

107TH CONGRESS
1ST SESSION

H. R. 3366

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2001

Mr. MORAN of Virginia (for himself, Ms. NORTON, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Metropolitan Wash-
5 ington Regional Transportation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) congestion is a serious problem in the met-
9 ropolitan Washington region, as evidenced by recent

1 studies that have found that congestion costs each
2 man, woman, and child in the region close to \$800
3 per year in lost time, wasted fuel, and environmental
4 damage;

5 (2) in the past, regional leaders have success-
6 fully worked together to address important transpor-
7 tation needs, through such institutions as the Metro-
8 politan Washington Airports Authority, the Wash-
9 ington Metropolitan Area Transit Authority, and the
10 National Capital Region Transportation Planning
11 Board at the Metropolitan Washington Council of
12 Governments;

13 (3) even greater regional cooperation is needed
14 to prevent congestion in the metropolitan Wash-
15 ington region from worsening, in light of predictions
16 that there will be a 31 percent increase in popu-
17 lation, a 41 percent increase in employment, and a
18 46 percent increase in vehicle miles traveled in the
19 region over the next 25 years;

20 (4) while transportation needs will grow signifi-
21 cantly over the next 25 years, spending is expected
22 to fall short of transportation needs over the same
23 period by more than \$43.5 billion, even with ex-
24 pected increases in Federal and State spending;

1 (5) none of the existing metropolitan-wide
2 transportation agencies within the metropolitan
3 Washington region has the necessary powers, au-
4 thorities, and resources to meet the current and fu-
5 ture transportation needs of the region;

6 (6) the failure to meet the transportation needs
7 of the metropolitan Washington region will under-
8 mine the quality of life of the residents of the region,
9 degrade the natural environment, and adversely af-
10 fect the ability of Federal agencies and private sec-
11 tor businesses to operate effectively and efficiently;

12 (7) the transportation challenges faced by the
13 metropolitan Washington region are unique and de-
14 serve the attention of Congress because of the pres-
15 ence of the Federal Government within the region
16 and because of the intersection of 3 jurisdictions,
17 consisting of 2 States and the District of Columbia,
18 within a single metropolitan area;

19 (8) the National Capital Region Transportation
20 Planning Board at the Metropolitan Washington
21 Council of Governments, the designated metropolitan
22 planning organization for planning and program-
23 ming Federal transit and highway funds provided to
24 the metropolitan Washington region, is updating the

1 long-range plan for the region to meet transpor-
2 tation needs in the coming decades; and

3 (9) with Federal assistance, the Board can
4 more effectively promote regional agreement on how
5 to finance and implement its long-range plan to
6 meet the transportation needs of the metropolitan
7 Washington region.

8 **SEC. 3. PURPOSES.**

9 The purposes of this Act are—

10 (1) to provide a new option to help the metro-
11 politan Washington region more effectively address
12 its transportation needs;

13 (2) to empower the National Capital Region
14 Transportation Planning Board to consult with the
15 metropolitan Washington region jurisdictions and
16 the public to achieve consensus on a list of critical
17 transportation projects and a funding mechanism
18 that are needed to address the growing congestion
19 crisis in the region but cannot be funded within the
20 current and forecasted Federal, State, and local
21 funding levels for such projects;

22 (3) to establish a Corporation with the power to
23 accept revenue and issue debt to provide funding for
24 projects that have been agreed to by the region;

1 (4) to grant consent to the metropolitan Wash-
2 ington region jurisdictions to enter into an interstate
3 compact or agreement that would help meet the re-
4 gion’s long-term transportation needs; and

5 (5) to provide Federal matching grants to the
6 region to promote consensus on a regional funding
7 mechanism.

8 **SEC. 4. DEFINITIONS.**

9 In this Act:

10 (1) BOARD.—The term “Board” means the Na-
11 tional Capital Region Transportation Planning
12 Board at the Metropolitan Washington Council of
13 Governments.

14 (2) CORPORATION.—The term “Corporation”
15 means the Metropolitan Washington Regional
16 Transportation Corporation established by section
17 6(a).

18 (3) METROPOLITAN WASHINGTON REGION; RE-
19 GION.—The term “metropolitan Washington region”
20 or “region” means the area that is—

21 (A) located in the area including and sur-
22 rounding Washington, District of Columbia;
23 and

24 (B) under the jurisdiction of the members
25 of the Board.

