AMENDMENT TO H.R. 3763
OFFERED BY MR. SHUSTER OF PENNSYLVANIA

Page 31, beginning on line 18, strike “At the request of a State, the Secretary may” and insert “Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may”.

Page 34, line 16, before the period insert “, including railway-highway grade crossings”.

Page 36, beginning on line 7, strike “and with the Secretary’s approval,” and insert “and upon Secretarial approval of credit assistance under chapter 6,”.

Page 36, line 20, strike “Any project” and insert “Any type of project”.

Page 60, beginning on line 19, strike “designate critical emerging freight corridors.” and insert “are part of critical emerging freight corridors or critical commerce corridors.”.

Page 63, beginning on line 6, strike “corridors.” and insert “corridors or critical commerce corridors.”.

Page 110, line 1, strike “(7) in subsection (k)(3)(A), by inserting” and insert the following:
(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting

Page 110, line 6, strike the semicolon and insert “; and”.

Page 110, after line 6, insert the following:

(B) by adding at the end the following:

“(C) CONGESTION MANAGEMENT PLAN.—

A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

“(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

“(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and
“(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

“(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.”;

Page 133, strike lines 1 through 21 (and redesignate subsequent paragraphs accordingly).

Page 181, line 14, strike “and” at the end.

Page 181, line 25, strike the semicolon and insert “; and”.

Page 181, after line 25, insert the following:

(C) in paragraph (5)—

(i) in subparagraph (A) by striking “2017” and inserting “2021”; and

(ii) in subparagraph (B) by striking “2017” and inserting “2021”;
Page 191, line 16, after “title” insert the following:
“(excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)”.

Page 192, line 6, after “title” insert the following:
“(excluding projects for which funds are transferred to agencies other than the Federal Highway Administration)”.

Page 195, line 8, strike the closing quotation marks and the final period.

Page 195, after line 8, insert the following:

“(84) The Central Texas Corridor commencing at the logical terminus of Interstate Route 10, generally following portions of United States Route 190 eastward, passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, and Woodville, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.

“(85) Interstate Route 81 in New York from its intersection with Interstate Route 86 to the United States-Canadian border.”.

Page 202, strike line 7 through line 14 and insert the following:
SEC. 1412. SAFETY FOR USERS.

(a) IN GENERAL.—The Secretary shall encourage each State and metropolitan planning organization to adopt standards for the design of Federal surface transportation projects that provide for the safe and adequate accommodation (as determined by the State) in all phases of project planning, development, and operation, of all users of the surface transportation network, including motorized and nonmotorized users.

(b) REPORT.—Not later than 2 years after the date of enactment of this section, the Secretary shall make available to the public a report cataloging examples of State law or State transportation policy that provides for the safe and adequate accommodation, in all phases of project planning, development, and operation, of all users of the surface transportation network.

(e) BEST PRACTICES.—Based on the report required under subsection (b), the Secretary shall identify and disseminate examples of best practices where States have adopted measures that have successfully provided for the safe and adequate accommodation of all users of the transportation network in all phases of project development and operation.

Page 204, strike line 15 and all that follows through line 4 on page 205 and insert the following:
(1) In general.—Notwithstanding funding, authorizations of appropriations, and contract authority described in sections 1101, 1102, 3017, 4001, 5101, and 6002 of this Act, including the amendments made by such sections, sections 125 and 147 of title 23, United States Code, and section 5338(a) of title 49, United States Code, no funding, authorization of appropriations, and contract authority described in those sections for fiscal years 2019 through 2021 shall exist unless and only to the extent that a subsequent Act of Congress causes additional monies to be deposited in the Highway Trust Fund.

Page 205, line 5, strike “(3)” and insert “(2)”.

Page 214, after line 11, insert the following:

SEC. _____. NATIONAL ELECTRIC VEHICLE CHARGING, HYDROGEN, AND NATURAL GAS FUELING CORRIDORS.

(a) In general.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:
§ 151. National electric vehicle charging, hydrogen, and natural gas fueling corridors

(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Surface Transportation Reauthorization and Reform Act of 2015, the Secretary shall designate national electric vehicle charging, hydrogen, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, and natural gas fueling technologies across the United States.

