

## **AMENDMENT TO H.R. 3763**

### **OFFERED BY MR. SHUSTER OF PENNSYLVANIA**

Page 31, beginning on line 18, strike “At the request of a State, the Secretary may” and insert “Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may”.

Page 34, line 16, before the period insert “, including railway-highway grade crossings”.

Page 36, beginning on line 7, strike “and with the Secretary’s approval,” and insert “and upon Secretarial approval of credit assistance under chapter 6,”.

Page 36, line 20, strike “Any project” and insert “Any type of project”.

Page 60, beginning on line 19, strike “designate critical emerging freight corridors.” and insert “are part of critical emerging freight corridors or critical commerce corridors.”.

Page 63, beginning on line 6, strike “corridors.” and insert “corridors or critical commerce corridors.”.

Page 110, line 1, strike “(7) in subsection (k)(3)(A), by inserting” and insert the following:

1 (7) in subsection (k)(3)—

2 (A) in subparagraph (A) by inserting

Page 110, line 6, strike the semicolon and insert “;  
and”.

Page 110, after line 6, insert the following:

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

4 “(C) CONGESTION MANAGEMENT PLAN.—

5 A metropolitan planning organization with a  
6 transportation management area may develop a  
7 plan that includes projects and strategies that  
8 will be considered in the TIP of such metropoli-  
9 tan planning organization. Such plan shall—

10 “(i) develop regional goals to reduce  
11 vehicle miles traveled during peak com-  
12 muting hours and improve transportation  
13 connections between areas with high job  
14 concentration and areas with high con-  
15 centrations of low-income households;

16 “(ii) identify existing public transpor-  
17 tation services, employer-based commuter  
18 programs, and other existing transpor-  
19 tation services that support access to jobs  
20 in the region; and

1                   “(iii) identify proposed projects and  
2                   programs to reduce congestion and in-  
3                   crease job access opportunities.

4                   “(D) PARTICIPATION.—In developing the  
5                   plan under subparagraph (C), a metropolitan  
6                   planning organization shall consult with em-  
7                   ployers, private and non-profit providers of pub-  
8                   lic transportation, transportation management  
9                   organizations, and organizations that provide  
10                  job access reverse commute projects or job-re-  
11                  lated services to low-income individuals.”;

Page 133, strike lines 1 through 21 (and redesignate subsequent paragraphs accordingly).

Page 181, line 14, strike “and” at the end.

Page 181, line 25, strike the semicolon and insert “; and”.

Page 181, after line 25, insert the following:

12                   (C) in paragraph (5)—  
13                   (i) in subparagraph (A) by striking  
14                   “2017” and inserting “2021”; and  
15                   (ii) in subparagraph (B) by striking  
16                   “2017” and inserting “2021”;

Page 191, line 16, after “title” insert the following:  
“(excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)”.

Page 192, line 6, after “title” insert the following:  
“(excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)”.

Page 195, line 8, strike the closing quotation marks and the final period.

Page 195, after line 8, insert the following:

- 1           “(84) The Central Texas Corridor commencing
- 2           at the logical terminus of Interstate Route 10, gen-
- 3           erally following portions of United States Route 190
- 4           eastward, passing in the vicinity Fort Hood, Killeen,
- 5           Belton, Temple, Bryan, College Station, Huntsville,
- 6           Livingston, and Woodville, to the logical terminus of
- 7           Texas Highway 63 at the Sabine River Bridge at
- 8           Burrs Crossing.
- 9           “(85) Interstate Route 81 in New York from its
- 10          intersection with Interstate Route 86 to the United
- 11          States-Canadian border.”.

Page 202, strike line 7 through line 14 and insert  
the following:

1 **SEC. 1412. SAFETY FOR USERS.**

2 (a) IN GENERAL.—The Secretary shall encourage  
3 each State and metropolitan planning organization to  
4 adopt standards for the design of Federal surface trans-  
5 portation projects that provide for the safe and adequate  
6 accommodation (as determined by the State) in all phases  
7 of project planning, development, and operation, of all  
8 users of the surface transportation network, including mo-  
9 torized and nonmotorized users.

10 (b) REPORT.—Not later than 2 years after the date  
11 of enactment of this section, the Secretary shall make  
12 available to the public a report cataloging examples of  
13 State law or State transportation policy that provides for  
14 the safe and adequate accommodation, in all phases of  
15 project planning, development, and operation of all users  
16 of the surface transportation network.

17 (c) BEST PRACTICES.—Based on the report required  
18 under subsection (b), the Secretary shall identify and dis-  
19 seminate examples of best practices where States have  
20 adopted measures that have successfully provided for the  
21 safe and adequate accommodation of all users of the trans-  
22 portation network in all phases of project development and  
23 operation.

Page 204, strike line 15 and all that follows through  
line 4 on page 205 and insert the following:

1           (1) IN GENERAL.—Notwithstanding funding,  
2           authorizations of appropriations, and contract au-  
3           thority described in sections 1101, 1102, 3017,  
4           4001, 5101, and 6002 of this Act, including the  
5           amendments made by such sections, sections 125  
6           and 147 of title 23, United States Code, and section  
7           5338(a) of title 49, United States Code, no funding,  
8           authorization of appropriations, and contract author-  
9           ity described in those sections for fiscal years 2019  
10          through 2021 shall exist unless and only to the ex-  
11          tent that a subsequent Act of Congress causes addi-  
12          tional monies to be deposited in the Highway Trust  
13          Fund.

Page 205, line 5, strike “(3)” and insert “(2)”.

Page 214, after line 11, insert the following:

14 **SEC. \_\_\_\_\_. NATIONAL ELECTRIC VEHICLE CHARGING, HY-**  
15 **DROGEN, AND NATURAL GAS FUELING COR-**  
16 **RIDORS.**

17          (a) IN GENERAL.—Chapter 1 of title 23, United  
18 States Code, is amended by inserting after section 150 the  
19 following:

1 **“§ 151. National electric vehicle charging, hydrogen,**  
2 **and natural gas fueling corridors**

3 “(a) IN GENERAL.—Not later than 1 year after the  
4 date of enactment of the Surface Transportation Reau-  
5 thorization and Reform Act of 2015, the Secretary shall  
6 designate national electric vehicle charging, hydrogen, and  
7 natural gas fueling corridors that identify the near- and  
8 long-term need for, and location of, electric vehicle charg-  
9 ing infrastructure, hydrogen infrastructure, and natural  
10 gas fueling infrastructure at strategic locations along  
11 major national highways to improve the mobility of pas-  
12 senger and commercial vehicles that employ electric, hy-  
13 drogen fuel cell, and natural gas fueling technologies  
14 across the United States.

