

Union Calendar No. 133

104TH CONGRESS
1ST SESSION

H. R. 2274

[Report No. 104-246]

A BILL

To amend title 23, United States Code, to designate the National Highway System, and for other purposes.

SEPTEMBER 14, 1995

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

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 1995

Mr. SHUSTER (for himself, Mr. PETRI, Mr. MINETA, and Mr. RAHALL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

SEPTEMBER 14, 1995

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

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

[For text of introduced bill, see copy of bill as introduced on September 7, 1995]

A BILL

To amend title 23, United States Code, to designate the National Highway System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—This Act may be cited as the
3 “National Highway System Designation Act of 1995”.

4 (b) *TABLE OF CONTENTS.*—

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

TITLE I—NATIONAL HIGHWAY SYSTEM

Sec. 101. National Highway System designation.

Sec. 102. Distribution of fiscal year 1997 highway funds.

Sec. 103. Treatment of fiscal year 1997 transit funds.

TITLE II—HIGHWAY FUNDING RESTORATION

Sec. 201. Short title.

Sec. 202. Findings and purposes.

Sec. 203. State high priority project restoration program.

Sec. 204. Rescissions.

Sec. 205. State unobligated balance flexibility.

Sec. 206. Minimum allocation.

Sec. 207. Relief from mandates.

Sec. 208. Definitions.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Distribution of transit operating assistance limitation.

Sec. 302. Accountability for high cost Federal-aid projects.

Sec. 303. Letters of intent and full financing grant and early systems work agreements.

Sec. 304. Report on capital projects.

Sec. 305. Repeal and modification of existing projects.

Sec. 306. Miscellaneous transit projects.

Sec. 307. Metropolitan planning for transit projects.

Sec. 308. Contracting for engineering and design services.

Sec. 309. Ferry boats and terminal facilities.

Sec. 310. Utilization of the private sector for surveying and mapping services.

Sec. 311. Formula grant program.

Sec. 312. Accessibility of over-the-road buses to individuals with disabilities.

Sec. 313. Alaska Railroad.

Sec. 314. Alcohol and controlled substances testing.

Sec. 315. Alcohol-impaired driving countermeasures.

Sec. 316. Safety research initiatives.

Sec. 317. Public transit vehicles exemption.

Sec. 318. Congestion mitigation and air quality improvement program.

Sec. 319. Quality improvement.

Sec. 320. Applicability of transportation conformity requirements.

Sec. 321. Quality through competition.

Sec. 322. Applicability of certain vehicle weight limitations in Wisconsin.

Sec. 323. Treatment of Centennial Bridge, Rock Island, Illinois, agreement.

Sec. 324. Metric requirements and signs.

Sec. 325. ISTEA technical clarification.

- Sec. 326. Metropolitan planning for highway projects.
- Sec. 327. Non-Federal share for certain toll bridge projects.
- Sec. 328. Discovery and admission as evidence of certain reports and surveys.
- Sec. 329. National recreational trails.
- Sec. 330. Identification of high priority corridors.
- Sec. 331. High priority corridor feasibility studies.
- Sec. 332. High cost bridge projects.
- Sec. 333. Congestion relief projects.
- Sec. 334. High priority corridors on National Highway System.
- Sec. 335. High priority corridor projects.
- Sec. 336. Rural access projects.
- Sec. 337. Urban access and mobility projects.
- Sec. 338. Innovative projects.
- Sec. 339. Intermodal projects.
- Sec. 340. Miscellaneous revisions to Surface Transportation and Uniform Relocation Assistance Act of 1987.
- Sec. 341. Eligibility.
- Sec. 342. Orange County, California, toll roads.
- Sec. 343. Miscellaneous studies.
- Sec. 344. Collection of bridge tolls.
- Sec. 345. National driver register.
- Sec. 346. Roadside barrier technology.
- Sec. 347. Motorist call boxes.
- Sec. 348. Repeal of national maximum speed limit compliance program.
- Sec. 349. Elimination of penalty for noncompliance for motorcycle helmets.
- Sec. 350. Safety rest areas.
- Sec. 351. Exemptions from requirements relating to commercial motor vehicles and their operators.
- Sec. 352. Traffic control signs.
- Sec. 353. Brightman Street Bridge, Fall River Harbor, Massachusetts.

TITLE IV—TRUTH IN BUDGETING

- Sec. 401. Short title.
- Sec. 402. Budgetary treatment of Highway Trust Fund, Airport and Airway Trust Fund, Inland Waterways Trust Fund, and Harbor Maintenance Trust Fund.
- Sec. 403. Safeguards against deficit spending out of Airport and Airway Trust Fund.
- Sec. 404. Safeguards against deficit spending out of the Inland Waterways Trust Fund and Harbor Maintenance Trust Fund.
- Sec. 405. Applicability.

1 **SEC. 2. SECRETARY DEFINED.**

- 2 *In this Act, the term “Secretary” means the Secretary*
- 3 *of Transportation.*

1 **TITLE I—NATIONAL HIGHWAY**
2 **SYSTEM**

3 **SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

4 *Section 103 of title 23, United States Code, is amended*
5 *by inserting after subsection (b) the following:*

6 “(c) *INITIAL DESIGNATION OF NHS.—The National*
7 *Highway System as submitted by the Secretary of Trans-*
8 *portation on the map entitled ‘Official Submission, Na-*
9 *tional Highway System, Federal Highway Administra-*
10 *tion’, and dated September 1, 1995, is hereby designated*
11 *within the United States, including the District of Colum-*
12 *bia and the Commonwealth of Puerto Rico.*

13 “(d) *MODIFICATIONS TO THE NHS.—*

14 “(1) *PROPOSED MODIFICATIONS.—The Secretary*
15 *may submit for approval to the Committee on Envi-*
16 *ronment and Public Works of the Senate and the*
17 *Committee on Transportation and Infrastructure of*
18 *the House of Representatives proposed modifications*
19 *to the National Highway System. The Secretary may*
20 *only propose a modification under this subsection if*
21 *the Secretary determines that such modification meets*
22 *the criteria and requirements of subsection (b). Pro-*
23 *posed modifications may include new segments and*
24 *deletion of existing segments of the National Highway*
25 *System.*

1 “(2) *APPROVAL OF CONGRESS REQUIRED.*—A
2 *modification to the National Highway System may*
3 *only take effect if a law has been enacted approving*
4 *such modification.*

5 “(3) *REQUIRED SUBMISSIONS.*—

6 “(A) *INITIAL SUBMISSION.*—Not later than
7 *180 days after the date of the enactment of the*
8 *National Highway System Designation Act of*
9 *1995, the Secretary shall submit under para-*
10 *graph (1) proposed modifications to the National*
11 *Highway System. Such modifications shall in-*
12 *clude a list and description of additions to the*
13 *National Highway System consisting of connec-*
14 *tions to major ports, airports, international bor-*
15 *der crossings, public transportation and transit*
16 *facilities, interstate bus terminals, and rail and*
17 *other intermodal transportation facilities.*

18 “(B) *CONGRESSIONAL HIGH PRIORITY COR-*
19 *RIDORS.*—Upon the completion of feasibility
20 *studies, the Secretary shall submit under para-*
21 *graph (1) proposed modifications to the National*
22 *Highway System consisting of any congressional*
23 *high priority corridor or any segment thereof es-*
24 *tablished by section 1105 of the Intermodal Sur-*
25 *face Transportation Efficiency Act of 1991 (105*

1 *Stat. 2037) which was not identified on the Na-*
2 *tional Highway System designated by subsection*
3 *(c).*

4 “(4) *INTERIM ELIGIBILITY.*—

5 “(A) *IN GENERAL.*—*Notwithstanding para-*
6 *graph (2), a modification to the National High-*
7 *way System which adds to the National High-*
8 *way System a connection to a major port, air-*
9 *port, international border crossing, public trans-*
10 *portation or transit facility, interstate bus ter-*
11 *минаl, or rail or other intermodal transportation*
12 *facility shall be eligible for funds apportioned*
13 *under section 104(b)(1) for the National High-*
14 *way System if the Secretary finds that such*
15 *modification is consistent with criteria developed*
16 *by the Secretary for such modifications to the*
17 *National Highway System.*

18 “(B) *PERIOD OF ELIGIBILITY.*—*A modifica-*
19 *tion to the National Highway System which is*
20 *eligible under subparagraph (A) for funds appor-*
21 *tioned under section 104(b)(1) may remain eligi-*
22 *ble for such funds only until the date on which*
23 *a law has been enacted approving modifications*
24 *to the National Highway System which connect*

1 the National Highway System to facilities re-
2 ferred to in subparagraph (A).”.

3 **SEC. 102. DISTRIBUTION OF FISCAL YEAR 1997 HIGHWAY**
4 **FUNDS.**

5 (a) *IN GENERAL.*—Notwithstanding any other provi-
6 sion of law, the Secretary shall not apportion or allocate,
7 prior to August 1, 1997, any funds authorized to be appro-
8 priated or made available for fiscal year 1997 under—

9 (1) title 23, United States Code (other than sec-
10 tions 125 and 157), except amounts necessary for the
11 administration of the Federal Highway Administra-
12 tion under section 104(a);

13 (2) title I or VI of the Intermodal Surface
14 Transportation Efficiency Act of 1991 (other than
15 sections 1103 through 1108);

16 (3) title IV of the Surface Transportation Assist-
17 ance Act of 1982; or

18 (4) section 203(b) of this Act, relating to the
19 State high priority project restoration program; and
20 (b) *MINIMUM ALLOCATION.*—

21 (1) *DETERMINATION.*—For purposes of determin-
22 ing allocations under section 157(a)(4) of title 23,
23 United States Code, the Secretary shall treat appor-
24 tionments and allocations that are subject to sub-
25 section (a) as having been made on October 1, 1996.

1 (2) *SPECIAL RULE.*—Amounts made available
2 under section 157 of such title in fiscal year 1997
3 shall not be obligated at a rate higher than the histor-
4 ical rate of obligation of funds made available under
5 such section.

6 **SEC. 103. TREATMENT OF FISCAL YEAR 1997 TRANSIT**
7 **FUNDS.**

8 (a) *IN GENERAL.*—Notwithstanding any other provi-
9 sion of law, the Secretary shall not apportion or allocate
10 prior to August 1, 1997, any of the funds authorized to be
11 appropriated or made available for fiscal year 1997 under
12 section 5338 of title 49, United States Code (other than
13 amounts necessary for administrative expenses of the Fed-
14 eral Transit Administration).

15 (b) *ADDITIONAL LIMITATION ON OBLIGATIONS.*—Any
16 funds appropriated after the date of the enactment of this
17 Act to carry out sections 5303–5306, 5308, 5310, 5311,
18 5313, 5314, 5317, 5320, 5327, 5334(a), and 5334(c) of title
19 49, United States Code, and substitute transit projects
20 under section 103(e)(4) of title 23, United States Code, and
21 to carry out section 5309 of title 49, United States Code,
22 may not be obligated before August 1, 1997.

1 **TITLE II—HIGHWAY FUNDING**
2 **RESTORATION**

3 **SEC. 201. SHORT TITLE.**

4 *This title may be cited as the “Highway Funding*
5 *Restoration Act of 1995”.*

6 **SEC. 202. FINDINGS AND PURPOSES.**

7 (a) *FINDINGS.*—*Congress finds and declares that—*

8 (1) *Federal infrastructure spending on highways*
9 *is critical to the efficient movement of goods and peo-*
10 *ple in the United States;*

11 (2) *section 1003(c) of the Intermodal Surface*
12 *Transportation Efficiency Act of 1991 has been esti-*
13 *mated to result in fiscal year 1996 highway spending*
14 *being reduced by as much as \$4,200,000,000;*

15 (3) *such section 1003(c) will cause every State to*
16 *lose critical funds from the Highway Trust Fund that*
17 *can never be recouped; and*

18 (4) *the funding reduction would have disastrous*
19 *effects on the national economy, impede interstate*
20 *commerce, and jeopardize the 40-year Federal invest-*
21 *ment in the Nation’s highway system.*

22 (b) *PURPOSES.*—*The purposes of this Act are—*

23 (1) *to make the program categories in the cur-*
24 *rent Federal-aid highway program more flexible so*

- 1 (b) *ALLOCATION FORMULA.*—Funds made available to
 2 carry out this section shall be allocated among the States
 3 in accordance with the following table:

<i>States:</i>	<i>Allocation Percentages</i>
<i>Alabama</i>	1.80
<i>Alaska</i>	1.20
<i>Arizona</i>	1.43
<i>Arkansas</i>	1.42
<i>California</i>	9.17
<i>Colorado</i>	1.27
<i>Connecticut</i>	1.74
<i>Delaware</i>	0.39
<i>District of Columbia</i>	0.52
<i>Florida</i>	4.04
<i>Georgia</i>	2.92
<i>Hawaii</i>	0.54
<i>Idaho</i>	0.70
<i>Illinois</i>	3.88
<i>Indiana</i>	2.18
<i>Iowa</i>	1.27
<i>Kansas</i>	1.13
<i>Kentucky</i>	1.53
<i>Louisiana</i>	1.52
<i>Maine</i>	0.65
<i>Maryland</i>	1.68
<i>Massachusetts</i>	4.11
<i>Michigan</i>	2.75
<i>Minnesota</i>	1.69
<i>Mississippi</i>	1.11
<i>Missouri</i>	2.28
<i>Montana</i>	0.93
<i>Nebraska</i>	0.79
<i>Nevada</i>	0.69
<i>New Hampshire</i>	0.48
<i>New Jersey</i>	2.86
<i>New Mexico</i>	1.02
<i>New York</i>	5.35
<i>North Carolina</i>	2.62
<i>North Dakota</i>	0.64
<i>Ohio</i>	3.64
<i>Oklahoma</i>	1.36
<i>Oregon</i>	1.23
<i>Pennsylvania</i>	4.93
<i>Rhode Island</i>	0.56
<i>South Carolina</i>	1.42
<i>South Dakota</i>	0.69
<i>Tennessee</i>	2.00
<i>Texas</i>	6.21
<i>Utah</i>	0.73
<i>Vermont</i>	0.43
<i>Virginia</i>	2.28

<i>Washington</i>	2.05
<i>West Virginia</i>	1.15
<i>Wisconsin</i>	1.90
<i>Wyoming</i>	0.65
<i>Puerto Rico</i>	0.46
<i>Territories</i>	0.01.

1 (c) *EFFECT OF ALLOCATIONS.*—Funds distributed to
2 States under subsection (b) shall not affect calculations to
3 determine allocations to States under section 157 of title
4 23, United States Code, and sections 1013(c), 1015(a), and
5 1015(b) of the Intermodal Surface Transportation Effi-
6 ciency Act of 1991.

7 (d) *PERIOD OF AVAILABILITY.*—Notwithstanding any
8 other provision of law, amounts made available to carry
9 out this section shall be available for obligation for the fiscal
10 year for which such amounts are made available plus the
11 3 succeeding fiscal years and shall be subject to the provi-
12 sions of title 23, United States Code. Obligation limitations
13 for Federal-aid highways and highway safety construction
14 programs established by the Intermodal Surface Transpor-
15 tation Efficiency Act of 1991 and subsequent laws shall
16 apply to obligations made under this section.

17 (e) *SPECIAL RULE FOR URBANIZED AREAS OF OVER*
18 *200,000.*—

19 (1) *GENERAL RULE.*—The percentage determined
20 under paragraph (2) of funds allocated to a State
21 under this section for a fiscal year shall be obligated
22 in urbanized areas of the State with an urbanized

1 *population of over 200,000 under section 133(d)(3) of*
2 *title 23, United States Code.*

3 (2) *PERCENTAGE.*—*The percentage referred to in*
4 *paragraph (1) is the percentage determined by divid-*
5 *ing—*

6 (A) *the total amount of the reduction in*
7 *funds which would have been attributed under*
8 *section 133(d)(3) of title 23, United States Code,*
9 *to urbanized areas of the State with an urban-*
10 *ized population of over 200,000 for fiscal year*
11 *1996 as a result of the application of section*
12 *1003(c) of the Intermodal Surface Transpor-*
13 *tation Efficiency Act of 1991; by*

14 (B) *the total amount of the reduction in au-*
15 *thorized funds for fiscal year 1996 that would*
16 *have been allocated to the State, and that would*
17 *have been apportioned to the State, as a result*
18 *of the application of such section 1003(c).*

19 (f) *LIMITATION ON PLANNING EXPENDITURES.*—*One-*
20 *half of 1 percent of amounts allocated to each State under*
21 *this section in any fiscal year may be available for expendi-*
22 *ture for the purpose of carrying out the requirements of sec-*
23 *tion 134 of title 23, United States Code (relating to trans-*
24 *portation planning). 1½ percent of the amounts allocated*
25 *to each State under this section in any fiscal year may*

1 *be available for expenditure for the purpose of carrying out*
2 *activities referred to in subsection (c) of section 307 of such*
3 *title (relating to transportation planning and research).*

4 (g) *AUTHORIZATION OF APPROPRIATIONS.—There are*
5 *authorized to be appropriated, out of the Highway Trust*
6 *Fund (other than the Mass Transit Account), to carry out*
7 *this section \$360,420,595 for fiscal year 1996 and*
8 *\$155,000,000 for fiscal year 1997.*

9 (h) *APPLICABILITY OF CHAPTER 1 OF TITLE 23.—Ex-*
10 *cept as otherwise provided in this section, funds allocated*
11 *under this section shall be available for obligation in the*
12 *same manner and for the same purposes as if such funds*
13 *were apportioned under chapter 1 of title 23, United States*
14 *Code.*

15 (i) *TERRITORIES DEFINED.—In this section, the term*
16 *“territories” means the Virgin Islands, Guam, American*
17 *Samoa, and the Commonwealth of the Northern Mariana*
18 *Islands.*

19 **SEC. 204. RESCISSIONS.**

20 (a) *RESCISSIONS.—Effective October 1, 1995, and*
21 *after any necessary reductions are made under section*
22 *1003(c) of the Intermodal Surface Transportation Effi-*
23 *ciency Act of 1991, the following unobligated balances avail-*
24 *able on September 30, 1995, of funds made available for*
25 *the following provisions are hereby rescinded:*

1 (1) \$78,993.92 made available by section 131(c)
2 of the Surface Transportation Assistance Act of 1982.