(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

(1) solicit nominations from State and local officials for facilities to be included in the corridors;

(2) incorporate existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling corridors designated by a State or group of States; and

(3) consider the demand for, and location of, existing electric vehicle charging, hydrogen fueling stations, and natural gas fueling infrastructure.
“(c) **STAKEHOLDERS.**—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

“(1) the heads of other Federal agencies;
“(2) State and local officials;
“(3) representatives of—

“(A) energy utilities;
“(B) the electric, fuel cell electric, and natural gas vehicle industries;
“(C) the freight and shipping industry;
“(D) clean technology firms;
“(E) the hospitality industry;
“(F) the restaurant industry;
“(G) highway rest stop vendors; and
“(H) industrial gas and hydrogen manufacturers; and

“(4) such other stakeholders as the Secretary determines to be necessary.

“(d) **REDESIGNATION.**—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

“(e) **REPORT.**—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—
“(1) identifies electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

“(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging, hydrogen infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 150 the following:

“151. National electric vehicle charging, hydrogen, and natural gas fueling corridors.”.

SEC. __. FERRIES.

Section 147 of title 23, United States Code, is amended by adding at the end the following:

“(h) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

“(1) withdraw amounts allocated to eligible entities under this section that remain unobligated by
the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

“(2) in the fiscal year beginning after a fiscal year in which a withdrawal is made under paragraph (1), redistribute the funds withdrawn, in accordance with the formula specified under subsection (d), among eligible entities with respect to which no amounts were withdrawn under paragraph (1).”.

SEC. ___. STUDY ON PERFORMANCE OF BRIDGES.

(a) In General.—Subject to subsection (c), the Administrator of the Federal Highway Administration shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that are at least 15 years old and received funding under the innovative bridge research and construction program (in this section referred to as the “program”) under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new
construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the
innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(e) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress a report on the results of the study commis-
sioned under subsection (a) not later than 3 years after
the date of enactment of this Act.

SEC. ___. RELINQUISHMENT OF PARK-AND-RIDE LOT FA-
CILITIES.
A State transportation agency may relinquish park-
and-ride lot facilities or portions of park-and-ride lot facili-
ties to a local government agency for highway purposes
if authorized to do so under State law if the agreement
providing for the relinquishment provides that—

(1) rights-of-way on the Interstate System will
remain available for future highway improvements;

and

(2) modifications to the facilities that could im-
pair the highway or interfere with the free and safe
flow of traffic are subject to the approval of the Sec-
retary.

SEC. ___. PILOT PROGRAM.
(a) IN GENERAL.—The Secretary may establish a
pilot program that allows a State to utilize innovative ap-
proaches to maintain the right-of-way of Federal-aid high-
ways within such State.

(b) LIMITATION.—A pilot program established under
subsection (a) shall—

(1) terminate after not more than 6 years;

(2) include not more than 5 States; and
(3) be subject to guidelines published by the Secretary.

(c) REPORT.—If the Secretary establishes a pilot program under subsection (a), the Secretary shall, not more than 1 year after the completion of the pilot program, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the pilot program.

SEC. ___.

INNOVATIVE PROJECT DELIVERY EXAMPLES.

Section 120(c)(3)(B) of title 23, United States Code, is amended—

(1) in clause (iv) by striking “or” at the end;

(2) by redesignating clause (v) as clause (vi);

and

(3) by inserting after clause (iv) the following:

“(v) innovative pavement materials that have a demonstrated life cycle of 75 or more years, are manufactured with reduced greenhouse gas emissions, and reduce construction-related congestion by rapidly curing; or”.
SEC. ___. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) In General.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a) by inserting “(including the enhancement of habitat and forage for pollinators)” before “adjacent”; and

(2) by adding at the end the following:

“(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

“(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

“(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.”.
(b) Provision of Habitat, Forage, and Migratory Way Stations for Monarch Butterflies, Other Native Pollinators, and Honey Bees.—Section 329(a)(1) of title 23, United States Code, is amended by inserting “provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,” before “and aesthetic enhancement”.