15 “(b) DESIGNATION OF CORRIDORS.—In designating  
16 the corridors under subsection (a), the Secretary shall—

17 “(1) solicit nominations from State and local  
18 officials for facilities to be included in the corridors;

19 “(2) incorporate existing electric vehicle charg-  
20 ing, hydrogen fueling stations, and natural gas fuel-  
21 ing corridors designated by a State or group of  
22 States; and

23 “(3) consider the demand for, and location of,  
24 existing electric vehicle charging, hydrogen fueling  
25 stations, and natural gas fueling infrastructure.

1       “(c) STAKEHOLDERS.—In designating corridors  
2 under subsection (a), the Secretary shall involve, on a vol-  
3 untary basis, stakeholders that include—

4               “(1) the heads of other Federal agencies;

5               “(2) State and local officials;

6               “(3) representatives of—

7                       “(A) energy utilities;

8                       “(B) the electric, fuel cell electric, and nat-  
9 ural gas vehicle industries;

10                      “(C) the freight and shipping industry;

11                      “(D) clean technology firms;

12                      “(E) the hospitality industry;

13                      “(F) the restaurant industry;

14                      “(G) highway rest stop vendors; and

15                      “(H) industrial gas and hydrogen manu-  
16 facturers; and

17               “(4) such other stakeholders as the Secretary  
18 determines to be necessary.

19       “(d) REDESIGNATION.—Not later than 5 years after  
20 the date of establishment of the corridors under subsection  
21 (a), and every 5 years thereafter, the Secretary shall up-  
22 date and redesignate the corridors.

23       “(e) REPORT.—During designation and redesignation  
24 of the corridors under this section, the Secretary shall  
25 issue a report that—



1           “(1) identifies electric vehicle charging, hydro-  
2           gen infrastructure, and natural gas fueling infra-  
3           structure and standardization needs for electricity  
4           providers, industrial gas providers, natural gas pro-  
5           viders, infrastructure providers, vehicle manufactur-  
6           ers, electricity purchasers, and natural gas pur-  
7           chasers; and

8           “(2) establishes an aspirational goal of achiev-  
9           ing strategic deployment of electric vehicle charging,  
10          hydrogen infrastructure, and natural gas fueling in-  
11          frastructure in those corridors by the end of fiscal  
12          year 2021.”.

13          (b) CONFORMING AMENDMENT.—The analysis for  
14          chapter 1 of title 23, United States Code, is amended by  
15          inserting after the item relating to section 150 the fol-  
16          lowing:

          “151. National electric vehicle charging, hydrogen, and natural gas fueling cor-  
          ridors.”.

17          **SEC. \_\_\_\_ . FERRIES.**

18          Section 147 of title 23, United States Code, is  
19          amended by adding at the end the following:

20          “(h)       REDISTRIBUTION       OF       UNOBLIGATED  
21          AMOUNTS.—The Secretary shall—

22               “(1) withdraw amounts allocated to eligible en-  
23          tities under this section that remain unobligated by

1 the end of the third fiscal year following the fiscal  
2 year for which the amounts were allocated; and

3 “(2) in the fiscal year beginning after a fiscal  
4 year in which a withdrawal is made under paragraph  
5 (1), redistribute the funds withdrawn, in accordance  
6 with the formula specified under subsection (d),  
7 among eligible entities with respect to which no  
8 amounts were withdrawn under paragraph (1).”.

9 **SEC. \_\_\_\_ . STUDY ON PERFORMANCE OF BRIDGES.**

10 (a) IN GENERAL.—Subject to subsection (c), the Ad-  
11 ministrator of the Federal Highway Administration shall  
12 commission the Transportation Research Board of the Na-  
13 tional Academy of Sciences to conduct a study on the per-  
14 formance of bridges that are at least 15 years old and  
15 received funding under the innovative bridge research and  
16 construction program (in this section referred to as the  
17 “program”) under section 503(b) of title 23, United  
18 States Code (as in effect on the day before the date of  
19 enactment of SAFETEA–LU (Public Law 109–59) in  
20 meeting the goals of that program, which included—

21 (1) the development of new, cost-effective inno-  
22 vative material highway bridge applications;

23 (2) the reduction of maintenance costs and  
24 lifecycle costs of bridges, including the costs of new

1 construction, replacement, or rehabilitation of defi-  
2 cient bridges;

3 (3) the development of construction techniques  
4 to increase safety and reduce construction time and  
5 traffic congestion;

6 (4) the development of engineering design cri-  
7 teria for innovative products and materials for use  
8 in highway bridges and structures;

9 (5) the development of cost-effective and inno-  
10 vative techniques to separate vehicle and pedestrian  
11 traffic from railroad traffic;

12 (6) the development of highway bridges and  
13 structures that will withstand natural disasters, in-  
14 cluding alternative processes for the seismic retrofit  
15 of bridges; and

16 (7) the development of new nondestructive  
17 bridge evaluation technologies and techniques.

18 (b) CONTENTS.—The study commissioned under sub-  
19 section (a) shall include—

20 (1) an analysis of the performance of bridges  
21 that received funding under the program in meeting  
22 the goals described in paragraphs (1) through (7) of  
23 subsection (a);

24 (2) an analysis of the utility, compared to con-  
25 ventional materials and technologies, of each of the

1 innovative materials and technologies used in  
2 projects for bridges under the program in meeting  
3 the needs of the United States in 2015 and in the  
4 future for a sustainable and low lifecycle cost trans-  
5 portation system;

6 (3) recommendations to Congress on how the  
7 installed and lifecycle costs of bridges could be re-  
8 duced through the use of innovative materials and  
9 technologies, including, as appropriate, any changes  
10 in the design and construction of bridges needed to  
11 maximize the cost reductions; and

12 (4) a summary of any additional research that  
13 may be needed to further evaluate innovative ap-  
14 proaches to reducing the installed and lifecycle costs  
15 of highway bridges.

16 (c) PUBLIC COMMENT.—Before commissioning the  
17 study under subsection (a), the Administrator shall pro-  
18 vide an opportunity for public comment on the study pro-  
19 posal.

20 (d) DATA FROM STATES.—Each State that received  
21 funds under the program shall provide to the Transpor-  
22 tation Research Board any relevant data needed to carry  
23 out the study commissioned under subsection (a).

24 (e) DEADLINE.—The Administrator shall submit to  
25 Congress a report on the results of the study commis-

1 sioned under subsection (a) not later than 3 years after  
2 the date of enactment of this Act.

3 **SEC. \_\_\_\_ . RELINQUISHMENT OF PARK-AND-RIDE LOT FA-**  
4 **CILITIES.**

5 A State transportation agency may relinquish park-  
6 and-ride lot facilities or portions of park-and-ride lot facili-  
7 ties to a local government agency for highway purposes  
8 if authorized to do so under State law if the agreement  
9 providing for the relinquishment provides that—

10 (1) rights-of-way on the Interstate System will  
11 remain available for future highway improvements;  
12 and

13 (2) modifications to the facilities that could im-  
14 pair the highway or interfere with the free and safe  
15 flow of traffic are subject to the approval of the Sec-  
16 retary.

