

HR 6435 IH

110th CONGRESS

2d Session

**H. R. 6435**

To relieve traffic congestion.

**IN THE HOUSE OF REPRESENTATIVES**

**July 8, 2008**

Mr. CASTLE (for himself and Mr. CAPUANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

**A BILL**

To relieve traffic congestion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the 'National Highway Chokepoint Congestion Relief Act'.

**SEC. 2. FINDINGS.**

Congress finds the following:

- (1) In 2007, traffic congestion in the top 437 urban areas resulted in major chokepoints and bottlenecks, causing Americans to lose 4.2 billion hours and 2.9 billion gallons of fuel sitting in traffic jams.
- (2) At the most traffic congested chokepoints, each rush hour traveler 'pays' an annual virtual congestion tax of between \$600 and \$1,600 in lost time and fuel and spends the equivalent of almost eight work days each year stuck in traffic.
- (3) Traffic congestion threatens business productivity through the loss of efficient delivery cycles, the need for increased inventory, and the cost of congestion-related fuel emissions.
- (4) Traffic congestion causes highway crashes that can kill drivers, their passengers and other motorists. As highway crowding grows and motorists jockey for position at exits and entryways, the potential for highway crashes increases.
- (5) Traffic congestion chokepoints hinder the Nation's progress in improving air quality. Vehicles caught in stop-and-go traffic emit far more pollutants, particularly carbon monoxide and volatile organic compounds, than they do when operating without frequent braking and acceleration.
- (6) In the largest cities of the Nation, highway congestion impacts 67 percent of travel, lasts seven hours per day in duration, and increases by 37 percent the length of the average rush hour driver's trip.
- (7) Traffic congestion is no longer simply a problem in the central areas of large cities. In fact, the rate of congestion has increased dramatically in medium-sized cities and suburban areas.
- (8) In a 2005 National League of Cities survey, traffic congestion led all other categories, including education and healthcare, when respondents were asked



to identify the most deteriorated conditions in their cities over the last five years.

(9) In December 2007, the National Surface Transportation Policy and Revenue Study Commission noted that certain chokepoints impede national and regional movements and recommended that a distinct program be established to fund projects that reduce traffic congestion.

### **SEC. 3. CHOKEPOINT CONGESTION RELIEF PROGRAM.**

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue regulations that establish a chokepoint congestion relief program pursuant to the requirements of this Act.

### **SEC. 4. NATIONAL CHOKEPOINT REGIONS.**

Not later than 180 days after the date of enactment of this Act, the Secretary shall develop criteria for designating national chokepoint regions in a State, or more than one State if the States are contiguous, based on factors, including--

- (1) daily vehicle-miles of travel;
- (2) estimates of annual hours of delay per traveler;
- (3) comparisons of peak period travel time to free-flow travel time (travel time index);
- (4) percentage of trucks in traffic stream;
- (5) estimates of wasted fuel per traveler;
- (6) estimates of extra costs due to travel delay and fuel consumption;
- (7) percentage of daily travel in congested conditions;
- (8) proximity to shipping ports, airports, commuter rail, tourist destinations, and freight transportation corridors;
- (9) estimates of incident-related travel delay, including roadside distractions and `rubbernecking';
- (10) abrupt changes in highway alignment such as sharp curves and hills;
- (11) intended interruption to highway flow such as tollbooths and freeway ramp meters; and
- (12) vehicle merging maneuvers such as `lanedrop,' lane-blocking incidents, `weaving areas,' freeway on-ramps, and freeway-to-freeway interchanges.

### **SEC. 5. GRANT PROGRAM.**

(a) In General- Not later than 180 days after the date of enactment of this Act, the Secretary may make a grant for capital improvements under this Act to a State department of transportation having jurisdiction over an area within a national chokepoint region.

(b) Secretarial Approval- A grant may only be made under this Act for an eligible project described in section 7.

(c) Coordination With Existing Programs- The Secretary shall coordinate the chokepoint congestion relief program with existing programs, including the corridors of the future program.

(d) Construction Standards- A project to be carried out with assistance under this Act that is for a highway that is on a Federal-aid system (as defined in section 101 of title 23, United States Code) shall be constructed to the same standards that would apply if such project was being carried out with assistance under

chapter 1 of title 23, United States Code.

(e) Federal Share-

(1) IN GENERAL- The Federal share of the cost of an eligible project for which a grant is made under this Act shall be 80 percent.

(2) NON-FEDERAL SHARE- The non-Federal share of the cost of an eligible project for which a grant is made under this Act may not be provided from Federal funds made available under any other law.

## **SEC. 6. APPORTIONMENT OF FUNDS.**

(a) In General- The Secretary is authorized to carry out the chokepoint congestion relief program described in section 5 by apportioning amounts to State departments of transportation, in the form of capital improvement grants, for carrying out eligible projects in the national chokepoint regions.