3 (2) \$798,701.04 made available by section 131(j)
4 of the Surface Transportation Assistance Act of 1982.

5 (3) \$942,249 made available for section
6 149(a)(66) of the Surface Transportation and Uni-
7 form Relocation Assistance Act of 1987.

8 (4) \$88,195 made available for section
9 149(a)(111)(C) of the Surface Transportation and
10 Uniform Relocation Assistance Act of 1987.

11 (5) \$155,174.41 made available for section
12 149(a)(111)(E) of the Surface Transportation and
13 Uniform Relocation Assistance Act of 1987.

14 (6) \$36,979.05 made available for section
15 149(a)(111)(J) of the Surface Transportation and
16 Uniform Relocation Assistance Act of 1987.

17 (7) \$34,281.53 made available for section
18 149(a)(111)(K) of the Surface Transportation and
19 Uniform Relocation Assistance Act of 1987.

20 (8) \$164,532 made available for section
21 149(a)(111)(L) of the Surface Transportation and
22 Uniform Relocation Assistance Act of 1987.

23 (9) \$86,070.82 made available for section
24 149(a)(111)(M) of the Surface Transportation and
25 Uniform Relocation Assistance Act of 1987.

1 (10) \$52,834 made available for section
2 149(a)(95) of the Surface Transportation and Uni-
3 form Relocation Assistance Act of 1987.

4 (11) \$909,131 made available for section
5 149(a)(99) of the Surface Transportation and Uni-
6 form Relocation Assistance Act of 1987.

7 (12) \$3,817,000 made available for section
8 149(a)(35) of the Surface Transportation and Uni-
9 form Relocation Assistance Act of 1987.

10 (13) \$797,800 made available for section
11 149(a)(100) of the Surface Transportation and Uni-
12 form Relocation Assistance Act of 1987.

13 (14) \$2 made available by section 149(c)(3) of
14 the Surface Transportation and Uniform Relocation
15 Assistance Act of 1987.

16 (15) \$44,706,878 made available by section
17 1012(b)(6) of the Intermodal Surface Transportation
18 Efficiency Act of 1991.

19 (16) \$15,401,107 made available by section
20 1003(a)(7) of the Intermodal Surface Transportation
21 Efficiency Act of 1991.

22 (17) \$1,000,000 made available by item number
23 38 of the table contained in section 1108(b) of the
24 Intermodal Surface Transportation Efficiency Act of
25 1991.

1 (18) \$150,000,000 deducted by the Secretary
2 under section 104(a) of title 23, United States Code.

3 (19) \$10,800,000 made available by section
4 5338(a)(1) of title 49, United States Code.

5 (b) REDUCTIONS IN AUTHORIZED AMOUNTS.—

6 (1) MAGNETIC LEVITATION.—Section 1036(d)(1)
7 of the Intermodal Surface Transportation Efficiency
8 Act of 1991 (105 Stat. 1986) is amended—

9 (A) in subparagraph (A) by inserting
10 “and” after “1994,”;

11 (B) in subparagraph (A) by striking “,
12 \$125,000,000” and all that follows through
13 “1997”; and

14 (C) in subparagraph (B) by striking “1996,
15 and 1997” and inserting “and 1996”.

16 (2) HIGHWAY SAFETY PROGRAMS.—Section
17 2005(1) of such Act (105 Stat. 2079) is amended—

18 (A) by striking “and” the first place it ap-
19 pears and inserting a comma; and

20 (B) by striking “, 1995, 1996, and 1997”
21 and inserting “and 1995, and \$146,000,000 for
22 each of fiscal years 1996 and 1997”.

23 (3) EFFECTIVE DATE.—The amendments made
24 by paragraphs (1) and (2) shall take effect on the day
25 after the date on which authorized funds for fiscal

1 *year 1996 are reduced as a result of application of*
2 *section 1003(c) of such Act.*

3 (c) *CONGESTION PRICING PILOT PROGRAM TRANS-*
4 *FERS.—After the date on which authorized funds for fiscal*
5 *year 1996 are reduced as a result of application of section*
6 *1003(c) of the Intermodal Surface Transportation Effi-*
7 *ciency Act of 1991, the amounts made available for fiscal*
8 *years 1996 and 1997 to carry out section 1012(b) of the*
9 *Intermodal Surface Transportation Efficiency Act of 1991*
10 *(105 Stat. 1938) shall be available to carry out section 203*
11 *of this Act, relating to the State high priority restoration*
12 *program.*

13 **SEC. 205. STATE UNOBLIGATED BALANCE FLEXIBILITY.**

14 (a) *REDUCTION IN FEDERAL FUNDING.—*

15 (1) *NOTIFICATION OF STATES.—On October 1,*
16 *1995, or as soon as possible thereafter, the Secretary*
17 *shall notify each State of the total amount of the re-*
18 *duction in authorized funds for fiscal year 1996 that*
19 *would have been allocated to such State, and that*
20 *would have been apportioned to such State, as a re-*
21 *sult of application of section 1003(c) of the Inter-*
22 *modal Surface Transportation Efficiency Act of 1991.*

23 (2) *EXCLUSION OF CERTAIN FUNDING.—In deter-*
24 *mining the amount of any reduction under para-*
25 *graph (1), the Secretary shall deduct—*

1 (A) *the amount allocated to each State in*
2 *fiscal year 1996 to carry out section 203 of this*
3 *Act, relating to the State high priority project*
4 *restoration program; and*

5 (B) *any amounts made available under sec-*
6 *tion 157(a)(4)(B)(iii) of title 23, United States*
7 *Code, for fiscal year 1996.*

8 (b) *UNOBLIGATED BALANCE FLEXIBILITY.—Upon re-*
9 *quest of a State, the Secretary shall make available to carry*
10 *out projects described in section 203(a) of this Act in fiscal*
11 *year 1996 an amount not to exceed the amount determined*
12 *under subsection (a) for the State. Such funds shall be made*
13 *available from authorized funds that were allocated or ap-*
14 *portioned to such State and were not obligated as of Sep-*
15 *tember 30, 1995. The State shall designate on or before No-*
16 *vember 1, 1995, or as soon as possible thereafter which of*
17 *such authorized funds are to be made available under this*
18 *section to carry out such projects. The Secretary shall make*
19 *available before November 15, 1995, or as soon as possible*
20 *thereafter funds designated under the preceding sentence to*
21 *the State.*

22 (c) *SPECIAL RULE FOR URBANIZED AREAS OF OVER*
23 *200,000.—Funds which were apportioned to the State*
24 *under section 104(b)(3) of title 23, United States Code, and*
25 *attributed to urbanized areas of a State with an urbanized*

1 *population of over 200,000 under section 133(d)(3) of such*
2 *title may only be designated by the State under subsection*
3 *(b) if the metropolitan planning organization designated*
4 *for such area concurs, in writing, with such designation.*

5 *(d) CONGESTION MITIGATION AND AIR QUALITY BAL-*
6 *ANCES.—States may designate under subsection (b) funds*
7 *apportioned under section 104(b)(2) of title 23, United*
8 *States Code, and not obligated as of September 30, 1995,*
9 *to carry out projects described in section 203(a) of this Act*
10 *only if such funds will be obligated in areas described in*
11 *section 104(b)(2) of such title or, in the case of a State*
12 *which does not include such an area, the funds may be obli-*
13 *gated in any area of the State.*

14 *(e) INTERSTATE CONSTRUCTION BALANCES.—A State*
15 *may not designate under subsection (b) any more than $\frac{1}{3}$*
16 *of funds apportioned or allocated to the State for Interstate*
17 *construction and not obligated as of September 30, 1995.*

18 *(f) PERIOD OF AVAILABILITY.—Notwithstanding any*
19 *other provision of law, amounts designated under subsection*
20 *(b) shall be available for obligation for the same period for*
21 *which such amounts were originally made available for ob-*
22 *ligation and shall be subject to the provisions of title 23,*
23 *United States Code. Obligation limitations for Federal-aid*
24 *highways and highway safety construction programs estab-*
25 *lished by the Intermodal Surface Transportation Efficiency*

1 *Act of 1991 and subsequent laws shall apply to obligations*
2 *made under this section.*

3 (g) *LIMITATION ON STATUTORY CONSTRUCTION.—*
4 *Nothing in this section shall be construed to affect calcula-*
5 *tions to determine allocations to States under section 157*
6 *of title 23, United States Code, and sections 1013(c),*
7 *1015(a), and 1015(b) of the Intermodal Surface Transpor-*
8 *tation Efficiency Act of 1991.*

9 (h) *STATE.—In this section and section 203, the term*
10 *“State” has the meaning such term has under section 401*
11 *of title 23, United States Code.*

12 **SEC. 206. MINIMUM ALLOCATION.**

13 (a) *FORMULA.—Section 157(a)(4) of title 23, United*
14 *States Code, is amended—*

15 (1) *by striking “In fiscal” and inserting the*
16 *following:*

17 (A) *IN GENERAL.—In fiscal”;*

18 (2) *by inserting “funds authorized to be appro-*
19 *priated by subsection (f)” after “shall allocate”;*

20 (3) *by moving subparagraph (A), as designated*
21 *by paragraph (1) of this subsection, 2 ems to the*
22 *right; and*

23 (4) *by adding at the end the following:*

24 (B) *ADDITIONAL ALLOCATION.—If the ag-*
25 *gregate amount allocated to the States under*

1 *subparagraph (A) after application of section*
2 *1003(c) the Intermodal Surface Transportation*
3 *Efficiency Act of 1991 for any fiscal year begin-*
4 *ning after September 30, 1995, is less than the*
5 *amount authorized to be appropriated to carry*
6 *out this section for such fiscal year, then the ex-*
7 *cess of such authorized amount shall be allocated*
8 *as follows:*

9 *“(i) The Secretary shall first allocate*
10 *to each State such amount as may be nec-*
11 *essary to increase the allocation under sub-*
12 *paragraph (A) to the amount that would*
13 *have been allocated to the State for such fis-*
14 *cal year if the full amount of the funds au-*
15 *thorized to be appropriated for such fiscal*
16 *year by such Act out of the Highway Trust*
17 *Fund (other than the Mass Transit Ac-*
18 *count) were appropriated without regard to*
19 *such section 1003(c).*

20 *“(ii) If any of such excess remains*
21 *after the allocation under clause (i), the*
22 *Secretary shall allocate to each State such*
23 *amount as may be necessary so that the*
24 *amount authorized to be appropriated for*
25 *such fiscal year for each project to be car-*

1 ried out in such State under sections 1103
 2 through 1108 of such Act without regard to
 3 section 1003(c) of such Act is available for
 4 the project.

5 “(iii) The Secretary shall allocate
 6 among the States any excess remaining
 7 after the allocations under clauses (i) and
 8 (ii) so that each State is allocated the fol-
 9 lowing percentages of the remaining excess:

<i>“States:</i>	<i>Percentages</i>
<i>Alabama</i>	1.80
<i>Alaska</i>	1.20
<i>Arizona</i>	1.43
<i>Arkansas</i>	1.42
<i>California</i>	9.17
<i>Colorado</i>	1.27
<i>Connecticut</i>	1.74
<i>Delaware</i>	0.39
<i>District of Columbia</i>	0.52
<i>Florida</i>	4.04
<i>Georgia</i>	2.92
<i>Hawaii</i>	0.54
<i>Idaho</i>	0.70
<i>Illinois</i>	3.88
<i>Indiana</i>	2.18
<i>Iowa</i>	1.27
<i>Kansas</i>	1.13
<i>Kentucky</i>	1.53
<i>Louisiana</i>	1.52
<i>Maine</i>	0.65
<i>Maryland</i>	1.68
<i>Massachusetts</i>	4.11
<i>Michigan</i>	2.75
<i>Minnesota</i>	1.69
<i>Mississippi</i>	1.11
<i>Missouri</i>	2.28
<i>Montana</i>	0.93
<i>Nebraska</i>	0.79
<i>Nevada</i>	0.69
<i>New Hampshire</i>	0.48
<i>New Jersey</i>	2.86
<i>New Mexico</i>	1.02
<i>New York</i>	5.35
<i>North Carolina</i>	2.62

<i>North Dakota</i>	0.64
<i>Ohio</i>	3.64
<i>Oklahoma</i>	1.36
<i>Oregon</i>	1.23
<i>Pennsylvania</i>	4.93
<i>Rhode Island</i>	0.56
<i>South Carolina</i>	1.42
<i>South Dakota</i>	0.69
<i>Tennessee</i>	2.00
<i>Texas</i>	6.21
<i>Utah</i>	0.73
<i>Vermont</i>	0.43
<i>Virginia</i>	2.28
<i>Washington</i>	2.05
<i>West Virginia</i>	1.15
<i>Wisconsin</i>	1.90
<i>Wyoming</i>	0.65
<i>Puerto Rico</i>	0.46
<i>Territories</i>	0.01.

1 “(C) *TERRITORIES DEFINED.*—*In this*
2 *paragraph, the term ‘territories’ means the Vir-*
3 *gin Islands, Guam, American Samoa, and the*
4 *Commonwealth of the Northern Mariana Is-*
5 *lands.’.*”

6 **(b) SPECIAL RULE FOR URBANIZED AREAS OF OVER**
7 **200,000 IN FISCAL YEARS 1996 AND 1997.**—*Section 157*
8 *of such title is amended—*

9 (1) *by redesignating subsections (d) and (e) as*
10 *subsection (e) and (f), respectively, and*

11 (2) *by inserting after subsection (c) the follow-*
12 *ing:*

13 **“(d) SPECIAL RULE FOR URBANIZED AREAS OF OVER**
14 **200,000 IN FISCAL YEARS 1996 AND 1997.**—

15 **“(1) GENERAL RULE.**—*The percentage deter-*
16 *mined under paragraph (2) of funds allocated to a*

1 *State under subsection (a)(4)(B)(iii) for each of fiscal*
2 *years 1996 and 1997 shall be obligated in urbanized*
3 *areas of the State with an urbanized population of*
4 *over 200,000 under section 133(d)(3).*

5 “(2) *PERCENTAGE.*—*The percentage referred to*
6 *in paragraph (1) is the percentage determined by di-*
7 *viding—*

8 “(A) *the total amount of the reduction in*
9 *funds which would have been attributed under*
10 *section 133(d)(3) to urbanized areas of the State*
11 *with an urbanized population of over 200,000*
12 *for fiscal year 1996 as a result of the application*
13 *of section 1003(c) of the Intermodal Surface*
14 *Transportation Efficiency Act of 1991; by*

15 “(B) *the total amount of the reduction in*
16 *authorized funds for fiscal year 1996 that would*
17 *have been allocated to the State, and that would*
18 *have been apportioned to the State, as a result*
19 *of the application of such section 1003(c).”.*

20 “(c) *FUNDING.*—*Section 157(f) of such title, as redesi-*
21 *gnated by subsection (b), is amended by inserting before the*
22 *period the following: “and before October 1, 1995,*
23 *\$1,101,000,000 for fiscal year 1996, \$1,378,000,000 for fis-*
24 *cal year 1997”.*

1 **SEC. 207. RELIEF FROM MANDATES.**

2 (a) *MANAGEMENT SYSTEMS.*—*The Secretary shall not*
3 *take any action pursuant to or enforce the provisions of*
4 *section 303(c) of title 23, United States Code, with respect*
5 *to any State during fiscal year 1996.*

6 (b) *ASPHALT PAVEMENT CONTAINING RECYCLED RUB-*
7 *BER.*—*Section 1038 of the Intermodal Surface Transpor-*
8 *tation Efficiency Act of 1991 (105 Stat. 1987–1990) is*
9 *amended—*

10 (1) *by striking subsection (d); and*

11 (2) *by redesignating subsection (e) as subsection*
12 *(d).*

13 **SEC. 208. DEFINITIONS.**

14 *In this title, the following definitions apply:*

15 (1) *AUTHORIZED FUNDS.*—*The term “authorized*
16 *funds” means funds authorized to be appropriated out*
17 *of the Highway Trust Fund (other than the Mass*
18 *Transit Account) to carry out title 23, United States*
19 *Code (other than sections 402 and 410) and the Inter-*
20 *modal Surface Transportation Efficiency Act of 1991*
21 *and subject to an obligation limitation.*

22 (2) *URBANIZED AREA.*—*The term “urbanized*
23 *area” has the meaning such term has under section*
24 *101(a) of title 23, United States Code.*

1 **TITLE III—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 301. DISTRIBUTION OF TRANSIT OPERATING ASSIST-**
4 **ANCE LIMITATION.**

5 (a) *IN GENERAL.*—Notwithstanding any limitation
6 otherwise imposed on operating assistance under section
7 5307 of title 49, United States Code, the Secretary shall
8 distribute such limitation so that each urbanized area (as
9 such term is defined under section 5302 of such title) that
10 had a population under the 1990 decennial census of the
11 United States of less than 200,000 will receive, under the
12 distribution of such limitation for fiscal year 1996, 75 per-
13 cent of the amount the area received under the distribution
14 of such limitation for fiscal year 1995.

