

## S 1072

Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004

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**Chamber:** Senate

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### Sponsor

**Name:** Sen. Inhofe, James M. [R-OK]

**Party:** Republican • **State:** OK • **Chamber:** Senate

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bond, Christopher S. [R-MO]	R · MO		May 15, 2003
Sen. Jeffords, James M. [I-VT]	I · VT		May 15, 2003
Sen. Reid, Harry [D-NV]	D · NV		May 15, 2003

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (subcommittee)	May 22, 2003
Environment and Public Works Committee	Senate	Hearings By (subcommittee)	May 20, 2003

### Subjects & Policy Tags

#### Policy Area:

Transportation and Public Works

### Related Bills

Bill	Relationship	Last Action
108 HR 3550	Related document	<b>Jul 22, 2004:</b> Conference held.
108 HR 2088	Related bill	<b>May 21, 2003:</b> Subcommittee Hearings Held.

Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004 - **Title I: Federal-Aid Highways - Subtitle A: Funding** - (Sec. 1101) Authorizes appropriations out of the Highway Trust Fund (other than the Mass Transit Account ) (HTF) through FY 2009 for the Interstate Maintenance Program, the National Highway System (NHS), the Bridge Program, the Surface Transportation Program (STP), the Congestion Mitigation and Air Quality Improvement (CMAQ) Program, the Appalachian Development Highway System Program, the Recreational Trails Program, the Federal Lands Highways Program, the Multistate Corridor Program, the Border Planning, Operations, and Technology Program, the National Scenic Byways Program, Construction of Ferry Boats and Ferry Terminal Facilities, the Puerto Rico Highway Program, the Public-Private Partnerships Pilot Program, the Denali Access System, and the Delta Region Transportation Development Program. Authorizes appropriations for FY 2004 for the Infrastructure Performance and Maintenance Program.

(Sec. 1102) Sets forth ceiling obligations through FY 2009 for: (1) Federal-aid highway and highway safety construction programs, with specified exceptions; (2) contract authority for certain transportation research programs; and (3) administrative expenses to carry out certain Federal-aid highway programs.

Sets forth certain requirements for distribution (including in certain cases denial of distribution) of the obligation limitation for Federal-aid highway amounts for specified Federal highway programs, including certain transportation research programs. Provides for the redistribution of any unused obligation limitation on Federal-aid Highways amounts (including certain authorized funds) to the States. Increases the apportionment of Federal-aid highway funds for each fiscal year for the National Highway System to the Virgin Islands, Guam, American Samoa, and the Commonwealth of Northern Mariana Islands.

(Sec. 1103) Modifies the amounts authorized for administrative expenses of the Federal Highway Administration (FHA) and the Appalachian Regional Commission in administering specified Federal-aid highway programs through FY 2009. Increases the set-aside of Federal-aid highway funds for metropolitan planning to 1.5 percent. Reauthorizes appropriations for the Alaska Highway through FY 2009.

(Sec. 1104) Revises Federal highway funding minimum guarantee provisions to establish the Equity Bonus Program (effectively replacing the Minimum Guarantee Program). Requires the Secretary of Transportation (Secretary), for each of FY 2004 through 2009, to allocate among the States amounts sufficient to ensure that no State: (1) receives a percentage of the total apportionments for the fiscal year for specified Federal-aid highway programs that is less than a specified formulated percentage; (2) before making the allocations, receives a combined total of such allocated amounts, apportionments for specified Federal-aid highway programs, and amounts allocated under this section, that is less than 110 percent of the average for FY 1998 through 2003 of the annual apportionments for the State for certain Federal-aid highway programs; and (3) receives a percentage of apportionments for the fiscal year for specified Federal-aid highway programs that is less than 90.5 percent of the percentage share of the State of estimated tax payments attributable to highway users in the State paid into the HTF in the most recent fiscal year for which data are available. Prohibits metropolitan planning set-aside requirements from applying to such State allocations. Authorizes appropriations from the HTF for FY 2004 through FY 2009.

(Sec. 1105) Changes the calculation of Revenue Aligned Budget Authority (RABA). Continues the RABA for FY 2006 and each fiscal year thereafter.

**Subtitle B: New Programs** - (Sec. 1201) Directs the Secretary to establish and implement an infrastructure performance

and maintenance program under which a State may obligate funds allocated to the State only for projects eligible under the Interstate Maintenance Program, the NHS Program, the STP, the Highway Safety Improvement Program, the Highway Bridge Program, and the Congestion Mitigation and Air Quality Improvement Program, that will: (1) preserve, maintain, or otherwise extend, in a cost-effective manner, the useful life of existing highway infrastructure elements; or (2) provide operational improvements (including traffic management and Intelligent Transportation System strategies and limited capacity enhancements) at points of recurring highway congestion.

Makes specified funds available for obligation without further appropriation. Directs that funds allocated to a State be obligated within 180 days after the apportionment date. Provides for the redistribution of unallocated funds.

(Sec. 1202) Directs the Secretary to: (1) conduct a complete investigation and study of the current condition and future needs of the U.S. surface transportation system; and (2) develop a conceptual plan, with alternative approaches, for the future. Describes specific issues to be addressed, including the current condition and performance of the Interstate System, and requires the study to be made available to specified congressional committees and to the public.

(Sec. 1203) Directs the Secretary to establish a freight transportation gateways program to improve productivity, security, and safety of freight transportation gateways, while mitigating congestion and community impacts. Requires each State to: (1) ensure that intermodal freight transportation, trade facilitation, and economic development needs are adequately considered and fully integrated into the project development process; and (2) designate a freight transportation coordinator. Encourages States and localities to adopt innovative financing strategies for freight transportation gateway improvements.

Authorizes a State to obligate funds apportioned to it for publicly-owned intermodal freight transportation projects that provide community and highway benefits by addressing economic, congestion, system reliability, security, safety, or environmental issues associated with freight transportation gateways. Lists eligible projects. Provides for a 90 percent Federal cost share for projects supporting an NHS intermodal freight connection or strategic highway network connector to a strategic military deployment port. Directs States with respect to certain Federal vehicle length limitations to update the list of Federal-aid system highways to which they shall apply to include: (1) strategic highway network connectors to strategic military deployment ports; and (2) NHS intermodal freight connections serving military and commercial truck traffic going to major intermodal terminals.

(Sec. 1204) Replaces provisions regarding priority primary routes with a requirement that the Secretary carry out a program for construction of ferry boats and ferry terminal and maintenance facilities, at an 80 percent Federal cost share. Directs the Secretary to give priority in the allocation of Federal-aid highway funds to ferry systems, and public entities responsible for developing ferries, that: (1) carry the greatest number of passengers and vehicles; (2) carry the greatest number of passengers in passenger-only service; or (3) provide critical access to areas that are not well-served by other modes of surface transportation. Authorizes appropriations from the HTF (other than the Mass Transit Account) for each fiscal year.