17 **SEC. \_\_\_\_ . PILOT PROGRAM.**

18 (a) **IN GENERAL.**—The Secretary may establish a  
19 pilot program that allows a State to utilize innovative ap-  
20 proaches to maintain the right-of-way of Federal-aid high-  
21 ways within such State.

22 (b) **LIMITATION.**—A pilot program established under  
23 subsection (a) shall—

24 (1) terminate after not more than 6 years;

25 (2) include not more than 5 States; and

1           (3) be subject to guidelines published by the  
2       Secretary.

3       (c) REPORT.—If the Secretary establishes a pilot pro-  
4       gram under subsection (a), the Secretary shall, not more  
5       than 1 year after the completion of the pilot program, sub-  
6       mit to the Committee on Transportation and Infrastruc-  
7       ture of the House of Representatives and the Committee  
8       on Environment and Public Works of the Senate a report  
9       on the results of the pilot program.

10 **SEC. \_\_\_\_ . INNOVATIVE PROJECT DELIVERY EXAMPLES.**

11       Section 120(c)(3)(B) of title 23, United States Code,  
12       is amended—

13           (1) in clause (iv) by striking “or” at the end;

14           (2) by redesignating clause (v) as clause (vi);

15       and

16           (3) by inserting after clause (iv) the following:

17                   “(v) innovative pavement materials  
18                   that have a demonstrated life cycle of 75  
19                   or more years, are manufactured with re-  
20                   duced greenhouse gas emissions, and re-  
21                   duce construction-related congestion by  
22                   rapidly curing; or”.

1 **SEC. \_\_\_\_ . ADMINISTRATIVE PROVISIONS TO ENCOURAGE**  
2 **POLLINATOR HABITAT AND FORAGE ON**  
3 **TRANSPORTATION RIGHTS-OF-WAY.**

4 (a) IN GENERAL.—Section 319 of title 23, United  
5 States Code, is amended—

6 (1) in subsection (a) by inserting “(including  
7 the enhancement of habitat and forage for polli-  
8 nators)” before “adjacent”; and

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

10 “(c) ENCOURAGEMENT OF POLLINATOR HABITAT  
11 AND FORAGE DEVELOPMENT AND PROTECTION ON  
12 TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any  
13 program administered by the Secretary under this title,  
14 the Secretary shall, in conjunction with willing States, as  
15 appropriate—

16 “(1) encourage integrated vegetation manage-  
17 ment practices on roadsides and other transportation  
18 rights-of-way, including reduced mowing; and

19 “(2) encourage the development of habitat and  
20 forage for Monarch butterflies, other native polli-  
21 nators, and honey bees through plantings of native  
22 forbs and grasses, including noninvasive, native  
23 milkweed species that can serve as migratory way  
24 stations for butterflies and facilitate migrations of  
25 other pollinators.”.

1 (b) PROVISION OF HABITAT, FORAGE, AND MIGRA-  
2 TORY WAY STATIONS FOR MONARCH BUTTERFLIES,  
3 OTHER NATIVE POLLINATORS, AND HONEY BEES.—Sec-  
4 tion 329(a)(1) of title 23, United States Code, is amended  
5 by inserting “provision of habitat, forage, and migratory  
6 way stations for Monarch butterflies, other native polli-  
7 nators, and honey bees,” before “and aesthetic enhance-  
8 ment”.

Page 219, strike lines 5 through 8 and insert the  
following:

9 (1) in paragraph (4)—

10 (A) in subparagraph (A) by striking “Be-  
11 ginning in fiscal year 2014, on April 1 of each  
12 fiscal year” and inserting “Beginning in fiscal  
13 year 2016, on August 1 of each fiscal year”;  
14 and

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

16 “(D) LIMITATIONS.—The Secretary may  
17 not carry out a redistribution under this para-  
18 graph—

19 “(i) for any fiscal year in which such  
20 redistribution would adversely impact the  
21 receipt of credit assistance by a qualified  
22 project within such fiscal year; or



1                   “(ii) if the budget authority deter-  
2                   mined to be necessary to cover all requests  
3                   for credit assistance pending before the  
4                   Department of Transportation on August  
5                   1 would reduce the uncommitted balance  
6                   of funds below the threshold established in  
7                   subparagraph (A).”; and

Page 224, line 17, strike “(7) in subsection  
(k)(3)(A), by inserting” and insert the following:

8                   (7) in subsection (k)(3)—  
9                   (A) in subparagraph (A) by inserting

Page 224, line 22, strike the semicolon and insert “;  
and”.

Page 224, after line 22, insert the following:

10                   (B) by adding at the end the following:  
11                   “(C) CONGESTION MANAGEMENT PLAN.—  
12                   A metropolitan planning organization with a  
13                   transportation management area may develop a  
14                   plan that includes projects and strategies that  
15                   will be considered in the TIP of such metropoli-  
16                   tan planning organization. Such plan shall—  
17                   “(i) develop regional goals to reduce  
18                   vehicle miles traveled during peak com-  
19                   muting hours and improve transportation

1 connections between areas with high job  
2 concentration and areas with high con-  
3 centrations of low-income households;

4 “(ii) identify existing public transpor-  
5 tation services, employer-based commuter  
6 programs, and other existing transpor-  
7 tation services that support access to jobs  
8 in the region; and

9 “(iii) identify proposed projects and  
10 programs to reduce congestion and in-  
11 crease job access opportunities.

12 “(D) PARTICIPATION.—In developing the  
13 plan under subparagraph (C), a metropolitan  
14 planning organization shall consult with em-  
15 ployers, private and non-profit providers of pub-  
16 lic transportation, transportation management  
17 organizations, and organizations that provide  
18 job access reverse commute projects or job-re-  
19 lated services to low-income individuals.”;

Page 227, after line 24, insert the following:

20 (1) in subsection (a)(6)—

21 (A) in subparagraph (A) by inserting “,  
22 small start projects,” after “new fixed guideway  
23 capital projects”; and

1 (B) by striking subparagraph (B) and in-  
2 serting the following:

3 “(B) 2 or more projects that are any com-  
4 bination of new fixed guideway capital projects,  
5 small start projects, and core capacity improve-  
6 ment projects.”;

Page 227, line 25, strike “(1)” and insert “(2)”.