15 (b) *CONSIDERATION.*—In the distribution of the limi-
16 tation referred to in subsection (a) to urbanized areas that
17 had a population under the 1990 decennial census of
18 1,000,000 or more, the Secretary shall direct each such area
19 to give priority consideration to the impact of reductions
20 in operating assistance on smaller transit authorities oper-
21 ating within the area and to consider the needs and re-
22 sources of such transit authorities when the limitation is
23 distributed among all transit authorities operating in the
24 area.

1 **SEC. 302. ACCOUNTABILITY FOR HIGH COST FEDERAL-AID**
2 **PROJECTS.**

3 (a) *REQUIREMENTS.*—The Secretary shall require each
4 recipient of Federal financial assistance for a highway or
5 transit project with an estimated total cost of
6 \$1,000,000,000 or more to submit to the Secretary an an-
7 nual financial plan. Such plan shall be based on detailed
8 annual estimates of the cost to complete the remaining ele-
9 ments of the project and on reasonable assumptions, as de-
10 termined by the Secretary, of future increases in the cost
11 to complete the project.

12 (b) *RECOMMENDATIONS ON WITHHOLDING OF ASSIST-*
13 *ANCE.*—As part of an annual report to be submitted under
14 subsection (c), the Secretary shall make a recommendation
15 to Congress on whether or not future Federal assistance
16 should be withheld with respect to any project described in
17 subsection (a) for which an annual financial plan is not
18 submitted under subsection (a) or for which the Secretary
19 determines that the estimates or assumptions referred to in
20 subsection (a) are not reasonable.

21 (c) *REPORT.*—The Secretary shall submit to Congress
22 an annual report on the financial plans submitted to the
23 Secretary under this section, and any recommendation
24 made by the Secretary under subsection (b), in the preced-
25 ing fiscal year.

1 **SEC. 303. LETTERS OF INTENT AND FULL FINANCING**
2 **GRANT AND EARLY SYSTEMS WORK AGREE-**
3 **MENTS.**

4 *Section 5309(g) of title 49, United States Code, is*
5 *amended—*

6 *(1) by indenting and dropping paragraph (1)*
7 *down 1 line;*

8 *(2) by moving all the paragraphs, subpara-*
9 *graphs, and clauses of such section 2 ems to the right;*

10 *(3) by inserting after “(1)” the first place it ap-*
11 *pears the following: “LETTERS OF INTENT.—”;*

12 *(4) in paragraph (1)(B) by striking “Public*
13 *Works and Transportation” and inserting “Transpor-*
14 *tation and Infrastructure”;*

15 *(5) by inserting after (2) the first place it ap-*
16 *pears “FULL FINANCING GRANT AGREEMENTS.—”;*

17 *(6) by inserting after (3) the first place it ap-*
18 *pears “EARLY SYSTEM WORK AGREEMENTS.—”;*

19 *(7) by inserting after (4) the first place it ap-*
20 *pears “TOTAL ESTIMATED FUTURE OBLIGATIONS AND*
21 *CONTINGENT COMMITMENTS.—”; and*

22 *(8) by adding at the end the following:*

23 *“(5) PREAUTHORIZATION OF FULL FEDERAL FI-*
24 *NANCIAL RESPONSIBILITY.—*

25 *“(A) IN GENERAL.—After the date of the en-*
26 *actment of this paragraph and before the date on*

1 *which Federal-aid highway and transit pro-*
2 *grams are reauthorized, the Secretary of Trans-*
3 *portation may not issue a letter of intent, or*
4 *enter into a full financing grant agreement or*
5 *early systems work agreement, under this section*
6 *for a project or operable segment of a project un-*
7 *less the full amount of Federal financial respon-*
8 *sibility for the project or operable segment of a*
9 *project has been included in an authorization*
10 *law.*

11 *“(B) LIMITATION.—The prohibition on en-*
12 *tering into a full financing grant agreement*
13 *under this paragraph shall not apply—*

14 *“(i) to any project for which a letter of*
15 *intent was issued before the date of the en-*
16 *actment of this paragraph; and*

17 *“(ii) to any project included as an ele-*
18 *ment of an interrelated project which also*
19 *includes another project for which a letter of*
20 *intent was issued before such date of enact-*
21 *ment.”.*

1 **SEC. 304. REPORT ON CAPITAL PROJECTS FOR FIXED**
2 **GUIDEWAY SYSTEMS AND EXTENSIONS TO EX-**
3 **ISTING FIXED GUIDEWAY SYSTEMS.**

4 *Section 5309(m) of title 49, United States Code, is*
5 *amended—*

6 *(1) by indenting and dropping paragraph (1)*
7 *down 1 line;*

8 *(2) by moving all the paragraphs and subpara-*
9 *graphs of such section 2 ems to the right;*

10 *(3) by inserting “PERCENTAGES.—” after “(1)”*
11 *the first place it appears;*

12 *(4) by inserting “NONURBANIZED AREA ALLOCA-*
13 *TION.—” after “(2)” the first place it appears;*

14 *(5) by inserting “REPORTS.—” after “(3)” the*
15 *first place it appears;*

16 *(6) in paragraph (3) by striking “Public Works*
17 *and Transportation” and inserting “Transportation*
18 *and Infrastructure”;*

19 *(7) in paragraph (3) by striking “a proposal on*
20 *the allocation” and inserting “a report on the pro-*
21 *posed allocation”;*

22 *(8) in paragraph (3) by adding at the end the*
23 *following:*

24 *“Such report shall include for each such capital*
25 *project the following:*

1 “(A) An analysis of the potential funding
2 requirements of the project under paragraph
3 (1)(B) in the succeeding 5 fiscal years.

4 “(B) A description of the planning and
5 study process undertaken to select the locally pre-
6 ferred alternative for the project.

7 “(C) A description of efforts undertaken to
8 seek alternative funding sources for the project.”;
9 and
10 (9) by inserting “MULTIPLE ALLOCATIONS.—”
11 after “(4)” the first place it appears.

12 **SEC. 305. REPEAL AND MODIFICATION OF EXISTING**
13 **PROJECTS.**

14 (a) *LONG BEACH METRO LINK FIXED RAIL*
15 *PROJECT.*—Section 3035(o) of the Intermodal Surface
16 Transportation Efficiency Act of 1991 (105 Stat. 2131) is
17 repealed.

18 (b) *HONOLULU RAPID TRANSIT PROJECT.*—Section
19 3035(ww) of such Act (105 Stat. 2136) is amended by strik-
20 ing “\$618,000,000” and inserting “\$541,100,000”.

21 **SEC. 306. MISCELLANEOUS TRANSIT PROJECTS.**

22 (a) *NEW JERSEY URBAN CORE PROJECT.*—Section
23 3031(d) of the Intermodal Surface Transportation Effi-
24 ciency Act of 1991 (105 Stat. 2122–2123) is amended—

1 (1) by inserting after “Hudson River Waterfront
2 Transportation System” the following: “(including
3 corridor connections to and within the city of Ba-
4 yonne)”; and

5 (2) by inserting after “Concourse,” the following:
6 “the West Shore Line.”

7 (b) NORTH BAY FERRY SERVICE.—Section 3035(c) of
8 such Act (105 Stat. 2129) is amended by striking
9 “\$8,000,000” and all that follows through “1993” and in-
10 serting “\$17,000,000”.

11 (c) STATEN ISLAND-MIDTOWN MANHATTAN FERRY
12 SERVICE.—Section 3035(d) of such Act is amended by
13 striking “\$1,000,000” and all that follows through “1993”
14 and inserting “\$12,000,000”.

15 (d) CENTRAL AREA CIRCULATOR PROJECT.—Section
16 3035(e) of such Act is amended by striking the last sentence
17 which begins “Such amount”.

18 (e) SALT LAKE CITY LIGHT RAIL PROJECT.—Section
19 3035(f) of such Act is amended by inserting after “includ-
20 ing” the following: “related high-occupancy vehicle lane,
21 intermodal corridor design.”

22 (f) LOS ANGELES-SAN DIEGO RAIL CORRIDOR IM-
23 PROVEMENT PROJECT.—Section 3035(g) of such Act is
24 amended by striking “not less than” the 1st place it appears

1 *and all that follows through “1994” and inserting*
2 *“\$20,000,000”.*

3 *(g) SAN JOSE-GILROY-HOLLISTER COMMUTER RAIL*
4 *PROJECT.—Section 3035(h) of such Act is amended—*

5 *(1) by striking “July 1, 1994” and inserting*
6 *“September 30, 1996”; and*

7 *(2) by striking “August 1, 1994,” and inserting*
8 *“October 31, 1996,”.*

9 *(h) DALLAS LIGHT RAIL PROJECT.—*

10 *(1) MULTIYEAR GRANT AGREEMENT.—Section*
11 *3035(i) of such Act is amended—*

12 *(A) by striking “6.4 miles” and inserting*
13 *“9.6 miles”;*

14 *(B) by striking “10 stations” and inserting*
15 *“not to exceed 14 stations”;*

16 *(C) by striking “such light rail line” and*
17 *inserting “the program of interrelated projects*
18 *identified in section 5328(c)(1)(G) of title 49,*
19 *United States Code,”; and*

20 *(D) by striking “of such elements” and in-*
21 *serting “element of such program of interrelated*
22 *projects”*

23 *(2) PROGRAM OF INTERRELATED PROJECTS.—*
24 *Section 5328(c)(1)(G) of title 49, United States Code,*

1 *is amended by striking “Camp Wisdom” and insert-*
2 *ing “Interstate Route 20, L.B.J. Freeway”.*

3 *(i) KANSAS CITY LIGHT RAIL LINE.—Section 3035(k)*
4 *of such Act is amended by striking “\$1,500,000 in fiscal*
5 *year 1992, and \$4,400,000 in fiscal year 1993” and insert-*
6 *ing “\$5,900,000”.*

7 *(j) DOWNTOWN ORLANDO CIRCULATOR PROJECT.—*
8 *Section 3035(l) of such Act is amended—*

9 *(1) by striking the subsection heading and in-*
10 *serting “DOWNTOWN ORLANDO CIRCULATOR*
11 *PROJECT”;*

12 *(2) by striking “No later than April 30, 1992,*
13 *the” and inserting “The”;*

14 *(3) by striking “for” the second place it appears*
15 *and all that follows through the period at the end and*
16 *inserting “and the completion of final design, con-*
17 *struction, land and equipment acquisition, and relat-*
18 *ed activities for the Downtown Orlando Circulator*
19 *project.”.*

20 *(k) DETROIT LIGHT RAIL PROJECT.—Section 3035(m)*
21 *of such Act is amended by striking “not less than” the first*
22 *place it appears and all that follows through “1993,” and*
23 *inserting “\$20,000,000”.*

24 *(l) LAKEWOOD-FREEHOLD-MATAWAN OR JAMESBURG*
25 *RAIL PROJECT.—Section 3035(p) of such Act is amended*

1 *by striking “\$1,800,000” and all that follows through*
2 *“1994” and inserting “\$7,800,000”.*

3 *(m) CHARLOTTE LIGHT RAIL STUDY.—Section*
4 *3035(r) of such Act is amended by striking “\$125,000” and*
5 *all that follows through “1993” and inserting “\$500,000”.*

6 *(n) SAN DIEGO MID COAST FIXED GUIDEWAY*
7 *PROJECT.—Section 3035(u) of such Act is amended—*

8 *(1) in the subsection heading by striking “MID*
9 *COAST LIGHT RAIL PROJECT” and inserting “MET-*
10 *ROPOLITAN TRANSIT IMPROVEMENT PROGRAM”;*

11 *(2) by striking “No later than April 30, 1992,*
12 *the” and inserting “The”;*

13 *(3) by striking “, \$2,000,000” and all that fol-*
14 *lows through the period and inserting “\$27,000,000*
15 *for the integrated project financing of the San Diego*
16 *Mid Coast and Mission Valley East Corridor fixed*
17 *guideway projects.”.*

18 *(o) EUREKA SPRINGS, ARKANSAS.—Section 3035(z) of*
19 *such Act is amended by striking the text and inserting the*
20 *following: “From funds made available under section*
21 *5309(m)(1)(C) of title 49, United States Code, the Secretary*
22 *shall make available \$63,600 to Eureka Springs Transit for*
23 *the purchase of an alternative fueled vehicle which is acces-*
24 *sible to and usable by individuals with disabilities.”.*

1 (p) *BALTIMORE-WASHINGTON TRANSPORTATION IM-*
2 *PROVEMENTS PROGRAM.—Section 3035(nn) of such Act is*
3 *amended—*

4 (1) *in paragraph (1) by striking “as follows:”*
5 *and all that follows through “1994.” and inserting*
6 *“and shall be \$60,000,000.”;*

7 (2) *in paragraph (2) by striking “as follows:”*
8 *and all that follows through the period at the end of*
9 *subparagraph (C) and inserting “and shall total*
10 *\$160,000,000.”; and*

11 (3) *in paragraph (3) by striking “for fiscal year*
12 *1993”.*

13 (q) *DULLES CORRIDOR RAIL PROJECT.—Section*
14 *3035(aaa) of such Act is amended—*

15 (1) *by striking “No later than April 30, 1992,*
16 *the” and inserting “The”; and*

17 (2) *by striking “the completion” and all that fol-*
18 *lows through “engineering for”.*

19 (r) *CENTRAL PUGET SOUND REGIONAL TRANSIT*
20 *PROJECT.—Section 3035(bbb) of such Act is amended to*
21 *read as follows:*

22 “*(bbb) CENTRAL PUGET SOUND REGIONAL TRANSIT*
23 *PROJECT.—From funds made available under section*
24 *5309(m)(1)(B) of title 49, United States Code, the Secretary*

1 *shall make available \$300,000,000 for the Central Puget*
2 *Sound Regional Transit Project.”.*

3 (s) *CANAL STREET CORRIDOR LIGHT RAIL.—Section*
4 *3035(fff) of such Act is amended—*

5 (1) *by striking “No later than April 30, 1992,*
6 *the” and inserting “The”; and*

7 (2) *by striking “negotiate” and all that follows*
8 *through “includes” and inserting “make available”.*

9 (t) *ADDITIONAL TRANSIT PROJECTS.—*

10 (1) *CANTON-AKRON-CLEVELAND COMMUTER*
11 *RAIL.—From funds made available under section*
12 *5309(m)(1)(B) of title 49, United States Code, the*
13 *Secretary shall make available \$6,500,000 for the*
14 *Canton-Akron-Cleveland Commuter Rail project.*

15 (2) *CINCINNATI NORTHEAST/NORTHERN KEN-*
16 *TUCKY RAIL.—From funds made available under such*
17 *section, the Secretary shall make available \$2,000,000*
18 *for the Cincinnati Northeast/Northern Kentucky Rail*
19 *project.*

20 (3) *DART NORTH CENTRAL LIGHT RAIL EXTEN-*
21 *SION.—From funds made available under such sec-*
22 *tion, the Secretary shall make available \$2,500,000*
23 *for the DART North Central Light Rail Extension*
24 *project.*

1 (4) *DALLAS-FORT WORTH RAILTRAN.*—From
2 funds made available under such section, the Sec-
3 retary shall make available \$5,000,000 for the Dallas-
4 Fort Worth RAILTRAN project.

5 (5) *FLORIDA TRI-COUNTY COMMUTER RAIL.*—
6 From funds made available under such section, the
7 Secretary shall make available \$10,000,000 for the
8 Florida Tri-County Commuter Rail project.

9 (6) *MIAMI-NORTH 27TH AVENUE.*—From funds
10 made available under such section, the Secretary shall
11 make available \$2,000,000 for the Miami-North 27th
12 Avenue project.

13 (7) *MEMPHIS, TENNESSEE, REGIONAL RAIL*
14 *PLAN.*—From funds made available under such sec-
15 tion, the Secretary shall make available \$2,500,000
16 for the Memphis, Tennessee, Regional Rail Plan
17 project.

18 (8) *NEW ORLEANS CANAL STREET CORRIDOR.*—
19 From funds made available under such section, the
20 Secretary shall make available \$10,000,000 for the
21 New Orleans Canal Street Corridor project.

22 (9) *ORANGE COUNTY TRANSITWAY.*—From funds
23 made available under such section, the Secretary shall
24 make available \$5,000,000 for the Orange County
25 Transitway project.