(Sec. 1205) Designates Interstate Highway 86 in New York State, extending from the Pennsylvania border near Lake Erie through Orange County, as the Daniel Patrick Moynihan Interstate Highway.

(Sec. 1206) Directs the Administrator of the FHA to collect, and report annually to Congress on, any bid price data that is necessary to make State-by-State comparisons of highway construction costs.

**Subtitle C: Finance** - (Sec. 1301) Modifies provisions regarding determination of the Federal share and increased Federal share applicable to certain Federal-aid highway projects. Authorizes a State to determine a lower Federal share

that is otherwise applicable to such projects. Authorizes the Federal share to be increased for projects and activities in each State in which is located nontaxable Indian land, public land (reserved or unreserved), a national forest, or a national park and monument.

Provides that the Federal share for such States shall be increased by a percentage of the remaining cost that is equal to the percentage that the area of all such land in a State bears to the total area of the State, but does not exceed 95 percent of the total cost. Directs the Secretary to adjust the Federal share for such States as necessary, based on data provided by the Federal agencies that are responsible for maintaining the data.

(Sec. 1302) Authorizes the transfer of: (1) transit funds or transportation planning for highway projects (subject to a limitation), and highway funds or transportation planning for transit projects; (2) funds that are derived from the HTF to another Federal agency under specified circumstances, such as if a State transportation department consents to the transfer of funds; and (3) funds apportioned or allocated to the State to another State, or to the Federal Highway Administration, at the request of a State, for the purpose of funding one or more specific projects.

(Sec. 1303) Amends the Transportation Infrastructure Finance and Innovation Act (TIFIA) to expand the scope of projects eligible for TIFIA assistance. Allows a group of related projects to be eligible (each of which individually might not meet the threshold requirements to apply for TIFIA credit assistance). Lowers the threshold for eligible projects to \$50 million. Allows a project to be eligible when project costs are anticipated to equal or exceed 20 percent of the Federal highway funds apportioned to that State in the most recently completed fiscal year.

Provides that the amount of a secured loan shall not exceed the lesser of 33 percent of the reasonably anticipated eligible project costs or the amount of the senior project obligations. Excludes reasonably required financing reserves from interest, with respect to lines of credit.

Replaces provisions regarding project servicing with a requirement that the Secretary establish a uniform system to service Federal credit instruments. Authorizes the Secretary to: (1) establish fees at a level to cover all or a portion of the costs to the Government of servicing such instruments; (2) appoint a financial entity to assist the Secretary in servicing such instruments; and (3) retain the services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of such instruments.

Reauthorizes appropriations from the HTF through FY 2009, with a limit on administrative costs. Repeals a reporting requirement regarding the financial performance of projects or assistance received.

(Sec. 1304) Authorizes the Secretary to provide assistance to any State that is participating in the International Registration Plan and International Fuel Tax Agreement that serves as a base jurisdiction for motor carriers that are domiciled in Mexico, to assist with administrative costs.

(Sec. 1305) Establishes the National Commission on Future Revenue Sources to Support the Highway Trust Fund and Finance the Needs of the Surface Transportation System to study alternatives to replace or supplement the fuel tax as the principal revenue source to support the HTF. Authorizes appropriations from the HTF for FY 2004.

(Sec. 1306) Amends the Transportation Equity Act for the 21st Century (TEA-21) to extend the State infrastructure bank program to any State that seeks to establish such a bank.

(Sec. 1307) Authorizes the Secretary to undertake a pilot program to demonstrate the advantages of public-private partnerships for critical capital development projects, including highway, bridge, and freight intermodal connector

projects.

(Sec. 1308) Amends the Internal Revenue Code to repeal provisions: (1) prohibiting a person from engaging in the business or trade of wagering until they have paid a special tax imposed on such wagering; (2) requiring such persons to register with the internal revenue district; and (3) regarding the disclosure of returns and return information with respect to special taxes imposed on wagering. Imposes a \$10,000 penalty on persons who are involved in the sale of certain special fuels for which a tax is imposed and who fail to register with the Secretary.

**Subtitle D: Safety** - (Sec. 1401) Replaces provisions regarding the development of a national scenic and recreational highway with a Highway Safety Improvement Program (HSIP), aimed at achieving a significant reduction in traffic fatalities and serious injuries on public roads. Requires that, to receive funds, a State have in effect a State highway safety improvement program under which the State: (1) develops and implements a State strategic highway safety plan that identifies and analyzes highway safety problems and opportunities; (2) produces a program of projects or strategies to reduce identified safety problems; (3) evaluates the plan on a regular basis to ensure the accuracy of the data and priority of proposed improvements; and (4) submits to the Secretary an annual report that describes certain locations in the State as exhibiting the most severe safety needs and contains an assessment of potential remedies to the identified hazardous locations.

Includes among eligible projects any highway safety improvement project on a public road or publicly owned bicycle or pedestrian pathway or trail. Authorizes a State, to further the implementation of a State strategic highway safety plan, to use up to 25 percent of the amount of funds made available under this section for a fiscal year to carry out safety projects under any other section as provided in the State strategic highway safety plan.

Sets forth provisions regarding: (1) State reporting requirements; (2) the Federal share of highway safety improvement projects (90 percent); (3) a requirement that a State allocate a percentage of HSIP funds for bicycle and pedestrian improvements in the State in an amount that is equal to or greater than the percentage of all fatal crashes in the States involving bicyclists and pedestrians; (4) the authorization of appropriations for FY 2004 through 2009 for projects in all States to improve traffic signs and pavement markings consistent with certain FHA recommendations; (5) formulas for apportionment of HSIP funds; (6) an annual earmark of at least \$200 million of such funds for the elimination of hazards and the installation of protective devices at railway-highway crossings; and (5) a requirement that the Secretary approve the obligation of HSIP funds to States that have developed and implemented a State strategic highway safety plan by October 1 of the second fiscal year after this Act's enactment date, with funds redistributed from non-complying States to other States.

(Sec. 1402) Increases funding for Operation Lifesaver and moves the source of funding to the HSIP.

(Sec. 1403) Defines "license suspension" as the suspension of all driving privileges (current law) of an individual for the duration of the suspension period, or a combination of suspension of all such privileges for the first 90 days, followed by reinstatement of limited driving privileges requiring the individual to operate only motor vehicles equipped with an ignition interlock system or other device approved by the Secretary during the remainder of the suspension period.

(Sec. 1404) Amends the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) to exempt any over-the-road bus, or any vehicle that is regularly and exclusively used as an intrastate public agency transit passenger bus, using the Dwight D. Eisenhower System of Interstate and Defense Highways from the maximum gross weight limitations imposed by any State.

