

108TH CONGRESS  
1ST SESSION

# H. R. 906

To amend title 23, United States Code, to improve roadway safety for motor vehicles, bicycles, and pedestrians and workers in proximity to vehicle traffic.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2003

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

# A BILL

To amend title 23, United States Code, to improve roadway safety for motor vehicles, bicycles, and pedestrians and workers in proximity to vehicle traffic.

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

### **3 SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Surface Transpor-  
5 tation Safety Act of 2003”.

## 6 SEC. 2. ELIMINATION OF HAZARDS RELATED TO HIGHWAY

## 7 FACILITIES.

8       (a)    DEFINITION    OF    SAFETY    IMPROVEMENT  
9 PROJECT.—Section 101(a)(30) of title 23, United States  
10 Code, is amended by inserting “installs or maintains fluo-

1 rescent, yellow-green signs at pedestrian or bicycle cross-  
2 ings or school zones,” after “call boxes.”.

3 (b) RAILWAY-HIGHWAY CROSSINGS.—

4 (1) ELIGIBLE PROJECTS.—The first sentence of  
5 section 130(a) of such title is amended by inserting  
6 “maintenance of protective devices,” after “struc-  
7 tures.”.

8 (2) FUNDS FOR PROTECTIVE DEVICES.—Sec-  
9 tion 130(e) of such title is amended by striking “At  
10 least ½” and inserting “For each fiscal year, at  
11 least \$150,000,000”.

12 (3) BIENNIAL REPORTS TO CONGRESS.—The  
13 third sentence of section 130(g) of such title is  
14 amended—

15 (A) by striking “Committee on Environ-  
16 ment and Public Works” and inserting “Com-  
17 mittees on Environment and Public Works and  
18 Commerce, Science, and Transportation”; and

19 (B) by striking “not later than April 1 of  
20 each year” and inserting “every other year”.

21 (4) EXPENDITURE OF FUNDS.—Section 130 of  
22 such title is further amended by adding at the end  
23 the following:

24 (k) EXPENDITURE OF FUNDS.—Funds made avail-  
25 able to carry out this section shall be available for expendi-

1 ture on compilation and analysis of data in support of ac-  
2 tivities carried out under subsection (g).”.

3 (c) AVAILABILITY OF SURFACE TRANSPORTATION  
4 PROGRAM FUNDS.—The second sentence of section  
5 133(d)(1) of such title is amended—

6 (1) by inserting “equal” after “year an”; and  
7 (2) by striking “which is” and all that follows  
8 before the period.

9 (d) HAZARD ELIMINATION PROGRAM.—

10 (1) PURPOSES.—Section 152(a)(1) of such title  
11 is amended by inserting after “pedestrians,” the fol-  
12 lowing: “identify roadway safety improvement needs  
13 for such locations, sections, and elements.”.

14 (2) APPROVAL OF PROJECTS.—Section 152(b)  
15 of such title is amended by inserting before the pe-  
16 riod at the end the following: “, that reduces the  
17 likelihood of crashes involving road departures,  
18 intersections, pedestrians, bicycles, older drivers, or  
19 construction work zones”.

20 (3) EXPENDITURE OF FUNDS.—Section 152(c)  
21 of such title is amended—

22 (A) in paragraph (2) by striking “or” at  
23 the end;

24 (B) in paragraph (3) by striking the period  
25 at the end and inserting a semicolon; and

(C) by adding at the end the following:

2               “(4) police assistance for traffic and speed  
3 management in construction work zones;

4               “(5) installation of barriers between construc-  
5               tion work zones and traffic lanes for the safety of  
6               motorists and workers; or

7               “(6) compilation and analysis of data under  
8 subsections (f) and (g).”.

17 (B) by inserting after subsection (g) the  
18 following:

19        "(h) BIENNIAL REPORTS TO CONGRESS.—Not later  
20 than 1 year after the date of enactment of this subsection,  
21 and every 2 years thereafter, the Secretary shall transmit  
22 to the Committee on Transportation and Infrastructure  
23 of the House of Representatives and the Committee on  
24 Environment and Public Works of the Senate a report on

1 the results of the program under this section. The report  
2 shall include, at a minimum, the following:

3           “(1) A summary of State projects completed  
4 under this section categorized by the types of haz-  
5 ards described in subsection (b) and a statement of  
6 the cost of such projects.

7           “(2) An analysis of the effectiveness of such  
8 projects in reducing the number and severity of  
9 crashes at high hazard locations.

10          “(3) An assessment of the adequacy of author-  
11 ized funding for the program and State use of such  
12 funding to address the national need for such  
13 projects.

14          “(4) Recommendations for funding and pro-  
15 gram improvements to reduce the number of high  
16 hazard locations.”.

17 **SEC. 3. WORKER INJURY PREVENTION AND FREE FLOW OF**  
18 **VEHICULAR TRAFFIC.**

19          Not later than 1 year after the date of enactment  
20 of this Act, the Secretary of Transportation shall issue  
21 regulations to decrease the likelihood of worker injury and  
22 maintain the free flow of vehicular traffic by requiring  
23 workers whose duties place them on or in close proximity  
24 to a Federal-aid highway (as defined in section 101 of title  
25 23, United States Code) to wear high visibility garments.

- 1 Such regulations may also require such other worker-safe-
- 2 ty measures for workers with those duties as the Secretary
- 3 determines appropriate.

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