

HR 1195

SAFETEA-LU Technical Corrections Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Feb 27, 2007

Current Status: Became Public Law No: 110-244.

Latest Action: Became Public Law No: 110-244. (Jun 6, 2008)

Law: 110-244 (Enacted Jun 6, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1195>

Sponsor

Name: Rep. Oberstar, James L. [D-MN-8]

Party: Democratic • State: MN • Chamber: House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Feb 27, 2007
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Feb 27, 2007
Rep. Mica, John L. [R-FL-7]	R · FL		Feb 27, 2007

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Mar 7, 2008
Transportation and Infrastructure Committee	House	Reported By	Mar 22, 2007

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
110 HR 3248	Related bill	<b>Jul 16, 2008:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 883.
110 S 1611	Related bill	<b>Jun 13, 2007:</b> Placed on Senate Legislative Calendar under General Orders. Calendar No. 198.

**(This measure has not been amended since it was passed by the Senate on April 17, 2008. The summary of that version is repeated here.)**

SAFETEA-LU Technical Corrections Act of 2008 - **Title I: Highway Provisions** - (Sec. 101) Amends the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or SAFETEA-LU to make certain revisions and technical corrections to the surface transportation program, including earmarking of public lands highway funds for forest roads, defining "transportation systems management and operations," replacing "federal-aid system" with "federal-aid highways" in apportionment of highway safety improvement program funds, and authorizing a state to expend unused funds for installation of protective devices at railway-highway crossings on highway safety improvement program projects.

Amends the Intermodal Surface Transportation Efficiency Act of 1991 to revise the designations as high priority corridors on the National Highway System (NHS) of: (1) Interstate Route 69 to include specified segments; and (2) Interstate Route 376 to exclude the U.S. Route 422 segment from such designation.

Amends the bridge program to make funds available for the removal of the Missisquoi Bay causeway in Vermont. Makes unexpended funds remaining for Missisquoi Bay Bridge projects available for replacement and reconstruction of state-maintained bridges in the state of Vermont, once the causeway is removed.

Authorizes an Indian tribe to nominate a road as an All-American Road or one of America's Byways (as well as, under current law, a National Scenic Byway) only if a federal land management agency (other than the Bureau of Indian Affairs), a state, or a political subdivision of a state does not have jurisdiction over, or responsibility for managing, the road. Makes safety improvements to America's Byways eligible for federal-aid highway assistance.

(Sec. 102) Increases funding for deployment of magnetic levitation (MAGLEV) projects through FY2009. Revises the allocation of funds to the Nevada department of transportation with respect to the MAGLEV project between Las Vegas and Primm, Nevada. Allows the 50% allocation for a MAGLEV project east of the Mississippi River to be used for multiple existing projects east of the Mississippi.

(Sec. 103) Revises the item descriptions of certain national and regional significance projects. Earmarks funds for integrated highway realignment and grade separations at Port Huron, Michigan, to eliminate road blockages from NAFTA rail traffic.

Replaces the project to: (1) relocate the El Paso, Texas, rail yard to Santa Teresa, New Mexico, with a project for regional rail expansion and transportation infrastructure in the vicinity of Santa Teresa, New Mexico; and (2) make improvements to I-80, Monroe County, Pa., with a project specifically for redesign and reconstruction of interchanges 298 and 299 of I-80 and accompanying improvements to any other public roads in the vicinity of Monroe County.

Replaces the national corridor infrastructure improvement project for I-80, Indiana, with one for improvements to state road 312, Hammond, Indiana.

(Sec. 104) Amends federal highway law to repeal the authority of a state to locate idling reduction facilities on Interstate System rights-of-way.

(Sec. 105) Revises item descriptions of specified high priority project authorizations. Increases, decreases, or terminates certain project authorizations.

Authorizes funds for high priority projects: (1) for U.S. 550, New Mexico State line to Durango, Colorado; and (2) to repair and restore a railroad bridge in Westerly, Rhode Island.

