

S 1786

Long-Term Surface Transportation Extension Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Nov 2, 2011

Current Status: Motion to proceed to consideration of measure under the order of 11/2/2011, not having achieved 60 v

Latest Action: Motion to proceed to consideration of measure under the order of 11/2/2011, not having achieved 60 votes in the affirmative, was rejected in Senate by Yea-Nay Vote. 47 - 53. Record Vote Number: 196. (consideration: CR S7113) (Nov 3, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1786>

Sponsor

Name: Sen. Hatch, Orrin G. [R-UT]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
112 HR 6333	Related bill	Sep 7, 2012: Referred to the Subcommittee on Courts, Commercial and Administrative Law.
112 HR 10	Related bill	Dec 8, 2011: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
112 HR 3347	Related bill	Nov 4, 2011: Referred to the Subcommittee on Water Resources and Environment.
112 HR 3194	Related bill	Nov 2, 2011: Referred to the Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending .
112 HR 3257	Related bill	Nov 2, 2011: Referred to the Subcommittee on Courts, Commercial and Administrative Law.
112 HR 2250	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 201.
112 HR 2681	Related bill	Oct 12, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 192.
112 S 1610	Related bill	Sep 22, 2011: Read twice and referred to the Committee on Environment and Public Works.
112 S 1538	Related bill	Sep 12, 2011: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
112 S 299	Related bill	Jul 20, 2011: Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 112-220.
112 S 1392	Related bill	Jul 20, 2011: Read twice and referred to the Committee on Environment and Public Works.

Long-Term Surface Transportation Extension Act of 2011 - Directs the Secretary of Transportation (DOT) to reduce the amount apportioned for a surface transportation program, project, or activity for FY2012 by amounts apportioned or allocated under the Surface Transportation Extension Act of 2011, Part II for the period October 1, 2011-March 4, 2012.

Amends the Surface Transportation Extension Act of 2011, Part II to continue through FY2013, and authorizes appropriations for, specified federal-aid highway programs under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the SAFETEA-LU Technical Corrections Act of 2008, the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), and the Transportation Equity Act for the 21st Century. Includes among extended funds those for: (1) the surface transportation research, development, and deployment program; (2) training and education; (3) the Bureau of Transportation Statistics; (4) university transportation research; and (5) intelligent transportation systems (ITS) research.

Repeals the set-aside of surface transportation program funds to states for a fiscal year for transportation enhancement activities.

Extends for FY2012 and FY2013 the prohibition against additional funding of certain allocated transportation programs found to be sufficiently funded before or during FY2011.

Authorizes the appropriation of \$425 million from the Highway Trust Fund (other than the Mass Transit Account) for administrative expenses of the federal-aid highway program for FY2012 and FY2013.

Amends the Internal Revenue Code to extend through FY2013 authority for expenditures from: (1) the HTF Highway and Mass Transit accounts, (2) the Sport Fish Restoration and Boating Trust Fund, and (3) the Leaking Underground Storage Tank Trust Fund.

Extends through FY2013 excise taxes on: (1) fuel used by certain buses, (2) certain alcohol fuels, (3) gasoline (other than aviation gasoline) and diesel fuel or kerosene, (4) certain heavy trucks and trailers, and (5) tires.

Extends through FY2014 the excise tax on certain heavy vehicles.

Extends through March 31, 2014, the requirement to credit or refund paid floor stocks taxes for unsold tires and taxable fuel.

Extends through FY2013 the exemptions from excise taxes on: (1) certain sales, and (2) motor vehicles used by a state and local government.

Directs the Secretary to carry out a project delivery acceleration initiative to identify, develop, and advance the use of best practices and deployment of technology and innovation to accelerate project delivery and to reduce project costs for transportation projects and programs while enhancing safety and protecting the environment.

Authorizes a contracting agency (state transportation department) to award, on a competitive basis, a two-phase contract to a construction manager or general contractor for pre-construction and construction services on federal-aid highway projects.

Amends National Environmental Policy Act of 1969 (NEPA) to authorize a lead agency (DOT or a state transportation department) to apply one or more categorical exclusions (that do not involve significant environmental impact) to certain

components of a multimodal transportation project if specified circumstances apply.

Authorizes the Secretary, subject to specified conditions, to adopt and use any planning product (decisionmaking process) that integrates the planning and environmental review process of transportation projects or programs.

Revises NEPA requirements involving the environmental review process of transportation projects and programs.

Authorizes a public authority to acquire real property that may be used for an approved surface transportation project before the completion of the environmental review process under NEPA for such project.