Page 228, after line 12, insert the following:

7 (3) in subsection (i)—

8 (A) in paragraph (1) by striking “sub-  
9 section (d) or (e)” and inserting “subsection  
10 (d), (e), or (h)”;

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-  
13 graph (A) by inserting “new fixed guide-  
14 way capital project or core capacity im-  
15 provement” after “federally funded”;

16 (ii) by striking subparagraph (D) and  
17 inserting the following:

18 “(D) the program of interrelated projects,  
19 when evaluated as a whole—

20 “(i) meets the requirements of sub-  
21 section (d)(2), subsection (e)(2), or para-  
22 graphs (3) and (4) of subsection (h), as

1 applicable, if the program is comprised en-  
2 tirely of—

3 “(I) new fixed guideway capital  
4 projects;

5 “(II) core capacity improvement  
6 projects; or

7 “(III) small start projects; or

8 “(ii) meets the requirements of sub-  
9 section (d)(2) if the program is comprised  
10 of any combination of new fixed guideway  
11 projects, small start projects, and core ca-  
12 pacity improvement projects.”;

13 (C) by striking paragraph (3)(A) and in-  
14 serting the following:

15 “(A) PROJECT ADVANCEMENT.—A project  
16 receiving a grant under this section that is part  
17 of a program of interrelated projects may not  
18 advance—

19 “(i) in the case of a small start  
20 project, from the project development  
21 phase to the construction phase unless the  
22 Secretary determines that the program of  
23 interrelated projects meets the applicable  
24 requirements of this section and there is a

1 reasonable likelihood that the program will  
2 continue to meet such requirements; or  
3 “(ii) in the case of a new fixed guide-  
4 way capital project or a core capacity im-  
5 provement project, from the project devel-  
6 opment phase to the engineering phase, or  
7 from the engineering phase to the con-  
8 struction phase, unless the Secretary deter-  
9 mines that the program of interrelated  
10 projects meets the applicable requirements  
11 of this section and there is a reasonable  
12 likelihood that the program will continue to  
13 meet such requirements.”;

Page 228, strike lines 13 through 16 and insert the  
following:

14 (4) in subsection (l)—  
15 (A) by striking paragraph (1) and insert-  
16 ing the following:  
17 “(1) IN GENERAL.—Based on engineering stud-  
18 ies, studies of economic feasibility, and information  
19 on the expected use of equipment or facilities, the  
20 Secretary shall estimate the net capital project cost.  
21 A grant for a new fixed guideway project shall not  
22 exceed 50 percent of the net capital project cost. A  
23 grant for a core capacity project shall not exceed 80

1       percent of the net capital project cost of the incre-  
2       mental cost of increasing the capacity in the cor-  
3       ridor. A grant for a small start project shall not ex-  
4       ceed 80 percent.”; and

Page 229, line 9, strike “(3)” and insert “(5)”.

Page 229, line 11, strike “(4)” and insert “(6)”.

Page 237, line 13, strike “and”.

Page 237, after line 13, insert the following:

5               “(G) assist with the development and de-  
6               ployment of zero emission transit technologies;  
7               and

Page 237, line 14, strike “(G)” and insert “(H)”.

Page 241, line 17, strike “or”.

Page 242, line 2, strike the period at the end and  
insert “; or”.

Page 242, after line 2, insert the following:

8               “(v) address youth unemployment by  
9               directing the Secretary to award grants to  
10              local entities for work-based training and  
11              other work-related and educational strate-  
12              gies and activities of demonstrated effec-  
13              tiveness to provide unemployed, low-income

1                   young adults and low-income youth with  
2                   skills that will lead to employment.

Page 251, strike lines 18 through 21, and insert the following:

3                   (2) by striking subsection (f) and inserting the  
4                   following:

5                   “(f) AUTHORITY OF SECRETARY.—

6                   “(1) IN GENERAL.—In carrying out this sec-  
7                   tion, the Secretary may—

8                   “(A) conduct inspections, investigations,  
9                   audits, examinations, and testing of the equip-  
10                  ment, facilities, rolling stock, and operations of  
11                  the public transportation system of a recipient;

12                  “(B) make reports and issue directives  
13                  with respect to the safety of the public trans-  
14                  portation system of a recipient or the public  
15                  transportation industry generally;

16                  “(C) in conjunction with an accident inves-  
17                  tigation or an investigation into a pattern or  
18                  practice of conduct that negatively affects pub-  
19                  lic safety, issue a subpoena to, and take the  
20                  deposition of, any employee of a recipient or a  
21                  State safety oversight agency, if—

22                                  “(i) before the issuance of the sub-  
23                                  poena, the Secretary requests a determina-

1                   tion by the Attorney General as to whether  
2                   the subpoena will interfere with an ongoing  
3                   criminal investigation; and

4                   “(ii) the Attorney General—

5                   “(I) determines that the sub-  
6                   poena will not interfere with an ongo-  
7                   ing criminal investigation; or

8                   “(II) fails to make a determina-  
9                   tion under clause (i) before the date  
10                  that is 30 days after the date on  
11                  which the Secretary makes a request  
12                  under clause (i);

13                  “(D) require the production of documents  
14                  by, and prescribe recordkeeping and reporting  
15                  requirements for, a recipient or a State safety  
16                  oversight agency;

17                  “(E) investigate public transportation acci-  
18                  dents and incidents and provide guidance to re-  
19                  cipients regarding prevention of accidents and  
20                  incidents;

21                  “(F) at reasonable times and in a reason-  
22                  able manner, enter and inspect relevant records  
23                  of the public transportation system of a recipi-  
24                  ent; and

25                  “(G) issue rules to carry out this section.



1 “(2) ADDITIONAL AUTHORITY.—

2 “(A) ADMINISTRATION OF STATE SAFETY  
3 OVERSIGHT ACTIVITIES.—If the Secretary finds  
4 that a State safety oversight agency that over-  
5 sees a rail fixed guideway system operating in  
6 more than 2 States has become incapable of  
7 providing adequate safety oversight of such sys-  
8 tem, the Secretary may administer State safety  
9 oversight activities for such rail fixed guideway  
10 system until the States develop a State safety  
11 oversight program certified by the Secretary in  
12 accordance with subsection (e).

13 “(B) FUNDING.—To carry out administra-  
14 tive and oversight activities authorized by this  
15 paragraph, the Secretary may use—

16 “(i) grant funds apportioned to an eli-  
17 gible State under subsection (e)(6) to de-  
18 velop or carry out a State safety oversight  
19 program; and

20 “(ii) grant funds apportioned to an eli-  
21 gible State under subsection (e)(6) that  
22 have not been obligated within the admin-  
23 istrative period of availability.”;

Page 253, line 6, strike “subsection (h)(5)” and in-  
sert “subsection (g)(5)”.

Page 253, line 8, strike “and” at the end.

Page 253, line 11, strike the period at the end and insert a semicolon.