1 (4) METROPOLITAN WASHINGTON REGION JU-
 2 RISDICTION.—The term “metropolitan Washington
 3 region jurisdiction” means a jurisdiction represented
 4 by a member of the Board.

5 (5) PROJECT.—The term “project” means any
 6 effort to reduce traffic congestion or improve travel
 7 options in the metropolitan Washington region,
 8 including—

9 (A) the design, construction, and mainte-
 10 nance of facilities or services;

11 (B) the operation of such facilities;

12 (C) the provision of services;

13 (D) the deployment of demand reduction
 14 and traffic management measures; and

15 (E) any effort to improve coordination of
 16 transportation planning and land use planning.

17 (6) SIGNATORY.—The term “signatory” means
 18 a metropolitan Washington region jurisdiction that
 19 enters into an interstate compact or agreement
 20 under section 5(d).

21 **SEC. 5. DUTIES OF THE BOARD.**

22 (a) DUTIES.—

23 (1) IN GENERAL.—The Board shall—

24 (A)(i) propose a list of priority transpor-
 25 tation projects that—

1 (I) are needed to address the growing
2 congestion crisis in the metropolitan Wash-
3 ington region; and

4 (II) cannot be funded with Federal,
5 State, and local transportation funds that
6 are projected to be made available for the
7 metropolitan Washington region;

8 (ii) propose a regional funding mechanism
9 to fund the needed projects; and

10 (iii) manage the Corporation to provide
11 funding for regional transportation projects;

12 (B) provide notice and opportunity for
13 comment on its efforts under this Act by metro-
14 politan Washington region jurisdictions and the
15 public;

16 (C) conduct outreach and education activi-
17 ties to promote public participation;

18 (D) promote cooperative action by metro-
19 politan Washington region jurisdictions on re-
20 gional transportation issues; and

21 (E) if necessary, assist metropolitan Wash-
22 ington region jurisdictions in developing an
23 interstate compact or agreement to better meet
24 regional transportation needs.

1 (2) LIMITATIONS.—The Board shall not have
2 the power to—

3 (A) impose a tax; or

4 (B) preempt any Federal, State, or local
5 law (including a regulation).

6 (b) BOARD SUPPORT.—The Board shall use staff of
7 the Board and may employ such additional personnel and
8 agents as are necessary to carry out this Act, including
9 public outreach staff to meet the public participation re-
10 quirements of titles 23 and 49, United States Code.

11 (c) TIMETABLE.—The Board shall—

12 (1) develop and publish a first draft proposal
13 listing regional projects and regional funding mecha-
14 nisms not later than 210 days after the date of en-
15 actment of this Act;

16 (2) provide an opportunity for public comment
17 on the first draft proposal during the period begin-
18 ning on the date of publication of the first draft pro-
19 posal and ending not earlier than 90 days after that
20 date; and

21 (3) not later than 2 years after the date of en-
22 actment of this Act, develop and publish a final pro-
23 posal; and

24 (4) prior to implementation of any regional
25 project or regional funding mechanism included in

1 the final proposal, obtain approval of the final pro-
2 posal from—

3 (A) the Governor of the State of Virginia;

4 (B) the Governor of the State of Maryland;

5 and

6 (C) the Mayor of the District of Columbia.

7 (d) INTERSTATE COMPACT OR AGREEMENT.—

8 (1) IN GENERAL.—Subject to paragraph (2),
9 Congress grants consent to 1 or more of the metro-
10 politan Washington region jurisdictions to enter into
11 an interstate compact or agreement to finance and
12 implement 1 or more of the priority projects from
13 the long-range plan of the Board, if consent is
14 granted by—

15 (A) the Governor of each State that enters
16 into the compact or agreement; and

17 (B) if the District of Columbia enters into
18 the compact or agreement, the Mayor of the
19 District of Columbia.

20 (2) REQUIREMENTS.—The interstate compact
21 or agreement shall—

22 (A) include a list of regional transportation
23 projects and a regional funding mechanism to
24 fund the projects; and

1 (B) include a time limit of not more than
2 2 years for approval by the metropolitan Wash-
3 ington region jurisdictions.

