEMAKING.—

18 “(A) IN GENERAL.—Not later than 1 year
19 after the first day on which a waiver under this
20 subsection or a suspension under subpart E of
21 part 211 of title 49, Code of Federal Regula-
22 tions, or successor regulations, has been in con-
23 tinuous effect for a 6-year period, the Secretary
24 shall complete a review and analysis of such
25 waiver or suspension to determine whether

1 issuing a rule that is consistent with the waiver
2 is—

3 “(i) in the public interest; and

4 “(ii) consistent with railroad safety.

5 “(B) FACTORS.—In conducting the review
6 and analysis under subparagraph (A), the Sec-
7 retary shall consider—

8 “(i) the relevant safety record under
9 the waiver;

10 “(ii) the likelihood that other entities
11 would have similar safety outcomes;

12 “(iii) the materials submitted in the
13 applications, including any comments re-
14 garding such materials; and

15 “(iv) related rulemaking activity.

16 “(C) NOTICE AND COMMENT.—The Sec-
17 retary shall publish notice of the review and
18 analysis of the waiver in the Federal Register,
19 which shall include a summary of the data col-
20 lected and all relevant underlying data, which
21 may be included in a regulatory update under
22 subparagraph (D).

23 “(D) REGULATORY UPDATE.—The Sec-
24 retary may initiate a rulemaking to incorporate
25 relevant aspects of a waiver under this sub-

1 section or a suspension under subpart E of part
 2 211 of title 49, Code of Federal Regulations, or
 3 successor regulations, into the relevant regula-
 4 tion, to the extent the Secretary considers ap-
 5 propriate.

6 “(5) **RULE OF CONSTRUCTION.**—Nothing in
 7 this subsection may be construed to delay any waiver
 8 granted pursuant to this subsection that is in the
 9 public interest and consistent with railroad safety.”.

10 **SEC. 2412. RESEARCH AND DEVELOPMENT.**

11 Section 20108 of title 49, United States Code, is
 12 amended by adding at the end the following:

13 “(d) **FACILITIES.**—The Secretary may erect, alter,
 14 and repair buildings and make other public improvements
 15 to carry out necessary railroad research, safety, and train-
 16 ing activities at the Transportation Technology Center in
 17 Pueblo, Colorado.

18 “(e) **OFFSETTING COLLECTIONS.**—The Secretary
 19 may collect fees or rents from facility users to offset ap-
 20 propriated amounts for the cost of providing facilities or
 21 research, development, testing, training, or other services,
 22 including long-term sustainment of the on-site physical
 23 plant.

24 “(f) **REVOLVING FUND.**—Amounts appropriated to
 25 carry out subsection (d) and all fees and rents collected

1 pursuant to subsection (e) shall be credited to a revolving
2 fund and remain available until expended. The Secretary
3 may use such fees and rents for operation, maintenance,
4 repair, or improvement of the Transportation Technology
5 Center.

6 “(g) LEASES AND CONTRACTS.—Notwithstanding
7 section 1302 of title 40, the Secretary may lease to others
8 or enter into contracts for terms of up to 20 years, for
9 such consideration and subject to such terms and condi-
10 tions as the Secretary determines to be in the best inter-
11 ests of the Government of the United States, for the oper-
12 ation, maintenance, repair, and improvement of the
13 Transportation Technology Center.

14 “(h) PROPERTY AND CASUALTY LOSS INSURANCE.—
15 The Secretary may allow its lessees and contractors to
16 purchase property and casualty loss insurance for its as-
17 sets and activities at the Transportation Technology Cen-
18 ter to mitigate the lessee’s or contractor’s risk associated
19 with operating a facility.

20 “(i) ENERGY PROJECTS.—Notwithstanding section
21 1341 of title 31, the Secretary may enter into contracts
22 or agreements, or commit to obligations in connection with
23 third-party contracts or agreements, including contingent
24 liability for the purchase of electric power in connection
25 with such contracts or agreements, for terms not to exceed

1 20 years, to enable the use of the land at the Transpor-
 2 tation Technology Center for projects to produce energy
 3 from renewable sources.”.

4 **SEC. 2413. RAIL RESEARCH AND DEVELOPMENT CENTER**
 5 **OF EXCELLENCE.**

6 Section 20108 of title 49, United States Code, as
 7 amended by section 2412, is further amended by adding
 8 at the end the following:

9 “(j) **RAIL RESEARCH AND DEVELOPMENT CENTER**
 10 **OF EXCELLENCE.**—

11 “(1) **CENTER OF EXCELLENCE.**—The Secretary
 12 shall award grants to establish and maintain a cen-
 13 ter of excellence to advance research and develop-
 14 ment that improves the safety, efficiency, and reli-
 15 ability of passenger and freight rail transportation.

16 “(2) **ELIGIBILITY.**—An institution of higher
 17 education (as defined in section 102 of the Higher
 18 Education Act of 1965 (20 U.S.C. 1002)) or a con-
 19 sortium of nonprofit institutions of higher education
 20 shall be eligible to receive a grant from the center
 21 established pursuant to paragraph (1).

22 “(3) **SELECTION CRITERIA.**—In awarding a
 23 grant under this subsection, the Secretary shall—

24 “(A) give preference to applicants with
 25 strong past performance related to rail re-

1 search, education, and workforce development
2 activities;

3 “(B) consider the extent to which the ap-
4 plicant would involve public and private sector
5 passenger and freight railroad operators; and

6 “(C) consider the regional and national im-
7 pacts of the applicant’s proposal.

8 “(4) USE OF FUNDS.—Grant funds awarded
9 pursuant to this subsection shall be used for basic
10 and applied research, evaluation, education, work-
11 force development, and training efforts related to
12 safety, efficiency, reliability, resiliency, and sustain-
13 ability of urban commuter, intercity high-speed, and
14 freight rail transportation, to include advances in
15 rolling stock, advanced positive train control, human
16 factors, rail infrastructure, shared corridors, grade
17 crossing safety, inspection technology, remote sens-
18 ing, rail systems maintenance, network resiliency,
19 operational reliability, energy efficiency, and other
20 advanced technologies.

21 “(5) FEDERAL SHARE.—The Federal share of a
22 grant awarded under this subsection shall be 50 per-
23 cent of the cost of establishing and operating the
24 center of excellence and related research activities
25 carried out by the grant recipient.”.

1 **SEC. 2414. QUARTERLY REPORT ON POSITIVE TRAIN CON-**
2 **TROL SYSTEM PERFORMANCE.**

3 Section 20157 of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(m) **REPORTS ON POSITIVE TRAIN CONTROL SYS-**
6 **TEM PERFORMANCE.**—

7 “(1) **IN GENERAL.**—Each host railroad subject
8 to this section or subpart I of part 236 of title 49,
9 Code of Federal Regulations, shall electronically sub-
10 mit to the Secretary of Transportation a Report of
11 PTC System Performance on Form FRA F
12 6180.152, which shall be submitted on or before the
13 applicable due date set forth in paragraph (3) and
14 contain the information described in paragraph (2),
15 which shall be separated by the host railroad, each
16 applicable tenant railroad, and each positive train
17 control-governed track segment, consistent with the
18 railroad’s positive train control Implementation Plan
19 described in subsection (a)(1).

20 “(2) **REQUIRED INFORMATION.**—Each report
21 submitted pursuant to paragraph (1) shall include,
22 for the applicable reporting period—

23 “(A) the number of positive train control
24 system initialization failures, disaggregated by
25 the number of initialization failures for which
26 the source or cause was the onboard subsystem,

1 the wayside subsystem; the communications
2 subsystem; the back office subsystem; or a non-
3 positive train control component;

4 “(B) the number of positive train control
5 system cut outs; disaggregated by each compo-
6 nent listed in subparagraph (A) that was the
7 source or cause of such cut outs;

8 “(C) the number of positive train control
9 system malfunctions; disaggregated by each
10 component listed in subparagraph (A) that was
11 the source or cause of such malfunctions;

12 “(D) the number of enforcements by the
13 positive train control system;

14 “(E) the number of enforcements by the
15 positive train control system in which it is rea-
16 sonable to assume an accident or incident was
17 prevented;

18 “(F) the number of scheduled attempts at
19 initialization of the positive train control sys-
20 tem;

21 “(G) the number of train miles governed
22 by the positive train control system; and

23 “(H) a summary of any actions the host
24 railroad and its tenant railroads are taking to
25 reduce the frequency and rate of initialization

1 failures, cut outs, and malfunctions, such as
2 any actions to correct or eliminate systemic
3 issues and specific problems.

4 “(3) DUE DATES.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), each host railroad shall elec-
7 tronically submit the report required under
8 paragraph (1) not later than—

9 “(i) April 30, for the period from Jan-
10 uary 1 through March 31;

11 “(ii) July 31, for the period from
12 April 1 through June 30;

13 “(iii) October 31, for the period from
14 July 1 through September 30; and

15 “(iv) January 31, for the period from
16 October 1 through December 31 of the
17 prior calendar year.

18 “(B) FREQUENCY REDUCTION.—Beginning
19 on the date that is 3 years after the date of en-
20 actment of the Passenger Rail Expansion and
21 Rail Safety Act of 2021, the Secretary shall re-
22 duce the frequency with which host railroads
23 are required to submit the report described in
24 paragraph (1) to not less frequently than twice
25 per year, unless the Secretary—

1 “(i) determines that quarterly report-
2 ing is in the public interest; and

3 “(ii) publishes a justification for such
4 determination in the Federal Register.

5 “(4) TENANT RAILROADS.—Each tenant rail-
6 road that operates on a host railroad’s positive train
7 control-governed main line and is not currently sub-
8 ject to an exception under section 236.1006(b) of
9 title 49, Code of Federal Regulations, shall submit
10 the information described in paragraph (2) to each
11 applicable host railroad on a continuous basis.

12 “(5) ENFORCEMENTS.—Any railroad operating
13 a positive train control system classified under Fed-
14 eral Railroad Administration Type Approval number
15 ~~FRA-TA-2010-001~~ or ~~FRA-TA-2013-003~~ shall
16 begin submitting the metric required under para-
17 graph (2)(D) not later than January 31, 2023.”.

18 **SEC. 2415. SPEED LIMIT ACTION PLANS.**

19 (a) CODIFICATION OF, AND AMENDMENT TO, SEC-
20 TION 11406 OF THE FAST ACT.—Subchapter H of chap-
21 ter 201 of subtitle V of title 49, United States Code, is
22 amended by inserting after section 20168 the following:

23 **“§ 20169. Speed limit action plans**

24 “(a) IN GENERAL.—Not later than March 3, 2016,
25 each railroad carrier providing intercity rail passenger

1 transportation or commuter rail passenger transportation;
2 in consultation with any applicable host railroad carrier,
3 shall survey its entire system and identify each main track
4 location where there is a reduction of more than 20 miles
5 per hour from the approach speed to a curve, bridge, or
6 tunnel and the maximum authorized operating speed for
7 passenger trains at that curve, bridge, or tunnel.

8 “(b) ACTION PLANS.—Not later than 120 days after
9 the date that the survey under subsection (a) is complete,
10 a railroad carrier described in subsection (a) shall submit
11 to the Secretary of Transportation an action plan that—

12 “(1) identifies each main track location where
13 there is a reduction of more than 20 miles per hour
14 from the approach speed to a curve, bridge, or tun-
15 nel and the maximum authorized operating speed for
16 passenger trains at that curve, bridge, or tunnel;

17 “(2) describes appropriate actions to enable
18 warning and enforcement of the maximum author-
19 ized speed for passenger trains at each location iden-
20 tified under paragraph (1), including—

21 “(A) modification to automatic train con-
22 trol systems, if applicable, or other signal sys-
23 tems;

24 “(B) increased crew size;

1 “(C) installation of signage alerting train
2 crews of the maximum authorized speed for
3 passenger trains in each location identified
4 under paragraph (1);

5 “(D) installation of alerters;

6 “(E) increased crew communication; and

7 “(F) other practices;

8 “(3) contains milestones and target dates for
9 implementing each appropriate action described
10 under paragraph (2); and

11 “(4) ensures compliance with the maximum au-
12 thorized speed at each location identified under
13 paragraph (1).

14 “(e) APPROVAL.—Not later than 90 days after the
15 date on which an action plan is submitted under sub-
16 section (b) or (d)(2), the Secretary shall approve, approve
17 with conditions, or disapprove the action plan.

18 “(d) PERIODIC REVIEWS AND UPDATES.—Each rail-
19 road carrier that submits an action plan to the Secretary
20 pursuant to subsection (b) shall—

21 “(1) not later than 1 year after the date of en-
22 actment of the Passenger Rail Expansion and Rail
23 Safety Act of 2021, and annually thereafter, review
24 such plan to ensure the effectiveness of actions
25 taken to enable warning and enforcement of the

1 maximum authorized speed for passenger trains at
2 each location identified pursuant to subsection
3 (b)(1); and

4 “(2) not later than 90 days before imple-
5 menting any significant operational or territorial op-
6 erating change, including initiating a new service or
7 route, submit to the Secretary a revised action plan;
8 after consultation with any applicable host railroad,
9 that addresses such operational or territorial oper-
10 ating change.

11 “(e) NEW SERVICE.—If a railroad carrier providing
12 intercity rail passenger transportation or commuter rail
13 passenger transportation did not exist on the date of en-
14 actment of the FAST Act (Public Law 114–94; 129 Stat.
15 1312), such railroad carrier, in consultation with any ap-
16 plicable host railroad carrier, shall—

17 “(1) survey its routes pursuant to subsection
18 (a) not later than 90 days after the date of enact-
19 ment of the Passenger Rail Expansion and Rail
20 Safety Act of 2021; and

21 “(2) develop an action plan pursuant to sub-
22 section (b) not later than 120 days after the date on
23 which such survey is complete.

24 “(f) ALTERNATIVE SAFETY MEASURES.—The Sec-
25 retary may exempt from the requirements under this sec-

1 tion each segment of track for which operations are gov-
 2 erned by a positive train control system certified under
 3 section 20157, or any other safety technology or practice
 4 that would achieve an equivalent or greater level of safety
 5 in reducing derailment risk.

6 “(g) PROHIBITION.—No new intercity or commuter
 7 rail passenger service may begin operation unless the rail-
 8 road carrier providing such service is in compliance with
 9 the requirements under this section.

10 “(h) SAVINGS CLAUSE.—Nothing in this section may
 11 be construed to prohibit the Secretary from applying the
 12 requirements under this section to other segments of track
 13 at high risk of overspeed derailment.”

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
 15 ter 201 of subtitle V of title 49, United States Code, is
 16 amended by adding at the end the following:

“20169. Speed limit action plans.”

17 **SEC. 2416. NEW PASSENGER SERVICE PRE-REVENUE SAFE-**
 18 **TY VALIDATION PLAN.**

19 (a) IN GENERAL.—Subchapter H of chapter 201 of
 20 subtitle V of title 49, United States Code, as amended by
 21 section 2415, is further amended by adding at the end
 22 the following:

23 **“§ 20170. Pre-revenue service safety validation plan**

24 “(a) PLAN SUBMISSION.—Any railroad providing
 25 new, regularly scheduled, intercity or commuter rail pas-

1 senger transportation, an extension of existing service, or
2 a renewal of service that has been discontinued for more
3 than 180 days shall develop and submit for review a com-
4 prehensive pre-revenue service safety validation plan to the
5 Secretary of Transportation not later than 60 days before
6 initiating such revenue service. Such plan shall include
7 pertinent safety milestones and a minimum period of sim-
8 ulated revenue service to ensure operational readiness and
9 that all safety sensitive personnel are properly trained and
10 qualified.

11 “(b) COMPLIANCE.—After submitting a plan pursu-
12 ant to subsection (a), the railroad shall adopt and comply
13 with such plan and may not amend the plan without first
14 notifying the Secretary of the proposed amendment. Rev-
15 enue service may not begin until the railroad has com-
16 pleted the requirements of its plan, including the min-
17 imum simulated service period required by the plan.

18 “(c) RULEMAKING.—The Secretary shall promulgate
19 regulations to carry out this section, including—

20 “(1) requiring that any identified safety defi-
21 ciencies be addressed and corrected before the initi-
22 ation of revenue service; and

23 “(2) establishing appropriate deadlines to en-
24 able the Secretary to review and approve the pre-rev-

1 enue service safety validation plan to ensure that
2 service is not unduly delayed.”.

3 (b) ~~CLERICAL AMENDMENT.~~—The analysis for chap-
4 ter 201 of title 49, United States Code, as amended by
5 section 2415(b), is further amended by adding at the end
6 the following:

“20170. Pre-revenue service safety validation plan.”.

7 **SEC. 2417. FEDERAL RAILROAD ADMINISTRATION ACCI-**
8 **DENT AND INCIDENT INVESTIGATIONS.**

9 Section 20902 of title 49, United States Code, is
10 amended—

11 (1) in subsection (b) by striking “subpena” and
12 inserting “subpoena”; and

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

14 “(d) ~~GATHERING INFORMATION AND TECHNICAL~~
15 ~~EXPERTISE.~~—

16 “(1) ~~IN GENERAL.~~—The Secretary shall create
17 a standard process for investigators to use during
18 accident and incident investigations conducted under
19 this section for determining when it is appropriate
20 and the appropriate method for—

21 “(A) gathering information about an acci-
22 dent or incident under investigation from rail-
23 road carriers, contractors or employees of rail-
24 road carriers or representatives of employees of

1 railroad carriers, and others, as determined rel-
2 evant by the Secretary; and

3 “(B) consulting with railroad carriers, con-
4 tractors or employees of railroad carriers or
5 representatives of employees of railroad ear-
6 riers, and others, as determined relevant by the
7 Secretary, for technical expertise on the facts of
8 the accident or incident under investigation.

9 “(2) CONFIDENTIALITY.—In developing the
10 process required under paragraph (1), the Secretary
11 shall factor in ways to maintain the confidentiality
12 of any entity identified under paragraph (1) if—

13 “(A) such entity requests confidentiality;

14 “(B) such entity was not involved in the
15 accident or incident; and

16 “(C) maintaining such entity’s confiden-
17 tiality does not adversely affect an investigation
18 of the Federal Railroad Administration.

19 “(3) APPLICABILITY.—This subsection shall not
20 apply to any investigation carried out by the Na-
21 tional Transportation Safety Board.”.

22 **SEC. 2418. CIVIL PENALTY ENFORCEMENT AUTHORITY.**

23 Section 21301(a) of title 49, United States Code, is
24 amended by striking paragraph (3) and inserting the fol-
25 lowing:

1 “(3) The Secretary may find that a person has vio-
2 lated this chapter or a regulation prescribed or order, spe-
3 cial permit, or approval issued under this chapter only
4 after notice and an opportunity for a hearing. The Sec-
5 retary shall impose a penalty under this section by giving
6 the person written notice of the amount of the penalty.
7 The Secretary may compromise the amount of a civil pen-
8 alty by settlement agreement without issuance of an order.
9 In determining the amount of a compromise, the Secretary
10 shall consider—

11 “(A) the nature, circumstances, extent, and
12 gravity of the violation;

13 “(B) with respect to the violator, the degree of
14 culpability, any history of violations, the ability to
15 pay, and any effect on the ability to continue to do
16 business; and

17 “(C) other matters that justice requires.

18 “(4) The Attorney General may bring a civil action
19 in an appropriate district court of the United States to
20 collect a civil penalty imposed or compromise under this
21 section and any accrued interest on the civil penalty. In
22 the civil action, the amount and appropriateness of the
23 civil penalty shall not be subject to review.”.

1 **SEC. 2419. ADVANCING SAFETY AND INNOVATIVE TECH-**
 2 **NOLOGY.**

3 (a) **IN GENERAL.**—Section 26103 of title 49, United
 4 States Code, is amended to read as follows:

5 **“§ 26103. Safety regulations and evaluation**

6 “The Secretary shall—

7 “(1) promulgate such safety regulations as may
 8 be necessary for high-speed rail services; and

9 “(2) before promulgating such regulations, con-
 10 sult with developers of new high-speed rail tech-
 11 nologies to develop a method for evaluating safety
 12 performance.”.

13 (b) **CLERICAL AMENDMENT.**—The analysis for chap-
 14 ter 261 of title 49, United States Code, is amended by
 15 striking the item relating to section 26103 and inserting
 16 the following:

“26103. Safety regulations and evaluation.”.

17 **SEC. 2420. PASSENGER RAIL VEHICLE OCCUPANT PROTEC-**
 18 **TION SYSTEMS.**

19 (a) **STUDY.**—The Administrator of the Federal Rail-
 20 road Administration shall conduct a study of the potential
 21 installation and use in new passenger rail rolling stock of
 22 passenger rail vehicle occupant protection systems that
 23 could materially improve passenger safety.

24 (b) **CONSIDERATIONS.**—In conducting the study
 25 under subsection (a), the Administrator shall consider

1 minimizing the risk of secondary collisions, including esti-
2 mating the costs and benefits of the new requirements,
3 through the use of—

4 (1) occupant restraint systems;

5 (2) air bags;

6 (3) emergency window retention systems; and

7 (4) interior designs, including seats, baggage
8 restraints, and table configurations and attach-
9 ments.

10 (c) REPORT.—Not later than 2 years after the date
11 of enactment of this Act, the Administrator shall—

12 (1) submit a report summarizing the findings of
13 the study conducted pursuant to subsection (a) to
14 the Committee on Commerce, Science, and Trans-
15 portation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of
17 Representatives; and

18 (2) publish such report on the website of the
19 Federal Railroad Administration.

20 (d) RULEMAKING.—Following the completion of the
21 study required under subsection (a), and after considering
22 the costs and benefits of the proposed protection systems,
23 the Administrator may promulgate a rule that establishes
24 standards for the use of occupant protection systems in
25 new passenger rail rolling stock.

1 **SEC. 2421. FEDERAL RAILROAD ADMINISTRATION SAFETY**
2 **REPORTING.**

3 Not later than 1 year after the date of enactment
4 of this Act, and annually thereafter for the following 4
5 years, the Secretary shall update Special Study Block 49
6 on Form FRA F 6180.54 (Rail Equipment Accident/Incident
7 Report) to collect, with respect to trains involved in
8 accidents required to be reported to the Federal Railroad
9 Administration—

10 (1) the number of cars and length of the in-
11 volved trains; and

12 (2) the number of crew members who were
13 aboard a controlling locomotive involved in an acci-
14 dent at the time of such accident.

15 **SEC. 2422. NATIONAL ACADEMIES STUDY ON TRAINS**
16 **LONGER THAN 7,500 FEET.**

17 (a) **STUDY.**—The Secretary shall seek to enter into
18 an agreement with the National Academies to conduct a
19 study on the operation of freight trains that are longer
20 than 7,500 feet.

21 (b) **ELEMENTS.**—The study conducted pursuant to
22 subsection (a) shall—

23 (1) examine any potential impacts to safety
24 from the operation of freight trains that are longer
25 than 7,500 feet and the mitigation of any identified
26 risks, including—

1 (A) any potential changes in the risk of
2 loss of communications between the end of train
3 device and the locomotive cab, including com-
4 munications over differing terrains and condi-
5 tions;

6 (B) any potential changes in the risk of
7 loss of radio communications between crew
8 members when a crew member alights from the
9 train, including communications over differing
10 terrains and conditions;

11 (C) any potential changes in the risk of
12 derailments, including any risks associated with
13 in-train compressive forces and slack action or
14 other safety risks in the operations of such
15 trains in differing terrains and conditions;

16 (D) any potential impacts associated with
17 the deployment of multiple distributed power
18 units in the consists of such trains; and

19 (E) any potential impacts on braking and
20 locomotive performance and track wear and
21 tear;

22 (2) evaluate any impacts on scheduling and effi-
23 ciency of passenger operations and in the shipping
24 of goods by freight as a result of longer trains;

1 (3) determine whether additional engineer and
2 conductor training is required for safely operating
3 such trains;

4 (4) assess the potential impact on the amount
5 of time and frequency of occurrence highway-rail
6 grade crossings are occupied; and

7 (5) identify any potential environmental im-
8 pacts, including greenhouse gas emissions, that have
9 resulted from the operation of longer trains.

10 (c) COMPARISON.—When evaluating the potential im-
11 pacts of the operation of trains longer than 7,500 feet
12 under subsection (b), the impacts of such trains shall be
13 compared to the impacts of trains that are shorter than
14 7,500 feet, after taking into account train frequency.

15 (d) REPORT.—Not later than 2 years after the date
16 of enactment of this Act, the Secretary shall submit a re-
17 port to the Committee on Commerce, Science, and Trans-
18 portation of the Senate and the Committee on Transpor-
19 tation and Infrastructure of the House of Representatives
20 that contains the results of the study conducted by the
21 National Academies under this section.

22 (e) FUNDING.—From the amounts appropriated for
23 fiscal year 2021 pursuant to the authorization under sec-
24 tion 20117(a) of title 49, United States Code, the Sec-
25 retary shall expend not less than \$1,000,000 and not more

1 than \$2,000,000 to carry out the study required under
2 this section.

3 **SEC. 2423. HIGH-SPEED TRAIN NOISE EMISSIONS.**

4 (a) IN GENERAL.—Section 17 of the Noise Control
5 Act of 1972 (42 U.S.C. 4916) is amended—

6 (1) by redesignating subsections (e) and (d) as
7 subsections (d) and (e), respectively; and

8 (2) by inserting after subsection (b) the fol-
9 lowing:

10 “(c) HIGH-SPEED TRAIN NOISE EMISSIONS.—

11 “(1) IN GENERAL.—The Secretary of Transpor-
12 tation, in consultation with the Administrator, may
13 prescribe regulations governing railroad-related noise
14 emission standards for trains operating on the gen-
15 eral railroad system of transportation at speeds ex-
16 ceeding 160 miles per hour, including noise related
17 to magnetic levitation systems and other new tech-
18 nologies not traditionally associated with railroads.

19 “(2) FACTORS IN RULEMAKING.—The regula-
20 tions prescribed pursuant to paragraph (1) may—

21 “(A) consider variances in maximum pass-
22 by noise with respect to the speed of the equip-
23 ment;

24 “(B) account for current engineering best
25 practices; and

1 “(C) encourage the use of noise mitigation
2 techniques to the extent reasonable if the bene-
3 fits exceed the costs.

4 “~~(3) CONVENTIONAL-SPEED TRAINS.—~~Railroad-
5 related noise regulations prescribed under subsection
6 (a) shall continue to govern noise emissions from the
7 operation of trains, including locomotives and rail
8 cars, when operating at speeds not exceeding 160
9 miles per hour.”.

10 (b) ~~TECHNICAL AMENDMENT.—~~The second sentence
11 of section 17(b) of the Noise Control Act of 1972 (42
12 U.S.C. 4916(b)) is amended by striking “the Safety Appli-
13 ance Acts, the Interstate Commerce Act, and the Depart-
14 ment of Transportation Act” and inserting “subtitle V of
15 title 49, United States Code”.

16 **SEC. 2424. CRITICAL INCIDENT STRESS PLANS.**

17 The Secretary shall amend part 272 of title 49, Code
18 of Federal Regulations, to the extent necessary to ensure
19 that—

20 (1) the coverage of a critical incident stress
21 plan under section 272.7 of such part includes em-
22 ployees of commuter railroads and intercity pas-
23 senger railroads (as such terms are defined in sec-
24 tion 272.9 of such part), including employees who
25 directly interact with passengers; and

1 (2) an assault against an employee requiring
2 medical attention is included in the definition of crit-
3 ical incident under section 272.9 of such part.

4 **TITLE III—MOTOR CARRIER**
5 **SAFETY**

6 **SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) ADMINISTRATIVE EXPENSES.—Section 31110 of
8 title 49, United States Code, is amended by striking sub-
9 section (a) and inserting the following:

10 “(a) ADMINISTRATIVE EXPENSES.—There are au-
11 thorized to be appropriated from the Highway Trust Fund
12 (other than the Mass Transit Account) for the Secretary
13 of Transportation to pay administrative expenses of the
14 Federal Motor Carrier Safety Administration—

15 “(1) \$360,000,000 for fiscal year 2022;

16 “(2) \$367,500,000 for fiscal year 2023;

17 “(3) \$375,000,000 for fiscal year 2024;

18 “(4) \$382,500,000 for fiscal year 2025; and

19 “(5) \$390,000,000 for fiscal year 2026.”.

20 (b) FINANCIAL ASSISTANCE PROGRAMS.—Section
21 31104 of title 49, United States Code, is amended—

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

1 “(a) FINANCIAL ASSISTANCE PROGRAMS.—There are
 2 authorized to be appropriated from the Highway Trust
 3 Fund (other than the Mass Transit Account)—

4 “(1) subject to subsection (e), to carry out the
 5 motor carrier safety assistance program under sec-
 6 tion 31102 (other than the high priority program
 7 under subsection (1) of that section)—

8 “(A) \$390,500,000 for fiscal year 2022;

9 “(B) \$398,500,000 for fiscal year 2023;

10 “(C) \$406,500,000 for fiscal year 2024;

11 “(D) \$414,500,000 for fiscal year 2025;

12 and

13 “(E) \$422,500,000 for fiscal year 2026;

14 “(2) subject to subsection (e), to carry out the
 15 high priority program under section 31102(1) (other
 16 than the commercial motor vehicle enforcement
 17 training and support grant program under para-
 18 graph (5) of that section)—

19 “(A) \$57,600,000 for fiscal year 2022;

20 “(B) \$58,800,000 for fiscal year 2023;

21 “(C) \$60,000,000 for fiscal year 2024;

22 “(D) \$61,200,000 for fiscal year 2025;

23 and

24 “(E) \$62,400,000 for fiscal year 2026;

1 ~~“(3) to carry out the commercial motor vehicle~~
 2 ~~enforcement training and support grant program~~
 3 ~~under section 31102(1)(5), \$5,000,000 for each of~~
 4 ~~fiscal years 2022 through 2026;~~

5 ~~“(4) to carry out the commercial motor vehicle~~
 6 ~~operators grant program under section 31103—~~

7 ~~“(A) \$1,100,000 for fiscal year 2022;~~

8 ~~“(B) \$1,200,000 for fiscal year 2023;~~

9 ~~“(C) \$1,300,000 for fiscal year 2024;~~

10 ~~“(D) \$1,400,000 for fiscal year 2025; and~~

11 ~~“(E) \$1,500,000 for fiscal year 2026; and~~

12 ~~“(5) subject to subsection (e), to carry out the~~
 13 ~~financial assistance program for commercial driver’s~~
 14 ~~license implementation under section 31313—~~

15 ~~“(A) \$41,800,000 for fiscal year 2022;~~

16 ~~“(B) \$42,650,000 for fiscal year 2023;~~

17 ~~“(C) \$43,500,000 for fiscal year 2024;~~

18 ~~“(D) \$44,350,000 for fiscal year 2025;~~

19 and

20 ~~“(E) \$45,200,000 for fiscal year 2026.”;~~

21 ~~(2) in subsection (b)(2)—~~

22 (A) in the third sentence, by striking “The
 23 Secretary” and inserting the following:

24 “(C) IN-KIND CONTRIBUTIONS.—The Sec-
 25 retary”;

1 (B) in the second sentence, by striking
2 ~~“The Secretary”~~ and inserting the following:

3 ~~“(B) LIMITATION.—The Secretary”;~~

4 (C) in the first sentence—

5 (i) by inserting ~~“(except subsection~~
6 ~~(1)(5) of that section)”~~ after ~~“section~~
7 ~~31102”~~; and

8 (ii) by striking ~~“The Secretary”~~ and
9 inserting the following:

10 ~~“(A) REIMBURSEMENT PERCENTAGE.—~~

11 ~~“(i) IN GENERAL.—The Secretary”;~~

12 and

13 (D) in subparagraph (A) (as so des-
14 ignated), by adding at the end the following:

15 ~~“(ii) COMMERCIAL MOTOR VEHICLE~~
16 ~~ENFORCEMENT TRAINING AND SUPPORT~~
17 ~~GRANT PROGRAM.—The Secretary shall re-~~
18 ~~imburse a recipient, in accordance with a~~
19 ~~financial assistance agreement made under~~
20 ~~section 31102(1)(5), an amount that is~~
21 ~~equal to 100 percent of the costs incurred~~
22 ~~by the recipient in a fiscal year in devel-~~
23 ~~oping and implementing a training pro-~~
24 ~~gram under that section.”;~~

25 ~~(3) in subsection (c)—~~

1 (A) in the subsection heading, by striking
2 “PARTNER TRAINING AND”;

3 (B) in the first sentence—

4 (i) by striking “(4)” and inserting
5 “(5)”; and

6 (ii) by striking “partner training
7 and”; and

8 (C) by striking the second sentence;

9 (4) in subsection (f)—

10 (A) in paragraph (1), by striking “for the
11 next fiscal year” and inserting “for the next 2
12 fiscal years”;

13 (B) in paragraph (4), by striking “for the
14 next fiscal year” and inserting “for the next 2
15 fiscal years”;

16 (C) by redesignating paragraphs (4) and
17 (5) as paragraphs (5) and (6), respectively; and

18 (D) by inserting after paragraph (3) the
19 following:

20 “(4) For grants made for carrying out section
21 31102(1)(5), for the fiscal year in which the Sec-
22 retary approves the financial assistance agreement
23 and for the next 4 fiscal years.”; and

24 (5) in subsection (i)—

1 (A) by striking “Amounts not expended”
2 and inserting the following:

3 “(1) IN GENERAL.—Except as provided in para-
4 graph (2), amounts not expended”; and

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

6 “(2) MOTOR CARRIER SAFETY ASSISTANCE PRO-
7 GRAM.—Amounts made available for the motor car-
8 rier safety assistance program established under sec-
9 tion 31102 (other than amounts made available to
10 carry out section 31102(1)) that are not expended by
11 a recipient during the period of availability shall be
12 released back to the Secretary for reallocation under
13 that program.”.

14 (e) ENFORCEMENT DATA UPDATES.—Section
15 31102(h)(2)(A) of title 49, United States Code, is amend-
16 ed by striking “2004 and 2005” and inserting “2014 and
17 2015”.

18 **SEC. 3002. MOTOR CARRIER SAFETY ADVISORY COM-**
19 **MITTEE.**

20 Section 4144 of the SAFETEA-LU (49 U.S.C.
21 31100 note; Public Law 109-59) is amended—

22 (1) in subsection (b)(1), in the second sentence,
23 by inserting “, including small business motor car-
24 riers” after “industry”; and

1 (2) in subsection (d), by striking “September
2 30, 2013” and inserting “September 30, 2025”.

3 **SEC. 3003. COMBATING HUMAN TRAFFICKING.**

4 Section 31102(l) of title 49, United States Code, is
5 amended—

6 (1) in paragraph (2)—

7 (A) in subparagraph (G)(ii), by striking
8 “and” at the end;

9 (B) by redesignating subparagraph (H) as
10 subparagraph (J); and

11 (C) by inserting after subparagraph (G)
12 the following:

13 “(H) support, through the use of funds
14 otherwise available for such purposes—

15 “(i) the recognition, prevention, and
16 reporting of human trafficking, including
17 the trafficking of human beings—

18 “(I) in a commercial motor vehi-
19 cle; or

20 “(II) by any occupant, including
21 the operator, of a commercial motor
22 vehicle;

23 “(ii) the detection of criminal activity
24 or any other violation of law relating to
25 human trafficking; and

1 “~~(iii)~~ enforcement of laws relating to
2 human trafficking;

3 “~~(I)~~ otherwise support the recognition, pre-
4 vention, and reporting of human trafficking;
5 and”;

6 ~~(2)~~ in paragraph ~~(3)~~(D)—

7 (A) in clause (ii), by striking “and” at the
8 end;

9 (B) in clause (iii), by striking the period at
10 the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “~~(iv)~~ for the detection of, and enforce-
13 ment actions taken as a result of, criminal
14 activity (including the trafficking of human
15 beings)—

16 “~~(I)~~ in a commercial motor vehi-
17 cle; or

18 “~~(II)~~ by any occupant, including
19 the operator, of a commercial motor
20 vehicle; and

21 “~~(v)~~ in addition to any funds other-
22 wise made available for the recognition,
23 prevention, and reporting of human traf-
24 ficking, to support the recognition, preven-
25 tion, and reporting of human trafficking.”.

1 **SEC. 3004. IMMOBILIZATION GRANT PROGRAM.**

2 Section 31102(l) of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(4) IMMOBILIZATION GRANT PROGRAM.—

5 “(A) DEFINITION OF PASSENGER-CAR-
6 RYING COMMERCIAL MOTOR VEHICLE.—In this
7 paragraph, the term ‘passenger-carrying com-
8 mercial motor vehicle’ has the meaning given
9 the term ‘commercial motor vehicle’ in section
10 31301.

11 “(B) ESTABLISHMENT.—The Secretary
12 shall establish an immobilization grant program
13 under which the Secretary shall provide to
14 States discretionary grants for the immobiliza-
15 tion or impoundment of passenger-carrying
16 commercial motor vehicles that—

17 “(i) are determined to be unsafe; or

18 “(ii) fail inspection.

19 “(C) LIST OF CRITERIA FOR IMMOBILIZA-
20 TION.—The Secretary, in consultation with
21 State commercial motor vehicle entities, shall
22 develop a list of commercial motor vehicle safety
23 violations and defects that the Secretary deter-
24 mines warrant the immediate immobilization of
25 a passenger-carrying commercial motor vehicle.

1 “(D) ELIGIBILITY.—A State shall be eligi-
2 ble to receive a grant under this paragraph only
3 if the State has the authority to require the im-
4 mobilization or impoundment of a passenger-
5 carrying commercial motor vehicle—

6 “(i) with respect to which a motor ve-
7 hicle safety violation included in the list
8 developed under subparagraph (C) is deter-
9 mined to exist; or

10 “(ii) that is determined to have a de-
11 fect included in that list.

12 “(E) USE OF FUNDS.—A grant provided
13 under this paragraph may be used for—

14 “(i) the immobilization or impound-
15 ment of passenger-carrying commercial
16 motor vehicles described in subparagraph
17 (D);

18 “(ii) safety inspections of those pas-
19 senger-carrying commercial motor vehicles;
20 and

21 “(iii) any other activity relating to an
22 activity described in clause (i) or (ii), as
23 determined by the Secretary.

24 “(F) SECRETARY AUTHORIZATION.—The
25 Secretary may provide to a State amounts for

1 the costs associated with carrying out an immo-
 2 bilization program using funds made available
 3 under section 31104(a)(2).”.

4 **SEC. 3005. COMMERCIAL MOTOR VEHICLE ENFORCEMENT**
 5 **TRAINING AND SUPPORT.**

6 Section 31102(1) of title 49, United States Code (as
 7 amended by section 3004), is amended—

8 (1) in paragraph (1), by striking “(2) and (3)”
 9 and inserting “(2) through (5)”;

10 (2) in paragraph (3)(E), by striking “sections
 11 31104(a)(1) and 31104(a)(2)” and inserting “para-
 12 graphs (1) and (2)(A) of section 31104(a)”;

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

14 “(5) COMMERCIAL MOTOR VEHICLE ENFORCE-
 15 MENT TRAINING AND SUPPORT GRANT PROGRAM.—

16 “(A) IN GENERAL.—The Secretary shall
 17 administer a commercial motor vehicle enforce-
 18 ment training and support grant program fund-
 19 ed under section 31104(a)(2)(B), under which
 20 the Secretary shall make discretionary grants to
 21 eligible entities described in subparagraph (C)
 22 for the purposes described in subparagraph (B).

23 “(B) PURPOSES.—The purposes of the
 24 grant program under subparagraph (A) are—

1 “(i) to train non-Federal employees
2 who conduct commercial motor vehicle en-
3 forcement activities; and

4 “(ii) to develop related training mate-
5 rials.

6 “(C) ELIGIBLE ENTITIES.—An entity eligi-
7 ble for a discretionary grant under the program
8 described in subparagraph (A) is a nonprofit
9 organization that has—

10 “(i) expertise in conducting a training
11 program for non-Federal employees; and

12 “(ii) the ability to reach and involve in
13 a training program a target population of
14 commercial motor vehicle safety enforce-
15 ment employees.”.

16 **SEC. 3006. STUDY OF COMMERCIAL MOTOR VEHICLE**
17 **CRASH CAUSATION.**

18 (a) DEFINITIONS.—In this section:

19 (1) COMMERCIAL MOTOR VEHICLE.—The term
20 “commercial motor vehicle” has the meaning given
21 the term in section 31132 of title 49, United States
22 Code.

23 (2) STUDY.—The term “study” means the
24 study carried out under subsection (b).

1 (b) STUDY.—The Secretary shall carry out a com-
2 prehensive study—

3 (1) to determine the causes of, and contributing
4 factors to, crashes that involve a commercial motor
5 vehicle; and

6 (2) to identify data requirements, data collec-
7 tion procedures, reports, and any other measures
8 that can be used to improve the ability of States and
9 the Secretary—

10 (A) to evaluate future crashes involving
11 commercial motor vehicles;

12 (B) to monitor crash trends and identify
13 causes and contributing factors; and

14 (C) to develop effective safety improvement
15 policies and programs.

16 (c) DESIGN.—The study shall be designed to yield in-
17 formation that can be used to help policy makers, regu-
18 lators, and law enforcement identify activities and other
19 measures that are likely to lead to reductions in—

20 (1) the frequency of crashes involving a com-
21 mercial motor vehicle;

22 (2) the severity of crashes involving a commer-
23 cial motor vehicle; and

24 (3) fatalities and injuries.

1 (d) CONSULTATION.—In designing and carrying out
2 the study, the Secretary may consult with individuals or
3 entities with expertise on—

4 (1) crash causation and prevention;

5 (2) commercial motor vehicles, commercial driv-
6 ers, and motor carriers, including passenger carriers;

7 (3) highways and noncommercial motor vehicles
8 and drivers;

9 (4) Federal and State highway and motor car-
10 rier safety programs;

11 (5) research methods and statistical analysis;
12 and

13 (6) other relevant topics, as determined by the
14 Secretary.

15 (e) PUBLIC COMMENT.—The Secretary shall make
16 available for public comment information about the objec-
17 tives, methodology, implementation, findings, and other
18 aspects of the study.

19 (f) REPORTS.—As soon as practicable after the date
20 on which the study is completed, the Secretary shall sub-
21 mit to Congress a report describing the results of the
22 study and any legislative recommendations to facilitate re-
23 ductions in the matters described in paragraphs (1)
24 through (3) of subsection (c).

1 **SEC. 3007. PROMOTING WOMEN IN THE TRUCKING WORK-**
2 **FORCE.**

3 (a) **FINDINGS.**—Congress finds that—

4 (1) women make up 47 percent of the work-
5 force of the United States;

6 (2) women are significantly underrepresented in
7 the trucking industry, holding only 24 percent of all
8 transportation and warehousing jobs and rep-
9 resenting only—

10 (A) 6.6 percent of truck drivers;

11 (B) 12.5 percent of all workers in truck
12 transportation; and

13 (C) 8 percent of freight firm owners;

14 (3) given the total number of women truck driv-
15 ers, women are underrepresented in the truck-driv-
16 ing workforce; and

17 (4) women truck drivers have been shown to be
18 20 percent less likely than male counterparts to be
19 involved in a crash.

20 (b) **SENSE OF CONGRESS REGARDING WOMEN IN**
21 **TRUCKING.**—It is the sense of Congress that the trucking
22 industry should explore every opportunity to encourage
23 and support the pursuit and retention of careers in truck-
24 ing by women, including through programs that support
25 recruitment, driver training, and mentorship.

26 (c) **DEFINITIONS.**—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Motor Carrier Safety Administration.

4 (2) BOARD.—The term “Board” means the
5 Women of Trucking Advisory Board established
6 under subsection (d)(1).

7 (3) LARGE TRUCKING COMPANY.—The term
8 “large trucking company” means a motor carrier (as
9 defined in section 13102 of title 49, United States
10 Code) with more than 100 power units.

11 (4) MID-SIZED TRUCKING COMPANY.—The term
12 “mid-sized trucking company” means a motor ear-
13 rier (as defined in section 13102 of title 49, United
14 States Code) with not fewer than 11 power units
15 and not more than 100 power units.

16 (5) POWER UNIT.—The term “power unit”
17 means a self-propelled vehicle under the jurisdiction
18 of the Federal Motor Carrier Safety Administration.

19 (6) SMALL TRUCKING COMPANY.—The term
20 “small trucking company” means a motor carrier
21 (as defined in section 13102 of title 49, United
22 States Code) with not fewer than 1 power unit and
23 not more than 10 power units.

24 (d) WOMEN OF TRUCKING ADVISORY BOARD.—

1 (1) ESTABLISHMENT.—To encourage women to
2 enter the field of trucking, the Administrator shall
3 establish and facilitate an advisory board, to be
4 known as the “Women of Trucking Advisory
5 Board”, to review and report on policies that—

6 (A) provide education, training,
7 mentorship, or outreach to women in the truck-
8 ing industry; and

9 (B) recruit, retain, or advance women in
10 the trucking industry.

11 (2) MEMBERSHIP.—

12 (A) IN GENERAL.—The Board shall be
13 composed of not fewer than 8 members whose
14 backgrounds, experience, and certifications
15 allow those members to contribute balanced
16 points of view and diverse ideas regarding the
17 matters described in paragraph (3)(B).

18 (B) APPOINTMENT.—

19 (i) IN GENERAL.—Not later than 270
20 days after the date of enactment of this
21 Act, the Administrator shall appoint the
22 members of the Board, of whom—

23 (I) not fewer than 1 shall be a
24 representative of large trucking com-
25 panies;

1 (II) not fewer than 1 shall be a
2 representative of mid-sized trucking
3 companies;

4 (III) not fewer than 1 shall be a
5 representative of small trucking com-
6 panies;

7 (IV) not fewer than 1 shall be a
8 representative of nonprofit organiza-
9 tions in the trucking industry;

10 (V) not fewer than 1 shall be a
11 representative of trucking business as-
12 sociations;

13 (VI) not fewer than 1 shall be a
14 representative of independent owner-
15 operators;

16 (VII) not fewer than 1 shall be a
17 woman who is a professional truck
18 driver; and

19 (VIII) not fewer than 1 shall be
20 a representative of an institution of
21 higher education or trucking trade
22 school.

23 (ii) DIVERSITY.—A member of the
24 Board appointed under any of subclauses
25 (I) through (VIII) of clause (i) may not be

1 appointed under any other subclause of
2 that clause.

3 ~~(C) TERMS.—~~Each member shall be ap-
4 pointed for the life of the Board.

5 ~~(D) COMPENSATION.—~~A member of the
6 Board shall serve without compensation.

7 ~~(3) DUTIES.—~~

8 ~~(A) IN GENERAL.—~~The Board shall iden-
9 tify—

10 (i) barriers and industry trends that
11 directly or indirectly discourage women
12 from pursuing and retaining careers in
13 trucking, including—

14 (I) any particular barriers and
15 trends that impact women minority
16 groups;

17 (II) any particular barriers and
18 trends that impact women who live in
19 rural, suburban, or urban areas; and

20 (III) any safety risks unique to
21 women in the trucking industry;

22 (ii) ways in which the functions of
23 trucking companies, nonprofit organiza-
24 tions, training and education providers,
25 and trucking associations may be coordi-

1 nated to facilitate support for women pur-
2 suing careers in trucking;

3 (iii) opportunities to expand existing
4 opportunities for women in the trucking in-
5 dustry; and

6 (iv) opportunities to enhance trucking
7 training, mentorship, education, and ad-
8 vancement and outreach programs that
9 would increase the number of women in
10 the trucking industry.

11 (B) REPORT.—Not later than 2 years after
12 the date of enactment of this Act, the Board
13 shall submit to the Administrator a report con-
14 taining the findings and recommendations of
15 the Board, including recommendations that
16 companies, associations, institutions, other or-
17 ganizations, or the Administrator may adopt—

18 (i) to address any industry trends
19 identified under subparagraph (A)(i);

20 (ii) to coordinate the functions of
21 trucking companies, nonprofit organiza-
22 tions, and trucking associations in a man-
23 ner that facilitates support for women pur-
24 suing careers in trucking;

1 (iii)(I) to take advantage of any op-
2 portunities identified under subparagraph
3 (A)(iii); and

4 (II) to create new opportunities to ex-
5 pand existing scholarship opportunities for
6 women in the trucking industry; and

7 (iv) to enhance trucking training,
8 mentorship, education, and outreach pro-
9 grams that are exclusive to women.

10 (4) REPORT TO CONGRESS.—

11 (A) IN GENERAL.—Not later than 3 years
12 after the date of enactment of this Act, the Ad-
13 ministrator shall submit to the Committee on
14 Commerce, Science, and Transportation of the
15 Senate and the Committee on Transportation
16 and Infrastructure of the House of Representa-
17 tives a report describing—

18 (i) the findings and recommendations
19 of the Board under paragraph (3)(B); and

20 (ii) any actions taken by the Adminis-
21 trator to adopt the recommendations of the
22 Board (or an explanation of the reasons
23 for not adopting the recommendations).

1 (B) PUBLIC AVAILABILITY.—The Adminis-
2 trator shall make the report under subpara-
3 graph (A) publicly available—

4 (i) on the website of the Federal
5 Motor Carrier Safety Administration; and

6 (ii) in appropriate offices of the Fed-
7 eral Motor Carrier Safety Administration.

8 (5) TERMINATION.—The Board shall terminate
9 on submission of the report to Congress under para-
10 graph (4).

11 **SEC. 3008. STATE INSPECTION OF PASSENGER-CARRYING**
12 **COMMERCIAL MOTOR VEHICLES.**

13 (a) IN GENERAL.—Not later than 1 year after the
14 date of enactment of this Act, the Secretary shall solicit
15 additional comment on the advance notice of proposed
16 rulemaking entitled “State Inspection Programs for Pas-
17 senger-Carrier Vehicles” (81 Fed. Reg. 24769 (April 27,
18 2016)).

19 (b) FINAL RULE.—

20 (1) IN GENERAL.—After reviewing all com-
21 ments received in response to the solicitation under
22 subsection (a), if the Secretary determines that data
23 and information exist to support moving forward
24 with a final rulemaking action, the Secretary shall

1 issue a final rule relating to the advance notice of
2 proposed rulemaking described in that subsection.

3 ~~(2) CONSIDERATIONS.—~~In determining whether
4 to issue a final rule under paragraph (1), the Sec-
5 retary shall consider the impact of continuing to
6 allow self-inspection as a means to satisfy periodic
7 inspection requirements on the safety of passenger
8 carrier operations.

9 **SEC. 3009. TRUCK LEASING TASK FORCE.**

10 ~~(a) ESTABLISHMENT.—~~Not later than 180 days after
11 the date of enactment of this Act, the Secretary, in con-
12 sultation with the Secretary of Labor, shall establish a
13 task force, to be known as the “Truck Leasing Task
14 Force” (referred to in this section as the “Task Force”).

15 ~~(b) MEMBERSHIP.—~~

16 ~~(1) IN GENERAL.—~~The Secretary shall select
17 not more than 10 individuals to serve as members
18 of the Task Force, including at least 1 representa-
19 tive from each of the following:

20 ~~(A) Labor organizations.~~

21 ~~(B) Motor carriers that provide lease-pur-~~
22 ~~chase agreements to owner-operators.~~

23 ~~(C) Consumer protection groups.~~

1 ~~(D)~~ Members of the legal profession who
2 specialize in consumer finance issues, including
3 experience with lease-purchase agreements.

4 ~~(E)~~ Owner-operators in the trucking indus-
5 try with experience regarding lease-purchase
6 agreements.

7 ~~(F)~~ Businesses that provide or are subject
8 to lease-purchase agreements in the trucking in-
9 dustry.

10 ~~(2)~~ COMPENSATION.—A member of the Task
11 Force shall serve without compensation.

12 ~~(c)~~ DUTIES.—The Task Force shall examine, at a
13 minimum—

14 ~~(1)~~ common truck leasing arrangements avail-
15 able to commercial motor vehicle drivers, including
16 lease-purchase agreements;

17 ~~(2)~~ the terms of the leasing agreements de-
18 scribed in paragraph ~~(1)~~;

19 ~~(3)~~~~(A)~~ the existence of inequitable leasing
20 agreements and terms in the motor carrier industry;

21 ~~(B)~~ whether any such inequitable terms and
22 agreements affect the frequency of maintenance per-
23 formed on vehicles subject to those agreements; and

1 (C) whether any such inequitable terms and
2 agreements affect whether a vehicle is kept in a gen-
3 eral state of good repair;

4 (4) specific agreements available to drayage
5 drivers at ports relating to the Clean Truck Pro-
6 gram or any similar program to decrease emissions
7 from port operations;

8 (5) the impact of truck leasing agreements on
9 the net compensation of commercial motor vehicle
10 drivers, including port drayage drivers;

11 (6) whether truck leasing agreements properly
12 incentivize the safe operation of vehicles, including
13 driver compliance with the hours of service regula-
14 tions and laws governing speed and safety generally;

15 (7) resources to assist commercial motor vehicle
16 drivers in assessing the financial impacts of leasing
17 agreements; and

18 (8)(A) the opportunity that equitable leasing
19 agreements provide for drivers to start or expand
20 trucking companies; and

21 (B) the history of motor carriers starting from
22 single owner-operators.

23 (d) REPORT.—On completion of the examination
24 under subsection (c), the Task Force shall submit to the

1 Secretary, the Secretary of Labor, and the appropriate
2 committees of Congress a report containing—

3 (1) the findings of the Task Force with respect
4 to the matters described in subsection (c);

5 (2) best practices relating to—

6 (A) assisting a commercial motor vehicle
7 driver in assessing the impacts of leasing agree-
8 ments prior to entering into such an agreement;

9 (B) assisting a commercial motor vehicle
10 driver who has entered into a predatory lease
11 agreement; and

12 (C) preventing coercion and impacts on
13 safety as described in section 31136 of title 49,
14 United States Code; and

15 (3) recommendations relating to changes to
16 laws (including regulations), as applicable, at the
17 Federal, State, or local level to promote fair leasing
18 agreements under which a commercial motor vehicle
19 driver, including a short haul driver, who is a party
20 to such an agreement is able to earn a rate commensurate
21 with other commercial motor vehicle drivers
22 performing similar duties.

23 (c) TERMINATION.—Not later than 30 days after the
24 date on which the report under subsection (d) is sub-
25 mitted, the Task Force shall terminate.

1 **SEC. 3010. AUTOMATIC EMERGENCY BRAKING.**

2 (a) **DEFINITIONS.**—In this section:

3 (1) **AUTOMATIC EMERGENCY BRAKING SYS-**
 4 **TEM.**—The term “automatic emergency braking sys-
 5 **tem”** means a system on a commercial motor vehicle
 6 that, based on a predefined distance and closing rate
 7 with respect to an obstacle in the path of the com-
 8 mercial motor vehicle—

9 (A) alerts the driver of the obstacle; and

10 (B) if necessary to avoid or mitigate a col-
 11 lision with the obstacle, automatically applies
 12 the brakes of the commercial motor vehicle.

13 (2) **COMMERCIAL MOTOR VEHICLE.**—The term
 14 “commercial motor vehicle” has the meaning given
 15 the term in section 31101 of title 49, United States
 16 Code.

17 (b) **FEDERAL MOTOR VEHICLE SAFETY STAND-**
 18 **ARD.**—Not later than 2 years after the date of enactment
 19 of this Act, the Secretary shall—

20 (1) prescribe a motor vehicle safety standard
 21 under section 30111 of title 49, United States Code,
 22 that requires any commercial motor vehicle subject
 23 to section 571.136 of title 49, Code of Federal Reg-
 24 ulations (relating to Federal Motor Vehicle Safety
 25 Standard Number 136) (or a successor regulation)
 26 that is manufactured after the effective date of the

1 standard prescribed under this paragraph to be
2 equipped with an automatic emergency braking sys-
3 tem; and

4 (2) as part of the standard under paragraph
5 (1), establish performance requirements for auto-
6 matic emergency braking systems.

7 (c) FEDERAL MOTOR CARRIER SAFETY REGULA-
8 TION.—Not later than 1 year after the date of enactment
9 of this Act, the Secretary shall prescribe a regulation
10 under section 31136 of title 49, United States Code, that
11 requires that an automatic emergency braking system in-
12 stalled in a commercial motor vehicle manufactured after
13 the effective date of the standard prescribed under sub-
14 section (b)(1) that is in operation on or after that date
15 and is subject to section 571.136 of title 49, Code of Fed-
16 eral Regulations (relating to Federal Motor Vehicle Safety
17 Standard Number 136) (or a successor regulation) be
18 used at any time during which the commercial motor vehi-
19 cle is in operation.

20 (d) REPORT ON AUTOMATIC EMERGENCY BRAKING
21 IN OTHER COMMERCIAL MOTOR VEHICLES.—

22 (1) STUDY.—Not later than 2 years after the
23 date of enactment of this Act, the Secretary shall
24 complete a study on equipping a variety of commer-
25 cial motor vehicles not subject to section 571.136 of

1 title 49, Code of Federal Regulations (relating to
2 Federal Motor Vehicle Safety Standard Number
3 136) (or a successor regulation) as of that date of
4 enactment with automatic emergency braking sys-
5 tems to avoid or mitigate a collision with an obstacle
6 in the path of the commercial motor vehicle, includ-
7 ing an assessment of the feasibility, benefits, and
8 costs associated with installing automatic emergency
9 braking systems on a variety of newly manufactured
10 commercial motor vehicles with a gross vehicle
11 weight rating greater than 10,001 pounds.

12 (2) INDEPENDENT RESEARCH.—If the Sec-
13 retary enters into a contract with a third party to
14 perform research relating to the study required
15 under paragraph (1), the Secretary shall ensure that
16 the third party does not have any financial or con-
17 tractual ties to, or relationships with—

18 (A) a motor carrier that transports pas-
19 sengers or property for compensation;

20 (B) the motor carrier industry; or

21 (C) an entity producing or supplying auto-
22 matic emergency braking systems.

23 (3) PUBLIC COMMENT.—Not later than 90 days
24 after the date on which the study under paragraph
25 (1) is completed, the Secretary shall—

1 (A) issue a notice in the Federal Register
2 containing the findings of the study; and

3 (B) provide an opportunity for public com-
4 ment.

5 (4) REPORT TO CONGRESS.—Not later than 90
6 days after the conclusion of the public comment pe-
7 riod under paragraph (3)(B), the Secretary shall
8 submit to the Committee on Commerce, Science, and
9 Transportation of the Senate and the Committees on
10 Transportation and Infrastructure and Energy and
11 Commerce of the House of Representatives a report
12 that includes—

13 (A) the results of the study under para-
14 graph (1);

15 (B) a summary of any comments received
16 under paragraph (3)(B); and

17 (C) a determination as to whether the Sec-
18 retary intends to develop performance require-
19 ments for automatic emergency braking systems
20 for applicable commercial motor vehicles, in-
21 cluding any analysis that led to that determina-
22 tion.

23 (5) RULEMAKING.—Not later than 2 years after
24 the date on which the study under paragraph (1) is
25 completed, the Secretary shall—

1 (A) determine whether a motor vehicle
 2 safety standard relating to equipping the com-
 3 mercial motor vehicles described in that para-
 4 graph with automatic emergency braking sys-
 5 tems would meet the requirements and consid-
 6 erations described in subsections (a) and (b) of
 7 section 30111 of title 49, United States Code;
 8 and

9 (B) if the Secretary determines that a
 10 motor vehicle safety standard described in sub-
 11 paragraph (A) would meet the requirements
 12 and considerations described in that subpara-
 13 graph, initiate a rulemaking to prescribe such a
 14 motor vehicle safety standard.

15 **SEC. 3011. UNDERRIDE PROTECTION.**

16 (a) **DEFINITIONS.**—In this section:

17 (1) **COMMITTEE.**—The term “Committee”
 18 means the Advisory Committee on Underride Protec-
 19 tion established under subsection (d)(1).

20 (2) **MOTOR CARRIER.**—The term “motor car-
 21 rier” has the meaning given the term in section
 22 13102 of title 49, United States Code.

23 (3) **PASSENGER MOTOR VEHICLE.**—The term
 24 “passenger motor vehicle” has the meaning given

1 the term in section 32101 of title 49, United States
2 Code.

3 (4) **UNDERRIDE CRASH.**—The term “underride
4 crash” means a crash in which a trailer or
5 semitrailer intrudes into the passenger compartment
6 of a passenger motor vehicle.

7 (b) **REAR UNDERRIDE GUARDS.**—

8 (1) **TRAILERS AND SEMITRAILERS.**—

9 (A) **IN GENERAL.**—Not later than 1 year
10 after the date of enactment of this Act, the Sec-
11 retary shall promulgate such regulations as are
12 necessary to revise sections 571.223 and
13 571.224 of title 49, Code of Federal Regula-
14 tions (relating to Federal Motor Vehicle Safety
15 Standard Numbers 223 and 224, respectively),
16 to require trailers and semitrailers manufac-
17 tured after the date on which those regulations
18 are promulgated to be equipped with rear im-
19 pact guards that are designed to prevent pas-
20 senger compartment intrusion from a trailer or
21 semitrailer when a passenger motor vehicle
22 traveling at 35 miles per hour makes—

23 (i) an impact in which the passenger
24 motor vehicle impacts the center of the
25 rear of the trailer or semitrailer;

1 (ii) an impact in which 50 percent of
2 the width of the passenger motor vehicle
3 overlaps the rear of the trailer or
4 semitrailer; and

5 (iii) an impact in which 30 percent of
6 the width of the passenger motor vehicle
7 overlaps the rear of the trailer or
8 semitrailer, if the Secretary determines
9 that a revision of sections 571.223 and
10 571.224 of title 49, Code of Federal Regu-
11 lations (relating to Federal Motor Vehicle
12 Safety Standard Numbers 223 and 224,
13 respectively) to address such an impact
14 would meet the requirements and consider-
15 ations described in subsections (a) and (b)
16 of section 30111 of title 49, United States
17 Code.

18 (B) ~~EFFECTIVE DATE.~~—The regulations
19 promulgated under subparagraph (A) shall re-
20 quire full compliance with each Federal Motor
21 Vehicle Safety Standard revised pursuant to
22 those regulations not later than 2 years after
23 the date on which those regulations are promul-
24 gated.

1 (2) **ADDITIONAL RESEARCH.**—The Secretary
2 shall conduct additional research on the design and
3 development of rear impact guards that can—

4 (A) prevent underride crashes in cases in
5 which the passenger motor vehicle is traveling
6 at speeds of up to 65 miles per hour; and

7 (B) protect passengers in passenger motor
8 vehicles against severe injury in crashes in
9 which the passenger motor vehicle is traveling
10 at speeds of up to 65 miles per hour.

11 (3) **REVIEW OF STANDARDS.**—Not later than 5
12 years after the date on which the regulations under
13 paragraph (1)(A) are promulgated, the Secretary
14 shall—

15 (A) review the Federal Motor Vehicle Safe-
16 ty Standards revised pursuant to those regula-
17 tions and any other requirements of those regula-
18 tions relating to rear underride guards on
19 trailers or semitrailers to evaluate the need for
20 changes in response to advancements in tech-
21 nology; and

22 (B) update those Federal Motor Vehicle
23 Safety Standards and those regulations accord-
24 ingly.

25 (4) **INSPECTIONS.**—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this Act, the Sec-
3 retary shall promulgate such regulations as are
4 necessary to revise the regulations relating to
5 minimum periodic inspection standards under
6 appendix G to subchapter B of chapter III of
7 title 49, Code of Federal Regulations, and the
8 regulations relating to driver vehicle inspection
9 reports under section 396.11 of that title to in-
10 clude requirements relating to rear impact
11 guards and rear end protection that are con-
12 sistent with the requirements described in sec-
13 tion 393.86 of that title.

14 (B) CONSIDERATIONS.—In revising the
15 regulations described in subparagraph (A), the
16 Secretary shall consider it to be a defect or a
17 deficiency if a rear impact guard is missing an,
18 or has a corroded or compromised, element that
19 affects the structural integrity and protective
20 feature of the rear impact guard.

21 (c) SIDE UNDERRIDE GUARDS.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, the Secretary
24 shall—

1 (A) complete additional research on side
2 underride guards to better understand the over-
3 all effectiveness of side underride guards;

4 (B) assess the feasibility, benefits, and
5 costs of, and any impacts on intermodal equip-
6 ment, freight mobility (including port oper-
7 ations), and freight capacity associated with, in-
8 stalling side underride guards on newly manu-
9 factured trailers and semitrailers with a gross
10 vehicle weight rating of 10,000 pounds or more;

11 (C) consider the unique structural and
12 operational aspects of—

13 (i) intermodal chassis (as defined in
14 section 340.2 of title 46, Code of Federal
15 Regulations; and

16 (ii) pole trailers (as defined in section
17 390.5 of title 49, Code of Federal Regula-
18 tions; and

19 (D) if warranted, develop performance
20 standards for side underride guards.

21 (2) INDEPENDENT RESEARCH.—If the Sec-
22 retary enters into a contract with a third party to
23 perform the research required under paragraph
24 (1)(A), the Secretary shall ensure that the third

1 party does not have any financial or contractual ties
2 to, or relationships with—

3 (A) a motor carrier that transports pas-
4 sengers or property for compensation;

5 (B) the motor carrier industry; or

6 (C) an entity producing or supplying
7 underride guards.

8 (3) PUBLICATION OF ASSESSMENT.—Not later
9 than 90 days after completion of the assessment re-
10 quired under paragraph (1)(B), the Secretary
11 shall—

12 (A) issue a notice in the Federal Register
13 containing the findings of the assessment; and

14 (B) provide an opportunity for public com-
15 ment.

16 (4) REPORT TO CONGRESS.—Not later than 90
17 days after the conclusion of the public comment pe-
18 riod under paragraph (3)(B), the Secretary shall
19 submit to the Committee on Commerce, Science, and
20 Transportation of the Senate and the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives a report that includes—

23 (A) the results of the assessment under
24 paragraph (1)(B);

1 (B) a summary of any comments received
2 by the Secretary under paragraph (3)(B); and

3 (C) a determination as to whether the Sec-
4 retary intends to develop performance require-
5 ments for side underride guards, including any
6 analysis that led to that determination.

7 (d) ~~ADVISORY COMMITTEE ON UNDERRIDE PROTEC-~~
8 ~~TION.—~~

9 (1) ~~ESTABLISHMENT.—~~The Secretary shall es-
10 tablish an Advisory Committee on Underride Protec-
11 tion to provide advice and recommendations to the
12 Secretary on safety regulations to reduce underride
13 crashes and fatalities relating to underride crashes.

14 (2) ~~MEMBERSHIP.—~~

15 (A) ~~IN GENERAL.—~~The Committee shall be
16 composed of not more than 20 members, ap-
17 pointed by the Secretary, who—

18 (i) are not employees of the Depart-
19 ment; and

20 (ii) are qualified to serve on the Com-
21 mittee because of their expertise, training,
22 or experience.

23 (B) ~~REPRESENTATION.—~~The Committee
24 shall include 2 representatives of each of the
25 following:

- 1 (i) Truck and trailer manufacturers.
- 2 (ii) Motor carriers, including inde-
3 pendent owner-operators.
- 4 (iii) Law enforcement.
- 5 (iv) Motor vehicle engineers.
- 6 (v) Motor vehicle crash investigators.
- 7 (vi) Truck safety organizations.
- 8 (vii) The insurance industry.
- 9 (viii) Emergency medical service pro-
10 viders.
- 11 (ix) Families of underride crash vie-
12 tims.
- 13 (x) Labor organizations.

14 (3) COMPENSATION.—Members of the Com-
15 mittee shall serve without compensation.

16 (4) MEETINGS.—The Committee shall meet not
17 less frequently than annually.

18 (5) SUPPORT.—On request of the Committee,
19 the Secretary shall provide information, administra-
20 tive services, and supplies necessary for the Com-
21 mittee to carry out the duties of the Committee.

22 (6) REPORT.—The Committee shall submit to
23 the Committee on Commerce, Science, and Trans-
24 portation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives a biennial report that—

3 (A) describes the advice and recommenda-
4 tions made to the Secretary; and

5 (B) includes an assessment of progress
6 made by the Secretary in advancing safety reg-
7 ulations relating to underride crashes.

8 (e) DATA COLLECTION.—Not later than 1 year after
9 the date of enactment of this Act, the Secretary shall im-
10 plement the recommendations described in the report of
11 the Government Accountability Office entitled “Truck
12 Underride Guards: Improved Data Collection, Inspections,
13 and Research Needed”, published on March 14, 2019, and
14 numbered GAO–19–264.

15 **SEC. 3012. PROVIDERS OF RECREATIONAL ACTIVITIES.**

16 Section 13506(b) of title 49, United States Code, is
17 amended—

18 (1) in paragraph (2), by striking “or” at the
19 end;

20 (2) in paragraph (3), by striking the period at
21 the end and inserting “; or”; and

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

23 “(4) transportation by a motor vehicle designed
24 or used to transport not fewer than 9, and not more
25 than 15, passengers (including the driver), whether

1 operated alone or with a trailer attached for the
2 transport of recreational equipment, if—

3 “(A) the motor vehicle is operated by a
4 person that provides recreational activities;

5 “(B) the transportation is provided within
6 a 150 air-mile radius of the location at which
7 passengers initially boarded the motor vehicle at
8 the outset of the trip; and

9 “(C) in the case of a motor vehicle trans-
10 porting passengers over a route between a place
11 in a State and a place in another State, the
12 person operating the motor vehicle is lawfully
13 providing transportation of passengers over the
14 entire route in accordance with applicable State
15 law.”.

16 **SEC. 3013. AMENDMENTS TO REGULATIONS RELATING TO**
17 **TRANSPORTATION OF HOUSEHOLD GOODS IN**
18 **INTERSTATE COMMERCE.**

19 (a) **DEFINITIONS.**—In this section:

20 (1) **ADMINISTRATION.**—The term “Administra-
21 tion” means the Federal Motor Carrier Safety Ad-
22 ministration.

23 (2) **COVERED CARRIER.**—The term “covered
24 carrier” means a motor carrier that is—

1 (A) engaged in the interstate transpor-
2 tation of household goods; and

3 (B) subject to the requirements of part
4 375 of title 49, Code of Federal Regulations (as
5 in effect on the effective date of any amend-
6 ments made pursuant to the notice of proposed
7 rulemaking issued under subsection (b)).

8 (b) AMENDMENTS TO REGULATIONS.—Not later
9 than 1 year after the date of enactment of this Act, the
10 Secretary shall issue a notice of proposed rulemaking to
11 amend, as the Secretary determines to be appropriate, reg-
12 ulations relating to the interstate transportation of house-
13 hold goods.

14 (c) CONSIDERATIONS.—In issuing the notice of pro-
15 posed rulemaking under subsection (b), the Secretary shall
16 consider amending the following provisions of title 49,
17 Code of Federal Regulations, in accordance with the fol-
18 lowing recommendations:

19 (1) Section 375.207(b) to require each covered
20 carrier to include on the website of the covered car-
21 rier a link—

22 (A) to the publication of the Administra-
23 tion entitled “Ready to Move—Tips for a Suc-
24 cessful Interstate Move” and numbered ESA-
25 03-005 on the website of the Administration; or

1 ~~(B)~~ to a copy of the publication referred to
2 in subparagraph ~~(A)~~ on the website of the cov-
3 ered carrier.

4 ~~(2)~~ Subsections ~~(a)~~ and ~~(b)(1)~~ of section
5 ~~375.213~~ to require each covered carrier to provide to
6 each individual shipper, together with any written
7 estimate provided to the shipper, a copy of the publi-
8 cation described in appendix A of part ~~375~~ of that
9 title, entitled “Your Rights and Responsibilities
10 When You Move” and numbered ~~ESA-03-006~~ (or a
11 successor publication), in the form of a written copy
12 or a hyperlink on the website of the covered carrier
13 to the location on the website of the Administration
14 containing that publication.

15 ~~(3)~~ Section ~~375.213~~ to repeal subsection ~~(c)~~ of
16 that section.

17 ~~(4)~~ Section ~~375.401(a)~~ to require each covered
18 carrier—

19 ~~(A)~~ to conduct a visual survey of the
20 household goods to be transported by the cov-
21 ered carrier—

22 ~~(i)~~ in person; or

23 ~~(ii)~~ virtually, using—

24 ~~(I)~~ a remote camera; or

1 (H) another appropriate tech-
2 nology;

3 (B) to offer a visual survey described in
4 subparagraph (A) for all household goods ship-
5 ments, regardless of the distance between—

6 (i) the location of the household
7 goods; and

8 (ii) the location of the agent of the
9 covered carrier preparing the estimate; and

10 (C) to provide to each shipper a copy of
11 the publication of the Administration entitled
12 “Ready to Move—Tips for a Successful Inter-
13 state Move” and numbered ESA-03-005 on re-
14 ceipt from the shipper of a request to schedule,
15 or a waiver of, a visual survey offered under
16 subparagraph (B).

17 (5) Sections 375.401(b)(1), 375.403(a)(6)(ii),
18 and 375.405(b)(7)(ii), and subpart D of appendix A
19 of part 375, to require that, in any case in which a
20 shipper tenders any additional item or requests any
21 additional service prior to loading a shipment, the
22 affected covered carrier shall—

23 (A) prepare a new estimate; and

1 (B) maintain a record of the date, time,
2 and manner in which the new estimate was ac-
3 cepted by the shipper.

4 (6) Section 375.501(a), to establish that a cov-
5 ered carrier is not required to provide to a shipper
6 an order for service if the covered carrier elects to
7 provide the information described in paragraphs (1)
8 through (15) of that section in a bill of lading that
9 is presented to the shipper before the covered carrier
10 receives the shipment.

11 (7) Subpart H of part 375, to replace the re-
12 place the terms “freight bill” and “expense bill”
13 with the term “invoice”.

14 **SEC. 3014. IMPROVING FEDERAL-STATE MOTOR CARRIER**
15 **SAFETY ENFORCEMENT COORDINATION.**

16 (a) DEFINITIONS.—In this section:

17 (1) COVERED STATE.—The term “covered
18 State” means a State that receives Federal funds
19 under the motor carrier safety assistance program
20 established under section 31102 of title 49, United
21 States Code.

22 (2) IMMINENT HAZARD.—The term “imminent
23 hazard” has the same meaning as in section 521 of
24 title 49, United States Code.

1 (b) REVIEW AND ENFORCEMENT OF STATE OUT-OF-
 2 SERVICE ORDERS.—As soon as practicable after the date
 3 of enactment of this Act, the Secretary shall publish in
 4 the Federal Register a process under which the Secretary
 5 shall review each out-of-service order issued by a covered
 6 State in accordance with section 31144(d) of title 49,
 7 United States Code, by not later than 30 days after the
 8 date on which the out-of-service order is submitted to the
 9 Secretary by the covered State.

10 (c) REVIEW AND ENFORCEMENT OF STATE IMMI-
 11 NENT HAZARD DETERMINATIONS.—

12 (1) IN GENERAL.—As soon as practicable after
 13 the date of enactment of this Act, the Secretary
 14 shall publish in the Federal Register a process under
 15 which the Secretary shall review imminent hazard
 16 determinations made by covered States.

17 (2) ENFORCEMENT.—On reviewing an immi-
 18 nent hazard determination under paragraph (1), the
 19 Secretary shall pursue enforcement under section
 20 521 of title 49, United States Code, as the Secretary
 21 determines to be appropriate.

22 **SEC. 3015. LIMOUSINE RESEARCH.**

23 (a) DEFINITIONS.—In this section:

24 (1) LIMOUSINE.—The term “limousine” means
 25 a motor vehicle—

1 (A) that has a seating capacity of 9 or
2 more persons (including the driver);

3 (B) with a gross vehicle weight rating
4 greater than 10,000 pounds but not greater
5 than 26,000 pounds; and

6 (C) that the Secretary has determined by
7 regulation has physical characteristics resem-
8 bling—

9 (i) a passenger car;

10 (ii) a multipurpose passenger vehicle;

11 or

12 (iii) a truck with a gross vehicle
13 weight rating of 10,000 pounds or less.

14 (2) LIMOUSINE OPERATOR.—The term “lim-
15 ousine operator” means a person who owns or
16 leases, and uses, a limousine to transport passengers
17 for compensation.

18 (3) MOTOR VEHICLE SAFETY STANDARD.—The
19 term “motor vehicle safety standard” has the mean-
20 ing given the term in section 30102(a) of title 49,
21 United States Code.

22 (4) STATE.—The term “State” has the mean-
23 ing given such term in section 30102(a) of title 49,
24 United States Code.

25 (b) CRASHWORTHINESS.—

1 (1) RESEARCH.—Not later than 4 years after
 2 the date of enactment of this Act, the Secretary
 3 shall complete research into the development of
 4 motor vehicle safety standards for side impact pro-
 5 tection, roof crush resistance, and air bag systems
 6 for the protection of occupants in limousines with al-
 7 ternative seating positions, including perimeter seat-
 8 ing arrangements.

9 (2) RULEMAKING OR REPORT.—

10 (A) CRASHWORTHINESS STANDARDS.—

11 (i) IN GENERAL.—Subject to clause
 12 (ii), not later than 2 years after the date
 13 on which the research under paragraph (1)
 14 is completed, the Secretary shall prescribe,
 15 for the protection of occupants in lim-
 16 ousines with alternative seating positions,
 17 a final motor vehicle safety standard for
 18 each of the following:

19 (I) Side impact protection.

20 (II) Roof crush resistance.

21 (III) Air bag systems.

22 (ii) REQUIREMENTS AND CONSIDER-
 23 ATIONS.—The Secretary may only pre-
 24 scribe a motor vehicle safety standard de-
 25 scribed in clause (i) if the Secretary deter-

1 mines that the standard meets the require-
2 ments and considerations described in sub-
3 sections (a) and (b) of section ~~30111~~ of
4 title 49, United States Code.

5 (B) REPORT.—If the Secretary determines
6 that a motor vehicle safety standard described
7 in subparagraph (A)(i) would not meet the re-
8 quirements and considerations described in sub-
9 sections (a) and (b) of section ~~30111~~ of title 49,
10 United States Code, the Secretary shall publish
11 in the Federal Register and submit to the Com-
12 mittee on Commerce, Science, and Transpor-
13 tation of the Senate and the Committee on En-
14 ergy and Commerce of the House of Represent-
15 atives a report describing the reasons for not
16 prescribing the standard.

17 (e) EVACUATION.—

18 (1) RESEARCH.—Not later than 2 years after
19 the date of enactment of this Act, the Secretary
20 shall complete research into safety features and
21 standards that aid evacuation in the event that an
22 exit in the passenger compartment of a limousine is
23 blocked.

24 (2) RULEMAKING OR REPORT.—

25 (A) LIMOUSINE EVACUATION.—

1 (i) ~~IN GENERAL.~~—Subject to clause
2 (ii), not later than 2 years after the date
3 on which the research under paragraph ~~(1)~~
4 is completed, the Secretary shall prescribe
5 a final motor vehicle safety standard based
6 on the results of that research.

7 (ii) ~~REQUIREMENTS AND CONSIDER-~~
8 ~~ATIONS.~~—The Secretary may only pre-
9 scribe a motor vehicle safety standard de-
10 scribed in clause (i) if the Secretary deter-
11 mines that the standard meets the require-
12 ments and considerations described in sub-
13 sections (a) and (b) of section ~~30111~~ of
14 title 49, United States Code.

15 ~~(B) REPORT.~~—If the Secretary determines
16 that a standard described in subparagraph
17 ~~(A)(i)~~ would not meet the requirements and
18 considerations described in subsections (a) and
19 (b) of section ~~30111~~ of title 49, United States
20 Code, the Secretary shall publish in the Federal
21 Register and submit to the Committee on Com-
22 merce, Science, and Transportation of the Sen-
23 ate and the Committee on Energy and Com-
24 merce of the House of Representatives a report

1 describing the reasons for not prescribing the
2 standard.

3 ~~(d) LIMOUSINE INSPECTION DISCLOSURE.—~~

4 ~~(1) IN GENERAL.—~~A limousine operator may
5 not introduce a limousine into interstate commerce
6 unless the limousine operator has prominently dis-
7 closed in a clear and conspicuous notice, including
8 on the website of the operator if the operator has a
9 website, the following:

10 ~~(A) The date of the most recent inspection~~
11 of the limousine required under State or Fed-
12 eral law, if applicable.

13 ~~(B) The results of the inspection, if appli-~~
14 eable.

15 ~~(C) Any corrective action taken by the lim-~~
16 ousine operator to ensure the limousine passed
17 inspection, if applicable.

18 ~~(2) FEDERAL TRADE COMMISSION ENFORCE-~~
19 MENT.—

20 ~~(A) IN GENERAL.—~~The Federal Trade
21 Commission shall enforce this subsection in the
22 same manner, by the same means, and with the
23 same jurisdiction, powers, and duties as though
24 all applicable terms and provisions of the Fed-
25 eral Trade Commission Act (15 U.S.C. 41 et

1 seq.) were incorporated into and made a part of
2 this subsection.

3 (B) TREATMENT.—Any person who vio-
4 lates this subsection shall be subject to the pen-
5 alties and entitled to the privileges and immuni-
6 ties provided in the Federal Trade Commission
7 Act (15 U.S.C. 41 et seq.).

8 (3) SAVINGS PROVISION.—Nothing in this sub-
9 section limits the authority of the Federal Trade
10 Commission under any other provision of law.

11 (4) EFFECTIVE DATE.—This subsection shall
12 take effect on the date that is 180 days after the
13 date of enactment of this Act.

14 **SEC. 3016. NATIONAL CONSUMER COMPLAINT DATABASE.**

15 (a) IN GENERAL.—Not later than 18 months after
16 the date of enactment of this Act, the Comptroller General
17 of the United States shall submit to the Committee on
18 Commerce, Science, and Transportation of the Senate and
19 the Committee on Transportation and Infrastructure of
20 the House of Representatives a report on the National
21 Consumer Complaint Database of the Federal Motor Car-
22 rier Safety Administration.

23 (b) CONTENTS.—The report under subsection (a)
24 shall include—

1 (1) a review of the process and effectiveness of
2 efforts to review and follow-up on complaints sub-
3 mitted to the National Consumer Complaint Data-
4 base;

5 (2) an identification of the top 5 complaint cat-
6 egories;

7 (3) an identification of—

8 (A) the process that the Federal Motor
9 Carrier Safety Administration uses to deter-
10 mine which entities to take enforcement actions
11 against; and

12 (B) the top categories of enforcement ac-
13 tions taken by the Federal Motor Carrier Safe-
14 ty Administration;

15 (4) a review of the use of the National Con-
16 sumer Complaint Database website over the 5-year
17 period ending on December 31, 2020, including in-
18 formation obtained by conducting interviews with
19 drivers, customers of movers of household goods,
20 brokers, motor carriers, including small business
21 motor carriers, and other users of the website to de-
22 termine the usability of the website;

23 (5) a review of efforts taken by the Federal
24 Motor Carrier Safety Administration to raise aware-

1 ness of the National Consumer Complaint Database;
2 and

3 (6) recommendations, as appropriate, including
4 with respect to methods—

5 (A) for improving the usability of the Na-
6 tional Consumer Complaint Database website;

7 (B) for improving the review of complaints;

8 (C) for using data collected through the
9 National Consumer Complaint Database to
10 identify bad actors;

11 (D) to improve confidence and trans-
12 parency in the complaint process; and

13 (E) for improving stakeholder awareness of
14 and participation in the National Consumer
15 Complaint Database and the complaint system,
16 including improved communication about the
17 purpose of the National Consumer Complaint
18 Database.

19 **SEC. 3017. ELECTRONIC LOGGING DEVICE OVERSIGHT.**

20 Not later than 180 days after the date of enactment
21 of this Act, the Secretary shall submit to Congress a re-
22 port detailing the processes—

23 (1) used by the Federal Motor Carrier Safety
24 Administration—

- 1 (A) to review electronic logging device logs;
 2 and
 3 (B) to protect proprietary information and
 4 personally identifiable information obtained
 5 from electronic logging device logs; and
 6 (2) through which an operator may challenge or
 7 appeal a violation notice issued by the Federal
 8 Motor Carrier Safety Administration relating to an
 9 electronic logging device.

10 **TITLE IV—HIGHWAY AND MOTOR**
 11 **VEHICLE SAFETY**

12 **Subtitle A—Highway Traffic Safety**

13 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) **IN GENERAL.**—The following amounts are au-
 15 thORIZED to be appropriated out of the Highway Trust
 16 Fund (other than the Mass Transit Account):

17 (1) **HIGHWAY SAFETY PROGRAMS.**—To carry
 18 out section 402 of title 23, United States Code—

- 19 (A) \$363,400,000 for fiscal year 2022;
 20 (B) \$370,900,000 for fiscal year 2023;
 21 (C) \$378,400,000 for fiscal year 2024;
 22 (D) \$385,900,000 for fiscal year 2025;
 23 and
 24 (E) \$393,400,000 for fiscal year 2026.

1 (2) HIGHWAY SAFETY RESEARCH AND DEVEL-
 2 OPMENT.—To carry out section 403 of title 23,
 3 United States Code—

4 (A) \$186,000,000 for fiscal year 2022;

5 (B) \$190,000,000 for fiscal year 2023;

6 (C) \$194,000,000 for fiscal year 2024;

7 (D) \$198,000,000 for fiscal year 2025;

8 and

9 (E) \$202,000,000 for fiscal year 2026.

10 (3) HIGH-VISIBILITY ENFORCEMENT PRO-
 11 GRAM.—To carry out section 404 of title 23, United
 12 States Code—

13 (A) \$36,400,000 for fiscal year 2022;

14 (B) \$38,300,000 for fiscal year 2023;

15 (C) \$40,300,000 for fiscal year 2024;

16 (D) \$42,300,000 for fiscal year 2025; and

17 (E) \$44,300,000 for fiscal year 2026.

18 (4) NATIONAL PRIORITY SAFETY PROGRAMS.—
 19 To carry out section 405 of title 23, United States
 20 Code—

21 (A) \$336,500,000 for fiscal year 2022;

22 (B) \$346,500,000 for fiscal year 2023;

23 (C) \$353,500,000 for fiscal year 2024;

24 (D) \$360,500,000 for fiscal year 2025;

25 and

1 (E) \$367,500,000 for fiscal year 2026.

2 (5) ADMINISTRATIVE EXPENSES.—For adminis-
3 trative and related operating expenses of the Na-
4 tional Highway Traffic Safety Administration in ear-
5 rying out chapter 4 of title 23, United States Code,
6 and this title—

7 (A) \$38,000,000 for fiscal year 2022;

8 (B) \$39,520,000 for fiscal year 2023;

9 (C) \$41,100,800 for fiscal year 2024;

10 (D) \$42,744,832 for fiscal year 2025; and

11 (E) \$44,454,625 for fiscal year 2026.

12 (6) NATIONAL DRIVER REGISTER.—For the Na-
13 tional Highway Traffic Safety Administration to
14 carry out chapter 303 of title 49, United States
15 Code—

16 (A) \$6,800,000 for fiscal year 2022;

17 (B) \$7,000,000 for fiscal year 2023;

18 (C) \$7,200,000 for fiscal year 2024;

19 (D) \$7,400,000 for fiscal year 2025; and

20 (E) \$7,600,000 for fiscal year 2026.

21 (b) PROHIBITION ON OTHER USES.—Except as oth-
22 erwise provided in chapter 4 of title 23, and chapter 303
23 of title 49, United States Code, the amounts made avail-
24 able under subsection (a) or any other provision of law

1 from the Highway Trust Fund (other than the Mass Tran-
 2 sit Account) for a program under those chapters—

3 (1) shall only be used to carry out that pro-
 4 gram; and

5 (2) may not be used by a State or local govern-
 6 ment for construction purposes.

7 (c) ~~APPLICABILITY OF TITLE 23.~~—Except as other-
 8 wise provided in chapter 4 of title 23, and chapter 303
 9 of title 49, United States Code, the amounts made avail-
 10 able under subsection (a) for fiscal years 2022 through
 11 2026 shall be available for obligation in the same manner
 12 as if those funds were apportioned under chapter 1 of title
 13 23, United States Code.

14 (d) ~~HIGHWAY SAFETY GENERAL REQUIREMENTS.~~—

15 (1) ~~IN GENERAL.~~—Chapter 4 of title 23, United
 16 States Code, is amended—

17 (A) by redesignating sections 409 and 412
 18 as sections 407 and 408, respectively; and

19 (B) by inserting after section 405 the fol-
 20 lowing:

21 **“§ 406. General requirements for Federal assistance**

22 “(a) ~~DEFINITION OF FUNDED PROJECT.~~—In this
 23 section, the term ‘funded project’ means a project funded,
 24 in whole or in part, by a grant provided under this chap-
 25 ter.

1 “(b) REGULATORY AUTHORITY.—Each funded
2 project shall be carried out in accordance with applicable
3 regulations promulgated by the Secretary.

4 “(c) STATE MATCHING REQUIREMENTS.—If a grant
5 provided under this chapter requires any State to share
6 in the cost of a funded project, the aggregate of the ex-
7 penditures made by the State (including any political sub-
8 division of the State) for highway safety activities during
9 a fiscal year, exclusive of Federal funds, for carrying out
10 the funded project (other than expenditures for planning
11 or administration) shall be credited toward the non-Fed-
12 eral share of the cost of any other funded project (other
13 than planning and administration) during that fiscal year,
14 regardless of whether those expenditures were made in
15 connection with the project.

16 “(d) GRANT APPLICATION AND DEADLINE.—

17 “(1) APPLICATIONS.—To be eligible to receive a
18 grant under this chapter, a State shall submit to the
19 Secretary an application at such time, in such man-
20 ner, and containing such information as the Sec-
21 retary may require.

22 “(2) DEADLINE.—The Secretary shall establish
23 a single deadline for the submission of applications
24 under paragraph (1) to enable the provision of

1 grants under this chapter early in the first fiscal
2 year beginning after the date of submission.

3 “(e) DISTRIBUTION OF FUNDS TO STATES.—Not
4 later than 60 days after the date of enactment of any ap-
5 propriations Act making funds available to carry out this
6 chapter, the Secretary shall distribute to each State the
7 portion of those funds to which the State is entitled for
8 the applicable fiscal year.”.

9 (2) CLERICAL AMENDMENT.—The analysis for
10 chapter 4 of title 23, United States Code, is amend-
11 ed by striking the items relating to sections 406
12 through 412 and inserting the following:

“406. General requirements for Federal assistance.

“407. Discovery and admission as evidence of certain reports and surveys.

“408. Agency accountability.”.

13 **SEC. 4102. HIGHWAY SAFETY PROGRAMS.**

14 (a) IN GENERAL.—Section 402 of title 23, United
15 States Code, is amended—

16 (1) by striking “accidents” each place it ap-
17 pears and inserting “crashes”;

18 (2) by striking “accident” each place it appears
19 and inserting “crash”;

20 (3) in subsection (a)—

21 (A) in paragraph (1), by striking “shall
22 have” and all that follows through the period at
23 the end and inserting the following: “shall have
24 in effect a highway safety program that—

1 “(i) is designed to reduce—
2 “(I) traffic crashes; and
3 “(II) deaths, injuries, and prop-
4 erty damage resulting from those
5 crashes;
6 “(ii) includes—
7 “(I) an approved, current, tri-
8 ennial highway safety plan in accord-
9 ance with subsection (k); and
10 “(II) an approved grant applica-
11 tion under subsection (l) for the fiscal
12 year;
13 “(iii) demonstrates compliance with
14 the applicable administrative requirements
15 of subsection (b)(1); and
16 “(iv) is approved by the Secretary.”;
17 (B) in paragraph (2)(A)—
18 (i) in clause (ii), by striking “occu-
19 pant protection devices (including the use
20 of safety belts and child restraint sys-
21 tems)” and inserting “safety belts”;
22 (ii) in clause (vii), by striking “and”
23 at the end;

1 (iii) by redesignating clauses (iii)
2 through (viii) as clauses (iv) through (ix),
3 respectively;

4 (iv) by inserting after clause (ii) the
5 following:

6 “(iii) to encourage more widespread
7 and proper use of child restraints, with an
8 emphasis on underserved populations;”;
9 and

10 (v) by adding at the end the following:

11 “(x) to reduce crashes caused by driv-
12 er misuse or misunderstanding of new ve-
13 hicle technology;

14 “(xi) to increase vehicle recall aware-
15 ness;

16 “(xii) to provide to the public infor-
17 mation relating to the risks of child heat-
18 stroke death when left unattended in a
19 motor vehicle after the motor is deacti-
20 vated by the operator;

21 “(xiii) to reduce injuries and deaths
22 resulting from the failure by drivers of
23 motor vehicles to move to another traffic
24 lane or reduce the speed of the vehicle
25 when law enforcement, fire service, emer-

1 gency medical services, or other emergency
2 or first responder vehicles are stopped or
3 parked on or next to a roadway with emer-
4 gency lights activated; and

5 “(xiv) to prevent crashes, injuries, and
6 deaths caused by unsecured vehicle loads;”;
7 and

8 (C) by adding at the end the following:

9 “(3) **ADDITIONAL CONSIDERATIONS.**—A State
10 that has legalized medicinal or recreational mari-
11 juana shall take into consideration implementing
12 programs in addition to the programs described in
13 paragraph (2)(A)—

14 “(A) to educate drivers regarding the risks
15 associated with marijuana-impaired driving; and

16 “(B) to reduce injuries and deaths result-
17 ing from individuals driving motor vehicles
18 while impaired by marijuana.”;

19 (4) in subsection (b)(1)—

20 (A) in the matter preceding subparagraph
21 (A), by striking “may” and inserting “shall”;

22 (B) by striking subparagraph (B) and in-
23 serting the following:

24 “(B) provide for a comprehensive, data-
25 driven traffic safety program that results from

1 meaningful public participation and engagement
2 from affected communities, particularly those
3 most significantly impacted by traffic crashes
4 resulting in injuries and fatalities;”;

5 (C) in subparagraph (C), by striking “au-
6 thorized in accordance with subparagraph (B)”;

7 (D) in subparagraph (D), by striking
8 “with disabilities, including those in wheel-
9 chairs” and inserting “, including those with
10 disabilities and those in wheelchairs”;

11 (E) by striking subparagraph (E) and in-
12 serting the following:

13 “(E) as part of a comprehensive program,
14 support—

15 “(i) data-driven traffic safety enforce-
16 ment programs that foster effective com-
17 munity collaboration to increase public
18 safety; and

19 “(ii) data collection and analysis to
20 ensure transparency, identify disparities in
21 traffic enforcement, and inform traffic en-
22 forcement policies, procedures, and activi-
23 ties; and”;

24 (F) in subparagraph (F)—

1 (i) in clause (i), by striking “national
2 law enforcement mobilizations and high-
3 visibility” and inserting “national, high-vis-
4 ibility”;

5 (ii) in clause (iv), by striking “and”
6 after the semicolon at the end;

7 (iii) in clause (v), by striking the pe-
8 riod at the end and inserting “; and”;

9 (iv) by adding at the end the fol-
10 lowing:

11 “(vi) unless the State highway safety
12 program is developed by American Samoa,
13 Guam, the Commonwealth of the Northern
14 Mariana Islands, or the United States Vir-
15 gin Islands, participation in the Fatality
16 Analysis Reporting System.”;

17 (5) in subsection (c)—

18 (A) in paragraph (1)—

19 (i) by striking the paragraph designa-
20 tion and heading and all that follows
21 through “Funds authorized” and inserting
22 the following:

23 “(1) USE FOR STATE ACTIVITIES.—

24 “(A) IN GENERAL.—The funds author-
25 ized”; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(B) NEIGHBORING STATES.—A State,
4 acting in cooperation with any neighboring
5 State, may use funds provided under this sec-
6 tion for a highway safety program that may
7 confer a benefit on the neighboring State.”;

8 (B) by striking paragraphs (2) and (3) and
9 inserting the following:

10 “(2) APPORTIONMENT TO STATES.—

11 “(A) DEFINITION OF PUBLIC ROAD.—In
12 this paragraph, the term ‘public road’ means
13 any road that is—

14 “(i) subject to the jurisdiction of, and
15 maintained by, a public authority; and

16 “(ii) held open to public travel.

17 “(B) APPORTIONMENT.—

18 “(i) IN GENERAL.—Except for the
19 amounts identified in section 403(f) and
20 the amounts subject to subparagraph (C),
21 of the funds made available under this sec-
22 tion—

23 “(I) 75 percent shall be appor-
24 tioned to each State based on the

1 ratio that, as determined by the most
2 recent decennial census—

3 “(aa) the population of the
4 State; bears to

5 “(bb) the total population of
6 all States; and

7 “(II) 25 percent shall be appor-
8 tioned to each State based on the
9 ratio that, subject to clause (ii)—

10 “(aa) the public road mile-
11 age in each State; bears to

12 “(bb) the total public road
13 mileage in all States.

14 “(ii) CALCULATION.—For purposes of
15 clause (i)(II); public road mileage shall
16 be—

17 “(I) determined as of the end of
18 the calendar year preceding the year
19 during which the funds are appor-
20 tioned;

21 “(II) certified by the Governor of
22 the State; and

23 “(III) subject to approval by the
24 Secretary.

1 “(C) MINIMUM APPORTIONMENTS.—The
2 annual apportionment under this section to—

3 “(i) each State shall be not less than
4 $\frac{3}{4}$ of 1 percent of the total apportionment;

5 “(ii) the Secretary of the Interior
6 shall be not less than 2 percent of the total
7 apportionment; and

8 “(iii) the United States Virgin Is-
9 lands, Guam, American Samoa, and the
10 Commonwealth of the Northern Mariana
11 Islands shall be not less than $\frac{1}{4}$ of 1 per-
12 cent of the total apportionment.

13 “(D) PENALTY.—

14 “(i) IN GENERAL.—The funds appor-
15 tioned under this section to a State that
16 does not have approved or in effect a high-
17 way safety program described in subsection
18 (a)(1) shall be reduced by an amount equal
19 to not less than 20 percent of the amount
20 that would otherwise be apportioned to the
21 State under this section, until the date on
22 which the Secretary, as applicable—

23 “(I) approves such a highway
24 safety program; or

1 “(H) determines that the State is
2 implementing such a program.

3 “(ii) FACTOR FOR CONSIDERATION.—

4 In determining the amount of the reduc-
5 tion in funds apportioned to a State under
6 this subparagraph, the Secretary shall take
7 into consideration the gravity of the failure
8 by the State to secure approval, or to im-
9 plement, a highway safety program de-
10 scribed in subsection (a)(1).

11 “(E) LIMITATIONS.—

12 “(i) IN GENERAL.—A highway safety
13 program approved by the Secretary shall
14 not include any requirement that a State
15 shall implement such a program by adopt-
16 ing or enforcing any law, rule, or regula-
17 tion based on a guideline promulgated by
18 the Secretary under this section requiring
19 any motorcycle operator aged 18 years or
20 older, or a motorcycle passenger aged 18
21 years or older, to wear a safety helmet
22 when operating or riding a motorcycle on
23 the streets and highways of that State.

24 “(ii) EFFECT OF GUIDELINES.—Noth-
25 ing in this section requires a State high-

1 way safety program to require compliance
 2 with every uniform guideline, or with every
 3 element of every uniform guideline, in
 4 every State.

5 ~~“(3) REAPPORTIONMENT.—~~

6 ~~“(A) IN GENERAL.—~~The Secretary shall
 7 promptly apportion to a State any funds with-
 8 held from the State under paragraph (2)(D) if
 9 the Secretary makes an approval or determina-
 10 tion, as applicable, described in that paragraph
 11 by not later than July 31 of the fiscal year for
 12 which the funds were withheld.

13 ~~“(B) CONTINUING STATE FAILURE.—~~If
 14 the Secretary determines that a State fails to
 15 correct a failure to have approved or in effect
 16 a highway safety program described in sub-
 17 section (a)(1) by the date described in subpara-
 18 graph (A), the Secretary shall reapportion the
 19 funds withheld from that State under para-
 20 graph (2)(D) for the fiscal year to the other
 21 States in accordance with the formula described
 22 in paragraph (2)(B) by not later than the last
 23 day of the fiscal year.”; and

24 ~~(C) in paragraph (4)—~~

25 ~~(i) by striking subparagraph (C);~~

1 (ii) by redesignating subparagraphs
 2 (A) and (B) as subparagraphs (B) and
 3 (A), respectively, and moving the subpara-
 4 graphs so as to appear in alphabetical
 5 order; and

6 (iii) by adding at the end the fol-
 7 lowing:

8 “(C) SPECIAL RULE FOR SCHOOL AND
 9 WORK ZONES.—Notwithstanding subparagraph
 10 (B), a State may expend funds apportioned to
 11 the State under this section to carry out a pro-
 12 gram to purchase, operate, or maintain an
 13 automated traffic enforcement system in a work
 14 zone or school zone.

15 “(D) AUTOMATED TRAFFIC ENFORCEMENT
 16 SYSTEM GUIDELINES.—An automated traffic
 17 enforcement system installed pursuant to sub-
 18 paragraph (C) shall comply with such guidelines
 19 applicable to speed enforcement camera systems
 20 and red light camera systems as are established
 21 by the Secretary.”;

22 (6) in subsection (k)—

23 (A) by striking the subsection designation
 24 and heading and all that follows through

1 “thereafter” in paragraph (1) and inserting the
2 following:

3 “(k) TRIENNIAL HIGHWAY SAFETY PLAN.—

4 “(1) IN GENERAL.—For fiscal year 2022, and
5 not less frequently than once every 3 fiscal years
6 thereafter”;

7 (B) in paragraph (1), by striking “for that
8 fiscal year, to develop and submit to the Sec-
9 retary for approval a highway safety plan” and
10 inserting “for the 3 fiscal years covered by the
11 plan, to develop and submit to the Secretary for
12 approval a triennial highway safety plan”;

13 (C) by striking paragraph (2) and insert-
14 ing the following:

15 “(2) TIMING.—Each State shall submit to the
16 Secretary a triennial highway safety plan by not
17 later than July 1 of the fiscal year preceding the
18 first fiscal year covered by the plan.”;

19 (D) in paragraph (3), by inserting “tri-
20 ennial” before “highway”;

21 (E) in paragraph (4)—

22 (i) in the matter preceding subpara-
23 graph (A)—

24 (I) by striking “State highway
25 safety plans” and inserting “Each

1 State triennial highway safety plan”;
2 and

3 (H) by inserting “, with respect
4 to the 3 fiscal years covered by the
5 plan, based on the information avail-
6 able on the date of submission under
7 paragraph (2)” after “include”;

8 (ii) in subparagraph (A)(ii), by strik-
9 ing “annual performance targets” and in-
10 serting “performance targets that dem-
11 onstrate constant or improved perform-
12 ance”;

13 (iii) by striking subparagraph (B) and
14 inserting the following:

15 “(B) a countermeasure strategy for pro-
16 gramming funds under this section for projects
17 that will allow the State to meet the perform-
18 ance targets described in subparagraph (A), in-
19 cluding a description—

20 “(i) that demonstrates the link be-
21 tween the effectiveness of each proposed
22 countermeasure strategy and those per-
23 formance targets; and

24 “(ii) of the manner in which each
25 countermeasure strategy is informed by

1 uniform guidelines issued by the Sec-
 2 retary;” and

3 (iv) in subparagraph (D), by striking
 4 “, State, local, or private”;

5 (F) by striking paragraph (5) and insert-
 6 ing the following:

7 “(5) PERFORMANCE MEASURES.—The Sec-
 8 retary shall develop minimum performance measures
 9 under paragraph (4)(A) in consultation with the
 10 Governors Highway Safety Association.”; and

11 (G) in paragraph (6)—

12 (i) in the paragraph heading, by in-
 13 serting “TRIENNIAL” before “HIGHWAY”;

14 (ii) by redesignating subparagraphs
 15 (B) through (E) as subparagraphs (C)
 16 through (F), respectively;

17 (iii) in each of subparagraphs (C)
 18 through (F) (as so redesignated), by in-
 19 serting “triennial” before “highway” each
 20 place it appears; and

21 (iv) by striking subparagraph (A) and
 22 inserting the following:

23 “(A) IN GENERAL.—Except as provided in
 24 subparagraph (B), the Secretary shall review
 25 and approve or disapprove a triennial highway

1 safety plan of a State by not later than 60 days
2 after the date on which the plan is received by
3 the Secretary.

4 “(B) ADDITIONAL INFORMATION.—

5 “(i) IN GENERAL.—The Secretary
6 may request a State to submit to the Sec-
7 retary such additional information as the
8 Secretary determines to be necessary for
9 review of the triennial highway safety plan
10 of the State.

11 “(ii) EXTENSION OF DEADLINE.—On
12 providing to a State a request for addi-
13 tional information under clause (i), the
14 Secretary may extend the deadline to ap-
15 prove or disapprove the triennial highway
16 safety plan of the State under subpara-
17 graph (A) for not more than an additional
18 90 days, as the Secretary determines to be
19 necessary to accommodate that request,
20 subject to clause (iii).

21 “(iii) TIMING.—Any additional infor-
22 mation requested under clause (i) shall be
23 submitted to the Secretary by not later
24 than 7 business days after the date of re-
25 ceipt by the State of the request.”;

1 (7) by inserting after subsection (k) the fol-
2 lowing:

3 “(1) ANNUAL GRANT APPLICATION AND REPORTING
4 REQUIREMENTS.—

5 “(1) ANNUAL GRANT APPLICATION.—

6 “(A) IN GENERAL.—To be eligible to re-
7 ceive grant funds under this chapter for a fiscal
8 year, each State shall submit to the Secretary
9 an annual grant application that, as determined
10 by the Secretary—

11 “(i) demonstrates alignment with the
12 approved triennial highway safety plan of
13 the State; and

14 “(ii) complies with the requirements
15 under this subsection.

16 “(B) TIMING.—The deadline for submis-
17 sion of annual grant applications under this
18 paragraph shall be determined by the Secretary
19 in accordance with section 406(d)(2).

20 “(C) CONTENTS.—An annual grant appli-
21 cation under this paragraph shall include, at a
22 minimum—

23 “(i) such updates as the State deter-
24 mines to be necessary to any analysis in-

1 cluded in the triennial highway safety plan
2 of the State;

3 “(ii) an identification of each project
4 and subrecipient to be funded by the State
5 using the grants during the upcoming
6 grant year, subject to the condition that
7 the State shall separately submit, on a
8 date other than the date of submission of
9 the annual grant application, a description
10 of any projects or subrecipients to be fund-
11 ed, as that information becomes available;

12 “(iii) a description of the means by
13 which the strategy of the State to use
14 grant funds was adjusted and informed by
15 the previous report of the State under
16 paragraph (2); and

17 “(iv) an application for any additional
18 grants available to the State under this
19 chapter.

20 “(D) REVIEW.—The Secretary shall review
21 and approve or disapprove an annual grant ap-
22 plication under this paragraph by not later than
23 60 days after the date of submission of the ap-
24 plication.

1 “(2) REPORTING REQUIREMENTS.—Not later
2 than 120 days after the end of each fiscal year for
3 which a grant is provided to a State under this
4 chapter, the State shall submit to the Secretary an
5 annual report that includes—

6 “(A) an assessment of the progress made
7 by the State in achieving the performance tar-
8 gets identified in the triennial highway safety
9 plan of the State, based on the most currently
10 available Fatality Analysis Reporting System
11 data; and

12 “(B)(i) a description of the extent to which
13 progress made in achieving those performance
14 targets is aligned with the triennial highway
15 safety plan of the State; and

16 “(ii) if applicable, any plans of the State to
17 adjust a strategy for programming funds to
18 achieve the performance targets.”;

19 (8) in subsection (m)(1), by striking “a State’s
20 highway safety plan” and inserting “the applicable
21 triennial highway safety plan of the State”; and

22 (9) by striking subsection (n) and inserting the
23 following:

24 “(n) PUBLIC TRANSPARENCY.—

1 “(1) IN GENERAL.—The Secretary shall pub-
2 licly release on a Department of Transportation
3 website, by not later than 45 calendar days after the
4 applicable date of availability—

5 “(A) each triennial highway safety plan ap-
6 proved by the Secretary under subsection (k);

7 “(B) each State performance target under
8 subsection (k); and

9 “(C) an evaluation of State achievement of
10 applicable performance targets under subsection
11 (k).

12 “(2) STATE HIGHWAY SAFETY PLAN
13 WEBSITE.—

14 “(A) IN GENERAL.—In carrying out para-
15 graph (1), the Secretary shall establish a public
16 website that is easily accessible, navigable, and
17 searchable for the information required under
18 that paragraph, in order to foster greater trans-
19 parency in approved State highway safety pro-
20 grams.

21 “(B) CONTENTS.—The website established
22 under subparagraph (A) shall—

23 “(i) include the applicable triennial
24 highway safety plan, and the annual re-
25 port, of each State submitted to, and ap-

1 proved by, the Secretary under subsection
2 (k); and

3 “(ii) provide a means for the public to
4 search the website for State highway safety
5 program content required under subsection
6 (k), including—

7 “(I) performance measures re-
8 quired by the Secretary;

9 “(II) progress made toward
10 meeting the applicable performance
11 targets during the preceding program
12 year;

13 “(III) program areas and ex-
14 penditures; and

15 “(IV) a description of any
16 sources of funds, other than funds
17 provided under this section, that the
18 State proposes to use to carry out the
19 triennial highway safety plan of the
20 State.”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 subsection (a) shall take effect with respect to any grant
23 application or State highway safety plan submitted under
24 chapter 4 of title 23, United States Code, for fiscal year
25 2024 or thereafter.

1 **SEC. 4103. HIGHWAY SAFETY RESEARCH AND DEVELOP-**
2 **MENT.**

3 Section 403 of title 23, United States Code, is
4 amended—

5 (1) by striking “accident” each place it appears
6 and inserting “crash”;

7 (2) in subsection (b)(1), in the matter pre-
8 ceeding subparagraph (A), by inserting “, training,
9 education,” after “demonstration projects”;

10 (3) in subsection (f)(1)—

11 (A) by striking “\$2,500,000” and inserting
12 “\$3,500,000”;

13 (B) by striking “subsection 402(e) in each
14 fiscal year ending before October 1, 2015” and
15 inserting “section 402(e)(2) in each fiscal year
16 ending before October 1, 2021”; and

17 (C) by striking “section 402(e) in the pe-
18 riod beginning on October 1, 2015, and ending
19 on December 4, 2015” and inserting “section
20 402(e)(2) beginning on October 1, 2021, and
21 ending on December 4, 2021”;

22 (4) in subsection (h)—

23 (A) by redesignating paragraphs (1), (2),
24 (3), (4), and (5) as paragraphs (2), (3), (4),
25 (5), and (1), respectively, and moving the para-
26 graphs so as to appear in numerical order;

1 (B) in subparagraph (A) of paragraph (1)
2 (as so redesignated), by striking “section
3 30102(a)(6)” and inserting “section 30102(a”;
4 and

5 (C) in paragraph (3) (as so redesignated),
6 by striking “paragraph (1)” and inserting
7 “paragraph (2)”; and
8 (5) by adding at the end the following:

9 “(k) CHILD SAFETY CAMPAIGN.—

10 “(1) IN GENERAL.—The Secretary shall carry
11 out an education campaign to reduce the incidence
12 of vehicular heatstroke of children left in passenger
13 motor vehicles (as defined in section 30102(a) of
14 title 49).

15 “(2) ADVERTISING.—The Secretary may use, or
16 authorize the use of, funds made available to carry
17 out this section to pay for the development, produc-
18 tion, and use of broadcast and print media adver-
19 tising and Internet-based outreach for the education
20 campaign under paragraph (1).

21 “(3) COORDINATION.—In carrying out the edu-
22 cation campaign under paragraph (1), the Secretary
23 shall coordinate with—

24 “(A) interested State and local govern-
25 ments;

1 “(B) private industry; and

2 “(C) other parties, as determined by the
3 Secretary.

4 “(1) DEVELOPMENT OF STATE PROCESSES FOR IN-
5 FORMING CONSUMERS OF RECALLS.—

6 “(1) DEFINITIONS.—In this subsection:

7 “(A) MOTOR VEHICLE.—The term ‘motor
8 vehicle’ has the meaning given the term in sec-
9 tion 30102(a) of title 49.

10 “(B) OPEN RECALL.—The term ‘open re-
11 call’ means a motor vehicle recall—

12 “(i) for which a notification by a man-
13 ufacturer has been provided under section
14 30119 of title 49; and

15 “(ii) that has not been remedied
16 under section 30120 of that title.

17 “(C) PROGRAM.—The term ‘program’
18 means the program established under para-
19 graph (2)(A).

20 “(D) REGISTRATION.—The term ‘registra-
21 tion’ means the process for registering a motor
22 vehicle in a State (including registration re-
23 newal).

24 “(E) STATE.—The term ‘State’ has the
25 meaning given the term in section 101(a).

1 “(2) GRANTS.—

2 “(A) ESTABLISHMENT OF PROGRAM.—Not
3 later than 2 years after the date of enactment
4 of this subsection, the Secretary shall establish
5 a program under which the Secretary shall pro-
6 vide grants to States for use in developing and
7 implementing State processes for informing
8 each applicable owner and lessee of a motor ve-
9 hicle of any open recall on the motor vehicle at
10 the time of registration of the motor vehicle in
11 the State, in accordance with this paragraph.

12 “(B) ELIGIBILITY.—To be eligible to re-
13 ceive a grant under the program, a State
14 shall—

15 “(i) submit to the Secretary an appli-
16 cation at such time, in such manner, and
17 containing such information as the Sec-
18 retary may require; and

19 “(ii) agree—

20 “(I) to notify each owner or les-
21 see of a motor vehicle presented for
22 registration in the State of any open
23 recall on that motor vehicle; and

1 “(H) to provide to each owner or
2 lessee of a motor vehicle presented for
3 registration, at no cost—

4 “(aa) the open recall infor-
5 mation for the motor vehicle; and

6 “(bb) such other information
7 as the Secretary may require.

8 “(C) FACTORS FOR CONSIDERATION.—In
9 selecting grant recipients under the program,
10 the Secretary shall take into consideration the
11 methodology of a State for—

12 “(i) identifying open recalls on a
13 motor vehicle;

14 “(ii) informing each owner and lessee
15 of a motor vehicle of an open recall; and

16 “(iii) measuring performance in—

17 “(I) informing owners and lessees
18 of open recalls; and

19 “(II) remedying open recalls.

20 “(D) PERFORMANCE PERIOD.—A grant
21 provided under the program shall require a per-
22 formance period of 2 years.

23 “(E) REPORT.—Not later than 90 days
24 after the date of completion of the performance
25 period under subparagraph (D), each State that

1 receives a grant under the program shall submit
 2 to the Secretary a report that contains such in-
 3 formation as the Secretary considers to be nec-
 4 essary to evaluate the extent to which open re-
 5 calls have been remedied in the State.

6 “(F) NO REGULATIONS REQUIRED.—Not-
 7 withstanding any other provision of law, the
 8 Secretary shall not be required to issue any reg-
 9 ulations to carry out the program.

10 “(3) PAPERWORK REDUCTION ACT.—Chapter
 11 35 of title 44 (commonly known as the ‘Paperwork
 12 Reduction Act’) shall not apply to information col-
 13 lected under the program.

14 “(4) FUNDING.—For each of fiscal years 2022
 15 through 2026, the Secretary shall obligate from
 16 funds made available to carry out this section
 17 \$1,500,000 to carry out the program.

18 “(m) INNOVATIVE HIGHWAY SAFETY COUNTER-
 19 MEASURES.—

20 “(1) IN GENERAL.—In conducting research
 21 under this section, the Secretary shall evaluate the
 22 effectiveness of innovative behavioral traffic safety
 23 countermeasures, other than traffic enforcement,
 24 that are considered promising or likely to be effec-
 25 tive for the purpose of enriching revisions to the doc-

1 ument entitled ‘Countermeasures That Work: A
2 Highway Safety Countermeasure Guide for State
3 Highway Safety Offices, Ninth Edition’ and num-
4 bered DOT HS 812 478 (or any successor docu-
5 ment).

6 “(2) TREATMENT.—The research described in
7 paragraph (1) shall be in addition to any other re-
8 search carried out under this section.”.

9 **SEC. 4104. HIGH-VISIBILITY ENFORCEMENT PROGRAMS.**

10 Section 404(a) of title 23, United States Code, is
11 amended by striking “each of fiscal years 2016 through
12 2020” and inserting “each fiscal year”.

13 **SEC. 4105. NATIONAL PRIORITY SAFETY PROGRAMS.**

14 (a) IN GENERAL.—Section 405 of title 23, United
15 States Code, is amended—

16 (1) in subsection (a)—

17 (A) by striking paragraphs (6) and (9);

18 (B) by redesignating paragraphs (1)
19 through (5) as paragraphs (2) through (6), re-
20 spectively;

21 (C) by striking the subsection designation
22 and heading and all that follows through “the
23 following:” in the matter preceding paragraph
24 (2) (as so redesignated) and inserting the fol-
25 lowing:

1 “(a) PROGRAM AUTHORITY.—

2 “(1) IN GENERAL.—Subject to the require-
3 ments of this section, the Secretary shall—

4 “(A) manage programs to address national
5 priorities for reducing highway deaths and inju-
6 ries; and

7 “(B) allocate funds for the purpose de-
8 scribed in subparagraph (A) in accordance with
9 this subsection.”;

10 (D) in paragraph (4) (as so redesignated),
11 by striking “52.5 percent” and inserting “53
12 percent”;

13 (E) in paragraph (7)—

14 (i) by striking “5 percent” and insert-
15 ing “7 percent”; and

16 (ii) by striking “subsection (h)” and
17 inserting “subsection (g)”;

18 (F) by redesignating paragraphs (8) and
19 (10) as paragraphs (10) and (11), respectively;

20 (G) by inserting after paragraph (7) the
21 following:

22 “(8) PREVENTING ROADSIDE DEATHS.—In each
23 fiscal year, 1 percent of the funds provided under
24 this section shall be allocated among States that

1 meet requirements with respect to preventing road-
2 side deaths under subsection (h).

3 ~~“(9) DRIVER OFFICER SAFETY EDUCATION.—In~~
4 each fiscal year, 1 percent of the funds provided
5 under this section shall be allocated among States
6 that meet requirements with respect to driver and
7 officer safety education under subsection (i).”;

8 (H) in paragraph (10) (as so redesign-
9 nated)—

10 (i) by striking “(1) through (7)” and
11 inserting “(2) through (9)”; and

12 (ii) by striking “(b) through (h)” and
13 inserting “(b) through (i)”;
14 (2) in subsection (b)—

15 (A) in paragraph (1), by striking “of
16 Transportation”;

17 (B) in paragraph (3)(B)(ii)(VI)(aa), by
18 striking “3-year” and inserting “5-year”; and

19 (C) in paragraph (4)—

20 (i) in subparagraph (A), by striking
21 clause (v) and inserting the following:

22 “(v) implement programs—

23 “(I) to recruit and train nation-
24 ally certified child passenger safety
25 technicians among police officers, fire

1 and other first responders, emergency
 2 medical personnel, and other individ-
 3 uals or organizations serving low-in-
 4 come and underserved populations;

5 “(II) to educate parents and
 6 caregivers in low-income and under-
 7 served populations regarding the im-
 8 portance of proper use and correct in-
 9 stallation of child restraints on every
 10 trip in a motor vehicle; and

11 “(III) to purchase and distribute
 12 child restraints to low-income and un-
 13 derserved populations; and”;

14 (ii) by striking subparagraph (B) and
 15 inserting the following:

16 “(B) REQUIREMENTS.—Each State that is
 17 eligible to receive funds—

18 “(i) under paragraph (3)(A) shall
 19 use—

20 “(I) not more than 90 percent of
 21 those funds to carry out a project or
 22 activity eligible for funding under sec-
 23 tion 402; and

24 “(II) any remaining funds to
 25 carry out subparagraph (A)(v); and

1 “(ii) under paragraph (3)(B) shall use
2 not less than 10 percent of those funds to
3 carry out the activities described in sub-
4 paragraph (A)(v).”;

5 (3) in subsection (c)—

6 (A) in paragraph (1)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “of Transpor-
9 tation”; and

10 (ii) in subparagraph (D), by striking
11 “States; and” and inserting “States, in-
12 cluding the National EMS Information
13 System;”;

14 (B) in paragraph (3)—

15 (i) by striking the paragraph designa-
16 tion and heading and all that follows
17 through “has a functioning” in subpara-
18 graph (A) and inserting the following:

19 “(3) ELIGIBILITY.—A State shall not be eligible
20 to receive a grant under this subsection for a fiscal
21 year unless the State—

22 “(A) has certified to the Secretary that the
23 State—

24 “(i) has a functioning”;

25 (ii) in subparagraph (B)—

1 (I) by adding “and” after the
2 semicolon at the end; and

3 (II) by redesignating the sub-
4 paragraph as clause (ii) of subpara-
5 graph (A) and indenting the clause
6 appropriately;

7 (iii) in subparagraph (C)—

8 (I) by adding “and” after the
9 semicolon at the end; and

10 (II) by redesignating the sub-
11 paragraph as clause (iii) of subpara-
12 graph (A) and indenting the clause
13 appropriately;

14 (iv) by redesignating subparagraph
15 (D) as subparagraph (B);

16 (v) in clause (vi) of subparagraph (B)
17 (as so redesignated), by striking “; and”
18 and inserting a period; and

19 (vi) by striking subparagraph (E);

20 (C) by striking paragraph (4) and insert-
21 ing the following:

22 “(4) USE OF GRANT AMOUNTS.—A State may
23 use a grant received under this subsection to make
24 data program improvements to core highway safety
25 databases relating to quantifiable, measurable

1 progress in any significant data program attribute
2 described in paragraph (3)(B), including through—

3 “(A) software or applications to identify,
4 collect, and report data to State and local gov-
5 ernment agencies, and enter data into State
6 core highway safety databases, including crash,
7 citation or adjudication, driver, emergency med-
8 ical services or injury surveillance system, road-
9 way, and vehicle data;

10 “(B) purchasing equipment to improve a
11 process by which data are identified, collated,
12 and reported to State and local government
13 agencies, including technology for use by law
14 enforcement for near-real time, electronic re-
15 porting of crash data;

16 “(C) improving the compatibility and inter-
17 operability of the core highway safety databases
18 of the State with national data systems and
19 data systems of other States, including the Na-
20 tional EMS Information System;

21 “(D) enhancing the ability of a State and
22 the Secretary to observe and analyze local,
23 State, and national trends in crash occurrences,
24 rates, outcomes, and circumstances;

1 “(E) supporting traffic records improve-
2 ment training and expenditures for law enforce-
3 ment, emergency medical, judicial, prosecu-
4 torial, and traffic records professionals;

5 “(F) hiring traffic records professionals for
6 the purpose of improving traffic information
7 systems (including a State Fatal Accident Re-
8 porting System (FARS) liaison);

9 “(G) adoption of the Model Minimum Uni-
10 form Crash Criteria, or providing to the public
11 information regarding why any of those criteria
12 will not be used, if applicable;

13 “(H) supporting reporting criteria relating
14 to emerging topics, including—

15 “(i) impaired driving as a result of
16 drug, alcohol, or polysubstance consump-
17 tion; and

18 “(ii) advanced technologies present on
19 motor vehicles; and

20 “(I) conducting research relating to State
21 traffic safety information systems, including de-
22 veloping programs to improve core highway
23 safety databases and processes by which data
24 are identified, collected, reported to State and

1 local government agencies, and entered into
2 State core safety databases.”; and

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

4 “(6) TECHNICAL ASSISTANCE.—

5 “(A) IN GENERAL.—The Secretary shall
6 provide technical assistance to States, regard-
7 less of whether a State receives a grant under
8 this subsection, with respect to improving the
9 timeliness, accuracy, completeness, uniformity,
10 integration, and public accessibility of State
11 safety data that are needed to identify priorities
12 for Federal, State, and local highway and traf-
13 fic safety programs, including on adoption by a
14 State of the Model Minimum Uniform Crash
15 Criteria.

16 “(B) FUNDS.—The Secretary may use not
17 more than 3 percent of the amounts available
18 under this subsection to carry out subparagraph
19 (A).”;

20 (4) in subsection (d)—

21 (A) in paragraph (4)—

22 (i) in subparagraph (B)—

23 (I) by striking clause (iii) and in-
24 serting the following:

1 ~~“(iii) court support of impaired driv-~~
2 ~~ing prevention efforts, including—~~

3 ~~“(I) hiring criminal justice pro-~~
4 ~~fessionals, including law enforcement~~
5 ~~officers, prosecutors, traffic safety re-~~
6 ~~source prosecutors, judges, judicial~~
7 ~~outreach liaisons, and probation offi-~~
8 ~~cers;~~

9 ~~“(II) training and education of~~
10 ~~those professionals to assist the pro-~~
11 ~~fessionals in preventing impaired driv-~~
12 ~~ing and handling impaired driving~~
13 ~~eases, including by providing com-~~
14 ~~ensation to a law enforcement officer~~
15 ~~to carry out safety grant activities to~~
16 ~~replace a law enforcement officer who~~
17 ~~is receiving drug recognition expert~~
18 ~~training or participating as an in-~~
19 ~~structor in that drug recognition ex-~~
20 ~~pert training; and~~

21 ~~“(III) establishing driving while~~
22 ~~intoxicated courts;”;~~

23 ~~(II) by striking clause (v) and in-~~
24 ~~serting the following:~~

1 “(v) improving blood alcohol and drug
2 concentration screening and testing, detec-
3 tion of potentially impairing drugs (includ-
4 ing through the use of oral fluid as a speci-
5 men); and reporting relating to testing and
6 detection;”;

7 (III) in clause (vi), by striking
8 “conducting standardized field sobri-
9 ety training, advanced roadside im-
10 paired driving evaluation training,
11 and” and inserting “conducting initial
12 and continuing standardized field so-
13 briety training, advanced roadside im-
14 paired driving evaluation training, law
15 enforcement phlebotomy training,
16 and”;

17 (IV) in clause (ix), by striking
18 “and” at the end;

19 (V) in clause (x), by striking the
20 period at the end and inserting “;
21 and”;

22 (VI) by adding at the end the fol-
23 lowing:

24 “(xi) testing and implementing pro-
25 grams, and purchasing technologies, to

1 better identify, monitor, or treat impaired
2 drivers, including—

3 “(I) oral fluid-screening tech-
4 nologies;

5 “(II) electronic warrant pro-
6 grams;

7 “(III) equipment to increase the
8 scope, quantity, quality, and timeli-
9 ness of forensic toxicology chemical
10 testing;

11 “(IV) case management software
12 to support the management of im-
13 paired driving offenders; and

14 “(V) technology to monitor im-
15 paired-driving offenders, and equip-
16 ment and related expenditures used in
17 connection with impaired-driving en-
18 forcement in accordance with criteria
19 established by the National Highway
20 Traffic Safety Administration.”; and

21 (ii) in subparagraph (C)—

22 (H) in the second sentence, by
23 striking “Medium-range” and insert-
24 ing the following:

1 “(ii) MEDIUM-RANGE AND HIGH-
2 RANGE STATES.—Subject to clause (iii),
3 ~~medium-range~~”;

4 (H) in the first sentence, by
5 striking “Low-range” and inserting
6 the following:

7 “(i) LOW-RANGE STATES.—Subject to
8 clause (iii), ~~low-range~~”; and

9 (HH) by adding at the end the
10 following:

11 “(iii) REPORTING AND IMPAIRED
12 DRIVING MEASURES.—A State may use
13 grant funds for any expenditure relating
14 to—

15 “(I) increasing the timely and ac-
16 curate reporting to Federal, State,
17 and local databases of—

18 “(aa) crash information, in-
19 cluding electronic crash reporting
20 systems that allow accurate real-
21 or near-real-time uploading of
22 crash information; and

23 “(bb) impaired driving
24 criminal justice information; or

1 ~~“(H) researching or evaluating~~
2 ~~impaired driving countermeasures.”;~~

3 ~~(B) in paragraph (6)—~~

4 (i) by striking subparagraph (A) and
5 inserting the following:

6 ~~“(A) GRANTS TO STATES WITH ALCOHOL-~~
7 ~~IGNITION INTERLOCK LAWS.—The Secretary~~
8 ~~shall make a separate grant under this sub-~~
9 ~~section to each State that—~~

10 ~~“(i) adopts, and is enforcing, a man-~~
11 ~~datory alcohol-ignition interlock law for all~~
12 ~~individuals convicted of driving under the~~
13 ~~influence of alcohol or of driving while in-~~
14 ~~toxicated;~~

15 ~~“(ii) does not allow an individual con-~~
16 ~~victed of driving under the influence of al-~~
17 ~~cohol or of driving while intoxicated to re-~~
18 ~~ceive any driving privilege or driver’s li-~~
19 ~~cense unless the individual installs on each~~
20 ~~motor vehicle registered, owned, or leased~~
21 ~~for operation by the individual an ignition~~
22 ~~interlock for a period of not less than 180~~
23 ~~days; or~~

24 ~~“(iii) has in effect, and is enforcing—~~

1 “(I) a State law requiring for
2 any individual who is convicted of, or
3 the driving privilege of whom is re-
4 voked or denied for, refusing to sub-
5 mit to a chemical or other appropriate
6 test for the purpose of determining
7 the presence or concentration of any
8 intoxicating substance, a State law re-
9 quiring a period of not less than 180
10 days of ignition interlock installation
11 on each motor vehicle to be operated
12 by the individual; and

13 “(II) a compliance-based removal
14 program, under which an individual
15 convicted of driving under the influ-
16 ence of alcohol or of driving while in-
17 toxicated shall—

18 “(aa) satisfy a period of not
19 less than 180 days of ignition
20 interlock installation on each
21 motor vehicle to be operated by
22 the individual; and

23 “(bb) have completed a min-
24 imum consecutive period of not
25 less than 40 percent of the re-

1 required period of ignition interlock
2 installation immediately pre-
3 ceding the date of release of the
4 individual, without a confirmed
5 violation.”; and

6 (ii) in subparagraph (D), by striking
7 “2009” and inserting “2022”; and

8 (C) in paragraph (7)(A), in the matter
9 preceding clause (i), by inserting “or local”
10 after “authorizes a State”;

11 (5) in subsection (e)—

12 (A) by striking paragraphs (6) and (8);

13 (B) by redesignating paragraphs (1), (2),
14 (3), (4), (5), (7), and (9) as paragraphs (2),
15 (4), (6), (7), (8), (9), and (1), respectively, and
16 moving the paragraphs so as to appear in nu-
17 merical order;

18 (C) in paragraph (1) (as so redesign-
19 ated)—

20 (i) in the matter preceding subpara-
21 graph (A), by striking “; the following defi-
22 nitions apply”;

23 (ii) by striking subparagraph (B) and
24 inserting the following:

1 “(B) PERSONAL WIRELESS COMMUNICA-
2 TIONS DEVICE.—

3 “(i) IN GENERAL.—The term ‘per-
4 sonal wireless communications device’
5 means—

6 “(I) a device through which per-
7 sonal wireless services (as defined in
8 section 332(e)(7)(C) of the Commu-
9 nications Act of 1934 (47 U.S.C.
10 332(e)(7)(C))) are transmitted; and

11 “(II) a mobile telephone or other
12 portable electronic communication de-
13 vice with which a user engages in a
14 call or writes, sends, or reads a text
15 message using at least 1 hand.

