

Union Calendar No. 151

105TH CONGRESS
1ST Session

H. R. 2516

[Report No. 105-270]

A BILL

To extend the Intermodal Surface Transportation
Efficiency Act of 1991 through March 31, 1998.

SEPTEMBER 25, 1997

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 23, 1997

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

SEPTEMBER 25, 1997

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 23, 1997]

A BILL

To extend the Intermodal Surface Transportation Efficiency Act of 1991 through March 31, 1998.

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. STATEMENT OF PURPOSE.**

2 *This Act makes funds available for the Federal-aid*
3 *highway, highway safety, motor carrier safety, and mass*
4 *transportation programs for the first 6 months of fiscal year*
5 *1998 by extending the Intermodal Surface Transportation*
6 *Efficiency Act of 1991 to ensure the continuation of such*
7 *programs while a multiyear reauthorization is developed.*
8 *This extension is structured to allow programmatic, appor-*
9 *tionment formula, and funding adjustments for the second*
10 *6 months of fiscal year 1998 through enactment of a*
11 *multiyear program.*

12 **SEC. 2. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAM**
13 **FUNDING.**

14 *(a) IN GENERAL.—Section 1003 of the Intermodal*
15 *Surface Transportation Efficiency Act of 1991 (105 Stat.*
16 *1918–1922) is amended by adding at the end the following:*

17 “(d) **FEDERAL-AID HIGHWAYS FOR THE PERIOD OC-**
18 **TOBER 1, 1997, THROUGH MARCH 31, 1998.—**

19 “(1) **IN GENERAL.—***For Federal-aid highways*
20 *and highway safety construction programs,*
21 *\$11,942,375,000 are authorized to be appropriated*
22 *out of the Highway Trust Fund (other than the Mass*
23 *Transit Account) during the period October 1, 1997,*
24 *through March 31, 1998, and shall be distributed in*
25 *accordance with this subsection.*

1 “(2) *CERTAIN DISCRETIONARY PROGRAMS.*—Of
 2 *the amounts made available by paragraph (1), the*
 3 *Secretary shall deduct \$32,500,000 to carry out sec-*
 4 *tion 118(c)(2) of title 23, United States Code, for the*
 5 *period October 1, 1997, through March 31, 1998, and*
 6 *shall deduct \$30,250,000 to carry out the discre-*
 7 *tionary program under paragraphs (1) and (2) of sec-*
 8 *tion 144(g) of such title during such period.*

9 “(3) *STATE ALLOCATION PERCENTAGES.*—From
 10 *amounts remaining after making the deductions*
 11 *under paragraph (2) and application of paragraphs*
 12 *(4) and (5), the Secretary shall determine the amount*
 13 *to be apportioned among the States in accordance*
 14 *with the following table:*

“State:	Percentage:
<i>Alabama</i>	<i>2.0026</i>
<i>Alaska</i>	<i>1.0499</i>
<i>Arizona</i>	<i>1.4627</i>
<i>Arkansas</i>	<i>1.5268</i>
<i>California</i>	<i>8.9046</i>
<i>Colorado</i>	<i>1.0443</i>
<i>Connecticut</i>	<i>1.9229</i>
<i>Delaware</i>	<i>0.4057</i>
<i>District of Columbia</i>	<i>0.4436</i>
<i>Florida</i>	<i>4.4867</i>
<i>Georgia</i>	<i>3.2899</i>
<i>Hawaii</i>	<i>0.6435</i>
<i>Idaho</i>	<i>0.6314</i>
<i>Illinois</i>	<i>3.6779</i>
<i>Indiana</i>	<i>2.4581</i>
<i>Iowa</i>	<i>1.1364</i>
<i>Kansas</i>	<i>1.1383</i>
<i>Kentucky</i>	<i>1.6617</i>
<i>Louisiana</i>	<i>1.4831</i>
<i>Maine</i>	<i>0.6458</i>
<i>Maryland</i>	<i>1.4512</i>
<i>Massachusetts</i>	<i>3.5632</i>
<i>Michigan</i>	<i>3.0432</i>
<i>Minnesota</i>	<i>1.4547</i>