Sets forth requirements for the use of unused obligation authority, or authorized funding that was reduced, for high priority projects.

Directs the Secretary of Transportation (Secretary) to transfer to the Commandant of the Coast Guard amounts made available for the replacement of the Galveston Causeway Railroad Bridge in Galveston, Texas, in order to carry out such project.

Authorizes a state to expend for each of FY2008-FY2009 not more than \$1 million of its apportionment of surface transportation funds for certain fuel tax activities, including participation in the Joint Operation Center for Fuel Compliance (JOC).

Sets 100% as the federal share of projects to: (1) reconstruct the Neal Smith Trail, bicycle and pedestrian, Polk County, Iowa; and (2) construct the Foothills Parkway in the Great Smoky Mountains National Park, Tennessee.

(Sec. 106) Revises the nonmotorized transportation pilot program to require the construction of a network of nonmotorized transportation infrastructure facilities in Minneapolis-St. Paul, Minnesota, to drop St. Paul from the project.

(Sec. 107) Revises the description of the designation of a portion of U.S. Route 271 as part of the National Highway System (NHS) to specify the portion from Interstate Route 540 (instead of the portion from the Arkansas State Line, as specified in current law), west to the intersection with U.S. Route 59, and northwest to the intersection with Interstate Route 40, Sallisaw, Oklahoma.

(Sec. 108) Expresses the sense of the Congress that the Federal Highway Administration's (FHA) current application of the Buy American test only to components or parts of a bridge project, and not the entire bridge project, is inconsistent with the sense of Congress expressed in SAFETEA-LU.

(Sec. 109) Revises the item descriptions to specified transportation improvement projects.

Increases the authorization of appropriations for the transportation project to reconstruct various roads throughout the Municipality of Bayamon, Puerto Rico, including pavings and cold millings as well as construction of gutters.

(Sec. 110) Directs the Secretary to make certain funds available for the design of the I-95/Contee Road interchange project in Prince George's County, Maryland.

(Sec. 111) Requires the deduction of a specified amount from state federal-aid highway apportionments for the future strategic highway research program.

Increases the funding for university transportation research through FY2009. Sets the federal share of surface transportation research and technology development projects, long-term bridge performance program projects (including innovative bridge research and deployment program projects), and national technology deployment program projects at 80%.

Eliminates a requirement that the future strategic highway research program (F-SHRP) be based on certain program elements.

Earmarks an amount of surface transportation research, development, and deployment program funds for FY2008-

FY2009 for: (1) a certain infrastructure investment needs report to Congress; and (2) the Turner-Fairbank Highway Research Center.

Amends federal transportation law to revise provisions to require the Secretary to expend not more than 1.5% of amounts for grants to establish and operate university transportation centers for management and oversight of such centers through FY2009.

(Sec. 112) Increases the rescission of unobligated balances of funds apportioned prior to September 30, 2009, for certain surface transportation programs.

(Sec. 113) Amends the Transportation Equity Act for the 21st Century to authorize through FY2009 up to 15% of surface transportation program funds to be obligated on roads functionally classified as minor collectors in areas of less than 5,000 population.

Revises the item descriptions of certain high priority projects, including extension of one project to reconstruction, resurfacing, restoration, rehabilitation, and repaving of the Beartooth Highway in Wyoming and Montana.

(Sec. 114) Amends the Intermodal Surface Transportation Efficiency Act of 1991 to revise the designation of: (1) the Liberty Corridor, New Jersey, as a high priority corridor on the NHS to include U.S. Routes 1, 9, and 46, and State Routes 3 and 17; and (2) the corridor in an area of passage in New Jersey serving significant interstate and regional traffic, located near the cities of Camden, New Jersey, and Philadelphia, Pennsylvania, as a high priority corridor on the NHS to include State Route 42 and Interstate Route 76.