16 “(ii) EXCLUSION.—The term ‘per-
17 sonal wireless communications device’ does
18 not include a global navigation satellite
19 system receiver used for positioning, emer-
20 gency notification, or navigation pur-
21 poses.”; and

22 (iii) by striking subparagraph (E) and
23 inserting the following:

24 “(E) TEXT.—The term ‘text’ means—

1 “(i) to read from, or manually to
2 enter data into, a personal wireless com-
3 munications device, including for the pur-
4 pose of SMS texting, emailing, instant
5 messaging, or any other form of electronic
6 data retrieval or electronic data commu-
7 nication; and

8 “(ii) manually to enter, send, or re-
9 trieve a text message to communicate with
10 another individual or device.

11 “(F) TEXT MESSAGE.—

12 “(i) IN GENERAL.—The term ‘text
13 message’ means—

14 “(I) a text-based message;

15 “(II) an instant message;

16 “(III) an electronic message; and

17 “(IV) email.

18 “(ii) EXCLUSIONS.—The term ‘text
19 message’ does not include—

20 “(I) an emergency, traffic, or
21 weather alert; or

22 “(II) a message relating to the
23 operation or navigation of a motor ve-
24 hicle.”;

1 (D) by striking paragraph (2) (as so reded-
2 ignated) and inserting the following:

3 “(2) GRANT PROGRAM.—The Secretary shall
4 provide a grant under this subsection to any State
5 that includes distracted driving awareness as part of
6 the driver’s license examination of the State.

7 “(3) ALLOCATION.—

8 “(A) IN GENERAL.—For each fiscal year,
9 not less than 50 percent of the amounts made
10 available to carry out this subsection shall be
11 allocated to States, based on the proportion
12 that—

13 “(i) the apportionment of the State
14 under section 402 for fiscal year 2009;
15 bears to

16 “(ii) the apportionment of all States
17 under section 402 for that fiscal year.

18 “(B) GRANTS FOR STATES WITH DIS-
19 TRACTED DRIVING LAWS.—

20 “(i) IN GENERAL.—In addition to the
21 allocations under subparagraph (A), for
22 each fiscal year, not more than 50 percent
23 of the amounts made available to carry out
24 this subsection shall be allocated to States
25 that enact and enforce a law that meets

1 the requirements of paragraph (4), (5), or
2 (6)—

3 “(I) based on the proportion
4 that—

5 “(aa) the apportionment of
6 the State under section 402 for
7 fiscal year 2009; bears to

8 “(bb) the apportionment of
9 all States under section 402 for
10 that fiscal year; and

11 “(II) subject to clauses (ii), (iii),
12 and (iv); as applicable.

13 “(ii) PRIMARY LAWS.—Subject to
14 clause (iv); in the case of a State that en-
15 acts and enforces a law that meets the re-
16 quirements of paragraph (4), (5), or (6) as
17 a primary offense; the allocation to the
18 State under this subparagraph shall be
19 100 percent of the amount calculated to be
20 allocated to the State under clause (i)(I).

21 “(iii) SECONDARY LAWS.—Subject to
22 clause (iv); in the case of a State that en-
23 acts and enforces a law that meets the re-
24 quirements of paragraph (4), (5), or (6) as
25 a secondary enforcement action; the alloca-

1 tion to the State under this subparagraph
 2 shall be an amount equal to 50 percent of
 3 the amount calculated to be allocated to
 4 the State under clause (i)(I).

5 “(iv) TEXTING WHILE DRIVING.—Not-
 6 withstanding clauses (ii) and (iii), the allo-
 7 cation under this subparagraph to a State
 8 that enacts and enforces a law that pro-
 9 hibits a driver from viewing a personal
 10 wireless communications device (except for
 11 purposes of navigation) shall be 25 percent
 12 of the amount calculated to be allocated to
 13 the State under clause (i)(I).”;

14 (E) in paragraph (4) (as so redesi-
 15 gnated)—

16 (i) in the matter preceding subpara-
 17 graph (A), by striking “set forth in this”
 18 and inserting “of this”;

19 (ii) by striking subparagraph (B);

20 (iii) by redesignating subparagraphs
 21 (C) and (D) as subparagraphs (B) and
 22 (C), respectively;

23 (iv) in subparagraph (B) (as so redesi-
 24 gnated), by striking “minimum”; and

1 (v) in subparagraph (C) (as so redesi-
2 gnated), by striking “text through a per-
3 sonal wireless communication device” and
4 inserting “use a personal wireless commu-
5 nications device for texting”;

6 (F) by inserting after paragraph (4) (as so
7 redesignated) the following:

8 “(5) PROHIBITION ON HANDHELD PHONE USE
9 WHILE DRIVING.—A State law meets the require-
10 ments of this paragraph if the law—

11 “(A) prohibits a driver from holding a per-
12 sonal wireless communications device while driv-
13 ing;

14 “(B) establishes a fine for a violation of
15 that law; and

16 “(C) does not provide for an exemption
17 that specifically allows a driver to use a per-
18 sonal wireless communications device for
19 texting while stopped in traffic.”;

20 (G) in paragraph (6) (as so redesi-
21 gnated)—

22 (i) in the matter preceding subpara-
23 graph (A), by striking “set forth in this”
24 and inserting “of this”;

- 1 (ii) in subparagraph (A)(ii), by strik-
- 2 ing “set forth in subsection (g)(2)(B)”;
- 3 (iii) by striking subparagraphs (B)
- 4 and (D);
- 5 (iv) by redesignating subparagraph
- 6 (C) as subparagraph (B);
- 7 (v) in subparagraph (B) (as so redesi-
- 8 gnated), by striking “minimum”; and
- 9 (vi) by adding at the end the fol-
- 10 lowing:
- 11 “(C) does not provide for—
- 12 “(i) an exemption that specifically al-
- 13 lows a driver to use a personal wireless
- 14 communications device for texting while
- 15 stopped in traffic; or
- 16 “(ii) an exemption described in para-
- 17 graph (7)(E).”;
- 18 (H) in paragraph (7) (as so redesi-
- 19 gnated)—
- 20 (i) in the matter preceding subpara-
- 21 graph (A), by striking “set forth in para-
- 22 graph (2) or (3)” and inserting “of para-
- 23 graph (4), (5), or (6)”;
- 24 (ii) by striking subparagraph (A) and
- 25 inserting the following:

1 “(A) a driver who uses a personal wireless
2 communications device during an emergency to
3 contact emergency services to prevent injury to
4 persons or property;”;

5 (iii) in subparagraph (C), by striking
6 “and” at the end;

7 (iv) by redesignating subparagraph
8 (D) as subparagraph (F); and

9 (v) by inserting after subparagraph
10 (C) the following:

11 “(D) a driver who uses a personal wireless
12 communications device for navigation;

13 “(E) except for a law described in para-
14 graph (6), the use of a personal wireless com-
15 munications device—

16 “(i) in a hands-free manner;

17 “(ii) with a hands-free accessory; or

18 “(iii) with the activation or deactiva-
19 tion of a feature or function of the per-
20 sonal wireless communications device with
21 the motion of a single swipe or tap of the
22 finger of the driver; and”;

23 (6) in subsection (f)(3)—

24 (A) in subparagraph (A)(i), by striking
25 “accident” and inserting “crash”;

1 (B) by redesignating subparagraphs (C)
2 through (F) as subparagraphs (D) through (G),
3 respectively;

4 (C) by inserting after subparagraph (B)
5 the following:

6 “(C) HELMET LAW.—A State law requir-
7 ing the use of a helmet for each motorcycle
8 rider under the age of 18.”; and

9 (D) in subparagraph (F) (as so redesign-
10 ated), in the subparagraph heading, by strik-
11 ing “ACCIDENTS” and inserting “CRASHES”;

12 (7) by striking subsection (g);

13 (8) by redesignating subsection (h) as sub-
14 section (g);

15 (9) in subsection (g) (as so redesignated)—

16 (A) by redesignating paragraphs (1)
17 through (5) as paragraphs (2) through (6), re-
18 spectively;

19 (B) by inserting before paragraph (2) (as
20 so redesignated) the following:

21 “(1) DEFINITION OF NONMOTORIZED ROAD
22 USER.—In this subsection, the term ‘nonmotorized
23 road user’ means—

24 “(A) a pedestrian;

1 “(B) an individual using a nonmotorized
2 mode of transportation, including a bicycle, a
3 scooter, or a personal conveyance; and

4 “(C) an individual using a low-speed or
5 low-horsepower motorized vehicle, including an
6 electric bicycle, electric scooter, personal mobil-
7 ity assistance device, personal transporter, or
8 all-terrain vehicle.”;

9 (C) in paragraph (2) (as so redesignated),
10 by striking “pedestrian and bicycle fatalities
11 and injuries that result from crashes involving
12 a motor vehicle” and inserting “nonmotorized
13 road user fatalities involving a motor vehicle in
14 transit on a trafficway”;

15 (D) in paragraph (4) (as so redesignated),
16 by striking “pedestrian and bicycle” and insert-
17 ing “nonmotorized road user”; and

18 (E) by striking paragraph (5) (as so reded-
19 icated) and inserting the following:

20 “(5) USE OF GRANT AMOUNTS.—Grant funds
21 received by a State under this subsection may be
22 used for the safety of nonmotorized road users, in-
23 cluding—

24 “(A) training of law enforcement officials
25 relating to nonmotorized road user safety, State

1 laws applicable to nonmotorized road user safe-
2 ty, and infrastructure designed to improve non-
3 motorized road user safety;

4 “(B) carrying out a program to support
5 enforcement mobilizations and campaigns de-
6 signed to enforce State traffic laws applicable to
7 nonmotorized road user safety;

8 “(C) public education and awareness pro-
9 grams designed to inform motorists and non-
10 motorized road users regarding—

11 “(i) nonmotorized road user safety,
12 including information relating to non-
13 motorized mobility and the importance of
14 speed management to the safety of non-
15 motorized road users;

16 “(ii) the value of the use of non-
17 motorized road user safety equipment, in-
18 cluding lighting, conspicuity equipment,
19 mirrors, helmets, and other protective
20 equipment, and compliance with any State
21 or local laws requiring the use of that
22 equipment;

23 “(iii) State traffic laws applicable to
24 nonmotorized road user safety, including

1 the responsibilities of motorists with re-
2 spect to nonmotorized road users; and

3 “(iv) infrastructure designed to im-
4 prove nonmotorized road user safety; and

5 “(D) the collection of data, and the estab-
6 lishment and maintenance of data systems, re-
7 lating to nonmotorized road user traffic fatali-
8 ties.”; and

9 (10) by adding at the end the following:

10 “(h) PREVENTING ROADSIDE DEATHS.—

11 “(1) IN GENERAL.—The Secretary shall provide
12 grants to States to prevent death and injury from
13 crashes involving motor vehicles striking other vehi-
14 cles and individuals stopped at the roadside.

15 “(2) FEDERAL SHARE.—The Federal share of
16 the cost of carrying out an activity funded through
17 a grant under this subsection may not exceed 80
18 percent.

19 “(3) ELIGIBILITY.—A State shall receive a
20 grant under this subsection in a fiscal year if the
21 State submits to the Secretary a plan that describes
22 the method by which the State will use grant funds
23 in accordance with paragraph (4).

1 “(4) USE OF FUNDS.—Amounts received by a
2 State under this subsection shall be used by the
3 State—

4 “(A) to purchase and deploy digital alert
5 technology that—

6 “(i) is capable of receiving alerts re-
7 garding nearby first responders; and

8 “(ii) in the case of a motor vehicle
9 that is used for emergency response activi-
10 ties; is capable of sending alerts to civilian
11 drivers to protect first responders on the
12 scene and en route;

13 “(B) to educate the public regarding the
14 safety of vehicles and individuals stopped at the
15 roadside in the State through public informa-
16 tion campaigns for the purpose of reducing
17 roadside deaths and injury;

18 “(C) for law enforcement costs relating to
19 enforcing State laws to protect the safety of ve-
20 hicles and individuals stopped at the roadside;
21 and

22 “(D) for programs to identify, collect, and
23 report to State and local government agencies
24 data relating to crashes involving vehicles and
25 individuals stopped at the roadside.

1 “(5) GRANT AMOUNT.—The allocation of grant
2 funds to a State under this subsection for a fiscal
3 year shall be in proportion to the apportionment of
4 that State under section 402 for fiscal year 2022.

5 “(i) DRIVER AND OFFICER SAFETY EDUCATION.—

6 “(1) DEFINITION OF PEACE OFFICER.—In this
7 subsection, the term ‘peace officer’ includes any indi-
8 vidual—

9 “(A) who is an elected, appointed, or em-
10 ployed agent of a government entity;

11 “(B) who has the authority—

12 “(i) to carry firearms; and

13 “(ii) to make warrantless arrests; and

14 “(C) whose duties involve the enforcement
15 of criminal laws of the United States.

16 “(2) GRANTS.—Subject to the requirements of
17 this subsection, the Secretary shall provide grants
18 to—

19 “(A) States that enact or adopt a law or
20 program described in paragraph (4); and

21 “(B) qualifying States under paragraph
22 (7).

23 “(3) FEDERAL SHARE.—The Federal share of
24 the cost of carrying out an activity funded through

1 a grant under this subsection may not exceed 80
2 percent.

3 ~~“(4) DESCRIPTION OF LAW OR PROGRAM.—A~~
4 law or program referred to in paragraph (2)(A) is
5 a law or program that requires 1 or more of the fol-
6 lowing:

7 ~~“(A) DRIVER EDUCATION AND DRIVING~~
8 SAFETY COURSES.—The inclusion, in driver
9 education and driver safety courses provided to
10 individuals by educational and motor vehicle
11 agencies of the State, of instruction and testing
12 relating to law enforcement practices during
13 traffic stops, including information relating
14 to—

15 ~~“(i) the role of law enforcement and~~
16 the duties and responsibilities of peace offi-
17 cers;

18 ~~“(ii) the legal rights of individuals~~
19 concerning interactions with peace officers;

20 ~~“(iii) best practices for civilians and~~
21 peace officers during those interactions;

22 ~~“(iv) the consequences for failure of~~
23 an individual or officer to comply with the
24 law or program; and

1 “(v) how and where to file a com-
2 plaint against, or a compliment relating to,
3 a peace officer.

4 “(B) PEACE OFFICER TRAINING PRO-
5 GRAMS.—Development and implementation of a
6 training program, including instruction and
7 testing materials, for peace officers and reserve
8 law enforcement officers (other than officers
9 who have received training in a civilian course
10 described in subparagraph (A)) with respect to
11 proper interaction with civilians during traffic
12 stops.

13 “(5) USE OF FUNDS.—A State may use a grant
14 provided under this subsection for—

15 “(A) the production of educational mate-
16 rials and training of staff for driver education
17 and driving safety courses and peace officer
18 training described in paragraph (4); and

19 “(B) the implementation of a law or pro-
20 gram described in paragraph (4).

21 “(6) GRANT AMOUNT.—The allocation of grant
22 funds to a State under this subsection for a fiscal
23 year shall be in proportion to the apportionment of
24 that State under section 402 for fiscal year 2022.

25 “(7) SPECIAL RULE FOR CERTAIN STATES.—

1 “(A) DEFINITION OF QUALIFYING
2 STATE.—In this paragraph, the term ‘qualifying
3 State’ means a State that—

4 “(i) has received a grant under this
5 subsection for a period of not more than 5
6 years; and

7 “(ii) as determined by the Secretary—

8 “(I) has not fully enacted or
9 adopted a law or program described in
10 paragraph (4); but

11 “(II)(aa) has taken meaningful
12 steps toward the full implementation
13 of such a law or program; and

14 “(bb) has established a timetable
15 for the implementation of such a law
16 or program.

17 “(B) WITHHOLDING.—The Secretary
18 shall—

19 “(i) withhold 50 percent of the
20 amount that each qualifying State would
21 otherwise receive under this subsection if
22 the qualifying State were a State described
23 in paragraph (2)(A); and

24 “(ii) direct any amounts withheld
25 under clause (i) for distribution among the

1 States that are enforcing and carrying out
2 a law or program described in paragraph
3 (4).”.

4 (b) TECHNICAL AMENDMENT.—Section 4010(2) of
5 the FAST Act (23 U.S.C. 405 note; Public Law 114–94)
6 is amended by inserting “all” before “deficiencies”.

7 **SEC. 4106. MULTIPLE SUBSTANCE-IMPAIRED DRIVING PRE-**
8 **VENTION.**

9 (a) IMPAIRED DRIVING COUNTERMEASURES.—Sec-
10 tion 154(c)(1) of title 23, United States Code, is amended
11 by striking “alcohol-impaired” each place it appears and
12 inserting “impaired”.

13 (b) COMPTROLLER GENERAL STUDY OF NATIONAL
14 DUI REPORTING.—

15 (1) IN GENERAL.—The Comptroller General of
16 the United States shall conduct a study of the re-
17 porting of impaired driving arrest and citation data
18 into Federal databases and the interstate sharing of
19 information relating to impaired driving-related con-
20 victions and license suspensions to facilitate the
21 widespread identification of repeat impaired driving
22 offenders.

23 (2) INCLUSIONS.—The study conducted under
24 paragraph (1) shall include a detailed assessment
25 of—

1 (A) the extent to which State and local
2 criminal justice agencies are reporting impaired
3 driving arrest and citation data to Federal
4 databases;

5 (B) barriers—

6 (i) at the Federal, State, and local
7 levels; to the reporting of impaired driving
8 arrest and citation data to Federal data-
9 bases; and

10 (ii) to the use of those databases by
11 criminal justice agencies;

12 (C) Federal, State, and local resources
13 available to improve the reporting and sharing
14 of impaired driving data; and

15 (D) any options or recommendations for
16 actions that Federal agencies or Congress could
17 take to further improve the reporting and shar-
18 ing of impaired driving data.

19 (3) REPORT.—Not later than 1 year after the
20 date of enactment of this Act, the Comptroller Gen-
21 eral shall submit to the appropriate committees of
22 Congress a report describing the results of the study
23 conducted under this subsection.

1 **SEC. 4107. MINIMUM PENALTIES FOR REPEAT OFFENDERS**
 2 **FOR DRIVING WHILE INTOXICATED OR DRIV-**
 3 **ING UNDER THE INFLUENCE.**

4 Section 164(b)(1) of title 23, United States Code, is
 5 amended—

6 (1) in subparagraph (A), by striking “alcohol-
 7 impaired” and inserting “alcohol- or multiple sub-
 8 stance-impaired”; and

9 (2) in subparagraph (B)—

10 (A) by striking “intoxicated or driving”
 11 and inserting “intoxicated, driving while mul-
 12 tiple substance-impaired, or driving”; and

13 (B) by striking “alcohol-impaired” and in-
 14 serting “alcohol- or multiple substance-im-
 15 paired”.

16 **SEC. 4108. CRASH DATA.**

17 (a) **IN GENERAL.**—Not later than 3 years after the
 18 date of enactment of this Act, the Secretary shall revise
 19 the crash data collection system to include the collection
 20 of crash report data elements that distinguish individual
 21 personal conveyance vehicles, such as electric scooters and
 22 bicycles, from other vehicles involved in a crash.

23 (b) **COORDINATION.**—In carrying out subsection (a),
 24 the Secretary may coordinate with States to update the
 25 Model Minimum Uniform Crash Criteria to provide guid-

1 ance to States regarding the collection of information and
 2 data elements for the crash data collection system.

3 (c) VULNERABLE ROAD USERS.—

4 (1) UPDATE.—Based on the information con-
 5 tained in the vulnerable road user safety assess-
 6 ments required by subsection (f) of section 32302 of
 7 title 49, United States Code (as added by section
 8 4213(b)(2)), the Secretary shall modify existing
 9 crash data collection systems to include the collec-
 10 tion of additional crash report data elements relating
 11 to vulnerable road user safety.

12 (2) INJURY HEALTH DATA.—The Secretary
 13 shall coordinate with the Director of the Centers for
 14 Disease Control and Prevention to develop and im-
 15 plement a plan for States to combine highway crash
 16 data and injury health data to produce a national
 17 database of pedestrian injuries and fatalities,
 18 disaggregated by demographic characteristics.

19 (d) STATE ELECTRONIC DATA COLLECTION.—

20 (1) DEFINITIONS.—In this subsection:

21 (A) ELECTRONIC DATA TRANSFER.—The
 22 term “electronic data transfer” means a pro-
 23 tocol for automated electronic transfer of State
 24 crash data to the National Highway Traffic
 25 Safety Administration.

- 1 ~~(B) STATE.~~—The term “State” means—
- 2 ~~(i) each of the 50 States;~~
- 3 ~~(ii) the District of Columbia;~~
- 4 ~~(iii) the Commonwealth of Puerto~~
- 5 ~~Rico;~~
- 6 ~~(iv) the United States Virgin Islands;~~
- 7 ~~(v) Guam;~~
- 8 ~~(vi) American Samoa;~~
- 9 ~~(vii) the Commonwealth of the North-~~
- 10 ~~ern Mariana Islands; and~~
- 11 ~~(viii) the Secretary of the Interior,~~
- 12 ~~acting on behalf of an Indian Tribe.~~

13 ~~(2) ESTABLISHMENT OF PROGRAM.~~—The Sec-
14 ~~retary shall establish a program under which the~~
15 ~~Secretary shall—~~

16 ~~(A) provide grants for the modernization~~
17 ~~of State data collection systems to enable full~~
18 ~~electronic data transfer under paragraph (3);~~
19 ~~and~~

20 ~~(B) upgrade the National Highway Traffic~~
21 ~~Safety Administration system to manage and~~
22 ~~support State electronic data transfers relating~~
23 ~~to crashes under paragraph (4).~~

24 ~~(3) STATE GRANTS.~~—

1 (A) IN GENERAL.—The Secretary shall
2 provide grants to States to upgrade and stand-
3 ardize State crash data systems to enable elec-
4 tronic data collection, intrastate data sharing,
5 and electronic data transfers to the National
6 Highway Traffic Safety Administration to in-
7 crease the accuracy, timeliness, and accessibility
8 of the data, including data relating to fatalities
9 involving vulnerable road users.

10 (B) ELIGIBILITY.—A State shall be eligible
11 to receive a grant under this paragraph if the
12 State submits to the Secretary an application,
13 at such time, in such manner, and containing
14 such information as the Secretary may require,
15 that includes a plan to implement full electronic
16 data transfer to the National Highway Traffic
17 Safety Administration by not later than 5 years
18 after the date on which the grant is provided.

19 (C) USE OF FUNDS.—A grant provided
20 under this paragraph may be used for the costs
21 of—

22 (i) equipment to upgrade a statewide
23 crash data repository;

24 (ii) adoption of electronic crash re-
25 porting by law enforcement agencies; and

1 (iii) increasing alignment of State
2 crash data with the latest Model Minimum
3 Uniform Crash Criteria.

4 (D) FEDERAL SHARE.—The Federal share
5 of the cost of a project funded with a grant
6 under this paragraph may be up to 80 percent.

7 (4) NATIONAL HIGHWAY TRAFFIC SAFETY AD-
8 MINISTRATION SYSTEM UPGRADE.—The Secretary
9 shall manage and support State electronic data
10 transfers relating to vehicle crashes by—

11 (A) increasing the capacity of the National
12 Highway Traffic Safety Administration system;
13 and

14 (B) making State crash data accessible to
15 the public.

16 (e) CRASH INVESTIGATION SAMPLING SYSTEM.—The
17 Secretary may use funds made available to carry out this
18 section to enhance the collection of crash data by upgrad-
19 ing the Crash Investigation Sampling System to include—

20 (1) additional program sites;

21 (2) an expanded scope that includes all crash
22 types; and

23 (3) on-scene investigation protocols.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to the Secretary to carry

1 out this section \$150,000,000 for each of fiscal years 2022
 2 through 2026, to remain available for a period of 3 fiscal
 3 years following the fiscal year for which the amounts are
 4 appropriated.

5 **SEC. 4109. REVIEW OF MOVE OVER OR SLOW DOWN LAW**
 6 **PUBLIC AWARENESS.**

7 (a) **DEFINITION OF MOVE OVER OR SLOW DOWN**
 8 **LAW.**—In this section, the term “Move Over or Slow
 9 Down Law” means any Federal or State law intended to
 10 ensure first responder and motorist safety by requiring
 11 motorists to change lanes or slow down when approaching
 12 an authorized emergency vehicle that is stopped or parked
 13 on or next to a roadway with emergency lights activated.

14 (b) **STUDY.**—

15 (1) **IN GENERAL.**—The Comptroller General of
 16 the United States shall carry out a study of the effi-
 17 cacy of Move Over or Slow Down Laws and related
 18 public awareness campaigns.

19 (2) **INCLUSIONS.**—The study under paragraph
 20 (1) shall include—

21 (A) a review of each Federal and State
 22 Move Over or Slow Down Law, including—

23 (i) penalties associated with the Move
 24 Over or Slow Down Laws; and

1 (ii) the level of enforcement of Move
2 Over or Slow Down Laws;

3 (B) an identification and description of
4 each Federal and State public awareness cam-
5 paign relating to Move Over or Slow Down
6 Laws; and

7 (C) a description of the role of the Depart-
8 ment in supporting State efforts with respect to
9 Move Over or Slow Down Laws, such as con-
10 ducting research, collecting data, or supporting
11 public awareness or education efforts.

12 (c) REPORT.—On completion of the study under sub-
13 section (b), the Comptroller General shall submit to the
14 Committee on Commerce, Science, and Transportation of
15 the Senate and the Committee on Transportation and In-
16 frastructure of the House of Representatives a report that
17 describes—

18 (1) the findings of the study; and

19 (2) any recommendations to improve public
20 awareness campaigns, research, or education efforts
21 relating to the issues described in subsection (b)(2).

22 **SEC. 4110. REVIEW OF LAWS, SAFETY MEASURES, AND**
23 **TECHNOLOGIES RELATING TO SCHOOL**
24 **BUSES.**

25 (a) REVIEW OF ILLEGAL PASSING LAWS.—

1 (1) IN GENERAL.—Not later than 2 years after
2 the date of enactment of this Act, the Secretary
3 shall prepare a report that—

4 (A) identifies and describes all illegal pass-
5 ing laws in each State relating to school buses,
6 including—

7 (i) the level of enforcement of those
8 laws;

9 (ii) the penalties associated with those
10 laws;

11 (iii) any issues relating to the enforce-
12 ment of those laws; and

13 (iv) the effectiveness of those laws;

14 (B) reviews existing State laws that may
15 inhibit the effectiveness of safety counter-
16 measures in school bus loading zones, such as—

17 (i) laws that require the face of a
18 driver to be visible in an image captured
19 by a camera if enforcement action is to be
20 taken based on that image;

21 (ii) laws that may reduce stop-arm
22 camera effectiveness;

23 (iii) the need for a law enforcement
24 officer to witness an event for enforcement
25 action to be taken; and

1 (iv) the lack of primary enforcement
2 for texting and driving offenses;

3 (C) identifies the methods used by each
4 State to review, document, and report to law
5 enforcement school bus stop-arm violations; and

6 (D) identifies best practices relating to the
7 most effective approaches to address the illegal
8 passing of school buses.

9 (2) PUBLICATION.—The report under para-
10 graph (1) shall be made publicly available on the
11 website of the Department.

12 (b) PUBLIC SAFETY MESSAGING CAMPAIGN.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, the Secretary
15 shall establish and implement a public safety mes-
16 saging campaign that uses public safety media mes-
17 sages, posters, digital media messages, and other
18 media messages distributed to States, State depart-
19 ments of motor vehicles, schools, and other public
20 outlets—

21 (A) to highlight the importance of address-
22 ing the illegal passing of school buses; and

23 (B) to educate students and the public re-
24 garding the safe loading and unloading of
25 schools buses.

1 (2) CONSULTATION.—In carrying out para-
2 graph (1), the Secretary shall consult with—

3 (A) representatives of the school bus indus-
4 try from the public and private sectors; and

5 (B) States.

6 (3) UPDATES.—The Secretary shall periodically
7 update the materials used in the campaign under
8 paragraph (1).

9 (c) REVIEW OF TECHNOLOGIES.—

10 (1) IN GENERAL.—Not later than 2 years after
11 the date of enactment of this Act, the Secretary
12 shall review and evaluate the effectiveness of various
13 technologies for enhancing school bus safety, includ-
14 ing technologies such as—

15 (A) cameras;

16 (B) audible warning systems; and

17 (C) enhanced lighting.

18 (2) INCLUSIONS.—The review under paragraph
19 (1)—

20 (A) shall include—

21 (i) an assessment of—

22 (I) the costs of acquiring and op-

23 erating new equipment;

1 (II) the potential impact of that
2 equipment on overall school bus rider-
3 ship; and

4 (III) motion-activated detection
5 systems capable of—

6 (aa) detecting pedestrians,
7 cyclists, and other road users lo-
8 cated near the exterior of the
9 school bus; and

10 (bb) alerting the operator of
11 the school bus of those road
12 users;

13 (ii) an assessment of the impact of
14 advanced technologies designed to improve
15 loading zone safety; and

16 (iii) an assessment of the effectiveness
17 of school bus lighting systems at clearly
18 communicating to surrounding drivers the
19 appropriate actions those drivers should
20 take; and

21 (B) may include—

22 (i) an evaluation of any technological
23 solutions that may enhance school bus
24 safety outside the school bus loading zone;
25 and

1 (ii) a pilot program to test any tech-
2 nologies in school bus service.

3 ~~(3)~~ CONSULTATION.—In carrying out the re-
4 view under paragraph (1), the Secretary shall con-
5 sult with—

6 (A) manufacturers of school buses;

7 (B) manufacturers of various technologies
8 that may enhance school bus safety; and

9 (C) representatives of the school bus indus-
10 try from the public and private sectors.

11 ~~(4)~~ PUBLICATION.—The Secretary shall make
12 the findings of the review under paragraph (1) pub-
13 licly available on the website of the Department.

14 ~~(d)~~ REVIEW OF DRIVER EDUCATION MATERIALS.—

15 ~~(1)~~ IN GENERAL.—Not later than 2 years after
16 the date of enactment of this Act, the Secretary
17 shall—

18 (A) review driver manuals, handbooks, and
19 other materials in all States to determine
20 whether and the means by which illegal passing
21 of school buses is addressed in those driver ma-
22 terials, including in—

23 (i) testing for noncommercial driver's
24 licenses; and

25 (ii) road tests; and

1 (~~B~~) make recommendations on methods by
 2 which States can improve education regarding
 3 the illegal passing of school buses, particularly
 4 for new drivers.

5 (~~2~~) CONSULTATION.—In carrying out para-
 6 graph (~~1~~), the Secretary shall consult with—

7 (~~A~~) representatives of the school bus indus-
 8 try from the public and private sectors;

9 (~~B~~) States;

10 (~~C~~) State motor vehicle administrators or
 11 senior State executives responsible for driver li-
 12 censing; and

13 (~~D~~) other appropriate motor vehicle ex-
 14 perts.

15 (~~3~~) PUBLICATION.—The Secretary shall make
 16 the findings of the review under paragraph (~~1~~) pub-
 17 licly available on the website of the Department.

18 (~~e~~) REVIEW OF OTHER SAFETY ISSUES.—

19 (~~1~~) IN GENERAL.—Not later than 2 years after
 20 the date of enactment of this Act, the Secretary
 21 shall research and prepare a report describing any
 22 relationship between the illegal passing of school
 23 buses and other safety issues, including issues such
 24 as—

25 (~~A~~) distracted driving;

1 ~~(B)~~ poor visibility, such as morning dark-
2 ness;

3 ~~(C)~~ illumination and reach of vehicle head-
4 lights;

5 ~~(D)~~ speed limits; and

6 ~~(E)~~ characteristics associated with school
7 bus stops, including the characteristics of school
8 bus stops in rural areas.

9 ~~(2)~~ PUBLICATION.—The Secretary shall make
10 the report under paragraph ~~(1)~~ publicly available on
11 the website of the Department.

12 **SEC. 4111. MOTORCYCLIST ADVISORY COUNCIL.**

13 ~~(a)~~ IN GENERAL.—Subchapter III of chapter 3 of
14 title 49, United States Code, is amended by adding at the
15 end the following:

16 **“§ 355. Motorcycleist Advisory Council**

17 ~~“(a)~~ ESTABLISHMENT.—Not later than 90 days after
18 the date of enactment of this section, the Secretary of
19 Transportation (referred to in this section as the ‘Sec-
20 retary’) shall establish a council, to be known as the ‘Mo-
21 torecyclist Advisory Council’ (referred to in this section as
22 the ‘Council’).

23 ~~“(b)~~ MEMBERSHIP.—

1 “(1) IN GENERAL.—The Council shall be com-
2 prised of 12 members, to be appointed by the Sec-
3 retary, of whom—

4 “(A) 5 shall be representatives of units of
5 State or local government with expertise relat-
6 ing to highway engineering and safety issues,
7 including—

8 “(i) motorcycle and motorcycle safety;
9 ty;

10 “(ii) barrier and road design, con-
11 struction, and maintenance; or

12 “(iii) intelligent transportation sys-
13 tems;

14 “(B) 1 shall be a motorcycle rider who serves
15 as a State or local—

16 “(i) traffic and safety engineer;

17 “(ii) design engineer; or

18 “(iii) other transportation department
19 official;

20 “(C) 1 shall be a representative of a na-
21 tional association of State transportation offi-
22 cials;

23 “(D) 1 shall be a representative of a na-
24 tional motorcycle rider association;

1 “(E) 1 shall be a representative of a na-
2 tional motorcycle foundation;

3 “(F) 1 shall be a representative of a na-
4 tional motorcycle manufacturing association;

5 “(G) 1 shall be a roadway safety data ex-
6 pert with expertise relating to crash testing and
7 analysis; and

8 “(H) 1 shall be a member of a national
9 safety organization that represents the traffic
10 safety systems industry.

11 ~~“(2) TERM.—~~

12 ~~“(A) IN GENERAL.—Subject to subpara-~~
13 ~~graphs (B) and (C), each member shall serve on~~
14 ~~the Council for a single term of 2 years.~~

15 ~~“(B) ADDITIONAL TERM.—If a successor~~
16 ~~is not appointed for a member of the Council~~
17 ~~before the expiration of the term of service of~~
18 ~~the member, the member may serve on the~~
19 ~~Council for a second term of not longer than 2~~
20 ~~years.~~

21 ~~“(C) APPOINTMENT OF REPLACEMENTS.—~~
22 ~~If a member of the Council resigns before the~~
23 ~~expiration of the 2-year term of service of the~~
24 ~~member—~~

1 “(i) the Secretary may appoint a re-
2 placement for the member, who shall serve
3 the remaining portion of the term; and

4 “(ii) the resigning member may con-
5 tinue to serve after resignation until the
6 date on which a successor is appointed.

7 “(3) VACANCIES.—A vacancy on the Council
8 shall be filled in the manner in which the original
9 appointment was made.

10 “(4) COMPENSATION.—A member of the Coun-
11 cil shall serve without compensation.

12 “(e) DUTIES.—

13 “(1) ADVISING.—The Council shall advise the
14 Secretary, the Administrator of the National High-
15 way Traffic Safety Administration, and the Adminis-
16 trator of the Federal Highway Administration re-
17 garding transportation safety issues of concern to
18 motorcyclists, including—

19 “(A) motorcycle and motorcyclist safety;

20 “(B) barrier and road design, construction,
21 and maintenance practices; and

22 “(C) the architecture and implementation
23 of intelligent transportation system tech-
24 nologies.

1 “(2) BIENNIAL REPORT.—Not later than Octo-
2 ber 31 of the calendar year following the calendar
3 year in which the Council is established, and not less
4 frequently than once every 2 years thereafter, the
5 Council shall submit to the Secretary a report con-
6 taining recommendations of the Council regarding
7 the issues described in paragraph (1).

8 “(d) DUTIES OF SECRETARY.—

9 “(1) COUNCIL RECOMMENDATIONS.—

10 “(A) IN GENERAL.—The Secretary shall
11 determine whether to accept or reject a rec-
12 ommendation contained in a report of the
13 Council under subsection (c)(2).

14 “(B) INCLUSION IN REVIEW.—

15 “(i) IN GENERAL.—The Secretary
16 shall indicate in each review under para-
17 graph (2) whether the Secretary accepts or
18 rejects each recommendation of the Coun-
19 cil covered by the review.

20 “(ii) EXCEPTION.—The Secretary
21 may indicate in a review under paragraph
22 (2) that a recommendation of the Council
23 is under consideration, subject to the con-
24 dition that a recommendation so under
25 consideration shall be accepted or rejected

1 by the Secretary in the subsequent review
2 of the Secretary under paragraph (2).

3 ~~“(2) REVIEW.—~~

4 ~~“(A) IN GENERAL.—~~Not later than 60
5 days after the date on which the Secretary re-
6 ceives a report from the Council under sub-
7 section (c)(2), the Secretary shall submit a re-
8 view describing the response of the Secretary to
9 the recommendations of the Council contained
10 in the Council report to—

11 ~~“(i) the Committee on Commerce,~~
12 ~~Science, and Transportation of the Senate;~~

13 ~~“(ii) the Committee on Environment~~
14 ~~and Public Works of the Senate;~~

15 ~~“(iii) the Subcommittee on Transpor-~~
16 ~~tation, Housing and Urban Development,~~
17 ~~and Related Agencies of the Committee on~~
18 ~~Appropriations of the Senate;~~

19 ~~“(iv) the Committee on Transpor-~~
20 ~~tation and Infrastructure of the House of~~
21 ~~Representatives; and~~

22 ~~“(v) the Subcommittee on Transpor-~~
23 ~~tation, Housing and Urban Development,~~
24 ~~and Related Agencies of the Committee on~~

1 Appropriations of the House of Represent-
2 atives.

3 ~~“(B) CONTENTS.—~~A review of the Sec-
4 retary under this paragraph shall include a de-
5 scription of—

6 ~~“(i) each recommendation contained~~
7 ~~in the Council report covered by the re-~~
8 ~~view; and~~

9 ~~“(ii)(I) each recommendation of the~~
10 ~~Council that was categorized under para-~~
11 ~~graph (1)(B)(ii) as being under consider-~~
12 ~~ation by the Secretary in the preceding re-~~
13 ~~view submitted under this paragraph; and~~

14 ~~“(II) for each such recommendation,~~
15 ~~whether the recommendation—~~

16 ~~“(aa) is accepted or rejected by~~
17 ~~the Secretary; or~~

18 ~~“(bb) remains under consider-~~
19 ~~ation by the Secretary.~~

20 ~~“(3) ADMINISTRATIVE AND TECHNICAL SUP-~~
21 ~~PORT.—~~The Secretary shall provide to the Council
22 such administrative support, staff, and technical as-
23 sistance as the Secretary determines to be necessary
24 to carry out the duties of the Council under this sec-
25 tion.

1 “(c) **TERMINATION.**—The Council shall terminate on
2 the date that is 6 years after the date on which the Council
3 is established under subsection (a).”.

4 (b) **CLERICAL AMENDMENT.**—The analysis for sub-
5 chapter III of chapter 3 of title 49, United States Code,
6 is amended by inserting after the item relating to section
7 354 the following:

“355. **Motorecyclist Advisory Council.**”.

8 (c) **CONFORMING AMENDMENTS.**—

9 (1) Section 1426 of the FAST Act (23 U.S.C.
10 101 note; Public Law 114–94) is repealed.

11 (2) The table of contents for the FAST Act
12 (Public Law 114–94; 129 Stat. 1313) is amended by
13 striking the item relating to section 1426.

14 **SEC. 4112. SAFE STREETS AND ROADS FOR ALL GRANT**
15 **PROGRAM.**

16 (a) **DEFINITIONS.**—In this section:

17 (1) **COMPREHENSIVE SAFETY ACTION PLAN.**—

18 The term “comprehensive safety action plan” means
19 a plan aimed at preventing transportation-related fa-
20 talities and serious injuries in a locality, commonly
21 referred to as a “Vision Zero” or “Toward Zero
22 Deaths” plan, that may include—

23 (A) a goal and timeline for eliminating fa-
24 talities and serious injuries;

1 (B) an analysis of the location and severity
2 of vehicle-involved crashes in a locality;

3 (C) an analysis of community input, gath-
4 ered through public outreach and education;

5 (D) a data-driven approach to identify
6 projects or strategies to prevent fatalities and
7 serious injuries in a locality, such as those in-
8 volving—

9 (i) education and community out-
10 reach;

11 (ii) effective methods to enforce traffic
12 laws and regulations;

13 (iii) new vehicle or other transpor-
14 tation-related technologies; and

15 (iv) roadway planning and design; and

16 (E) mechanisms for evaluating the out-
17 comes and effectiveness of the comprehensive
18 safety action plan, including the means by
19 which that effectiveness will be reported to resi-
20 dents in a locality.

21 (2) **ELIGIBLE ENTITY.**—The term “eligible enti-
22 ty” means—

23 (A) a metropolitan planning organization;

24 (B) a political subdivision of a State;

1 (C) a federally recognized Tribal govern-
2 ment; and

3 (D) a multijurisdictional group of entities
4 described in any of subparagraphs (A) through
5 (C).

6 (3) ~~ELIGIBLE PROJECT.~~—The term “eligible
7 project” means a project—

8 (A) to develop a comprehensive safety ac-
9 tion plan;

10 (B) to conduct planning, design, and devel-
11 opment activities for projects and strategies
12 identified in a comprehensive safety action plan;
13 or

14 (C) to carry out projects and strategies
15 identified in a comprehensive safety action plan.

16 (4) ~~PROGRAM.~~—The term “program” means
17 the Safe Streets and Roads for All program estab-
18 lished under subsection (b).

19 (b) ~~ESTABLISHMENT.~~—The Secretary shall establish
20 and carry out a program, to be known as the Safe Streets
21 and Roads for All program, that supports local initiatives
22 to prevent death and serious injury on roads and streets,
23 commonly referred to as “Vision Zero” or “Toward Zero
24 Deaths” initiatives.

25 (c) ~~GRANTS.~~—

1 (1) IN GENERAL.—In carrying out the program,
2 the Secretary may make grants to eligible entities,
3 on a competitive basis, in accordance with this sec-
4 tion.

5 (2) LIMITATIONS.—

6 (A) IN GENERAL.—Not more than 15 per-
7 cent of the funds made available to carry out
8 the program for a fiscal year may be awarded
9 to eligible projects in a single State during that
10 fiscal year.

11 (B) PLANNING GRANTS.—Of the total
12 amount made available to carry out the pro-
13 gram for each fiscal year, not less than 40 per-
14 cent shall be awarded to eligible projects de-
15 scribed in subsection (a)(3)(A).

16 (d) SELECTION OF ELIGIBLE PROJECTS.—

17 (1) SOLICITATION.—Not later than 180 days
18 after the date on which amounts are made available
19 to provide grants under the program for a fiscal
20 year, the Secretary shall solicit from eligible entities
21 grant applications for eligible projects in accordance
22 with this section.

23 (2) APPLICATIONS.—

24 (A) IN GENERAL.—To be eligible to receive
25 a grant under the program, an eligible entity

1 shall submit to the Secretary an application in
2 such form and containing such information as
3 the Secretary considers to be appropriate.

4 (B) REQUIREMENT.—An application for a
5 grant under this paragraph shall include mech-
6 anisms for evaluating the success of applicable
7 eligible projects and strategies.

8 (3) CONSIDERATIONS.—In awarding a grant
9 under the program, the Secretary shall take into
10 consideration the extent to which an eligible entity,
11 and each eligible project proposed to be carried out
12 by the eligible entity, as applicable—

13 (A) is likely to significantly reduce or
14 eliminate transportation-related fatalities and
15 serious injuries involving various road users, in-
16 cluding pedestrians, bicyclists, public transpor-
17 tation users, motorists, and commercial opera-
18 tors, within the timeframe proposed by the eli-
19 gible entity;

20 (B) demonstrates engagement with a vari-
21 ety of public and private stakeholders;

22 (C) seeks to adopt innovative technologies
23 or strategies to promote safety;

1 (D) employs low-cost, high-impact strate-
2 gies that can improve safety over a wider geo-
3 graphical area;

4 (E) ensures, or will ensure, equitable in-
5 vestment in the safety needs of underserved
6 communities in preventing transportation-re-
7 lated fatalities and injuries;

8 (F) includes evidence-based projects or
9 strategies; and

10 (G) achieves such other conditions as the
11 Secretary considers to be necessary.

12 (4) TRANSPARENCY.—

13 (A) IN GENERAL.—The Secretary shall
14 evaluate, through a methodology that is discern-
15 ible and transparent to the public, the means
16 by, and extent to, which each application under
17 the program addresses any applicable merit cri-
18 teria established by the Secretary.

19 (B) PUBLICATION.—The methodology
20 under subparagraph (A) shall be published by
21 the Secretary as part of the notice of funding
22 opportunity under the program.

23 (e) FEDERAL SHARE.—The Federal share of the cost
24 of an eligible project carried out using a grant provided
25 under the program shall not exceed 80 percent.

1 (f) FUNDING.—

2 (1) AUTHORIZATION OF APPROPRIATIONS.—

3 There is authorized to be appropriated to carry out
4 this section \$200,000,000 for each of fiscal years
5 2022 through 2026, to remain available for a period
6 of 3 fiscal years following the fiscal year for which
7 the amounts are appropriated.

8 (2) ADMINISTRATIVE EXPENSES.—Of the

9 amounts made available to carry out the program
10 for a fiscal year, the Secretary may retain not more
11 than 2 percent for the administrative expenses of the
12 program.

13 (3) AVAILABILITY TO ELIGIBLE ENTITIES.—

14 Amounts made available under a grant under the
15 program shall remain available for use by the appli-
16 cable eligible entity until the date that is 5 years
17 after the date on which the grant is provided.

18 (g) DATA SUBMISSION.—

19 (1) IN GENERAL.—As a condition of receiving a

20 grant under this program, an eligible entity shall
21 submit to the Secretary, on a regular basis as estab-
22 lished by the Secretary, data, information, or anal-
23 yses collected or conducted in accordance with sub-
24 section (d)(3).

1 (2) FORM.—The data, information, and anal-
2 yses under paragraph (1) shall be submitted in such
3 form such manner as may be prescribed by the Sec-
4 retary.

5 (h) REPORTS.—Not later than 4 years after the date
6 on which an eligible entity receives a grant under the pro-
7 gram, the eligible entity shall submit to the Secretary a
8 report that describes—

9 (1) the costs of each eligible project carried out
10 using the grant;

11 (2) the outcomes and benefits that each such el-
12 igible project has generated, as—

13 (A) identified in the grant application of
14 the eligible entity; and

15 (B) measured by data, to the maximum ex-
16 tent practicable; and

17 (3) the lessons learned and any recommenda-
18 tions relating to future projects or strategies to pre-
19 vent death and serious injury on roads and streets.

20 (i) BEST PRACTICES.—Based on the information
21 submitted by eligible entities under subsection (g), the
22 Secretary shall—

23 (1) periodically post on a publicly available
24 website best practices and lessons learned for pre-
25 venting transportation-related fatalities and serious

1 injuries pursuant to strategies or interventions im-
2 plemented under the program; and

3 (2) evaluate and incorporate, as appropriate,
4 the effectiveness of strategies and interventions im-
5 plemented under the program for the purpose of en-
6 riching revisions to the document entitled “Counter-
7 measures That Work: A Highway Safety Counter-
8 measure Guide for State Highway Safety Offices,
9 Ninth Edition” and numbered DOT HS 812 478 (or
10 any successor document).

11 **SEC. 4113. IMPLEMENTATION OF GAO RECOMMENDATIONS.**

12 (a) **NEXT GENERATION 911.**—

13 (1) **IN GENERAL.**—Not later than 1 year after
14 the date of enactment of this Act, the Secretary
15 shall implement the recommendations of the Comp-
16 troller General of the United States contained in the
17 report entitled “Next Generation 911: National 911
18 Program Could Strengthen Efforts to Assist
19 States”, numbered GAO-18-252, and dated Janu-
20 ary 1, 2018, by requiring that the Administrator of
21 the National Highway Traffic Safety Administra-
22 tion, in collaboration with the appropriate Federal
23 agencies, shall determine the roles and responsibil-
24 ities of the Federal agencies participating in the ini-
25 tiative entitled “National NG911 Roadmap initia-

1 tive² to carry out the national-level tasks with re-
 2 spect which each agency has jurisdiction.

3 (2) IMPLEMENTATION PLAN.—The Adminis-
 4 trator of the National Highway Traffic Safety Ad-
 5 ministration shall develop an implementation plan to
 6 support the completion of national-level tasks under
 7 the National NG911 Roadmap initiative.

8 (b) PEDESTRIAN AND CYCLISTS INFORMATION AND
 9 ENHANCED PERFORMANCE MANAGEMENT.—

10 (1) IN GENERAL.—Not later than 2 years after
 11 the date of enactment of this Act, the Secretary
 12 shall implement the recommendations of the Comp-
 13 troller General of the United States contained in the
 14 report entitled “Pedestrians and Cyclists: Better In-
 15 formation to States and Enhanced Performance
 16 Management Could Help DOT Improve Safety”,
 17 numbered GAO–21–405, and dated May 20, 2021,
 18 by—

19 (A) carrying out measures to collect infor-
 20 mation relating to the range of counter-
 21 measures implemented by States;

22 (B) analyzing that information to help ad-
 23 vance knowledge regarding the effectiveness of
 24 those countermeasures; and

25 (C) sharing with States any results.

1 (2) PERFORMANCE MANAGEMENT PRACTICES.—

2 The Administrator of the National Highway Traffic
3 Safety Administration shall use performance man-
4 agement practices to guide pedestrian and cyclist
5 safety activities by—

6 (A) developing performance measures for
7 the Administration and program offices respon-
8 sible for implementing pedestrian and cyclist
9 safety activities to demonstrate the means by
10 which those activities contribute to safety goals;
11 and

12 (B) using performance information to
13 make any necessary changes to advance pedes-
14 trian and cyclist safety efforts.

15 **Subtitle B—Vehicle Safety**

16 **SEC. 4201. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated to the Sec-
18 retary to carry out chapter 301, and part C of subtitle
19 VI, of title 49, United States Code—

20 (1) ~~\$200,294,333~~ for fiscal year 2022;

21 (2) ~~\$204,300,219~~ for fiscal year 2023;

22 (3) ~~\$208,386,224~~ for fiscal year 2024;

23 (4) ~~\$212,553,948~~ for fiscal year 2025; and

24 (5) ~~\$216,805,027~~ for fiscal year 2026.

1 **SEC. 4202. RECALL COMPLETION.**

2 (a) **REPORTS ON RECALL CAMPAIGNS.**—Section
3 30118 of title 49, United States Code, is amended by add-
4 ing at the end the following:

5 “(f) **REPORTS ON NOTIFICATION CAMPAIGNS.**—

6 “(1) **IN GENERAL.**—Each manufacturer that is
7 conducting a campaign under subsection (b) or (c)
8 or any other provision of law (including regulations)
9 to notify manufacturers, distributors, owners, pur-
10 chasers, or dealers of a defect or noncompliance
11 shall submit to the Administrator of the National
12 Highway Traffic Safety Administration—

13 “(A) by the applicable date described in
14 section 573.7(d) of title 49, Code of Federal
15 Regulations (or a successor regulation); a quar-
16 terly report describing the campaign for each of
17 8 consecutive quarters, beginning with the
18 quarter in which the campaign was initiated;
19 and

20 “(B) an annual report for each of the 3
21 years beginning after the date of completion of
22 the last quarter for which a quarterly report is
23 submitted under subparagraph (A).

24 “(2) **REQUIREMENTS.**—Except as otherwise
25 provided in this subsection, each report under this
26 subsection shall comply with the requirements of

1 section 573.7 of title 49, Code of Federal Regula-
2 tions (or a successor regulation).”.

3 (b) ~~RECALL COMPLETION RATES.~~—Section 30120 of
4 title 49, United States Code, is amended by adding at the
5 end the following:

6 “(k) ~~RECALL COMPLETION RATES.~~—

7 “(1) ~~IN GENERAL.~~—The Administrator of the
8 National Highway Traffic Safety Administration
9 shall publish an annual list of recall completion rates
10 for each recall campaign for which 8 quarterly re-
11 ports have been submitted under subsection (f) of
12 section 30118 as of the date of publication of the
13 list.

14 “(2) ~~REQUIREMENTS.~~—The annual list under
15 paragraph (1) shall include—

16 “(A) for each applicable campaign—

17 “(i) the total number of vehicles sub-
18 ject to recall; and

19 “(ii) the percentage of vehicles that
20 have been remedied; and

21 “(B) for each manufacturer submitting an
22 applicable quarterly report under section
23 30118(f)—

1 “(i) the total number of recalls issued
2 by the manufacturer during the year cov-
3 ered by the list;

4 “(ii) the estimated number of vehicles
5 of the manufacturer subject to recall dur-
6 ing the year covered by the list; and

7 “(iii) the percentage of vehicles that
8 have been remedied.”.

9 **SEC. 4203. RECALL ENGAGEMENT.**

10 (a) **RECALL REPAIR.**—Not later than 2 years after
11 the date of enactment of this Act, the Comptroller General
12 of the United States shall—

13 (1) conduct a study to determine—

14 (A) the reasons why vehicle owners do not
15 have repairs performed for vehicles subject to
16 open recalls; and

17 (B) whether engagement by third parties,
18 including State and local governments, insur-
19 ance companies, or other entities, could increase
20 the rate at which vehicle owners have repairs
21 performed for vehicles subject to open recalls;
22 and

23 (2) submit to Congress a report describing the
24 results of the study under paragraph (1), including

1 any recommendations for increasing the rate of re-
2 pair for vehicles subject to open recalls.

3 ~~(b) RIDESHARING.~~—Not later than 18 months after
4 the date of enactment of this Act, the Comptroller General
5 shall—

6 ~~(1) conduct a study to determine the number of~~
7 ~~passenger motor vehicles in each State that—~~

8 ~~(A) are used by transportation network~~
9 ~~companies for for-hire purposes, such as ride-~~
10 ~~sharing; and~~

11 ~~(B) have 1 or more open recalls; and~~

12 ~~(2) submit to Congress a report describing the~~
13 ~~results of the study under paragraph (1).~~

14 ~~(c) NHTSA STUDY AND REPORT.~~—Not later than
15 ~~3~~ years after the date of enactment of this Act, the Admin-
16 istrator of the National Highway Traffic Safety Adminis-
17 tration shall—

18 ~~(1) conduct a study to determine the ways in~~
19 ~~which vehicle recall notices could—~~

20 ~~(A) more effectively reach vehicle owners;~~

21 ~~(B) be made easier for all consumers to~~
22 ~~understand; and~~

23 ~~(C) incentivize vehicle owners to complete~~
24 ~~the repairs described in the recall notices; and~~

1 (2) submit to Congress a report describing the
2 results of the study under paragraph (1), including
3 any recommendations for—

4 (A) increasing the rate of repair for vehi-
5 cles subject to open recalls; or

6 (B) any regulatory or statutory legislative
7 changes that would facilitate an increased rate
8 of repair.

9 **SEC. 4204. MOTOR VEHICLE SEAT BACK SAFETY STAND-**
10 **ARDS.**

11 (a) **IN GENERAL.**—Not later than 2 years after the
12 date of enactment of this Act, subject to subsection (b),
13 the Secretary shall issue an advanced notice of proposed
14 rulemaking to update section 571.207 of title 49, Code
15 of Federal Regulations.

16 (b) **COMPLIANCE DATE.**—If the Secretary determines
17 that a final rule is appropriate consistent with the consid-
18 erations described in section 30111(b) of title 49, United
19 States Code, in issuing a final rule pursuant to subsection
20 (a), the Secretary shall establish a date for required com-
21 pliance with the final rule of not later than 2 motor vehicle
22 model years after the model year during which the effec-
23 tive date of the final rule occurs.

24 **SEC. 4205. AUTOMATIC SHUTOFF.**

25 (a) **DEFINITIONS.**—In this section:

1 (1) KEY.—The term “key” has the meaning
2 given the term in section 571.114 of title 49, Code
3 of Federal Regulations (or a successor regulation).

4 (2) MANUFACTURER.—The term “manufac-
5 turer” has the meaning given the term in section
6 30102(a) of title 49, United States Code.

7 (3) MOTOR VEHICLE.—

8 (A) IN GENERAL.—The term “motor vehi-
9 cle” has the meaning given the term in section
10 30102(a) of title 49, United States Code.

11 (B) EXCLUSIONS.—The term “motor vehi-
12 cle” does not include—

13 (i) a motorcycle or trailer (as those
14 terms are defined in section 571.3 of title
15 49, Code of Federal Regulations (or a suc-
16 cessor regulation));

17 (ii) any motor vehicle with a gross ve-
18 hicle weight rating of more than 10,000
19 pounds;

20 (iii) a battery electric vehicle; or

21 (iv) a motor vehicle that requires ex-
22 tended periods with the engine in idle to
23 operate in service mode or to operate
24 equipment, such as an emergency vehicle
25 (including a police vehicle, an ambulance,

1 or a tow vehicle) and a commercial-use ve-
2 hicle (including a refrigeration vehicle).

3 (b) AUTOMATIC SHUTOFF SYSTEMS FOR MOTOR VE-
4 HICLES.—

5 (1) FINAL RULE.—

6 (A) IN GENERAL.—Not later than 2 years
7 after the date of enactment of this Act, the Sec-
8 retary shall issue a final rule amending section
9 571.114 of title 49, Code of Federal Regula-
10 tions, to require manufacturers to install in
11 each motor vehicle that is equipped with a key-
12 less ignition device and an internal combustion
13 engine a device or system to automatically shut-
14 off the motor vehicle after the motor vehicle has
15 idled for the period described in subparagraph
16 (B).

17 (B) DESCRIPTION OF PERIOD.—

18 (i) IN GENERAL.—The period referred
19 to in subparagraph (A) is the period des-
20 ignated by the Secretary as necessary to
21 prevent, to the maximum extent prac-
22 ticable, carbon monoxide poisoning.

23 (ii) DIFFERENT PERIODS.—The Sec-
24 retary may designate different periods
25 under clause (i) for different types of

1 motor vehicles, depending on the rate at
 2 which the motor vehicle emits carbon mon-
 3 oxide, if—

4 (I) the Secretary determines a
 5 different period is necessary for a type
 6 of motor vehicle for purposes of sec-
 7 tion 30111 of title 49, United States
 8 Code; and

9 (II) requiring a different period
 10 for a type of motor vehicle is con-
 11 sistent with the prevention of carbon
 12 monoxide poisoning.

13 (2) DEADLINE.—Unless the Secretary finds
 14 good cause to phase-in or delay implementation, the
 15 rule issued pursuant to paragraph (1) shall take ef-
 16 fect on September 1 of the first calendar year begin-
 17 ning after the date on which the Secretary issues the
 18 rule.

19 **SEC. 4206. PETITIONS BY INTERESTED PERSONS FOR**
 20 **STANDARDS AND ENFORCEMENT.**

21 Section 30162 of title 49, United States Code, is
 22 amended—

23 (1) in subsection (b), by striking “The petition”
 24 and inserting “A petition under this section”;

1 (2) in subsection (c), by striking “the petition”
2 and inserting “a petition under this section”; and

3 (3) in subsection (d)—

4 (A) in the third sentence, by striking “If a
5 petition” and inserting the following:

6 “~~(3)~~ DENIAL.—If a petition under this sec-
7 tion”;

8 (B) in the second sentence, by striking “If
9 a petition is granted” and inserting the fol-
10 lowing:

11 “~~(2)~~ APPROVAL.—If a petition under this sec-
12 tion is approved”; and

13 (C) in the first sentence, by striking “The
14 Secretary shall grant or deny a petition” and
15 inserting the following:

16 “~~(1)~~ IN GENERAL.—The Secretary shall deter-
17 mine whether to approve or deny a petition under
18 this section by”.

19 **SEC. 4207. CHILD SAFETY SEAT ACCESSIBILITY STUDY.**

20 (a) IN GENERAL.—The Secretary, in coordination
21 with other relevant Federal departments and agencies, in-
22 cluding the Secretary of Agriculture, the Secretary of
23 Education, and the Secretary of Health and Human Serv-
24 ices, shall conduct a study to review the status of motor

1 vehicle child safety seat accessibility for low-income fami-
 2 lies and underserved populations.

3 (b) ADDRESSING NEEDS.—In conducting the study
 4 under subsection (a), the Secretary shall—

5 (1) examine the impact of Federal funding pro-
 6 vided under section 405 of title 23, United States
 7 Code; and

8 (2) develop a plan for addressing any needs
 9 identified in the study, including by working with so-
 10 cial service providers.

11 **SEC. 4208. CRASH AVOIDANCE TECHNOLOGY.**

12 (a) IN GENERAL.—Subchapter H of chapter 301 of
 13 title 49, United States Code, is amended by adding at the
 14 end the following:

15 **“§ 30129. Crash avoidance technology**

16 “(a) IN GENERAL.—The Secretary of Transportation
 17 shall promulgate a rule—

18 “(1) to establish minimum performance stand-
 19 ards with respect to crash avoidance technology; and

20 “(2) to require that all motor vehicles manufac-
 21 tured for sale in the United States on or after the
 22 compliance date described in subsection (b) shall be
 23 equipped with—

24 “(A) a forward collision warning and auto-
 25 matic emergency braking system that—

1 “(i) alerts the driver if—
 2 “(I) the distance to a vehicle
 3 ahead or an object in the path of travel
 4 ahead is closing too quickly; and
 5 “(II) a collision is imminent; and
 6 “(ii) automatically applies the brakes
 7 if the driver fails to do so; and
 8 “(B) a lane departure warning and lane-
 9 keeping assist system that—
 10 “(i) warns the driver to maintain the
 11 lane of travel; and
 12 “(ii) corrects the course of travel if
 13 the driver fails to do so.

14 “(b) COMPLIANCE DATE.—The Secretary of Trans-
 15 portation shall determine the appropriate effective date,
 16 and any phasing-in of requirements, of the final rule pro-
 17 mulgated pursuant to subsection (a).”.

18 (b) CLERICAL AMENDMENT.—The analysis for sub-
 19 chapter II of chapter 301 of title 49, United States Code,
 20 is amended by adding at the end the following:

“30129. Crash avoidance technology.”.

21 **SEC. 4209. REDUCTION OF DRIVER DISTRACTION.**

22 (a) IN GENERAL.—Not later than 3 years after the
 23 date of enactment of this Act, the Secretary shall conduct
 24 research regarding the installation and use on motor vehi-

1 cles of driver monitoring systems to minimize or elimi-
2 nate—

- 3 (1) driver distraction;
- 4 (2) driver disengagement;
- 5 (3) automation complacency by drivers; and
- 6 (4) foreseeable misuse of advanced driver-assist
7 systems.

8 (b) REPORT.—Not later than 180 days after the date
9 of completion of the research under subsection (a), the
10 Secretary shall submit to the Committee on Commerce,
11 Science, and Transportation of the Senate and the Com-
12 mittee on Energy and Commerce of the House of Rep-
13 resentatives a detailed report describing the findings of the
14 research.

15 (c) RULEMAKING.—

16 (1) IN GENERAL.—If, based on the research
17 completed under subsection (a), the Secretary deter-
18 mines that—

19 (A) 1 or more additional rulemakings are
20 necessary to ensure safety, in accordance with
21 the section 30111 of title 49, United States
22 Code, the Secretary shall initiate the
23 rulemakings by not later than 2 years after the
24 date of submission of the report under sub-
25 section (b); and

1 (B) an additional rulemaking is not nec-
 2 essary, or an additional rulemaking cannot
 3 meet the applicable requirements and consider-
 4 ations described in subsections (a) and (b) of
 5 section 30111 of title 49, United States Code,
 6 the Secretary shall submit to the Committee on
 7 Commerce, Science, and Transportation of the
 8 Senate and the Committee on Energy and Com-
 9 merce of the House of Representatives a report
 10 describing the reasons for not prescribing addi-
 11 tional Federal motor vehicle safety standards
 12 regarding the research conducted under sub-
 13 section (a).

14 (2) PRIVACY.—A rule issued pursuant to para-
 15 graph (1) shall incorporate appropriate privacy and
 16 data security safeguards, as determined by the Sec-
 17 retary.

18 **SEC. 4210. RULEMAKING REPORT.**

19 (a) DEFINITION OF COVERED RULEMAKING.—In this
 20 section, the term “covered rulemaking” means a regula-
 21 tion or rulemaking that—

22 (1) has not been finalized by the date on which
 23 the relevant notification is submitted under sub-
 24 section (b); and

25 (2) relates to—

1 (A) section 30120A of title 49, United
2 States Code;

3 (B) section 30166(e) of title 49, United
4 States Code;

5 (C) section 30172 of title 49, United
6 States Code;

7 (D) section 32302(e) of title 49, United
8 States Code;

9 (E) a defect reporting requirement under
10 section 32302(d) of title 49, United States
11 Code;

12 (F) subsections (b) and (e) of section
13 32304A of title 49, United States Code;

14 (G) the tire pressure monitoring standards
15 required under section 24115 of the FAST Act
16 (49 U.S.C. 30123 note; Public Law 114-94);

17 (H) the amendment made by section
18 24402 of the FAST Act (129 Stat. 1720; Pub-
19 lie Law 114-94) to section 30120(g)(1) of title
20 49, United States Code;

21 (I) the records retention rule required
22 under section 24403 of the FAST Act (49
23 U.S.C. 30117 note; Public Law 114-94);

24 (J) the amendments made by section
25 24405 of the FAST Act (Public Law 114-94);

1 ~~129 Stat. 1721)~~ to section 30114 of title 49,
2 United States Code;

3 ~~(K)~~ a defect and noncompliance notifica-
4 tion required under—

5 (i) section 24104 of the FAST Act
6 (49 U.S.C. 30119 note; Public Law 114-
7 94); or

8 (ii) section 31301 of MAP-21 (49
9 U.S.C. 30166 note; Public Law 112-141);

10 ~~(L)~~ a side impact or frontal impact test
11 procedure for child restraint systems under sec-
12 tion 31501 of MAP-21 (49 U.S.C. 30127 note;
13 Public Law 112-141);

14 ~~(M)~~ an upgrade to child restraint anchor-
15 age system usability requirements required
16 under section 31502 of MAP-21 (49 U.S.C.
17 30127 note; Public Law 112-141);

18 ~~(N)~~ the rear seat belt reminder system re-
19 quired under section 31503 of MAP-21 (49
20 U.S.C. 30127 note; Public Law 112-141);

21 ~~(O)~~ a motorcoach rulemaking required
22 under section 32703 of MAP-21 (49 U.S.C.
23 31136 note; Public Law 112-141); or

24 ~~(P)~~ any rulemaking required under this
25 Act.

1 (b) NOTIFICATION.—Not later than 180 days after
2 the date of enactment of this Act, and not less frequently
3 than biannually thereafter until the applicable covered
4 rulemaking is complete, the Secretary shall submit to the
5 Committee on Commerce, Science, and Transportation of
6 the Senate and the Committee on Energy and Commerce
7 of the House of Representatives a written notification that
8 includes, with respect to each covered rulemaking—

9 (1) for a covered rulemaking with a statutory
10 deadline for completion—

11 (A) an explanation of why the deadline was
12 not met; and

13 (B) an expected date of completion of the
14 covered rulemaking; and

15 (2) for a covered rulemaking without a statu-
16 tory deadline for completion, an expected date of
17 completion of the covered rulemaking.

18 (c) ADDITIONAL CONTENTS.—A notification under
19 subsection (b) shall include, for each applicable covered
20 rulemaking—

21 (1) an updated timeline;

22 (2) a list of factors causing delays in the com-
23 pletion of the covered rulemaking; and

24 (3) any other details associated with the status
25 of the covered rulemaking.

1 **SEC. 4211. GLOBAL HARMONIZATION.**

2 The Secretary shall cooperate, to the maximum ex-
 3 tent practicable, with foreign governments, nongovern-
 4 mental stakeholder groups, the motor vehicle industry,
 5 and consumer groups with respect to global harmonization
 6 of vehicle regulations as a means for improving motor ve-
 7 hicle safety.

8 **SEC. 4212. HEADLAMPS.**

9 (a) **DEFINITIONS.**—In this section:

10 (1) **ADAPTIVE DRIVING BEAM HEADLAMP.**—The
 11 term “adaptive driving beam headlamp” means a
 12 headlamp (as defined in Standard 108) that meets
 13 the performance requirements specified in SAE
 14 International Standard J3069, published on June
 15 30, 2016.

16 (2) **STANDARD 108.**—The term “Standard 108”
 17 means Federal Motor Vehicle Safety Standard Num-
 18 ber 108, contained in section 571.108 of title 49,
 19 Code of Federal Regulations (as in effect on the
 20 date of enactment of this Act).

21 (b) **RULEMAKING.**—Not later than 2 years after the
 22 date of enactment of this Act, the Secretary shall issue
 23 a final rule amending Standard 108—

24 (1) to include performance-based standards for
 25 vehicle headlamp systems—

1 (A) to ensure that headlights are correctly
2 aimed on the road; and

3 (B) requiring those systems to be tested
4 on-vehicle to account for headlight height and
5 lighting performance; and

6 (2) to allow for the use on vehicles of adaptive
7 driving beam headlamp systems.

8 (e) PERIODIC REVIEW.—Nothing in this section pre-
9 cludes the Secretary from—

10 (1) reviewing Standard 108, as amended pursu-
11 ant to subsection (b); and

12 (2) revising Standard 108 to reflect an updated
13 version of SAE International Standard J3069, as
14 the Secretary determines to be—

15 (A) appropriate; and

16 (B) in accordance with section 30111 of
17 title 49, United States Code.

18 **SEC. 4213. NEW CAR ASSESSMENT PROGRAM.**

19 (a) UPDATES.—Not later than 1 year after the date
20 of enactment of this Act, the Secretary shall finalize the
21 proceeding for which comments were requested in the no-
22 tice entitled “New Car Assessment Program” (80 Fed.
23 Reg. 78522 (December 16, 2015)) to update the pas-
24 senger motor vehicle information required under section
25 32302(a) of title 49, United States Code.

1 (b) INFORMATION PROGRAM.—Section 32302 of title
2 49, United States Code, is amended—

3 (1) in subsection (a), in the matter preceding
4 paragraph (1), by inserting “(referred to in this sec-
5 tion as the ‘Secretary’)” after “of Transportation”;
6 and

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

8 “~~(e) ADVANCED CRASH-AVOIDANCE TECH-~~
9 ~~NOLOGIES.—~~

10 “~~(1) NOTICE.—Not later than 1 year after the~~
11 ~~date of enactment of this subsection, the Secretary~~
12 ~~shall publish a notice, for purposes of public review~~
13 ~~and comment, to establish, distinct from crash-~~
14 ~~worthiness information, a means for providing to~~
15 ~~consumers information relating to advanced crash-~~
16 ~~avoidance technologies, in accordance with sub-~~
17 ~~section (a).~~

18 “~~(2) INCLUSIONS.—The notice under paragraph~~
19 ~~(1) shall include—~~

20 “~~(A) an appropriate methodology for—~~

21 “~~(i) determining which advanced~~
22 ~~crash-avoidance technologies shall be in-~~
23 ~~cluded in the information;~~

24 “~~(ii) developing performance test cri-~~
25 ~~teria for use by manufacturers in evalu-~~

1 ating advanced crash avoidance tech-
2 nologies;

3 “~~(iii)~~ determining a distinct rating in-
4 volving each advanced crash-avoidance
5 technology to be included; and

6 “~~(iv)~~ updating overall vehicle ratings
7 to incorporate advanced crash-avoidance
8 technology ratings; and

9 “~~(B)~~ such other information and analyses
10 as the Secretary determines to be necessary to
11 implement the rating of advanced crash-avoid-
12 ance technologies.

13 “~~(3)~~ REPORT.—Not later than 18 months after
14 the date of enactment of this subsection, the Sec-
15 retary shall submit to the Committee on Commerce,
16 Science, and Transportation of the Senate and the
17 Committee on Energy and Commerce of the House
18 of Representatives a report that describes a plan for
19 implementing an advanced crash-avoidance tech-
20 nology information and rating system, in accordance
21 with subsection (a).

22 “~~(f)~~ VULNERABLE ROAD USER SAFETY.—

23 “~~(1)~~ NOTICE.—Not later than 1 year after the
24 date of enactment of this subsection, the Secretary
25 shall publish a notice, for purposes of public review

1 and comment, to establish a means for providing to
2 consumers information relating to pedestrian, bicy-
3 elist, or other vulnerable road user safety tech-
4 nologies, in accordance with subsection (a).

5 “(2) INCLUSIONS.—The notice under paragraph
6 (1) shall include—

7 “(A) an appropriate methodology for—

8 “(i) determining which technologies
9 shall be included in the information;

10 “(ii) developing performance test cri-
11 teria for use by manufacturers in evalu-
12 ating the extent to which automated pedes-
13 trian safety systems in light vehicles at-
14 tempt to prevent and mitigate, to the best
15 extent possible, pedestrian injury;

16 “(iii) determining a distinct rating in-
17 volving each technology to be included; and

18 “(iv) updating overall vehicle ratings
19 to incorporate vulnerable road user safety
20 technology ratings; and

21 “(B) such other information and analyses
22 as the Secretary determines to be necessary to
23 implement the rating of vulnerable road user
24 safety technologies.

1 “(3) REPORT.—Not later than 18 months after
 2 the date of enactment of this subsection, the Sec-
 3 retary shall submit to the Committee on Commerce,
 4 Science, and Transportation of the Senate and the
 5 Committee on Energy and Commerce of the House
 6 of Representatives a report that describes a plan for
 7 implementing an information and rating system for
 8 vulnerable road user safety technologies, in accord-
 9 ance with subsection (a).”.

10 (c) ROADMAP.—

11 (1) IN GENERAL.—Chapter 323 of title 49,
 12 United States Code, is amended by adding at the
 13 end the following:

14 “§ 32310. **New Car Assessment Program roadmap**

15 “(a) ESTABLISHMENT.—Not later than 1 year after
 16 the date of enactment of this section, and not less fre-
 17 quently than once every 4 years thereafter, the Secretary
 18 of Transportation (referred to in this section as the ‘Sec-
 19 retary’) shall establish a roadmap for the implementation
 20 of the New Car Assessment Program of the National
 21 Highway Traffic Safety Administration.

22 “(b) REQUIREMENTS.—A roadmap under subsection
 23 (a) shall—

24 “(1) cover a term of 10 years, consisting of—

1 “(A) a mid-term component covering the
2 initial 5 years of the term; and

3 “(B) a long-term component covering the
4 final 5 years of the term; and

5 “(2) be in accordance with—

6 “(A) section 306 of title 5;

7 “(B) section 1115 of title 31;

8 “(C) section 24401 of the FAST Act (49
9 U.S.C. 105 note; Public Law 114–94); and

10 “(D) any other relevant plans of the Na-
11 tional Highway Traffic Safety Administration.

12 “(e) CONTENTS.—A roadmap under subsection (a)
13 shall include—

14 “(1) a plan for any changes to the New Car As-
15 sessment Program of the National Highway Traffic
16 Safety Administration, including—

17 “(A) descriptions of actions to be carried
18 out to update the passenger motor vehicle infor-
19 mation developed under section 32302(a), in-
20 cluding the development of test procedures, test
21 devices, test fixtures, and safety performance
22 metrics, which shall, as applicable, incor-
23 porate—

24 “(i) objective criteria for evaluating
25 safety technologies; and

1 “(ii) reasonable time periods for com-
2 pliance with new or updated tests;

3 “(B) key milestones, including the antici-
4 pated start of an action, completion of an ac-
5 tion, and effective date of an update; and

6 “(C) descriptions of the means by which
7 an update will improve the passenger motor ve-
8 hicle information developed under section
9 32302(a);

10 “(2) an identification and prioritization of safe-
11 ty opportunities and technologies—

12 “(A) with respect to the mid-term compo-
13 nent of the roadmap under subsection
14 (b)(1)(A)—

15 “(i) that are practicable; and

16 “(ii) for which objective rating tests,
17 evaluation criteria, and other consumer
18 data exist for a market-based, consumer
19 information approach; and

20 “(B) with respect to the long-term compo-
21 nent of the roadmap under subsection
22 (b)(1)(B), exist or are in development;

23 “(3) an identification of—

24 “(A) any safety opportunity or technology
25 that—

1 “(i) is identified through the activities
2 carried out pursuant to subsection (d) or
3 (e); and

4 “(ii) is not included in the roadmap
5 under paragraph (2);

6 “(B) the reasons why such a safety oppor-
7 tunity or technology is not included in the road-
8 map; and

9 “(C) any developments or information that
10 would be necessary for the Secretary to con-
11 sider including such a safety opportunity or
12 technology in a future roadmap; and

13 “(4) consideration of the benefits of consistency
14 with other rating systems used—

15 “(A) within the United States; and

16 “(B) internationally.

17 “(d) CONSIDERATIONS.—Before finalizing a roadmap
18 under this section, the Secretary shall—

19 “(1) make the roadmap available for public
20 comment;

21 “(2) review any public comments received under
22 paragraph (1); and

23 “(3) incorporate in the roadmap under this sec-
24 tion those comments, as the Secretary determines to
25 be appropriate.

1 “(e) **STAKEHOLDER ENGAGEMENT.**—Not less fre-
 2 quently than annually, the Secretary shall engage stake-
 3 holders that represent a diversity of technical backgrounds
 4 and viewpoints—

5 “(1) to identify—

6 “(A) safety opportunities or technologies in
 7 development that could be included in future
 8 roadmaps; and

9 “(B) opportunities to benefit from collabo-
 10 ration or harmonization with third-party safety
 11 rating programs;

12 “(2) to assist with long-term planning;

13 “(3) to provide an interim update of the status
 14 and development of the following roadmap to be es-
 15 tablished under subsection (a); and

16 “(4) to collect feedback or other information
 17 that the Secretary determines to be relevant to en-
 18 hancing the New Car Assessment Program of the
 19 National Highway Traffic Safety Administration.”.

20 (2) **CLERICAL AMENDMENT.**—The analysis for
 21 chapter 323 of title 49, United States Code, is
 22 amended by adding at the end the following:

“32310. New Car Assessment Program roadmap.”.

23 **SEC. 4214. HOOD AND BUMPER STANDARDS.**

24 (a) **NOTICE.**—Not later than 2 years after the date
 25 of enactment of this Act, the Secretary shall issue a notice;

1 for purposes of public review and comment, regarding po-
2 tential updates to hood and bumper standards for motor
3 vehicles (as defined in section 30102(a) of title 49, United
4 States Code).

5 (b) INCLUSIONS.—The notice under subsection (a)
6 shall include information relating to—

7 (1) the incorporation or consideration of ad-
8 vanced crash avoidance technology in existing motor
9 vehicle standards;

10 (2) the incorporation or consideration of stand-
11 ards or technologies to reduce the number of injuries
12 and fatalities suffered by pedestrians, bicyclists, or
13 other vulnerable road users;

14 (3) the development of performance test criteria
15 for use by manufacturers in evaluating advanced
16 crash avoidance technology, including technology re-
17 lating to vulnerable road user safety;

18 (4) potential harmonization with global stand-
19 ards, including United Nations Economic Commis-
20 sion for Europe Regulation Number 42; and

21 (5) such other information and analyses as the
22 Secretary determines to be necessary.

23 (c) REPORT.—Not later than 2 years after the date
24 of enactment of this Act, the Secretary shall submit to
25 the Committee on Commerce, Science, and Transportation

1 of the Senate and the Committee on Energy and Com-
2 merce of the House of Representatives a report that de-
3 scribes—

4 (1) the current status of hood and bumper
5 standards;

6 (2) relevant advanced crash avoidance tech-
7 nology;

8 (3) actions needed to be carried out to develop
9 performance test criteria; and

10 (4) if applicable, a plan for incorporating ad-
11 vanced crash avoidance technology, including tech-
12 nology relating to vulnerable road user safety, in ex-
13 isting standards.

14 **SEC. 4215. EMERGENCY MEDICAL SERVICES AND 9-1-1.**

15 Section 158(a) of the National Telecommunications
16 and Information Administration Organization Act (47
17 U.S.C. 942(a)) is amended by striking paragraph (4).

18 **SEC. 4216. EARLY WARNING REPORTING.**

19 (a) IN GENERAL.—Section 30166(m)(3) of title 49,
20 United States Code, is amended by adding at the end the
21 following:

22 “(D) SETTLEMENTS.—Notwithstanding
23 any order entered in a civil action restricting
24 the disclosure of information, a manufacturer of
25 a motor vehicle or motor vehicle equipment

1 shall comply with the requirements of this sub-
2 section and any regulations promulgated pursu-
3 ant to this subsection.”.

4 (b) **STUDY AND REPORT.**—Not later than 18 months
5 after the date of enactment of this Act, the Administrator
6 of the National Highway Traffic Safety Administration
7 shall—

8 (1) conduct a study—

9 (A) to evaluate the early warning reporting
10 data submitted under section 30166(m) of title
11 49, United States Code (including regulations);
12 and

13 (B) to identify improvements, if any, that
14 would enhance the use by the National High-
15 way Traffic Administration of early warning re-
16 porting data to enhance safety; and

17 (2) submit to the Committee on the Committee
18 on Commerce, Science, and Transportation of the
19 Senate and the Committee on Energy and Com-
20 merce of the House of Representatives a report de-
21 scribing the results of the study under paragraph
22 (1), including any recommendations for regulatory
23 or legislative action.

1 **SEC. 4217. IMPROVED VEHICLE SAFETY DATABASES.**

2 Not later than 3 years after the date of enactment
3 of this Act, after consultation with frequent users of pub-
4 licly available databases, the Secretary shall improve pub-
5 lic accessibility to information relating to the publicly ac-
6 cessible vehicle safety databases of the National Highway
7 Traffic Safety Administration by revising the publicly ac-
8 cessible vehicle safety databases—

9 (1) to improve organization and functionality,
10 including design features such as drop-down menus;

11 (2) to allow data from applicable publicly acces-
12 sible vehicle safety databases to be searched, sorted,
13 aggregated, and downloaded in a manner that—

14 (A) is consistent with the public interest;
15 and

16 (B) facilitates easy use by consumers;

17 (3) to provide greater consistency in presen-
18 tation of vehicle safety issues;

19 (4) to improve searchability regarding specific
20 vehicles and issues, which may include the standard-
21 ization of commonly used search terms; and

22 (5) to ensure nonconfidential documents and
23 materials relating to information created or obtained
24 by the National Highway Traffic Safety Administra-
25 tion are made publicly available in a manner that
26 is—

1 (A) timely; and

2 (B) searchable in databases by any ele-
3 ment that the Secretary determines to be in the
4 public interest.

5 **SEC. 4218. NATIONAL DRIVER REGISTER ADVISORY COM-**
6 **MITTEE REPEAL.**

7 (a) **IN GENERAL.**—Section 30306 of title 49, United
8 States Code, is repealed.

9 (b) **CLERICAL AMENDMENT.**—The analysis for chap-
10 ter 303 of title 49, United States Code, is amended by
11 striking the item relating to section 30306.

12 **SEC. 4219. RESEARCH ON CONNECTED VEHICLE TECH-**
13 **NOLOGY.**

14 The Administrator of the National Highway Traffic
15 Safety Administration, in collaboration with the head of
16 the Intelligent Transportation Systems Joint Program Of-
17 fice and the Administrator of the Federal Highway Ad-
18 ministration, shall—

19 (1) not later than 180 days after the date of
20 enactment of this Act, expand vehicle-to-pedestrian
21 research efforts to ensure that bicyclists and other
22 vulnerable road users will be incorporated into the
23 safe deployment of connected vehicle systems; and

24 (2) not later than 2 years after the date of en-
25 actment of this Act, submit to Congress and make

1 publicly available a report describing the findings of
2 the research efforts described in paragraph (1).

3 **SEC. 4220. ADVANCED IMPAIRED DRIVING TECHNOLOGY.**

4 (a) FINDINGS.—Congress finds that—

5 (1) alcohol-impaired driving fatalities represent
6 approximately $\frac{1}{3}$ of all highway fatalities in the
7 United States each year;

8 (2) in 2019, there were 10,142 alcohol-impaired
9 driving fatalities in the United States involving driv-
10 ers with a blood alcohol concentration level of .08 or
11 higher, and 68 percent of the crashes that resulted
12 in those fatalities involved a driver with a blood alco-
13 hol concentration level of .15 or higher;

14 (3) the estimated economic cost for alcohol-im-
15 paired driving in 2010 was \$44,000,000,000;

16 (4) according to the Insurance Institute for
17 Highway Safety, advanced drunk and impaired driv-
18 ing prevention technology can prevent more than
19 9,400 alcohol-impaired driving fatalities annually;
20 and

21 (5) to ensure the prevention of alcohol-impaired
22 driving fatalities, advanced drunk and impaired driv-
23 ing prevention technology must be standard equip-
24 ment in all new passenger motor vehicles.

25 (b) DEFINITIONS.—In this section:

1 (1) ~~ADVANCED DRUNK AND IMPAIRED DRIVING~~
2 ~~PREVENTION TECHNOLOGY.~~—The term “advanced
3 ~~drunk and impaired driving prevention technology”~~
4 means a system that—

5 (A) can—

6 (i) passively monitor the performance
7 of a driver of a motor vehicle to accurately
8 identify whether that driver may be im-
9 paired; and

10 (ii) prevent or limit motor vehicle op-
11 eration if an impairment is detected;

12 (B) can—

13 (i) passively and accurately detect
14 whether the blood alcohol concentration of
15 a driver of a motor vehicle is equal to or
16 greater than the blood alcohol concentra-
17 tion described in section 163(a) of title 23,
18 United States Code; and

19 (ii) prevent or limit motor vehicle op-
20 eration if a blood alcohol concentration
21 above the legal limit is detected; or

22 (C) is a combination of systems described
23 in subparagraphs (A) and (B).

1 (2) ~~NEW.~~—The term “new”, with respect to a
 2 passenger motor vehicle, means that the passenger
 3 motor vehicle—

4 (A) is a new vehicle (as defined in section
 5 37.3 of title 49, Code of Federal Regulations
 6 (or a successor regulation)); and

7 (B) has not been purchased for purposes
 8 other than resale.

9 (3) ~~PASSENGER MOTOR VEHICLE.~~—The term
 10 “passenger motor vehicle” has the meaning given
 11 the term in section 32101 of title 49, United States
 12 Code.

13 (4) ~~SECRETARY.~~—The term “Secretary” means
 14 the Secretary of Transportation, acting through the
 15 Administrator of the National Highway Traffic Safe-
 16 ty Administration.

17 (e) ~~ADVANCED DRUNK AND IMPAIRED DRIVING PRE-~~
 18 ~~VENTION TECHNOLOGY SAFETY STANDARD.~~—Subject to
 19 subsection (e) and not later than 3 years after the date
 20 of enactment of this Act, the Secretary shall issue a final
 21 rule prescribing a Federal motor vehicle safety standard
 22 under section 30111 of title 49, United States Code, that
 23 requires passenger motor vehicles manufactured after the
 24 effective date of that standard to be equipped with ad-
 25 vanced drunk and impaired driving prevention technology.

1 (d) REQUIREMENTS.—

2 (1) LEAD TIME.—To allow sufficient time for
3 manufacturer compliance, the compliance date of the
4 rule issued under subsection (c) shall be not earlier
5 than 2 years and not more than 3 years after the
6 date on which that rule is issued.

7 (2) TECHNICAL CAPABILITY.—Any advanced
8 drunk and impaired driving prevention technology
9 required for new passenger motor vehicles under
10 subsection (c) that measures blood alcohol con-
11 centration shall use the blood alcohol concentration
12 described in section 163(a) of title 23, United States
13 Code.

14 (e) TIMING.—If the Secretary determines that the
15 Federal motor vehicle safety standard required under sub-
16 section (c) cannot meet the requirements and consider-
17 ations described in subsections (a) and (b) of section
18 30111 of title 49, United States Code, by the applicable
19 date, the Secretary—

20 (1) may extend the time period to such date as
21 the Secretary determines to be necessary, but not
22 later than the date that is 3 years after the date de-
23 scribed in subsection (c); and

24 (2) shall, not later than the date described in
25 subsection (c) and not less frequently than annually

1 thereafter until the date on which the rule under
2 that subsection is issued; submit to the Committee
3 on Commerce, Science, and Transportation of the
4 Senate and the Committee on Energy and Com-
5 merce of the House of Representatives a report de-
6 scribing, as of the date of submission of the report—

7 (A) the reasons for not prescribing a Fed-
8 eral motor vehicle safety standard under section
9 30111 of title 49, United States Code, that re-
10 quires advanced drunk and impaired driving
11 prevention technology in all new passenger
12 motor vehicles;

13 (B) the deployment of advanced drunk and
14 impaired driving prevention technology in vehi-
15 cles;

16 (C) any information relating to the ability
17 of vehicle manufacturers to include advanced
18 drunk and impaired driving prevention tech-
19 nology in new passenger motor vehicles; and

20 (D) an anticipated timeline for prescribing
21 the Federal motor vehicle safety standard de-
22 scribed in subsection (c).

**TITLE V—RESEARCH AND
INNOVATION**

**SEC. 5001. INTELLIGENT TRANSPORTATION SYSTEMS PRO-
GRAM ADVISORY COMMITTEE.**

Section 515(h) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting “(referred to in this subsection as the ‘Advisory Committee’)” after “an Advisory Committee”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “20 members” and inserting “25 members”;

(B) in subparagraph (K), by striking “; and” and inserting a semicolon;

(C) in subparagraph (L)—

(i) by striking “utilities,” and

(ii) by striking the period at the end and inserting a semicolon;

(D) by redesignating subparagraphs (E) through (L) as subparagraphs (G), (I), (J), (K), (L), (M), (Q), and (R), respectively;

(E) by inserting after subparagraph (D) the following:

1 “(E) a representative of a national transit
2 association;

3 “(F) a representative of a national, State,
4 or local transportation agency or association;”;

5 (F) by inserting after subparagraph (G)
6 (as so redesignated) the following:

7 “(H) a private sector developer of intel-
8 ligent transportation system technologies, which
9 may include emerging vehicle technologies;”;

10 (G) by inserting after subparagraph (M)
11 (as so redesignated) the following:

12 “(N) a representative of a labor organiza-
13 tion;

14 “(O) a representative of a mobility-pro-
15 viding entity;

16 “(P) an expert in traffic management;”;

17 and

18 (H) by adding at the end the following:

19 “(S) an expert in cybersecurity; and

20 “(T) an automobile manufacturer.”;

21 (3) in paragraph (3)—

22 (A) in subparagraph (A), by striking “sec-
23 tion 508” and inserting “section 6503 of title
24 49”; and

25 (B) in subparagraph (B)—

1 (i) in the matter preceding clause (i);
 2 by inserting “programs and” before “re-
 3 search”; and

4 (ii) in clause (iii); by striking “re-
 5 search and” and inserting “programs, re-
 6 search, and”;

7 (4) by redesignating paragraphs (3) through
 8 (5) as paragraphs (5) through (7); and

9 (5) by inserting after paragraph (2) the fol-
 10 lowing:

11 “(3) TERM.—

12 “(A) IN GENERAL.—The term of a mem-
 13 ber of the Advisory Committee shall be 3 years.

14 “(B) RENEWAL.—On expiration of the
 15 term of a member of the Advisory Committee,
 16 the member—

17 “(i) may be reappointed; or

18 “(ii) if the member is not reappointed
 19 under clause (i), may serve until a new
 20 member is appointed.

21 “(4) MEETINGS.—The Advisory Committee—

22 “(A) shall convene not less frequently than
 23 twice each year; and

24 “(B) may convene with the use of remote
 25 video conference technology.”

1 **SEC. 5002. SMART COMMUNITY RESOURCE CENTER.**

2 (a) DEFINITIONS.—In this section:

3 (1) RESOURCE CENTER.—The term “resource
4 center” means the Smart Community Resource Cen-
5 ter established under subsection (b).

6 (2) SMART COMMUNITY.—The term “smart
7 community” means a community that uses innova-
8 tive technologies, data, analytics, and other means to
9 improve the community and address local challenges.

10 (b) ESTABLISHMENT.—The Secretary shall work
11 with the modal administrations of the Department and
12 with such other Federal agencies and departments as the
13 Secretary determines to be appropriate to make available
14 to the public on an Internet website a resource center, to
15 be known as the “Smart Community Resource Center”,
16 that includes a compilation of resources or links to re-
17 sources for States and local communities to use in devel-
18 oping and implementing—

19 (1) intelligent transportation system programs;

20 or

21 (2) smart community transportation programs.

22 (c) INCLUSIONS.—The resource center shall include
23 links to—

24 (1) existing programs and resources for intel-
25 ligent transportation system or smart community
26 transportation programs, including technical assist-

1 ance, education, training, funding, and examples of
 2 intelligent transportation systems or smart commu-
 3 nity transportation programs implemented by States
 4 and local communities, available from—

5 (A) the Department;

6 (B) other Federal agencies; and

7 (C) non-Federal sources;

8 (2) existing reports or databases with the re-
 9 sults of intelligent transportation system or smart
 10 community transportation programs;

11 (3) any best practices developed or lessons
 12 learned from intelligent transportation system or
 13 smart community transportation programs; and

14 (4) such other resources as the Secretary deter-
 15 mines to be appropriate.

16 (d) DEADLINE.—The Secretary shall establish the re-
 17 source center by the date that is 1 year after the date
 18 of enactment of this Act.

19 (e) UPDATES.—The Secretary shall ensure that the
 20 resource center is updated on a regular basis.

21 **SEC. 5003. FEDERAL SUPPORT FOR LOCAL DECISION-**
 22 **MAKING.**

23 (a) LOCAL OUTREACH.—To determine the data anal-
 24 ysis tools needed to assist local communities in making
 25 infrastructure decisions, the Director of the Bureau of

1 Transportation Statistics shall perform outreach to plan-
2 ning and infrastructure decision-making officials in units
3 of local government and other units of government, includ-
4 ing a geographically diverse group of individuals from—

5 (1) States;

6 (2) political subdivisions of States;

7 (3) cities;

8 (4) metropolitan planning organizations;

9 (5) regional transportation planning organiza-
10 tions; and

11 (6) federally recognized Indian Tribes.

12 (b) WORK PLAN.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of enactment of this Act, based on the out-
15 reach performed under subsection (a), the Director
16 of the Bureau of Transportation Statistics shall sub-
17 mit to the Secretary a work plan for reviewing and
18 updating existing data analysis tools and developing
19 any additional data analysis tools needed to assist
20 local communities with making infrastructure invest-
21 ment decisions.

22 (2) CONTENTS.—Based on the needs identified
23 pursuant to the outreach performed under sub-
24 section (a), the work plan submitted under para-
25 graph (1) shall include—

1 (A) a description of the data analysis tools
2 identified that would benefit infrastructure deci-
3 sion-making by local governments and address
4 the goals described in subsection (c);

5 (B) a review of the datasets that local gov-
6 ernments need to effectively use the data anal-
7 ysis tools described in subparagraph (A);

8 (C) an identification of existing or pro-
9 posed data analysis tools that use publicly avail-
10 able data;

11 (D) the estimated cost of obtaining each
12 dataset described in subparagraph (B);

13 (E) the estimated cost to develop the data
14 analysis tools described in subparagraph (A);

15 (F) a prioritization for the development of
16 data analysis tools described in subparagraph
17 (A); and

18 (G) a determination as to whether it would
19 be appropriate for the Federal Government to
20 develop the data analysis tools described in sub-
21 paragraph (A).

22 (c) GOALS.—

23 (1) IN GENERAL.—A data analysis tool created
24 pursuant to the work plan submitted under sub-

1 section (b)(1) shall be developed to help inform local
2 communities in making infrastructure investments.

3 ~~(2) SPECIFIC ISSUES.—~~A data analysis tool cre-
4 ated pursuant to the work plan submitted under
5 subsection (b)(1) shall be intended to help units of
6 local government and other units of government ad-
7 dress ~~1~~ or more of the following:

8 (A) Improving maintenance of existing as-
9 sets.

10 (B) Rebuilding infrastructure to a state of
11 good repair.

12 (C) Creating economic development
13 through infrastructure development.

14 (D) Establishing freight plans and infra-
15 structure that connects the community to sup-
16 ply chains.

17 (E) Increasing options for communities
18 that lack access to affordable transportation to
19 improve access to jobs, affordable housing,
20 schools, medical services, foods and other essen-
21 tial community services.

22 (F) Reducing congestion.

23 (G) Improving community resilience to ex-
24 treme weather events.

1 (H) Any other subject, as the Director de-
2 termines to be necessary.

3 (d) IMPLEMENTATION.—Subject to the availability of
4 appropriations, the Secretary shall develop data analysis
5 tools and purchase datasets as prioritized in the work
6 plan.

7 (e) COORDINATION.—The Director of the Bureau of
8 Transportation Statistics may utilize existing working
9 groups or advisory committees to perform the local out-
10 reach required under subsection (a).

11 **SEC. 5004. BUREAU OF TRANSPORTATION STATISTICS.**

12 (a) FUNDING.—In addition to amounts made avail-
13 able from the Highway Trust Fund, there is authorized
14 to be appropriated to the Secretary for use by the Bureau
15 of Transportation Statistics for data collection and anal-
16 ysis activities \$10,000,000 for each of fiscal years 2022
17 through 2026.

18 (b) AMENDMENT.—Section 6302(b)(3)(B)(vi) of title
19 49, United States Code, is amended—

20 (1) by striking subclause (V);

21 (2) by redesignating subclauses (VI) through
22 (XI) as subclauses (VII) through (XII), respectively;
23 and

24 (3) by adding after subclause (IV) the fol-
25 lowing:

1 “(V) employment in the transpor-
2 tation sector;

3 “(VI) the effects of the transpor-
4 tation system, including advanced
5 technologies and automation, on glob-
6 al and domestic economic competitive-
7 ness;”.

8 **SEC. 5005. STRENGTHENING MOBILITY AND REVOLUTION-**
9 **IZING TRANSPORTATION GRANT PROGRAM.**

10 (a) **DEFINITIONS.**—In this section:

11 (1) **ELIGIBLE ENTITY.**—The term “eligible enti-
12 ty” means—

13 (A) a State;

14 (B) a political subdivision of a State;

15 (C) a Tribal government;

16 (D) a public transit agency or authority;

17 (E) a public toll authority;

18 (F) a metropolitan planning organization;

19 and

20 (G) a group of 2 or more eligible entities
21 described in any of subparagraphs (A) through
22 (F) applying through a single lead applicant.

23 (2) **ELIGIBLE PROJECT.**—The term “eligible
24 project” means a project described in subsection (c).

1 (3) LARGE COMMUNITY.—The term “large com-
 2 munity” means a community with a population of
 3 not less than 400,000 individuals, as determined
 4 under the most recent annual estimate of the Bu-
 5 reau of the Census.

6 (4) MIDSIZED COMMUNITY.—The term
 7 “midsized community” means any community that
 8 is not a large community or a rural community.

9 (5) REGIONAL PARTNERSHIP.—The term “re-
 10 gional partnership” means a partnership composed
 11 of 2 or more eligible entities located in jurisdictions
 12 with a combined population that is equal to or great-
 13 er than the population of any midsized community.

14 (6) RURAL COMMUNITY.—The term “rural
 15 community” means a community that is located in
 16 an area that is outside of an urbanized area (as de-
 17 fined in section 5302 of title 49, United States
 18 Code).

19 (7) SMART GRANT.—The term “SMART
 20 grant” means a grant provided to an eligible entity
 21 under the Strengthening Mobility and Revolution-
 22 izing Transportation Grant Program established
 23 under subsection (b).

24 (b) ESTABLISHMENT OF PROGRAM.—The Secretary
 25 shall establish a program, to be known as the “Strenght-

1 ening Mobility and Revolutionizing Transportation Grant
2 Program”’, under which the Secretary shall provide grants
3 to eligible entities to conduct demonstration projects fo-
4 cused on advanced smart city or community technologies
5 and systems in a variety of communities to improve trans-
6 portation efficiency and safety.

7 (c) DISTRIBUTION.—In determining the projects for
8 which to provide a SMART grant, the Secretary shall con-
9 sider contributions to geographical diversity among grant
10 recipients, including the need for balancing the needs of
11 rural communities, midsized communities, and large com-
12 munities, consistent with the requirements of subpara-
13 graphs (A) through (C) of subsection (g)(1).

14 (d) APPLICATIONS.—

15 (1) IN GENERAL.—An eligible entity may sub-
16 mit to the Secretary an application for a SMART
17 grant at such time, in such manner, and containing
18 such information as the Secretary may require.

19 (2) TRANSPARENCY.—The Secretary shall in-
20 clude, in any notice of funding availability relating
21 to SMART grants, a full description of the method
22 by which applications under paragraph (1) will be
23 evaluated.

24 (3) SELECTION CRITERIA.—

1 (A) IN GENERAL.—The Secretary shall
2 evaluate applications for SMART grants based
3 on—

4 (i) the extent to which the eligible en-
5 tity or applicable beneficiary community—

6 (I) has a public transportation
7 system or other transit options capa-
8 ble of integration with other systems
9 to improve mobility and efficiency;

10 (II) has a population density and
11 transportation needs conducive to
12 demonstrating proposed strategies;

13 (III) has continuity of committed
14 leadership and the functional capacity
15 to carry out the proposed project;

16 (IV) is committed to open data
17 sharing with the public; and

18 (V) is likely to successfully imple-
19 ment the proposed eligible project, in-
20 cluding through technical and finan-
21 cial commitments from the public and
22 private sectors; and

23 (ii) the extent to which a proposed eli-
24 gible project will use advanced data, tech-
25 nology, and applications to provide signifi-

1 cant benefits to a local area, a State, a re-
2 gion, or the United States, including the
3 extent to which the proposed eligible
4 project will—

5 (I) reduce congestion and delays
6 for commerce and the traveling public;

7 (II) improve the safety and inte-
8 gration of transportation facilities and
9 systems for pedestrians, bicyclists,
10 and the broader traveling public;

11 (III) improve access to jobs, edu-
12 cation, and essential services, includ-
13 ing health care;

14 (IV) connect or expand access for
15 underserved or disadvantaged popu-
16 lations and reduce transportation
17 costs;

18 (V) contribute to medium- and
19 long-term economic competitiveness;

20 (VI) improve the reliability of ex-
21 isting transportation facilities and sys-
22 tems;

23 (VII) promote connectivity be-
24 tween and among connected vehicles,
25 roadway infrastructure, pedestrians,

1 bicyclists, the public, and transpor-
2 tation systems;

3 ~~(VIII)~~ incentivize private sector
4 investments or partnerships, including
5 by working with mobile and fixed tele-
6 communication service providers, to
7 the extent practicable;

8 ~~(IX)~~ improve energy efficiency or
9 reduce pollution;

10 ~~(X)~~ increase the resiliency of the
11 transportation system; and

12 ~~(XI)~~ improve emergency re-
13 sponse.

14 ~~(B)~~ PRIORITY.—In providing SMART
15 grants, the Secretary shall give priority to ap-
16 plications for eligible projects that would—

17 (i) demonstrate smart city or commu-
18 nity technologies in repeatable ways that
19 can rapidly be scaled;

20 (ii) encourage public and private shar-
21 ing of data and best practices;

22 (iii) encourage private-sector innova-
23 tion by promoting industry-driven tech-
24 nology standards, open platforms, tech-

1 nology-neutral requirements, and inter-
2 operability;

3 (iv) promote a skilled workforce that
4 is inclusive of minority or disadvantaged
5 groups;

6 (v) allow for the measurement and
7 validation of the cost savings and perform-
8 ance improvements associated with the in-
9 stallation and use of smart city or commu-
10 nity technologies and practices;

11 (vi) encourage the adoption of smart
12 city or community technologies by commu-
13 nities;

14 (vii) promote industry practices re-
15 garding cybersecurity; and

16 (viii) safeguard individual privacy.

17 (e) USE OF GRANT FUNDS.—

18 (1) ELIGIBLE PROJECTS.—

19 (A) IN GENERAL.—A SMART grant may
20 be used to carry out a project that dem-
21 onstrates at least 1 of the following:

22 (i) COORDINATED AUTOMATION.—The
23 use of automated transportation and au-
24 tonomous vehicles, while working to mini-

1 mize the impact on the accessibility of any
2 other user group or mode of travel.

3 (ii) CONNECTED VEHICLES.—Vehicles
4 that send and receive information regard-
5 ing vehicle movements in the network and
6 use vehicle-to-vehicle and vehicle-to-every-
7 thing communications to provide advanced
8 and reliable connectivity.

9 (iii) INTELLIGENT, SENSOR-BASED IN-
10 FRASTRUCTURE.—The deployment and use
11 of a collective intelligent infrastructure
12 that allows sensors to collect and report
13 real-time data to inform everyday trans-
14 portation-related operations and perform-
15 ance.

16 (iv) SYSTEMS INTEGRATION.—The in-
17 tegration of intelligent transportation sys-
18 tems with other existing systems and other
19 advanced transportation technologies.

20 (v) COMMERCE DELIVERY AND LOGIS-
21 TICS.—Innovative data and technological
22 solutions supporting efficient goods move-
23 ment, such as connected vehicle probe
24 data, road weather data, or global posi-
25 tioning data to improve on-time pickup

1 and delivery, improved travel time reli-
 2 ability, reduced fuel consumption and
 3 emissions, and reduced labor and vehicle
 4 maintenance costs.

5 (vi) LEVERAGING USE OF INNOVATIVE
 6 AVIATION TECHNOLOGY.—Leveraging the
 7 use of innovative aviation technologies,
 8 such as unmanned aircraft systems, to
 9 support transportation safety and effi-
 10 ciencies, including traffic monitoring and
 11 infrastructure inspection.

12 (vii) SMART GRID.—Development of a
 13 programmable and efficient energy trans-
 14 mission and distribution system to support
 15 the adoption or expansion of energy cap-
 16 ture, electric vehicle deployment, or freight
 17 or commercial fleet fuel efficiency.

18 (2) ELIGIBLE PROJECT COSTS.—A SMART
 19 grant may be used for—

20 (A) development phase activities, includ-
 21 ing—

22 (i) planning;

23 (ii) feasibility analyses;

24 (iii) revenue forecasting;

25 (iv) environmental review;

- 1 (v) permitting;
- 2 (vi) preliminary engineering and de-
- 3 sign work;
- 4 (vii) systems development or informa-
- 5 tion technology work; and
- 6 (viii) acquisition of real property (in-
- 7 cluding land and improvements to land re-
- 8 lating to an eligible project); and
- 9 (B) construction phase activities, includ-
- 10 ing—
- 11 (i) construction;
- 12 (ii) reconstruction;
- 13 (iii) rehabilitation;
- 14 (iv) replacement;
- 15 (v) environmental mitigation;
- 16 (vi) construction contingencies; and
- 17 (vii) acquisition of equipment, includ-
- 18 ing vehicles.

19 (3) PROHIBITED USES.—A SMART grant shall

20 not be used—

- 21 (A) to reimburse any preaward costs or ap-
- 22 plication preparation costs of the SMART grant
- 23 application;
- 24 (B) for any traffic or parking enforcement
- 25 activity; or

1 (C) to purchase or lease a license plate
2 reader.

3 (f) REPORTS.—

4 (1) ELIGIBLE ENTITIES.—Not later than 2
5 years after the date on which an eligible entity re-
6 ceives a SMART grant, and annually thereafter until
7 the date on which the SMART grant is expended,
8 the eligible entity shall submit to the Secretary an
9 implementation report that describes—

10 (A) the deployment and operational costs
11 of each eligible project carried out by the eligi-
12 ble entity, as compared to the benefits and sav-
13 ings from the eligible project; and

14 (B) the means by which each eligible
15 project carried out by the eligible entity has
16 met the original expectation, as projected in the
17 SMART grant application, including—

18 (i) data describing the means by
19 which the eligible project met the specific
20 goals for the project, such as—

21 (I) reducing traffic-related fatali-
22 ties and injuries;

23 (II) reducing traffic congestion
24 or improved travel-time reliability;

1 (III) providing the public with
2 access to real-time integrated traffic,
3 transit, and multimodal transpor-
4 tation information to make informed
5 travel decisions; or

6 (IV) reducing barriers or im-
7 proved access to jobs, education, or
8 various essential services;

9 (ii) the effectiveness of providing to
10 the public real-time integrated traffic,
11 transit, and multimodal transportation in-
12 formation to make informed travel deci-
13 sions; and

14 (iii) lessons learned and recommenda-
15 tions for future deployment strategies to
16 optimize transportation efficiency and
17 multimodal system performance.

18 (2) GAO.—Not later than 4 years after the
19 date of enactment of this Act, the Comptroller Gen-
20 eral of the United States shall conduct, and submit
21 to the Committee on Commerce, Science, and Trans-
22 portation of the Senate, the Committee on Energy
23 and Commerce of the House of Representatives, and
24 the Committee on Transportation and Infrastructure
25 of the House of Representatives a report describing

1 the results of, a review of the SMART grant pro-
2 gram under this section.

3 ~~(3)~~ SECRETARY.—Not later than 2 years after
4 the date on which the initial SMART grants are pro-
5 vided under this section, the Secretary shall submit
6 to the Committee on Commerce, Science, and Trans-
7 portation of the Senate, the Committee on Energy
8 and Commerce of the House of Representatives, and
9 the Committee on Transportation and Infrastructure
10 of the House of Representatives a report that—

11 (A) describes each eligible entity that re-
12 ceived a SMART grant;

13 (B) identifies the amount of each SMART
14 grant provided;

15 (C) summarizes the intended uses of each
16 SMART grant;

17 (D) describes the effectiveness of recipient
18 eligible entities in meeting the goals described
19 in the SMART grant application of the eligible
20 entity, including an assessment or measurement
21 of the realized improvements or benefits result-
22 ing from each SMART grant; and

23 (E) describes lessons learned and rec-
24 ommendations for future deployment strategies

1 to optimize transportation efficiency and
2 multimodal system performance.

3 ~~(g) AUTHORIZATION OF APPROPRIATIONS.—~~

4 ~~(1) IN GENERAL.—~~There is authorized to be
5 appropriated to the Secretary \$100,000,000 for each
6 of the first 5 fiscal years beginning after the date of
7 enactment of this Act, of which—

8 ~~(A)~~ not more than 40 percent shall be used
9 to provide SMART grants for eligible projects
10 that primarily benefit large communities;

11 ~~(B)~~ not more than 30 percent shall be pro-
12 vided for eligible projects that primarily benefit
13 midsized communities; and

14 ~~(C)~~ not more than 30 percent shall be used
15 to provide SMART grants for eligible projects
16 that primarily benefit rural communities or re-
17 gional partnerships.

18 ~~(2) ADMINISTRATIVE COSTS.—~~Of the amounts
19 made available under paragraph ~~(1)~~ for each fiscal
20 year, not more than 2 percent shall be used for ad-
21 ministrative costs of the Secretary in carrying out
22 this section.

23 ~~(3) LIMITATION.—~~An eligible entity may not
24 use more than 3 percent of the amount of a SMART

1 grant for each fiscal year to achieve compliance with
2 applicable planning and reporting requirements.

3 (4) AVAILABILITY.—The amounts made avail-
4 able for a fiscal year pursuant to this subsection
5 shall be available for obligation during the 2-fiscal-
6 year period beginning on the first day of the fiscal
7 year for which the amounts were appropriated.

8 **SEC. 5006. ELECTRIC VEHICLE WORKING GROUP.**

9 (a) DEFINITIONS.—In this section:

10 (1) SECRETARIES.—The term “Secretaries”
11 means—

12 (A) the Secretary; and

13 (B) the Secretary of Energy.

14 (2) WORKING GROUP.—The term “working
15 group” means the electric vehicle working group es-
16 tablished under subsection (b)(1).

17 (b) ESTABLISHMENT.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of enactment of this Act, the Secretaries
20 shall jointly establish an electric vehicle working
21 group to make recommendations regarding the de-
22 velopment, adoption, and integration of light-, me-
23 dium-, and heavy-duty electric vehicles into the
24 transportation and energy systems of the United
25 States.

1 (2) MEMBERSHIP.—

2 (A) IN GENERAL.—The working group
3 shall be composed of—

4 (i) the Secretaries (or designees), who
5 shall be cochairs of the working group; and

6 (ii) not more than 25 members, to be
7 appointed by the Secretaries, of whom—

8 (I) not more than 6 shall be Fed-
9 eral stakeholders as described in sub-
10 paragraph (B); and

11 (II) not more than 19 shall be
12 non-Federal stakeholders as described
13 in subparagraph (C).

14 (B) FEDERAL STAKEHOLDERS.—The
15 working group—

16 (i) shall include not fewer than 1 rep-
17 resentative of each of—

18 (I) the Department;

19 (II) the Department of Energy;

20 (III) the Environmental Protec-
21 tion Agency;

22 (IV) the Council on Environ-
23 mental Quality; and

24 (V) the General Services Admin-
25 istration; and

1 (ii) may include a representative of
2 any other Federal agency the Secretaries
3 consider to be appropriate.

4 (C) NON-FEDERAL STAKEHOLDERS.—

5 (i) IN GENERAL.—Subject to clause
6 (ii), the working group—

7 (I) shall include not fewer than 1
8 representative of each of—

9 (aa) a manufacturer of
10 light-duty electric vehicles or the
11 relevant components of light-duty
12 electric vehicles;

13 (bb) a manufacturer of
14 medium- and heavy-duty vehicles
15 or the relevant components of
16 medium- and heavy-duty electric
17 vehicles;

18 (cc) a manufacturer of elec-
19 tric vehicle batteries;

20 (dd) an owner, operator, or
21 manufacturer of electric vehicle
22 charging equipment;

23 (ee) the public utility indus-
24 try;

- 1 (ff) a public utility regulator
2 or association of public utility
3 regulators;
- 4 (gg) the transportation fuel-
5 ing distribution industry;
- 6 (hh) the energy provider in-
7 dustry;
- 8 (ii) the automotive dealing
9 industry;
- 10 (jj) the for-hire passenger
11 transportation industry;
- 12 (kk) an organization rep-
13 resenting units of local govern-
14 ment;
- 15 (ll) an organization rep-
16 resenting regional transportation
17 or planning agencies;
- 18 (mm) an organization rep-
19 resenting State departments of
20 transportation;
- 21 (nn) an organization rep-
22 resenting State departments of
23 energy or State energy planners;

- 1 (oo) the intelligent transpor-
2 tation systems and technologies
3 industry;
- 4 (pp) organized labor;
- 5 (qq) the trucking industry;
- 6 (rr) Tribal governments; and
- 7 (ss) the property develop-
8 ment industry; and
- 9 (H) may include a representative
10 of any other non-Federal stakeholder
11 that the Secretaries consider to be ap-
12 propriate.
- 13 (ii) REQUIREMENT.—The stake-
14 holders selected under clause (i) shall, in
15 the aggregate—
- 16 (I) consist of individuals with a
17 balance of backgrounds, experiences,
18 and viewpoints; and
- 19 (II) include individuals that rep-
20 resent geographically diverse regions
21 of the United States, including indi-
22 viduals representing the perspectives
23 of rural, urban, and suburban areas.
- 24 (3) MEETINGS.—

1 (A) IN GENERAL.—The working group
2 shall meet not less frequently than once every
3 120 days.

4 (B) REMOTE PARTICIPATION.—A member
5 of the working group may participate in a meet-
6 ing of the working group via teleconference or
7 similar means.

8 (4) COORDINATION.—In carrying out the duties
9 of the working group, the working group shall co-
10 ordinate and consult with any existing Federal inter-
11 agency working groups on fleet conversion or other
12 similar matters relating to electric vehicles.

13 (c) REPORTS AND STRATEGY ON ELECTRIC VEHICLE
14 ADOPTION.—

15 (1) WORKING GROUP REPORTS.—The working
16 group shall complete by each of the deadlines de-
17 scribed in paragraph (2) a report describing the sta-
18 tus of electric vehicle adoption including—

19 (A) a description of the barriers and op-
20 portunities to scaling up electric vehicle adop-
21 tion throughout the United States, including
22 recommendations for issues relating to—

23 (i) consumer behavior;

24 (ii) charging infrastructure needs, in-
25 cluding standardization and cybersecurity;

- 1 (iii) manufacturing and battery costs,
2 including the raw material shortages for
3 batteries and electric motor magnets;
- 4 (iv) the adoption of electric vehicles
5 for low- and moderate-income individuals
6 and underserved communities, including
7 charging infrastructure access and vehicle
8 purchase financing;
- 9 (v) business models for charging per-
10 sonal electric vehicles outside the home, in-
11 cluding wired and wireless charging;
- 12 (vi) charging infrastructure permit-
13 ting and regulatory issues;
- 14 (vii) the connections between housing
15 and transportation costs and emissions;
- 16 (viii) freight transportation, including
17 local, port and drayage, regional, and long-
18 haul trucking;
- 19 (ix) intercity passenger travel;
- 20 (x) the process by which governments
21 collect a user fee for the contribution of
22 electric vehicles to funding roadway im-
23 provements;
- 24 (xi) State- and local-level policies, in-
25 centives, and zoning efforts;

- 1 (xii) the installation of highway cor-
2 ridor signage;
- 3 (xiii) secondary markets and recycling
4 for batteries;
- 5 (xiv) grid capacity and integration;
- 6 (xv) energy storage; and
- 7 (xvi) specific regional or local issues
8 that may not appear to apply throughout
9 the United States, but may hamper nation-
10 wide adoption or coordination of electric
11 vehicles;
- 12 (B) examples of successful public and pri-
13 vate models and demonstration projects that
14 encourage electric vehicle adoption;
- 15 (C) an analysis of current efforts to over-
16 come the barriers described in subparagraph
17 (A);
- 18 (D) an analysis of the estimated costs and
19 benefits of any recommendations of the working
20 group; and
- 21 (E) any other topics, as determined by the
22 working group.
- 23 (2) DEADLINES.—A report under paragraph
24 (1) shall be submitted to the Secretaries, the Com-
25 mittees on Commerce, Science, and Transportation

1 and Appropriations of the Senate and the Commit-
2 tees on Transportation and Infrastructure and Ap-
3 propriations of the House of Representatives—

4 (A) in the case of the first report, by not
5 later than 18 months after the date on which
6 the working group is established under sub-
7 section (b)(1);

8 (B) in the case of the second report, by not
9 later than 2 years after the date on which the
10 first report is required to be submitted under
11 subparagraph (A); and

12 (C) in the case of the third report, by not
13 later than 2 years after the date on which the
14 second report is required to be submitted under
15 subparagraph (B).

16 (3) STRATEGY.—

17 (A) IN GENERAL.—Based on the reports
18 submitted by the working group under para-
19 graph (1), the Secretaries shall jointly develop,
20 maintain, and update a strategy that describes
21 the means by which the Federal Government,
22 States, units of local government, and industry
23 can—

24 (i) establish quantitative targets for
25 transportation electrification;

1 (ii) overcome the barriers described in
2 paragraph (1)(A);

3 (iii) identify areas of opportunity in
4 research and development to improve bat-
5 tery manufacturing, mineral mining, recy-
6 cling costs, material recovery, fire risks,
7 and battery performance for electric vehi-
8 cles;

9 (iv) enhance Federal interagency co-
10 ordination to promote electric vehicle adop-
11 tion;

12 (v) prepare the workforce for the
13 adoption of electric vehicles, including
14 through collaboration with labor unions,
15 educational institutions, and relevant man-
16 ufacturers;

17 (vi) expand electric vehicle and charg-
18 ing infrastructure;

19 (vii) expand knowledge of the benefits
20 of electric vehicles among the general pub-
21 lic;

22 (viii) maintain the global competitive-
23 ness of the United States in the electric ve-
24 hicle and charging infrastructure markets;

1 ~~(ix)~~ provide clarity in regulations to
2 improve national uniformity with respect to
3 electric vehicles; and

4 ~~(x)~~ ensure the sustainable integration
5 of electric vehicles into the national electric
6 grid.

7 ~~(B)~~ NOTICE AND COMMENT.—In carrying
8 out subparagraph ~~(A)~~, the Secretaries shall pro-
9 vide public notice and opportunity for comment
10 on the strategy described in that subparagraph.

11 ~~(4)~~ INFORMATION.—

12 ~~(A)~~ IN GENERAL.—The Secretaries may
13 enter into an agreement with the Transpor-
14 tation Research Board of the National Acad-
15 emies of Sciences, Engineering, and Medicine to
16 provide, track, or report data, information, or
17 research to assist the working group in carrying
18 out paragraph ~~(1)~~.

19 ~~(B)~~ USE OF EXISTING INFORMATION.—In
20 developing a report under paragraph ~~(1)~~ or a
21 strategy under paragraph ~~(3)~~, the Secretaries
22 and the working group shall take into consider-
23 ation existing Federal, State, local, private sec-
24 tor, and academic data and information relating
25 to electric vehicles and, to the maximum extent

1 practicable, coordinate with the entities that
2 publish that information—

- 3 (i) to prevent duplication of efforts by
4 the Federal Government; and
5 (ii) to leverage existing information
6 and complementary efforts.

7 (d) **COORDINATION.**—To the maximum extent prac-
8 ticable, the Secretaries and the working group shall carry
9 out this section using all available existing resources,
10 websites, and databases of Federal agencies, such as—

- 11 (1) the Alternative Fuels Data Center;
12 (2) the Energy Efficient Mobility Systems pro-
13 gram; and
14 (3) the Clean Cities Coalition Network.

15 **SEC. 5007. RISK AND SYSTEM RESILIENCE.**

16 (a) **IN GENERAL.**—The Secretary, in consultation
17 with appropriate Federal, State, and local agencies, shall
18 develop a process for quantifying annual risk in order to
19 increase system resilience with respect to the surface
20 transportation system of the United States by meas-
21 uring—

- 22 (1) resilience to threat probabilities by type of
23 hazard and geographical location;
24 (2) resilience to asset vulnerabilities with re-
25 spect to each applicable threat; and

1 ~~(3)~~ anticipated consequences from each applica-
2 ble threat to each asset.

3 ~~(b)~~ USE BY STATE, REGIONAL, TRIBAL, AND LOCAL
4 ENTITIES.—

5 ~~(1)~~ IN GENERAL.—The Secretary shall provide
6 the process developed under subsection ~~(a)~~ to State
7 departments of transportation, metropolitan plan-
8 ning organizations, Indian Tribes, local govern-
9 ments, and other relevant entities.

10 ~~(2)~~ GUIDANCE AND TECHNICAL ASSISTANCE.—
11 The Secretary shall provide to the entities described
12 in paragraph ~~(1)~~ guidance and technical assistance
13 on the use of the process referred to in that para-
14 graph.

15 ~~(c)~~ RESEARCH.—

16 ~~(1)~~ IN GENERAL.—The Secretary shall—

17 ~~(A)~~ identify and support fundamental re-
18 search to develop a framework and quantitative
19 models to support compilation of information
20 for risk-based analysis of transportation assets
21 by standardizing the basis for quantifying an-
22 nual risk and increasing system resilience; and

23 ~~(B)~~ build on existing resilience research,
24 including studies conducted by—

1 (i) the Transportation Research
 2 Board of the National Academies of
 3 Sciences, Engineering, and Medicine; and

4 (ii) the National Institute of Stand-
 5 ards and Technology.

6 (2) USE OF EXISTING FACILITIES.—In carrying
 7 out paragraph (1), the Secretary shall use existing
 8 research facilities available to the Secretary, includ-
 9 ing the Turner–Fairbank Highway Research Center
 10 and University Transportation Centers established
 11 under section 5505 of title 49, United States Code.

12 **SEC. 5008. COORDINATION ON EMERGING TRANSPOR-**
 13 **TATION TECHNOLOGY.**

14 (a) IN GENERAL.—Subchapter I of chapter 3 of title
 15 49, United States Code, is amended by adding at the end
 16 the following:

17 **“§ 313. Nontraditional and Emerging Transportation**
 18 **Technology Council**

19 “(a) ESTABLISHMENT.—Not later than 180 days
 20 after the date of enactment of this section, the Secretary
 21 of Transportation (referred to in this section as the ‘Sec-
 22 retary’) shall establish a council, to be known as the ‘Non-
 23 traditional and Emerging Transportation Technology
 24 Council’ (referred to in this section as the ‘Council’), to

1 address coordination on emerging technology issues across
2 all modes of transportation.