Page 219, strike lines 5 through 8 and insert the following:

(1) in paragraph (4)—

(A) in subparagraph (A) by striking “Beginning in fiscal year 2014, on April 1 of each fiscal year” and inserting “Beginning in fiscal year 2016, on August 1 of each fiscal year”; and

(B) by adding at the end the following:

“(D) LIMITATIONS.—The Secretary may not carry out a redistribution under this paragraph—

“(i) for any fiscal year in which such redistribution would adversely impact the receipt of credit assistance by a qualified project within such fiscal year; or
(ii) if the budget authority determined to be necessary to cover all requests for credit assistance pending before the Department of Transportation on August 1 would reduce the uncommitted balance of funds below the threshold established in subparagraph (A).”;

Page 224, line 17, strike “(7) in subsection (k)(3)(A), by inserting” and insert the following:

(7) in subsection (k)(3)—

(A) in subparagraph (A) by inserting

Page 224, line 22, strike the semicolon and insert “; and”.

Page 224, after line 22, insert the following:

(B) by adding at the end the following:

“(C) CONGESTION MANAGEMENT PLAN.—

A metropolitan planning organization with a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

“(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation
connections between areas with high job concentration and areas with high concentrations of low-income households;

“(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

“(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

“(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.”;

Page 227, after line 24, insert the following:

(1) in subsection (a)(6)—

(A) in subparagraph (A) by inserting “, small start projects,” after “new fixed guideway capital projects”; and
(B) by striking subparagraph (B) and inserting the following:

“(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.”;

Page 227, line 25, strike “(1)” and insert “(2)”.

Page 228, after line 12, insert the following:

(3) in subsection (i)—

(A) in paragraph (1) by striking “subsection (d) or (e)” and inserting “subsection (d), (e), or (h)”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by inserting “new fixed guideway capital project or core capacity improvement” after “federally funded”;

(ii) by striking subparagraph (D) and inserting the following:

“(D) the program of interrelated projects, when evaluated as a whole—

“(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as
applicable, if the program is comprised entirely of—

“(I) new fixed guideway capital projects;

“(II) core capacity improvement projects; or

“(III) small start projects; or

“(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects.”;

(C) by striking paragraph (3)(A) and inserting the following:

“(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

“(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a
reasonable likelihood that the program will continue to meet such requirements; or

“(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.”;

Page 228, strike lines 13 through 16 and insert the following:

(4) in subsection (l)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost. A grant for a new fixed guideway project shall not exceed 50 percent of the net capital project cost. A grant for a core capacity project shall not exceed 80
percent of the net capital project cost of the incremental cost of increasing the capacity in the corridor. A grant for a small start project shall not exceed 80 percent.”; and

Page 229, line 9, strike “(3)” and insert “(5)”.

Page 229, line 11, strike “(4)” and insert “(6)”.

Page 237, line 13, strike “and”.

Page 237, after line 13, insert the following:

“(G) assist with the development and deployment of zero emission transit technologies; and

Page 237, line 14, strike “(G)” and insert “(H)”.

Page 241, line 17, strike “or”.

Page 242, line 2, strike the period at the end and insert “; or”.

Page 242, after line 2, insert the following:

“(v) address youth unemployment by directing the Secretary to award grants to local entities for work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to provide unemployed, low-income
young adults and low-income youth with
skills that will lead to employment.

Page 251, strike lines 18 through 21, and insert the
following:

(2) by striking subsection (f) and inserting the
following:

“(f) AUTHORITY OF SECRETARY.—

“(1) IN GENERAL.—In carrying out this sec-
tion, the Secretary may—

“(A) conduct inspections, investigations,
audits, examinations, and testing of the equip-
ment, facilities, rolling stock, and operations of
the public transportation system of a recipient;

“(B) make reports and issue directives
with respect to the safety of the public trans-
portation system of a recipient or the public
transportation industry generally;

“(C) in conjunction with an accident inves-
tigation or an investigation into a pattern or
practice of conduct that negatively affects pub-
lic safety, issue a subpoena to, and take the
deposition of, any employee of a recipient or a
State safety oversight agency, if—

“(i) before the issuance of the sub-
poena, the Secretary requests a determina-
tion by the Attorney General as to whether
the subpoena will interfere with an ongoing
criminal investigation; and

“(ii) the Attorney General—

“(I) determines that the sub-
poena will not interfere with an ongo-
ing criminal investigation; or