(b) Formula for Apportionment- The Secretary shall develop a formula for apportioning amounts to eligible projects in national chokepoint regions based on-

- (1) estimates of annual hours of delay per traveler;
- (2) daily vehicle-miles of travel on Federal-aid highways;
- (3) comparisons of peak period travel time to free-flow travel time (travel time index);

(c) Apportionments to More Than One State- If a national chokepoint region is within the boundaries of more than one State, the Secretary shall apportion the funds apportioned under subsection (a) for carrying out eligible projects in such national chokepoint regions among such States as follows:

- (1) 50 percent of the apportionment in the ratio that--
  - (A) the total lane miles of Federal-aid highways in the national chokepoint region in each of such States; bears to
  - (B) the total lane miles of Federal-aid highways in the national chokepoint region in all of such States.
- (2) 50 percent of the apportionments in the ratio that--
  - (A) the total vehicle miles traveled on lanes on Federal-aid highways in the national chokepoint region in each of such States; bears to
  - (B) the total vehicle miles traveled on lanes on Federal-aid highways in the national chokepoint region in all of such States.

(d) Period of Availability- Amounts granted to a State department of transportation for carrying out an eligible project, from amounts apportioned under this subsection, shall remain available for obligation for a period of 6 years after the last day of the fiscal year for which the funds are authorized to be appropriated. Any amounts so apportioned that remain unobligated at the end of such period shall be allocated to other States for the purpose of funding eligible projects located in national chokepoint regions at the discretion of the Secretary.

## **SEC. 7. PROJECT SELECTION AND ELIGIBILITY.**

(a) Selection Process Guidelines- Not later than 180 days after the date of enactment of this Act, the Secretary shall issue project selection guidelines for a State department of transportation to follow in selecting eligible projects for which grants may be made under this Act.

(b) Minimum Requirements- The selection guidelines issued by the Secretary pursuant to subsection (a) shall include a requirement that a State department of

transportation--

- (1) consult with local governments, port authorities, and regional planning organizations during the project selection process;
- (2) adhere to applicable metropolitan and statewide planning processes, including sections 134 and 135 of title 23, United States Code, in selecting projects for which grants may be made under this Act;
- (3) develop and implement a selection process that is in writing and available to the public;
- (4) develop and implement a process for rating proposed projects for which grants may be made under this Act; and
- (5) identify the basis for rating projects under paragraph (4).

## **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated from the Highway Trust Fund such sums as may be necessary to carry out this Act for fiscal years 2009 through 2014.

## **SEC. 9. DEFINITIONS.**

In this Act, the following definitions apply:

- (1) ELIGIBLE PROJECT- The term `eligible project' means a project or activity eligible for assistance under chapter 1 of title 23, United States Code.
- (2) FEDERAL-AID HIGHWAY- The term `Federal-aid highway' has the meaning such term has under section 101 of title 23, United States Code.
- (3) SECRETARY- The term `Secretary' means the Secretary of Transportation.
- (4) STATE- The term `State' means any of the 50 States, the District of Columbia, and Puerto Rico.
- (5) STATE DEPARTMENT OF TRANSPORTATION- The term `State department of transportation' has the meaning such term has under section 101 of title 23, United States Code.

## **SEC. 10. SENSE OF CONGRESS REGARDING PERFORMANCE MEASURES AND QUANTITATIVE GOALS FOR STATE DOTs.**

It is the sense of Congress that--

- (1) States should adopt both interim and long-term objectives for significantly reducing traffic congestion at chokepoint areas within each State; and
- (2) establishing performance measures and quantitative goals will allow State departments of transportation to use available resources as efficiently as possible on projects that have the maximum impact in reducing traffic congestion and improving mobility.

## **SEC. 11. SENSE OF CONGRESS ON NONAUTOMOTIVE TRAVEL MODES, TRAVEL DEMAND MANAGEMENT, AND GROWTH MANAGEMENT STRATEGIES.**

It is the sense of Congress that alleviating traffic congestion requires that the House of Representatives and the Senate commit to authorizing and funding--

- (1) nonautomotive modes of travel, including intercity passenger rail, commuter rail, light rail, heavy rail, bus transit, and bikeways;

(2) travel demand management strategies, including ridesharing, dedicated highway lanes for high occupancy vehicles, staggered work hour initiatives, and telecommuting; and

(3) growth management and land use strategies.

## **SEC. 12. RITA STUDY OF CONGESTION PRICING.**

Not later than 1 year after the date of enactment of this Act, the Administrator of the Research and Innovative Technology Administration, through the Volpe National Transportation Systems Center, shall--

(1) study the extent to which congestion pricing can provide an incentive for travelers to drive during off-peak hours or to change their mode of transportation for time-sensitive journeys;

(2) study the potential for congestion pricing to generate revenue and thus require less tax-based funding; and

(3) report the results of the study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

*END*