

## HR 3999

National Highway Bridge Reconstruction and Inspection Act of 2008

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** Transportation and Public Works

**Introduced:** Oct 30, 2007

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 1050.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 1050. (Sep 23, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/3999>

### Sponsor

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

**Party:** Democratic • **State:** MN • **Chamber:** House

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Oct 30, 2007
Rep. Ellison, Keith [D-MN-5]	D · MN		Oct 31, 2007

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Sep 23, 2008
Transportation and Infrastructure Committee	House	Reported By	Jul 10, 2008

### Subjects & Policy Tags

#### Policy Area:

Transportation and Public Works

### Related Bills

Bill	Relationship	Last Action
110 S 3338	Related bill	<b>Sep 10, 2008:</b> Committee on Environment and Public Works. Hearings held. Hearings printed: S.Hrg. 110-1263.
110 HRES 1344	Procedurally related	<b>Jul 23, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.

**(This measure has not been amended since it was passed by the House on July 24, 2008. The summary of that version is repeated here.)**

National Highway Bridge Reconstruction and Inspection Act of 2008 - (Sec. 2) Amends federal transportation law to revise the national highway bridge replacement and rehabilitation program to direct the Secretary of Transportation to develop a risk-based priority process for states to assign priority for the replacement or rehabilitation of all federal-aid highways bridges, public roads bridges, and Indian reservation and park bridges found to be structurally deficient or functionally obsolete. Requires the Secretary to arrange with the National Academy of Sciences for an independent review of, and report to Congress on, the risk-based priority assignment process. Authorizes appropriations for FY2009.

Directs the Secretary to require states, as a condition for receiving federal assistance, to: (1) inspect all bridges in the state biennially; (2) calculate biennially the load rating for all highway bridges with a structural deficiency, and ensure that the safe load-carrying capacities for such bridges are properly posted; and (3) develop, update annually, and implement an approved five-year performance plan for highway bridge inspection and rehabilitation and replacement. Authorizes such plan to provide for more frequent, in-depth inspection of historic bridges in lieu of replacement, provided it will increase the overall safety of such bridges.

Requires the Secretary to report annually to Congress on projects, including the priority assigned them on a national basis and by state, for the replacement and rehabilitation of each federal-aid highway bridge, public road bridge, and Indian reservation and park bridge found to be structurally deficient or functionally obsolete.

Authorizes a state to transfer funds apportioned under the highway bridge program for a fiscal year to other apportioned state transportation programs provided the state demonstrates to the satisfaction of the Secretary that it has no structurally deficient bridges.

Requires the Secretary to make information in the national bridge inventory more readily available to the public.

Authorizes appropriations for FY2009.

(Sec. 3) Requires national bridge inspection standards to be designed to ensure uniformity among the states in the conduct of such inspections and evaluations.

Requires such standards to: (1) establish procedures for conducting annual compliance reviews of state inspections, quality control and quality assurance procedures, load ratings, and weight limit postings of structurally deficient highway bridges; (2) establish procedures for states to follow in reporting to the Secretary critical findings regarding structural or safety-related deficiencies of highway bridges and subsequent monitoring activities and corrective actions taken in response to such finding; and (3) provide for testing with state-of-the-art technology that detects growth activity of fatigue cracks on steel bridges exhibiting fatigue damage or bridges with fatigue susceptible members.

Requires such standards also to provide for: (1) annual inspections of structurally deficient highway bridges, including in depth inspections of fracture critical members; and (2) biennial inspections of those bridges that have not been determined to be structurally deficient.

Authorizes the Secretary, under certain conditions, to extend, to a maximum period of four years, the time between required inspections of a highway bridge that has not been determined to be structurally deficient.

Directs the Secretary to: (1) expand the national training program for bridge inspectors to ensure that all bridge inspectors are appropriately trained and certified; and (2) revise regulations for the qualification of state highway bridge inspection personnel to require program managers and team leaders to be licensed professional engineers.

Requires the Secretary, after a state makes a critical finding determination which results in a bridge closure, to report to Congress on the impact of bridge closures on regional transportation due to critical determinations made by a state and recommend solutions to mitigate such impact.

(Sec. 4) Directs the Comptroller General of the United States to study and report to the Secretary on factors that contribute to construction delays of bridge rehabilitation, including any recommendations for expediting the rehabilitation of such bridges.

(Sec. 5) Revises certain requirements for coordinated activities eligible to receive surface transportation research program funds. Requires that nondestructive evaluation equipment developed with such funds assess the structural integrity of existing infrastructure facilities and next-generation infrastructure facilities (i.e., bridges) that use advanced materials.

(Sec. 6) Authorizes appropriations for FY2009.

(Sec. 7) Directs the Secretary to establish a two-year pilot grant program to evaluate the effectiveness, accuracy, and reliability of the use of advanced condition assessment inspection processes and technologies to monitor and evaluate the structural health of highway bridges meeting certain criteria. Authorizes appropriations.