Page 253, after line 11, insert the following:

- 1           (4) in subsection (g) (as so redesignated)—
- 2                   (A) in paragraph (2) by striking “sub-
- 3                   section (j)” and inserting “subsection (i)”; and
- 4                   (B) by striking paragraph (3) and insert-
- 5                   ing the following:
- 6                   “(3) of amounts not apportioned under para-
- 7                   graphs (1) and (2)—
- 8                           “(A) for fiscal years 2016 through 2018,
- 9                   1.5 percent shall be apportioned to urbanized
- 10                   areas with populations of less than 200,000 in
- 11                   accordance with subsection (h); and
- 12                           “(B) for fiscal years 2019 through 2021, 2
- 13                   percent shall be apportioned to urbanized areas
- 14                   with populations of less than 200,000 in ac-
- 15                   cordance with subsection (h);”;
- 16           (5) in subsection (h)(2)(A) (as so redesignated)
- 17           by striking “subsection (h)(3)” and inserting “sub-
- 18           section (g)(3)”; and

1 (6) in subsection (i) (as so redesignated) by  
2 striking “subsection (h)(2)” and inserting “sub-  
3 section (g)(2)”.

Page 263, line 12, strike “paragraph (2)” and insert  
“paragraph (1)”.

Page 287, after line 7, insert the following:

4 **SEC. \_\_\_\_ . PARATRANSIT SYSTEM UNDER FTA APPROVED**  
5 **COORDINATED PLAN.**

6 Notwithstanding the provisions of part 37.131(e) of  
7 title 49, Code of Federal Regulations, any paratransit sys-  
8 tem currently coordinating complementary paratransit  
9 service for more than 40 fixed route agencies shall be per-  
10 mitted to continue using an existing tiered, distance-based  
11 coordinated paratransit fare system.

Page 294, line 20, strike “\$30,000,000” and insert  
“\$32,000,000”.

Page 327, after line 14, insert the following:

12 **SEC. \_\_\_\_ . MOTORCYCLIST ADVISORY COUNCIL.**

13 (a) IN GENERAL.—The Secretary, acting through the  
14 Administrator of the Federal Highway Administration,  
15 and in consultation with the Committee on Transportation  
16 and Infrastructure of the House of Representatives and  
17 the Committee on Environment and Public Works of the

1 Senate, shall appoint a Motorcycle Advisory Council to  
2 coordinate with and advise the Administrator on infra-  
3 structure issues of concern to motorcyclists, including—

4 (1) barrier design;

5 (2) road design, construction, and maintenance  
6 practices; and

7 (3) the architecture and implementation of in-  
8 telligent transportation system technologies.

9 (b) COMPOSITION.—The Council shall consist of not  
10 more than 10 members of the motorcycling community  
11 with professional expertise in national motorcyclist safety  
12 advocacy, including—

13 (1) at least—

14 (A) 1 member recommended by a national  
15 motorcyclist association;

16 (B) 1 member recommended by a national  
17 motorcycle riders foundation;

18 (C) 1 representative of the National Asso-  
19 ciation of State Motorcycle Safety Administra-  
20 tors;

21 (D) 2 members of State motorcyclists' or-  
22 ganizations;

23 (E) 1 member recommended by a national  
24 organization that represents the builders of  
25 highway infrastructure;

1 (F) 1 member recommended by a national  
2 association that represents the traffic safety  
3 systems industry; and

4 (G) 1 member of a national safety organi-  
5 zation; and

6 (2) at least 1, but not more than 2, motorcy-  
7 clists who are traffic system design engineers or  
8 State transportation department officials.

9 **SEC. \_\_\_\_ . HIGHWAY WORK ZONES.**

10 It is the sense of the House of Representatives that  
11 the Federal Highway Administration should—

12 (1) do all within its power to protect workers in  
13 highway work zones; and

14 (2) move rapidly to finalize regulations, as di-  
15 rected in section 1405 of MAP-21 (126 Stat. 560),  
16 to protect the lives and safety of construction work-  
17 ers in highway work zones from vehicle intrusions.

Page 303, line 1, insert “mental health or substance  
abuse” before “treatment”.

Page 417, after line 19, insert the following:

18 **SEC. \_\_\_\_ . VETERANS EXPANDED TRUCKING OPPORTUNI-**  
19 **TIES.**

20 (a) IN GENERAL.—In the case of a physician-ap-  
21 proved veteran operator, the qualified physician of such

1 operator may, subject to the requirements of subsection  
2 (b), perform a medical examination and provide a medical  
3 certificate for purposes of compliance with the require-  
4 ments of section 31149 of title 49, United States Code.

5 (b) CERTIFICATION.—The certification described  
6 under subsection (a) shall include—

7 (1) assurances that the physician performing  
8 the medical examination meets the requirements of  
9 a qualified physician under this section; and

10 (2) certification that the physical condition of  
11 the operator is adequate to enable such operator to  
12 operate a commercial motor vehicle safely.

13 (c) DEFINITIONS.—In this section, the following defi-  
14 nitions apply:

15 (1) PHYSICIAN-APPROVED VETERAN OPER-  
16 ATOR.—The term “physician-approved veteran oper-  
17 ator” means an operator of a commercial motor ve-  
18 hicle who—

19 (A) is a veteran who is enrolled in the  
20 health care system established under section  
21 1705(a) of title 38, United States Code; and

22 (B) is required to have a current valid  
23 medical certificate pursuant to section 31149 of  
24 title 49, United States Code.

1           (2) QUALIFIED PHYSICIAN.—The term “quali-  
2           fied physician” means a physician who—

3                   (A) is employed in the Department of Vet-  
4                   erans Affairs;

5                   (B) is familiar with the standards for, and  
6                   physical requirements of, an operator certified  
7                   pursuant to section 31149 of title 49, United  
8                   States Code; and

9                   (C) has never, with respect such section,  
10                  been found to have acted fraudulently, including  
11                  by fraudulently awarding a medical certificate.

12           (3) VETERAN.—The term “veteran” has the  
13           meaning given the term in section 101 of title 38,  
14           United States Code.

15           (d) STATUTORY CONSTRUCTION.—Nothing in this  
16           section shall be construed to change any statutory penalty  
17           associated with fraud or abuse.