(Sec. 1405) Directs the Secretary to establish and carry out a safe routes to school program for the benefit of children in

primary and secondary schools to: (1) enable and encourage children to walk and bicycle to school; (2) encourage a healthy and active lifestyle by making walking and bicycling to school safer and more appealing transportation alternatives; and (3) facilitate the planning, development, and implementation of projects and activities that will improve safety in the vicinity of schools. Directs the Secretary, before apportioning HSIP funds for a fiscal year, to set aside and use \$70 million to carry out this section. Sets the Federal cost share at 90 percent.

(Sec. 1406) Replaces a provision regarding a Hazard Elimination Program with a requirement that States carrying out projects purchase equipment only after completing and providing a written analysis demonstrating the cost savings associated with purchasing the equipment compared with renting the equipment from a qualified equipment rental provider. Limits requirement to certain equipment with a purchase price in excess of specified amounts.

(Sec. 1407) Amends the National Highway System Designation Act of 1995 to direct the Secretary, in carrying out the Work Zone Safety Program under ISTEA, to recommend that federally-assisted projects: (1) in excess of \$15 million enter into contracts only with contractors that carry at least \$15 million in general liability insurance, and include work zone intelligent transportation systems that are provided by a qualified vendor and monitored continuously; and (2) fully fund not less than five percent of project costs for work zone safety and temporary traffic control measures, in addition to the project cost, which shall be provided by a qualified work zone safety or traffic control provider. Requires such recommendations to provide for an exemption for applicability to a State, with respect to a project or class of projects, to the extent that the State notifies the Secretary in writing that safety is not expected to be adversely affected by nonapplication of the requirement to the project or class of projects.

(Sec. 1408) Directs the Secretary to promulgate regulations within a year to: (1) decrease the probability of worker injury; and (2) maintain the free flow of vehicular traffic by requiring workers whose duties place them on, or in close proximity to, a Federal-aid highway to wear high-visibility clothing.

(Sec. 1409) Directs the Secretary to promulgate regulations establishing minimum standards for State departments of motor vehicles regarding the use of information-based identity authentication to determine the identity of an applicant for a commercial driver's license, or the renewal, transfer or upgrading, of a commercial driver's license.

(Sec. 1410) Requires the Secretary to withhold a specified percentage of a State's Federal-aid highway program apportionment for a fiscal year if the State has not enacted a law that prohibits the possession of an open alcoholic beverage container, or the consumption of an alcoholic beverage, in the passenger area of a motor vehicle (including possession or consumption by the driver of the vehicle) on a public highway, or the right-of-way of a public highway, in the State.

**Subtitle E: Environmental Planning and Review - Chapter 1: Transportation Planning** - (Sec. 1501) Permits States and metropolitan planning organizations (MPOs) to consider, during the transportation planning process (after soliciting and considering public comments): (1) the protection of habitat, water quality, and agricultural and forest land, while minimizing invasive species; and (2) minimizing adverse health effects from mobile source air pollution, and promoting the linkage of the transportation and development goals of the metropolitan area.

(Sec. 1502) Requires States and MPOs to consult with agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation, in developing long-range transportation plans. Requires that such plans identify transportation strategies necessary to efficiently serve the mobility needs of people and include discussions of: (1) types of potential habitat, hydrological, and environmental mitigation activities that may assist in compensating for loss of habitat, wetlands, and other environmental functions; and (2) potential areas to

carry out these activities.

(Sec. 1503) Directs the Secretary to take into account two documents, "Flexibility in Highway Design" and "Eight Characteristics of Process to Yield Excellence and the Seven Qualities of Excellence in Transportation Design," in developing design criteria for the NHS.

(Sec. 1504) Modifies provisions regarding long-range transportation plans to direct States and MPOs to hold public meetings at convenient and accessible locations and times, employ visualization techniques to describe the plans, and make public information available in electronically accessible format, such as the World Wide Web.

(Sec. 1505) Modifies provisions regarding NHS and STP projects to permit obligation of NHS and STP funds for State habitat, streams, and wetlands mitigation efforts.

Replaces provisions regarding access highways to public recreation areas on certain lakes with a provision for State habitat, streams, and wetlands mitigation funds. Directs that: (1) amounts deposited in a State fund be used for habitat, streams, or wetlands mitigation related to one or more projects funded, including a project under the transportation improvement program of the State; and (2) a State and cooperating agency give consideration to mitigation projects, on-site or off-site, that restore and preserve the best available sites to conserve biodiversity and habitat for Federal or State listed threatened or endangered species of plants and animals, and plant or animal species warranting listing as threatened or endangered.

Permits contributions from the State fund to mitigation efforts to occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law.

**Chapter 2: Transportation Project Development Process** - (Sec. 1511) Makes the Department of Transportation (DOT) the lead Federal agency in the environmental review process for a project. Authorizes a project sponsor to request that the lead agency carry out the environmental review process for a project or group of projects.

Grants the lead agency authority and responsibility to identify and invite cooperating agencies, develop an agency coordination plan with specified review, schedule, and timelines, determine the purpose and need for the project and the range of alternatives to be considered, convene dispute-avoidance and decision resolution meetings and related efforts, take such other actions as are necessary and proper within the lead agency's authority to facilitate the expeditious resolution of the environmental review process for the project, and prepare or ensure that any required environmental impact statement is completed in accordance with applicable Federal law. Sets forth provisions regarding roles and responsibilities of cooperating agencies, and the judicial review of agency action in U.S. district court or State court.

(Sec. 1512) Authorizes the Secretary to assign, and a State to assume, responsibility for determining whether certain designated activities are included within classes of action identified in regulation by the Secretary that are categorically excluded from requirements for environmental assessments. Directs the Secretary and the State to enter into a memorandum of understanding regarding such assumption of responsibility, subject to specified requirements and monitoring.

(Sec. 1513) Directs the Secretary to carry out a surface transportation project delivery pilot program, under which the Secretary may assign to a State (and the State may assume) specified responsibilities for environmental review or other action required under Federal environmental law pertaining to the review or approval of a specific project, with exceptions. Allows up to five States to participate. Sets forth application and public notice requirements, selection criteria, and audit and reporting requirements.

(Sec. 1514) Sets forth provisions providing that certain requirements calling for the preservation of parks, recreation areas, wildlife and waterfowl refuges, and historic sites with respect to the development of transportation plans and programs shall be satisfied with respect to those areas if the Secretary determines, based on specified criteria, that the transportation program or project will have a de minimis impact on the areas.

Directs the Secretary and the Transportation Research Board of the National Academy of Sciences to jointly conduct a study, and report the results to Congress and the public, on the implementation of the requirements in this section.