3 ~~“(b) MEMBERSHIP.—~~

4 ~~“(1) IN GENERAL.—The Council shall be com-~~
5 ~~posed of—~~

6 ~~“(A) the Secretary, who shall serve as an~~
7 ~~ex officio member of the Council;~~

8 ~~“(B) the Deputy Secretary of Transpor-~~
9 ~~tation;~~

10 ~~“(C) the Under Secretary of Transpor-~~
11 ~~tation for Policy;~~

12 ~~“(D) the Assistant Secretary for Research~~
13 ~~and Technology of the Department of Trans-~~
14 ~~portation;~~

15 ~~“(E) the Assistant Secretary for Budget~~
16 ~~and Programs of the Department of Transpor-~~
17 ~~tation;~~

18 ~~“(F) the General Counsel of the Depart-~~
19 ~~ment of Transportation;~~

20 ~~“(G) the Chief Information Officer of the~~
21 ~~Department of Transportation;~~

22 ~~“(H) the Administrator of the Federal~~
23 ~~Aviation Administration;~~

24 ~~“(I) the Administrator of the Federal~~
25 ~~Highway Administration;~~

1 “(J) the Administrator of the Federal
2 Motor Carrier Safety Administration;

3 “(K) the Administrator of the Federal
4 Railroad Administration;

5 “(L) the Administrator of the Federal
6 Transit Administration;

7 “(M) the Administrator of the Maritime
8 Administration;

9 “(N) the Administrator of the National
10 Highway Traffic Safety Administration;

11 “(O) the Administrator of the Pipeline and
12 Hazardous Materials Safety Administration;
13 and

14 “(P) any other official of the Department
15 of Transportation, as determined by the Sec-
16 retary.

17 “(2) CHAIR AND VICE CHAIR.—

18 “(A) CHAIR.—The Deputy Secretary of
19 Transportation (or a designee) shall serve as
20 Chair of the Council.

21 “(B) VICE CHAIR.—The Under Secretary
22 of Transportation for Policy (or a designee)
23 shall serve as Vice Chair of the Council.

24 “(c) DUTIES.—The Council shall—

1 “(1) identify and resolve jurisdictional and reg-
2 ulatory gaps or inconsistencies associated with non-
3 traditional and emerging transportation tech-
4 nologies, modes, or projects pending or brought be-
5 fore the Department of Transportation to reduce, to
6 the maximum extent practicable, impediments to the
7 prompt and safe deployment of new and innovative
8 transportation technology, including with respect
9 to—

10 “(A) safety oversight;

11 “(B) environmental review; and

12 “(C) funding and financing issues;

13 “(2) coordinate the response of the Department
14 of Transportation to nontraditional and emerging
15 transportation technology projects;

16 “(3) engage with stakeholders in nontraditional
17 and emerging transportation technology projects;
18 and

19 “(4) develop and establish Department of
20 Transportation-wide processes, solutions, and best
21 practices for identifying and managing nontradi-
22 tional and emerging transportation technology
23 projects.

24 “(d) BEST PRACTICES.—Not later than 1 year after
25 the date of enactment of this section, the Council shall—

1 “(1) publish initial guidelines to achieve the
2 purposes described in subsection (e)(4); and

3 “(2) promote each modal administration within
4 the Department of Transportation to further test
5 and support the advancement of nontraditional and
6 emerging transportation technologies not specifically
7 considered by the Council.

8 “(e) SUPPORT.—The Office of the Secretary shall
9 provide support for the Council.

10 “(f) MEETINGS.—The Council shall meet not less fre-
11 quently than 4 times per year, at the call of the Chair.

12 “(g) LEAD MODAL ADMINISTRATION.—For each
13 nontraditional or emerging transportation technology,
14 mode, or project associated with a jurisdictional or regu-
15 latory gap or inconsistency identified under subsection
16 (e)(1), the Chair of the Council shall—

17 “(1) designate a lead modal administration of
18 the Department of Transportation for review of the
19 technology, mode, or project; and

20 “(2) arrange for the detailing of staff between
21 modal administrations or offices of the Department
22 of Transportation as needed to maximize the sharing
23 of experience and expertise.

24 “(h) TRANSPARENCY.—Not later than 1 year after
25 the date of establishment of the Council, and not less fre-

1 quently than annually thereafter until December 31, 2026;
 2 the Council shall post on a publicly accessible website a
 3 report describing the activities of the Council during the
 4 preceding calendar year.”.

5 (b) CLERICAL AMENDMENT.—The analysis for sub-
 6 chapter I of chapter 3 of title 49, United States Code,
 7 is amended by adding at the end the following:

“313. Nontraditional and Emerging Transportation Technology Council.”.

8 **SEC. 5009. INTERAGENCY INFRASTRUCTURE PERMITTING**
 9 **IMPROVEMENT CENTER.**

10 (a) IN GENERAL.—Section 102 of title 49, United
 11 States Code, is amended—

12 (1) in subsection (a), by inserting “(referred to
 13 in this section as the ‘Department’)” after “Trans-
 14 portation”;

15 (2) in subsection (b), in the first sentence, by
 16 inserting “(referred to in this section as the ‘Sec-
 17 retary’)” after “Transportation”;

18 (3) in subsection (f)(1), by striking “of Trans-
 19 portation” each place it appears;

20 (4) by redesignating subsection (h) as sub-
 21 section (i); and

22 (5) by inserting after subsection (g) the fol-
 23 lowing:

24 “(h) INTERAGENCY INFRASTRUCTURE PERMITTING
 25 IMPROVEMENT CENTER.—

1 “(1) DEFINITIONS.—In this subsection:

2 “(A) CENTER.—The term ‘Center’ means
3 the Interagency Infrastructure Permitting Im-
4 provement Center established by paragraph (2).

5 “(B) PROJECT.—The term ‘project’ means
6 a project authorized or funded under—

7 “(i) this title; or

8 “(ii) title 14, 23, 46, or 51.

9 “(2) ESTABLISHMENT.—There is established
10 within the Office of the Secretary a center, to be
11 known as the ‘Interagency Infrastructure Permitting
12 Improvement Center’.

13 “(3) PURPOSES.—The purposes of the Center
14 shall be—

15 “(A) to implement reforms to improve
16 interagency coordination and expedite projects
17 relating to the permitting and environmental re-
18 view of major transportation infrastructure
19 projects, including—

20 “(i) developing and deploying informa-
21 tion technology tools to track project
22 schedules and metrics; and

23 “(ii) improving the transparency and
24 accountability of the permitting process;

1 “(B)(i) to identify appropriate methods to
2 assess environmental impacts; and

3 “(ii) to develop innovative methods for rea-
4 sonable mitigation;

5 “(C) to reduce uncertainty and delays with
6 respect to environmental reviews and permit-
7 ting; and

8 “(D) to reduce costs and risks to taxpayers
9 in project delivery.

10 “(4) EXECUTIVE DIRECTOR.—The Center shall
11 be headed by an Executive Director, who shall—

12 “(A) report to the Under Secretary of
13 Transportation for Policy;

14 “(B) be responsible for the management
15 and oversight of the daily activities, decisions,
16 operations, and personnel of the Center; and

17 “(C) carry out such additional duties as
18 the Secretary may prescribe.

19 “(5) DUTIES.—The Center shall carry out the
20 following duties:

21 “(A) Coordinate and support implementa-
22 tion of priority reform actions for Federal agen-
23 cy permitting and reviews.

24 “(B) Support modernization efforts at the
25 operating administrations within the Depart-

1 ment and interagency pilot programs relating to
2 innovative approaches to the permitting and re-
3 view of transportation infrastructure projects.

4 “(C) Provide technical assistance and
5 training to Department staff on policy changes,
6 innovative approaches to project delivery, and
7 other topics, as appropriate.

8 “(D) Identify, develop, and track metrics
9 for timeliness of permit reviews, permit deci-
10 sions, and project outcomes.

11 “(E) Administer and expand the use of on-
12 line transparency tools providing for—

13 “(i) tracking and reporting of metrics;

14 “(ii) development and posting of
15 schedules for permit reviews and permit
16 decisions;

17 “(iii) the sharing of best practices re-
18 lating to efficient project permitting and
19 reviews; and

20 “(iv) the visual display of relevant
21 geospatial data to support the permitting
22 process.

23 “(F) Submit to the Secretary reports de-
24 scribing progress made toward achieving—

1 “(i) greater efficiency in permitting
2 decisions and review of infrastructure
3 projects; and

4 “(ii) better outcomes for communities
5 and the environment.

6 ~~“(6) INNOVATIVE BEST PRACTICES.—~~

7 ~~“(A) IN GENERAL.—The Center shall work~~
8 ~~with the operating administrations within the~~
9 ~~Department, eligible entities, and other public~~
10 ~~and private interests to develop and promote~~
11 ~~best practices for innovative project delivery.~~

12 ~~“(B) ACTIVITIES.—The Center shall sup-~~
13 ~~port the Department and operating administra-~~
14 ~~tions in conducting environmental reviews and~~
15 ~~permitting, together with project sponsor tech-~~
16 ~~nical assistance activities, by—~~

17 ~~“(i) carrying out activities that are~~
18 ~~appropriate and consistent with the goals~~
19 ~~and policies of the Department to improve~~
20 ~~the delivery timelines for projects;~~

21 ~~“(ii) serving as the Department liai-~~
22 ~~son to—~~

23 ~~“(I) the Council on Environ-~~
24 ~~mental Quality; and~~

1 “(II) the Federal Permitting Im-
2 provement Steering Council estab-
3 lished by section 41002(a) of the Fix-
4 ing America’s Surface Transportation
5 Act (42 U.S.C. 4370m–1(a));

6 “(iii) supporting the National Surface
7 Transportation and Innovative Finance
8 Bureau (referred to in this paragraph as
9 the ‘Bureau’) in implementing activities to
10 improve delivery timelines, as described in
11 section 116(f), for projects carried out
12 under the programs described in section
13 116(d)(1) for which the Bureau admin-
14 isters the application process;

15 “(iv) leading activities to improve de-
16 livery timelines for projects carried out
17 under programs not administered by the
18 Bureau by—

19 “(I) coordinating efforts to im-
20 prove the efficiency and effectiveness
21 of the environmental review and per-
22 mitting process;

23 “(II) providing technical assist-
24 ance and training to field and head-
25 quarters staff of Federal agencies

1 with respect to policy changes and in-
2 novative approaches to the delivery of
3 projects; and

4 “(III) identifying, developing,
5 and tracking metrics for permit re-
6 views and decisions by Federal agen-
7 cies for projects under the National
8 Environmental Policy Act of 1969 (42
9 U.S.C. 4321 et seq.).

10 “(C) NEPA COMPLIANCE ASSISTANCE.—

11 “(i) IN GENERAL.—Subject to clause
12 (ii), at the request of an entity that is ear-
13 rying out a project, the Center, in coordi-
14 nation with the appropriate operating ad-
15 ministrations within the Department, shall
16 provide technical assistance relating to
17 compliance with the applicable require-
18 ments of the National Environmental Pol-
19 icy Act of 1969 (42 U.S.C. 4321 et seq.)
20 and applicable Federal authorizations.

21 “(ii) ASSISTANCE FROM THE BU-
22 REAU.—For projects carried out under the
23 programs described in section 116(d)(1)
24 for which the Bureau administers the ap-
25 plication process, the Bureau, on request

1 of the entity carrying out the project, shall
 2 provide the technical assistance described
 3 in clause (i).”.

4 (b) CONFORMING AMENDMENT.—Section 116(f)(2)
 5 of title 49, United States Code, is amended—

6 (1) by striking subparagraph (A); and

7 (2) by redesignating subparagraphs (B)
 8 through (D) and subparagraphs (A) through (C), re-
 9 spectively.

10 **SEC. 5010. RURAL OPPORTUNITIES TO USE TRANSPOR-**
 11 **TATION FOR ECONOMIC SUCCESS INITIATIVE.**

12 (a) DEFINITIONS.—In this section:

13 (1) BUILD AMERICA BUREAU.—The term
 14 “Build America Bureau” means the National Sur-
 15 face Transportation and Innovative Finance Bureau
 16 established under section 116 of title 49, United
 17 States Code.

18 (2) ROUTES COUNCIL.—The term “ROUTES
 19 Council” means the Rural Opportunities to Use
 20 Transportation for Economic Success Council estab-
 21 lished by subsection (c)(1).

22 (3) ROUTES OFFICE.—The term “ROUTES
 23 Office” means the Rural Opportunities to Use
 24 Transportation for Economic Success Office estab-
 25 lished by subsection (b)(1).

1 (b) ROUTES OFFICE.—

2 (1) IN GENERAL.—The Secretary shall establish
3 within the Department the Rural Opportunities to
4 Use Transportation for Economic Success Office—

5 (A) to improve analysis of projects from
6 rural areas, federally recognized Indian Tribes,
7 and historically disadvantaged communities in
8 rural or Tribal areas applying for Department
9 discretionary grants, including ensuring that
10 project costs, local resources, and the larger
11 benefits to the people and the economy of the
12 United States are appropriately considered; and

13 (B) to provide rural communities, federally
14 recognized Indian Tribes, and historically dis-
15 advantaged communities in rural or Tribal
16 areas with technical assistance for meeting the
17 transportation infrastructure investment needs
18 of the United States in a financially sustainable
19 manner.

20 (2) OBJECTIVES.—The ROUTES Office shall—

21 (A) collect input from knowledgeable enti-
22 ties and the public on—

23 (i) the benefits of rural and Tribal
24 transportation projects;

- 1 (ii) the technical and financial assist-
2 ance required for constructing and oper-
3 ating rural and Tribal transportation in-
4 frastructure and services;
- 5 (iii) barriers and opportunities to
6 funding rural and Tribal transportation
7 projects;
- 8 (iv) unique transportation barriers
9 and challenges facing historically disadvan-
10 taged communities in rural and Tribal
11 areas; and
- 12 (v) unique environmental transpor-
13 tation issues for rural and Tribal commu-
14 nities;
- 15 (B) evaluate data on rural and Tribal
16 transportation challenges and determining
17 methods to align the discretionary funding and
18 financing opportunities of the Department with
19 the needs of those communities for meeting na-
20 tional transportation goals; and
- 21 (C) educate rural communities and Tribal
22 communities about applicable Department dis-
23 cretionary grants; develop effective methods to
24 evaluate projects in those communities in dis-

1 cretionary grant programs, and communicate
2 those methods through program guidance.

3 ~~(c) ROUTES COUNCIL.—~~

4 ~~(1) IN GENERAL.—~~The Secretary shall establish
5 a Rural Opportunities to Use Transportation for
6 Economic Success Council—

7 ~~(A) to organize, guide, and lead the~~
8 ~~ROUTES Office; and~~

9 ~~(B) to coordinate rural-related and Tribal-~~
10 ~~related funding programs and assistance among~~
11 ~~the modal administrations.~~

12 ~~(2) MEMBERSHIP.—~~

13 ~~(A) IN GENERAL.—~~The ROUTES Council
14 shall be composed of the following officers of
15 the Department, or their designees:

16 ~~(i) The Under Secretary of Transpor-~~
17 ~~tation for Policy.~~

18 ~~(ii) The General Counsel.~~

19 ~~(iii) The Chief Financial Officer and~~
20 ~~Assistant Secretary for Budget and Pro-~~
21 ~~grams.~~

22 ~~(iv) The Assistant Secretary for Re-~~
23 ~~search and Technology.~~

24 ~~(v) The Assistant Secretary for~~
25 ~~Multimodal Freight.~~

- 1 (vi) The Administrators of—
 2 (I) the Federal Aviation Adminis-
 3 tration;
 4 (II) the Federal Highway Admin-
 5 istration;
 6 (III) the Federal Railroad Ad-
 7 ministration; and
 8 (IV) the Federal Transit Admin-
 9 istration.
- 10 (vii) The Executive Director of the
 11 Build America Bureau.
- 12 (viii) The Assistant Secretary of Gov-
 13 ernment Affairs.
- 14 (B) CHAIR.—The Under Secretary of
 15 Transportation for Policy shall be the Chair of
 16 the ROUTES Council.
- 17 (C) ADDITIONAL MEMBERS.—The Sec-
 18 retary or the Chair of the ROUTES Council
 19 may designate additional members to serve on
 20 the ROUTES Council.
- 21 (3) ADDITIONAL MODAL INPUT.—To address
 22 issues related to safety and transport of rural and
 23 Tribal commodities, the ROUTES Council shall con-
 24 sult with the Administrators (or their designees)
 25 of—

1 (A) the Maritime Administration;

2 (B) the Great Lakes St. Lawrence Seaway
3 Development Corporation; and

4 (C) the National Highway Traffic Safety
5 Administration.

6 (4) DUTIES.—Members of the ROUTES Coun-
7 cil shall—

8 (A) participate in all meetings and relevant
9 ROUTES Council activities and be prepared to
10 share information relevant to rural and Tribal
11 transportation infrastructure projects and
12 issues;

13 (B) provide guidance and leadership on
14 rural and Tribal transportation infrastructure
15 issues and represent the work of the ROUTES
16 Council and the Department on those issues to
17 external stakeholders; and

18 (C) recommend initiatives to the Chair of
19 the ROUTES Council to consider, establish,
20 and staff any resulting activities or working
21 groups.

22 (5) MEETINGS.—The ROUTES Council shall
23 meet bimonthly.

24 (6) WORK PRODUCTS AND DELIVERABLES.—
25 The ROUTES Council may develop work products

1 or deliverables to meet the goals of the ROUTES
2 Council, including—

3 (A) an annual report to Congress describ-
4 ing ROUTES Council activities for the past
5 year and expected activities for the coming
6 year;

7 (B) any recommendations to enhance the
8 effectiveness of Department discretionary grant
9 programs regarding rural and Tribal infrastruc-
10 ture issues; and

11 (C) other guides and reports for relevant
12 groups and the public.

13 **SEC. 5011. ADVANCED TRANSPORTATION TECHNOLOGIES**
14 **DEPLOYMENT PROGRAM.**

15 Section 503 of title 23, United States Code, is
16 amended—

17 (1) in subsection (a)(2), by striking “under sec-
18 tion 508” and inserting “under section 6503 of title
19 49”, and

20 (2) in subsection (c)(4)—

21 (A) in subparagraph (A), by striking “and
22 congestion management”,

23 (B) in subparagraph (B)—

1 (i) by redesignating clauses (i)
2 through (viii) as clauses (vii) through (xiv),
3 respectively;

4 (ii) by inserting before clause (vii) (as
5 so redesignated) the following:

6 “(i) improve the mobility of people
7 and goods;

8 “(ii) reduce congestion;

9 “(iii) promote safety;

10 “(iv) improve the durability and ex-
11 tend the life of transportation infrastruc-
12 ture;

13 “(v) preserve the environment;

14 “(vi) preserve the existing transpor-
15 tation system;” and

16 (iii) in clause (xiv) (as so redesign-
17 ated), by inserting “vehicle-to-pedes-
18 trian,” after “vehicle-to-infrastructure,”

19 (C) in subparagraph (C)(ii)—

20 (i) in subclause (I), by striking “and
21 congestion management”;

22 (ii) by striking subclause (II);

23 (iii) by redesignating subclauses (III)
24 through (V) as subclauses (II) through
25 (IV), respectively; and

1 (iv) in subclause (H) (as so redesignated), by striking “efficiency and reduce
2 traffic congestion”;

3 (D) in subparagraph (E)—

4 (i) in the matter preceding clause (i),
5 by striking “and congestion management”;

6 (ii) in clause (viii), by striking “or” at
7 the end;

8 (iii) in clause (ix), by striking the pe-
9 riod at the end and inserting “; or”; and

10 (iv) by adding at the end the fol-
11 lowing:

12 “(x) advanced transportation tech-
13 nologies, in accordance with the research
14 areas described in section 6503 of title
15 49.”;

16 (E) in subparagraph (I)(i), by striking
17 “2016 through 2020” and inserting “2022
18 through 2026”; and

19 (F) in subparagraph (N)—

20 (i) in the matter preceding clause (i),
21 by striking “, the following definitions
22 apply”;

23 (ii) by striking clause (ii) and insert-
24 ing the following:
25

1 “(ii) **ADVANCED TRANSPORTATION**
 2 **TECHNOLOGY.**—The term ‘advanced trans-
 3 portation technology’ means any tech-
 4 nology that improves the efficiency, dura-
 5 bility, sustainability, safety, or state of
 6 good repair of a surface transportation
 7 system.”; and

8 (iii) in clause (iii), in the matter pre-
 9 ceding subclause (I), by striking “a any”
 10 and inserting “any”.

11 **SEC. 5012. SAFETY DATA INITIATIVE.**

12 (a) **DEFINITION OF ELIGIBLE ENTITY.**—In this sec-
 13 tion, the term “eligible entity” means—

- 14 (1) a State;
- 15 (2) a unit of local government;
- 16 (3) a transit agency or authority;
- 17 (4) a metropolitan planning organization;
- 18 (5) any other subdivision of a State or local
 19 government;
- 20 (6) an institution of higher education; and
- 21 (7) a multi-State or multijurisdictional group.

22 (b) **SAFETY DATA INITIATIVE.**—

- 23 (1) **ESTABLISHMENT.**—The Secretary shall es-
 24 tablish an initiative, to be known as the “Safety
 25 Data Initiative”, to promote the use of data integra-

1 tion, data visualization, and advanced analytics for
 2 surface transportation safety through the develop-
 3 ment of innovative practices and products for use by
 4 Federal, State, and local entities.

5 (2) ACTIVITIES.—

6 (A) APPLIED RESEARCH.—

7 (i) IN GENERAL.—The Secretary shall
 8 support and carry out applied research to
 9 develop practices and products that will en-
 10 courage the integration and use of tradi-
 11 tional and new sources of safety data and
 12 safety information to improve policy and
 13 decisionmaking at the Federal, State, and
 14 local government levels.

15 (ii) METHODOLOGY.—In carrying out
 16 clause (i), the Secretary may—

17 (I) carry out demonstration pro-
 18 grams;

19 (II) award grants and provide in-
 20 centives to eligible entities;

21 (III) enter into partnerships
 22 with—

23 (aa) eligible entities;

24 (bb) private sector entities;

25 and

1 (cc) National Laboratories;
2 and

3 ~~(IV)~~ use any other tools, strate-
4 gies, or methods that will result in the
5 effective use of data and information
6 for safety purposes.

7 ~~(B)~~ TOOLS AND PRACTICES.—In carrying
8 out subparagraph (A), the Secretary, to the
9 maximum extent practicable, shall—

10 (i) develop safety analysis tools for
11 State and local governments, with a par-
12 ticular focus on State and local govern-
13 ments with limited capacity to perform
14 safety analysis;

15 (ii)(I) identify innovative State and
16 local government practices;

17 (II) incubate those practices for fur-
18 ther development; and

19 (III) replicate those practices nation-
20 wide; and

21 (iii) transfer to State and local gov-
22 ernments the results of the applied re-
23 search carried out under that subpara-
24 graph.

25 ~~(C)~~ DATA SHARING.—

1 (i) IN GENERAL.—To inform the cre-
2 ation of information useful for safety pol-
3 icy and decisionmaking, the Secretary
4 shall—

5 (I) encourage the sharing of data
6 between and among Federal, State,
7 and local transportation agencies; and

8 (II) leverage data from private
9 sector entities.

10 (ii) GOALS.—The goals of the data-
11 sharing activities under clause (i) shall in-
12 clude—

13 (I) the creation of data eco-
14 systems to reduce barriers to the effi-
15 cient integration and analysis of rel-
16 evant datasets for use by safety pro-
17 fessionals; and

18 (II) the establishment of proce-
19 dures adequate to ensure sufficient se-
20 curity, privacy, and confidentiality as
21 needed to promote the sharing of sen-
22 sitive or proprietary data.

23 (iii) MANAGEMENT OF DATA ECO-
24 SYSTEMS.—A data ecosystem described in
25 clause (ii)(I) may be managed by—

1 (I) the Director of the Bureau of
2 Transportation Statistics;

3 (II) 1 or more trusted third par-
4 ties, as determined by the Secretary;
5 or

6 (III) 1 or more other entities or
7 partnerships capable of securing,
8 managing, and analyzing sensitive or
9 proprietary data.

10 (3) PLAN.—

11 (A) IN GENERAL.—The Safety Data Initia-
12 tive shall be carried out pursuant to a plan to
13 be jointly established by—

14 (i) the Under Secretary of Transpor-
15 tation for Policy;

16 (ii) the Chief Information Officer of
17 the Department;

18 (iii) the Administrator of the National
19 Highway Traffic Safety Administration;

20 (iv) the Administrator of the Federal
21 Highway Administration;

22 (v) the Administrator of the Federal
23 Motor Carrier Safety Administration;

24 (vi) the Administrator of the Federal
25 Transit Administration; and

1 (vii) the Administrator of the Federal
2 Railroad Administration.

3 (B) REQUIREMENT.—The plan established
4 under subparagraph (A) shall include details re-
5 garding the means by which tools and innova-
6 tions developed by projects carried out under
7 the Safety Data Initiative will be transferred to
8 the appropriate program of the Department for
9 further implementation.

10 (C) DEADLINE.—Not later than 1 year
11 after the date of enactment of this Act, the Sec-
12 retary shall direct the officials described in
13 clauses (i) through (vii) of subparagraph (A) to
14 establish, by a date determined by the Sec-
15 retary, the plan referred to in that subpara-
16 graph.

17 **SEC. 5013. ADVANCED TRANSPORTATION RESEARCH.**

18 (a) IN GENERAL.—Chapter 1 of title 49, United
19 States Code (as amended by section 1101(a)), is amended
20 by adding at the end the following:

21 **“§ 119. Advanced Research Projects Agency–Infra-
22 structure**

23 **“(a) DEFINITIONS.—**In this section:

1 “(1) ~~ARPA-I.~~— The term ‘~~ARPA-I~~’ means the
2 Advanced Research Projects Agency–Infrastructure
3 established by subsection (b).

4 “(2) ~~DEPARTMENT.~~—The term ‘~~Department~~’
5 means the Department of Transportation.

6 “(3) ~~DIRECTOR.~~—The term ‘~~Director~~’ means
7 the Director of ~~ARPA-I~~ appointed under subsection
8 (d).

9 “(4) ~~ELIGIBLE ENTITY.~~—The term ‘~~eligible en-~~
10 ~~tity~~’ means—

11 “(A) a unit of State or local government;

12 “(B) an institution of higher education;

13 “(C) a commercial entity;

14 “(D) a research foundation;

15 “(E) a trade or industry research collabo-
16 rative;

17 “(F) a federally funded research and devel-
18 opment center;

19 “(G) a research facility owned or funded
20 by the Department;

21 “(H) a collaborative that includes relevant
22 international entities; and

23 “(I) a consortia of 2 or more entities de-
24 scribed in any of subparagraphs (A) through
25 (H).

1 “(5) INFRASTRUCTURE.—

2 “(A) IN GENERAL.—The term ‘infrastruc-
3 ture’ means any transportation method or facil-
4 ity that facilitates the transit of goods or people
5 within the United States (including territories).

6 “(B) INCLUSIONS.—The term ‘infrastruc-
7 ture’ includes—

8 “(i) roads;

9 “(ii) highways;

10 “(iii) bridges;

11 “(iv) airports;

12 “(v) rail lines;

13 “(vi) harbors; and

14 “(vii) pipelines.

15 “(6) SECRETARY.—The term ‘Secretary’ means
16 the Secretary of Transportation.

17 “(b) ESTABLISHMENT.—There is established within
18 the Department an agency, to be known as the ‘Advanced
19 Research Projects Agency—Infrastructure’, to support the
20 development of science and technology solutions—

21 “(1) to overcome long-term challenges; and

22 “(2) to advance the state of the art for United
23 States transportation infrastructure.

24 “(c) GOALS.—

1 “(1) ~~IN GENERAL.~~—The goals of ~~ARPA-I~~ shall
2 be—

3 “(A) to advance the transportation infra-
4 structure of the United States by developing in-
5 novative science and technology solutions that—

6 “(i) lower the long-term costs of infra-
7 structure development, including costs of
8 planning, construction, and maintenance;

9 “(ii) reduce the lifecycle impacts of
10 transportation infrastructure on the envi-
11 ronment, including through the reduction
12 of greenhouse gas emissions;

13 “(iii) contribute significantly to im-
14 proving the safe, secure, and efficient
15 movement of goods and people; and

16 “(iv) promote the resilience of infra-
17 structure from physical and cyber threats;
18 and

19 “(B) to ensure that the United States is a
20 global leader in developing and deploying ad-
21 vanced transportation infrastructure tech-
22 nologies and materials.

23 “(2) ~~RESEARCH PROJECTS.~~—~~ARPA-I~~ shall
24 achieve the goals described in paragraph (1) pro-

1 viding assistance under this section for infrastruc-
2 ture research projects that—

3 “(A) advance novel, early-stage research
4 with practicable application to transportation
5 infrastructure;

6 “(B) translate techniques, processes, and
7 technologies, from the conceptual phase to pro-
8 totype, testing, or demonstration;

9 “(C) develop advanced manufacturing
10 processes and technologies for the domestic
11 manufacturing of novel transportation-related
12 technologies; and

13 “(D) accelerate transformational techno-
14 logical advances in areas in which industry enti-
15 ties are unlikely to carry out projects due to
16 technical and financial uncertainty.

17 ~~“(d) DIRECTOR.—~~

18 ~~“(1) APPOINTMENT.—ARPA-I shall be headed~~
19 ~~by a Director, who shall be appointed by the Presi-~~
20 ~~dent, by and with the advice and consent of the Sen-~~
21 ~~ate.~~

22 ~~“(2) QUALIFICATIONS.—The Director shall be~~
23 ~~an individual who, by reason of professional back-~~
24 ~~ground and experience, is especially qualified to ad-~~
25 ~~vice the Secretary regarding, and manage research~~

1 programs addressing, matters relating to the devel-
2 opment of science and technology solutions to ad-
3 vance United States transportation infrastructure.

4 “(3) RELATIONSHIP TO SECRETARY.—The Di-
5 rector shall—

6 “(A) be located within the Office of the As-
7 sistant Secretary for Research and Technology;
8 and

9 “(B) report to the Secretary.

10 “(4) RELATIONSHIP TO OTHER PROGRAMS.—
11 No other program within the Department shall re-
12 port to the Director.

13 “(5) RESPONSIBILITIES.—The responsibilities
14 of the Director shall include—

15 “(A) approving new programs within
16 ARPA-I;

17 “(B) developing funding criteria, and as-
18 sessed the success of programs, to achieve the
19 goals described in subsection (c)(1) through the
20 establishment of technical milestones;

21 “(C) administering available funding by
22 providing to eligible entities assistance to
23 achieve the goals described in subsection (c)(1);

1 “(D) terminating programs carried out
2 under this section that are not achieving the
3 goals of the programs; and

4 “(E) establishing a process through which
5 eligible entities can submit to ARPA-I unsolic-
6 ited research proposals for assistance under this
7 section in accordance with subsection (f).

8 “(e) PERSONNEL.—

9 “(1) IN GENERAL.—The Director shall establish
10 and maintain within ARPA-I a staff with sufficient
11 qualifications and expertise to enable ARPA-I to
12 carry out the responsibilities under this section, in
13 conjunction with other operations of the Depart-
14 ment.

15 “(2) PROGRAM DIRECTORS.—

16 “(A) IN GENERAL.—The Director shall
17 designate employees to serve as program direc-
18 tors for ARPA-I.

19 “(B) RESPONSIBILITIES.—Each program
20 director shall be responsible for—

21 “(i) establishing research and develop-
22 ment goals for the applicable program, in-
23 cluding by convening workshops and con-
24 ferring with outside experts;

1 “(ii) publicizing the goals of the appli-
2 eable program;

3 “(iii) soliciting applications for spe-
4 cific areas of particular promise, especially
5 in areas that the private sector or the Fed-
6 eral Government are not likely to carry out
7 absent assistance from ARPA-I;

8 “(iv) establishing research collabora-
9 tions for carrying out the applicable pro-
10 gram;

11 “(v) selecting on the basis of merit
12 each project to be supported under the ap-
13 plicable program, taking into consider-
14 ation—

15 “(I) the novelty and scientific
16 and technical merit of proposed
17 projects;

18 “(II) the demonstrated capabili-
19 ties of eligible entities to successfully
20 carry out proposed projects;

21 “(III) the extent to which an eli-
22 gible entity took into consideration fu-
23 ture commercial applications of a pro-
24 posed project, including the feasibility

1 of partnering with 1 or more commer-
2 cial entities; and

3 ~~“(IV) such other criteria as the~~
4 ~~Director may establish;~~

5 ~~“(vi) identifying innovative cost-shar-~~
6 ~~ing arrangements for projects carried out~~
7 ~~or funded by ARPA-I;~~

8 ~~“(vii) monitoring the progress of~~
9 ~~projects supported under the applicable~~
10 ~~program;~~

11 ~~“(viii) identifying mechanisms for~~
12 ~~commercial application of successful tech-~~
13 ~~nology development projects, including~~
14 ~~through establishment of partnerships be-~~
15 ~~tween eligible entities and commercial enti-~~
16 ~~ties; and~~

17 ~~“(ix) as applicable, recommending—~~

18 ~~“(I) program restructuring; or~~

19 ~~“(II) termination of applicable~~
20 ~~research partnerships or projects.~~

21 ~~“(C) TERM OF SERVICE.—A program di-~~
22 ~~rector—~~

23 ~~“(i) shall serve for a term of 3 years;~~

24 ~~and~~

1 “(ii) may be reappointed for any sub-
2 sequent term of service.

3 ~~“(3) HIRING AND MANAGEMENT.—~~

4 ~~“(A) IN GENERAL.—The Director may—~~

5 ~~“(i) make appointments of scientific,~~
6 ~~engineering, and professional personnel,~~
7 ~~without regard to the civil service laws;~~

8 ~~“(ii) fix the basic pay of such per-~~
9 ~~sonnel at such rate as the Director may~~
10 ~~determine, but not to exceed level II of the~~
11 ~~Executive Schedule, without regard to the~~
12 ~~civil service laws; and~~

13 ~~“(iii) pay an employee appointed~~
14 ~~under this subparagraph payments in addi-~~
15 ~~tion to basic pay, subject to the condition~~
16 ~~that the total amount of those additional~~
17 ~~payments for any 12-month period shall~~
18 ~~not exceed the least of—~~

19 ~~“(I) \$25,000;~~

20 ~~“(II) an amount equal to 25 per-~~
21 ~~cent of the annual rate of basic pay of~~
22 ~~the employee; and~~

23 ~~“(III) the amount of the applica-~~
24 ~~ble limitation for a calendar year~~
25 ~~under section 5307(a)(1) of title 5.~~

1 “(B) PRIVATE RECRUITING FIRMS.—The
2 Director may enter into a contract with a pri-
3 vate recruiting firm for the hiring of qualified
4 technical staff to carry out this section.

5 “(C) ADDITIONAL STAFF.—The Director
6 may use all authorities available to the Sec-
7 retary to hire administrative, financial, and
8 clerical staff, as the Director determines to be
9 necessary to carry out this section.

10 “(f) RESEARCH PROPOSALS.—

11 “(1) IN GENERAL.—To be eligible to receive as-
12 sistance from ARPA-I, an eligible entity may submit
13 to the Director an unsolicited research proposal at
14 such time, in such manner, and containing such in-
15 formation as the Director may require, including a
16 description of—

17 “(A) the extent of current and prior efforts
18 with respect to the project proposed to be ear-
19 ried out using the assistance, if applicable; and

20 “(B) any current or prior investments in
21 the technology area for which funding is re-
22 quested, including as described in subsection
23 (e)(2)(D).

24 “(2) REVIEW.—The Director—

1 “(A) shall review each unsolicited research
2 proposal submitted under paragraph (1), taking
3 into consideration—

4 “(i) the novelty and scientific and
5 technical merit of the research proposal;

6 “(ii) the demonstrated capabilities of
7 the applicant to successfully carry out the
8 research proposal;

9 “(iii) the extent to which the applicant
10 took into consideration future commercial
11 applications of the proposed research
12 project, including the feasibility of
13 partnering with 1 or more commercial enti-
14 ties; and

15 “(iv) such other criteria as the Direc-
16 tor may establish;

17 “(B) may approve a research proposal if
18 the Director determines that the research is in
19 accordance with—

20 “(i) the goals described in subsection
21 (e)(1); or

22 “(ii) an applicable transportation re-
23 search and development strategic plan de-
24 veloped under section 6503; and

1 “(C)(i) if funding is denied for the re-
 2 search proposal; shall provide to the eligible en-
 3 tity that submitted the proposal a written no-
 4 tice of the denial that, as applicable—

5 “(I) explains why the research pro-
 6 posal was not selected, including whether
 7 the research proposal fails to cover an area
 8 of need; and

9 “(II) recommends that the research
 10 proposal be submitted to another research
 11 program; or

12 “(ii) if the research proposal is approved
 13 for funding; shall provide to the eligible entity
 14 that submitted the proposal—

15 “(I) a written notice of the approval;
 16 and

17 “(II) assistance in accordance with
 18 subsection (g) for the proposed research.

19 “(g) FORMS OF ASSISTANCE.—On approval of a re-
 20 search proposal of an eligible entity under subsection
 21 (f)(2)(B), the Director may provide to the eligible entity
 22 assistance in the form of—

23 “(1) a grant;

24 “(2) a contract;

25 “(3) a cooperative agreement;

1 “(4) a cash prize; or

2 “(5) another, similar form of funding.

3 “(h) ~~REPORTS AND ROADMAPS.—~~

4 “(1) ~~ANNUAL REPORTS.—~~For each fiscal year,
5 the Director shall provide to the Secretary, for inclu-
6 sion in the budget request submitted by the Sec-
7 retary to the President under section 1108 of title
8 31 for the fiscal year, a report that, with respect to
9 the preceding fiscal year, describes—

10 “(A) the projects that received assistance
11 from ~~ARPA-I~~, including—

12 “(i) each such project that was funded
13 as a result of an unsolicited research pro-
14 posal; and

15 “(ii) each such project that examines
16 topics or technologies closely related to
17 other activities funded by the Department,
18 including an analysis of whether the Direc-
19 tor achieved compliance with subsection
20 (i)(1) in supporting the project; and

21 “(B) the instances of, and reasons for, the
22 provision of assistance under this section for
23 any projects being carried out by industry enti-
24 ties.

1 ~~“(2) STRATEGIC VISION ROADMAP.—Not later~~
2 ~~than October 1, 2022, and not less frequently than~~
3 ~~once every 4 years thereafter, the Director shall sub-~~
4 ~~mit to the relevant authorizing and appropriations~~
5 ~~committees of Congress a roadmap describing the~~
6 ~~strategic vision that ARPA-I will use to guide the~~
7 ~~selection of future projects for technology investment~~
8 ~~during the 4-fiscal-year period beginning on the date~~
9 ~~of submission of the report.~~

10 ~~“(i) COORDINATION AND NONDUPLICATION.—To the~~
11 ~~maximum extent practicable, the Director shall ensure~~
12 ~~that—~~

13 ~~“(1) the activities of ARPA-I are coordinated~~
14 ~~with, and do not duplicate the efforts of, programs~~
15 ~~and laboratories within—~~

16 ~~“(A) the Department; and~~

17 ~~“(B) other relevant research agencies; and~~

18 ~~“(2) no funding is provided by ARPA-I for a~~
19 ~~project, unless the eligible entity proposing the~~
20 ~~project—~~

21 ~~“(A) demonstrates sufficient attempts to~~
22 ~~secure private financing; or~~

23 ~~“(B) indicates that the project is not inde-~~
24 ~~pendently commercially viable.~~

1 ~~“(j) FEDERAL DEMONSTRATION OF TECH-~~
 2 ~~NOLOGIES.—The Director shall seek opportunities to part-~~
 3 ~~ner with purchasing and procurement programs of Federal~~
 4 ~~agencies to demonstrate technologies resulting from activi-~~
 5 ~~ties funded through ARPA-I.~~

6 ~~“(k) PARTNERSHIPS.—The Director shall seek op-~~
 7 ~~portunities to enter into contracts or partnerships with mi-~~
 8 ~~nority-serving institutions (as described in any of para-~~
 9 ~~graphs (1) through (7) of section 371(a) of the Higher~~
 10 ~~Education Act of 1965 (20 U.S.C. 1067q(a))—~~

11 ~~“(1) to accomplish the goals of ARPA-I;~~

12 ~~“(2) to develop institutional capacity in ad-~~
 13 ~~vanced transportation infrastructure technologies~~
 14 ~~and materials;~~

15 ~~“(3) to engage underserved populations in de-~~
 16 ~~veloping, demonstrating, and deploying those tech-~~
 17 ~~nologies and materials; and~~

18 ~~“(4) to otherwise address the needs of ARPA-~~
 19 ~~I.~~

20 ~~“(l) UNIVERSITY TRANSPORTATION CENTERS.—The~~
 21 ~~Director may—~~

22 ~~“(1) partner with university transportation cen-~~
 23 ~~ters under section 5505 to accomplish the goals, and~~
 24 ~~address the needs, of ARPA-I; and~~

1 ~~“(2) sponsor and select for funding, in accord-~~
2 ~~ance with section 5505, competitively selected uni-~~
3 ~~versity transportation center grants, in addition to~~
4 ~~the assistance provided under section 5505, to ad-~~
5 ~~dress targeted technology and material goals of~~
6 ~~ARPA-I.~~

7 ~~“(m) ADVICE.—~~

8 ~~“(1) ADVISORY COMMITTEES.—The Director~~
9 ~~may seek advice regarding any aspect of ARPA-I~~
10 ~~from—~~

11 ~~“(A) an existing advisory committee, of-~~
12 ~~fice, or other group within the Department; and~~

13 ~~“(B) a new advisory committee organized~~
14 ~~to support the programs of ARPA-I by pro-~~
15 ~~viding advice and assistance regarding—~~

16 ~~“(i) specific program tasks; or~~

17 ~~“(ii) the overall direction of ARPA-I.~~

18 ~~“(2) ADDITIONAL SOURCES.—In carrying out~~
19 ~~this section, the Director may seek advice and review~~
20 ~~from—~~

21 ~~“(A) the President’s Council of Advisors~~
22 ~~on Science and Technology;~~

23 ~~“(B) the Advanced Research Projects~~
24 ~~Agency—Energy; and~~

1 “(C) any professional or scientific organi-
2 zation with expertise relating to specific proe-
3 esses or technologies under development by
4 ARPA-I.

5 “(n) EVALUATION.—

6 “(1) IN GENERAL.—Not later than December
7 27, 2024, the Secretary may enter into an arrange-
8 ment with the National Academy of Sciences under
9 which the National Academy shall conduct an eval-
10 uation of the achievement by ARPA-I of the goals
11 described in subsection (e)(1).

12 “(2) INCLUSIONS.—The evaluation under para-
13 graph (1) may include—

14 “(A) a recommendation regarding whether
15 ARPA-I should be continued;

16 “(B) a recommendation regarding whether
17 ARPA-I, or the Department generally, should
18 continue to allow entities to submit unsolicited
19 research proposals; and

20 “(C) a description of—

21 “(i) the lessons learned from the oper-
22 ation of ARPA-I; and

23 “(ii) the manner in which those les-
24 sons may apply to the operation of other
25 programs of the Department.

1 “(3) AVAILABILITY.—On completion of the
2 evaluation under paragraph (1), the evaluation shall
3 be made available to—

4 “(A) Congress; and

5 “(B) the public.

6 “(o) PROTECTION OF INFORMATION.—

7 “(1) IN GENERAL.—Each type of information
8 described in paragraph (2) that is collected by
9 ARPA-I from eligible entities shall be considered to
10 be—

11 “(A) commercial and financial information
12 obtained from a person;

13 “(B) privileged or confidential; and

14 “(C) not subject to disclosure under sec-
15 tion 552(b)(4) of title 5.

16 “(2) DESCRIPTION OF TYPES OF INFORMA-
17 TION.—The types of information referred to in para-
18 graph (1) are—

19 “(A) information relating to plans for com-
20 mercialization of technologies developed using
21 assistance provided under this section, including
22 business plans, technology-to-market plans,
23 market studies, and cost and performance mod-
24 els;

1 “(B) information relating to investments
2 provided to an eligible entity from a third party
3 (such as a venture capital firm, a hedge fund,
4 and a private equity firm); including any per-
5 centage of ownership of an eligible entity pro-
6 vided in return for such an investment;

7 “(C) information relating to additional fi-
8 nancial support that the eligible entity—

9 “(i) plans to invest, or has invested,
10 in the technology developed using assist-
11 ance provided under this section; or

12 “(ii) is seeking from a third party;
13 and

14 “(D) information relating to revenue from
15 the licensing or sale of a new product or service
16 resulting from research conducted using assist-
17 ance provided under this section.

18 “(p) EFFECT ON EXISTING AUTHORITIES.—The au-
19 thority provided by this section—

20 “(1) shall be in addition to any existing author-
21 ity provided to the Secretary; and

22 “(2) shall not supersede or modify any other
23 existing authority.

24 “(q) FUNDING.—

1 “(1) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to the Sec-
3 retary such sums as are necessary to carry out this
4 section.

5 “(2) SEPARATE BUDGET AND APPROPRIA-
6 TION.—

7 “(A) BUDGET REQUEST.—The budget re-
8 quest for ARPA-I shall be separate from the
9 budget request of the remainder of the Depart-
10 ment.

11 “(B) APPROPRIATIONS.—The funding ap-
12 propriated for ARPA-I shall be separate and
13 distinct from the funding appropriated for the
14 remainder of the Department.

15 “(3) ALLOCATION.—Of the amounts made
16 available for a fiscal year under paragraph (1)—

17 “(A) not less than 5 percent shall be used
18 for technology transfer and outreach activi-
19 ties—

20 “(i) in accordance with the goal de-
21 scribed in subsection (e)(2)(D); and

22 “(ii) within the responsibilities of the
23 program directors described in subsection
24 (e)(2)(B)(viii); and

1 “(B) none may be used for the construc-
 2 tion of any new building or facility during the
 3 5-year period beginning on the date of enact-
 4 ment of the Surface Transportation Investment
 5 Act of 2021.”.

6 (b) ~~CLERICAL AMENDMENT.~~—The analysis for chap-
 7 ter 1 of title 49, United States Code (as amended by sec-
 8 tion 1101(b)), is amended by adding at the end the fol-
 9 lowing:

 “119. Advanced Research Projects Agency—Infrastructure.”.

10 **SEC. 5014. OPEN RESEARCH INITIATIVE.**

11 (a) ~~IN GENERAL.~~—Subchapter I of chapter 55 of title
 12 49, United States Code, is amended by adding at the end
 13 the following:

14 **“§ 5506. Advanced transportation research initiative**

15 “(a) ~~DEFINITION OF ELIGIBLE ENTITY.~~—In this sec-
 16 tion, the term ‘eligible entity’ means—

17 “(1) a State agency;

18 “(2) a local government agency;

19 “(3) an institution of higher education (as de-
 20 fined in section 102 of the Higher Education Act of
 21 1965 (20 U.S.C. 1002)), including a university
 22 transportation center established under section
 23 5505;

24 “(4) a nonprofit organization, including a non-
 25 profit research organization; and

1 “(5) a private sector organization working in
2 collaboration with an entity described in any of
3 paragraphs (1) through (4).

4 “(b) PILOT PROGRAM.—The Secretary of Transpor-
5 tation (referred to in this section as the ‘Secretary’) shall
6 establish an advanced transportation research pilot pro-
7 gram under which the Secretary—

8 “(1) shall establish a process for eligible entities
9 to submit to the Secretary unsolicited research pro-
10 posals; and

11 “(2) may enter into arrangements with 1 or
12 more eligible entities to fund research proposed
13 under paragraph (1), in accordance with this sec-
14 tion.

15 “(c) ELIGIBLE RESEARCH.—The Secretary may
16 enter into an arrangement with an eligible entity under
17 this section to fund research that addresses—

18 “(1) a research need identified by—

19 “(A) the Secretary; or

20 “(B) the Administrator of a modal admin-
21 istration of the Department of Transportation;

22 or

23 “(2) an issue that the Secretary determines to
24 be important.

25 “(d) PROJECT REVIEW.—The Secretary shall—

1 “(1) review each research proposal submitted
2 under the pilot program established under sub-
3 section (b); and

4 “(2)(A) if funding is denied for the research
5 proposal—

6 “(i) provide to the eligible entity that sub-
7 mitted the proposal a written notice of the de-
8 nial that, as applicable—

9 “(I) explains why the research pro-
10 posal was not selected, including whether
11 the research proposal fails to cover an area
12 of need; and

13 “(II) recommends that the research
14 proposal be submitted to another research
15 program; and

16 “(ii) if the Secretary recommends that the
17 research proposal be submitted to another re-
18 search program under clause (i)(II), provide
19 guidance and direction to—

20 “(I) the eligible entity; and

21 “(II) the proposed research program
22 office; or

23 “(B) if the research proposal is selected for
24 funding—

1 “(i) provide to the eligible entity that sub-
2 mitted the proposal a written notice of the se-
3 lection; and

4 “(ii) seek to enter into an arrangement
5 with the eligible entity to provide funding for
6 the proposed research.

7 “(e) COORDINATION.—

8 “(1) IN GENERAL.—To the maximum extent
9 practicable, the Secretary shall ensure that the ac-
10 tivities carried out under subsection (e) are coordi-
11 nated with, and do not duplicate the efforts of, pro-
12 grams of the Department of Transportation and
13 other Federal agencies.

14 “(2) INTRAAGENCY COORDINATION.—The Sec-
15 retary shall coordinate the research carried out
16 under this section with—

17 “(A) the research, education, and tech-
18 nology transfer activities carried out by grant
19 recipients under section 5505; and

20 “(B) the research, development, dem-
21 onstration, and commercial application activities
22 of other relevant programs of the Department
23 of Transportation, including all modal adminis-
24 trations of the Department.

1 “(3) INTERAGENCY COLLABORATION.—The
2 Secretary shall coordinate, as appropriate, regarding
3 fundamental research with the potential for applica-
4 tion in the transportation sector with—

5 “(A) the Director of the Office of Science
6 and Technology Policy;

7 “(B) the Director of the National Science
8 Foundation;

9 “(C) the Secretary of Energy;

10 “(D) the Director of the National Institute
11 of Standards and Technology;

12 “(E) the Secretary of Homeland Security;

13 “(F) the Administrator of the National
14 Oceanic and Atmospheric Administration;

15 “(G) the Secretary of Defense; and

16 “(H) the heads of other appropriate Fed-
17 eral agencies, as determined by the Secretary.

18 “(f) REVIEW, EVALUATION, AND REPORT.—Not less
19 frequently than biennially, in accordance with the plan de-
20 veloped under section 6503, the Secretary shall—

21 “(1) review and evaluate the pilot program es-
22 tablished under subsection (b), including the re-
23 search carried out under that pilot program; and

1 “(2) make public on a website of the Depart-
2 ment of Transportation a report describing the re-
3 view and evaluation under paragraph (1).

4 “(g) FEDERAL SHARE.—

5 “(1) IN GENERAL.—The Federal share of the
6 cost of an activity carried out under this section
7 shall not exceed 80 percent.

8 “(2) NON-FEDERAL SHARE.—All costs directly
9 incurred by the non-Federal partners (including per-
10 sonnel, travel, facility, and hardware development
11 costs) shall be credited toward the non-Federal
12 share of the cost of an activity carried out under
13 this section.

14 “(h) LIMITATION ON CERTAIN EXPENSES.—Of any
15 amounts made available to carry out this section for a fis-
16 cal year, the Secretary may use not more than 1.5 percent
17 for coordination, evaluation, and oversight activities under
18 this section.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—Of the
20 funds made available to carry out the university transpor-
21 tation centers program under section 5505, \$50,000,000
22 shall be available to carry out this section for each of fiscal
23 years 2022 through 2026.”.

1 (b) CLERICAL AMENDMENT.—The analysis for sub-
 2 chapter I of chapter 55 of title 49, United States Code,
 3 is amended by adding at the end the following:

“5506. Advanced transportation research initiative.”

4 **SEC. 5015. TRANSPORTATION RESEARCH AND DEVELOP-**
 5 **MENT 5-YEAR STRATEGIC PLAN.**

6 Section 6503 of title 49, United States Code, is
 7 amended—

8 (1) in subsection (a), by striking “The Sec-
 9 retary” and inserting “Not later than 180 days after
 10 the date of publication of the Department of Trans-
 11 portation Strategic Plan and not less frequently
 12 than once every 5 years thereafter, the Secretary”;

13 (2) in subsection (b), in the matter preceding
 14 paragraph (1), by striking “The strategic” and in-
 15 serting “Each strategic”;

16 (3) in subsection (c)—

17 (A) in the matter preceding paragraph (1),
 18 by striking “The strategic” and inserting
 19 “Each strategic”; and

20 (B) in paragraph (1)—

21 (i) in subparagraph (E), by striking
 22 “and” at the end;

23 (ii) in subparagraph (F), by adding
 24 “and” after the semicolon at the end; and

1 (iii) by adding at the end the fol-
 2 lowing:

3 “(G) reducing transportation cybersecurity
 4 risks;”;

5 (4) in subsection (d)—

6 (A) in the matter preceding paragraph (1),
 7 by striking “the strategic” and inserting “each
 8 strategic”; and

9 (B) in paragraph (4), by striking “2016”
 10 and inserting “2021, and not less frequently
 11 than once every 5 years thereafter”; and

12 (5) by striking subsection (e).

13 **SEC. 5016. RESEARCH PLANNING MODIFICATIONS.**

14 (a) ANNUAL MODAL RESEARCH PLANS.—Section
 15 6501 of title 49, United States Code, is amended—

16 (1) in subsection (a)—

17 (A) by striking paragraph (1) and insert-
 18 ing the following:

19 “(1) IN GENERAL.—Not later than June 1 of
 20 each year, the head of each modal administration
 21 and joint program office of the Department of
 22 Transportation shall prepare and submit to the As-
 23 sistant Secretary for Research and Technology of
 24 the Department of Transportation (referred to in
 25 this chapter as the ‘Assistant Secretary’)—

1 “(A) a comprehensive annual modal re-
2 search plan for the following fiscal year; and

3 “(B) a detailed outlook for the fiscal year
4 thereafter.”;

5 (B) in paragraph (2), by inserting “pre-
6 pared or” before “submitted”;

7 (C) by redesignating paragraph (2) as
8 paragraph (3); and

9 (D) by inserting after paragraph (1) the
10 following:

11 “(2) REQUIREMENTS.—Each plan under para-
12 graph (1) shall include—

13 “(A) a general description of the strategic
14 goals of the Department that are addressed by
15 the research programs being carried out by the
16 Assistant Secretary or modal administration, as
17 applicable;

18 “(B) a description of each proposed re-
19 search program, as described in the budget re-
20 quest submitted by the Secretary of Transpor-
21 tation to the President under section 1108 of
22 title 31 for the following fiscal year, including—

23 “(i) the major objectives of the pro-
24 gram; and

1 “(ii) the requested amount of funding
2 for each program and area;

3 “(C) a list of activities the Assistant Sec-
4 retary or modal administration plans to carry
5 out under the research programs described in
6 subparagraph (B);

7 “(D) an assessment of the potential impact
8 of the research programs described in subpara-
9 graph (B), including—

10 “(i) potential outputs, outcomes, and
11 impacts on technologies and practices used
12 by entities subject to the jurisdiction of the
13 modal administration;

14 “(ii) potential effects on applicable
15 regulations of the modal administration,
16 including the modification or moderniza-
17 tion of those regulations;

18 “(iii) potential economic or societal
19 impacts; and

20 “(iv) progress made toward achieving
21 strategic goals of—

22 “(I) the applicable modal admin-
23 istration; or

24 “(II) the Department of Trans-
25 portation;

1 “(E) a description of potential partner-
2 ships to be established to conduct the research
3 program, including partnerships with—

4 “(i) institutions of higher education;

5 and

6 “(ii) private sector entities; and

7 “(F) such other requirements as the As-
8 sistant Secretary considers to be necessary.”;

9 (2) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) in the matter preceding subpara-
12 graph (A), by inserting “by the head of a
13 modal administration or joint program of-
14 fice” after “submitted”; and

15 (ii) in subparagraph (B), by striking
16 clause (ii) and inserting the following:

17 “(ii) request that the plan and outlook
18 be—

19 “(I) revised in accordance with
20 such suggestions as the Assistant Sec-
21 retary shall include to ensure con-
22 formity with the criteria described in
23 paragraph (2); and

24 “(II) resubmitted to the Assist-
25 ant Secretary for approval.”;

1 (B) by redesignating paragraphs (2) and
2 (3) as paragraphs (3) and (4), respectively;

3 (C) by inserting after paragraph (1) the
4 following:

5 “(2) CRITERIA.—In conducting a review under
6 paragraph (1)(A), the Assistant Secretary shall, with
7 respect to the modal research plan that is the sub-
8 ject of the review—

9 “(A) take into consideration whether—

10 “(i) the plan contains research objec-
11 tives that are consistent with the strategic
12 research and policy objectives of the De-
13 partment of Transportation included in the
14 strategic plan required under section 6503;
15 and

16 “(ii) the research programs described
17 in the plan have the potential to benefit
18 the safety, mobility, and efficiency of the
19 United States transportation system;

20 “(B) identify and evaluate any potential
21 opportunities for collaboration between or
22 among modal administrations with respect to
23 particular research programs described in the
24 plan;

1 “(C) identify and evaluate whether other
2 modal administrations may be better suited to
3 carry out the research programs described in
4 the plan;

5 “(D) assess whether any projects described
6 in the plan are—

7 “(i) duplicative across modal adminis-
8 trations; or

9 “(ii) unnecessary; and

10 “(E) take into consideration such other
11 criteria as the Assistant Secretary determines
12 to be necessary.”; and

13 (D) by adding at the end the following:

14 “(5) SAVINGS CLAUSE.—Nothing in this sub-
15 section limits the ability of the head of a modal ad-
16 ministration to comply with applicable law.”; and

17 (3) in subsection (c), in the matter preceding
18 paragraph (1), by striking “subsection (b)(3)” and
19 inserting “subsection (b)(4).

20 (b) CONSOLIDATED RESEARCH DATABASE.—Section
21 6502(a) of title 49, United States Code, is amended by
22 striking the subsection designation and heading and all
23 that follows through subparagraph (B) of paragraph (2)
24 and inserting the following:

25 “(a) RESEARCH ABSTRACT DATABASE.—

1 “(1) SUBMISSION.—Not later than September 1
2 of each year, the head of each modal administration
3 and joint program office of the Department of
4 Transportation shall submit to the Assistant Sec-
5 retary, for review and public posting, a description
6 of each proposed research project to be carried out
7 during the following fiscal year, including—

8 “(A) proposed funding for any new
9 projects; and

10 “(B) proposed additional funding for any
11 existing projects.

12 “(2) PUBLICATION.—Not less frequently than
13 annually, after receiving the descriptions under para-
14 graph (1), the Assistant Secretary shall publish on
15 a public website a comprehensive database including
16 a description of all research projects conducted by
17 the Department of Transportation, including re-
18 search funded through university transportation cen-
19 ters under section 5505.

20 “(3) CONTENTS.—The database published
21 under paragraph (2) shall—

22 “(A) be delimited by research project; and

23 “(B) include a description of, with respect
24 to each research project—

25 “(i) research objectives;

1 “(ii) the progress made with respect
2 to the project, including whether the
3 project is ongoing or complete;

4 “(iii) any outcomes of the project, in-
5 cluding potential implications for policy,
6 regulations, or guidance issued by a modal
7 administration or the Department of
8 Transportation;

9 “(iv) any findings of the project;

10 “(v) the amount of funds allocated for
11 the project; and

12 “(vi) such other information as the
13 Assistant Secretary determines to be nec-
14 essary to address Departmental priorities
15 and statutory mandates;”.

16 **SEC. 5017. INCORPORATION OF DEPARTMENT OF TRANS-**
17 **PORTATION RESEARCH.**

18 (a) **IN GENERAL.**—Chapter 65 of title 49, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 **“§ 6504. Incorporation of Department of Transpor-**
22 **tation research**

23 “(a) **REVIEW.**—Not later than December 31, 2021,
24 and not less frequently than once every 5 years thereafter,

1 in concurrence with the applicable strategic plan under
2 section 6503, the Secretary of Transportation shall—

3 “(1) conduct a review of research conducted by
4 the Department of Transportation; and

5 “(2) to the maximum extent practicable and ap-
6 propriate, identify modifications to laws, regulations,
7 guidance, and other policy documents to incorporate
8 any innovations resulting from the research de-
9 scribed in paragraph (1) that have the potential to
10 improve the safety or efficiency of the United States
11 transportation system.

12 “(b) REQUIREMENTS.—In conducting a review under
13 subsection (a), the Secretary of Transportation shall—

14 “(1) identify any innovative practices, mate-
15 rials, or technologies that have demonstrable benefits
16 to the transportation system;

17 “(2) determine whether the practices, materials,
18 or technologies described in paragraph (1) require
19 any statutory or regulatory modifications for adop-
20 tion; and

21 “(3)(A) if modifications are determined to be
22 required under paragraph (2), develop—

23 “(i) a proposal for those modifications; and

24 “(ii) a description of the manner in which
25 any such regulatory modifications would be—

1 “(I) incorporated into the Unified
2 Regulatory Agenda; or

3 “(II) adopted into existing regulations
4 as soon as practicable; or

5 “(B) if modifications are determined not to be
6 required under paragraph (2), develop a description
7 of the means by which the practices, materials, or
8 technologies described in paragraph (1) will other-
9 wise be incorporated into Department of Transpor-
10 tation or modal administration policy or guidance,
11 including as part of the Technology Transfer Pro-
12 gram of the Office of the Assistant Secretary for Re-
13 search and Technology.

14 “(e) REPORT.—On completion of each review under
15 subsection (a), the Secretary of Transportation shall sub-
16 mit to the appropriate committees of Congress a report
17 describing, with respect to the period covered by the re-
18 port—

19 “(1) each new practice, material, or technology
20 identified under subsection (b)(1); and

21 “(2) any statutory or regulatory modification
22 for the adoption of such a practice, material, or
23 technology that—

24 “(A) is determined to be required under
25 subsection (b)(2); or

1 “(B) was otherwise made during that pe-
2 riod.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 65 of title 49, United States Code, is amended by add-
5 ing at the end the following:

“6504. Incorporation of Department of Transportation research.”.

6 **SEC. 5018. UNIVERSITY TRANSPORTATION CENTERS PRO-**
7 **GRAM.**

8 Section 5505 of title 49, United States Code, is
9 amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by inserting “of
12 Transportation, acting through the Assistant
13 Secretary for Research and Technology (re-
14 ferred to in this section as the ‘Secretary’),”
15 after “The Secretary”; and

16 (B) in paragraph (2)—

17 (i) in subparagraph (B), by inserting
18 “multimodal” after “critical”; and

19 (ii) in subparagraph (C), by inserting
20 “with respect to the matters described in
21 subparagraphs (A) through (G) of section
22 6503(e)(1)” after “transportation leaders”;

23 (2) in subsection (b)—

24 (A) in paragraph (2)(A), by striking “for
25 each of the transportation centers described

1 under paragraphs (2), (3), and (4) of sub-
2 section (c)” and inserting “as a lead institution
3 under this section, except as provided in sub-
4 paragraph (B)”;

5 (B) in paragraph (4)—

6 (i) in subparagraph (A), by striking
7 “identified in chapter 65” and inserting
8 “described in subparagraphs (A) through
9 (G) of section 6503(e)(1)”;

10 (ii) in subparagraph (B), in the mat-
11 ter preceding clause (i), by striking “the
12 Assistant Secretary” and all that follows
13 through “modal administrations” and in-
14 serting “the heads of the modal adminis-
15 trations of the Department of Transpor-
16 tation,”; and

17 (C) in paragraph (5)(B), in the matter
18 preceding clause (i), by striking “submit” and
19 all that follows through “of the Senate” and in-
20 serting “make available to the public on a
21 website of the Department of Transportation”;

22 (3) in subsection (c)(3)(E)—

23 (A) by inserting “, including the cybersecu-
24 rity implications of technologies relating to con-
25 nected vehicles, connected infrastructure, and

1 autonomous vehicles” after “autonomous vehi-
2 cles”; and

3 (B) by striking “The Secretary” and in-
4 serting the following:

5 “(i) IN GENERAL.—A regional univer-
6 sity transportation center receiving a grant
7 under this paragraph shall carry out re-
8 search focusing on 1 or more of the mat-
9 ters described in subparagraphs (A)
10 through (G) of section 6503(c)(1).

11 “(ii) FOCUSED OBJECTIVES.—The
12 Secretary”; and

13 (4) in subsection (d)—

14 (A) in paragraph (2)—

15 (i) in the paragraph heading, by strik-
16 ing “ANNUAL REVIEW” and inserting “RE-
17 VIEW”;

18 (ii) in the matter preceding subpara-
19 graph (A), by striking “annually” and in-
20 serting “biennially”; and

21 (iii) in subparagraph (B), by striking
22 “submit” and all that follows through “of
23 the Senate” and inserting “make available
24 to the public on a website of the Depart-
25 ment of Transportation”; and

1 (B) in paragraph (3), by striking “2016
2 through 2020” and inserting “2022 through
3 2026”.

4 **SEC. 5019. NATIONAL TRAVEL AND TOURISM INFRASTRUC-**
5 **TURE STRATEGIC PLAN.**

6 Section 1431(e) of the FAST Act (49 U.S.C. 301
7 note; Public Law 114–94) is amended—

8 (1) by redesignating paragraphs (1) through
9 (7) as subparagraphs (A) through (G), respectively,
10 and indenting appropriately;

11 (2) in the matter preceding subparagraph (A)
12 (as so redesignated)—

13 (A) by striking “Not later than 3 years
14 after the date of enactment of this Act” and in-
15 serting “Not later than 180 days after the date
16 of enactment of the Surface Transportation In-
17 vestment Act of 2021”; and

18 (B) by striking “plan that includes” and
19 inserting the following: “plan—

20 “(1) to develop an immediate-term and long-
21 term strategy, including policy recommendations
22 across all modes of transportation, for the Depart-
23 ment and other agencies to use infrastructure invest-
24 ments to revive the travel and tourism industry and
25 the overall travel and tourism economy in the wake

1 of the Coronavirus Disease 2019 (COVID-19) pan-
2 demic; and

3 “(2) that includes”; and

4 (3) in paragraph (2) (as so redesignated)—

5 (A) in subparagraph (A) (as so redesign-
6 ated); by inserting “, including consideration
7 of the impacts of the COVID-19 pandemic”
8 after “network”;

9 (B) in subparagraph (D) (as so redesign-
10 ated); by inserting “of regional significance”
11 after “corridors”;

12 (C) in subparagraph (F) (as so redesign-
13 ated); by striking “and” at the end;

14 (D) in subparagraph (G) (as so redesign-
15 ated); by striking the period at the end and in-
16 serting “, and”; and

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

18 “(H) an identification of possible infra-
19 structure investments that create recovery op-
20 portunities for small, underserved, minority,
21 and rural businesses in the travel and tourism
22 industry, including efforts to preserve and pro-
23 tect the scenic, but often less-traveled, roads
24 that promote tourism and economic develop-
25 ment throughout the United States.”.

1 **SEC. 5020. LOCAL HIRING PREFERENCE FOR CONSTRUC-**
2 **TION JOBS.**

3 (a) **AUTHORIZATION.—**

4 (1) **IN GENERAL.—**A recipient or subrecipient
5 of a grant provided by the Secretary under title 23
6 or 49, United States Code, may implement a local
7 or other geographical or economic hiring preference
8 relating to the use of labor for construction of a
9 project funded by the grant, including prehire agree-
10 ments, subject to any applicable State and local
11 laws, policies, and procedures.

12 (2) **TREATMENT.—**The use of a local or other
13 geographical or economic hiring preference pursuant
14 to paragraph (1) in any bid for a contract for the
15 construction of a project funded by a grant de-
16 scribed in paragraph (1) shall not be considered to
17 unduly limit competition.

18 (b) **WORKFORCE DIVERSITY REPORT.—**Not later
19 than 1 year after the date of enactment of this Act, the
20 Secretary shall submit to Congress a report describing
21 methods—

22 (1) to ensure preapprenticeship programs are
23 established and implemented to meet the needs of
24 employers in transportation and transportation in-
25 frastructure construction industries, including with
26 respect to the formal connection of the

1 preapprenticeship programs to registered apprentice-
2 ship programs;

3 ~~(2) to address barriers to employment (within~~
4 ~~the meaning of the Workforce Innovation and Op-~~
5 ~~portunity Act (29 U.S.C. 3101 et seq.)) in transpor-~~
6 ~~tation and transportation infrastructure construction~~
7 ~~industries for—~~

8 ~~(A) individuals who are former offenders~~
9 ~~(as defined in section 3 of the Workforce Inno-~~
10 ~~vation and Opportunity Act (29 U.S.C. 3102));~~

11 ~~(B) individuals with a disability (as defined~~
12 ~~in section 3 of the Americans with Disabilities~~
13 ~~Act of 1990 (42 U.S.C. 12102)); and~~

14 ~~(C) individuals that represent populations~~
15 ~~that are traditionally underrepresented in the~~
16 ~~workforce; and~~

17 ~~(3) to encourage a recipient or subrecipient im-~~
18 ~~plementing a local or other geographical or economic~~
19 ~~hiring preference pursuant to subsection (a)(1) to~~
20 ~~establish, in coordination with nonprofit organiza-~~
21 ~~tions that represent employees, outreach and sup-~~
22 ~~port programs that increase diversity within the~~
23 ~~workforce, including expanded participation from in-~~
24 ~~dividuals described in subparagraphs (A) through~~
25 ~~(C) of paragraph (2).~~

1 (c) **MODEL PLAN.**—Not later than 1 year after the
2 date of submission of the report under subsection (b), the
3 Secretary shall establish, and publish on the website of
4 the Department, a model plan for use by States, units of
5 local government, and private sector entities to address
6 the issues described in that subsection.

7 **SEC. 5021. TRANSPORTATION WORKFORCE DEVELOPMENT.**

8 (a) **ASSESSMENT.**—The Secretary shall enter into an
9 arrangement with the National Academy of Sciences
10 under which the National Academy shall develop and sub-
11 mit to the Secretary a workforce needs assessment that—

12 (1) addresses—

13 (A) the education and recruitment of tech-
14 nical workers for the intelligent transportation
15 technologies and systems industry;

16 (B) the development of a workforce skilled
17 in various types of intelligent transportation
18 technologies, components, infrastructure, and
19 equipment, including with respect to—

20 (i) installation;

21 (ii) maintenance;

22 (iii) manufacturing;

23 (iv) operations, including data anal-
24 ysis and review; and

25 (v) cybersecurity; and

1 (C) barriers to employment in the intel-
 2 ligent transportation technologies and systems
 3 industry for—

4 (i) individuals who are former offend-
 5 ers (as defined in section 3 of the Work-
 6 force Innovation and Opportunity Act (29
 7 U.S.C. 3102));

8 (ii) individuals with a disability (as
 9 defined in section 3 of the Americans with
 10 Disabilities Act of 1990 (42 U.S.C.
 11 12102)); and

12 (iii) individuals that represent popu-
 13 lations that are traditionally underrep-
 14 resented in the workforce; and

15 (2) includes recommendations relating to the
 16 issues described in paragraph (1).

17 (b) WORKING GROUP.—

18 (1) ESTABLISHMENT.—The Secretary shall es-
 19 tablish a working group, to be composed of—

20 (A) the Secretary of Energy;

21 (B) the Secretary of Labor; and

22 (C) the heads of such other Federal agen-
 23 cies as the Secretary determines to be nec-
 24 essary.

25 (2) IMPLEMENTATION PLAN.—

1 (A) IN GENERAL.—The working group es-
2 tablished under paragraph (1) shall develop an
3 intelligent transportation technologies and sys-
4 tems industry workforce development implanta-
5 tion plan.

6 (B) REQUIREMENTS.—The implementation
7 plan under subparagraph (A) shall address any
8 issues and recommendations included in the
9 needs assessment under subsection (a), taking
10 into consideration a whole-of-government ap-
11 proach with respect to—

12 (i) using registered apprenticeship and
13 preapprenticeship programs; and

14 (ii) re-skilling workers who may be in-
15 terested in working within the intelligent
16 transportation technologies and systems in-
17 dustry.

18 (3) SUBMISSION TO CONGRESS.—Not later than
19 1 year after the date of receipt of the needs assess-
20 ment under subsection (a), the Secretary shall sub-
21 mit to Congress the implementation plan developed
22 under paragraph (2).

23 (c) TRANSPORTATION WORKFORCE OUTREACH PRO-
24 GRAM.—

1 (1) IN GENERAL.—Subchapter I of chapter 55
2 of title 49, United States Code (as amended by sec-
3 tion 5014(a)), is amended by adding at the end the
4 following:

5 **“§ 5507. Transportation workforce outreach program**

6 “(a) IN GENERAL.—The Secretary of Transportation
7 (referred to in this section as the ‘Secretary’) shall estab-
8 lish and administer a transportation workforce outreach
9 program, under which the Secretary shall carry out a se-
10 ries of public service announcement campaigns during
11 each of fiscal years 2022 through 2026.

12 “(b) PURPOSES.—The purpose of the campaigns ear-
13 ried out under the program under this section shall be—

14 “(1) to increase awareness of career opportuni-
15 ties in the transportation sector, including aviation
16 pilots, safety inspectors, mechanics and technicians,
17 air traffic controllers, flight attendants, truck and
18 bus drivers, engineers, transit workers, railroad
19 workers, and other transportation professionals; and

20 “(2) to target awareness of professional oppor-
21 tunities in the transportation sector to diverse seg-
22 ments of the population, including with respect to
23 race, sex, ethnicity, ability (including physical and
24 mental ability), and socioeconomic status.

1 “(c) ADVERTISING.—The Secretary may use, or au-
 2 thorize the use of, amounts made available to carry out
 3 the program under this section for the development, pro-
 4 duction, and use of broadcast, digital, and print media ad-
 5 vertising and outreach in carrying out a campaign under
 6 this section.

7 “(d) FUNDING.—The Secretary may use to carry out
 8 this section any amounts otherwise made available to the
 9 Secretary, not to exceed \$5,000,000, for each of fiscal
 10 years 2022 through 2026.”

11 (2) CLERICAL AMENDMENT.—The analysis for
 12 subchapter I of chapter 55 of title 49, United States
 13 Code (as amended by section 5014(b)), is amended
 14 by adding at the end the following:

“5507. Transportation workforce outreach program.”

15 **SEC. 5022. INTERMODAL TRANSPORTATION ADVISORY**
 16 **BOARD REPEAL.**

17 (a) IN GENERAL.—Section 5502 of title 49, United
 18 States Code, is repealed.

19 (b) CLERICAL AMENDMENT.—The analysis for sub-
 20 chapter I of chapter 55 of title 49, United States Code,
 21 is amended by striking the item relating to section 5502.

22 **SEC. 5023. GAO CYBERSECURITY RECOMMENDATIONS.**

23 (a) CYBERSECURITY RISK MANAGEMENT.—Not later
 24 than 3 years after the date of enactment of this Act, the
 25 Secretary shall implement the recommendation for the De-

1 partment made by the Comptroller General of the United
2 States in the report entitled “Cybersecurity: Agencies
3 Need to Fully Establish Risk Management Programs and
4 Address Challenges”, numbered GAO-19-384, and dated
5 July 2019—

6 (1) by developing a cybersecurity risk manage-
7 ment strategy for the systems and information of
8 the Department;

9 (2) by updating policies to address an organiza-
10 tion-wide risk assessment; and

11 (3) by updating the processes for coordination
12 between cybersecurity risk management functions
13 and enterprise risk management functions.

14 (b) WORK ROLES.—Not later than 3 years after the
15 date of enactment of this Act, the Secretary shall imple-
16 ment the recommendation of the Comptroller General of
17 the United States in the report entitled “Cybersecurity
18 Workforce: Agencies Need to Accurately Categorize Posi-
19 tions to Effectively Identify Critical Staffing Needs”,
20 numbered GAO-19-144, and dated March 2019, by—

21 (1) reviewing positions in the Department; and

22 (2) assigning appropriate work roles in accord-
23 ance with the National Initiative for Cybersecurity
24 Education Cybersecurity Workforce Framework.

25 (c) GAO REVIEW.—

1 (1) REPORT.—Not later than 18 months after
2 the date of enactment of this Act, the Comptroller
3 General of the United States shall submit to the
4 Committee on Commerce, Science, and Transpor-
5 tation of the Senate and the Committee on Trans-
6 portation and Infrastructure of the House of Rep-
7 resentatives a report that examines the approach of
8 the Department to managing cybersecurity for the
9 systems and information of the Department.

10 (2) CONTENTS.—The report under paragraph
11 (1) shall include an evaluation of—

12 (A) the roles, responsibilities, and report-
13 ing relationships of the senior officials of the
14 Department with respect to cybersecurity at the
15 components of the Department;

16 (B) the extent to which officials of the De-
17 partment—

18 (i) establish requirements for, share
19 information with, provide resources to, and
20 monitor the performance of managers with
21 respect to cybersecurity within the compo-
22 nents of the Department; and

23 (ii) hold managers accountable for cy-
24 bersecurity within the components of the
25 Department; and

1 (C) other aspects of cybersecurity, as the
2 Comptroller General of the United States deter-
3 mines to be appropriate.

4 **SEC. 5024. VOLPE OVERSIGHT.**

5 (a) **FINANCIAL MANAGEMENT.**—Not later than 1
6 year after the date of enactment of this Act, the Secretary
7 shall implement the recommendations of the Inspector
8 General of the Department included in the report entitled
9 “DOT Needs to Strengthen Its Oversight of IAAs With
10 Volpe” and dated September 30, 2019, to improve plan-
11 ning, financial management, and the sharing of perform-
12 ance information with respect to intraagency agreements
13 with the John A. Volpe National Transportation Systems
14 Center (referred to in this section as the “Volpe Center”).

15 (b) **GAO REVIEW.**—

16 (1) **IN GENERAL.**—Not later than 2 years after
17 the date of enactment of this Act, the Comptroller
18 General of the United States shall submit to the
19 Committee on Commerce, Science, and Transporta-
20 tion of the Senate and the Committee on Trans-
21 portation and Infrastructure of the House of Rep-
22 resentatives a report that examines the surface
23 transportation activities at the Volpe Center.

24 (2) **CONTENTS.**—The report under paragraph
25 (1) shall include an evaluation of—

1 (A) the amount of Department funding
2 provided to the Volpe Center, as compared to
3 other Federal and non-Federal research part-
4 ners;

5 (B) the process used by the Department to
6 determine whether to work with the Volpe Cen-
7 ter, as compared to any other Federal or non-
8 Federal research partner; and

9 (C) the extent to which the Department is
10 collaborating with the Volpe Center to address
11 research needs relating to emerging issues.

12 **TITLE VI—HAZARDOUS** 13 **MATERIALS**

14 **SEC. 6001. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 5128 of title 49, United States Code, is
16 amended to read as follows:

17 **“§ 5128. Authorization of appropriations**

18 “(a) **IN GENERAL.**—There are authorized to be ap-
19 propriated to the Secretary to carry out this chapter (ex-
20 cept section 5107(e), 5108(g)(2), 5113, 5115, 5116, and
21 5119)—

22 “(1) \$67,000,000 for fiscal year 2022;

23 “(2) \$68,000,000 for fiscal year 2023;

24 “(3) \$69,000,000 for fiscal year 2024;

25 “(4) \$70,000,000 for fiscal year 2025; and

1 “(5) \$71,000,000 for fiscal year 2026.

2 “(b) HAZARDOUS MATERIALS EMERGENCY PRE-
3 PAREDNESS FUND.—From the Hazardous Materials Pre-
4 paredness Fund established under section 5116(h), the
5 Secretary may expend, for each of fiscal years 2022
6 through 2026—

7 “(1) \$39,050,000 to carry out section 5116(a);

8 “(2) \$150,000 to carry out section 5116(e);

9 “(3) \$625,000 to publish and distribute the
10 Emergency Response Guidebook under section
11 5116(h)(3); and

12 “(4) \$1,000,000 to carry out section 5116(i).

13 “(c) HAZARDOUS MATERIALS TRAINING GRANTS.—
14 From the Hazardous Materials Emergency Preparedness
15 Fund established pursuant to section 5116(h), the Sec-
16 retary may expend \$5,000,000 for each of fiscal years
17 2022 through 2026 to carry out section 5107(e).

18 “(d) COMMUNITY SAFETY GRANTS.—Of the amounts
19 made available under subsection (a) to carry out this chap-
20 ter, the Secretary shall withhold \$4,000,000 for each of
21 fiscal years 2022 through 2026 to carry out section
22 5107(i).

23 “(e) CREDITS TO APPROPRIATIONS.—

24 “(1) EXPENSES.—In addition to amounts oth-
25 erwise made available to carry out this chapter, the

1 Secretary may credit amounts received from a State,
 2 Indian tribe, or other public authority or private en-
 3 tity for expenses the Secretary incurs in providing
 4 training to the State, Indian tribe, authority or enti-
 5 ty.

6 “(2) AVAILABILITY OF AMOUNTS.—Amounts
 7 made available under this section shall remain avail-
 8 able until expended.”.

9 **SEC. 6002. ASSISTANCE FOR LOCAL EMERGENCY RE-**
 10 **SPONSE TRAINING GRANT PROGRAM.**

11 Section 5116 of title 49, United States Code, is
 12 amended—

13 (1) in subsection (j), in the second sentence of
 14 the matter preceding paragraph (1), by striking
 15 “subsection (i)” and inserting “subsections (i) and
 16 (j)”;

17 (2) by redesignating subsection (j) as sub-
 18 section (k); and

19 (3) by inserting after subsection (i) the fol-
 20 lowing:

21 “(j) ALERT GRANT PROGRAM.—

22 “(1) ASSISTANCE FOR LOCAL EMERGENCY RE-
 23 SPONSE TRAINING.—The Secretary shall establish a
 24 grant program to make grants to eligible entities de-
 25 scribed in paragraph (2)—

1 “(A) to develop a hazardous materials re-
2 sponse training curriculum for emergency re-
3 sponders, including response activities for the
4 transportation of crude oil, ethanol, and other
5 flammable liquids by rail, consistent with the
6 standards of the National Fire Protection Asso-
7 ciation; and

8 “(B) to make the training described in
9 subparagraph (A) available in an electronic for-
10 mat.

11 “(2) ELIGIBLE ENTITIES.—An eligible entity
12 referred to in paragraph (1) is a nonprofit organiza-
13 tion that—

14 “(A) represents first responders or public
15 official responsible for coordinating disaster re-
16 sponse; and

17 “(B) is able to provide direct or web-based
18 training to individuals responsible for respond-
19 ing to accidents and incidents involving haz-
20 ardous materials.

21 “(3) FUNDING.—

22 “(A) IN GENERAL.—To carry out the
23 grant program under paragraph (1), the Sec-
24 retary may use, for each fiscal year, any
25 amounts recovered during such fiscal year from

1 grants awarded under this section during a
2 prior fiscal year.

3 “(B) OTHER HAZARDOUS MATERIAL
4 TRAINING ACTIVITIES.—For each fiscal year,
5 after providing grants under paragraph (1), if
6 funds remain available, the Secretary may use
7 the amounts described in subparagraph (A)—

8 “(i) to make grants under—

9 “(I) subsection (a)(1)(C);

10 “(II) subsection (i); and

11 “(III) section 5107(e);

12 “(ii) to conduct monitoring and pro-
13 vide technical assistance under subsection
14 (e);

15 “(iii) to publish and distribute the
16 emergency response guide referred to in
17 subsection (h)(3); and

18 “(iv) to pay administrative costs in
19 accordance with subsection (h)(4).

20 “(C) OBLIGATION LIMITATION.—Notwith-
21 standing any other provision of law, for each
22 fiscal year, amounts described in subparagraph
23 (A) shall not be included in the obligation limi-
24 tation for the Hazardous Materials Emergency

1 Preparedness grant program for that fiscal
2 year.”.

3 **SEC. 6003. REAL-TIME EMERGENCY RESPONSE INFORMA-**
4 **TION.**

5 Section 7302 of the FAST Act (49 U.S.C. 20103
6 note; Public Law 114-94) is amended—

7 (1) in subsection (a)—

8 (A) in the matter preceding paragraph (1),
9 by striking “1 year after the date of enactment
10 of this Act” and inserting “December 5, 2022”;

11 (B) in paragraph (1), by amending sub-
12 paragraph (B) to read as follows:

13 “(B) to provide the electronic train consist
14 information described in subparagraph (A) to
15 authorized State and local first responders,
16 emergency response officials, and law enforce-
17 ment personnel that are involved in the re-
18 sponse to, or investigation of, an accident, inci-
19 dent, or public health or safety emergency in-
20 volving the rail transportation of hazardous ma-
21 terials;”;

22 (C) by striking paragraph (2);

23 (D) by redesignating paragraphs (3), (4),
24 (5), (6), and (7) as paragraphs (2), (3), (4),
25 (5), and (6), respectively; and

1 ~~(E)~~ in paragraph ~~(3)~~, as redesignated, by
 2 striking “paragraph ~~(3)~~” and inserting “para-
 3 graph ~~(2)~~”;
 4 ~~(2)~~ in subsection ~~(b)~~—
 5 (A) by striking paragraphs (1) and (4);
 6 and
 7 (B) by redesignating paragraphs (2), (3),
 8 (5), (6), and (7) as paragraphs (1), (2), (3),
 9 (4), and (5), respectively; and
 10 ~~(3)~~ in subsection ~~(c)~~, by striking “, as described
 11 in subsection ~~(a)(1)(B)~~”.

12 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

13 (a) *SHORT TITLE.*—*This Act may be cited as the*
 14 *“Surface Transportation Investment Act of 2021”.*

15 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 16 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—MULTIMODAL AND FREIGHT TRANSPORTATION

Subtitle A—Multimodal Freight Policy

Sec. 1101. Office of Multimodal Freight Infrastructure and Policy.

Sec. 1102. Updates to National Freight Plan.

Sec. 1103. State collaboration with National Multimodal Freight Network.

Sec. 1104. Improving State freight plans.

Sec. 1105. Implementation of National Multimodal Freight Network.

Sec. 1106. Multi-State freight corridor planning.

Subtitle B—Multimodal Investment

Sec. 1201. National infrastructure project assistance.

Sec. 1202. Local and regional project assistance.

Sec. 1203. National culvert removal, replacement, and restoration grant program.

Sec. 1204. Nationally significant multimodal freight projects.

Sec. 1205. National multimodal cooperative freight research program.

Sec. 1206. Rural and Tribal infrastructure advancement.

Subtitle C—Railroad Rehabilitation and Improvement Financing Reforms

Sec. 1301. RRIF codification and reforms.

Sec. 1302. Substantive criteria and standards.

Sec. 1303. Semiannual report on transit-oriented development eligibility.

TITLE II—RAIL

Sec. 2001. Short title.

Subtitle A—Authorization of Appropriations

Sec. 2101. Grants to Amtrak.

Sec. 2102. Federal Railroad Administration.

Sec. 2103. Consolidated rail infrastructure and safety improvements grants.

Sec. 2104. Railroad crossing elimination program.

Sec. 2105. Restoration and enhancement grants.

Sec. 2106. Federal-State partnership for intercity passenger rail grants.

Sec. 2107. Amtrak Office of Inspector General.

Subtitle B—Amtrak Reforms

Sec. 2201. Amtrak findings, mission, and goals.

Sec. 2202. Composition of Amtrak's Board of Directors.

Sec. 2203. Station agents.

Sec. 2204. Increasing oversight of changes to Amtrak long-distance routes and other intercity services.

Sec. 2205. Improved oversight of Amtrak accounting.

Sec. 2206. Improved oversight of Amtrak spending.

Sec. 2207. Increasing service line and asset line plan transparency.

Sec. 2208. Passenger experience enhancement.

Sec. 2209. Amtrak smoking policy.

Sec. 2210. Protecting Amtrak routes through rural communities.

Sec. 2211. State-Supported Route Committee.

Sec. 2212. Enhancing cross border service.

Sec. 2213. Creating quality jobs.

Sec. 2214. Amtrak daily long-distance service study.

Subtitle C—Intercity Passenger Rail Policy

Sec. 2301. Northeast Corridor planning.

Sec. 2302. Northeast Corridor Commission.

Sec. 2303. Consolidated rail infrastructure and safety improvements.

Sec. 2304. Restoration and enhancement grants.

Sec. 2305. Railroad crossing elimination program.

Sec. 2306. Interstate rail compacts.

Sec. 2307. Federal-State partnership for intercity passenger rail grants.

Sec. 2308. Corridor identification and development program.

Sec. 2309. Surface Transportation Board passenger rail program.

Sec. 2310. Railroad rights-of-way.

Subtitle D—Rail Safety

Sec. 2401. Railway-highway crossings program evaluation.

Sec. 2402. Grade crossing accident prediction model.

Sec. 2403. Periodic updates to highway-rail crossing reports and plans.

- Sec. 2404. Blocked crossing portal.*
- Sec. 2405. Data accessibility.*
- Sec. 2406. Emergency lighting.*
- Sec. 2407. Comprehensive rail safety review of Amtrak.*
- Sec. 2408. Completion of hours of service and fatigue studies.*
- Sec. 2409. Positive train control study.*
- Sec. 2410. Operating crew member training, qualification, and certification.*
- Sec. 2411. Transparency and safety.*
- Sec. 2412. Research and development.*
- Sec. 2413. Rail research and development center of excellence.*
- Sec. 2414. Quarterly report on positive train control system performance.*
- Sec. 2415. Speed limit action plans.*
- Sec. 2416. New passenger service pre-revenue safety validation plan.*
- Sec. 2417. Federal Railroad Administration accident and incident investigations.*
- Sec. 2418. Civil penalty enforcement authority.*
- Sec. 2419. Advancing safety and innovative technology.*
- Sec. 2420. Passenger rail vehicle occupant protection systems.*
- Sec. 2421. Federal Railroad Administration reporting requirements.*
- Sec. 2422. National Academies study on trains longer than 7,500 feet.*
- Sec. 2423. High-speed train noise emissions.*
- Sec. 2424. Critical incident stress plans.*
- Sec. 2425. Requirements for railroad freight cars placed into service in the United States.*
- Sec. 2426. Railroad point of contact for public safety issues.*
- Sec. 2427. Controlled substances testing for mechanical employees.*

TITLE III—MOTOR CARRIER SAFETY

- Sec. 3001. Authorization of appropriations.*
- Sec. 3002. Motor carrier safety advisory committee.*
- Sec. 3003. Combating human trafficking.*
- Sec. 3004. Immobilization grant program.*
- Sec. 3005. Commercial motor vehicle enforcement training and support.*
- Sec. 3006. Study of commercial motor vehicle crash causation.*
- Sec. 3007. Promoting women in the trucking workforce.*
- Sec. 3008. State inspection of passenger-carrying commercial motor vehicles.*
- Sec. 3009. Truck Leasing Task Force.*
- Sec. 3010. Automatic emergency braking.*
- Sec. 3011. Underride protection.*
- Sec. 3012. Providers of recreational activities.*
- Sec. 3013. Amendments to regulations relating to transportation of household goods in interstate commerce.*
- Sec. 3014. Improving Federal-State motor carrier safety enforcement coordination.*
- Sec. 3015. Limousine research.*
- Sec. 3016. National Consumer Complaint Database.*
- Sec. 3017. Electronic logging device oversight.*
- Sec. 3018. Transportation of agricultural commodities and farm supplies.*
- Sec. 3019. Modification of restrictions on certain commercial driver's licenses.*
- Sec. 3020. Report on human trafficking violations involving commercial motor vehicles.*
- Sec. 3021. Broker guidance relating to Federal motor carrier safety regulations.*
- Sec. 3022. Apprenticeship pilot program.*

TITLE IV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

- Sec. 4101. Authorization of appropriations.
- Sec. 4102. Highway safety programs.
- Sec. 4103. Highway safety research and development.
- Sec. 4104. High-visibility enforcement programs.
- Sec. 4105. National priority safety programs.
- Sec. 4106. Multiple substance-impaired driving prevention.
- Sec. 4107. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.
- Sec. 4108. Crash data.
- Sec. 4109. Review of Move Over or Slow Down Law public awareness.
- Sec. 4110. Review of laws, safety measures, and technologies relating to school buses.
- Sec. 4111. Motorcyclist Advisory Council.
- Sec. 4112. Safe Streets and Roads for All grant program.
- Sec. 4113. Implementation of GAO recommendations.

Subtitle B—Vehicle Safety

- Sec. 4201. Authorization of appropriations.
- Sec. 4202. Recall completion.
- Sec. 4203. Recall engagement.
- Sec. 4204. Motor vehicle seat back safety standards.
- Sec. 4205. Automatic shutoff.
- Sec. 4206. Petitions by interested persons for standards and enforcement.
- Sec. 4207. Child safety seat accessibility study.
- Sec. 4208. Crash avoidance technology.
- Sec. 4209. Reduction of driver distraction.
- Sec. 4210. Rulemaking report.
- Sec. 4211. Global harmonization.
- Sec. 4212. Headlamps.
- Sec. 4213. New Car Assessment Program.
- Sec. 4214. Hood and bumper standards.
- Sec. 4215. Emergency medical services and 9-1-1.
- Sec. 4216. Early warning reporting.
- Sec. 4217. Improved vehicle safety databases.
- Sec. 4218. National Driver Register Advisory Committee repeal.
- Sec. 4219. Research on connected vehicle technology.
- Sec. 4220. Advanced impaired driving technology.
- Sec. 4221. GAO report on crash dummies.
- Sec. 4222. Child safety.

TITLE V—RESEARCH AND INNOVATION

- Sec. 5001. Intelligent Transportation Systems Program Advisory Committee.
- Sec. 5002. Smart Community Resource Center.
- Sec. 5003. Federal support for local decisionmaking.
- Sec. 5004. Bureau of Transportation Statistics.
- Sec. 5005. Strengthening mobility and revolutionizing transportation grant program.
- Sec. 5006. Electric vehicle working group.
- Sec. 5007. Risk and system resilience.
- Sec. 5008. Coordination on emerging transportation technology.

- Sec. 5009. *Interagency Infrastructure Permitting Improvement Center.*
 Sec. 5010. *Rural opportunities to use transportation for economic success initiative.*
 Sec. 5011. *Advanced transportation technologies deployment program.*
 Sec. 5012. *Safety data initiative.*
 Sec. 5013. *Advanced transportation research.*
 Sec. 5014. *Open research initiative.*
 Sec. 5015. *Transportation research and development 5-year strategic plan.*
 Sec. 5016. *Research planning modifications.*
 Sec. 5017. *Incorporation of Department of Transportation research.*
 Sec. 5018. *University transportation centers program.*
 Sec. 5019. *National travel and tourism infrastructure strategic plan.*
 Sec. 5020. *Local hiring preference for construction jobs.*
 Sec. 5021. *Transportation workforce development.*
 Sec. 5022. *Intermodal Transportation Advisory Board repeal.*
 Sec. 5023. *GAO cybersecurity recommendations.*
 Sec. 5024. *Volpe oversight.*
 Sec. 5025. *Modifications to grant program.*
 Sec. 5026. *Drug-impaired driving data collection.*
 Sec. 5027. *Report on marijuana research.*
 Sec. 5028. *GAO study on improving the efficiency of traffic systems.*

TITLE VI—HAZARDOUS MATERIALS

- Sec. 6001. *Authorization of appropriations.*
 Sec. 6002. *Assistance for local emergency response training grant program.*
 Sec. 6003. *Real-time emergency response information.*

TITLE VII—GENERAL PROVISIONS

- Sec. 7001. *Performance measurement, transparency, and accountability.*
 Sec. 7002. *Coordination regarding forced labor.*
 Sec. 7003. *Department of Transportation spectrum audit.*
 Sec. 7004. *Study and reports on the travel and tourism activities of the Department.*

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) *DEPARTMENT.*—*The term “Department”*
4 *means the Department of Transportation.*

5 (2) *SECRETARY.*—*The term “Secretary” means*
6 *the Secretary of Transportation.*

1 **TITLE I—MULTIMODAL AND**
 2 **FREIGHT TRANSPORTATION**
 3 **Subtitle A—Multimodal Freight**
 4 **Policy**

5 **SEC. 1101. OFFICE OF MULTIMODAL FREIGHT INFRASTRUC-**
 6 **TURE AND POLICY.**

7 (a) *IN GENERAL.*—Chapter 1 of title 49, United States
 8 Code, is amended by adding at the end the following:

9 **“§ 118. Office of Multimodal Freight Infrastructure**
 10 **and Policy**

11 “(a) *DEFINITIONS.*—In this section:

12 “(1) *DEPARTMENT.*—The term ‘Department’
 13 means the Department of Transportation.

14 “(2) *FREIGHT OFFICE.*—The term ‘Freight Of-
 15 fice’ means the Office of Multimodal Freight Infra-
 16 structure and Policy established under subsection (b).

17 “(3) *SECRETARY.*—The term ‘Secretary’ means
 18 the Secretary of Transportation.

19 “(b) *ESTABLISHMENT.*—The Secretary shall establish
 20 within the Department an Office of Multimodal Freight In-
 21 frastructure and Policy.

22 “(c) *PURPOSES.*—The purposes of the Freight Office
 23 shall be—

24 “(1) to carry out the national multimodal freight
 25 policy described in section 70101;

1 “(2) to administer and oversee certain
2 multimodal freight grant programs within the De-
3 partment in accordance with subsection (d);

4 “(3) to promote and facilitate the sharing of in-
5 formation between the private and public sectors with
6 respect to freight issues;

7 “(4) to conduct research on improving
8 multimodal freight mobility, and to oversee the freight
9 research activities of the various agencies within the
10 Department;

11 “(5) to assist cities and States in developing
12 freight mobility and supply chain expertise;

13 “(6) to liaise and coordinate with other Federal
14 departments and agencies; and

15 “(7) to carry out other duties, as prescribed by
16 the Secretary.

17 “(d) ADMINISTRATION OF POLICIES AND PROGRAMS.—
18 The Freight Office shall—

19 “(1) develop and manage—

20 “(A) the national freight strategic plan de-
21 scribed in section 70102; and

22 “(B) the National Multimodal Freight Net-
23 work established under section 70103;

1 “(2)(A) oversee the development and updating of
2 the State freight plans described in section 70202;
3 and

4 “(B) provide guidance or best practices relating
5 to the development and updating of State freight
6 plans under that section;

7 “(3)(A) administer multimodal freight grant
8 programs, including multimodal freight grants estab-
9 lished under section 117 of title 23; and

10 “(B) establish procedures for analyzing and eval-
11 uating applications for grants under those programs;

12 “(4) assist States in the establishment of—

13 “(A) State freight advisory committees
14 under section 70201; and

15 “(B) multi-State freight mobility compacts
16 under section 70204; and

17 “(5) provide to the Bureau of Transportation
18 Statistics input regarding freight data and planning
19 tools.

20 “(e) ASSISTANT SECRETARY.—

21 “(1) IN GENERAL.—The Freight Office shall be
22 headed by an Assistant Secretary for Multimodal
23 Freight, who shall—

24 “(A) be appointed by the President, by and
25 with the advice and consent of the Senate; and

1 “(B) have professional standing and dem-
2 onstrated knowledge in the field of freight trans-
3 portation.

4 “(2) DUTIES.—The Assistant Secretary shall—

5 “(A) report to the Under Secretary of
6 Transportation for Policy;

7 “(B) be responsible for the management and
8 oversight of the activities, decisions, operations,
9 and personnel of the Freight Office;

10 “(C) work with the modal administrations
11 of the Department to encourage multimodal col-
12 laboration; and

13 “(D) carry out such additional duties as the
14 Secretary may prescribe.

15 “(f) CONSOLIDATION AND ELIMINATION OF DUPLICA-
16 TIVE OFFICES.—

17 “(1) CONSOLIDATION OF OFFICES AND OFFICE
18 FUNCTIONS.—The Secretary may consolidate into the
19 Freight Office any office or office function within the
20 Department that the Secretary determines has duties,
21 responsibilities, resources, or expertise that support
22 the purposes of the Freight Office.

23 “(2) ELIMINATION OF OFFICES.—The Secretary
24 may eliminate any office within the Department if
25 the Secretary determines that—

1 “(A) *the purposes of the office are duplica-*
2 *tive of the purposes of the Freight Office;*

3 “(B) *the office or the functions of the office*
4 *have been substantially consolidated with the*
5 *Freight Office pursuant to paragraph (1);*

6 “(C) *the elimination of the office will not*
7 *adversely affect the requirements of the Secretary*
8 *under any Federal law; and*

9 “(D) *the elimination of the office will im-*
10 *prove the efficiency and effectiveness of the pro-*
11 *grams and functions conducted by the office.*

12 “(g) *STAFFING AND BUDGETARY RESOURCES.—*

13 “(1) *IN GENERAL.—The Secretary shall ensure*
14 *that the Freight Office is adequately staffed and fund-*
15 *ed.*

16 “(2) *STAFFING.—*

17 “(A) *TRANSFER OF POSITIONS TO FREIGHT*
18 *OFFICE.—Subject to subparagraph (B), the Sec-*
19 *retary may transfer to the Freight Office any po-*
20 *sition within any other office of the Department*
21 *if the Secretary determines that the position is*
22 *necessary to carry out the purposes of the*
23 *Freight Office.*

24 “(B) *REQUIREMENT.—If the Secretary*
25 *transfers a position to the Freight Office pursu-*

1 *ant to subparagraph (A), the Secretary, in co-*
2 *ordination with the appropriate modal adminis-*
3 *tration of the Department, shall ensure that the*
4 *transfer of the position does not adversely affect*
5 *the requirements of the modal administration*
6 *under any Federal law.*

7 “(3) *BUDGETARY RESOURCES.—*

8 “(A) *TRANSFER OF FUNDS FROM CONSOLI-*
9 *DATED OR ELIMINATED OFFICES.—*

10 “(i) *IN GENERAL.—To carry out the*
11 *purposes of the Freight Office, the Secretary*
12 *may transfer to the Freight Office from any*
13 *office or office function that is consolidated*
14 *or eliminated under subsection (f) any*
15 *funds allocated for the consolidated or*
16 *eliminated office or office function.*

17 “(ii) *RETRANSFER.—Any portion of*
18 *any funds or limitations of obligations*
19 *transferred to the Freight Office pursuant to*
20 *clause (i) may be transferred back to, and*
21 *merged with, the original account.*

22 “(B) *TRANSFER OF FUNDS ALLOCATED FOR*
23 *ADMINISTRATIVE COSTS.—*

24 “(i) *IN GENERAL.—The Secretary may*
25 *transfer to the Freight Office any funds al-*

1 *located for the administrative costs of the*
2 *programs referred to in subsection (d)(3).*

3 “(ii) *RETRANSFER.*—*Any portion of*
4 *any funds or limitations of obligations*
5 *transferred to the Freight Office pursuant to*
6 *clause (i) may be transferred back to, and*
7 *merged with, the original account.*

8 “(h) *WEBSITE.*—

9 “(1) *DESCRIPTION OF FREIGHT OFFICE.*—*The*
10 *Secretary shall make publicly available on the website*
11 *of the Department a description of the Freight Office,*
12 *including a description of—*

13 “(A) *the programs managed or made avail-*
14 *able by the Freight Office; and*

15 “(B) *the eligibility requirements for those*
16 *programs.*

17 “(2) *CLEARINGHOUSE.*—*The Secretary may es-*
18 *tablish a clearinghouse for tools, templates, guidance,*
19 *and best practices on a page of the website of the De-*
20 *partment that supports the purposes of this section.*

21 “(i) *NOTIFICATION TO CONGRESS.*—*Not later than 1*
22 *year after the date of enactment of this section, and not*
23 *less frequently than once every 180 days thereafter until the*
24 *date on which the Secretary determines that the require-*
25 *ments of this section have been met, the Secretary shall sub-*

1 *mit to the Committee on Commerce, Science, and Transpor-*
2 *tation of the Senate and the Committee on Transportation*
3 *and Infrastructure of the House of Representatives a notifi-*
4 *cation that—*

5 “(1) describes—

6 “(A) the programs and activities adminis-

7 tered or overseen by the Freight Office; and

8 “(B) the status of those programs and ac-

9 tivities;

10 “(2) identifies—

11 “(A) the number of employees working in

12 the Freight Office as of the date of the notifica-

13 tion;

14 “(B) the total number of employees expected

15 to join the Freight Office to support the pro-

16 grams and activities described in paragraph (1);

17 and

18 “(C) the total number of positions that, as

19 a result of the consolidation of offices under this

20 section, were—

21 “(i) eliminated; or

22 “(ii) transferred, assigned, or joined to

23 the Freight Office;

1 “(3)(A) indicates whether the Secretary has con-
2 solidated into the Freight Office any office or office
3 function pursuant to subsection (f)(1); and

4 “(B) if the Secretary has consolidated such an
5 office or function, describes the rationale for the con-
6 solidation;

7 “(4)(A) indicates whether the Secretary has
8 eliminated any office pursuant to subsection (f)(2);
9 and

10 “(B) if the Secretary has eliminated such an of-
11 fice, describes the rationale for the elimination;

12 “(5) describes any other actions carried out by
13 the Secretary to implement this section; and

14 “(6) describes any recommendations of the Sec-
15 retary for legislation that may be needed to further
16 implement this section.

17 “(j) GAO REVIEW.—The Comptroller General of the
18 United States shall—

19 “(1) conduct a review of the activities carried
20 out by the Secretary pursuant to this section; and

21 “(2) develop recommendations regarding addi-
22 tional activities—

23 “(A) to improve the consolidation of dupli-
24 cative functions within the Department; and

1 “(B) to promote increased staff efficiency
2 for program management within the Depart-
3 ment.

4 “(k) SAVINGS PROVISIONS.—

5 “(1) EFFECT ON OTHER LAW.—Except as other-
6 wise provided in this section, nothing in this section
7 alters or affects any law (including regulations) with
8 respect to a program referred to in subsection (d).

9 “(2) EFFECT ON RESPONSIBILITIES OF OTHER
10 AGENCIES.—Except as otherwise provided in this sec-
11 tion, nothing in this section abrogates the responsibil-
12 ities of any agency, operating administration, or of-
13 fice within the Department that is otherwise charged
14 by law (including regulations) with any aspect of
15 program administration, oversight, or project ap-
16 proval or implementation with respect to a program
17 or project subject to the responsibilities of the Freight
18 Office under this section.

19 “(3) EFFECT ON PENDING APPLICATIONS.—Noth-
20 ing in this section affects any pending application
21 under a program referred to in subsection (d) that
22 was received by the Secretary on or before the date of
23 enactment of the Surface Transportation Investment
24 Act of 2021.

25 “(l) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) *IN GENERAL.*—*There are authorized to be*
 2 *appropriated to the Secretary such sums as are nec-*
 3 *essary to carry out this section.*”

4 “(2) *CERTAIN ACTIVITIES.*—*Authorizations*
 5 *under subsections (f) and (g) are subject to appro-*
 6 *priations.*”.

7 “(b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 8 *1 of title 49, United States Code, is amended by inserting*
 9 *after the item relating to section 117 the following:*

 “118. *Office of Multimodal Freight Infrastructure and Policy.*”.

10 “(c) *CONFORMING AMENDMENTS.*—

11 (1) *Section 70101(c) of title 49, United States*
 12 *Code, is amended, in the matter preceding paragraph*
 13 *(1), by striking “Under Secretary of Transportation*
 14 *for Policy” and inserting “Assistant Secretary for*
 15 *Multimodal Freight”.*

16 (2) *Section 70102 of title 49, United States*
 17 *Code, is amended—*

18 (A) *in subsection (a), in the matter pre-*
 19 *ceding paragraph (1), by striking “Not later”*
 20 *and all that follows through “the Under Sec-*
 21 *retary of Transportation for Policy” and insert-*
 22 *ing “The Assistant Secretary for Multimodal*
 23 *Freight (referred to in this section as the ‘Assist-*
 24 *ant Secretary’);*

1 (B) in subsection (b)(4), in the matter pre-
2 ceding subparagraph (A), by striking “Under
3 Secretary” and inserting “Assistant Secretary”;

4 (C) in subsection (c), by striking “Under
5 Secretary” and inserting “Assistant Secretary”;
6 and

7 (D) in subsection (d), in the matter pre-
8 ceding paragraph (1), by striking “Under Sec-
9 retary” and inserting “Assistant Secretary”.

10 (3) Section 70103 of title 49, United States
11 Code, is amended—

12 (A) in subsection (a), in the matter pre-
13 ceding paragraph (1), by striking “Under Sec-
14 retary of Transportation for Policy” and insert-
15 ing “Assistant Secretary for Multimodal Freight
16 (referred to in this section as the ‘Assistant Sec-
17 retary’)”;

18 (B) by striking subsection (b);

19 (C) by redesignating subsections (c) and (d)
20 as subsections (b) and (c), respectively;

21 (D) in subsection (b) (as so redesignated)—

22 (i) in the subsection heading, by strik-
23 ing “FINAL NETWORK” and inserting
24 “DESIGNATION OF NATIONAL MULTIMODAL
25 FREIGHT NETWORK”;

1 (ii) in paragraph (1), in the matter
2 preceding subparagraph (A), by striking
3 “Not later” and all that follows through
4 “Under Secretary” and inserting “The As-
5 sistant Secretary”;

6 (iii) in paragraph (2), in the matter
7 preceding subparagraph (A), by striking
8 “Under Secretary” and inserting “Assistant
9 Secretary”; and

10 (iv) in paragraph (3), in the matter
11 preceding subparagraph (A), by striking
12 “Under Secretary” and inserting “Assistant
13 Secretary”; and

14 (E) in subsection (c) (as so redesignated)—

15 (i) by striking “subsection (c)” each
16 place it appears and inserting “subsection
17 (b)”; and

18 (ii) by striking “Under Secretary” and
19 inserting “Assistant Secretary”.

20 (4) Section 116(d)(1) of title 49, United States
21 Code, is amended by striking subparagraph (D).

22 **SEC. 1102. UPDATES TO NATIONAL FREIGHT PLAN.**

23 Section 70102(b) of title 49, United States Code, is
24 amended—

1 (1) in paragraph (10), by striking “and” at the
2 end;

3 (2) in paragraph (11), by striking the period at
4 the end and inserting a semicolon; and

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

6 “(12) best practices for reducing environmental
7 impacts of freight movement (including stormwater
8 runoff) and improving resiliency of the national
9 multimodal freight system;

10 “(13) consideration of any potential unique im-
11 pacts of the national freight system on rural and
12 other underserved and historically disadvantaged
13 communities;

14 “(14) strategies for decarbonizing freight move-
15 ment, as appropriate; and

16 “(15) consideration of the impacts of e-commerce
17 on the national multimodal freight system.”.

18 **SEC. 1103. STATE COLLABORATION WITH NATIONAL**
19 **MULTIMODAL FREIGHT NETWORK.**

20 Subsection (b) of section 70103 of title 49, United
21 States Code (as redesignated by section 1101(c)(3)(C)), is
22 amended—

23 (1) in paragraph (3), by striking subparagraph
24 (C) and inserting the following:

1 “(C) provide to the States an opportunity
2 to submit proposed designations from the States
3 in accordance with paragraph (4).”;

4 (2) in paragraph (4)—

5 (A) in subparagraph (C)(i), by striking “20
6 percent” and inserting “30 percent”; and

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

8 “(E) *CONDITION FOR ACCEPTANCE.*—The
9 Secretary shall accept from a State a designa-
10 tion under subparagraph (D) only if the Sec-
11 retary determines that the designation meets the
12 applicable requirements of subparagraph (A).”.

13 **SEC. 1104. IMPROVING STATE FREIGHT PLANS.**

14 (a) *IN GENERAL.*—Section 70202 of title 49, United
15 States Code, is amended—

16 (1) in subsection (b)—

17 (A) in paragraph (9), by striking “and” at
18 the end;

19 (B) by redesignating paragraph (10) as
20 paragraph (16); and

21 (C) by inserting after paragraph (9) the fol-
22 lowing:

23 “(10) the most recent commercial motor vehicle
24 parking facilities assessment conducted by the State
25 under subsection (f);

1 “(11) the most recent supply chain cargo flows
2 in the State, expressed by mode of transportation;

3 “(12) an inventory of commercial ports in the
4 State;

5 “(13) if applicable, consideration of the findings
6 or recommendations made by any multi-State freight
7 compact to which the State is a party under section
8 70204;

9 “(14) the impacts of e-commerce on freight infra-
10 structure in the State;

11 “(15) considerations of military freight; and”;
12 and

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

14 “(f) *COMMERCIAL MOTOR VEHICLE PARKING FACILI-*
15 *TIES ASSESSMENTS.*—As part of the development or updat-
16 ing, as applicable, of a State freight plan under this section,
17 each State that receives funding under section 167 of title
18 23, in consultation with relevant State motor carrier safety
19 personnel, shall conduct an assessment of—

20 “(1) the capability of the State, together with the
21 private sector in the State, to provide adequate park-
22 ing facilities and rest facilities for commercial motor
23 vehicles engaged in interstate transportation;

24 “(2) the volume of commercial motor vehicle traf-
25 fic in the State; and

1 “(3) whether there exist any areas within the
2 State with a shortage of adequate commercial motor
3 vehicle parking facilities, including an analysis (eco-
4 nomic or otherwise, as the State determines to be ap-
5 propriate) of the underlying causes of such a short-
6 age.”.

7 **(b) ALIGNMENT OF TRANSPORTATION PLANNING.**—
8 Section 70202 of title 49, United States Code, is amended—

9 (1) in subsection (d), by striking “5-year” and
10 inserting “8-year”; and

11 (2) in subsection (e)(1), by striking “5 years”
12 and inserting “4 years”.

13 **SEC. 1105. IMPLEMENTATION OF NATIONAL MULTIMODAL**
14 **FREIGHT NETWORK.**

15 Not later than 30 days after the date of enactment of
16 this Act, the Secretary shall submit to the Committee on
17 Commerce, Science, and Transportation of the Senate and
18 the Committee on Transportation and Infrastructure of the
19 House of Representatives a report that—

20 (1) describes the status of the designation of the
21 final National Multimodal Freight Network required
22 under section 70103 of title 49, United States Code;

23 (2) explains the reasons why the designation of
24 the network referred to in paragraph (1) has not been
25 finalized, if applicable; and

1 (3) estimates the date by which that network will
2 be designated.

3 **SEC. 1106. MULTI-STATE FREIGHT CORRIDOR PLANNING.**

4 (a) *IN GENERAL.*—Chapter 702 of title 49, United
5 States Code, is amended—

6 (1) by redesignating section 70204 as section
7 70206; and

8 (2) by inserting after section 70203 the fol-
9 lowing:

10 **“§ 70204. Multi-State freight corridor planning**

11 “(a) *CONSENT TO MULTI-STATE FREIGHT MOBILITY*
12 *COMPACTS.*—Congress recognizes the right of States, cities,
13 regional planning organizations, federally recognized In-
14 dian Tribes, and local public authorities (including public
15 port authorities) that are regionally linked with an interest
16 in a specific nationally or regionally significant multi-
17 State freight corridor to enter into multi-State compacts to
18 promote the improved mobility of goods, including—

19 “(1) identifying projects along the corridor that
20 benefit multiple States;

21 “(2) assembling rights-of-way; and

22 “(3) performing capital improvements.

23 “(b) *FINANCING.*—A multi-State freight compact es-
24 tablished by entities under subsection (a) may provide that,

1 *in order to carry out the compact, the relevant States or*
2 *other entities may—*

3 “(1) *accept contributions from a unit of State or*
4 *local government;*

5 “(2) *use any Federal or State funds made avail-*
6 *able for freight mobility infrastructure planning or*
7 *construction, including applying for grants;*

8 “(3) *subject to such terms and conditions as the*
9 *States consider to be advisable—*

10 “(A) *borrow money on a short-term basis;*

11 *and*

12 “(B) *issue—*

13 “(i) *notes for borrowing under sub-*
14 *paragraph (A); and*

15 “(ii) *bonds; and*

16 “(4) *obtain financing by other means permitted*
17 *under applicable Federal or State law.*

18 “(c) *ADVISORY COMMITTEES.—*

19 “(1) *IN GENERAL.—A multi-State freight com-*
20 *compact under this section may establish a multi-State*
21 *freight corridor advisory committee, which shall in-*
22 *clude representatives of State departments of trans-*
23 *portation and other public and private sector entities*
24 *with an interest in freight mobility, such as—*

25 “(A) *ports;*

1 “(B) freight railroads;

2 “(C) shippers;

3 “(D) carriers;

4 “(E) freight-related associations;

5 “(F) third-party logistics providers;

6 “(G) the freight industry workforce;

7 “(H) environmental organizations;

8 “(I) community organizations; and

9 “(J) units of local government.

10 “(2) *ACTIVITIES.*—An advisory committee estab-
11 lished under paragraph (1) may—

12 “(A) advise the parties to the applicable
13 multi-State freight compact with respect to
14 freight-related priorities, issues, projects, and
15 funding needs that impact multi-State—

16 “(i) freight mobility; and

17 “(ii) supply chains;

18 “(B) serve as a forum for States, Indian
19 Tribes, and other public entities to discuss deci-
20 sions affecting freight mobility;

21 “(C) communicate and coordinate multi-
22 State freight priorities with other organizations;

23 “(D) promote the sharing of information be-
24 tween the private and public sectors with respect
25 to freight issues; and

1 “(E) provide information for consideration
2 in the development of State freight plans under
3 section 70202.

4 “(d) GRANTS.—

5 “(1) ESTABLISHMENT.—The Secretary of Trans-
6 portation (referred to in this section as the ‘Sec-
7 retary’) shall establish a program under which the
8 Secretary shall provide grants to multi-State freight
9 compacts that seek to improve a route or corridor that
10 is a part of the National Multimodal Freight Network
11 established under section 70103.

12 “(2) NEW COMPACTS.—

13 “(A) IN GENERAL.—To incentivize the es-
14 tablishment of multi-State freight compacts, the
15 Secretary may award a grant to multi-State
16 freight compacts established under subsection (a)
17 during the 2-year period beginning on the date
18 of establishment for operations costs in an
19 amount of not more than \$2,000,000.

20 “(B) ELIGIBILITY.—A multi-State freight
21 compact shall be eligible for a grant under this
22 paragraph only during the initial 2 years of op-
23 eration of the compact.

1 “(C) *REQUIREMENTS.*—*To be eligible to re-*
2 *ceive a grant under this paragraph, a multi-*
3 *State freight compact shall—*

4 “(i) *submit to the Secretary an appli-*
5 *cation at such time, in such manner, and*
6 *containing such information as the Sec-*
7 *retary may require;*

8 “(ii) *provide a non-Federal match*
9 *equal to not less than 25 percent of the op-*
10 *erating costs of the multi-State freight com-*
11 *pact; and*

12 “(iii) *commit to establishing a multi-*
13 *State freight corridor advisory committee*
14 *under subsection (c)(1) during the initial 2-*
15 *year period of operation of the compact.*

16 “(3) *EXISTING COMPACTS.*—

17 “(A) *IN GENERAL.*—*The Secretary may*
18 *award a grant to multi-State freight compacts*
19 *that are not eligible to receive a grant under*
20 *paragraph (2) for operations costs in an amount*
21 *of not more than \$1,000,000.*

22 “(B) *REQUIREMENTS.*—*To be eligible to re-*
23 *ceive a grant under this paragraph, a multi-*
24 *State freight compact shall—*

1 “(i) submit to the Secretary an appli-
 2 cation at such time, in such manner, and
 3 containing such information as the Sec-
 4 retary may require;

5 “(ii) provide a non-Federal match of
 6 not less than 50 percent of the operating
 7 costs of the compact; and

8 “(iii) demonstrate that the compact
 9 has established a multi-State freight cor-
 10 ridor advisory committee under subsection
 11 (c)(1).

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—
 13 There is authorized to be appropriated to the Sec-
 14 retary \$5,000,000 for each fiscal year to carry out
 15 this subsection.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chapter
 17 702 of title 49, United States Code, is amended by striking
 18 the item relating to section 70204 and inserting the fol-
 19 lowing:

“70204. Multi-State freight corridor planning.
 “70206. Savings provision.”.

20 ***Subtitle B—Multimodal Investment***

21 ***SEC. 1201. NATIONAL INFRASTRUCTURE PROJECT ASSIST-***
 22 ***ANCE.***

23 *Subtitle III of title 49, United States Code, is amended*
 24 *by adding at the end the following:*

1 **“CHAPTER 67—NATIONAL**
 2 **INFRASTRUCTURE INVESTMENTS**

“6701. National infrastructure project assistance.

“6702. Local and regional project assistance.

3 **“§ 6701. National infrastructure project assistance**

4 “(a) *DEFINITIONS.*—*In this section:*

5 “(1) *DEPARTMENT.*—*The term ‘Department’*
 6 *means the Department of Transportation.*

7 “(2) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
 8 *ty’ means—*

9 “(A) *a State or a group of States;*

10 “(B) *a metropolitan planning organization;*

11 “(C) *a unit of local government;*

12 “(D) *a political subdivision of a State;*

13 “(E) *a special purpose district or public*
 14 *authority with a transportation function, includ-*
 15 *ing a port authority;*

16 “(F) *a Tribal government or a consortium*
 17 *of Tribal governments;*

18 “(G) *a partnership between Amtrak and 1*
 19 *or more entities described in subparagraphs (A)*
 20 *through (F); and*

21 “(H) *a group of entities described in any of*
 22 *subparagraphs (A) through (G).*

23 “(3) *PROGRAM.*—*The term ‘program’ means the*
 24 *program established by subsection (b).*

1 “(4) *SECRETARY*.—The term ‘Secretary’ means
2 the Secretary of Transportation.

3 “(5) *STATE*.—The term ‘State’ means—

4 “(A) any of the several States;

5 “(B) the District of Columbia;

6 “(C) the Commonwealth of Puerto Rico;

7 “(D) the Commonwealth of the Northern
8 Mariana Islands;

9 “(E) the United States Virgin Islands;

10 “(F) Guam;

11 “(G) American Samoa; and

12 “(H) any other territory or possession of the
13 United States.

14 “(b) *ESTABLISHMENT*.—There is established a pro-
15 gram under which the Secretary shall provide to eligible
16 entities grants, on a competitive basis pursuant to single-
17 year or multiyear grant agreements, for projects described
18 in subsection (d).

19 “(c) *APPLICATIONS*.—

20 “(1) *IN GENERAL*.—To be eligible for a grant
21 under the program, an eligible entity shall submit to
22 the Secretary an application at such time, in such
23 manner, and containing such information as the Sec-
24 retary determines to be appropriate.

1 “(2) *PLAN FOR DATA COLLECTION.*—*An applica-*
2 *tion under paragraph (1) shall include a plan for*
3 *data collection and analysis described in subsection*
4 *(g).*

5 “(d) *ELIGIBLE PROJECTS.*—*The Secretary may pro-*
6 *vide a grant under the program only for a project—*

7 “(1) *that is—*

8 “(A) *a highway or bridge project carried*
9 *out on—*

10 “(i) *the National Multimodal Freight*
11 *Network established under section 70103;*

12 “(ii) *the National Highway Freight*
13 *Network established under section 167 of*
14 *title 23; or*

15 “(iii) *the National Highway System*
16 *(as defined in section 101(a) of title 23);*

17 “(B) *a freight intermodal (including public*
18 *ports) or freight rail project that provides a pub-*
19 *lic benefit;*

20 “(C) *a railway-highway grade separation*
21 *or elimination project;*

22 “(D) *an intercity passenger rail project;*

23 “(E) *a public transportation project that*
24 *is—*

1 “(i) eligible for assistance under chap-
2 ter 53; and

3 “(ii) part of a project described in any
4 of subparagraphs (A) through (D); or

5 “(F) a grouping, combination, or program
6 of interrelated, connected, or dependent projects
7 of any of the projects described in subparagraphs
8 (A) through (E); and

9 “(2) the eligible project costs of which are—

10 “(A) reasonably anticipated to equal or ex-
11 ceed \$500,000,000; or

12 “(B) for any project funded by the set-aside
13 under subsection (m)(2)—

14 “(i) more than \$100,000,000; but

15 “(ii) less than \$500,000,000.

16 “(e) *GEOGRAPHICAL DISTRIBUTION.*—In providing
17 grants under this section, the Secretary shall ensure among
18 grant recipients—

19 “(1) geographical diversity; and

20 “(2) a balance between rural and urban commu-
21 nities.

22 “(f) *PROJECT EVALUATION AND SELECTION.*—

23 “(1) *REQUIREMENTS.*—The Secretary may select
24 a project described in subsection (d) to receive a grant

1 *under the program only if the Secretary determines*
2 *that—*

3 *“(A) the project is likely to generate na-*
4 *tional or regional economic, mobility, or safety*
5 *benefits;*

6 *“(B) the project is in need of significant*
7 *Federal funding;*

8 *“(C) the project will be cost-effective;*

9 *“(D) with respect to related non-Federal fi-*
10 *nancial commitments, 1 or more stable and de-*
11 *pendable sources of funding and financing are*
12 *available—*

13 *“(i) to construct, operate, and main-*
14 *tain the project; and*

15 *“(ii) to cover cost increases; and*

16 *“(E) the applicant has, or will have, suffi-*
17 *cient legal, financial, and technical capacity to*
18 *carry out the project.*

19 *“(2) EVALUATION CRITERIA.—In awarding a*
20 *grant under the program, the Secretary shall evalu-*
21 *ate—*

22 *“(A) the extent to which a project supports*
23 *achieving a state of good repair for each existing*
24 *asset to be improved by the project;*

1 “(B) the level of benefits a project is ex-
2 pected to generate, including—

3 “(i) the costs avoided by the prevention
4 of closure or reduced use of the asset to be
5 improved by the project;

6 “(ii) reductions in maintenance costs
7 over the life of the applicable asset;

8 “(iii) safety benefits, including the re-
9 duction of serious injuries and fatalities
10 and related costs;

11 “(iv) improved person or freight
12 throughput, including improved mobility
13 and reliability; and

14 “(v) environmental benefits and health
15 impacts, such as—

16 “(I) reductions in greenhouse gas
17 emissions;

18 “(II) air quality benefits;

19 “(III) preventing stormwater run-
20 off that would be a detriment to aquat-
21 ic species; and

22 “(IV) improved infrastructure re-
23 silience;

24 “(C) the benefits of the project, as compared
25 to the costs of the project;

1 “(D) the number of persons or volume of
2 freight, as applicable, supported by the project;
3 and

4 “(E) national and regional economic bene-
5 fits of the project, including with respect to
6 short- and long-term job access, growth, or cre-
7 ation.

8 “(3) ADDITIONAL CONSIDERATIONS.—In selecting
9 projects to receive grants under the program, the Sec-
10 retary shall take into consideration—

11 “(A) contributions to geographical diversity
12 among grant recipients, including a balance be-
13 tween the needs of rural and urban communities;

14 “(B) whether multiple States would benefit
15 from a project;

16 “(C) whether, and the degree to which, a
17 project uses—

18 “(i) construction materials or ap-
19 proaches that have—

20 “(I) demonstrated reductions in
21 greenhouse gas emissions; or

22 “(II) reduced the need for mainte-
23 nance of other projects; or

24 “(ii) technologies that will allow for fu-
25 ture connectivity and automation;

1 “(D) whether a project would benefit—

2 “(i) a historically disadvantaged com-
3 munity or population; or

4 “(ii) an area of persistent poverty;

5 “(E) whether a project benefits users of mul-
6 tiple modes of transportation, including—

7 “(i) pedestrians;

8 “(ii) bicyclists; and

9 “(iii) users of nonvehicular rail and
10 public transportation, including intercity
11 and commuter rail; and

12 “(F) whether a project improves
13 connectivity between modes of transportation
14 moving persons or goods nationally or region-
15 ally.

16 “(4) RATINGS.—

17 “(A) IN GENERAL.—In evaluating applica-
18 tions for a grant under the program, the Sec-
19 retary shall assign the project proposed in the
20 application a rating described in subparagraph
21 (B), based on the information contained in the
22 applicable notice published under paragraph (5).