4 (e) PLANNING PROCESS.—In carrying out this Act,
5 the Board shall—

6 (1) comply with the planning requirements of
7 titles 23 and 49, United States Code; and

8 (2)(A) ensure that the public has a full oppor-
9 tunity to participate in the planning process; and

10 (B) work with citizen advisory committees rep-
11 resenting all points of view, including business, envi-
12 ronmental, transportation, senior citizens, youth,
13 disabled, and neighborhood associations.

14 **SEC. 6. IMPLEMENTATION OF LONG-RANGE PLAN FOR THE**
15 **METROPOLITAN WASHINGTON REGION.**

16 (a) METROPOLITAN WASHINGTON REGIONAL TRANS-
17 PORTATION CORPORATION.—

18 (1) ESTABLISHMENT.—There is established the
19 Metropolitan Washington Regional Transportation
20 Corporation.

21 (2) GENERAL POWERS.—

22 (A) IN GENERAL.—The Corporation shall
23 be a body corporate and politic, and an instru-
24 mentality of the Board, having the powers and
25 jurisdiction described in this Act and such addi-

1 tional powers as are conferred on the Corpora-
2 tion by the Board, to the extent that the addi-
3 tional powers are consistent with this Act.

4 (B) ADMINISTRATION.—The Corporation
5 shall be governed in accordance with this Act
6 and shall be subject to such other provisions as
7 the Board determines to be appropriate.

8 (3) GENERAL LIMITATIONS.—The Corporation
9 shall not have the power to—

10 (A) impose a tax; or

11 (B) preempt any Federal, State, or local
12 law (including a regulation).

13 (4) DUTIES.—The Corporation shall assist in
14 the management of any initial funding and imple-
15 mentation plan agreed to by the signatories.

16 (5) PUBLIC ACCOUNTABILITY.—

17 (A) PUBLIC NOTICE AND PARTICIPA-
18 TION.—The Corporation shall be subject to the
19 requirements of chapter 5 of title 5, United
20 States Code, concerning public notice of, and
21 participation at, all meetings of the Corpora-
22 tion.

23 (B) FREEDOM OF INFORMATION ACT.—
24 The Corporation shall be considered to be an
25 agency for the purpose of compliance with re-

1 quests under section 552 of title 5, United
2 States Code.

3 (C) COMPLIANCE WITH LAWS GOVERNING
4 TRANSPORTATION.—Projects funded by the
5 Corporation shall be considered to be federally
6 funded projects subject to—

7 (i) the National Historic Preservation
8 Act (16 U.S.C. 470 et seq.);

9 (ii) the National Environmental Policy
10 Act of 1969 (42 U.S.C. 4321 et seq.);

11 (iii) the Clean Air Act (42 U.S.C.
12 7401 et seq.); and

13 (iv) section 303 of title 49, United
14 States Code.

15 (6) EFFECTIVE ANALYSIS.—In assessing the
16 impact of projects under consideration for funding,
17 the Corporation shall use analytical tools consistent
18 with state-of-the-art practices, in accordance with
19 applicable Federal regulations and guidance.

20 (7) POWERS.—The Corporation shall have the
21 power—

22 (A) to acquire personal and real property
23 (including land lying under water and riparian
24 rights), or any easement or other interest in

1 real property, by purchase, lease, gift, transfer,
2 or exchange;

3 (B) to apply for and accept any property,
4 material, service, payment, appropriation,
5 grant, gift, loan, advance, or other fund that is
6 transferred or made available to the Corpora-
7 tion by the Federal Government or by any other
8 public or private entity or individual;

9 (C) to borrow money on a short-term basis
10 and issue notes of the Corporation for the bor-
11 rowing payable on such terms and conditions as
12 the Corporation considers advisable, and to
13 issue long-term or short-term tax-exempt bonds
14 in the discretion of the Corporation for any
15 purpose consistent with this Act, which notes
16 and bonds—

17 (i) shall not constitute—

18 (I) a debt of the United States
19 (or any political subdivision of the
20 United States); or

21 (II) a general obligation of a
22 metropolitan Washington region juris-
23 diction (or any political subdivision of
24 a metropolitan Washington region ju-
25 risdiction), unless consented to by the

1 jurisdiction (or political subdivision);
2 and

3 (ii) may be secured solely by the gen-
4 eral revenues of the Corporation or by
5 other revenues in the discretion of the Cor-
6 poration;

7 (D) to permit single-occupancy vehicles to
8 travel on high-occupancy lanes in the region,
9 if—

