

106TH CONGRESS  
1ST SESSION

# S. 1144

To provide increased flexibility in use of highway funding, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. VOINOVICH (for himself, Mr. CHAFEE, Mr. JEFFORDS, Mr. MOYNIHAN, Mr. WARNER, Mrs. HUTCHISON, Mr. REID, Mr. LAUTENBERG, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To provide increased flexibility in use of highway funding,  
and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Surface Transpor-  
5 tation Act of 1999”.

6 **SEC. 2. STATE INFRASTRUCTURE BANK PROGRAM.**

7 (a) IN GENERAL.—Section 350 of the National High-  
8 way System Designation Act of 1995 (23 U.S.C. 101 note;  
9 109 Stat. 618) is amended—

1 (1) in subsection (a)(1), by striking “not to ex-  
2 ceed 10”;

3 (2) in subsections (b) and (j), by striking “fis-  
4 cal years 1996 and 1997” each place it appears and  
5 inserting “fiscal years 1996 through 2003”; and

6 (3) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) in subparagraph (A), by striking  
9 “104(b)(5)(B), 144, and 160” and insert-  
10 ing “104(b)(4) and 144”; and

11 (ii) in subparagraph (B), by striking  
12 “each of section” and inserting “each of  
13 sections 105 and”; and

14 (B) in paragraph (4), by striking “or  
15 160”.

16 (b) CONFORMING AMENDMENT.—Section 1511 of the  
17 Transportation Equity Act for the 21st Century (23  
18 U.S.C. 181 note; 112 Stat. 251) is repealed.

19 **SEC. 3. HIGH PRIORITY PROJECTS FLEXIBILITY.**

20 Section 117 of title 23, United States Code, is  
21 amended by adding at the end the following:

22 “(i) USE OF OTHER FUNDS.—

23 “(1) IN GENERAL.—

24 “(A) PROJECTS ELIGIBLE FOR APPOR-  
25 TIONED FUNDS.—A State may use for a project

1 under this section any funds apportioned under  
 2 this title for which the project is eligible.

3 “(B) PROJECTS NOT ELIGIBLE FOR AP-  
 4 PORTIONED FUNDS.—If a project under this  
 5 section is not eligible for funds apportioned  
 6 under this title, a State may use for the project  
 7 funds apportioned to the State under section  
 8 104(b)(3), other than funds set aside or sub-  
 9 allocated under section 133(d).

10 “(2) REIMBURSEMENT.—Apportioned funds  
 11 used under paragraph (1) shall be reimbursed from  
 12 amounts allocated for the project under this section  
 13 in an amount equal to the amount used under para-  
 14 graph (1), but not to exceed the total of the  
 15 amounts allocated for the project under this sec-  
 16 tion.”.

17 **SEC. 4. FUNDING FLEXIBILITY AND HIGH SPEED RAIL COR-**  
 18 **RIDORS.**

19 (a) ELIGIBILITY OF PASSENGER RAIL FOR HIGHWAY  
 20 FUNDING.—

21 (1) NATIONAL HIGHWAY SYSTEM.—Section  
 22 103(b)(6) of title 23, United States Code, is amend-  
 23 ed by adding at the end the following:

24 “(Q) Acquisition, construction, reconstruc-  
 25 tion, and rehabilitation of, and preventative

1 maintenance for, intercity rail passenger facili-  
2 ties and rolling stock.”.

3 (2) SURFACE TRANSPORTATION PROGRAM.—  
4 Section 133(b)(2) of title 23, United States Code, is  
5 amended by inserting before the period at the end  
6 the following: “, rail, or a combination of bus and  
7 rail”.

8 (3) CONGESTION MITIGATION AND AIR QUALITY  
9 IMPROVEMENT PROGRAM.—Section 149(b) of title  
10 23, United States Code, is amended—

11 (A) in paragraph (4), by striking “or” at  
12 the end;

13 (B) in paragraph (5), by striking the pe-  
14 riod at the end and inserting “; or”; and

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

16 “(6) if the project or program will have air  
17 quality benefits through acquisition, construction, re-  
18 construction, and rehabilitation of, and preventative  
19 maintenance for, intercity rail passenger facilities  
20 and rolling stock.”.

21 (b) TRANSFER OF HIGHWAY AND TRANSIT FUNDS  
22 TO AMTRAK AND PUBLICLY-OWNED PASSENGER RAIL  
23 LINES.—Section 104(k) of title 23, United States Code,  
24 is amended—

1           (1) by redesignating paragraph (3) as para-  
2 graph (4);

3           (2) by inserting after paragraph (2) the fol-  
4 lowing:

5           “(3) TRANSFER TO AMTRAK AND PUBLICLY-  
6 OWNED PASSENGER RAIL LINES.—Funds made  
7 available under this title or chapter 53 of title 49  
8 and transferred to the National Railroad Passenger  
9 Corporation or to any publicly-owned intercity or in-  
10 tracity passenger rail line shall be administered by  
11 the Secretary in accordance with subtitle V of title  
12 49, except that the provisions of this title or chapter  
13 53 of title 49, as applicable, relating to the non-Fed-  
14 eral share shall apply to the transferred funds.”; and

15           (3) in paragraph (4) (as redesignated by para-  
16 graph (1)), by striking “paragraphs (1) and (2)”  
17 and inserting “paragraphs (1) through (3)”.

18 **SEC. 5. HISTORIC BRIDGES.**

19           Section 144(o) of title 23, United States Code, is  
20 amended—

21           (1) in paragraph (3)—

22                   (A) by inserting “amount of” before “costs  
23 eligible”; and

24                   (B) by striking “subsection shall not” and  
25 inserting “subsection that are funded with

1 funds made available to carry out this section  
2 shall not”; and

3 (2) in paragraph (4)—

4 (A) in the second sentence, by striking “up  
5 to an amount not to” and inserting “, except  
6 that the amount of reimbursable project costs  
7 that are funded with funds made available to  
8 carry out this section shall not”; and

9 (B) in the last sentence, by striking “title”  
10 and inserting “section”.

11 **SEC. 6. ACCOUNTING SIMPLIFICATION.**

12 Section 1102(c)(4) of the Transportation Equity Act  
13 for the 21st Century (23 U.S.C. 104 note; 112 Stat. 116)  
14 is amended by striking “\$2,000,000,000” each place it ap-  
15 pears and inserting “\$2,161,000,000”.

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