1 (10) *WHITEHALL FERRY TERMINAL, NEW YORK,*
2 *NEW YORK.—From funds made available under such*
3 *section, the Secretary shall make available \$5,000,000*
4 *for the Whitehall Ferry Terminal project.*

5 (11) *WISCONSIN CENTRAL COMMUTER.—From*
6 *funds made available under such section, the Sec-*
7 *retary shall make available \$14,400,000 for the Wis-*
8 *consin Central Commuter project.*

9 (12) *SAN JUAN, PUERTO RICO, TREN URBANO.—*
10 *From funds made available under such section, the*
11 *Secretary shall make available \$15,000,000 for the*
12 *San Juan, Puerto Rico, Tren Urbano project.*

13 (13) *TAMPA TO LAKELAND COMMUTER RAIL.—*
14 *From funds made available under such section, the*
15 *Secretary shall make available \$1,000,000 for the*
16 *Tampa to Lakeland Commuter Rail project.*

17 **SEC. 307. METROPOLITAN PLANNING FOR TRANSIT**
18 **PROJECTS.**

19 *Section 5303(b) of title 49, United States Code, is*
20 *amended by adding at the end the following:*

21 “(16) recreational travel and tourism.”.

22 **SEC. 308. CONTRACTING FOR ENGINEERING AND DESIGN**
23 **SERVICES.**

24 *Section 5325 of title 49, United States Code, is amend-*
25 *ed by adding at the end the following:*

1 “(e) *SPECIAL RULES FOR ENGINEERING AND DESIGN*
2 *CONTRACTS.*—

3 “(1) *PERFORMANCE AND AUDITS.*—Any contract
4 or subcontract awarded in accordance with subsection
5 (d), whether funded in whole or in part with Federal
6 transit funds, shall be performed and audited in com-
7 pliance with cost principles contained in the Federal
8 acquisition regulations of part 31 of title 48 of the
9 Code of Federal Regulations.

10 “(2) *INDIRECT COST RATES.*—Instead of per-
11 forming its own audits, a recipient of funds under a
12 contract or subcontract awarded in accordance with
13 subsection (d) shall accept indirect cost rates estab-
14 lished in accordance with the Federal acquisition reg-
15 ulations for 1-year applicable accounting periods by
16 a cognizant Federal or State government agency, if
17 such rates are not currently under dispute. Once a
18 firm’s indirect cost rates are accepted, the recipient of
19 such funds shall apply such rates for the purposes of
20 contract estimation, negotiation, administration, re-
21 porting, and contract payment and shall not be lim-
22 ited by administrative or de facto ceilings of any
23 kind. A recipient of such funds requesting or using
24 the cost and rate data described in this paragraph
25 shall notify any affected firm before such request or

1 *use. Such data shall be confidential and shall not be*
2 *accessible or provided, in whole or in part, to another*
3 *firm or to any government agency which is not part*
4 *of the group of agencies sharing cost data under this*
5 *paragraph, except by written permission of the au-*
6 *dated firm. If prohibited by law, such cost and rate*
7 *data shall not be disclosed under any circumstances.*

8 *“(3) STATE OPTION.—Paragraphs (1) and (2)*
9 *shall take effect 2 years after the date of the enact-*
10 *ment of this subsection with respect to all States; ex-*
11 *cept that if a State, during such 2-year period, adopts*
12 *by statute an alternative process intended to promote*
13 *engineering and design quality and ensure maximum*
14 *competition by professional companies of all sizes*
15 *providing engineering and design services, such para-*
16 *graphs shall not apply with respect to such State.”.*

17 **SEC. 309. FERRY BOATS AND TERMINAL FACILITIES.**

18 *Section 129(c)(5) of title 23, United States Code, is*
19 *amended—*

20 *(1) by inserting before the period at the end of*
21 *the first sentence the following: “or between a point*
22 *in a State and a point in the Dominion of Canada”;*
23 *and*

1 (2) *in the second sentence by inserting after*
2 *“Puerto Rico” the following: “, between a point in a*
3 *State and a point in the Dominion of Canada,”.*

4 **SEC. 310. UTILIZATION OF THE PRIVATE SECTOR FOR SUR-**
5 **VEYING AND MAPPING SERVICES.**

6 *Section 306 of title 23, United States Code, is amend-*
7 *ed—*

8 (1) *by inserting “(a) IN GENERAL.—” before*
9 *“In”; and*

10 (2) *by adding at the end the following:*

11 “(b) *GUIDANCE.—The Secretary shall issue guidance*
12 *to encourage States to utilize, to the maximum extent prac-*
13 *ticable, private sector sources for surveying and mapping*
14 *services for highway projects under this title. In carrying*
15 *out this subsection, the Secretary shall determine appro-*
16 *priate roles for State and private mapping and surveying*
17 *activities, including—*

18 “(1) *preparation of standards and specifications;*

19 “(2) *research in surveying and mapping instru-*
20 *mentation and procedures and technology transfer to*
21 *the private sector;*

22 “(3) *providing technical guidance, coordination,*
23 *and administration of State surveying and mapping*
24 *activities; and*

1 “(4) *establishing a schedule with quantifiable*
2 *goals for increasing the use by the States of private*
3 *sector sources for surveying and mapping activities.*”.

4 **SEC. 311. FORMULA GRANT PROGRAM.**

5 (a) *TRANSIT SECURITY SYSTEMS.*—Section
6 5307(d)(1)(J)(i) of title 49, United States Code, is amended
7 by inserting before “and any other” the following: “employ-
8 ing law enforcement or security personnel in areas within
9 or adjacent to such systems,”.

10 (b) *FERRYBOAT OPERATIONS.*—For purposes of cal-
11 culating apportionments under section 5336 of title 49,
12 United States Code, for fiscal years beginning after Septem-
13 ber 30, 1995, 50 percent of the ferryboat revenue vehicle
14 miles and 50 percent of the ferryboat route miles attrib-
15 utable to service provided to the city of Avalon, California,
16 for which the operator receives public assistance shall be
17 included in the calculation of “fixed guideway vehicle reve-
18 nue miles” and “fixed guideway route miles” attributable
19 to the Los Angeles urbanized area under sections
20 5336(b)(2)(A) and 5335 of such title.

21 **SEC. 312. ACCESSIBILITY OF OVER-THE-ROAD BUSES TO IN-**
22 **DIVIDUALS WITH DISABILITIES.**

23 Section 306(a)(2)(B)(iii) of the Americans With Dis-
24 abilities Act of 1990 (42 U.S.C. 12186(a)(2)(B)(iii)) is
25 amended—

1 (1) in subclause (I) by striking “7 years after the
2 date of the enactment of this Act” and inserting “3
3 years after the date of issuance of final regulations
4 under subparagraph (B)(ii)”; and

5 (2) in subclause (II) by striking “6 years after
6 such date of enactment” and inserting “2 years after
7 the date of issuance of such final regulations”.

8 **SEC. 313. ALASKA RAILROAD.**

9 Section 5337(a)(3)(B) of title 49, United States Code,
10 is amended by adding at the end the following: “The Alaska
11 Railroad is eligible for assistance under this subparagraph
12 with respect to improvements to its passenger operations.”.

13 **SEC. 314. ALCOHOL AND CONTROLLED SUBSTANCES**
14 **TESTING.**

15 (a) *MASS TRANSIT TESTING.*—Section 5331(b)(1)(A)
16 of title 49, United States Code, is amended to read as
17 follows:

18 “(b) *TESTING PROGRAM FOR MASS TRANSPORTATION*
19 *EMPLOYEES.*—(1)(A) In the interest of mass transportation
20 safety, the Secretary shall prescribe regulations that estab-
21 lish a program requiring mass transportation operations
22 that receive financial assistance under section 5307, 5309,
23 or 5311 of this title or section 103(e)(4) of title 23 to con-
24 duct preemployment, reasonable suspicion, random, and
25 post-accident testing of mass transportation employees re-

1 *sponsible for safety-sensitive functions (as decided by the*
2 *Secretary) for the use of a controlled substance in violation*
3 *of law or a United States Government regulation, and to*
4 *conduct reasonable suspicion, random, and post-accident*
5 *testing of such employees for the use of alcohol in violation*
6 *of law or a United States Government regulation. The regu-*
7 *lations shall permit such operations to conduct*
8 *preemployment testing of such employees for the use of*
9 *alcohol.”.*

10 (b) *RAILROAD TESTING.—Section 20140(b)(1)(A) of*
11 *title 49, United States Code, is amended to read as follows:*

12 “(A) a railroad carrier to conduct
13 *preemployment, reasonable suspicion, random, and*
14 *post-accident testing of all railroad employees respon-*
15 *sible for safety-sensitive functions (as decided by the*
16 *Secretary) for the use of a controlled substance in vio-*
17 *lation of law or a United States Government regula-*
18 *tion, and to conduct reasonable suspicion, random,*
19 *and post-accident testing of such employees for the use*
20 *of alcohol in violation of law or a United States Gov-*
21 *ernment regulation; the regulations shall permit such*
22 *railroad carriers to conduct preemployment testing of*
23 *such employees for the use of alcohol; and”.*

24 (c) *MOTOR CARRIER TESTING.—Section*
25 *31306(b)(1)(A) of such title is amended to read as follows:*

1 “(b) *TESTING PROGRAM FOR OPERATORS OF COMMER-*
2 *CIAL MOTOR VEHICLES.—(1)(A) In the interest of commer-*
3 *cial motor vehicle safety, the Secretary of Transportation*
4 *shall prescribe regulations that establish a program requir-*
5 *ing motor carriers to conduct preemployment, reasonable*
6 *suspicion, random, and post-accident testing of operators*
7 *of commercial motor vehicles for the use of controlled sub-*
8 *stance in violation of law or a United States Government*
9 *regulation and to conduct reasonable suspicion, random,*
10 *and post-accident testing of such operators for the use of*
11 *alcohol in violation of law or a United States Government*
12 *regulation. The regulations shall permit such motor carriers*
13 *to conduct preemployment testing of such employees for the*
14 *use of alcohol.”.*

15 (d) *AVIATION TESTING.—*

16 (1) *PROGRAM FOR EMPLOYEES OF AIR CARRIERS*
17 *AND FOREIGN AIR CARRIERS.—Section 45102(a)(1) of*
18 *title 49, United States Code, is amended to read as*
19 *follows:*

20 “(a) *PROGRAM FOR EMPLOYEES OF AIR CARRIERS*
21 *AND FOREIGN AIR CARRIERS.—(1) In the interest of avia-*
22 *tion safety, the Administrator of the Federal Aviation Ad-*
23 *ministration shall prescribe regulations that establish a*
24 *program requiring air carriers and foreign air carriers to*
25 *conduct preemployment, reasonable suspicion, random, and*

1 *post-accident testing of airmen, crewmembers, airport secu-*
2 *rity screening contract personnel, and other air carrier em-*
3 *ployees responsible for safety-sensitive functions (as decided*
4 *by the Administrator) for the use of a controlled substance*
5 *in violation of law or a United States Government regula-*
6 *tion; and to conduct reasonable suspicion, random, and*
7 *post-accident testing of airmen, crewmembers, airport secu-*
8 *rity screening contract personnel, and other air carrier em-*
9 *ployees responsible for safety-sensitive functions (as decided*
10 *by the Administrator) for the use of alcohol in violation*
11 *of law or a United States Government regulation. The regu-*
12 *lations shall permit air carriers and foreign air carriers*
13 *to conduct preemployment testing of airmen, crewmembers,*
14 *airport security screening contract personnel, and other air*
15 *carrier employees responsible for safety-sensitive functions*
16 *(as decided by the Administrator) for the use of alcohol.”.*

17 (2) *PROGRAM FOR EMPLOYEES OF THE FEDERAL*
18 *AVIATION ADMINISTRATION.—Section 45102(b)(1) of*
19 *title 49, United States Code, is amended to read as*
20 *follows:*

21 “(b) *PROGRAM FOR EMPLOYEES OF THE FEDERAL*
22 *AVIATION ADMINISTRATION.—(1) The Administrator shall*
23 *establish a program of preemployment, reasonable sus-*
24 *picion, random, and post-accident testing for the use of a*
25 *controlled substance in violation of law or a United States*

1 *Government regulation for employees of the Administration*
2 *whose duties include responsibility for safety-sensitive func-*
3 *tions and shall establish a program of reasonable suspicion,*
4 *random and post-accident testing for the use of alcohol in*
5 *violation of law or a United States Government regulation*
6 *for such employees. The Administrator may establish a pro-*
7 *gram of preemployment testing for the use of alcohol for*
8 *such employees.”.*

9 **SEC. 315. ALCOHOL-IMPAIRED DRIVING COUNTER-**
10 **MEASURES.**

11 (a) *TECHNICAL AMENDMENT.*—Section 410(d)(1)(E)
12 *of title 23, United States Code, is amended by striking “the*
13 *date of enactment of this section” and inserting “December*
14 *18, 1991”.*

15 (b) *BASIC GRANT ELIGIBILITY.*—Section 410(d) of
16 *such title is further amended—*

17 (1) *in paragraph (3)—*

18 (A) *by inserting “(A)” after “(3)”;* and

19 (B) *by adding at the end the following:*

20 “(B) *A State shall be treated as having met the*
21 *requirement of this paragraph if—*

22 “(i) *the State provides to the Secretary a*
23 *written certification that the highest court of the*
24 *State has issued a decision indicating that im-*
25 *plementation of subparagraph (A) would con-*

1 *stitute a violation of the constitution of the*
2 *State; and*

3 “(ii) *the State demonstrates to the satisfac-*
4 *tion of the Secretary—*

5 “(I) *that the alcohol fatal crash in-*
6 *volvement rate in the State has decreased in*
7 *each of the 3 most recent calendar years for*
8 *which statistics for determining such rate*
9 *are available; and*

10 “(II) *that the alcohol fatal crash in-*
11 *volvement rate in the State has been lower*
12 *than the average such rate for all States in*
13 *each of such calendar years.”; and*

14 (2) *by adding at the end the following:*

15 “(7) *Any individual under age 21 with a blood*
16 *alcohol concentration of 0.02 percent or greater when*
17 *driving a motor vehicle shall be deemed to be driving*
18 *while intoxicated.”.*

19 (c) *SUPPLEMENTAL GRANTS.—Section 410(f) of such*
20 *title is amended by striking paragraph (1) and redesignat-*
21 *ing paragraphs (2) through (7) as paragraphs (1) through*
22 *(6), respectively.*

23 **SEC. 316. SAFETY RESEARCH INITIATIVES.**

24 (a) *OLDER DRIVERS AND OTHER SPECIAL DRIVER*
25 *GROUPS.—*

1 (1) *STUDY.*—*The Secretary shall conduct a study*
2 *of technologies and practices to improve the driving*
3 *performance of older drivers and other special driver*
4 *groups.*

5 (2) *DEMONSTRATION ACTIVITIES.*—*In conducting*
6 *the study under paragraph (1), the Secretary shall*
7 *undertake demonstration activities which incorporate*
8 *and build upon gerontology research related to the*
9 *study of the normal aging process. The Secretary*
10 *shall initially implement such activities in those*
11 *States which have the highest population of aging*
12 *citizens for whom driving a motor vehicle is their pri-*
13 *mary mobility mode.*

14 (3) *COOPERATIVE AGREEMENT.*—*The Secretary*
15 *shall carry out the study under paragraph (1) by en-*
16 *tering into a cooperative agreement with an institu-*
17 *tion that has demonstrated competencies in geronto-*
18 *logical research, population demographics, human*
19 *factors related to transportation, and advanced tech-*
20 *nology applied to transportation.*

21 (b) *WORK ZONE SAFETY.*—*In carrying out the work*
22 *zone safety program under section 1051 of the Intermodal*
23 *Surface Transportation Efficiency Act of 1991, the Sec-*
24 *retary shall utilize a variety of methods to increase safety*

1 *at highway construction sites, including each of the follow-*
2 *ing:*

3 (1) *Conferences to explore new techniques and*
4 *stimulate dialogue for improving work zone safety.*

5 (2) *Creation of a national clearinghouse to as-*
6 *semble and disseminate, by electronic and other*
7 *means, information relating to the improvement of*
8 *work zone safety.*

9 (3) *A national promotional campaign in co-*
10 *operation with the States to provide timely, site-spe-*
11 *cific information to motorists when construction*
12 *workers are actually present.*

13 (c) *RADIO AND MICROWAVE TECHNOLOGY FOR MOTOR*
14 *VEHICLE SAFETY WARNING SYSTEM.—*

15 (1) *STUDY.—The Secretary shall conduct a study*
16 *to develop and evaluate radio and microwave tech-*
17 *nology for a motor vehicle safety warning system in*
18 *furtherance of safety in all types of motor vehicles.*

19 (2) *EQUIPMENT.—Equipment developed under*
20 *the study to be conducted under subsection (a) shall*
21 *be directed toward, but not limited to, advance warn-*
22 *ing to operators of all types of motor vehicles of—*

23 (A) *temporary obstructions in a highway;*

24 (B) *poor visibility and highway surface*
25 *conditions caused by adverse weather; and*

1 (C) movement of emergency vehicles.

2 (3) *SAFETY APPLICATIONS.*—In conducting the
3 study under paragraph (1), the Secretary shall deter-
4 mine whether the technology described in this sub-
5 section has other appropriate safety applications.