“(II) fails to make a determina-
tion under clause (i) before the date
that is 30 days after the date on
which the Secretary makes a request
under clause (i);

“(D) require the production of documents
by, and prescribe recordkeeping and reporting
requirements for, a recipient or a State safety
oversight agency;

“(E) investigate public transportation acci-
dents and incidents and provide guidance to re-
cipients regarding prevention of accidents and
incidents;

“(F) at reasonable times and in a reason-
able manner, enter and inspect relevant records
of the public transportation system of a recipi-
ent; and

“(G) issue rules to carry out this section.
“(2) ADDITIONAL AUTHORITY.—

“(A) ADMINISTRATION OF STATE SAFETY
oversight activities.—If the Secretary finds
that a State safety oversight agency that over-
sees a rail fixed guideway system operating in
more than 2 States has become incapable of
providing adequate safety oversight of such sys-
tem, the Secretary may administer State safety
oversight activities for such rail fixed guideway
system until the States develop a State safety
oversight program certified by the Secretary in
accordance with subsection (e).

“(B) FUNDING.—To carry out administra-
tive and oversight activities authorized by this
paragraph, the Secretary may use—

“(i) grant funds apportioned to an eli-
gible State under subsection (e)(6) to de-
velop or carry out a State safety oversight
program; and

“(ii) grant funds apportioned to an el-
igible State under subsection (e)(6) that
have not been obligated within the admin-
istrative period of availability.”;

Page 253, line 6, strike “subsection (h)(5)” and in-
sert “subsection (g)(5)”.

Page 253, line 8, strike “and” at the end.

Page 253, line 11, strike the period at the end and insert a semicolon.

Page 253, after line 11, insert the following:

(4) in subsection (g) (as so redesignated)—

(A) in paragraph (2) by striking “subsection (j)” and inserting “subsection (i)”; and

(B) by striking paragraph (3) and inserting the following:

“(3) of amounts not apportioned under paragraphs (1) and (2)—

“(A) for fiscal years 2016 through 2018, 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h); and

“(B) for fiscal years 2019 through 2021, 2 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (h);”;

(5) in subsection (h)(2)(A) (as so redesignated) by striking “subsection (h)(3)” and inserting “subsection (g)(3)”; and
(6) in subsection (i) (as so redesignated) by striking “subsection (h)(2)” and inserting “subsection (g)(2)”. 

Page 263, line 12, strike “paragraph (2)” and insert “paragraph (1)”. 

Page 287, after line 7, insert the following:

SEC. _____. PARATRANSIT SYSTEM UNDER FTA APPROVED COORDINATED PLAN. 

Notwithstanding the provisions of part 37.131(c) of title 49, Code of Federal Regulations, any paratransit system currently coordinating complementary paratransit service for more than 40 fixed route agencies shall be permitted to continue using an existing tiered, distance-based coordinated paratransit fare system. 

Page 294, line 20, strike “$30,000,000” and insert “$32,000,000”.

Page 327, after line 14, insert the following:

SEC. _____. MOTORCYCLIST ADVISORY COUNCIL. 

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Federal Highway Administration, and in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the
Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) barrier design;

(2) road design, construction, and maintenance practices; and

(3) the architecture and implementation of intelligent transportation system technologies.

(b) COMPOSITION.—The Council shall consist of not more than 10 members of the motorcycling community with professional expertise in national motorcyclist safety advocacy, including—

(1) at least—

(A) 1 member recommended by a national motorcyclist association;

(B) 1 member recommended by a national motorcycle riders foundation;

(C) 1 representative of the National Association of State Motorcycle Safety Administrators;

(D) 2 members of State motorcyclists’ organizations;

(E) 1 member recommended by a national organization that represents the builders of highway infrastructure;
(F) 1 member recommended by a national association that represents the traffic safety systems industry; and

(G) 1 member of a national safety organization; and

(2) at least 1, but not more than 2, motorcyclists who are traffic system design engineers or State transportation department officials.

SEC. ___ HIGHWAY WORK ZONES.

It is the sense of the House of Representatives that the Federal Highway Administration should—

(1) do all within its power to protect workers in highway work zones; and

(2) move rapidly to finalize regulations, as directed in section 1405 of MAP–21 (126 Stat. 560), to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.