**Chapter 3: Miscellaneous** - (Sec. 1521) Authorizes a State to use apportioned funds to pay the costs of acquiring real property determined to be critical.

(Sec. 1522) Directs the Secretary to carry out a planning capacity building initiative to support enhancements in transportation planning to: (1) strengthen the processes and products of metropolitan and statewide transportation planning; (2) enhance tribal capacity to conduct joint transportation planning; (3) participate in the metropolitan and statewide transportation planning programs; and (4) increase the knowledge and skill level of participants in metropolitan and statewide transportation.

Directs the Secretary to give priority to planning practices and processes that support: (1) the transportation elements of homeland security planning; (2) performance-based planning; (3) safety planning; (4) operations planning; (5) freight planning; (6) air quality planning; and (7) integration of environment and planning.

Sets forth provisions regarding permissible uses of funds, a set-aside amount, and the Federal cost share.

**Subtitle F: Environment** - (Sec. 1601) Includes among eligible NHS projects: (1) environmental restoration and pollution abatement; and (2) control of invasive plant species and establishment of native species. Removes limitations on the former, and provides for the latter, under the STP. Allows environmental restoration and pollution abatement to minimize or mitigate the impacts of specified transportation projects to address water pollution or environmental degradation caused wholly or partially by a transportation facility. Makes funds available to control invasive plant species and to establish native species.

(Sec. 1602) Authorizes the Secretary to carry out technical assistance, marketing, market research, and promotion with respect to State Scenic Byways, National Scenic Byways, All-American Roads, and America's Byways.

(Sec. 1603) Modifies the recreational trails program (RTP) to include among permissible uses of program funds: (1) assessment of trail conditions for accessibility and maintenance; (2) use of trail crews, or youth conservation or service corps; and (3) development and dissemination of publications and operation of educational programs to promote safety and environmental protection, as related to the use of recreational trails, supporting non-law enforcement trail safety and trail use monitoring patrol programs, and providing trail-related training, but in an amount not to exceed five percent of the State's apportionment for the fiscal year. Allows a State to make available not less than ten percent of the apportionments of the State to provide grants to, or enter into cooperative agreements or contracts with, qualified youth conservation or service corps to perform RTP activities.

Allows projects funded to permit preapproval planning and environmental compliance costs incurred not more than 18 months before project approval to be credited toward the nonfederal share. Relieves RTP projects from specified requirements applicable to highway projects.

(Sec. 1604) Declares that the Interstate System shall not be considered a historic site.

(Sec. 1605) Requires the Secretary to ensure that the plans and specifications for each proposed highway project provide for a facility that will consider the preservation, historic, scenic, natural environmental, and community values.

Replaces provisions concerning phase construction with a requirement that the Secretary encourage States to design projects that: (1) allow for the preservation of environmental, scenic, or historic values; (2) ensure the safe use of the facility; (3) provide for consideration of the context of the locality; and (4) encourage access for other modes of transportation.

(Sec. 1606) Modifies provisions regarding high occupancy vehicle (HOV) lanes to require, for each State, that one or more responsible agencies establish the occupancy requirements of vehicles operating on such lanes. Requires, in the case of an HOC lane that traverses an adjacent State, that it be established in consultation with the adjacent State. Allows motorcycles to use HOV lanes unless a responsible agency: (1) certifies to the Secretary that the use of such lanes by motorcyclists would create a safety hazard; and (2) restricts such use.

Authorizes a responsible agency, subject to specified requirements, to permit the use of HOV lanes by vehicles that do not satisfy established occupancy requirements by: (1) qualifying low emission and energy-efficient vehicles; (2) vehicles if the agency charges those vehicles a toll; and (3) designated public transportation vehicles. Sets forth performance monitoring, evaluation, and reporting requirements.

(Sec. 1607) Modifies bicycle transportation and pedestrian walkway provisions to authorize the use of STP and congestion mitigation funds to carry out non-construction projects related to safe pedestrian use.

Directs the Secretary to select and make grants to a national, nonprofit organization engaged in promoting bicycle and pedestrian safety to: (1) operate a national bicycle and pedestrian clearinghouse; (2) develop information and educational programs regarding walking and bicycling; and (3) disseminate techniques and strategies for improving bicycle and pedestrian safety.

Sets aside \$500,000 for each of FY 2004 through 2009 for use in carrying out the bicycle and pedestrian safety grant program.

(Sec. 1608) Authorizes a State to: (1) permit electrification or other idling reduction facilities and equipment for use by commercial motor vehicles to be placed in rest and recreation areas and in safety rest areas, constructed or located on rights-of-way of the Interstate System in the State, so long as those idling reduction measures do not reduce the existing number of designated truck parking spaces at any given rest or recreation area, or preclude the use of those spaces by trucks employing alternative idle reduction technologies; and (2) charge, or permit charges, for the use of those facilities.

(Sec. 1609) Amends TEA-21 to modify the Interstate System Reconstruction and Rehabilitation Pilot Program. Authorizes the Secretary to approve a State application only if the Secretary determines that the State's analysis showing that financing the reconstruction or rehabilitation of a facility with the collection of tolls under the pilot program is the most efficient, economical, or expeditious way to advance the project.

Directs the Secretary to permit a State, public authority, or a public or private entity designated by a State to collect a toll from motor vehicles at an eligible toll facility for any highway, bridge, or tunnel, including facilities on the Interstate System to manage high levels of congestion, to reduce emissions in a nonattainment area or maintenance area, or to finance the expansion of a highway to reduce traffic congestion. Requires toll revenues to be used by a State, public authority, or private entity designated by a State, for: (1) debt service for debt incurred on one or more highway or transit projects; (2) a reasonable return on investment of any private financing; (3) the costs necessary for proper operation and

maintenance of such facilities; or (4) any other purpose relating to a highway or transit project if the toll facility is being adequately maintained.

Authorizes a toll facility to establish a variable toll that varies in price according to time of day or level of traffic to manage congestion or improve air quality. Directs the Secretary to require, for each HOV facility that charges tolls, that the tolls vary in price according to time of day or level of traffic to manage congestion or improve air quality. Authorizes a State to permit motor vehicles with fewer than two occupants to operate in high occupancy vehicle lanes as part of a variable toll pricing program. Requires the Secretary and the applicable State, public authority, or private entity designated by a State to enter into an agreement for each facility incorporating conditions set forth in this section. Limits the Federal cost share to 80 percent.

Requires fees collected from motorists using a FAST (Fast and Sensible Toll) lane to be collected only through the use of noncash electronic technology that optimizes the free flow of traffic on a tolled facility. Directs the Secretary to promulgate a final rule specifying requirements, standards, or performance specifications for such automated toll collection systems, seeking to accelerate progress toward the goal of achieving a nationwide interoperable electronic toll collection system. Requires the Secretary to: (1) develop and publish performance goals for FAST lane projects; and (2) report to Congress on any success of the toll program in meeting congestion reduction and other performance goals established for FAST lane programs.