23 “(B) RATINGS.—

24 “(i) HIGHLY RECOMMENDED.—The
25 Secretary shall assign a rating of ‘highly

1 *recommended*’ to projects that, in the deter-
2 *mination of the Secretary—*

3 “(I) *are exemplary projects of na-*
4 *tional or regional significance; and*

5 “(II) *would provide significant*
6 *public benefit, as determined based on*
7 *the applicable criteria described in this*
8 *subsection, if funded under the pro-*
9 *gram.*

10 “(ii) *RECOMMENDED.—The Secretary*
11 *shall assign a rating of ‘recommended’ to*
12 *projects that, in the determination of the*
13 *Secretary—*

14 “(I) *are of national or regional*
15 *significance; and*

16 “(II) *would provide public benefit,*
17 *as determined based on the applicable*
18 *criteria described in this subsection, if*
19 *funded under the program.*

20 “(iii) *NOT RECOMMENDED.—The Sec-*
21 *retary shall assign a rating of ‘not rec-*
22 *ommended’ to projects that, in the deter-*
23 *mination of the Secretary, should not re-*
24 *ceive a grant under the program, based on*

1 *the applicable criteria described in this sub-*
2 *section.*

3 “(C) *TECHNICAL ASSISTANCE.*—

4 “(i) *IN GENERAL.*—*On request of an*
5 *eligible entity that submitted an application*
6 *under subsection (c) for a project that is not*
7 *selected to receive a grant under the pro-*
8 *gram, the Secretary shall provide to the eli-*
9 *gible entity technical assistance and brief-*
10 *ings relating to the project.*

11 “(ii) *TREATMENT.*—*Technical assist-*
12 *ance provided under this subparagraph*
13 *shall not be considered a guarantee of future*
14 *selection of the applicable project under the*
15 *program.*

16 “(5) *PUBLICATION OF PROJECT EVALUATION AND*
17 *SELECTION CRITERIA.*—*Not later than 90 days after*
18 *the date of enactment of this chapter, the Secretary*
19 *shall publish and make publicly available on the*
20 *website of the Department a notice that contains a de-*
21 *tailed explanation of—*

22 “(A) *the method by which the Secretary will*
23 *determine whether a project satisfies the applica-*
24 *ble requirements described in paragraph (1);*

1 “(B) any additional ratings the Secretary
2 may assign to determine the means by which a
3 project addresses the selection criteria and addi-
4 tional considerations described in paragraphs (2)
5 and (3); and

6 “(C) the means by which the project re-
7 quirements and ratings referred to in subpara-
8 graphs (A) and (B) will be used to assign an
9 overall rating for the project under paragraph
10 (4).

11 “(6) *PROJECT SELECTION PRIORITY.*—*In award-*
12 *ing grants under the program, the Secretary shall*
13 *give priority to projects to which the Secretary has*
14 *assigned a rating of ‘highly recommended’ under*
15 *paragraph (4)(B)(i).*

16 “(g) *DATA COLLECTION AND ANALYSIS.*—

17 “(1) *PLAN.*—

18 “(A) *IN GENERAL.*—*An eligible entity seek-*
19 *ing a grant under the program shall submit to*
20 *the Secretary, together with the grant applica-*
21 *tion, a plan for the collection and analysis of*
22 *data to identify in accordance with the frame-*
23 *work established under paragraph (2)—*

24 “(i) *the impacts of the project; and*

1 “(ii) the accuracy of any forecast pre-
2 pared during the development phase of the
3 project and included in the grant applica-
4 tion.

5 “(B) CONTENTS.—A plan under subpara-
6 graph (A) shall include—

7 “(i) an approach to measuring—

8 “(I) the criteria described in sub-
9 section (f)(2); and

10 “(II) if applicable, the additional
11 requirements described in subsection
12 (f)(3);

13 “(ii) an approach for analyzing the
14 consistency of predicted project characteris-
15 tics with actual outcomes; and

16 “(iii) any other elements that the Sec-
17 retary determines to be necessary.

18 “(2) FRAMEWORK.—The Secretary may publish
19 a standardized framework for the contents of the
20 plans under paragraph (1), which may include, as
21 appropriate—

22 “(A) standardized forecasting and measure-
23 ment approaches;

24 “(B) data storage system requirements; and

1 “(C) *any other requirements the Secretary*
2 *determines to be necessary to carry out this sec-*
3 *tion.*

4 “(3) *MULTIYEAR GRANT AGREEMENTS.—The*
5 *Secretary shall require an eligible entity, as a condi-*
6 *tion of receiving funding pursuant to a multiyear*
7 *grant agreement under the program, to collect addi-*
8 *tional data to measure the impacts of the project and*
9 *to accurately track improvements made by the project,*
10 *in accordance with a plan described in paragraph*
11 *(1).*

12 “(4) *REPORTS.—*

13 “(A) *PROJECT BASELINE.—Before the date*
14 *of completion of a project for which a grant is*
15 *provided under the program, the eligible entity*
16 *carrying out the project shall submit to the Sec-*
17 *retary a report providing baseline data for the*
18 *purpose of analyzing the long-term impact of the*
19 *project in accordance with the framework estab-*
20 *lished under paragraph (2).*

21 “(B) *UPDATED REPORT.—Not later than 6*
22 *years after the date of completion of a project for*
23 *which a grant is provided under the program,*
24 *the eligible entity carrying out the project shall*
25 *submit to the Secretary a report that compares*

1 *the baseline data included in the report under*
2 *subparagraph (A) to project data collected dur-*
3 *ing the period—*

4 “(i) *beginning on the date that is 5*
5 *years after the date of completion of the*
6 *project; and*

7 “(ii) *ending on the date on which the*
8 *updated report is submitted.*

9 “(h) *ELIGIBLE PROJECT COSTS.—*

10 “(1) *IN GENERAL.—An eligible entity may use a*
11 *grant provided under the program for—*

12 “(A) *development-phase activities and costs,*
13 *including planning, feasibility analysis, revenue*
14 *forecasting, alternatives analysis, data collection*
15 *and analysis, environmental review and activi-*
16 *ties to support environmental review, prelimi-*
17 *nary engineering and design work, and other*
18 *preconstruction activities, including the prepara-*
19 *tion of a data collection and post-construction*
20 *analysis plan under subsection (g); and*

21 “(B) *construction, reconstruction, rehabili-*
22 *tation, acquisition of real property (including*
23 *land relating to the project and improvements to*
24 *that land), environmental mitigation (including*
25 *projects to replace or rehabilitate culverts or re-*

1 *duce stormwater runoff for the purpose of im-*
2 *proving habitat for aquatic species), construction*
3 *contingencies, acquisition of equipment, protec-*
4 *tion, and operational improvements directly re-*
5 *lating to the project.*

6 “(2) *INTEREST AND OTHER FINANCING COSTS.—*
7 *The interest and other financing costs of carrying out*
8 *any part of a project under a multiyear grant agree-*
9 *ment within a reasonable period of time shall be con-*
10 *sidered to be an eligible project cost only if the appli-*
11 *cable eligible entity certifies to the Secretary that the*
12 *eligible entity has demonstrated reasonable diligence*
13 *in seeking the most favorable financing terms.*

14 “(i) *COST SHARING.—*

15 “(1) *IN GENERAL.—The total amount awarded*
16 *for a project under the program may not exceed 60*
17 *percent of the total eligible project costs described in*
18 *subsection (h).*

19 “(2) *MAXIMUM FEDERAL INVOLVEMENT.—*

20 “(A) *IN GENERAL.—Subject to subpara-*
21 *graph (B), Federal assistance other than a grant*
22 *awarded under the program may be provided for*
23 *a project for which a grant is awarded under the*
24 *program.*

1 “(B) *LIMITATION.*—*The total amount of*
2 *Federal assistance provided for a project for*
3 *which a grant is awarded under the program*
4 *shall not exceed 80 percent of the total cost of the*
5 *project.*

6 “(C) *NON-FEDERAL SHARE.*—*Secured loans*
7 *or financing provided under section 603 of title*
8 *23 or section 22402 of this title and repaid with*
9 *local funds or revenues shall be considered to be*
10 *part of the local share of the cost of a project.*

11 “(3) *APPLICATION TO MULTIYEAR AGREE-*
12 *MENTS.*—*Notwithstanding any other provision of this*
13 *title, in any case in which amounts are provided*
14 *under the program pursuant to a multiyear agree-*
15 *ment, the disbursed Federal share of the cost of the*
16 *project may exceed the limitations described in para-*
17 *graphs (1) and (2)(B) for 1 or more years if the total*
18 *amount of the Federal share of the cost of the project,*
19 *once completed, does not exceed those limitations.*

20 “(j) *GRANT AGREEMENTS.*—

21 “(1) *IN GENERAL.*—*A project for which an eligi-*
22 *ble entity receives a multiyear grant under the pro-*
23 *gram shall be carried out in accordance with this sub-*
24 *section.*

1 “(2) *TERMS.*—*A multiyear grant agreement*
2 *under this subsection shall—*

3 “(A) *establish the terms of Federal partici-*
4 *pation in the applicable project;*

5 “(B) *establish the maximum amount of*
6 *Federal financial assistance for the project;*

7 “(C) *establish a schedule of anticipated Fed-*
8 *eral obligations for the project that provides for*
9 *obligation of the full grant amount;*

10 “(D) *describe the period of time for com-*
11 *pleting the project, regardless of whether that pe-*
12 *riod extends beyond the period of an authoriza-*
13 *tion; and*

14 “(E) *facilitate timely and efficient manage-*
15 *ment of the applicable project by the eligible en-*
16 *tity carrying out the project, in accordance with*
17 *applicable law.*

18 “(3) *SPECIAL RULES.*—

19 “(A) *IN GENERAL.*—*A multiyear grant*
20 *agreement under this subsection—*

21 “(i) *shall provide for the obligation of*
22 *an amount of available budget authority*
23 *specified in law;*

24 “(ii) *may include a commitment, con-*
25 *tingent on amounts to be specified in law in*

1 *advance for commitments under this para-*
2 *graph, to obligate an additional amount*
3 *from future available budget authority spec-*
4 *ified in law; and*

5 “(iii) shall provide that any funds dis-
6 bursed under the program for the project be-
7 fore the completion of any review required
8 under the National Environmental Policy
9 Act of 1969 (42 U.S.C. 4321 et seq.) may
10 only cover costs associated with develop-
11 ment-phase activities described in subsection
12 (h)(1)(A).

13 “(B) CONTINGENT COMMITMENT.—A contin-
14 gent commitment under this paragraph is not an
15 obligation of the Federal Government, including
16 for purposes of section 1501 of title 31.

17 “(4) SINGLE-YEAR GRANTS.—The Secretary may
18 only provide to an eligible entity a full grant under
19 the program in a single year if all reviews required
20 under the National Environmental Policy Act of 1969
21 (42 U.S.C. 4321 et seq.) with respect to the applicable
22 project have been completed before the receipt of any
23 program funds.

24 “(k) CONGRESSIONAL NOTIFICATION.—

1 “(1) *IN GENERAL.*—Not later than 30 days be-
2 fore the date on which the Secretary publishes the se-
3 lection of projects to receive grants under the pro-
4 gram, the Secretary shall submit to the Committee on
5 Commerce, Science, and Transportation of the Senate
6 and the Committee on Transportation and Infrastruc-
7 ture of the House of Representatives a written notice
8 that includes—

9 “(A) a list of all project applications re-
10 viewed by the Secretary as part of the selection
11 process;

12 “(B) the rating assigned to each project
13 under subsection (f)(4);

14 “(C) an evaluation and justification with
15 respect to each project for which the Secretary
16 will—

17 “(i) provide a grant under the pro-
18 gram; and

19 “(ii) enter into a multiyear grant
20 agreement under the program;

21 “(D) a description of the means by which
22 the Secretary anticipates allocating among se-
23 lected projects the amounts made available to the
24 Secretary to carry out the program; and

1 “(E) *anticipated funding levels required for*
2 *the 3 fiscal years beginning after the date of sub-*
3 *mission of the notice for projects selected for*
4 *grants under the program, based on information*
5 *available to the Secretary as of that date.*

6 “(2) *CONGRESSIONAL DISAPPROVAL.—The Sec-*
7 *retary may not provide a grant or any other obliga-*
8 *tion or commitment to fund a project under the pro-*
9 *gram if a joint resolution is enacted disapproving*
10 *funding for the project before the last day of the 30-*
11 *day period described in paragraph (1).*

12 “(l) *REPORTS.—*

13 “(1) *TRANSPARENCY.—Not later than 60 days*
14 *after the date on which the grants are announced*
15 *under the program, the Secretary shall publish on the*
16 *website of the Department a report that includes—*

17 “(A) *a list of all project applications re-*
18 *viewed by the Secretary as part of the selection*
19 *process under the program;*

20 “(B) *the rating assigned to each project*
21 *under subsection (f)(4); and*

22 “(C) *a description of each project for which*
23 *a grant has been provided under the program.*

24 “(2) *COMPTROLLER GENERAL.—*

1 “(A) *ASSESSMENT.*—*The Comptroller Gen-*
2 *eral of the United States shall conduct an assess-*
3 *ment of the administrative establishment, solici-*
4 *tation, selection, and justification process with*
5 *respect to the funding of grants under the pro-*
6 *gram.*

7 “(B) *REPORT.*—*Not later than 18 months*
8 *after the date on which the initial grants are*
9 *awarded for projects under the program, the*
10 *Comptroller General shall submit to the Com-*
11 *mittee on Commerce, Science, and Transpor-*
12 *tation of the Senate and the Committee on*
13 *Transportation and Infrastructure of the House*
14 *of Representatives a report that describes, as ap-*
15 *plicable—*

16 “(i) *the adequacy and fairness of the*
17 *process by which the projects were selected;*
18 *and*

19 “(ii) *the justification and criteria used*
20 *for the selection of the projects.*

21 “(m) *AUTHORIZATION OF APPROPRIATIONS.*—

22 “(1) *IN GENERAL.*—*There is authorized to be ap-*
23 *propriated to the Secretary to carry out the program*
24 *\$2,000,000,000 for each of fiscal years 2022 through*
25 *2026.*

1 “(2) *OTHER PROJECTS.*—Of the amounts made
2 available under paragraph (1), 50 percent shall be set
3 aside for projects that have a project cost of—

4 “(A) more than \$100,000,000; but

5 “(B) less than \$500,000,000.

6 “(3) *ADMINISTRATIVE EXPENSES.*—Of the
7 amounts made available to carry out the program for
8 each fiscal year, the Secretary may reserve not more
9 than 2 percent for the costs of—

10 “(A) administering and overseeing the pro-
11 gram; and

12 “(B) hiring personnel for the program, in-
13 cluding personnel dedicated to processing permit-
14 ting and environmental review issues.

15 “(4) *TRANSFER OF AUTHORITY.*—The Secretary
16 may transfer any portion of the amounts reserved
17 under paragraph (3) for a fiscal year to the Adminis-
18 trator of any of the Federal Highway Administration,
19 the Federal Transit Administration, the Federal Rail-
20 road Administration, or the Maritime Administration
21 to award and oversee grants in accordance with this
22 section.

23 “(n) *ADDITIONAL REQUIREMENTS.*—Each project that
24 receives a grant under the program shall achieve compli-
25 ance with the applicable requirements of—

1 “(1) title 23 relating to highway, road, and
2 bridge projects;

3 “(2) subchapter IV of chapter 31 of title 40;

4 “(3) title VI of the Civil Rights Act of 1964 (42
5 U.S.C. 2000d et seq.);

6 “(4) the National Environmental Policy Act of
7 1969 (42 U.S.C. 4321 et seq.);

8 “(5) chapter 53 relating to transit projects; and

9 “(6) section 22905, relating to rail projects.”.

10 **SEC. 1202. LOCAL AND REGIONAL PROJECT ASSISTANCE.**

11 (a) *IN GENERAL.*—Chapter 67 of subtitle III of title
12 49, United States Code (as added by section 1201), is
13 amended by adding at the end the following:

14 **“§ 6702. Local and regional project assistance**

15 “(a) *DEFINITIONS.*—In this section:

16 “(1) *AREA OF PERSISTENT POVERTY.*—The term
17 ‘area of persistent poverty’ means—

18 “(A) any county (or equivalent jurisdiction)
19 in which, during the 30-year period ending on
20 the date of enactment of this chapter, 20 percent
21 or more of the population continually lived in
22 poverty, as measured by—

23 “(i) the 1990 decennial census;

24 “(ii) the 2000 decennial census; and

1 “(iii) the most recent annual small
2 area income and poverty estimate of the
3 Bureau of the Census;

4 “(B) any census tract with a poverty rate
5 of not less than 20 percent, as measured by the
6 5-year data series available from the American
7 Community Survey of the Bureau of the Census
8 for the period of 2014 through 2018; and

9 “(C) any territory or possession of the
10 United States.

11 “(2) *ELIGIBLE ENTITY*.—The term ‘eligible enti-
12 ty’ means—

13 “(A) a State;

14 “(B) the District of Columbia;

15 “(C) any territory or possession of the
16 United States;

17 “(D) a unit of local government;

18 “(E) a public agency or publicly chartered
19 authority established by 1 or more States;

20 “(F) a special purpose district or public au-
21 thority with a transportation function, including
22 a port authority;

23 “(G) a federally recognized Indian Tribe or
24 a consortium of such Indian Tribes;

25 “(H) a transit agency; and

1 “(I) a multi-State or multijurisdictional
2 group of entities described in any of subpara-
3 graphs (A) through (H).

4 “(3) *ELIGIBLE PROJECT*.—The term ‘eligible
5 project’ means—

6 “(A) a highway or bridge project eligible for
7 assistance under title 23;

8 “(B) a public transportation project eligible
9 for assistance under chapter 53;

10 “(C) a passenger rail or freight rail trans-
11 portation project eligible for assistance under
12 this title;

13 “(D) a port infrastructure investment, in-
14 cluding—

15 “(i) inland port infrastructure; and

16 “(ii) a land port-of-entry;

17 “(E) the surface transportation components
18 of an airport project eligible for assistance under
19 part B of subtitle VII;

20 “(F) a project for investment in a surface
21 transportation facility located on Tribal land,
22 the title or maintenance responsibility of which
23 is vested in the Federal Government;

24 “(G) a project to replace or rehabilitate a
25 culvert or prevent stormwater runoff for the pur-

1 *pose of improving habitat for aquatic species*
2 *that will advance the goal of the program de-*
3 *scribed in subsection (b)(2); and*

4 *“(H) any other surface transportation in-*
5 *frastructure project that the Secretary considers*
6 *to be necessary to advance the goal of the pro-*
7 *gram.*

8 *“(4) PROGRAM.—The term ‘program’ means the*
9 *Local and Regional Project Assistance Program estab-*
10 *lished under subsection (b)(1).*

11 *“(5) RURAL AREA.—The term ‘rural area’ means*
12 *an area that is located outside of an urbanized area.*

13 *“(6) SECRETARY.—The term ‘Secretary’ means*
14 *the Secretary of Transportation.*

15 *“(7) URBANIZED AREA.—The term ‘urbanized*
16 *area’ means an area with a population of more than*
17 *200,000 residents, based on the most recent decennial*
18 *census.*

19 *“(b) ESTABLISHMENT.—*

20 *“(1) IN GENERAL.—The Secretary shall establish*
21 *and carry out a program, to be known as the ‘Local*
22 *and Regional Project Assistance Program’, to provide*
23 *for capital investments in surface transportation in-*
24 *frastructure.*

1 “(2) *GOAL.*—*The goal of the program shall be to*
2 *fund eligible projects that will have a significant local*
3 *or regional impact and improve transportation infra-*
4 *structure.*

5 “(c) *GRANTS.*—

6 “(1) *IN GENERAL.*—*In carrying out the pro-*
7 *gram, the Secretary may make grants to eligible enti-*
8 *ties, on a competitive basis, in accordance with this*
9 *section.*

10 “(2) *AMOUNT.*—*Except as otherwise provided in*
11 *this section, each grant made under the program shall*
12 *be in an amount equal to—*

13 “(A) *not less than \$5,000,000 for an urban-*
14 *ized area;*

15 “(B) *not less than \$1,000,000 for a rural*
16 *area; and*

17 “(C) *not more than \$25,000,000.*

18 “(3) *LIMITATION.*—*Not more than 15 percent of*
19 *the funds made available to carry out the program for*
20 *a fiscal year may be awarded to eligible projects in*
21 *a single State during that fiscal year.*

22 “(4) *STUDY.*—*Not later than 1 year after the*
23 *date of enactment of this section, the Comptroller*
24 *General of the United States shall conduct, and sub-*
25 *mit to the Committee on Commerce, Science, and*

1 *Transportation of the Senate and the Committee on*
2 *Transportation and Infrastructure of the House of*
3 *Representatives a report describing the results of, a*
4 *study of how changes to Federal share matching re-*
5 *quirements and selection criteria, such as using State*
6 *population data in Department of Transportation*
7 *discretionary programs, may impact the allocations*
8 *made to States.*

9 “(d) *SELECTION OF ELIGIBLE PROJECTS.*—

10 “(1) *NOTICE OF FUNDING OPPORTUNITY.*—*Not*
11 *later than 60 days after the date on which funds are*
12 *made available to carry out the program, the Sec-*
13 *retary shall publish a notice of funding opportunity*
14 *for the funds.*

15 “(2) *APPLICATIONS.*—*To be eligible to receive a*
16 *grant under the program, an eligible entity shall sub-*
17 *mit to the Secretary an application—*

18 “(A) *in such form and containing such in-*
19 *formation as the Secretary considers to be appro-*
20 *priate; and*

21 “(B) *by such date as the Secretary may es-*
22 *tablish, subject to the condition that the date*
23 *shall be not later than 90 days after the date on*
24 *which the Secretary issues the solicitation under*
25 *paragraph (1).*

1 “(3) *PRIMARY SELECTION CRITERIA.*—*In award-*
2 *ing grants under the program, the Secretary shall*
3 *evaluate the extent to which a project—*

4 “(A) *improves safety;*

5 “(B) *improves environmental sustain-*
6 *ability;*

7 “(C) *improves the quality of life of rural*
8 *areas or urbanized areas;*

9 “(D) *increases economic competitiveness*
10 *and opportunity, including increasing tourism*
11 *opportunities;*

12 “(E) *contributes to a state of good repair;*
13 *and*

14 “(F) *improves mobility and community*
15 *connectivity.*

16 “(4) *ADDITIONAL SELECTION CRITERIA.*—*In se-*
17 *lecting projects to receive grants under the program,*
18 *the Secretary shall take into consideration the extent*
19 *to which—*

20 “(A) *the project sponsors collaborated with*
21 *other public and private entities;*

22 “(B) *the project adopts innovative tech-*
23 *nologies or techniques, including—*

24 “(i) *innovative technology;*

1 “(ii) innovative project delivery tech-
2 niques; and

3 “(iii) innovative project financing;

4 “(C) the project has demonstrated readiness;

5 “(D) the project is cost effective; and

6 “(E) the project supports travel and tour-
7 ism, including by achieving the goals of the na-
8 tional travel and tourism infrastructure strategic
9 plan developed under section 1431(e) of the
10 FAST Act (49 U.S.C. 301 note; Public Law 114-
11 94).

12 “(5) TRANSPARENCY.—

13 “(A) IN GENERAL.—The Secretary, shall
14 evaluate, through a methodology that is discern-
15 ible and transparent to the public, the means by
16 which each application submitted under para-
17 graph (2) addresses the criteria under para-
18 graphs (3) and (4) or otherwise established by
19 the Secretary.

20 “(B) PUBLICATION.—The methodology
21 under subparagraph (A) shall be published by
22 the Secretary as part of the notice of funding op-
23 portunity under the program.

24 “(6) AWARDS.—Not later than 270 days after the
25 date on which amounts are made available to provide

1 *grants under the program for a fiscal year, the Sec-*
2 *retary shall announce the selection by the Secretary*
3 *of eligible projects to receive the grants in accordance*
4 *with this section.*

5 *“(7) TECHNICAL ASSISTANCE.—*

6 *“(A) IN GENERAL.—On request of an eligi-*
7 *ble entity that submitted an application under*
8 *paragraph (2) for a project that is not selected*
9 *to receive a grant under the program, the Sec-*
10 *retary shall provide to the eligible entity tech-*
11 *nical assistance and briefings relating to the*
12 *project.*

13 *“(B) TREATMENT.—Technical assistance*
14 *provided under this paragraph shall not be con-*
15 *sidered a guarantee of future selection of the ap-*
16 *plicable project under the program.*

17 *“(e) FEDERAL SHARE.—*

18 *“(1) IN GENERAL.—Except as provided in para-*
19 *graph (2), the Federal share of the cost of an eligible*
20 *project carried out using a grant provided under the*
21 *program shall not exceed 80 percent.*

22 *“(2) EXCEPTION.—The Federal share of the cost*
23 *of an eligible project carried out in a rural area, a*
24 *historically disadvantaged community, or an area of*
25 *persistent poverty using a grant under this subsection*

1 *may exceed 80 percent, at the discretion of the Sec-*
2 *retary.*

3 “(3) *TREATMENT OF OTHER FEDERAL FUNDS.—*
4 *Amounts provided under any of the following pro-*
5 *grams shall be considered to be a part of the non-Fed-*
6 *eral share for purposes of this subsection:*

7 “(A) *The tribal transportation program*
8 *under section 202 of title 23.*

9 “(B) *The Federal lands transportation pro-*
10 *gram under section 203 of title 23.*

11 “(C) *The TIFIA program (as defined in sec-*
12 *tion 601(a) of title 23).*

13 “(D) *The Railroad Rehabilitation and Im-*
14 *provement Financing Program under chapter*
15 *224.*

16 “(f) *OTHER CONSIDERATIONS.—*

17 “(1) *IN GENERAL.—Of the total amount made*
18 *available to carry out the program for each fiscal*
19 *year—*

20 “(A) *not more than 50 percent shall be allo-*
21 *cated for eligible projects located in rural areas;*
22 *and*

23 “(B) *not more than 50 percent shall be allo-*
24 *cated for eligible projects located in urbanized*
25 *areas.*

1 “(2) *HISTORICALLY DISADVANTAGED COMMU-*
2 *NITIES AND AREAS OF PERSISTENT POVERTY.*—Of the
3 *total amount made available to carry out the pro-*
4 *gram for each fiscal year, not less than 1 percent*
5 *shall be awarded for projects in historically disadvan-*
6 *taged communities or areas of persistent poverty.*

7 “(3) *MULTIMODAL AND GEOGRAPHICAL CONSID-*
8 *ERATIONS.*—In selecting projects to receive grants
9 *under the program, the Secretary shall take into con-*
10 *sideration geographical and modal diversity.*

11 “(g) *PROJECT PLANNING.*—Of the amounts made
12 *available to carry out the program for each fiscal year, not*
13 *less than 5 percent shall be made available for the planning,*
14 *preparation, or design of eligible projects.*

15 “(h) *TRANSFER OF AUTHORITY.*—Of the amounts
16 *made available to carry out the program for each fiscal*
17 *year, the Secretary may transfer not more than 2 percent*
18 *for a fiscal year to the Administrator of any of the Federal*
19 *Highway Administration, the Federal Transit Administra-*
20 *tion, the Federal Railroad Administration, or the Maritime*
21 *Administration to award and oversee grants and credit as-*
22 *sistance in accordance with this section.*

23 “(i) *CREDIT PROGRAM COSTS.*—

24 “(1) *IN GENERAL.*—Subject to paragraph (2), at
25 *the request of an eligible entity, the Secretary may*

1 *use a grant provided to the eligible entity under the*
2 *program to pay the subsidy or credit risk premium,*
3 *and the administrative costs, of an eligible project*
4 *that is eligible for Federal credit assistance under—*

5 *“(A) chapter 224; or*

6 *“(B) chapter 6 of title 23.*

7 *“(2) LIMITATION.—Not more than 20 percent of*
8 *the funds made available to carry out the program for*
9 *a fiscal year may be used to carry out paragraph (1).*

10 *“(j) AUTHORIZATION OF APPROPRIATIONS.—There is*
11 *authorized to be appropriated to carry out this section*
12 *\$1,500,000,000 for each of fiscal years 2022 through 2026,*
13 *to remain available for a period of 3 fiscal years following*
14 *the fiscal year for which the amounts are appropriated.*

15 *“(k) REPORTS.—*

16 *“(1) ANNUAL REPORT.—The Secretary shall*
17 *make available on the website of the Department of*
18 *Transportation at the end of each fiscal year an an-*
19 *nual report that describes each eligible project for*
20 *which a grant was provided under the program dur-*
21 *ing that fiscal year.*

22 *“(2) COMPTROLLER GENERAL.—Not later than 1*
23 *year after the date on which the initial grants are*
24 *awarded for eligible projects under the program, the*
25 *Comptroller General of the United States shall—*

1 “(A) review the administration of the pro-
2 gram, including—

3 “(i) the solicitation process; and

4 “(ii) the selection process, including—

5 “(I) the adequacy and fairness of
6 the process; and

7 “(II) the selection criteria; and

8 “(B) submit to the Committee on Com-
9 merce, Science, and Transportation of the Senate
10 and the Committee on Transportation and Infra-
11 structure of the House of Representatives a re-
12 port describing the findings of the review under
13 subparagraph (A), including recommendations
14 for improving the administration of the pro-
15 gram, if any.”.

16 (b) *CLERICAL AMENDMENT.*—The analysis for subtitle
17 III of title 49, United States Code, is amended by adding
18 at the end the following:

“CHAPTER 67—NATIONAL INFRASTRUCTURE INVESTMENTS

“Sec. 6701. National infrastructure project assistance.

“Sec. 6702. Local and regional project assistance.”.

19 **SEC. 1203. NATIONAL CULVERT REMOVAL, REPLACEMENT,**
20 **AND RESTORATION GRANT PROGRAM.**

21 (a) *IN GENERAL.*—Chapter 67 of title 49, United
22 States Code (as amended by section 1202(a)), is amended
23 by adding at the end the following:

1 **“§ 6703. National culvert removal, replacement, and**
2 **restoration grant program**

3 “(a) *DEFINITIONS.—In this section:*

4 “(1) *DIRECTOR.—The term ‘Director’ means the*
5 *Director of the United States Fish and Wildlife Serv-*
6 *ice.*

7 “(2) *INDIAN TRIBE.—The term ‘Indian Tribe’*
8 *has the meaning given the term in section 4 of the In-*
9 *Indian Self-Determination and Education Assistance*
10 *Act (25 U.S.C. 5304).*

11 “(3) *PROGRAM.—The term ‘program’ means the*
12 *annual competitive grant program established under*
13 *subsection (b).*

14 “(4) *SECRETARY.—The term ‘Secretary’ means*
15 *the Secretary of Transportation.*

16 “(5) *UNDERSECRETARY.—The term ‘Undersecre-*
17 *tary’ means the Undersecretary of Commerce for*
18 *Oceans and Atmosphere.*

19 “(b) *ESTABLISHMENT.—The Secretary, in consulta-*
20 *tion with the Undersecretary, shall establish an annual*
21 *competitive grant program to award grants to eligible enti-*
22 *ties for projects for the replacement, removal, and repair*
23 *of culverts or weirs that—*

24 “(1) *would meaningfully improve or restore fish*
25 *passage for anadromous fish; and*

26 “(2) *with respect to weirs, may include—*

1 “(A) *infrastructure to facilitate fish passage*
2 *around or over the weir; and*

3 “(B) *weir improvements.*

4 “(c) *ELIGIBLE ENTITIES.—An entity eligible to receive*
5 *a grant under the program is—*

6 “(1) *a State;*

7 “(2) *a unit of local government; or*

8 “(3) *an Indian Tribe.*

9 “(d) *GRANT SELECTION PROCESS.—The Secretary, in*
10 *consultation with the Undersecretary and the Director, shall*
11 *establish a process for determining criteria for awarding*
12 *grants under the program, subject to subsection (e).*

13 “(e) *PRIORITIZATION.—The Secretary, in consultation*
14 *with the Undersecretary and the Director, shall establish*
15 *procedures to prioritize awarding grants under the program*
16 *to—*

17 “(1) *projects that would improve fish passage*
18 *for—*

19 “(A) *anadromous fish stocks listed as an en-*
20 *dangered species or a threatened species under*
21 *section 4 of the Endangered Species Act of 1973*
22 *(16 U.S.C. 1533);*

23 “(B) *anadromous fish stocks identified by*
24 *the Undersecretary or the Director that could*

1 *reasonably become listed as an endangered spe-*
2 *cies or a threatened species under that section;*

3 “(C) *anadromous fish stocks identified by*
4 *the Undersecretary or the Director as prey for*
5 *endangered species, threatened species, or pro-*
6 *ected species, including Southern resident orcas*
7 *(Orcinus orcas); or*

8 “(D) *anadromous fish stocks identified by*
9 *the Undersecretary or the Director as climate re-*
10 *silient stocks; and*

11 “(2) *projects that would open up more than 200*
12 *meters of upstream habitat before the end of the nat-*
13 *ural habitat.*

14 “(f) *FEDERAL SHARE.—The Federal share of the cost*
15 *of a project carried out with a grant to a State or a unit*
16 *of local government under the program shall be not more*
17 *than 80 percent.*

18 “(g) *TECHNICAL ASSISTANCE.—The Secretary, in con-*
19 *sultation with the Undersecretary and the Director, shall*
20 *develop a process to provide technical assistance to Indian*
21 *Tribes and underserved communities to assist in the project*
22 *design and grant process and procedures.*

23 “(h) *ADMINISTRATIVE EXPENSES.—Of the amounts*
24 *made available for each fiscal year to carry out the pro-*
25 *gram, the Secretary, the Undersecretary, and the Director*

1 *may use not more than 2 percent to pay the administrative*
 2 *expenses necessary to carry out this section.*

3 “(i) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 4 *authorized to be appropriated to carry out the program*
 5 *\$800,000,000 for each of fiscal years 2022 through 2026.”.*

6 (b) *CLERICAL AMENDMENT.—The analysis for chapter*
 7 *67 of title 49, United States Code (as added by section*
 8 *1202(b)), is amended by adding at the end the following:*
“6703. National culvert removal, replacement, and restoration grant program.”.

9 **SEC. 1204. NATIONALLY SIGNIFICANT MULTIMODAL**
 10 **FREIGHT PROJECTS.**

11 (a) *IN GENERAL.—Section 117 of title 23, United*
 12 *States Code, is amended—*

13 (1) *in the section heading, by inserting*
 14 **“multimodal”** *before “freight”;*

15 (2) *in subsection (a)(2)—*

16 (A) *in subparagraph (C), by striking “high-*
 17 *way” and inserting “freight”; and*

18 (B) *in subparagraph (E), by striking “high-*
 19 *way” and inserting “freight”;*

20 (3) *in subsection (d)—*

21 (A) *in paragraph (1)(A)—*

22 (i) *in clause (iii)(II), by striking “or”*
 23 *after the semicolon at the end;*

24 (ii) *in clause (iv), by striking “and” at*
 25 *the end and inserting “or”; and*

1 (iii) by adding at the end the fol-
2 lowing:

3 “(v) a highway, bridge, or freight
4 project carried out on the National
5 Multimodal Freight Network established
6 under section 70103 of title 49; and”;

7 (B) in paragraph (2)(A), in the matter pre-
8 ceding clause (i), by striking “\$600,000,000”
9 and inserting “50 percent”;

10 (4) in subsection (e)(1), by striking “10 percent”
11 and inserting “not less than 15 percent”;

12 (5) in subsection (f)(2), by inserting “(including
13 a project to replace or rehabilitate a culvert, or to re-
14 duce stormwater runoff for the purpose of improving
15 habitat for aquatic species)” after “environmental
16 mitigation”;

17 (6) in subsection (m), by striking paragraph (1)
18 and inserting the following:

19 “(1) *IN GENERAL.*—Not later than 60 days be-
20 fore the date on which a grant is provided for a
21 project under this section, the Secretary shall submit
22 to the Committees on Commerce, Science, and Trans-
23 portation and Environment and Public Works of the
24 Senate and the Committee on Transportation and In-

1 *frastructure of the House of Representatives a report*
 2 *describing the proposed grant, including—*

3 “(A) *an evaluation and justification for the*
 4 *applicable project; and*

5 “(B) *a description of the amount of the pro-*
 6 *posed grant award.*”; and

7 (7) *by adding at the end the following:*

8 “(o) *ADDITIONAL AUTHORIZATION OF APPROPRIA-*
 9 *TIONS.—In addition to amounts made available from the*
 10 *Highway Trust Fund, there are authorized to be appro-*
 11 *priated to carry out this section, to remain available for*
 12 *a period of 3 fiscal years following the fiscal year for which*
 13 *the amounts are appropriated—*

14 “(1) *\$1,000,000,000 for fiscal year 2022;*

15 “(2) *\$1,100,000,000 for fiscal year 2023;*

16 “(3) *\$1,200,000,000 for fiscal year 2024;*

17 “(4) *\$1,300,000,000 for fiscal year 2025; and*

18 “(5) *\$1,400,000,000 for fiscal year 2026.*”.

19 (b) *CLERICAL AMENDMENT.—The analysis for chapter*
 20 *1 of title 23, United States Code, is amended by striking*
 21 *the item relating to section 117 and inserting the following:*

 “117. *Nationally significant multimodal freight and highway projects.*”.

1 **SEC. 1205. NATIONAL MULTIMODAL COOPERATIVE FREIGHT**
2 **RESEARCH PROGRAM.**

3 (a) *IN GENERAL.*—Chapter 702 of title 49, United
4 States Code (as amended by section 1106(a)), is amended
5 by inserting after section 70204 the following:

6 **“§ 70205. National multimodal cooperative freight re-**
7 **search program**

8 “(a) *ESTABLISHMENT.*—Not later than 1 year after the
9 date of enactment of this section, the Secretary of Transpor-
10 tation (referred to in this section as the ‘Secretary’) shall
11 establish and support a national cooperative freight trans-
12 portation research program.

13 “(b) *ADMINISTRATION BY NATIONAL ACADEMY OF*
14 *SCIENCES.*—

15 “(1) *IN GENERAL.*—The Secretary shall enter
16 into an agreement with the National Academy of
17 Sciences to support and carry out administrative and
18 management activities under the program established
19 under subsection (a).

20 “(2) *ADVISORY COMMITTEE.*—To assist the Na-
21 tional Academy of Sciences in carrying out this sub-
22 section, the National Academy shall establish an advi-
23 sory committee, the members of which represent a
24 cross-section of multimodal freight stakeholders, in-
25 cluding—

1 “(A) *the Department of Transportation and*
2 *other relevant Federal departments and agencies;*

3 “(B) *State (including the District of Colum-*
4 *bia) departments of transportation;*

5 “(C) *units of local government, including*
6 *public port authorities;*

7 “(D) *nonprofit entities;*

8 “(E) *institutions of higher education;*

9 “(F) *labor organizations representing em-*
10 *ployees in freight industries; and*

11 “(G) *private sector entities representing*
12 *various transportation modes.*

13 “(c) *ACTIVITIES.—*

14 “(1) *NATIONAL RESEARCH AGENDA.—*

15 “(A) *IN GENERAL.—The advisory committee*
16 *established under subsection (b)(2), in consulta-*
17 *tion with interested parties, shall recommend a*
18 *national research agenda for the program in ac-*
19 *cordance with subsection (d), which shall include*
20 *a multiyear strategic plan.*

21 “(B) *ACTION BY INTERESTED PARTIES.—*

22 *For purposes of subparagraph (A), an interested*
23 *party may—*

24 “(i) *submit to the advisory committee*
25 *research proposals;*

1 “(ii) participate in merit reviews of
2 research proposals and peer reviews of re-
3 search products; and

4 “(iii) receive research results.

5 “(2) RESEARCH CONTRACTS AND GRANTS.—

6 “(A) IN GENERAL.—The National Academy
7 of Sciences may award research contracts and
8 grants under the program established under sub-
9 section (a) through—

10 “(i) open competition; and

11 “(ii) merit review, conducted on a reg-
12 ular basis.

13 “(B) EVALUATION.—

14 “(i) PEER REVIEW.—A contract or
15 grant for research under subparagraph (A)
16 may allow peer review of the research re-
17 sults.

18 “(ii) PROGRAMMATIC EVALUATIONS.—

19 The National Academy of Sciences may
20 conduct periodic programmatic evaluations
21 on a regular basis of a contract or grant for
22 research under subparagraph (A).

23 “(C) DISSEMINATION OF FINDINGS.—The
24 National Academy of Sciences shall disseminate
25 the findings of any research conducted under this

1 paragraph to relevant researchers, practitioners,
2 and decisionmakers through—

3 “(i) conferences and seminars;

4 “(ii) field demonstrations;

5 “(iii) workshops;

6 “(iv) training programs;

7 “(v) presentations;

8 “(vi) testimony to government officials;

9 “(vii) publicly accessible websites;

10 “(viii) publications for the general
11 public; and

12 “(ix) other appropriate means.

13 “(3) *REPORT.*—Not later than 1 year after the
14 date of establishment of the program under subsection
15 (a), and annually thereafter, the Secretary shall make
16 available on a public website a report that describes
17 the ongoing research and findings under the program.

18 “(d) *AREAS FOR RESEARCH.*—The national research
19 agenda under subsection (c)(1) shall consider research in
20 the following areas:

21 “(1) Improving the efficiency and resiliency of
22 freight movement, including—

23 “(A) improving the connections between
24 rural areas and domestic and foreign markets;

1 “(B) maximizing infrastructure utility, in-
2 cluding improving urban curb-use efficiency;

3 “(C) quantifying the national impact of
4 blocked railroad crossings;

5 “(D) improved techniques for estimating
6 and quantifying public benefits derived from
7 freight transportation projects; and

8 “(E) low-cost methods to reduce congestion
9 at bottlenecks.

10 “(2) Adapting to future trends in freight, includ-
11 ing—

12 “(A) considering the impacts of e-commerce;

13 “(B) automation; and

14 “(C) zero-emissions transportation.

15 “(3) Workforce considerations in freight, includ-
16 ing—

17 “(A) diversifying the freight transportation
18 industry workforce; and

19 “(B) creating and transitioning a workforce
20 capable of designing, deploying, and operating
21 emerging technologies.

22 “(e) FEDERAL SHARE.—

23 “(1) IN GENERAL.—The Federal share of the cost
24 of an activity carried out under this section shall be
25 up to 100 percent.

1 “(2) *USE OF NON-FEDERAL FUNDS.*—*In addition*
 2 *to using funds made available to carry out this sec-*
 3 *tion, the National Academy of Sciences may seek and*
 4 *accept additional funding from public and private*
 5 *entities capable of accepting funding from the Depart-*
 6 *ment of Transportation, States, units of local govern-*
 7 *ment, nonprofit entities, and the private sector.*

8 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 9 *authorized to be appropriated to the Secretary \$3,750,000*
 10 *for each fiscal year to carry out the program established*
 11 *under subsection (a), to remain available until expended.*

12 “(g) *SUNSET.*—*The program established under sub-*
 13 *section (a) shall terminate 5 years after the date of enact-*
 14 *ment of this section.”.*

15 “(b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 16 *702 of title 49, United States Code (as amended by section*
 17 *1106(b)), is amended by inserting after the item relating*
 18 *to section 70204 the following:*

 “70205. *National multimodal cooperative freight research program.*”.

19 **SEC. 1206. RURAL AND TRIBAL INFRASTRUCTURE AD-**
 20 **VANCEMENT.**

21 “(a) *DEFINITIONS.*—*In this section:*

22 “(1) *BUILD AMERICA BUREAU.*—*The term “Build*
 23 *America Bureau” means the National Surface Trans-*
 24 *portation and Innovative Finance Bureau established*
 25 *under section 116 of title 49, United States Code.*

1 (2) *ELIGIBLE ENTITY.*—The term “eligible enti-
2 ty” means—

3 (A) a unit of local government or political
4 subdivision that is located outside of an urban-
5 ized area with a population of more than
6 150,000 residents, as determined by the Bureau
7 of the Census;

8 (B) a State seeking to advance a project lo-
9 cated in an area described in subparagraph (A);

10 (C) a federally recognized Indian Tribe;
11 and

12 (D) the Department of Hawaiian Home
13 Lands.

14 (3) *ELIGIBLE PROGRAM.*—The term “eligible
15 program” means any program described in—

16 (A) subparagraph (A) or (B) of section
17 116(d)(1) of title 49, United States Code;

18 (B) section 118(d)(3)(A) of that title (as
19 added by section 1101(a)); or

20 (C) chapter 67 of that title (as added by
21 section 1201).

22 (4) *PILOT PROGRAM.*—The term “pilot program”
23 means the Rural and Tribal Assistance Pilot Pro-
24 gram established under subsection (b)(1).

25 (b) *ESTABLISHMENT.*—

1 (1) *IN GENERAL.*—*The Secretary shall establish*
2 *within the Build America Bureau a pilot program, to*
3 *be known as the “Rural and Tribal Assistance Pilot*
4 *Program”, to provide to eligible entities the assistance*
5 *and information described in paragraph (2).*

6 (2) *ASSISTANCE AND INFORMATION.*—*In car-*
7 *rying out the pilot program, the Secretary may pro-*
8 *vide to an eligible entity the following:*

9 (A) *Financial, technical, and legal assist-*
10 *ance to evaluate potential projects reasonably ex-*
11 *pected to be eligible to receive funding or financ-*
12 *ing assistance under an eligible program.*

13 (B) *Assistance with development-phase ac-*
14 *tivities, including—*

15 (i) *project planning;*

16 (ii) *feasibility studies;*

17 (iii) *revenue forecasting and funding*
18 *and financing options analyses;*

19 (iv) *environmental review;*

20 (v) *preliminary engineering and de-*
21 *sign work;*

22 (vi) *economic assessments and cost-ben-*
23 *efit analyses;*

24 (vii) *public benefit studies;*

1 (viii) statutory and regulatory frame-
2 work analyses;

3 (ix) value for money studies;

4 (x) evaluations of costs to sustain the
5 project;

6 (xi) evaluating opportunities for pri-
7 vate financing and project bundling; and

8 (xii) any other activity determined to
9 be appropriate by the Secretary.

10 (C) Information regarding innovative fi-
11 nancing best practices and case studies, if the el-
12 igible entity is interested in using innovative fi-
13 nancing methods.

14 (c) ASSISTANCE FROM EXPERT FIRMS.—The Sec-
15 retary may retain the services of expert firms, including
16 counsel, in the field of municipal and project finance to
17 assist in providing financial, technical, and legal assistance
18 to eligible entities under the pilot program.

19 (d) WEBSITE.—

20 (1) DESCRIPTION OF PILOT PROGRAM.—

21 (A) IN GENERAL.—The Secretary shall
22 make publicly available on the website of the De-
23 partment a description of the pilot program, in-
24 cluding—

1 (i) *the resources available to eligible*
2 *entities under the pilot program; and*

3 (ii) *the application process established*
4 *under paragraph (2)(A).*

5 (B) *CLEARINGHOUSE.—The Secretary may*
6 *establish a clearinghouse for tools, templates, and*
7 *best practices on the page of the website of the*
8 *Department that contains the information de-*
9 *scribed in subparagraph (A).*

10 (2) *APPLICATIONS.—*

11 (A) *IN GENERAL.—Not later than 180 days*
12 *after the date of enactment of this Act, the Sec-*
13 *retary shall establish a process by which an eli-*
14 *gible entity may submit to the Secretary an ap-*
15 *plication under the pilot program, in such form*
16 *and containing such information as the Sec-*
17 *retary may require.*

18 (B) *ONLINE PORTAL.—The Secretary shall*
19 *develop and make available to the public an on-*
20 *line portal through which the Secretary may re-*
21 *ceive applications under subparagraph (A), on a*
22 *rolling basis.*

23 (C) *APPROVAL.—*

24 (i) *IN GENERAL.—Not later than 60*
25 *days after the date on which the Secretary*

1 receives a complete application under sub-
2 paragraph (A), the Secretary shall provide
3 to each eligible entity that submitted the ap-
4 plication a notice describing whether the
5 application is approved or disapproved.

6 (ii) *ADDITIONAL WRITTEN NOTIFICA-*
7 *TION.—*

8 (I) *IN GENERAL.—*Not later than
9 30 days after the date on which the
10 Secretary provides to an eligible entity
11 a notification under clause (i), the Sec-
12 retary shall provide to the eligible enti-
13 ty an additional written notification of
14 the approval or disapproval of the ap-
15 plication.

16 (II) *DISAPPROVED APPLICA-*
17 *TIONS.—*If the application of an eligi-
18 ble entity is disapproved under this
19 subparagraph, the additional written
20 notification provided to the eligible en-
21 tity under subclause (I) shall include
22 an offer for a written or telephonic de-
23 brief by the Secretary that will provide
24 an explanation of, and guidance re-

1 *garding, the reasons why the applica-*
2 *tion was disapproved.*

3 *(iii) INSUFFICIENT APPLICATIONS.—*

4 *The Secretary shall not approve an applica-*
5 *tion under this subparagraph if the appli-*
6 *cation fails to meet the applicable criteria*
7 *established under this section.*

8 *(3) DASHBOARD.—The Secretary shall publish*
9 *on the website of the Department a monthly report*
10 *that includes, for each application received under the*
11 *pilot program—*

12 *(A) the type of eligible entity that submitted*
13 *the application;*

14 *(B) the location of each potential project de-*
15 *scribed in the application;*

16 *(C) a brief description of the assistance re-*
17 *quested;*

18 *(D) the date on which the Secretary received*
19 *the application; and*

20 *(E) the date on which the Secretary pro-*
21 *vided the notice of approval or disapproval*
22 *under paragraph (2)(C)(i).*

23 *(e) EXPERTS.—An eligible entity that receives assist-*
24 *ance under the pilot program may retain the services of*
25 *an expert for any phase of a project carried out using the*

1 assistance, including project development, regardless of
2 whether the expert is retained by the Secretary under sub-
3 section (c).

4 (f) FUNDING.—

5 (1) IN GENERAL.—For each of fiscal years 2022
6 through 2026, the Secretary may use to carry out the
7 pilot program, including to retain the services of ex-
8 pert firms under subsection (c), any amount made
9 available to the Secretary to provide credit assistance
10 under an eligible program that is not otherwise obli-
11 gated, subject to paragraph (2).

12 (2) LIMITATION.—The amount used under para-
13 graph (1) to carry out the pilot program shall be not
14 more than—

15 (A) \$1,600,000 for fiscal year 2022;

16 (B) \$1,800,000 for fiscal year 2023;

17 (C) \$2,000,000 for fiscal year 2024;

18 (D) \$2,200,000 for fiscal year 2025; and

19 (E) \$2,400,000 for fiscal year 2026.

20 (3) GEOGRAPHICAL DISTRIBUTION.—Not more
21 than 20 percent of the funds made available to carry
22 out the pilot program for a fiscal year may be used
23 for projects in a single State during that fiscal year.

1 (g) *SUNSET.*—*The pilot program shall terminate on*
 2 *the date that is 5 years after the date of enactment of this*
 3 *Act.*

4 (h) *NONAPPLICABILITY.*—*Nothing in this section lim-*
 5 *its the ability of the Build America Bureau or the Secretary*
 6 *to establish or carry out any other assistance program*
 7 *under title 23 or title 49, United States Code.*

8 (i) *ADMINISTRATION BY BUILD AMERICA BUREAU.*—
 9 *Section 116(d)(1) of title 49, United States Code (as amend-*
 10 *ed by section 1101(c)(4)), is amended by adding at the end*
 11 *the following:*

12 “(D) *The Rural and Tribal Assistance Pilot*
 13 *Program established under section 1206(b)(1) of*
 14 *the Surface Transportation Investment Act of*
 15 *2021.*”.

16 ***Subtitle C—Railroad Rehabilita-***
 17 ***tion and Improvement Financ-***
 18 ***ing Reforms***

19 ***SEC. 1301. RRIF CODIFICATION AND REFORMS.***

20 (a) *CODIFICATION OF TITLE V OF THE RAILROAD RE-*
 21 *VITALIZATION AND REGULATORY REFORM ACT OF 1976.*—
 22 *Part B of subtitle V of title 49, United States Code, is*
 23 *amended—*

24 (1) *by inserting after chapter 223 the following*
 25 *chapter analysis:*

*“CHAPTER 224—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING**“Sec.**“22401. Definitions.**“22402. Direct loans and loan guarantees.**“22403. Administration of direct loans and loan guarantees.**“22404. Employee protection.**“22405. Authorization of appropriations.”;*

1 (2) *by inserting after the chapter analysis the*
2 *following section headings:*

3 **“§ 22401. Definitions**

4 **“§ 22402. Direct loans and loan guarantees**

5 **“§ 22403. Administration of direct loans and loan**
6 **guarantees**

7 **“§ 22404. Employee protection”;**

8 (3) *by inserting after the section heading for sec-*
9 *tion 22401, as added by paragraph (2), the text of*
10 *section 501 of the Railroad Revitalization and Regu-*
11 *latory Reform Act of 1976 (45 U.S.C. 821);*

12 (4) *by inserting after the section heading for sec-*
13 *tion 22402, as added by paragraph (2), the text of*
14 *section 502 of the Railroad Revitalization and Regu-*
15 *latory Reform Act of 1976 (45 U.S.C. 822);*

16 (5) *by inserting after the section heading for sec-*
17 *tion 22403, as added by paragraph (2), the text of*
18 *section 503 of the Railroad Revitalization and Regu-*
19 *latory Reform Act of 1976 (45 U.S.C. 823); and*

20 (6) *by inserting after the section heading for sec-*
21 *tion 22404, as added by paragraph (2), the text of*

1 *section 504 of the Railroad Revitalization and Regu-*
2 *latory Reform Act of 1976 (45 U.S.C. 836).*

3 *(b) CONFORMING REPEALS.—*

4 *(1) IN GENERAL.—Sections 501, 502, 503, and*
5 *504 of the Railroad Revitalization and Regulatory*
6 *Reform Act of 1976 (45 U.S.C. 821, 822, 823, and*
7 *836) are repealed.*

8 *(2) SAVINGS PROVISION.—The section repeals*
9 *under paragraph (1) shall not affect the rights and*
10 *duties that matured under such sections, the penalties*
11 *that were incurred under such sections, or any pro-*
12 *ceeding authorized under any such section that com-*
13 *menced before the date of enactment of this Act.*

14 *(c) DEFINITIONS.—Section 22401 of title 49, United*
15 *States Code, as added by subsection (a)(2), and amended*
16 *by subsection (a)(3), is further amended—*

17 *(1) in the matter preceding paragraph (1), by*
18 *striking “For purposes of this title:” and inserting*
19 *“In this chapter:”;*

20 *(2) by amending paragraph (12) to read as fol-*
21 *lows:*

22 *“(12) The term ‘railroad’ includes—*

23 *“(A) any ‘railroad’ or ‘railroad carrier’ (as*
24 *such terms are defined in section 20102); and*

1 “(B) any ‘rail carrier’ (as defined in sec-
2 tion 24102).”;

3 (3) by redesignating paragraph (14) as para-
4 graph (15); and

5 (4) by inserting after paragraph (13) the fol-
6 lowing:

7 “(14) The term ‘Secretary’ means the Secretary
8 of Transportation.”.

9 (d) *DIRECT LOANS AND LOAN GUARANTEES.*—Section
10 22402 of title 49, United States Code, as added by sub-
11 section (a)(2), and amended by subsection (a)(4), is further
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2), by inserting “entities
15 implementing” before “interstate compacts”;

16 (B) in paragraph (5)—

17 (i) by inserting “entities participating
18 in” before “joint ventures”; and

19 (ii) by striking “and” at the end; and

20 (C) by striking paragraph (6) and inserting
21 the following:

22 “(6) limited option freight shippers that own or
23 operate a plant or other facility, solely for the pur-
24 pose of constructing a rail connection between a plant
25 or facility and a railroad; and

1 “(7) *private entities with controlling ownership*
2 *in 1 or more freight railroads other than Class I car-*
3 *riers.*”;

4 (2) *in subsection (b)—*

5 (A) *by amending paragraph (1) to read as*
6 *follows:*

7 “(1) *IN GENERAL.—Direct loans and loan guar-*
8 *antees authorized under this section shall be used—*

9 “(A) *to acquire, improve, or rehabilitate*
10 *intermodal or rail equipment or facilities, in-*
11 *cluding track, components of track, cuts and*
12 *fills, stations, tunnels, bridges, yards, buildings,*
13 *and shops, and costs related to these activities,*
14 *including pre-construction costs;*

15 “(B) *to develop or establish new intermodal*
16 *or railroad facilities;*

17 “(C) *to develop landside port infrastructure*
18 *for seaports serviced by rail;*

19 “(D) *to refinance outstanding debt incurred*
20 *for the purposes described in subparagraph (A)*
21 *, (B), or (C);*

22 “(E) *to reimburse planning, permitting,*
23 *and design expenses relating to activities de-*
24 *scribed in subparagraph (A), (B), or (C); or*

1 “(F) to finance economic development, in-
2 cluding commercial and residential development,
3 and related infrastructure and activities, that—

4 “(i) incorporates private investment of
5 greater than 20 percent of total project
6 costs;

7 “(ii) is physically connected to, or is
8 within 1/2 mile of, a fixed guideway transit
9 station, an intercity bus station, a pas-
10 senger rail station, or a multimodal station,
11 provided that the location includes service
12 by a railroad;

13 “(iii) demonstrates the ability of the
14 applicant to commence the contracting
15 process for construction not later than 90
16 days after the date on which the direct loan
17 or loan guarantee is obligated for the project
18 under this chapter; and

19 “(iv) demonstrates the ability to gen-
20 erate new revenue for the relevant passenger
21 rail station or service by increasing rider-
22 ship, increasing tenant lease payments, or
23 carrying out other activities that generate
24 revenue exceeding costs.”; and

25 (B) by striking paragraph (3);

1 (3) *in subsection (c)—*

2 (A) *in paragraph (1), by striking “of title*
3 *49, United States Code”;* and

4 (B) *in paragraph (5), by striking “title 49,*
5 *United States Code,” and inserting “this title”*

6 (4) *in subsection (e), by amending paragraph (1)*
7 *to read as follows:*

8 “(1) *DIRECT LOANS.—The interest rate on a di-*
9 *rect loan under this section shall be not less than the*
10 *yield on United States Treasury securities of a simi-*
11 *lar maturity to the maturity of the secured loan on*
12 *the date of execution of the loan agreement.”;*

13 (5) *in subsection (f)—*

14 (A) *in paragraph (3)—*

15 (i) *in the matter preceding subpara-*
16 *graph (A)—*

17 (I) *by striking “An applicant*
18 *may propose and” and inserting*
19 *“Upon receipt of a proposal from an*
20 *applicant under this section,”; and*

21 (II) *by striking “tangible asset”*
22 *and inserting “collateral described in*
23 *paragraph (6)”;*

24 (ii) *in subparagraph (B)(i), by insert-*
25 *ing “, including operating or tenant*

1 *charges, facility rents, or other fees paid by*
 2 *transportation service providers or opera-*
 3 *tors for access to, or the use of, infrastruc-*
 4 *ture, including rail lines, bridges, tunnels,*
 5 *yards, or stations” after “user fees”;*

6 *(iii) in subparagraph (C), by striking*
 7 *“\$75,000,000” and inserting*
 8 *“\$150,000,000”; and*

9 *(iv) by adding at the end the following:*
 10 *“(D) Revenue from projected freight or pas-*
 11 *senger demand for the project based on region-*
 12 *ally developed economic forecasts, including pro-*
 13 *jections of any modal diversion resulting from*
 14 *the project.”; and*

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

16 *“(5) COHORTS OF LOANS.—For any direct loan*
 17 *issued before the date of enactment of the Fixing*
 18 *America’s Surface Transportation Act (Public Law*
 19 *114–94) pursuant to sections 501 through 504 of the*
 20 *Railroad Revitalization and Regulatory Reform Act*
 21 *of 1976 (Public Law 94-210), the Secretary shall*
 22 *repay the credit risk premiums of such loan, with in-*
 23 *terest accrued thereon, not later than—*

24 *“(A) 60 days after the date of enactment of*
 25 *the Surface Transportation Investment Act of*

1 2021 if the borrower has satisfied all obligations
2 attached to such loan; or

3 “(B) if the borrower has not yet satisfied all
4 obligations attached to such loan, 60 days after
5 the date on which all obligations attached to such
6 loan have been satisfied.

7 “(6) COLLATERAL.—

8 “(A) TYPES OF COLLATERAL.—An appli-
9 cant or infrastructure partner may propose tan-
10 gible and intangible assets as collateral, exclusive
11 of goodwill. The Secretary, after evaluating each
12 such asset—

13 “(i) shall accept a net liquidation
14 value of collateral; and

15 “(ii) shall consider and may accept—

16 “(I) the market value of collateral;

17 or

18 “(II) in the case of a blanket
19 pledge or assignment of an entire oper-
20 ating asset or basket of assets as collat-
21 eral, the market value of assets, or, the
22 market value of the going concern, con-
23 sidering—

24 “(aa) inclusion in the pledge
25 of all the assets necessary for inde-

1 *pendent operational utility of the*
2 *collateral, including tangible as-*
3 *sets such as real property, track*
4 *and structure, motive power,*
5 *equipment and rolling stock, sta-*
6 *tions, systems and maintenance*
7 *facilities and intangible assets*
8 *such as long-term shipping agree-*
9 *ments, easements, leases and ac-*
10 *cess rights such as for trackage*
11 *and haulage;*

12 *“(bb) interchange commit-*
13 *ments; and*

14 *“(cc) the value of the asset as*
15 *determined through the cost or*
16 *market approaches, or the market*
17 *value of the going concern, with*
18 *the latter considering discounted*
19 *cash flows for a period not to ex-*
20 *ceed the term of the direct loan or*
21 *loan guarantee.*

22 *“(B) APPRAISAL STANDARDS.—In evalu-*
23 *ating appraisals of collateral under subpara-*
24 *graph (A), the Secretary shall consider—*

1 “(i) adherence to the substance and
2 principles of the Uniform Standards of Pro-
3 fessional Appraisal Practice, as developed
4 by the Appraisal Standards Board of the
5 Appraisal Foundation; and

6 “(ii) the qualifications of the apprais-
7 ers to value the type of collateral offered.

8 “(7) REPAYMENT OF CREDIT RISK PREMIUMS.—
9 The Secretary shall return credit risk premiums paid,
10 and interest accrued on such premiums, to the origi-
11 nal source when all obligations of a loan or loan
12 guarantee have been satisfied. This paragraph applies
13 to any project that has been granted assistance under
14 this section after the date of enactment of the Surface
15 Transportation Investment Act of 2021.”;

16 (6) in subsection (g), by amending paragraph
17 (1) the read as follows:

18 “(1) repayment of the obligation is required to be
19 made within a term that is not longer than the short-
20 er of—

21 “(A) 75 years after the date of substantial
22 completion of the project;

23 “(B) the estimated useful life of the rail
24 equipment or facilities to be acquired, rehabili-
25 tated, improved, developed, or established, subject

1 to an adequate determination of long-term risk;
2 or

3 “(C) for projects determined to have an esti-
4 mated useful life that is longer than 35 years, the
5 period that is equal to the sum of—

6 “(i) 35 years; and

7 “(ii) the product of—

8 “(I) the difference between the es-
9 timated useful life and 35 years; multi-
10 plied by

11 “(II) 75 percent.”;

12 (7) in subsection (h)—

13 (A) in paragraph (3)(B), by striking “sec-
14 tion 836 of this title” and inserting “section
15 22404”; and

16 (B) in paragraph (4), by striking
17 “(b)(1)(E)” and inserting “(b)(1)(F)”;

18 (8) in subsection (i)—

19 (A) by amending paragraph (4) to read as
20 follows:

21 “(4) STREAMLINED APPLICATION REVIEW PROC-
22 ESS.—

23 “(A) IN GENERAL.—Not later than 180
24 days after the date of enactment of the Surface
25 Transportation Investment Act of 2021, the Sec-

1 *retary shall implement procedures and measures*
2 *to economize and make available an streamlined*
3 *application process or processes at the request of*
4 *applicants seeking loans or loan guarantees.*

5 *“(B) CRITERIA.—Applicants seeking loans*
6 *and loan guarantees under this section shall—*

7 *“(i) seek a total loan or loan guarantee*
8 *value not exceeding \$150,000,000;*

9 *“(ii) meet eligible project purposes de-*
10 *scribed in subparagraphs (A) and (B) of*
11 *subsection (b)(1); and*

12 *“(iii) meet other criteria considered*
13 *appropriate by the Secretary, in consulta-*
14 *tion with the Council on Credit and Fi-*
15 *nance of the Department of Transportation.*

16 *“(C) EXPEDITED CREDIT REVIEW.—The*
17 *total period between the submission of an appli-*
18 *cation and the approval or disapproval of an*
19 *application for a direct loan or loan guarantee*
20 *under this paragraph may not exceed 90 days.*
21 *If an application review conducted under this*
22 *paragraph exceeds 90 days, the Secretary shall—*

23 *“(i) provide written notice to the ap-*
24 *plicant, including a justification for the*

1 *delay and updated estimate of the time*
2 *needed for approval or disapproval; and*

3 “(ii) *publish the notice on the dash-*
4 *board described in paragraph (5).”;*

5 *(B) in paragraph (5)—*

6 *(i) in subparagraph (E), by striking*
7 *“and” at the end;*

8 *(ii) in subparagraph (F), by adding “;*
9 *and” at the end; and*

10 *(iii) by adding at the end the fol-*
11 *lowing:*

12 “(G) *whether the project utilized the stream-*
13 *lined application process under paragraph (4).”;*
14 *and*

15 *(C) by adding at the end the following:*

16 “(6) *CREDITWORTHINESS REVIEW STATUS.—*

17 “(A) *IN GENERAL.—The Secretary shall*
18 *maintain status information related to each ap-*
19 *plication for a loan or loan guarantee, which*
20 *shall be provided to the applicant upon request,*
21 *including—*

22 “(i) *the total value of the proposed*
23 *loan or loan guarantee;*

24 “(ii) *the name of the applicant or ap-*
25 *plicants submitting the application;*

1 “(iii) the proposed capital structure of
2 the project to which the loan or loan guar-
3 antee would be applied, including the pro-
4 posed Federal and non-Federal shares of the
5 total project cost;

6 “(iv) the type of activity to receive
7 credit assistance, including whether the
8 project is new construction, the rehabilita-
9 tion of existing rail equipment or facilities,
10 or the refinancing an existing loan or loan
11 guarantee;

12 “(v) if a deferred payment is proposed,
13 the length of such deferment;

14 “(vi) the credit rating or ratings pro-
15 vided for the applicant;

16 “(vii) if other credit instruments are
17 involved, the proposed subordination rela-
18 tionship and a description of such other
19 credit instruments;

20 “(viii) a schedule for the readiness of
21 proposed investments for financing;

22 “(ix) a description of any Federal per-
23 mits required, including under the National
24 Environmental Policy Act of 1969 (42
25 U.S.C. 4321 et seq.) and any waivers under

1 *section 5323(j) (commonly known as the*
2 *‘Buy America Act’);*

3 *“(x) other characteristics of the pro-*
4 *posed activity to be financed, borrower, key*
5 *agreements, or the nature of the credit that*
6 *the Secretary considers to be fundamental to*
7 *the creditworthiness review;*

8 *“(xi) the status of the application in*
9 *the pre-application review and selection*
10 *process;*

11 *“(xii) the cumulative amounts paid by*
12 *the Secretary to outside advisors related to*
13 *the application, including financial and*
14 *legal advisors;*

15 *“(xiii) a description of the key rating*
16 *factors used by the Secretary to determine*
17 *credit risk, including—*

18 *“(I) the factors used to determine*
19 *risk for the proposed application;*

20 *“(II) an adjectival risk rating for*
21 *each identified factor, ranked as either*
22 *low, moderate, or high;*

23 *“(xiv) a nonbinding estimate of the*
24 *credit risk premium, which may be in the*
25 *form of—*

1 “(I) a range, based on the assess-
2 ment of risk factors described in clause
3 (xiii); or

4 “(II) a justification for why the
5 estimate of the credit risk premium
6 cannot be determined based on avail-
7 able information; and

8 “(xv) a description of the key informa-
9 tion the Secretary needs from the applicant
10 to complete the credit review process and
11 make a final determination of the credit
12 risk premium.

13 “(B) *REPORT UPON REQUEST.*—The Sec-
14 retary shall provide the information described in
15 subparagraph (A) not later than 30 days after a
16 request from the applicant.

17 “(C) *EXCEPTION.*—Applications processed
18 using the streamlined application review process
19 under paragraph (4) are not subject to the re-
20 quirements under this paragraph.”; and

21 (9) by adding at the end the following:

22 “(n) *NON-FEDERAL SHARE.*—The proceeds of a loan
23 provided under this section may be used as the non-Federal
24 share of project costs for any grant program administered

1 *by the Secretary if such loan is repayable from non-Federal*
2 *funds.”.*

3 (e) *ADMINISTRATION OF DIRECT LOANS AND LOAN*
4 *GUARANTEES.—Section 22403 of title 49, United States*
5 *Code, as added by subsection (a)(2), and amended by sub-*
6 *section (a)(5), is further amended—*

7 (1) *in subsection (a)—*

8 (A) *by striking “The Secretary shall” and*
9 *inserting the following:*

10 “(1) *IN GENERAL.—The Secretary shall*”; and

11 (B) *by adding at the end the following:*

12 “(2) *DOCUMENTATION.—An applicant meeting*
13 *the size standard for small business concerns estab-*
14 *lished under section 3(a)(2) of the Small Business Act*
15 *(15 U.S.C. 632(a)(2)) may provide unaudited finan-*
16 *cial statements as documentation of historical finan-*
17 *cial information if such statements are accompanied*
18 *by the applicant’s Federal tax returns and Internal*
19 *Revenue Service tax verifications for the cor-*
20 *responding years.”; and*

21 (2) *in subsection (m), by striking “section 822 of*
22 *this title” and inserting “section 22402”.*

23 (f) *AUTHORIZATION OF APPROPRIATIONS.—Chapter*
24 *224 of title 49, United States Code, as added by subsection*

1 (a), and amended by subsections (b) through (e), is further
2 amended by adding at the end the following:

3 **“§ 22405. Authorization of appropriations.**

4 “(a) AUTHORIZATION.—

5 “(1) IN GENERAL.—There is authorized to be ap-
6 propriated for credit assistance under this chapter,
7 which shall be provided at the discretion of the Sec-
8 retary, \$50,000,000 for each of fiscal years 2022
9 through 2026.

10 “(2) REFUND OF PREMIUM.—There is authorized
11 to be appropriated to the Secretary \$70,000,000 to
12 repay the credit risk premium in accordance with sec-
13 tion 22402(f)(5).

14 “(3) AVAILABILITY.—Amounts appropriated
15 pursuant to this subsection shall remain available
16 until expended.

17 “(b) USE OF FUNDS.—

18 “(1) IN GENERAL.—Credit assistance provided
19 under subsection (a) may not exceed \$20,000,000 for
20 any loan or loan guarantee.

21 “(2) ADMINISTRATIVE COSTS.—Not less than 3
22 percent of the amounts appropriated pursuant to sub-
23 section (a) in each fiscal year shall be made available
24 to the Secretary for use in place of charges collected

1 *under section 22403(l)(1) for passenger railroads and*
 2 *freight railroads other than Class I carriers.*

3 *“(3) SHORT LINE SET-ASIDE.—Not less than 50*
 4 *percent of the amounts appropriated pursuant to sub-*
 5 *section (a)(1) for each fiscal year shall be set aside for*
 6 *freight railroads other than Class I carriers.”.*

7 *(g) CLERICAL AMENDMENT.—The analysis for title 49,*
 8 *United States Code, is amended by inserting after the item*
 9 *relating to chapter 223 the following:*

“224 . Railroad rehabilitation and improvement financ-
ing22401”.

10 *(h) TECHNICAL AND CONFORMING AMENDMENTS.—*

11 *(1) NATIONAL TRAILS SYSTEM ACT.—Section*
 12 *8(d) of the National Trails System Act (16 U.S.C.*
 13 *1247(d)) is amended by inserting “(45 U.S.C. 801 et*
 14 *seq.) and chapter 224 of title 49, United States Code”*
 15 *after “1976”.*

16 *(2) PASSENGER RAIL REFORM AND INVESTMENT*
 17 *ACT.—Section 11315(c) of the Passenger Rail Reform*
 18 *and Investment Act of 2015 (23 U.S.C. 322 note;*
 19 *Public Law 114–94) is amended by striking “sections*
 20 *502 and 503 of the Railroad Revitalization and Reg-*
 21 *ulatory Reform Act of 1976” and inserting “sections*
 22 *22402 and 22403 of title 49, United States Code”.*

23 *(3) PROVISIONS CLASSIFIED IN TITLE 45, UNITED*
 24 *STATES CODE.—*

1 (A) *RAILROAD REVITALIZATION AND REGU-*
2 *LATORY REFORM ACT OF 1976.*—Section 101 of
3 *the Railroad Revitalization and Regulatory Re-*
4 *form Act of 1976 (45 U.S.C. 801) is amended—*

5 (i) *in subsection (a), in the matter pre-*
6 *ceding paragraph (1), by striking “It is the*
7 *purpose of the Congress in this Act to” and*
8 *inserting “The purpose of this Act and*
9 *chapter 224 of title 49, United States Code,*
10 *is to”;* and

11 (ii) *in subsection (b), in the matter*
12 *preceding paragraph (1), by striking “It is*
13 *declared to be the policy of the Congress in*
14 *this Act” and inserting “The policy of this*
15 *Act and chapter 224 of title 49, United*
16 *States Code, is”.*

17 (B) *RAILROAD INFRASTRUCTURE FINANCING*
18 *IMPROVEMENT ACT.*—*The Railroad Infrastruc-*
19 *ture Financing Improvement Act (subtitle F of*
20 *title XI of Public Law 114–94)—*

21 (i) *in section 11607(b) (45 U.S.C. 821*
22 *note), by striking “All provisions under sec-*
23 *tions 502 through 504 of the Railroad Revi-*
24 *talization and Regulatory Reform Act of*
25 *1976 (45 U.S.C. 801 et seq.)” and inserting*

1 *“All provisions under section 22402 through*
2 *22404 of title 49, United States Code,”; and*
3 *(ii) in section 11610(b) (45 U.S.C. 821*
4 *note), by striking “section 502(f) of the*
5 *Railroad Revitalization and Regulatory Re-*
6 *form Act of 1976 (45 U.S.C. 822(f)), as*
7 *amended by section 11607 of this Act” and*
8 *inserting “section 22402(f) of title 49,*
9 *United States Code”.*

10 (C) *TRANSPORTATION EQUITY ACT FOR THE*
11 *21ST CENTURY.—Section 7203(b)(2) of the*
12 *Transportation Equity Act for the 21st Century*
13 *(Public Law 105–178; 45 U.S.C. 821 note) is*
14 *amended by striking “title V of the Railroad Re-*
15 *vitalization and Regulatory Reform Act of 1976*
16 *(45 U.S.C. 821 et seq.)” and inserting “chapter*
17 *224 of title 49, United States Code,”.*

18 (D) *HAMM ALERT MARITIME SAFETY ACT*
19 *OF 2018.—Section 212(d)(1) of Hamm Alert*
20 *Maritime Safety Act of 2018 (title II of Public*
21 *Law 115–265; 45 U.S.C. 822 note) is amended,*
22 *in the matter preceding subparagraph (A), by*
23 *striking “for purposes of section 502(f)(4) of the*
24 *Railroad Revitalization and Regulatory Reform*
25 *Act of 1976 (45 U.S.C. 822(f)(4))” and inserting*

1 *“for purposes of section 22402 of title 49, United*
2 *States Code”.*

3 *(E) MILWAUKEE RAILROAD RESTRUC-*
4 *TURING ACT.—Section 15(f) of the Milwaukee*
5 *Railroad Restructuring Act (45 U.S.C. 914(f)) is*
6 *amended by striking “Section 516 of the Rail-*
7 *road Revitalization and Regulatory Reform Act*
8 *of 1976 (45 U.S.C. 836)” and inserting “Section*
9 *22404 of title 49, United States Code,”.*

10 *(F) ROCK ISLAND RAILROAD TRANSITION*
11 *AND EMPLOYEE ASSISTANCE ACT.—Section*
12 *104(b) of the Rock Island Railroad Transition*
13 *and Employee Assistance Act (45 U.S.C.*
14 *1003(b)) is amended—*

15 *(i) in paragraph (1)—*

16 *(I) by striking “title V of the*
17 *Railroad Revitalization and Regu-*
18 *latory Reform Act of 1976 (45 U.S.C.*
19 *821 et seq.)” and inserting “chapter*
20 *224 of title 49, United States Code,”;*
21 *and*

22 *(II) by striking “and section*
23 *18(b) of the Milwaukee Railroad Re-*
24 *structuring Act”;* and

1 (ii) in paragraph (2), by striking
2 “title V of the Railroad Revitalization and
3 Regulatory Reform Act of 1976, and section
4 516 of such Act (45 U.S.C. 836)” and in-
5 serting “chapter 224 of title 49, United
6 States Code, including section 22404 of such
7 title.”.

8 (G) PASSENGER RAIL INVESTMENT AND IM-
9 PROVEMENT ACT OF 2008.—Section 205(g) of the
10 Passenger Rail Investment and Improvement Act
11 of 2008 (division B of Public Law 110–432; 49
12 U.S.C. 24101 note) is amended by striking “title
13 V of the Railroad Revitalization and Regulatory
14 Reform Act of 1976 (45 U.S.C. 821 et seq.)” and
15 inserting “chapter 224 of title 49, United States
16 Code”.

17 (H) PASSENGER RAIL REFORM AND INVEST-
18 MENT ACT OF 2015.—Section 11311(d) of the Pas-
19 senger Rail Reform and Investment Act of 2015
20 (Public Law 114–94; 49 U.S.C. 20101 note) is
21 amended by striking “; and section 502 of the
22 Railroad Revitalization and Regulatory Reform
23 Act of 1976 (45 U.S.C. 822)”.

24 (4) TITLE 49.—

1 (A) *NATIONAL SURFACE TRANSPORTATION*
2 *AND INNOVATIVE FINANCE BUREAU.*—Section
3 116(d)(1)(B) of title 49, United States Code, is
4 amended by striking “sections 501 through 503
5 of the Railroad Revitalization and Regulatory
6 Reform Act of 1976 (45 U.S.C. 821–823)” and
7 inserting “sections 22401 through 22403”.

8 (B) *PROHIBITED DISCRIMINATION.*—Section
9 306(b) of title 49, United States Code, is amend-
10 ed—

11 (i) by striking “chapter 221 or 249 of
12 this title,” and inserting “chapter 221, 224,
13 or 249 of this title, or”; and

14 (ii) by striking “, or title V of the
15 Railroad Revitalization and Regulatory Re-
16 form Act of 1976 (45 U.S.C. 821 et seq.)”.

17 (C) *GRANT CONDITIONS.*—Section
18 22905(c)(2)(B) of title 49, United States Code, is
19 amended by striking “section 504 of the Railroad
20 Revitalization and Regulatory Reform Act of
21 1976 (45 U.S.C. 836)” and inserting “section
22 22404”.

23 (D) *AMTRAK AUTHORITY.*—Section 24903 of
24 title 49, United States Code, is amended—

1 (i) in subsection (a)(6), by striking
2 “and the Railroad Revitalization and Regu-
3 latory Reform Act of 1976 (45 U.S.C. 801
4 et seq.)” and inserting “, the Railroad Revi-
5 talization and Regulatory Reform Act of
6 1976 (45 U.S.C. 801 et seq.), and chapter
7 224 of this title”; and

8 (ii) in subsection (c)(2), by striking
9 “and the Railroad Revitalization and Regu-
10 latory Reform Act of 1976 (45 U.S.C. 801
11 et seq.)” and inserting “, the Railroad Revi-
12 talization and Regulatory Reform Act of
13 1976 (45 U.S.C. 801 et seq.), and chapter
14 224 of this title”.

15 **SEC. 1302. SUBSTANTIVE CRITERIA AND STANDARDS.**

16 *Not later than 180 days after the date of enactment*
17 *of this Act, the Secretary shall update the publicly available*
18 *credit program guide in accordance with the provisions of*
19 *chapter 224 of title 49, United States Code, as added by*
20 *section 1301.*

21 **SEC. 1303. SEMIANNUAL REPORT ON TRANSIT-ORIENTED**
22 **DEVELOPMENT ELIGIBILITY.**

23 *Not later than 6 months after the date of enactment*
24 *of this Act, and every 6 months thereafter, the Secretary*
25 *shall submit a report to the Committee on Commerce,*

1 *Science, and Transportation of the Senate and the Com-*
 2 *mittee on Transportation and Infrastructure of the House*
 3 *of Representatives that identifies—*

4 (1) *the number of applications submitted to the*
 5 *Department for a direct loan or loan guarantee under*
 6 *section 22402(b)(1)(E) of title 49, United States Code,*
 7 *as amended by section 1301;*

8 (2) *the number of such loans or loan guarantees*
 9 *that were provided to the applicants; and*

10 (3) *for each such application, the reasons for*
 11 *providing or declining to provide the requested loan*
 12 *or loan guarantee.*

13 **TITLE II—RAIL**

14 **SEC. 2001. SHORT TITLE.**

15 *This title may be cited as the “Passenger Rail Expan-*
 16 *sion and Rail Safety Act of 2021”.*

17 **Subtitle A—Authorization of** 18 **Appropriations**

19 **SEC. 2101. GRANTS TO AMTRAK.**

20 (a) *NORTHEAST CORRIDOR.—There are authorized to*
 21 *be appropriated to the Secretary for grants to Amtrak for*
 22 *activities associated with the Northeast Corridor the fol-*
 23 *lowing amounts:*

24 (1) *For fiscal year 2022, \$1,570,000,000.*

25 (2) *For fiscal year 2023, \$1,100,000,000.*

1 (3) *For fiscal year 2024, \$1,200,000,000.*

2 (4) *For fiscal year 2025, \$1,300,000,000.*

3 (5) *For fiscal year 2026, \$1,400,000,000.*

4 (b) *NATIONAL NETWORK.—There are authorized to be*
5 *appropriated to the Secretary for grants to Amtrak for ac-*
6 *tivities associated with the National Network the following*
7 *amounts:*

8 (1) *For fiscal year 2022, \$2,300,000,000.*

9 (2) *For fiscal year 2023, \$2,200,000,000.*

10 (3) *For fiscal year 2024, \$2,450,000,000.*

11 (4) *For fiscal year 2025, \$2,700,000,000.*

12 (5) *For fiscal year 2026, \$3,000,000,000.*

13 (c) *OVERSIGHT.—The Secretary may withhold up to*
14 *0.5 percent from the amount appropriated for each fiscal*
15 *year pursuant to subsections (a) and (b) for the costs of*
16 *oversight of Amtrak.*

17 (d) *STATE-SUPPORTED ROUTE COMMITTEE.—The*
18 *Secretary may withhold up to \$3,000,000 from the amount*
19 *appropriated for each fiscal year pursuant to subsection (b)*
20 *for use by the State-Supported Route Committee established*
21 *under section 24712(a) of title 49, United States Code.*

22 (e) *NORTHEAST CORRIDOR COMMISSION.—The Sec-*
23 *retary may withhold up to \$6,000,000 from the amount ap-*
24 *propriated for each fiscal year pursuant to subsection (a)*

1 *for use by the Northeast Corridor Commission established*
2 *under section 24905(a) of title 49, United States Code.*

3 (f) *INTERSTATE RAIL COMPACTS.—The Secretary may*
4 *withhold up to \$3,000,000 from the amount appropriated*
5 *for each fiscal year pursuant to subsection (b) for grants*
6 *authorized under section 22910 of title 49, United States*
7 *Code.*

8 (g) *ACCESSIBILITY UPGRADES.—*

9 (1) *IN GENERAL.—The Secretary shall withhold*
10 *\$50,000,000 from the amount appropriated for each*
11 *fiscal year pursuant to subsections (a) and (b) for*
12 *grants to assist Amtrak in financing capital projects*
13 *to upgrade the accessibility of the national rail pas-*
14 *senger transportation system by increasing the num-*
15 *ber of existing facilities that are compliant with the*
16 *requirements under the Americans with Disabilities*
17 *Act of 1990 (42 U.S.C. 12101 et seq.) until the Sec-*
18 *retary determines Amtrak’s existing facilities are in*
19 *compliance with such requirements.*

20 (2) *SAVINGS PROVISION.—Nothing in paragraph*
21 *(1) may be construed to prevent Amtrak from using*
22 *additional funds appropriated pursuant to this sec-*
23 *tion to carry out the activities authorized under such*
24 *paragraph.*

1 (h) *CORRIDOR DEVELOPMENT.*—*In addition to the ac-*
 2 *tivities authorized under subsection (b), Amtrak may use*
 3 *up to 10 percent of the amounts appropriated under sub-*
 4 *section (b) in each fiscal year to support Amtrak-operated*
 5 *corridors selected under section 2306 for—*

6 (1) *planning and capital costs; and*

7 (2) *operating assistance consistent with the Fed-*
 8 *eral funding limitations under section 22908 of title*
 9 *49, United States Code.*

10 **SEC. 2102. FEDERAL RAILROAD ADMINISTRATION.**

11 (a) *SAFETY AND OPERATIONS.*—*There are authorized*
 12 *to be appropriated to the Secretary for the operations of*
 13 *the Federal Railroad Administration and to carry out rail-*
 14 *road safety activities the following amounts:*

15 (1) *For fiscal year 2022, \$248,000,000.*

16 (2) *For fiscal year 2023, \$254,000,000.*

17 (3) *For fiscal year 2024, \$263,000,000.*

18 (4) *For fiscal year 2025, \$271,000,000.*

19 (5) *For fiscal year 2026, \$279,000,000.*

20 (b) *RAILROAD RESEARCH AND DEVELOPMENT.*—*There*
 21 *are authorized to be appropriated to the Secretary for the*
 22 *use of the Federal Railroad Administration for activities*
 23 *associated with railroad research and development the fol-*
 24 *lowing amounts:*

25 (1) *For fiscal year 2022, \$43,000,000.*

1 (2) *For fiscal year 2023, \$44,000,000.*

2 (3) *For fiscal year 2024, \$45,000,000.*

3 (4) *For fiscal year 2025, \$46,000,000.*

4 (5) *For fiscal year 2026, \$47,000,000.*

5 (c) *TRANSPORTATION TECHNOLOGY CENTER.—The*
6 *Secretary may withhold up to \$3,000,000 from the amount*
7 *appropriated for each fiscal year pursuant to subsection (b)*
8 *for activities authorized under section 20108(d) of title 49,*
9 *United States Code.*

10 (d) *RAIL RESEARCH AND DEVELOPMENT CENTER OF*
11 *EXCELLENCE.—The Secretary may withhold up to 10 per-*
12 *cent of the amount appropriated for each fiscal year under*
13 *subsection (b) for grants authorized under section 20108(j)*
14 *of title 49, United States Code.*

15 **SEC. 2103. CONSOLIDATED RAIL INFRASTRUCTURE AND**
16 **SAFETY IMPROVEMENTS GRANTS.**

17 (a) *IN GENERAL.—There is authorized to be appro-*
18 *priated to the Secretary for grants under section 22907 of*
19 *title 49, United States Code, \$1,000,000,000 for each of fis-*
20 *cal years 2022 through 2026.*

21 (b) *OVERSIGHT.—The Secretary may withhold up to*
22 *2 percent from the amount appropriated for each fiscal year*
23 *pursuant to subsection (a) for the costs of project manage-*
24 *ment oversight of grants authorized under title 49, United*
25 *States Code.*

1 **SEC. 2104. RAILROAD CROSSING ELIMINATION PROGRAM.**

2 (a) *IN GENERAL.*—*There is authorized to be appro-*
3 *priated to the Secretary for grants under section 22909 of*
4 *title 49, United States Code, as added by section 2305,*
5 *\$500,000,000 for each of fiscal years 2022 through 2026.*

6 (b) *PLANNING PROJECTS.*—*Not less than 3 percent of*
7 *the amount appropriated in each fiscal year pursuant to*
8 *subsection (a) year shall be used for planning projects de-*
9 *scribed in section 22909(d)(6) of title 49, United States*
10 *Code.*

11 (c) *HIGHWAY-RAIL GRADE CROSSING SAFETY INFOR-*
12 *MATION AND EDUCATION PROGRAM.*—*Of the amount appro-*
13 *priated under subsection (a) in each fiscal year, 0.25 per-*
14 *cent shall be used for contracts or grants to carry out a*
15 *highway-rail grade crossing safety information and edu-*
16 *cation program—*

17 (1) *to help prevent and reduce pedestrian, motor*
18 *vehicle, and other accidents, incidents, injuries, and*
19 *fatalities; and*

20 (2) *to improve awareness along railroad rights-*
21 *of-way and at highway-rail grade crossings.*

22 (d) *OVERSIGHT.*—*The Secretary may withhold up to*
23 *2 percent from the amount appropriated for each fiscal year*
24 *pursuant to subsection (a) for the costs of project manage-*
25 *ment oversight of grants authorized under title 49, United*
26 *States Code.*

1 **SEC. 2105. RESTORATION AND ENHANCEMENT GRANTS.**

2 (a) *IN GENERAL.*—*There is authorized to be appro-*
3 *priated to the Secretary for grants under section 22908 of*
4 *title 49, United States Code, \$50,000,000 for each of fiscal*
5 *years 2022 through 2026.*

6 (b) *OVERSIGHT.*—*The Secretary may withhold up to*
7 *1 percent of the amount appropriated for each fiscal year*
8 *pursuant to subsection (a) for the costs of project manage-*
9 *ment oversight of grants authorized under title 49, United*
10 *States Code.*

11 **SEC. 2106. FEDERAL-STATE PARTNERSHIP FOR INTERCITY**
12 **PASSENGER RAIL GRANTS.**

13 (a) *IN GENERAL.*—*There is authorized to be appro-*
14 *priated to the Secretary for grants under section 24911 of*
15 *title 49, United States Code, \$1,500,000,000 for each of fis-*
16 *cal years 2022 through 2026.*

17 (b) *OVERSIGHT.*—*The Secretary may withhold up to*
18 *2 percent of the amount appropriated under subsection (a)*
19 *for the costs of project management oversight of grants au-*
20 *thorized under title 49, United States Code.*

21 **SEC. 2107. AMTRAK OFFICE OF INSPECTOR GENERAL.**

22 *There are authorized to be appropriated to the Office*
23 *of Inspector General of Amtrak the following amounts:*

24 (1) *For fiscal year 2022, \$26,500,000.*

25 (2) *For fiscal year 2023, \$27,000,000.*

26 (3) *For fiscal year 2024, \$27,500,000.*

1 (4) *For fiscal year 2025, \$28,000,000.*

2 (5) *For fiscal year 2026, \$28,500,000.*

3 ***Subtitle B—Amtrak Reforms***

4 ***SEC. 2201. AMTRAK FINDINGS, MISSION, AND GOALS.***

5 (a) *FINDINGS.—Section 24101(a) of title 49, United*
6 *States Code, is amended—*

7 (1) *in paragraph (1), by striking “between*
8 *crowded urban areas and in other areas of” and in-*
9 *serting “throughout”;*

10 (2) *in paragraph (4), by striking “to Amtrak to*
11 *achieve a performance level sufficient to justify ex-*
12 *pending public money” and inserting “in order to*
13 *meet the intercity passenger rail needs of the United*
14 *States”;*

15 (3) *in paragraph (5)—*

16 (A) *by inserting “intercity passenger and”*
17 *before “commuter”; and*

18 (B) *by inserting “and rural” after “major*
19 *urban;” and*

20 (4) *by adding at the end the following:*

21 “*(9) Long-distance routes are valuable resources of the*
22 *United States that are used by rural and urban commu-*
23 *nities.”.*

24 (b) *GOALS.—Section 24101(c) of title 49, United*
25 *States Code, is amended—*

1 (1) *by amending paragraph (1) to read as fol-*
2 *lows:*

3 “(1) *use its best business judgment in acting to*
4 *maximize the benefits of Federal investments, includ-*
5 *ing—*

6 “(A) *offering competitive fares;*

7 “(B) *increasing revenue from the transpor-*
8 *tation of mail and express;*

9 “(C) *offering food service that meets the*
10 *needs of its customers;*

11 “(D) *improving its contracts with rail car-*
12 *riers over whose tracks Amtrak operates;*

13 “(E) *controlling or reducing management*
14 *and operating costs; and*

15 “(F) *providing economic benefits to the*
16 *communities it serves;”;*

17 (2) *in paragraph (11), by striking “and” at the*
18 *end;*

19 (3) *in paragraph (12), by striking the period at*
20 *the end and inserting “; and”; and*

21 (4) *by adding at the end the following:*

22 “(13) *support and maintain established long-dis-*
23 *tance routes to provide value to the Nation by serving*
24 *customers throughout the United States and con-*
25 *necting urban and rural communities.”.*

1 (c) *INCREASING REVENUES.*—Section 24101(d) of title
2 49, United States Code, is amended to read as follows:

3 “(d) *INCREASING REVENUES.*—Amtrak is encouraged
4 to make agreements with private sector entities and to un-
5 dertake initiatives that are consistent with good business
6 judgment and designed to generate additional revenues to
7 advance the goals described in subsection (c).”.

8 **SEC. 2202. COMPOSITION OF AMTRAK’S BOARD OF DIREC-**
9 **TORS.**

10 (a) *SELECTION; COMPOSITION; CHAIR.*—Section
11 24302(a) of title 49, United States Code, is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (B), by striking
14 “President” and inserting “Chief Executive Offi-
15 cer”; and

16 (B) in subparagraph (C), by inserting “, at
17 least 1 of whom shall be an individual with a
18 disability (as defined in section 3 of the Ameri-
19 cans with Disabilities Act of 1990 (42 U.S.C.
20 12102)) who has a demonstrated history of, or
21 experience with, accessibility, mobility, and in-
22 clusive transportation in passenger rail or com-
23 muter rail” before the period at the end;

24 (2) in paragraph (2), by striking “and try to
25 provide adequate and balanced representation of the

1 *major geographic regions of the United States served*
2 *by Amtrak”;*

3 *(3) by redesignating paragraph (5) as para-*
4 *graph (7); and*

5 *(4) by striking paragraph (4) and inserting the*
6 *following:*

7 *“(4) Of the individuals appointed pursuant to*
8 *paragraph (1)(C)—*

9 *“(A) 2 individuals shall reside in or near a*
10 *location served by a regularly scheduled Amtrak*
11 *service along the Northeast Corridor;*

12 *“(B) 4 individuals shall reside in or near*
13 *regions of the United States that are geographi-*
14 *cally distributed outside of the Northeast Cor-*
15 *ridor, of whom—*

16 *“(i) 2 individuals shall reside in*
17 *States served by a long-distance route oper-*
18 *ated by Amtrak;*

19 *“(ii) 2 individuals shall reside in*
20 *States served by a State-supported route op-*
21 *erated by Amtrak; and*

22 *“(iii) an individual who resides in a*
23 *State that is served by a State-supported*
24 *route and a long-distance route may be ap-*

1 pointed to serve either position referred to
2 in clauses (i) and (ii);

3 “(C) 2 individuals shall reside either—

4 “(i) in or near a location served by a
5 regularly scheduled Amtrak service on the
6 Northeast Corridor; or

7 “(ii) in a State served by long-distance
8 or a State-supported route; and

9 “(D) each individual appointed to the
10 Board pursuant to this paragraph may only fill
11 1 of the allocations set forth in subparagraphs
12 (A) through (C).

13 “(5) The Board shall elect a chairperson and
14 vice chairperson, other than the Chief Executive Offi-
15 cer of Amtrak, from among its membership. The vice
16 chairperson shall act as chairperson in the absence of
17 the chairperson.

18 “(6) The Board shall meet at least annually
19 with—

20 “(A) representatives of Amtrak employees;

21 “(B) representatives of persons with disabil-
22 ities; and

23 “(C) the general public, in an open meeting
24 with a virtual attendance option, to discuss fi-
25 nancial performance and service results.”.

1 (b) *RULE OF CONSTRUCTION.*—None of the amend-
 2 ments made by subsection (a) may be construed as affecting
 3 the term of any director serving on the Amtrak Board of
 4 Directors under section 24302(a)(1)(C) of title 49, United
 5 States Code, as of the date of enactment of this Act.

6 **SEC. 2203. STATION AGENTS.**

7 Section 24312 of title 49, United States Code, is
 8 amended by adding at the end the following:

9 “(c) *AVAILABILITY OF STATION AGENTS.*—

10 “(1) *IN GENERAL.*—Except as provided in para-
 11 graph (2), beginning on the date that is 1 year after
 12 the date of enactment of the Passenger Rail Expan-
 13 sion and Rail Safety Act of 2021, Amtrak shall en-
 14 sure that at least 1 Amtrak ticket agent is employed
 15 at each station building—

16 “(A) that Amtrak owns, or operates service
 17 through, as part of a long-distance or Northeast
 18 Corridor passenger service route;

19 “(B) where at least 1 Amtrak ticket agent
 20 was employed on or after October 1, 2017; and

21 “(C) for which an average of 40 passengers
 22 boarded or deboarded an Amtrak train per day
 23 during all of the days in fiscal year 2017 when
 24 the station was serviced by Amtrak, regardless of

1 *the number of Amtrak trains servicing the sta-*
 2 *tion per day.*

3 “(2) *EXCEPTION.—Paragraph (1) shall not*
 4 *apply to any station building in which a commuter*
 5 *rail ticket agent has the authority to sell Amtrak tick-*
 6 *ets.”.*

7 **SEC. 2204. INCREASING OVERSIGHT OF CHANGES TO AM-**
 8 **TRAK LONG-DISTANCE ROUTES AND OTHER**
 9 **INTERCITY SERVICES.**

10 *(a) AMTRAK ANNUAL OPERATIONS REPORT.—Section*
 11 *24315(a)(1) of title 49, United States Code, is amended—*

12 *(1) in subparagraph (G), by striking “and” at*
 13 *the end;*

14 *(2) in subparagraph (H), by adding “and” at*
 15 *the end; and*

16 *(3) by adding at the end the following:*

17 *“(I) any change made to a route’s or serv-*
 18 *ice’s frequency or station stops;”.*

19 *(b) 5-YEAR BUSINESS LINE PLANS.—Section*
 20 *24320(b)(2) of title 49, United States Code, is amended—*

21 *(1) by redesignating subparagraphs (B) through*
 22 *(L) as subparagraphs (C) through (M), respectively;*
 23 *and*

24 *(2) by inserting after subparagraph (A) the fol-*
 25 *lowing:*

1 “(B) a detailed description of any plans to
2 permanently change a route’s or service’s fre-
3 quency or station stops for the service line;”.

4 **SEC. 2205. IMPROVED OVERSIGHT OF AMTRAK ACCOUNT-**
5 **ING.**

6 Section 24317 of title 49, United States Code, is
7 amended—

8 (1) in subsection (a)(2), by striking “and costs
9 among Amtrak business lines” and inserting “, in-
10 cluding Federal grant funds, and costs among Amtrak
11 service lines”;

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) ACCOUNT STRUCTURE.—

15 “(1) IN GENERAL.—The Secretary of Transpor-
16 tation, in consultation with Amtrak, shall define,
17 maintain, and periodically update an account struc-
18 ture and improvements to accounting methodologies,
19 as necessary, to support the Northeast Corridor and
20 the National Network.

21 “(2) NOTIFICATION OF SUBSTANTIVE
22 CHANGES.—The Secretary shall notify the Committee
23 on Commerce, Science, and Transportation of the
24 Senate, the Committee on Appropriations of the Sen-
25 ate, the Committee on Transportation and Infrastruc-

1 *ture of the House of Representatives, and the Com-*
2 *mittee on Appropriations of the House of Representa-*
3 *tives regarding any substantive changes made to the*
4 *account structure, including changes to—*

5 *“(A) the service lines described in section*
6 *24320(b)(1); and*

7 *“(B) the asset lines described in section*
8 *24320(c)(1).”;*

9 *(3) in subsection (c), in the matter preceding*
10 *paragraph (1), by inserting “, maintaining, and up-*
11 *dating” after “defining”;*

12 *(4) in subsection (d), in the matter preceding*
13 *paragraph (1), by inserting “, maintaining, and up-*
14 *dating” after “defining”;*

15 *(5) by amending subsection (e) to read as fol-*
16 *lows:*

17 *“(e) IMPLEMENTATION AND REPORTING.—*

18 *“(1) IN GENERAL.—Amtrak, in consultation*
19 *with the Secretary of Transportation, shall maintain*
20 *and implement any account structures and improve-*
21 *ments defined under subsection (b) to enable Amtrak*
22 *to produce sources and uses statements for each of the*
23 *service lines described in section 24320(b)(1) and, as*
24 *appropriate, each of the asset lines described in sec-*
25 *tion 24320(c)(1), that identify sources and uses of*

1 revenues, appropriations, and transfers between ac-
2 counts.

3 “(2) *UPDATED SOURCES AND USES STATE-*
4 *MENTS.*—Not later than 30 days after the implemen-
5 *tation of subsection (b), and monthly thereafter, Am-*
6 *trak shall submit to the Secretary of Transportation*
7 *updated sources and uses statements for each of the*
8 *service lines and asset lines referred to in paragraph*
9 *(1). The Secretary and Amtrak may agree to a dif-*
10 *ferent frequency of reporting.”;*

11 (6) *by striking subsection (h); and*

12 (7) *by redesignating subsection (i) as subsection*
13 *(h).*

14 **SEC. 2206. IMPROVED OVERSIGHT OF AMTRAK SPENDING.**

15 (a) *ALLOCATION OF COSTS AND REVENUES.*—Section
16 *24318(a) of title 49, United States Code, is amended by*
17 *striking “Not later than 180 days after the date of enact-*
18 *ment of the Passenger Rail Reform and Investment Act of*
19 *2015.”.*

20 (b) *GRANT PROCESS AND REPORTING.*—Section 24319
21 *of title 49, United States Code, is amended—*

22 (1) *in the section heading, by inserting “**and***
23 ***reporting**” after “**process**”;*

24 (2) *by amending subsection (a) to read as fol-*
25 *lows:*

1 “(a) *PROCEDURES FOR GRANT REQUESTS.*—*The Sec-*
2 *retary of Transportation shall—*

3 “(1) *establish and maintain substantive and*
4 *procedural requirements, including schedules, for*
5 *grant requests under this section; and*

6 “(2) *report any changes to such procedures to—*

7 “(A) *the Committee on Commerce, Science,*
8 *and Transportation of the Senate;*

9 “(B) *the Committee on Appropriations of*
10 *the Senate;*

11 “(C) *the Committee on Transportation and*
12 *Infrastructure of the House of Representatives;*
13 *and*

14 “(D) *the Committee on Appropriations of*
15 *the House of Representatives.”;*

16 “(3) *in subsection (b), by striking “grant re-*
17 *quests” and inserting “a grant request annually, or*
18 *as additionally required,”;*

19 “(4) *by amending subsection (c) to read as fol-*
20 *lows:*

21 “(c) *CONTENTS.*—

22 “(1) *IN GENERAL.*—*Each grant request under*
23 *subsection (b) shall, as applicable—*

24 “(A) *categorize and identify, by source, the*
25 *Federal funds and program income that will be*

1 *used for the upcoming fiscal year for each of the*
2 *Northeast Corridor and National Network in 1 of*
3 *the categories or subcategories set forth in para-*
4 *graph (2);*

5 “(B) *describe the operations, services, pro-*
6 *grams, projects, and other activities to be funded*
7 *within each of the categories set forth in para-*
8 *graph (2), including—*

9 “(i) *the estimated scope, schedule, and*
10 *budget necessary to complete each project*
11 *and program; and*

12 “(ii) *the performance measures used to*
13 *quantify expected and actual project out-*
14 *comes and benefits, aggregated by fiscal*
15 *year, project milestone, and any other ap-*
16 *propriate grouping; and*

17 “(C) *describe the status of efforts to improve*
18 *Amtrak’s safety culture.*

19 “(2) *GRANT CATEGORIES.—*

20 “(A) *OPERATING EXPENSES.—Each grant*
21 *request to use Federal funds for operating ex-*
22 *penses shall—*

23 “(i) *include estimated net operating*
24 *costs not covered by other Amtrak revenue*
25 *sources;*

1 “(ii) specify Federal funding requested
2 for each service line described in section
3 24320(b)(1); and

4 “(iii) be itemized by route.

5 “(B) DEBT SERVICE.—A grant request to
6 use Federal funds for expenses related to debt, in-
7 cluding payment of principle and interest, as al-
8 lowed under section 205 of the Passenger Rail
9 Investment and Improvement Act of 2008 (Pub-
10 lic Law 110–432; 49 U.S.C. 24101 note).

11 “(C) CAPITAL.—A grant request to use Fed-
12 eral funds and program income for capital ex-
13 penses shall include capital projects and pro-
14 grams primarily associated with—

15 “(i) normalized capital replacement
16 programs, including regularly recurring
17 work programs implemented on a system-
18 atic basis on classes of physical railroad as-
19 sets, such as track, structures, electric trac-
20 tion and power systems, rolling stock, and
21 communications and signal systems, to
22 maintain and sustain the condition and
23 performance of such assets to support con-
24 tinued railroad operations;

1 “(ii) improvement projects to support
2 service and safety enhancements, including
3 discrete projects implemented in accordance
4 with a fixed scope, schedule, and budget
5 that result in enhanced or new infrastruc-
6 ture, equipment, or facilities;

7 “(iii) backlog capital replacement
8 projects, including discrete projects imple-
9 mented in accordance with a fixed scope,
10 schedule, and budget that primarily replace
11 or rehabilitate major infrastructure assets,
12 including tunnels, bridges, stations, and
13 similar assets, to reduce the state of good re-
14 pair backlog on the Amtrak network;

15 “(iv) strategic initiative projects, in-
16 cluding discrete projects implemented in ac-
17 cordance with a fixed scope, schedule, and
18 budget that primarily improve overall oper-
19 ational performance, lower costs, or other-
20 wise improve Amtrak’s corporate efficiency;
21 and

22 “(v) statutory, regulatory, or other le-
23 gally mandated projects, including discrete
24 projects implemented in accordance with a
25 fixed scope, schedule, and budget that enable

1 *Amtrak to fulfill specific legal or regulatory*
2 *mandates.*

3 “(D) CONTINGENCY.—*A grant request to use*
4 *Federal funds for operating and capital expense*
5 *contingency shall include—*

6 “(i) *contingency levels for specified ac-*
7 *tivities and operations; and*

8 “(ii) *a process for the utilization of*
9 *such contingency.*

10 “(3) MODIFICATION OF CATEGORIES.—*The Sec-*
11 *retary of Transportation and Amtrak may jointly*
12 *agree to modify the categories set forth in paragraph*
13 *(2) if such modifications are necessary to improve the*
14 *transparency, oversight, or delivery of projects funded*
15 *through grant requests under this section.”;*

16 (5) *in subsection (d)(1)(A)—*

17 (A) *by inserting “complete” after “submits*
18 *a”;*

19 (B) *by striking “shall complete” and insert-*
20 *ing “shall finish”;* and

21 (C) *in clause (ii), by striking “incomplete*
22 *or”;*

23 (6) *in subsection (e)—*

24 (A) *in paragraph (1)—*

1 (i) by striking “and other activities to
2 be funded by the grant” and inserting “pro-
3 grams, projects, and other activities to be
4 funded by the grant, consistent with the cat-
5 egories required for Amtrak in a grant re-
6 quest under subsection (c)(1)(A)”;

7 (ii) by striking “or activities” and in-
8 serting “programs, projects, and other ac-
9 tivities”;

10 (B) in paragraph (3)—

11 (i) by redesignating subparagraphs (A)
12 and (B) as subparagraphs (B) and (C), re-
13 spectively;

14 (ii) by inserting before subparagraph
15 (B), as redesignated, the following:

16 “(A) using an otherwise allowable approach
17 to the method prescribed for a specific project or
18 category of projects under paragraph (2) if the
19 Secretary and Amtrak agree that a different
20 payment method is necessary to more success-
21 fully implement and report on an operation,
22 service, program, project, or other activity;”;

23 (7) by redesignating subsection (h) as subsection
24 (j); and

1 (8) *by inserting after subsection (g) the fol-*
 2 *lowing:*

3 “(h) *APPLICABLE LAWS AND REGULATIONS.*—

4 “(1) *SINGLE AUDIT ACT OF 1984.*—*Notwith-*
 5 *standing section 24301(a)(3) of this title and section*
 6 *7501(a)(13) of title 31, Amtrak shall be deemed a*
 7 *‘non-Federal entity’ for purposes of chapter 75 of title*
 8 *31.*

9 “(2) *REGULATIONS AND GUIDANCE.*—*The Sec-*
 10 *retary of Transportation may apply some or all of*
 11 *the requirements set forth in the regulations and*
 12 *guidance promulgated by the Secretary relating to the*
 13 *management, administration, cost principles, and*
 14 *audit requirements for Federal awards.*

15 “(i) *AMTRAK GRANT REPORTING.*—*The Secretary of*
 16 *Transportation shall determine the varying levels of detail*
 17 *and information that will be included in reports for oper-*
 18 *ations, services, program, projects, program income, cash*
 19 *on hand, and other activities within each of the grant cat-*
 20 *egories described in subsection (c)(2).”.*

21 (c) *CONFORMING AMENDMENTS.*—

22 (1) *REPORTS AND AUDITS.*—*Section 24315(b)(1)*
 23 *of title 49, United States Code, is amended—*

24 (A) *in subparagraph (A), by striking “the*
 25 *goal of section 24902(b) of this title; and” and*

1 inserting “the goal described in section
2 24902(a);”;

3 (B) in subparagraph (B), by striking the
4 period at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(C) shall incorporate the category de-
7 scribed in section 24319(c)(2)(C).”.

8 (2) *CLERICAL AMENDMENT.*—*The analysis for*
9 *chapter 243 of title 49, United States Code, is amend-*
10 *ed by striking the item relating to section 24319 and*
11 *inserting the following:*

 “24319. Grant process and reporting.”.

12 **SEC. 2207. INCREASING SERVICE LINE AND ASSET LINE**
13 **PLAN TRANSPARENCY.**

14 (a) *IN GENERAL.*—*Section 24320 of title 49, United*
15 *States Code, is amended—*

16 (1) *in the section heading, by striking “**busi-***
17 *ness line and asset plans” and inserting*
18 *“**service line and asset line plans**”;*

19 (2) *in subsection (a)—*

20 (A) *in paragraph (1)—*

21 (i) *by striking “of each year” and in-*
22 *serting “, 2020, and biennially thereafter”;*

23 (ii) *by striking “5-year business line*
24 *plans and 5-year asset plans” and inserting*

1 *“5-year service line plans and 5-year asset*
2 *line plans”*; and

3 *(iii) by adding at the end the fol-*
4 *lowing: “During each year in which Am-*
5 *trak is not required to submit a plan under*
6 *this paragraph, Amtrak shall submit to*
7 *Congress updated financial sources and uses*
8 *statements and forecasts with the annual re-*
9 *port required under section 24315(b).”*; and

10 *(B) in paragraph (2), by striking “asset*
11 *plan required in” and inserting “asset line plan*
12 *required under”*;

13 *(3) in subsection (b)—*

14 *(A) in the subsection heading, by striking*
15 *“BUSINESS” and inserting “SERVICE”*;

16 *(B) in paragraph (1)—*

17 *(i) in the paragraph heading, by strik-*
18 *ing “BUSINESS” and inserting “SERVICE”*;

19 *(ii) by striking “business” each place*
20 *such term appears and inserting “service”*;

21 *(iii) by amending subparagraph (B) to*
22 *read as follows:*

23 *“(B) Amtrak State-supported train serv-*
24 *ices.”*;

1 (iv) in subparagraph (C), by striking
2 “routes” and inserting “train services”; and

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

4 “(E) Infrastructure access services for use of
5 Amtrak-owned or Amtrak-controlled infrastruc-
6 ture and facilities.”;

7 (C) in paragraph (2)—

8 (i) in the paragraph heading, by strik-
9 ing “BUSINESS” and inserting “SERVICE”;

10 (ii) by striking “business” each place
11 such term appears and inserting “service”;

12 (iii) in subparagraph (A), by striking
13 “Strategic Plan and 5-year asset plans”
14 and inserting “5-year asset line plans”;

15 (iv) in subparagraph (F) (as redesign-
16 ated by section 2204(b)(1)), by striking
17 “profit and loss” and inserting “sources
18 and uses”;

19 (v) by striking subparagraph (G) (as
20 redesignated by section 2204(b)(1));

21 (vi) by redesignating subparagraphs
22 (H) through (M) (as redesignated by section
23 2204(b)(1)) as subparagraphs (G) through
24 (L), respectively; and

1 (vii) by amending subparagraph (I)
2 (as so redesignated) to read as follows:

3 “(I) financial performance for each route, if
4 deemed applicable by the Secretary, within each
5 service line, including descriptions of the cash
6 operating loss or contribution;”;

7 (D) in paragraph (3)—

8 (i) in the paragraph heading, by strik-
9 ing “BUSINESS” and inserting “SERVICE”;

10 (ii) by striking “business” each place
11 such term appears and inserting “service”;

12 (iii) by redesignating subparagraphs
13 (A), (B), (C), and (D) as clauses (i), (ii),
14 (iii), and (iv), respectively, and moving
15 such clauses 2 ems to the right;

16 (iv) by inserting before clause (i), as
17 redesignated, the following:

18 “(A) not later than 180 days after the date
19 of enactment of the Passenger Rail Expansion
20 and Rail Safety Act of 2021, submit to the Sec-
21 retary, for approval, a consultation process for
22 the development of each service line plan that re-
23 quires Amtrak to—”;

24 (v) in subparagraph (A), as amended
25 by clause (iv)—

1 (I) in clause (iii), as redesignated,
2 by inserting “and submit the final
3 service line plan required under sub-
4 section (a)(1) to the State-Supported
5 Route Committee” before the semicolon
6 at the end;

7 (II) in clause (iv), as redesign-
8 ated, by inserting “and” after the
9 semicolon at the end; and

10 (III) by adding at the end the fol-
11 lowing:

12 “(v) for the infrastructure access serv-
13 ice line plan, consult with the Northeast
14 Corridor Commission and other entities, as
15 appropriate, and submit the final asset line
16 plan under subsection (a)(1) to the North-
17 east Corridor Commission;”; and

18 (vi) by redesignating subparagraphs
19 (E) and (F) as subparagraphs (B) and (C),
20 respectively;

21 (E) by redesignating paragraph (4) as
22 paragraph (5); and

23 (F) by inserting after paragraph (3)(C), as
24 redesignated, the following:

1 “(4) 5-YEAR SERVICE LINE PLANS UPDATES.—
2 *Amtrak may modify the content to be included in the*
3 *service line plans described in paragraph (1), upon*
4 *the approval of the Secretary, if the Secretary deter-*
5 *mines that such modifications are necessary to im-*
6 *prove the transparency, oversight, and delivery of*
7 *Amtrak services and the use of Federal funds by Am-*
8 *trak.”; and*

9 (4) in subsection (c)—

10 (A) in the subsection heading, by inserting
11 “*LINE*” after “*ASSET*”;

12 (B) in paragraph (1)—

13 (i) in the paragraph heading, by strik-
14 ing “*CATEGORIES*” and inserting “*LINES*”;

15 (ii) in the matter preceding subpara-
16 graph (A), by striking “*asset plan for each*
17 *of the following asset categories*” and insert-
18 ing “*asset line plan for each of the following*
19 *asset lines*”;

20 (iii) by redesignating subparagraphs
21 (A), (B), (C), and (D) as subparagraphs
22 (B), (C), (D), and (E), respectively;

23 (iv) by inserting before subparagraph
24 (B), as redesignated, the following:

1 “(A) Transportation, including activities
2 and resources associated with the operation and
3 movement of Amtrak trains, onboard services,
4 and amenities.”;

5 (v) in subparagraph (B), as redesign-
6 ated, by inserting “and maintenance-of-
7 way equipment” after “facilities”; and

8 (vi) in subparagraph (C), as redesign-
9 ated, by striking “Passenger rail equip-
10 ment” and inserting “Equipment”;

11 (C) in paragraph (2)—

12 (i) in the paragraph heading, by in-
13 serting “LINE” after “ASSET”;

14 (ii) in the matter preceding subpara-
15 graph (A), by inserting “line” after “asset”;

16 (iii) in subparagraph (A), by striking
17 “category” and inserting “line”;

18 (iv) in subparagraph (C)(iii)(III), by
19 striking “and” at the end;

20 (v) by amending subparagraph (D) to
21 read as follows:

22 “(D) annual sources and uses statements
23 and forecasts for each asset line; and”;

24 (vi) by adding at the end the following:

1 “(E) other elements that Amtrak elects to
2 include.”;

3 (D) in paragraph (3)—

4 (i) in the paragraph heading, by in-
5 scribing “LINE” after “ASSET”;

6 (ii) by redesignating subparagraphs
7 (A) and (B) as clauses (i) and (ii) and
8 moving such clauses 2 ems to the right;

9 (iii) by inserting before clause (i), as
10 redesignated, the following:

11 “(A) not later than 180 days after the date
12 of enactment of the Passenger Rail Expansion
13 and Rail Safety Act of 2021, submit to the Sec-
14 retary, for approval, a consultation process for
15 the development of each asset line plan that re-
16 quires Amtrak to—”;

17 (iv) in subparagraph (A), as added by
18 clause (iii)—

19 (I) in clause (i), as redesign-
20 ated—

21 (aa) by striking “business”
22 each place such term appears and
23 inserting “service”;

1 (bb) by inserting “line” after
2 “asset” each place such term ap-
3 pears; and

4 (cc) by adding “and” at the
5 end; and

6 (II) in clause (ii), as redesign-
7 nated—

8 (aa) by inserting “consult
9 with the Secretary of Transpor-
10 tation in the development of asset
11 line plans and,” before “as appli-
12 cable”; and

13 (bb) by inserting “line” after
14 “5-year asset”;

15 (v) by redesignating subparagraph (C)
16 as subparagraph (B); and

17 (vi) in subparagraph (B), as redesign-
18 nated, by striking “category” and inserting
19 “line”;

20 (E) by redesignating paragraphs (4), (5),
21 (6), and (7) as paragraphs (5), (6), (7), and (8),
22 respectively;

23 (F) by inserting after paragraph (3) the fol-
24 lowing:

1 “(4) 5-YEAR ASSET LINE PLAN UPDATES.—Am-
 2 trak may modify the content to be included in the
 3 asset line plans described in paragraph (1), on ap-
 4 proval of the Secretary, if the Secretary determines
 5 that such modifications are necessary to improve the
 6 transparency, oversight, and delivery of Amtrak serv-
 7 ices and the use of Federal funds by Amtrak.”;

8 (G) in paragraph (5)(A), as redesignated,
 9 by inserting “, but shall not include corporate
 10 services (as defined pursuant to section
 11 24317(b))” after “national assets”; and

12 (H) in paragraph (7), as redesignated, by
 13 striking “paragraph (4)” and inserting “para-
 14 graph (5)”.

15 (b) CLERICAL AMENDMENT.—The analysis for chapter
 16 243 of title 49, United States Code, is amended by striking
 17 the item relating to section 24320 and inserting the fol-
 18 lowing:

 “24320. Amtrak 5-year service line and asset line plans.”.

19 (c) EFFECTIVE DATES.—Section 11203(b) of the Pas-
 20 senger Rail Reform and Investment Act of 2015 (49 U.S.C.
 21 24320 note) is amended—

22 (1) by striking “business” each place such term
 23 appears and inserting “service”; and

24 (2) by inserting “line” after “asset” each place
 25 such term appears.

1 **SEC. 2208. PASSENGER EXPERIENCE ENHANCEMENT.**

2 (a) *IN GENERAL.*—Section 24305(c)(4) of title 49,
3 *United States Code*, is amended by striking “only if reve-
4 *nues from the services each year at least equal the cost of*
5 *providing the services”.*

6 (b) *FOOD AND BEVERAGE SERVICE WORKING*
7 *GROUP.*—

8 (1) *IN GENERAL.*—Section 24321 of title 49,
9 *United States Code*, is amended to read as follows:

10 **“§ 24321. Food and beverage service**

11 “(a) *WORKING GROUP.*—

12 “(1) *ESTABLISHMENT.*—Not later than 180 days
13 *after enactment of the Passenger Rail Expansion and*
14 *Rail Safety Act of 2021, Amtrak shall establish a*
15 *working group to provide recommendations to im-*
16 *prove Amtrak’s onboard food and beverage service.*

17 “(2) *MEMBERSHIP.*—The working group shall
18 *consist of individuals representing—*

19 “(A) *Amtrak;*

20 “(B) *the labor organizations representing*
21 *Amtrak employees who prepare or provide on-*
22 *board food and beverage service;*

23 “(C) *nonprofit organizations representing*
24 *Amtrak passengers; and*

25 “(D) *States that are providing funding for*
26 *State-supported routes.*

1 “(b) *REPORT.*—Not later than 1 year after the estab-
2 *lishment of the working group pursuant to subsection (a),*
3 *the working group shall submit a report to the Committee*
4 *on Commerce, Science, and Transportation of the Senate*
5 *and the Committee on Transportation and Infrastructure*
6 *of the House of Representatives containing recommenda-*
7 *tions for improving Amtrak’s food and beverage service, in-*
8 *cluding—*

9 “(1) *ways to improve the financial performance*
10 *of Amtrak;*

11 “(2) *ways to increase and retain ridership;*

12 “(3) *the differing needs of passengers traveling*
13 *on long-distance routes, State supported routes, and*
14 *the Northeast Corridor;*

15 “(4) *Amtrak passenger survey data about the*
16 *food and beverages offered on Amtrak trains;*

17 “(5) *ways to incorporate local food and beverage*
18 *items on State-supported routes; and*

19 “(6) *any other issue that the working group de-*
20 *termines to be appropriate.*

21 “(c) *IMPLEMENTATION.*—Not later than 180 days after
22 *the submission of the report pursuant to subsection (b), Am-*
23 *trak shall submit a plan for implementing the recommenda-*
24 *tions of the working group, and an explanation for any of*
25 *the working group’s recommendations it does not agree with*

1 *and does not plan on implementing to the Committee on*
 2 *Commerce, Science, and Transportation of the Senate and*
 3 *the Committee on Transportation and Infrastructure of the*
 4 *House of Representatives.*

5 “(d) *SAVINGS CLAUSE.*—*Amtrak shall ensure that no*
 6 *Amtrak employee who held a position on a long distance*
 7 *or Northeast Corridor route as of the date of enactment of*
 8 *the Passenger Rail Expansion and Rail Safety Act of 2021,*
 9 *is involuntarily separated because of the development and*
 10 *implementation of the plan required under this section.”.*

11 (2) *CLERICAL AMENDMENT.*—*The analysis for*
 12 *chapter 243 of title 49, United States Code, is amend-*
 13 *ed by striking the item relating to section 24321 and*
 14 *inserting the following:*

“24321. Food and beverage service.”.

15 **SEC. 2209. AMTRAK SMOKING POLICY.**

16 (a) *IN GENERAL.*—*Chapter 243 of title 49, United*
 17 *States Code, is amended by adding at the end the following:*

18 **“§ 24323. Prohibition on smoking on Amtrak trains**

19 “(a) *PROHIBITION.*—*Beginning on the date of enact-*
 20 *ment of this section, Amtrak shall prohibit smoking, includ-*
 21 *ing the use of electronic cigarettes, onboard all Amtrak*
 22 *trains.*

23 “(b) *ELECTRONIC CIGARETTE DEFINED.*—*In this sec-*
 24 *tion, the term ‘electronic cigarette’ means a device that de-*
 25 *livers nicotine or other substances to a user of the device*

1 *in the form of a vapor that is inhaled to simulate the experi-*
 2 *ence of smoking.”.*

3 (b) *CONFORMING AMENDMENT.—The analysis for*
 4 *chapter 243 of title 49, United States Code, is amended by*
 5 *adding at the end the following:*

“24323. Prohibition on smoking on Amtrak trains.”.

6 **SEC. 2210. PROTECTING AMTRAK ROUTES THROUGH RURAL**
 7 **COMMUNITIES.**

8 *Section 24706 of title 49, United States Code, is*
 9 *amended—*

10 (1) *in subsection (a), by striking “subsection (b)*
 11 *of this section, at least 180 days” and inserting “sub-*
 12 *section (c), not later than 180 days”;*

13 (2) *by redesignating subsections (b) and (c) as*
 14 *subsections (c) and (e), respectively;*

15 (3) *by inserting after subsection (a) the fol-*
 16 *lowing:*

17 *“(b) DISCONTINUANCE OR SUBSTANTIAL ALTERATION*
 18 *OF LONG-DISTANCE ROUTES.—Except as provided in sub-*
 19 *section (c), in an emergency, or during maintenance or con-*
 20 *struction outages impacting Amtrak routes, Amtrak may*
 21 *not discontinue, reduce the frequency of, suspend, or sub-*
 22 *stantially alter the route of rail service on any segment of*
 23 *any long-distance route in any fiscal year in which Amtrak*
 24 *receives adequate Federal funding for such route on the Na-*
 25 *tional Network.”; and*

1 (4) by inserting after subsection (c), as redesignated, the following:

2 “(d) *CONGRESSIONAL NOTIFICATION OF DISCONTINU-*
3 *ANCE.—Except as provided in subsection (c), not later than*
4 *210 days before discontinuing service over a route, Amtrak*
5 *shall give written notice of such discontinuance to all of*
6 *the members of Congress representing any State or district*
7 *in which the discontinuance would occur.”.*

9 **SEC. 2211. STATE-SUPPORTED ROUTE COMMITTEE.**

10 (a) *STATE-SUPPORTED ROUTE COMMITTEE.—Section*
11 *24712(a) of title 49, United States Code, is amended—*

12 (1) *in paragraph (1)—*

13 (A) *by striking “Not later than 180 days*
14 *after the date of enactment of the Passenger Rail*
15 *Reform and Investment Act of 2015, the Sec-*
16 *retary of Transportation shall establish” and in-*
17 *serting “There is established”; and*

18 (B) *by inserting “current and future” before*
19 *“rail operations”;*

20 (2) *by redesignating paragraphs (4), (5), and (6)*
21 *as paragraphs (5), (6), and (7), respectively;*

22 (3) *by inserting after paragraph (3) the fol-*
23 *lowing:*

24 “(4) *ABILITY TO CONDUCT CERTAIN BUSINESS.—*
25 *If all of the members of 1 voting bloc described in*

1 paragraph (3) abstain from a Committee decision,
2 agreement between the other 2 voting blocs consistent
3 with the procedures set forth in such paragraph shall
4 be deemed sufficient for purpose of achieving unani-
5 mous consent.”;

6 (4) in paragraph (5), as redesignated, in the
7 matter preceding subparagraph (A)—

8 (A) by striking “convene a meeting and
9 shall define and implement” and inserting “de-
10 fine and periodically update”; and

11 (B) by striking “not later than 180 days
12 after the date of establishment of the Committee
13 by the Secretary”; and

14 (5) in paragraph (7), as redesignated—

15 (A) in the paragraph heading, by striking
16 “ALLOCATION METHODOLOGY” and inserting
17 “METHODOLOGY POLICY”;

18 (B) in subparagraph (A), by striking “allo-
19 cation methodology” and inserting “methodology
20 policy”;

21 (C) by amending subparagraph (B) to read
22 as follows:

23 “(B) REVISIONS TO COST METHODOLOGY
24 POLICY.—

1 “(i) *REQUIREMENT TO REVISE AND*
2 *UPDATE.—Subject to rules and procedures*
3 *established pursuant to clause (iii), not*
4 *later than March 31, 2022, the Committee*
5 *shall revise and update the cost methodology*
6 *policy required and previously approved*
7 *under section 209 of the Passenger Rail In-*
8 *vestment and Improvement Act of 2008 (49*
9 *U.S.C. 20901 note). The Committee shall*
10 *implement a revised cost methodology policy*
11 *during fiscal year 2023. Not later than 30*
12 *days after the adoption of the revised cost*
13 *methodology policy, the Committee shall*
14 *submit a report documenting and explain-*
15 *ing any changes to the cost methodology*
16 *policy and plans for implementation of such*
17 *policy, including a description of the im-*
18 *provements to the accounting information*
19 *provided by Amtrak to the States, to the*
20 *Committee on Commerce, Science, and*
21 *Transportation of the Senate and the Com-*
22 *mittee on Transportation and Infrastruc-*
23 *ture of the House of Representatives. The re-*
24 *vised cost methodology policy shall ensure*
25 *that States will be responsible for costs at-*

1 *tributable to the provision of service for*
2 *their routes.*

3 “(ii) *IMPLEMENTATION IMPACTS ON*
4 *FEDERAL FUNDING.—To the extent that a*
5 *revision developed pursuant to clause (i) as-*
6 *signs to Amtrak costs that were previously*
7 *allocated to States, Amtrak shall request*
8 *with specificity such additional funding in*
9 *the general and legislative annual report re-*
10 *quired under section 24315 or in any ap-*
11 *propriate subsequent Federal funding re-*
12 *quest for the fiscal year in which the revised*
13 *cost methodology policy will be imple-*
14 *mented.*

15 “(iii) *PROCEDURES FOR CHANGING*
16 *METHODOLOGY.—Notwithstanding section*
17 *209(b) of the Passenger Rail Investment*
18 *and Improvement Act of 2008 (49 U.S.C.*
19 *20901 note), the rules and procedures im-*
20 *plemented pursuant to paragraph (5) shall*
21 *include—*

22 “(I) *procedures for changing the*
23 *cost methodology policy in accordance*
24 *with clause (i); and*

1 “(II) procedures or broad guide-
2 lines for conducting financial plan-
3 ning, including operating and capital
4 forecasting, reporting, data sharing,
5 and governance.”;

6 (D) in subparagraph (C)—

7 (i) in the matter preceding clause (i),
8 by striking “allocation methodology” and
9 inserting “methodology policy”;

10 (ii) in clause (i), by striking “and” at
11 the end;

12 (iii) in clause (ii)—

13 (I) by striking “allocate” and in-
14 serting “assign”; and

15 (II) by striking the period and in-
16 serting “; and”; and

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

18 “(iii) promote increased efficiency in
19 Amtrak’s operating and capital activities.”;
20 and

21 (E) by adding at the end the following:

22 “(D) INDEPENDENT EVALUATION.—Not
23 later than March 31 of each year, the Committee
24 shall ensure that an independent entity selected
25 by the Committee has completed an evaluation to

1 *determine whether State payments for the most*
 2 *recently concluded fiscal year are accurate and*
 3 *comply with the applicable cost allocation meth-*
 4 *odology.”.*

5 ***(b) INVOICES AND REPORTS.***—*Section 24712(b) of title*
 6 *49, United States Code, is amended to read as follows:*

7 ***“(b) INVOICES AND REPORTS.—***

8 ***“(1) INVOICES.***—*Amtrak shall provide monthly*
 9 *invoices to the Committee and to each State that*
 10 *sponsors a State-supported route that identify the op-*
 11 *erating costs for such route, including fixed costs and*
 12 *third-party costs.*

13 ***“(2) REPORTS.—***

14 ***“(A) IN GENERAL.***—*The Committee shall*
 15 *determine the frequency and contents of—*

16 ***“(i) the financial and performance re-***
 17 *ports that Amtrak is required to provide to*
 18 *the Committee and the States; and*

19 ***“(ii) the planning and demand reports***
 20 *that the States are required to provide to*
 21 *the Committee and Amtrak.*

22 ***“(B) MONTHLY STATISTICAL REPORT.—***

23 ***“(i) DEVELOPMENT.***—*Consistent with*
 24 *the revisions to the policy required under*
 25 *subsection (a)(7)(B), the Committee shall*

1 develop a report that contains the general
 2 ledger data and operating statistics from
 3 Amtrak’s accounting systems used to cal-
 4 culate payments to States.