“State:	Percentage:
<i>Mississippi</i>	1.1286
<i>Missouri</i>	2.2677
<i>Montana</i>	0.7857
<i>Nebraska</i>	0.7501
<i>Nevada</i>	0.6218
<i>New Hampshire</i>	0.4764
<i>New Jersey</i>	2.6851
<i>New Mexico</i>	0.8767
<i>New York</i>	5.7882
<i>North Carolina</i>	2.7408
<i>North Dakota</i>	0.5972
<i>Ohio</i>	3.4702
<i>Oklahoma</i>	1.5021
<i>Oregon</i>	1.1378
<i>Pennsylvania</i>	4.5007
<i>Rhode Island</i>	0.4708
<i>South Carolina</i>	1.6019
<i>South Dakota</i>	0.5990
<i>Tennessee</i>	2.0954
<i>Texas</i>	6.9197
<i>Utah</i>	0.6672
<i>Vermont</i>	0.4287
<i>Virginia</i>	2.4440
<i>Washington</i>	1.7603
<i>West Virginia</i>	1.1088
<i>Wisconsin</i>	2.0159
<i>Wyoming</i>	0.5999
<i>Puerto Rico</i>	0.4312.

1 “(4) STATE PROGRAMMATIC DISTRIBUTION.—

2 “(A) IN GENERAL.—Of the funds to be ap-
3 portioned to each State under paragraph (3), the
4 Secretary shall ensure that the State is appor-
5 tioned an amount of such funds, determined
6 under subparagraph (B), for the Interstate
7 maintenance program, the National Highway
8 System, the bridge program, the surface trans-
9 portation program, the congestion mitigation
10 and air quality improvement program, mini-
11 mum allocation under section 157 of title 23,
12 United States Code, Interstate reimbursement

1 *under section 160 of such title, the donor State*
2 *bonus under section 1013(c) of the Intermodal*
3 *Surface Transportation Efficiency Act of 1991,*
4 *hold harmless under section 1015(a) of such Act,*
5 *90 percent of payments adjustments under sec-*
6 *tion 1015(b) of such Act, metropolitan planning*
7 *under section 134 of such title, section 1015(c)*
8 *and an amount equal to the funds provided*
9 *under sections 1103 through 1108 of such Act,*
10 *and funding restoration under section 202 of the*
11 *National Highway System Designation Act of*
12 *1995.*

13 “(B) *FORMULA.*—*The amount which each*
14 *State is to be apportioned under this subsection*
15 *for each item referred to in subparagraph (A)*
16 *shall be in the same ratio that each State was*
17 *apportioned funds for such item or allocated*
18 *funds under sections 1103 through 1108 of the*
19 *Intermodal Surface Transportation Efficiency*
20 *Act of 1991 to the total of all such funds appor-*
21 *tioned, and allocated under such sections, to such*
22 *State for such items for fiscal year 1997.*

23 “(C) *MINIMUM ALLOCATION.*—*Not more*
24 *than \$319,500,000 of the funds apportioned to*

1 *States by this subsection for minimum allocation*
2 *shall not be subject to any obligation limitation.*

3 “(D) *SPECIAL RULE.—Amounts appor-*
4 *tioned to a State by this subsection attributable*
5 *to sections 1103 through 1108 of the Intermodal*
6 *Surface Transportation Efficiency Act of 1991*
7 *shall be available to such State for projects eligi-*
8 *ble for assistance under chapter 1 of title 23,*
9 *United States Code.*

10 “(E) *ADMINISTRATION.—Funds appor-*
11 *tioned, and funds allocated, under this subsection*
12 *shall be administered as if they had been appor-*
13 *tioned or allocated, as the case may be, under*
14 *title 23, United States Code.*

15 “(5) *GENERAL OPERATING EXPENSES AND*
16 *OTHER DEDUCTIONS.—*

17 “(A) *GENERAL OPERATING EXPENSES.—*
18 *After making the determinations and before ap-*
19 *portioning funds under paragraphs (3) and (4),*
20 *the Secretary shall deduct the amount that would*
21 *be required to be deducted under section 104(a)*
22 *of title 23, United States Code, from the aggre-*
23 *gate of amounts to be apportioned to all States*
24 *for programs to which the deduction under such*