Authorizes appropriations from the HTF (other than the Mass Transit Account) for FY 2004 through 2009 to carry out pre-implementation studies and post-implementation evaluations planned or implemented under this section.

(Sec. 1610) Directs the Administrator of the Environmental Protection Agency (EPA) to: (1) conduct a study of the ability of monitors to differentiate particulate matter larger than 2.5 micrometers in diameter (coarse particulate matter); (2) develop a method to measure directly the amount and composition of coarse particulate matter; and (3) report to specified congressional committees.

(Sec. 1611) Modifies the CMAQ program apportionment formula to take into account fine particulate matter.

(Sec. 1612) Makes the purchase of alternative fuel and of biodiesel fuel, or the purchase of integrated, interoperable emergency communications equipment, eligible activities under the CMAQ program. Provides that States that receive the minimum apportionment can use CMAQ funds for purposes beyond projects funded under STP (including congestion mitigation and improving air quality).

Requires States to be responsible for ensuring that subrecipients of CMAQ funds have emission reduction strategies for fleets that are used in construction projects located in nonattainment and maintenance areas and funded under the Federal-aid highway program. Directs the Administrator of the EPA to develop a nonbinding list of emission reduction strategies and supporting technical information for each strategy. Authorizes a State to use funds made available under this title and the Federal-aid highway program for the CMAQ program to ensure the deployment of such strategies.

(Sec. 1613) Directs the Secretary to encourage States and MPOs to consult with State and local air quality agencies in nonattainment and maintenance areas on the estimated emission reductions from proposed congestion mitigation and air quality improvement programs and projects.

(Sec. 1614) Directs the Secretary to evaluate and assess a representative sample of projects funded under the congestion mitigation and air quality program to: (1) determine the direct and indirect impact of the projects on air quality and congestion levels; and (2) ensure the effective implementation of the program. Requires the Secretary to maintain

and disseminate a cumulative database describing the impacts of the projects.

(Sec. 1615) Changes requirements for how often updates must be made to metropolitan transportation plans, metropolitan transportation improvement programs (TIPs) in nonattainment and maintenance areas, and statewide Tips (from every two years and three years, respectively, to every four years, or more frequently if a MPO elects to update more frequently). Changes the minimum frequency with which transportation conformity must be demonstrated to every four years. Makes changes in the horizon of the conformity determination. Directs that the interagency consultation process and procedures be used to make determinations as to whether minor arterial highways and other transportation projects should be considered regionally significant projects.

(Sec. 1616) Amends the Clean Air Act to provide methods for new nonattainment areas to use in determining transportation conformity to help achieve the national ambient air quality standards.

(Sec. 1617) Reduces barriers to regions implementing transportation control measures (TCMs) to improve their regional air quality. Allows an area to substitute an existing TCM or add a TCM if they can show that the new TCM will achieve equivalent or greater emissions reductions. Provides that substitution or addition of a TCM will not be contingent on there being any provision in the State air quality plan, a formal revision of that plan, or a new conformity determination.

(Sec. 1618) Requires the EPA Administrator: (1) by March 1, 2005, to publish in the Federal Register proposed regulations governing the review and handling of air quality monitoring data influenced by exceptional events; and (2) to promulgate final regulations one year after the date on which the proposed regulations are published. Directs that protection of public health be given the highest priority.

(Sec. 1620) Directs the Secretary to establish a highway storm-water discharge mitigation program to: (1) improve the quality of storm-water discharge from Federal-aid highways or Federal-aid highways and associated facilities; and (2) enhance groundwater recharge. Requires States to give priority to certain projects sponsored by State or local governments that assist in complying with the Federal Water Pollution Control Act.

(Sec. 1621) Exempts an agricultural producer (who has gross agricultural commodity sales that do not exceed \$500,000) that transports a fertilizer, pesticide, propane, gasoline, or diesel fuel for agricultural purposes from certain Federal hazardous materials transportation requirements.

(Sec. 1622) Amends the Miscellaneous Appropriations and Offsets Act, 2004 (Division H of the Consolidated Appropriations Act, 2004 (Public Law 108-199)) to repeal provisions prohibiting the obligation of funds under the Act to reduce overfishing and promote rebuilding of fish stocks.

**Subtitle G: Operations** - (Sec. 1701) Includes among eligible projects under the surface transportation program regional transportation operations collaboration and coordination activities that are associated with regional improvements, such as traffic incident management, technology deployment, emergency management and response, traveler information, and regional congestion relief.

Authorizes a State to spend funds apportioned under the STP to reduce traffic delays caused by motor vehicle accidents and breakdowns on highways during peak driving times. Sets forth permissible uses of funds.

Directs the Secretary to carry out a transportation systems management and operations program to: (1) ensure efficient and effective transportation systems management and operations on Federal-aid highways through collaboration, coordination, and real-time information sharing at a regional and statewide level among managers and operators of major

modes of transportation, public safety officials, and the general public; and (2) manage and operate Federal-aid highways in a coordinated manner to preserve the capacity and maximize the performance of highway and transit facilities for travelers and carriers.

Authorizes the Secretary to: (1) issue guidance or promulgate regulations for the procurement of transportation system management and operations facilities, equipment, and services; and (2) authorize the use of Federal-aid highway funds to provide assistance for regional operations collaboration and coordination activities that are associated with regional improvements, such as traffic incident management, technology deployment, emergency management and response, traveler information, and congestion relief.

(Sec. 1702) Directs the Secretary to: (1) carry out a real-time system management information program; and (2) establish data exchange formats to ensure that the data provided by highway and transit monitoring systems (including statewide incident reporting systems) can readily be exchanged between jurisdictions to facilitate the nationwide availability of information on traffic and travel conditions. Requires each State to establish a statewide incident reporting system.

Requires States and local governments, in developing or updating regional intelligent transportation system architectures, to address the real-time highway and transportation needs of the State or local government, and the systems needed to meet those needs. Authorizes a State, subject to project approval by the Secretary, to use specified funds apportioned to the State to carry out activities relating to the planning and deployment of real-time monitoring elements.

(Sec. 1703) Removes alternative equivalent State qualifications-based requirements from competitive bidding requirements for engineering and design services with respect to construction of Federal-aid highway projects.

(Sec. 1704) Amends the National Highway System Designation Act of 1995 to provide that no additional off-duty time for a driver of a commercial vehicle shall be required in order for the driver to operate the vehicle.

(Sec. 1705) Makes mandatory the distribution of a specified percentage of funds for forest development roads and trails for the transportation planning process for the Lake Tahoe region.