(Sec. 8) Directs the Comptroller General to study and report to specified congressional committees on the effectiveness of the Federal Highway Administration's bridge rating system, including recommendations on how to incorporate successful aspects of state bridge rating systems into the Administration's system.

(Sec. 9) Directs the Secretary to study and report to specified congressional committees on the cost benefits of using carbon fiber composite materials in bridge replacement and rehabilitation projects instead of traditional construction materials.

(Sec. 10) Expresses the sense of Congress that states should prepare bridge corrosion mitigation and prevention plans, containing specified features, for bridge construction, replacement, or rehabilitation projects

(Sec. 11) Directs the Secretary to study and report to specified congressional committees on risks posed by floods to federal-aid highway bridges, public roads bridges, and Indian reservation and park bridges that are located in a 500-year floodplain.

(Sec. 12) Directs the Secretary to establish: (1) a national highway tunnel inspection program, including standards for the proper safety inspection and evaluation of all highway tunnels; (2) a training and certification program for highway tunnel inspectors; and (3) a national inventory of highway tunnels. Provides for funding.

Makes projects for tunnel construction, rehabilitation, and operational improvements (including safety inspection of such tunnels) eligible for the federal surface transportation program.

## Actions Timeline

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- **Sep 23, 2008:** Committee on Environment and Public Works. Reported by Senator Boxer without amendment. With written report No. 110-482. Additional views filed.
- **Sep 23, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 1050.
- **Sep 17, 2008:** Committee on Environment and Public Works. Ordered to be reported without amendment favorably.
- **Sep 10, 2008:** Committee on Environment and Public Works. Hearings held.
- **Jul 25, 2008:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Jul 24, 2008:** Considered as unfinished business. (consideration: CR H7093-7097)
- **Jul 24, 2008:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 24, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3999.
- **Jul 24, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H7094)
- **Jul 24, 2008:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **Jul 24, 2008:** Mr. Poe moved to recommit with instructions to Transportation. (consideration: CR H7094; text: CR H7094)
- **Jul 24, 2008:** DEBATE - The House proceeded with 10 minutes of debate on the Poe motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment inserting a section pertaining to removal of certain structurally deficient bridges on federal-aid highways.
- **Jul 24, 2008:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H7095-7096)
- **Jul 24, 2008:** On motion to recommit with instructions Failed by recorded vote: 151 - 268, 5 Present (Roll no. 529). (consideration: CR H7095-7096)
- **Jul 24, 2008:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 367 - 55 (Roll no. 530).
- **Jul 24, 2008:** On passage Passed by the Yeas and Nays: 367 - 55 (Roll no. 530).
- **Jul 24, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 24, 2008:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3999.
- **Jul 23, 2008:** Rule H. Res. 1344 passed House.
- **Jul 23, 2008:** Considered under the provisions of rule H. Res. 1344. (consideration: CR H7018-7037)
- **Jul 23, 2008:** Rule provides for consideration of H.R. 3999 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution.
- **Jul 23, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1344 and Rule XVIII.
- **Jul 23, 2008:** The Speaker designated the Honorable Donna M. Christensen to act as Chairwoman of the Committee.
- **Jul 23, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3999.
- **Jul 23, 2008:** Pursuant to the provisions of H. Res. 1344, an amendment in the nature of a substitute printed in part A of House Report 110-760, is considered as adopted as original text for the purpose of further amendment. (text: CR H7025-7027)
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions on H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Mica amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Mario Diaz-Balart (FL) amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Walz (MN) amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Miller (MI) amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10

minutes of debate on the Conaway amendment.

- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Shays amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Loeb sack amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Shea-Porter amendment.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Childers amendment.
- **Jul 23, 2008:** POSTPONED PROCEEDINGS.
- **Jul 23, 2008:** DEBATE - Pursuant to the provisions of H.Res. 1344, the Committee of the Whole proceeded with 10 minutes of debate on the Oberstar amendment.
- **Jul 23, 2008:** Mr. Oberstar moved that the Committee rise.
- **Jul 23, 2008:** On motion that the Committee rise Agreed to by voice vote.
- **Jul 23, 2008:** Committee of the Whole House on the state of the Union rises leaving H.R. 3999 as unfinished business.
- **Jul 15, 2008:** Rules Committee Resolution H. Res. 1344 Reported to House. Rule provides for consideration of H.R. 3999 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution.
- **Jul 10, 2008:** Reported by the Committee on Transportation. H. Rept. 110-750.
- **Jul 10, 2008:** Placed on the Union Calendar, Calendar No. 476.
- **Oct 31, 2007:** Committee Consideration and Mark-up Session Held.
- **Oct 31, 2007:** Ordered to be Reported by Voice Vote.
- **Oct 30, 2007:** Introduced in House
- **Oct 30, 2007:** Sponsor introductory remarks on measure. (CR E2284-2285)
- **Oct 30, 2007:** Referred to the House Committee on Transportation and Infrastructure.

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