

105TH CONGRESS
2D SESSION

S. 2113

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

IN THE SENATE OF THE UNITED STATES

MAY 22, 1998

Mr. ROBB introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

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 subtitle may be cited as the “Metropolitan
5 Washington Regional Transportation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) congestion is a serious problem in the met-
9 ropolitan Washington region, as evidenced by recent
10 studies that have found that only the city of Los An-

1 geles is more congested and that congestion costs
2 each man, woman, and child in the region more than
3 \$800 per year in lost time, wasted fuel, and environ-
4 mental damage;

5 (2) in the past, regional leaders have success-
6 fully worked together to address important transpor-
7 tation needs, through such institutions as the Metro-
8 politan Washington Airports Authority, the Wash-
9 ington Metropolitan Area Transit Authority, and the
10 National Capital Region Transportation Planning
11 Board at the Metropolitan Washington Council of
12 Governments;

13 (3) even greater regional cooperation is needed
14 to prevent congestion in the metropolitan Washing-
15 ton region from worsening, in light of predictions
16 that, for the period of 1990 through 2020, there will
17 be a 43 percent increase in population, a 43 percent
18 increase in employment, and a 79 percent increase
19 in vehicle miles traveled, in the region;

20 (4) while transportation needs will grow signifi-
21 cantly over the next decades, spending is expected to
22 fall short of transportation needs by more than
23 \$500,000,000 per year, even with expected increases
24 in Federal and State spending;

1 (5) none of the existing metropolitan-wide
2 transportation agencies within the metropolitan
3 Washington region has the necessary powers, au-
4 thorities, and resources to meet the current and fu-
5 ture transportation needs of the region;

6 (6) the failure to meet the transportation needs
7 of the metropolitan Washington region will under-
8 mine the quality of life of the residents of the region,
9 degrade the natural environment, and adversely af-
10 fect the ability of Federal agencies and private sec-
11 tor businesses to operate effectively and efficiently;

12 (7) the transportation challenges faced by the
13 metropolitan Washington region are unique and de-
14 serve the attention of Congress because of the pres-
15 ence of the Federal Government within the region
16 and because of the intersection of 3 jurisdictions,
17 consisting of 2 States and the District of Columbia,
18 within a single metropolitan area;

19 (8) the National Capital Region Transportation
20 Planning Board at the Metropolitan Washington
21 Council of Governments, the designated metropolitan
22 planning organization for planning and program-
23 ming Federal transit and highway funds provided to
24 the metropolitan Washington region, is updating the

1 long-range plan for the region to meet transpor-
2 tation needs in the coming decades; and

3 (9) with Federal assistance, the Board can
4 more effectively promote regional agreement on how
5 to finance and implement its long-range plan to
6 meet the transportation needs of the metropolitan
7 Washington region.

8 **SEC. 3. PURPOSES.**

9 The purposes of this subtitle are—

10 (1) to provide a new option to help the metro-
11 politan Washington region more effectively address
12 its transportation needs;

13 (2) to empower the National Capital Region
14 Transportation Planning Board to consult with the
15 metropolitan Washington region jurisdictions and
16 the public to achieve consensus on a list of critical
17 transportation projects and a funding mechanism
18 that are needed to address the growing congestion
19 crisis in the region but cannot be funded within the
20 current and forecasted Federal, State and local
21 fundings levels for such projects;

22 (3) to establish a Corporation with the power to
23 accept revenue and issue debt to provide short-term
24 funding for projects that have been agreed to by the
25 region;

1 (4) to grant consent to the metropolitan Wash-
2 ington region jurisdictions to enter into an interstate
3 compact or agreement that would help meet the re-
4 gion’s long-term transportation needs; and

5 (5) to provide Federal matching grants to the
6 region to promote consensus on a regional funding
7 mechanism.

8 **SEC. 4. DEFINITIONS.**

9 In this subtitle:

10 (1) BOARD.—The term “Board” means the Na-
11 tional Capital Region Transportation Planning
12 Board at the Metropolitan Washington Council of
13 Governments.

14 (2) CORPORATION.—The term “Corporation”
15 means the Metropolitan Washington Regional
16 Transportation Corporation established by section
17 6(a).

18 (3) METROPOLITAN WASHINGTON REGION; RE-
19 GION.—The term “metropolitan Washington region”
20 or “region” means the area that is—

21 (A) located in the area including and sur-
22 rounding Washington, District of Columbia;
23 and

24 (B) under the jurisdiction of the members
25 of the Board.