Page 429, after line 15, insert the following (and re-  
designate subsequent sections accordingly):

18   **SEC. 5508. REPORT ON COMMERCIAL DRIVER’S LICENSE**

19                   **SKILLS TEST DELAYS.**

20           Not later than 1 year after the date of enactment  
21           of this Act, and each year thereafter, the Administrator  
22           of the Federal Motor Carrier Safety Administration shall  
23           submit to the Committee on Commerce, Science, and

1 Transportation of the Senate and the Committee on  
2 Transportation and Infrastructure of the House of Rep-  
3 resentatives a report that—

4 (1) describes, for each State, the status of skills  
5 testing for applicants for a commercial driver's li-  
6 cense, including—

7 (A) the average wait time, by month and  
8 location, from the date an applicant requests to  
9 take a skills test to the date the applicant com-  
10 pletes such test;

11 (B) the average wait time, by month and  
12 location, from the date an applicant, upon fail-  
13 ure of a skills test, requests a retest to the date  
14 the applicant completes such retest;

15 (C) the actual number of qualified com-  
16 mercial driver's license examiners, by month  
17 and location, available to test applicants; and

18 (D) the number of testing sites available  
19 through the State department of motor vehicles  
20 and whether this number has increased or de-  
21 creased from the previous year; and

22 (2) describes specific steps that the Adminis-  
23 trator is taking to address skills testing delays in  
24 States that have average skills test or retest wait  
25 times of more than 7 days from the date an appli-



1           cant requests to test or retest to the date the appli-  
2           cant completes such test or retest.

3   **SEC. 5509. COVERED FARM VEHICLES.**

4           Section 32934(b)(1) of MAP-21 (49 U.S.C. 31136  
5 note) is amended by striking “from” and all that follows  
6 through the period at end and inserting the following:  
7 “from—

8                   “(A) a requirement described in subsection  
9                   (a) or a compatible State requirement; or

10                   “(B) any other minimum standard pro-  
11                   vided by a State relating to the operation of  
12                   that vehicle.”.

13   **SEC. 5510. OPERATORS OF HI-RAIL VEHICLES.**

14           (a) IN GENERAL.—In the case of a commercial motor  
15 vehicle driver subject to the hours of service requirements  
16 in part 395 of title 49, Code of Federal Regulations, who  
17 is driving a hi-rail vehicle, the maximum on duty time  
18 under section 395.3 of such title for such driver shall not  
19 include time in transportation to or from a duty assign-  
20 ment if such time in transportation—

21                   (1) does not exceed 2 hours per calendar day or  
22                   a total of 30 hours per calendar month; and

23                   (2) is fully and accurately accounted for in  
24 records to be maintained by the motor carrier and  
25 such records are made available upon request of the

1 Federal Motor Carrier Safety Administration or the  
2 Federal Railroad Administration.

3 (b) EMERGENCY.—In the case of a train accident, an  
4 act of God, a train derailment, or a major equipment fail-  
5 ure or track condition that prevents a train from advanc-  
6 ing, a driver described in subsection (a) may complete a  
7 run without being in violation of the provisions of part  
8 395 of title 49, Code of Federal Regulations.

9 (c) HI-RAIL VEHICLE DEFINED.—In this section, the  
10 term “hi-rail vehicle” has the meaning given the term in  
11 section 214.7 of title 49, Code of Federal Regulations, as  
12 in effect on the date of enactment of this Act.

Page 445, line 22, before the period at the end in-  
sert the following: “or a consortia of research institutions  
or academic institutions”.

Page 457, strike lines 10 through 13 and insert the  
following:

13 “(2) LIMITATION.—A lead institution of a con-  
14 sortium of nonprofit institutions of higher education,  
15 as applicable, may only submit 1 grant application  
16 per fiscal year for each of the transportation centers  
17 described under paragraphs (2), (3), and (4) of sub-  
18 section (c).

Page 459, line 8, before the semicolon at the end insert the following: “, including women and underrepresented populations”.

Page 466, line 8, strike “paragraph” and insert “section”.

Page 476, after line 17, insert the following:

1 **SEC. \_\_\_\_ . HIGHWAY EFFICIENCY.**

2 (a) STUDY.—

3 (1) IN GENERAL.—The Assistant Secretary of  
4 Transportation for Research and Technology may  
5 examine the impact of pavement durability and sus-  
6 tainability on vehicle fuel consumption, vehicle wear  
7 and tear, road conditions, and road repairs.

8 (2) METHODOLOGY.—In carrying out the study,  
9 the Assistant Secretary shall—

10 (A) conduct a thorough review of relevant  
11 peer-reviewed research published during at least  
12 the past 5 years;

13 (B) analyze impacts of different types of  
14 pavement on all motor vehicle types, including  
15 commercial vehicles;

16 (C) specifically examine the impact of  
17 pavement deformation and deflection; and

1 (D) analyze impacts of different types of  
2 pavement on road conditions and road repairs.

3 (3) CONSULTATION.—In carrying out the study,  
4 the Assistant Secretary shall consult with—

5 (A) experts from the different modal ad-  
6 ministrations of the Department and from other  
7 Federal agencies, including the National Insti-  
8 tute of Standards and Technology;

9 (B) State departments of transportation;

10 (C) local government engineers and public  
11 works professionals;

12 (D) industry stakeholders; and

13 (E) appropriate academic experts active in  
14 the field.

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than 1 year after  
17 the date of enactment of this Act, the Assistant Sec-  
18 retary shall publish on a public Web site the results  
19 of the study.

20 (2) CONTENTS.—The report shall include—

21 (A) a summary of the different types of  
22 pavements analyzed in the study and the im-  
23 pacts of pavement durability and sustainability  
24 on vehicle fuel consumption, vehicle wear and  
25 tear, road conditions, and road repairs; and

1 (B) recommendations for State and local  
2 governments on best practice methods for im-  
3 proving pavement durability and sustainability  
4 to maximize vehicle fuel economy, ride quality,  
5 and road conditions and to minimize the need  
6 for road and vehicle repairs.

7 **SEC. \_\_\_\_ . MOTORCYCLE SAFETY.**

8 (a) STUDY.—The Assistant Secretary for Research  
9 and Technology of the Department of Transportation may  
10 enter into an agreement, within 45 days after the date  
11 of enactment of this Act, with the National Academy of  
12 Sciences to conduct a study on the most effective means  
13 of preventing motorcycle crashes.

14 (b) PUBLICATION.—The Assistant Secretary may  
15 make available the findings on a public Web site within  
16 30 days after receiving the results of the study from the  
17 National Academy of Sciences.

18 **SEC. \_\_\_\_ . HAZARDOUS MATERIALS RESEARCH AND DEVEL-**  
19 **OPMENT.**

20 Section 5118 of title 49, United States Code, is  
21 amended—

22 (1) in subsection (a)(2)—

23 (A) in subparagraph (A) by striking “and”  
24 at the end;

1 (B) in subparagraph (B) by striking the  
2 period at the end and inserting “; and”; and

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

4 “(C) coordinate, as appropriate, with other  
5 Federal agencies.”; and

6 (2) by adding at the end the following new sub-  
7 section:

8 “(c) COOPERATIVE RESEARCH.—

9 “(1) IN GENERAL.—As part of the program es-  
10 tablished in subsection (a), the Secretary may carry  
11 out cooperative research on hazardous materials  
12 transport.