5 “(ii) PROVISION OF NECESSARY
 6 DATA.—Not later than 30 days after the last
 7 day of each month, Amtrak shall provide to
 8 the States and to the Committee the nec-
 9 essary data to complete the report developed
 10 pursuant to clause (i) for such month.”.

11 (c) DISPUTE RESOLUTION.—Section 24712(c) of title
 12 49, United States Code, is amended—

13 (1) in paragraph (1)—

14 (A) by striking “(a)(4)” and inserting
 15 “(a)(5)”; and

16 (B) by striking “(a)(6)” and inserting
 17 “(a)(7)”; and

18 (2) in paragraph (4), by inserting “related to a
 19 State-supported route that a State sponsors that is”
 20 after “amount”.

21 (d) PERFORMANCE METRICS.—Section 24712(e) of
 22 title 49, United States Code, is amended by inserting “,
 23 including incentives to increase revenue, reduce costs, final-
 24 ize contracts by the beginning of the fiscal year, and require

1 *States to promptly make payments for services delivered”*
2 *before the period at the end.*

3 (e) *STATEMENT OF GOALS AND OBJECTIVES.—Section*
4 *24712(f) of title 49, United States Code, is amended—*

5 (1) *in paragraph (1), by inserting “, and review*
6 *and update, as necessary,” after “shall develop”;*

7 (2) *in paragraph (2), by striking “Not later than*
8 *2 years after the date of enactment of the Passenger*
9 *Rail Reform and Investment Act of 2015, the Com-*
10 *mittee shall transmit the statement” and inserting*
11 *“As applicable, based on updates, the Committee shall*
12 *submit an updated statement”;* and

13 (3) *by adding at the end the following:*

14 “(3) *SENSE OF CONGRESS.—It is the sense of*
15 *Congress that—*

16 “(A) *the Committee shall be the forum*
17 *where Amtrak and the States collaborate on the*
18 *planning, improvement, and development of cor-*
19 *ridor routes across the National Network; and*

20 “(B) *such collaboration should include reg-*
21 *ular consultation with interstate rail compact*
22 *parties and other regional planning organiza-*
23 *tions that address passenger rail.”.*

24 (f) *OTHER REFORMS RELATED TO STATE-SUPPORTED*
25 *ROUTES.—Section 24712 of title 49, United States Code,*

1 *as amended by subsections (a) through (e), is further*
2 *amended—*

3 *(1) by redesignating subsections (g) and (h) as*
4 *subsections (k) and (l), respectively; and*

5 *(2) by inserting after subsection (f) the following:*

6 *“(g) NEW STATE-SUPPORTED ROUTES.—*

7 *“(1) CONSULTATION.—In developing a new*
8 *State-supported route, Amtrak shall consult with—*

9 *“(A) the State or States and local municipi-*
10 *palities through which such new service would*
11 *operate;*

12 *“(B) commuter authorities and regional*
13 *transportation authorities in the areas that*
14 *would be served by the planned route;*

15 *“(C) host railroads;*

16 *“(D) the Administrator of the Federal Rail-*
17 *road Administration; and*

18 *“(E) other stakeholders, as appropriate.*

19 *“(2) STATE COMMITMENTS.—Notwithstanding*
20 *any other provision of law, before beginning construc-*
21 *tion necessary for, or beginning operation of, a State-*
22 *supported route that is initiated on or after the date*
23 *of enactment of the Passenger Rail Expansion and*
24 *Rail Safety Act of 2021, Amtrak shall enter into a*
25 *memorandum of understanding, or otherwise secure*

1 *an agreement, with each State in which such route*
2 *will operate for sharing—*

3 *“(A) ongoing operating costs and capital*
4 *costs in accordance with the cost methodology*
5 *policy referred to in subsection (a)(7) then in ef-*
6 *fect; or*

7 *“(B) ongoing operating costs and capital*
8 *costs in accordance with the maximum funding*
9 *limitations described in section 22908(e).*

10 *“(3) APPLICATION OF TERMS.—In this sub-*
11 *section, the terms ‘capital costs’ and ‘operating costs’*
12 *shall apply in the same manner as such terms apply*
13 *under the cost methodology policy developed pursuant*
14 *to subsection (a)(7).*

15 *“(h) COST METHODOLOGY POLICY UPDATE IMPLE-*
16 *MENTATION REPORT.—Not later than 18 months after the*
17 *updated cost methodology policy required under subsection*
18 *(a)(7)(B) is implemented, the Committee shall submit a re-*
19 *port to the Committee on Commerce, Science, and Trans-*
20 *portation of the Senate and the Committee on Transpor-*
21 *tation and Infrastructure of the House of Representatives*
22 *that assesses the implementation of the updated policy.*

23 *“(i) IDENTIFICATION OF STATE-SUPPORTED ROUTE*
24 *CHANGES.—Amtrak shall—*

1 “(1) not later than 120 days before the submis-
2 sion of the general and legislative annual report re-
3 quired under section 24315(b), consult with the Com-
4 mittee and any additional States through which a
5 State-supported route may operate regarding any
6 proposed changes to such route; and

7 “(2) include in such report an update of any
8 planned or proposed changes to State-supported
9 routes, including the introduction of new State-sup-
10 ported routes, including—

11 “(A) the timeframe in which such changes
12 would take effect; and

13 “(B) whether Amtrak has entered into com-
14 mitments with the affected States pursuant sub-
15 section (g)(2).

16 “(j) *ECONOMIC ANALYSIS*.—Not later than 3 years
17 after the date of enactment of the Passenger Rail Expansion
18 and Rail Safety Act of 2021, the Committee shall submit
19 a report to the Committee on Commerce, Science, and
20 Transportation of the Senate and the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives that—

23 “(1) describes the role of the State-supported
24 routes in economic development; and

1 “(2) examines the impacts of the State-supported
2 routes on local station areas, job creation, transpor-
3 tation efficiency, State economies, and the national
4 economy.”.

5 **SEC. 2212. ENHANCING CROSS BORDER SERVICE.**

6 (a) *IN GENERAL.*—Not later than 1 year after the date
7 of enactment of this Act, Amtrak, after consultation with
8 the Secretary, the Secretary of Homeland Security, relevant
9 State departments of transportation, Canadian govern-
10 mental agencies and entities, and owners of the relevant rail
11 infrastructure and facilities, shall submit a report to the
12 Committee on Commerce, Science, and Transportation of
13 the Senate and the Committee on Transportation and In-
14 frastructure of the House of Representatives regarding en-
15 hancing Amtrak passenger rail service between the United
16 States and Canada that—

17 (1) identifies challenges to Amtrak operations in
18 Canada, including delays associated with custom and
19 immigration inspections in both the United States
20 and Canada; and

21 (2) includes recommendations to improve such
22 cross border service, including the feasibility of and
23 costs associated with a preclearance facility or facili-
24 ties.

1 (b) *ASSISTANCE AND SUPPORT.*—*The Secretary, the*
 2 *Secretary of State, and the Secretary of Homeland Security*
 3 *may provide assistance and support requested by Amtrak*
 4 *that is necessary to carry out this section, as determined*
 5 *appropriate by the respective Secretary.*

6 **SEC. 2213. CREATING QUALITY JOBS.**

7 *Section 121 of the Amtrak Reform and Accountability*
 8 *Act of 1997 (49 U.S.C. 24312 note) is amended—*

9 (1) *by redesignating subsection (d) as subsection*
 10 *(f); and*

11 (2) *by inserting after subsection (c) the fol-*
 12 *lowing:*

13 “(d) *FURLOUGHED WORK.*—*Amtrak may not contract*
 14 *out work within the classification of work performed by an*
 15 *employee in a bargaining unit covered by a collective bar-*
 16 *gaining agreement entered into between Amtrak and an or-*
 17 *ganization representing Amtrak employees during the pe-*
 18 *riod such employee has been laid off and has not been re-*
 19 *called to perform such work.*

20 “(e) *AGREEMENT PROHIBITIONS ON CONTRACTING*
 21 *OUT.*—*This section does not—*

22 (1) *supersede a prohibition or limitation on*
 23 *contracting out work covered by an agreement entered*
 24 *into between Amtrak and an organization rep-*
 25 *resenting Amtrak employees; or*

1 “(2) prohibit Amtrak and an organization rep-
2 resenting Amtrak employees from entering into an
3 agreement that allows for contracting out the work of
4 a furloughed employee that would otherwise be prohib-
5 ited under subsection (d).”.

6 **SEC. 2214. AMTRAK DAILY LONG-DISTANCE SERVICE STUDY.**

7 (a) *IN GENERAL.*—The Secretary shall conduct a
8 study to evaluate the restoration of daily intercity rail pas-
9 senger service along—

10 (1) any Amtrak long-distance routes that, as of
11 the date of enactment of this Act, were discontinued;
12 and

13 (2) any Amtrak long-distance routes that, as of
14 the date of enactment of this Act, occur on a nondaily
15 basis.

16 (b) *INCLUSIONS.*—The study under subsection (a)
17 shall—

18 (1) evaluate all options for restoring or enhanc-
19 ing to daily-basis intercity rail passenger service
20 along each Amtrak route described in that subsection;

21 (2) select a preferred option for restoring or en-
22 hancing the service described in paragraph (1);

23 (3) develop a prioritized inventory of capital
24 projects and other actions that are required to restore

1 or enhance the service described in paragraph (1), in-
2 cluding cost estimates for those projects and actions;

3 (4) develop recommendations for methods by
4 which Amtrak could work with local communities and
5 organizations to develop activities and programs to
6 continuously improve public use of intercity pas-
7 senger rail service along each route; and

8 (5) identify Federal and non-Federal funding
9 sources required to restore or enhance the service de-
10 scribed in paragraph (1), including—

11 (A) increased Federal funding for Amtrak
12 based on applicable reductions or
13 discontinuations in service; and

14 (B) options for entering into public-private
15 partnerships to restore that service.

16 (c) *OTHER FACTORS WHEN CONSIDERING EXPAN-*
17 *SIONS.—In evaluating intercity passenger rail routes under*
18 *this section, the Secretary may evaluate potential new Am-*
19 *trak long-distance routes, including with specific attention*
20 *provided to routes in service as of April 1971 but not con-*
21 *tinued by Amtrak, taking into consideration whether those*
22 *new routes would—*

23 (1) link and serve large and small communities
24 as part of a regional rail network;

1 (2) *advance the economic and social well-being of*
2 *rural areas of the United States;*

3 (3) *provide enhanced connectivity for the na-*
4 *tional long-distance passenger rail system; and*

5 (4) *reflect public engagement and local and re-*
6 *gional support for restored passenger rail service.*

7 (d) *CONSULTATION.—In conducting the study under*
8 *this section, the Secretary shall consult, through working*
9 *groups or other forums as the Secretary determines to be*
10 *appropriate, with—*

11 (1) *Amtrak;*

12 (2) *each State along a relevant route;*

13 (3) *regional transportation planning organiza-*
14 *tions and metropolitan planning organizations, mu-*
15 *nicipalities, and communities along those relevant*
16 *routes, to be selected by the Secretary;*

17 (4) *host railroad carriers the tracks of which*
18 *may be used for a service described in subsection (a);*

19 (5) *organizations representing onboard Amtrak*
20 *employees;*

21 (6) *nonprofit organizations representing Amtrak*
22 *passengers;*

23 (7) *relevant regional passenger rail authorities*
24 *and federally recognized Indian Tribes; and*

1 (8) *such other entities as the Secretary may se-*
2 *lect.*

3 (e) *REPORT.*—*Not later than 2 years after the date of*
4 *enactment of this Act, the Secretary shall submit to the*
5 *Committee on Commerce, Science, and Transportation of*
6 *the Senate and the Committee on Transportation and In-*
7 *frastructure of the House of Representatives a report that*
8 *includes—*

9 (1) *the preferred options selected under sub-*
10 *section (b)(2), including the reasons for selecting each*
11 *option;*

12 (2) *the information described in subsection*
13 *(b)(3);*

14 (3) *the funding sources identified pursuant to*
15 *subsection (b)(5);*

16 (4) *the estimated costs and public benefits of re-*
17 *storing or enhancing intercity rail passenger trans-*
18 *portation in the region impacted for each relevant*
19 *Amtrak route; and*

20 (5) *any other information the Secretary deter-*
21 *mines to be appropriate.*

22 (f) *FUNDING.*—*There are authorized to be appro-*
23 *priated to the Secretary to conduct the study under this*
24 *section and to carry out the consultations required by sub-*
25 *section (d)—*

1 (1) \$7,500,000 for fiscal year 2022; and

2 (2) \$7,500,000 for fiscal year 2023.

3 **Subtitle C—Intercity Passenger**
 4 **Rail Policy**

5 **SEC. 2301. NORTHEAST CORRIDOR PLANNING.**

6 Section 24904 of title 49, United States Code, is
 7 amended—

8 (1) by striking subsections (a) and (d);

9 (2) by redesignating subsections (b) and (c) as
 10 subsections (c) and (d), respectively;

11 (3) by inserting before subsection (c), as redesign-
 12 nated, the following:

13 “(a) *NORTHEAST CORRIDOR SERVICE DEVELOPMENT*
 14 *PLAN.*—

15 “(1) *IN GENERAL.*—Not later than March 31,
 16 2022, the Northeast Corridor Commission established
 17 under section 24905 (referred to in this section as the
 18 ‘Commission’) shall submit a service development
 19 plan to Congress.

20 “(2) *CONTENTS.*—The plan required under para-
 21 graph (1) shall—

22 “(A) identify key state-of-good-repair, ca-
 23 pacity expansion, and capital improvement
 24 projects planned for the Northeast Corridor;

1 “(B) provide a coordinated and consensus-
2 based plan covering a 15-year period;

3 “(C) identify service objectives and the cap-
4 ital investments required to meet such objectives;

5 “(D) provide a delivery-constrained strategy
6 that identifies—

7 “(i) capital investment phasing;

8 “(ii) an evaluation of workforce needs;

9 and

10 “(iii) strategies for managing resources
11 and mitigating construction impacts on op-
12 erations; and

13 “(E) include a financial strategy that iden-
14 tifies funding needs and potential funding
15 sources.

16 “(3) UPDATES.—The Commission shall update
17 the service development plan not less frequently than
18 once every 5 years.

19 “(b) NORTHEAST CORRIDOR CAPITAL INVESTMENT
20 PLAN.—

21 “(1) IN GENERAL.—Not later than November 1 of
22 each year, the Commission shall—

23 “(A) develop an annual capital investment
24 plan for the Northeast Corridor; and

1 “(B) submit the capital investment plan
2 to—

3 “(i) the Secretary of Transportation;

4 “(ii) the Committee on Commerce,
5 Science, and Transportation of the Senate;
6 and

7 “(iii) the Committee on Transpor-
8 tation and Infrastructure of the House of
9 Representatives.

10 “(2) CONTENTS.—The plan required under para-
11 graph (1) shall—

12 “(A) reflect coordination across the entire
13 Northeast Corridor;

14 “(B) integrate the individual capital plans
15 developed by Amtrak, States, and commuter au-
16 thorities in accordance with the cost allocation
17 policy developed and approved under section
18 24905(c);

19 “(C) cover a period of 5 fiscal years, begin-
20 ning with the fiscal year during which the plan
21 is submitted;

22 “(D) notwithstanding section 24902(b), doc-
23 ument the projects and programs being under-
24 taken to advance the service objectives and cap-
25 ital investments identified in the Northeast Cor-

1 *ridor service development plan developed under*
2 *subsection (a), and the asset condition needs*
3 *identified in the Northeast Corridor asset man-*
4 *agement plans, after considering—*

5 *“(i) the benefits and costs of capital in-*
6 *vestments in the plan;*

7 *“(ii) project and program readiness;*

8 *“(iii) the operational impacts; and*

9 *“(iv) Federal and non-Federal funding*
10 *availability;*

11 *“(E) categorize capital projects and pro-*
12 *grams as primarily associated with 1 of the cat-*
13 *egories listed under section 24319(c)(2)(C);*

14 *“(F) identify capital projects and programs*
15 *that are associated with more than 1 category*
16 *described in subparagraph (E); and*

17 *“(G) include a financial plan that identi-*
18 *fies—*

19 *“(i) funding sources and financing*
20 *methods;*

21 *“(ii) the status of cost sharing agree-*
22 *ments pursuant to the cost allocation policy*
23 *developed under section 24905(c);*

1 “(iii) the projects and programs that
2 the Commission expects will receive Federal
3 financial assistance; and

4 “(iv) the eligible entity or entities that
5 the Commission expects—

6 “(I) to receive the Federal finan-
7 cial assistance referred to in clause
8 (iii); and

9 “(II) to implement each capital
10 project.

11 “(3) REVIEW AND COORDINATION.—The Commis-
12 sion shall require that the information described in
13 paragraph (2) be submitted in a timely manner to
14 allow for a reasonable period of review by, and co-
15 ordination with, affected agencies before the Commis-
16 sion submits the capital investment plan pursuant to
17 paragraph (1).”;

18 (4) in subsection (c), as redesignated, by striking
19 “spent only on—” and all that follows and inserting
20 “spent only on capital projects and programs con-
21 tained in the Commission’s capital investment plan
22 for the prior fiscal year.”; and

23 (5) by amending subsection (d), as redesignated,
24 to read as follows:

1 “(d) *NORTHEAST CORRIDOR CAPITAL ASSET MANAGE-*
2 *MENT SYSTEM.*—

3 “(1) *IN GENERAL.*—*Amtrak and other infra-*
4 *structure owners that provide or support intercity*
5 *rail passenger transportation along the Northeast*
6 *Corridor shall develop an asset management system*
7 *and use and update such system, as necessary, to de-*
8 *velop submissions to the Northeast Corridor capital*
9 *investment plan described in subsection (b).*

10 “(2) *FEATURES.*—*The system required under*
11 *paragraph (1) shall develop submissions that—*

12 “(A) *are consistent with the transit asset*
13 *management system (as defined in section*
14 *5326(a)(3)); and*

15 “(B) *include—*

16 “(i) *an inventory of all capital assets*
17 *owned by the developer of the plan;*

18 “(ii) *an assessment of condition of such*
19 *capital assets;*

20 “(iii) *a description of the resources*
21 *and processes that will be necessary to bring*
22 *or to maintain such capital assets in a state*
23 *of good repair; and*

24 “(iv) *a description of changes in the*
25 *condition of such capital assets since the*

1 *submission of the prior version of the*
2 *plan.”.*

3 **SEC. 2302. NORTHEAST CORRIDOR COMMISSION.**

4 *Section 24905 of title 49, United States Code, is*
5 *amended—*

6 (1) *in subsection (a)(1)(D), by inserting “au-*
7 *thorities” after “carriers”;*

8 (2) *in subsection (b)(3)(B)—*

9 (A) *in clause (i)—*

10 (i) *by inserting “, including ridership*
11 *trends,” after “transportation”; and*

12 (ii) *by striking “and” at the end;*

13 (B) *in clause (ii)—*

14 (i) *by inserting “first year of the” after*
15 *“the delivery of the”; and*

16 (ii) *by striking the period at the end*
17 *and inserting “; and”; and*

18 (C) *by adding at the end the following:*

19 “(iii) *progress in assessing and elimi-*
20 *nating the state-of-good-repair backlog.”;*

21 (3) *in subsection (c)—*

22 (A) *in paragraph (1)—*

23 (i) *in the paragraph heading, by strik-*
24 *ing “DEVELOPMENT OF POLICY” and insert-*

25 *ing “POLICY”;*

1 (ii) in subparagraph (A), by striking
2 “develop a standardized policy” and insert-
3 ing “develop and maintain the standardized
4 policy first approved on September 17,
5 2015, and update, as appropriate,”;

6 (iii) by amending subparagraph (B) to
7 read as follows:

8 “(B) develop timetables for implementing
9 and maintaining the policy;”;

10 (iv) in subparagraph (C), by striking
11 “the policy and the timetable” and insert-
12 ing “updates to the policy and timetables”;
13 and

14 (v) by amending subparagraph (D) to
15 read as follows:

16 “(D) support the efforts of the members of
17 the Commission to implement the policy in ac-
18 cordance with the timetables developed pursuant
19 to subparagraph (B);”;

20 (B) by amending paragraph (2) to read as
21 follows:

22 “(2) IMPLEMENTATION.—

23 “(A) IN GENERAL.—In accordance with the
24 timetables developed pursuant to paragraph
25 (1)(B), Amtrak and commuter authorities on the

1 *Northeast Corridor shall implement the policy*
2 *developed under paragraph (1) in their agree-*
3 *ments for usage of facilities or services.*

4 “(B) *EFFECT OF FAILURE TO IMPLEMENT*
5 *OR COMPLY WITH POLICY.—If the entities re-*
6 *ferred to in subparagraph (A) fail to implement*
7 *the policy in accordance with paragraph (1)(D)*
8 *or fail to comply with the policy thereafter, the*
9 *Surface Transportation Board shall—*

10 “(i) *determine the appropriate com-*
11 *ensation in accordance with the procedures*
12 *and procedural schedule applicable to a*
13 *proceeding under section 24903(c), after*
14 *taking into consideration the policy devel-*
15 *oped under paragraph (1); and*

16 “(ii) *enforce its determination on the*
17 *party or parties involved.”; and*

18 “(C) *in paragraph (4), by striking “public*
19 *authorities providing commuter rail passenger*
20 *transportation” and inserting “commuter au-*
21 *thorities”;* and

22 “(4) *in subsection (d)—*

23 “(A) *by striking “2016 through 2020” and*
24 *inserting “2022 through 2026”;* and

1 (B) by striking “section 11101(g) of the
2 *Passenger Rail Reform and Investment Act of*
3 2015” and inserting “section 101(e) of the *Pas-*
4 *senger Rail Expansion and Rail Safety Act of*
5 2021”.

6 **SEC. 2303. CONSOLIDATED RAIL INFRASTRUCTURE AND**
7 **SAFETY IMPROVEMENTS.**

8 (a) *IN GENERAL.*—Section 22907 of title 49, *United*
9 *States Code*, is amended—

10 (1) in subsection (b)—

11 (A) in paragraph (1), by inserting “(in-

12 cluding the District of Columbia)” after “State”;

13 (B) in paragraph (6), by inserting “rail

14 carrier and intercity rail passenger transpor-

15 tation are” before “defined”;

16 (C) by redesignating paragraphs (8)

17 through (11) as paragraphs (10) through (13),

18 respectively; and

19 (D) by inserting after paragraph (7) the fol-

20 lowing:

21 “(8) An association representing 1 or more rail-

22 roads described in paragraph (7).”;

23 “(9) A federally recognized Indian Tribe.”;

24 (2) in subsection (c)—

1 (A) in paragraph (3), by adding “or safety”
2 after “congestion”;

3 (B) in paragraph (6), by striking “and”
4 and inserting “or”;

5 (C) by redesignating paragraphs (11) and
6 (12) as paragraphs (12) and (13), respectively;

7 (D) by inserting after paragraph (10) the
8 following:

9 “(11) The development and implementation of
10 measures to prevent trespassing and reduce associated
11 injuries and fatalities.”; and

12 (E) by inserting after paragraph (13), as
13 redesignated, the following:

14 “(14) Research, development, and testing to ad-
15 vance and facilitate innovative rail projects, includ-
16 ing projects using electromagnetic guideways in an
17 enclosure in a very low-pressure environment.

18 “(15) The preparation of emergency plans for
19 communities through which hazardous materials are
20 transported by rail.

21 “(16) Rehabilitating, remanufacturing, pro-
22 curing, or overhauling locomotives, provided that such
23 activities result in a significant reduction of emis-
24 sions.”; and

1 (3) *in subsection (h), by adding at the end the*
2 *following:*

3 “(4) *GRADE CROSSING AND TRESPASSING*
4 *PROJECTS.—Applicants may use costs incurred pre-*
5 *viously for preliminary engineering associated with*
6 *highway-rail grade crossing improvement projects*
7 *under subsection (c)(5) and trespassing prevention*
8 *projects under subsection (c)(11) to satisfy the non-*
9 *Federal share requirements.”.*

10 (b) *RULE OF CONSTRUCTION.—The amendments made*
11 *by subsection (a) may not be construed to affect any grant,*
12 *including any application for a grant, made under section*
13 *22907 of title 49, United States Code, before the date of*
14 *enactment of this Act.*

15 (c) *TECHNICAL CORRECTION.—*

16 (1) *IN GENERAL.—Section 22907(l)(1)(A) of title*
17 *49, United States Code, is amended by inserting “,*
18 *including highway construction over rail facilities as*
19 *an alternative to construction or improvement of a*
20 *highway-rail grade crossing,” after “under chapter*
21 *227”.*

22 (2) *APPLICABILITY.—The amendment made by*
23 *paragraph (1) shall apply to amounts remaining*
24 *under section 22907(l) of title 49, United States Code,*
25 *from appropriations for prior fiscal years.*

1 **SEC. 2304. RESTORATION AND ENHANCEMENT GRANTS.**

2 *Section 22908 of title 49, United States Code, is*
3 *amended—*

4 *(1) by amending subsection (a) to read as fol-*
5 *lows:*

6 *“(a) DEFINITIONS.—In this section:*

7 *“(1) APPLICANT.—Notwithstanding section*
8 *22901(1), the term ‘applicant’ means—*

9 *“(A) a State, including the District of Co-*
10 *lumbia;*

11 *“(B) a group of States;*

12 *“(C) an entity implementing an interstate*
13 *compact;*

14 *“(D) a public agency or publicly chartered*
15 *authority established by 1 or more States;*

16 *“(E) a political subdivision of a State;*

17 *“(F) a federally recognized Indian Tribe;*

18 *“(G) Amtrak or another rail carrier that*
19 *provides intercity rail passenger transportation;*

20 *“(H) any rail carrier in partnership with*
21 *at least 1 of the entities described in subpara-*
22 *graphs (A) through (F); and*

23 *“(I) any combination of the entities de-*
24 *scribed in subparagraphs (A) through (F).*

25 *“(2) OPERATING ASSISTANCE.—The term ‘oper-*
26 *ating assistance’, with respect to any route subject to*

1 *section 209 of the Passenger Rail Investment and Im-*
2 *provement Act of 2008 (Public Law 110–432), means*
3 *any cost allocated, or that may be allocated, to a*
4 *route pursuant to the cost methodology established*
5 *under such section or under section 24712.”;*

6 (2) *in subsection (c)(3), by striking “3 years”*
7 *each place such term appears and inserting “6*
8 *years”;*

9 (3) *in subsection (d)—*

10 (A) *in paragraph (8), by striking “and”;*

11 (B) *in paragraph (9), by striking the period*
12 *at the end and inserting “; and”;* and

13 (C) *by adding at the end the following:*

14 *“(10) for routes selected under the Corridor Iden-*
15 *tification and Development Program and operated by*
16 *Amtrak.”;* and

17 (4) *in subsection (e)—*

18 (A) *in paragraph (1)—*

19 (i) *by striking “assistance”;* and

20 (ii) *by striking “3 years” and insert-*
21 *ing “6 years (including for any such routes*
22 *selected for funding before the date of enact-*
23 *ment of the Passenger Rail Expansion and*
24 *Rail Safety Act of 2021)”;* and

1 (B) in paragraph (3), by striking subpara-
2 graphs (A), (B), and (C) and inserting the fol-
3 lowing:

4 “(A) 90 percent of the projected net oper-
5 ating costs for the first year of service;

6 “(B) 80 percent of the projected net oper-
7 ating costs for the second year of service;

8 “(C) 70 percent of the projected net oper-
9 ating costs for the third year of service;

10 “(D) 60 percent of the projected net oper-
11 ating costs for the fourth year of service;

12 “(E) 50 percent of the projected net oper-
13 ating costs for the fifth year of service; and

14 “(F) 30 percent of the projected net oper-
15 ating costs for the sixth year of service.”.

16 **SEC. 2305. RAILROAD CROSSING ELIMINATION PROGRAM.**

17 (a) *IN GENERAL.*—Chapter 229 of title 49, United
18 States Code, is amended by adding at the end the following:

19 **“§ 22909. Railroad Crossing Elimination Program**

20 “(a) *IN GENERAL.*—The Secretary of Transportation,
21 in cooperation with the Administrator of the Federal Rail-
22 road Administration, shall establish a competitive grant
23 program (referred to in this section as the ‘Program’) under
24 which the Secretary shall award grants to eligible recipients
25 described in subsection (c) for highway-rail or pathway-rail

1 *grade crossing improvement projects that focus on improv-*
2 *ing the safety and mobility of people and goods.*

3 “(b) *GOALS.—The goals of the Program are—*

4 “(1) *to eliminate highway-rail grade crossings*
5 *that are frequently blocked by trains;*

6 “(2) *to improve the health and safety of commu-*
7 *nities;*

8 “(3) *to reduce the impacts that freight movement*
9 *and railroad operations may have on underserved*
10 *communities; and*

11 “(4) *to improve the mobility of people and goods.*

12 “(c) *ELIGIBLE RECIPIENTS.—The following entities*
13 *are eligible to receive a grant under this section:*

14 “(1) *A State, including the District of Columbia,*
15 *Puerto Rico, and other United States territories and*
16 *possessions.*

17 “(2) *A political subdivision of a State.*

18 “(3) *A federally recognized Indian Tribe.*

19 “(4) *A unit of local government or a group of*
20 *local governments.*

21 “(5) *A public port authority.*

22 “(6) *A metropolitan planning organization.*

23 “(7) *A group of entities described in any of*
24 *paragraphs (1) through (6).*

1 “(d) *ELIGIBLE PROJECTS.*—*The Secretary may award*
2 *a grant under the Program for a highway-rail or pathway-*
3 *rail grade crossing improvement project (including acquir-*
4 *ing real property interests) involving—*

5 “(1) *grade separation or closure, including*
6 *through the use of a bridge, embankment, tunnel, or*
7 *combination thereof;*

8 “(2) *track relocation;*

9 “(3) *the improvement or installation of protec-*
10 *tive devices, signals, signs, or other measures to im-*
11 *prove safety, provided that such activities are related*
12 *to a separation or relocation project described in*
13 *paragraph (1) or (2);*

14 “(4) *other means to improve the safety and mo-*
15 *bility of people and goods at highway-rail grade*
16 *crossings (including technological solutions);*

17 “(5) *a group of related projects described in*
18 *paragraphs (1) through (4) that would collectively*
19 *improve the mobility of people and goods; or*

20 “(6) *the planning, environmental review, and*
21 *design of an eligible project described in paragraphs*
22 *(1) through (5).*

23 “(e) *APPLICATION PROCESS.*—

24 “(1) *IN GENERAL.*—*An eligible entity seeking a*
25 *grant under the Program shall submit an application*

1 to the Secretary at such time, in such manner, and
2 containing such information as the Secretary may re-
3 quire.

4 “(2) RAILROAD APPROVALS.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), the Secretary shall require
7 applicants to obtain the necessary approvals
8 from any impacted rail carriers or real property
9 owners before proceeding with the construction of
10 a project funded by a grant under the Program.

11 “(B) EXCEPTION.—The requirement under
12 subparagraph (A) shall not apply to planning
13 projects described in subsection (d)(6) if the ap-
14 plicant agrees to work collaboratively with rail
15 carriers and right-of-way owners.

16 “(f) PROJECT SELECTION CRITERIA.—

17 “(1) IN GENERAL.—In awarding grants under
18 the Program, the Secretary shall evaluate the extent
19 to which proposed projects would—

20 “(A) improve safety at highway-rail or
21 pathway-rail grade crossings;

22 “(B) grade separate, eliminate, or close
23 highway-rail or pathway-rail grade crossings;

24 “(C) improve the mobility of people and
25 goods;

1 “(D) reduce emissions, protect the environ-
2 ment, and provide community benefits, including
3 noise reduction;

4 “(E) improve access to emergency services;

5 “(F) provide economic benefits; and

6 “(G) improve access to communities sepa-
7 rated by rail crossings.

8 “(2) *ADDITIONAL CONSIDERATIONS.*—*In award-*
9 *ing grants under the Program, the Secretary shall*
10 *consider—*

11 “(A) *the degree to which the proposed*
12 *project will use—*

13 “(i) *innovative technologies;*

14 “(ii) *innovative design and construc-*
15 *tion techniques; or*

16 “(iii) *construction materials that re-*
17 *duce greenhouse gas emissions;*

18 “(B) *the applicant’s planned use of con-*
19 *tracting incentives to employ local labor, to the*
20 *extent permissible under Federal law;*

21 “(C) *whether the proposed project will im-*
22 *prove the mobility of—*

23 “(i) *multiple modes of transportation,*
24 *including ingress and egress from freight fa-*
25 *cilities; or*

1 “(ii) users of nonvehicular modes of
2 transportation, such as pedestrians,
3 bicyclists, and public transportation;

4 “(D) whether the proposed project is identi-
5 fied in—

6 “(i) the freight investment plan compo-
7 nent of a State freight plan, as required
8 under section 70202(b)(9);

9 “(ii) a State rail plan prepared in ac-
10 cordance with chapter 227; or

11 “(iii) a State highway-rail grade cross-
12 ing action plan, as required under section
13 11401(b) of the Passenger Rail Reform and
14 Investment Act of 2015 (title XI of Public
15 Law 114–94); and

16 “(E) the level of financial support provided
17 by impacted rail carriers.

18 “(3) AWARD DISTRIBUTION.—In selecting grants
19 for Program funds in any fiscal year, the Secretary
20 shall comply with the following limitations:

21 “(A) GRANT FUNDS.—Not less than 20 per-
22 cent of the grant funds available for the Program
23 in any fiscal year shall be reserved for projects
24 located in rural areas or on Tribal lands. The
25 requirement under section 22907(l), which ap-

1 *plies to this section, shall not apply to grant*
2 *funds reserved specifically under this subpara-*
3 *graph. Not less than 5 percent of the grant funds*
4 *reserved under this subparagraph shall be re-*
5 *served for projects in counties with 20 or fewer*
6 *residents per square mile, according to the most*
7 *recent decennial census, provided that sufficient*
8 *eligible applications have been submitted.*

9 *“(B) PLANNING GRANTS.—Not less than 25*
10 *percent of the grant funds set aside for planning*
11 *projects in any fiscal year pursuant to section*
12 *2104(b) of the Passenger Rail Expansion and*
13 *Rail Safety Act of 2021 shall be awarded for*
14 *projects located in rural areas or on tribal lands.*

15 *“(C) STATE LIMITATION.—Not more than*
16 *20 percent of the grant funds available for the*
17 *Program in any fiscal year may be selected for*
18 *projects in any single State.*

19 *“(D) MINIMUM SIZE.—No grant awarded*
20 *under this section shall be for less than*
21 *\$1,000,000, except for a planning grant de-*
22 *scribed in subsection (d)(6).*

23 *“(g) COST SHARE.—Except as provided in paragraph*
24 *(2), the Federal share of the cost of a project carried out*
25 *using a grant under the Program may not exceed 80 percent*

1 *of the total cost of the project. Applicants may count costs*
2 *incurred for preliminary engineering associated with high-*
3 *way-rail and pathway-rail grade crossing improvement*
4 *projects as part of the total project costs.*

5 “(h) *CONGRESSIONAL NOTIFICATION.*—*Not later than*
6 *3 days before awarding a grant for a project under the Pro-*
7 *gram, the Secretary shall submit written notification of the*
8 *proposed grant to the Committee on Commerce, Science,*
9 *and Transportation of the Senate and the Committee on*
10 *Transportation and Infrastructure of the House of Rep-*
11 *resentatives, which shall include—*

12 “(1) *a summary of the project; and*

13 “(2) *the amount of the proposed grant award.*

14 “(i) *ANNUAL REPORT.*—*Not later than 60 days after*
15 *each round of award notifications, the Secretary shall post,*
16 *on the public website of the Department of Transpor-*
17 *tation—*

18 “(1) *a list of all eligible applicants that sub-*
19 *mitted an application for funding under the Program*
20 *during the current fiscal year;*

21 “(2) *a list of the grant recipients and projects*
22 *that received grant funding under the Program dur-*
23 *ing such fiscal year; and*

24 “(3) *a list of the proposed projects and appli-*
25 *cants that were determined to be ineligible.*

1 “(j) *COMMUTER RAIL ELIGIBILITY AND GRANT CONDI-*
2 *TIONS.*—

3 “(1) *IN GENERAL.*—Section 22905(f) shall not
4 apply to grants awarded under this section for com-
5 muter rail passenger transportation projects.

6 “(2) *ADMINISTRATION OF FUNDS.*—The Sec-
7 retary of Transportation shall transfer amounts
8 awarded under this section for commuter rail pas-
9 senger transportation projects to the Federal Transit
10 Administration, which shall administer such funds in
11 accordance with chapter 53.

12 “(3) *PROTECTIVE ARRANGEMENTS.*—

13 “(A) *IN GENERAL.*—Notwithstanding para-
14 graph (2) and section 22905(e)(1), as a condi-
15 tion of receiving a grant under this section, any
16 employee covered by the Railway Labor Act (45
17 U.S.C. 151 et seq.) and the Railroad Retirement
18 Act of 1974 (45 U.S.C. 231 et seq.) who is ad-
19 versely affected by actions taken in connection
20 with the project financed in whole or in part by
21 such grant shall be covered by employee protec-
22 tive arrangements required to be established
23 under section 22905(c)(2)(B).

1 “(B) *IMPLEMENTATION.*—A grant recipient
2 under this section, and the successors, assigns,
3 and contractors of such grant recipient—

4 “(i) shall be bound by the employee
5 protective arrangements required under sub-
6 paragraph (A); and

7 “(ii) shall be responsible for the imple-
8 mentation of such arrangements and for the
9 obligations under such arrangements, but
10 may arrange for another entity to take ini-
11 tial responsibility for compliance with the
12 conditions of such arrangement.

13 “(k) *DEFINED TERM.*—In this section, the term ‘rural
14 area’ means any area that is not within an area designated
15 as an urbanized area by the Bureau of the Census.”.

16 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
17 229 of title 49, United States Code, is amended by adding
18 at the end the following:

 “22909. *Railroad Crossing Elimination Program.*”.

19 **SEC. 2306. INTERSTATE RAIL COMPACTS.**

20 (a) *IN GENERAL.*—Chapter 229 of title 49, United
21 States Code (as amended by section 2305(a)), is further
22 amended by adding at the end the following:

23 **“§ 22910. Interstate Rail Compacts Grant Program**

24 “(a) *GRANTS AUTHORIZED.*—The Secretary of Trans-
25 portation shall establish a competitive grant program to

1 *provide financial assistance to entities implementing inter-*
2 *state rail compacts pursuant to section 410 of the Amtrak*
3 *Reform and Accountability Act of 1997 (49 U.S.C. 24101*
4 *note) for—*

5 “(1) *costs of administration;*

6 “(2) *systems planning, including studying the*
7 *impacts on freight rail operations and ridership;*

8 “(3) *promotion of intercity passenger rail oper-*
9 *ation;*

10 “(4) *preparation of applications for competitive*
11 *Federal grant programs; and*

12 “(5) *operations coordination.*

13 “(b) *MAXIMUM AMOUNT.—The Secretary may not*
14 *award a grant under this section in an amount exceeding*
15 *\$1,000,000 per year.*

16 “(c) *SELECTION CRITERIA.—In selecting a recipient*
17 *of a grant for an eligible project under this section, the Sec-*
18 *retary shall consider—*

19 “(1) *the amount of funding received (including*
20 *funding from a rail carrier (as defined in section*
21 *24102) or other participation by State, local, and re-*
22 *gional governments and the private sector;*

23 “(2) *the applicant’s work to foster economic de-*
24 *velopment through rail service, particularly in rural*
25 *communities;*

1 “(3) *whether the applicant seeks to restore service*
2 *over routes formerly operated by Amtrak, including*
3 *routes described in section 11304(a) of the Passenger*
4 *Rail Reform and Investment Act of 2015 (title XI of*
5 *division A of Public Law 114–94);*

6 “(4) *the applicant’s dedication to providing*
7 *intercity passenger rail service to regions and com-*
8 *munities that are underserved or not served by other*
9 *intercity public transportation;*

10 “(5) *whether the applicant is enhancing*
11 *connectivity and geographic coverage of the existing*
12 *national network of intercity passenger rail service;*

13 “(6) *whether the applicant has prepared regional*
14 *rail or corridor service development plans and cor-*
15 *responding environmental analysis; and*

16 “(7) *whether the applicant has engaged with ap-*
17 *propriate government entities and transportation pro-*
18 *viders to identify projects necessary to enhance*
19 *multimodal connections or facilitate service integra-*
20 *tion between rail service and other modes, including*
21 *between intercity passenger rail service and intercity*
22 *bus service or commercial air service.*

23 “(d) *NUMERICAL LIMITATION.—The Secretary may*
24 *not award grants under this section for more than 10 inter-*
25 *state rail compacts in any fiscal year.*

1 “(e) *OPERATOR LIMITATION.*—*The Secretary may*
2 *only award grants under this section to applicants with*
3 *eligible expenses related to intercity passenger rail service*
4 *to be operated by Amtrak.*

5 “(f) *NON-FEDERAL MATCH.*—*The Secretary shall re-*
6 *quire each recipient of a grant under this section to provide*
7 *a non-Federal match of not less than 50 percent of the eligi-*
8 *ble expenses of carrying out the interstate rail compact*
9 *under this section.*

10 “(g) *REPORT.*—*Not later than 3 years after the date*
11 *of enactment of the Passenger Rail Expansion and Rail*
12 *Safety Act of 2021, the Secretary, after consultation with*
13 *grant recipients under this section, shall submit a report*
14 *to the Committee on Commerce, Science, and Transpor-*
15 *tation of the Senate and the Committee on Transportation*
16 *and Infrastructure of the House of Representatives that de-*
17 *scribes—*

18 “(1) *the implementation of this section;*

19 “(2) *the status of the planning efforts and co-*
20 *ordination funded by grants awarded under this sec-*
21 *tion;*

22 “(3) *the plans of grant recipients for continued*
23 *implementation of the interstate rail compacts;*

1 “(4) the status of, and data regarding, any new,
2 restored, or enhanced rail services initiated under the
3 interstate rail compacts; and

4 “(5) any legislative recommendations.”.

5 **(b) CLERICAL AMENDMENT.**—*The analysis for chapter*
6 *229 of title 49, United States Code (as amended by section*
7 *2305(b)), is amended by adding at the end the following:*
8 *“22910. Interstate Rail Compacts Grant Program.”.*

9 **(c) IDENTIFICATION.**—*Section 410 of the Amtrak Re-*
10 *form and Accountability Act of 1997 (Public Law 105–134;*
11 *49 U.S.C. 24101 note) is amended—*

12 (1) *in subsection (b)(2), by striking “(except*
13 *funds made available for Amtrak)”;* and

14 (2) *by adding at the end the following:*

15 **“(c) NOTIFICATION REQUIREMENT.**—*Any State that*
16 *enters into an interstate compact pursuant to subsection (a)*
17 *shall notify the Secretary of Transportation of such com-*
18 *compact not later than 60 days after it is formed. The failure*
19 *of any State to notify the Secretary under this subsection*
20 *shall not affect the status of the interstate compact.*

21 **“(d) INTERSTATE RAIL COMPACTS PROGRAM.**—*The*
22 *Secretary of Transportation shall—*

23 (1) *make available on a publicly accessible*
24 *website a list of interstate rail compacts established*
25 *under subsection (a) before the date of enactment of*
the Passenger Rail Expansion and Rail Safety Act of

1 *2021 and interstate rail compacts established after*
 2 *such date; and*

3 “(2) *make information regarding interstate rail*
 4 *compacts available to the public, including how*
 5 *States may establish interstate rail compacts under*
 6 *subsection (a), and update such information, as nec-*
 7 *essary.”.*

8 **SEC. 2307. FEDERAL-STATE PARTNERSHIP FOR INTERCITY**
 9 **PASSENGER RAIL GRANTS.**

10 *(a) IN GENERAL.—Section 24911 of title 49, United*
 11 *States Code, is amended—*

12 *(1) in the section heading, by striking “for*
 13 ***state of good repair*”** and inserting ***“for inter-***
 14 ***city passenger rail*”**;

15 *(2) in subsection (a)—*

16 *(A) in paragraph (1)—*

17 *(i) in subparagraph (F), by striking*
 18 *“or” at the end;*

19 *(ii) by redesignating subsection (G) as*
 20 *subsection (H);*

21 *(iii) by inserting after subparagraph*
 22 *(F), the following:*

23 *“(G) A federally recognized Indian Tribe;*
 24 *or”*; and

1 *(iv) in subsection (H), as redesignated,*
2 *by striking “(F)” and inserting “(G)”;*

3 *(B) by striking paragraphs (2) and (5); and*

4 *(C) by redesignating paragraphs (3) and*
5 *(4) as paragraphs (2) and (3), respectively;*

6 *(3) in subsection (b), by striking “with respect to*
7 *qualified railroad assets” and inserting “, improve*
8 *performance, or expand or establish new intercity*
9 *passenger rail service, including privately operated*
10 *intercity passenger rail service if an eligible appli-*
11 *cant is involved;”;*

12 *(4) by striking subsections (c) through (e) and*
13 *inserting the following:*

14 *“(c) ELIGIBLE PROJECTS.—The following capital*
15 *projects, including acquisition of real property interests, are*
16 *eligible to receive grants under this section:*

17 *“(1) A project to replace, rehabilitate, or repair*
18 *infrastructure, equipment, or a facility used for pro-*
19 *viding intercity passenger rail service to bring such*
20 *assets into a state of good repair.*

21 *“(2) A project to improve intercity passenger*
22 *rail service performance, including reduced trip*
23 *times, increased train frequencies, higher operating*
24 *speeds, improved reliability, expanded capacity, re-*

1 *duced congestion, electrification, and other improve-*
2 *ments, as determined by the Secretary.*

3 *“(3) A project to expand or establish new inter-*
4 *city passenger rail service.*

5 *“(4) A group of related projects described in*
6 *paragraphs (1) through (3).*

7 *“(5) The planning, environmental studies, and*
8 *final design for a project or group of projects de-*
9 *scribed in paragraphs (1) through (4).*

10 *“(d) PROJECT SELECTION CRITERIA.—In selecting a*
11 *project for funding under this section—*

12 *“(1) for projects located on the Northeast Cor-*
13 *ridor, the Secretary shall—*

14 *“(A) make selections consistent with the*
15 *Northeast Corridor Project Inventory published*
16 *pursuant to subsection (e)(1), unless when nec-*
17 *essary to address materially changed infrastruc-*
18 *ture or service conditions, changes in project*
19 *sponsor capabilities or commitments, or other*
20 *significant changes since the completion of the*
21 *most recently issued Northeast Corridor Project*
22 *Inventory; and*

23 *“(B) for projects that benefit intercity and*
24 *commuter rail services, only make such selections*
25 *when Amtrak and the public authorities pro-*

1 *viding commuter rail passenger transportation*
2 *at the eligible project location—*

3 “(i) *are in compliance with section*
4 *24905(c)(2); and*

5 “(ii) *identify funding for the intercity*
6 *passenger rail share, the commuter rail*
7 *share, and the local share of the eligible*
8 *project before the commencement of the*
9 *project;*

10 “(2) *for projects not located on the Northeast*
11 *Corridor, the Secretary shall—*

12 “(A) *give preference to eligible projects—*

13 “(i) *for which Amtrak is not the sole*
14 *applicant;*

15 “(ii) *that improve the financial per-*
16 *formance, reliability, service frequency, or*
17 *address the state of good repair of an Am-*
18 *trak route; and*

19 “(iii) *that are identified in, and con-*
20 *sistent with, a corridor inventory prepared*
21 *under the Corridor Identification and De-*
22 *velopment Program pursuant to section*
23 *25101; and*

24 “(B) *take into account—*

1 “(i) the cost-benefit analysis of the pro-
2 posed project, including anticipated private
3 and public benefits relative to the costs of
4 the proposed project, including—

5 “(I) effects on system and service
6 performance, including as measured by
7 applicable metrics set forth in part 273
8 of title 49, Code of Federal Regulations
9 (or successor regulations);

10 “(II) effects on safety, competi-
11 tiveness, reliability, trip or transit
12 time, greenhouse gas emissions, and re-
13 siliience;

14 “(III) anticipated positive eco-
15 nomic and employment impacts, in-
16 cluding development in areas near pas-
17 senger stations, historic districts, or
18 other opportunity zones;

19 “(IV) efficiencies from improved
20 connections with other modes; and

21 “(V) ability to meet existing or
22 anticipated demand;

23 “(ii) the degree to which the proposed
24 project’s business plan considers potential
25 private sector participation in the financ-

1 *ing, construction, or operation of the pro-*
2 *posed project;*

3 *“(iii) the applicant’s past performance*
4 *in developing and delivering similar*
5 *projects, and previous financial contribu-*
6 *tions;*

7 *“(iv) whether the applicant has, or will*
8 *have—*

9 *“(I) the legal, financial, and tech-*
10 *nical capacity to carry out the project;*

11 *“(II) satisfactory continuing ac-*
12 *cess to the equipment or facilities; and*

13 *“(III) the capability and willing-*
14 *ness to maintain the equipment or fa-*
15 *cilities;*

16 *“(v) if applicable, the consistency of*
17 *the project with planning guidance and doc-*
18 *uments set forth by the Secretary or other-*
19 *wise required by law;*

20 *“(vi) whether the proposed project*
21 *serves historically unconnected or undercon-*
22 *nected communities; and*

23 *“(vii) any other relevant factors, as de-*
24 *termined by the Secretary; and*

25 *“(3) the Secretary shall reserve—*

1 “(A) not less than 45 percent of the
2 amounts appropriated for grants under this sec-
3 tion for projects not located along the Northeast
4 Corridor, of which not less than 20 percent shall
5 be for projects that benefit (in whole or in part)
6 a long-distance route; and

7 “(B) not less than 45 percent of the
8 amounts appropriated for grants under this sec-
9 tion for projects listed on the Northeast Corridor
10 project inventory published pursuant to sub-
11 section (e)(1).

12 “(e) *LONG-TERM PLANNING.*—Not later than 1 year
13 after the date of enactment of the Passenger Rail Expansion
14 and Rail Safety Act of 2021, and every 2 years thereafter,
15 the Secretary shall create a predictable project pipeline that
16 will assist Amtrak, States, and the public with long-term
17 capital planning by publishing a Northeast Corridor
18 project inventory that—

19 “(1) identifies capital projects for Federal invest-
20 ment, project applicants, and proposed Federal fund-
21 ing levels under this section;

22 “(2) specifies the order in which the Secretary
23 will provide grant funding to projects that have iden-
24 tified sponsors and are located along the Northeast
25 Corridor, including a method and plan for appor-

1 *tioning funds to project sponsors for the 2-year pe-*
2 *riod, which may be altered by the Secretary, as nec-*
3 *essary, if recipients are not carrying out projects in*
4 *accordance with the anticipated schedule;*

5 *“(3) takes into consideration the appropriate se-*
6 *quence and phasing of projects described in the North-*
7 *east Corridor capital investment plan developed pur-*
8 *suant to section 24904(a);*

9 *“(4) is consistent with the most recent Northeast*
10 *Corridor service development plan update described in*
11 *section 24904(d);*

12 *“(5) takes into consideration the existing com-*
13 *mitments and anticipated Federal, project applicant,*
14 *sponsor, and other relevant funding levels for the next*
15 *5 fiscal years based on information currently avail-*
16 *able to the Secretary; and*

17 *“(6) is developed in consultation with the North-*
18 *east Corridor Commission and the owners of North-*
19 *east Corridor infrastructure and facilities.”;*

20 *(5) in subsection (f)(2), by inserting “, except as*
21 *specified under paragraph (4)” after “80 percent”;*

22 *(6) in subsection (g)—*

23 *(A) in the subsection heading, by inserting*

24 *“; PHASED FUNDING AGREEMENTS” after “IN-*
25 *TENT”;*

1 (B) in paragraph (1)—

2 (i) in the paragraph heading, by strik-
3 ing “IN GENERAL” and inserting “LETTERS
4 OF INTENT”; and

5 (ii) by striking “shall, to the maximum
6 extent practicable,” and inserting “may”;

7 (C) by redesignating paragraphs (2) and
8 (3) as paragraphs (3) and (4), respectively;

9 (D) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) PHASED FUNDING AGREEMENTS.—

12 “(A) IN GENERAL.—The Secretary may
13 enter into a phased funding agreement with an
14 applicant if—

15 “(i) the project is highly rated, based
16 on the evaluations and ratings conducted
17 pursuant to this section and the applicable
18 notice of funding opportunity; and

19 “(ii) the Federal assistance to be pro-
20 vided for the project under this section is
21 more than \$80,000,000.

22 “(B) TERMS.—A phased funding agreement
23 shall—

1 “(i) *establish the terms of participa-*
2 *tion by the Federal Government in the*
3 *project;*

4 “(ii) *establish the maximum amount of*
5 *Federal financial assistance for the project;*

6 “(iii) *include the period of time for*
7 *completing the project, even if such period*
8 *extends beyond the period for which Federal*
9 *financial assistance is authorized;*

10 “(iv) *make timely and efficient man-*
11 *agement of the project easier in accordance*
12 *with Federal law; and*

13 “(v) *if applicable, specify when the*
14 *process for complying with the National*
15 *Environmental Policy Act of 1969 (42*
16 *U.S.C. 4321 et seq.) and related environ-*
17 *mental laws will be completed for the*
18 *project.*

19 “(C) *SPECIAL FINANCIAL RULES.—*

20 “(i) *IN GENERAL.—A phased funding*
21 *agreement under this paragraph obligates*
22 *an amount of available budget authority*
23 *specified in law and may include a commit-*
24 *ment, contingent on amounts to be specified*
25 *in law in advance for commitments under*

1 *this paragraph, to obligate an additional*
2 *amount from future available budget au-*
3 *thority specified in law.*

4 “(ii) *STATEMENT OF CONTINGENT COM-*
5 *MITMENT.—The agreement shall state that*
6 *the contingent commitment is not an obli-*
7 *gation of the Government.*

8 “(iii) *INTEREST AND OTHER FINANC-*
9 *ING COSTS.—Interest and other financing*
10 *costs of efficiently carrying out a part of the*
11 *project within a reasonable time are a cost*
12 *of carrying out the project under a phased*
13 *funding agreement, except that eligible costs*
14 *may not be more than the cost of the most*
15 *favorable financing terms reasonably avail-*
16 *able for the project at the time of borrowing.*
17 *The applicant shall certify, to the satisfac-*
18 *tion of the Secretary, that the applicant has*
19 *shown reasonable diligence in seeking the*
20 *most favorable financing terms.*

21 “(iv) *FAILURE TO CARRY OUT*
22 *PROJECT.—If an applicant does not carry*
23 *out the project for reasons within the con-*
24 *trol of the applicant, the applicant shall*
25 *repay all Federal grant funds awarded for*

1 *the project from all Federal funding sources,*
2 *for all project activities, facilities, and*
3 *equipment, plus reasonable interest and*
4 *penalty charges allowable by law or estab-*
5 *lished by the Secretary in the phased fund-*
6 *ing agreement. For purposes of this clause,*
7 *a process for complying with the National*
8 *Environmental Policy Act of 1969 (42*
9 *U.S.C. 4321 et seq.) that results in the selec-*
10 *tion of the no build alternative is not with-*
11 *in the applicant's control.*

12 “(v) *CREDITING OF FUNDS RE-*
13 *CEIVED.—Any funds received by the Gov-*
14 *ernment under this paragraph, except for*
15 *interest and penalty charges, shall be cred-*
16 *ited to the appropriation account from*
17 *which the funds were originally derived.”;*

18 *(E) in paragraph (3), as redesignated—*

19 *(i) in subparagraph (A), in the matter*
20 *preceding clause (i), by inserting “a phased*
21 *funding agreement under paragraph (2) or”*
22 *after “issuing”; and*

23 *(ii) in subparagraph (B)(i), by insert-*
24 *ing “the phased funding agreement or” after*
25 *“a copy of”; and*

1 (F) in paragraph (4), as redesignated—

2 (i) by striking “An obligation” and in-
3 serting the following:

4 “(B) APPROPRIATIONS REQUIRED.—An ob-
5 ligation”; and

6 (ii) by inserting before subparagraph
7 (B), as added by clause (i), the following:

8 “(A) IN GENERAL.—The Secretary may
9 enter into phased funding agreements under this
10 subsection that contain contingent commitments
11 to incur obligations in such amounts as the Sec-
12 retary determines are appropriate.”; and

13 (7) by adding at the end the following:

14 “(j) ANNUAL REPORT ON PHASED FUNDING AGREE-
15 MENTS AND LETTERS OF INTENT.—Not later than the first
16 Monday in February of each year, the Secretary shall sub-
17 mit a report to the Committee on Commerce, Science, and
18 Transportation of the Senate, the Committee on Appropria-
19 tions of the Senate, the Committee on Transportation and
20 Infrastructure of the House of Representatives, and the
21 Committee on Appropriations of the House of Representa-
22 tives that includes—

23 “(1) a proposal for the allocation of amounts to
24 be available to finance grants for projects under this
25 section among applicants for such amounts;

1 “(2) evaluations and ratings, as applicable, for
2 each project that has received a phased funding agree-
3 ment or a letter of intent; and

4 “(3) recommendations for each project that has
5 received a phased funding agreement or a letter of in-
6 tent for funding based on the evaluations and ratings,
7 as applicable, and on existing commitments and an-
8 ticipated funding levels for the next 3 fiscal years
9 based on information currently available to the Sec-
10 retary.

11 “(k) *REGIONAL PLANNING GUIDANCE CORRIDOR*
12 *PLANNING.*—*The Secretary may withhold up to 5 percent*
13 *of the total amount made available for this section to carry*
14 *out planning and development activities related to section*
15 *25101, including—*

16 “(1) providing funding to public entities for the
17 development of service development plans selected
18 under the Corridor Identification and Development
19 Program;

20 “(2) facilitating and providing guidance for
21 intercity passenger rail systems planning; and

22 “(3) providing funding for the development and
23 refinement of intercity passenger rail systems plan-
24 ning analytical tools and models.”.

1 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 2 *249 of title 49, United States Code, is amended by striking*
 3 *the item relating to section 24911 and inserting the fol-*
 4 *lowing:*

“24911. *Federal-State partnership for intercity passenger rail.*”.

5 **SEC. 2308. CORRIDOR IDENTIFICATION AND DEVELOPMENT**
 6 **PROGRAM.**

7 (a) *IN GENERAL.*—*Part C of subtitle V of title 49,*
 8 *United States Code, is amended by adding at the end the*
 9 *following:*

10 **“CHAPTER 251—PASSENGER RAIL**
 11 **PLANNING**

“Sec.

“25101. *Corridor Identification and Development Program.*

12 **“§25101. Corridor Identification and Development**
 13 **Program**

14 “(a) *IN GENERAL.*—*Not later than 180 days after the*
 15 *date of enactment of the Passenger Rail Expansion and*
 16 *Rail Safety Act of 2021, the Secretary of Transportation*
 17 *shall establish a program to facilitate the development of*
 18 *intercity passenger rail corridors. The program shall in-*
 19 *clude—*

20 “(1) *a process for eligible entities described in*
 21 *subsection (b) to submit proposals for the development*
 22 *of intercity passenger rail corridors;*

1 “(2) a process for the Secretary to review and se-
2 lect proposals in accordance with subsection (c);

3 “(3) criteria for determining the level of readi-
4 ness for Federal financial assistance of an intercity
5 passenger rail corridor, which shall include—

6 “(A) identification of a service operator
7 which may include Amtrak or private rail car-
8 riers;

9 “(B) identification of a service sponsor or
10 sponsors;

11 “(C) identification capital project sponsors;

12 “(D) engagement with the host railroads;

13 and

14 “(E) other criteria as determined appro-
15 priate by the Secretary;

16 “(4) a process for preparing service development
17 plans in accordance with subsection (d), including the
18 identification of planning funds, such as funds made
19 available under section 24911(k) and interstate rail
20 compact grants established under section 22210;

21 “(5) the creation of a pipeline of intercity pas-
22 senger rail corridor projects under subsection (g);

23 “(6) planning guidance to achieve the purposes
24 of this section, including guidance for intercity pas-

1 *senger rail corridors not selected under this section;*
2 *and*

3 *“(7) such other features as the Secretary con-*
4 *siders relevant to the successful development of inter-*
5 *city passenger rail corridors.*

6 *“(b) ELIGIBLE ENTITIES.—The Secretary may receive*
7 *proposals under this section from Amtrak, States, groups*
8 *of States, entities implementing interstate compacts, re-*
9 *gional passenger rail authorities, regional planning organi-*
10 *zations, political subdivisions of a State, federally recog-*
11 *nized Indian Tribes, and other public entities, as deter-*
12 *mined by the Secretary.*

13 *“(c) CORRIDOR SELECTION.—In selecting intercity*
14 *passenger rail corridors pursuant to subsection (a), the Sec-*
15 *retary shall consider—*

16 *“(1) whether the route was identified as part of*
17 *a regional or interregional intercity passenger rail*
18 *systems planning study;*

19 *“(2) projected ridership, revenues, capital invest-*
20 *ment, and operating funding requirements;*

21 *“(3) anticipated environmental, congestion miti-*
22 *gation, and other public benefits;*

23 *“(4) projected trip times and their competitive-*
24 *ness with other transportation modes;*

1 “(5) *anticipated positive economic and employ-*
2 *ment impacts, including development in the areas*
3 *near passenger stations, historic districts, or other op-*
4 *portunity zones;*

5 “(6) *committed or anticipated State, regional*
6 *transportation authority, or other non-Federal fund-*
7 *ing for operating and capital costs;*

8 “(7) *benefits to rural communities;*

9 “(8) *whether the corridor is included in a State’s*
10 *approved State rail plan developed pursuant to chap-*
11 *ter 227;*

12 “(9) *whether the corridor serves historically*
13 *unserved or underserved and low-income communities*
14 *or areas of persistent poverty;*

15 “(10) *whether the corridor would benefit or im-*
16 *prove connectivity with existing or planned transpor-*
17 *tation services of other modes;*

18 “(11) *whether the corridor connects at least 2 of*
19 *the 100 most populated metropolitan areas;*

20 “(12) *whether the corridor would enhance the re-*
21 *gional equity and geographic diversity of intercity*
22 *passenger rail service;*

23 “(13) *whether the corridor is or would be inte-*
24 *grated into the national rail passenger transportation*

1 *system and whether the corridor would create benefits*
2 *for other passenger rail routes and services; and*

3 *“(14) whether a passenger rail operator, includ-*
4 *ing a private rail carrier, has expressed support for*
5 *the corridor.*

6 *“(d) SERVICE DEVELOPMENT PLANS.—For each cor-*
7 *ridor proposal selected for development under this section,*
8 *the Secretary shall partner with the entity that submitted*
9 *the proposal, relevant States, and Amtrak, as appropriate,*
10 *to prepare a service development plan (or to update an ex-*
11 *isting service development plan), which shall include—*

12 *“(1) a detailed description of the proposed inter-*
13 *city passenger rail service, including train fre-*
14 *quencies, peak and average operating speeds, and trip*
15 *times;*

16 *“(2) a corridor project inventory that—*

17 *“(A) identifies the capital projects necessary*
18 *to achieve the proposed intercity passenger rail*
19 *service, including—*

20 *“(i) the capital projects for which Fed-*
21 *eral investment will be sought;*

22 *“(ii) the likely project applicants; and*

23 *“(iii) the proposed Federal funding*
24 *levels;*

1 “(B) specifies the order in which Federal
2 funding will be sought for the capital projects
3 identified under subparagraph (A), after consid-
4 ering the appropriate sequence and phasing of
5 projects based on the anticipated availability of
6 funds; and

7 “(C) is developed in consultation with the
8 entities listed in subsection (e);

9 “(3) a schedule and any associated phasing of
10 projects and related service initiation or changes;

11 “(4) project sponsors and other entities expected
12 to participate in carrying out the plan;

13 “(5) a description of how the corridor would
14 comply with Federal rail safety and security laws, or-
15 ders, and regulations;

16 “(6) the locations of existing and proposed sta-
17 tions;

18 “(7) the needs for rolling stock and other equip-
19 ment;

20 “(8) a financial plan identifying projected—

21 “(A) annual revenues;

22 “(B) annual ridership;

23 “(C) capital investments before service could
24 be initiated;

1 “(D) capital investments required to main-
2 tain service;

3 “(E) annual operating and costs; and

4 “(F) sources of capital investment and oper-
5 ating financial support;

6 “(9) a description of how the corridor would con-
7 tribute to the development of a multi-State regional
8 network of intercity passenger rail;

9 “(10) an intermodal plan describing how the
10 new or improved corridor facilitates travel connec-
11 tions with other passenger transportation services;

12 “(11) a description of the anticipated environ-
13 mental benefits of the corridor; and

14 “(12) a description of the corridor’s impacts on
15 highway and aviation congestion, energy consump-
16 tion, land use, and economic development in the serv-
17 ice area.

18 “(e) CONSULTATION.—In partnering on the prepara-
19 tion of a service development plan under subsection (d), the
20 Secretary shall consult with—

21 “(1) Amtrak;

22 “(2) appropriate State and regional transpor-
23 tation authorities and local officials;

1 “(3) representatives of employee labor organiza-
2 tions representing railroad and other appropriate em-
3 ployees;

4 “(4) host railroads for the proposed corridor; and

5 “(5) other stakeholders, as determined by the Sec-
6 retary.

7 “(f) *UPDATES.*—Every 5 years, after the initial devel-
8 opment of the service development plan under subsection
9 (d), if at least 40 percent of the work to implement a service
10 development plan prepared under subsection (d) has not yet
11 been completed, the plan’s sponsor, in consultation with the
12 Secretary, shall determine whether such plan should be up-
13 dated.

14 “(g) *PROJECT PIPELINE.*—Not later than 1 year after
15 the establishment of the program under this section, and
16 by February 1st of each year thereafter, the Secretary shall
17 submit to the Committee on Commerce, Science, and Trans-
18 portation of the Senate, the Committee on Appropriations
19 of the Senate, and the Committee on Transportation and
20 Infrastructure of the House of Representatives, and the
21 Committee on Appropriations of the House of Representa-
22 tives a project pipeline, in accordance with this section,
23 that—

24 “(1) identifies intercity passenger rail corridors
25 selected for development under this section;

1 “(2) identifies capital projects for Federal invest-
2 ment, project applicants, and proposed Federal fund-
3 ing levels, as applicable, consistent with the corridor
4 project inventory;

5 “(3) specifies the order in which the Secretary
6 would provide Federal financial assistance, subject to
7 the availability of funds, to projects that have identi-
8 fied sponsors, including a method and plan for ap-
9 portioning funds to project sponsors for a 5-year pe-
10 riod, which may be altered by the Secretary, as nec-
11 essary, if recipients are not carrying out projects on
12 the anticipated schedule;

13 “(4) takes into consideration the appropriate se-
14 quence and phasing of projects described in the cor-
15 ridor project inventory;

16 “(5) takes into consideration the existing com-
17 mitments and anticipated Federal, project applicant,
18 sponsor, and other relevant funding levels for the next
19 5 fiscal years based on information currently avail-
20 able to the Secretary;

21 “(6) is prioritized based on the level of readiness
22 of the corridor; and

23 “(7) reflects consultation with Amtrak.

24 “(h) *DEFINITION.*—In this section, the term ‘intercity
25 passenger rail corridor’ means—

1 “(1) a new intercity passenger rail route of less
2 than 750 miles;

3 “(2) the enhancement of an existing intercity
4 passenger rail route of less than 750 miles;

5 “(3) the restoration of service over all or portions
6 of an intercity passenger rail route formerly operated
7 by Amtrak; or

8 “(4) the increase of service frequency of a long-
9 distance intercity passenger rail route.”.

10 (b) *CLERICAL AMENDMENT.*—The table of chapters for
11 subtitle V of title 49, United States Code, is amended by
12 inserting after the item relating to chapter 249 the fol-
13 lowing:

 “**Chapter 251. Passenger rail planning25101**”.

14 **SEC. 2309. SURFACE TRANSPORTATION BOARD PASSENGER**
15 **RAIL PROGRAM.**

16 The Surface Transportation Board shall—

17 (1) establish a passenger rail program with pri-
18 mary responsibility for carrying out the Board’s pas-
19 senger rail responsibilities; and

20 (2) hire up to 10 additional full-time employees
21 to assist in carrying out the responsibilities referred
22 to in paragraph (1).

23 **SEC. 2310. RAILROAD RIGHTS-OF-WAY.**

24 (a) *REVIEW.*—The Comptroller General of the United
25 States shall—

1 (1) *conduct a review of the exemption for rail-*
2 *road rights-of-way under section 306108 of title 54,*
3 *United States Code, to determine whether and to what*
4 *extent the exemption streamlines compliance with*
5 *such section; and*

6 (2) *quantify the efficiencies achieved by such ex-*
7 *emption and the remaining inefficiencies.*

8 (b) *CONSULTATION.*—*In conducting the review pursu-*
9 *ant to subsection (a), the Comptroller General shall consult*
10 *with the Secretary, the Advisory Council on Historic Pres-*
11 *ervation, the National Conference of State Historic Preser-*
12 *vation Officers, the National Association of Tribal Historic*
13 *Preservation Officers, the Department of the Interior, and*
14 *representatives of the railroad industry.*

15 (c) *RECOMMENDATIONS.*—*Not later than 1 year after*
16 *the date of enactment of this Act, the Comptroller General*
17 *shall submit a report to the Committee on Commerce,*
18 *Science, and Transportation of the Senate and the Com-*
19 *mittee on Transportation and Infrastructure of the House*
20 *of Representatives that—*

21 (1) *describes the results of the review conducted*
22 *pursuant to subsection (a); and*

23 (2) *includes recommendations for any regulatory*
24 *or legislative amendments that may further stream-*
25 *line compliance with the requirements under section*

1 306108 of title 54, United States Code, in a manner
 2 that is consistent with railroad safety and the policies
 3 and purposes of such section, including recommenda-
 4 tions regarding—

5 (A) the property based exemption; and

6 (B) ways to improve the process, while en-
 7 suring that historical properties remain pro-
 8 tected under such section.

9 (d) *REPORT TO CONGRESS.*—Not later than 180 days
 10 after date of enactment of this Act, the Secretary and the
 11 Advisory Council on Historic Preservation shall submit a
 12 report to the Committee on Commerce, Science, and Trans-
 13 portation of the Senate and the Committee on Transpor-
 14 tation and Infrastructure of the House of Representatives
 15 that—

16 (1) addresses the recommendations received from
 17 the Comptroller General pursuant to subsection (c)(2);
 18 and

19 (2) the actions that the Secretary will take to
 20 implement such recommendations.

21 **Subtitle D—Rail Safety**

22 **SEC. 2401. RAILWAY-HIGHWAY CROSSINGS PROGRAM EVAL-** 23 **UATION.**

24 (a) *IN GENERAL.*—The Secretary shall evaluate the re-
 25 quirements of the railway-highway crossings program au-

1 *thorized under section 130 of title 23, United States Code,*
2 *to determine whether—*

3 (1) *the requirements of the program provide*
4 *States sufficient flexibility to adequately address cur-*
5 *rent and emerging highway-rail grade crossing safety*
6 *issues;*

7 (2) *the structure of the program provides suffi-*
8 *cient incentives and resources to States and local*
9 *agencies to make changes at highway-rail grade cross-*
10 *ings that are most effective at reducing deaths and in-*
11 *juries;*

12 (3) *there are appropriate tools and resources to*
13 *support States in using data driven programs to de-*
14 *termine the most cost-effective use of program funds;*
15 *and*

16 (4) *any statutory changes are recommended to*
17 *improve the effectiveness of the program.*

18 (b) *REPORT.—Not later than 1 year after the date of*
19 *enactment of this Act, the Secretary shall submit a report*
20 *to the Committee on Commerce, Science, and Transpor-*
21 *tation of the Senate, the Committee on Environment and*
22 *Public Works of the Senate, and the Committee on Trans-*
23 *portation and Infrastructure of the House of Representa-*
24 *tives that summarizes and describes the results of the eval-*

1 *uation conducted pursuant to subsection (a), including any*
 2 *recommended statutory changes.*

3 **SEC. 2402. GRADE CROSSING ACCIDENT PREDICTION**
 4 **MODEL.**

5 *Not later than 2 years after the date of enactment of*
 6 *this Act, the Administrator of the Federal Railroad Admin-*
 7 *istration shall—*

8 *(1) update the grade crossing accident prediction*
 9 *and severity model used by the Federal Railroad Ad-*
 10 *ministration to analyze accident risk at highway-rail*
 11 *grade crossings; and*

12 *(2) provide training on the use of the updated*
 13 *grade crossing accident prediction and severity model.*

14 **SEC. 2403. PERIODIC UPDATES TO HIGHWAY-RAIL CROSS-**
 15 **ING REPORTS AND PLANS.**

16 *(a) HIGHWAY-RAIL GRADE CROSSING SAFETY.—Sec-*
 17 *tion 11401 of the Fixing America’s Surface Transportation*
 18 *Act (Public Law 114–94; 49 U.S.C. 22907 note) is amend-*
 19 *ed—*

20 *(1) by striking subsection (c); and*

21 *(2) by redesignating subsections (d) and (e) as*
 22 *subsections (c) and (d), respectively.*

23 *(b) REPORTS ON HIGHWAY-RAIL GRADE CROSSING*
 24 *SAFETY.—*

1 (1) *IN GENERAL.*—Chapter 201 of title 49,
 2 *United States Code*, is amended by inserting after sec-
 3 tion 20166 the following:

4 **“§ 20167. Reports on highway-rail grade crossing safe-**
 5 **ty**

6 “(a) *REPORT.*—Not later than 4 years after the date
 7 by which States are required to submit State highway-rail
 8 grade crossing action plans under section 11401(b) of the
 9 *Fixing America’s Surface Transportation Act* (49 U.S.C.
 10 22907 note), the Administrator of the Federal Railroad Ad-
 11 ministration, in consultation with the Administrator of the
 12 Federal Highway Administration, shall submit a report to
 13 the Committee on Commerce, Science, and Transportation
 14 of the Senate and the Committee on Transportation and
 15 Infrastructure of the House of Representatives that summa-
 16 rizes the State highway-rail grade crossing action plans,
 17 including—

18 “(1) an analysis and evaluation of each State
 19 railway-highway crossings program under section 130
 20 of title 23, including—

21 “(A) compliance with section 11401 of the
 22 *Fixing America’s Surface Transportation Act*
 23 and section 130(g) of title 23; and

24 “(B) the specific strategies identified by
 25 each State to improve safety at highway-rail

1 *grade crossings, including crossings with mul-*
2 *tiple accidents or incidents;*

3 “(2) *the progress of each State in implementing*
4 *its State highway-rail grade crossings action plan;*

5 “(3) *the number of highway-rail grade crossing*
6 *projects undertaken pursuant to section 130 of title*
7 *23, including the distribution of such projects by cost*
8 *range, road system, nature of treatment, and subse-*
9 *quent accident experience at improved locations;*

10 “(4) *which States are not in compliance with*
11 *their schedule of projects under section 130(d) of title*
12 *23; and*

13 “(5) *any recommendations for future implemen-*
14 *tation of the railway-highway crossings program*
15 *under section 130 of title 23.*

16 “(b) *UPDATES.—Not later than 5 years after the sub-*
17 *mission of the report required under subsection (a), the Ad-*
18 *ministrator of the Federal Railroad Administration, in*
19 *consultation with the Administrator of the Federal High-*
20 *way Administration, shall—*

21 “(1) *update the report based on the State annual*
22 *reports submitted pursuant to section 130(g) of title*
23 *23 and any other information obtained by or avail-*
24 *able to the Administrator of the Federal Railroad Ad-*
25 *ministration; and*

1 “(2) submit the updated report to the Committee
2 on Commerce, Science, and Transportation of the
3 Senate and the Committee on Transportation and In-
4 frastructure of the House of Representatives.

5 “(c) DEFINITIONS.—In this section:

6 “(1) HIGHWAY-RAIL GRADE CROSSING.—The
7 term ‘highway-rail grade crossing’ means a location
8 within a State, other than a location at which 1 or
9 more railroad tracks cross 1 or more railroad tracks
10 at grade, at which—

11 “(A) a public highway, road, or street, or a
12 private roadway, including associated sidewalks
13 and pathways, crosses 1 or more railroad tracks,
14 either at grade or grade-separated; or

15 “(B) a pathway explicitly authorized by a
16 public authority or a railroad carrier that—

17 “(i) is dedicated for the use of non-
18 vehicular traffic, including pedestrians,
19 bicyclists, and others;

20 “(ii) is not associated with a public
21 highway, road, or street, or a private road-
22 way; and

23 “(iii) crosses 1 or more railroad tracks,
24 either at grade or grade-separated.

1 “(2) *STATE*.—The term ‘State’ means a State of
2 the United States or the District of Columbia.”.

3 (2) *CLERICAL AMENDMENT*.—The analysis for
4 chapter 201 of title 49, United States Code, is amend-
5 ed by inserting after the item relating to section
6 20166 the following:

“20167. Reports on highway-rail grade crossing safety.”.

7 (c) *ANNUAL REPORT*.—Section 130(g) of title 23,
8 United States Code, is amended to read as follows:

9 “(g) *ANNUAL REPORT*.—

10 “(1) *IN GENERAL*.—Not later than August 31 of
11 each year, each State shall submit a report to the Ad-
12 ministrator of the Federal Highway Administration
13 that describes—

14 “(A) the progress being made to implement
15 the railway-highway crossings program author-
16 ized under this section; and

17 “(B) the effectiveness of the improvements
18 made as a result of such implementation.

19 “(2) *CONTENTS*.—Each report submitted pursu-
20 ant to paragraph (1) shall contain an assessment
21 of—

22 “(A) the costs of the various treatments em-
23 ployed by the State to implement the railway-
24 highway crossings program; and

1 “(B) the effectiveness of such treatments, as
2 measured by the accident experience at the loca-
3 tions that received such treatments.

4 “(3) COORDINATION.—Not later than 30 days
5 after the Federal Highway Administration’s accept-
6 ance of each report submitted pursuant to paragraph
7 (1), the Administrator of the Federal Highway Ad-
8 ministration shall make such report available to the
9 Administrator of the Federal Railroad Administra-
10 tion.”.

11 **SEC. 2404. BLOCKED CROSSING PORTAL.**

12 (a) IN GENERAL.—The Administrator of the Federal
13 Railroad Administration shall establish a 3-year blocked
14 crossing portal, which shall include the maintenance of the
15 portal and corresponding database to receive, store, and re-
16 trieve information regarding blocked highway-rail grade
17 crossings.

18 (b) BLOCKED CROSSING PORTAL.—The Administrator
19 of the Federal Railroad Administration shall establish a
20 blocked crossing portal that—

21 (1) collects information from the public, includ-
22 ing first responders, regarding blocked highway-rail
23 grade crossing events;

24 (2) solicits the apparent cause of the blocked
25 crossing and provides examples of common causes of

1 *blocked crossings, such as idling trains or instances*
2 *when lights or gates are activated when no train is*
3 *present;*

4 *(3) provides each complainant with the contact*
5 *information for reporting a blocked crossing to the*
6 *relevant railroad; and*

7 *(4) encourages each complainant to report the*
8 *blocked crossing to the relevant railroad.*

9 *(c) COMPLAINTS.—The blocked crossing portal shall be*
10 *programmed to receive complaints from the general public*
11 *about blocked highway-rail grade crossings. Any complaint*
12 *reported through the portal shall indicate whether the com-*
13 *plainant also reported the blocked crossing to the relevant*
14 *railroad.*

15 *(d) INFORMATION RECEIVED.—In reviewing com-*
16 *plaints received pursuant to subsection (c), the Federal*
17 *Railroad Administration shall review, to the extent prac-*
18 *ticable, the information received from the complainant to*
19 *account for duplicative or erroneous reporting.*

20 *(e) USE OF INFORMATION.—The information received*
21 *and maintained in the blocked crossing portal database*
22 *shall be used by the Federal Railroad Administration—*

23 *(1) to identify frequent and long-duration*
24 *blocked highway-rail grade crossings;*

1 (2) *as a basis for conducting outreach to commu-*
2 *nities, emergency responders, and railroads;*

3 (3) *to support collaboration in the prevention of*
4 *incidents at highway-rail grade crossings; and*

5 (4) *to assess the impacts of blocked crossings.*

6 (f) *SHARING INFORMATION RECEIVED.—*

7 (1) *IN GENERAL.—The Administrator of the Fed-*
8 *eral Railroad Administration shall implement and*
9 *make publicly available procedures for sharing any*
10 *nonaggregated information received through the*
11 *blocked crossing portal with the public.*

12 (2) *RULE OF CONSTRUCTION.—Nothing in this*
13 *section may be construed to authorize the Federal*
14 *Railroad Administration to make publically available*
15 *sensitive security information.*

16 (g) *ADDITIONAL INFORMATION.—If the information*
17 *submitted to the blocked crossing portal is insufficient to*
18 *determine the locations and potential impacts of blocked*
19 *highway-rail grade crossings, the Federal Railroad Admin-*
20 *istration may collect, from the general public, State and*
21 *local law enforcement personnel, and others as appropriate,*
22 *and on a voluntary basis, such additional information as*
23 *may be necessary to make such determinations.*

1 (h) *LIMITATIONS.*—*Complaints, data, and other infor-*
2 *mation received through the blocked crossing portal may not*
3 *be used—*

4 (1) *to infer or extrapolate the rate or instances*
5 *of crossings beyond the data received through the por-*
6 *tal; or*

7 (2) *for any regulatory or enforcement purposes*
8 *except those specifically described in this section.*

9 (i) *REPORTS.*—

10 (1) *ANNUAL PUBLIC REPORT.*—*The Adminis-*
11 *trator of the Federal Railroad Administration shall*
12 *publish an annual report on a public website regard-*
13 *ing the blocked crossing program, including the un-*
14 *derlying causes of blocked crossings, program chal-*
15 *lenges, and other findings.*

16 (2) *REPORT TO CONGRESS.*—*Not later than 1*
17 *year after the date of enactment of this Act, the Ad-*
18 *ministrator of the Federal Railroad Administration*
19 *shall submit a report to the Committee on Commerce,*
20 *Science, and Transportation of the Senate and the*
21 *Committee on Transportation and Infrastructure of*
22 *the House of Representatives that describes—*

23 (A) *based on the information received*
24 *through the blocked crossing portal, frequent and*
25 *long-duration blocked highway-rail grade cross-*

1 ings, including the locations, dates, durations,
2 and impacts resulting from such occurrences;

3 (B) the Federal Railroad Administration's
4 process for verifying the accuracy of the com-
5 plaints submitted to the blocked crossing portal,
6 including whether the portal continues to be ef-
7 fective in collecting such information and identi-
8 fying blocked crossings;

9 (C) the Federal Railroad Administration's
10 use of the data compiled by the blocked crossing
11 portal to assess the underlying cause and overall
12 impacts of blocked crossings;

13 (D) the engagement of the Federal Railroad
14 Administration with affected parties to identify
15 and facilitate solutions to frequent and long-du-
16 ration blocked highway-rail grade crossings iden-
17 tified by the blocked crossing portal; and

18 (E) whether the blocked crossing portal con-
19 tinues to be an effective method to collect blocked
20 crossing information and what changes could
21 improve its effectiveness.

22 (j) *SUNSET*.—This section (other than subsection (k))
23 shall have no force or effect beginning on the date that is
24 3 years after the date of enactment of this Act.

1 *(k) RULE OF CONSTRUCTION.—Nothing in this section*
2 *may be construed to invalidate any authority of the Sec-*
3 *retary with respect to blocked highway-rail grade crossings.*
4 *The Secretary may continue to use any such authority after*
5 *the sunset date set forth in subsection (j).*

6 **SEC. 2405. DATA ACCESSIBILITY.**

7 *(a) REVIEW.—Not later than 180 days after the date*
8 *of enactment of this Act, the Chief Information Officer of*
9 *the Department shall—*

10 *(1) conduct a review of the website of the Office*
11 *of Safety Analysis of the Federal Railroad Adminis-*
12 *tration; and*

13 *(2) provide recommendations to the Secretary for*
14 *improving the public’s usability and accessibility of*
15 *the website referred to in paragraph (1).*

16 *(b) UPDATES.—Not later than 1 year after receiving*
17 *recommendations from the Chief Information Officer pursu-*
18 *ant to subsection (a)(2), the Secretary, after considering*
19 *such recommendations, shall update the website of the Office*
20 *of Safety Analysis of the Federal Railroad Administration*
21 *to improve the usability and accessibility of the website.*

22 **SEC. 2406. EMERGENCY LIGHTING.**

23 *Not later than 1 year after the date of enactment of*
24 *this Act, the Secretary shall initiate a rulemaking to re-*
25 *quire that all rail carriers providing intercity passenger*

1 *rail transportation or commuter rail passenger transpor-*
 2 *tation (as such terms are defined in section 24102 of title*
 3 *49, United States Code), develop and implement periodic*
 4 *inspection plans to ensure that passenger equipment offered*
 5 *for revenue service complies with the requirements under*
 6 *part 238 of title 49, Code of Federal Regulations, including*
 7 *ensuring that, in the event of a loss of power, there is ade-*
 8 *quate emergency lighting available to allow passengers,*
 9 *crew members, and first responders—*

10 (1) *to see and orient themselves;*

11 (2) *to identify obstacles;*

12 (3) *to safely move throughout the rail car; and*

13 (4) *to evacuate safely.*

14 **SEC. 2407. COMPREHENSIVE RAIL SAFETY REVIEW OF AM-**
 15 **TRAK.**

16 (a) *COMPREHENSIVE SAFETY ASSESSMENT.—Not*
 17 *later than 1 year after the date of enactment of this Act,*
 18 *the Secretary shall—*

19 (1) *conduct a focused review of Amtrak’s safety-*
 20 *related processes and procedures, compliance with*
 21 *safety regulations and requirements, and overall safe-*
 22 *ty culture; and*

23 (2) *submit a report to the Committee on Com-*
 24 *merce, Science, and Transportation of the Senate and*
 25 *the Committee on Transportation and Infrastructure*

1 *of the House of Representatives that includes the find-*
2 *ings and recommendations resulting from such assess-*
3 *ment.*

4 *(b) PLAN.—*

5 *(1) INITIAL PLAN.—Not later than 6 months*
6 *after the completion of the comprehensive safety as-*
7 *essment under subsection (a)(1), Amtrak shall submit*
8 *a plan to the Committee on Commerce, Science, and*
9 *Transportation of the Senate and the Committee on*
10 *Transportation and Infrastructure of the House of*
11 *Representatives for addressing the findings and rec-*
12 *ommendations raised in the comprehensive safety as-*
13 *essment.*

14 *(2) ANNUAL UPDATES.—Amtrak shall submit an-*
15 *ual updates of its progress toward implementing the*
16 *plan submitted pursuant to paragraph (1) to the*
17 *committees listed in such paragraph.*

18 **SEC. 2408. COMPLETION OF HOURS OF SERVICE AND FA-**
19 **TIGUE STUDIES.**

20 *(a) IN GENERAL.—Not later than 90 days after the*
21 *date of enactment of this Act, the Administrator of the Fed-*
22 *eral Railroad Administration shall commence the pilot pro-*
23 *grams required under subparagraphs (A) and (B) of section*
24 *21109(e)(1) of title 49, United States Code.*

1 (b) *CONSULTATION.*—*The Federal Railroad Adminis-*
2 *tration shall consult with the class or craft of employees*
3 *impacted by the pilot projects, including railroad carriers,*
4 *and representatives of labor organizations representing the*
5 *impacted employees when designing and conducting the*
6 *pilot programs referred to in subsection (a).*

7 (c) *REPORT.*—*If the pilot programs required under*
8 *section 21109(e)(1) of title 49, United States Code, have not*
9 *commenced on the date that is 1 year and 120 days after*
10 *the date of enactment of this Act, the Secretary, not later*
11 *than 30 days after such date, submit a report to the Com-*
12 *mittee on Commerce, Science, and Transportation of the*
13 *Senate and the Committee on Transportation and Infra-*
14 *structure of the House of Representatives that describes—*

15 (1) *the status of such pilot programs;*

16 (2) *actions that the Federal Railroad Adminis-*
17 *tration has taken to commence the pilot programs, in-*
18 *cluding efforts to recruit participant railroads;*

19 (3) *any challenges impacting the commencement*
20 *of the pilot programs; and*

21 (4) *any other details associated with the develop-*
22 *ment of the pilot programs that affect progress toward*
23 *meeting the mandate under such section 21109(e)(1).*

1 **SEC. 2409. POSITIVE TRAIN CONTROL STUDY.**

2 (a) *STUDY.*—*The Comptroller General of the United*
3 *States shall conduct a study to determine the annual posi-*
4 *tive train control system operation and maintenance costs*
5 *for public commuter railroads.*

6 (b) *REPORT.*—*Not later than 2 years after the date*
7 *of enactment of this Act, the Comptroller General of the*
8 *United States shall submit a report to the Committee on*
9 *Commerce, Science, and Transportation of the Senate and*
10 *the Committee on Transportation and Infrastructure of the*
11 *House of Representatives that summarizes the study con-*
12 *ducted pursuant to subsection (a), including the estimated*
13 *annual positive train control system operation and mainte-*
14 *nance costs for public commuter railroads.*

15 **SEC. 2410. OPERATING CREW MEMBER TRAINING, QUALI-**
16 **FICATION, AND CERTIFICATION.**

17 (a) *AUDITS.*—*Not later than 60 days after the date*
18 *of enactment of this Act, the Secretary shall initiate audits*
19 *of the training, qualification, and certification programs*
20 *of locomotive engineers and conductors of railroad carriers,*
21 *subject to the requirements of parts 240 and 242 of title*
22 *49, Code of Federal Regulations, which audits shall—*

23 (1) *be conducted in accordance with subsection*

24 (b);

25 (2) *consider whether such programs are in com-*
26 *pliance with such parts 240 and 242;*

1 (3) assess the type and content of training that
2 such programs provide locomotive engineers and con-
3 ductors, relevant to their respective roles, including
4 training related to installed technology;

5 (4) determine whether such programs provide lo-
6 comotive engineers and conductors the knowledge,
7 skill, and ability to safely operate a locomotive or
8 train, consistent with such parts 240 and 242;

9 (5) determine whether such programs reflect the
10 current operating practices of the railroad carrier;

11 (6) assess the current practice by which railroads
12 utilize simulator training, or any other technologies
13 used to train and qualify locomotive engineers and
14 conductors by examining how such technologies are
15 used;

16 (7) consider international experience and prac-
17 tice using similar technology, as appropriate, par-
18 ticularly before qualifying locomotive engineers on
19 new or unfamiliar equipment, new train control,
20 diagnostics, or other on-board technology;

21 (8) assess the current practice for familiarizing
22 locomotive engineers and conductors with new terri-
23 tory and using recurrency training to expose such
24 personnel to normal and abnormal conditions; and

1 (9) ensure that locomotive engineers and con-
2 ductor training programs are considered separately,
3 as appropriate, based on the unique requirements and
4 regulations.

5 (b) *AUDIT SCHEDULING.*—The Secretary shall—

6 (1) schedule the audits required under subsection

7 (a) to ensure that—

8 (A) each Class I railroad, including the Na-
9 tional Railroad Passenger Corporation and other
10 intercity passenger rail providers, is audited not
11 less frequently than once every 5 years; and

12 (B) a select number, as determined appro-
13 priate by the Secretary, of Class II and Class III
14 railroads, along with other railroads providing
15 passenger rail service that are not included in
16 subparagraph (A), are audited annually; and

17 (2) conduct the audits described in paragraph
18 (1)(B) in accordance with the Small Business Regu-
19 latory Enforcement Fairness Act of 1996 (5 U.S.C.
20 601 note) and appendix C of part 209 of title 49,
21 Code of Federal Regulations.

22 (c) *UPDATES TO QUALIFICATION AND CERTIFICATION*
23 PROGRAM.—If the Secretary, while conducting the audits
24 required under this section, identifies a deficiency in a rail-
25 road’s training, qualification, and certification program for

1 *locomotive engineers or conductors, the railroad shall up-*
2 *date the program to eliminate such deficiency.*

3 *(d) CONSULTATION AND COOPERATION.—*

4 *(1) CONSULTATION.—In conducting any audit*
5 *required under this section, the Secretary shall con-*
6 *sult with the railroad and its employees, including*
7 *any nonprofit employee labor organization rep-*
8 *resenting the engineers or conductors of the railroad.*

9 *(2) COOPERATION.—The railroad and its em-*
10 *ployees, including any nonprofit employee labor orga-*
11 *nization representing engineers or conductors of the*
12 *railroad, shall fully cooperate with any such audit,*
13 *including by—*

14 *(A) providing any relevant documents re-*
15 *quested; and*

16 *(B) making available any employees for*
17 *interview without undue delay or obstruction.*

18 *(3) FAILURE TO COOPERATE.—If the Secretary*
19 *determines that a railroad or any of its employees,*
20 *including any nonprofit employee labor organization*
21 *representing engineers or conductors of the railroad is*
22 *not fully cooperating with an audit, the Secretary*
23 *shall electronically notify the Committee on Com-*
24 *merce, Science, and Transportation of the Senate and*

1 *the Committee on Transportation and Infrastructure*
2 *of the House of Representatives.*

3 *(e) REVIEW OF REGULATIONS.—The Secretary shall*
4 *triennially determine whether any update to part 240 or*
5 *242 of title 49, Code of Federal Regulations, is necessary*
6 *to better prepare locomotive engineers and conductors to*
7 *safely operate trains by evaluating whether such regulations*
8 *establish appropriate Federal standards requiring rail-*
9 *roads—*

10 *(1) to provide locomotive engineers or conductors*
11 *the knowledge and skills to safely operate trains under*
12 *conditions that reflect industry practices;*

13 *(2) to adequately address locomotive engineer or*
14 *conductor route situational awareness, including en-*
15 *sureing locomotive engineers and conductors to dem-*
16 *onstrate knowledge on the physical characteristics of*
17 *a territory under various conditions and using var-*
18 *ious resources;*

19 *(3) to provide relevant and adequate hands-on*
20 *training before a locomotive engineer or conductor is*
21 *certified;*

22 *(4) to adequately prepare locomotive engineers or*
23 *conductors to understand relevant locomotive oper-*
24 *ating characteristics, to include instructions on func-*

1 *tions they are required to operate on any installed*
 2 *technology; and*

3 *(5) to address any other safety issue that the*
 4 *Secretary determines to be appropriate for better pre-*
 5 *paring locomotive engineers or conductors.*

6 *(f) ANNUAL REPORT.—The Secretary shall publish an*
 7 *annual report on the public website of the Federal Railroad*
 8 *Administration that—*

9 *(1) summarizes the findings of the prior year’s*
 10 *audits;*

11 *(2) summarizes any updates made pursuant to*
 12 *subsection (c); and*

13 *(3) excludes and confidential business informa-*
 14 *tion or sensitive security information.*

15 **SEC. 2411. TRANSPARENCY AND SAFETY.**

16 *Section 20103(d) of title 49, United States Code, is*
 17 *amended to read as follows:*

18 *“(d) NONEMERGENCY WAIVERS.—*

19 *“(1) IN GENERAL.—The Secretary of Transpor-*
 20 *tation may waive, or suspend the requirement to com-*
 21 *ply with, any part of a regulation prescribed or an*
 22 *order issued under this chapter if such waiver or sus-*
 23 *pension is in the public interest and consistent with*
 24 *railroad safety.*

25 *“(2) NOTICE REQUIRED.—The Secretary shall—*

1 “(A) provide timely public notice of any re-
2 quest for a waiver under this subsection or for a
3 suspension under subpart E of part 211 of title
4 49, Code of Federal Regulations, or successor reg-
5 ulations;

6 “(B) make available the application for
7 such waiver or suspension and any nonconfiden-
8 tial underlying data to interested parties;

9 “(C) provide the public with notice and a
10 reasonable opportunity to comment on a pro-
11 posed waiver or suspension under this subsection
12 before making a final decision; and

13 “(D) publish on a publicly accessible
14 website the reasons for granting each such waiver
15 or suspension.

16 “(3) INFORMATION PROTECTION.—Nothing in
17 this subsection may be construed to require the release
18 of information protected by law from public disclo-
19 sure.

20 “(4) RULEMAKING.—

21 “(A) IN GENERAL.—Not later than 1 year
22 after the first day on which a waiver under this
23 subsection or a suspension under subpart E of
24 part 211 of title 49, Code of Federal Regulations,
25 or successor regulations, has been in continuous

1 effect for a 6-year period, the Secretary shall
2 complete a review and analysis of such waiver or
3 suspension to determine whether issuing a rule
4 that is consistent with the waiver is—

5 “(i) in the public interest; and

6 “(ii) consistent with railroad safety.

7 “(B) *FACTORS.*—In conducting the review
8 and analysis under subparagraph (A), the Sec-
9 retary shall consider—

10 “(i) the relevant safety record under
11 the waiver or suspension;

12 “(ii) the likelihood that other entities
13 would have similar safety outcomes;

14 “(iii) the materials submitted in the
15 applications, including any comments re-
16 garding such materials; and

17 “(iv) related rulemaking activity.

18 “(C) *NOTICE AND COMMENT.*—

19 “(i) *IN GENERAL.*—The Secretary shall
20 publish the review and analysis required
21 under this paragraph in the *Federal Reg-*
22 *ister*, which shall include a summary of the
23 data collected and all relevant underlying
24 data, if the Secretary decides not to initiate

1 a regulatory update under subparagraph
2 (D).

3 “(ii) *NOTICE OF PROPOSED RULE-*
4 *MAKING.*—The review and analysis under
5 this paragraph shall be included as part of
6 the notice of proposed rulemaking if the
7 Secretary initiates a regulatory update
8 under subparagraph (D).

9 “(D) *REGULATORY UPDATE.*—The Secretary
10 may initiate a rulemaking to incorporate rel-
11 evant aspects of a waiver under this subsection
12 or a suspension under subpart E of part 211 of
13 title 49, Code of Federal Regulations, or suc-
14 cessor regulations, into the relevant regulation, to
15 the extent the Secretary considers appropriate.

16 “(5) *RULE OF CONSTRUCTION.*—Nothing in this
17 subsection may be construed to delay any waiver
18 granted pursuant to this subsection that is in the
19 public interest and consistent with railroad safety.”.

20 **SEC. 2412. RESEARCH AND DEVELOPMENT.**

21 Section 20108 of title 49, United States Code, is
22 amended by adding at the end the following:

23 “(d) *FACILITIES.*—The Secretary may erect, alter, and
24 repair buildings and make other public improvements to
25 carry out necessary railroad research, safety, and training

1 *activities at the Transportation Technology Center in Pueb-*
2 *lo, Colorado.*

3 “(e) *OFFSETTING COLLECTIONS.*—*The Secretary may*
4 *collect fees or rents from facility users to offset appropriated*
5 *amounts for the cost of providing facilities or research, de-*
6 *velopment, testing, training, or other services, including*
7 *long-term sustainment of the on-site physical plant.*

8 “(f) *REVOLVING FUND.*—*Amounts appropriated to*
9 *carry out subsection (d) and all fees and rents collected pur-*
10 *suant to subsection (e) shall be credited to a revolving fund*
11 *and remain available until expended. The Secretary may*
12 *use such fees and rents for operation, maintenance, repair,*
13 *or improvement of the Transportation Technology Center.*

14 “(g) *LEASES AND CONTRACTS.*—*Notwithstanding sec-*
15 *tion 1302 of title 40, the Secretary may lease to others or*
16 *enter into contracts for terms of up to 20 years, for such*
17 *consideration and subject to such terms and conditions as*
18 *the Secretary determines to be in the best interests of the*
19 *Government of the United States, for the operation, mainte-*
20 *nance, repair, and improvement of the Transportation*
21 *Technology Center.*

22 “(h) *PROPERTY AND CASUALTY LOSS INSURANCE.*—
23 *The Secretary may allow its lessees and contractors to pur-*
24 *chase property and casualty loss insurance for its assets*
25 *and activities at the Transportation Technology Center to*

1 *mitigate the lessee’s or contractor’s risk associated with op-*
 2 *erating a facility.*

3 “(i) *ENERGY PROJECTS.*—*Notwithstanding section*
 4 *1341 of title 31, the Secretary may enter into contracts or*
 5 *agreements, or commit to obligations in connection with*
 6 *third-party contracts or agreements, including contingent*
 7 *liability for the purchase of electric power in connection*
 8 *with such contracts or agreements, for terms not to exceed*
 9 *20 years, to enable the use of the land at the Transportation*
 10 *Technology Center for projects to produce energy from re-*
 11 *newable sources.”.*

12 **SEC. 2413. RAIL RESEARCH AND DEVELOPMENT CENTER OF**
 13 **EXCELLENCE.**

14 *Section 20108 of title 49, United States Code, as*
 15 *amended by section 2412, is further amended by adding at*
 16 *the end the following:*

17 “(j) *RAIL RESEARCH AND DEVELOPMENT CENTER OF*
 18 *EXCELLENCE.*—

19 “(1) *CENTER OF EXCELLENCE.*—*The Secretary*
 20 *shall award grants to establish and maintain a center*
 21 *of excellence to advance research and development that*
 22 *improves the safety, efficiency, and reliability of pas-*
 23 *senger and freight rail transportation.*

24 “(2) *ELIGIBILITY.*—*An institution of higher edu-*
 25 *cation (as defined in section 101 of the Higher Edu-*

1 *cation Act of 1965 (20 U.S.C. 1001)) or a consortium*
2 *of nonprofit institutions of higher education shall be*
3 *eligible to receive a grant from the center established*
4 *pursuant to paragraph (1).*

5 “(3) *SELECTION CRITERIA.—In awarding a*
6 *grant under this subsection, the Secretary shall—*

7 “(A) *give preference to applicants with*
8 *strong past performance related to rail research,*
9 *education, and workforce development activities;*

10 “(B) *consider the extent to which the appli-*
11 *cant would involve public and private sector*
12 *passenger and freight railroad operators; and*

13 “(C) *consider the regional and national im-*
14 *pacts of the applicant’s proposal.*

15 “(4) *USE OF FUNDS.—Grant funds awarded*
16 *pursuant to this subsection shall be used for basic and*
17 *applied research, evaluation, education, workforce de-*
18 *velopment, and training efforts related to safety, effi-*
19 *ciency, reliability, resiliency, and sustainability of*
20 *urban commuter, intercity high-speed, and freight*
21 *rail transportation, to include advances in rolling*
22 *stock, advanced positive train control, human factors,*
23 *rail infrastructure, shared corridors, grade crossing*
24 *safety, inspection technology, remote sensing, rail sys-*
25 *tems maintenance, network resiliency, operational re-*

1 *liability, energy efficiency, and other advanced tech-*
 2 *nologies.*

3 “(5) *FEDERAL SHARE.*—*The Federal share of a*
 4 *grant awarded under this subsection shall be 50 per-*
 5 *cent of the cost of establishing and operating the cen-*
 6 *ter of excellence and related research activities carried*
 7 *out by the grant recipient.”.*

8 **SEC. 2414. QUARTERLY REPORT ON POSITIVE TRAIN CON-**
 9 **TROL SYSTEM PERFORMANCE.**

10 *Section 20157 of title 49, United States Code, is*
 11 *amended by adding at the end the following:*

12 “(m) *REPORTS ON POSITIVE TRAIN CONTROL SYSTEM*
 13 *PERFORMANCE.*—

14 “(1) *IN GENERAL.*—*Each host railroad subject to*
 15 *this section or subpart I of part 236 of title 49, Code*
 16 *of Federal Regulations, shall electronically submit to*
 17 *the Secretary of Transportation a Report of PTC Sys-*
 18 *tem Performance on Form FRA F 6180.152, which*
 19 *shall be submitted on or before the applicable due date*
 20 *set forth in paragraph (3) and contain the informa-*
 21 *tion described in paragraph (2), which shall be sepa-*
 22 *rated by the host railroad, each applicable tenant*
 23 *railroad, and each positive train control-governed*
 24 *track segment, consistent with the railroad’s positive*

1 *train control Implementation Plan described in sub-*
2 *section (a)(1).*

3 “(2) *REQUIRED INFORMATION.—Each report*
4 *submitted pursuant to paragraph (1) shall include,*
5 *for the applicable reporting period—*

6 “(A) *the number of positive train control*
7 *system initialization failures, disaggregated by*
8 *the number of initialization failures for which*
9 *the source or cause was the onboard subsystem,*
10 *the wayside subsystem, the communications sub-*
11 *system, the back office subsystem, or a non-posi-*
12 *tive train control component;*

13 “(B) *the number of positive train control*
14 *system cut outs, disaggregated by each compo-*
15 *nent listed in subparagraph (A) that was the*
16 *source or cause of such cut outs;*

17 “(C) *the number of positive train control*
18 *system malfunctions, disaggregated by each com-*
19 *ponent listed in subparagraph (A) that was the*
20 *source or cause of such malfunctions;*

21 “(D) *the number of enforcements by the*
22 *positive train control system;*

23 “(E) *the number of enforcements by the*
24 *positive train control system in which it is rea-*

1 *sonable to assume an accident or incident was*
2 *prevented;*

3 *“(F) the number of scheduled attempts at*
4 *initialization of the positive train control sys-*
5 *tem;*

6 *“(G) the number of train miles governed by*
7 *the positive train control system; and*

8 *“(H) a summary of any actions the host*
9 *railroad and its tenant railroads are taking to*
10 *reduce the frequency and rate of initialization*
11 *failures, cut outs, and malfunctions, such as any*
12 *actions to correct or eliminate systemic issues*
13 *and specific problems.*

14 *“(3) DUE DATES.—*

15 *“(A) IN GENERAL.—Except as provided in*
16 *subparagraph (B), each host railroad shall elec-*
17 *tronically submit the report required under*
18 *paragraph (1) not later than—*

19 *“(i) April 30, for the period from Jan-*
20 *uary 1 through March 31;*

21 *“(ii) July 31, for the period from April*
22 *1 through June 30;*

23 *“(iii) October 31, for the period from*
24 *July 1 through September 30; and*

1 “(iv) *January 31, for the period from*
2 *October 1 through December 31 of the prior*
3 *calendar year.*

4 “(B) *FREQUENCY REDUCTION.—Beginning*
5 *on the date that is 3 years after the date of en-*
6 *actment of the Passenger Rail Expansion and*
7 *Rail Safety Act of 2021, the Secretary shall re-*
8 *duce the frequency with which host railroads are*
9 *required to submit the report described in para-*
10 *graph (1) to not less frequently than twice per*
11 *year, unless the Secretary—*

12 “(i) *determines that quarterly report-*
13 *ing is in the public interest; and*

14 “(ii) *publishes a justification for such*
15 *determination in the Federal Register.*

16 “(4) *TENANT RAILROADS.—Each tenant railroad*
17 *that operates on a host railroad’s positive train con-*
18 *trol-governed main line and is not currently subject*
19 *to an exception under section 236.1006(b) of title 49,*
20 *Code of Federal Regulations, shall submit the infor-*
21 *mation described in paragraph (2) to each applicable*
22 *host railroad on a continuous basis.*

23 “(5) *ENFORCEMENTS.—Any railroad operating*
24 *a positive train control system classified under Fed-*
25 *eral Railroad Administration Type Approval number*

1 *FRA-TA-2010-001 or FRA-TA-2013-003 shall*
2 *begin submitting the metric required under para-*
3 *graph (2)(D) not later than January 31, 2023.”.*

4 **SEC. 2415. SPEED LIMIT ACTION PLANS.**

5 *(a) CODIFICATION OF, AND AMENDMENT TO, SECTION*
6 *11406 OF THE FAST ACT.—Subchapter II of chapter 201*
7 *of subtitle V of title 49, United States Code, is amended*
8 *by inserting after section 20168 the following:*

9 **“§20169. Speed limit action plans**

10 *“(a) IN GENERAL.—Not later than March 3, 2016,*
11 *each railroad carrier providing intercity rail passenger*
12 *transportation or commuter rail passenger transportation,*
13 *in consultation with any applicable host railroad carrier,*
14 *shall survey its entire system and identify each main track*
15 *location where there is a reduction of more than 20 miles*
16 *per hour from the approach speed to a curve, bridge, or*
17 *tunnel and the maximum authorized operating speed for*
18 *passenger trains at that curve, bridge, or tunnel.*

19 *“(b) ACTION PLANS.—Not later than 120 days after*
20 *the date that the survey under subsection (a) is complete,*
21 *a railroad carrier described in subsection (a) shall submit*
22 *to the Secretary of Transportation an action plan that—*

23 *“(1) identifies each main track location where*
24 *there is a reduction of more than 20 miles per hour*
25 *from the approach speed to a curve, bridge, or tunnel*

1 *and the maximum authorized operating speed for*
2 *passenger trains at that curve, bridge, or tunnel;*

3 “(2) *describes appropriate actions to enable*
4 *warning and enforcement of the maximum authorized*
5 *speed for passenger trains at each location identified*
6 *under paragraph (1), including—*

7 “(A) *modification to automatic train con-*
8 *trol systems, if applicable, or other signal sys-*
9 *tems;*

10 “(B) *increased crew size;*

11 “(C) *installation of signage alerting train*
12 *crews of the maximum authorized speed for pas-*
13 *senger trains in each location identified under*
14 *paragraph (1);*

15 “(D) *installation of alerters;*

16 “(E) *increased crew communication; and*

17 “(F) *other practices;*

18 “(3) *contains milestones and target dates for im-*
19 *plementing each appropriate action described under*
20 *paragraph (2); and*

21 “(4) *ensures compliance with the maximum au-*
22 *thorized speed at each location identified under para-*
23 *graph (1).*

24 “(c) *APPROVAL.—Not later than 90 days after the date*
25 *on which an action plan is submitted under subsection (b)*

1 or (d)(2), the Secretary shall approve, approve with condi-
2 tions, or disapprove the action plan.

3 “(d) *PERIODIC REVIEWS AND UPDATES.*—Each rail-
4 road carrier that submits an action plan to the Secretary
5 pursuant to subsection (b) shall—

6 “(1) not later than 1 year after the date of enact-
7 ment of the Passenger Rail Expansion and Rail Safe-
8 ty Act of 2021, and annually thereafter, review such
9 plan to ensure the effectiveness of actions taken to en-
10 able warning and enforcement of the maximum au-
11 thorized speed for passenger trains at each location
12 identified pursuant to subsection (b)(1); and

13 “(2) not later than 90 days before implementing
14 any significant operational or territorial operating
15 change, including initiating a new service or route,
16 submit to the Secretary a revised action plan, after
17 consultation with any applicable host railroad, that
18 addresses such operational or territorial operating
19 change.

20 “(e) *NEW SERVICE.*—If a railroad carrier providing
21 intercity rail passenger transportation or commuter rail
22 passenger transportation did not exist on the date of enact-
23 ment of the FAST Act (Public Law 114–94; 129 Stat.
24 1312), such railroad carrier, in consultation with any ap-
25 plicable host railroad carrier, shall—

1 “(1) survey its routes pursuant to subsection (a)
2 not later than 90 days after the date of enactment of
3 the Passenger Rail Expansion and Rail Safety Act of
4 2021; and

5 “(2) develop an action plan pursuant to sub-
6 section (b) not later than 120 days after the date on
7 which such survey is complete.

8 “(f) *ALTERNATIVE SAFETY MEASURES.*—The Sec-
9 retary may exempt from the requirements under this section
10 each segment of track for which operations are governed by
11 a positive train control system certified under section
12 20157, or any other safety technology or practice that would
13 achieve an equivalent or greater level of safety in reducing
14 derailment risk.

15 “(g) *PROHIBITION.*—No new intercity or commuter
16 rail passenger service may begin operation unless the rail-
17 road carrier providing such service is in compliance with
18 the requirements under this section.

19 “(h) *SAVINGS CLAUSE.*—Nothing in this section may
20 be construed to prohibit the Secretary from applying the
21 requirements under this section to other segments of track
22 at high risk of overspeed derailment.”.

23 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
24 201 of subtitle V of title 49, United States Code, is amended
25 by adding at the end the following:

“20169. Speed limit action plans.”.

1 **SEC. 2416. NEW PASSENGER SERVICE PRE-REVENUE SAFE-**
2 **TY VALIDATION PLAN.**

3 (a) *IN GENERAL.*—Subchapter II of chapter 201 of
4 subtitle V of title 49, United States Code, as amended by
5 section 2415, is further amended by adding at the end the
6 following:

7 **“§ 20170. Pre-revenue service safety validation plan**

8 “(a) *PLAN SUBMISSION.*—Any railroad providing
9 new, regularly scheduled, intercity or commuter rail pas-
10 senger transportation, an extension of existing service, or
11 a renewal of service that has been discontinued for more
12 than 180 days shall develop and submit for review a com-
13 prehensive pre-revenue service safety validation plan to the
14 Secretary of Transportation not later than 60 days before
15 initiating such revenue service. Such plan shall include per-
16 tinent safety milestones and a minimum period of simu-
17 lated revenue service to ensure operational readiness and
18 that all safety sensitive personnel are properly trained and
19 qualified.

20 “(b) *COMPLIANCE.*—After submitting a plan pursuant
21 to subsection (a), the railroad shall adopt and comply with
22 such plan and may not amend the plan without first noti-
23 fying the Secretary of the proposed amendment. Revenue
24 service may not begin until the railroad has completed the
25 requirements of its plan, including the minimum simulated
26 service period required by the plan.

1 “(c) *RULEMAKING.*—*The Secretary shall promulgate*
2 *regulations to carry out this section, including—*

3 “(1) *requiring that any identified safety defi-*
4 *ciencies be addressed and corrected before the initi-*
5 *ation of revenue service; and*

6 “(2) *establishing appropriate deadlines to enable*
7 *the Secretary to review and approve the pre-revenue*
8 *service safety validation plan to ensure that service is*
9 *not unduly delayed.”.*

10 “(b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
11 *201 of title 49, United States Code, as amended by section*
12 *2415(b), is further amended by adding at the end the fol-*
13 *lowing:*

 “20170. *Pre-revenue service safety validation plan.*”.

14 **SEC. 2417. FEDERAL RAILROAD ADMINISTRATION ACCI-**
15 **DENT AND INCIDENT INVESTIGATIONS.**

16 *Section 20902 of title 49, United States Code, is*
17 *amended—*

18 (1) *in subsection (b) by striking “subpena” and*
19 *inserting “subpoena”; and*

20 (2) *by adding at the end the following:*

21 “(d) *GATHERING INFORMATION AND TECHNICAL EX-*
22 *PERTISE.*—

23 “(1) *IN GENERAL.*—*The Secretary shall create a*
24 *standard process for investigators to use during acci-*
25 *dent and incident investigations conducted under this*

1 *section for determining when it is appropriate and*
2 *the appropriate method for—*

3 *“(A) gathering information about an acci-*
4 *dent or incident under investigation from rail-*
5 *road carriers, contractors or employees of rail-*
6 *road carriers or representatives of employees of*
7 *railroad carriers, and others, as determined rel-*
8 *evant by the Secretary; and*

9 *“(B) consulting with railroad carriers, con-*
10 *tractors or employees of railroad carriers or rep-*
11 *resentatives of employees of railroad carriers,*
12 *and others, as determined relevant by the Sec-*
13 *retary, for technical expertise on the facts of the*
14 *accident or incident under investigation.*

15 *“(2) CONFIDENTIALITY.—In developing the proc-*
16 *ess required under paragraph (1), the Secretary shall*
17 *factor in ways to maintain the confidentiality of any*
18 *entity identified under paragraph (1) if—*

19 *“(A) such entity requests confidentiality;*

20 *“(B) such entity was not involved in the ac-*
21 *cident or incident; and*

22 *“(C) maintaining such entity’s confiden-*
23 *tiality does not adversely affect an investigation*
24 *of the Federal Railroad Administration.*

1 “(3) *APPLICABILITY.*—*This subsection shall not*
2 *apply to any investigation carried out by the Na-*
3 *tional Transportation Safety Board.*”.

4 **SEC. 2418. CIVIL PENALTY ENFORCEMENT AUTHORITY.**

5 *Section 21301(a) of title 49, United States Code, is*
6 *amended by striking paragraph (3) and inserting the fol-*
7 *lowing:*

8 “(3) *The Secretary may find that a person has violated*
9 *this chapter or a regulation prescribed or order, special per-*
10 *mit, or approval issued under this chapter only after notice*
11 *and an opportunity for a hearing. The Secretary shall im-*
12 *pose a penalty under this section by giving the person writ-*
13 *ten notice of the amount of the penalty. The Secretary may*
14 *compromise the amount of a civil penalty by settlement*
15 *agreement without issuance of an order. In determining the*
16 *amount of a compromise, the Secretary shall consider—*

17 “(A) *the nature, circumstances, extent, and grav-*
18 *ity of the violation;*

19 “(B) *with respect to the violator, the degree of*
20 *culpability, any history of violations, the ability to*
21 *pay, and any effect on the ability to continue to do*
22 *business; and*

23 “(C) *other matters that justice requires.*

24 “(4) *The Attorney General may bring a civil action*
25 *in an appropriate district court of the United States to col-*

1 lect a civil penalty imposed or compromise under this sec-
 2 tion and any accrued interest on the civil penalty. In the
 3 civil action, the amount and appropriateness of the civil
 4 penalty shall not be subject to review.”.

5 **SEC. 2419. ADVANCING SAFETY AND INNOVATIVE TECH-**
 6 **NOLOGY.**

7 (a) *IN GENERAL.*—Section 26103 of title 49, United
 8 States Code, is amended to read as follows:

9 **“§26103. Safety regulations and evaluation**

10 “The Secretary—

11 “(1) shall promulgate such safety regulations as
 12 may be necessary for high-speed rail services;

13 “(2) shall, before promulgating such regulations,
 14 consult with developers of new high-speed rail tech-
 15 nologies to develop a method for evaluating safety per-
 16 formance; and

17 “(3) may solicit feedback from relevant safety ex-
 18 perts or representatives of rail employees who perform
 19 work on similar technology or who may be expected
 20 to perform work on new technology, as appropriate.”.

21 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
 22 261 of title 49, United States Code, is amended by striking
 23 the item relating to section 26103 and inserting the fol-
 24 lowing:

“26103. Safety regulations and evaluation.”.

1 **SEC. 2420. PASSENGER RAIL VEHICLE OCCUPANT PROTEC-**
2 **TION SYSTEMS.**

3 (a) *STUDY.*—*The Administrator of the Federal Rail-*
4 *road Administration shall conduct a study of the potential*
5 *installation and use in new passenger rail rolling stock of*
6 *passenger rail vehicle occupant protection systems that*
7 *could materially improve passenger safety.*

8 (b) *CONSIDERATIONS.*—*In conducting the study under*
9 *subsection (a), the Administrator shall consider minimizing*
10 *the risk of secondary collisions, including estimating the*
11 *costs and benefits of the new requirements, through the use*
12 *of—*

13 (1) *occupant restraint systems;*

14 (2) *air bags;*

15 (3) *emergency window retention systems; and*

16 (4) *interior designs, including seats, baggage re-*
17 *straints, and table configurations and attachments.*

18 (c) *REPORT.*—*Not later than 2 years after the date of*
19 *enactment of this Act, the Administrator shall—*

20 (1) *submit a report summarizing the findings of*
21 *the study conducted pursuant to subsection (a) to the*
22 *Committee on Commerce, Science, and Transpor-*
23 *tation of the Senate and the Committee on Transpor-*
24 *tation and Infrastructure of the House of Representa-*
25 *tives; and*

1 (2) *publish such report on the website of the Fed-*
2 *eral Railroad Administration.*

3 (d) *RULEMAKING.—Following the completion of the*
4 *study required under subsection (a), and after considering*
5 *the costs and benefits of the proposed protection systems,*
6 *the Administrator may promulgate a rule that establishes*
7 *standards for the use of occupant protection systems in new*
8 *passenger rail rolling stock.*

9 **SEC. 2421. FEDERAL RAILROAD ADMINISTRATION REPORT-**
10 **ING REQUIREMENTS.**

11 (a) *ELIMINATION OF DUPLICATIVE OR UNNECESSARY*
12 *REPORTING OR PAPERWORK REQUIREMENTS IN THE FED-*
13 *ERAL RAILROAD ADMINISTRATION.—*

14 (1) *REVIEW.—The Administrator of the Federal*
15 *Railroad Administration (referred to in this sub-*
16 *section as the “FRA Administrator”), in consultation*
17 *with the Administrator of the Federal Transit Ad-*
18 *ministration, shall conduct a review of existing re-*
19 *porting and paperwork requirements in the Federal*
20 *Railroad Administration to determine if any such re-*
21 *quirements are duplicative or unnecessary.*

22 (2) *ELIMINATION OF CERTAIN REQUIREMENTS.—*
23 *If the FRA Administrator determines, as a result of*
24 *the review conducted pursuant to paragraph (1), that*
25 *any reporting or paperwork requirement that is not*

1 *statutorily required is duplicative or unnecessary, the*
2 *FRA Administrator, after consultation with the Ad-*
3 *ministrator of the Federal Transit Administration,*
4 *shall terminate such requirement.*

5 (3) *REPORT.—Not later than 1 year after the*
6 *date of the enactment of this Act, the FRA Adminis-*
7 *trator shall submit a report to the Committee on*
8 *Commerce, Science, and Transportation of the Senate*
9 *and the Committee on Transportation and Infrastruc-*
10 *ture of the House of Representatives that—*

11 (A) *identifies all of the reporting or paper-*
12 *work requirements that were terminated pursu-*
13 *ant to paragraph (2); and*

14 (B) *identifies any statutory reporting or*
15 *paperwork requirements that are duplicative or*
16 *unnecessary and should be repealed.*

17 (b) *SAFETY REPORTING.—Not later than 1 year after*
18 *the date of enactment of this Act, and annually thereafter*
19 *for the following 4 years, the Secretary shall update Special*
20 *Study Block 49 on Form FRA F 6180.54 (Rail Equipment*
21 *Accident/Incident Report) to collect, with respect to trains*
22 *involved in accidents required to be reported to the Federal*
23 *Railroad Administration—*

24 (1) *the number of cars and length of the involved*
25 *trains; and*

1 (2) *the number of crew members who were*
2 *aboard a controlling locomotive involved in an acci-*
3 *dent at the time of such accident.*

4 **SEC. 2422. NATIONAL ACADEMIES STUDY ON TRAINS**
5 **LONGER THAN 7,500 FEET.**

6 (a) *STUDY.*—*The Secretary shall seek to enter into an*
7 *agreement with the National Academies to conduct a study*
8 *on the operation of freight trains that are longer than 7,500*
9 *feet.*

10 (b) *ELEMENTS.*—*The study conducted pursuant to*
11 *subsection (a) shall—*

12 (1) *examine any potential impacts to safety from*
13 *the operation of freight trains that are longer than*
14 *7,500 feet and the mitigation of any identified risks,*
15 *including—*

16 (A) *any potential changes in the risk of loss*
17 *of communications between the end of train de-*
18 *vice and the locomotive cab, including commu-*
19 *nications over differing terrains and conditions;*

20 (B) *any potential changes in the risk of loss*
21 *of radio communications between crew members*
22 *when a crew member alights from the train, in-*
23 *cluding communications over differing terrains*
24 *and conditions;*

1 (C) any potential changes in the risk of
2 derailments, including any risks associated with
3 in-train compressive forces and slack action or
4 other safety risks in the operations of such trains
5 in differing terrains and conditions;

6 (D) any potential impacts associated with
7 the deployment of multiple distributed power
8 units in the consists of such trains; and

9 (E) any potential impacts on braking and
10 locomotive performance and track wear and tear;

11 (2) evaluate any impacts on scheduling and effi-
12 ciency of passenger operations and in the shipping of
13 goods by freight as a result of longer trains;

14 (3) determine whether additional engineer and
15 conductor training is required for safely operating
16 such trains;

17 (4) assess the potential impact on the amount of
18 time and frequency of occurrence highway-rail grade
19 crossings are occupied; and

20 (5) identify any potential environmental im-
21 pacts, including greenhouse gas emissions, that have
22 resulted from the operation of longer trains.