1 (4) METROPOLITAN WASHINGTON REGION JU-
 2 RISDICTION.—The term “metropolitan Washington
 3 region jurisdiction” means a jurisdiction represented
 4 by a member of the Board.

5 (5) PROJECT.—The term “project” means any
 6 effort to reduce traffic congestion or improve travel
 7 options in the metropolitan Washington region, in-
 8 cluding but not limited to: the design, construction,
 9 and maintenance of facilities or services; the oper-
 10 ation of such facilities; the provision of services; and
 11 the deployment of demand reduction and traffic
 12 management measures.

13 (6) SIGNATORY.—The term “signatory” means
 14 a metropolitan Washington region jurisdiction that
 15 enters into an interstate agreement or compact
 16 under section 6(b).

17 **SEC. 5. DUTIES OF THE BOARD.**

18 (a) DUTIES.—

19 (1) IN GENERAL.—The Board shall—

20 (A)(i) propose a list of transportation
 21 projects needed to address the growing conges-
 22 tion crisis in the metropolitan Washington re-
 23 gion;

24 (ii) propose a regional funding mechanism
 25 to fund needed projects;

1 (iii) manage the Corporation to provide
2 short-term funding for regional transportation
3 projects; and

4 (iv) propose an interstate compact or
5 agreement, including a list of regional transpor-
6 tation projects and a means of funding and im-
7 plementation of the projects, if necessary to ad-
8 dress the growing congestion crisis in the met-
9 ropolitan Washington region;

10 (B) provide notice and opportunity for
11 comment on its efforts under this title by met-
12 ropolitan Washington region jurisdictions and
13 the public;

14 (C) conduct outreach and education activi-
15 ties to promote public participation;

16 (D) promote cooperative action by metro-
17 politan Washington region jurisdictions on re-
18 gional transportation issues; and

19 (E) assist metropolitan Washington region
20 jurisdictions in developing an interstate com-
21 pact or agreement, if necessary, to better meet
22 regional transportation needs.

23 (2) LIMITATIONS.—The Board shall not have
24 the power to—

25 (A) impose a tax; or

1 (B) preempt any Federal, State, or local
2 law (including a regulation).

3 (b) BOARD SUPPORT.—The Board may use staff of
4 the Board and employ such additional personnel and
5 agents as are necessary to carry out this subtitle, includ-
6 ing public outreach staff to meet the public participation
7 requirements of titles 23 and 49, United States Code.

8 (c) TIMETABLE.—The Board shall—

9 (1) develop and publish a first draft list of re-
10 gional projects and regional funding mechanisms not
11 later than 210 days after the date of enactment of
12 this Act;

13 (2) provide an opportunity for public comment
14 on the first draft proposal during the period begin-
15 ning on the date of publication of the first draft pro-
16 posal and ending not earlier than 90 days after that
17 date; and

18 (3) develop and publish a final proposal not
19 later than August 1, 2000, and provide an oppor-
20 tunity for ratification of the final proposal by metro-
21 politan Washington region jurisdictions.

22 (d) PLANNING PROCESS.—In carrying out this sub-
23 title, the Board shall—

24 (1) comply with the planning requirements of
25 titles 23 and 49, United States Code; and

1 (2)(A) ensure that the public has a full oppor-
2 tunity to participate in the planning process; and

3 (B) work with citizen advisory committees rep-
4 resenting all points of view, including business, envi-
5 ronmental, transportation, senior citizens, youth,
6 disabled, and neighborhood associations.

7 **SEC. 6. IMPLEMENTATION OF LONG-RANGE PLAN FOR THE**
8 **METROPOLITAN WASHINGTON REGION.**

9 (a) METROPOLITAN WASHINGTON REGIONAL TRANS-
10 PORTATION CORPORATION.—

11 (1) ESTABLISHMENT.—There is established the
12 Metropolitan Washington Regional Transportation
13 Corporation.

14 (2) GENERAL POWERS.—

15 (A) IN GENERAL.—The Corporation shall
16 be a body corporate and politic, and an instru-
17 mentality of the Board, having the powers and
18 jurisdiction described in this subtitle and such
19 additional powers as are conferred on the Cor-
20 poration by the Board, to the extent that the
21 additional powers are consistent with this sub-
22 title.