Page 303, line 1, insert “mental health or substance abuse” before “treatment”.

Page 417, after line 19, insert the following:

SEC. ___. VETERANS EXPANDED TRUCKING OPPORTUNITIES.

(a) IN GENERAL.—In the case of a physician-approved veteran operator, the qualified physician of such
operator may, subject to the requirements of subsection (b), perform a medical examination and provide a medical certificate for purposes of compliance with the requirements of section 31149 of title 49, United States Code.

(b) Certification.—The certification described under subsection (a) shall include—

(1) assurances that the physician performing the medical examination meets the requirements of a qualified physician under this section; and

(2) certification that the physical condition of the operator is adequate to enable such operator to operate a commercial motor vehicle safely.

(c) Definitions.—In this section, the following definitions apply:

(1) physician-approved veteran operator.—The term “physician-approved veteran operator” means an operator of a commercial motor vehicle who—

(A) is a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code; and

(B) is required to have a current valid medical certificate pursuant to section 31149 of title 49, United States Code.
(2) QUALIFIED PHYSICIAN.—The term “qualified physician” means a physician who—

(A) is employed in the Department of Veterans Affairs;

(B) is familiar with the standards for, and physical requirements of, an operator certified pursuant to section 31149 of title 49, United States Code; and

(C) has never, with respect such section, been found to have acted fraudulently, including by fraudulently awarding a medical certificate.

(3) VETERAN.—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

(d) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to change any statutory penalty associated with fraud or abuse.

Page 429, after line 15, insert the following (and redesignate subsequent sections accordingly):

SEC. 5508. REPORT ON COMMERCIAL DRIVER’S LICENSE SKILLS TEST DELAYS.

Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and
Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes, for each State, the status of skills testing for applicants for a commercial driver’s license, including—

(A) the average wait time, by month and location, from the date an applicant requests to take a skills test to the date the applicant completes such test;

(B) the average wait time, by month and location, from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant completes such retest;

(C) the actual number of qualified commercial driver’s license examiners, by month and location, available to test applicants; and

(D) the number of testing sites available through the State department of motor vehicles and whether this number has increased or decreased from the previous year; and

(2) describes specific steps that the Administrator is taking to address skills testing delays in States that have average skills test or retest wait times of more than 7 days from the date an appli-
cant requests to test or retest to the date the applic-

cant completes such test or retest.

SEC. 5509. COVERED FARM VEHICLES.

Section 32934(b)(1) of MAP–21 (49 U.S.C. 31136

note) is amended by striking “from” and all that follows

c through the period at end and inserting the following:

“from—

“(A) a requirement described in subsection

(a) or a compatible State requirement; or

“(B) any other minimum standard pro-

vided by a State relating to the operation of

that vehicle.”.

SEC. 5510. OPERATORS OF HI-RAIL VEHICLES.

(a) IN GENERAL.—In the case of a commercial motor

vehicle driver subject to the hours of service requirements

in part 395 of title 49, Code of Federal Regulations, who

is driving a hi-rail vehicle, the maximum on duty time

under section 395.3 of such title for such driver shall not

include time in transportation to or from a duty assign-

ment if such time in transportation—

(1) does not exceed 2 hours per calendar day or

a total of 30 hours per calendar month; and

(2) is fully and accurately accounted for in

records to be maintained by the motor carrier and

such records are made available upon request of the
Federal Motor Carrier Safety Administration or the Federal Railroad Administration.

(b) EMERGENCY.—In the case of a train accident, an act of God, a train derailment, or a major equipment failure or track condition that prevents a train from advancing, a driver described in subsection (a) may complete a run without being in violation of the provisions of part 395 of title 49, Code of Federal Regulations.

(c) HI-RAIL VEHICLE DEFINED.—In this section, the term “hi-rail vehicle” has the meaning given the term in section 214.7 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

Page 445, line 22, before the period at the end insert the following: “or a consortia of research institutions or academic institutions”.

Page 457, strike lines 10 through 13 and insert the following:

“(2) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only submit 1 grant application per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).
Page 459, line 8, before the semicolon at the end insert the following: “, including women and underrepresented populations”.