23 (c) COMPARISON.—When evaluating the potential im-
24 pacts of the operation of trains longer than 7,500 feet under
25 subsection (b), the impacts of such trains shall be compared

1 *to the impacts of trains that are shorter than 7,500 feet,*
2 *after taking into account train frequency.*

3 (d) *REPORT.*—*Not later than 2 years after the date*
4 *of enactment of this Act, the Secretary shall submit a report*
5 *to the Committee on Commerce, Science, and Transporta-*
6 *tion of the Senate and the Committee on Transportation*
7 *and Infrastructure of the House of Representatives that con-*
8 *tains the results of the study conducted by the National*
9 *Academies under this section.*

10 (e) *FUNDING.*—*From the amounts appropriated for*
11 *fiscal year 2021 pursuant to the authorization under sec-*
12 *tion 20117(a) of title 49, United States Code, the Secretary*
13 *shall expend not less than \$1,000,000 and not more than*
14 *\$2,000,000 to carry out the study required under this sec-*
15 *tion.*

16 **SEC. 2423. HIGH-SPEED TRAIN NOISE EMISSIONS.**

17 (a) *IN GENERAL.*—*Section 17 of the Noise Control Act*
18 *of 1972 (42 U.S.C. 4916) is amended—*

19 (1) *by redesignating subsections (c) and (d) as*
20 *subsections (d) and (e), respectively; and*

21 (2) *by inserting after subsection (b) the fol-*
22 *lowing:*

23 “(c) *HIGH-SPEED TRAIN NOISE EMISSIONS.*—

24 “(1) *IN GENERAL.*—*The Secretary of Transporta-*
25 *tion, in consultation with the Administrator, may*

1 *prescribe regulations governing railroad-related noise*
2 *emission standards for trains operating on the gen-*
3 *eral railroad system of transportation at speeds ex-*
4 *ceeding 160 miles per hour, including noise related to*
5 *magnetic levitation systems and other new tech-*
6 *nologies not traditionally associated with railroads.*

7 “(2) *FACTORS IN RULEMAKING.*—*The regulations*
8 *prescribed pursuant to paragraph (1) may—*

9 “(A) *consider variances in maximum pass-*
10 *by noise with respect to the speed of the equip-*
11 *ment;*

12 “(B) *account for current engineering best*
13 *practices; and*

14 “(C) *encourage the use of noise mitigation*
15 *techniques to the extent reasonable if the benefits*
16 *exceed the costs.*

17 “(3) *CONVENTIONAL-SPEED TRAINS.*—*Railroad-*
18 *related noise regulations prescribed under subsection*
19 *(a) shall continue to govern noise emissions from the*
20 *operation of trains, including locomotives and rail*
21 *cars, when operating at speeds not exceeding 160*
22 *miles per hour.”.*

23 “(b) *TECHNICAL AMENDMENT.*—*The second sentence of*
24 *section 17(b) of the Noise Control Act of 1972 (42 U.S.C.*
25 *4916(b)) is amended by striking “the Safety Appliance*

1 *Acts, the Interstate Commerce Act, and the Department of*
2 *Transportation Act” and inserting “subtitle V of title 49,*
3 *United States Code”.*

4 **SEC. 2424. CRITICAL INCIDENT STRESS PLANS.**

5 *The Secretary shall amend part 272 of title 49, Code*
6 *of Federal Regulations, to the extent necessary to ensure*
7 *that—*

8 *(1) the coverage of a critical incident stress plan*
9 *under section 272.7 of such part includes employees*
10 *of commuter railroads and intercity passenger rail-*
11 *roads (as such terms are defined in section 272.9 of*
12 *such part), including employees who directly interact*
13 *with passengers; and*

14 *(2) an assault against an employee requiring*
15 *medical attention is included in the definition of crit-*
16 *ical incident under section 272.9 of such part.*

17 **SEC. 2425. REQUIREMENTS FOR RAILROAD FREIGHT CARS**

18 **PLACED INTO SERVICE IN THE UNITED**

19 **STATES.**

20 *(a) IN GENERAL.—Subchapter II of chapter 201 of*
21 *subtitle V of title 49, United States Code (as amended by*
22 *section 2416(a)), is amended by adding at the end the fol-*
23 *lowing:*

1 **“§20171. Requirements for railroad freight cars**
2 **placed into service in the United States**

3 “(a) *DEFINITIONS.—In this section:*

4 “(1) *COMPONENT.—The term ‘component’ means*
5 *a part or subassembly of a railroad freight car.*

6 “(2) *CONTROL.—The term ‘control’ means the*
7 *power, whether direct or indirect and whether or not*
8 *exercised, through the ownership of a majority or a*
9 *dominant minority of the total outstanding voting in-*
10 *terest in an entity, representation on the board of di-*
11 *rectors of an entity, proxy voting on the board of di-*
12 *rectors of an entity, a special share in the entity, a*
13 *contractual arrangement with the entity, a formal or*
14 *informal arrangement to act in concert with an enti-*
15 *ty, or any other means, to determine, direct, make de-*
16 *isions, or cause decisions to be made for the entity.*

17 “(3) *COST OF SENSITIVE TECHNOLOGY.—The*
18 *term ‘cost of sensitive technology’ means the aggregate*
19 *cost of the sensitive technology located on a railroad*
20 *freight car.*

21 “(4) *COUNTRY OF CONCERN.—The term ‘country*
22 *of concern’ means a country that—*

23 “(A) *is identified by the Department of*
24 *Commerce as a nonmarket economy country (as*
25 *defined in section 771(18) of the Tariff Act of*
26 *1930 (19 U.S.C. 1677(18))) as of the date of en-*

1 *actment of the Passenger Rail Expansion and*
2 *Rail Safety Act of 2021;*

3 “(B) *was identified by the United States*
4 *Trade Representative in the most recent report*
5 *required by section 182 of the Trade Act of 1974*
6 *(19 U.S.C. 2242) as a foreign country included*
7 *on the priority watch list (as defined in sub-*
8 *section (g)(3) of such section); and*

9 “(C) *is subject to monitoring by the Trade*
10 *Representative under section 306 of the Trade*
11 *Act of 1974 (19 U.S.C. 2416).*

12 “(5) *NET COST.—The term ‘net cost’ has the*
13 *meaning given such term in chapter 4 of the USMCA*
14 *or any subsequent free trade agreement between the*
15 *United States, Mexico, and Canada.*

16 “(6) *QUALIFIED FACILITY.—The term ‘qualified*
17 *facility’ means a facility that is not owned or under*
18 *the control of a state-owned enterprise.*

19 “(7) *QUALIFIED MANUFACTURER.—The term*
20 *‘qualified manufacturer’ means a railroad freight car*
21 *manufacturer that is not owned or under the control*
22 *of a state-owned enterprise.*

23 “(8) *RAILROAD FREIGHT CAR.—The term ‘rail-*
24 *road freight car’ means a car designed to carry*
25 *freight or railroad personnel by rail, including—*

- 1 “(A) a box car;
2 “(B) a refrigerator car;
3 “(C) a ventilator car;
4 “(D) an intermodal well car;
5 “(E) a gondola car;
6 “(F) a hopper car;
7 “(G) an auto rack car;
8 “(H) a flat car;
9 “(I) a special car;
10 “(J) a caboose car;
11 “(K) a tank car; and
12 “(L) a yard car.

13 “(9) *SENSITIVE TECHNOLOGY*.—The term ‘sen-
14 sitive technology’ means any device embedded with
15 electronics, software, sensors, or other connectivity,
16 that enables the device to connect to, collect data from,
17 or exchange data with another device, including—

- 18 “(A) onboard telematics;
19 “(B) remote monitoring software;
20 “(C) firmware;
21 “(D) analytics;
22 “(E) global positioning system satellite and
23 cellular location tracking systems;
24 “(F) event status sensors;

1 “(G) predictive component condition and
2 performance monitoring sensors; and

3 “(H) similar sensitive technologies embed-
4 ded into freight railcar components and sub-as-
5 semblies.

6 “(10) *STATE-OWNED ENTERPRISE*.—The term
7 ‘state-owned enterprise’ means—

8 “(A) an entity that is owned by, or under
9 the control of, a national, provincial, or local
10 government of a country of concern, or an agen-
11 cy of such government; or

12 “(B) an individual acting under the direc-
13 tion or influence of a government or agency de-
14 scribed in subparagraph (A).

15 “(11) *SUBSTANTIALLY TRANSFORMED*.—The
16 term ‘substantially transformed’ means a component
17 of a railroad freight car that undergoes an applicable
18 change in tariff classification as a result of the manu-
19 facturing process, as described in chapter 4 and re-
20 lated annexes of the USMCA or any subsequent free
21 trade agreement between the United States, Mexico,
22 and Canada.

23 “(12) *USMCA*.—The term ‘USMCA’ has the
24 meaning given the term in section 3 of the United

1 *States-Mexico-Canada Agreement Implementation Act*
2 *(19 U.S.C. 4502).*

3 “(b) *REQUIREMENTS FOR RAILROAD FREIGHT*
4 *CARS.—*

5 “(1) *LIMITATION ON RAILROAD FREIGHT CARS.—*
6 *A railroad freight car wholly manufactured on or*
7 *after the date that is 1 year after the date of issuance*
8 *of the regulations required under subsection (c)(1)*
9 *may only operate on the United States general rail-*
10 *road system of transportation if—*

11 “(A) *the railroad freight car is manufac-*
12 *tured, assembled, and substantially transformed,*
13 *as applicable, by a qualified manufacturer in a*
14 *qualified facility;*

15 “(B) *none of the sensitive technology located*
16 *on the railroad freight car, including components*
17 *necessary to the functionality of the sensitive*
18 *technology, originates from a country of concern*
19 *or is sourced from a state-owned enterprise; and*

20 “(C) *none of the content of the railroad*
21 *freight car, excluding sensitive technology, origi-*
22 *nates from a country of concern or is sourced*
23 *from a state-owned enterprise that has been de-*
24 *termined by a recognized court or administrative*
25 *agency of competent jurisdiction and legal au-*

1 *thority to have violated or infringed valid*
 2 *United States intellectual property rights of an-*
 3 *other including such a finding by a Federal dis-*
 4 *trict court under title 35 or the U.S. Inter-*
 5 *national Trade Commission under section 337 of*
 6 *the Tariff Act of 1930 (19 U.S.C. 1337).*

7 “(2) *LIMITATION ON RAILROAD FREIGHT CAR*
 8 *CONTENT.—*

9 “(A) *PERCENTAGE LIMITATION.—*

10 “(i) *INITIAL LIMITATION.—Not later*
 11 *than 1 year after the date of issuance of the*
 12 *regulations required under subsection (c)(1),*
 13 *a railroad freight car described in para-*
 14 *graph (1) may operate on the United States*
 15 *general railroad system of transportation*
 16 *only if not more than 20 percent of the con-*
 17 *tent of the railroad freight car, calculated*
 18 *by the net cost of all components of the car*
 19 *and excluding the cost of sensitive tech-*
 20 *nology, originates from a country of concern*
 21 *or is sourced from a state-owned enterprise.*

22 “(ii) *SUBSEQUENT LIMITATION.—Ef-*
 23 *fective beginning on the date that is 3 years*
 24 *after the date of issuance of the regulations*
 25 *required under subsection (c)(1), a railroad*

1 *freight car described in paragraph (1) may*
2 *operate on the United States general rail-*
3 *road system of transportation only if not*
4 *more than 15 percent of the content of the*
5 *railroad freight car, calculated by the net*
6 *cost of all components of the car and exclud-*
7 *ing the cost of sensitive technology, origi-*
8 *nates from a country of concern or is*
9 *sourced from a state-owned enterprise.*

10 “(B) *CONFLICT.*—*The percentages specified*
11 *in clauses (i) and (ii) of subparagraph (A), as*
12 *applicable, shall apply notwithstanding any ap-*
13 *parent conflict with provisions of chapter 4 of*
14 *the USMCA.*

15 “(c) *REGULATIONS AND PENALTIES.*—

16 “(1) *REGULATIONS REQUIRED.*—*Not later than 2*
17 *years after the date of enactment of the Passenger*
18 *Rail Expansion and Rail Safety Act of 2021, the Sec-*
19 *retary of Transportation shall issue such regulations*
20 *as are necessary to carry out this section, including*
21 *for the monitoring and sensitive technology require-*
22 *ments of this section.*

23 “(2) *CERTIFICATION REQUIRED.*—*To be eligible*
24 *to provide a railroad freight car for operation on the*
25 *United States general railroad system of transpor-*

1 *tation, the manufacturer of such car shall annually*
2 *certify to the Secretary of Transportation that any*
3 *railroad freight cars to be so provided meet the re-*
4 *quirements under this section.*

5 *“(3) COMPLIANCE.—*

6 *“(A) VALID CERTIFICATION REQUIRED.—At*
7 *the time a railroad freight car begins operation*
8 *on the United States general railroad system of*
9 *transportation, the manufacturer of such rail-*
10 *road freight car shall have valid certification de-*
11 *scribed in paragraph (2) for the year in which*
12 *such car begins operation.*

13 *“(B) REGISTRATION OF NONCOMPLIANT*
14 *CARS PROHIBITED.—A railroad freight car man-*
15 *ufacturer may not register, or cause to be reg-*
16 *istered, a railroad freight car that does not com-*
17 *ply with the requirements under this section in*
18 *the Association of American Railroad’s Umler*
19 *system.*

20 *“(4) CIVIL PENALTIES.—*

21 *“(A) IN GENERAL.—Pursuant to section*
22 *21301, the Secretary of Transportation may as-*
23 *sess a civil penalty of not less than \$100,000, but*
24 *not more than \$250,000, for each violation of*
25 *this section for each railroad freight car.*

1 “(B) *PROHIBITION ON OPERATION FOR VIO-*
 2 *LATIONS.—The Secretary of Transportation may*
 3 *prohibit a railroad freight car manufacturer*
 4 *with respect to which the Secretary has assessed*
 5 *more than 3 violations under subparagraph (A)*
 6 *from providing additional railroad freight cars*
 7 *for operation on the United States general rail-*
 8 *road system of transportation until the Secretary*
 9 *determines—*

10 “(i) *such manufacturer is in compli-*
 11 *ance with this section; and*

12 “(ii) *all civil penalties assessed to such*
 13 *manufacturer pursuant to subparagraph*
 14 *(A) have been paid in full.”.*

15 (b) *CLERICAL AMENDMENT.—The analysis for chapter*
 16 *201 of subtitle V of title 49, United States Code (as amended*
 17 *by section 2416(b)), is amended by adding at the end the*
 18 *following:*

“20171. Requirements for railroad freight cars placed into service in the United States.”.

19 **SEC. 2426. RAILROAD POINT OF CONTACT FOR PUBLIC**
 20 **SAFETY ISSUES.**

21 *All railroads shall—*

22 (1) *provide railroad contact information for*
 23 *public safety issues, including a telephone number, to*

1 *the relevant Federal, State, and local oversight agen-*
 2 *cies; and*

3 *(2) post the information described in paragraph*
 4 *(1) on a publicly accessible website.*

5 **SEC. 2427. CONTROLLED SUBSTANCES TESTING FOR ME-**
 6 **CHANICAL EMPLOYEES.**

7 *Not later than 180 days after the date of enactment*
 8 *of this Act, the Secretary shall amend the regulations under*
 9 *part 219 of title 49, Code of Federal Regulations, to require*
 10 *all mechanical employees of railroads to be subject to all*
 11 *of the breath or body fluid testing set forth in subpart C,*
 12 *D, and E of such part, including random testing, reason-*
 13 *able suspicion testing, reasonable cause testing, pre-employ-*
 14 *ment testing, return-to-duty testing, and follow-up testing.*

15 **TITLE III—MOTOR CARRIER**
 16 **SAFETY**

17 **SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.**

18 *(a) ADMINISTRATIVE EXPENSES.—Section 31110 of*
 19 *title 49, United States Code, is amended by striking sub-*
 20 *section (a) and inserting the following:*

21 *“(a) ADMINISTRATIVE EXPENSES.—There are author-*
 22 *ized to be appropriated from the Highway Trust Fund*
 23 *(other than the Mass Transit Account) for the Secretary of*
 24 *Transportation to pay administrative expenses of the Fed-*
 25 *eral Motor Carrier Safety Administration—*

1 “(1) \$360,000,000 for fiscal year 2022;
2 “(2) \$367,500,000 for fiscal year 2023;
3 “(3) \$375,000,000 for fiscal year 2024;
4 “(4) \$382,500,000 for fiscal year 2025; and
5 “(5) \$390,000,000 for fiscal year 2026.”.

6 (b) *FINANCIAL ASSISTANCE PROGRAMS.*—Section
7 31104 of title 49, United States Code, is amended—

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

10 “(a) *FINANCIAL ASSISTANCE PROGRAMS.*—There are
11 authorized to be appropriated from the Highway Trust
12 Fund (other than the Mass Transit Account)—

13 “(1) subject to subsection (c), to carry out the
14 motor carrier safety assistance program under section
15 31102 (other than the high priority program under
16 subsection (l) of that section)—

17 “(A) \$390,500,000 for fiscal year 2022;

18 “(B) \$398,500,000 for fiscal year 2023;

19 “(C) \$406,500,000 for fiscal year 2024;

20 “(D) \$414,500,000 for fiscal year 2025; and

21 “(E) \$422,500,000 for fiscal year 2026;

22 “(2) subject to subsection (c), to carry out the
23 high priority program under section 31102(l) (other
24 than the commercial motor vehicle enforcement train-

1 *ing and support grant program under paragraph (5)*
2 *of that section)—*

3 *“(A) \$57,600,000 for fiscal year 2022;*

4 *“(B) \$58,800,000 for fiscal year 2023;*

5 *“(C) \$60,000,000 for fiscal year 2024;*

6 *“(D) \$61,200,000 for fiscal year 2025; and*

7 *“(E) \$62,400,000 for fiscal year 2026;*

8 *“(3) to carry out the commercial motor vehicle*
9 *enforcement training and support grant program*
10 *under section 31102(l)(5), \$5,000,000 for each of fis-*
11 *cal years 2022 through 2026;*

12 *“(4) to carry out the commercial motor vehicle*
13 *operators grant program under section 31103—*

14 *“(A) \$1,100,000 for fiscal year 2022;*

15 *“(B) \$1,200,000 for fiscal year 2023;*

16 *“(C) \$1,300,000 for fiscal year 2024;*

17 *“(D) \$1,400,000 for fiscal year 2025; and*

18 *“(E) \$1,500,000 for fiscal year 2026; and*

19 *“(5) subject to subsection (c), to carry out the fi-*
20 *nancial assistance program for commercial driver’s*
21 *license implementation under section 31313—*

22 *“(A) \$41,800,000 for fiscal year 2022;*

23 *“(B) \$42,650,000 for fiscal year 2023;*

24 *“(C) \$43,500,000 for fiscal year 2024;*

25 *“(D) \$44,350,000 for fiscal year 2025; and*

1 “(E) \$45,200,000 for fiscal year 2026.”;

2 (2) in subsection (b)(2)—

3 (A) in the third sentence, by striking “The
4 Secretary” and inserting the following:

5 “(C) *IN-KIND CONTRIBUTIONS.*—The Sec-
6 retary”;

7 (B) in the second sentence, by striking “The
8 Secretary” and inserting the following:

9 “(B) *LIMITATION.*—The Secretary”;

10 (C) in the first sentence—

11 (i) by inserting “(except subsection
12 (l)(5) of that section)” after “section
13 31102”; and

14 (ii) by striking “The Secretary” and
15 inserting the following:

16 “(A) *REIMBURSEMENT PERCENTAGE.*—

17 “(i) *IN GENERAL.*—The Secretary”;
18 and

19 (D) in subparagraph (A) (as so designated),
20 by adding at the end the following:

21 “(ii) *COMMERCIAL MOTOR VEHICLE*
22 *ENFORCEMENT TRAINING AND SUPPORT*
23 *GRANT PROGRAM.*—The Secretary shall re-
24 imburse a recipient, in accordance with a
25 financial assistance agreement made under

1 *section 31102(l)(5), an amount that is equal*
2 *to 100 percent of the costs incurred by the*
3 *recipient in a fiscal year in developing and*
4 *implementing a training program under*
5 *that section.”;*

6 *(3) in subsection (c)—*

7 *(A) in the subsection heading, by striking*
8 *“PARTNER TRAINING AND”;*

9 *(B) in the first sentence—*

10 *(i) by striking “(4)” and inserting*
11 *“(5)”;* *and*

12 *(ii) by striking “partner training*
13 *and”;* *and*

14 *(C) by striking the second sentence; and*

15 *(4) in subsection (f)—*

16 *(A) in paragraph (1), by striking “for the*
17 *next fiscal year” and inserting “for the next 2*
18 *fiscal years”;*

19 *(B) in paragraph (4), by striking “for the*
20 *next fiscal year” and inserting “for the next 2*
21 *fiscal years”;*

22 *(C) by redesignating paragraphs (4) and*
23 *(5) as paragraphs (5) and (6), respectively; and*

24 *(D) by inserting after paragraph (3) the fol-*
25 *lowing:*

1 “(4) For grants made for carrying out section
2 31102(l)(5), for the fiscal year in which the Secretary
3 approves the financial assistance agreement and for
4 the next 4 fiscal years.”; and

5 (5) in subsection (i)—

6 (A) by striking “Amounts not expended”
7 and inserting the following:

8 “(1) *IN GENERAL.*—Except as provided in para-
9 graph (2), amounts not expended”; and

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

11 “(2) *MOTOR CARRIER SAFETY ASSISTANCE PRO-*
12 *GRAM.*—Amounts made available for the motor car-
13 rier safety assistance program established under sec-
14 tion 31102 (other than amounts made available to
15 carry out section 31102(l)) that are not expended by
16 a recipient during the period of availability shall be
17 released back to the Secretary for reallocation under
18 that program.”.

19 (c) *ENFORCEMENT DATA UPDATES.*—Section
20 31102(h)(2)(A) of title 49, United States Code, is amended
21 by striking “2004 and 2005” and inserting “2014 and
22 2015”.

23 **SEC. 3002. MOTOR CARRIER SAFETY ADVISORY COMMITTEE.**

24 Section 4144 of the *SAFETEA-LU* (49 U.S.C. 31100
25 note; Public Law 109–59) is amended—

1 (1) *in subsection (b)(1), in the second sentence,*
2 *by inserting “, including small business motor car-*
3 *riers” after “industry”; and*

4 (2) *in subsection (d), by striking “September 30,*
5 *2013” and inserting “September 30, 2025”.*

6 **SEC. 3003. COMBATING HUMAN TRAFFICKING.**

7 *Section 31102(l) of title 49, United States Code, is*
8 *amended—*

9 (1) *in paragraph (2)—*

10 (A) *in subparagraph (G)(ii), by striking*
11 *“and” at the end;*

12 (B) *by redesignating subparagraph (H) as*
13 *subparagraph (J); and*

14 (C) *by inserting after subparagraph (G) the*
15 *following:*

16 *“(H) support, through the use of funds oth-*
17 *erwise available for such purposes—*

18 *“(i) the recognition, prevention, and*
19 *reporting of human trafficking, including*
20 *the trafficking of human beings—*

21 *“(I) in a commercial motor vehi-*
22 *cle; or*

23 *“(II) by any occupant, including*
24 *the operator, of a commercial motor ve-*
25 *hicle;*

1 “(ii) the detection of criminal activity
2 or any other violation of law relating to
3 human trafficking; and

4 “(iii) enforcement of laws relating to
5 human trafficking;

6 “(I) otherwise support the recognition, pre-
7 vention, and reporting of human trafficking;
8 and”;

9 (2) in paragraph (3)(D)—

10 (A) in clause (ii), by striking “and” at the
11 end;

12 (B) in clause (iii), by striking the period at
13 the end and inserting a semicolon; and

14 (C) by adding at the end the following:

15 “(iv) for the detection of, and enforce-
16 ment actions taken as a result of, criminal
17 activity (including the trafficking of human
18 beings)—

19 “(I) in a commercial motor vehi-
20 cle; or

21 “(II) by any occupant, including
22 the operator, of a commercial motor ve-
23 hicle; and

24 “(v) in addition to any funds other-
25 wise made available for the recognition, pre-

1 vention, and reporting of human traf-
 2 ficking, to support the recognition, preven-
 3 tion, and reporting of human trafficking.”.

4 **SEC. 3004. IMMOBILIZATION GRANT PROGRAM.**

5 Section 31102(l) of title 49, United States Code, is
 6 amended by adding at the end the following:

7 “(4) IMMOBILIZATION GRANT PROGRAM.—

8 “(A) DEFINITION OF PASSENGER-CARRYING
 9 COMMERCIAL MOTOR VEHICLE.—In this para-
 10 graph, the term ‘passenger-carrying commercial
 11 motor vehicle’ has the meaning given the term
 12 ‘commercial motor vehicle’ in section 31301.

13 “(B) ESTABLISHMENT.—The Secretary
 14 shall establish an immobilization grant program
 15 under which the Secretary shall provide to States
 16 discretionary grants for the immobilization or
 17 impoundment of passenger-carrying commercial
 18 motor vehicles that—

19 “(i) are determined to be unsafe; or

20 “(ii) fail inspection.

21 “(C) LIST OF CRITERIA FOR IMMOBILIZA-
 22 TION.—The Secretary, in consultation with State
 23 commercial motor vehicle entities, shall develop a
 24 list of commercial motor vehicle safety violations
 25 and defects that the Secretary determines war-

1 *rant the immediate immobilization of a pas-*
2 *senger-carrying commercial motor vehicle.*

3 “(D) *ELIGIBILITY.*—*A State shall be eligible*
4 *to receive a grant under this paragraph only if*
5 *the State has the authority to require the immo-*
6 *bilization or impoundment of a passenger-car-*
7 *rying commercial motor vehicle—*

8 “(i) *with respect to which a motor ve-*
9 *hicle safety violation included in the list de-*
10 *veloped under subparagraph (C) is deter-*
11 *mined to exist; or*

12 “(ii) *that is determined to have a de-*
13 *fect included in that list.*

14 “(E) *USE OF FUNDS.*—*A grant provided*
15 *under this paragraph may be used for—*

16 “(i) *the immobilization or impound-*
17 *ment of passenger-carrying commercial*
18 *motor vehicles described in subparagraph*
19 *(D);*

20 “(ii) *safety inspections of those pas-*
21 *senger-carrying commercial motor vehicles;*
22 *and*

23 “(iii) *any other activity relating to an*
24 *activity described in clause (i) or (ii), as*
25 *determined by the Secretary.*

1 “(F) *SECRETARY AUTHORIZATION.*—*The*
 2 *Secretary may provide to a State amounts for*
 3 *the costs associated with carrying out an immo-*
 4 *bilization program using funds made available*
 5 *under section 31104(a)(2).”.*

6 **SEC. 3005. COMMERCIAL MOTOR VEHICLE ENFORCEMENT**
 7 **TRAINING AND SUPPORT.**

8 *Section 31102(l) of title 49, United States Code (as*
 9 *amended by section 3004), is amended—*

10 (1) *in paragraph (1), by striking “(2) and (3)”*
 11 *and inserting “(2) through (5)”;* and

12 (2) *by adding at the end the following:*

13 “(5) *COMMERCIAL MOTOR VEHICLE ENFORCE-*
 14 *MENT TRAINING AND SUPPORT GRANT PROGRAM.*—

15 “(A) *IN GENERAL.*—*The Secretary shall ad-*
 16 *minister a commercial motor vehicle enforcement*
 17 *training and support grant program funded*
 18 *under section 31104(a)(3), under which the Sec-*
 19 *retary shall make discretionary grants to eligible*
 20 *entities described in subparagraph (C) for the*
 21 *purposes described in subparagraph (B).*

22 “(B) *PURPOSES.*—*The purposes of the grant*
 23 *program under subparagraph (A) are—*

1 “(i) to train non-Federal employees
2 who conduct commercial motor vehicle en-
3 forcement activities; and

4 “(ii) to develop related training mate-
5 rials.

6 “(C) *ELIGIBLE ENTITIES*.—An entity eligi-
7 ble for a discretionary grant under the program
8 described in subparagraph (A) is a nonprofit or-
9 ganization that has—

10 “(i) expertise in conducting a training
11 program for non-Federal employees; and

12 “(ii) the ability to reach and involve
13 in a training program a target population
14 of commercial motor vehicle safety enforce-
15 ment employees.”.

16 **SEC. 3006. STUDY OF COMMERCIAL MOTOR VEHICLE CRASH**
17 **CAUSATION.**

18 (a) *DEFINITIONS*.—In this section:

19 (1) *COMMERCIAL MOTOR VEHICLE*.—The term
20 “commercial motor vehicle” has the meaning given
21 the term in section 31132 of title 49, United States
22 Code.

23 (2) *STUDY*.—The term “study” means the study
24 carried out under subsection (b).

1 (b) *STUDY.*—*The Secretary shall carry out a com-*
2 *prehensive study—*

3 (1) *to determine the causes of, and contributing*
4 *factors to, crashes that involve a commercial motor*
5 *vehicle; and*

6 (2) *to identify data requirements, data collection*
7 *procedures, reports, and any other measures that can*
8 *be used to improve the ability of States and the Sec-*
9 *retary—*

10 (A) *to evaluate future crashes involving*
11 *commercial motor vehicles;*

12 (B) *to monitor crash trends and identify*
13 *causes and contributing factors; and*

14 (C) *to develop effective safety improvement*
15 *policies and programs.*

16 (c) *DESIGN.*—*The study shall be designed to yield in-*
17 *formation that can be used to help policy makers, regu-*
18 *lators, and law enforcement identify activities and other*
19 *measures that are likely to lead to reductions in—*

20 (1) *the frequency of crashes involving a commer-*
21 *cial motor vehicle;*

22 (2) *the severity of crashes involving a commer-*
23 *cial motor vehicle; and*

24 (3) *fatalities and injuries.*

1 (d) *CONSULTATION.*—*In designing and carrying out*
2 *the study, the Secretary may consult with individuals or*
3 *entities with expertise on—*

4 (1) *crash causation and prevention;*

5 (2) *commercial motor vehicles, commercial driv-*
6 *ers, and motor carriers, including passenger carriers;*

7 (3) *highways and noncommercial motor vehicles*
8 *and drivers;*

9 (4) *Federal and State highway and motor car-*
10 *rier safety programs;*

11 (5) *research methods and statistical analysis;*
12 *and*

13 (6) *other relevant topics, as determined by the*
14 *Secretary.*

15 (e) *PUBLIC COMMENT.*—*The Secretary shall make*
16 *available for public comment information about the objec-*
17 *tives, methodology, implementation, findings, and other as-*
18 *pects of the study.*

19 (f) *REPORTS.*—*As soon as practicable after the date*
20 *on which the study is completed, the Secretary shall submit*
21 *to Congress a report describing the results of the study and*
22 *any legislative recommendations to facilitate reductions in*
23 *the matters described in paragraphs (1) through (3) of sub-*
24 *section (c).*

1 **SEC. 3007. PROMOTING WOMEN IN THE TRUCKING WORK-**
2 **FORCE.**

3 (a) *FINDINGS.*—Congress finds that—

4 (1) *women make up 47 percent of the workforce*
5 *of the United States;*

6 (2) *women are significantly underrepresented in*
7 *the trucking industry, holding only 24 percent of all*
8 *transportation and warehousing jobs and representing*
9 *only—*

10 (A) *6.6 percent of truck drivers;*

11 (B) *12.5 percent of all workers in truck*
12 *transportation; and*

13 (C) *8 percent of freight firm owners;*

14 (3) *given the total number of women truck driv-*
15 *ers, women are underrepresented in the truck-driving*
16 *workforce; and*

17 (4) *women truck drivers have been shown to be*
18 *20 percent less likely than male counterparts to be in-*
19 *olved in a crash.*

20 (b) *SENSE OF CONGRESS REGARDING WOMEN IN*
21 *TRUCKING.*—*It is the sense of Congress that the trucking*
22 *industry should explore every opportunity to encourage and*
23 *support the pursuit and retention of careers in trucking by*
24 *women, including through programs that support recruit-*
25 *ment, driver training, and mentorship.*

26 (c) *DEFINITIONS.*—*In this section:*

1 (1) *ADMINISTRATOR.*—*The term “Adminis-*
2 *trator” means the Administrator of the Federal Motor*
3 *Carrier Safety Administration.*

4 (2) *BOARD.*—*The term “Board” means the*
5 *Women of Trucking Advisory Board established under*
6 *subsection (d)(1).*

7 (3) *LARGE TRUCKING COMPANY.*—*The term*
8 *“large trucking company” means a motor carrier (as*
9 *defined in section 13102 of title 49, United States*
10 *Code) with more than 100 power units.*

11 (4) *MID-SIZED TRUCKING COMPANY.*—*The term*
12 *“mid-sized trucking company” means a motor carrier*
13 *(as defined in section 13102 of title 49, United States*
14 *Code) with not fewer than 11 power units and not*
15 *more than 100 power units.*

16 (5) *POWER UNIT.*—*The term “power unit”*
17 *means a self-propelled vehicle under the jurisdiction*
18 *of the Federal Motor Carrier Safety Administration.*

19 (6) *SMALL TRUCKING COMPANY.*—*The term*
20 *“small trucking company” means a motor carrier (as*
21 *defined in section 13102 of title 49, United States*
22 *Code) with not fewer than 1 power unit and not more*
23 *than 10 power units.*

24 (d) *WOMEN OF TRUCKING ADVISORY BOARD.*—

1 (1) *ESTABLISHMENT.*—*To encourage women to*
2 *enter the field of trucking, the Administrator shall es-*
3 *tablish and facilitate an advisory board, to be known*
4 *as the “Women of Trucking Advisory Board”, to re-*
5 *view and report on policies that—*

6 (A) *provide education, training,*
7 *mentorship, or outreach to women in the truck-*
8 *ing industry; and*

9 (B) *recruit, retain, or advance women in*
10 *the trucking industry.*

11 (2) *MEMBERSHIP.*—

12 (A) *IN GENERAL.*—*The Board shall be com-*
13 *posed of not fewer than 8 members whose back-*
14 *grounds, experience, and certifications allow*
15 *those members to contribute balanced points of*
16 *view and diverse ideas regarding the matters de-*
17 *scribed in paragraph (3)(B).*

18 (B) *APPOINTMENT.*—

19 (i) *IN GENERAL.*—*Not later than 270*
20 *days after the date of enactment of this Act,*
21 *the Administrator shall appoint the mem-*
22 *bers of the Board, of whom—*

23 (I) *not fewer than 1 shall be a*
24 *representative of large trucking compa-*
25 *nies;*

1 (II) not fewer than 1 shall be a
2 representative of mid-sized trucking
3 companies;

4 (III) not fewer than 1 shall be a
5 representative of small trucking com-
6 panies;

7 (IV) not fewer than 1 shall be a
8 representative of nonprofit organiza-
9 tions in the trucking industry;

10 (V) not fewer than 1 shall be a
11 representative of trucking business as-
12 sociations;

13 (VI) not fewer than 1 shall be a
14 representative of independent owner-
15 operators;

16 (VII) not fewer than 1 shall be a
17 woman who is a professional truck
18 driver; and

19 (VIII) not fewer than 1 shall be a
20 representative of an institution of high-
21 er education or trucking trade school.

22 (ii) *DIVERSITY*.—A member of the
23 Board appointed under any of subclauses
24 (I) through (VIII) of clause (i) may not be

1 *appointed under any other subclause of that*
2 *clause.*

3 (C) *TERMS.*—*Each member shall be ap-*
4 *pointed for the life of the Board.*

5 (D) *COMPENSATION.*—*A member of the*
6 *Board shall serve without compensation.*

7 (3) *DUTIES.*—

8 (A) *IN GENERAL.*—*The Board shall iden-*
9 *tify—*

10 (i) *barriers and industry trends that*
11 *directly or indirectly discourage women*
12 *from pursuing and retaining careers in*
13 *trucking, including—*

14 (I) *any particular barriers and*
15 *trends that impact women minority*
16 *groups;*

17 (II) *any particular barriers and*
18 *trends that impact women who live in*
19 *rural, suburban, or urban areas; and*

20 (III) *any safety risks unique to*
21 *women in the trucking industry;*

22 (ii) *ways in which the functions of*
23 *trucking companies, nonprofit organiza-*
24 *tions, training and education providers,*
25 *and trucking associations may be coordi-*

1 nated to facilitate support for women pur-
2 suing careers in trucking;

3 (iii) opportunities to expand existing
4 opportunities for women in the trucking in-
5 dustry; and

6 (iv) opportunities to enhance trucking
7 training, mentorship, education, and ad-
8 vancement and outreach programs that
9 would increase the number of women in the
10 trucking industry.

11 (B) REPORT.—Not later than 2 years after
12 the date of enactment of this Act, the Board shall
13 submit to the Administrator a report containing
14 the findings and recommendations of the Board,
15 including recommendations that companies, as-
16 sociations, institutions, other organizations, or
17 the Administrator may adopt—

18 (i) to address any industry trends
19 identified under subparagraph (A)(i);

20 (ii) to coordinate the functions of
21 trucking companies, nonprofit organiza-
22 tions, and trucking associations in a man-
23 ner that facilitates support for women pur-
24 suing careers in trucking;

1 (iii)(I) to take advantage of any op-
2 portunities identified under subparagraph
3 (A)(iii); and

4 (II) to create new opportunities to ex-
5 pand existing scholarship opportunities for
6 women in the trucking industry; and

7 (iv) to enhance trucking training, men-
8 torship, education, and outreach programs
9 that are exclusive to women.

10 (4) REPORT TO CONGRESS.—

11 (A) IN GENERAL.—Not later than 3 years
12 after the date of enactment of this Act, the Ad-
13 ministrator shall submit to the Committee on
14 Commerce, Science, and Transportation of the
15 Senate and the Committee on Transportation
16 and Infrastructure of the House of Representa-
17 tives a report describing—

18 (i) the findings and recommendations
19 of the Board under paragraph (3)(B); and

20 (ii) any actions taken by the Adminis-
21 trator to adopt the recommendations of the
22 Board (or an explanation of the reasons for
23 not adopting the recommendations).

1 (B) *PUBLIC AVAILABILITY.*—*The Adminis-*
 2 *trator shall make the report under subparagraph*
 3 *(A) publicly available—*

4 (i) *on the website of the Federal Motor*
 5 *Carrier Safety Administration; and*

6 (ii) *in appropriate offices of the Fed-*
 7 *eral Motor Carrier Safety Administration.*

8 (5) *TERMINATION.*—*The Board shall terminate*
 9 *on submission of the report to Congress under para-*
 10 *graph (4).*

11 **SEC. 3008. STATE INSPECTION OF PASSENGER-CARRYING**
 12 **COMMERCIAL MOTOR VEHICLES.**

13 (a) *IN GENERAL.*—*Not later than 1 year after the date*
 14 *of enactment of this Act, the Secretary shall solicit addi-*
 15 *tional comment on the advance notice of proposed rule-*
 16 *making entitled “State Inspection Programs for Passenger-*
 17 *Carrier Vehicles” (81 Fed. Reg. 24769 (April 27, 2016)).*

18 (b) *FINAL RULE.*—

19 (1) *IN GENERAL.*—*After reviewing all comments*
 20 *received in response to the solicitation under sub-*
 21 *section (a), if the Secretary determines that data and*
 22 *information exist to support moving forward with a*
 23 *final rulemaking action, the Secretary shall issue a*
 24 *final rule relating to the advance notice of proposed*
 25 *rulemaking described in that subsection.*

1 (2) *CONSIDERATIONS.*—*In determining whether*
2 *to issue a final rule under paragraph (1), the Sec-*
3 *retary shall consider the impact of continuing to*
4 *allow self-inspection as a means to satisfy periodic*
5 *inspection requirements on the safety of passenger*
6 *carrier operations.*

7 **SEC. 3009. TRUCK LEASING TASK FORCE.**

8 (a) *ESTABLISHMENT.*—*Not later than 180 days after*
9 *the date of enactment of this Act, the Secretary, in consulta-*
10 *tion with the Secretary of Labor, shall establish a task force,*
11 *to be known as the “Truck Leasing Task Force” (referred*
12 *to in this section as the “Task Force”).*

13 (b) *MEMBERSHIP.*—

14 (1) *IN GENERAL.*—*The Secretary shall select not*
15 *more than 10 individuals to serve as members of the*
16 *Task Force, including at least 1 representative from*
17 *each of the following:*

18 (A) *Labor organizations.*

19 (B) *Motor carriers that provide lease-pur-*
20 *chase agreements to owner-operators.*

21 (C) *Consumer protection groups.*

22 (D) *Members of the legal profession who*
23 *specialize in consumer finance issues, including*
24 *experience with lease-purchase agreements.*

1 (E) *Owner-operators in the trucking indus-*
2 *try with experience regarding lease-purchase*
3 *agreements.*

4 (F) *Businesses that provide or are subject to*
5 *lease-purchase agreements in the trucking indus-*
6 *try.*

7 (2) *COMPENSATION.—A member of the Task*
8 *Force shall serve without compensation.*

9 (c) *DUTIES.—The Task Force shall examine, at a min-*
10 *imum—*

11 (1) *common truck leasing arrangements avail-*
12 *able to commercial motor vehicle drivers, including*
13 *lease-purchase agreements;*

14 (2) *the terms of the leasing agreements described*
15 *in paragraph (1);*

16 (3)(A) *the existence of inequitable leasing agree-*
17 *ments and terms in the motor carrier industry;*

18 (B) *whether any such inequitable terms and*
19 *agreements affect the frequency of maintenance per-*
20 *formed on vehicles subject to those agreements; and*

21 (C) *whether any such inequitable terms and*
22 *agreements affect whether a vehicle is kept in a gen-*
23 *eral state of good repair;*

24 (4) *specific agreements available to drayage driv-*
25 *ers at ports relating to the Clean Truck Program or*

1 *any similar program to decrease emissions from port*
2 *operations;*

3 *(5) the impact of truck leasing agreements on the*
4 *net compensation of commercial motor vehicle drivers,*
5 *including port drayage drivers;*

6 *(6) whether truck leasing agreements properly*
7 *incentivize the safe operation of vehicles, including*
8 *driver compliance with the hours of service regula-*
9 *tions and laws governing speed and safety generally;*

10 *(7) resources to assist commercial motor vehicle*
11 *drivers in assessing the financial impacts of leasing*
12 *agreements; and*

13 *(8)(A) the opportunity that equitable leasing*
14 *agreements provide for drivers to start or expand*
15 *trucking companies; and*

16 *(B) the history of motor carriers starting from*
17 *single owner-operators.*

18 *(d) REPORT.—On completion of the examination*
19 *under subsection (c), the Task Force shall submit to the Sec-*
20 *retary, the Secretary of Labor, and the appropriate commit-*
21 *tees of Congress a report containing—*

22 *(1) the findings of the Task Force with respect*
23 *to the matters described in subsection (c);*

24 *(2) best practices relating to—*

1 (A) assisting a commercial motor vehicle
2 driver in assessing the impacts of leasing agree-
3 ments prior to entering into such an agreement;

4 (B) assisting a commercial motor vehicle
5 driver who has entered into a predatory lease
6 agreement; and

7 (C) preventing coercion and impacts on
8 safety as described in section 31136 of title 49,
9 United States Code; and

10 (3) recommendations relating to changes to laws
11 (including regulations), as applicable, at the Federal,
12 State, or local level to promote fair leasing agree-
13 ments under which a commercial motor vehicle driv-
14 er, including a short haul driver, who is a party to
15 such an agreement is able to earn a rate commensu-
16 rate with other commercial motor vehicle drivers per-
17 forming similar duties.

18 (e) *TERMINATION.*—Not later than 30 days after the
19 date on which the report under subsection (d) is submitted,
20 the Task Force shall terminate.

21 **SEC. 3010. AUTOMATIC EMERGENCY BRAKING.**

22 (a) *DEFINITIONS.*—In this section:

23 (1) *AUTOMATIC EMERGENCY BRAKING SYSTEM.*—
24 The term “automatic emergency braking system”
25 means a system on a commercial motor vehicle that,

1 based on a predefined distance and closing rate with
2 respect to an obstacle in the path of the commercial
3 motor vehicle—

4 (A) alerts the driver of the obstacle; and

5 (B) if necessary to avoid or mitigate a collision
6 with the obstacle, automatically applies the
7 brakes of the commercial motor vehicle.

8 (2) *COMMERCIAL MOTOR VEHICLE.*—The term
9 “commercial motor vehicle” has the meaning given
10 the term in section 31101 of title 49, United States
11 Code.

12 (b) *FEDERAL MOTOR VEHICLE SAFETY STANDARD.*—

13 (1) *IN GENERAL.*—Not later than 2 years after
14 the date of enactment of this Act, the Secretary
15 shall—

16 (A) prescribe a motor vehicle safety stand-
17 ard under section 30111 of title 49, United
18 States Code, that requires any commercial motor
19 vehicle subject to section 571.136 of title 49, Code
20 of Federal Regulations (relating to Federal
21 Motor Vehicle Safety Standard Number 136) (or
22 a successor regulation) that is manufactured
23 after the effective date of the standard prescribed
24 under this subparagraph to be equipped with an
25 automatic emergency braking system; and

1 (B) as part of the standard under subpara-
2 graph (A), establish performance requirements
3 for automatic emergency braking systems.

4 (2) *CONSIDERATIONS.*—Prior to prescribing the
5 motor vehicle safety standard under paragraph
6 (1)(A), the Secretary shall—

7 (A) conduct a review of automatic emer-
8 gency braking systems in use in applicable com-
9 mercial motor vehicles and address any identi-
10 fied deficiencies with respect to those automatic
11 emergency braking systems in the rulemaking
12 proceeding to prescribe the standard, if prac-
13 ticable; and

14 (B) consult with representatives of commer-
15 cial motor vehicle drivers regarding the experi-
16 ences of drivers with automatic emergency brak-
17 ing systems in use in applicable commercial
18 motor vehicles, including any malfunctions or
19 unwarranted activations of those automatic
20 emergency braking systems.

21 (c) *FEDERAL MOTOR CARRIER SAFETY REGULA-*
22 *TION.*—Not later than 1 year after the date of enactment
23 of this Act, the Secretary shall prescribe a regulation under
24 section 31136 of title 49, United States Code, that requires
25 that an automatic emergency braking system installed in

1 *a commercial motor vehicle manufactured after the effective*
2 *date of the standard prescribed under subsection (b)(1)(A)*
3 *that is in operation on or after that date and is subject*
4 *to section 571.136 of title 49, Code of Federal Regulations*
5 *(relating to Federal Motor Vehicle Safety Standard Number*
6 *136) (or a successor regulation) be used at any time during*
7 *which the commercial motor vehicle is in operation.*

8 *(d) REPORT ON AUTOMATIC EMERGENCY BRAKING IN*
9 *OTHER COMMERCIAL MOTOR VEHICLES.—*

10 *(1) STUDY.—Not later than 2 years after the*
11 *date of enactment of this Act, the Secretary shall com-*
12 *plete a study on equipping a variety of commercial*
13 *motor vehicles not subject to section 571.136 of title*
14 *49, Code of Federal Regulations (relating to Federal*
15 *Motor Vehicle Safety Standard Number 136) (or a*
16 *successor regulation) as of that date of enactment*
17 *with automatic emergency braking systems to avoid*
18 *or mitigate a collision with an obstacle in the path*
19 *of the commercial motor vehicle, including an assess-*
20 *ment of the feasibility, benefits, and costs associated*
21 *with installing automatic emergency braking systems*
22 *on a variety of newly manufactured commercial*
23 *motor vehicles with a gross vehicle weight rating*
24 *greater than 10,001 pounds.*

1 (2) *INDEPENDENT RESEARCH.*—*If the Secretary*
2 *enters into a contract with a third party to perform*
3 *research relating to the study required under para-*
4 *graph (1), the Secretary shall ensure that the third*
5 *party does not have any financial or contractual ties*
6 *to, or relationships with—*

7 (A) *a motor carrier that transports pas-*
8 *sengers or property for compensation;*

9 (B) *the motor carrier industry; or*

10 (C) *an entity producing or supplying auto-*
11 *matic emergency braking systems.*

12 (3) *PUBLIC COMMENT.*—*Not later than 90 days*
13 *after the date on which the study under paragraph*
14 *(1) is completed, the Secretary shall—*

15 (A) *issue a notice in the Federal Register*
16 *containing the findings of the study; and*

17 (B) *provide an opportunity for public com-*
18 *ment.*

19 (4) *REPORT TO CONGRESS.*—*Not later than 90*
20 *days after the conclusion of the public comment pe-*
21 *riod under paragraph (3)(B), the Secretary shall sub-*
22 *mit to the Committee on Commerce, Science, and*
23 *Transportation of the Senate and the Committees on*
24 *Transportation and Infrastructure and Energy and*

1 *Commerce of the House of Representatives a report*
2 *that includes—*

3 *(A) the results of the study under para-*
4 *graph (1);*

5 *(B) a summary of any comments received*
6 *under paragraph (3)(B); and*

7 *(C) a determination as to whether the Sec-*
8 *retary intends to develop performance require-*
9 *ments for automatic emergency braking systems*
10 *for applicable commercial motor vehicles, includ-*
11 *ing any analysis that led to that determination.*

12 *(5) RULEMAKING.—Not later than 2 years after*
13 *the date on which the study under paragraph (1) is*
14 *completed, the Secretary shall—*

15 *(A) determine whether a motor vehicle safe-*
16 *ty standard relating to equipping the commer-*
17 *cial motor vehicles described in that paragraph*
18 *with automatic emergency braking systems*
19 *would meet the requirements and considerations*
20 *described in subsections (a) and (b) of section*
21 *30111 of title 49, United States Code; and*

22 *(B) if the Secretary determines that a motor*
23 *vehicle safety standard described in subpara-*
24 *graph (A) would meet the requirements and con-*
25 *siderations described in that subparagraph, ini-*

1 *tiate a rulemaking to prescribe such a motor ve-*
2 *hicle safety standard.*

3 **SEC. 3011. UNDERRIDE PROTECTION.**

4 *(a) DEFINITIONS.—In this section:*

5 *(1) COMMITTEE.—The term “Committee” means*
6 *the Advisory Committee on Underride Protection es-*
7 *tablished under subsection (d)(1).*

8 *(2) MOTOR CARRIER.—The term “motor carrier”*
9 *has the meaning given the term in section 13102 of*
10 *title 49, United States Code.*

11 *(3) PASSENGER MOTOR VEHICLE.—The term*
12 *“passenger motor vehicle” has the meaning given the*
13 *term in section 32101 of title 49, United States Code.*

14 *(4) UNDERRIDE CRASH.—The term “underride*
15 *crash” means a crash in which a trailer or*
16 *semitrailer intrudes into the passenger compartment*
17 *of a passenger motor vehicle.*

18 *(b) REAR UNDERRIDE GUARDS.—*

19 *(1) TRAILERS AND SEMITRAILERS.—*

20 *(A) IN GENERAL.—Not later than 1 year*
21 *after the date of enactment of this Act, the Sec-*
22 *retary shall promulgate such regulations as are*
23 *necessary to revise sections 571.223 and 571.224*
24 *of title 49, Code of Federal Regulations (relating*
25 *to Federal Motor Vehicle Safety Standard Num-*

1 *bers 223 and 224, respectively), to require trail-*
2 *ers and semitrailers manufactured after the date*
3 *on which those regulations are promulgated to be*
4 *equipped with rear impact guards that are de-*
5 *signed to prevent passenger compartment intru-*
6 *sion from a trailer or semitrailer when a pas-*
7 *senger motor vehicle traveling at 35 miles per*
8 *hour makes—*

9 *(i) an impact in which the passenger*
10 *motor vehicle impacts the center of the rear*
11 *of the trailer or semitrailer;*

12 *(ii) an impact in which 50 percent of*
13 *the width of the passenger motor vehicle*
14 *overlaps the rear of the trailer or*
15 *semitrailer; and*

16 *(iii) an impact in which 30 percent of*
17 *the width of the passenger motor vehicle*
18 *overlaps the rear of the trailer or*
19 *semitrailer, if the Secretary determines that*
20 *a revision of sections 571.223 and 571.224*
21 *of title 49, Code of Federal Regulations (re-*
22 *lating to Federal Motor Vehicle Safety*
23 *Standard Numbers 223 and 224, respec-*
24 *tively) to address such an impact would*
25 *meet the requirements and considerations*

1 *described in subsections (a) and (b) of sec-*
2 *tion 30111 of title 49, United States Code.*

3 *(B) EFFECTIVE DATE.—The regulations*
4 *promulgated under subparagraph (A) shall re-*
5 *quire full compliance with each Federal Motor*
6 *Vehicle Safety Standard revised pursuant to*
7 *those regulations not later than 2 years after the*
8 *date on which those regulations are promulgated.*

9 *(2) ADDITIONAL RESEARCH.—The Secretary*
10 *shall conduct additional research on the design and*
11 *development of rear impact guards that can—*

12 *(A) prevent underride crashes in cases in*
13 *which the passenger motor vehicle is traveling at*
14 *speeds of up to 65 miles per hour; and*

15 *(B) protect passengers in passenger motor*
16 *vehicles against severe injury in crashes in which*
17 *the passenger motor vehicle is traveling at speeds*
18 *of up to 65 miles per hour.*

19 *(3) REVIEW OF STANDARDS.—Not later than 5*
20 *years after the date on which the regulations under*
21 *paragraph (1)(A) are promulgated, the Secretary*
22 *shall—*

23 *(A) review the Federal Motor Vehicle Safety*
24 *Standards revised pursuant to those regulations*
25 *and any other requirements of those regulations*

1 *relating to rear underride guards on trailers or*
2 *semitrailers to evaluate the need for changes in*
3 *response to advancements in technology; and*

4 *(B) update those Federal Motor Vehicle*
5 *Safety Standards and those regulations accord-*
6 *ingly.*

7 *(4) INSPECTIONS.—*

8 *(A) IN GENERAL.—Not later than 1 year*
9 *after the date of enactment of this Act, the Sec-*
10 *retary shall promulgate such regulations as are*
11 *necessary to revise the regulations relating to*
12 *minimum periodic inspection standards under*
13 *appendix G to subchapter B of chapter III of*
14 *title 49, Code of Federal Regulations, and the*
15 *regulations relating to driver vehicle inspection*
16 *reports under section 396.11 of that title to in-*
17 *clude requirements relating to rear impact*
18 *guards and rear end protection that are con-*
19 *sistent with the requirements described in section*
20 *393.86 of that title.*

21 *(B) CONSIDERATIONS.—In revising the reg-*
22 *ulations described in subparagraph (A), the Sec-*
23 *retary shall consider it to be a defect or a defi-*
24 *ciency if a rear impact guard is missing an, or*
25 *has a corroded or compromised, element that af-*

1 *fects the structural integrity and protective fea-*
2 *ture of the rear impact guard.*

3 *(c) SIDE UNDERRIDE GUARDS.—*

4 *(1) IN GENERAL.—Not later than 1 year after*
5 *the date of enactment of this Act, the Secretary*
6 *shall—*

7 *(A) complete additional research on side*
8 *underride guards to better understand the overall*
9 *effectiveness of side underride guards;*

10 *(B) assess the feasibility, benefits, and costs*
11 *of, and any impacts on intermodal equipment,*
12 *freight mobility (including port operations), and*
13 *freight capacity associated with, installing side*
14 *underride guards on newly manufactured trail-*
15 *ers and semitrailers with a gross vehicle weight*
16 *rating of 10,000 pounds or more;*

17 *(C) consider the unique structural and oper-*
18 *ational aspects of—*

19 *(i) intermodal chassis (as defined in*
20 *section 340.2 of title 46, Code of Federal*
21 *Regulations; and*

22 *(ii) pole trailers (as defined in section*
23 *390.5 of title 49, Code of Federal Regula-*
24 *tions; and*

1 (D) if warranted, develop performance
2 standards for side underride guards.

3 (2) *INDEPENDENT RESEARCH.*—If the Secretary
4 enters into a contract with a third party to perform
5 the research required under paragraph (1)(A), the
6 Secretary shall ensure that the third party does not
7 have any financial or contractual ties to, or relation-
8 ships with—

9 (A) a motor carrier that transports pas-
10 sengers or property for compensation;

11 (B) the motor carrier industry; or

12 (C) an entity producing or supplying
13 underride guards.

14 (3) *PUBLICATION OF ASSESSMENT.*—Not later
15 than 90 days after completion of the assessment re-
16 quired under paragraph (1)(B), the Secretary shall—

17 (A) issue a notice in the Federal Register
18 containing the findings of the assessment; and

19 (B) provide an opportunity for public com-
20 ment.

21 (4) *REPORT TO CONGRESS.*—Not later than 90
22 days after the conclusion of the public comment pe-
23 riod under paragraph (3)(B), the Secretary shall sub-
24 mit to the Committee on Commerce, Science, and
25 Transportation of the Senate and the Committee on

1 *Transportation and Infrastructure of the House of*
2 *Representatives a report that includes—*

3 *(A) the results of the assessment under*
4 *paragraph (1)(B);*

5 *(B) a summary of any comments received*
6 *by the Secretary under paragraph (3)(B); and*

7 *(C) a determination as to whether the Sec-*
8 *retary intends to develop performance require-*
9 *ments for side underride guards, including any*
10 *analysis that led to that determination.*

11 *(d) ADVISORY COMMITTEE ON UNDERRIDE PROTEC-*
12 *TION.—*

13 *(1) ESTABLISHMENT.—The Secretary shall estab-*
14 *lish an Advisory Committee on Underride Protection*
15 *to provide advice and recommendations to the Sec-*
16 *retary on safety regulations to reduce underride*
17 *crashes and fatalities relating to underride crashes.*

18 *(2) MEMBERSHIP.—*

19 *(A) IN GENERAL.—The Committee shall be*
20 *composed of not more than 20 members, ap-*
21 *pointed by the Secretary, who—*

22 *(i) are not employees of the Depart-*
23 *ment; and*

1 (ii) are qualified to serve on the Com-
2 mittee because of their expertise, training,
3 or experience.

4 (B) REPRESENTATION.—The Committee
5 shall include 2 representatives of each of the fol-
6 lowing:

7 (i) Truck and trailer manufacturers.

8 (ii) Motor carriers, including inde-
9 pendent owner-operators.

10 (iii) Law enforcement.

11 (iv) Motor vehicle engineers.

12 (v) Motor vehicle crash investigators.

13 (vi) Truck safety organizations.

14 (vii) The insurance industry.

15 (viii) Emergency medical service pro-
16 viders.

17 (ix) Families of underride crash vic-
18 tims.

19 (x) Labor organizations.

20 (3) COMPENSATION.—Members of the Committee
21 shall serve without compensation.

22 (4) MEETINGS.—The Committee shall meet not
23 less frequently than annually.

24 (5) SUPPORT.—On request of the Committee, the
25 Secretary shall provide information, administrative

1 *services, and supplies necessary for the Committee to*
2 *carry out the duties of the Committee.*

3 (6) *REPORT.*—*The Committee shall submit to the*
4 *Committee on Commerce, Science, and Transpor-*
5 *tation of the Senate and the Committee on Transpor-*
6 *tation and Infrastructure of the House of Representa-*
7 *tives a biennial report that—*

8 (A) *describes the advice and recommenda-*
9 *tions made to the Secretary; and*

10 (B) *includes an assessment of progress made*
11 *by the Secretary in advancing safety regulations*
12 *relating to underride crashes.*

13 (e) *DATA COLLECTION.*—*Not later than 1 year after*
14 *the date of enactment of this Act, the Secretary shall imple-*
15 *ment the recommendations described in the report of the*
16 *Government Accountability Office entitled “Truck*
17 *Underride Guards: Improved Data Collection, Inspections,*
18 *and Research Needed”, published on March 14, 2019, and*
19 *numbered GAO–19–264.*

20 **SEC. 3012. PROVIDERS OF RECREATIONAL ACTIVITIES.**

21 *Section 13506(b) of title 49, United States Code, is*
22 *amended—*

23 (1) *in paragraph (2), by striking “or” at the*
24 *end;*

1 (2) *in paragraph (3), by striking the period at*
 2 *the end and inserting “; or”; and*

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

4 “(4) *transportation by a motor vehicle designed*
 5 *or used to transport not fewer than 9, and not more*
 6 *than 15, passengers (including the driver), whether*
 7 *operated alone or with a trailer attached for the*
 8 *transport of recreational equipment, if—*

9 “(A) *the motor vehicle is operated by a per-*
 10 *son that provides recreational activities;*

11 “(B) *the transportation is provided within*
 12 *a 150 air-mile radius of the location at which*
 13 *passengers initially boarded the motor vehicle at*
 14 *the outset of the trip; and*

15 “(C) *in the case of a motor vehicle trans-*
 16 *porting passengers over a route between a place*
 17 *in a State and a place in another State, the per-*
 18 *son operating the motor vehicle is lawfully pro-*
 19 *viding transportation of passengers over the en-*
 20 *tire route in accordance with applicable State*
 21 *law.”.*

22 **SEC. 3013. AMENDMENTS TO REGULATIONS RELATING TO**
 23 **TRANSPORTATION OF HOUSEHOLD GOODS IN**
 24 **INTERSTATE COMMERCE.**

25 (a) *DEFINITIONS.—In this section:*

1 (1) *ADMINISTRATION.*—*The term “Administration” means the Federal Motor Carrier Safety Administration.*

2 (2) *COVERED CARRIER.*—*The term “covered carrier” means a motor carrier that is—*

3 (A) *engaged in the interstate transportation of household goods; and*

4 (B) *subject to the requirements of part 375 of title 49, Code of Federal Regulations (as in effect on the effective date of any amendments made pursuant to the notice of proposed rulemaking issued under subsection (b)).*

5 (b) *AMENDMENTS TO REGULATIONS.*—*Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to amend, as the Secretary determines to be appropriate, regulations relating to the interstate transportation of household goods.*

6 (c) *CONSIDERATIONS.*—*In issuing the notice of proposed rulemaking under subsection (b), the Secretary shall consider amending the following provisions of title 49, Code of Federal Regulations, in accordance with the following recommendations:*

7 (1) *Section 375.207(b) to require each covered carrier to include on the website of the covered carrier a link—*

1 (A) to the publication of the Administration
2 entitled “Ready to Move—Tips for a Successful
3 Interstate Move” and numbered ESA–03–005 on
4 the website of the Administration; or

5 (B) to a copy of the publication referred to
6 in subparagraph (A) on the website of the cov-
7 ered carrier.

8 (2) Subsections (a) and (b)(1) of section 375.213
9 to require each covered carrier to provide to each in-
10 dividual shipper, together with any written estimate
11 provided to the shipper, a copy of the publication de-
12 scribed in appendix A of part 375 of that title, enti-
13 tled “Your Rights and Responsibilities When You
14 Move” and numbered ESA–03–006 (or a successor
15 publication), in the form of a written copy or a
16 hyperlink on the website of the covered carrier to the
17 location on the website of the Administration con-
18 taining that publication.

19 (3) Section 375.213 to repeal subsection (e) of
20 that section.

21 (4) Section 375.401(a) to require each covered
22 carrier—

23 (A) to conduct a visual survey of the house-
24 hold goods to be transported by the covered car-
25 rier—

- 1 (i) *in person; or*
- 2 (ii) *virtually, using—*
- 3 (I) *a remote camera; or*
- 4 (II) *another appropriate tech-*
- 5 *nology;*
- 6 (B) *to offer a visual survey described in*
- 7 *subparagraph (A) for all household goods ship-*
- 8 *ments, regardless of the distance between—*
- 9 (i) *the location of the household goods;*
- 10 *and*
- 11 (ii) *the location of the agent of the cov-*
- 12 *ered carrier preparing the estimate; and*
- 13 (C) *to provide to each shipper a copy of the*
- 14 *publication of the Administration entitled*
- 15 *“Ready to Move—Tips for a Successful Interstate*
- 16 *Move” and numbered ESA-03-005 on receipt*
- 17 *from the shipper of a request to schedule, or a*
- 18 *waiver of, a visual survey offered under subpara-*
- 19 *graph (B).*
- 20 (5) *Sections 375.401(b)(1), 375.403(a)(6)(ii),*
- 21 *and 375.405(b)(7)(ii), and subpart D of appendix A*
- 22 *of part 375, to require that, in any case in which a*
- 23 *shipper tenders any additional item or requests any*
- 24 *additional service prior to loading a shipment, the af-*
- 25 *fected covered carrier shall—*

1 (A) prepare a new estimate; and

2 (B) maintain a record of the date, time,
3 and manner in which the new estimate was ac-
4 cepted by the shipper.

5 (6) Section 375.501(a), to establish that a cov-
6 ered carrier is not required to provide to a shipper
7 an order for service if the covered carrier elects to pro-
8 vide the information described in paragraphs (1)
9 through (15) of that section in a bill of lading that
10 is presented to the shipper before the covered carrier
11 receives the shipment.

12 (7) Subpart H of part 375, to replace the replace
13 the terms “freight bill” and “expense bill” with the
14 term “invoice”.

15 **SEC. 3014. IMPROVING FEDERAL-STATE MOTOR CARRIER**
16 **SAFETY ENFORCEMENT COORDINATION.**

17 (a) **DEFINITIONS.**—In this section:

18 (1) **COVERED STATE.**—The term “covered State”
19 means a State that receives Federal funds under the
20 motor carrier safety assistance program established
21 under section 31102 of title 49, United States Code.

22 (2) **IMMINENT HAZARD.**—The term “imminent
23 hazard” has the same meaning as in section 521 of
24 title 49, United States Code.

1 **(b) REVIEW AND ENFORCEMENT OF STATE OUT-OF-**
2 *SERVICE ORDERS.*—As soon as practicable after the date
3 of enactment of this Act, the Secretary shall publish in the
4 *Federal Register* a process under which the Secretary shall
5 review each out-of-service order issued by a covered State
6 in accordance with section 31144(d) of title 49, United
7 States Code, by not later than 30 days after the date on
8 which the out-of-service order is submitted to the Secretary
9 by the covered State.

10 **(c) REVIEW AND ENFORCEMENT OF STATE IMMINENT**
11 *HAZARD DETERMINATIONS.*—

12 **(1) IN GENERAL.**—As soon as practicable after
13 the date of enactment of this Act, the Secretary shall
14 publish in the *Federal Register* a process under which
15 the Secretary shall review imminent hazard deter-
16 minations made by covered States.

17 **(2) ENFORCEMENT.**—On reviewing an imminent
18 hazard determination under paragraph (1), the Sec-
19 retary shall pursue enforcement under section 521 of
20 title 49, United States Code, as the Secretary deter-
21 mines to be appropriate.

22 **SEC. 3015. LIMOUSINE RESEARCH.**

23 **(a) DEFINITIONS.**—In this section:

24 **(1) LIMOUSINE.**—The term “limousine” means a
25 motor vehicle—

1 (A) that has a seating capacity of 9 or more
2 persons (including the driver);

3 (B) with a gross vehicle weight rating great-
4 er than 10,000 pounds but not greater than
5 26,000 pounds;

6 (C) that the Secretary has determined by
7 regulation has physical characteristics resem-
8 bling—

9 (i) a passenger car;

10 (ii) a multipurpose passenger vehicle;

11 or

12 (iii) a truck with a gross vehicle
13 weight rating of 10,000 pounds or less; and

14 (D) that is not a taxi, nonemergency med-
15 ical, or paratransit motor vehicle.

16 (2) *LIMOUSINE OPERATOR.*—The term “lim-
17 ousine operator” means a person who owns or leases,
18 and uses, a limousine to transport passengers for
19 compensation.

20 (3) *MOTOR VEHICLE SAFETY STANDARD.*—The
21 term “motor vehicle safety standard” has the meaning
22 given the term in section 30102(a) of title 49, United
23 States Code.

1 (4) *STATE*.—The term “State” has the meaning
2 given such term in section 30102(a) of title 49,
3 United States Code.

4 (b) *CRASHWORTHINESS*.—

5 (1) *RESEARCH*.—Not later than 4 years after the
6 date of enactment of this Act, the Secretary shall com-
7 plete research into the development of motor vehicle
8 safety standards for side impact protection, roof crush
9 resistance, and air bag systems for the protection of
10 occupants in limousines with alternative seating posi-
11 tions, including perimeter seating arrangements.

12 (2) *RULEMAKING OR REPORT*.—

13 (A) *CRASHWORTHINESS STANDARDS*.—

14 (i) *IN GENERAL*.—Subject to clause
15 (ii), not later than 2 years after the date on
16 which the research under paragraph (1) is
17 completed, the Secretary shall prescribe, for
18 the protection of occupants in limousines
19 with alternative seating positions, a final
20 motor vehicle safety standard for each of the
21 following:

22 (I) *Side impact protection.*

23 (II) *Roof crush resistance.*

24 (III) *Air bag systems.*

1 (ii) *REQUIREMENTS AND CONSIDER-*
2 *ATIONS.—The Secretary may only prescribe*
3 *a motor vehicle safety standard described in*
4 *clause (i) if the Secretary determines that*
5 *the standard meets the requirements and*
6 *considerations described in subsections (a)*
7 *and (b) of section 30111 of title 49, United*
8 *States Code.*

9 (B) *REPORT.—If the Secretary determines*
10 *that a motor vehicle safety standard described in*
11 *subparagraph (A)(i) would not meet the require-*
12 *ments and considerations described in sub-*
13 *sections (a) and (b) of section 30111 of title 49,*
14 *United States Code, the Secretary shall publish*
15 *in the Federal Register and submit to the Com-*
16 *mittee on Commerce, Science, and Transpor-*
17 *tation of the Senate and the Committee on En-*
18 *ergy and Commerce of the House of Representa-*
19 *tives a report describing the reasons for not pre-*
20 *scribing the standard.*

21 (c) *EVACUATION.—*

22 (1) *RESEARCH.—Not later than 2 years after the*
23 *date of enactment of this Act, the Secretary shall com-*
24 *plete research into safety features and standards that*

1 *aid evacuation in the event that an exit in the pas-*
2 *senger compartment of a limousine is blocked.*

3 (2) *RULEMAKING OR REPORT.—*

4 (A) *LIMOUSINE EVACUATION.—*

5 (i) *IN GENERAL.—Subject to clause*
6 *(ii), not later than 2 years after the date on*
7 *which the research under paragraph (1) is*
8 *completed, the Secretary shall prescribe a*
9 *final motor vehicle safety standard based on*
10 *the results of that research.*

11 (ii) *REQUIREMENTS AND CONSIDER-*
12 *ATIONS.—The Secretary may only prescribe*
13 *a motor vehicle safety standard described in*
14 *clause (i) if the Secretary determines that*
15 *the standard meets the requirements and*
16 *considerations described in subsections (a)*
17 *and (b) of section 30111 of title 49, United*
18 *States Code.*

19 (B) *REPORT.—If the Secretary determines*
20 *that a standard described in subparagraph*
21 *(A)(i) would not meet the requirements and con-*
22 *siderations described in subsections (a) and (b)*
23 *of section 30111 of title 49, United States Code,*
24 *the Secretary shall publish in the Federal Reg-*
25 *ister and submit to the Committee on Commerce,*

1 *Science, and Transportation of the Senate and*
2 *the Committee on Energy and Commerce of the*
3 *House of Representatives a report describing the*
4 *reasons for not prescribing the standard.*

5 *(d) LIMOUSINE INSPECTION DISCLOSURE.—*

6 (1) *IN GENERAL.—A limousine operator may not*
7 *introduce a limousine into interstate commerce unless*
8 *the limousine operator has prominently disclosed in a*
9 *clear and conspicuous notice, including on the website*
10 *of the operator if the operator has a website, the fol-*
11 *lowing:*

12 (A) *The date of the most recent inspection*
13 *of the limousine required under State or Federal*
14 *law, if applicable.*

15 (B) *The results of the inspection, if applica-*
16 *ble.*

17 (C) *Any corrective action taken by the lim-*
18 *ousine operator to ensure the limousine passed*
19 *inspection, if applicable.*

20 (2) *FEDERAL TRADE COMMISSION ENFORCE-*
21 *MENT.—*

22 (A) *IN GENERAL.—The Federal Trade Com-*
23 *mission shall enforce this subsection in the same*
24 *manner, by the same means, and with the same*
25 *jurisdiction, powers, and duties as though all ap-*

1 *plicable terms and provisions of the Federal*
2 *Trade Commission Act (15 U.S.C. 41 et seq.)*
3 *were incorporated into and made a part of this*
4 *subsection.*

5 *(B) TREATMENT.—Any person who violates*
6 *this subsection shall be subject to the penalties*
7 *and entitled to the privileges and immunities*
8 *provided in the Federal Trade Commission Act*
9 *(15 U.S.C. 41 et seq.).*

10 *(3) SAVINGS PROVISION.—Nothing in this sub-*
11 *section limits the authority of the Federal Trade*
12 *Commission under any other provision of law.*

13 *(4) EFFECTIVE DATE.—This subsection shall take*
14 *effect on the date that is 180 days after the date of*
15 *enactment of this Act.*

16 **SEC. 3016. NATIONAL CONSUMER COMPLAINT DATABASE.**

17 *(a) IN GENERAL.—Not later than 18 months after the*
18 *date of enactment of this Act, the Comptroller General of*
19 *the United States shall submit to the Committee on Com-*
20 *merce, Science, and Transportation of the Senate and the*
21 *Committee on Transportation and Infrastructure of the*
22 *House of Representatives a report on the National Con-*
23 *sumer Complaint Database of the Federal Motor Carrier*
24 *Safety Administration.*

1 (b) *CONTENTS.*—*The report under subsection (a) shall*
2 *include—*

3 (1) *a review of the process and effectiveness of ef-*
4 *forts to review and follow-up on complaints submitted*
5 *to the National Consumer Complaint Database;*

6 (2) *an identification of the top 5 complaint cat-*
7 *egories;*

8 (3) *an identification of—*

9 (A) *the process that the Federal Motor Car-*
10 *rier Safety Administration uses to determine*
11 *which entities to take enforcement actions*
12 *against; and*

13 (B) *the top categories of enforcement actions*
14 *taken by the Federal Motor Carrier Safety Ad-*
15 *ministration;*

16 (4) *a review of the use of the National Consumer*
17 *Complaint Database website over the 5-year period*
18 *ending on December 31, 2020, including information*
19 *obtained by conducting interviews with drivers, cus-*
20 *tomers of movers of household goods, brokers, motor*
21 *carriers, including small business motor carriers, and*
22 *other users of the website to determine the usability*
23 *of the website;*

1 (5) a review of efforts taken by the Federal Motor
2 Carrier Safety Administration to raise awareness of
3 the National Consumer Complaint Database; and

4 (6) recommendations, as appropriate, including
5 with respect to methods—

6 (A) for improving the usability of the Na-
7 tional Consumer Complaint Database website;

8 (B) for improving the review of complaints;

9 (C) for using data collected through the Na-
10 tional Consumer Complaint Database to identify
11 bad actors;

12 (D) to improve confidence and transparency
13 in the complaint process; and

14 (E) for improving stakeholder awareness of
15 and participation in the National Consumer
16 Complaint Database and the complaint system,
17 including improved communication about the
18 purpose of the National Consumer Complaint
19 Database.

20 **SEC. 3017. ELECTRONIC LOGGING DEVICE OVERSIGHT.**

21 Not later than 180 days after the date of enactment
22 of this Act, the Secretary shall submit to Congress a report
23 analyzing the cost and effectiveness of electronic logging de-
24 vices and detailing the processes—

1 (1) *used by the Federal Motor Carrier Safety Ad-*
2 *ministration—*

3 (A) *to review electronic logging device logs;*

4 *and*

5 (B) *to protect proprietary information and*
6 *personally identifiable information obtained*
7 *from electronic logging device logs; and*

8 (2) *through which an operator may challenge or*
9 *appeal a violation notice issued by the Federal Motor*
10 *Carrier Safety Administration relating to an elec-*
11 *tronic logging device.*

12 **SEC. 3018. TRANSPORTATION OF AGRICULTURAL COMMOD-**
13 **ITIES AND FARM SUPPLIES.**

14 Section 229(a)(1) of the Motor Carrier Safety Im-
15 provement Act of 1999 (49 U.S.C. 31136 note; Public Law
16 106–159) is amended—

17 (1) *in subparagraph (B), by striking “or” at the*
18 *end;*

19 (2) *in subparagraph (C), by striking the period*
20 *at the end and inserting “; or”; and*

21 (3) *by adding at the end the following:*

22 “(D) *drivers transporting livestock (as de-*
23 *finied in section 602 of the Emergency Livestock*
24 *Feed Assistance Act of 1988 (7 U.S.C. 1471) in-*

1 *cluding insects) within a 150 air-mile radius*
2 *from the final destination of the livestock.”.*

3 **SEC. 3019. MODIFICATION OF RESTRICTIONS ON CERTAIN**
4 **COMMERCIAL DRIVER’S LICENSES.**

5 *The Administrator of the Federal Motor Carrier Safety*
6 *Administration shall revise section 383.3(f)(3)(ii) of title*
7 *49, Code of Federal Regulations (or a successor regulation),*
8 *to provide that a restricted commercial driver’s license*
9 *issued to an employee in a farm-related service industry*
10 *shall be limited to the applicable seasonal periods defined*
11 *by the State issuing the restricted commercial driver’s li-*
12 *cense, subject to the condition that the total number of days*
13 *in any calendar year during which the restricted commer-*
14 *cial driver’s license is valid.*

15 **SEC. 3020. REPORT ON HUMAN TRAFFICKING VIOLATIONS**
16 **INVOLVING COMMERCIAL MOTOR VEHICLES.**

17 *Not later than 3 years after the date of enactment of*
18 *this Act, and every 3 years thereafter, the Secretary, acting*
19 *through the Department of Transportation Advisory Com-*
20 *mittee on Human Trafficking established under section 5(a)*
21 *of the Combating Human Trafficking in Commercial Vehi-*
22 *cles Act (Public Law 115–99; 131 Stat. 2243), shall coordi-*
23 *nate with the Attorney General to prepare and submit to*
24 *Congress a report relating to human trafficking violations*
25 *involving commercial motor vehicles, which shall include*

1 *recommendations for countering human trafficking, includ-*
 2 *ing an assessment of previous best practices by transpor-*
 3 *tation stakeholders.*

4 **SEC. 3021. BROKER GUIDANCE RELATING TO FEDERAL**
 5 **MOTOR CARRIER SAFETY REGULATIONS.**

6 (a) *IN GENERAL.*—*Not later than 1 year after the date*
 7 *of enactment of this Act, the Secretary shall issue guidance*
 8 *to clarify the definitions of the terms “broker” and “bona*
 9 *fide agents” in section 371.2 of of title 49, Code of Federal*
 10 *Regulations.*

11 (b) *CONSIDERATIONS.*—*In issuing guidance under*
 12 *subsection (a), the Secretary shall take into consideration—*

13 (1) *the extent to which technology has changed*
 14 *the nature of freight brokerage;*

15 (2) *the role of bona fide agents; and*

16 (3) *other aspects of the freight transportation in-*
 17 *dustry.*

18 (c) *DISPATCH SERVICES.*—*In issuing guidance under*
 19 *subsection (a), the Secretary shall, at a minimum—*

20 (1) *examine the role of a dispatch service in the*
 21 *transportation industry;*

22 (2) *examine the extent to which dispatch services*
 23 *could be considered brokers or bona fide agents; and*

24 (3) *clarify the level of financial penalties for un-*
 25 *authorized brokerage activities under section 14916 of*

1 *title 49, United States Code, applicable to a dispatch*
2 *service.*

3 **SEC. 3022. APPRENTICESHIP PILOT PROGRAM.**

4 *(a) DEFINITIONS.—In this section:*

5 *(1) APPRENTICE.—The term “apprentice” means*
6 *an individual who—*

7 *(A) is under the age of 21; and*

8 *(B) holds a commercial driver’s license.*

9 *(2) COMMERCIAL DRIVER’S LICENSE.—The term*
10 *“commercial driver’s license” has the meaning given*
11 *the term in section 31301 of title 49, United States*
12 *Code.*

13 *(3) COMMERCIAL MOTOR VEHICLE.—The term*
14 *“commercial motor vehicle” has the meaning given*
15 *the term in section 390.5 of title 49, Code of Federal*
16 *Regulations (as in effect on the date of enactment of*
17 *this Act).*

18 *(4) DRIVING TIME.—The term “driving time”*
19 *has the meaning given the term in section 395.2 of*
20 *title 49, Code of Federal Regulations (as in effect on*
21 *the date of enactment of this Act).*

22 *(5) EXPERIENCED DRIVER.—The term “experi-*
23 *enced driver” means an individual who—*

24 *(A) is not younger than 26 years of age;*

1 (B) has held a commercial driver’s license
2 for the 2-year period ending on the date on
3 which the individual serves as an experienced
4 driver under subsection (b)(2)(C)(ii);

5 (C) during the 2-year period ending on the
6 date on which the individual serves as an experi-
7 enced driver under subsection (b)(2)(C)(ii), has
8 had no—

9 (i) preventable accidents reportable to
10 the Department; or

11 (ii) pointed moving violations; and

12 (D) has a minimum of 5 years of experience
13 driving a commercial motor vehicle in interstate
14 commerce.

15 (6) *ON-DUTY TIME.*—The term “on-duty time”
16 has the meaning given the term in section 395.2 of
17 title 49, Code of Federal Regulations (as in effect on
18 the date of enactment of this Act).

19 (7) *POINTED MOVING VIOLATION.*—The term
20 “pointed moving violation” means a violation that
21 results in points being added to the license of a driv-
22 er, or a similar comparable violation, as determined
23 by the Secretary.

24 (b) *PILOT PROGRAM.*—

1 (1) *IN GENERAL.*—Not later than 60 days after
2 the date of enactment of this Act, the Secretary shall
3 establish, in accordance with section 31315(c) of title
4 49, United States Code, a pilot program allowing em-
5 ployers to establish the apprenticeship programs de-
6 scribed in paragraph (2).

7 (2) *DESCRIPTION OF APPRENTICESHIP PRO-*
8 *GRAM.*—An apprenticeship program referred to in
9 paragraph (1) is a program that consists of the fol-
10 lowing requirements:

11 (A) *120-HOUR PROBATIONARY PERIOD.*—

12 (i) *IN GENERAL.*—The apprentice shall
13 complete 120 hours of on-duty time, of
14 which not less than 80 hours shall be driv-
15 ing time in a commercial motor vehicle.

16 (ii) *PERFORMANCE BENCHMARKS.*—To
17 complete the 120-hour probationary period
18 under clause (i), the employer of an appren-
19 tice shall determine that the apprentice is
20 competent in each of the following areas:

21 (I) *Interstate, city traffic, rural 2-*
22 *lane, and evening driving.*

23 (II) *Safety awareness.*

24 (III) *Speed and space manage-*
25 *ment.*

1 (IV) *Lane control.*

2 (V) *Mirror scanning.*

3 (VI) *Right and left turns.*

4 (VII) *Logging and complying*
5 *with rules relating to hours of service.*

6 (B) *280-HOUR PROBATIONARY PERIOD.—*

7 (i) *IN GENERAL.—After completing the*
8 *120-hour probationary period under sub-*
9 *paragraph (A), an apprentice shall com-*
10 *plete 280 hours of on-duty time, of which*
11 *not less than 160 hours shall be driving*
12 *time in a commercial motor vehicle.*

13 (ii) *PERFORMANCE BENCHMARKS.—To*
14 *complete the 280-hour probationary period*
15 *under clause (i), the employer of an appren-*
16 *tice shall determine that the apprentice is*
17 *competent in each of the following areas:*

18 (I) *Backing and maneuvering in*
19 *close quarters.*

20 (II) *Pretrip inspections.*

21 (III) *Fueling procedures.*

22 (IV) *Weighing loads, weight dis-*
23 *tribution, and sliding tandems.*

24 (V) *Coupling and uncoupling pro-*
25 *cedures.*

1 (VI) *Trip planning, truck routes,*
2 *map reading, navigation, and permits.*

3 (C) *RESTRICTIONS FOR PROBATIONARY PE-*
4 *RIODS.—During the 120-hour probationary pe-*
5 *riod under subparagraph (A) and the 280-hour*
6 *probationary period under subparagraph (B)—*

7 (i) *an apprentice may only drive a*
8 *commercial motor vehicle that has—*

9 (I) *an automatic manual or auto-*
10 *matic transmission;*

11 (II) *an active braking collision*
12 *mitigation system;*

13 (III) *a forward-facing video event*
14 *capture system; and*

15 (IV) *a governed speed of 65 miles*
16 *per hour—*

17 (aa) *at the pedal; and*

18 (bb) *under adaptive cruise*
19 *control; and*

20 (ii) *an apprentice shall be accom-*
21 *panied in the passenger seat of the commer-*
22 *cial motor vehicle by an experienced driver.*

23 (D) *RECORDS RETENTION.—The employer*
24 *of an apprentice shall maintain records, in a*
25 *manner required by the Secretary, relating to the*

1 *satisfaction of the performance benchmarks de-*
2 *scribed in subparagraphs (A)(ii) and (B)(ii) by*
3 *the apprentice.*

4 (E) *REPORTABLE INCIDENTS.*—*If an ap-*
5 *prentice is involved in a preventable accident re-*
6 *portable to the Department or a pointed moving*
7 *violation while driving a commercial motor vehi-*
8 *cle as part of an apprenticeship program de-*
9 *scribed in this paragraph, the apprentice shall*
10 *undergo remediation and additional training*
11 *until the apprentice can demonstrate, to the sat-*
12 *isfaction of the employer, competence in each of*
13 *the performance benchmarks described in sub-*
14 *paragraphs (A)(ii) and (B)(ii).*

15 (F) *COMPLETION OF PROGRAM.*—*An ap-*
16 *prentice shall be considered to have completed an*
17 *apprenticeship program on the date on which the*
18 *apprentice completes the 280-hour probationary*
19 *period under subparagraph (B).*

20 (G) *MINIMUM REQUIREMENTS.*—

21 (i) *IN GENERAL.*—*Nothing in this sec-*
22 *tion prevents an employer from imposing*
23 *any additional requirement on an appren-*
24 *tice participating in an apprenticeship pro-*
25 *gram established under this section.*

1 (ii) *TECHNOLOGIES.*—*Nothing in this*
2 *section prevents an employer from requiring*
3 *or installing in a commercial motor vehicle*
4 *any technology in addition to the tech-*
5 *nologies described in subparagraph (C)(i).*

6 (3) *APPRENTICES.*—*An apprentice may—*

7 (A) *drive a commercial motor vehicle in*
8 *interstate commerce while participating in the*
9 *120-hour probationary period under paragraph*
10 *(2)(A) or the 280-hour probationary period*
11 *under paragraph (2)(B) pursuant to an appren-*
12 *ticeship program established by an employer in*
13 *accordance with this section; and*

14 (B) *drive a commercial motor vehicle in*
15 *interstate commerce after the apprentice com-*
16 *pletes an apprenticeship program described in*
17 *paragraph (2), unless the Secretary determines*
18 *there exists a safety concern.*

19 (4) *LIMITATION.*—*The Secretary may not allow*
20 *more than 3,000 apprentices at any 1 time to partici-*
21 *pate in the pilot program established under para-*
22 *graph (1).*

23 (c) *TERMINATION.*—*Effective beginning on the date*
24 *that is 3 years after the date of establishment of the pilot*
25 *program under subsection (b)(1)—*

1 (1) *the pilot program shall terminate; and*

2 (2) *any driver under the age of 21 who has com-*
3 *pleted an apprenticeship program described in sub-*
4 *section (b)(2) may drive a commercial motor vehicle*
5 *in interstate commerce, unless the Secretary deter-*
6 *mines there exists a safety concern.*

7 (d) *NO EFFECT ON LICENSE REQUIREMENT.—Nothing*
8 *in this section exempts an apprentice from any requirement*
9 *to hold a commercial driver’s license in order to operate*
10 *a commercial motor vehicle.*

11 (e) *DATA COLLECTION.—The Secretary shall collect*
12 *and analyze—*

13 (1) *data relating to any incident in which an*
14 *apprentice participating in the pilot program estab-*
15 *lished under subsection (b)(1) is involved;*

16 (2) *data relating to any incident in which a*
17 *driver under the age of 21 operating a commercial*
18 *motor vehicle in intrastate commerce is involved; and*

19 (3) *such other data relating to the safety of ap-*
20 *prentices aged 18 to 20 years operating in interstate*
21 *commerce as the Secretary determines to be necessary.*

22 (f) *LIMITATION.—A driver under the age of 21 partici-*
23 *pating in the pilot program under this section may not—*

24 (1) *transport—*

25 (A) *a passenger; or*

1 (B) hazardous cargo; or

2 (2) operate a commercial motor vehicle—

3 (A) in special configuration; or

4 (B) with a gross vehicle weight rating of
5 more than 80,000 pounds.

6 (g) *REPORT TO CONGRESS.*—Not later than 120 days
7 after the date of conclusion of the pilot program under sub-
8 section (b), the Secretary shall submit to Congress a report
9 including—

10 (1) the findings and conclusions resulting from
11 the pilot program, including with respect to tech-
12 nologies or training provided by commercial motor
13 carriers for apprentices as part of the pilot program
14 to successfully improve safety;

15 (2) an analysis of the safety record of appren-
16 tices participating in the pilot program, as compared
17 to other commercial motor vehicle drivers;

18 (3) the number of drivers that discontinued par-
19 ticipation in the apprenticeship program before com-
20 pletion;

21 (4) a comparison of the safety records of partici-
22 pating drivers before, during, and after the proba-
23 tionary periods under subparagraphs (A) and (B) of
24 subsection (b)(2);

1 (5) a comparison, for each participating driver,
2 of average on-duty time, driving time, and time spent
3 away from home terminal before, during, and after
4 the probationary periods referred to in paragraph (4);
5 and

6 (6) a recommendation, based on the data col-
7 lected, regarding whether the level of safety achieved
8 by the pilot program is equivalent to, or greater than,
9 the level of safety for equivalent commercial motor ve-
10 hicle drivers aged 21 years or older.

11 (h) *RULE OF CONSTRUCTION.*—Nothing in this section
12 affects the authority of the Secretary under section 31315
13 of title 49, United States Code, with respect to the pilot
14 program established under subsection (b)(1), including the
15 authority to revoke participation in, and terminate, the
16 pilot program under paragraphs (3) and (4) of subsection
17 (c) of that section.

18 (i) *DRIVER COMPENSATION STUDY.*—

19 (1) *IN GENERAL.*—Not later than 1 year after
20 the date of enactment of this Act, the Secretary, act-
21 ing through the Administrator of the Federal Motor
22 Carrier Safety Administration, shall offer to enter
23 into a contract with the Transportation Research
24 Board under which the Transportation Research
25 Board shall conduct a study of the impacts of various

1 *methods of driver compensation on safety and driver*
 2 *retention, including—*

3 *(A) hourly pay;*

4 *(B) payment for detention time; and*

5 *(C) other payment methods used in the in-*
 6 *dustry as of the date on which the study is con-*
 7 *ducted.*

8 *(2) CONSULTATION.—In conducting the study*
 9 *under paragraph (1), the Transportation Research*
 10 *Board shall consult with—*

11 *(A) labor organizations representing com-*
 12 *mercial motor vehicle drivers;*

13 *(B) representatives of the motor carrier in-*
 14 *dustry, including owner-operators; and*

15 *(C) such other stakeholders as the Transpor-*
 16 *tation Research Board determines to be relevant.*

17 **TITLE IV—HIGHWAY AND MOTOR**
 18 **VEHICLE SAFETY**

19 **Subtitle A—Highway Traffic Safety**

20 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.**

21 *(a) IN GENERAL.—The following amounts are author-*
 22 *ized to be appropriated out of the Highway Trust Fund*
 23 *(other than the Mass Transit Account):*

24 *(1) HIGHWAY SAFETY PROGRAMS.—To carry out*
 25 *section 402 of title 23, United States Code—*

- 1 (A) \$363,400,000 for fiscal year 2022;
2 (B) \$370,900,000 for fiscal year 2023;
3 (C) \$378,400,000 for fiscal year 2024;
4 (D) \$385,900,000 for fiscal year 2025; and
5 (E) \$393,400,000 for fiscal year 2026.

6 (2) *HIGHWAY SAFETY RESEARCH AND DEVELOP-*
7 *MENT.—To carry out section 403 of title 23, United*
8 *States Code—*

- 9 (A) \$186,000,000 for fiscal year 2022;
10 (B) \$190,000,000 for fiscal year 2023;
11 (C) \$194,000,000 for fiscal year 2024;
12 (D) \$198,000,000 for fiscal year 2025; and
13 (E) \$202,000,000 for fiscal year 2026.

14 (3) *HIGH-VISIBILITY ENFORCEMENT PROGRAM.—*
15 *To carry out section 404 of title 23, United States*
16 *Code—*

- 17 (A) \$36,400,000 for fiscal year 2022;
18 (B) \$38,300,000 for fiscal year 2023;
19 (C) \$40,300,000 for fiscal year 2024;
20 (D) \$42,300,000 for fiscal year 2025; and
21 (E) \$44,300,000 for fiscal year 2026.

22 (4) *NATIONAL PRIORITY SAFETY PROGRAMS.—To*
23 *carry out section 405 of title 23, United States*
24 *Code—*

- 25 (A) \$336,500,000 for fiscal year 2022;

1 (B) \$346,500,000 for fiscal year 2023;

2 (C) \$353,500,000 for fiscal year 2024;

3 (D) \$360,500,000 for fiscal year 2025; and

4 (E) \$367,500,000 for fiscal year 2026.

5 (5) *ADMINISTRATIVE EXPENSES.*—*For adminis-*
 6 *trative and related operating expenses of the National*
 7 *Highway Traffic Safety Administration in carrying*
 8 *out chapter 4 of title 23, United States Code, and this*
 9 *title—*

10 (A) \$38,000,000 for fiscal year 2022;

11 (B) \$39,520,000 for fiscal year 2023;

12 (C) \$41,100,800 for fiscal year 2024;

13 (D) \$42,744,832 for fiscal year 2025; and

14 (E) \$44,454,625 for fiscal year 2026.

15 (6) *NATIONAL DRIVER REGISTER.*—*For the Na-*
 16 *tional Highway Traffic Safety Administration to*
 17 *carry out chapter 303 of title 49, United States*
 18 *Code—*

19 (A) \$6,800,000 for fiscal year 2022;

20 (B) \$7,000,000 for fiscal year 2023;

21 (C) \$7,200,000 for fiscal year 2024;

22 (D) \$7,400,000 for fiscal year 2025; and

23 (E) \$7,600,000 for fiscal year 2026.

24 (b) *PROHIBITION ON OTHER USES.*—*Except as other-*
 25 *wise provided in chapter 4 of title 23, and chapter 303 of*

1 *title 49, United States Code, the amounts made available*
2 *under subsection (a) or any other provision of law from*
3 *the Highway Trust Fund (other than the Mass Transit Ac-*
4 *count) for a program under those chapters—*

5 *(1) shall only be used to carry out that program;*

6 *and*

7 *(2) may not be used by a State or local govern-*
8 *ment for construction purposes.*

9 *(c) APPLICABILITY OF TITLE 23.—Except as otherwise*
10 *provided in chapter 4 of title 23, and chapter 303 of title*
11 *49, United States Code, the amounts made available under*
12 *subsection (a) for fiscal years 2022 through 2026 shall be*
13 *available for obligation in the same manner as if those*
14 *funds were apportioned under chapter 1 of title 23, United*
15 *States Code.*

16 *(d) HIGHWAY SAFETY GENERAL REQUIREMENTS.—*

17 *(1) IN GENERAL.—Chapter 4 of title 23, United*
18 *States Code, is amended—*

19 *(A) by redesignating sections 409 and 412*
20 *and sections 407 and 408, respectively; and*

21 *(B) by inserting after section 405 the fol-*
22 *lowing:*

1 **“§ 406. General requirements for Federal assistance**

2 “(a) *DEFINITION OF FUNDED PROJECT.*—*In this sec-*
3 *tion, the term ‘funded project’ means a project funded, in*
4 *whole or in part, by a grant provided under this chapter.*

5 “(b) *REGULATORY AUTHORITY.*—*Each funded project*
6 *shall be carried out in accordance with applicable regula-*
7 *tions promulgated by the Secretary.*

8 “(c) *STATE MATCHING REQUIREMENTS.*—*If a grant*
9 *provided under this chapter requires any State to share in*
10 *the cost of a funded project, the aggregate of the expendi-*
11 *tures made by the State (including any political subdivi-*
12 *sion of the State) for highway safety activities during a*
13 *fiscal year, exclusive of Federal funds, for carrying out the*
14 *funded project (other than expenditures for planning or ad-*
15 *ministration) shall be credited toward the non-Federal*
16 *share of the cost of any other funded project (other than*
17 *planning and administration) during that fiscal year, re-*
18 *gardless of whether those expenditures were made in connec-*
19 *tion with the project.*

20 “(d) *GRANT APPLICATION AND DEADLINE.*—

21 “(1) *APPLICATIONS.*—*To be eligible to receive a*
22 *grant under this chapter, a State shall submit to the*
23 *Secretary an application at such time, in such man-*
24 *ner, and containing such information as the Sec-*
25 *retary may require.*

1 “(2) *DEADLINE.*—*The Secretary shall establish a*
 2 *single deadline for the submission of applications*
 3 *under paragraph (1) to enable the provision of grants*
 4 *under this chapter early in the first fiscal year begin-*
 5 *ning after the date of submission.*

6 “(e) *DISTRIBUTION OF FUNDS TO STATES.*—*Not later*
 7 *than 60 days after the date of enactment of any appropria-*
 8 *tions Act making funds available to carry out this chapter,*
 9 *the Secretary shall distribute to each State the portion of*
 10 *those funds to which the State is entitled for the applicable*
 11 *fiscal year.”.*

12 (2) *CLERICAL AMENDMENT.*—*The analysis for*
 13 *chapter 4 of title 23, United States Code, is amended*
 14 *by striking the items relating to sections 406 through*
 15 *412 and inserting the following:*

“406. *General requirements for Federal assistance.*

“407. *Discovery and admission as evidence of certain reports and surveys.*

“408. *Agency accountability.”.*

16 **SEC. 4102. HIGHWAY SAFETY PROGRAMS.**

17 (a) *IN GENERAL.*—*Section 402 of title 23, United*
 18 *States Code, is amended—*

19 (1) *by striking “accidents” each place it appears*
 20 *and inserting “crashes”;*

21 (2) *by striking “accident” each place it appears*
 22 *and inserting “crash”;*

23 (3) *in subsection (a)—*

1 (A) in paragraph (1), by striking “shall
2 have” and all that follows through the period at
3 the end and inserting the following: “shall have
4 in effect a highway safety program that—

5 “(i) is designed to reduce—

6 “(I) traffic crashes; and

7 “(II) deaths, injuries, and prop-
8 erty damage resulting from those
9 crashes;

10 “(ii) includes—

11 “(I) an approved, current, tri-
12 ennial highway safety plan in accord-
13 ance with subsection (k); and

14 “(II) an approved grant applica-
15 tion under subsection (l) for the fiscal
16 year;

17 “(iii) demonstrates compliance with
18 the applicable administrative requirements
19 of subsection (b)(1); and

20 “(iv) is approved by the Secretary.”;

21 (B) in paragraph (2)(A)—

22 (i) in clause (ii), by striking “occupant
23 protection devices (including the use of safe-
24 ty belts and child restraint systems)” and
25 inserting “safety belts”;

1 (ii) in clause (vii), by striking “and”
2 at the end;

3 (iii) by redesignating clauses (iii)
4 through (viii) as clauses (iv) through (ix),
5 respectively;

6 (iv) by inserting after clause (ii) the
7 following:

8 “(iii) to encourage more widespread
9 and proper use of child restraints, with an
10 emphasis on underserved populations;”;

11 (v) by adding at the end the following:

12 “(x) to reduce crashes caused by driver
13 misuse or misunderstanding of new vehicle
14 technology;

15 “(xi) to increase vehicle recall aware-
16 ness;

17 “(xii) to provide to the public informa-
18 tion relating to the risks of child heatstroke
19 death when left unattended in a motor vehi-
20 cle after the motor is deactivated by the op-
21 erator;

22 “(xiii) to reduce injuries and deaths
23 resulting from the failure by drivers of
24 motor vehicles to move to another traffic
25 lane or reduce the speed of the vehicle when

1 *law enforcement, fire service, emergency*
2 *medical services, or other emergency or first*
3 *responder vehicles are stopped or parked on*
4 *or next to a roadway with emergency lights*
5 *activated; and*

6 *“(xiv) to prevent crashes, injuries, and*
7 *deaths caused by unsecured vehicle loads;”;*
8 *and*

9 *(C) by adding at the end the following:*

10 *“(3) ADDITIONAL CONSIDERATIONS.—A State*
11 *that has legalized medicinal or recreational mari-*
12 *juana shall take into consideration implementing pro-*
13 *grams in addition to the programs described in para-*
14 *graph (2)(A)—*

15 *“(A) to educate drivers regarding the risks*
16 *associated with marijuana-impaired driving;*
17 *and*

18 *“(B) to reduce injuries and deaths resulting*
19 *from individuals driving motor vehicles while*
20 *impaired by marijuana.”;*

21 *(4) in subsection (b)(1)—*

22 *(A) in the matter preceding subparagraph*
23 *(A), by striking “may” and inserting “shall”;*

24 *(B) by striking subparagraph (B) and in-*
25 *serting the following:*

1 “(B) provide for a comprehensive, data-
2 driven traffic safety program that results from
3 meaningful public participation and engagement
4 from affected communities, particularly those
5 most significantly impacted by traffic crashes re-
6 sulting in injuries and fatalities;”;

7 (C) in subparagraph (C), by striking “au-
8 thorized in accordance with subparagraph (B)”;

9 (D) in subparagraph (D), by striking “with
10 disabilities, including those in wheelchairs” and
11 inserting “, including those with disabilities and
12 those in wheelchairs”;

13 (E) by striking subparagraph (E) and in-
14 serting the following:

15 “(E) as part of a comprehensive program,
16 support—

17 “(i) data-driven traffic safety enforce-
18 ment programs that foster effective commu-
19 nity collaboration to increase public safety;
20 and

21 “(ii) data collection and analysis to
22 ensure transparency, identify disparities in
23 traffic enforcement, and inform traffic en-
24 forcement policies, procedures, and activi-
25 ties; and”;

1 *(F) in subparagraph (F)—*

2 *(i) in clause (i), by striking “national*
 3 *law enforcement mobilizations and high-vis-*
 4 *ibility” and inserting “national, high-visi-*
 5 *bility”;*

6 *(ii) in clause (iv), by striking “and”*
 7 *after the semicolon at the end;*

8 *(iii) in clause (v), by striking the pe-*
 9 *riod at the end and inserting “; and”;* and

10 *(iv) by adding at the end the following:*

11 *“(vi) unless the State highway safety*
 12 *program is developed by American Samoa,*
 13 *Guam, the Commonwealth of the Northern*
 14 *Mariana Islands, or the United States Vir-*
 15 *gin Islands, participation in the Fatality*
 16 *Analysis Reporting System.”;*

17 *(5) in subsection (c)—*

18 *(A) in paragraph (1)—*

19 *(i) by striking the paragraph designa-*
 20 *tion and heading and all that follows*
 21 *through “Funds authorized” and inserting*
 22 *the following:*

23 *“(1) USE FOR STATE ACTIVITIES.—*

24 *“(A) IN GENERAL.—The funds authorized”;*

25 *and*

1 (ii) by adding at the end the following:

2 “(B) NEIGHBORING STATES.—A State, act-
3 ing in cooperation with any neighboring State,
4 may use funds provided under this section for a
5 highway safety program that may confer a ben-
6 efit on the neighboring State.”;

7 (B) by striking paragraphs (2) and (3) and
8 inserting the following:

9 “(2) APPORTIONMENT TO STATES.—

10 “(A) DEFINITION OF PUBLIC ROAD.—In this
11 paragraph, the term ‘public road’ means any
12 road that is—

13 “(i) subject to the jurisdiction of, and
14 maintained by, a public authority; and

15 “(ii) held open to public travel.

16 “(B) APPORTIONMENT.—

17 “(i) IN GENERAL.—Except for the
18 amounts identified in section 403(f) and the
19 amounts subject to subparagraph (C), of the
20 funds made available under this section—

21 “(I) 75 percent shall be appor-
22 tioned to each State based on the ratio
23 that, as determined by the most recent
24 decennial census—

1 “(aa) the population of the
2 State; bears to

3 “(bb) the total population of
4 all States; and

5 “(II) 25 percent shall be appor-
6 tioned to each State based on the ratio
7 that, subject to clause (i)—

8 “(aa) the public road mileage
9 in each State; bears to

10 “(bb) the total public road
11 mileage in all States.

12 “(ii) CALCULATION.—For purposes of
13 clause (i)(II), public road mileage shall
14 be—

15 “(I) determined as of the end of
16 the calendar year preceding the year
17 during which the funds are appor-
18 tioned;

19 “(II) certified by the Governor of
20 the State; and

21 “(III) subject to approval by the
22 Secretary.

23 “(C) MINIMUM APPORTIONMENTS.—The an-
24 nual apportionment under this section to—

1 “(i) each State shall be not less than $\frac{3}{4}$
2 of 1 percent of the total apportionment;

3 “(ii) the Secretary of the Interior shall
4 be not less than 2 percent of the total appor-
5 tionment; and

6 “(iii) the United States Virgin Islands,
7 Guam, American Samoa, and the Common-
8 wealth of the Northern Mariana Islands
9 shall be not less than $\frac{1}{4}$ of 1 percent of the
10 total apportionment.

11 “(D) PENALTY.—

12 “(i) IN GENERAL.—The funds appor-
13 tioned under this section to a State that
14 does not have approved or in effect a high-
15 way safety program described in subsection
16 (a)(1) shall be reduced by an amount equal
17 to not less than 20 percent of the amount
18 that would otherwise be apportioned to the
19 State under this section, until the date on
20 which the Secretary, as applicable—

21 “(I) approves such a highway
22 safety program; or

23 “(II) determines that the State is
24 implementing such a program.

1 “(i) *FACTOR FOR CONSIDERATION.*—
2 *In determining the amount of the reduction*
3 *in funds apportioned to a State under this*
4 *subparagraph, the Secretary shall take into*
5 *consideration the gravity of the failure by*
6 *the State to secure approval, or to imple-*
7 *ment, a highway safety program described*
8 *in subsection (a)(1).*

9 “(E) *LIMITATIONS.*—

10 “(i) *IN GENERAL.*—*A highway safety*
11 *program approved by the Secretary shall*
12 *not include any requirement that a State*
13 *shall implement such a program by adopt-*
14 *ing or enforcing any law, rule, or regula-*
15 *tion based on a guideline promulgated by*
16 *the Secretary under this section requiring*
17 *any motorcycle operator aged 18 years or*
18 *older, or a motorcycle passenger aged 18*
19 *years or older, to wear a safety helmet when*
20 *operating or riding a motorcycle on the*
21 *streets and highways of that State.*

22 “(ii) *EFFECT OF GUIDELINES.*—*Noth-*
23 *ing in this section requires a State highway*
24 *safety program to require compliance with*
25 *every uniform guideline, or with every ele-*

1 *ment of every uniform guideline, in every*
2 *State.*

3 “(3) *REAPPORTIONMENT.*—

4 “(A) *IN GENERAL.*—*The Secretary shall*
5 *promptly apportion to a State any funds with-*
6 *held from the State under paragraph (2)(D) if*
7 *the Secretary makes an approval or determina-*
8 *tion, as applicable, described in that paragraph*
9 *by not later than July 31 of the fiscal year for*
10 *which the funds were withheld.*

11 “(B) *CONTINUING STATE FAILURE.*—*If the*
12 *Secretary determines that a State fails to correct*
13 *a failure to have approved or in effect a highway*
14 *safety program described in subsection (a)(1) by*
15 *the date described in subparagraph (A), the Sec-*
16 *retary shall reapportion the funds withheld from*
17 *that State under paragraph (2)(D) for the fiscal*
18 *year to the other States in accordance with the*
19 *formula described in paragraph (2)(B) by not*
20 *later than the last day of the fiscal year.”; and*

21 (C) *in paragraph (4)*—

22 (i) *by striking subparagraph (C);*

23 (ii) *by redesignating subparagraphs*
24 (A) *and (B) as subparagraphs (B) and (A),*

1 *respectively, and moving the subparagraphs*
2 *so as to appear in alphabetical order; and*
3 (iii) *by adding at the end the fol-*
4 *lowing:*

5 “(C) *SPECIAL RULE FOR SCHOOL AND*
6 *WORK ZONES.—Notwithstanding subparagraph*
7 *(B), a State may expend funds apportioned to*
8 *the State under this section to carry out a pro-*
9 *gram to purchase, operate, or maintain an auto-*
10 *mated traffic enforcement system in a work zone*
11 *or school zone.*

12 “(D) *AUTOMATED TRAFFIC ENFORCEMENT*
13 *SYSTEM GUIDELINES.—An automated traffic en-*
14 *forcement system installed pursuant to subpara-*
15 *graph (C) shall comply with such guidelines ap-*
16 *plicable to speed enforcement camera systems*
17 *and red light camera systems as are established*
18 *by the Secretary.”;*

19 (6) *in subsection (k)—*

20 (A) *by striking the subsection designation*
21 *and heading and all that follows through “there-*
22 *after” in paragraph (1) and inserting the fol-*
23 *lowing:*

24 “(k) *TRIENNIAL HIGHWAY SAFETY PLAN.—*

1 “(1) *IN GENERAL.*—For fiscal year 2022, and
2 not less frequently than once every 3 fiscal years
3 thereafter”;

4 (B) in paragraph (1), by striking “for that
5 fiscal year, to develop and submit to the Sec-
6 retary for approval a highway safety plan” and
7 inserting “for the 3 fiscal years covered by the
8 plan, to develop and submit to the Secretary for
9 approval a triennial highway safety plan”;

10 (C) by striking paragraph (2) and inserting
11 the following:

12 “(2) *TIMING.*—Each State shall submit to the
13 Secretary a triennial highway safety plan by not
14 later than July 1 of the fiscal year preceding the first
15 fiscal year covered by the plan.”;

16 (D) in paragraph (3), by inserting “tri-
17 ennial” before “highway”;

18 (E) in paragraph (4)—

19 (i) in the matter preceding subpara-
20 graph (A)—

21 (I) by striking “State highway
22 safety plans” and inserting “Each
23 State triennial highway safety plan”;
24 and

1 (II) by inserting “, with respect to
2 the 3 fiscal years covered by the plan,
3 based on the information available on
4 the date of submission under para-
5 graph (2)” after “include”;

6 (ii) in subparagraph (A)(ii), by strik-
7 ing “annual performance targets” and in-
8 serting “performance targets that dem-
9 onstrate constant or improved perform-
10 ance”;

11 (iii) by striking subparagraph (B) and
12 inserting the following:

13 “(B) a countermeasure strategy for pro-
14 gramming funds under this section for projects
15 that will allow the State to meet the performance
16 targets described in subparagraph (A), including
17 a description—

18 “(i) that demonstrates the link between
19 the effectiveness of each proposed counter-
20 measure strategy and those performance
21 targets; and

22 “(ii) of the manner in which each
23 countermeasure strategy is informed by uni-
24 form guidelines issued by the Secretary;”;
25 and

1 (iv) in subparagraph (D), by striking
2 “, State, local, or private”;

3 (F) by striking paragraph (5) and inserting
4 the following:

5 “(5) *PERFORMANCE MEASURES.*—*The Secretary*
6 *shall develop minimum performance measures under*
7 *paragraph (4)(A) in consultation with the Governors*
8 *Highway Safety Association.*”; and

9 (G) in paragraph (6)—

10 (i) in the paragraph heading, by in-
11 serting “*TRIENNIAL*” before “*HIGHWAY*”;

12 (ii) by redesignating subparagraphs
13 (B) through (E) as subparagraphs (C)
14 through (F), respectively;

15 (iii) in each of subparagraphs (C)
16 through (F) (as so redesignated), by insert-
17 ing “*triennial*” before “*highway*” each place
18 it appears; and

19 (iv) by striking subparagraph (A) and
20 inserting the following:

21 “(A) *IN GENERAL.*—*Except as provided in*
22 *subparagraph (B), the Secretary shall review*
23 *and approve or disapprove a triennial highway*
24 *safety plan of a State by not later than 60 days*

1 *after the date on which the plan is received by*
2 *the Secretary.*

3 “(B) *ADDITIONAL INFORMATION.*—

4 “(i) *IN GENERAL.*—*The Secretary may*
5 *request a State to submit to the Secretary*
6 *such additional information as the Sec-*
7 *retary determines to be necessary for review*
8 *of the triennial highway safety plan of the*
9 *State.*

10 “(ii) *EXTENSION OF DEADLINE.*—*On*
11 *providing to a State a request for addi-*
12 *tional information under clause (i), the Sec-*
13 *retary may extend the deadline to approve*
14 *or disapprove the triennial highway safety*
15 *plan of the State under subparagraph (A)*
16 *for not more than an additional 90 days, as*
17 *the Secretary determines to be necessary to*
18 *accommodate that request, subject to clause*
19 *(iii).*

20 “(iii) *TIMING.*—*Any additional infor-*
21 *mation requested under clause (i) shall be*
22 *submitted to the Secretary by not later than*
23 *7 business days after the date of receipt by*
24 *the State of the request.”;*

1 (7) *by inserting after subsection (k) the fol-*
2 *lowing:*

3 “(l) *ANNUAL GRANT APPLICATION AND REPORTING*
4 *REQUIREMENTS.—*

5 “(1) *ANNUAL GRANT APPLICATION.—*

6 “(A) *IN GENERAL.—To be eligible to receive*
7 *grant funds under this chapter for a fiscal year,*
8 *each State shall submit to the Secretary an an-*
9 *annual grant application that, as determined by*
10 *the Secretary—*

11 “(i) *demonstrates alignment with the*
12 *approved triennial highway safety plan of*
13 *the State; and*

14 “(ii) *complies with the requirements*
15 *under this subsection.*

16 “(B) *TIMING.—The deadline for submission*
17 *of annual grant applications under this para-*
18 *graph shall be determined by the Secretary in*
19 *accordance with section 406(d)(2).*

20 “(C) *CONTENTS.—An annual grant appli-*
21 *cation under this paragraph shall include, at a*
22 *minimum—*

23 “(i) *such updates as the State deter-*
24 *mines to be necessary to any analysis in-*

1 *cluded in the triennial highway safety plan*
2 *of the State;*

3 *“(ii) an identification of each project*
4 *and subrecipient to be funded by the State*
5 *using the grants during the upcoming grant*
6 *year, subject to the condition that the State*
7 *shall separately submit, on a date other*
8 *than the date of submission of the annual*
9 *grant application, a description of any*
10 *projects or subrecipients to be funded, as*
11 *that information becomes available;*

12 *“(iii) a description of the means by*
13 *which the strategy of the State to use grant*
14 *funds was adjusted and informed by the*
15 *previous report of the State under para-*
16 *graph (2); and*

17 *“(iv) an application for any addi-*
18 *tional grants available to the State under*
19 *this chapter.*

20 *“(D) REVIEW.—The Secretary shall review*
21 *and approve or disapprove an annual grant ap-*
22 *plication under this paragraph by not later than*
23 *60 days after the date of submission of the appli-*
24 *cation.*

1 “(2) *REPORTING REQUIREMENTS.*—Not later
2 than 120 days after the end of each fiscal year for
3 which a grant is provided to a State under this chap-
4 ter, the State shall submit to the Secretary an annual
5 report that includes—

6 “(A) an assessment of the progress made by
7 the State in achieving the performance targets
8 identified in the triennial highway safety plan of
9 the State, based on the most currently available
10 *Fatality Analysis Reporting System* data; and

11 “(B)(i) a description of the extent to which
12 progress made in achieving those performance
13 targets is aligned with the triennial highway
14 safety plan of the State; and

15 “(ii) if applicable, any plans of the State to
16 adjust a strategy for programming funds to
17 achieve the performance targets.”;

18 (8) in subsection (m)(1), by striking “a State’s
19 highway safety plan” and inserting “the applicable
20 triennial highway safety plan of the State”; and

21 (9) by striking subsection (n) and inserting the
22 following:

23 “(n) *PUBLIC TRANSPARENCY.*—

24 “(1) *IN GENERAL.*—The Secretary shall publicly
25 release on a Department of Transportation website,

1 *by not later than 45 calendar days after the applica-*
2 *ble date of availability—*

3 “(A) *each triennial highway safety plan ap-*
4 *proved by the Secretary under subsection (k);*

5 “(B) *each State performance target under*
6 *subsection (k); and*

7 “(C) *an evaluation of State achievement of*
8 *applicable performance targets under subsection*
9 *(k).*

10 “(2) *STATE HIGHWAY SAFETY PLAN WEBSITE.—*

11 “(A) *IN GENERAL.—In carrying out para-*
12 *graph (1), the Secretary shall establish a public*
13 *website that is easily accessible, navigable, and*
14 *searchable for the information required under*
15 *that paragraph, in order to foster greater trans-*
16 *parency in approved State highway safety pro-*
17 *grams.*

18 “(B) *CONTENTS.—The website established*
19 *under subparagraph (A) shall—*

20 “(i) *include the applicable triennial*
21 *highway safety plan, and the annual report,*
22 *of each State submitted to, and approved*
23 *by, the Secretary under subsection (k); and*

24 “(ii) *provide a means for the public to*
25 *search the website for State highway safety*

1 *program content required under subsection*
 2 *(k), including—*

3 *“(I) performance measures re-*
 4 *quired by the Secretary;*

5 *“(II) progress made toward meet-*
 6 *ing the applicable performance targets*
 7 *during the preceding program year;*

8 *“(III) program areas and expend-*
 9 *itures; and*

10 *“(IV) a description of any sources*
 11 *of funds, other than funds provided*
 12 *under this section, that the State pro-*
 13 *poses to use to carry out the triennial*
 14 *highway safety plan of the State.”.*

15 *(b) EFFECTIVE DATE.—The amendments made by sub-*
 16 *section (a) shall take effect with respect to any grant appli-*
 17 *cation or State highway safety plan submitted under chap-*
 18 *ter 4 of title 23, United States Code, for fiscal year 2024*
 19 *or thereafter.*

20 **SEC. 4103. HIGHWAY SAFETY RESEARCH AND DEVELOP-**
 21 **MENT.**

22 *Section 403 of title 23, United States Code, is amend-*
 23 *ed—*

24 *(1) by striking “accident” each place it appears*
 25 *and inserting “crash”;*

1 (2) *in subsection (b)(1), in the matter preceding*
2 *subparagraph (A), by inserting “, training, edu-*
3 *cation,” after “demonstration projects”;*

4 (3) *in subsection (f)(1)—*

5 (A) *by striking “\$2,500,000” and inserting*
6 *“\$3,500,000”; and*

7 (B) *by striking “subsection 402(c) in each*
8 *fiscal year ending before October 1, 2015, and*
9 *\$443,989 of the total amount available for ap-*
10 *portionment to the States for highway safety*
11 *programs under section 402(c) in the period be-*
12 *ginning on October 1, 2015, and ending on De-*
13 *cember 4, 2015,” and inserting “section 402(c)*
14 *in each fiscal year”;*

15 (4) *in subsection (h)—*

16 (A) *in paragraph (2), by striking “2017*
17 *through 2021 not more than \$26,560,000’ to con-*
18 *duct the research described in paragraph (1)”*
19 *and inserting “2022 through 2025, not more*
20 *than \$45,000,000 to conduct the research de-*
21 *scribed in paragraph (2)”;*

22 (B) *in paragraph (5)(A), by striking “sec-*
23 *tion 30102(a)(6)” and inserting “section*
24 *30102(a)”;* and

1 (C) by redesignating paragraphs (1), (2),
2 (3), (4), and (5) as paragraphs (2), (3), (4), (5),
3 and (1), respectively, and moving the para-
4 graphs so as to appear in numerical order; and
5 (5) by adding at the end the following:

6 “(k) CHILD SAFETY CAMPAIGN.—

7 “(1) IN GENERAL.—The Secretary shall carry
8 out an education campaign to reduce the incidence of
9 vehicular heatstroke of children left in passenger
10 motor vehicles (as defined in section 30102(a) of title
11 49).

12 “(2) ADVERTISING.—The Secretary may use, or
13 authorize the use of, funds made available to carry
14 out this section to pay for the development, produc-
15 tion, and use of broadcast and print media adver-
16 tising and Internet-based outreach for the education
17 campaign under paragraph (1).

18 “(3) COORDINATION.—In carrying out the edu-
19 cation campaign under paragraph (1), the Secretary
20 shall coordinate with—

21 “(A) interested State and local governments;

22 “(B) private industry; and

23 “(C) other parties, as determined by the
24 Secretary.

1 “(l) *DEVELOPMENT OF STATE PROCESSES FOR IN-*
2 *FORMING CONSUMERS OF RECALLS.*—

3 “(1) *DEFINITIONS.*—*In this subsection:*

4 “(A) *MOTOR VEHICLE.*—*The term ‘motor*
5 *vehicle’ has the meaning given the term in sec-*
6 *tion 30102(a) of title 49.*

7 “(B) *OPEN RECALL.*—*The term ‘open recall’*
8 *means a motor vehicle recall—*

9 “(i) *for which a notification by a man-*
10 *ufacturer has been provided under section*
11 *30119 of title 49; and*

12 “(ii) *that has not been remedied under*
13 *section 30120 of that title.*

14 “(C) *PROGRAM.*—*The term ‘program’*
15 *means the program established under paragraph*
16 *(2)(A).*

17 “(D) *REGISTRATION.*—*The term ‘registra-*
18 *tion’ means the process for registering a motor*
19 *vehicle in a State (including registration re-*
20 *newal).*

21 “(E) *STATE.*—*The term ‘State’ has the*
22 *meaning given the term in section 101(a).*

23 “(2) *GRANTS.*—

24 “(A) *ESTABLISHMENT OF PROGRAM.*—*Not*
25 *later than 2 years after the date of enactment of*

1 *this subsection, the Secretary shall establish a*
2 *program under which the Secretary shall provide*
3 *grants to States for use in developing and imple-*
4 *menting State processes for informing each ap-*
5 *plicable owner and lessee of a motor vehicle of*
6 *any open recall on the motor vehicle at the time*
7 *of registration of the motor vehicle in the State,*
8 *in accordance with this paragraph.*

9 “(B) *ELIGIBILITY.*—*To be eligible to receive*
10 *a grant under the program, a State shall—*

11 “(i) *submit to the Secretary an appli-*
12 *cation at such time, in such manner, and*
13 *containing such information as the Sec-*
14 *retary may require; and*

15 “(ii) *agree—*

16 “(I) *to notify each owner or lessee*
17 *of a motor vehicle presented for reg-*
18 *istration in the State of any open re-*
19 *call on that motor vehicle; and*

20 “(II) *to provide to each owner or*
21 *lessee of a motor vehicle presented for*
22 *registration, at no cost—*

23 “(aa) *the open recall infor-*
24 *mation for the motor vehicle; and*

1 “(bb) such other information
2 as the Secretary may require.

3 “(C) *FACTORS FOR CONSIDERATION.*—In se-
4 lecting grant recipients under the program, the
5 Secretary shall take into consideration the meth-
6 odology of a State for—

7 “(i) identifying open recalls on a
8 motor vehicle;

9 “(ii) informing each owner and lessee
10 of a motor vehicle of an open recall; and

11 “(iii) measuring performance in—

12 “(I) informing owners and lessees
13 of open recalls; and

14 “(II) remedying open recalls.

15 “(D) *PERFORMANCE PERIOD.*—A grant pro-
16 vided under the program shall require a per-
17 formance period of 2 years.

18 “(E) *REPORT.*—Not later than 90 days
19 after the date of completion of the performance
20 period under subparagraph (D), each State that
21 receives a grant under the program shall submit
22 to the Secretary a report that contains such in-
23 formation as the Secretary considers to be nec-
24 essary to evaluate the extent to which open re-
25 calls have been remedied in the State.

1 “(F) *NO REGULATIONS REQUIRED.*—Not-
2 withstanding any other provision of law, the
3 Secretary shall not be required to issue any regu-
4 lations to carry out the program.

5 “(3) *PAPERWORK REDUCTION ACT.*—Chapter 35
6 of title 44 (commonly known as the ‘Paperwork Re-
7 duction Act’) shall not apply to information collected
8 under the program.

9 “(4) *FUNDING.*—For each of fiscal years 2022
10 through 2026, the Secretary shall obligate from funds
11 made available to carry out this section \$1,500,000 to
12 carry out the program.

13 “(m) *INNOVATIVE HIGHWAY SAFETY COUNTER-*
14 *MEASURES.*—

15 “(1) *IN GENERAL.*—In conducting research
16 under this section, the Secretary shall evaluate the ef-
17 fectiveness of innovative behavioral traffic safety
18 countermeasures, other than traffic enforcement, that
19 are considered promising or likely to be effective for
20 the purpose of enriching revisions to the document en-
21 titled ‘Countermeasures That Work: A Highway Safe-
22 ty Countermeasure Guide for State Highway Safety
23 Offices, Ninth Edition’ and numbered DOT HS 812
24 478 (or any successor document).

1 “(2) *TREATMENT.*—*The research described in*
2 *paragraph (1) shall be in addition to any other re-*
3 *search carried out under this section.*”.

4 **SEC. 4104. HIGH-VISIBILITY ENFORCEMENT PROGRAMS.**

5 *Section 404(a) of title 23, United States Code, is*
6 *amended by striking “each of fiscal years 2016 through*
7 *2020” and inserting “each of fiscal years 2022 through*
8 *2026”.*

9 **SEC. 4105. NATIONAL PRIORITY SAFETY PROGRAMS.**

10 *(a) IN GENERAL.*—*Section 405 of title 23, United*
11 *States Code, is amended—*

12 *(1) in subsection (a)—*

13 *(A) by striking paragraphs (6) and (9);*

14 *(B) by redesignating paragraphs (1)*
15 *through (5) as paragraphs (2) through (6), re-*
16 *spectively;*

17 *(C) by striking the subsection designation*
18 *and heading and all that follows through “the*
19 *following:” in the matter preceding paragraph*
20 *(2) (as so redesignated) and inserting the fol-*
21 *lowing:*

22 “(a) *PROGRAM AUTHORITY.*—

23 “(1) *IN GENERAL.*—*Subject to the requirements*
24 *of this section, the Secretary shall—*

1 “(A) manage programs to address national
2 priorities for reducing highway deaths and inju-
3 ries; and

4 “(B) allocate funds for the purpose de-
5 scribed in subparagraph (A) in accordance with
6 this subsection.”;

7 (D) in paragraph (4) (as so redesignated),
8 by striking “52.5 percent” and inserting “53
9 percent”;

10 (E) in paragraph (7)—

11 (i) by striking “5 percent” and insert-
12 ing “7 percent”; and

13 (ii) by striking “subsection (h)” and
14 inserting “subsection (g)”;

15 (F) by redesignating paragraphs (8) and
16 (10) as paragraphs (10) and (11), respectively;

17 (G) by inserting after paragraph (7) the fol-
18 lowing:

19 “(8) *PREVENTING ROADSIDE DEATHS.*—In each
20 fiscal year, 1 percent of the funds provided under this
21 section shall be allocated among States that meet re-
22 quirements with respect to preventing roadside deaths
23 under subsection (h).