6 **SEC. 317. PUBLIC TRANSIT VEHICLES EXEMPTION.**

7 Section 1023(h)(1) of the Intermodal Surface Trans-
8 portation Efficiency Act of 1991 (23 U.S.C. 127 note) is
9 amended—

10 (1) by striking “2-year” the first place it ap-
11 pears and all that follows through “Act,” and insert-
12 ing “period beginning on October 6, 1992, and ending
13 on the date on which Federal-aid highway and tran-
14 sit programs are reauthorized after the date of the en-
15 actment of the National Highway System Designation
16 Act of 1995,”; and

17 (2) by striking the second sentence.

18 **SEC. 318. CONGESTION MITIGATION AND AIR QUALITY IM-**

19 **PROVEMENT PROGRAM.**

20 (a) *AREAS ELIGIBLE FOR FUNDS.*—

21 (1) *IN GENERAL.*—The first sentence of section
22 149(b) of title 23, United States Code, is amended—

23 (A) by inserting “if the project or program
24 is for an area in the State that was designated
25 as a nonattainment area under section 107(d) of

1 the Clean Air Act (42 U.S.C. 7407(d)) during
2 any part of fiscal year 1994 and” after “pro-
3 gram” the 2nd place it appears; and

4 (B) in paragraph (1)(A) by striking “con-
5 tribute” and all that follows through “; or” and
6 inserting the following: “contribute to—

7 “(i) the attainment of a national ambient
8 air quality standard; or

9 “(ii) the maintenance of a national ambient
10 air quality standard in an area that was des-
11 ignated as a nonattainment area but that was
12 later redesignated by the Administrator of the
13 Environmental Protection Agency as an attain-
14 ment area under section 107(d) of the Clean Air
15 Act (42 U.S.C. 7407(d)); or”.

16 (2) APPORTIONMENT.—Section 104(b)(2) of title
17 23, United States Code, is amended—

18 (A) in the second sentence, by striking “is
19 a nonattainment area (as defined in the Clean
20 Air Act) for ozone” and inserting “was a non-
21 attainment area (as defined in section 171(2) of
22 the Clean Air Act (42 U.S.C. 7501(2))) for ozone
23 during any part of fiscal year 1994”; and

24 (B) in the third sentence—

1 (i) by striking “is also” and inserting
2 “was also”; and

3 (ii) by inserting “during any part of
4 fiscal year 1994” after “monoxide”.

5 (b) *EFFECT OF LIMITATION ON APPORTIONMENT.*—
6 *Notwithstanding any other provision of law, for each of fis-*
7 *cal years 1996 and 1997, any limitation under an amend-*
8 *ment made by this section on an apportionment of funds*
9 *otherwise authorized under section 1003(a)(4) of the Inter-*
10 *modal Surface Transportation Efficiency Act of 1991 (105*
11 *Stat. 1919) shall not affect any hold harmless apportion-*
12 *ment adjustment under section 1015(a) of such Act (105*
13 *Stat. 1943).*

14 **SEC. 319. QUALITY IMPROVEMENT.**

15 (a) *LIFE-CYCLE COST ANALYSIS.*—Section 106 of title
16 23, United States Code, is amended by adding at the end
17 the following:

18 “(e) *LIFE-CYCLE COST ANALYSIS.*—

19 “(1) *ESTABLISHMENT.*—The Secretary shall es-
20 tablish a program to require States to conduct an
21 analysis of the life-cycle costs of all projects on the
22 National Highway System with an estimated total
23 cost of \$25,000,000 or more.

24 “(2) *ANALYSIS OF LIFE-CYCLE COSTS DE-*
25 *FINED.*—In this subsection, the term ‘analysis of life-

1 *cycle costs’ means a process for evaluating the total*
2 *economic worth of one or more projects by analyzing*
3 *both initial costs as well as discounted future costs,*
4 *such as maintenance, reconstruction, rehabilitation,*
5 *restoring, and resurfacing costs, over the life of the*
6 *project or projects.’’.*

7 **(b) VALUE ENGINEERING.**—*Such section is further*
8 *amended by adding at the end the following:*

9 **“(f) VALUE ENGINEERING FOR NHS.**—

10 **“(1) REQUIREMENT.**—*The Secretary shall estab-*
11 *lish a program to require States to carry out a value*
12 *engineering analysis for all projects on the National*
13 *Highway System with an estimated total cost of*
14 *\$25,000,000 or more.*

15 **“(2) VALUE ENGINEERING DEFINED.**—*For pur-*
16 *poses of this subsection, the term ‘value engineering*
17 *analysis’ means a systematic process of review and*
18 *analysis of a project or activity during its design*
19 *phase by a multidisciplined team of persons not origi-*
20 *nally involved in the project or activity in order to*
21 *provide suggestions for reducing the total cost of the*
22 *project or activity and providing a project or activity*
23 *of equal or better quality. Such suggestions may in-*
24 *clude a combination or elimination of inefficient or*
25 *expensive parts of the original proposed design for the*

1 *project or activity and total redesign of the proposed*
2 *project or activity using different technologies, mate-*
3 *rials, or methods so as to accomplish the original pur-*
4 *pose of the project or activity.”.*

5 **SEC. 320. APPLICABILITY OF TRANSPORTATION CONFORM-**
6 **ITY REQUIREMENTS.**

7 *(a) HIGHWAY CONSTRUCTION.—Section 109(j) of title*
8 *23, United States Code, is amended by striking “plan for*
9 *the implementation of any ambient air quality standard*
10 *for any air quality control region designated pursuant to*
11 *the Clean Air Act, as amended.” and inserting the follow-*
12 *ing: “plan for—*

13 *“(1) the implementation of a national ambient*
14 *air quality standard for which an area is designated*
15 *as a nonattainment area under section 107(d) of the*
16 *Clean Air Act (42 U.S.C. 7407(d)); or*

17 *“(2) the maintenance of a national ambient air*
18 *quality standard in an area that was designated as*
19 *a nonattainment area but that was later redesignated*
20 *by the Administrator as an attainment area for the*
21 *standard and that is required to develop a mainte-*
22 *nance plan under section 175A of the Clean Air Act*
23 *(42 U.S.C. 7505a).”.*

1 (b) *CLEAN AIR ACT REQUIREMENTS.*—Section 176(c)
2 of the Clean Air Act (42 U.S.C. 7506(c)) is amended by
3 adding at the end the following:

4 “(5) *APPLICABILITY.*—This subsection shall
5 apply only with respect to—

6 “(A) a nonattainment area and each spe-
7 cific pollutant for which the area is designated
8 as a nonattainment area; and

9 “(B) an area that was designated as a non-
10 attainment area but that was later redesignated
11 by the Administrator as an attainment area and
12 that is required to develop a maintenance plan
13 under section 175A with respect to the specific
14 pollutant for which the area was designated non-
15 attainment.”.

16 **SEC. 321. QUALITY THROUGH COMPETITION.**

17 (a) *CONTRACTING FOR ENGINEERING AND DESIGN*
18 *SERVICES.*—Section 112(b)(2) of title 23, United States
19 Code, is amended by adding at the end the following new
20 subparagraphs:

21 “(C) *PERFORMANCE AND AUDITS.*—Any
22 contract or subcontract awarded in accordance
23 with subparagraph (A), whether funded in whole
24 or in part with Federal-aid highway funds, shall
25 be performed and audited in compliance with

1 *cost principles contained in the Federal acquisi-*
2 *tion regulations of part 31 of title 48 of the Code*
3 *of Federal Regulations.*

4 “(D) *INDIRECT COST RATES.*—*Instead of*
5 *performing its own audits, a recipient of funds*
6 *under a contract or subcontract awarded in ac-*
7 *cordance with subparagraph (A) shall accept in-*
8 *direct cost rates established in accordance with*
9 *the Federal acquisition regulations for 1-year*
10 *applicable accounting periods by a cognizant*
11 *Federal or State government agency, if such*
12 *rates are not currently under dispute. Once a*
13 *firm’s indirect cost rates are accepted, the recipi-*
14 *ent of such funds shall apply such rates for the*
15 *purposes of contract estimation, negotiation, ad-*
16 *ministration, reporting, and contract payment*
17 *and shall not be limited by administrative or de*
18 *facto ceilings of any kind. A recipient of such*
19 *funds requesting or using the cost and rate data*
20 *described in this subparagraph shall notify any*
21 *affected firm before such request or use. Such*
22 *data shall be confidential and shall not be acces-*
23 *sible or provided, in whole or in part, to another*
24 *firm or to any government agency which is not*
25 *part of the group of agencies sharing cost data*

1 under this subparagraph, except by written per-
2 mission of the audited firm. If prohibited by law,
3 such cost and rate data shall not be disclosed
4 under any circumstances.

5 “(E) *STATE OPTION.*—Subparagraphs (C)
6 and (D) shall take effect 2 years after the date
7 of the enactment of this subparagraph with re-
8 spect to all States; except that if a State, during
9 such 2-year period, adopts by statute an alter-
10 native process intended to promote engineering
11 and design quality and ensure maximum com-
12 petition by professional companies of all sizes
13 providing engineering and design services, such
14 subparagraphs shall not apply with respect to
15 such State.”.

16 (b) *REPEAL OF PILOT PROGRAM.*—Section 1092 of the
17 Intermodal Surface Transportation Efficiency Act of 1991
18 (23 U.S.C. 112 note; 105 Stat. 2024) is repealed.

19 **SEC. 322. APPLICABILITY OF CERTAIN VEHICLE WEIGHT**
20 **LIMITATIONS IN WISCONSIN.**

21 Section 127 of title 23, United States Code, is amended
22 by adding at the end the following:

23 “(f) *OPERATION OF CERTAIN SPECIALIZED HAULING*
24 *VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.*—If the
25 104-mile portion of Wisconsin State Route 78 and United

1 *States Route 51 between Interstate Route 94 near Portage,*
2 *Wisconsin, and Wisconsin State Route 29 south of Wausau,*
3 *Wisconsin, is designated as part of the Interstate System*
4 *under section 139(a), the single axle weight, tandem axle*
5 *weight, gross vehicle weight, and bridge formula limits set*
6 *forth in subsection (a) shall not apply to the 104-mile por-*
7 *tion with respect to the operation of any vehicle that could*
8 *legally operate on the 104-mile portion before the date of*
9 *enactment of this subsection.”.*

10 **SEC. 323. TREATMENT OF CENTENNIAL BRIDGE, ROCK IS-**
11 **LAND, ILLINOIS, AGREEMENT.**

12 *For purposes of section 129(a)(6) of title 23, United*
13 *States Code, the agreement concerning the Centennial*
14 *Bridge, Rock Island, Illinois, entered into under the Act*
15 *entitled “An Act authorizing the city of Rock Island, Illi-*
16 *nois, or its assigns, to construct, maintain, and operate a*
17 *toll bridge across the Mississippi River at or near Rock Is-*
18 *land, Illinois, and to a place at or near the city of Dav-*
19 *enport, Iowa”, approved March 18, 1938 (52 Stat. 110,*
20 *chapter 48), shall be treated as if the agreement had been*
21 *entered into under section 129 of title 23, United States*
22 *Code, as in effect on December 17, 1991, and may be modi-*
23 *fied in accordance with section 129(a)(6) of the title.*

1 **SEC. 324. METRIC REQUIREMENTS AND SIGNS.**

2 (a) *PLACEMENT OF SIGNS.*—Before September 30,
3 1997, the Secretary may not require the States to expend
4 any Federal or State funds to construct, erect, or otherwise
5 place any sign relating to any speed limit, distance, or
6 other measurement on any highway for the purpose of hav-
7 ing such sign establish such speed limit, distance, or other
8 measurement using the metric system.

9 (b) *MODIFICATION OF SIGNS.*—Before September 30,
10 1997, the Secretary may not require the States to expend
11 any Federal or State funds to modify any sign relating to
12 any speed limit, any distance, or other measurement on any
13 highway for the purpose of having such sign establish such
14 speed limit, distance, or measurement using the metric
15 system.

16 (c) *DEFINITIONS.*—In this section, the following defi-
17 nitions apply:

18 (1) *HIGHWAY.*—The term “highway” has the
19 meaning such term has under section 101 of title 23,
20 United States Code.

21 (2) *METRIC SYSTEM.*—The term “metric system”
22 has the meaning the term “metric system of measure-
23 ment” has under section 4 of the Metric Conversion
24 Act of 1975 (15 U.S.C. 205c).

1 **SEC. 325. ISTEA TECHNICAL CLARIFICATION.**

2 *Section 131(s) of title 23, United States Code, is*
3 *amended by striking the period at the end of the first sen-*
4 *tence and inserting the following: “; except that nothing in*
5 *this subsection or section 1047 of the Intermodal Surface*
6 *Transportation Efficiency Act of 1991 shall restrict, or oth-*
7 *erwise be applied by the Secretary to affect, the authority*
8 *of a State under subsection (d) of this section with respect*
9 *to commercial or industrial areas or the authority of a*
10 *State under subsection (k) of this section to establish stand-*
11 *ards imposing stricter limitations than those established in*
12 *this subsection.”.*

13 **SEC. 326. METROPOLITAN PLANNING FOR HIGHWAY**
14 **PROJECTS.**

15 *Section 134(f) of title 23, United States Code, is*
16 *amended by adding at the end the following:*
17 *“(16) Recreational travel and tourism.”.*

18 **SEC. 327. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE**
19 **PROJECTS.**

20 *Section 144(l) of title 23, United States Code, is*
21 *amended by adding at the end the following: “Any non-*
22 *Federal funds expended for the seismic retrofit of the bridge*
23 *may be credited toward the non-Federal share required as*
24 *a condition of receipt of any Federal funds for seismic retro-*
25 *fit of the bridge made available after the date of the expendi-*
26 *ture.”.*

1 **SEC. 328. DISCOVERY AND ADMISSION AS EVIDENCE OF**
2 **CERTAIN REPORTS AND SURVEYS.**

3 *Section 409 of title 23, United States Code, is amended*
4 *by inserting “or collected” after “compiled”.*

5 **SEC. 329. NATIONAL RECREATIONAL TRAILS.**

6 *(a) STATE ELIGIBILITY.—Section 1302(c) of the Inter-*
7 *modal Surface Transportation Efficiency Act of 1991 (33*
8 *U.S.C. 1261(c)) is amended—*

9 *(1) by striking “Act” each place it appears and*
10 *inserting “part”;*

11 *(2) in paragraph (2) by striking subparagraph*
12 *(B) and redesignating subparagraphs (C) and (D) as*
13 *subparagraphs (B) and (C), respectively; and*

14 *(3) by adding at the end the following:*

15 *“(3) SIXTH YEAR PROVISION.—On and after the*
16 *date that is 5 years after the date of the enactment*
17 *of this part, a State shall be eligible to receive moneys*
18 *under this part in a fiscal year only if the State*
19 *agrees to expend from non-Federal sources for carry-*
20 *ing out projects under this part an amount equal to*
21 *20 percent of the amount received by the State under*
22 *this part in such fiscal year.”.*

23 *(b) ADMINISTRATIVE COSTS.—Section 1302(d)(1) of*
24 *such Act (33 U.S.C. 1261(d)(1)) is amended—*

25 *(1) by striking “and” at the end of subpara-*
26 *graph (C);*

1 (2) by redesignating subparagraph (D) as sub-
2 paragraph (E); and

3 (3) by inserting after subparagraph (C) the
4 following:

5 “(D) contracting for services with other
6 land management agencies; and”.

7 (c) ENVIRONMENTAL MITIGATION.—

8 (1) IN GENERAL.—Section 1302(e) of such Act
9 (33 U.S.C. 1261(e)) is amended—

10 (A) by redesignating paragraphs (5), (6),
11 (7), and (8) as paragraphs (6), (7), (8), and (9),
12 respectively; and

13 (B) by inserting after paragraph (4) the
14 following:

15 “(5) ENVIRONMENTAL MITIGATION.—

16 “(A) REQUIREMENT.—To the extent prac-
17 ticable and consistent with other requirements of
18 this section, in complying with paragraph (4), a
19 State shall give priority to project proposals
20 which provide for the redesign, reconstruction,
21 nonroutine maintenance, or relocation of trails
22 in order to mitigate and minimize the impact to
23 the natural environment.