Page 466, line 8, strike “paragraph” and insert “section”.

Page 476, after line 17, insert the following:

1 SEC. __. HIGHWAY EFFICIENCY.

2 (a) STUDY.—

3 (1) IN GENERAL.—The Assistant Secretary of

4 Transportation for Research and Technology may

5 examine the impact of pavement durability and sus-

6 tainability on vehicle fuel consumption, vehicle wear

7 and tear, road conditions, and road repairs.

8 (2) METHODOLOGY.—In carrying out the study,

9 the Assistant Secretary shall—

10 (A) conduct a thorough review of relevant

11 peer-reviewed research published during at least

12 the past 5 years;

13 (B) analyze impacts of different types of

14 pavement on all motor vehicle types, including

15 commercial vehicles;

16 (C) specifically examine the impact of

17 pavement deformation and deflection; and
(D) analyze impacts of different types of pavement on road conditions and road repairs.

(3) CONSULTATION.—In carrying out the study, the Assistant Secretary shall consult with—

(A) experts from the different modal administrations of the Department and from other Federal agencies, including the National Institute of Standards and Technology;

(B) State departments of transportation;

(C) local government engineers and public works professionals;

(D) industry stakeholders; and

(E) appropriate academic experts active in the field.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Assistant Secretary shall publish on a public Web site the results of the study.

(2) CONTENTS.—The report shall include—

(A) a summary of the different types of pavements analyzed in the study and the impacts of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs; and
(B) recommendations for State and local
governments on best practice methods for im-
proving pavement durability and sustainability
to maximize vehicle fuel economy, ride quality,
and road conditions and to minimize the need
for road and vehicle repairs.

SEC. 49. MOTORCYCLE SAFETY.

(a) STUDY.—The Assistant Secretary for Research
and Technology of the Department of Transportation may
enter into an agreement, within 45 days after the date
of enactment of this Act, with the National Academy of
Sciences to conduct a study on the most effective means
of preventing motorcycle crashes.

(b) PUBLICATION.—The Assistant Secretary may
make available the findings on a public Web site within
30 days after receiving the results of the study from the
National Academy of Sciences.

SEC. 50. HAZARDOUS MATERIALS RESEARCH AND DEVELO-
PMENT.

Section 5118 of title 49, United States Code, is
amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A) by striking “and”
at the end;
(B) in subparagraph (B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) coordinate, as appropriate, with other Federal agencies.”; and

(2) by adding at the end the following new subsection:

“(c) COOPERATIVE RESEARCH.—

“(1) IN GENERAL.—As part of the program established in subsection (a), the Secretary may carry out cooperative research on hazardous materials transport.

“(2) NATIONAL ACADEMIES.—The Secretary may enter into an agreement with the National Academies to support such research.

“(3) RESEARCH.—Research conducted under this subsection may include activities related to—

“(A) emergency planning and response, including information and programs that can be readily assessed and implemented in local jurisdictions;

“(B) risk analysis and perception and data assessment;

“(C) commodity flow data, including voluntary collaboration between shippers and first
responders for secure data exchange of critical information;

“(D) integration of safety and security;
“(E) cargo packaging and handling;
“(F) hazmat release consequences; and
“(G) materials and equipment testing.”.

SEC. ___. WEB-BASED TRAINING FOR EMERGENCY RESPONDERS.

Section 5115(a) of title 49, United States Code, is amended by inserting “, including online curriculum as appropriate,” after “a current curriculum of courses”.

SEC. ___. TRANSPORTATION TECHNOLOGY POLICY WORKING GROUP.

To improve the scientific pursuit and research procedures concerning transportation, the Assistant Secretary for Research and Technology may convene an interagency working group to—

(1) develop within 1 year after the date of enactment of this Act a national transportation research framework;

(2) identify opportunities for coordination between the Department and universities and the private sector, and prioritize these opportunities;
(3) identify and develop a plan to implement best practices for moving transportation research results out of the laboratory and into application; and

(4) identify and develop a plan to address related workforce development needs.

SEC. _____. COLLABORATION AND SUPPORT.

The Secretary may solicit the support of, and identify opportunities to collaborate with, other Federal research agencies and national laboratories to assist in the effective and efficient pursuit and resolution of research challenges identified by the Secretary.