Designates the urbanized areas of Oklahoma City, Oklahoma, and Norman, Oklahoma, as a single transportation management area for purposes of the allocation of metropolitan transportation improvement program funds.

**Subtitle H: Federal-Aid Stewardship** - (Sec. 1801) Authorizes the Secretary to designate a highway on the National Highway System as a future Interstate System route if the highway meets all standards of a highway on the Interstate System and only upon a written agreement of the State that the highway will be constructed to meet such standards within 25 years (currently, 12 years) after the date of the agreement.

(Sec. 1802) Requires a State to provide a value engineering analysis or other cost-reduction analysis for: (1) projects on the Federal-Aid System with an estimated total cost of \$25 million or more; (2) a bridge project with an estimated total cost of \$20 million or more; and (3) any other project the Secretary determines to be appropriate.

Directs the Secretary to establish an oversight program to monitor the efficient use of funds for Federal-aid highway projects, including areas relating to financial integrity and project delivery. Requires a recipient of funds for a project with an estimated cost of \$1 billion or more, and recipients for such other projects as may be identified by the Secretary, to submit to the Secretary a project management plan and an annual financial plan.

Amends Federal transportation law to set forth provisions requiring: (1) the debarment of a contractor or subcontractor convicted of a criminal or civil offense involving fraud with respect to a project receiving Federal highway or transit funds;

and (2) the suspension of a contractor or subcontractor upon indictment for criminal or civil offenses involving fraud.

Requires monetary judgments that accrue to the Federal Government from judgments in Federal criminal prosecutions and civil judgments pertaining to fraud in highway and transit programs to be shared with the State or local transit agency. Requires the State or local transit agency to use such funds for transportation infrastructure and oversight activities with respect to Federal-aid highway programs.

(Sec. 1803) Revises the term "qualified projects" to include intermodal projects for which the Secretary has approved the use of design-build contracting under specified criteria.

(Sec. 1804) Authorizes the Secretary to proceed with a Federal-aid highway project without the use of Federal funds and in accordance with all procedures and requirements applicable to the project other than those procedures and requirements that limit the State to implement a project with the aid of Federal funds or obligation authority previously allocated to the State. Declares that funds allocated to a State for a particular purpose for a fiscal year shall be considered to be obligated if a sum equal to the total of the funds allocated to the State for that purpose for that fiscal year and previous fiscal years is obligated.

(Sec. 1805) Authorizes the set-aside of Federal-aid highway funds for FY 2004 through 2009 for resurfacing, restoring, rehabilitating, and reconstructing of Interstate System routes.

(Sec. 1806) Revises provisions regarding the use of Federal land management agency funds to authorize their use to pay the non-Federal share of costs of any project (currently, Federal-aid highway project) in which the Federal share is funded under this title or under mass transportation funds.

Authorizes a State in which a proposed Federal-aid project is to be undertaken by a Federal agency in accordance with an agreement between a State and the Federal agency to direct the Secretary to transfer the funds for the Federal share of the project directly to the Federal agency, or make a deposit with, or payment to, the Federal agency to meet the obligation of the State under the agreement for the work undertaken or to be undertaken by the Federal agency.

Directs the Secretary to allocate sums authorized to be appropriated for the fiscal year for forest development roads and trails according to the relative needs of the various national forests, and including grasslands. Revises amounts allocated to States for public lands highways and forest highways. Requires the Secretary to give priority in the allocation of funds for park roads and parkways to projects for highways that are located in, or provide access to, a qualifying National Park, and were initially constructed before 1940.

Authorizes the allocation of appropriated Federal highway funds through FY 2005 for Indian reservation roads. Establishes a Federal lands highway demonstration project which calls for funds for Indian reservation roads and for highway bridges located on Indian reservation roads to be made available to the Indian tribal government for use in carrying out contracts and agreements for the planning, research, engineering, and construction of such roads and bridges. Sets forth certain demonstration project requirements. Authorizes appropriations for FY 2004 through 2009 to carry out planning, design, engineering, preconstruction, construction, and inspection of projects to replace.

Limits to no more than six percent of amounts made available from the HTF to the Bureau of Indian Affairs that can be used to pay Bureau expenses (including administrative expenses) incurred in administering the Indian reservation roads program. Authorizes an Indian tribe or tribal organization to commence road and bridge construction if they provide certain assurances in the contract or agreement that the construction will meet applicable health and safety standards.

Includes refuge roads and recreation roads within the Federal Lands Highways Program. Sets forth appropriate uses of Federal Lands Highways Program funds, including for recreation roads and forest highways. Limits the amount of HTF funds apportioned for Indian reservation roads for maintenance to not more than the greater of \$250,000 or 25 percent of the apportioned amount.

Authorizes specified allocations of appropriated Federal-aid highway funds for each fiscal year for safety and for recreation roads. Limits the use of funds for recreation roads to pay the costs of maintenance or improvements of existing recreation roads. Provides that a maintenance or improvement project shall not require any additional environmental reviews or assessments if certain conditions are met.

Replaces forest development roads and trails provisions with national forest system roads and trails provisions.

(Sec. 1807) Replaces the Highway Bridge Replacement and Rehabilitation Program with the Highway Bridge Program. Authorizes a State participating in the Program to carry out a project for preventive maintenance on a bridge or installation of scour countermeasures to a bridge without regard to whether the bridge is eligible for replacement or rehabilitation.

Authorizes appropriations for FY 2004 through 2009 for the Highway Bridge Program, with specified amounts set-aside for: (1) certain bridge projects under the Discretionary Bridge Program; and (2) projects to replace, rehabilitate, perform systematic preventive maintenance or seismic retrofit, or apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions or install scour countermeasures to highway bridges located on public roads, other than those on a Federal-aid highway (off-system bridges), or to complete the Warwick Intermodal Station (including the construction of a people mover between the Station and the T.F. Green Airport).

Declares that costs incurred by a State to preserve a historic bridge shall be eligible as reimbursable project costs up to an amount not to exceed 200 percent of the cost of demolition.

Directs the Secretary to publish annually in the Federal Register a report describing construction materials used in new Federal-aid bridge construction and bridge rehabilitation projects.

(Sec. 1808) Directs the Secretary to apportion funds made available from the HTF for FY 2004 through 2009 among States based on the latest available estimate of the cost to construct highways and access roads for the Appalachian development highway system program.

(Sec. 1809) Establishes the Multistate Corridor Program to encourage multistate transportation planning and development and to facilitate transportation decisionmaking and coordinate project delivery involving multistate corridors. Directs the Secretary to make allocations under the program to State transportation departments and MPOs for multistate highway and multimodal planning studies and construction. Directs the Secretary, in administering the program, to encourage and enable States to develop plans for multimodal and multijurisdictional transportation decisionmaking, and give priority to studies or projects that emphasize multimodal planning. Sets the Federal share of cost of a study or project at 80 percent.