13 “(2) NATIONAL ACADEMIES.—The Secretary  
14 may enter into an agreement with the National  
15 Academies to support such research.

16 “(3) RESEARCH.—Research conducted under  
17 this subsection may include activities related to—

18 “(A) emergency planning and response, in-  
19 cluding information and programs that can be  
20 readily assessed and implemented in local juris-  
21 dictions;

22 “(B) risk analysis and perception and data  
23 assessment;

24 “(C) commodity flow data, including vol-  
25 untary collaboration between shippers and first

1 responders for secure data exchange of critical  
2 information;

3 “(D) integration of safety and security;

4 “(E) cargo packaging and handling;

5 “(F) hazmat release consequences; and

6 “(G) materials and equipment testing.”.

7 **SEC. \_\_\_\_ . WEB-BASED TRAINING FOR EMERGENCY RE-**  
8 **SPONDERS.**

9 Section 5115(a) of title 49, United States Code, is  
10 amended by inserting “, including online curriculum as ap-  
11 propriate,” after “a current curriculum of courses”.

12 **SEC. \_\_\_\_ . TRANSPORTATION TECHNOLOGY POLICY WORK-**  
13 **ING GROUP.**

14 To improve the scientific pursuit and research proce-  
15 dures concerning transportation, the Assistant Secretary  
16 for Research and Technology may convene an interagency  
17 working group to—

18 (1) develop within 1 year after the date of en-  
19 actment of this Act a national transportation re-  
20 search framework;

21 (2) identify opportunities for coordination be-  
22 tween the Department and universities and the pri-  
23 vate sector, and prioritize these opportunities;

1           (3) identify and develop a plan to implement  
2           best practices for moving transportation research re-  
3           sults out of the laboratory and into application; and

4           (4) identify and develop a plan to address re-  
5           lated workforce development needs.

6 **SEC. \_\_\_\_ . COLLABORATION AND SUPPORT.**

7           The Secretary may solicit the support of, and identify  
8           opportunities to collaborate with, other Federal research  
9           agencies and national laboratories to assist in the effective  
10          and efficient pursuit and resolution of research challenges  
11          identified by the Secretary.

12 **SEC. \_\_\_\_ . PRIZE COMPETITIONS.**

13          Section 502(b)(7) of title 23, United States Code, is  
14          amended—

15                 (1) in subparagraph (D)—

16                         (A) by inserting “(such as  
17                         www.challenge.gov)” after “public website”;

18                         (B) by redesignating clauses (iii) and (iv)  
19                         as clauses (iv) and (v), respectively;

20                         (C) by inserting after clause (ii) the fol-  
21                         lowing:

22   “(iii) the process for participants to  
23   register for the competition;” and



1 (D) in clause (iv) (as redesignated by sub-  
2 paragraph (B)) by striking “prize” and insert-  
3 ing “cash prize purse”;

4 (2) in subparagraph (E) by striking “prize”  
5 both places it appears and inserting “cash prize  
6 purse”;

7 (3) by redesignating subparagraphs (F)  
8 through (K) as subparagraphs (G) through (L), re-  
9 spectively;

10 (4) by inserting after subparagraph (E) the fol-  
11 lowing:

12 “(F) USE OF FEDERAL FACILITIES; CON-  
13 SULTATION WITH FEDERAL EMPLOYEES.—An  
14 individual or entity is not ineligible to receive a  
15 cash prize purse under this paragraph as a re-  
16 sult of the individual or entity using a Federal  
17 facility or consulting with a Federal employee  
18 related to the individual or entity’s participation  
19 in a prize competition under this paragraph un-  
20 less the same facility or employee is made avail-  
21 able to all individuals and entities participating  
22 in the prize competition on an equitable basis.”;

23 (5) in subparagraph (G) (as redesignated by  
24 paragraph (3) of this section)—

1 (A) in clause (i)(I) by striking “competi-  
2 tion” and inserting “prize competition under  
3 this paragraph”;

4 (B) in clause (ii)(I)—

5 (i) by striking “participation in a  
6 competition” and inserting “participation  
7 in a prize competition under this para-  
8 graph”; and

9 (ii) by striking “competition activi-  
10 ties” and inserting “prize competition ac-  
11 tivities”; and

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

13 “(iii) INTELLECTUAL PROPERTY.—

14 “(I) PROHIBITION ON REQUIRING  
15 WAIVER.—The Secretary may not re-  
16 quire a participant to waive claims  
17 against the Department arising out of  
18 the unauthorized use or disclosure by  
19 the Department of the intellectual  
20 property, trade secrets, or confidential  
21 business information of the partici-  
22 pant.

23 “(II) PROHIBITION ON GOVERN-  
24 MENT ACQUISITION OF INTELLECTUAL  
25 PROPERTY RIGHTS.—The Federal

1 Government may not gain an interest  
2 in intellectual property developed by a  
3 participant for a prize competition  
4 under this paragraph without the  
5 written consent of the participant.

6 “(III) LICENSES.—The Federal  
7 Government may negotiate a license  
8 for the use of intellectual property de-  
9 veloped by a participant for a prize  
10 competition under this paragraph.”;

11 (6) in subparagraph (H)(i) (as redesignated by  
12 paragraph (3) of this section) by striking “subpara-  
13 graph (H)” and inserting “subparagraph (I)”;

14 (7) in subparagraph (I) (as redesignated by  
15 paragraph (3) of this section) by striking “an agree-  
16 ment with a private, nonprofit entity” and inserting  
17 “a grant, contract, cooperative agreement, or other  
18 agreement with a private sector for-profit or non-  
19 profit entity”;

20 (8) in subparagraph (J) (as redesignated by  
21 paragraph (3) of this section)—

22 (A) in clause (i)—

23 (i) in subclause (I) by striking “the  
24 private sector” and inserting “private sec-  
25 tor for-profit and nonprofit entities, to be

1 available to the extent provided by appro-  
2 priations Acts”;

3 (ii) in subclause (II) by striking “and  
4 metropolitan planning organizations” and  
5 inserting “metropolitan planning organiza-  
6 tions, and private sector for-profit and  
7 nonprofit entities”; and

8 (iii) in subclause (III) by inserting  
9 “for-profit or nonprofit” after “private sec-  
10 tor”;

11 (B) in clause (ii) by striking “prize  
12 awards” and inserting “cash prize purses”;

13 (C) in clause (iv)—

14 (i) by inserting “competition” after  
15 “A prize”; and

16 (ii) by striking “the prize” and insert-  
17 ing “the cash prize purse”;

18 (D) in clause (v)—

19 (i) by striking “amount of a prize”  
20 and inserting “amount of a cash prize  
21 purse”;