23 (B) ADMINISTRATION.—The Corporation
24 shall be governed in accordance with this sub-

1 title and shall be subject to such other provi-
2 sions as the Board determines appropriate.

3 (3) GENERAL LIMITATIONS.—The Corporation
4 shall not have the power to—

5 (A) impose a tax; or

6 (B) preempt any Federal, State, or local
7 law (including a regulation).

8 (4) DUTIES.—The Corporation shall assist in
9 the management of any initial funding and imple-
10 mentation plan agreed to by the signatories.

11 (5) PUBLIC ACCOUNTABILITY.—

12 (A) PUBLIC NOTICE AND PARTICIPA-
13 TION.—The Corporation shall be subject to the
14 requirements of chapter 5 of title 5, United
15 States Code, concerning public notice of, and
16 participation at, all meetings of the Corpora-
17 tion.

18 (B) FREEDOM OF INFORMATION ACT.—
19 The Corporation shall be considered to be an
20 agency for the purpose of compliance with re-
21 quests under section 552 of title 5, United
22 States Code.

23 (6) POWERS.—The Corporation shall have the
24 power—

1 (A) to acquire personal and real property
2 (including land lying under water and riparian
3 rights), or any easement or other interest in
4 real property, by purchase, lease, gift, transfer,
5 or exchange;

6 (B) to apply for and accept any property,
7 material, service, payment, appropriation,
8 grant, gift, loan, advance, or other fund that is
9 transferred or made available to the Corpora-
10 tion by the Federal Government or by any other
11 public or private entity or individual;

12 (C) to borrow money on a short-term basis
13 and issue notes of the Corporation for the bor-
14 rowing payable on such terms and conditions as
15 the Corporation considers advisable, and to
16 issue long-term or short-term tax-exempt bonds
17 in the discretion of the Corporation for any
18 purpose consistent with this subtitle, which
19 notes and bonds—

20 (i) shall not constitute—

21 (I) a debt of the United States
22 (or any political subdivision of the
23 United States); or

24 (II) a general obligation of a
25 metropolitan Washington region jurisdic-

1 diction (or any political subdivision of
2 a metropolitan Washington region ju-
3 risdiction), unless consented to by the
4 jurisdiction (or political subdivision);
5 and

6 (ii) may be secured solely by the gen-
7 eral revenues of the Corporation or by
8 other revenues in the discretion of the Cor-
9 poration;

10 (D) to permit single-occupancy vehicles to
11 travel on high-occupancy lanes in the region,
12 if—

13 (i) the affected signatory or signato-
14 ries consent to charge tolls to single-occu-
15 pancy vehicles given access to high-occu-
16 pancy lanes;

17 (ii) the toll can be implemented in a
18 way that does not reduce the level of serv-
19 ice; and

20 (iii) the affected signatory or signato-
21 ries consent to use the toll revenues for re-
22 gional transportation projects;

23 (E) to enter into any contract or agree-
24 ment necessary or appropriate to the perform-
25 ance of the duties of the Corporation;

1 (F) to enter into partnerships or grant
2 concessions between the public and private sec-
3 tors for the purpose of—

4 (i) financing, constructing, maintain-
5 ing, improving, or operating regional trans-
6 portation facilities in the metropolitan
7 Washington region; or

8 (ii) fostering development of a new
9 transportation technology;

10 (G) to obtain any necessary Federal au-
11 thorization, permit, or approval for the con-
12 struction, repair, maintenance, or operation of
13 regional transportation facilities in the metro-
14 politan Washington region;

15 (H) to adopt an official seal and alter the
16 seal, as the Corporation considers appropriate;

17 (I) to appoint 1 or more advisory commit-
18 tees;

19 (J) to sue and be sued in the name of the
20 Corporation;

21 (K) to carry out or contract with other en-
22 tities to carry out such maintenance of traffic
23 activities during construction of regional trans-
24 portation facilities in the metropolitan Washing-
25 ton region as are considered to be necessary by

1 the Corporation to properly manage traffic and
2 minimize congestion, such as public information
3 campaigns, improvements designed to encour-
4 age appropriate use of alternative routes, use of
5 high occupancy vehicles and transit services,
6 and deployment and operation of intelligent
7 transportation system technologies; and

8 (L) to carry out any activity necessary or
9 appropriate to the exercise of the powers or per-
10 formance of the duties of the Corporation under
11 this subtitle and under any interstate compact
12 or agreement relating to the Corporation that is
13 consistent with this subtitle, if the activity is co-
14 ordinated and consistent with the transpor-
15 tation planning process implemented by the
16 metropolitan planning organization for the met-
17 ropolitan Washington region under section 134
18 of title 23, United States Code, and section
19 5303 of title 49, United States Code.