SEC. _____. PRIZE COMPETITIONS.

Section 502(b)(7) of title 23, United States Code, is amended—

(1) in subparagraph (D)—

(A) by inserting “(such as www.challenge.gov)” after “public website”;

(B) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(C) by inserting after clause (ii) the following:

“(iii) the process for participants to register for the competition”; and
(D) in clause (iv) (as redesignated by subparagraph (B)) by striking “prize” and inserting “cash prize purse”;
(2) in subparagraph (E) by striking “prize” both places it appears and inserting “cash prize purse”;
(3) by redesignating subparagraphs (F) through (K) as subparagraphs (G) through (L), respectively;
(4) by inserting after subparagraph (E) the following:

“(F) USE OF FEDERAL FACILITIES; CONSULTATION WITH FEDERAL EMPLOYEES.—An individual or entity is not ineligible to receive a cash prize purse under this paragraph as a result of the individual or entity using a Federal facility or consulting with a Federal employee related to the individual or entity’s participation in a prize competition under this paragraph unless the same facility or employee is made available to all individuals and entities participating in the prize competition on an equitable basis.”;
(5) in subparagraph (G) (as redesignated by paragraph (3) of this section)—
(A) in clause (i)(I) by striking “competition” and inserting “prize competition under this paragraph”; 

(B) in clause (ii)(I)—

(i) by striking “participation in a competition” and inserting “participation in a prize competition under this paragraph”; and

(ii) by striking “competition activities” and inserting “prize competition activities”; and

(C) by adding at the end the following:

“(iii) INTELLECTUAL PROPERTY.—

“(I) PROHIBITION ON REQUIRING WAIVER.—The Secretary may not require a participant to waive claims against the Department arising out of the unauthorized use or disclosure by the Department of the intellectual property, trade secrets, or confidential business information of the participant.

“(II) PROHIBITION ON GOVERNMENT ACQUISITION OF INTELLECTUAL PROPERTY RIGHTS.—The Federal
Government may not gain an interest in intellectual property developed by a participant for a prize competition under this paragraph without the written consent of the participant.

“(III) LICENSES.—The Federal Government may negotiate a license for the use of intellectual property developed by a participant for a prize competition under this paragraph.”;

(6) in subparagraph (H)(i) (as redesignated by paragraph (3) of this section) by striking “subparagraph (H)” and inserting “subparagraph (I)”;

(7) in subparagraph (I) (as redesignated by paragraph (3) of this section) by striking “an agreement with a private, nonprofit entity” and inserting “a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity”;

(8) in subparagraph (J) (as redesignated by paragraph (3) of this section)—

(A) in clause (i)—

(i) in subclause (I) by striking “the private sector” and inserting “private sector for-profit and nonprofit entities, to be
available to the extent provided by appropri-
ations Acts’’;

(ii) in subclause (II) by striking “and
metropolitan planning organizations” and
inserting “metropolitan planning organiza-
tions, and private sector for-profit and
nonprofit entities”; and

(iii) in subclause (III) by inserting
“for-profit or nonprofit” after “private sec-
tor”;

(B) in clause (ii) by striking “prize
awards” and inserting “cash prize purses”;

(C) in clause (iv)—

(i) by inserting “competition” after
“A prize”; and

(ii) by striking “the prize” and insert-
ing “the cash prize purse”;

(D) in clause (v)—

(i) by striking “amount of a prize”
and inserting “amount of a cash prize
purse”; and

(ii) by inserting “competition” after
“announcement of the prize”; and

(iii) in subclause (I) by inserting
“competition” after “prize”;
(E) in clause (vi) by striking “offer a prize” and inserting “offer a cash prize purse”; and

(F) in clause (vii) by striking “cash prizes” and inserting “cash prize purses”; (9) in subparagraph (K) (as redesignated by paragraph (3) of this section) by striking “or providing a prize” and inserting “a prize competition or providing a cash prize purse”; and

(10) in subparagraph (L)(ii) (as redesignated by paragraph (3) of this section)—

(A) in subclause (I) by striking “The Secretary” and inserting “Not later than March 1 of each year, the Secretary”; and

(B) in subclause (II)—

(i) in item (cc) by striking “cash prizes” both places it appears and inserting “cash prize purses”; and

(ii) in item (ee) by striking “agency” and inserting “Department”.