1 *section would apply if such section applied to*
2 *such apportionment.*

3 “(B) *TERRITORIAL HIGHWAYS.*—*After mak-*
4 *ing the determinations and before apportioning*
5 *funds under paragraphs (3) and (4), the Sec-*
6 *retary shall deduct the amount required to be de-*
7 *ducted pursuant to section 104(b)(1) of title 23,*
8 *United States Code, for the Virgin Islands,*
9 *Guam, American Samoa, and the Common-*
10 *wealth of the Northern Mariana Islands from the*
11 *aggregate amounts to be apportioned to all*
12 *States for the National Highway System under*
13 *this subsection.*

14 “(6) *NATIONAL RECREATIONAL TRAILS PRO-*
15 *GRAM.*—*Section 104(h) of title 23, United States*
16 *Code, is amended by inserting ‘and \$7,500,000 for the*
17 *period October 1, 1997, through March 31, 1998’ after*
18 *‘1997’.*

19 “(7) *WOODROW WILSON BRIDGE.*—*Section*
20 *104(i)(1) of title 23, United States Code, is amended*
21 *by inserting ‘and for the period October 1, 1997,*
22 *through March 31, 1998’ after ‘1997’.*

23 “(8) *OFF-SYSTEM BRIDGES.*—*Section 144(g)(3)*
24 *of title 23, United States Code, is amended by insert-*

1 *ing ‘and in the period October 1, 1997, through*
2 *March 31, 1998’ after ‘1997.’.*

3 (b) *FEDERAL LANDS HIGHWAYS.*—Section 1003(a)(6)
4 *of the Intermodal Surface Transportation Efficiency Act of*
5 *1991 (105 Stat. 1919) is amended—*

6 (1) *in subparagraph (A) by inserting “and*
7 *\$95,500,000 for the period October 1, 1997, through*
8 *March 31, 1998” before the period;*

9 (2) *in subparagraph (B)—*

10 (A) *by striking “and” following “1995,”;*

11 *and*

12 (B) *by inserting “and \$86,000,000 for the*
13 *period October 1, 1997, through March 31, 1998”*
14 *before the period; and*

15 (3) *in subparagraph (C)—*

16 (A) *by striking “and” following “1995,”;*

17 *and*

18 (B) *by inserting “, and \$42,000,000 for the*
19 *period October 1, 1997, through March 31, 1998”*
20 *before the period.*

21 (c) *CERTAIN ALLOCATED PROGRAMS.*—

22 (1) *HIGHWAY USE TAX EVASION.*—Section
23 *1040(f)(1) of the Intermodal Surface Transportation*
24 *Efficiency Act of 1991 (105 Stat 1992–1993) is*
25 *amended by inserting “and \$2,500,000 for the period*

1 *October 1, 1997, through March 31, 1998” before the*
2 *period at the end of the first sentence.*

3 (2) *SCENIC BYWAYS PROGRAM.*—Section 1047(d)
4 *of the Intermodal Surface Transportation Efficiency*
5 *Act of 1991 (105 Stat. 1998) is amended—*

6 (A) *by striking “and” following “1994,”;*
7 *and*

8 (B) *by inserting “, and \$7,000,000 for the*
9 *period October 1, 1997, through March 31, 1998”*
10 *before the period at the end of the first sentence.*

11 (3) *FERRY BOAT CONSTRUCTION.*—Section
12 *1064(c) of the Intermodal Surface Transportation Ef-*
13 *ficiency Act of 1991 (105 Stat. 2005) is amended—*

14 (A) *by striking “and” following “1996,”;*
15 *and*

16 (B) *by inserting “, and \$9,000,000 for the*
17 *period October 1, 1997, through March 31, 1998”*
18 *after “1997”.*

19 (d) *FISCAL YEAR 1998 OBLIGATION LIMITATION.*—

20 (1) *AMENDMENTS TO ISTEА.*—Section 1002 of
21 *the Intermodal Surface Transportation Efficiency Act*
22 *of 1991 (105 Stat. 1916–1918) is amended—*

23 (A) *in subsection (a)—*

24 (i) *by striking “and” at the end of*
25 *paragraph (5);*

1 (ii) by striking the period at the end of
2 paragraph (6) and inserting “; and”; and
3 (iii) by inserting after paragraph (6)
4 the following:

5 “(7) \$21,500,000,000 for fiscal year 1998.”; and
6 (B) by adding at the end the following:

7 “(i) *SPECIAL RULE FOR FISCAL YEAR 1998.—The*
8 *Secretary shall distribute on October 1, 1997, 50 percent*
9 *of the limitation on obligations for Federal-aid highways*
10 *and highway safety construction programs imposed by the*
11 *Department of Transportation and Related Agencies Ap-*
12 *propriations Act, 1998, and 50 percent of such limitation*
13 *on July 1, 1998.”.*

14 (2) *LIMITATION.—Nothing in this section (in-*
15 *cluding the amendments made by this section) shall*
16 *apply to any funds made available before October 1,*
17 *1997, for carrying out sections 125 and 157 of title*
18 *23, United States Code, and sections 1103 through*
19 *1108 of the Intermodal Surface Transportation Effi-*
20 *ciency Act of 1991.*

21 **SEC. 3. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

22 (a) *NHSTA HIGHWAY SAFETY PROGRAMS.—Section*
23 *2005(1) of the Intermodal Surface Transportation Effi-*
24 *ciency Act of 1991 (105 Stat. 2079) is amended by inserting*

1 “and \$83,000,000 for the period October 1, 1997, through
2 March 31, 1998” before the period at the end.

3 (b) *ALCOHOL-IMPAIRED DRIVING COUNTER-*
4 *MEASURES.*—Section 410 of title 23, United States Code,
5 is amended—

6 (1) in subsection (c) by striking “5” and insert-
7 ing “6”;

8 (2) in subsection (c)(3) by striking “and fifth”
9 and inserting “fifth, and sixth”;

10 (3) in subsection (d)(2)(B) by striking “two”
11 and inserting “3”; and

12 (4) in subsection (j)—

13 (A) by striking “and” following “1997,”;
14 and

15 (B) by inserting “and \$12,500,000 for the
16 period October 1, 1997, through March 31, 1998”
17 after “1997” the second place it appears.

18 (c) *NATIONAL DRIVER REGISTER.*—Section 30308(a)
19 of title 49, United States Code, is amended—

20 (1) by striking “and” following “1994,”; and

21 (2) by inserting “, and \$1,855,000 for the period
22 October 1, 1997, through March 31, 1998” after
23 “1996”.

24 (d) *OBLIGATION LIMITATION.*—The total of all obliga-
25 tions for highway traffic safety grants under sections 402

1 *and 410 of title 23, United States Code, for fiscal year 1998*
2 *shall not exceed \$186,500,000.*

3 **SEC. 4. FEDERAL TRANSIT PROGRAMS.**

4 *(a) EXTENSION.—Title III of the Intermodal Surface*
5 *Transportation Efficiency Act of 1991 (105 Stat. 2087–*
6 *2140) is amended by adding at the end the following:*

7 **“SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS**
8 **FOR THE PERIOD OCTOBER 1, 1997, THROUGH**
9 **MARCH 31, 1998.**

10 *“(a) ALLOCATING AMOUNTS.—Section 5309(m) of title*
11 *49, United States Code, is amended by inserting ‘and for*
12 *the period October 1, 1997, through March 31, 1998’ after*
13 *‘1997’.*

14 *“(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED*
15 *GUIDEWAY MODERNIZATION.—Section 5337(a) of title 49,*
16 *United States Code, is amended by inserting ‘and for the*
17 *period October 1, 1997, through March 31, 1998’ after*
18 *‘1997’.*

19 *“(c) AUTHORIZATIONS.—Section 5338 of title 49,*
20 *United States Code, is amended—*

21 *“(1) by adding at the end of subsection (a)(1) the*
22 *following:*

23 *“(F) \$1,284,792,000 for the period October 1,*
24 *1997, through March 31, 1998.’;*

1 “(2) by adding at the end of subsection (a)(2) the
2 following:

3 “‘(F) \$213,869,000 for the period October 1,
4 1997, through March 31, 1998.’;

5 “(3) by adding at the end of subsection (b)(1) the
6 following:

7 ‘(F) \$1,162,708,000 for the period October 1,
8 1997, through March 31, 1998.’;

9 “(4) in subsection (c) by inserting ‘and not more
10 than \$1,500,000 for the period October 1, 1997,
11 through March 31, 1998’ after ‘1997.’;