24 “(B) COMPLIANCE.—The State shall receive
25 guidance for determining compliance with sub-

1 *paragraph (A) from the recreational trail advisory board satisfying the requirements of subsection (c)(2)(A).”.*

4 (2) *CONFORMING AMENDMENT.—Section 1302(e)(4) of such Act (33 U.S.C. 1261(e)(4)) is amended by striking “paragraphs (6) and (8)(B)” and inserting “paragraphs (7) and (9)(B)”.*

8 (d) *EXCLUSIONS.—Section 1302(e)(7) of such Act, as redesignated by subsection (c), is amended—*

10 (1) *by striking “(7) SMALL STATE EXCLUSION.—” and inserting the following:*

12 “*(7) EXCLUSIONS.—*

13 “*(A) SMALL STATE.—*”;

14 (2) *by moving the text of subparagraph (A), as designated by paragraph (1), 2 ems to the right; and*

16 (3) *by adding at the end the following:*

17 “*(B) BEST INTEREST OF A STATE.—Any State which determines based on trail needs identified in its State Comprehensive Outdoor Recreation Plan that it is in the best interest of the State to be exempt from the requirements of paragraph (4) may apply to the Secretary for such an exemption. Before approving or disapproving an application for such an exemption, the Secretary shall publish in the Federal Reg-*

1 *ister notice of receipt of the application and pro-*
2 *vide an opportunity for public comment on the*
3 *application.”.*

4 *(e) RETURN OF MONEYS NOT EXPENDED.—Section*
5 *1302(e)(9) of such Act, as redesignated by subsection (c),*
6 *is amended—*

7 *(1) by inserting “the State” before “may be ex-*
8 *empted”; and*

9 *(2) by striking “and expended or committed”*
10 *and all that follows before the period.*

11 *(f) ADVISORY COMMITTEE.—Section 1303(b) of such*
12 *Act (16 U.S.C. 1262(b)) is amended—*

13 *(1) by striking “11 members” and inserting “12*
14 *members”;*

15 *(2) by redesignating paragraphs (2), (3), and (4)*
16 *as paragraphs (3), (4), and (5), respectively; and*

17 *(3) by inserting after paragraph (1) the follow-*
18 *ing:*

19 *“(2) 1 member appointed by the Secretary rep-*
20 *resenting individuals with disabilities;”.*

21 **SEC. 330. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.**

22 *(a) IN GENERAL.—Section 1105(c) of the Intermodal*
23 *Surface Transportation Efficiency Act of 1991 (105 Stat.*
24 *2032) is amended—*

1 (1) *by striking paragraph (5) and inserting the*
2 *following:*

3 “(5)(A) *I-73/74 North-South Corridor from*
4 *Charleston, South Carolina, through Winston-Salem,*
5 *North Carolina, to Portsmouth, Ohio, to Cincinnati,*
6 *Ohio, to termini at Detroit, Michigan and Sault Ste.*
7 *Marie, Michigan. The Sault Ste. Marie terminus shall*
8 *be reached via a corridor connecting Adrian, Jackson,*
9 *Lansing, Mount Pleasant, and Grayling, Michigan.*

10 “(B)(i) *In the Commonwealth of Virginia, the*
11 *Corridor shall generally follow—*

12 “(I) *United States Route 220 from the Vir-*
13 *ginia-North Carolina border to I-581 south of*
14 *Roanoke;*

15 “(II) *I-581 to I-81 in the vicinity of Roa-*
16 *noke;*

17 “(III) *I-81 to the proposed highway to*
18 *demonstrate intelligent transportation systems*
19 *authorized by item 29 of the table in section*
20 *1107(b) in the vicinity of Christiansburg to*
21 *United States Route 460 in the vicinity of*
22 *Blacksburg; and*

23 “(IV) *United States Route 460 to the West*
24 *Virginia State line.*

1 “(ii) In the States of West Virginia, Kentucky,
2 and Ohio, the Corridor shall generally follow—

3 “(I) United States Route 460 from the West
4 Virginia State line to United States Route 52 at
5 Bluefield, West Virginia; and

6 “(II) United States Route 52 to United
7 States Route 23 at Portsmouth, Ohio.

8 “(iii) In the States of North Carolina and South
9 Carolina, the Corridor shall generally follow—

10 “(I) in the case of I-73—

11 “(aa) United States Route 220 from
12 the Virginia State line to State Route 68 in
13 the vicinity of Greensboro;

14 “(bb) State Route 68 to I-40;

15 “(cc) I-40 to United States Route 220
16 in Greensboro;

17 “(dd) United States Route 220 to
18 United States Route 1 near Rockingham;

19 “(ee) United States Route 1 to the
20 South Carolina State line; and

21 “(ff) South Carolina State line to
22 Charleston, South Carolina; and

23 “(II) in the case of I-74—

24 “(aa) I-77 from Bluefield, West Vir-
25 ginia, to the junction of I-77 and the Unit-

1 *ed States Route 52 connector in Surry*
2 *County, North Carolina;*

3 *“(bb) the I-77/United States Route 52*
4 *connector to United States Route 52 south*
5 *of Mount Airy, North Carolina;*

6 *“(cc) United States Route 52 to United*
7 *States Route 311 in Winston-Salem, North*
8 *Carolina;*

9 *“(dd) United States Route 311 to*
10 *United States Route 220 in the vicinity of*
11 *Randleman, North Carolina.*

12 *“(ee) United States Route 220 to Unit-*
13 *ed States Route 74 near Rockingham;*

14 *“(ff) United States Route 74 to United*
15 *States Route 76 near Whiteville;*

16 *“(gg) United States Route 74/76 to the*
17 *South Carolina State line in Brunswick*
18 *County; and*

19 *“(hh) South Carolina State line to*
20 *Charleston, South Carolina.”;*

21 *(2) in paragraph (18)—*

22 *(A) by striking “and”;*

23 *(B) by inserting “Arkansas,” after “Ten-*
24 *nessee,”; and*

1 (C) by inserting before the period at the end
2 the following: “, and to the Lower Rio Grande
3 Valley at the border between the United States
4 and Mexico”;

5 (3) by inserting before the period at the end of
6 paragraph (20) the following: “, and to include the
7 Corpus Christi Northside Highway and Rail Corridor
8 from the existing intersection of United States Route
9 77 and Interstate Route 37 to United States Route
10 181”; and

11 (4) by adding at the end the following:

12 “(22) The Alameda Transportation Corridor
13 along Alameda Street from the entrance to the ports
14 of Los Angeles and Long Beach to Interstate 10, Los
15 Angeles, California.

16 “(23) The Interstate Route 35 Corridor from La-
17 redo, Texas, through Oklahoma City, Oklahoma, to
18 Wichita, Kansas, to Kansas City, Kansas/Missouri, to
19 Des Moines, Iowa, to Minneapolis, Minnesota, to Du-
20 luth, Minnesota.

21 “(24) The Dalton Highway from Deadhorse,
22 Alaska to Fairbanks, Alaska.

23 “(25) State Route 168 (South Battlefield Boule-
24 vard), Virginia, from the Great Bridge Bypass to the
25 North Carolina State line.

1 “(26) *The CANNAMEX CORRIDOR from*
2 *Nogales, Arizona, through Las Vegas, Nevada, to Salt*
3 *Lake City, Utah, to Idaho Falls, Idaho, to Great*
4 *Falls, Montana, to the Canadian Border as follows:*

5 “(A) *In the State of Arizona, the*
6 *CANAMEX CORRIDOR shall generally follow—*

7 “(i) *I-19 from Nogales to Tucson;*

8 “(ii) *I-10 from Tucson to Phoenix;*

9 *and*

10 “(iii) *United States Route 93 from*
11 *Phoenix to the Nevada Border.*

12 “(B) *In the State of Nevada, the*
13 *CANAMEX CORRIDOR shall follow—*

14 “(i) *United States Route 93 from the*
15 *Arizona Border to Las Vegas; and*

16 “(ii) *I-15 from Las Vegas to the Utah*
17 *Border.*

18 “(C) *From the Utah Border to the Cana-*
19 *dian Border, the CANAMEX CORRIDOR shall*
20 *follow I-15.”.*

21 **(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON**
22 *INTERSTATE SYSTEM.—Section 1105(e) of such Act (105*
23 *Stat. 2033) is amended by adding at the end the following:*

24 “(5) *INCLUSION OF CERTAIN ROUTE SEGMENTS*
25 *ON INTERSTATE SYSTEM.—Where not a part of the*

1 *Interstate System, the routes referred to in clauses (i),*
2 *(ii), and (iii) of subsection (c)(5)(B) (other than the*
3 *portion located in the State of West Virginia), in sub-*
4 *section (c)(9), and in subsections (c)(18) and (c)(20)*
5 *are hereby designated future parts of the Interstate*
6 *System. Any segment of such routes shall become a*
7 *part of the Interstate System at such time as the Sec-*
8 *retary determines that the segment—*

9 *“(A) meets the Interstate System design*
10 *standards approved by the Secretary under sec-*
11 *tion 109(b) of title 23, United States Code; and*

12 *“(B) connects to an existing Interstate Sys-*
13 *tem segment and functions as a safe and usable*
14 *segment.”.*

15 **SEC. 331. HIGH PRIORITY CORRIDOR FEASIBILITY STUDIES.**

16 *(a) EVACUATION ROUTES FOR LOUISIANA COASTAL*
17 *AREAS.—Section 1105(e)(2) of the Intermodal Surface*
18 *Transportation Efficiency Act of 1991 (105 Stat. 2033) is*
19 *amended by adding at the end the following new sentence:*
20 *“A feasibility study may be conducted under this subsection*
21 *to identify routes that will expedite future emergency evacu-*
22 *ations of coastal areas of Louisiana.”.*

23 *(b) EAST-WEST TRANSAMERICA CORRIDOR.—With*
24 *amounts available to the Secretary under section 1105(h)*
25 *of the Intermodal Surface Transportation Efficiency Act of*

1 1991, the Secretary in cooperation with the States of Vir-
2 ginia and West Virginia shall conduct a study to determine
3 the feasibility of establishing a route for the East-West
4 Transamerica Corridor (designated pursuant to section
5 1105(c)(3) of such Act) from Beckley, West Virginia, utiliz-
6 ing a corridor entering Virginia near the city of Covington
7 then moving south from the Allegheny Highlands to serve
8 Roanoke and continuing east to Lynchburg. From there
9 such route would continue across Virginia to the Hampton
10 Roads-Norfolk area.

11 **SEC. 332. HIGH COST BRIDGE PROJECTS.**

12 The table contained in section 1103(b) of the Inter-
13 modal Surface Transportation Efficiency Act of 1991 (105
14 Stat. 2027–2028) is amended—

15 (1) in item number 5, relating to Gloucester
16 Point, Virginia, by inserting after “York River” the
17 following: “and for repair, strengthening, and reha-
18 bilitation of the existing bridge”; and

19 (2) in item number 10, relating to Shakopee,
20 Minnesota, by inserting “project, including the bypass
21 of” after “replacement”.

22 **SEC. 333. CONGESTION RELIEF PROJECTS.**

23 The table contained in section 1104(b) of the Inter-
24 modal Surface Transportation Efficiency Act of 1991 (105
25 Stat. 2029–2031) is amended—

1 (1) in item number 1, relating to Long Beach,
2 California, by striking “HOV Lanes on” and insert-
3 ing “downtown Long Beach access ramps into the
4 southern terminus of”;

5 (2) in item number 10, relating to San Diego,
6 California, by striking “1 block of Cut and Cover
7 Tunnel on Rt. 15” and inserting “bridge decking on
8 Route 15”;

9 (3) in item number 23, relating to Tucson, Ari-
10 zona, by inserting “, of which a total of \$3,609,620
11 shall be available for the project authorized by item
12 number 74 of the table contained in section 1106(b)”
13 after “in Tuscon, Arizona”; and

14 (4) in item number 43, relating to West Vir-
15 ginia, by striking “Coal Fields” and inserting “Coal-
16 fields”.

17 **SEC. 334. HIGH PRIORITY CORRIDORS ON NATIONAL HIGH-**
18 **WAY SYSTEM.**

19 Section 1105(c)(3) of the Intermodal Surface Trans-
20 portation Efficiency Act of 1991 (105 Stat. 2032) is amend-
21 ed by inserting before the period at the end the following:
22 “commencing on the Atlantic Coast in the Hampton Roads-
23 Norfolk area going westward across Virginia to a West Vir-
24 ginia corridor centered around Beckley to Welch as part
25 of the Coalfields Expressway described in section 1069(v),

1 *then to Williamson sharing a common corridor with the*
2 *I-73/74 Corridor (referred to in item 12 of the table con-*
3 *tained in subsection (f)), then to a Kentucky Corridor cen-*
4 *tered on the cities of Pikeville, Jenkins, Hazard, London,*
5 *Somerset, Columbia, Bowling Green, Hopkinsville, Benton,*
6 *and Paducah, into Illinois, and into Missouri and exiting*
7 *Western Missouri and entering the southeast corner of*
8 *Kansas”.*

9 **SEC. 335. HIGH PRIORITY CORRIDOR PROJECTS.**

10 *The table contained in section 1105(f) of the Inter-*
11 *modal Surface Transportation Efficiency Act of 1991 (105*
12 *Stat. 2033–2035) is amended—*

13 *(1) in item 1, relating to Pennsylvania, by in-*
14 *serting after “For” the following: “the segment de-*
15 *scribed in item 6 of this table and up to \$11,000,000*
16 *for”;*

17 *(2) in item 2, relating to Alabama, Georgia,*
18 *Mississippi, Tennessee, by inserting after “Rt. 72” the*
19 *following: “and up to \$1,500,000 from the State of*
20 *Alabama’s share of the project for modification of the*
21 *Keller Memorial Bridge in Decatur, Alabama, to a*
22 *pedestrian structure”;* and

23 *(3) in item number 26, relating to Indiana,*
24 *Kentucky, Tennessee, by striking “Newberry” and in-*
25 *serting “Evansville”.*

1 **SEC. 336. RURAL ACCESS PROJECTS.**

2 *The table contained in section 1106(a)(2) of the Inter-*
3 *modal Surface Transportation Efficiency Act of 1991 (105*
4 *Stat. 2037–2042) is amended—*

5 *(1) in item number 34, relating to Illinois, by*
6 *striking “Resurfacing” and all that follows through*
7 *“Omaha” and inserting “Bel-Air Road improvement*
8 *from south of Carmi to State Route 141 in southeast-*
9 *ern White County”;*

10 *(2) in item number 52, relating to Bedford*
11 *Springs, Pennsylvania, by striking “and Hunting-*
12 *ton” and inserting “Franklin, and Huntingdon”;*

13 *(3) in item number 61, relating to Lubbock,*
14 *Texas, by striking “with Interstate 20” and inserting*
15 *“with Interstate 10 through Interstate 20 and Inter-*
16 *state 27 north of Amarillo to the Texas/Oklahoma*
17 *border”;*

18 *(4) in item number 71, relating to Chautauqua*
19 *County, New York, by inserting “and other improve-*
20 *ments” after “expressway lanes”;*

21 *(5) in item number 75, relating to Pennsylvania,*
22 *by striking “Widen” and all that follows through*
23 *“lanes” and inserting “Road improvements on a 14-*
24 *mile segment of U.S. Route 15 in Lycoming County,*
25 *Pennsylvania”;*

1 (6) in item number 93, relating to New Mexico,
2 by striking “Raton-Clayton Rd., Clayton, New Mex-
3 ico” and inserting “U.S. Rt. 64/87 from Raton, New
4 Mexico, through Clayton to the Texas-New Mexico
5 State line”; and

6 (7) in item number 111, relating to Parker
7 County, Texas (SH199)—

8 (A) by striking “Parker County” and in-
9 serting “Parker and Tarrant Counties”; and

10 (B) by striking “to four-” and inserting “in
11 Tarrant County, to freeway standards and in
12 Parker County to a 4-”.

13 **SEC. 337. URBAN ACCESS AND MOBILITY PROJECTS.**

14 The table contained in section 1106(b)(2) of the Inter-
15 modal Surface Transportation Efficiency Act of 1991 (105
16 Stat. 2043–2047) is amended—

17 (1) in item number (9), relating to New York,
18 New York, by striking “Improvements” and all that
19 follows through “NY” and inserting “Projects in New
20 York City, New York (other than improvements to the
21 Miller Highway)”;

22 (2) in item number 13, relating to Joliet, Illi-
23 nois, by striking “and construction and interchange
24 at Houbolt Road and I-80”;

1 (3) in item number 36, relating to Compton,
2 California, by striking “For a grade” and all that fol-
3 lows through “Corridor” and inserting “For grade
4 separations and other improvements in the city of
5 Compton, California”; and

6 (4) in item number 52, relating to Chicago, Illi-
7 nois, by striking “Right-of-way” and all that follows
8 through “Connector)” and inserting “Reconstruct the
9 Michigan Avenue viaduct”.