24 “(9) *DRIVER OFFICER SAFETY EDUCATION.*—In
25 each fiscal year, 1.5 percent of the funds provided

1 *under this section shall be allocated among States*
2 *that meet requirements with respect to driver and of-*
3 *ficer safety education under subsection (i).”; and*

4 *(H) in paragraph (10) (as so redesign-*
5 *ated)—*

6 *(i) by striking “(1) through (7)” and*
7 *inserting “(2) through (9)”;* and

8 *(ii) by striking “(b) through (h)” and*
9 *inserting “(b) through (i)”;*

10 *(2) in subsection (b)—*

11 *(A) in paragraph (1), by striking “of*
12 *Transportation”;*

13 *(B) in paragraph (3)(B)(ii)(VI)(aa), by*
14 *striking “3-year” and inserting “5-year”;* and

15 *(C) in paragraph (4)—*

16 *(i) in subparagraph (A), by striking*
17 *clause (v) and inserting the following:*

18 *“(v) implement programs—*

19 *“(I) to recruit and train nation-*
20 *ally certified child passenger safety*
21 *technicians among police officers, fire*
22 *and other first responders, emergency*
23 *medical personnel, and other individ-*
24 *uals or organizations serving low-in-*
25 *come and underserved populations;*

1 “(II) to educate parents and care-
2 givers in low-income and underserved
3 populations regarding the importance
4 of proper use and correct installation
5 of child restraints on every trip in a
6 motor vehicle; and

7 “(III) to purchase and distribute
8 child restraints to low-income and un-
9 derserved populations; and”;

10 (ii) by striking subparagraph (B) and
11 inserting the following:

12 “(B) REQUIREMENTS.—Each State that is
13 eligible to receive funds—

14 “(i) under paragraph (3)(A) shall
15 use—

16 “(I) not more than 90 percent of
17 those funds to carry out a project or
18 activity eligible for funding under sec-
19 tion 402; and

20 “(II) any remaining funds to
21 carry out subparagraph (A)(v); and

22 “(ii) under paragraph (3)(B) shall use
23 not less than 10 percent of those funds to
24 carry out the activities described in sub-
25 paragraph (A)(v).”;

1 (3) *in subsection (c)—*

2 (A) *in paragraph (1)—*

3 (i) *in the matter preceding subpara-*
4 *graph (A), by striking “of Transportation”;*
5 *and*

6 (ii) *in subparagraph (D), by striking*
7 *“States; and” and inserting “States, includ-*
8 *ing the National EMS Information Sys-*
9 *tem;”;*

10 (B) *in paragraph (3)—*

11 (i) *by striking the paragraph designa-*
12 *tion and heading and all that follows*
13 *through “has a functioning” in subpara-*
14 *graph (A) and inserting the following:*

15 “(3) *ELIGIBILITY.—A State shall not be eligible*
16 *to receive a grant under this subsection for a fiscal*
17 *year unless the State—*

18 (A) *has certified to the Secretary that the*
19 State—

20 (i) *has a functioning”;*

21 (ii) *in subparagraph (B)—*

22 (I) *by adding “and” after the*
23 *semicolon at the end; and*

24 (II) *by redesignating the subpara-*
25 *graph as clause (ii) of subparagraph*

1 (A) and indenting the clause appro-
2 priately;

3 (iii) in subparagraph (C)—

4 (I) by adding “and” after the
5 semicolon at the end; and

6 (II) by redesignating the subpara-
7 graph as clause (iii) of subparagraph
8 (A) and indenting the clause appro-
9 priately;

10 (iv) by redesignating subparagraph
11 (D) as subparagraph (B);

12 (v) in clause (vi) of subparagraph (B)
13 (as so redesignated), by striking “; and”
14 and inserting a period; and

15 (vi) by striking subparagraph (E);

16 (C) by striking paragraph (4) and inserting
17 the following:

18 “(4) USE OF GRANT AMOUNTS.—A State may
19 use a grant received under this subsection to make
20 data program improvements to core highway safety
21 databases relating to quantifiable, measurable
22 progress in any significant data program attribute
23 described in paragraph (3)(B), including through—

24 “(A) software or applications to identify,
25 collect, and report data to State and local gov-

1 *ernment agencies, and enter data into State core*
2 *highway safety databases, including crash, cita-*
3 *tion or adjudication, driver, emergency medical*
4 *services or injury surveillance system, roadway,*
5 *and vehicle data;*

6 *“(B) purchasing equipment to improve a*
7 *process by which data are identified, collated,*
8 *and reported to State and local government*
9 *agencies, including technology for use by law en-*
10 *forcement for near-real time, electronic reporting*
11 *of crash data;*

12 *“(C) improving the compatibility and inter-*
13 *operability of the core highway safety databases*
14 *of the State with national data systems and data*
15 *systems of other States, including the National*
16 *EMS Information System;*

17 *“(D) enhancing the ability of a State and*
18 *the Secretary to observe and analyze local, State,*
19 *and national trends in crash occurrences, rates,*
20 *outcomes, and circumstances;*

21 *“(E) supporting traffic records improve-*
22 *ment training and expenditures for law enforce-*
23 *ment, emergency medical, judicial, prosecutorial,*
24 *and traffic records professionals;*

1 “(F) hiring traffic records professionals for
2 the purpose of improving traffic information sys-
3 tems (including a State Fatal Accident Report-
4 ing System (FARS) liaison);

5 “(G) adoption of the Model Minimum Uni-
6 form Crash Criteria, or providing to the public
7 information regarding why any of those criteria
8 will not be used, if applicable;

9 “(H) supporting reporting criteria relating
10 to emerging topics, including—

11 “(i) impaired driving as a result of
12 drug, alcohol, or polysubstance consump-
13 tion; and

14 “(ii) advanced technologies present on
15 motor vehicles; and

16 “(I) conducting research relating to State
17 traffic safety information systems, including de-
18 veloping programs to improve core highway safe-
19 ty databases and processes by which data are
20 identified, collected, reported to State and local
21 government agencies, and entered into State core
22 safety databases.”; and

23 (D) by adding at the end the following:

24 “(6) TECHNICAL ASSISTANCE.—

1 “(A) *IN GENERAL.*—*The Secretary shall*
2 *provide technical assistance to States, regardless*
3 *of whether a State receives a grant under this*
4 *subsection, with respect to improving the timeli-*
5 *ness, accuracy, completeness, uniformity, inte-*
6 *gration, and public accessibility of State safety*
7 *data that are needed to identify priorities for*
8 *Federal, State, and local highway and traffic*
9 *safety programs, including on adoption by a*
10 *State of the Model Minimum Uniform Crash*
11 *Criteria.*

12 “(B) *FUNDS.*—*The Secretary may use not*
13 *more than 3 percent of the amounts available*
14 *under this subsection to carry out subparagraph*
15 *(A).”;*

16 (4) *in subsection (d)*—

17 (A) *in paragraph (4)*—

18 (i) *in subparagraph (B)*—

19 (I) *by striking clause (iii) and in-*
20 *serting the following:*

21 “(iii) *court support of impaired driv-*
22 *ing prevention efforts, including—*

23 “(I) *hiring criminal justice pro-*
24 *essionals, including law enforcement*
25 *officers, prosecutors, traffic safety re-*

1 source prosecutors, judges, judicial out-
2 reach liaisons, and probation officers;

3 “(II) training and education of
4 those professionals to assist the profes-
5 sionals in preventing impaired driving
6 and handling impaired driving cases,
7 including by providing compensation
8 to a law enforcement officer to carry
9 out safety grant activities to replace a
10 law enforcement officer who is receiv-
11 ing drug recognition expert training or
12 participating as an instructor in that
13 drug recognition expert training; and

14 “(III) establishing driving while
15 intoxicated courts;”;

16 (II) by striking clause (v) and in-
17 serting the following:

18 “(v) improving blood alcohol and drug
19 concentration screening and testing, detec-
20 tion of potentially impairing drugs (includ-
21 ing through the use of oral fluid as a speci-
22 men), and reporting relating to testing and
23 detection;”;

24 (III) in clause (vi), by striking
25 “conducting standardized field sobriety

1 *training, advanced roadside impaired*
2 *driving evaluation training, and” and*
3 *inserting “conducting initial and con-*
4 *tinuing standardized field sobriety*
5 *training, advanced roadside impaired*
6 *driving evaluation training, law en-*
7 *forcement phlebotomy training, and”;*

8 *(IV) in clause (ix), by striking*
9 *“and” at the end;*

10 *(V) in clause (x), by striking the*
11 *period at the end and inserting “;*
12 *and”;* and

13 *(VI) by adding at the end the fol-*
14 *lowing:*

15 *“(xi) testing and implementing pro-*
16 *grams, and purchasing technologies, to bet-*
17 *ter identify, monitor, or treat impaired*
18 *drivers, including—*

19 *“(I) oral fluid-screening tech-*
20 *nologies;*

21 *“(II) electronic warrant pro-*
22 *grams;*

23 *“(III) equipment to increase the*
24 *scope, quantity, quality, and timeliness*
25 *of forensic toxicology chemical testing;*

1 “(IV) case management software
2 to support the management of im-
3 paired driving offenders; and

4 “(V) technology to monitor im-
5 paired-driving offenders, and equip-
6 ment and related expenditures used in
7 connection with impaired-driving en-
8 forcement in accordance with criteria
9 established by the National Highway
10 Traffic Safety Administration.”; and

11 (ii) in subparagraph (C)—

12 (I) in the second sentence, by
13 striking “Medium-range” and insert-
14 ing the following:

15 “(ii) MEDIUM-RANGE AND HIGH-RANGE
16 STATES.—Subject to clause (iii), medium-
17 range”;

18 (II) in the first sentence, by strik-
19 ing “Low-range” and inserting the fol-
20 lowing:

21 “(i) LOW-RANGE STATES.—Subject to
22 clause (iii), low-range”; and

23 (III) by adding at the end the fol-
24 lowing:

1 “(iii) *REPORTING AND IMPAIRED DRIV-*
 2 *ING MEASURES.—A State may use grant*
 3 *funds for any expenditure relating to—*

4 “(I) *increasing the timely and ac-*
 5 *curate reporting to Federal, State, and*
 6 *local databases of—*

7 “(aa) *crash information, in-*
 8 *cluding electronic crash reporting*
 9 *systems that allow accurate real-*
 10 *or near-real-time uploading of*
 11 *crash information; and*

12 “(bb) *impaired driving*
 13 *criminal justice information; or*

14 “(II) *researching or evaluating*
 15 *impaired driving countermeasures.”;*

16 (B) *in paragraph (6)—*

17 (i) *by striking subparagraph (A) and*
 18 *inserting the following:*

19 “(A) *GRANTS TO STATES WITH ALCOHOL-IG-*
 20 *NITION INTERLOCK LAWS.—The Secretary shall*
 21 *make a separate grant under this subsection to*
 22 *each State that—*

23 “(i) *adopts, and is enforcing, a man-*
 24 *datory alcohol-ignition interlock law for all*
 25 *individuals convicted of driving under the*

1 *influence of alcohol or of driving while in-*
2 *toxicated;*

3 *“(ii) does not allow an individual con-*
4 *victed of driving under the influence of alco-*
5 *hol or of driving while intoxicated to receive*
6 *any driving privilege or driver’s license un-*
7 *less the individual installs on each motor*
8 *vehicle registered, owned, or leased for oper-*
9 *ation by the individual an ignition inter-*
10 *lock for a period of not less than 180 days;*
11 *or*

12 *“(iii) has in effect, and is enforcing—*

13 *“(I) a State law requiring for any*
14 *individual who is convicted of, or the*
15 *driving privilege of whom is revoked or*
16 *denied for, refusing to submit to a*
17 *chemical or other appropriate test for*
18 *the purpose of determining the presence*
19 *or concentration of any intoxicating*
20 *substance, a State law requiring a pe-*
21 *riod of not less than 180 days of igni-*
22 *tion interlock installation on each*
23 *motor vehicle to be operated by the in-*
24 *dividual; and*

1 “(II) a compliance-based removal
2 program, under which an individual
3 convicted of driving under the influ-
4 ence of alcohol or of driving while in-
5 toxicated shall—

6 “(aa) satisfy a period of not
7 less than 180 days of ignition
8 interlock installation on each
9 motor vehicle to be operated by the
10 individual; and

11 “(bb) have completed a min-
12 imum consecutive period of not
13 less than 40 percent of the re-
14 quired period of ignition interlock
15 installation immediately pre-
16 ceding the date of release of the
17 individual, without a confirmed
18 violation.”; and

19 (ii) in subparagraph (D), by striking
20 “2009” and inserting “2022”; and

21 (C) in paragraph (7)(A), in the matter pre-
22 ceding clause (i), by inserting “or local” after
23 “authorizes a State”;

24 (5) in subsection (e)—

25 (A) by striking paragraphs (6) and (8);

1 (B) by redesignating paragraphs (1), (2),
2 (3), (4), (5), (7), and (9) as paragraphs (2), (4),
3 (6), (7), (8), (9), and (1), respectively, and mov-
4 ing the paragraphs so as to appear in numerical
5 order;

6 (C) in paragraph (1) (as so redesignated)—

7 (i) in the matter preceding subpara-
8 graph (A), by striking “, the following defi-
9 nitions apply”;

10 (ii) by striking subparagraph (B) and
11 inserting the following:

12 “(B) *PERSONAL WIRELESS COMMUNICA-*
13 *TIONS DEVICE.*—

14 “(i) *IN GENERAL.*—The term ‘personal
15 wireless communications device’ means—

16 “(I) a device through which per-
17 sonal wireless services (as defined in
18 section 332(c)(7)(C) of the Commu-
19 nications Act of 1934 (47 U.S.C.
20 332(c)(7)(C))) are transmitted; and

21 “(II) a mobile telephone or other
22 portable electronic communication de-
23 vice with which a user engages in a
24 call or writes, sends, or reads a text
25 message using at least 1 hand.

1 “(ii) *EXCLUSION.*—The term ‘personal
2 *wireless communications device*’ does not
3 include a global navigation satellite system
4 receiver used for positioning, emergency no-
5 tification, or navigation purposes.”; and

6 (iii) by striking subparagraph (E) and
7 inserting the following:

8 “(E) *TEXT.*—The term ‘text’ means—

9 “(i) to read from, or manually to enter
10 data into, a personal wireless communica-
11 tions device, including for the purpose of
12 SMS texting, emailing, instant messaging,
13 or any other form of electronic data re-
14 trieval or electronic data communication;
15 and

16 “(ii) manually to enter, send, or re-
17 trieve a text message to communicate with
18 another individual or device.

19 “(F) *TEXT MESSAGE.*—

20 “(i) *IN GENERAL.*—The term ‘text mes-
21 sage’ means—

22 “(I) a text-based message;

23 “(II) an instant message;

24 “(III) an electronic message; and

25 “(IV) email.

1 “(ii) *EXCLUSIONS.*—*The term ‘text*
2 *message’ does not include—*

3 “(I) *an emergency, traffic, or*
4 *weather alert; or*

5 “(II) *a message relating to the op-*
6 *eration or navigation of a motor vehi-*
7 *cle.’;*

8 “(D) *by striking paragraph (2) (as so redes-*
9 *ignated) and inserting the following:*

10 “(2) *GRANT PROGRAM.*—*The Secretary shall pro-*
11 *vide a grant under this subsection to any State that*
12 *includes distracted driving awareness as part of the*
13 *driver’s license examination of the State.*

14 “(3) *ALLOCATION.*—

15 “(A) *IN GENERAL.*—*For each fiscal year,*
16 *not less than 50 percent of the amounts made*
17 *available to carry out this subsection shall be al-*
18 *located to States, based on the proportion that—*

19 “(i) *the apportionment of the State*
20 *under section 402 for fiscal year 2009; bears*
21 *to*

22 “(ii) *the apportionment of all States*
23 *under section 402 for that fiscal year.*

24 “(B) *GRANTS FOR STATES WITH DIS-*
25 *TRACTED DRIVING LAWS.*—

1 “(i) *IN GENERAL.*—*In addition to the*
2 *allocations under subparagraph (A), for*
3 *each fiscal year, not more than 50 percent*
4 *of the amounts made available to carry out*
5 *this subsection shall be allocated to States*
6 *that enact and enforce a law that meets the*
7 *requirements of paragraph (4), (5), or (6)—*

8 “(I) *based on the proportion*
9 *that—*

10 “(aa) *the apportionment of*
11 *the State under section 402 for*
12 *fiscal year 2009; bears to*

13 “(bb) *the apportionment of*
14 *all States under section 402 for*
15 *that fiscal year; and*

16 “(II) *subject to clauses (ii), (iii),*
17 *and (iv), as applicable.*

18 “(ii) *PRIMARY LAWS.*—*Subject to*
19 *clause (iv), in the case of a State that en-*
20 *acts and enforces a law that meets the re-*
21 *quirements of paragraph (4), (5), or (6) as*
22 *a primary offense, the allocation to the*
23 *State under this subparagraph shall be 100*
24 *percent of the amount calculated to be allo-*
25 *cated to the State under clause (i)(I).*

1 “(iii) *SECONDARY LAWS.*—Subject to
2 *clause (iv), in the case of a State that en-*
3 *acts and enforces a law that meets the re-*
4 *quirements of paragraph (4), (5), or (6) as*
5 *a secondary enforcement action, the alloca-*
6 *tion to the State under this subparagraph*
7 *shall be an amount equal to 50 percent of*
8 *the amount calculated to be allocated to the*
9 *State under clause (i)(I).*

10 “(iv) *TEXTING WHILE DRIVING.*—Not-
11 *withstanding clauses (ii) and (iii), the allo-*
12 *cation under this subparagraph to a State*
13 *that enacts and enforces a law that pro-*
14 *hibits a driver from viewing a personal*
15 *wireless communications device (except for*
16 *purposes of navigation) shall be 25 percent*
17 *of the amount calculated to be allocated to*
18 *the State under clause (i)(I).”;*

19 *(E) in paragraph (4) (as so redesignated)—*

20 *(i) in the matter preceding subpara-*
21 *graph (A), by striking “set forth in this”*
22 *and inserting “of this”;*

23 *(ii) by striking subparagraph (B);*

1 (iii) by redesignating subparagraphs
2 (C) and (D) as subparagraphs (B) and (C),
3 respectively;

4 (iv) in subparagraph (B) (as so redesi-
5 gnated), by striking “minimum”; and

6 (v) in subparagraph (C) (as so redesi-
7 gnated), by striking “text through a personal
8 wireless communication device” and insert-
9 ing “use a personal wireless communica-
10 tions device for texting”;

11 (F) by inserting after paragraph (4) (as so
12 redesignated) the following:

13 “(5) *PROHIBITION ON HANDHELD PHONE USE*
14 *WHILE DRIVING.—A State law meets the requirements*
15 *of this paragraph if the law—*

16 “(A) prohibits a driver from holding a per-
17 sonal wireless communications device while driv-
18 ing;

19 “(B) establishes a fine for a violation of
20 that law; and

21 “(C) does not provide for an exemption that
22 specifically allows a driver to use a personal
23 wireless communications device for texting while
24 stopped in traffic.”;

25 (G) in paragraph (6) (as so redesignated)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “set forth in this”
3 and inserting “of this”;

4 (ii) in subparagraph (A)(ii), by strik-
5 ing “set forth in subsection (g)(2)(B)”;

6 (iii) by striking subparagraphs (B)
7 and (D);

8 (iv) by redesignating subparagraph (C)
9 as subparagraph (B);

10 (v) in subparagraph (B) (as so redesi-
11 gnated), by striking “minimum”; and

12 (vi) by adding at the end the following:
13 “(C) does not provide for—

14 “(i) an exemption that specifically al-
15 lows a driver to use a personal wireless
16 communications device for texting while
17 stopped in traffic; or

18 “(ii) an exemption described in para-
19 graph (7)(E).”;

20 (H) in paragraph (7) (as so redesi-
21 gnated)—

22 (i) in the matter preceding subpara-
23 graph (A), by striking “set forth in para-
24 graph (2) or (3)” and inserting “of para-
25 graph (4), (5), or (6)”;

1 (ii) by striking subparagraph (A) and
2 inserting the following:

3 “(A) a driver who uses a personal wireless
4 communications device during an emergency to
5 contact emergency services to prevent injury to
6 persons or property;”;

7 (iii) in subparagraph (C), by striking
8 “and” at the end;

9 (iv) by redesignating subparagraph
10 (D) as subparagraph (F); and

11 (v) by inserting after subparagraph
12 (C) the following:

13 “(D) a driver who uses a personal wireless
14 communications device for navigation;

15 “(E) except for a law described in para-
16 graph (6), the use of a personal wireless commu-
17 nications device—

18 “(i) in a hands-free manner;

19 “(ii) with a hands-free accessory; or

20 “(iii) with the activation or deactiva-
21 tion of a feature or function of the personal
22 wireless communications device with the
23 motion of a single swipe or tap of the finger
24 of the driver; and”;

25 (6) in subsection (f)(3)—

1 (A) in subparagraph (A)(i), by striking
2 “accident” and inserting “crash”;

3 (B) by redesignating subparagraphs (C)
4 through (F) as subparagraphs (D) through (G),
5 respectively;

6 (C) by inserting after subparagraph (B) the
7 following:

8 “(C) *HELMET LAW.*—A State law requiring
9 the use of a helmet for each motorcycle rider
10 under the age of 18.”; and

11 (D) in subparagraph (F) (as so redesign-
12 ated), in the subparagraph heading, by striking
13 “ACCIDENTS” and inserting “CRASHES”;

14 (7) by striking subsection (g);

15 (8) by redesignating subsection (h) as subsection
16 (g);

17 (9) in subsection (g) (as so redesignated)—

18 (A) by redesignating paragraphs (1)
19 through (5) as paragraphs (2) through (6), re-
20 spectively;

21 (B) by inserting before paragraph (2) (as so
22 redesignated) the following:

23 “(1) *DEFINITION OF NONMOTORIZED ROAD*
24 *USER.*—In this subsection, the term ‘nonmotorized
25 road user’ means—

1 “(A) a pedestrian;

2 “(B) an individual using a nonmotorized
3 mode of transportation, including a bicycle, a
4 scooter, or a personal conveyance; and

5 “(C) an individual using a low-speed or
6 low-horsepower motorized vehicle, including an
7 electric bicycle, electric scooter, personal mobility
8 assistance device, personal transporter, or all-ter-
9 rain vehicle.”;

10 (C) in paragraph (2) (as so redesignated),
11 by striking “pedestrian and bicycle fatalities and
12 injuries that result from crashes involving a
13 motor vehicle” and inserting “nonmotorized road
14 user fatalities involving a motor vehicle in tran-
15 sit on a trafficway”;

16 (D) in paragraph (4) (as so redesignated),
17 by striking “pedestrian and bicycle” and insert-
18 ing “nonmotorized road user”; and

19 (E) by striking paragraph (5) (as so redesi-
20 gnated) and inserting the following:

21 “(5) USE OF GRANT AMOUNTS.—Grant funds re-
22 ceived by a State under this subsection may be used
23 for the safety of nonmotorized road users, including—

24 “(A) training of law enforcement officials
25 relating to nonmotorized road user safety, State

1 *laws applicable to nonmotorized road user safety,*
2 *and infrastructure designed to improve non-*
3 *motorized road user safety;*

4 “(B) *carrying out a program to support en-*
5 *forcement mobilizations and campaigns designed*
6 *to enforce State traffic laws applicable to non-*
7 *motorized road user safety;*

8 “(C) *public education and awareness pro-*
9 *grams designed to inform motorists and non-*
10 *motorized road users regarding—*

11 “(i) *nonmotorized road user safety, in-*
12 *cluding information relating to non-*
13 *motorized mobility and the importance of*
14 *speed management to the safety of non-*
15 *motorized road users;*

16 “(ii) *the value of the use of non-*
17 *motorized road user safety equipment, in-*
18 *cluding lighting, conspicuity equipment,*
19 *mirrors, helmets, and other protective*
20 *equipment, and compliance with any State*
21 *or local laws requiring the use of that*
22 *equipment;*

23 “(iii) *State traffic laws applicable to*
24 *nonmotorized road user safety, including*

1 *the responsibilities of motorists with respect*
2 *to nonmotorized road users; and*

3 “(iv) *infrastructure designed to im-*
4 *prove nonmotorized road user safety; and*

5 “(D) *the collection of data, and the estab-*
6 *lishment and maintenance of data systems, relat-*
7 *ing to nonmotorized road user traffic fatalities.”;*
8 *and*

9 (10) *by adding at the end the following:*

10 “(h) *PREVENTING ROADSIDE DEATHS.—*

11 “(1) *IN GENERAL.—The Secretary shall provide*
12 *grants to States to prevent death and injury from*
13 *crashes involving motor vehicles striking other vehicles*
14 *and individuals stopped at the roadside.*

15 “(2) *FEDERAL SHARE.—The Federal share of the*
16 *cost of carrying out an activity funded through a*
17 *grant under this subsection may not exceed 80 per-*
18 *cent.*

19 “(3) *ELIGIBILITY.—A State shall receive a grant*
20 *under this subsection in a fiscal year if the State sub-*
21 *mits to the Secretary a plan that describes the method*
22 *by which the State will use grant funds in accordance*
23 *with paragraph (4).*

1 “(4) *USE OF FUNDS.*—Amounts received by a
2 State under this subsection shall be used by the
3 State—

4 “(A) to purchase and deploy digital alert
5 technology that—

6 “(i) is capable of receiving alerts re-
7 garding nearby first responders; and

8 “(ii) in the case of a motor vehicle that
9 is used for emergency response activities, is
10 capable of sending alerts to civilian drivers
11 to protect first responders on the scene and
12 en route;

13 “(B) to educate the public regarding the
14 safety of vehicles and individuals stopped at the
15 roadside in the State through public information
16 campaigns for the purpose of reducing roadside
17 deaths and injury;

18 “(C) for law enforcement costs relating to
19 enforcing State laws to protect the safety of vehi-
20 cles and individuals stopped at the roadside;

21 “(D) for programs to identify, collect, and
22 report to State and local government agencies
23 data relating to crashes involving vehicles and
24 individuals stopped at the roadside; and

1 “(E) to pilot and incentivize measures, in-
2 cluding optical visibility measures, to increase
3 the visibility of stopped and disabled vehicles.

4 “(5) GRANT AMOUNT.—The allocation of grant
5 funds to a State under this subsection for a fiscal
6 year shall be in proportion to the apportionment of
7 that State under section 402 for fiscal year 2022.

8 “(i) DRIVER AND OFFICER SAFETY EDUCATION.—

9 “(1) DEFINITION OF PEACE OFFICER.—In this
10 subsection, the term ‘peace officer’ includes any indi-
11 vidual—

12 “(A) who is an elected, appointed, or em-
13 ployed agent of a government entity;

14 “(B) who has the authority—

15 “(i) to carry firearms; and

16 “(ii) to make warrantless arrests; and

17 “(C) whose duties involve the enforcement of
18 criminal laws of the United States.

19 “(2) GRANTS.—Subject to the requirements of
20 this subsection, the Secretary shall provide grants
21 to—

22 “(A) States that enact or adopt a law or
23 program described in paragraph (4); and

24 “(B) qualifying States under paragraph
25 (7).

1 “(3) *FEDERAL SHARE.*—*The Federal share of the*
2 *cost of carrying out an activity funded through a*
3 *grant under this subsection may not exceed 80 per-*
4 *cent.*

5 “(4) *DESCRIPTION OF LAW OR PROGRAM.*—*A law*
6 *or program referred to in paragraph (2)(A) is a law*
7 *or program that requires 1 or more of the following:*

8 “(A) *DRIVER EDUCATION AND DRIVING*
9 *SAFETY COURSES.*—*The inclusion, in driver edu-*
10 *cation and driver safety courses provided to in-*
11 *dividuals by educational and motor vehicle agen-*
12 *cies of the State, of instruction and testing relat-*
13 *ing to law enforcement practices during traffic*
14 *stops, including information relating to—*

15 “(i) *the role of law enforcement and*
16 *the duties and responsibilities of peace offi-*
17 *cers;*

18 “(ii) *the legal rights of individuals*
19 *concerning interactions with peace officers;*

20 “(iii) *best practices for civilians and*
21 *peace officers during those interactions;*

22 “(iv) *the consequences for failure of an*
23 *individual or officer to comply with the law*
24 *or program; and*

1 “(v) *how and where to file a complaint*
2 *against, or a compliment relating to, a*
3 *peace officer.*

4 “(B) *PEACE OFFICER TRAINING PRO-*
5 *GRAMS.—Development and implementation of a*
6 *training program, including instruction and*
7 *testing materials, for peace officers and reserve*
8 *law enforcement officers (other than officers who*
9 *have received training in a civilian course de-*
10 *scribed in subparagraph (A)) with respect to*
11 *proper interaction with civilians during traffic*
12 *stops.*

13 “(5) *USE OF FUNDS.—A State may use a grant*
14 *provided under this subsection for—*

15 “(A) *the production of educational mate-*
16 *rials and training of staff for driver education*
17 *and driving safety courses and peace officer*
18 *training described in paragraph (4); and*

19 “(B) *the implementation of a law or pro-*
20 *gram described in paragraph (4).*

21 “(6) *GRANT AMOUNT.—The allocation of grant*
22 *funds to a State under this subsection for a fiscal*
23 *year shall be in proportion to the apportionment of*
24 *that State under section 402 for fiscal year 2022.*

25 “(7) *SPECIAL RULE FOR CERTAIN STATES.—*

1 “(A) *DEFINITION OF QUALIFYING STATE.*—

2 *In this paragraph, the term ‘qualifying State’*

3 *means a State that—*

4 “(i) *has received a grant under this*

5 *subsection for a period of not more than 5*

6 *years; and*

7 “(ii) *as determined by the Secretary—*

8 “(I) *has not fully enacted or*

9 *adopted a law or program described in*

10 *paragraph (4); but*

11 “(II)(aa) *has taken meaningful*

12 *steps toward the full implementation of*

13 *such a law or program; and*

14 “(bb) *has established a timetable*

15 *for the implementation of such a law*

16 *or program.*

17 “(B) *WITHHOLDING.*—*The Secretary*

18 *shall—*

19 “(i) *withhold 50 percent of the amount*

20 *that each qualifying State would otherwise*

21 *receive under this subsection if the quali-*

22 *fying State were a State described in para-*

23 *graph (2)(A); and*

24 “(ii) *direct any amounts withheld*

25 *under clause (i) for distribution among the*

1 *States that are enforcing and carrying out*
 2 *a law or program described in paragraph*
 3 *(4).”.*

4 **(b) TECHNICAL AMENDMENT.**—*Section 4010(2) of the*
 5 *FAST Act (23 U.S.C. 405 note; Public Law 114–94) is*
 6 *amended by inserting “all” before “deficiencies”.*

7 **SEC. 4106. MULTIPLE SUBSTANCE-IMPAIRED DRIVING PRE-**
 8 **VENTION.**

9 **(a) IMPAIRED DRIVING COUNTERMEASURES.**—*Section*
 10 *154(c)(1) of title 23, United States Code, is amended by*
 11 *striking “alcohol-impaired” each place it appears and in-*
 12 *serting “impaired”.*

13 **(b) COMPTROLLER GENERAL STUDY OF NATIONAL**
 14 **DUI REPORTING.**—

15 **(1) IN GENERAL.**—*The Comptroller General of*
 16 *the United States shall conduct a study of the report-*
 17 *ing of impaired driving arrest and citation data into*
 18 *Federal databases and the interstate sharing of infor-*
 19 *mation relating to impaired driving-related convic-*
 20 *tions and license suspensions to facilitate the wide-*
 21 *spread identification of repeat impaired driving of-*
 22 *fenders.*

23 **(2) INCLUSIONS.**—*The study conducted under*
 24 *paragraph (1) shall include a detailed assessment*
 25 *of—*

1 (A) *the extent to which State and local*
2 *criminal justice agencies are reporting impaired*
3 *driving arrest and citation data to Federal data-*
4 *bases;*

5 (B) *barriers—*

6 (i) *at the Federal, State, and local lev-*
7 *els, to the reporting of impaired driving ar-*
8 *rest and citation data to Federal databases;*
9 *and*

10 (ii) *to the use of those databases by*
11 *criminal justice agencies;*

12 (C) *Federal, State, and local resources*
13 *available to improve the reporting and sharing*
14 *of impaired driving data; and*

15 (D) *any options or recommendations for ac-*
16 *tions that Federal agencies or Congress could*
17 *take to further improve the reporting and shar-*
18 *ing of impaired driving data.*

19 (3) *REPORT.—Not later than 1 year after the*
20 *date of enactment of this Act, the Comptroller General*
21 *shall submit to the appropriate committees of Con-*
22 *gress a report describing the results of the study con-*
23 *ducted under this subsection.*

1 **SEC. 4107. MINIMUM PENALTIES FOR REPEAT OFFENDERS**
 2 **FOR DRIVING WHILE INTOXICATED OR DRIV-**
 3 **ING UNDER THE INFLUENCE.**

4 *Section 164(b)(1) of title 23, United States Code, is*
 5 *amended—*

6 *(1) in subparagraph (A), by striking “alcohol-*
 7 *impaired” and inserting “alcohol- or multiple sub-*
 8 *stance-impaired”; and*

9 *(2) in subparagraph (B)—*

10 *(A) by striking “intoxicated or driving”*
 11 *and inserting “intoxicated, driving while mul-*
 12 *tiple substance-impaired, or driving”; and*

13 *(B) by striking “alcohol-impaired” and in-*
 14 *serting “alcohol- or multiple substance-im-*
 15 *paired”.*

16 **SEC. 4108. CRASH DATA.**

17 *(a) IN GENERAL.—Not later than 3 years after the*
 18 *date of enactment of this Act, the Secretary shall revise the*
 19 *crash data collection system to include the collection of*
 20 *crash report data elements that distinguish individual per-*
 21 *sonal conveyance vehicles, such as electric scooters and bicy-*
 22 *cles, from other vehicles involved in a crash.*

23 *(b) COORDINATION.—In carrying out subsection (a),*
 24 *the Secretary may coordinate with States to update the*
 25 *Model Minimum Uniform Crash Criteria to provide guid-*

1 *ance to States regarding the collection of information and*
2 *data elements for the crash data collection system.*

3 *(c) VULNERABLE ROAD USERS.—*

4 *(1) UPDATE.—Based on the information con-*
5 *tained in the vulnerable road user safety assessments*
6 *required by subsection (f) of section 32302 of title 49,*
7 *United States Code (as added by section 4213(b)(2)),*
8 *the Secretary shall modify existing crash data collec-*
9 *tion systems to include the collection of additional*
10 *crash report data elements relating to vulnerable road*
11 *user safety.*

12 *(2) INJURY HEALTH DATA.—The Secretary shall*
13 *coordinate with the Director of the Centers for Disease*
14 *Control and Prevention to develop and implement a*
15 *plan for States to combine highway crash data and*
16 *injury health data to produce a national database of*
17 *pedestrian injuries and fatalities, disaggregated by*
18 *demographic characteristics.*

19 *(d) STATE ELECTRONIC DATA COLLECTION.—*

20 *(1) DEFINITIONS.—In this subsection:*

21 *(A) ELECTRONIC DATA TRANSFER.—The*
22 *term “electronic data transfer” means a protocol*
23 *for automated electronic transfer of State crash*
24 *data to the National Highway Traffic Safety*
25 *Administration.*

- 1 (B) *STATE*.—The term “State” means—
- 2 (i) *each of the 50 States;*
- 3 (ii) *the District of Columbia;*
- 4 (iii) *the Commonwealth of Puerto*
- 5 *Rico;*
- 6 (iv) *the United States Virgin Islands;*
- 7 (v) *Guam;*
- 8 (vi) *American Samoa;*
- 9 (vii) *the Commonwealth of the North-*
- 10 *ern Mariana Islands; and*
- 11 (viii) *the Secretary of the Interior, act-*
- 12 *ing on behalf of an Indian Tribe.*

13 (2) *ESTABLISHMENT OF PROGRAM*.—The Sec-
14 *retary shall establish a program under which the Sec-*
15 *retary shall—*

16 (A) *provide grants for the modernization of*
17 *State data collection systems to enable full elec-*
18 *tronic data transfer under paragraph (3); and*

19 (B) *upgrade the National Highway Traffic*
20 *Safety Administration system to manage and*
21 *support State electronic data transfers relating*
22 *to crashes under paragraph (4).*

23 (3) *STATE GRANTS*.—

24 (A) *IN GENERAL*.—The Secretary shall pro-
25 *vide grants to States to upgrade and standardize*

1 *State crash data systems to enable electronic*
2 *data collection, intrastate data sharing, and elec-*
3 *tronic data transfers to the National Highway*
4 *Traffic Safety Administration to increase the ac-*
5 *curacy, timeliness, and accessibility of the data,*
6 *including data relating to fatalities involving*
7 *vulnerable road users.*

8 *(B) ELIGIBILITY.—A State shall be eligible*
9 *to receive a grant under this paragraph if the*
10 *State submits to the Secretary an application, at*
11 *such time, in such manner, and containing such*
12 *information as the Secretary may require, that*
13 *includes a plan to implement full electronic data*
14 *transfer to the National Highway Traffic Safety*
15 *Administration by not later than 5 years after*
16 *the date on which the grant is provided.*

17 *(C) USE OF FUNDS.—A grant provided*
18 *under this paragraph may be used for the costs*
19 *of—*

20 *(i) equipment to upgrade a statewide*
21 *crash data repository;*

22 *(ii) adoption of electronic crash report-*
23 *ing by law enforcement agencies; and*

1 (iii) increasing alignment of State
2 crash data with the latest Model Minimum
3 Uniform Crash Criteria.

4 (D) FEDERAL SHARE.—The Federal share
5 of the cost of a project funded with a grant under
6 this paragraph may be up to 80 percent.

7 (4) NATIONAL HIGHWAY TRAFFIC SAFETY ADMIN-
8 ISTRATION SYSTEM UPGRADE.—The Secretary shall
9 manage and support State electronic data transfers
10 relating to vehicle crashes by—

11 (A) increasing the capacity of the National
12 Highway Traffic Safety Administration system;
13 and

14 (B) making State crash data accessible to
15 the public.

16 (e) CRASH INVESTIGATION SAMPLING SYSTEM.—The
17 Secretary may use funds made available to carry out this
18 section to enhance the collection of crash data by upgrading
19 the Crash Investigation Sampling System to include—

20 (1) additional program sites;

21 (2) an expanded scope that includes all crash
22 types; and

23 (3) on-scene investigation protocols.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to the Secretary to carry out

1 *this section \$150,000,000 for each of fiscal years 2022*
 2 *through 2026, to remain available for a period of 3 fiscal*
 3 *years following the fiscal year for which the amounts are*
 4 *appropriated.*

5 **SEC. 4109. REVIEW OF MOVE OVER OR SLOW DOWN LAW**
 6 **PUBLIC AWARENESS.**

7 (a) *DEFINITION OF MOVE OVER OR SLOW DOWN*
 8 *LAW.—In this section, the term “Move Over or Slow Down*
 9 *Law” means any Federal or State law intended to ensure*
 10 *first responder and motorist safety by requiring motorists*
 11 *to change lanes or slow down when approaching an author-*
 12 *ized emergency vehicle that is stopped or parked on or next*
 13 *to a roadway with emergency lights activated.*

14 (b) *STUDY.—*

15 (1) *IN GENERAL.—The Comptroller General of*
 16 *the United States shall carry out a study of the effi-*
 17 *cacy of Move Over or Slow Down Laws and related*
 18 *public awareness campaigns.*

19 (2) *INCLUSIONS.—The study under paragraph*
 20 *(1) shall include—*

21 (A) *a review of each Federal and State*
 22 *Move Over or Slow Down Law, including—*

23 (i) *penalties associated with the Move*
 24 *Over or Slow Down Laws;*

1 (ii) the level of enforcement of Move
2 Over or Slow Down Laws; and

3 (iii) the applicable class of vehicles
4 that triggers Move Over or Slow Down
5 Laws.

6 (B) an identification and description of
7 each Federal and State public awareness cam-
8 paign relating to Move Over or Slow Down
9 Laws; and

10 (C) a description of the role of the Depart-
11 ment in supporting State efforts with respect to
12 Move Over or Slow Down Laws, such as con-
13 ducting research, collecting data, or supporting
14 public awareness or education efforts.

15 (c) *REPORT.*—On completion of the study under sub-
16 section (b), the Comptroller General shall submit to the
17 Committee on Commerce, Science, and Transportation of
18 the Senate and the Committee on Transportation and In-
19 frastructure of the House of Representatives a report that
20 describes—

21 (1) the findings of the study; and

22 (2) any recommendations to improve public
23 awareness campaigns, research, or education efforts
24 relating to the issues described in subsection (b)(2).

1 **SEC. 4110. REVIEW OF LAWS, SAFETY MEASURES, AND TECH-**
2 **NOLOGIES RELATING TO SCHOOL BUSES.**

3 *(a) REVIEW OF ILLEGAL PASSING LAWS.—*

4 *(1) IN GENERAL.—Not later than 2 years after*
5 *the date of enactment of this Act, the Secretary shall*
6 *prepare a report that—*

7 *(A) identifies and describes all illegal pass-*
8 *ing laws in each State relating to school buses,*
9 *including—*

10 *(i) the level of enforcement of those*
11 *laws;*

12 *(ii) the penalties associated with those*
13 *laws;*

14 *(iii) any issues relating to the enforce-*
15 *ment of those laws; and*

16 *(iv) the effectiveness of those laws;*

17 *(B) reviews existing State laws that may*
18 *inhibit the effectiveness of safety countermeasures*
19 *in school bus loading zones, such as—*

20 *(i) laws that require the face of a driv-*
21 *er to be visible in an image captured by a*
22 *camera if enforcement action is to be taken*
23 *based on that image;*

24 *(ii) laws that may reduce stop-arm*
25 *camera effectiveness;*

1 (iii) the need for a law enforcement of-
2 ficer to witness an event for enforcement ac-
3 tion to be taken; and

4 (iv) the lack of primary enforcement
5 for texting and driving offenses;

6 (C) identifies the methods used by each
7 State to review, document, and report to law en-
8 forcement school bus stop-arm violations; and

9 (D) identifies best practices relating to the
10 most effective approaches to address the illegal
11 passing of school buses.

12 (2) *PUBLICATION.*—The report under paragraph
13 (1) shall be made publicly available on the website of
14 the Department.

15 (b) *PUBLIC SAFETY MESSAGING CAMPAIGN.*—

16 (1) *IN GENERAL.*—Not later than 1 year after
17 the date of enactment of this Act, the Secretary shall
18 establish and implement a public safety messaging
19 campaign that uses public safety media messages,
20 posters, digital media messages, and other media mes-
21 sages distributed to States, State departments of
22 motor vehicles, schools, and other public outlets—

23 (A) to highlight the importance of address-
24 ing the illegal passing of school buses; and

1 (B) to educate students and the public re-
2 garding the safe loading and unloading of
3 schools buses.

4 (2) CONSULTATION.—In carrying out paragraph
5 (1), the Secretary shall consult with—

6 (A) representatives of the school bus indus-
7 try from the public and private sectors; and

8 (B) States.

9 (3) UPDATES.—The Secretary shall periodically
10 update the materials used in the campaign under
11 paragraph (1).

12 (c) REVIEW OF TECHNOLOGIES.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, the Secretary shall
15 review and evaluate the effectiveness of various tech-
16 nologies for enhancing school bus safety, including
17 technologies such as—

18 (A) cameras;

19 (B) audible warning systems; and

20 (C) enhanced lighting.

21 (2) INCLUSIONS.—The review under paragraph
22 (1)—

23 (A) shall include—

24 (i) an assessment of—

- 1 (I) the costs of acquiring and op-
2 erating new equipment;
- 3 (II) the potential impact of that
4 equipment on overall school bus rider-
5 ship; and
- 6 (III) motion-activated detection
7 systems capable of—
- 8 (aa) detecting pedestrians,
9 cyclists, and other road users lo-
10 cated near the exterior of the
11 school bus; and
- 12 (bb) alerting the operator of
13 the school bus of those road users;
- 14 (ii) an assessment of the impact of ad-
15 vanced technologies designed to improve
16 loading zone safety; and
- 17 (iii) an assessment of the effectiveness
18 of school bus lighting systems at clearly
19 communicating to surrounding drivers the
20 appropriate actions those drivers should
21 take; and
- 22 (B) may include an evaluation of any tech-
23 nological solutions that may enhance school bus
24 safety outside the school bus loading zone.

1 (3) *CONSULTATION.*—*In carrying out the review*
2 *under paragraph (1), the Secretary shall consult*
3 *with—*

4 (A) *manufacturers of school buses;*

5 (B) *manufacturers of various technologies*
6 *that may enhance school bus safety; and*

7 (C) *representatives of the school bus indus-*
8 *try from the public and private sectors.*

9 (4) *PUBLICATION.*—*The Secretary shall make the*
10 *findings of the review under paragraph (1) publicly*
11 *available on the website of the Department.*

12 (d) *REVIEW OF DRIVER EDUCATION MATERIALS.*—

13 (1) *IN GENERAL.*—*Not later than 2 years after*
14 *the date of enactment of this Act, the Secretary*
15 *shall—*

16 (A) *review driver manuals, handbooks, and*
17 *other materials in all States to determine wheth-*
18 *er and the means by which illegal passing of*
19 *school buses is addressed in those driver mate-*
20 *rials, including in—*

21 (i) *testing for noncommercial driver's*
22 *licenses; and*

23 (ii) *road tests; and*

24 (B) *make recommendations on methods by*
25 *which States can improve education regarding*

1 *the illegal passing of school buses, particularly*
2 *for new drivers.*

3 (2) *CONSULTATION.*—*In carrying out paragraph*
4 *(1), the Secretary shall consult with—*

5 (A) *representatives of the school bus indus-*
6 *try from the public and private sectors;*

7 (B) *States;*

8 (C) *State motor vehicle administrators or*
9 *senior State executives responsible for driver li-*
10 *censing; and*

11 (D) *other appropriate motor vehicle experts.*

12 (3) *PUBLICATION.*—*The Secretary shall make the*
13 *findings of the review under paragraph (1) publicly*
14 *available on the website of the Department.*

15 (e) *REVIEW OF OTHER SAFETY ISSUES.*—

16 (1) *IN GENERAL.*—*Not later than 2 years after*
17 *the date of enactment of this Act, the Secretary shall*
18 *research and prepare a report describing any rela-*
19 *tionship between the illegal passing of school buses*
20 *and other safety issues, including issues such as—*

21 (A) *distracted driving;*

22 (B) *poor visibility, such as morning dark-*
23 *ness;*

24 (C) *illumination and reach of vehicle head-*
25 *lights;*

1 (D) speed limits; and

2 (E) characteristics associated with school
3 bus stops, including the characteristics of school
4 bus stops in rural areas.

5 (2) PUBLICATION.—The Secretary shall make the
6 report under paragraph (1) publicly available on the
7 website of the Department.

8 **SEC. 4111. MOTORCYCLIST ADVISORY COUNCIL.**

9 (a) IN GENERAL.—Subchapter III of chapter 3 of title
10 49, United States Code, is amended by adding at the end
11 the following:

12 **“§ 355. Motorcyclist Advisory Council**

13 “(a) ESTABLISHMENT.—Not later than 90 days after
14 the date of enactment of this section, the Secretary of Trans-
15 portation (referred to in this section as the ‘Secretary’) shall
16 establish a council, to be known as the ‘Motorcyclist Advi-
17 sory Council’ (referred to in this section as the ‘Council’).

18 “(b) MEMBERSHIP.—

19 “(1) IN GENERAL.—The Council shall be com-
20 prised of 13 members, to be appointed by the Sec-
21 retary, of whom—

22 “(A) 5 shall be representatives of units of
23 State or local government with expertise relating
24 to highway engineering and safety issues, includ-
25 ing—

1 “(i) motorcycle and motorcyclist safety;

2 “(ii) barrier and road design, con-
3 struction, and maintenance; or

4 “(iii) intelligent transportation sys-
5 tems;

6 “(B) 1 shall be a motorcyclist who serves as
7 a State or local—

8 “(i) traffic and safety engineer;

9 “(ii) design engineer; or

10 “(iii) other transportation department
11 official;

12 “(C) 1 shall be a representative of a na-
13 tional association of State transportation offi-
14 cials;

15 “(D) 1 shall be a representative of a na-
16 tional motorcyclist association;

17 “(E) 1 shall be a representative of a na-
18 tional motorcyclist foundation;

19 “(F) 1 shall be a representative of a na-
20 tional motorcycle manufacturing association;

21 “(G) 1 shall be a representative of a motor-
22 cycle manufacturing company headquartered in
23 the United States;

1 “(H) 1 shall be a roadway safety data ex-
2 pert with expertise relating to crash testing and
3 analysis; and

4 “(I) 1 shall be a member of a national safe-
5 ty organization that represents the traffic safety
6 systems industry.

7 “(2) TERM.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graphs (B) and (C), each member shall serve on
10 the Council for a single term of 2 years.

11 “(B) ADDITIONAL TERM.—If a successor is
12 not appointed for a member of the Council before
13 the expiration of the term of service of the mem-
14 ber, the member may serve on the Council for a
15 second term of not longer than 2 years.

16 “(C) APPOINTMENT OF REPLACEMENTS.—If
17 a member of the Council resigns before the expi-
18 ration of the 2-year term of service of the mem-
19 ber—

20 “(i) the Secretary may appoint a re-
21 placement for the member, who shall serve
22 the remaining portion of the term; and

23 “(ii) the resigning member may con-
24 tinue to serve after resignation until the
25 date on which a successor is appointed.

1 “(3) *VACANCIES.*—A vacancy on the Council
2 shall be filled in the manner in which the original
3 appointment was made.

4 “(4) *COMPENSATION.*—A member of the Council
5 shall serve without compensation.

6 “(c) *DUTIES.*—

7 “(1) *ADVISING.*—The Council shall advise the
8 Secretary, the Administrator of the National High-
9 way Traffic Safety Administration, and the Adminis-
10 trator of the Federal Highway Administration re-
11 garding transportation safety issues of concern to mo-
12 torcyclists, including—

13 “(A) motorcycle and motorcyclist safety;

14 “(B) barrier and road design, construction,
15 and maintenance practices; and

16 “(C) the architecture and implementation of
17 intelligent transportation system technologies.

18 “(2) *BIENNIAL REPORT.*—Not later than October
19 31 of the calendar year following the calendar year in
20 which the Council is established, and not less fre-
21 quently than once every 2 years thereafter, the Coun-
22 cil shall submit to the Secretary a report containing
23 recommendations of the Council regarding the issues
24 described in paragraph (1).

25 “(d) *DUTIES OF SECRETARY.*—

1 “(1) *COUNCIL RECOMMENDATIONS.*—

2 “(A) *IN GENERAL.*—*The Secretary shall de-*
3 *termine whether to accept or reject a rec-*
4 *ommendation contained in a report of the Coun-*
5 *cil under subsection (c)(2).*

6 “(B) *INCLUSION IN REVIEW.*—

7 “(i) *IN GENERAL.*—*The Secretary shall*
8 *indicate in each review under paragraph*
9 *(2) whether the Secretary accepts or rejects*
10 *each recommendation of the Council covered*
11 *by the review.*

12 “(ii) *EXCEPTION.*—*The Secretary may*
13 *indicate in a review under paragraph (2)*
14 *that a recommendation of the Council is*
15 *under consideration, subject to the condition*
16 *that a recommendation so under consider-*
17 *ation shall be accepted or rejected by the*
18 *Secretary in the subsequent review of the*
19 *Secretary under paragraph (2).*

20 “(2) *REVIEW.*—

21 “(A) *IN GENERAL.*—*Not later than 60 days*
22 *after the date on which the Secretary receives a*
23 *report from the Council under subsection (c)(2),*
24 *the Secretary shall submit a review describing*
25 *the response of the Secretary to the recommenda-*

1 *tions of the Council contained in the Council re-*
2 *port to—*

3 “(i) *the Committee on Commerce,*
4 *Science, and Transportation of the Senate;*

5 “(ii) *the Committee on Environment*
6 *and Public Works of the Senate;*

7 “(iii) *the Subcommittee on Transpor-*
8 *tation, Housing and Urban Development,*
9 *and Related Agencies of the Committee on*
10 *Appropriations of the Senate;*

11 “(iv) *the Committee on Transportation*
12 *and Infrastructure of the House of Rep-*
13 *resentatives; and*

14 “(v) *the Subcommittee on Transpor-*
15 *tation, Housing and Urban Development,*
16 *and Related Agencies of the Committee on*
17 *Appropriations of the House of Representa-*
18 *tives.*

19 “(B) *CONTENTS.—A review of the Secretary*
20 *under this paragraph shall include a description*
21 *of—*

22 “(i) *each recommendation contained in*
23 *the Council report covered by the review;*
24 *and*

1 “(ii)(I) each recommendation of the
2 Council that was categorized under para-
3 graph (1)(B)(ii) as being under consider-
4 ation by the Secretary in the preceding re-
5 view submitted under this paragraph; and

6 “(II) for each such recommendation,
7 whether the recommendation—

8 “(aa) is accepted or rejected by
9 the Secretary; or

10 “(bb) remains under consideration
11 by the Secretary.

12 “(3) *ADMINISTRATIVE AND TECHNICAL SUP-*
13 *PORT.—The Secretary shall provide to the Council*
14 *such administrative support, staff, and technical as-*
15 *stance as the Secretary determines to be necessary to*
16 *carry out the duties of the Council under this section.*

17 “(e) *TERMINATION.—The Council shall terminate on*
18 *the date that is 6 years after the date on which the Council*
19 *is established under subsection (a).”.*

20 “(b) *CLERICAL AMENDMENT.—The analysis for sub-*
21 *chapter III of chapter 3 of title 49, United States Code,*
22 *is amended by inserting after the item relating to section*
23 *354 the following:*

 “355. *Motorcyclist Advisory Council.*”.

24 “(c) *CONFORMING AMENDMENTS.—*

1 (1) *Section 1426 of the FAST Act (23 U.S.C.*
2 *101 note; Public Law 114–94) is repealed.*

3 (2) *The table of contents for the FAST Act (Pub-*
4 *lic Law 114–94; 129 Stat. 1313) is amended by strik-*
5 *ing the item relating to section 1426.*

6 **SEC. 4112. SAFE STREETS AND ROADS FOR ALL GRANT PRO-**
7 **GRAM.**

8 (a) *DEFINITIONS.—In this section:*

9 (1) *COMPREHENSIVE SAFETY ACTION PLAN.—The*
10 *term “comprehensive safety action plan” means a*
11 *plan aimed at preventing transportation-related fa-*
12 *talities and serious injuries in a locality, commonly*
13 *referred to as a “Vision Zero” or “Toward Zero*
14 *Deaths” plan, that may include—*

15 (A) *a goal and timeline for eliminating fa-*
16 *talities and serious injuries;*

17 (B) *an analysis of the location and severity*
18 *of vehicle-involved crashes in a locality;*

19 (C) *an analysis of community input, gath-*
20 *ered through public outreach and education;*

21 (D) *a data-driven approach to identify*
22 *projects or strategies to prevent fatalities and se-*
23 *rious injuries in a locality, such as those involv-*
24 *ing—*

25 (i) *education and community outreach;*

1 (ii) effective methods to enforce traffic
2 laws and regulations;

3 (iii) new vehicle or other transpor-
4 tation-related technologies; and

5 (iv) roadway planning and design;
6 and

7 (E) mechanisms for evaluating the outcomes
8 and effectiveness of the comprehensive safety ac-
9 tion plan, including the means by which that ef-
10 fectiveness will be reported to residents in a lo-
11 cality.

12 (2) *ELIGIBLE ENTITY*.—The term “eligible enti-
13 ty” means—

14 (A) a metropolitan planning organization;

15 (B) a political subdivision of a State;

16 (C) a federally recognized Tribal govern-
17 ment; and

18 (D) a multijurisdictional group of entities
19 described in any of subparagraphs (A) through
20 (C).

21 (3) *ELIGIBLE PROJECT*.—The term “eligible
22 project” means a project—

23 (A) to develop a comprehensive safety action
24 plan;

1 (B) to conduct planning, design, and devel-
2 opment activities for projects and strategies iden-
3 tified in a comprehensive safety action plan; or

4 (C) to carry out projects and strategies
5 identified in a comprehensive safety action plan.

6 (4) PROGRAM.—The term “program” means the
7 Safe Streets and Roads for All program established
8 under subsection (b).

9 (b) ESTABLISHMENT.—The Secretary shall establish
10 and carry out a program, to be known as the Safe Streets
11 and Roads for All program, that supports local initiatives
12 to prevent death and serious injury on roads and streets,
13 commonly referred to as “Vision Zero” or “Toward Zero
14 Deaths” initiatives.

15 (c) GRANTS.—

16 (1) IN GENERAL.—In carrying out the program,
17 the Secretary may make grants to eligible entities, on
18 a competitive basis, in accordance with this section.

19 (2) LIMITATIONS.—

20 (A) IN GENERAL.—Not more than 15 per-
21 cent of the funds made available to carry out the
22 program for a fiscal year may be awarded to eli-
23 gible projects in a single State during that fiscal
24 year.

1 (B) *PLANNING GRANTS.*—Of the total
2 amount made available to carry out the program
3 for each fiscal year, not less than 40 percent
4 shall be awarded to eligible projects described in
5 subsection (a)(3)(A).

6 (d) *SELECTION OF ELIGIBLE PROJECTS.*—

7 (1) *SOLICITATION.*—Not later than 180 days
8 after the date on which amounts are made available
9 to provide grants under the program for a fiscal year,
10 the Secretary shall solicit from eligible entities grant
11 applications for eligible projects in accordance with
12 this section.

13 (2) *APPLICATIONS.*—

14 (A) *IN GENERAL.*—To be eligible to receive
15 a grant under the program, an eligible entity
16 shall submit to the Secretary an application in
17 such form and containing such information as
18 the Secretary considers to be appropriate.

19 (B) *REQUIREMENT.*—An application for a
20 grant under this paragraph shall include mecha-
21 nisms for evaluating the success of applicable eli-
22 gible projects and strategies.

23 (3) *CONSIDERATIONS.*—In awarding a grant
24 under the program, the Secretary shall take into con-
25 sideration the extent to which an eligible entity, and

1 *each eligible project proposed to be carried out by the*
2 *eligible entity, as applicable—*

3 *(A) is likely to significantly reduce or*
4 *eliminate transportation-related fatalities and*
5 *serious injuries involving various road users, in-*
6 *cluding pedestrians, bicyclists, public transpor-*
7 *tation users, motorists, and commercial opera-*
8 *tors, within the timeframe proposed by the eligi-*
9 *ble entity;*

10 *(B) demonstrates engagement with a variety*
11 *of public and private stakeholders;*

12 *(C) seeks to adopt innovative technologies or*
13 *strategies to promote safety;*

14 *(D) employs low-cost, high-impact strategies*
15 *that can improve safety over a wider geo-*
16 *graphical area;*

17 *(E) ensures, or will ensure, equitable invest-*
18 *ment in the safety needs of underserved commu-*
19 *nities in preventing transportation-related fa-*
20 *talities and injuries;*

21 *(F) includes evidence-based projects or strat-*
22 *egies; and*

23 *(G) achieves such other conditions as the*
24 *Secretary considers to be necessary.*

25 *(4) TRANSPARENCY.—*

1 (A) *IN GENERAL.*—*The Secretary shall*
2 *evaluate, through a methodology that is discern-*
3 *ible and transparent to the public, the means by,*
4 *and extent to, which each application under the*
5 *program addresses any applicable merit criteria*
6 *established by the Secretary.*

7 (B) *PUBLICATION.*—*The methodology under*
8 *subparagraph (A) shall be published by the Sec-*
9 *retary as part of the notice of funding oppor-*
10 *tunity under the program.*

11 (e) *FEDERAL SHARE.*—*The Federal share of the cost*
12 *of an eligible project carried out using a grant provided*
13 *under the program shall not exceed 80 percent.*

14 (f) *FUNDING.*—

15 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
16 *There is authorized to be appropriated to carry out*
17 *this section \$200,000,000 for each of fiscal years 2022*
18 *through 2026, to remain available for a period of 3*
19 *fiscal years following the fiscal year for which the*
20 *amounts are appropriated.*

21 (2) *ADMINISTRATIVE EXPENSES.*—*Of the*
22 *amounts made available to carry out the program for*
23 *a fiscal year, the Secretary may retain not more than*
24 *2 percent for the administrative expenses of the pro-*
25 *gram.*

1 (3) *AVAILABILITY TO ELIGIBLE ENTITIES.*—
2 *Amounts made available under a grant under the*
3 *program shall remain available for use by the appli-*
4 *cable eligible entity until the date that is 5 years after*
5 *the date on which the grant is provided.*

6 (g) *DATA SUBMISSION.*—

7 (1) *IN GENERAL.*—*As a condition of receiving a*
8 *grant under this program, an eligible entity shall*
9 *submit to the Secretary, on a regular basis as estab-*
10 *lished by the Secretary, data, information, or anal-*
11 *yses collected or conducted in accordance with sub-*
12 *section (d)(3).*

13 (2) *FORM.*—*The data, information, and analyses*
14 *under paragraph (1) shall be submitted in such form*
15 *such manner as may be prescribed by the Secretary.*

16 (h) *REPORTS.*—*Not later than 4 years after the date*
17 *on which an eligible entity receives a grant under the pro-*
18 *gram, the eligible entity shall submit to the Secretary a re-*
19 *port that describes—*

20 (1) *the costs of each eligible project carried out*
21 *using the grant;*

22 (2) *the outcomes and benefits that each such eli-*
23 *gible project has generated, as—*

24 (A) *identified in the grant application of*
25 *the eligible entity; and*

1 (B) measured by data, to the maximum ex-
2 tent practicable; and

3 (3) the lessons learned and any recommendations
4 relating to future projects or strategies to prevent
5 death and serious injury on roads and streets.

6 (i) *BEST PRACTICES*.—Based on the information sub-
7 mitted by eligible entities under subsection (g), the Sec-
8 retary shall—

9 (1) periodically post on a publicly available
10 website best practices and lessons learned for pre-
11 venting transportation-related fatalities and serious
12 injuries pursuant to strategies or interventions imple-
13 mented under the program; and

14 (2) evaluate and incorporate, as appropriate, the
15 effectiveness of strategies and interventions imple-
16 mented under the program for the purpose of enrich-
17 ing revisions to the document entitled “Counter-
18 measures That Work: A Highway Safety Counter-
19 measure Guide for State Highway Safety Offices,
20 Ninth Edition” and numbered DOT HS 812 478 (or
21 any successor document).

22 **SEC. 4113. IMPLEMENTATION OF GAO RECOMMENDATIONS.**

23 (a) *NEXT GENERATION 911*.—

24 (1) *IN GENERAL*.—Not later than 1 year after
25 the date of enactment of this Act, the Secretary shall

1 *implement the recommendations of the Comptroller*
2 *General of the United States contained in the report*
3 *entitled “Next Generation 911: National 911 Program*
4 *Could Strengthen Efforts to Assist States”, numbered*
5 *GAO–18–252, and dated January 1, 2018, by requir-*
6 *ing that the Administrator of the National Highway*
7 *Traffic Safety Administration, in collaboration with*
8 *the appropriate Federal agencies, shall determine the*
9 *roles and responsibilities of the Federal agencies par-*
10 *ticipating in the initiative entitled “National NG911*
11 *Roadmap initiative” to carry out the national-level*
12 *tasks with respect which each agency has jurisdiction.*

13 (2) *IMPLEMENTATION PLAN.—The Administrator*
14 *of the National Highway Traffic Safety Administra-*
15 *tion shall develop an implementation plan to support*
16 *the completion of national-level tasks under the Na-*
17 *tional NG911 Roadmap initiative.*

18 (b) *PEDESTRIAN AND CYCLISTS INFORMATION AND EN-*
19 *HANCED PERFORMANCE MANAGEMENT.—*

20 (1) *IN GENERAL.—Not later than 2 years after*
21 *the date of enactment of this Act, the Secretary shall*
22 *implement the recommendations of the Comptroller*
23 *General of the United States contained in the report*
24 *entitled “Pedestrians and Cyclists: Better Information*
25 *to States and Enhanced Performance Management*

1 *Could Help DOT Improve Safety*”, numbered GAO–
2 21–405, and dated May 20, 2021, by—

3 (A) carrying out measures to collect infor-
4 mation relating to the range of countermeasures
5 implemented by States;

6 (B) analyzing that information to help ad-
7 vance knowledge regarding the effectiveness of
8 those countermeasures; and

9 (C) sharing with States any results.

10 (2) *PERFORMANCE MANAGEMENT PRACTICES.*—

11 *The Administrator of the National Highway Traffic*
12 *Safety Administration shall use performance manage-*
13 *ment practices to guide pedestrian and cyclist safety*
14 *activities by—*

15 (A) developing performance measures for the
16 Administration and program offices responsible
17 for implementing pedestrian and cyclist safety
18 activities to demonstrate the means by which
19 those activities contribute to safety goals; and

20 (B) using performance information to make
21 any necessary changes to advance pedestrian and
22 cyclist safety efforts.

1 ***Subtitle B—Vehicle Safety***

2 **SEC. 4201. AUTHORIZATION OF APPROPRIATIONS.**

3 *There are authorized to be appropriated to the Sec-*
 4 *retary to carry out chapter 301, and part C of subtitle VI,*
 5 *of title 49, United States Code—*

6 (1) \$200,294,333 for fiscal year 2022;

7 (2) \$204,300,219 for fiscal year 2023;

8 (3) \$208,386,224 for fiscal year 2024;

9 (4) \$212,553,948 for fiscal year 2025; and

10 (5) \$216,805,027 for fiscal year 2026.

11 **SEC. 4202. RECALL COMPLETION.**

12 (a) *REPORTS ON RECALL CAMPAIGNS.—Section 30118*
 13 *of title 49, United States Code, is amended by adding at*
 14 *the end the following:*

15 “(f) *REPORTS ON NOTIFICATION CAMPAIGNS.—*

16 “(1) *IN GENERAL.—Each manufacturer that is*
 17 *conducting a campaign under subsection (b) or (c) or*
 18 *any other provision of law (including regulations) to*
 19 *notify manufacturers, distributors, owners, pur-*
 20 *chasers, or dealers of a defect or noncompliance shall*
 21 *submit to the Administrator of the National Highway*
 22 *Traffic Safety Administration—*

23 “(A) *by the applicable date described in sec-*
 24 *tion 573.7(d) of title 49, Code of Federal Regula-*
 25 *tions (or a successor regulation), a quarterly re-*

1 port describing the campaign for each of 8 con-
2 secutive quarters, beginning with the quarter in
3 which the campaign was initiated; and

4 “(B) an annual report for each of the 3
5 years beginning after the date of completion of
6 the last quarter for which a quarterly report is
7 submitted under subparagraph (A).

8 “(2) *REQUIREMENTS.*—*Except as otherwise pro-*
9 *vided in this subsection, each report under this sub-*
10 *section shall comply with the requirements of section*
11 *573.7 of title 49, Code of Federal Regulations (or a*
12 *successor regulation).”.*

13 **(b) *RECALL COMPLETION RATES.***—*Section 30120 of*
14 *title 49, United States Code, is amended by adding at the*
15 *end the following:*

16 “(k) *RECALL COMPLETION RATES.*—

17 “(1) *IN GENERAL.*—*The Administrator of the*
18 *National Highway Traffic Safety Administration*
19 *shall publish an annual list of recall completion rates*
20 *for each recall campaign for which 8 quarterly re-*
21 *ports have been submitted under subsection (f) of sec-*
22 *tion 30118 as of the date of publication of the list.*

23 “(2) *REQUIREMENTS.*—*The annual list under*
24 *paragraph (1) shall include—*

25 “(A) *for each applicable campaign—*

1 “(i) the total number of vehicles subject
2 to recall; and

3 “(ii) the percentage of vehicles that
4 have been remedied; and

5 “(B) for each manufacturer submitting an
6 applicable quarterly report under section
7 30118(f)—

8 “(i) the total number of recalls issued
9 by the manufacturer during the year cov-
10 ered by the list;

11 “(ii) the estimated number of vehicles
12 of the manufacturer subject to recall during
13 the year covered by the list; and

14 “(iii) the percentage of vehicles that
15 have been remedied.”.

16 **SEC. 4203. RECALL ENGAGEMENT.**

17 (a) **RECALL REPAIR.**—Not later than 2 years after the
18 date of enactment of this Act, the Comptroller General of
19 the United States shall—

20 (1) conduct a study to determine—

21 (A) the reasons why vehicle owners do not
22 have repairs performed for vehicles subject to
23 open recalls; and

24 (B) whether engagement by third parties,
25 including State and local governments, insur-

1 *ance companies, or other entities, could increase*
2 *the rate at which vehicle owners have repairs*
3 *performed for vehicles subject to open recalls; and*
4 *(2) submit to Congress a report describing the re-*
5 *sults of the study under paragraph (1), including any*
6 *recommendations for increasing the rate of repair for*
7 *vehicles subject to open recalls.*

8 *(b) RIDESHARING.—Not later than 18 months after the*
9 *date of enactment of this Act, the Comptroller General*
10 *shall—*

11 *(1) conduct a study to determine the number of*
12 *passenger motor vehicles in each State that—*

13 *(A) are used by transportation network*
14 *companies for for-hire purposes, such as ride-*
15 *sharing; and*

16 *(B) have 1 or more open recalls; and*

17 *(2) submit to Congress a report describing the re-*
18 *sults of the study under paragraph (1).*

19 *(c) NHTSA STUDY AND REPORT.—Not later than 3*
20 *years after the date of enactment of this Act, the Adminis-*
21 *trator of the National Highway Traffic Safety Administra-*
22 *tion shall—*

23 *(1) conduct a study to determine the ways in*
24 *which vehicle recall notices could—*

25 *(A) more effectively reach vehicle owners;*

1 (B) be made easier for all consumers to un-
2 derstand; and

3 (C) incentivize vehicle owners to complete
4 the repairs described in the recall notices; and

5 (2) submit to Congress a report describing the re-
6 sults of the study under paragraph (1), including any
7 recommendations for—

8 (A) increasing the rate of repair for vehicles
9 subject to open recalls; or

10 (B) any regulatory or statutory legislative
11 changes that would facilitate an increased rate of
12 repair.

13 **SEC. 4204. MOTOR VEHICLE SEAT BACK SAFETY STAND-**
14 **ARDS.**

15 (a) *IN GENERAL.*—Not later than 2 years after the
16 date of enactment of this Act, subject to subsection (b), the
17 Secretary shall issue an advanced notice of proposed rule-
18 making to update section 571.207 of title 49, Code of Fed-
19 eral Regulations.

20 (b) *COMPLIANCE DATE.*—If the Secretary determines
21 that a final rule is appropriate consistent with the consider-
22 ations described in section 30111(b) of title 49, United
23 States Code, in issuing a final rule pursuant to subsection
24 (a), the Secretary shall establish a date for required compli-
25 ance with the final rule of not later than 2 motor vehicle

1 *model years after the model year during which the effective*
2 *date of the final rule occurs.*

3 **SEC. 4205. AUTOMATIC SHUTOFF.**

4 (a) *DEFINITIONS.—In this section:*

5 (1) *KEY.—The term “key” has the meaning*
6 *given the term in section 571.114 of title 49, Code of*
7 *Federal Regulations (or a successor regulation).*

8 (2) *MANUFACTURER.—The term “manufacturer”*
9 *has the meaning given the term in section 30102(a)*
10 *of title 49, United States Code.*

11 (3) *MOTOR VEHICLE.—*

12 (A) *IN GENERAL.—The term “motor vehi-*
13 *cle” has the meaning given the term in section*
14 *30102(a) of title 49, United States Code.*

15 (B) *EXCLUSIONS.—The term “motor vehi-*
16 *cle” does not include—*

17 (i) *a motorcycle or trailer (as those*
18 *terms are defined in section 571.3 of title*
19 *49, Code of Federal Regulations (or a suc-*
20 *cessor regulation));*

21 (ii) *any motor vehicle with a gross ve-*
22 *hicle weight rating of more than 10,000*
23 *pounds;*

24 (iii) *a battery electric vehicle; or*

1 (iv) a motor vehicle that requires ex-
2 tended periods with the engine in idle to op-
3 erate in service mode or to operate equip-
4 ment, such as an emergency vehicle (includ-
5 ing a police vehicle, an ambulance, or a tow
6 vehicle) and a commercial-use vehicle (in-
7 cluding a refrigeration vehicle).

8 (b) *AUTOMATIC SHUTOFF SYSTEMS FOR MOTOR VEHI-*
9 *CLES.—*

10 (1) *FINAL RULE.—*

11 (A) *IN GENERAL.—*Not later than 2 years
12 after the date of enactment of this Act, the Sec-
13 retary shall issue a final rule amending section
14 571.114 of title 49, Code of Federal Regulations,
15 to require manufacturers to install in each motor
16 vehicle that is equipped with a keyless ignition
17 device and an internal combustion engine a de-
18 vice or system to automatically shutoff the motor
19 vehicle after the motor vehicle has idled for the
20 period described in subparagraph (B).

21 (B) *DESCRIPTION OF PERIOD.—*

22 (i) *IN GENERAL.—*The period referred
23 to in subparagraph (A) is the period des-
24 ignated by the Secretary as necessary to

1 *prevent, to the maximum extent practicable,*
2 *carbon monoxide poisoning.*

3 (ii) *DIFFERENT PERIODS.*—*The Sec-*
4 *retary may designate different periods*
5 *under clause (i) for different types of motor*
6 *vehicles, depending on the rate at which the*
7 *motor vehicle emits carbon monoxide, if—*

8 (I) *the Secretary determines a dif-*
9 *ferent period is necessary for a type of*
10 *motor vehicle for purposes of section*
11 *30111 of title 49, United States Code;*
12 *and*

13 (II) *requiring a different period*
14 *for a type of motor vehicle is consistent*
15 *with the prevention of carbon mon-*
16 *oxide poisoning.*

17 (2) *DEADLINE.*—*Unless the Secretary finds good*
18 *cause to phase-in or delay implementation, the rule*
19 *issued pursuant to paragraph (1) shall take effect on*
20 *September 1 of the first calendar year beginning after*
21 *the date on which the Secretary issues the rule.*

22 (c) *PREVENTING MOTOR VEHICLES FROM ROLLING*
23 *AWAY.*—

24 (1) *REQUIREMENT.*—*The Secretary shall conduct*
25 *a study of the regulations contained in part 571 of*

1 *title 49, Code of Federal Regulations, to evaluate the*
2 *potential consequences and benefits of the installation*
3 *by manufacturers of technology to prevent movement*
4 *of motor vehicles equipped with keyless ignition de-*
5 *vices and automatic transmissions when—*

6 *(A) the transmission of the motor vehicle is*
7 *not in the park setting;*

8 *(B) the motor vehicle does not exceed the*
9 *speed determined by the Secretary under para-*
10 *graph (2);*

11 *(C) the seat belt of the operator of the motor*
12 *vehicle is unbuckled;*

13 *(D) the service brake of the motor vehicle is*
14 *not engaged; and*

15 *(E) the door for the operator of the motor*
16 *vehicle is open.*

17 *(2) REVIEW AND REPORT.—The Secretary*
18 *shall—*

19 *(A) provide a recommended maximum*
20 *speed at which a motor vehicle may be safely*
21 *locked in place under the conditions described in*
22 *subparagraphs (A), (C), (D), and (E) of para-*
23 *graph (1) to prevent vehicle rollaways; and*

24 *(B) not later than 1 year after the date of*
25 *completion of the study under paragraph (1),*

1 *submit to the Committee on Commerce, Science,*
 2 *and Transportation of the Senate and the Com-*
 3 *mittee on Transportation and Infrastructure of*
 4 *the House of Representatives a report—*

5 *(i) describing the findings of the study;*

6 *and*

7 *(ii) providing additional recommenda-*
 8 *tions, if any.*

9 **SEC. 4206. PETITIONS BY INTERESTED PERSONS FOR**
 10 **STANDARDS AND ENFORCEMENT.**

11 *Section 30162 of title 49, United States Code, is*
 12 *amended—*

13 *(1) in subsection (b), by striking “The petition”*
 14 *and inserting “A petition under this section”;*

15 *(2) in subsection (c), by striking “the petition”*
 16 *and inserting “a petition under this section”; and*

17 *(3) in subsection (d)—*

18 *(A) in the third sentence, by striking “If a*
 19 *petition” and inserting the following:*

20 *“(3) DENIAL.—If a petition under this section”;*

21 *(B) in the second sentence , by striking “If*
 22 *a petition is granted” and inserting the fol-*
 23 *lowing:*

24 *“(2) APPROVAL.—If a petition under this section*
 25 *is approved”; and*

1 (C) in the first sentence, by striking “The
2 Secretary shall grant or deny a petition” and
3 inserting the following:

4 “(1) *IN GENERAL.*—The Secretary shall deter-
5 mine whether to approve or deny a petition under
6 this section by”.

7 **SEC. 4207. CHILD SAFETY SEAT ACCESSIBILITY STUDY.**

8 (a) *IN GENERAL.*—The Secretary, in coordination
9 with other relevant Federal departments and agencies, in-
10 cluding the Secretary of Agriculture, the Secretary of Edu-
11 cation, and the Secretary of Health and Human Services,
12 shall conduct a study to review the status of motor vehicle
13 child safety seat accessibility for low-income families and
14 underserved populations.

15 (b) *ADDRESSING NEEDS.*—In conducting the study
16 under subsection (a), the Secretary shall—

17 (1) examine the impact of Federal funding pro-
18 vided under section 405 of title 23, United States
19 Code; and

20 (2) develop a plan for addressing any needs
21 identified in the study, including by working with so-
22 cial service providers.

1 **SEC. 4208. CRASH AVOIDANCE TECHNOLOGY.**

2 (a) *IN GENERAL.*—Subchapter II of chapter 301 of
3 title 49, United States Code, is amended by adding at the
4 end the following:

5 **“§ 30129. Crash avoidance technology**

6 “(a) *IN GENERAL.*—The Secretary of Transportation
7 shall promulgate a rule—

8 “(1) to establish minimum performance stand-
9 ards with respect to crash avoidance technology; and

10 “(2) to require that all passenger motor vehicles
11 manufactured for sale in the United States on or after
12 the compliance date described in subsection (b) shall
13 be equipped with—

14 “(A) a forward collision warning and auto-
15 matic emergency braking system that—

16 “(i) alerts the driver if—

17 “(I) the distance to a vehicle
18 ahead or an object in the path of travel
19 ahead is closing too quickly; and

20 “(II) a collision is imminent; and

21 “(ii) automatically applies the brakes
22 if the driver fails to do so; and

23 “(B) a lane departure warning and lane-
24 keeping assist system that—

25 “(i) warns the driver to maintain the
26 lane of travel; and

1 “(ii) corrects the course of travel if the
2 driver fails to do so.

3 “(b) *COMPLIANCE DATE.*—The Secretary of Transpor-
4 tation shall determine the appropriate effective date, and
5 any phasing-in of requirements, of the final rule promul-
6 gated pursuant to subsection (a).”.

7 (b) *CLERICAL AMENDMENT.*—The analysis for sub-
8 chapter II of chapter 301 of title 49, United States Code,
9 is amended by adding at the end the following:

“30129. Crash avoidance technology.”.

10 **SEC. 4209. REDUCTION OF DRIVER DISTRACTION.**

11 (a) *IN GENERAL.*—Not later than 3 years after the
12 date of enactment of this Act, the Secretary shall conduct
13 research regarding the installation and use on motor vehi-
14 cles of driver monitoring systems to minimize or elimi-
15 nate—

16 (1) driver distraction;

17 (2) driver disengagement;

18 (3) automation complacency by drivers; and

19 (4) foreseeable misuse of advanced driver-assist
20 systems.

21 (b) *REPORT.*—Not later than 180 days after the date
22 of completion of the research under subsection (a), the Sec-
23 retary shall submit to the Committee on Commerce, Science,
24 and Transportation of the Senate and the Committee on

1 *Energy and Commerce of the House of Representatives a*
2 *detailed report describing the findings of the research.*

3 (c) *RULEMAKING.*—

4 (1) *IN GENERAL.*—*If, based on the research com-*
5 *pleted under subsection (a), the Secretary determines*
6 *that—*

7 (A) *1 or more rulemakings are necessary to*
8 *ensure safety, in accordance with the section*
9 *30111 of title 49, United States Code, the Sec-*
10 *retary shall initiate the rulemakings by not later*
11 *than 2 years after the date of submission of the*
12 *report under subsection (b); and*

13 (B) *an additional rulemaking is not nec-*
14 *essary, or an additional rulemaking cannot meet*
15 *the applicable requirements and considerations*
16 *described in subsections (a) and (b) of section*
17 *30111 of title 49, United States Code, the Sec-*
18 *retary shall submit to the Committee on Com-*
19 *merce, Science, and Transportation of the Senate*
20 *and the Committee on Energy and Commerce of*
21 *the House of Representatives a report describing*
22 *the reasons for not prescribing additional Fed-*
23 *eral motor vehicle safety standards regarding the*
24 *research conducted under subsection (a).*

1 (2) *PRIVACY.*—A rule issued pursuant to para-
2 graph (1) shall incorporate appropriate privacy and
3 data security safeguards, as determined by the Sec-
4 retary.

5 **SEC. 4210. RULEMAKING REPORT.**

6 (a) *DEFINITION OF COVERED RULEMAKING.*—In this
7 section, the term “covered rulemaking” means a regulation
8 or rulemaking that—

9 (1) has not been finalized by the date on which
10 the relevant notification is submitted under subsection
11 (b); and

12 (2) relates to—

13 (A) section 30120A of title 49, United
14 States Code;

15 (B) section 30166(o) of title 49, United
16 States Code;

17 (C) section 30172 of title 49, United States
18 Code;

19 (D) section 32302(c) of title 49, United
20 States Code;

21 (E) a defect reporting requirement under
22 section 32302(d) of title 49, United States Code;

23 (F) subsections (b) and (c) of section
24 32304A of title 49, United States Code;

1 (G) the tire pressure monitoring standards
2 required under section 24115 of the FAST Act
3 (49 U.S.C. 30123 note; Public Law 114–94);

4 (H) the amendment made by section 24402
5 of the FAST Act (129 Stat. 1720; Public Law
6 114–94) to section 30120(g)(1) of title 49, United
7 States Code;

8 (I) the records retention rule required under
9 section 24403 of the FAST Act (49 U.S.C. 30117
10 note; Public Law 114–94);

11 (J) the amendments made by section 24405
12 of the FAST Act (Public Law 114–94; 129 Stat.
13 1721) to section 30114 of title 49, United States
14 Code;

15 (K) a defect and noncompliance notification
16 required under—

17 (i) section 24104 of the FAST Act (49
18 U.S.C. 30119 note; Public Law 114–94); or

19 (ii) section 31301 of MAP–21 (49
20 U.S.C. 30166 note; Public Law 112–141);

21 (L) a side impact or frontal impact test
22 procedure for child restraint systems under sec-
23 tion 31501 of MAP–21 (49 U.S.C. 30127 note;
24 Public Law 112–141);

1 (M) an upgrade to child restraint anchorage
2 system usability requirements required under
3 section 31502 of MAP-21 (49 U.S.C. 30127 note;
4 Public Law 112-141);

5 (N) the rear seat belt reminder system re-
6 quired under section 31503 of MAP-21 (49
7 U.S.C. 30127 note; Public Law 112-141);

8 (O) a motorcoach rulemaking required
9 under section 32703 of MAP-21 (49 U.S.C.
10 31136 note; Public Law 112-141); or

11 (P) any rulemaking required under this
12 Act.

13 (b) NOTIFICATION.—Not later than 180 days after the
14 date of enactment of this Act, and not less frequently than
15 biannually thereafter until the applicable covered rule-
16 making is complete, the Secretary shall submit to the Com-
17 mittee on Commerce, Science, and Transportation of the
18 Senate and the Committee on Energy and Commerce of the
19 House of Representatives a written notification that in-
20 cludes, with respect to each covered rulemaking—

21 (1) for a covered rulemaking with a statutory
22 deadline for completion—

23 (A) an explanation of why the deadline was
24 not met; and

1 (B) an expected date of completion of the
2 covered rulemaking; and

3 (2) for a covered rulemaking without a statutory
4 deadline for completion, an expected date of comple-
5 tion of the covered rulemaking.

6 (c) *ADDITIONAL CONTENTS.*—A notification under
7 subsection (b) shall include, for each applicable covered
8 rulemaking—

9 (1) an updated timeline;

10 (2) a list of factors causing delays in the comple-
11 tion of the covered rulemaking; and

12 (3) any other details associated with the status
13 of the covered rulemaking.

14 **SEC. 4211. GLOBAL HARMONIZATION.**

15 The Secretary shall cooperate, to the maximum extent
16 practicable, with foreign governments, nongovernmental
17 stakeholder groups, the motor vehicle industry, and con-
18 sumer groups with respect to global harmonization of vehi-
19 cle regulations as a means for improving motor vehicle safe-
20 ty.

21 **SEC. 4212. HEADLAMPS.**

22 (a) *DEFINITIONS.*—In this section:

23 (1) *ADAPTIVE DRIVING BEAM HEADLAMP.*—The
24 term “adaptive driving beam headlamp” means a
25 headlamp (as defined in Standard 108) that meets

1 *the performance requirements specified in SAE Inter-*
2 *national Standard J3069, published on June 30,*
3 *2016.*

4 (2) *STANDARD 108.—The term “Standard 108”*
5 *means Federal Motor Vehicle Safety Standard Num-*
6 *ber 108, contained in section 571.108 of title 49, Code*
7 *of Federal Regulations (as in effect on the date of en-*
8 *actment of this Act).*

9 (b) *RULEMAKING.—Not later than 2 years after the*
10 *date of enactment of this Act, the Secretary shall issue a*
11 *final rule amending Standard 108—*

12 (1) *to include performance-based standards for*
13 *vehicle headlamp systems—*

14 (A) *to ensure that headlights are correctly*
15 *aimed on the road; and*

16 (B) *requiring those systems to be tested on-*
17 *vehicle to account for headlight height and light-*
18 *ing performance; and*

19 (2) *to allow for the use on vehicles of adaptive*
20 *driving beam headlamp systems.*

21 (c) *PERIODIC REVIEW.—Nothing in this section pre-*
22 *cludes the Secretary from—*

23 (1) *reviewing Standard 108, as amended pursu-*
24 *ant to subsection (b); and*

1 (2) *revising Standard 108 to reflect an updated*
2 *version of SAE International Standard J3069, as the*
3 *Secretary determines to be—*

4 (A) *appropriate; and*

5 (B) *in accordance with section 30111 of*
6 *title 49, United States Code.*

7 **SEC. 4213. NEW CAR ASSESSMENT PROGRAM.**

8 (a) *UPDATES.—Not later than 1 year after the date*
9 *of enactment of this Act, the Secretary shall finalize the pro-*
10 *ceeding for which comments were requested in the notice*
11 *entitled “New Car Assessment Program” (80 Fed. Reg.*
12 *78522 (December 16, 2015)) to update the passenger motor*
13 *vehicle information required under section 32302(a) of title*
14 *49, United States Code.*

15 (b) *INFORMATION PROGRAM.—Section 32302 of title*
16 *49, United States Code, is amended—*

17 (1) *in subsection (a), in the matter preceding*
18 *paragraph (1), by inserting “(referred to in this sec-*
19 *tion as the ‘Secretary’)” after “of Transportation”;*
20 *and*

21 (2) *by adding at the end the following:*

22 “(e) *ADVANCED CRASH-AVOIDANCE TECHNOLOGIES.—*

23 “(1) *NOTICE.—Not later than 1 year after the*
24 *date of enactment of this subsection, the Secretary*
25 *shall publish a notice, for purposes of public review*

1 *and comment, to establish, distinct from crash-*
2 *worthiness information, a means for providing to*
3 *consumers information relating to advanced crash-*
4 *avoidance technologies, in accordance with subsection*
5 *(a).*

6 “(2) *INCLUSIONS.*—*The notice under paragraph*
7 *(1) shall include—*

8 “(A) *an appropriate methodology for—*

9 “(i) *determining which advanced*
10 *crash-avoidance technologies shall be in-*
11 *cluded in the information;*

12 “(ii) *developing performance test cri-*
13 *teria for use by manufacturers in evalu-*
14 *ating advanced crash-avoidance tech-*
15 *nologies;*

16 “(iii) *determining a distinct rating in-*
17 *volving each advanced crash-avoidance tech-*
18 *nology to be included; and*

19 “(iv) *updating overall vehicle ratings*
20 *to incorporate advanced crash-avoidance*
21 *technology ratings; and*

22 “(B) *such other information and analyses*
23 *as the Secretary determines to be necessary to*
24 *implement the rating of advanced crash-avoid-*
25 *ance technologies.*

1 “(3) *REPORT.*—Not later than 18 months after
2 the date of enactment of this subsection, the Secretary
3 shall submit to the Committee on Commerce, Science,
4 and Transportation of the Senate and the Committee
5 on Energy and Commerce of the House of Representa-
6 tives a report that describes a plan for implementing
7 an advanced crash-avoidance technology information
8 and rating system, in accordance with subsection (a).

9 “(f) *VULNERABLE ROAD USER SAFETY.*—

10 “(1) *NOTICE.*—Not later than 1 year after the
11 date of enactment of this subsection, the Secretary
12 shall publish a notice, for purposes of public review
13 and comment, to establish a means for providing to
14 consumers information relating to pedestrian, bicy-
15 clist, or other vulnerable road user safety technologies,
16 in accordance with subsection (a).

17 “(2) *INCLUSIONS.*—The notice under paragraph
18 (1) shall include—

19 “(A) an appropriate methodology for—

20 “(i) determining which technologies
21 shall be included in the information;

22 “(ii) developing performance test cri-
23 teria for use by manufacturers in evalu-
24 ating the extent to which automated pedes-
25 trian safety systems in light vehicles at-

1 *tempt to prevent and mitigate, to the best*
2 *extent possible, pedestrian injury;*

3 “(iii) *determining a distinct rating in-*
4 *volving each technology to be included; and*

5 “(iv) *updating overall vehicle ratings*
6 *to incorporate vulnerable road user safety*
7 *technology ratings; and*

8 “(B) *such other information and analyses*
9 *as the Secretary determines to be necessary to*
10 *implement the rating of vulnerable road user*
11 *safety technologies.*

12 “(3) *REPORT.—Not later than 18 months after*
13 *the date of enactment of this subsection, the Secretary*
14 *shall submit to the Committee on Commerce, Science,*
15 *and Transportation of the Senate and the Committee*
16 *on Energy and Commerce of the House of Representa-*
17 *tives a report that describes a plan for implementing*
18 *an information and rating system for vulnerable road*
19 *user safety technologies, in accordance with subsection*
20 *(a).”.*

21 “(c) *ROADMAP.—*

22 “(1) *IN GENERAL.—Chapter 323 of title 49,*
23 *United States Code, is amended by adding at the end*
24 *the following:*

1 **“§ 32310. New Car Assessment Program roadmap**

2 “(a) *ESTABLISHMENT.*—Not later than 1 year after the
3 date of enactment of this section, and not less frequently
4 than once every 4 years thereafter, the Secretary of Trans-
5 portation (referred to in this section as the ‘Secretary’) shall
6 establish a roadmap for the implementation of the New Car
7 Assessment Program of the National Highway Traffic Safe-
8 ty Administration.

9 “(b) *REQUIREMENTS.*—A roadmap under subsection
10 (a) shall—

11 “(1) cover a term of 10 years, consisting of—

12 “(A) a mid-term component covering the
13 initial 5 years of the term; and

14 “(B) a long-term component covering the
15 final 5 years of the term; and

16 “(2) be in accordance with—

17 “(A) section 306 of title 5;

18 “(B) section 1115 of title 31;

19 “(C) section 24401 of the FAST Act (49
20 U.S.C. 105 note; Public Law 114–94); and

21 “(D) any other relevant plans of the Na-
22 tional Highway Traffic Safety Administration.

23 “(c) *CONTENTS.*—A roadmap under subsection (a)
24 shall include—

1 “(1) a plan for any changes to the New Car As-
2 sessment Program of the National Highway Traffic
3 Safety Administration, including—

4 “(A) descriptions of actions to be carried
5 out to update the passenger motor vehicle infor-
6 mation developed under section 32302(a), includ-
7 ing the development of test procedures, test de-
8 vices, test fixtures, and safety performance
9 metrics, which shall, as applicable, incor-
10 porate—

11 “(i) objective criteria for evaluating
12 safety technologies; and

13 “(ii) reasonable time periods for com-
14 pliance with new or updated tests;

15 “(B) key milestones, including the antici-
16 pated start of an action, completion of an action,
17 and effective date of an update; and

18 “(C) descriptions of the means by which an
19 update will improve the passenger motor vehicle
20 information developed under section 32302(a);

21 “(2) an identification and prioritization of safe-
22 ty opportunities and technologies—

23 “(A) with respect to the mid-term compo-
24 nent of the roadmap under subsection
25 (b)(1)(A)—

1 “(i) that are practicable; and

2 “(ii) for which objective rating tests,
3 evaluation criteria, and other consumer
4 data exist for a market-based, consumer in-
5 formation approach; and

6 “(B) with respect to the long-term compo-
7 nent of the roadmap under subsection (b)(1)(B),
8 exist or are in development;

9 “(3) an identification of—

10 “(A) any safety opportunity or technology
11 that—

12 “(i) is identified through the activities
13 carried out pursuant to subsection (d) or
14 (e); and

15 “(ii) is not included in the roadmap
16 under paragraph (2);

17 “(B) the reasons why such a safety oppor-
18 tunity or technology is not included in the road-
19 map; and

20 “(C) any developments or information that
21 would be necessary for the Secretary to consider
22 including such a safety opportunity or tech-
23 nology in a future roadmap; and

24 “(4) consideration of the benefits of consistency
25 with other rating systems used—

1 “(A) *within the United States; and*

2 “(B) *internationally.*

3 “(d) *CONSIDERATIONS.—Before finalizing a roadmap*
4 *under this section, the Secretary shall—*

5 “(1) *make the roadmap available for public com-*
6 *ment;*

7 “(2) *review any public comments received under*
8 *paragraph (1); and*

9 “(3) *incorporate in the roadmap under this sec-*
10 *tion those comments, as the Secretary determines to*
11 *be appropriate.*

12 “(e) *STAKEHOLDER ENGAGEMENT.—Not less fre-*
13 *quently than annually, the Secretary shall engage stake-*
14 *holders that represent a diversity of technical backgrounds*
15 *and viewpoints—*

16 “(1) *to identify—*

17 “(A) *safety opportunities or technologies in*
18 *development that could be included in future*
19 *roadmaps; and*

20 “(B) *opportunities to benefit from collabora-*
21 *tion or harmonization with third-party safety*
22 *rating programs;*

23 “(2) *to assist with long-term planning;*

1 “(3) to provide an interim update of the status
2 and development of the following roadmap to be estab-
3 lished under subsection (a); and

4 “(4) to collect feedback or other information that
5 the Secretary determines to be relevant to enhancing
6 the New Car Assessment Program of the National
7 Highway Traffic Safety Administration.”.

8 (2) *CLERICAL AMENDMENT.*—*The analysis for*
9 *chapter 323 of title 49, United States Code, is amend-*
10 *ed by adding at the end the following:*

 “32310. *New Car Assessment Program roadmap.*”.

11 **SEC. 4214. HOOD AND BUMPER STANDARDS.**

12 (a) *NOTICE.*—*Not later than 2 years after the date of*
13 *enactment of this Act, the Secretary shall issue a notice,*
14 *for purposes of public review and comment, regarding po-*
15 *tential updates to hood and bumper standards for motor*
16 *vehicles (as defined in section 30102(a) of title 49, United*
17 *States Code).*

18 (b) *INCLUSIONS.*—*The notice under subsection (a)*
19 *shall include information relating to—*

20 (1) *the incorporation or consideration of ad-*
21 *vanced crash-avoidance technology in existing motor*
22 *vehicle standards;*

23 (2) *the incorporation or consideration of stand-*
24 *ards or technologies to reduce the number of injuries*

1 *and fatalities suffered by pedestrians, bicyclists, or*
2 *other vulnerable road users;*

3 *(3) the development of performance test criteria*
4 *for use by manufacturers in evaluating advanced*
5 *crash-avoidance technology, including technology re-*
6 *lating to vulnerable road user safety;*

7 *(4) potential harmonization with global stand-*
8 *ards, including United Nations Economic Commis-*
9 *sion for Europe Regulation Number 42; and*

10 *(5) such other information and analyses as the*
11 *Secretary determines to be necessary.*

12 *(c) REPORT.—Not later than 2 years after the date of*
13 *enactment of this Act, the Secretary shall submit to the*
14 *Committee on Commerce, Science, and Transportation of*
15 *the Senate and the Committee on Energy and Commerce*
16 *of the House of Representatives a report that describes—*

17 *(1) the current status of hood and bumper stand-*
18 *ards;*

19 *(2) relevant advanced crash-avoidance tech-*
20 *nology;*

21 *(3) actions needed to be carried out to develop*
22 *performance test criteria; and*

23 *(4) if applicable, a plan for incorporating ad-*
24 *vanced crash-avoidance technology, including tech-*

1 *nology relating to vulnerable road user safety, in ex-*
 2 *isting standards.*

3 **SEC. 4215. EMERGENCY MEDICAL SERVICES AND 9-1-1.**

4 *Section 158(a) of the National Telecommunications*
 5 *and Information Administration Organization Act (47*
 6 *U.S.C. 942(a)) is amended by striking paragraph (4).*

7 **SEC. 4216. EARLY WARNING REPORTING.**

8 *(a) IN GENERAL.—Section 30166(m)(3) of title 49,*
 9 *United States Code, is amended by adding at the end the*
 10 *following:*

11 *“(D) SETTLEMENTS.—Notwithstanding any*
 12 *order entered in a civil action restricting the dis-*
 13 *closure of information, a manufacturer of a*
 14 *motor vehicle or motor vehicle equipment shall*
 15 *comply with the requirements of this subsection*
 16 *and any regulations promulgated pursuant to*
 17 *this subsection.”.*

18 *(b) STUDY AND REPORT.—Not later than 18 months*
 19 *after the date of enactment of this Act, the Administrator*
 20 *of the National Highway Traffic Safety Administration*
 21 *shall—*

22 *(1) conduct a study—*

23 *(A) to evaluate the early warning reporting*
 24 *data submitted under section 30166(m) of title*

1 49, United States Code (including regulations);
2 and

3 (B) to identify improvements, if any, that
4 would enhance the use by the National Highway
5 Traffic Administration of early warning report-
6 ing data to enhance safety; and

7 (2) submit to the Committee on the Committee
8 on Commerce, Science, and Transportation of the
9 Senate and the Committee on Energy and Commerce
10 of the House of Representatives a report describing
11 the results of the study under paragraph (1), includ-
12 ing any recommendations for regulatory or legislative
13 action.

14 **SEC. 4217. IMPROVED VEHICLE SAFETY DATABASES.**

15 Not later than 3 years after the date of enactment of
16 this Act, after consultation with frequent users of publicly
17 available databases, the Secretary shall improve public ac-
18 cessibility to information relating to the publicly accessible
19 vehicle safety databases of the National Highway Traffic
20 Safety Administration by revising the publicly accessible
21 vehicle safety databases—

22 (1) to improve organization and functionality,
23 including design features such as drop-down menus;

1 (2) to allow data from applicable publicly acces-
2 sible vehicle safety databases to be searched, sorted,
3 aggregated, and downloaded in a manner that—

4 (A) is consistent with the public interest;

5 and

6 (B) facilitates easy use by consumers;

7 (3) to provide greater consistency in presentation
8 of vehicle safety issues;

9 (4) to improve searchability regarding specific
10 vehicles and issues, which may include the standard-
11 ization of commonly used search terms; and

12 (5) to ensure nonconfidential documents and ma-
13 terials relating to information created or obtained by
14 the National Highway Traffic Safety Administration
15 are made publicly available in a manner that is—

16 (A) timely; and

17 (B) searchable in databases by any element
18 that the Secretary determines to be in the public
19 interest.

20 **SEC. 4218. NATIONAL DRIVER REGISTER ADVISORY COM-**
21 **MITTEE REPEAL.**

22 (a) *IN GENERAL.*—Section 30306 of title 49, United
23 States Code, is repealed.

1 **(b) CLERICAL AMENDMENT.**—*The analysis for chapter*
 2 *303 of title 49, United States Code, is amended by striking*
 3 *the item relating to section 30306.*

4 **SEC. 4219. RESEARCH ON CONNECTED VEHICLE TECH-**
 5 **NOLOGY.**

6 *The Administrator of the National Highway Traffic*
 7 *Safety Administration, in collaboration with the head of*
 8 *the Intelligent Transportation Systems Joint Program Of-*
 9 *fice and the Administrator of the Federal Highway Admin-*
 10 *istration, shall—*

11 (1) *not later than 180 days after the date of en-*
 12 *actment of this Act, expand vehicle-to-pedestrian re-*
 13 *search efforts focused on incorporating bicyclists and*
 14 *other vulnerable road users into the safe deployment*
 15 *of connected vehicle systems; and*

16 (2) *not later than 2 years after the date of enact-*
 17 *ment of this Act, submit to Congress and make pub-*
 18 *licly available a report describing the findings of the*
 19 *research efforts described in paragraph (1), including*
 20 *an analysis of the extent to which applications sup-*
 21 *porting vulnerable road users can be accommodated*
 22 *within existing spectrum allocations for connected ve-*
 23 *hicle systems.*

24 **SEC. 4220. ADVANCED IMPAIRED DRIVING TECHNOLOGY.**

25 **(a) FINDINGS.**—*Congress finds that—*

1 (1) *alcohol-impaired driving fatalities represent*
2 *approximately 1/3 of all highway fatalities in the*
3 *United States each year;*

4 (2) *in 2019, there were 10,142 alcohol-impaired*
5 *driving fatalities in the United States involving driv-*
6 *ers with a blood alcohol concentration level of .08 or*
7 *higher, and 68 percent of the crashes that resulted in*
8 *those fatalities involved a driver with a blood alcohol*
9 *concentration level of .15 or higher;*

10 (3) *the estimated economic cost for alcohol-im-*
11 *paired driving in 2010 was \$44,000,000,000;*

12 (4) *according to the Insurance Institute for*
13 *Highway Safety, advanced drunk and impaired driv-*
14 *ing prevention technology can prevent more than*
15 *9,400 alcohol-impaired driving fatalities annually;*
16 *and*

17 (5) *to ensure the prevention of alcohol-impaired*
18 *driving fatalities, advanced drunk and impaired*
19 *driving prevention technology must be standard*
20 *equipment in all new passenger motor vehicles.*

21 (b) *DEFINITIONS.—In this section:*

22 (1) *ADVANCED DRUNK AND IMPAIRED DRIVING*
23 *PREVENTION TECHNOLOGY.—The term “advanced*
24 *drunk and impaired driving prevention technology”*
25 *means a system that—*

1 (A) can—

2 (i) passively monitor the performance
3 of a driver of a motor vehicle to accurately
4 identify whether that driver may be im-
5 paired; and

6 (ii) prevent or limit motor vehicle op-
7 eration if an impairment is detected;

8 (B) can—

9 (i) passively and accurately detect
10 whether the blood alcohol concentration of a
11 driver of a motor vehicle is equal to or
12 greater than the blood alcohol concentration
13 described in section 163(a) of title 23,
14 United States Code; and

15 (ii) prevent or limit motor vehicle op-
16 eration if a blood alcohol concentration
17 above the legal limit is detected; or

18 (C) is a combination of systems described in
19 subparagraphs (A) and (B).

20 (2) NEW.—The term “new”, with respect to a
21 passenger motor vehicle, means that the passenger
22 motor vehicle—

23 (A) is a new vehicle (as defined in section
24 37.3 of title 49, Code of Federal Regulations (or
25 a successor regulation)); and

1 (B) *has not been purchased for purposes*
2 *other than resale.*

3 (3) *PASSENGER MOTOR VEHICLE.—The term*
4 *“passenger motor vehicle” has the meaning given the*
5 *term in section 32101 of title 49, United States Code.*

6 (4) *SECRETARY.—The term “Secretary” means*
7 *the Secretary of Transportation, acting through the*
8 *Administrator of the National Highway Traffic Safe-*
9 *ty Administration.*

10 (c) *ADVANCED DRUNK AND IMPAIRED DRIVING PRE-*
11 *VENTION TECHNOLOGY SAFETY STANDARD.—Subject to*
12 *subsection (e) and not later than 3 years after the date of*
13 *enactment of this Act, the Secretary shall issue a final rule*
14 *prescribing a Federal motor vehicle safety standard under*
15 *section 30111 of title 49, United States Code, that requires*
16 *passenger motor vehicles manufactured after the effective*
17 *date of that standard to be equipped with advanced drunk*
18 *and impaired driving prevention technology.*

19 (d) *REQUIREMENT.—To allow sufficient time for man-*
20 *ufacturer compliance, the compliance date of the rule issued*
21 *under subsection (c) shall be not earlier than 2 years and*
22 *not more than 3 years after the date on which that rule*
23 *is issued.*

24 (e) *TIMING.—If the Secretary determines that the Fed-*
25 *eral motor vehicle safety standard required under subsection*

1 *(c) cannot meet the requirements and considerations de-*
2 *scribed in subsections (a) and (b) of section 30111 of title*
3 *49, United States Code, by the applicable date, the Sec-*
4 *retary—*

5 *(1) may extend the time period to such date as*
6 *the Secretary determines to be necessary, but not later*
7 *than the date that is 3 years after the date described*
8 *in subsection (c);*

9 *(2) shall, not later than the date described in*
10 *subsection (c) and not less frequently than annually*
11 *thereafter until the date on which the rule under that*
12 *subsection is issued, submit to the Committee on Com-*
13 *merce, Science, and Transportation of the Senate and*
14 *the Committee on Energy and Commerce of the House*
15 *of Representatives a report describing, as of the date*
16 *of submission of the report—*

17 *(A) the reasons for not prescribing a Fed-*
18 *eral motor vehicle safety standard under section*
19 *30111 of title 49, United States Code, that re-*
20 *quires advanced drunk and impaired driving*
21 *prevention technology in all new passenger motor*
22 *vehicles;*

23 *(B) the deployment of advanced drunk and*
24 *impaired driving prevention technology in vehi-*
25 *cles;*

1 (C) any information relating to the ability
2 of vehicle manufacturers to include advanced
3 drunk and impaired driving prevention tech-
4 nology in new passenger motor vehicles; and

5 (D) an anticipated timeline for prescribing
6 the Federal motor vehicle safety standard de-
7 scribed in subsection (c); and

8 (3) if the Federal motor vehicle safety standard
9 required by subsection (c) has not been finalized by
10 the date that is 10 years after the date of enactment
11 of this Act, shall submit to the Committee on Com-
12 merce, Science, and Transportation of the Senate and
13 the Committee on Energy and Commerce of the House
14 of Representative a report describing—

15 (A) the reasons why the Federal motor vehi-
16 cle safety standard has not been finalized;

17 (B) the barriers to finalizing the Federal
18 motor vehicle safety standard; and

19 (C) recommendations to Congress to facili-
20 tate the Federal motor vehicle safety standard.

21 **SEC. 4221. GAO REPORT ON CRASH DUMMIES.**

22 (a) *IN GENERAL.*—Not later than 1 year after the date
23 of enactment of this Act, the Comptroller General of the
24 United States shall conduct a study and submit to the Com-
25 mittee on Commerce, Science, and Transportation of the

1 *Senate and the Committee on Energy and Commerce of the*
2 *House of Representatives a report that—*

3 *(1) examines—*

4 *(A) the processes used by the National*
5 *Highway Traffic Safety Administration (referred*
6 *to in this section as the “Administration”) for*
7 *studying and deploying crash test dummies;*

8 *(B)(i) the types of crash test dummies used*
9 *by the Administration as of the date of enact-*
10 *ment of this Act;*

11 *(ii) the seating positions in which those*
12 *crash test dummies are tested; and*

13 *(iii) whether the seating position affects dis-*
14 *parities in motor vehicle safety outcomes based*
15 *on demographic characteristics, including sex,*
16 *and, if so, how the seating position affects those*
17 *disparities;*

18 *(C) the biofidelic crash test dummies that*
19 *are available in the global and domestic market-*
20 *place that reflect the physical and demographic*
21 *characteristics of the driving public in the*
22 *United States, including—*

23 *(i) females;*

24 *(ii) the elderly;*

25 *(iii) young adults;*

1 (iv) children; and

2 (v) individuals of differing body
3 weights;

4 (D) how the Administration determines
5 whether to study and deploy new biofidelic crash
6 test dummies, including the biofidelic crash test
7 dummies examined under subparagraph (C),
8 and the timelines by which the Administration
9 conducts the work of making those determina-
10 tions and studying and deploying new biofidelic
11 crash test dummies;

12 (E) challenges the Administration faces in
13 studying and deploying new crash test dummies;
14 and

15 (F) how the practices of the Administration
16 with respect to crash test dummies compare to
17 other programs that test vehicles and report re-
18 sults to the public, including the European New
19 Car Assessment Programme;

20 (2) evaluates potential improvements to the proc-
21 esses described in paragraph (1) that could reduce
22 disparities in motor vehicle safety outcomes based on
23 demographic characteristics, including sex;

24 (3) analyzes the potential use of computer sim-
25 ulation techniques, as a supplement to physical crash

1 *tests, to conduct virtual simulations of vehicle crash*
2 *tests in order to evaluate predicted motor vehicle safe-*
3 *ty outcomes based on the different physical and demo-*
4 *graphic characteristics of motor vehicle occupants;*
5 *and*

6 *(4) includes, as applicable, any assessments or*
7 *recommendations relating to crash test dummies that*
8 *are relevant to reducing disparities in motor vehicle*
9 *safety outcomes based on demographic characteristics,*
10 *including sex.*

11 *(b) INTERIM REPORT FROM THE ADMINISTRATION.—*
12 *Not later than 90 days after the date of enactment of this*
13 *Act, the Administrator of the Administration shall submit*
14 *to the Committee on Commerce, Science, and Transpor-*
15 *tation of the Senate and the Committee on Energy and*
16 *Commerce of the House of Representatives a report that—*

17 *(1) identifies—*

18 *(A) the types of crash test dummies used by*
19 *the Administration as of the date of enactment*
20 *of this Act with respect to—*

21 *(i) the New Car Assessment Program*
22 *of the Administration; and*

23 *(ii) testing relating to Federal Motor*
24 *Vehicle Safety Standards;*

1 (B) *how each type of crash test dummy*
2 *identified under subparagraph (A) is tested with*
3 *respect to seating position; and*

4 (C) *any crash test dummies that the Ad-*
5 *ministration is actively evaluating for future*
6 *use—*

7 (i) *in the New Car Assessment Pro-*
8 *gram of the Administration; or*

9 (ii) *for testing relating to Federal*
10 *Motor Vehicle Safety Standards;*

11 (2) *explains—*

12 (A) *the plans of the Administration, includ-*
13 *ing the expected timelines, for putting any crash*
14 *test dummies identified under paragraph (1)(C)*
15 *to use as described in that paragraph;*

16 (B) *any challenges to putting those crash*
17 *test dummies to use; and*

18 (C) *the potential use of computer simula-*
19 *tion techniques, as a supplement to physical*
20 *crash tests, to conduct virtual simulations of ve-*
21 *hicle crash tests in order to evaluate predicted*
22 *motor vehicle safety outcomes based on the dif-*
23 *ferent physical and demographic characteristics*
24 *of motor vehicle occupants; and*

1 (3) provides policy recommendations for reduc-
 2 ing disparities in motor vehicle safety testing and
 3 outcomes based on demographic characteristics, in-
 4 cluding sex.

5 **SEC. 4222. CHILD SAFETY.**

6 (a) *AMENDMENT.*—

7 (1) *IN GENERAL.*—Chapter 323 of title 49,
 8 United States Code, is amended by adding after sec-
 9 tion 32304A the following:

10 **“§ 32304B. Child safety**

11 “(a) *DEFINITIONS.*—In this section:

12 “(1) *PASSENGER MOTOR VEHICLE.*—The term
 13 ‘passenger motor vehicle’ has the meaning given that
 14 term in section 32101.

15 “(2) *REAR-DESIGNATED SEATING POSITION.*—
 16 The term ‘rear-designated seating position’ means
 17 designated seating positions that are rearward of the
 18 front seat.

19 “(3) *SECRETARY.*—The term ‘Secretary’ means
 20 the Secretary of Transportation.

21 “(b) *RULEMAKING.*—Not later than 2 years after the
 22 date of the enactment of this section, the Secretary shall
 23 issue a final rule requiring all new passenger motor vehicles
 24 weighing less than 10,000 pounds gross vehicle weight to
 25 be equipped with a system to alert the operator to check

1 rear-designated seating positions after the vehicle engine or
 2 motor is deactivated by the operator.

3 “(c) *MEANS.*—*The alert required under subsection*
 4 *(b)—*

5 “(1) *shall include a distinct auditory and visual*
 6 *alert, which may be combined with a haptic alert;*
 7 *and*

8 “(2) *shall be activated when the vehicle motor is*
 9 *deactivated by the operator.*

10 “(d) *PHASE-IN.*—*The rule issued pursuant to sub-*
 11 *section (b) shall require full compliance with the rule begin-*
 12 *ning on September 1st of the first calendar year that begins*
 13 *2 years after the date on which the final rule is issued.”.*

14 (2) *CLERICAL AMENDMENT.*—*The analysis for*
 15 *chapter 323 of title 49, United States Code, is amend-*
 16 *ed by inserting after the item relating to section*
 17 *32304A the following:*

“32304B. *Child safety.*”.

18 (b) *AWARENESS OF CHILDREN IN MOTOR VEHI-*
 19 *CLES.*—*Section 402 of title 23, United States Code (as*
 20 *amended by section 4102(a)(9)), is amended by adding at*
 21 *the end the following:*

22 “(o) *UNATTENDED PASSENGERS.*—

23 “(1) *IN GENERAL.*—*Each State shall use a por-*
 24 *tion of the amounts received by the State under this*
 25 *section to carry out a program to educate the public*

1 *regarding the risks of leaving a child or unattended*
2 *passenger in a vehicle after the vehicle motor is de-*
3 *activated by the operator.*

4 “(2) *PROGRAM PLACEMENT.*—*Nothing in this*
5 *subsection requires a State to carry out a program*
6 *described in paragraph (1) through the State trans-*
7 *portation or highway safety office.”.*

8 *(c) STUDY AND REPORT.*—

9 (1) *STUDY.*—

10 (A) *IN GENERAL.*—*The Secretary shall con-*
11 *duct a study on—*

12 (i) *the potential retrofitting of existing*
13 *passenger motor vehicles with 1 or more*
14 *technologies that may address the problem*
15 *of children left in rear-designated seating*
16 *positions of motor vehicles after deactiva-*
17 *tion of the motor vehicles by an operator;*
18 *and*

19 (ii) *the potential benefits and burdens,*
20 *logistical or economic, associated with wide-*
21 *spread use of those technologies.*

22 (B) *ELEMENTS.*—*In carrying out the study*
23 *under subparagraph (A), the Secretary shall—*

24 (i) *survey and evaluate a variety of*
25 *methods used by current and emerging*

1 *aftermarket technologies or products to re-*
2 *duce the risk of children being left in rear-*
3 *designated seating positions after deactiva-*
4 *tion of a motor vehicle; and*

5 *(ii) provide recommendations—*

6 *(I) for manufacturers of the tech-*
7 *nologies and products described in*
8 *clause (i) to carry out a functional*
9 *safety performance evaluation to en-*
10 *sure that the technologies and products*
11 *perform as designed by the manufac-*
12 *turer under a variety of real-world*
13 *conditions; and*

14 *(II) for consumers on methods to*
15 *select an appropriate technology or*
16 *product described in clause (i) in order*
17 *to retrofit existing vehicles.*

18 *(2) REPORT BY SECRETARY.—Not later than 180*
19 *days after the date on which the Secretary issues the*
20 *final rule required by section 32304B(b) of title 49,*
21 *United States Code (as added by subsection (a)(1)),*
22 *the Secretary shall submit a report describing the re-*
23 *sults of the study carried out under paragraph (1)*
24 *to—*

1 (A) *the Committee on Commerce, Science,*
2 *and Transportation of the Senate; and*

3 (B) *the Committee on Energy and Com-*
4 *merce of the House of Representatives.*

5 **TITLE V—RESEARCH AND**
6 **INNOVATION**

7 **SEC. 5001. INTELLIGENT TRANSPORTATION SYSTEMS PRO-**
8 **GRAM ADVISORY COMMITTEE.**

9 *Section 515(h) of title 23, United States Code, is*
10 *amended—*

11 (1) *in paragraph (1), by inserting “(referred to*
12 *in this subsection as the ‘Advisory Committee’)” after*
13 *“an Advisory Committee”;*

14 (2) *in paragraph (2)—*

15 (A) *in the matter preceding subparagraph*
16 (A), *by striking “20 members” and inserting “25*
17 *members”;*

18 (B) *in subparagraph (K), by striking “;*
19 *and” and inserting a semicolon;*

20 (C) *in subparagraph (L)—*

21 (i) *by striking “utilities,”; and*

22 (ii) *by striking the period at the end*
23 *and inserting a semicolon;*

1 (D) by redesignating subparagraphs (E)
2 through (L) as subparagraphs (G), (I), (J), (K),
3 (L), (M), (Q), and (R), respectively;

4 (E) by inserting after subparagraph (D) the
5 following:

6 “(E) a representative of a national transit
7 association;

8 “(F) a representative of a national, State,
9 or local transportation agency or association;”;

10 (F) by inserting after subparagraph (G) (as
11 so redesignated) the following:

12 “(H) a private sector developer of intelligent
13 transportation system technologies, which may
14 include emerging vehicle technologies;”;

15 (G) by inserting after subparagraph (M) (as
16 so redesignated) the following:

17 “(N) a representative of a labor organiza-
18 tion;

19 “(O) a representative of a mobility-pro-
20 viding entity;

21 “(P) an expert in traffic management;”;

22 and

23 (H) by adding at the end the following:

24 “(S) an expert in cybersecurity; and

25 “(T) an automobile manufacturer.”;

1 (3) *in paragraph (3)—*

2 (A) *in subparagraph (A), by striking “sec-*
 3 *tion 508” and inserting “section 6503 of title*
 4 *49”; and*

5 (B) *in subparagraph (B)—*

6 (i) *in the matter preceding clause (i),*
 7 *by inserting “programs and” before “re-*
 8 *search”; and*

9 (ii) *in clause (iii), by striking “re-*
 10 *search and” and inserting “programs, re-*
 11 *search, and”;*

12 (4) *by redesignating paragraphs (3) through (5)*
 13 *as paragraphs (5) through (7); and*

14 (5) *by inserting after paragraph (2) the fol-*
 15 *lowing:*

16 “(3) *TERM.—*

17 “(A) *IN GENERAL.—The term of a member*
 18 *of the Advisory Committee shall be 3 years.*

19 “(B) *RENEWAL.—On expiration of the term*
 20 *of a member of the Advisory Committee, the*
 21 *member—*

22 “(i) *may be reappointed; or*

23 “(ii) *if the member is not reappointed*
 24 *under clause (i), may serve until a new*
 25 *member is appointed.*

1 “(4) *MEETINGS.*—*The Advisory Committee—*
 2 “(A) *shall convene not less frequently than*
 3 *twice each year; and*
 4 “(B) *may convene with the use of remote*
 5 *video conference technology.*”.

6 **SEC. 5002. SMART COMMUNITY RESOURCE CENTER.**

7 (a) *DEFINITIONS.*—*In this section:*

8 (1) *RESOURCE CENTER.*—*The term “resource*
 9 *center” means the Smart Community Resource Center*
 10 *established under subsection (b).*

11 (2) *SMART COMMUNITY.*—*The term “smart com-*
 12 *munity” means a community that uses innovative*
 13 *technologies, data, analytics, and other means to im-*
 14 *prove the community and address local challenges.*

15 (b) *ESTABLISHMENT.*—*The Secretary shall work with*
 16 *the modal administrations of the Department and with such*
 17 *other Federal agencies and departments as the Secretary*
 18 *determines to be appropriate to make available to the public*
 19 *on an Internet website a resource center, to be known as*
 20 *the “Smart Community Resource Center”, that includes a*
 21 *compilation of resources or links to resources for States and*
 22 *local communities to use in developing and implementing—*

23 (1) *intelligent transportation system programs;*

24 *or*

25 (2) *smart community transportation programs.*

1 (c) *INCLUSIONS.*—*The resource center shall include*
2 *links to—*

3 (1) *existing programs and resources for intel-*
4 *ligent transportation system or smart community*
5 *transportation programs, including technical assist-*
6 *ance, education, training, funding, and examples of*
7 *intelligent transportation systems or smart commu-*
8 *nity transportation programs implemented by States*
9 *and local communities, available from—*

10 (A) *the Department;*

11 (B) *other Federal agencies; and*

12 (C) *non-Federal sources;*

13 (2) *existing reports or databases with the results*
14 *of intelligent transportation system or smart commu-*
15 *nity transportation programs;*

16 (3) *any best practices developed or lessons*
17 *learned from intelligent transportation system or*
18 *smart community transportation programs; and*

19 (4) *such other resources as the Secretary deter-*
20 *mines to be appropriate.*

21 (d) *DEADLINE.*—*The Secretary shall establish the re-*
22 *source center by the date that is 1 year after the date of*
23 *enactment of this Act.*

24 (e) *UPDATES.*—*The Secretary shall ensure that the re-*
25 *source center is updated on a regular basis.*

1 **SEC. 5003. FEDERAL SUPPORT FOR LOCAL DECISION-**
2 **MAKING.**

3 (a) *LOCAL OUTREACH.*—*To determine the data anal-*
4 *ysis tools needed to assist local communities in making in-*
5 *frastructure decisions, the Director of the Bureau of Trans-*
6 *portation Statistics shall perform outreach to planning and*
7 *infrastructure decision-making officials in units of local*
8 *government and other units of government, including a geo-*
9 *graphically diverse group of individuals from—*

10 (1) *States;*

11 (2) *political subdivisions of States;*

12 (3) *cities;*

13 (4) *metropolitan planning organizations;*

14 (5) *regional transportation planning organiza-*
15 *tions; and*

16 (6) *federally recognized Indian Tribes.*

17 (b) *WORK PLAN.*—

18 (1) *IN GENERAL.*—*Not later than 1 year after*
19 *the date of enactment of this Act, based on the out-*
20 *reach performed under subsection (a), the Director of*
21 *the Bureau of Transportation Statistics shall submit*
22 *to the Secretary a work plan for reviewing and up-*
23 *dating existing data analysis tools and developing*
24 *any additional data analysis tools needed to assist*
25 *local communities with making infrastructure invest-*
26 *ment decisions.*

1 (2) *CONTENTS.*—*Based on the needs identified*
2 *pursuant to the outreach performed under subsection*
3 *(a), the work plan submitted under paragraph (1)*
4 *shall include—*

5 (A) *a description of the data analysis tools*
6 *identified that would benefit infrastructure deci-*
7 *sion-making by local governments and address*
8 *the goals described in subsection (c);*

9 (B) *a review of the datasets that local gov-*
10 *ernments need to effectively use the data analysis*
11 *tools described in subparagraph (A);*

12 (C) *an identification of existing or proposed*
13 *data analysis tools that use publicly available*
14 *data;*

15 (D) *the estimated cost of obtaining each*
16 *dataset described in subparagraph (B);*

17 (E) *the estimated cost to develop the data*
18 *analysis tools described in subparagraph (A);*

19 (F) *a prioritization for the development of*
20 *data analysis tools described in subparagraph*
21 *(A); and*

22 (G) *a determination as to whether it would*
23 *be appropriate for the Federal Government to de-*
24 *velop the data analysis tools described in sub-*
25 *paragraph (A).*

1 (c) *GOALS.*—

2 (1) *IN GENERAL.*—A data analysis tool created
3 pursuant to the work plan submitted under subsection
4 (b)(1) shall be developed to help inform local commu-
5 nities in making infrastructure investments.

6 (2) *SPECIFIC ISSUES.*—A data analysis tool cre-
7 ated pursuant to the work plan submitted under sub-
8 section (b)(1) shall be intended to help units of local
9 government and other units of government address 1
10 or more of the following:

11 (A) *Improving maintenance of existing as-*
12 *sets.*

13 (B) *Rebuilding infrastructure to a state of*
14 *good repair.*

15 (C) *Creating economic development through*
16 *infrastructure development.*

17 (D) *Establishing freight plans and infra-*
18 *structure that connects the community to supply*
19 *chains.*

20 (E) *Increasing options for communities that*
21 *lack access to affordable transportation to im-*
22 *prove access to jobs, affordable housing, schools,*
23 *medical services, foods and other essential com-*
24 *munity services.*

25 (F) *Reducing congestion.*

1 (G) *Improving community resilience to ex-*
2 *treme weather events.*

3 (H) *Any other subject, as the Director deter-*
4 *mines to be necessary.*

5 (d) *IMPLEMENTATION.—Subject to the availability of*
6 *appropriations, the Secretary shall develop data analysis*
7 *tools and purchase datasets as prioritized in the work plan.*

8 (e) *COORDINATION.—The Director of the Bureau of*
9 *Transportation Statistics may utilize existing working*
10 *groups or advisory committees to perform the local outreach*
11 *required under subsection (a).*

12 **SEC. 5004. BUREAU OF TRANSPORTATION STATISTICS.**

13 (a) *FUNDING.—In addition to amounts made available*
14 *from the Highway Trust Fund, there is authorized to be*
15 *appropriated to the Secretary for use by the Bureau of*
16 *Transportation Statistics for data collection and analysis*
17 *activities \$10,000,000 for each of fiscal years 2022 through*
18 *2026.*

19 (b) *AMENDMENT.—Section 6302(b)(3)(B)(vi) of title*
20 *49, United States Code, is amended—*

21 (1) *by striking subclause (V);*

22 (2) *by redesignating subclauses (VI) through*
23 *(XI) as subclauses (VII) through (XII), respectively;*
24 *and*

25 (3) *by adding after subclause (IV) the following:*

1 “(V) *employment in the transpor-*
2 *tation sector;*

3 “(VI) *the effects of the transpor-*
4 *tation system, including advanced*
5 *technologies and automation, on global*
6 *and domestic economic competitive-*
7 *ness;”.*

8 **SEC. 5005. STRENGTHENING MOBILITY AND REVOLUTION-**
9 **IZING TRANSPORTATION GRANT PROGRAM.**

10 (a) *DEFINITIONS.—In this section:*

11 (1) *ELIGIBLE ENTITY.—The term “eligible enti-*
12 *ty” means—*

13 (A) *a State;*

14 (B) *a political subdivision of a State;*

15 (C) *a Tribal government;*

16 (D) *a public transit agency or authority;*

17 (E) *a public toll authority;*

18 (F) *a metropolitan planning organization;*

19 *and*

20 (G) *a group of 2 or more eligible entities de-*
21 *scribed in any of subparagraphs (A) through (F)*
22 *applying through a single lead applicant.*

23 (2) *ELIGIBLE PROJECT.—The term “eligible*
24 *project” means a project described in subsection (e).*

1 (3) *LARGE COMMUNITY.*—The term “large com-
2 munity” means a community with a population of
3 not less than 400,000 individuals, as determined
4 under the most recent annual estimate of the Bureau
5 of the Census.

6 (4) *MIDSIZED COMMUNITY.*—The term “midsized
7 community” means any community that is not a
8 large community or a rural community.

9 (5) *REGIONAL PARTNERSHIP.*—The term “re-
10 gional partnership” means a partnership composed of
11 2 or more eligible entities located in jurisdictions
12 with a combined population that is equal to or great-
13 er than the population of any midsized community.

14 (6) *RURAL COMMUNITY.*—The term “rural com-
15 munity” means a community that is located in an
16 area that is outside of an urbanized area (as defined
17 in section 5302 of title 49, United States Code).

18 (7) *SMART GRANT.*—The term “SMART grant”
19 means a grant provided to an eligible entity under
20 the *Strengthening Mobility and Revolutionizing*
21 *Transportation Grant Program* established under sub-
22 section (b).