Revises the item description of the Traverse City Bypass, Traverse City, Michigan innovative highway project to include contiguous counties.

(Sec. 115) Amends federal highway law to revise the term "repeat intoxicated driver law" to mean a state law that provides, as a minimum penalty, that an individual convicted of a second or subsequent offense for driving while intoxicated or driving under the influence after a previous conviction for that offense shall, among other things, receive: (1) a driver's license suspension for not less than one year (as under current law); or (2) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program, if an ignition interlock device is installed on the motor vehicles the individual owns and/or operates.

(Sec. 116) Amends federal transportation law to increase from \$2.225 million to \$2.250 million the amount of a grant for FY2009 to establish a regional university transportation center.

(Sec. 117) Requires the Secretary to: (1) publish in the Federal Register, and provide for public comment on, waivers of Buy America requirements with respect to surface transportation projects; and (2) report annually to Congress with respect to such waivers.

(Sec. 118) Directs the Secretary to conduct, and report to Congress on, a study on the impacts of converting left and right highway safety shoulders to travel lanes.

(Sec. 119) Directs the Secretary to designate as a future part of the Interstate System the Audubon Parkway and the Natcher Parkway in Owensboro, Kentucky, provided certain requirements are met.

(Sec. 120) Allows certain high priority project funds for construction of S. 323 from Alzada to Ekalaka in Carter County,

Montana, to be obligated for any other high priority project in such state.

**Title II: Transit Provisions** - (Sec. 201) Excludes sightseeing from the term "public transportation."

Revises requirements for the allocation of funds to the metropolitan planning organization for the Lake Tahoe region.

Extends through FY2009 the authority of the Secretary to award grants to finance the operating cost of equipment and facilities for use in public transportation in an urbanized area with a population of at least 200,000. Sets forth, based on a certain formula, the maximum amount of such funds that may be obligated to such areas for FY2008-FY2009.

Directs the Secretary to give comparable, but not necessarily equal, numerical weight to each project justification criterion in calculating the overall project rating in determining project advancements for a major new fixed guideway capital project funded by a capital investment grant.

Revises the 80% government share of costs for which a grant for other-than-urbanized areas may be used to specify 80% of net capital costs of the capital project or project administrative expenses.

Names a certain program authorizing the Secretary to carry out qualified projects for alternative transportation in national parks and public lands as the Paul S. Sarbanes Transit in Parks Program.

Makes specified allocations for fixed guideway modernization through FY2009.

Increases the total obligation ceiling for FY2008 for the Mass Transit Account.

Makes specified changes to: (1) certain project authorizations for new fixed guideway capital projects; (2) certain projects for bus and bus-related facilities; and (3) the hydrogen fuel cell shuttle deployment demonstration program.

Requires the Secretary, in evaluating justifications for a major new fixed guideway capital project with a view toward approval of a capital investment grant, to analyze, evaluate, and consider certain factors relating to transit tunnels.

Deems the acquisition of property for the city of Knoxville, Tennessee, for the Knoxville, Tennessee, Central Station project to qualify as an acquisition of land for protective purposes under specified federal regulations. Authorizes the Secretary to allow acquisition costs to be credited toward the nonfederal share for the project.

Limits the Secretary to using not more than \$3 million of discretionary funds made available for FY2007 for Federal Transit Administration Discretionary Programs, Bus and Bus Facilities to reimburse the California state department of transportation for maintenance and operation costs (less the amount of fares earned) for additional public transportation services it provided as a temporary substitute for highway traffic service following the freeway collapse at the interchange connecting Interstate Routes 80, 580, and 880 near the San Francisco-Oakland Bay Bridge on April 29, 2007, until the reopening of that facility on June 29, 2007. Sets the federal share of the cost of reimbursed activities at 100%.

**Title III: Other Surface Transportation Provisions** - (Sec. 301) Authorizes fees collected under the Unified Carrier Registration System to be credited to the Department of Transportation (DOT) appropriations account and remain available until expended.

