

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure that the design of Federal surface transportation projects provides for the safe and adequate accommodation, in all phases of project planning, development, and operation, of all users of the transportation network.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

S. 1950

To amend title 49, United States Code, to improve commercial motor vehicle safety and reduce commercial motor vehicle-related accidents and fatalities, to authorize the Federal Motor Carrier Safety Administration, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BEGICH

Viz:

1 On page 191, after line 12, add the following:

2 **SEC. 1207. SAFETY FOR MOTORIZED AND NONMOTORIZED**

3 **USERS.**

4 (a) IN GENERAL.—Chapter 4 of title 23, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

1 **“§ 413. Safety for motorized and nonmotorized users**

2 “(a) IN GENERAL.—Not later than 2 years after the
3 date of enactment of the Surface Transportation and
4 Freight Policy Act of 2011, subject to subsection (b), the
5 Secretary shall establish standards to ensure that the de-
6 sign of Federal surface transportation projects provides
7 for the safe and adequate accommodation, in all phases
8 of project planning, development, and operation, of all
9 users of the transportation network, including motorized
10 and nonmotorized users.

11 “(b) WAIVER FOR STATE LAW OR POLICY.—The Sec-
12 retary may waive the application of standards established
13 under subsection (a) to a State that has adopted a law
14 or policy that provides for the safe and adequate accom-
15 modation, in all phases of project planning and develop-
16 ment, of users of the transportation network on federally
17 funded surface transportation projects, as determined by
18 the Secretary.

19 “(c) COMPLIANCE.—

20 “(1) IN GENERAL.—Each State department of
21 transportation shall submit to the Secretary, at such
22 time, in such manner, and containing such informa-
23 tion as the Secretary shall require, a report describ-
24 ing the implementation by the State of measures to
25 achieve compliance with this section.

1 “(2) DETERMINATION BY SECRETARY.—On re-
2 ceipt of a report under paragraph (1), the Secretary
3 shall determine whether the applicable State has
4 achieved compliance with this section.”.

5 (b) CONFORMING AMENDMENT.—The analysis for
6 chapter 4 of title 23, United States Code, is amended by
7 adding at the end the following:

“413. Safety for motorized and nonmotorized users.”.