23 (b) *ESTABLISHMENT OF PROGRAM.*—The Secretary
24 shall establish a program, to be known as the “*Strengthening*
25 *Mobility and Revolutionizing Transportation Grant*”

1 *Program”, under which the Secretary shall provide grants*
2 *to eligible entities to conduct demonstration projects focused*
3 *on advanced smart city or community technologies and sys-*
4 *tems in a variety of communities to improve transportation*
5 *efficiency and safety.*

6 (c) *DISTRIBUTION.*—*In determining the projects for*
7 *which to provide a SMART grant, the Secretary shall con-*
8 *sider contributions to geographical diversity among grant*
9 *recipients, including the need for balancing the needs of*
10 *rural communities, midsized communities, and large com-*
11 *munities, consistent with the requirements of subpara-*
12 *graphs (A) through (C) of subsection (g)(1).*

13 (d) *APPLICATIONS.*—

14 (1) *IN GENERAL.*—*An eligible entity may submit*
15 *to the Secretary an application for a SMART grant*
16 *at such time, in such manner, and containing such*
17 *information as the Secretary may require.*

18 (2) *TRANSPARENCY.*—*The Secretary shall in-*
19 *clude, in any notice of funding availability relating*
20 *to SMART grants, a full description of the method by*
21 *which applications under paragraph (1) will be eval-*
22 *uated.*

23 (3) *SELECTION CRITERIA.*—

1 (A) *IN GENERAL.*—*The Secretary shall*
2 *evaluate applications for SMART grants based*
3 *on—*

4 (i) *the extent to which the eligible enti-*
5 *ty or applicable beneficiary community—*

6 (I) *has a public transportation*
7 *system or other transit options capable*
8 *of integration with other systems to*
9 *improve mobility and efficiency;*

10 (II) *has a population density and*
11 *transportation needs conducive to dem-*
12 *onstrating proposed strategies;*

13 (III) *has continuity of committed*
14 *leadership and the functional capacity*
15 *to carry out the proposed project;*

16 (IV) *is committed to open data*
17 *sharing with the public; and*

18 (V) *is likely to successfully imple-*
19 *ment the proposed eligible project, in-*
20 *cluding through technical and finan-*
21 *cial commitments from the public and*
22 *private sectors; and*

23 (ii) *the extent to which a proposed eli-*
24 *gible project will use advanced data, tech-*
25 *nology, and applications to provide signifi-*

1 *cant benefits to a local area, a State, a re-*
2 *gion, or the United States, including the ex-*
3 *tent to which the proposed eligible project*
4 *will—*

5 *(I) reduce congestion and delays*
6 *for commerce and the traveling public;*

7 *(II) improve the safety and inte-*
8 *gration of transportation facilities and*
9 *systems for pedestrians, bicyclists, and*
10 *the broader traveling public;*

11 *(III) improve access to jobs, edu-*
12 *cation, and essential services, includ-*
13 *ing health care;*

14 *(IV) connect or expand access for*
15 *underserved or disadvantaged popu-*
16 *lations and reduce transportation*
17 *costs;*

18 *(V) contribute to medium- and*
19 *long-term economic competitiveness;*

20 *(VI) improve the reliability of ex-*
21 *isting transportation facilities and sys-*
22 *tems;*

23 *(VII) promote connectivity be-*
24 *tween and among connected vehicles,*
25 *roadway infrastructure, pedestrians,*

1 *bicyclists, the public, and transpor-*
2 *tation systems*

3 *(VIII) incentivize private sector*
4 *investments or partnerships, including*
5 *by working with mobile and fixed tele-*
6 *communication service providers, to*
7 *the extent practicable;*

8 *(IX) improve energy efficiency or*
9 *reduce pollution;*

10 *(X) increase the resiliency of the*
11 *transportation system; and*

12 *(XI) improve emergency response.*

13 *(B) PRIORITY.—In providing SMART*
14 *grants, the Secretary shall give priority to appli-*
15 *cations for eligible projects that would—*

16 *(i) demonstrate smart city or commu-*
17 *nity technologies in repeatable ways that*
18 *can rapidly be scaled;*

19 *(ii) encourage public and private shar-*
20 *ing of data and best practices;*

21 *(iii) encourage private-sector innova-*
22 *tion by promoting industry-driven tech-*
23 *nology standards, open platforms, tech-*
24 *nology-neutral requirements, and interoper-*
25 *ability;*

1 (iv) promote a skilled workforce that is
2 inclusive of minority or disadvantaged
3 groups;

4 (v) allow for the measurement and val-
5 idation of the cost savings and performance
6 improvements associated with the installa-
7 tion and use of smart city or community
8 technologies and practices;

9 (vi) encourage the adoption of smart
10 city or community technologies by commu-
11 nities;

12 (vii) promote industry practices re-
13 garding cybersecurity; and

14 (viii) safeguard individual privacy.

15 (4) *TECHNICAL ASSISTANCE.*—On request of an
16 eligible entity that submitted an application under
17 paragraph (1) with respect to a project that is not se-
18 lected for a SMART grant, the Secretary shall provide
19 to the eligible entity technical assistance and briefings
20 relating to the project.

21 (e) *USE OF GRANT FUNDS.*—

22 (1) *ELIGIBLE PROJECTS.*—

23 (A) *IN GENERAL.*—A SMART grant may be
24 used to carry out a project that demonstrates at
25 least 1 of the following:

1 (i) *COORDINATED AUTOMATION.*—*The*
2 *use of automated transportation and auton-*
3 *omous vehicles, while working to minimize*
4 *the impact on the accessibility of any other*
5 *user group or mode of travel.*

6 (ii) *CONNECTED VEHICLES.*—*Vehicles*
7 *that send and receive information regarding*
8 *vehicle movements in the network and use*
9 *vehicle-to-vehicle and vehicle-to-everything*
10 *communications to provide advanced and*
11 *reliable connectivity.*

12 (iii) *INTELLIGENT, SENSOR-BASED IN-*
13 *FRASTRUCTURE.*—*The deployment and use*
14 *of a collective intelligent infrastructure that*
15 *allows sensors to collect and report real-time*
16 *data to inform everyday transportation-re-*
17 *lated operations and performance.*

18 (iv) *SYSTEMS INTEGRATION.*—*The in-*
19 *tegration of intelligent transportation sys-*
20 *tems with other existing systems and other*
21 *advanced transportation technologies.*

22 (v) *COMMERCE DELIVERY AND LOGIS-*
23 *TICS.*—*Innovative data and technological*
24 *solutions supporting efficient goods move-*
25 *ment, such as connected vehicle probe data,*

1 road weather data, or global positioning
2 data to improve on-time pickup and deliv-
3 ery, improved travel time reliability, re-
4 duced fuel consumption and emissions, and
5 reduced labor and vehicle maintenance
6 costs.

7 (vi) *LEVERAGING USE OF INNOVATIVE*
8 *AVIATION TECHNOLOGY.*—Leveraging the
9 use of innovative aviation technologies, such
10 as unmanned aircraft systems, to support
11 transportation safety and efficiencies, in-
12 cluding traffic monitoring and infrastruc-
13 ture inspection.

14 (vii) *SMART GRID.*—Development of a
15 programmable and efficient energy trans-
16 mission and distribution system to support
17 the adoption or expansion of energy cap-
18 ture, electric vehicle deployment, or freight
19 or commercial fleet fuel efficiency.

20 (viii) *SMART TECHNOLOGY TRAFFIC*
21 *SIGNALS.*—Improving the active manage-
22 ment and functioning of traffic signals, in-
23 cluding through—

24 (I) the use of automated traffic
25 signal performance measures;

1 (ii) implementing strategies, ac-
2 tivities, and projects that support ac-
3 tive management of traffic signal oper-
4 ations, including through optimization
5 of corridor timing, improved vehicle,
6 pedestrian, and bicycle detection at
7 traffic signals, or the use of connected
8 vehicle technologies;

9 (iii) replacing outdated traffic
10 signals; or

11 (iv) for an eligible entity serving
12 a population of less than 500,000, pay-
13 ing the costs of temporary staffing
14 hours dedicated to updating traffic sig-
15 nal technology.

16 (2) *ELIGIBLE PROJECT COSTS.*—A *SMART*
17 grant may be used for—

18 (A) *development phase activities, includ-*
19 *ing—*

20 (i) *planning;*

21 (ii) *feasibility analyses;*

22 (iii) *revenue forecasting;*

23 (iv) *environmental review;*

24 (v) *permitting;*

1 (vi) preliminary engineering and de-
2 sign work;

3 (vii) systems development or informa-
4 tion technology work; and

5 (viii) acquisition of real property (in-
6 cluding land and improvements to land re-
7 lating to an eligible project); and

8 (B) construction phase activities, includ-
9 ing—

10 (i) construction;

11 (ii) reconstruction;

12 (iii) rehabilitation;

13 (iv) replacement;

14 (v) environmental mitigation;

15 (vi) construction contingencies; and

16 (vii) acquisition of equipment, includ-
17 ing vehicles.

18 (3) *PROHIBITED USES.*—A *SMART* grant shall
19 not be used—

20 (A) to reimburse any preaward costs or ap-
21 plication preparation costs of the *SMART* grant
22 application;

23 (B) for any traffic or parking enforcement
24 activity; or

1 (C) to purchase or lease a license plate
2 reader.

3 (f) *REPORTS.*—

4 (1) *ELIGIBLE ENTITIES.*—Not later than 2 years
5 after the date on which an eligible entity receives a
6 *SMART* grant, and annually thereafter until the date
7 on which the *SMART* grant is expended, the eligible
8 entity shall submit to the Secretary an implementa-
9 tion report that describes—

10 (A) the deployment and operational costs of
11 each eligible project carried out by the eligible
12 entity, as compared to the benefits and savings
13 from the eligible project; and

14 (B) the means by which each eligible project
15 carried out by the eligible entity has met the
16 original expectation, as projected in the *SMART*
17 grant application, including—

18 (i) data describing the means by which
19 the eligible project met the specific goals for
20 the project, such as—

21 (I) reducing traffic-related fatali-
22 ties and injuries;

23 (II) reducing traffic congestion or
24 improving travel-time reliability;

1 (III) providing the public with
2 access to real-time integrated traffic,
3 transit, and multimodal transpor-
4 tation information to make informed
5 travel decisions; or

6 (IV) reducing barriers or improv-
7 ing access to jobs, education, or various
8 essential services;

9 (ii) the effectiveness of providing to the
10 public real-time integrated traffic, transit,
11 and multimodal transportation information
12 to make informed travel decisions; and

13 (iii) lessons learned and recommenda-
14 tions for future deployment strategies to op-
15 timize transportation efficiency and
16 multimodal system performance.

17 (2) GAO.—Not later than 4 years after the date
18 of enactment of this Act, the Comptroller General of
19 the United States shall conduct, and submit to the
20 Committee on Commerce, Science, and Transpor-
21 tation of the Senate, the Committee on Energy and
22 Commerce of the House of Representatives, and the
23 Committee on Transportation and Infrastructure of
24 the House of Representatives a report describing the

1 *results of, a review of the SMART grant program*
2 *under this section.*

3 (3) *SECRETARY.*—

4 (A) *REPORT TO CONGRESS.*—*Not later than*
5 *2 years after the date on which the initial*
6 *SMART grants are provided under this section,*
7 *the Secretary shall submit to the Committee on*
8 *Commerce, Science, and Transportation of the*
9 *Senate, the Committee on Energy and Commerce*
10 *of the House of Representatives, and the Com-*
11 *mittee on Transportation and Infrastructure of*
12 *the House of Representatives a report that—*

13 (i) *describes each eligible entity that*
14 *received a SMART grant;*

15 (ii) *identifies the amount of each*
16 *SMART grant provided;*

17 (iii) *summarizes the intended uses of*
18 *each SMART grant;*

19 (iv) *describes the effectiveness of eligible*
20 *entities in meeting the goals described in the*
21 *SMART grant application of the eligible en-*
22 *tity, including an assessment or measure-*
23 *ment of the realized improvements or bene-*
24 *fits resulting from each SMART grant; and*

1 (v) describes lessons learned and rec-
2 ommendations for future deployment strate-
3 gies to optimize transportation efficiency
4 and multimodal system performance.

5 (B) *BEST PRACTICES.*—The Secretary
6 shall—

7 (i) develop and regularly update best
8 practices based on, among other informa-
9 tion, the data, lessons learned, and feedback
10 from eligible entities that received SMART
11 grants;

12 (ii) publish the best practices under
13 clause (i) on a publicly available website;
14 and

15 (iii) update the best practices pub-
16 lished on the website under clause (ii) regu-
17 larly.

18 (g) *AUTHORIZATION OF APPROPRIATIONS.*—

19 (1) *IN GENERAL.*—There is authorized to be ap-
20 propriated to the Secretary \$100,000,000 for each of
21 the first 5 fiscal years beginning after the date of en-
22 actment of this Act, of which—

23 (A) not more than 40 percent shall be used
24 to provide SMART grants for eligible projects
25 that primarily benefit large communities;

1 (B) not more than 30 percent shall be pro-
 2 vided for eligible projects that primarily benefit
 3 midsized communities; and

4 (C) not more than 30 percent shall be used
 5 to provide SMART grants for eligible projects
 6 that primarily benefit rural communities or re-
 7 gional partnerships.

8 (2) *ADMINISTRATIVE COSTS.*—Of the amounts
 9 made available under paragraph (1) for each fiscal
 10 year, not more than 2 percent shall be used for ad-
 11 ministrative costs of the Secretary in carrying out
 12 this section.

13 (3) *LIMITATION.*—An eligible entity may not use
 14 more than 3 percent of the amount of a SMART
 15 grant for each fiscal year to achieve compliance with
 16 applicable planning and reporting requirements.

17 (4) *AVAILABILITY.*—The amounts made available
 18 for a fiscal year pursuant to this subsection shall be
 19 available for obligation during the 2-fiscal-year pe-
 20 riod beginning on the first day of the fiscal year for
 21 which the amounts were appropriated.

22 **SEC. 5006. ELECTRIC VEHICLE WORKING GROUP.**

23 (a) *DEFINITIONS.*—In this section:

24 (1) *SECRETARIES.*—The term “Secretaries”
 25 means—

1 (A) *the Secretary; and*

2 (B) *the Secretary of Energy.*

3 (2) *WORKING GROUP.—The term “working*
4 *group” means the electric vehicle working group es-*
5 *tablished under subsection (b)(1).*

6 (b) *ESTABLISHMENT.—*

7 (1) *IN GENERAL.—Not later than 1 year after*
8 *the date of enactment of this Act, the Secretaries shall*
9 *jointly establish an electric vehicle working group to*
10 *make recommendations regarding the development,*
11 *adoption, and integration of light-, medium-, and*
12 *heavy-duty electric vehicles into the transportation*
13 *and energy systems of the United States.*

14 (2) *MEMBERSHIP.—*

15 (A) *IN GENERAL.—The working group shall*
16 *be composed of—*

17 (i) *the Secretaries (or designees), who*
18 *shall be cochairs of the working group; and*

19 (ii) *not more than 25 members, to be*
20 *appointed by the Secretaries, of whom—*

21 (I) *not more than 6 shall be Fed-*
22 *eral stakeholders as described in sub-*
23 *paragraph (B); and*

1 (II) not more than 19 shall be
2 non-Federal stakeholders as described
3 in subparagraph (C).

4 (B) *FEDERAL STAKEHOLDERS.*—*The work-*
5 *ing group—*

6 (i) shall include not fewer than 1 rep-
7 resentative of each of—

8 (I) the Department;

9 (II) the Department of Energy;

10 (III) the Environmental Protec-
11 tion Agency;

12 (IV) the Council on Environ-
13 mental Quality; and

14 (V) the General Services Adminis-
15 tration; and

16 (ii) may include a representative of
17 any other Federal agency the Secretaries
18 consider to be appropriate.

19 (C) *NON-FEDERAL STAKEHOLDERS.*—

20 (i) *IN GENERAL.*—*Subject to clause*
21 *(ii), the working group—*

22 (I) shall include not fewer than 1
23 representative of each of—

24 (aa) a manufacturer of light-
25 duty electric vehicles or the rel-

1 *evant components of light-duty*
2 *electric vehicles;*

3 *(bb) a manufacturer of*
4 *medium- and heavy-duty vehicles*
5 *or the relevant components of*
6 *medium- and heavy-duty electric*
7 *vehicles;*

8 *(cc) a manufacturer of elec-*
9 *tric vehicle batteries;*

10 *(dd) an owner, operator, or*
11 *manufacturer of electric vehicle*
12 *charging equipment;*

13 *(ee) the public utility indus-*
14 *try;*

15 *(ff) a public utility regulator*
16 *or association of public utility*
17 *regulators;*

18 *(gg) the transportation fuel-*
19 *ing distribution industry;*

20 *(hh) the energy provider in-*
21 *dustry;*

22 *(ii) the automotive dealing*
23 *industry;*

24 *(jj) the for-hire passenger*
25 *transportation industry;*

1 *(kk) an organization rep-*
2 *resenting units of local govern-*
3 *ment;*

4 *(ll) an organization rep-*
5 *resenting regional transportation*
6 *or planning agencies;*

7 *(mm) an organization rep-*
8 *resenting State departments of*
9 *transportation;*

10 *(nn) an organization rep-*
11 *resenting State departments of en-*
12 *ergy or State energy planners;*

13 *(oo) the intelligent transpor-*
14 *tation systems and technologies*
15 *industry;*

16 *(pp) labor organizations rep-*
17 *resenting workers in transpor-*
18 *tation manufacturing, construc-*
19 *tion, or operations;*

20 *(qq) the trucking industry;*

21 *(rr) Tribal governments; and*

22 *(ss) the property development*
23 *industry; and*

24 *(II) may include a representative*
25 *of any other non-Federal stakeholder*

1 that the Secretaries consider to be ap-
2 propriate.

3 (ii) *REQUIREMENT.*—The stakeholders
4 selected under clause (i) shall, in the aggre-
5 gate—

6 (I) consist of individuals with a
7 balance of backgrounds, experiences,
8 and viewpoints; and

9 (II) include individuals that rep-
10 resent geographically diverse regions of
11 the United States, including individ-
12 uals representing the perspectives of
13 rural, urban, and suburban areas.

14 (D) *COMPENSATION.*—A member of the
15 working group shall serve without compensation.

16 (3) *MEETINGS.*—

17 (A) *IN GENERAL.*—The working group shall
18 meet not less frequently than once every 120
19 days.

20 (B) *REMOTE PARTICIPATION.*—A member of
21 the working group may participate in a meeting
22 of the working group via teleconference or simi-
23 lar means.

24 (4) *COORDINATION.*—In carrying out the duties
25 of the working group, the working group shall coordi-

1 *nate and consult with any existing Federal inter-*
2 *agency working groups on fleet conversion or other*
3 *similar matters relating to electric vehicles.*

4 *(c) REPORTS AND STRATEGY ON ELECTRIC VEHICLE*
5 *ADOPTION.—*

6 *(1) WORKING GROUP REPORTS.—The working*
7 *group shall complete by each of the deadlines de-*
8 *scribed in paragraph (2) a report describing the sta-*
9 *tus of electric vehicle adoption including—*

10 *(A) a description of the barriers and oppor-*
11 *tunities to scaling up electric vehicle adoption*
12 *throughout the United States, including rec-*
13 *ommendations for issues relating to—*

14 *(i) consumer behavior;*

15 *(ii) charging infrastructure needs, in-*
16 *cluding standardization and cybersecurity;*

17 *(iii) manufacturing and battery costs,*
18 *including the raw material shortages for*
19 *batteries and electric motor magnets;*

20 *(iv) the adoption of electric vehicles for*
21 *low- and moderate-income individuals and*
22 *underserved communities, including charg-*
23 *ing infrastructure access and vehicle pur-*
24 *chase financing;*

- 1 (v) *business models for charging per-*
2 *sonal electric vehicles outside the home, in-*
3 *cluding wired and wireless charging;*
- 4 (vi) *charging infrastructure permitting*
5 *and regulatory issues;*
- 6 (vii) *the connections between housing*
7 *and transportation costs and emissions;*
- 8 (viii) *freight transportation, including*
9 *local, port and drayage, regional, and long-*
10 *haul trucking;*
- 11 (ix) *intercity passenger travel;*
- 12 (x) *the process by which governments*
13 *collect a user fee for the contribution of elec-*
14 *tric vehicles to funding roadway improve-*
15 *ments;*
- 16 (xi) *State- and local-level policies, in-*
17 *centives, and zoning efforts;*
- 18 (xii) *the installation of highway cor-*
19 *ridor signage;*
- 20 (xiii) *secondary markets and recycling*
21 *for batteries;*
- 22 (xiv) *grid capacity and integration;*
- 23 (xv) *energy storage; and*
- 24 (xvi) *specific regional or local issues*
25 *that may not appear to apply throughout*

1 *the United States, but may hamper nation-*
2 *wide adoption or coordination of electric ve-*
3 *hicles;*

4 *(B) examples of successful public and pri-*
5 *vate models and demonstration projects that en-*
6 *courage electric vehicle adoption;*

7 *(C) an analysis of current efforts to over-*
8 *come the barriers described in subparagraph (A);*

9 *(D) an analysis of the estimated costs and*
10 *benefits of any recommendations of the working*
11 *group; and*

12 *(E) any other topics, as determined by the*
13 *working group.*

14 (2) *DEADLINES.*—*A report under paragraph (1)*
15 *shall be submitted to the Secretaries, the Committees*
16 *on Commerce, Science, and Transportation and Ap-*
17 *propriations of the Senate and the Committees on*
18 *Transportation and Infrastructure and Appropria-*
19 *tions of the House of Representatives—*

20 *(A) in the case of the first report, by not*
21 *later than 18 months after the date on which the*
22 *working group is established under subsection*
23 *(b)(1);*

24 *(B) in the case of the second report, by not*
25 *later than 2 years after the date on which the*

1 *first report is required to be submitted under*
2 *subparagraph (A); and*

3 *(C) in the case of the third report, by not*
4 *later than 2 years after the date on which the*
5 *second report is required to be submitted under*
6 *subparagraph (B).*

7 *(3) STRATEGY.—*

8 *(A) IN GENERAL.—Based on the reports*
9 *submitted by the working group under para-*
10 *graph (1), the Secretaries shall jointly develop,*
11 *maintain, and update a strategy that describes*
12 *the means by which the Federal Government,*
13 *States, units of local government, and industry*
14 *can—*

15 *(i) establish quantitative targets for*
16 *transportation electrification;*

17 *(ii) overcome the barriers described in*
18 *paragraph (1)(A);*

19 *(iii) identify areas of opportunity in*
20 *research and development to improve bat-*
21 *tery manufacturing, mineral mining, recy-*
22 *cling costs, material recovery, fire risks, and*
23 *battery performance for electric vehicles;*

1 (iv) enhance Federal interagency co-
2 ordination to promote electric vehicle adop-
3 tion;

4 (v) prepare the workforce for the adop-
5 tion of electric vehicles, including through
6 collaboration with labor unions, educational
7 institutions, and relevant manufacturers;

8 (vi) expand electric vehicle and charg-
9 ing infrastructure;

10 (vii) expand knowledge of the benefits
11 of electric vehicles among the general public;

12 (viii) maintain the global competitive-
13 ness of the United States in the electric ve-
14 hicle and charging infrastructure markets;

15 (ix) provide clarity in regulations to
16 improve national uniformity with respect to
17 electric vehicles; and

18 (x) ensure the sustainable integration
19 of electric vehicles into the national electric
20 grid.

21 (B) NOTICE AND COMMENT.—In carrying
22 out subparagraph (A), the Secretaries shall pro-
23 vide public notice and opportunity for comment
24 on the strategy described in that subparagraph.

25 (4) INFORMATION.—

1 (A) *IN GENERAL.*—*The Secretaries may*
2 *enter into an agreement with the Transportation*
3 *Research Board of the National Academies of*
4 *Sciences, Engineering, and Medicine to provide,*
5 *track, or report data, information, or research to*
6 *assist the working group in carrying out para-*
7 *graph (1).*

8 (B) *USE OF EXISTING INFORMATION.*—*In*
9 *developing a report under paragraph (1) or a*
10 *strategy under paragraph (3), the Secretaries*
11 *and the working group shall take into consider-*
12 *ation existing Federal, State, local, private sec-*
13 *tor, and academic data and information relating*
14 *to electric vehicles and, to the maximum extent*
15 *practicable, coordinate with the entities that*
16 *publish that information—*

17 (i) *to prevent duplication of efforts by*
18 *the Federal Government; and*

19 (ii) *to leverage existing information*
20 *and complementary efforts.*

21 (d) *COORDINATION.*—*To the maximum extent prac-*
22 *ticable, the Secretaries and the working group shall carry*
23 *out this section using all available existing resources,*
24 *websites, and databases of Federal agencies, such as—*

25 (1) *the Alternative Fuels Data Center;*

1 (2) *the Energy Efficient Mobility Systems pro-*
2 *gram; and*

3 (3) *the Clean Cities Coalition Network.*

4 (e) *TERMINATION.*—*The working group shall termi-*
5 *nate on submission of the third report required under sub-*
6 *section (c)(2)(C).*

7 **SEC. 5007. RISK AND SYSTEM RESILIENCE.**

8 (a) *IN GENERAL.*—*The Secretary, in consultation with*
9 *appropriate Federal, State, and local agencies, shall develop*
10 *a process for quantifying annual risk in order to increase*
11 *system resilience with respect to the surface transportation*
12 *system of the United States by measuring—*

13 (1) *resilience to threat probabilities by type of*
14 *hazard and geographical location;*

15 (2) *resilience to asset vulnerabilities with respect*
16 *to each applicable threat; and*

17 (3) *anticipated consequences from each applica-*
18 *ble threat to each asset.*

19 (b) *USE BY STATE, REGIONAL, TRIBAL, AND LOCAL*
20 *ENTITIES.*—

21 (1) *IN GENERAL.*—*The Secretary shall provide*
22 *the process developed under subsection (a) to State de-*
23 *partments of transportation, metropolitan planning*
24 *organizations, Indian Tribes, local governments, and*
25 *other relevant entities.*

1 (2) *GUIDANCE AND TECHNICAL ASSISTANCE.*—
2 *The Secretary shall provide to the entities described*
3 *in paragraph (1) guidance and technical assistance*
4 *on the use of the process referred to in that para-*
5 *graph.*

6 (c) *RESEARCH.*—

7 (1) *IN GENERAL.*—*The Secretary shall—*

8 (A) *identify and support fundamental re-*
9 *search to develop a framework and quantitative*
10 *models to support compilation of information for*
11 *risk-based analysis of transportation assets by*
12 *standardizing the basis for quantifying annual*
13 *risk and increasing system resilience; and*

14 (B) *build on existing resilience research, in-*
15 *cluding studies conducted by—*

16 (i) *the Transportation Research Board*
17 *of the National Academies of Sciences, En-*
18 *gineering, and Medicine; and*

19 (ii) *the National Institute of Stand-*
20 *ards and Technology.*

21 (2) *USE OF EXISTING FACILITIES.*—*In carrying*
22 *out paragraph (1), the Secretary shall use existing re-*
23 *search facilities available to the Secretary, including*
24 *the Turner–Fairbank Highway Research Center and*

1 *University Transportation Centers established under*
2 *section 5505 of title 49, United States Code.*

3 **SEC. 5008. COORDINATION ON EMERGING TRANSPOR-**
4 **TATION TECHNOLOGY.**

5 *(a) IN GENERAL.—Subchapter I of chapter 3 of title*
6 *49, United States Code, is amended by adding at the end*
7 *the following:*

8 **“§ 313. Nontraditional and Emerging Transportation**
9 **Technology Council**

10 *“(a) ESTABLISHMENT.—Not later than 180 days after*
11 *the date of enactment of this section, the Secretary of Trans-*
12 *portation (referred to in this section as the ‘Secretary’) shall*
13 *establish a council, to be known as the ‘Nontraditional and*
14 *Emerging Transportation Technology Council’ (referred to*
15 *in this section as the ‘Council’), to address coordination on*
16 *emerging technology issues across all modes of transpor-*
17 *tation.*

18 *“(b) MEMBERSHIP.—*

19 *“(1) IN GENERAL.—The Council shall be com-*
20 *posed of—*

21 *“(A) the Secretary, who shall serve as an ex*
22 *officio member of the Council;*

23 *“(B) the Deputy Secretary of Transpor-*
24 *tation;*

1 “(C) *the Under Secretary of Transportation*
2 *for Policy;*

3 “(D) *the Assistant Secretary for Research*
4 *and Technology of the Department of Transpor-*
5 *tation;*

6 “(E) *the Assistant Secretary for Budget and*
7 *Programs of the Department of Transportation;*

8 “(F) *the General Counsel of the Department*
9 *of Transportation;*

10 “(G) *the Chief Information Officer of the*
11 *Department of Transportation;*

12 “(H) *the Administrator of the Federal Avia-*
13 *tion Administration;*

14 “(I) *the Administrator of the Federal High-*
15 *way Administration;*

16 “(J) *the Administrator of the Federal Motor*
17 *Carrier Safety Administration;*

18 “(K) *the Administrator of the Federal Rail-*
19 *road Administration;*

20 “(L) *the Administrator of the Federal Tran-*
21 *sit Administration;*

22 “(M) *the Administrator of the Maritime Ad-*
23 *ministration;*

24 “(N) *the Administrator of the National*
25 *Highway Traffic Safety Administration;*

1 “(O) *the Administrator of the Pipeline and*
2 *Hazardous Materials Safety Administration;*
3 *and*

4 “(P) *any other official of the Department of*
5 *Transportation, as determined by the Secretary.*

6 “(2) *CHAIR AND VICE CHAIR.—*

7 “(A) *CHAIR.—The Deputy Secretary of*
8 *Transportation (or a designee) shall serve as*
9 *Chair of the Council.*

10 “(B) *VICE CHAIR.—The Under Secretary of*
11 *Transportation for Policy (or a designee) shall*
12 *serve as Vice Chair of the Council.*

13 “(c) *DUTIES.—The Council shall—*

14 “(1) *identify and resolve jurisdictional and regu-*
15 *latory gaps or inconsistencies associated with non-*
16 *traditional and emerging transportation technologies,*
17 *modes, or projects pending or brought before the De-*
18 *partment of Transportation to reduce, to the max-*
19 *imum extent practicable, impediments to the prompt*
20 *and safe deployment of new and innovative transpor-*
21 *tation technology, including with respect to—*

22 “(A) *safety oversight;*

23 “(B) *environmental review; and*

24 “(C) *funding and financing issues;*

1 “(2) coordinate the response of the Department of
2 Transportation to nontraditional and emerging
3 transportation technology projects;

4 “(3) engage with stakeholders in nontraditional
5 and emerging transportation technology projects; and

6 “(4) develop and establish Department of Trans-
7 portation-wide processes, solutions, and best practices
8 for identifying and managing nontraditional and
9 emerging transportation technology projects.

10 “(d) *BEST PRACTICES*.—Not later than 1 year after
11 the date of enactment of this section, the Council shall—

12 “(1) publish initial guidelines to achieve the
13 purposes described in subsection (c)(4); and

14 “(2) promote each modal administration within
15 the Department of Transportation to further test and
16 support the advancement of nontraditional and
17 emerging transportation technologies not specifically
18 considered by the Council.

19 “(e) *SUPPORT*.—The Office of the Secretary shall pro-
20 vide support for the Council.

21 “(f) *MEETINGS*.—The Council shall meet not less fre-
22 quently than 4 times per year, at the call of the Chair.

23 “(g) *LEAD MODAL ADMINISTRATION*.—For each non-
24 traditional or emerging transportation technology, mode, or
25 project associated with a jurisdictional or regulatory gap

1 *or inconsistency identified under subsection (c)(1), the*
 2 *Chair of the Council shall—*

3 “(1) *designate a lead modal administration of*
 4 *the Department of Transportation for review of the*
 5 *technology, mode, or project; and*

6 “(2) *arrange for the detailing of staff between*
 7 *modal administrations or offices of the Department of*
 8 *Transportation as needed to maximize the sharing of*
 9 *experience and expertise.*

10 “(h) *TRANSPARENCY.—Not later than 1 year after the*
 11 *date of establishment of the Council, and not less frequently*
 12 *than annually thereafter until December 31, 2026, the*
 13 *Council shall post on a publicly accessible website a report*
 14 *describing the activities of the Council during the preceding*
 15 *calendar year.”.*

16 “(b) *CLERICAL AMENDMENT.—The analysis for sub-*
 17 *chapter I of chapter 3 of title 49, United States Code, is*
 18 *amended by adding at the end the following:*

“313. Nontraditional and Emerging Transportation Technology Council.”.

19 **SEC. 5009. INTERAGENCY INFRASTRUCTURE PERMITTING**
 20 **IMPROVEMENT CENTER.**

21 “(a) *IN GENERAL.—Section 102 of title 49, United*
 22 *States Code, is amended—*

23 “(1) *in subsection (a), by inserting “(referred to*
 24 *in this section as the ‘Department’)” after “Transpor-*
 25 *tation”;*

1 (2) *in subsection (b), in the first sentence, by in-*
 2 *serting “(referred to in this section as the ‘Sec-*
 3 *retary’)” after “Transportation”;*

4 (3) *in subsection (f)(1), by striking “of Trans-*
 5 *portation” each place it appears;*

6 (4) *by redesignating subsection (h) as subsection*
 7 *(i); and*

8 (5) *by inserting after subsection (g) the fol-*
 9 *lowing:*

10 “*(h) INTERAGENCY INFRASTRUCTURE PERMITTING IM-*
 11 *PROVEMENT CENTER.—*

12 “*(1) DEFINITIONS.—In this subsection:*

13 “*(A) CENTER.—The term ‘Center’ means*
 14 *the Interagency Infrastructure Permitting Im-*
 15 *provement Center established by paragraph (2).*

16 “*(B) PROJECT.—The term ‘project’ means a*
 17 *project authorized or funded under—*

18 “*(i) this title; or*

19 “*(ii) title 14, 23, 46, or 51.*

20 “*(2) ESTABLISHMENT.—There is established*
 21 *within the Office of the Secretary a center, to be*
 22 *known as the ‘Interagency Infrastructure Permitting*
 23 *Improvement Center’.*

24 “*(3) PURPOSES.—The purposes of the Center*
 25 *shall be—*

1 “(A) to implement reforms to improve
2 interagency coordination and expedite projects
3 relating to the permitting and environmental re-
4 view of major transportation infrastructure
5 projects, including—

6 “(i) developing and deploying informa-
7 tion technology tools to track project sched-
8 ules and metrics; and

9 “(ii) improving the transparency and
10 accountability of the permitting process;

11 “(B)(i) to identify appropriate methods to
12 assess environmental impacts; and

13 “(ii) to develop innovative methods for
14 reasonable mitigation;

15 “(C) to reduce uncertainty and delays with
16 respect to environmental reviews and permitting;
17 and

18 “(D) to reduce costs and risks to taxpayers
19 in project delivery.

20 “(4) EXECUTIVE DIRECTOR.—The Center shall be
21 headed by an Executive Director, who shall—

22 “(A) report to the Under Secretary of
23 Transportation for Policy;

1 “(B) be responsible for the management and
2 oversight of the daily activities, decisions, oper-
3 ations, and personnel of the Center; and

4 “(C) carry out such additional duties as the
5 Secretary may prescribe.

6 “(5) DUTIES.—The Center shall carry out the
7 following duties:

8 “(A) Coordinate and support implementa-
9 tion of priority reform actions for Federal agen-
10 cy permitting and reviews.

11 “(B) Support modernization efforts at the
12 operating administrations within the Depart-
13 ment and interagency pilot programs relating to
14 innovative approaches to the permitting and re-
15 view of transportation infrastructure projects.

16 “(C) Provide technical assistance and train-
17 ing to Department staff on policy changes, inno-
18 vative approaches to project delivery, and other
19 topics, as appropriate.

20 “(D) Identify, develop, and track metrics
21 for timeliness of permit reviews, permit deci-
22 sions, and project outcomes.

23 “(E) Administer and expand the use of on-
24 line transparency tools providing for—

25 “(i) tracking and reporting of metrics;

1 “(ii) development and posting of sched-
2 ules for permit reviews and permit deci-
3 sions;

4 “(iii) the sharing of best practices re-
5 lating to efficient project permitting and re-
6 views; and

7 “(iv) the visual display of relevant
8 geospatial data to support the permitting
9 process.

10 “(F) Submit to the Secretary reports de-
11 scribing progress made toward achieving—

12 “(i) greater efficiency in permitting
13 decisions and review of infrastructure
14 projects; and

15 “(ii) better outcomes for communities
16 and the environment.

17 “(6) INNOVATIVE BEST PRACTICES.—

18 “(A) IN GENERAL.—The Center shall work
19 with the operating administrations within the
20 Department, eligible entities, and other public
21 and private interests to develop and promote best
22 practices for innovative project delivery.

23 “(B) ACTIVITIES.—The Center shall support
24 the Department and operating administrations
25 in conducting environmental reviews and per-

1 *mitting, together with project sponsor technical*
2 *assistance activities, by—*

3 *“(i) carrying out activities that are*
4 *appropriate and consistent with the goals*
5 *and policies of the Department to improve*
6 *the delivery timelines for projects;*

7 *“(ii) serving as the Department liaison*
8 *to—*

9 *“(I) the Council on Environ-*
10 *mental Quality; and*

11 *“(II) the Federal Permitting Im-*
12 *provement Steering Council established*
13 *by section 41002(a) of the Fixing*
14 *America’s Surface Transportation Act*
15 *(42 U.S.C. 4370m–1(a));*

16 *“(iii) supporting the National Surface*
17 *Transportation and Innovative Finance*
18 *Bureau (referred to in this paragraph as*
19 *the ‘Bureau’) in implementing activities to*
20 *improve delivery timelines, as described in*
21 *section 116(f), for projects carried out under*
22 *the programs described in section 116(d)(1)*
23 *for which the Bureau administers the appli-*
24 *cation process;*

1 “(iv) *leading activities to improve de-*
2 *livery timelines for projects carried out*
3 *under programs not administered by the*
4 *Bureau by—*

5 “(I) *coordinating efforts to im-*
6 *prove the efficiency and effectiveness of*
7 *the environmental review and permit-*
8 *ting process;*

9 “(II) *providing technical assist-*
10 *ance and training to field and head-*
11 *quarters staff of Federal agencies with*
12 *respect to policy changes and innova-*
13 *tive approaches to the delivery of*
14 *projects; and*

15 “(III) *identifying, developing, and*
16 *tracking metrics for permit reviews*
17 *and decisions by Federal agencies for*
18 *projects under the National Environ-*
19 *mental Policy Act of 1969 (42 U.S.C.*
20 *4321 et seq.).*

21 “(C) *NEPA COMPLIANCE ASSISTANCE.—*

22 “(i) *IN GENERAL.—Subject to clause*
23 *(ii), at the request of an entity that is car-*
24 *rying out a project, the Center, in coordina-*
25 *tion with the appropriate operating admin-*

1 *istrations within the Department, shall pro-*
 2 *vide technical assistance relating to compli-*
 3 *ance with the applicable requirements of the*
 4 *National Environmental Policy Act of 1969*
 5 *(42 U.S.C. 4321 et seq.) and applicable*
 6 *Federal authorizations.*

7 “(i) *ASSISTANCE FROM THE BU-*
 8 *REAU.—For projects carried out under the*
 9 *programs described in section 116(d)(1) for*
 10 *which the Bureau administers the applica-*
 11 *tion process, the Bureau, on request of the*
 12 *entity carrying out the project, shall pro-*
 13 *vide the technical assistance described in*
 14 *clause (i).”.*

15 (b) *CONFORMING AMENDMENT.—Section 116(f)(2) of*
 16 *title 49, United States Code, is amended—*

17 (1) *by striking subparagraph (A); and*

18 (2) *by redesignating subparagraphs (B) through*
 19 *(D) and subparagraphs (A) through (C), respectively.*

20 **SEC. 5010. RURAL OPPORTUNITIES TO USE TRANSPOR-**
 21 **TATION FOR ECONOMIC SUCCESS INITIATIVE.**

22 (a) *DEFINITIONS.—In this section:*

23 (1) *BUILD AMERICA BUREAU.—The term “Build*
 24 *America Bureau” means the National Surface Trans-*

1 *portation and Innovative Finance Bureau established*
2 *under section 116 of title 49, United States Code.*

3 (2) *ROUTES COUNCIL.*—*The term “ROUTES*
4 *Council” means the Rural Opportunities to Use*
5 *Transportation for Economic Success Council estab-*
6 *lished by subsection (c)(1).*

7 (3) *ROUTES OFFICE.*—*The term “ROUTES Of-*
8 *fice” means the Rural Opportunities to Use Trans-*
9 *portation for Economic Success Office established by*
10 *subsection (b)(1).*

11 (b) *ROUTES OFFICE.*—

12 (1) *IN GENERAL.*—*The Secretary shall establish*
13 *within the Department the Rural Opportunities to*
14 *Use Transportation for Economic Success Office—*

15 (A) *to improve analysis of projects from*
16 *rural areas, federally recognized Indian Tribes,*
17 *and historically disadvantaged communities in*
18 *rural or Tribal areas applying for Department*
19 *discretionary grants, including ensuring that*
20 *project costs, local resources, and the larger bene-*
21 *fits to the people and the economy of the United*
22 *States are appropriately considered; and*

23 (B) *to provide rural communities, federally*
24 *recognized Indian Tribes, and historically dis-*
25 *advantaged communities in rural or Tribal*

1 *areas with technical assistance for meeting the*
2 *transportation infrastructure investment needs of*
3 *the United States in a financially sustainable*
4 *manner.*

5 (2) *OBJECTIVES.—The ROUTES Office shall—*

6 *(A) collect input from knowledgeable entities*
7 *and the public on—*

8 *(i) the benefits of rural and Tribal*
9 *transportation projects;*

10 *(ii) the technical and financial assist-*
11 *ance required for constructing and oper-*
12 *ating rural and Tribal transportation in-*
13 *frastructure and services;*

14 *(iii) barriers and opportunities to*
15 *funding rural and Tribal transportation*
16 *projects; and*

17 *(iv) unique transportation barriers*
18 *and challenges facing historically disadvan-*
19 *taged communities in rural and Tribal*
20 *areas;*

21 *(B) evaluate data on rural and Tribal*
22 *transportation challenges and determining meth-*
23 *ods to align the discretionary funding and fi-*
24 *nancing opportunities of the Department with*

1 *the needs of those communities for meeting na-*
2 *tional transportation goals; and*

3 *(C) educate rural communities and Tribal*
4 *communities about applicable Department dis-*
5 *cretionary grants, develop effective methods to*
6 *evaluate projects in those communities in discre-*
7 *tionary grant programs, and communicate those*
8 *methods through program guidance.*

9 *(c) ROUTES COUNCIL.—*

10 *(1) IN GENERAL.—The Secretary shall establish*
11 *a Rural Opportunities to Use Transportation for*
12 *Economic Success Council—*

13 *(A) to organize, guide, and lead the*
14 *ROUTES Office; and*

15 *(B) to coordinate rural-related and Tribal-*
16 *related funding programs and assistance among*
17 *the modal administrations.*

18 *(2) MEMBERSHIP.—*

19 *(A) IN GENERAL.—The ROUTES Council*
20 *shall be composed of the following officers of the*
21 *Department, or their designees:*

22 *(i) The Under Secretary of Transpor-*
23 *tation for Policy.*

24 *(ii) The General Counsel.*

1 (iii) *The Chief Financial Officer and*
2 *Assistant Secretary for Budget and Pro-*
3 *grams.*

4 (iv) *The Assistant Secretary for Re-*
5 *search and Technology.*

6 (v) *The Assistant Secretary for*
7 *Multimodal Freight.*

8 (vi) *The Administrators of—*

9 (I) *the Federal Aviation Adminis-*
10 *tration;*

11 (II) *the Federal Highway Admin-*
12 *istration;*

13 (III) *the Federal Railroad Ad-*
14 *ministration; and*

15 (IV) *the Federal Transit Adminis-*
16 *tration.*

17 (vii) *The Executive Director of the*
18 *Build America Bureau.*

19 (viii) *The Assistant Secretary of Gov-*
20 *ernment Affairs.*

21 (B) *CHAIR.—The Under Secretary of*
22 *Transportation for Policy shall be the Chair of*
23 *the ROUTES Council.*

24 (C) *ADDITIONAL MEMBERS.—The Secretary*
25 *or the Chair of the ROUTES Council may des-*

1 *ignate additional members to serve on the*
2 *ROUTES Council.*

3 (3) *ADDITIONAL MODAL INPUT.—To address*
4 *issues related to safety and transport of rural and*
5 *Tribal commodities, the ROUTES Council shall con-*
6 *sult with the Administrators (or their designees) of—*

7 *(A) the Maritime Administration;*

8 *(B) the Great Lakes St. Lawrence Seaway*
9 *Development Corporation; and*

10 *(C) the National Highway Traffic Safety*
11 *Administration.*

12 (4) *DUTIES.—Members of the ROUTES Council*
13 *shall—*

14 *(A) participate in all meetings and relevant*
15 *ROUTES Council activities and be prepared to*
16 *share information relevant to rural and Tribal*
17 *transportation infrastructure projects and issues;*

18 *(B) provide guidance and leadership on*
19 *rural and Tribal transportation infrastructure*
20 *issues and represent the work of the ROUTES*
21 *Council and the Department on those issues to*
22 *external stakeholders; and*

23 *(C) recommend initiatives for the consider-*
24 *ation of the Chair of the ROUTES Council to es-*

1 *tablish and staff any resulting activities or*
 2 *working groups.*

3 (5) *MEETINGS.—The ROUTES Council shall*
 4 *meet bimonthly.*

5 (6) *WORK PRODUCTS AND DELIVERABLES.—The*
 6 *ROUTES Council may develop work products or*
 7 *deliverables to meet the goals of the ROUTES Coun-*
 8 *cil, including—*

9 (A) *an annual report to Congress describing*
 10 *ROUTES Council activities for the past year*
 11 *and expected activities for the coming year;*

12 (B) *any recommendations to enhance the ef-*
 13 *fectiveness of Department discretionary grant*
 14 *programs regarding rural and Tribal infrastruc-*
 15 *ture issues; and*

16 (C) *other guides and reports for relevant*
 17 *groups and the public.*

18 **SEC. 5011. ADVANCED TRANSPORTATION TECHNOLOGIES**

19 **DEPLOYMENT PROGRAM.**

20 *Section 503 of title 23, United States Code, is amend-*
 21 *ed—*

22 (1) *in subsection (a)(2), by striking “under sec-*
 23 *tion 508” and inserting “under section 6503 of title*
 24 *49”; and*

25 (2) *in subsection (c)(4)—*

- 1 (A) in subparagraph (A), by striking “and
2 congestion management”;
- 3 (B) in subparagraph (B)—
- 4 (i) by redesignating clauses (i) through
5 (viii) as clauses (vii) through (xiv), respec-
6 tively;
- 7 (ii) by inserting before clause (vii) (as
8 so redesignated) the following:
- 9 “(i) improve the mobility of people and
10 goods;
- 11 “(ii) reduce congestion;
- 12 “(iii) promote safety;
- 13 “(iv) improve the durability and ex-
14 tend the life of transportation infrastruc-
15 ture;
- 16 “(v) preserve the environment;
- 17 “(vi) preserve the existing transpor-
18 tation system;”;
- 19 (iii) in clause (xiv) (as so redesign-
20 ated), by inserting “vehicle-to-pedestrian,”
21 after “vehicle-to-infrastructure,”;
- 22 (C) in subparagraph (C)(ii)—
- 23 (i) in subclause (I), by striking “and
24 congestion management”;
- 25 (ii) by striking subclause (II);

1 (iii) by redesignating subclauses (III)
2 through (V) as subclauses (II) through (IV),
3 respectively; and

4 (iv) in subclause (II) (as so redesign-
5 ated), by striking “efficiency and reduce
6 traffic congestion”;

7 (D) in subparagraph (E)—

8 (i) in the matter preceding clause (i),
9 by striking “and congestion management”;

10 (ii) in clause (viii), by striking “or” at
11 the end; and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(x) retrofitting dedicated short-range
15 communications (DSRC) technology de-
16 ployed as part of an existing pilot program
17 to cellular vehicle-to-everything (C-V2X)
18 technology, subject to the condition that the
19 retrofitted technology operates only within
20 the existing spectrum allocations for con-
21 nected vehicle systems; and

22 “(xi) advanced transportation tech-
23 nologies, in accordance with the research
24 areas described in section 6503 of title 49.”;

1 (E) in subparagraph (I)(i), by striking
2 “2016 through 2020” and inserting “2022
3 through 2026”;

4 (F) by striking subparagraph (J) and in-
5 serting the following:

6 “(J) FEDERAL SHARE.—

7 “(i) IN GENERAL.—Except as provided
8 in clause (ii), the Federal share of the cost
9 of a project for which a grant is awarded
10 under this subsection shall not exceed 50
11 percent.

12 “(ii) CERTAIN PROJECTS.—The Fed-
13 eral share of the cost of a project for which
14 a grant is awarded under this subsection for
15 activities described in subparagraph (E)(x)
16 shall not exceed 80 percent.”; and

17 (G) in subparagraph (N)—

18 (i) in the matter preceding clause (i),
19 by striking “, the following definitions
20 apply”;

21 (ii) by striking clause (ii) and insert-
22 ing the following:

23 “(ii) ADVANCED TRANSPORTATION
24 TECHNOLOGY.—The term ‘advanced trans-
25 portation technology’ means any technology

1 that improves the efficiency, durability, sus-
 2 tainability, safety, or state of good repair of
 3 a surface transportation system.”; and

4 (iii) in clause (iii), in the matter pre-
 5 ceding subclause (I), by striking “a any”
 6 and inserting “any”.

7 **SEC. 5012. SAFETY DATA INITIATIVE.**

8 (a) *DEFINITION OF ELIGIBLE ENTITY.*—In this sec-
 9 tion, the term “eligible entity” means—

10 (1) a State;

11 (2) a unit of local government;

12 (3) a transit agency or authority;

13 (4) a metropolitan planning organization;

14 (5) any other subdivision of a State or local gov-
 15 ernment;

16 (6) an institution of higher education; and

17 (7) a multi-State or multijurisdictional group.

18 (b) *SAFETY DATA INITIATIVE.*—

19 (1) *ESTABLISHMENT.*—The Secretary shall estab-
 20 lish an initiative, to be known as the “Safety Data
 21 Initiative”, to promote the use of data integration,
 22 data visualization, and advanced analytics for sur-
 23 face transportation safety through the development of
 24 innovative practices and products for use by Federal,
 25 State, and local entities.

1 (2) *ACTIVITIES.*—

2 (A) *APPLIED RESEARCH.*—

3 (i) *IN GENERAL.*—*The Secretary shall*
4 *support and carry out applied research to*
5 *develop practices and products that will en-*
6 *courage the integration and use of tradi-*
7 *tional and new sources of safety data and*
8 *safety information to improve policy and*
9 *decisionmaking at the Federal, State, and*
10 *local government levels.*

11 (ii) *METHODOLOGY.*—*In carrying out*
12 *clause (i), the Secretary may—*

13 (I) *carry out demonstration pro-*
14 *grams;*

15 (II) *award grants and provide in-*
16 *centives to eligible entities;*

17 (III) *enter into partnerships*
18 *with—*

19 (aa) *eligible entities;*

20 (bb) *private sector entities;*

21 *and*

22 (cc) *National Laboratories;*

23 *and*

24 (IV) *use any other tools, strate-*
25 *gies, or methods that will result in the*

1 *effective use of data and information*
2 *for safety purposes.*

3 *(B) TOOLS AND PRACTICES.—In carrying*
4 *out subparagraph (A), the Secretary, to the max-*
5 *imum extent practicable, shall—*

6 *(i) develop safety analysis tools for*
7 *State and local governments, with a par-*
8 *ticular focus on State and local govern-*
9 *ments with limited capacity to perform*
10 *safety analysis;*

11 *(ii)(I) identify innovative State and*
12 *local government practices;*

13 *(II) incubate those practices for further*
14 *development; and*

15 *(III) replicate those practices nation-*
16 *wide; and*

17 *(iii) transfer to State and local govern-*
18 *ments the results of the applied research*
19 *carried out under that subparagraph.*

20 *(C) DATA SHARING.—*

21 *(i) IN GENERAL.—To inform the cre-*
22 *ation of information useful for safety policy*
23 *and decisionmaking, the Secretary shall—*

1 (I) encourage the sharing of data
2 between and among Federal, State,
3 and local transportation agencies; and

4 (II) leverage data from private
5 sector entities.

6 (ii) GOALS.—The goals of the data-
7 sharing activities under clause (i) shall in-
8 clude—

9 (I) the creation of data ecosystems
10 to reduce barriers to the efficient inte-
11 gration and analysis of relevant
12 datasets for use by safety professionals;
13 and

14 (II) the establishment of proce-
15 dures adequate to ensure sufficient se-
16 curity, privacy, and confidentiality as
17 needed to promote the sharing of sen-
18 sitive or proprietary data.

19 (iii) MANAGEMENT OF DATA ECO-
20 SYSTEMS.—A data ecosystem described in
21 clause (ii)(I) may be managed by—

22 (I) the Director of the Bureau of
23 Transportation Statistics;

24 (II) 1 or more trusted third par-
25 ties, as determined by the Secretary; or

1 (III) 1 or more other entities or
2 partnerships capable of securing, man-
3 aging, and analyzing sensitive or pro-
4 prietary data.

5 (3) *PLAN.*—

6 (A) *IN GENERAL.*—*The Safety Data Initia-*
7 *tive shall be carried out pursuant to a plan to*
8 *be jointly established by—*

9 (i) *the Under Secretary of Transpor-*
10 *tation for Policy;*

11 (ii) *the Chief Information Officer of the*
12 *Department;*

13 (iii) *the Administrator of the National*
14 *Highway Traffic Safety Administration;*

15 (iv) *the Administrator of the Federal*
16 *Highway Administration;*

17 (v) *the Administrator of the Federal*
18 *Motor Carrier Safety Administration;*

19 (vi) *the Administrator of the Federal*
20 *Transit Administration; and*

21 (vii) *the Administrator of the Federal*
22 *Railroad Administration.*

23 (B) *REQUIREMENT.*—*The plan established*
24 *under subparagraph (A) shall include details re-*
25 *garding the means by which tools and innova-*

1 *tions developed by projects carried out under the*
 2 *Safety Data Initiative will be transferred to the*
 3 *appropriate program of the Department for fur-*
 4 *ther implementation.*

5 *(C) DEADLINE.—Not later than 1 year after*
 6 *the date of enactment of this Act, the Secretary*
 7 *shall direct the officials described in clauses (i)*
 8 *through (vii) of subparagraph (A) to establish,*
 9 *by a date determined by the Secretary, the plan*
 10 *referred to in that subparagraph.*

11 *(4) TERMINATION.—The Safety Data Initiative*
 12 *shall terminate on the later of—*

13 *(A) the date that is 1 year after the date of*
 14 *enactment of this Act; and*

15 *(B) the date on which the Secretary makes*
 16 *the direction to officials described in paragraph*
 17 *(3)(C).*

18 **SEC. 5013. ADVANCED TRANSPORTATION RESEARCH.**

19 *(a) IN GENERAL.—Chapter 1 of title 49, United States*
 20 *Code (as amended by section 1101(a)), is amended by add-*
 21 *ing at the end the following:*

22 **“§ 119. Advanced Research Projects Agency–Infra-**
 23 **structure**

24 *“(a) DEFINITIONS.—In this section:*

1 “(1) *ARPA-I*.— *The term ‘ARPA-I’ means the*
2 *Advanced Research Projects Agency–Infrastructure es-*
3 *tablished by subsection (b).*

4 “(2) *DEPARTMENT*.—*The term ‘Department’*
5 *means the Department of Transportation.*

6 “(3) *DIRECTOR*.—*The term ‘Director’ means the*
7 *Director of ARPA-I appointed under subsection (d).*

8 “(4) *ELIGIBLE ENTITY*.—*The term ‘eligible enti-*
9 *ty’ means—*

10 “(A) *a unit of State or local government;*

11 “(B) *an institution of higher education;*

12 “(C) *a commercial entity;*

13 “(D) *a research foundation;*

14 “(E) *a trade or industry research collabo-*
15 *rative;*

16 “(F) *a federally funded research and devel-*
17 *opment center;*

18 “(G) *a research facility owned or funded by*
19 *the Department;*

20 “(H) *a collaborative that includes relevant*
21 *international entities; and*

22 “(I) *a consortia of 2 or more entities de-*
23 *scribed in any of subparagraphs (A) through*
24 *(H).*

25 “(5) *INFRASTRUCTURE*.—

1 “(A) *IN GENERAL.*—*The term ‘infrastructure’ means any transportation method or facility that facilitates the transit of goods or people within the United States (including territories).*

2 “(B) *INCLUSIONS.*—*The term ‘infrastructure’ includes—*

3 “(i) *roads;*

4 “(ii) *highways;*

5 “(iii) *bridges;*

6 “(iv) *airports;*

7 “(v) *rail lines;*

8 “(vi) *harbors; and*

9 “(vii) *pipelines.*

10 “(6) *SECRETARY.*—*The term ‘Secretary’ means the Secretary of Transportation.*

11 “(b) *ESTABLISHMENT.*—*There is established within the Department an agency, to be known as the ‘Advanced Research Projects Agency–Infrastructure’, to support the development of science and technology solutions—*

12 “(1) *to overcome long-term challenges; and*

13 “(2) *to advance the state of the art for United States transportation infrastructure.*

14 “(c) *GOALS.*—

15 “(1) *IN GENERAL.*—*The goals of ARPA–I shall be—*

1 “(A) to advance the transportation infra-
2 structure of the United States by developing in-
3 novative science and technology solutions that—

4 “(i) lower the long-term costs of infra-
5 structure development, including costs of
6 planning, construction, and maintenance;

7 “(ii) reduce the lifecycle impacts of
8 transportation infrastructure on the envi-
9 ronment, including through the reduction of
10 greenhouse gas emissions;

11 “(iii) contribute significantly to im-
12 proving the safe, secure, and efficient move-
13 ment of goods and people; and

14 “(iv) promote the resilience of infra-
15 structure from physical and cyber threats;
16 and

17 “(B) to ensure that the United States is a
18 global leader in developing and deploying ad-
19 vanced transportation infrastructure technologies
20 and materials.

21 “(2) *RESEARCH PROJECTS.*—*ARPA-I shall*
22 *achieve the goals described in paragraph (1) by pro-*
23 *viding assistance under this section for infrastructure*
24 *research projects that—*

1 “(A) advance novel, early-stage research
2 with practicable application to transportation
3 infrastructure;

4 “(B) translate techniques, processes, and
5 technologies, from the conceptual phase to proto-
6 type, testing, or demonstration;

7 “(C) develop advanced manufacturing proc-
8 esses and technologies for the domestic manufac-
9 turing of novel transportation-related tech-
10 nologies; and

11 “(D) accelerate transformational techno-
12 logical advances in areas in which industry enti-
13 ties are unlikely to carry out projects due to
14 technical and financial uncertainty.

15 “(d) DIRECTOR.—

16 “(1) APPOINTMENT.—ARPA-I shall be headed
17 by a Director, who shall be appointed by the Presi-
18 dent, by and with the advice and consent of the Sen-
19 ate.

20 “(2) QUALIFICATIONS.—The Director shall be an
21 individual who, by reason of professional background
22 and experience, is especially qualified to advise the
23 Secretary regarding, and manage research programs
24 addressing, matters relating to the development of

1 *science and technology solutions to advance United*
2 *States transportation infrastructure.*

3 “(3) *RELATIONSHIP TO SECRETARY.*—*The Direc-*
4 *tor shall—*

5 “(A) *be located within the Office of the As-*
6 *stant Secretary for Research and Technology;*
7 *and*

8 “(B) *report to the Secretary.*

9 “(4) *RELATIONSHIP TO OTHER PROGRAMS.*—*No*
10 *other program within the Department shall report to*
11 *the Director.*

12 “(5) *RESPONSIBILITIES.*—*The responsibilities of*
13 *the Director shall include—*

14 “(A) *approving new programs within*
15 *ARPA-I;*

16 “(B) *developing funding criteria, and as-*
17 *sessing the success of programs, to achieve the*
18 *goals described in subsection (c)(1) through the*
19 *establishment of technical milestones;*

20 “(C) *administering available funding by*
21 *providing to eligible entities assistance to achieve*
22 *the goals described in subsection (c)(1);*

23 “(D) *terminating programs carried out*
24 *under this section that are not achieving the*
25 *goals of the programs; and*

1 “(E) establishing a process through which
2 eligible entities can submit to ARPA–I unsolic-
3 ited research proposals for assistance under this
4 section in accordance with subsection (f).

5 “(e) PERSONNEL.—

6 “(1) IN GENERAL.—The Director shall establish
7 and maintain within ARPA–I a staff with sufficient
8 qualifications and expertise to enable ARPA–I to
9 carry out the responsibilities under this section, in
10 conjunction with other operations of the Department.

11 “(2) PROGRAM DIRECTORS.—

12 “(A) IN GENERAL.—The Director shall des-
13 ignate employees to serve as program directors
14 for ARPA–I.

15 “(B) RESPONSIBILITIES.—Each program
16 director shall be responsible for—

17 “(i) establishing research and develop-
18 ment goals for the applicable program, in-
19 cluding by convening workshops and confer-
20 ring with outside experts;

21 “(ii) publicizing the goals of the appli-
22 cable program;

23 “(iii) soliciting applications for spe-
24 cific areas of particular promise, especially
25 in areas that the private sector or the Fed-

1 *eral Government are not likely to carry out*
2 *absent assistance from ARPA-I;*

3 *“(iv) establishing research collabora-*
4 *tions for carrying out the applicable pro-*
5 *gram;*

6 *“(v) selecting on the basis of merit each*
7 *project to be supported under the applicable*
8 *program, taking into consideration—*

9 *“(I) the novelty and scientific and*
10 *technical merit of proposed projects;*

11 *“(II) the demonstrated capabili-*
12 *ties of eligible entities to successfully*
13 *carry out proposed projects;*

14 *“(III) the extent to which an eli-*
15 *gible entity took into consideration fu-*
16 *ture commercial applications of a pro-*
17 *posed project, including the feasibility*
18 *of partnering with 1 or more commer-*
19 *cial entities; and*

20 *“(IV) such other criteria as the*
21 *Director may establish;*

22 *“(vi) identifying innovative cost-shar-*
23 *ing arrangements for projects carried out or*
24 *funded by ARPA-I;*

1 “(vii) *monitoring the progress of*
2 *projects supported under the applicable pro-*
3 *gram;*

4 “(viii) *identifying mechanisms for*
5 *commercial application of successful tech-*
6 *nology development projects, including*
7 *through establishment of partnerships be-*
8 *tween eligible entities and commercial enti-*
9 *ties; and*

10 “(ix) *as applicable, recommending—*

11 “(I) *program restructuring; or*

12 “(II) *termination of applicable re-*
13 *search partnerships or projects.*

14 “(C) *TERM OF SERVICE.—A program direc-*
15 *tor—*

16 “(i) *shall serve for a term of 3 years;*

17 *and*

18 “(ii) *may be reappointed for any sub-*
19 *sequent term of service.*

20 “(3) *HIRING AND MANAGEMENT.—*

21 “(A) *IN GENERAL.—The Director may—*

22 “(i) *make appointments of scientific,*
23 *engineering, and professional personnel,*
24 *without regard to the civil service laws;*

1 “(ii) *fix the basic pay of such per-*
2 *sonnel at such rate as the Director may de-*
3 *termine, but not to exceed level II of the Ex-*
4 *ecutive Schedule, without regard to the civil*
5 *service laws; and*

6 “(iii) *pay an employee appointed*
7 *under this subparagraph payments in addi-*
8 *tion to basic pay, subject to the condition*
9 *that the total amount of those additional*
10 *payments for any 12-month period shall not*
11 *exceed the least of—*

12 “(I) *\$25,000;*

13 “(II) *an amount equal to 25 per-*
14 *cent of the annual rate of basic pay of*
15 *the employee; and*

16 “(III) *the amount of the applica-*
17 *ble limitation for a calendar year*
18 *under section 5307(a)(1) of title 5.*

19 “(B) *PRIVATE RECRUITING FIRMS.—The*
20 *Director may enter into a contract with a pri-*
21 *vate recruiting firm for the hiring of qualified*
22 *technical staff to carry out this section.*

23 “(C) *ADDITIONAL STAFF.—The Director*
24 *may use all authorities available to the Sec-*
25 *retary to hire administrative, financial, and*

1 *clerical staff, as the Director determines to be*
2 *necessary to carry out this section.*

3 “(f) *RESEARCH PROPOSALS.*—

4 “(1) *IN GENERAL.*—*An eligible entity may sub-*
5 *mit to the Director an unsolicited research proposal*
6 *at such time, in such manner, and containing such*
7 *information as the Director may require, including a*
8 *description of—*

9 “(A) *the extent of current and prior efforts*
10 *with respect to the project proposed to be carried*
11 *out using the assistance, if applicable; and*

12 “(B) *any current or prior investments in*
13 *the technology area for which funding is re-*
14 *quested, including as described in subsection*
15 *(c)(2)(D).*

16 “(2) *REVIEW.*—*The Director—*

17 “(A) *shall review each unsolicited research*
18 *proposal submitted under paragraph (1), taking*
19 *into consideration—*

20 “(i) *the novelty and scientific and*
21 *technical merit of the research proposal;*

22 “(ii) *the demonstrated capabilities of*
23 *the applicant to successfully carry out the*
24 *research proposal;*

1 “(iii) the extent to which the applicant
2 took into consideration future commercial
3 applications of the proposed research
4 project, including the feasibility of
5 partnering with 1 or more commercial enti-
6 ties; and

7 “(iv) such other criteria as the Director
8 may establish;

9 “(B) may approve a research proposal if the
10 Director determines that the research—

11 “(i) is in accordance with—

12 “(I) the goals described in sub-
13 section (c)(1); or

14 “(II) an applicable transportation
15 research and development strategic
16 plan developed under section 6503; and

17 “(ii) would not duplicate any other
18 Federal research being conducted or funded
19 by another Federal agency; and

20 “(C)(i) if funding is denied for the research
21 proposal, shall provide to the eligible entity that
22 submitted the proposal a written notice of the de-
23 nial that, as applicable—

24 “(I) explains why the research pro-
25 posal was not selected, including whether

1 *the research proposal fails to cover an area*
2 *of need; and*

3 “(II) *recommends that the research*
4 *proposal be submitted to another research*
5 *program; or*

6 “(ii) *if the research proposal is approved for*
7 *funding, shall provide to the eligible entity that*
8 *submitted the proposal—*

9 “(I) *a written notice of the approval;*
10 *and*

11 “(II) *assistance in accordance with*
12 *subsection (g) for the proposed research.*

13 “(g) *FORMS OF ASSISTANCE.—On approval of a re-*
14 *search proposal of an eligible entity, the Director may pro-*
15 *vide to the eligible entity assistance in the form of—*

16 “(1) *a grant;*

17 “(2) *a contract;*

18 “(3) *a cooperative agreement;*

19 “(4) *a cash prize; or*

20 “(5) *another, similar form of funding.*

21 “(h) *REPORTS AND ROADMAPS.—*

22 “(1) *ANNUAL REPORTS.—For each fiscal year,*
23 *the Director shall provide to the Secretary, for inclu-*
24 *sion in the budget request submitted by the Secretary*
25 *to the President under section 1108 of title 31 for the*

1 *fiscal year, a report that, with respect to the pre-*
2 *ceding fiscal year, describes—*

3 *“(A) the projects that received assistance*
4 *from ARPA–I, including—*

5 *“(i) each such project that was funded*
6 *as a result of an unsolicited research pro-*
7 *posal; and*

8 *“(ii) each such project that examines*
9 *topics or technologies closely related to other*
10 *activities funded by the Department, includ-*
11 *ing an analysis of whether the Director*
12 *achieved compliance with subsection (i)(1)*
13 *in supporting the project; and*

14 *“(B) the instances of, and reasons for, the*
15 *provision of assistance under this section for any*
16 *projects being carried out by industry entities.*

17 *“(2) STRATEGIC VISION ROADMAP.—Not later*
18 *than October 1, 2022, and not less frequently than*
19 *once every 4 years thereafter, the Director shall sub-*
20 *mit to the relevant authorizing and appropriations*
21 *committees of Congress a roadmap describing the*
22 *strategic vision that ARPA–I will use to guide the se-*
23 *lection of future projects for technology investment*
24 *during the 4 fiscal-year period beginning on the date*
25 *of submission of the report.*

1 “(i) *COORDINATION AND NONDUPLICATION.*—*The Di-*
2 *rector shall ensure that—*

3 “(1) *the activities of ARPA–I are coordinated*
4 *with, and do not duplicate the efforts of, programs*
5 *and laboratories within—*

6 “(A) *the Department; and*

7 “(B) *other relevant research agencies; and*

8 “(2) *no funding is provided by ARPA–I for a*
9 *project, unless the eligible entity proposing the*
10 *project—*

11 “(A) *demonstrates sufficient attempts to se-*
12 *cure private financing; or*

13 “(B) *indicates that the project is not inde-*
14 *pendently commercially viable.*

15 “(j) *FEDERAL DEMONSTRATION OF TECHNOLOGIES.*—
16 *The Director shall seek opportunities to partner with pur-*
17 *chasing and procurement programs of Federal agencies to*
18 *demonstrate technologies resulting from activities funded*
19 *through ARPA–I.*

20 “(k) *PARTNERSHIPS.*—*The Director shall seek oppor-*
21 *tunities to enter into contracts or partnerships with minor-*
22 *ity-serving institutions (as described in any of paragraphs*
23 *(1) through (7) of section 371(a) of the Higher Education*
24 *Act of 1965 (20 U.S.C. 1067q(a))—*

25 “(1) *to accomplish the goals of ARPA–I;*

1 “(2) to develop institutional capacity in ad-
 2 vanced transportation infrastructure technologies and
 3 materials;

4 “(3) to engage underserved populations in devel-
 5 oping, demonstrating, and deploying those tech-
 6 nologies and materials; and

7 “(4) to otherwise address the needs of ARPA–I.

8 “(l) UNIVERSITY TRANSPORTATION CENTERS.—The
 9 Director may—

10 “(1) partner with university transportation cen-
 11 ters under section 5505 to accomplish the goals, and
 12 address the needs, of ARPA–I; and

13 “(2) sponsor and select for funding, in accord-
 14 ance with section 5505, competitively selected univer-
 15 sity transportation center grants, in addition to the
 16 assistance provided under section 5505, to address
 17 targeted technology and material goals of ARPA–I.

18 “(m) ADVICE.—

19 “(1) ADVISORY COMMITTEES.—The Director may
 20 seek advice regarding any aspect of ARPA–I from—

21 “(A) an existing advisory committee, office,
 22 or other group within the Department; and

23 “(B) a new advisory committee organized to
 24 support the programs of ARPA–I by providing
 25 advice and assistance regarding—

1 “(i) *specific program tasks; or*

2 “(ii) *the overall direction of ARPA–I.*

3 “(2) *ADDITIONAL SOURCES.—In carrying out*
4 *this section, the Director may seek advice and review*
5 *from—*

6 “(A) *the President’s Council of Advisors on*
7 *Science and Technology;*

8 “(B) *the Advanced Research Projects Agen-*
9 *cy–Energy; and*

10 “(C) *any professional or scientific organiza-*
11 *tion with expertise relating to specific processes*
12 *or technologies under development by ARPA–I.*

13 “(n) *EVALUATION.—*

14 “(1) *IN GENERAL.—Not later than December 27,*
15 *2024, the Secretary may enter into an arrangement*
16 *with the National Academy of Sciences under which*
17 *the National Academy shall conduct an evaluation of*
18 *the achievement by ARPA–I of the goals described in*
19 *subsection (c)(1).*

20 “(2) *INCLUSIONS.—The evaluation under para-*
21 *graph (1) may include—*

22 “(A) *a recommendation regarding whether*
23 *ARPA–I should be continued;*

24 “(B) *a recommendation regarding whether*
25 *ARPA–I, or the Department generally, should*

1 *continue to allow entities to submit unsolicited*
2 *research proposals; and*

3 “(C) a description of—

4 “(i) the lessons learned from the oper-
5 *ation of ARPA-I; and*

6 “(ii) the manner in which those lessons
7 *may apply to the operation of other pro-*
8 *grams of the Department.*

9 “(3) *AVAILABILITY.*—*On completion of the eval-*
10 *uation under paragraph (1), the evaluation shall be*
11 *made available to—*

12 “(A) *Congress; and*

13 “(B) *the public.*

14 “(o) *PROTECTION OF INFORMATION.*—

15 “(1) *IN GENERAL.*—*Each type of information de-*
16 *scribed in paragraph (2) that is collected by ARPA-*
17 *I from eligible entities shall be considered to be—*

18 “(A) *commercial and financial information*
19 *obtained from a person;*

20 “(B) *privileged or confidential; and*

21 “(C) *not subject to disclosure under section*
22 *552(b)(4) of title 5.*

23 “(2) *DESCRIPTION OF TYPES OF INFORMATION.*—

24 *The types of information referred to in paragraph (1)*
25 *are—*

1 “(A) *information relating to plans for com-*
2 *mercialization of technologies developed using as-*
3 *stance provided under this section, including*
4 *business plans, technology-to-market plans, mar-*
5 *ket studies, and cost and performance models;*

6 “(B) *information relating to investments*
7 *provided to an eligible entity from a third party*
8 *(such as a venture capital firm, a hedge fund,*
9 *and a private equity firm), including any per-*
10 *centage of ownership of an eligible entity pro-*
11 *vided in return for such an investment;*

12 “(C) *information relating to additional fi-*
13 *ancial support that the eligible entity—*

14 “(i) *plans to invest, or has invested, in*
15 *the technology developed using assistance*
16 *provided under this section; or*

17 “(ii) *is seeking from a third party;*
18 *and*

19 “(D) *information relating to revenue from*
20 *the licensing or sale of a new product or service*
21 *resulting from research conducted using assist-*
22 *ance provided under this section.*

23 “(p) *EFFECT ON EXISTING AUTHORITIES.—The au-*
24 *thority provided by this section—*

1 “(1) shall be in addition to any existing author-
2 ity provided to the Secretary; and

3 “(2) shall not supersede or modify any other ex-
4 isting authority.

5 “(q) FUNDING.—

6 “(1) AUTHORIZATION OF APPROPRIATIONS.—
7 There are authorized to be appropriated to the Sec-
8 retary such sums as are necessary to carry out this
9 section.

10 “(2) SEPARATE BUDGET AND APPROPRIATION.—

11 “(A) BUDGET REQUEST.—The budget re-
12 quest for ARPA–I shall be separate from the
13 budget request of the remainder of the Depart-
14 ment.

15 “(B) APPROPRIATIONS.—The funding ap-
16 propriated for ARPA–I shall be separate and
17 distinct from the funding appropriated for the
18 remainder of the Department.

19 “(3) ALLOCATION.—Of the amounts made avail-
20 able for a fiscal year under paragraph (1)—

21 “(A) not less than 5 percent shall be used
22 for technology transfer and outreach activities—

23 “(i) in accordance with the goal de-
24 scribed in subsection (c)(2)(D); and

1 “(ii) within the responsibilities of the
2 program directors described in subsection
3 (e)(2)(B)(viii); and

4 “(B) none may be used for the construction
5 of any new building or facility during the 5-year
6 period beginning on the date of enactment of the
7 Surface Transportation Investment Act of
8 2021.”.

9 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
10 1 of title 49, United States Code (as amended by section
11 1101(b)), is amended by adding at the end the following:
 “119. Advanced Research Projects Agency–Infrastructure.”.

12 **SEC. 5014. OPEN RESEARCH INITIATIVE.**

13 (a) *IN GENERAL.*—Subchapter I of chapter 55 of title
14 49, United States Code, is amended by adding at the end
15 the following:

16 **“§ 5506. Advanced transportation research initiative**

17 “(a) *DEFINITION OF ELIGIBLE ENTITY.*—In this sec-
18 tion, the term ‘eligible entity’ means—

19 “(1) a State agency;

20 “(2) a local government agency;

21 “(3) an institution of higher education (as de-
22 fined in section 102 of the Higher Education Act of
23 1965 (20 U.S.C. 1002)), including a university trans-
24 portation center established under section 5505;

1 “(4) a nonprofit organization, including a non-
2 profit research organization; and

3 “(5) a private sector organization working in
4 collaboration with an entity described in any of para-
5 graphs (1) through (4).

6 “(b) *PILOT PROGRAM.*—The Secretary of Transpor-
7 tation (referred to in this section as the ‘Secretary’) shall
8 establish an advanced transportation research pilot pro-
9 gram under which the Secretary—

10 “(1) shall establish a process for eligible entities
11 to submit to the Secretary unsolicited research pro-
12 posals; and

13 “(2) may enter into arrangements with 1 or
14 more eligible entities to fund research proposed under
15 paragraph (1), in accordance with this section.

16 “(c) *ELIGIBLE RESEARCH.*—The Secretary may enter
17 into an arrangement with an eligible entity under this sec-
18 tion to fund research that—

19 “(1) addresses—

20 “(A) a research need identified by—

21 “(i) the Secretary; or

22 “(ii) the Administrator of a modal ad-
23 ministration of the Department of Trans-
24 portation; or

1 “(B) an issue that the Secretary determines
2 to be important; and

3 “(2) is not duplicative of—

4 “(A) any other Federal research project; or

5 “(B) any project for which funding is pro-
6 vided by another Federal agency.

7 “(d) *PROJECT REVIEW*.—The Secretary shall—

8 “(1) review each research proposal submitted
9 under the pilot program established under subsection
10 (b); and

11 “(2)(A) if funding is denied for the research pro-
12 posal—

13 “(i) provide to the eligible entity that sub-
14 mitted the proposal a written notice of the denial
15 that, as applicable—

16 “(I) explains why the research pro-
17 posal was not selected, including whether
18 the research proposal fails to cover an area
19 of need; and

20 “(II) recommends that the research
21 proposal be submitted to another research
22 program; and

23 “(ii) if the Secretary recommends that the
24 research proposal be submitted to another re-

1 search program under clause (i)(II), provide
2 guidance and direction to—

3 “(I) the eligible entity; and

4 “(II) the proposed research program of-
5 fice; or

6 “(B) if the research proposal is selected for
7 funding—

8 “(i) provide to the eligible entity that
9 submitted the proposal a written notice of
10 the selection; and

11 “(ii) seek to enter into an arrangement
12 with the eligible entity to provide funding
13 for the proposed research.

14 “(e) COORDINATION.—

15 “(1) IN GENERAL.—The Secretary shall ensure
16 that the activities carried out under subsection (c) are
17 coordinated with, and do not duplicate the efforts of,
18 programs of the Department of Transportation and
19 other Federal agencies.

20 “(2) INTRAAGENCY COORDINATION.—The Sec-
21 retary shall coordinate the research carried out under
22 this section with—

23 “(A) the research, education, and technology
24 transfer activities carried out by grant recipients
25 under section 5505; and

1 “(B) the research, development, demonstra-
2 tion, and commercial application activities of
3 other relevant programs of the Department of
4 Transportation, including all modal administra-
5 tions of the Department.

6 “(3) *INTERAGENCY COLLABORATION.*—The Sec-
7 retary shall coordinate, as appropriate, regarding
8 fundamental research with the potential for applica-
9 tion in the transportation sector with—

10 “(A) the Director of the Office of Science
11 and Technology Policy;

12 “(B) the Director of the National Science
13 Foundation;

14 “(C) the Secretary of Energy;

15 “(D) the Director of the National Institute
16 of Standards and Technology;

17 “(E) the Secretary of Homeland Security;

18 “(F) the Administrator of the National Oce-
19 anic and Atmospheric Administration;

20 “(G) the Secretary of Defense; and

21 “(H) the heads of other appropriate Federal
22 agencies, as determined by the Secretary.

23 “(f) *REVIEW, EVALUATION, AND REPORT.*—Not less
24 frequently than biennially, in accordance with the plan de-
25 veloped under section 6503, the Secretary shall—

1 “(1) review and evaluate the pilot program es-
2 tablished under subsection (b), including the research
3 carried out under that pilot program; and

4 “(2) make public on a website of the Department
5 of Transportation a report describing the review and
6 evaluation under paragraph (1).

7 “(g) *FEDERAL SHARE*.—

8 “(1) *IN GENERAL*.—*The Federal share of the cost*
9 *of an activity carried out under this section shall not*
10 *exceed 80 percent.*

11 “(2) *NON-FEDERAL SHARE*.—*All costs directly*
12 *incurred by the non-Federal partners (including per-*
13 *sonnel, travel, facility, and hardware development*
14 *costs) shall be credited toward the non-Federal share*
15 *of the cost of an activity carried out under this sec-*
16 *tion.*

17 “(h) *LIMITATION ON CERTAIN EXPENSES*.—*Of any*
18 *amounts made available to carry out this section for a fiscal*
19 *year, the Secretary may use not more than 1.5 percent for*
20 *coordination, evaluation, and oversight activities under this*
21 *section.*

22 “(i) *AUTHORIZATION OF APPROPRIATIONS*.—*Of the*
23 *funds made available to carry out the university transpor-*
24 *tation centers program under section 5505, \$50,000,000*

1 *shall be available to carry out this section for each of fiscal*
 2 *years 2022 through 2026.”.*

3 (b) *CLERICAL AMENDMENT.—The analysis for sub-*
 4 *chapter I of chapter 55 of title 49, United States Code, is*
 5 *amended by adding at the end the following:*

“5506. Advanced transportation research initiative.”.

6 **SEC. 5015. TRANSPORTATION RESEARCH AND DEVELOP-**
 7 **MENT 5-YEAR STRATEGIC PLAN.**

8 *Section 6503 of title 49, United States Code, is amend-*
 9 *ed—*

10 (1) *in subsection (a), by striking “The Sec-*
 11 *retary” and inserting “Not later than 180 days after*
 12 *the date of publication of the Department of Trans-*
 13 *portation Strategic Plan and not less frequently than*
 14 *once every 5 years thereafter, the Secretary”;*

15 (2) *in subsection (b), in the matter preceding*
 16 *paragraph (1), by striking “The strategic” and in-*
 17 *serting “Each strategic”;*

18 (3) *in subsection (c)—*

19 (A) *in the matter preceding paragraph (1),*
 20 *by striking “The strategic” and inserting “Each*
 21 *strategic”;* and

22 (B) *in paragraph (1)—*

23 (i) *in subparagraph (E), by striking*
 24 *“and” at the end;*

1 (ii) in subparagraph (F), by adding

2 “and” after the semicolon at the end; and

3 (iii) by adding at the end the fol-

4 lowing:

5 “(G) reducing transportation cybersecurity
6 risks;”;

7 (4) in subsection (d)—

8 (A) in the matter preceding paragraph (1),

9 by striking “the strategic” and inserting “each

10 strategic”; and

11 (B) in paragraph (4), by striking “2016”

12 and inserting “2021, and not less frequently

13 than once every 5 years thereafter”; and

14 (5) by striking subsection (e).

15 **SEC. 5016. RESEARCH PLANNING MODIFICATIONS.**

16 (a) *ANNUAL MODAL RESEARCH PLANS.*—Section 6501

17 *of title 49, United States Code, is amended—*

18 (1) in subsection (a)—

19 (A) by striking paragraph (1) and inserting

20 the following:

21 “(1) *IN GENERAL.*—Not later than June 1 of

22 each year, the head of each modal administration and

23 joint program office of the Department of Transpor-

24 tation shall prepare and submit to the Assistant Sec-

25 retary for Research and Technology of the Depart-

1 *ment of Transportation (referred to in this chapter as*
2 *the ‘Assistant Secretary’)—*

3 *“(A) a comprehensive annual modal re-*
4 *search plan for the following fiscal year; and*

5 *“(B) a detailed outlook for the fiscal year*
6 *thereafter.”;*

7 *(B) in paragraph (2), by inserting “pre-*
8 *pared or” before “submitted”;*

9 *(C) by redesignating paragraph (2) as*
10 *paragraph (3); and*

11 *(D) by inserting after paragraph (1) the fol-*
12 *lowing:*

13 *“(2) REQUIREMENTS.—Each plan under para-*
14 *graph (1) shall include—*

15 *“(A) a general description of the strategic*
16 *goals of the Department that are addressed by*
17 *the research programs being carried out by the*
18 *Assistant Secretary or modal administration, as*
19 *applicable;*

20 *“(B) a description of each proposed research*
21 *program, as described in the budget request sub-*
22 *mitted by the Secretary of Transportation to the*
23 *President under section 1108 of title 31 for the*
24 *following fiscal year, including—*

1 “(i) the major objectives of the pro-
2 gram; and

3 “(ii) the requested amount of funding
4 for each program and area;

5 “(C) a list of activities the Assistant Sec-
6 retary or modal administration plans to carry
7 out under the research programs described in
8 subparagraph (B);

9 “(D) an assessment of the potential impact
10 of the research programs described in subpara-
11 graph (B), including—

12 “(i) potential outputs, outcomes, and
13 impacts on technologies and practices used
14 by entities subject to the jurisdiction of the
15 modal administration;

16 “(ii) potential effects on applicable reg-
17 ulations of the modal administration, in-
18 cluding the modification or modernization
19 of those regulations;

20 “(iii) potential economic or societal
21 impacts; and

22 “(iv) progress made toward achieving
23 strategic goals of—

24 “(I) the applicable modal admin-
25 istration; or

1 “(II) the Department of Trans-
2 portation;

3 “(E) a description of potential partnerships
4 to be established to conduct the research pro-
5 gram, including partnerships with—

6 “(i) institutions of higher education;
7 and

8 “(ii) private sector entities; and

9 “(F) such other requirements as the Assist-
10 ant Secretary considers to be necessary.”;

11 (2) in subsection (b)—

12 (A) in paragraph (1)—

13 (i) in the matter preceding subpara-
14 graph (A), by inserting “by the head of a
15 modal administration or joint program of-
16 fice” after “submitted”; and

17 (ii) in subparagraph (B), by striking
18 clause (i) and inserting the following:

19 “(i) request that the plan and outlook
20 be—

21 “(I) revised in accordance with
22 such suggestions as the Assistant Sec-
23 retary shall include to ensure con-
24 formity with the criteria described in
25 paragraph (2); and

1 “(II) resubmitted to the Assistant
2 Secretary for approval.”;

3 (B) by redesignating paragraphs (2) and
4 (3) as paragraphs (3) and (4), respectively; and
5 (C) by inserting after paragraph (1) the fol-
6 lowing:

7 “(2) CRITERIA.—In conducting a review under
8 paragraph (1)(A), the Assistant Secretary shall, with
9 respect to the modal research plan that is the subject
10 of the review—

11 “(A) take into consideration whether—

12 “(i) the plan contains research objec-
13 tives that are consistent with the strategic
14 research and policy objectives of the Depart-
15 ment of Transportation included in the
16 strategic plan required under section 6503;
17 and

18 “(ii) the research programs described
19 in the plan have the potential to benefit the
20 safety, mobility, and efficiency of the
21 United States transportation system;

22 “(B) identify and evaluate any potential
23 opportunities for collaboration between or among
24 modal administrations with respect to particular
25 research programs described in the plan;

1 “(C) identify and evaluate whether other
2 modal administrations may be better suited to
3 carry out the research programs described in the
4 plan;

5 “(D) assess whether any projects described
6 in the plan are—

7 “(i) duplicative across modal adminis-
8 trations; or

9 “(ii) unnecessary; and

10 “(E) take into consideration such other cri-
11 teria as the Assistant Secretary determines to be
12 necessary.”; and

13 (D) by adding at the end the following:

14 “(5) SAVINGS CLAUSE.—Nothing in this sub-
15 section limits the ability of the head of a modal ad-
16 ministration to comply with applicable law.”; and

17 (3) in subsection (c), in the matter preceding
18 paragraph (1), by striking “subsection (b)(3)” and
19 inserting “subsection (b)(4).

20 (b) CONSOLIDATED RESEARCH DATABASE.—Section
21 6502(a) of title 49, United States Code, is amended by strik-
22 ing the subsection designation and heading and all that fol-
23 lows through subparagraph (B) of paragraph (2) and in-
24 serting the following:

25 “(a) RESEARCH ABSTRACT DATABASE.—

1 “(1) *SUBMISSION.*—Not later than September 1
2 of each year, the head of each modal administration
3 and joint program office of the Department of Trans-
4 portation shall submit to the Assistant Secretary, for
5 review and public posting, a description of each pro-
6 posed research project to be carried out during the fol-
7 lowing fiscal year, including—

8 “(A) proposed funding for any new projects;

9 and

10 “(B) proposed additional funding for any
11 existing projects.

12 “(2) *PUBLICATION.*—Not less frequently than an-
13 nually, after receiving the descriptions under para-
14 graph (1), the Assistant Secretary shall publish on a
15 public website a comprehensive database including a
16 description of all research projects conducted by the
17 Department of Transportation, including research
18 funded through university transportation centers
19 under section 5505.

20 “(3) *CONTENTS.*—The database published under
21 paragraph (2) shall—

22 “(A) be delimited by research project; and

23 “(B) include a description of, with respect
24 to each research project—

25 “(i) research objectives;

1 “(ii) the progress made with respect to
2 the project, including whether the project is
3 ongoing or complete;

4 “(iii) any outcomes of the project, in-
5 cluding potential implications for policy,
6 regulations, or guidance issued by a modal
7 administration or the Department of Trans-
8 portation;

9 “(iv) any findings of the project;

10 “(v) the amount of funds allocated for
11 the project; and

12 “(vi) such other information as the As-
13 sistant Secretary determines to be necessary
14 to address Departmental priorities and stat-
15 utory mandates;”.

16 **SEC. 5017. INCORPORATION OF DEPARTMENT OF TRANS-**
17 **PORTATION RESEARCH.**

18 (a) *IN GENERAL.*—Chapter 65 of title 49, United
19 States Code, is amended by adding at the end the following:

20 **“§ 6504. Incorporation of Department of Transpor-**
21 **tation research**

22 “(a) *REVIEW.*—Not later than December 31, 2021, and
23 not less frequently than once every 5 years thereafter, in
24 concurrence with the applicable strategic plan under section
25 6503, the Secretary of Transportation shall—

1 “(1) conduct a review of research conducted by
2 *the Department of Transportation; and*

3 “(2) to the maximum extent practicable and ap-
4 *propriate, identify modifications to laws, regulations,*
5 *guidance, and other policy documents to incorporate*
6 *any innovations resulting from the research described*
7 *in paragraph (1) that have the potential to improve*
8 *the safety or efficiency of the United States transpor-*
9 *tation system.*

10 “(b) *REQUIREMENTS.—In conducting a review under*
11 *subsection (a), the Secretary of Transportation shall—*

12 “(1) *identify any innovative practices, mate-*
13 *rials, or technologies that have demonstrable benefits*
14 *to the transportation system;*

15 “(2) *determine whether the practices, materials,*
16 *or technologies described in paragraph (1) require*
17 *any statutory or regulatory modifications for adop-*
18 *tion; and*

19 “(3)(A) *if modifications are determined to be re-*
20 *quired under paragraph (2), develop—*

21 “(i) *a proposal for those modifications; and*

22 “(ii) *a description of the manner in which*
23 *any such regulatory modifications would be—*

24 “(I) *incorporated into the Unified Reg-*
25 *ulatory Agenda; or*

1 “(II) adopted into existing regulations
2 as soon as practicable; or

3 “(B) if modifications are determined not to be
4 required under paragraph (2), develop a description
5 of the means by which the practices, materials, or
6 technologies described in paragraph (1) will otherwise
7 be incorporated into Department of Transportation or
8 modal administration policy or guidance, including
9 as part of the Technology Transfer Program of the Of-
10 fice of the Assistant Secretary for Research and Tech-
11 nology.

12 “(c) REPORT.—On completion of each review under
13 subsection (a), the Secretary of Transportation shall submit
14 to the appropriate committees of Congress a report describ-
15 ing, with respect to the period covered by the report—

16 “(1) each new practice, material, or technology
17 identified under subsection (b)(1); and

18 “(2) any statutory or regulatory modification for
19 the adoption of such a practice, material, or tech-
20 nology that—

21 “(A) is determined to be required under
22 subsection (b)(2); or

23 “(B) was otherwise made during that pe-
24 riod.”.

1 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 2 *65 of title 49, United States Code, is amended by adding*
 3 *at the end the following:*

“6504. Incorporation of Department of Transportation research.”.

4 **SEC. 5018. UNIVERSITY TRANSPORTATION CENTERS PRO-**
 5 **GRAM.**

6 *Section 5505 of title 49, United States Code, is amend-*
 7 *ed—*

8 (1) *in subsection (a)—*

9 (A) *in paragraph (1), by inserting “of*
 10 *Transportation, acting through the Assistant*
 11 *Secretary for Research and Technology (referred*
 12 *to in this section as the ‘Secretary’),” after “The*
 13 *Secretary”; and*

14 (B) *in paragraph (2)—*

15 (i) *in subparagraph (B), by inserting*
 16 *“multimodal” after “critical”; and*

17 (ii) *in subparagraph (C), by inserting*
 18 *“with respect to the matters described in*
 19 *subparagraphs (A) through (G) of section*
 20 *6503(c)(1)” after “transportation leaders”;*

21 (2) *in subsection (b)—*

22 (A) *in paragraph (2)(A), by striking “for*
 23 *each of the transportation centers described*
 24 *under paragraphs (2), (3), and (4) of subsection*
 25 *(c)” and inserting “as a lead institution under*

1 *this section, except as provided in subparagraph*
2 *(B)”;*

3 *(B) in paragraph (4)—*

4 *(i) in subparagraph (A), by striking*
5 *“identified in chapter 65” and inserting*
6 *“described in subparagraphs (A) through*
7 *(G) of section 6503(c)(1)”; and*

8 *(ii) in subparagraph (B), in the mat-*
9 *ter preceding clause (i), by striking “the As-*
10 *stant Secretary” and all that follows*
11 *through “modal administrations” and in-*
12 *serting “the heads of the modal administra-*
13 *tions of the Department of Transpor-*
14 *tation,”; and*

15 *(C) in paragraph (5)(B), in the matter pre-*
16 *ceding clause (i), by striking “submit” and all*
17 *that follows through “of the Senate” and insert-*
18 *ing “make available to the public on a website*
19 *of the Department of Transportation”;*

20 *(3) in subsection (c)(3)(E)—*

21 *(A) by inserting “, including the cybersecu-*
22 *rity implications of technologies relating to con-*
23 *necting vehicles, connected infrastructure, and au-*
24 *tonomous vehicles” after “autonomous vehicles”;*
25 *and*

1 (B) by striking “The Secretary” and insert-
2 ing the following:

3 “(i) *IN GENERAL.*—A regional univer-
4 sity transportation center receiving a grant
5 under this paragraph shall carry out re-
6 search focusing on 1 or more of the matters
7 described in subparagraphs (A) through (G)
8 of section 6503(c)(1).

9 “(ii) *FOCUSED OBJECTIVES.*—The Sec-
10 retary”; and

11 (4) in subsection (d)—

12 (A) in paragraph (2)—

13 (i) in the paragraph heading, by strik-
14 ing “ANNUAL REVIEW” and inserting “RE-
15 VIEW”;

16 (ii) in the matter preceding subpara-
17 graph (A), by striking “annually” and in-
18 serting “biennially”; and

19 (iii) in subparagraph (B), by striking
20 “submit” and all that follows through “of
21 the Senate” and inserting “make available
22 to the public on a website of the Department
23 of Transportation”; and

1 (B) in paragraph (3), by striking “2016
2 through 2020” and inserting “2022 through
3 2026”.

4 **SEC. 5019. NATIONAL TRAVEL AND TOURISM INFRASTRUC-**
5 **TURE STRATEGIC PLAN.**

6 (a) *IN GENERAL.*—Section 1431(e) of the FAST Act
7 (49 U.S.C. 301 note; Public Law 114–94) is amended—
8 (1) by redesignating paragraphs (1) through (7)
9 as subparagraphs (A) through (G), respectively, and
10 indenting appropriately;

11 (2) in the matter preceding subparagraph (A)
12 (as so redesignated)—

13 (A) by striking “Not later than 3 years
14 after the date of enactment of this Act” and in-
15 serting “Not later than 180 days after the date
16 of enactment of the Surface Transportation In-
17 vestment Act of 2021”; and

18 (B) by striking “plan that includes” and
19 inserting the following: “plan—

20 “(1) to develop an immediate-term and long-
21 term strategy, including policy recommendations
22 across all modes of transportation, for the Depart-
23 ment and other agencies to use infrastructure invest-
24 ments to revive the travel and tourism industry and
25 the overall travel and tourism economy in the wake

1 *of the Coronavirus Disease 2019 (COVID–19) pan-*
2 *demic; and*

3 *“(2) that includes”; and*

4 *(3) in paragraph (2) (as so redesignated)—*

5 *(A) in subparagraph (A) (as so redesign-*
6 *ated), by inserting “, including consideration of*
7 *the impacts of the COVID–19 pandemic” after*
8 *“network”;*

9 *(B) in subparagraph (D) (as so redesign-*
10 *ated), by inserting “of regional significance”*
11 *after “corridors”;*

12 *(C) in subparagraph (F) (as so redesign-*
13 *ated), by striking “and” at the end;*

14 *(D) in subparagraph (G) (as so redesign-*
15 *ated), by striking the period at the end and in-*
16 *serting “; and”; and*

17 *(E) by adding at the end the following:*

18 *“(H) an identification of possible infra-*
19 *structure investments that create recovery oppor-*
20 *tunities for small, underserved, minority, and*
21 *rural businesses in the travel and tourism indus-*
22 *try, including efforts to preserve and protect the*
23 *scenic, but often less-traveled, roads that promote*
24 *tourism and economic development throughout*
25 *the United States.”.*

1 **(b) CHIEF TRAVEL AND TOURISM OFFICER.**—Section
 2 102 of title 49, United States Code, is amended by striking
 3 subsection (h) and inserting the following:

4 **“(h) CHIEF TRAVEL AND TOURISM OFFICER.**—

5 **“(1) ESTABLISHMENT.**—There is established in
 6 the Office of the Secretary of Transportation a posi-
 7 tion, to be known as the ‘Chief Travel and Tourism
 8 Officer’.

9 **“(2) DUTIES.**—The Chief Travel and Tourism
 10 Officer shall collaborate with the Assistant Secretary
 11 for Aviation and International Affairs to carry out—

12 **“(A) the National Travel and Tourism In-**
 13 **frastructure Strategic Plan under section 1431(e)**
 14 **of Public Law 114–94 (49 U.S.C. 301 note); and**

15 **“(B) other travel- and tourism-related mat-**
 16 **ters involving the Department of Transpor-**
 17 **tation.”.**

18 **SEC. 5020. LOCAL HIRING PREFERENCE FOR CONSTRUC-**
 19 **TION JOBS.**

20 **(a) AUTHORIZATION.**—

21 **(1) IN GENERAL.**—A recipient or subrecipient of
 22 a grant provided by the Secretary under title 23 or
 23 49, United States Code, may implement a local or
 24 other geographical or economic hiring preference re-
 25 lating to the use of labor for construction of a project

1 *funded by the grant, including prehire agreements,*
2 *subject to any applicable State and local laws, poli-*
3 *cies, and procedures.*

4 (2) *TREATMENT.*—*The use of a local or other*
5 *geographical or economic hiring preference pursuant*
6 *to paragraph (1) in any bid for a contract for the*
7 *construction of a project funded by a grant described*
8 *in paragraph (1) shall not be considered to unduly*
9 *limit competition.*

10 (b) *WORKFORCE DIVERSITY REPORT.*—*Not later than*
11 *1 year after the date of enactment of this Act, the Secretary*
12 *shall submit to Congress a report describing methods—*

13 (1) *to ensure preapprenticeship programs are es-*
14 *tablished and implemented to meet the needs of em-*
15 *ployers in transportation and transportation infra-*
16 *structure construction industries, including with re-*
17 *spect to the formal connection of the*
18 *preapprenticeship programs to registered apprentice-*
19 *ship programs;*

20 (2) *to address barriers to employment (within*
21 *the meaning of the Workforce Innovation and Oppor-*
22 *tunity Act (29 U.S.C. 3101 et seq.)) in transportation*
23 *and transportation infrastructure construction indus-*
24 *tries for—*

1 (A) individuals who are former offenders
2 (as defined in section 3 of the Workforce Innova-
3 tion and Opportunity Act (29 U.S.C. 3102));

4 (B) individuals with a disability (as de-
5 fined in section 3 of the Americans with Disabil-
6 ities Act of 1990 (42 U.S.C. 12102)); and

7 (C) individuals that represent populations
8 that are traditionally underrepresented in the
9 workforce; and

10 (3) to encourage a recipient or subrecipient im-
11 plementing a local or other geographical or economic
12 hiring preference pursuant to subsection (a)(1) to es-
13 tablish, in coordination with nonprofit organizations
14 that represent employees, outreach and support pro-
15 grams that increase diversity within the workforce,
16 including expanded participation from individuals
17 described in subparagraphs (A) through (C) of para-
18 graph (2).

19 (c) *MODEL PLAN*.—Not later than 1 year after the date
20 of submission of the report under subsection (b), the Sec-
21 retary shall establish, and publish on the website of the De-
22 partment, a model plan for use by States, units of local
23 government, and private sector entities to address the issues
24 described in that subsection.

1 **SEC. 5021. TRANSPORTATION WORKFORCE DEVELOPMENT.**

2 (a) *ASSESSMENT.*—*The Secretary shall enter into an*
3 *arrangement with the National Academy of Sciences under*
4 *which the National Academy shall develop and submit to*
5 *the Secretary a workforce needs assessment that—*

6 (1) *addresses—*

7 (A) *the education and recruitment of tech-*
8 *nical workers for the intelligent transportation*
9 *technologies and systems industry;*

10 (B) *the development of a workforce skilled*
11 *in various types of intelligent transportation*
12 *technologies, components, infrastructure, and*
13 *equipment, including with respect to—*

14 (i) *installation;*

15 (ii) *maintenance;*

16 (iii) *manufacturing;*

17 (iv) *operations, including data anal-*
18 *ysis and review; and*

19 (v) *cybersecurity; and*

20 (C) *barriers to employment in the intel-*
21 *ligent transportation technologies and systems*
22 *industry for—*

23 (i) *individuals who are former offend-*
24 *ers (as defined in section 3 of the Workforce*
25 *Innovation and Opportunity Act (29 U.S.C.*
26 *3102));*

1 (ii) individuals with a disability (as
2 defined in section 3 of the Americans with
3 Disabilities Act of 1990 (42 U.S.C. 12102));
4 and

5 (iii) individuals that represent popu-
6 lations that are traditionally underrep-
7 resented in the workforce; and

8 (2) includes recommendations relating to the
9 issues described in paragraph (1).

10 (b) WORKING GROUP.—

11 (1) ESTABLISHMENT.—The Secretary shall estab-
12 lish a working group, to be composed of—

13 (A) the Secretary of Energy;

14 (B) the Secretary of Labor; and

15 (C) the heads of such other Federal agencies
16 as the Secretary determines to be necessary.

17 (2) IMPLEMENTATION PLAN.—

18 (A) IN GENERAL.—The working group es-
19 tablished under paragraph (1) shall develop an
20 intelligent transportation technologies and sys-
21 tems industry workforce development implanta-
22 tion plan.

23 (B) REQUIREMENTS.—The implementation
24 plan under subparagraph (A) shall address any
25 issues and recommendations included in the

1 *needs assessment under subsection (a), taking*
2 *into consideration a whole-of-government ap-*
3 *proach with respect to—*

4 *(i) using registered apprenticeship and*
5 *preapprenticeship programs; and*

6 *(ii) re-skilling workers who may be in-*
7 *terested in working within the intelligent*
8 *transportation technologies and systems in-*
9 *dustry.*

10 (3) *SUBMISSION TO CONGRESS.*—*Not later than*
11 *1 year after the date of receipt of the needs assessment*
12 *under subsection (a), the Secretary shall submit to*
13 *Congress the implementation plan developed under*
14 *paragraph (2).*

15 (4) *TERMINATION.*—*The working group estab-*
16 *lished under paragraph (1) shall terminate on the*
17 *date on which the implementation plan developed*
18 *under paragraph (2) is submitted to Congress under*
19 *paragraph (3).*

20 (c) *TRANSPORTATION WORKFORCE OUTREACH PRO-*
21 *GRAM.*—

22 (1) *IN GENERAL.*—*Subchapter I of chapter 55 of*
23 *title 49, United States Code (as amended by section*
24 *5014(a)), is amended by adding at the end the fol-*
25 *lowing:*

1 **“§ 5507. Transportation workforce outreach program**

2 “(a) *IN GENERAL.*—*The Secretary of Transportation*
3 *(referred to in this section as the ‘Secretary’)* shall establish
4 *and administer a transportation workforce outreach pro-*
5 *gram, under which the Secretary shall carry out a series*
6 *of public service announcement campaigns during each of*
7 *fiscal years 2022 through 2026.*

8 “(b) *PURPOSES.*—*The purpose of the campaigns car-*
9 *ried out under the program under this section shall be—*

10 “(1) *to increase awareness of career opportuni-*
11 *ties in the transportation sector, including aviation*
12 *pilots, safety inspectors, mechanics and technicians,*
13 *air traffic controllers, flight attendants, truck and bus*
14 *drivers, engineers, transit workers, railroad workers,*
15 *and other transportation professionals; and*

16 “(2) *to target awareness of professional opportu-*
17 *nities in the transportation sector to diverse segments*
18 *of the population, including with respect to race, sex,*
19 *ethnicity, ability (including physical and mental*
20 *ability), veteran status, and socioeconomic status.*

21 “(c) *ADVERTISING.*—*The Secretary may use, or au-*
22 *thorize the use of, amounts made available to carry out the*
23 *program under this section for the development, production,*
24 *and use of broadcast, digital, and print media advertising*
25 *and outreach in carrying out a campaign under this sec-*
26 *tion.*

1 “(d) *FUNDING.*—*The Secretary may use to carry out*
 2 *this section any amounts otherwise made available to the*
 3 *Secretary, not to exceed \$5,000,000, for each of fiscal years*
 4 *2022 through 2026.*”.

5 (2) *CLERICAL AMENDMENT.*—*The analysis for*
 6 *subchapter I of chapter 55 of title 49, United States*
 7 *Code (as amended by section 5014(b)), is amended by*
 8 *adding at the end the following:*

“5507. *Transportation workforce outreach program.*”.

9 **SEC. 5022. INTERMODAL TRANSPORTATION ADVISORY**
 10 **BOARD REPEAL.**

11 (a) *IN GENERAL.*—*Section 5502 of title 49, United*
 12 *States Code, is repealed.*

13 (b) *CLERICAL AMENDMENT.*—*The analysis for sub-*
 14 *chapter I of chapter 55 of title 49, United States Code, is*
 15 *amended by striking the item relating to section 5502.*

16 **SEC. 5023. GAO CYBERSECURITY RECOMMENDATIONS.**

17 (a) *CYBERSECURITY RISK MANAGEMENT.*—*Not later*
 18 *than 3 years after the date of enactment of this Act, the*
 19 *Secretary shall implement the recommendation for the De-*
 20 *partment made by the Comptroller General of the United*
 21 *States in the report entitled “Cybersecurity: Agencies Need*
 22 *to Fully Establish Risk Management Programs and Address*
 23 *Challenges”, numbered GAO–19–384, and dated July*
 24 *2019—*

1 (1) *by developing a cybersecurity risk manage-*
2 *ment strategy for the systems and information of the*
3 *Department;*

4 (2) *by updating policies to address an organiza-*
5 *tion-wide risk assessment; and*

6 (3) *by updating the processes for coordination*
7 *between cybersecurity risk management functions and*
8 *enterprise risk management functions.*

9 (b) *WORK ROLES.*—*Not later than 3 years after the*
10 *date of enactment of this Act, the Secretary shall implement*
11 *the recommendation of the Comptroller General of the*
12 *United States in the report entitled “Cybersecurity Work-*
13 *force: Agencies Need to Accurately Categorize Positions to*
14 *Effectively Identify Critical Staffing Needs”, numbered*
15 *GAO–19–144, and dated March 2019, by—*

16 (1) *reviewing positions in the Department; and*

17 (2) *assigning appropriate work roles in accord-*
18 *ance with the National Initiative for Cybersecurity*
19 *Education Cybersecurity Workforce Framework.*

20 (c) *GAO REVIEW.*—

21 (1) *REPORT.*—*Not later than 18 months after the*
22 *date of enactment of this Act, the Comptroller General*
23 *of the United States shall submit to the Committee on*
24 *Commerce, Science, and Transportation of the Senate*
25 *and the Committee on Transportation and Infrastruc-*

1 *ture of the House of Representatives a report that ex-*
2 *amines the approach of the Department to managing*
3 *cybersecurity for the systems and information of the*
4 *Department.*

5 (2) *CONTENTS.—The report under paragraph (1)*
6 *shall include an evaluation of—*

7 (A) *the roles, responsibilities, and reporting*
8 *relationships of the senior officials of the Depart-*
9 *ment with respect to cybersecurity at the compo-*
10 *nents of the Department;*

11 (B) *the extent to which officials of the De-*
12 *partment—*

13 (i) *establish requirements for, share in-*
14 *formation with, provide resources to, and*
15 *monitor the performance of managers with*
16 *respect to cybersecurity within the compo-*
17 *nents of the Department; and*

18 (ii) *hold managers accountable for cy-*
19 *bersecurity within the components of the*
20 *Department; and*

21 (C) *other aspects of cybersecurity, as the*
22 *Comptroller General of the United States deter-*
23 *mines to be appropriate.*

1 **SEC. 5024. VOLPE OVERSIGHT.**

2 (a) *FINANCIAL MANAGEMENT.*—Not later than 1 year
3 after the date of enactment of this Act, the Secretary shall
4 implement the recommendations of the Inspector General
5 of the Department included in the report entitled “DOT
6 Needs to Strengthen Its Oversight of IAAs With Volpe” and
7 dated September 30, 2019, to improve planning, financial
8 management, and the sharing of performance information
9 with respect to intraagency agreements with the John A.
10 Volpe National Transportation Systems Center (referred to
11 in this section as the “Volpe Center”).

12 (b) *GAO REVIEW.*—

13 (1) *IN GENERAL.*—Not later than 2 years after
14 the date of enactment of this Act, the Comptroller
15 General of the United States shall submit to the Com-
16 mittee on Commerce, Science, and Transportation of
17 the Senate and the Committee on Transportation and
18 Infrastructure of the House of Representatives a re-
19 port that examines the surface transportation activi-
20 ties at the Volpe Center.

21 (2) *CONTENTS.*—The report under paragraph (1)
22 shall include an evaluation of—

23 (A) the amount of Department funding pro-
24 vided to the Volpe Center, as compared to other
25 Federal and non-Federal research partners;

1 (B) the process used by the Department to
2 determine whether to work with the Volpe Center,
3 as compared to any other Federal or non-Federal
4 research partner;

5 (C) the extent to which the Department is
6 collaborating with the Volpe Center to address
7 research needs relating to emerging issues; and

8 (D) whether the operation of the Volpe Cen-
9 ter is duplicative of other public or private sector
10 efforts.

11 **SEC. 5025. MODIFICATIONS TO GRANT PROGRAM.**

12 Section 1906 of the SAFETEA-LU (23 U.S.C. 402
13 note; Public Law 109-59) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1), by striking “and” at
16 the end;

17 (B) in paragraph (2), by striking the period
18 at the end and inserting “; and”; and

19 (C) by adding at the end the following:

20 “(3) developing and implementing programs,
21 public outreach, and training to reduce the impact of
22 traffic stops described in subsection (a)(1).”;

23 (2) by striking subsection (c) and inserting the
24 following:

1 “(c) *MAXIMUM AMOUNT.*—*The total amount provided*
2 *to a State under this section in any fiscal year may not*
3 *exceed—*

4 “(1) *for a State described in subsection (a)(1),*
5 *10 percent of the amount made available to carry out*
6 *this section in that fiscal year; and*

7 “(2) *for a State described in subsection (a)(2), 5*
8 *percent of the amount made available to carry out*
9 *this section in that fiscal year.”; and*

10 (3) *in subsection (d)—*

11 (A) *by striking “\$7,500,000 for each of fis-*
12 *cal years 2017 through 2020” and inserting*
13 *“\$11,500,000 for each fiscal year”;*

14 (B) *by redesignating paragraph (3) as*
15 *paragraph (4); and*

16 (C) *by inserting after paragraph (2) the fol-*
17 *lowing:*

18 “(3) *TECHNICAL ASSISTANCE.*—*The Secretary*
19 *may allocate not more than 10 percent of the amount*
20 *made available to carry out this section in a fiscal*
21 *year to provide technical assistance to States to carry*
22 *out activities under this section.”.*

23 **SEC. 5026. DRUG-IMPAIRED DRIVING DATA COLLECTION.**

24 *Not later than 2 years after the date of enactment of*
25 *this Act, the Secretary, in consultation with the heads of*

1 *appropriate Federal agencies, State highway safety offices,*
2 *State toxicologists, traffic safety advocates, and other inter-*
3 *ested parties, shall submit to the Committee on Commerce,*
4 *Science, and Transportation of the Senate and the Com-*
5 *mittee on Transportation and Infrastructure of the House*
6 *of Representatives a report that, in accordance with the doc-*
7 *ument entitled “Recommendations for Toxicological Inves-*
8 *tigations of Drug-Impaired Driving and Motor Vehicle Fa-*
9 *talities—2017 Update” (and subsequent updates to that*
10 *document)—*

11 (1) *identifies any barriers that States encounter*
12 *in submitting alcohol and drug toxicology results to*
13 *the Fatality Analysis Reporting System;*

14 (2) *provides recommendations on how to address*
15 *the barriers identified pursuant to paragraph (1);*
16 *and*

17 (3) *describes steps that the Secretary, acting*
18 *through the Administrator of the National Highway*
19 *Traffic Safety Administration, will take to assist*
20 *States in improving—*

21 (A) *toxicology testing in cases of motor ve-*
22 *hicle crashes; and*

23 (B) *the reporting of alcohol and drug toxi-*
24 *cology results in cases of motor vehicle crashes.*

1 **SEC. 5027. REPORT ON MARIJUANA RESEARCH.**

2 (a) *DEFINITION OF MARIJUANA.*—*In this section, the*
3 *term “marijuana” has the meaning given the term in sec-*
4 *tion 4008(d) of the FAST Act (Public Law 114–94; 129*
5 *Stat. 1511).*

6 (b) *REPORT.*—*Not later than 2 years after the date*
7 *of enactment of this Act, the Secretary, in consultation with*
8 *the Attorney General and the Secretary of Health and*
9 *Human Services, shall submit to the Committees on Com-*
10 *merce, Science, and Transportation and the Judiciary of*
11 *the Senate and the Committees on Transportation and In-*
12 *frastructure and the Judiciary of the House of Representa-*
13 *tives, and make publicly available on the website of the De-*
14 *partment, a report that—*

15 (1) *describes methods for, and contains rec-*
16 *ommendations with respect to—*

17 (A) *increasing and improving, for scientific*
18 *researchers studying impairment while driving*
19 *under the influence of marijuana, access to sam-*
20 *ples and strains of marijuana and products con-*
21 *taining marijuana that are lawfully available to*
22 *patients or consumers in a State on a retail*
23 *basis;*

24 (B) *establishing a national clearinghouse to*
25 *collect and distribute samples and strains of*
26 *marijuana for scientific research that includes*

1 *marijuana and products containing marijuana*
2 *lawfully available to patients or consumers in a*
3 *State on a retail basis; and*

4 *(C) facilitating, for scientific researchers lo-*
5 *cated in States that have not legalized mari-*
6 *juana for medical or recreational use, access to*
7 *samples and strains of marijuana and products*
8 *containing marijuana from the clearinghouse de-*
9 *scribed in subparagraph (B) for purposes of re-*
10 *search on marijuana-impaired driving; and*

11 *(2) identifies, and contains recommendations for*
12 *addressing, Federal statutory and regulatory barriers*
13 *to—*

14 *(A) the conduct of scientific research on*
15 *marijuana-impaired driving; and*

16 *(B) the establishment of a national clear-*
17 *inghouse for purposes of facilitating research on*
18 *marijuana-impaired driving.*

19 **SEC. 5028. GAO STUDY ON IMPROVING THE EFFICIENCY OF**
20 **TRAFFIC SYSTEMS.**

21 *Not later than 1 year after the date of enactment of*
22 *this Act, the Comptroller General of the United States shall*
23 *carry out, and submit to Congress a report describing the*
24 *results of, a study on the potential societal benefits of im-*
25 *proving the efficiency of traffic systems.*

1 **TITLE VI—HAZARDOUS**
2 **MATERIALS**

3 **SEC. 6001. AUTHORIZATION OF APPROPRIATIONS.**

4 *Section 5128 of title 49, United States Code, is amend-*
5 *ed to read as follows:*

6 **“§ 5128. Authorization of appropriations**

7 “(a) *IN GENERAL.*—*There are authorized to be appro-*
8 *priated to the Secretary to carry out this chapter (except*
9 *section 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—*

10 “(1) \$67,000,000 for fiscal year 2022;

11 “(2) \$68,000,000 for fiscal year 2023;

12 “(3) \$69,000,000 for fiscal year 2024;

13 “(4) \$70,000,000 for fiscal year 2025; and

14 “(5) \$71,000,000 for fiscal year 2026.

15 “(b) *HAZARDOUS MATERIALS EMERGENCY PRE-*
16 *PAREDNESS FUND.*—*From the Hazardous Materials Pre-*
17 *paredness Fund established under section 5116(h), the Sec-*
18 *retary may expend, for each of fiscal years 2022 through*
19 *2026—*

20 “(1) \$39,050,000 to carry out section 5116(a);

21 “(2) \$150,000 to carry out section 5116(e);

22 “(3) \$625,000 to publish and distribute the
23 *Emergency Response Guidebook under section*
24 *5116(h)(3); and*

25 “(4) \$2,000,000 to carry out section 5116(i).

1 “(c) *HAZARDOUS MATERIALS TRAINING GRANTS.*—
2 *From the Hazardous Materials Emergency Preparedness*
3 *Fund established pursuant to section 5116(h), the Secretary*
4 *may expend \$5,000,000 for each of fiscal years 2022*
5 *through 2026 to carry out section 5107(e).*

6 “(d) *COMMUNITY SAFETY GRANTS.*—*Of the amounts*
7 *made available under subsection (a) to carry out this chap-*
8 *ter, the Secretary shall withhold \$4,000,000 for each of fis-*
9 *cal years 2022 through 2026 to carry out section 5107(i).*

10 “(e) *CREDITS TO APPROPRIATIONS.*—

11 “(1) *EXPENSES.*—*In addition to amounts other-*
12 *wise made available to carry out this chapter, the*
13 *Secretary may credit amounts received from a State,*
14 *Indian tribe, or other public authority or private en-*
15 *tity for expenses the Secretary incurs in providing*
16 *training to the State, Indian tribe, authority or enti-*
17 *ty.*

18 “(2) *AVAILABILITY OF AMOUNTS.*—*Amounts*
19 *made available under this section shall remain avail-*
20 *able until expended.”.*

21 **SEC. 6002. ASSISTANCE FOR LOCAL EMERGENCY RESPONSE**
22 **TRAINING GRANT PROGRAM.**

23 *Section 5116 of title 49, United States Code, is amend-*
24 *ed—*

1 (1) *in subsection (j), in the second sentence of the*
2 *matter preceding paragraph (1), by striking “sub-*
3 *section (i)” and inserting “subsections (i) and (j)”;*

4 (2) *by redesignating subsection (j) as subsection*
5 *(k); and*

6 (3) *by inserting after subsection (i) the following:*

7 “*(j) ALERT GRANT PROGRAM.—*

8 “*(1) ASSISTANCE FOR LOCAL EMERGENCY RE-*
9 *SPONSE TRAINING.—The Secretary shall establish a*
10 *grant program to make grants to eligible entities de-*
11 *scribed in paragraph (2)—*

12 “*(A) to develop a hazardous materials re-*
13 *sponse training curriculum for emergency re-*
14 *sponders, including response activities for the*
15 *transportation of crude oil, ethanol, and other*
16 *flammable liquids by rail, consistent with the*
17 *standards of the National Fire Protection Asso-*
18 *ciation; and*

19 “*(B) to make the training described in sub-*
20 *paragraph (A) available in an electronic format.*

21 “*(2) ELIGIBLE ENTITIES.—An eligible entity re-*
22 *ferred to in paragraph (1) is a nonprofit organization*
23 *that—*

1 “(A) represents first responders or public of-
2 ficials responsible for coordinating disaster re-
3 sponse; and

4 “(B) is able to provide direct or web-based
5 training to individuals responsible for respond-
6 ing to accidents and incidents involving haz-
7 ardous materials.

8 “(3) FUNDING.—

9 “(A) IN GENERAL.—To carry out the grant
10 program under paragraph (1), the Secretary
11 may use, for each fiscal year, any amounts re-
12 covered during such fiscal year from grants
13 awarded under this section during a prior fiscal
14 year.

15 “(B) OTHER HAZARDOUS MATERIAL TRAIN-
16 ING ACTIVITIES.—For each fiscal year, after pro-
17 viding grants under paragraph (1), if funds re-
18 main available, the Secretary may use the
19 amounts described in subparagraph (A)—

20 “(i) to make grants under—

21 “(I) subsection (a)(1)(C);

22 “(II) subsection (i); and

23 “(III) section 5107(e);

1 “(ii) to conduct monitoring and pro-
2 vide technical assistance under subsection
3 (e);

4 “(iii) to publish and distribute the
5 emergency response guide referred to in sub-
6 section (h)(3); and

7 “(iv) to pay administrative costs in
8 accordance with subsection (h)(4).

9 “(C) *OBLIGATION LIMITATION.*—Notwith-
10 standing any other provision of law, for each fis-
11 cal year, amounts described in subparagraph (A)
12 shall not be included in the obligation limitation
13 for the Hazardous Materials Emergency Pre-
14 paredness grant program for that fiscal year.”.

15 **SEC. 6003. REAL-TIME EMERGENCY RESPONSE INFORMA-**
16 **TION.**

17 Section 7302 of the FAST Act (49 U.S.C. 20103 note;
18 Public Law 114–94) is amended—

19 (1) in subsection (a)—

20 (A) in the matter preceding paragraph (1),
21 by striking “1 year after the date of enactment
22 of this Act” and inserting “December 5, 2022”;

23 (B) in paragraph (1), by amending sub-
24 paragraph (B) to read as follows:

1 “(B) to provide the electronic train consist
2 information described in subparagraph (A) to
3 authorized State and local first responders, emer-
4 gency response officials, and law enforcement
5 personnel that are involved in the response to, or
6 investigation of, an accident, incident, or public
7 health or safety emergency involving the rail
8 transportation of hazardous materials;”;

9 (C) by striking paragraph (2);

10 (D) by redesignating paragraphs (3), (4),
11 (5), (6), and (7) as paragraphs (2), (3), (4), (5),
12 and (6), respectively; and

13 (E) in paragraph (3), as redesignated, by
14 striking “paragraph (3)” and inserting “para-
15 graph (2)”;

16 (2) in subsection (b)—

17 (A) by striking paragraphs (1) and (4); and

18 (B) by redesignating paragraphs (2), (3),
19 (5), (6), and (7) as paragraphs (1), (2), (3), (4),
20 and (5), respectively; and

21 (3) in subsection (c), by striking “, as described
22 in subsection (a)(1)(B),”.

1 **TITLE VII—GENERAL**
2 **PROVISIONS**

3 **SEC. 7001. PERFORMANCE MEASUREMENT, TRANSPARENCY,**
4 **AND ACCOUNTABILITY.**

5 *For each grant awarded under this Act, or an amend-*
6 *ment made by this Act, the Secretary may—*

7 (1) *develop metrics to assess the effectiveness of*
8 *the activities funded by the grant;*

9 (2) *establish standards for the performance of the*
10 *activities funded by the grant that are based on the*
11 *metrics developed under paragraph (1); and*

12 (3) *not later than the date that is 4 years after*
13 *the date of the initial award of the grant and every*
14 *2 years thereafter until the date on which Federal fi-*
15 *nancial assistance is discontinued for the applicable*
16 *activity, conduct an assessment of the activity funded*
17 *by the grant to confirm whether the performance is*
18 *meeting the standards for performance established*
19 *under paragraph (2).*

20 **SEC. 7002. COORDINATION REGARDING FORCED LABOR.**

21 *The Secretary shall coordinate with the Commissioner*
22 *of U.S. Customs and Border Protection to ensure that no*
23 *illegal products or materials produced with forced labor are*
24 *procured with funding made available under this Act.*

1 **SEC. 7003. DEPARTMENT OF TRANSPORTATION SPECTRUM**
2 **AUDIT.**

3 (a) *AUDIT AND REPORT.*—Not later than 18 months
4 after the date of enactment of this Act, the Assistant Sec-
5 retary of Commerce for Communications and Information
6 and the Secretary shall jointly—

7 (1) *conduct an audit of the electromagnetic spec-*
8 *trum that is assigned or otherwise allocated to the De-*
9 *partment as of the date of the audit; and*

10 (2) *submit to Congress, and make available to*
11 *each Member of Congress upon request, a report con-*
12 *taining the results of the audit conducted under para-*
13 *graph (1).*

14 (b) *CONTENTS OF REPORT.*—The Assistant Secretary
15 of Commerce for Communications and Information and the
16 Secretary shall include in the report submitted under sub-
17 section (a)(2), with respect to the electromagnetic spectrum
18 that is assigned or otherwise allocated to the Department
19 as of the date of the audit—

20 (1) *each particular band of spectrum being used*
21 *by the Department;*

22 (2) *a description of each purpose for which a*
23 *particular band described in paragraph (1) is being*
24 *used, and how much of the band is being used for that*
25 *purpose;*

1 *shall submit to the Committee on Commerce, Science, and*
2 *Transportation of the Senate and the Committee on Trans-*
3 *portation and Infrastructure of the House of Representa-*
4 *tives a report on the results of the study, which shall in-*
5 *clude—*

6 (1) *an identification of how the Department cur-*
7 *rently evaluates travel and tourism needs or criteria*
8 *in considering applications for grants under the*
9 *grant programs of the Department;*

10 (2) *a description of any actions that the Depart-*
11 *ment will take to improve the evaluation of tourism-*
12 *and travel-related criteria in considering applications*
13 *for grants under those grant programs; and*

14 (3) *recommendations as to any statutory or reg-*
15 *ulatory changes that may be required to enhance the*
16 *consideration by the Department of travel and tour-*
17 *ism needs or criteria in considering applications for*
18 *grants under those grant programs.*

19 *(c) GAO ASSESSMENT AND REPORT.—*

20 (1) *ASSESSMENT.—The Comptroller General of*
21 *the United States shall conduct an assessment of the*
22 *existing resources of the Department used to conduct*
23 *travel- and tourism-related activities, including the*
24 *consideration of travel and tourism needs or criteria*
25 *in considering applications for grants under the*

1 *grant programs of the Department, in order to iden-*
2 *tify—*

3 *(A) any resources needed by the Depart-*
4 *ment; and*

5 *(B) any barriers to carrying out those ac-*
6 *tivities.*

7 *(2) REPORT.—Not later than 18 months after the*
8 *date of enactment of this Act, the Comptroller General*
9 *of the United States shall submit to the Committee on*
10 *Commerce, Science, and Transportation of the Senate*
11 *and the Committee on Transportation and Infrastruc-*
12 *ture of the House of Representatives a report on the*
13 *assessment conducted under paragraph (1), which*
14 *shall include—*

15 *(A) recommendations for improving the*
16 *evaluation and consideration by the Department*
17 *of travel and tourism with respect to the discre-*
18 *tionary grant programs of the Department;*

19 *(B) an assessment of the resources needed to*
20 *carry out the tourism- and travel-related activi-*
21 *ties of the Department;*

22 *(C) an assessment of any barriers to car-*
23 *rying out activities relating to travel and tour-*
24 *ism; and*

1 *(D) recommendations for improving the*
2 *ability of the Department to carry out activities*
3 *relating to travel and tourism, which may in-*
4 *clude proposed statutory or regulatory changes*
5 *that may be needed to facilitate those activities.*

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A BILL

To authorize elements of the Department of
Transportation, and for other purposes.

DECEMBER 17, 2021

Reported with an amendment