10 (i) the affected signatory or signato-
11 ries consent to charge tolls to single-occu-
12 pancy vehicles given access to high-occu-
13 pancy lanes;

14 (ii) the toll can be implemented in a
15 way that does not reduce the level of serv-
16 ice; and

17 (iii) the affected signatory or signato-
18 ries consent to use the toll revenues for re-
19 gional transportation projects;

20 (E) to enter into any contract or agree-
21 ment appropriate to the performance of the du-
22 ties of the Corporation;

23 (F) to enter into partnerships or grant
24 concessions between the public and private sec-
25 tors for the purpose of—

1 (i) financing, constructing, maintain-
2 ing, improving, or operating regional trans-
3 portation facilities in the metropolitan
4 Washington region; or

5 (ii) fostering development of a new
6 transportation technology;

7 (G) to obtain any necessary Federal au-
8 thorization, permit, or approval for the con-
9 struction, repair, maintenance, or operation of
10 regional transportation facilities in the metro-
11 politan Washington region;

12 (H) to adopt an official seal and alter the
13 seal, as the Corporation considers to be appro-
14 priate;

15 (I) to appoint 1 or more advisory commit-
16 tees;

17 (J) to sue and be sued in the name of the
18 Corporation;

19 (K) to contract with State or local govern-
20 ments, or other entities, to carry out such
21 maintenance of traffic activities during con-
22 struction of regional transportation facilities in
23 the metropolitan Washington region as are con-
24 sidered to be necessary by the Corporation to

properly manage traffic and minimize congestion, such as—

- (i) public information campaigns;
- (ii) improvements designed to encourage appropriate use of alternative routes;
- (iii) use of high occupancy vehicles and transit services; and
- (iv) deployment and operation of intelligent transportation system technologies;

(L) to carry out any activity appropriate to the exercise of the powers or performance of the duties of the Corporation under this Act and under any interstate compact or agreement relating to the Corporation that is consistent with this Act, if the activity is coordinated and consistent with the transportation planning process implemented by the metropolitan planning organization for the metropolitan Washington region under section 134 of title 23, United States Code, and section 5303 of title 49, United States Code; and

(M) to work with the metropolitan Washington region jurisdictions to improve coordination of transportation planning and land use planning.

1 (b) REPORTS.—The Secretary of Transportation
2 shall submit to the Committee on Transportation and In-
3 frastructure of the House of Representatives and the Com-
4 mittee on Environment and Public Works of the Senate—

5 (1) not later than 1 year after the date of en-
6 actment of this Act, an interim report on the
7 progress of the Board in developing cooperative
8 transportation plans and regional funding mecha-
9 nisms to meet transportation needs in the metropoli-
10 tan Washington region; and

11 (2) not later than 3 years after the date of en-
12 actment of this Act, a final report on the results of
13 the actions of the Board in developing cooperative
14 transportation plans and regional funding mecha-
15 nisms to meet transportation needs in the metropoli-
16 tan Washington region.

17 **SEC. 7. MAINTENANCE OF FUNDING AND EFFORT.**

18 The funding provided under any regional transpor-
19 tation program developed under this Act shall supplement
20 (and not supplant) other Federal, State, and local trans-
21 portation funding for the metropolitan Washington region
22 jurisdictions. In using funds provided under this Act, a
23 metropolitan Washington region jurisdiction shall main-
24 tain the expenditures of the jurisdiction for transportation
25 in the metropolitan Washington region, at a level that is

1 not less than the level of the expenditures maintained by
2 the jurisdiction for the fiscal year preceding the fiscal year
3 for which the funds are received.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) ADMINISTRATIVE COSTS.—There is authorized to
6 be appropriated to carry out this Act \$300,000 for each
7 of fiscal years 2002 through 2004, of which not less
8 than—

9 (1) \$100,000 shall be used by the Board for
10 salaries and administrative expenses of experts in fi-
11 nancing and developing interstate compacts or
12 agreements; and

13 (2) \$200,000 shall be used by the Board to
14 support a collaborative planning process, to dissemi-
15 nate information to the public, and to pay the sala-
16 ries and administrative expenses of public outreach
17 staff.

18 (b) INCENTIVE GRANTS.—There is authorized to be
19 appropriated \$20,000,000 for each of fiscal years 2004
20 through 2006 to provide up to 25 percent of the cost of
21 regional projects agreed to by the signatories under sec-
22 tion 5(d).

○