Declares it to be an unreasonable burden upon interstate commerce for any state or any political subdivision of a state, or any political authority of two or more states to require an interstate motor carrier or motor private carrier that also performs intrastate operations to pay any fee or tax from which a carrier engaged exclusively in intrastate (currently, interstate) operations is exempt.

Allows a state to continue to require a motor carrier, motor private carrier, freight forwarder, or leasing company to display identifying credentials on or in a commercial vehicle (other than as required by federal law) under the International Fuel Tax Agreement (current law) or under an applicable state law if, on October 1, 2006, the state has a form of highway use taxation not subject to collection through the Agreement.

Replaces the term "drive-away saddlemount with fullmount" with "driveaway saddlemount." Prohibits a state from enforcing a regulation that imposes a vehicle length limit of not less than nor more than 97 feet on all driveaway saddlemount vehicle transporter combinations.

(Sec. 302) Makes technical amendments relating to hazardous materials transportation.

(Sec. 303) Amends federal highway law to set, effective October 1, 2007, the minimum apportionment of federal funds to a state for highway safety programs at not less than three-quarters of 1%. (Current law requires not less than one-half of 1%.)

(Sec. 304) Repeals the requirement that the Secretary contract with the National Academy of Sciences to review the research, design, methodology, and implementation of a mandatory study to collect on-scene motor vehicle collision causation data. Makes such a review contract discretionary.

(Sec. 305) Revises the authority of the Secretary to prescribe regulations requiring minimum levels of financial responsibility for motor vehicle transportation of passengers across state lines or national borders. Limits the current requirement for such regulations to motor vehicle transportation of passengers for compensation. Authorizes (but does not require) the Secretary to prescribe such regulations for motor vehicle transportation of passengers for commercial purposes, but not for compensation.

Repeals the limitation to commercial motor vehicles of regulations the Secretary is required to prescribe with respect to minimum levels of financial responsibility for motor vehicle transportation of property across state lines or national borders.

Revises the requirement that the Secretary register freight forwarders and brokers for transportation of property to repeal the limitation of such requirement to freight forwarders and brokers of household goods. (Thus requires the registration of all freight forwarders and brokers for transportation of property.)

(Sec. 306) Applies certain exemptions from minimum wage, maximum hour, child labor, and related requirements of the Fair Labor Standards Act of 1938 to motor carrier and motor private carrier employees. Provides that motor carriers shall not be liable for a violation of requirements related to such exemptions if: (1) the violation occurred in the one-year period beginning on August 10, 2005; and (2) the carrier did not have actual knowledge of such requirements at the time of the violation.

**Title IV: Miscellaneous Provisions** - (Sec. 401) Requires the Administrator of General Services to convey all right, title, and interest of the United States in and to the GSA Fleet Management Center (located in Anchorage, Alaska) to the Alaska Railroad Corporation in exchange for: (1) suitable replacement property and such other consideration as agreed to; or (2) payment of fair market value. Requires any proceeds received to be deposited into the Federal Buildings Fund.

(Sec. 402) Directs the Administrator of General Services to convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

Requires the city of St. Joseph, as consideration for such conveyance, to pay \$10,000 to the United States.

**Title V: Other Provisions** - (Sec. 501) Amends the Water Resources Development Act of 1992 to increase from \$55 million to \$75 million federal funding for a wastewater treatment project in DeSoto County, Mississippi.

(Sec. 502) Requires the Department of Justice to review allegations of impropriety regarding the Coconut Rd. interchange I-75/Lee County, Florida, transportation improvement project in order to ascertain if a violation of federal criminal law has occurred.