20 (7) STATE AND DISTRICT OF COLUMBIA AP-
21 PROVAL OF ACTION BY THE TRANSPORTATION COR-
22 PORATION.—Any exercise of the powers granted
23 under section 6(a)(6) of this title must be approved
24 by the state departments of transportation in Vir-

1 ginia and Maryland, and the Department of Public
2 Works of the District of Columbia.

3 (8) No funds received nor debt issued by the
4 Corporation may be used to finance costs related to
5 the replacement of the Woodrow Wilson Memorial
6 Bridge.

7 (b) INTERSTATE COMPACT OR AGREEMENT.—

8 (1) IN GENERAL.—Subject to paragraph (2), 1
9 or more of the metropolitan Washington region ju-
10 risdictions may enter into an interstate compact or
11 agreement to finance and implement one or more of
12 the projects from the long-range plan of the Board,
13 if consent is granted by—

14 (A) the department of transportation of
15 each State that enters into the compact or
16 agreement; and

17 (B) if the District of Columbia enters into
18 the compact or agreement, the Department of
19 Public Works of the District of Columbia.

20 (2) REQUIREMENTS.—The interstate compact
21 or agreement shall—

22 (A) include a list of regional transportation
23 projects and a regional funding mechanism to
24 fund the projects; and

1 (B) include a time limit of not more than
2 2 years for approval by the metropolitan Wash-
3 ington region jurisdictions.

4 (3) EXPEDITED APPROVAL.—An interstate
5 compact or agreement describe in paragraph (1)
6 shall be deemed to have the consent of Congress un-
7 less Congress enacts a law denying consent to the
8 compact or agreement within 60 days after the date
9 of approval of the compact or agreement by the sig-
10 natories.

11 (c) REPORTS.—The Secretary shall submit to the
12 Committee on Environment and Public Works of the Sen-
13 ate and the Committee on Transportation and Infrastruc-
14 ture of the House of Representatives—

15 (1) not later than 1 year after the date of en-
16 actment of this Act, an interim report on the
17 progress of the Board in developing cooperative
18 transportation plans and regional funding mecha-
19 nisms to meet transportation needs in the metropoli-
20 tan Washington region; and

21 (2) not later than 3 years after the date of en-
22 actment of this Act, a final report on the results of
23 the actions of the Board in developing cooperative
24 transportation plans and regional funding mecha-

1 nisms to meet transportation needs in the metropoli-
2 tan Washington region.

3 **SEC. 7. MAINTENANCE OF FUNDING AND EFFORT.**

4 The funding provided under any regional transpor-
5 tation program developed under this subtitle shall supple-
6 ment (and not supplant) other Federal, State, and local
7 transportation funding for the metropolitan Washington
8 region jurisdictions. In using funds provided under this
9 subtitle, a metropolitan Washington region jurisdiction
10 shall maintain the expenditures of the jurisdiction for
11 transportation in the metropolitan Washington region, at
12 a level equal to not less than the level of the expenditures
13 maintained by the jurisdiction for the fiscal year preceding
14 the fiscal year for which the funds are received.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) ADMINISTRATIVE COSTS.—There is authorized to
17 be appropriated to carry out this subtitle \$300,000 for
18 each of fiscal years 1998 through 2000, of which not less
19 than—

20 (1) \$100,000 shall be used by the Board for
21 salaries and administrative expenses of experts in fi-
22 nancing and developing interstate compacts or
23 agreements; and

24 (2) \$200,000 shall be used by the Board to
25 support a collaborative planning process, to dissemi-

1 nate information to the public, and to pay the sala-
2 ries and administrative expenses of public outreach
3 staff.

4 (b) INCENTIVE GRANTS.—There is authorized to be
5 appropriated \$20,000,000 for each of fiscal years 2000
6 through 2002 to provide as much as 25 percent of the
7 cost of regional projects agreed to by the signatories under
8 section 6(b).

○