10 **SEC. 338. INNOVATIVE PROJECTS.**

11 The table contained in section 1107(b) of the Inter-
12 modal Surface Transportation Efficiency Act of 1991 (105
13 Stat. 2048–2059) is amended—

14 (1) in item 19, relating to Water Street, Penn-
15 sylvania—

16 (A) by striking “Water Street,”; and

17 (B) by inserting “, or other projects in the
18 counties of Bedford, Blair, Centre, Franklin, and
19 Huntingdon as selected by the State of Penn-
20 sylvania” after “Pennsylvania” the second place
21 it appears;

22 (2) in item 20, relating to Holidaysburg, Penn-
23 sylvania—

24 (A) by striking “Holidaysburg,” the first
25 place it appears; and

1 (B) by inserting “, or other projects in the
2 counties of Bedford, Blair, Centre, Franklin, and
3 Huntingdon as selected by the State of Penn-
4 sylvania” after “Pennsylvania” the second place
5 it appears;

6 (3) in item number 24, relating to Pennsylvania,
7 by inserting after “line” the following: “and for the
8 purchase, rehabilitation, and improvement of any
9 similar existing facility within a 150-mile radius of
10 such project, as selected by the State of Pennsylva-
11 nia”;

12 (4) in item number 29, relating to Blacksburg,
13 Virginia, by inserting “methods of facilitating public
14 and private participation in” after “demonstrate”;

15 (5) in item number 35, relating to Alabama, by
16 striking “to bypass” and all that follows through “I-
17 85” and inserting “beginning on U.S. Route 80 west
18 of Montgomery, Alabama, and connecting to I-65
19 south of Montgomery and I-85 east of Montgomery”;

20 (6) in item 49, relating to Suffolk County, New
21 York, by inserting after “perimeters” the following:
22 “and provide funds to the towns of Brookhaven,
23 Riverhead, Smithtown, East Hampton, Southold,
24 Shelter Island, and Southampton for the purchase of

1 *vehicles to meet the transportation needs of the elderly*
2 *and persons with disabilities”;*

3 *(7) in item number 52, relating to Pennsylvania,*
4 *by striking “2” and all that follows through “Penn-*
5 *sylvania” and inserting “or rehabilitate (or both)*
6 *highway and transportation infrastructure projects*
7 *within 30 miles of I-81 or I-80 in northeastern*
8 *Pennsylvania”;*

9 *(8) in item number 61, relating to Mojave, Cali-*
10 *fornia, by striking “Mojave” and inserting*
11 *“Victorville” and by inserting “Mojave” after “recon-*
12 *struct”;*

13 *(9) in item number 68, relating to Portland/S.*
14 *Portland, Maine—*

15 *(A) by striking “Portland/S. Portland,”;*
16 *and*

17 *(B) by inserting after “Bridge” the follow-*
18 *ing: “and improvements to the Carlton Bridge in*
19 *Bath-Woolworth”;*

20 *(10) in item number 76, relating to Tennessee,*
21 *by inserting “Improved access to” before “I-81” and*
22 *striking “Interchange” and inserting after “Ten-*
23 *nessee” the following: “via improvements at I-181/*
24 *Eastern Star Road and I-81/Kendrick Creek Road”;*

1 (11) in item number 100, relating to Arkansas,
2 by striking “Thornton” and inserting “Little Rock”;

3 (12) in item number 113, relating to Durham
4 County, North Carolina, by inserting after “Route
5 147” the following: “, including the interchange at I-
6 85”;

7 (13) in item number 114, relating to Corpus
8 Christi to Angleton, Texas, by striking “Construct
9 new multi-lane freeway” and inserting “Construct a
10 4-lane divided highway”;

11 (14) in item number 193, relating to Corning,
12 New York, by inserting “and other improvements”
13 after “expressway lanes”; and

14 (15) in item 196, relating to Orlando, Florida—

15 (A) by striking “Orlando,”; and

16 (B) by striking “Land” and all that follows
17 through “project” and inserting “One or more
18 regionally significant, intercity ground transpor-
19 tation projects”.

20 **SEC. 339. INTERMODAL PROJECTS.**

21 The table contained in section 1108(b) of the Inter-
22 modal Surface Transportation Efficiency Act of 1991 (105
23 Stat. 2060–2063) is amended—

1 (1) in item number 12, relating to Buffalo, New
2 York, by inserting after “Project” the following: “and
3 the Crossroads Arena Project”; and

4 (2) in item number 31, relating to Los Angeles,
5 California, by striking “To improve ground access
6 from Sepulveda Blvd. to Los Angeles, California” and
7 inserting the following: “For the Los Angeles Inter-
8 national Airport central terminal ramp access
9 project, \$3,500,000; for the widening of Aviation Bou-
10 levard south of Imperial Highway, \$3,500,000; for the
11 widening of Aviation Boulevard north of Imperial
12 Highway, \$1,000,000; and for transportation systems
13 management improvements in the vicinity of the Se-
14 pulveda Boulevard/Los Angeles International Airport
15 tunnel, \$950,000”.

16 **SEC. 340. MISCELLANEOUS REVISIONS TO SURFACE TRANS-**
17 **PORTATION AND UNIFORM RELOCATION AS-**
18 **SISTANCE ACT OF 1987.**

19 (a) CALIFORNIA.—Section 149(a)(69) of the Surface
20 Transportation and Uniform Relocation Assistance Act of
21 1987 (101 Stat. 191), relating to Burbank-Glendale-Pasa-
22 dena Airport, California, is amended—

23 (1) in the first sentence by striking “highway”;

1 (2) *in the first sentence by striking “and con-*
2 *struction of terminal and parking facilities at such*
3 *airport”;* and

4 (3) *by striking “by making” in the second sen-*
5 *tence and all that follows through the period at the*
6 *end of such sentence and inserting the following: “by*
7 *preparing a feasibility study and conducting prelimi-*
8 *nary engineering, design, and construction of a link*
9 *between such airport and the commuter rail system*
10 *that is being developed by the Los Angeles County*
11 *Metropolitan Transportation Authority.”.*

12 (b) *LOUISIANA.—*

13 (1) *RURAL ACCESS PROJECT.—*

14 (A) *RESCISSION.—Effective October 1,*
15 *1995, the unobligated balances on September 30,*
16 *1995, of funds made available for section*
17 *149(a)(87) of the Surface Transportation and*
18 *Uniform Relocation Assistance Act of 1987 (101*
19 *Stat. 194; relating to West Calcasieu Parish,*
20 *Louisiana) are hereby rescinded.*

21 (B) *FUNDING.—Item number 17 of the table*
22 *contained in section 1106(a)(2) of the Inter-*
23 *modal Surface Transportation Efficiency Act of*
24 *1991 (105 Stat. 2038), relating to Lake Charles,*

1 *Louisiana, is amended by striking “4.1” and in-*
2 *serting “8.8”.*

3 (2) *I-10 EXIT RAMP AND OTHER PROJECTS.—*
4 *Section 149(a)(89) of the Surface Transportation and*
5 *Uniform Relocation Assistance Act of 1987 (101 Stat.*
6 *191) is amended—*

7 (A) *by inserting “AND LAKE CHARLES”*
8 *after “LAFAYETTE” in the paragraph heading;*
9 *and*

10 (B) *by inserting before the period at the end*
11 *“and, of amounts made available to carry out*
12 *this paragraph, may use up to \$456,022 to carry*
13 *out a comprehensive transportation and land use*
14 *plan for Lafayette, Louisiana, \$1,000,000 to*
15 *carry out a project to construct an exit ramp*
16 *from the eastbound side of Interstate Route I-10*
17 *to Ryan Street in Lake Charles, Louisiana, and*
18 *\$269,661 under this paragraph for projects de-*
19 *scribed in section 149(a)(90)”.*

20 (3) *CONTRABAND BRIDGE.—Section 149(a)(90)*
21 *of such Act (101 Stat. 191) is amended—*

22 (A) *by inserting “AND LAKE CHARLES”*
23 *after “LAFAYETTE” in the paragraph heading;*
24 *and*

1 (B) by inserting “and a project to construct
2 the Contraband Bridge portion of the Nelson Ac-
3 cess Road Project” before the period at the end.

4 (c) PENNSYLVANIA.—Section 149(a)(74) of the Surface
5 Transportation and Uniform Relocation Assistance Act of
6 1987 (101 Stat. 192) is amended by inserting before the
7 period at the end the following: “and other projects in the
8 counties of Bedford, Blair, Centre, Franklin, and Hunting-
9 don, Pennsylvania”.

10 (d) MARYLAND.—Section 149(a)(92) of such Act (101
11 Stat. 194) is amended—

12 (1) by striking “UNITED STATES ROUTE 48” and
13 inserting “WASHINGTON AND FREDERICK COUNTIES”;
14 and

15 (2) by inserting “and to construct an inter-
16 change between Interstate Route I-70 and Interstate
17 Route I-270 in Frederick County, Maryland” after
18 “Mountain Road”.

19 (e) BUS TESTING FACILITY.—Section 5318 of title 49,
20 United States Code, is amended—

21 (1) in subsection (b) by inserting “or cooperative
22 agreement” after “contract” each place it appears;
23 and

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

1 “(f) *CONVERSION OF CONTRACTS.*—The Secretary may
2 convert existing contracts entered into under this section
3 into cooperative agreements.”.

4 **SEC. 341. ELIGIBILITY.**

5 (a) *EXISTING PROJECT.*—Section 108(b) of the Fed-
6 eral-Aid Highway Act of 1956 (23 U.S.C. 101 note) is
7 amended—

8 (1) by striking “(1)” before “such costs may be
9 further”; and

10 (2) by striking “, and (2) the amount of such
11 costs shall not include the portion of the project be-
12 tween High Street and Causeway Street”.

13 (b) *OTHER EXISTING PROJECTS.*—

14 (1) *RECONSTRUCTION AND WIDENING.*—The
15 project authorized by section 162 of the Surface
16 Transportation Assistance Act of 1982 (96 Stat.
17 2136) shall include reconstruction and widening to 6
18 lanes of existing Interstate Route 95 and of the Penn-
19 sylvania Turnpike from United States Route 1 to the
20 junction with the New Jersey Turnpike.

21 (2) *FEDERAL SHARE.*—Notwithstanding any
22 other provision of law, the Federal share payable on
23 account of the project referred to in paragraph (1),
24 including the additional through roadway and bridge

1 *travel lanes, shall be 90 percent of the cost of the*
2 *project.*

3 (3) *TOLLS.*—*Notwithstanding section 301 of title*
4 *23, United States Code, the project for construction of*
5 *an interchange between the Pennsylvania Turnpike*
6 *and Interstate Route 95, including the widening of*
7 *the Pennsylvania Turnpike, shall be treated as a re-*
8 *construction project described in section 129(a)(1)(B)*
9 *of such title and tolls may be continued on all traffic*
10 *on the Pennsylvania Turnpike between United States*
11 *Route 1 and the New Jersey Turnpike.*

12 (c) *TYPE II NOISE BARRIERS.*—*No funds made avail-*
13 *able out of the Highway Trust Fund may be used to con-*
14 *struct Type II noise barriers (as defined by section 772.5(i)*
15 *of title 23, Code of Federal Regulations) pursuant to sec-*
16 *tions 109(h) and (i) of title 23, United States Code if such*
17 *barriers were not part of a project approved by the Sec-*
18 *retary before the date of the enactment of this Act.*

19 ***SEC. 342. ORANGE COUNTY, CALIFORNIA, TOLL ROADS.***

20 *The Secretary shall enter into an agreement modifying*
21 *the agreement entered into pursuant to section 339 of the*
22 *Department of Transportation and Related Agencies Ap-*
23 *propriations Act, 1993 (Public Law 102–338) to conform*
24 *such agreement to the provisions of section 336 of the De-*
25 *partment of Transportation and Related Agencies Appro-*

1 *priations Act, 1995 (Public Law 103–331). Nothing in this*
2 *section shall be construed to change the amount of the pre-*
3 *vious appropriation in such section 339, and the line of*
4 *credit provided for shall not exceed an amount supported*
5 *by the previous appropriation. In implementing such sec-*
6 *tions 336 and 339, the Secretary may enter into an agree-*
7 *ment requiring an interest rate that is higher than the rate*
8 *specified in such sections.*

9 **SEC. 343. MISCELLANEOUS STUDIES.**

10 (a) *PAN AMERICAN HIGHWAY.*—

11 (1) *STUDY.*—*The Secretary shall conduct a study*
12 *on the adequacy of and the need for improvements to*
13 *the Pan American Highway.*

14 (2) *ELEMENTS.*—*The study to be conducted*
15 *under paragraph (1) shall include, at a minimum,*
16 *the following elements:*

17 (A) *Findings on the benefits of constructing*
18 *a highway at Darien Gap, Panama and Colom-*
19 *bia.*

20 (B) *Recommendations for a self-financing*
21 *arrangement for completion and maintenance of*
22 *the Pan American Highway.*

23 (C) *Recommendations for establishing a*
24 *Pan American highway authority to monitor fi-*

1 *nancing, construction, maintenance, and oper-*
2 *ations of the Pan American Highway.*

3 *(D) Findings on the benefits to trade and*
4 *prosperity of a more efficient Pan American*
5 *Highway.*

6 *(E) Findings on the benefits to United*
7 *States industry through the use of United States*
8 *technology and equipment in construction of im-*
9 *provements to the Pan American Highway.*

10 *(F) Findings on environmental consider-*
11 *ations, including environmental considerations*
12 *relating to the Darien Gap.*

13 *(3) REPORT.—Not later than 2 years after the*
14 *date of the enactment of this Act, the Secretary shall*
15 *transmit to Congress a report on the results of the*
16 *study conducted under this subsection.*

17 *(b) HIGHWAY SIGNS FOR NATIONAL HIGHWAY SYS-*
18 *TEM.—The Secretary shall conduct a study to determine the*
19 *cost, need, and efficacy of establishing a highway sign for*
20 *identifying routes on the National Highway System. In*
21 *conducting such study, the Secretary shall make a deter-*
22 *mination concerning whether to identify National Highway*
23 *System route numbers.*

24 *(c) COMPLIANCE WITH BUY AMERICAN ACT.—*

1 (1) *STUDY.*—The Secretary shall conduct a study
2 on compliance with the provisions of the Buy Amer-
3 ican Act (41 U.S.C. 10a–10c) with respect to con-
4 tracts entered into using amounts made available
5 from the Highway Trust Fund.

6 (2) *REPORT.*—Not later than 1 year after the
7 date of the enactment of this Act, the Secretary shall
8 transmit to Congress a report on the results of the
9 study conducted under paragraph (1).

10 **SEC. 344. COLLECTION OF BRIDGE TOLLS.**

11 Notwithstanding any other provisions of law, tolls col-
12 lected for motor vehicles on any bridge connecting the bor-
13 oughs of Brooklyn, New York, and Staten Island, New York,
14 shall continue to be collected for only those vehicles exiting
15 from such bridge in Staten Island.

16 **SEC. 345. NATIONAL DRIVER REGISTER.**

17 Section 30308(a) of title 49, United States Code, is
18 amended by striking “and \$2,550,000 for fiscal year 1995”
19 and inserting “and \$2,550,000 for each of fiscal years 1995
20 and 1996”.

21 **SEC. 346. ROADSIDE BARRIER TECHNOLOGY.**

22 Section 1058 of the Intermodal Surface Transpor-
23 tation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat.
24 2003) is amended—

1 (1) in subsection (a) by striking “median” and
2 inserting “or temporary crashworthy”;

3 (2) in subsection (a) by inserting “crashworthy”
4 after “innovative”;

5 (3) in the heading of subsection (c) by inserting
6 “CRASHWORTHY” after “INNOVATIVE”;

7 (4) in subsection (c) by inserting “crashworthy”
8 after “innovative”;

9 (5) in subsection (c) by striking “median”;

10 (6) by inserting “or guiderail” after “guard-
11 rail”; and

12 (7) by inserting before the period at the end of
13 subsection (c) “, and meets or surpasses the require-
14 ments of the National Cooperative Highway Research
15 Program 350 for longitudinal barriers”.

16 **SEC. 347. MOTORIST CALL BOXES.**

17 (a) *EFFECTIVE CONTROL.*—Section 131(c) of title 23,
18 United States Code, is amended—

19 (1) by striking “and (5)” and inserting the fol-
20 lowing: “(5) signs, displays, and devices identifying
21 and announcing free motorist aid call boxes and ad-
22 vertising their sponsorship by corporations or other
23 organizations, and (6)”;

24 (2) by adding at the end the following new sen-
25 tence: “The Secretary shall ensure that spacing of

1 *signs, displays, and devices announcing motorist aid*
2 *call boxes is reasonable.”.*

3 **(b) SPECIFIC SERVICE SIGNS.**—*Section 131(f) of title*
4 *23, United States Code, is amended by adding at the end*
5 *the following: “For purposes of this subsection, the term*
6 *‘specific information in the interest of the traveling public’*
7 *includes identification, announcement, and sponsorship of*
8 *motorist aid call boxes.”.*

9 **SEC. 348. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT**
10 **COMPLIANCE PROGRAM.**

11 *Sections 141(a) and 154 of title 23, United States*
12 *Code, and the item relating to section 154 in the analysis*
13 *to chapter 1 of such title are repealed.*

14 **SEC. 349. ELIMINATION OF PENALTY FOR NONCOMPLIANCE**
15 **FOR MOTORCYCLE HELMETS.**

16 *Subsection (h) of section 153 of title 23, United States*
17 *Code, is amended by striking “a law described in subsection*
18 *(a)(1) and” each place it appears.*

19 **SEC. 350. SAFETY REST AREAS.**

20 *Section 120(c) of title 23, United States Code, is*
21 *amended by inserting “safety rest areas,” after “signaliza-*
22 *tion,”.*

1 **SEC. 351. EXEMPTIONS FROM REQUIREMENTS RELATING**
2 **TO COMMERCIAL MOTOR VEHICLES AND**
3 **THEIR OPERATORS.**

4 (a) EXEMPTIONS.—

5 (1) TRANSPORTATION OF AGRICULTURAL COM-
6 MODITIES AND FARM SUPPLIES.—Regulations pre-
7 scribed by the Secretary under sections 31136 and
8 31502 of title 49, United States Code, regarding max-
9 imum driving and on-duty time for drivers used by
10 motor carriers shall not apply to drivers transporting
11 agricultural commodities or farm supplies for agri-
12 cultural purposes in a State if such transportation is
13 limited to an area within a 50 air mile radius from
14 the source of the commodities or the distribution point
15 for the farm supplies and is during the planting and
16 harvesting seasons within such State, as determined
17 by the State.

18 (2) TRANSPORTATION AND OPERATION OF
19 GROUND WATER WELL DRILLING RIGS.—Such regula-
20 tions shall, in the case of a driver of a commercial
21 motor vehicle who is used primarily in the transpor-
22 tation and operation of a ground water well drilling
23 rig, permit any period of 8 consecutive days to end
24 with the beginning of an off-duty period of 24 or
25 more consecutive hours for the purposes of determin-
26 ing maximum driving and on-duty time.

