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.


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 USERS.

3 (a) In General.—Chapter 4 of title 23, United States Code, is amended by adding at the end the fol-

4 lowing:
§ 413. Safety for motorized and nonmotorized users

(a) In General.—Not later than 2 years after the date of enactment of the Surface Transportation and Freight Policy Act of 2011, subject to subsection (b), the Secretary shall establish standards 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, including motorized and nonmotorized users.

(b) Waiver for State Law or Policy.—The Secretary may waive the application of standards established under subsection (a) to a State that has adopted a law or policy that provides for the safe and adequate accommodation, in all phases of project planning and development, of users of the transportation network on federally funded surface transportation projects, as determined by the Secretary.

(c) Compliance.—

(1) In General.—Each State department of transportation shall submit to the Secretary, at such time, in such manner, and containing such information as the Secretary shall require, a report describing the implementation by the State of measures to achieve compliance with this section.
“(2) Determination by Secretary.—On receipt of a report under paragraph (1), the Secretary shall determine whether the applicable State has achieved compliance with this section.”

(b) Conforming Amendment.—The analysis for chapter 4 of title 23, United States Code, is amended by adding at the end the following:

“413. Safety for motorized and nonmotorized users.”