Revises and makes permanent the surface transportation project delivery pilot program.

Authorizes the reconstruction, in the same location with the same capacity, dimensions, and design, and without environmental oversight, of any federal road, highway, or bridge that is in operation for less than 30 years or under construction that is damaged by a state- or federally-declared emergency.

Declares specified rules without force or effect, and to be treated as though they had never taken effect, with respect to: (1) National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants; and (2) Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units, and Identification of Non-Hazardous Secondary Materials that are Solid Waste, insofar as such rules are applicable to the Portland cement manufacturing industry and Portland cement plants.

Requires the Administrator of the Environmental Protection Agency (EPA), in place of such rules, to promulgate regulations, meeting specified requirements, for the Portland cement manufacturing industry and Portland cement plants. Authorizes appropriations from the Mass Transit Account of the Highway Trust Fund (HTF) and the General Fund of the Treasury for FY2012 and FY2013 for public transportation programs, projects, and activities under SAFETEA-LU and other federal transportation law, with a limit on obligational authority for the programs equal to the total authorized for such programs for FY2011.

Amends SAFETEA-LU to extend for FY2012 and FY2013 the authorization of appropriations for specified National Highway Traffic Safety Administration (NHTSA) safety programs and Federal Motor Carrier Safety Administration (FMCSA) programs.

Authorizes appropriations through FY2013 for: (1) drug-impaired driving enforcement, and (2) older driver safety and law enforcement training.

Extends for FY2012 and FY2013 the funding for hazardous materials (hazmat) research projects.

Amends the Dingell-Johnson Sport Fish Restoration Act to extend through FY2013 the authorized distribution of funds under such Act for coastal wetlands, recreational boating safety, projects under the Clean Vessel Act of 19921, boating infrastructure projects, and the National Outreach and Communications Program.

Regulations From the Executive in Need of Scrutiny Act of 2011 or REINS Act - Rewrites requirements for congressional review of agency rulemaking to require congressional approval of major rules of the executive branch before they may take effect. (Currently, major rules take effect unless Congress passes and the President signs a joint resolution disapproving them). Defines "major rule" as any that has resulted in or is likely to result in: (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition,

employment, investment, productivity, innovation, or U.S. competitiveness.

Declares that, if a joint resolution of approval of a major rule is not enacted within a certain period of time, the rule shall be deemed not to be approved and shall not take effect. Permits a major rule to take effect for 90 calendar days without such approval if necessary because of an imminent threat to health or safety or other emergency, for the enforcement of criminal laws, for national security, or to implement an international trade agreement.

Prescribes House and Senate procedures for joint resolutions approving major rules and disapproving non-major rules.

EPA Regulatory Relief Act of 2011 - Declares specified rules without force or effect, and to be treated as though they had never taken effect, with respect to: (1) the National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; (2) the National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers; (3) the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; and (4) Identification of Non-Hazardous Secondary Materials That are Solid Waste.

Requires the EPA Administrator, in place of such rules, to promulgate regulations, meeting specified requirements, for industrial, commercial, and institutional boilers and process heaters and commercial and industrial solid waste incinerator units.

Regulatory Time-Out Act of 2011 - Suspends the effective date of certain covered regulations for one-year beginning on the enactment of this Act.

Defines a "covered regulation" as a final regulation that did not take effect before September 1, 2011, that increases costs on businesses in a manner that will have an adverse effect on job creation, job retention, productivity, competitiveness, or the efficient functioning of the economy, and that is likely to: (1) have an annual effect on the economy of \$100 million or more; (2) adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities; (3) create a serious inconsistency or otherwise interfere with an action by another agency; (4) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients; or (5) raise novel legal or policy issues.

Allows agency heads to exempt covered regulations in certain circumstances .

Rescinds \$40 billion of appropriated but unobligated discretionary funds. Exempts unobligated funds of the Department of Defense (DOD), the Corps of Engineers, or the Department of Veterans Affairs (VA).

Actions Timeline

- **Nov 3, 2011:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S7095-7113)
- **Nov 3, 2011:** Motion to proceed to measure considered in Senate.
- **Nov 3, 2011:** Motion to proceed to consideration of measure under the order of 11/2/2011, not having achieved 60 votes in the affirmative, was rejected in Senate by Yea-Nay Vote. 47 - 53. Record Vote Number: 196. (consideration: CR S7113)
- **Nov 2, 2011:** Introduced in Senate
- **Nov 2, 2011:** Introduced in the Senate. Read twice. Ordered Placed on Senate Legislative Calendar under General Orders. Calendar No. 214.