22 (ii) by inserting “competition” after  
23 “announcement of the prize”; and

24 (iii) in subclause (I) by inserting  
25 “competition” after “prize”;

1 (E) in clause (vi) by striking “offer a  
2 prize” and inserting “offer a cash prize purse”;  
3 and

4 (F) in clause (vii) by striking “cash  
5 prizes” and inserting “cash prize purses”;

6 (9) in subparagraph (K) (as redesignated by  
7 paragraph (3) of this section) by striking “or pro-  
8 viding a prize” and inserting “a prize competition or  
9 providing a cash prize purse”; and

10 (10) in subparagraph (L)(ii) (as redesignated  
11 by paragraph (3) of this section)—

12 (A) in subclause (I) by striking “The Sec-  
13 retary” and inserting “Not later than March 1  
14 of each year, the Secretary”; and

15 (B) in subclause (II)—

16 (i) in item (cc) by striking “cash  
17 prizes” both places it appears and insert-  
18 ing “cash prize purses”; and

19 (ii) in item (ee) by striking “agency”  
20 and inserting “Department”.

21 **SEC. \_\_\_\_ . GAO REPORT.**

22 Not later than 2 years after the date of enactment  
23 of this Act, the Comptroller General of the United States  
24 shall make available to the public a report that—

1 (1) assesses the status of autonomous transpor-  
2 tation technology policy developed by public entities  
3 in the United States;

4 (2) assesses the organizational readiness of the  
5 Department to address autonomous vehicle tech-  
6 nology challenges; and

7 (3) recommends implementation paths for au-  
8 tonomous transportation technology, applications,  
9 and policies that are based on the assessment de-  
10 scribed in paragraph (2).

11 **SEC. \_\_\_\_ . INTELLIGENT TRANSPORTATION SYSTEM PUR-**  
12 **POSES.**

13 Section 514(b) of title 23, United States Code, is  
14 amended—

15 (1) in paragraph (8) by striking “and” at the  
16 end;

17 (2) in paragraph (9) by striking the period at  
18 the end and inserting “; and”; and

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

20 “(10) to assist in the development of  
21 cybersecurity standards in cooperation with relevant  
22 modal administrations of the Department of Trans-  
23 portation and other Federal agencies to help prevent  
24 hacking, spoofing, and disruption of connected and  
25 automated transportation vehicles.”.

1 **SEC. \_\_\_\_ . INFRASTRUCTURE INTEGRITY.**

2 Section 503(b)(3)(C) of title 23, United States Code,  
3 is amended—

4 (1) in clause (xviii) by striking “and” at the  
5 end;

6 (2) in clause (xix) by striking the period at the  
7 end and inserting “; and” ; and

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

9 “(xx) corrosion prevention measures  
10 for the structural integrity of bridges.”.

Page 522, after line 2, insert the following:

11 **SEC. \_\_\_\_ . PHASE-OUT OF ALL TANK CARS USED TO TRANS-**  
12 **PORT CLASS 3 FLAMMABLE LIQUIDS.**

13 (a) IN GENERAL.—Except as provided for in sub-  
14 section (b), beginning on the date of enactment of this  
15 Act, all railroad tank cars used to transport Class 3 flam-  
16 mable liquids shall meet the DOT-117 or DOT-117R  
17 specifications in part 179 of title 49, Code of Federal Reg-  
18 ulations, regardless of train composition.

19 (b) PHASE-OUT SCHEDULE.—Certain tank cars not  
20 meeting DOT-117 or DOT-117R specifications on the  
21 date of enactment of this Act may be used, regardless of  
22 train composition, until the following end-dates:

1 (1) For transport of unrefined petroleum prod-  
2 ucts in Class 3 flammable service, including crude  
3 oil—

4 (A) January 1, 2018, for non-jacketed  
5 DOT-111 tank cars;

6 (B) March 1, 2018, for jacketed DOT-111  
7 tank cars;

8 (C) April 1, 2020, for non-jacketed CPC-  
9 1232 tank cars; and

10 (D) May 1, 2025, for jacketed CPC-1232  
11 tank cars.

12 (2) For transport of ethanol—

13 (A) May 1, 2023, for non-jacketed and  
14 jacketed DOT-111 tank cars;

15 (B) July 1, 2023, for non-jacketed CPC-  
16 1232 tank cars; and

17 (C) May 1, 2025, for jacketed CPC-1232  
18 tank cars.

19 (3) For transport of Class 3 flammable liquids  
20 in Packing Group I, other than Class 3 flammable  
21 liquids specified in paragraphs (1) and (2), May 1,  
22 2025.

23 (4) For transport of Class 3 flammable liquids  
24 in Packing Groups II and III, other than Class 3



1 flammable liquids specified in paragraphs (1) and  
2 (2), May 1, 2029.

3 (c) RETROFITTING SHOP CAPACITY.—The Secretary  
4 may extend the deadlines established under paragraphs  
5 (3) and (4) of subsection (b) for a period not to exceed  
6 2 years if the Secretary determines that insufficient retro-  
7 fitting shop capacity will prevent the phase-out of tank  
8 cars not meeting the DOT–117 or DOT–117R specifica-  
9 tions by the deadlines set forth in such paragraphs.

10 (d) IMPLEMENTATION.—Nothing in this section shall  
11 be construed to require the Secretary to issue regulations  
12 to implement this section.

13 (e) SAVINGS CLAUSE.—Nothing in this section shall  
14 be construed to prohibit the Secretary from implementing  
15 the final rule issued on May 08, 2015, entitled “Enhanced  
16 Tank Car Standards and Operational Controls for High-  
17 Hazard Flammable Trains” (80 Fed. Reg. 26643), other  
18 than the provisions of the final rule that are inconsistent  
19 with this section.

20 (f) CLASS 3 FLAMMABLE LIQUID DEFINED.—In this  
21 section, the term “Class 3 flammable liquid” has the  
22 meaning given the term flammable liquid in section  
23 173.120(a) of title 49, Code of Federal Regulations.

Page 523, line 24, strike “and” at the end.

Page 524, line 2, strike the semicolon and insert “; and”.

Page 524, after line 2, insert the following:

1                   “(C) travel from the Nation’s ports, air-  
2                   ports, and gateways to the National Multimodal  
3                   Freight Network;

Page 527, line 5, strike “consist of” and insert “include”.

Page 528, after line 6, insert the following (and redesignate subsequent subsections accordingly):

4           “(c) OTHER STRATEGIC FREIGHT ASSETS.—In de-  
5           termining network components in subsection (b), the Sec-  
6           retary may consider strategic freight assets identified by  
7           States, including public ports if such ports do not meet  
8           the annual tonnage threshold, for inclusion on the Na-  
9           tional Multimodal Freight Network.