SEC. _____ GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall make available to the public a report that—
assesses the status of autonomous transportation technology policy developed by public entities in the United States;

(2) assesses the organizational readiness of the Department to address autonomous vehicle technology challenges; and

(3) recommends implementation paths for autonomous transportation technology, applications, and policies that are based on the assessment described in paragraph (2).

SEC. 3. INTELLIGENT TRANSPORTATION SYSTEM PURPOSES.

Section 514(b) of title 23, United States Code, is amended—

(1) in paragraph (8) by striking “and” at the end;

(2) in paragraph (9) by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(10) to assist in the development of cybersecurity standards in cooperation with relevant modal administrations of the Department of Transportation and other Federal agencies to help prevent hacking, spoofing, and disruption of connected and automated transportation vehicles.”.
SEC. 5. INFRASTRUCTURE INTEGRITY.

Section 503(b)(3)(C) of title 23, United States Code, is amended—

(1) in clause (xviii) by striking “and” at the end;

(2) in clause (xix) by striking the period at the end and inserting “; and” ; and

(3) by adding at the end the following:

“(xx) corrosion prevention measures for the structural integrity of bridges.”.

Page 522, after line 2, insert the following:

SEC. 6. PHASE-OUT OF ALL TANK CARS USED TO TRANSPORT CLASS 3 FLAMMABLE LIQUIDS.

(a) IN GENERAL.—Except as provided for in subsection (b), beginning on the date of enactment of this Act, all railroad tank cars used to transport Class 3 flammable liquids shall meet the DOT–117 or DOT–117R specifications in part 179 of title 49, Code of Federal Regulations, regardless of train composition.

(b) PHASE-OUT SCHEDULE.—Certain tank cars not meeting DOT–117 or DOT–117R specifications on the date of enactment of this Act may be used, regardless of train composition, until the following end-dates:
(1) For transport of unrefined petroleum products in Class 3 flammable service, including crude oil—

(A) January 1, 2018, for non-jacketed DOT–111 tank cars;

(B) March 1, 2018, for jacketed DOT–111 tank cars;

(C) April 1, 2020, for non-jacketed CPC–1232 tank cars; and

(D) May 1, 2025, for jacketed CPC–1232 tank cars.

(2) For transport of ethanol—

(A) May 1, 2023, for non-jacketed and jacketed DOT–111 tank cars;

(B) July 1, 2023, for non-jacketed CPC–1232 tank cars; and

(C) May 1, 2025, for jacketed CPC–1232 tank cars.

(3) For transport of Class 3 flammable liquids in Packing Group I, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2025.

(4) For transport of Class 3 flammable liquids in Packing Groups II and III, other than Class 3
flammable liquids specified in paragraphs (1) and (2), May 1, 2029.

(c) RETROFITTING SHOP CAPACITY.—The Secretary may extend the deadlines established under paragraphs (3) and (4) of subsection (b) for a period not to exceed 2 years if the Secretary determines that insufficient retrofitting shop capacity will prevent the phase-out of tank cars not meeting the DOT–117 or DOT–117R specifications by the deadlines set forth in such paragraphs.

(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule issued on May 08, 2015, entitled “Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains” (80 Fed. Reg. 26643), other than the provisions of the final rule that are inconsistent with this section.

(f) CLASS 3 FLAMMABLE LIQUID DEFINED.—In this section, the term “Class 3 flammable liquid” has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

Page 523, line 24, strike “and” at the end.
Page 524, line 2, strike the semicolon and insert “;
and”.

Page 524, after line 2, insert the following:

“(C) travel from the Nation’s ports, air-
ports, and gateways to the National Multimodal
Freight Network;

Page 527, line 5, strike “consist of” and insert “in-
clude”.

Page 528, after line 6, insert the following (and re-
designate subsequent subsections accordingly):

“(c) Other Strategic Freight Assets.—In de-
termining network components in subsection (b), the Sec-
retary may consider strategic freight assets identified by
States, including public ports if such ports do not meet
the annual tonnage threshold, for inclusion on the Na-
tional Multimodal Freight Network.