(Sec. 1810) Establishes a border planning, operations, technology, and capacity improvement program to support coordination and improvement in bi-national transportation planning, operations, efficiency, information exchange, safety, and security at the U.S. borders with Canada and Mexico. Authorizes a border State to obligate funds apportioned to it for highway and multimodal planning or environmental studies, cross-border port of entry and safety inspection

improvements, technology and information exchange activities, and right-of-way acquisition, design, and construction to implement border enhancements. Sets forth certain program requirements. Authorizes the transfer of program funds to the General Services Administration (GSA) for construction of transportation infrastructure projects at or near the border in border States.

(Sec. 1811) Directs the Secretary to allocate Federal-aid highway funds for FY 2004 through 2009 to the Commonwealth of Puerto Rico to carry out the Puerto Rico Highway Program.

(Sec. 1812) Directs the Secretary, subject to the availability of appropriations, to: (1) collect and disseminate information on historic covered bridges; (2) conduct educational programs relating to the history and construction techniques of historic covered bridges; and (3) conduct research on the history of such bridges, including studying techniques for protecting the bridges from rot, fire, natural disasters, or weight-related damage. Directs the Secretary, subject to the availability of appropriations, to make grants to States to rehabilitate or repair or preserve a historic covered bridge.

Authorizes appropriations for FY 2004 through 2009.

(Sec. 1813) Establishes a transportation and community and system preservation program to facilitate the planning, development, and implementation of strategies by States, MPOs, federally-recognized Indian tribes, and local governments to integrate transportation, community, and system preservation plans and practices that: (1) improve the efficiency, and reduce the impacts, of transportation on the environment; (2) reduce the need for costly future investments in public infrastructure; (3) provide efficient access to jobs, services, and centers of trade; and (4) examine development patterns, and identify strategies, to encourage private sector development patterns that achieve the above-mentioned goals.

Authorizes appropriations for FY 2004 through 2009.

Includes among eligible projects under the surface transportation program: (1) transportation and community system preservation that facilitates the planning, development, and implementation of strategies of MPOs and local governments to integrate transportation, community, and system preservation plans and practices that address certain goals; and (2) certain intersection improvement projects.

(Sec. 1814) Establishes, in cooperation with appropriate State, regional, and local governments, a parking pilot program to address the shortage of long-term parking for drivers of commercial motor vehicles on the NHS. Directs the Secretary to carry out a pilot program to provide corridor and fringe parking facilities in order to provide parking capacity to support car pooling, van pooling, ride sharing, commuting, and HOV travel.

Authorizes appropriations from the HTF (other than the Mass Transit Account) for FY 2005 through 2009.

(Sec. 1815) Directs the Secretary to: (1) establish an Interstate oasis program; and (2) develop standards for designating as an Interstate oasis a facility that offers products and services to the public, 24-hour access to restrooms, parking for automobiles and heavy trucks, and meets certain other standards.

(Sec. 1816) Amends Federal highway law to authorize an Indian tribe and a State to enter into a road maintenance agreement under which an Indian tribe assumes the responsibilities of the State for Indian reservation roads, including roads providing access to Indian reservation roads.

(Sec. 1817) Earmarks for each fiscal year amounts made available for National Forest System roads to pay the costs of facilitating the passage of aquatic species beneath roads in the National Forest System, including the costs of

constructing, maintaining, replacing, or removing culverts and bridges, as appropriate.

(Sec. 1818) Directs the Secretary to carry out a territorial highway program to assist each territory (American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the U.S. Virgin Islands) in the construction and improvement of a system of arterial and collector highways, including necessary inter-island connectors. Includes the program as an eligible project under the NHS.

Authorizes appropriations for each fiscal year for the territorial highway program.

(Sec. 1819) Revises provisions regarding the Magnetic Levitation Transportation Technology Deployment Program to authorize the Secretary to solicit additional applications from States for Federal financial assistance for planning, design, and construction of magnetic levitation (MAGLEV) projects.

Authorizes appropriations from the HTF (other than the Mass Transit Account) for FY 2004 through 2009 to carry out this program.

Repeals provisions calling for R&D of low-speed superconductivity MAGLEV technology for public transportation in urban areas.

(Sec. 1820) Declares that nothing shall prevent a local government from offering to donate funds, materials, or services performed by local government employees in connection with a Federal-aid highways project. Repeals provisions regarding crediting of contributions by units of local government toward the State share.

(Sec. 1821) Requires not less than ten percent of funds made available for any Federal-aid highways, transportation research, or public transportation programs under this Act be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals.

(Sec. 1822) Increases the maximum amount that is authorized to be obligated in any fiscal year for the repair or reconstruction of highways, roads, and trails (including Indian reservations) that have suffered serious damage as a result of natural disaster or catastrophic failure from any external cause.

(Sec. 1823) Requires the Secretary to encourage States to give priority to pedestrian and bicycle facility enhancement projects that include a coordinated physical activity or healthy lifestyles program.

(Sec. 1824) Directs the Secretary to establish the Delta Region Transportation Development Program to support and encourage multistate transportation planning and corridor development, provide for transportation project development, facilitate transportation decisionmaking, and support transportation construction. Directs the Secretary to make allocations under this program for multistate highway and transit planning, development, and construction projects. Authorizes appropriations.

(Sec. 1825) Establishes the Multistate International Corridor Development Program to develop international trade corridors in order to facilitate the movement of freight from international ports of entry and inland ports through and to the interior of the United States. Directs the Secretary to make allocations under this program for any activity eligible for funding under the Federal-aid highways program, including multistate highway and multistate multimodal planning and project construction.

(Sec. 1826) Amends TEA-21 to make HTF (other than from the Mass Transit Account) funds available not later than October 1 of each year to each State (except Arizona) that has within its boundaries all or a part of an Indian reservation

having a land area of ten million acres or more. Authorizes appropriations from the HTF (other than the Mass Transit Account) for Indian reservation public roads for FY 2004 through 2009.

**Subtitle I: Technical Corrections** - (Sec. 1901) Amends Federal law to repeal provisions making certain letting of contracts (bidding) requirements with respect to Federal-aid highways projects inapplicable to contracts for projects on the Federal-aid secondary system in those States where the Secretary has discharged his responsibilities pursuant to certain high priority projects program requirements.

Authorizes the Secretary to approve as a project on a Federal-aid highway (currently, Federal-aid urban system) the acquisition of land for fringe and corridor parking facilities.

(Sec. 1902) Revises the date the Secretary must issue guidelines for minimizing possible soil erosion from highway construction to not later than January 30, 1971.