12 “(5) in subsection (e) by inserting ‘and not more
13 than \$3,000,000 is available from the Fund (except
14 the Account) for the Secretary for the period October
15 1, 1997, through March 31, 1998’ after ‘1997.’;

16 “(6) in subsection (h)(3) by inserting ‘\$3,000,000
17 is available for section 5317 for the period October 1,
18 1997, through March 31, 1998’ after ‘1997.’;

19 “(7) in subsection (j)(5)—

20 “(A) by striking ‘and’ at the end of sub-
21 paragraph (B);

22 “(B) by striking the period at the end of
23 subparagraph (C) and inserting ‘; and’; and

24 “(C) by adding at the end the following:

1 “(D) the lesser of \$1,500,000 or an amount
2 the Secretary determines is necessary is available
3 for the period October 1, 1997, through March
4 31, 1998.”;

5 “(8) in subsection (k) by striking ‘or (e)’ and in-
6 serting ‘(e), or (m)’; and

7 “(9) by adding at the end the following:

8 “(m) SECTION 5316 FOR THE PERIOD OCTOBER 1,
9 1997, THROUGH MARCH 31, 1998.—Not more than the fol-
10 lowing amounts may be appropriated to the Secretary from
11 the Fund (except the Account) for the period October 1,
12 1997, through March 31, 1998:

13 “(1) \$125,000 to carry out section 5316(a) of
14 this title;

15 “(2) \$1,500,000 to carry out section 5316(b) of
16 this title;

17 “(3) \$500,000 to carry out section 5316(c) of
18 this title;

19 “(4) \$500,000 to carry out section 5316(d) of
20 this title; and

21 “(5) \$500,000 to carry out section 5316(e) of
22 this title.’”.

23 (b) OBLIGATION LIMITATIONS.—

24 (1) DISCRETIONARY GRANTS AND LOANS.—The
25 total of all obligations from the Mass Transit Account

1 of the Highway Trust Fund for carrying out section
2 5309 of title 49, United States Code, relating to dis-
3 cretionary grants and loans, for fiscal year 1998 shall
4 not exceed \$2,000,000,000.

5 (2) *FORMULA TRANSIT PROGRAMS.*—The total of
6 all obligations for formula transit programs under
7 sections 5307, 5310, 5311, and 5336 of title 49, Unit-
8 ed States Code, for fiscal year 1998 shall not exceed
9 \$2,210,000,000.

10 **SEC. 5. MOTOR CARRIER SAFETY PROGRAM.**

11 (a) *EXTENSION OF MOTOR CARRIER SAFETY ASSIST-*
12 *ANCE PROGRAM FOR PERIOD OCTOBER 1, 1997, THROUGH*
13 *MARCH 1, 1998.*—Section 31104(a) of title 49, United
14 States Code, is amended by adding at the end the following:

15 “(6) not more than \$45,000,000 for the period
16 October 1, 1997, through March 31, 1998.”.

17 (b) *OBLIGATION LIMITATION.*—The total of all obliga-
18 tions for carrying out the motor carrier safety program
19 under section 31102 title 49, United States Code, for fiscal
20 year 1998 shall not exceed \$85,325,000.

21 **SEC. 6. EXTENSION OF RESEARCH PROGRAMS.**

22 (a) *BUREAU OF TRANSPORTATION STATISTICS.*—Sec-
23 tion 6006 of the Intermodal Surface Transportation Effi-
24 ciency Act of 1991 (105 Stat. 2172–2174) is amended—

1 (1) by inserting “(a) *IN GENERAL.*—” before
2 “*Chapter I*”; and

3 (2) in subsection (b)—

4 (A) by striking “and” following “1996,”;

5 (B) by inserting “, and \$12,500,000 for the
6 period October 1, 1997, through March 31, 1998”
7 after “1997”.

8 (b) *INTELLIGENT TRANSPORTATION SYSTEM.*—Section
9 6058(b) of the *Intermodal Surface Transportation Effi-*
10 *ciency Act of 1991 (105 Stat. 2194)* is amended by inserting
11 “and \$56,500,000 for the period October 1, 1997, through
12 March 31, 1998” after “1997”.