

111TH CONGRESS
1ST SESSION

H. R. 3313

To modify and waive certain requirements under title 23, United States Code, to assist States with a high unemployment rate in carrying out Federal-aid highway construction projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2009

Mr. SCHAUER (for himself, Mr. LEVIN, Mr. DINGELL, Mr. PETERS, Ms. KILPATRICK of Michigan, Mr. KILDEE, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To modify and waive certain requirements under title 23, United States Code, to assist States with a high unemployment rate in carrying out Federal-aid highway construction projects, 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. FEDERAL SHARE PAYABLE.**

4 (a) INTERSTATE SYSTEM PROJECTS.—With respect
5 to an eligible State during fiscal years 2011 and 2012,
6 section 120(a) of title 23, United States Code, shall be
7 applied by substituting “95 percent” for “90 percent”.

1 (b) OTHER PROJECTS.—With respect to an eligible
2 State during fiscal years 2011 and 2012, sections
3 120(b)(1) and 120(b)(2) of title 23, United States Code,
4 shall be applied by substituting “85 percent” for “80 per-
5 cent”.

6 **SEC. 2. CREDIT FOR NON-FEDERAL SHARE.**

7 (a) IN GENERAL.—With respect to an eligible State
8 during fiscal years 2011 and 2012, the requirement under
9 section 120(j)(1)(A) that toll revenues, to be eligible for
10 use as a credit, be generated and used by public, quasi-
11 public, and private agencies to build, improve, or maintain
12 highways, bridges, or tunnels that serve the public purpose
13 of interstate commerce shall not apply.

14 (b) MAINTENANCE OF EFFORT.—With respect to an
15 eligible State during fiscal years 2011 and 2012, require-
16 ments under section 120(j)(2), United States Code, shall
17 not apply.

18 (c) USE OF TOLLS PREVIOUSLY NOT ELIGIBLE.—
19 With respect to an eligible State, tolls generated during
20 fiscal years 2005 through 2010 and not eligible as a credit
21 under section 120(j) of title 23, United States Code, dur-
22 ing such fiscal years due to a requirement under such sec-
23 tion shall be eligible for use as a credit under such section
24 during fiscal year 2011 or fiscal year 2012.

1 **SEC. 3. ELIGIBLE STATE DEFINED.**

2 In this Act, the term “eligible State” means a State
3 with an unemployment rate, as determined by the Sec-
4 retary of Transportation, equal to or exceeding 11 percent
5 at any time during fiscal years 2009 and 2010.

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