1 (3) *TRANSPORTATION OF CONSTRUCTION MATE-*
2 *RIALS AND EQUIPMENT.*—*Such regulations shall, in*
3 *the case of a driver of a commercial motor vehicle who*
4 *is used primarily in the transportation of construc-*
5 *tion materials and equipment, permit any period of*
6 *8 consecutive days to end with the beginning of an*
7 *off-duty period of 24 or more consecutive hours for the*
8 *purposes of determining maximum driving and on-*
9 *duty time.*

10 (4) *SNOW AND ICE REMOVAL.*—*A State may*
11 *waive the requirements of chapter 313 of title 49,*
12 *United States Code, with respect to a vehicle that is*
13 *being operated within the boundaries of an eligible*
14 *unit of local government by an employee of such unit*
15 *for the purpose of removing snow or ice from a road-*
16 *way by plowing, sanding, or salting. Such waiver au-*
17 *thority shall only apply in a case where the employee*
18 *is needed to operate the vehicle because the employee*
19 *of the eligible unit of local government who ordinarily*
20 *operates the vehicle and who has a commercial drivers*
21 *license is unable to operate the vehicle or is in need*
22 *of additional assistance due to a snow emergency.*

23 (5) *VEHICLES WEIGHING LESS THAN 26,000*
24 *POUNDS.*—*The provisions of subtitle VI of title 49,*
25 *United States Code (and regulations promulgated*

1 *thereunder), applicable to commercial motor vehicles*
2 *shall not be enforced with respect to a vehicle with*
3 *gross vehicle weight rating of less than 26,000 pounds.*

4 *(b) EFFECTIVE DATE.—The provisions of subsection*
5 *(a) shall take effect 180 days after the date of the enactment*
6 *of this Act.*

7 *(c) REVIEW BY THE SECRETARY.—The Secretary may*
8 *conduct a rulemaking proceeding to determine whether*
9 *granting any exemption provided by subsection (a) is not*
10 *in the public interest and would have a significant adverse*
11 *impact on the safety of commercial motor vehicles. If, at*
12 *any time, the Secretary determines that granting such ex-*
13 *emption would not be in the public interest and would have*
14 *a significant adverse impact on the safety of commercial*
15 *motor vehicles, then the Secretary may prevent the exemp-*
16 *tion from going into effect, modify the exemption, or revoke*
17 *the exemption.*

18 *(d) DEFINITIONS.—In this section, the following defi-*
19 *initions apply:*

20 *(1) 8 CONSECUTIVE DAYS.—The term “8 consecu-*
21 *tive days” means the period of 8 consecutive days be-*
22 *ginning on any day at the time designated by the*
23 *motor carrier for a 24-hour period.*

24 *(2) 24-HOUR PERIOD.—The term “24-hour pe-*
25 *riod” means any 24-consecutive hour period begin-*

1 *ning at the time designated by the motor carrier for*
2 *the terminal from which the driver is normally dis-*
3 *patched.*

4 (3) *GROUND WATER WELL DRILLING RIG.—The*
5 *term “ground water well drilling rig” means any ve-*
6 *hicle, machine, tractor, trailer, semi-trailer, or spe-*
7 *cialized mobile equipment propelled or drawn by me-*
8 *chanical power and used on highways to transport*
9 *water well field operating equipment, including water*
10 *well drilling and pump service rigs equipped to access*
11 *ground water.*

12 (4) *TRANSPORTATION OF CONSTRUCTION MATE-*
13 *RIALS AND EQUIPMENT.—The term “transportation of*
14 *construction materials and equipment” means the*
15 *transportation of construction materials, construction*
16 *finished related products, construction personnel, and*
17 *construction equipment by a driver within a 50 air*
18 *mile radius of the normal work reporting location of*
19 *the driver.*

20 (5) *ELIGIBLE UNIT OF LOCAL GOVERNMENT.—*
21 *The term “eligible unit of local government” means a*
22 *city, town, borough, county, parish, district, or other*
23 *public body created by or pursuant to State law*
24 *which has a total population of 3,000 individuals or*
25 *less.*

1 **SEC. 352. TRAFFIC CONTROL SIGNS.**

2 *Traffic control signs erected under the experimental*
 3 *project conducted in the State of Oregon in December 1991*
 4 *shall be deemed to comply with the requirements of section*
 5 *2B-4 of the Manual on Uniform Traffic Control Devices*
 6 *of the Department of Transportation.*

7 **SEC. 353. BRIGHTMAN STREET BRIDGE, FALL RIVER HAR-**
 8 **BOR, MASSACHUSETTS.**

9 *Notwithstanding any other provision of law, the*
 10 *Brightman Street Bridge in Fall River Harbor, Massachu-*
 11 *setts, may be reconstructed to result in a clear channel*
 12 *width of less than 300 feet.*

13 **TITLE IV—TRUTH IN BUDGETING**

14 **SEC. 401. SHORT TITLE.**

15 *This title may be cited as the “Truth in Budgeting*
 16 *Act”.*

17 **SEC. 402. BUDGETARY TREATMENT OF HIGHWAY TRUST**
 18 **FUND, AIRPORT AND AIRWAY TRUST FUND,**
 19 **INLAND WATERWAYS TRUST FUND, AND HAR-**
 20 **BOR MAINTENANCE TRUST FUND.**

21 *The receipts and disbursements of the Highway Trust*
 22 *Fund, the Airport and Airway Trust Fund, the Inland Wa-*
 23 *terways Trust Fund, and the Harbor Maintenance Trust*
 24 *Fund—*

25 *(1) shall not be included in the totals of—*

1 (A) the budget of the United States Govern-
2 ment as submitted by the President, or

3 (B) the congressional budget (including al-
4 locations of budget authority and outlays pro-
5 vided therein),

6 (2) shall be exempt from any general budget lim-
7 itation imposed by statute on expenditures and net
8 lending (budget outlays) of the United States Govern-
9 ment, and

10 (3) shall be exempt from any order issued under
11 part C of the Balanced Budget and Emergency Defi-
12 cit Control Act of 1985.

13 **SEC. 403. SAFEGUARDS AGAINST DEFICIT SPENDING OUT**
14 **OF AIRPORT AND AIRWAY TRUST FUND.**

15 (a) *IN GENERAL.*—Chapter 481 of title 49, United
16 States Code, is amended by inserting after section 48110
17 the following new section:

18 **“§ 48111. Safeguards against deficit spending**

19 “(a) *ESTIMATES OF UNFUNDED AVIATION AUTHOR-*
20 *IZATIONS AND NET AVIATION RECEIPTS.*—Not later than
21 March 31 of each year, the Secretary, in consultation with
22 the Secretary of the Treasury, shall estimate—

23 “(1) the amount which would (but for this sec-
24 tion) be the unfunded aviation authorizations at the

1 *close of the first fiscal year that begins after that*
2 *March 31, and*

3 “(2) *the net aviation receipts at the close of such*
4 *fiscal year.*

5 “(b) *PROCEDURE IF EXCESS UNFUNDED AVIATION*
6 *AUTHORIZATIONS.—If the Secretary determines for any fis-*
7 *cal year that the amount described in subsection (a)(1) ex-*
8 *ceeds the amount described in subsection (a)(2), the Sec-*
9 *retary shall determine the amount of such excess.*

10 “(c) *ADJUSTMENT OF AUTHORIZATIONS IF UNFUNDED*
11 *AUTHORIZATIONS EXCEED RECEIPTS.—*

12 “(1) *DETERMINATION OF PERCENTAGE.—If the*
13 *Secretary determines that there is an excess referred*
14 *to in subsection (b) for a fiscal year, the Secretary*
15 *shall determine the percentage which—*

16 “(A) *such excess, is of*

17 “(B) *the total of the amounts authorized to*
18 *be appropriated from the Airport and Airway*
19 *Trust Fund established under section 9502 of the*
20 *Internal Revenue Code of 1986 (26 U.S.C. 9502)*
21 *for the next fiscal year.*

22 “(2) *ADJUSTMENT OF AUTHORIZATIONS.—If the*
23 *Secretary determines a percentage under paragraph*
24 *(1), each amount authorized to be appropriated from*

1 *the Airport and Airway Trust Fund for the next fis-*
2 *cal year shall be reduced by such percentage.*

3 “(d) *AVAILABILITY OF AMOUNTS PREVIOUSLY WITH-*
4 *HELD.—*

5 “(1) *ADJUSTMENT OF AUTHORIZATIONS.—If,*
6 *after a reduction has been made under subsection*
7 *(c)(2), the Secretary determines that the amount de-*
8 *scribed in subsection (a)(1) does not exceed the*
9 *amount described in subsection (a)(2) or that the ex-*
10 *cess referred to in subsection (b) is less than the*
11 *amount previously determined, each amount author-*
12 *ized to be appropriated that was reduced under sub-*
13 *section (c)(2) shall be increased, by an equal percent-*
14 *age, to the extent the Secretary determines that it*
15 *may be so increased without causing the amount de-*
16 *scribed in subsection (a)(1) to exceed the amount de-*
17 *scribed in subsection (a)(2) (but not by more than the*
18 *amount of the reduction).*

19 “(2) *APPORTIONMENT.—The Secretary shall ap-*
20 *portion amounts made available for apportionment*
21 *by paragraph (1).*

22 “(3) *PERIOD OF AVAILABILITY.—Any funds ap-*
23 *portioned under paragraph (2) shall remain available*
24 *for the period for which they would be available if*

1 *such apportionment took effect with the fiscal year in*
2 *which they are apportioned under paragraph (2).*

3 “(e) *REPORTS.*—Any estimate under subsection (a)
4 and any determination under subsection (b), (c), or (d)
5 shall be reported by the Secretary to Congress.

6 “(f) *DEFINITIONS.*—For purposes of this section, the
7 following definitions apply:

8 “(1) *NET AVIATION RECEIPTS.*—The term ‘net
9 aviation receipts’ means, with respect to any period,
10 the excess of—

11 “(A) *the receipts (including interest) of the*
12 *Airport and Airway Trust Fund during such pe-*
13 *riod, over*

14 “(B) *the amounts to be transferred during*
15 *such period from the Airport and Airway Trust*
16 *Fund under section 9502(d) of the Internal Reve-*
17 *nue Code of 1986 (other than paragraph (1)*
18 *thereof).*

19 “(2) *UNFUNDED AVIATION AUTHORIZATIONS.*—
20 The term ‘unfunded aviation authorization’ means, at
21 any time, the excess (if any) of—

22 “(A) *the total amount authorized to be ap-*
23 *propriated from the Airport and Airway Trust*
24 *Fund which has not been appropriated, over*

1 “(B) the amount available in the Airport
2 and Airway Trust Fund at such time to make
3 such appropriation (after all other unliquidated
4 obligations at such time which are payable from
5 the Airport and Airway Trust Fund have been
6 liquidated).”.

7 (b) *CONFORMING AMENDMENT.*—The analysis for
8 chapter 481 of title 49, United States Code, is amended by
9 adding at the end the following:

 “48111. Safeguards against deficit spending.”.

10 **SEC. 404. SAFEGUARDS AGAINST DEFICIT SPENDING OUT**
11 **OF THE INLAND WATERWAYS TRUST FUND**
12 **AND HARBOR MAINTENANCE TRUST FUND.**

13 (a) *ESTIMATES OF UNFUNDED INLAND WATERWAYS*
14 *AUTHORIZATIONS AND NET INLAND WATERWAYS RE-*
15 *CEIPTS.*—Not later than March 31 of each year, the Sec-
16 retary of the Army, in consultation with the Secretary of
17 the Treasury, shall estimate—

18 (1) the amount which would (but for this sec-
19 tion) be the unfunded inland waterways authoriza-
20 tions and unfunded harbor maintenance authoriza-
21 tions at the close of the first fiscal year that begins
22 after that March 31; and

23 (2) the net inland waterways receipts and net
24 harbor maintenance receipts at the close of such fiscal
25 year.

1 (b) *PROCEDURE IF EXCESS UNFUNDED INLAND WA-*
2 *TERWAYS AUTHORIZATIONS.*—*If the Secretary of the Army*
3 *determines with respect to the Inland Waterways Trust*
4 *Fund or the Harbor Maintenance Trust Fund for any fiscal*
5 *year that the amount described in subsection (a)(1) exceeds*
6 *the amount described in subsection (a)(2), the Secretary*
7 *shall determine the amount of such excess.*

8 (c) *ADJUSTMENT OF AUTHORIZATIONS IF UNFUNDED*
9 *AUTHORIZATIONS EXCEED RECEIPTS.*—

10 (1) *DETERMINATION OF PERCENTAGE.*—*If the*
11 *Secretary of the Army determines that there is an ex-*
12 *cess referred to in subsection (b) for a fiscal year, the*
13 *Secretary of the Army shall determine the percentage*
14 *which—*

15 (A) *such excess, is of*

16 (B) *the total of the amounts authorized to*
17 *be appropriated from the Inland Waterways*
18 *Trust Fund or the Harbor Maintenance Trust*
19 *Fund, as the case may be, for the next fiscal*
20 *year.*

21 (2) *ADJUSTMENT OF AUTHORIZATIONS.*—*If the*
22 *Secretary of the Army determines a percentage under*
23 *paragraph (1), each amount authorized to be appro-*
24 *priated from the Trust Fund for the next fiscal year*
25 *shall be reduced by such percentage.*

1 (d) *AVAILABILITY OF AMOUNTS PREVIOUSLY WITH-*
2 *HELD.*—*If, after an adjustment has been made under sub-*
3 *section (c)(2), the Secretary of the Army determines with*
4 *respect to the Inland Waterways Trust Fund or the Harbor*
5 *Maintenance Trust Fund that the amount described in sub-*
6 *section (a)(1) does not exceed the amount described in sub-*
7 *section (a)(2) or that the excess referred to in subsection*
8 *(b) with respect to the Trust Fund is less than the amount*
9 *previously determined, each amount authorized to be appro-*
10 *priated that was reduced under subsection (c)(2) with re-*
11 *spect to the Trust Fund shall be increased, by an equal per-*
12 *centage, to the extent the Secretary of the Army determines*
13 *that it may be so increased without causing the amount*
14 *described in subsection (a)(1) to exceed with respect to the*
15 *Trust Fund the amount described in subsection (a)(2) (but*
16 *not by more than the amount of the reduction).*

17 (e) *REPORTS.*—*Any estimate under subsection (a) and*
18 *any determination under subsection (b), (c), or (d) shall*
19 *be reported by the Secretary of the Army to Congress.*

20 (f) *DEFINITIONS.*—*For purposes of this title, the fol-*
21 *lowing definitions apply:*

22 (1) *AIRPORT AND AIRWAY TRUST FUND.*—*The*
23 *term “Airport and Airway Trust Fund” means the*
24 *Airport and Airway Trust Fund established by sec-*
25 *tion 9502 of the Internal Revenue Code of 1986.*

1 (2) *HARBOR MAINTENANCE TRUST FUND.*—The
2 term “Harbor Maintenance Trust Fund” means the
3 Harbor Maintenance Trust Fund established by sec-
4 tion 9505 of the Internal Revenue Code of 1986.

5 (3) *HIGHWAY TRUST FUND.*—The term “High-
6 way Trust Fund” means the Highway Trust Fund es-
7 tablished by section 9503 of the Internal Revenue
8 Code of 1986.

9 (4) *INLAND WATERWAYS TRUST FUND.*—The
10 term “Inland Waterways Trust Fund” means the In-
11 land Waterways Trust Fund established by section
12 9506 of the Internal Revenue Code of 1986.

13 (5) *NET HARBOR MAINTENANCE RECEIPTS.*—The
14 term “net harbor maintenance receipts” means, with
15 respect to any period, the receipts (including interest)
16 of the Harbor Maintenance Trust Fund during such
17 period.

18 (6) *NET INLAND WATERWAYS RECEIPTS.*—The
19 term “net inland waterways receipts” means, with re-
20 spect to any period, the receipts (including interest)
21 of the Inland Waterways Trust Fund during such pe-
22 riod.

23 (7) *UNFUNDED INLAND WATERWAYS AUTHORIZA-*
24 *TIONS.*—The term “unfunded inland waterways au-

1 *thorizations” means, at any time, the excess (if any)*
 2 *of—*

3 *(A) the total amount authorized to be ap-*
 4 *propriated from the Inland Waterways Trust*
 5 *Fund which has not been appropriated, over*

6 *(B) the amount available in the Inland Wa-*
 7 *terways Trust Fund at such time to make such*
 8 *appropriations.*

9 *(8) UNFUNDED HARBOR MAINTENANCE AUTHOR-*
 10 *IZATIONS.—The term “unfunded harbor maintenance*
 11 *authorizations” means, at any time, the excess (if*
 12 *any) of—*

13 *(A) the total amount authorized to be ap-*
 14 *propriated from the Harbor Maintenance Trust*
 15 *Fund which has not been appropriated, over*

16 *(B) the amount available in the Harbor*
 17 *Maintenance Trust Fund at such time to make*
 18 *such appropriations.*

19 **SEC. 405. APPLICABILITY.**

20 *This title (including the amendments made by this*
 21 *title) shall apply to fiscal years beginning after September*
 22 *30, 1995.*

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