## Actions Timeline

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- **Jun 6, 2008:** Signed by President.
- **Jun 6, 2008:** Became Public Law No: 110-244.
- **Jun 3, 2008:** Presented to President.
- **Apr 30, 2008:** Mr. Oberstar moved that the House suspend the rules and agree to the Senate amendment. (consideration: CR H2867-2885, H2908-2909)
- **Apr 30, 2008:** DEBATE - The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendment to H.R. 1195.
- **Apr 30, 2008:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the chair announced that further proceedings on the motion would be postponed.
- **Apr 30, 2008:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by the Yeas and Nays: (2/3 required): 358 - 51, 11 Present (Roll no. 229).(text as House agreed to Senate amendment: CR H2867-2880)
- **Apr 30, 2008:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by the Yeas and Nays: (2/3 required): 358 - 51, 11 Present (Roll no. 229). (text as House agreed to Senate amendment: CR H2867-2880)
- **Apr 30, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 30, 2008:** Cleared for White House.
- **Apr 18, 2008:** Message on Senate action sent to the House.
- **Apr 17, 2008:** Considered by Senate. (consideration: CR S3106, S3110-3112, S3115-3116, S3117-3136)
- **Apr 17, 2008:** The committee substitute as amended agreed to by Unanimous Consent. (consideration: CR S3121)
- **Apr 17, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 88 - 2. Record Vote Number: 108.(text: CR S3122-3135)
- **Apr 17, 2008:** Passed Senate with an amendment by Yea-Nay Vote. 88 - 2. Record Vote Number: 108. (text: CR S3122-3135)
- **Apr 16, 2008:** Considered by Senate. (consideration: CR S3046-3049, S3050-3051, S3052, S3055-3067)
- **Apr 16, 2008:** Motion by Senator DeMint to recommit to Senate Committee on Environment and Public Works with instructions made in Senate. (consideration: CR S3047-3048, S3056; text: CR S3047)
- **Apr 16, 2008:** Cloture motion on the bill presented in Senate. (consideration: CR S3052; text: CR S3052)
- **Apr 16, 2008:** Motion to table the motion to recommit H.R.1195 agreed to in Senate by Yea-Nay Vote. 78 - 18. Record Vote Number: 104.
- **Apr 15, 2008:** Motion to proceed to measure considered in Senate. (consideration: CR S2993-2994, S2995-2996, S2997-3000, S3004-3005, S3005-3006, S3009-3012, S3014)
- **Apr 15, 2008:** Measure laid before Senate by motion. (consideration: CR S3014-3019; text of measure as reported in Senate: CR S3014-3018)
- **Apr 14, 2008:** Motion to proceed to measure considered in Senate by Unanimous Consent. (consideration: CR S2963, S2969-2972-2972)
- **Apr 14, 2008:** Cloture on the motion to proceed invoked in Senate by Yea-Nay Vote. 93 - 1. Record Vote Number: 103. (consideration: CR S2971; text: CR S2971)
- **Apr 10, 2008:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S2933-2934)
- **Apr 10, 2008:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S2933-2934; text: CR S2933)
- **Mar 7, 2008:** Committee on Environment and Public Works. Reported by Senator Boxer with an amendment in the nature of a substitute. Without written report.
- **Mar 7, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 608.
- **Aug 1, 2007:** For Further Action See H.R.3248.
- **Jun 6, 2007:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 27, 2007:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Mar 26, 2007:** Mr. DeFazio moved to suspend the rules and pass the bill, as amended.
- **Mar 26, 2007:** Considered under suspension of the rules. (consideration: CR H3041-3052)
- **Mar 26, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1195.

**Mar 26, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H3041-3050)

- **Mar 26, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H3041-3050)
- **Mar 26, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 21, 2007:** Reported (Amended) by the Committee on Transportation. H. Rept. 110-62.
- **Mar 21, 2007:** Placed on the Union Calendar, Calendar No. 35.
- **Mar 1, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 1, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Feb 27, 2007:** Introduced in House
- **Feb 27, 2007:** Referred to the House Committee on Transportation and Infrastructure.