(Sec. 1903) Transfers certain provisions requiring the erection of signs identifying that highway construction projects were funded out of the HTF (other than the Mass Transit Account) and certain Buy American requirements to the Federal-aid highways program under title 23, USC.

**Title II: Transportation Research - Subtitle A: Funding** - (Sec. 2001) Authorizes appropriations out of the HTF (other than the Mass Transit Account) for FY 2004 through 2009 for: (1) surface transportation research, including the surface transportation-environmental cooperative research program; (2) training and education; (3) the Bureau of Transportation Statistics; (4) intelligent transportation systems (ITS) standards, research, operational tests, and development; and (5) university transportation centers.

**Subtitle B: Research and Technology** - (Sec. 2101) Revises transportation research and technology requirements.

Requires selection of contractors and grantees, to the maximum extent practicable and appropriate on a competitive basis, and on the basis of the results of peer review proposals submitted to the Secretary.

Requires the Secretary to continue, through September 30, 2009, the long-term pavement performance program tests, monitoring, and data analysis.

Requires the Secretary, in cooperation with the Center for Civil Engineering Research at the University of Nevada, Reno to carry out a seismic research program to: (1) study the vulnerability of the Federal-aid highway system and other surface transportation systems to seismic activity; and (2) develop and implement cost-effective methods to reduce it.

Requires the Secretary to develop a five-year strategic plan for research and technology transfer and deployment activities pertaining to the security aspects of highway infrastructure and operations.

Requires the Secretary to carry out a program to demonstrate the application of high-performance concrete in the construction and rehabilitation of bridges.

Authorizes appropriations for FY 2004 through 2009 for biobased research of national importance at the National Biodiesel Board and at certain research centers.

Requires the Secretary to establish a program for the application of innovative material, design, and construction technologies in the construction, preservation, and rehabilitation of elements of surface transportation infrastructure

(currently, only construction of bridges and other structures).

Requires the local technical assistance program to provide access to surface transportation technology to infrastructure security.

Revises surface transportation research strategic planning requirements to direct the Secretary to establish a Surface Transportation Research Technology Advisory Committee.

Changes the currently required surface transportation research and technology development plan into strategic plans for each of specified core surface transportation research areas.

Requires the National Research Council to establish and carry out through FY 2009 a new strategic highway research program.

Requires the Secretary to: (1) provide grants to nonprofit institutions of higher learning to establish university transportation centers; (2) encourage multistate cooperative agreements, coalitions, or other arrangements to promote regional cooperation, planning, and shared project implementation; (3) make grants to States to continue intelligent transportation system management and operations in the Interstate Route I-95 corridor coalition region; and (4) continue the deployment of the advanced transportation model known as the Transportation Analysis Simulation System (TRANSIMS) developed by the Los Alamos National Laboratory.

(Sec. 2102) Requires the Secretary to direct the Bureau of Transportation Statistics to assume the role of lead agency in working with other DOT agencies to establish statistical standards for DOT. Directs the Bureau to conduct a study of the ways in which transportation statistics are and may be used for national security purposes, and to submit to the Transportation Security Administration (TSA) recommendations for means by which the u

## Actions Timeline

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- **May 19, 2004:** Measure amended in Senate after passage by Unanimous Consent. (consideration: CR S5838)
- **May 19, 2004:** Senate incorporated this measure in H.R.3550 as an amendment.
- **May 19, 2004:** See also H.R.3550.
- **Feb 12, 2004:** Considered by Senate. (consideration: CR S1195-1265)
- **Feb 12, 2004:** Cloture motion withdrawn by unanimous consent in Senate.
- **Feb 12, 2004:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 76 - 21. Record Vote Number: 14.(text as passed Senate: CR 2/26/2004 S1703-1848)
- **Feb 12, 2004:** Passed Senate with an amendment by Yea-Nay Vote. 76 - 21. Record Vote Number: 14. (text as passed Senate: CR 2/26/2004 S1703-1848)
- **Feb 11, 2004:** Considered by Senate. (consideration: CR S964-1010)
- **Feb 10, 2004:** Considered by Senate. (consideration: CR S760-781)
- **Feb 10, 2004:** The committee substitute withdrawn.
- **Feb 10, 2004:** Cloture motion presented in Senate.
- **Feb 9, 2004:** Considered by Senate. (consideration: CR S695-715)
- **Feb 6, 2004:** Considered by Senate. (consideration: CR S680-686)
- **Feb 5, 2004:** Considered by Senate. (consideration: CR S614-647)
- **Feb 4, 2004:** Considered by Senate. (consideration: CR S549-568, S571-575)
- **Feb 3, 2004:** Motion to proceed to consideration of measure agreed to in Senate by Unanimous Consent. (consideration: CR S393)
- **Feb 3, 2004:** Measure laid before Senate by motion. (consideration: CR S393-527; text of measure as reported in Senate: CR S393-506)
- **Feb 3, 2004:** The reported committee substitute amendment modified by Unanimous Consent. (text of measure as reported in Senate as modified: CR S506-509)
- **Feb 2, 2004:** Motion to proceed to measure considered in Senate by Unanimous Consent. (consideration: CR S343-360)
- **Feb 2, 2004:** Motion to invoke cloture on the motion to proceed to consider S. 1072 invoked in Senate by Yea-Nay Vote. 75 - 11. Record Vote Number: 7. (consideration: CR S360)
- **Jan 28, 2004:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S328-329)
- **Jan 28, 2004:** Cloture motion on the motion to proceed presented in Senate.
- **Jan 9, 2004:** Committee on Environment and Public Works. Reported by Senator Inhofe under authority of the order of the Senate of 12/9/2003 with an amendment in the nature of a substitute. With written report No. 108-222. Minority views filed.
- **Jan 9, 2004:** Committee on Environment and Public Works. Reported by Senator Inhofe under authority of the order of the Senate of 12/9/2003 with an amendment in the nature of a substitute. With written report No. 108-222. Minority views filed.
- **Jan 9, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 426.
- **Nov 12, 2003:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 22, 2003:** Committee on Commerce, Science, and Transportation Subcommittee on Competition, Foreign Commerce, and infrastructure. Hearings held. With printed Hearing: S.Hrg. 108-954.
- **May 21, 2003:** Committee on Commerce, Science, and Transportation. Hearings held. Hearings printed: S.Hrg. 108-942.
- **May 20, 2003:** Committee on Environment and Public Works Subcommittee on Transportation and Infrastructure. Hearings held. With printed Hearing: S.Hrg. 108-350.
- **May 15, 2003:** Introduced in Senate
- **May 15, 2003:** Sponsor introductory remarks on measure. (CR S6512-6513)
- **May 15, 2003:** Read twice and referred to the Committee on Environment and Public Works.