H. R. 1879

To promote secure ferry transportation and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2011

Mr. LARSEN of Washington (for himself, Mr. DICKS, Mr. INSLEE, Mr. SMITH of Washington, Mr. MCDERMOTT, Mr. GRIMM, Mr. KEATING, Mr. SHERS, Ms. PINGREE of Maine, Mr. BUTTERFIELD, Mr. BISHOP of New York, and Mr. CONNOLLY of Virginia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To promote secure ferry transportation and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Ferry Systems Investment Act of 2011”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Ferries are a vital part of the United States transportation system, carrying more than
100,000,000 passengers annually in at least 38 States.

(2) In many congested metropolitan areas, ferries are one of the few remaining options for significant transportation capacity expansion.

(3) Ferries are the sole or primary transportation connection for many island and isolated communities.

(4) Ferries provide a critical emergency evacuation alternative for both large cities and remote locations.

(5) Ferries can be part of an interim solution when transportation infrastructure fails. For example, ferries were used to provide interim transportation after the terrorist attacks in New York on September 11, 2001, disrupted train service and after part of the San Francisco Bay Bridge collapsed in the Loma Prieta earthquake.

(6) Ferries offer a relatively energy-efficient, environmentally friendly, and low-stress mode of travel.

(7) Almost all of the largest and most important ferry services are publicly owned or provide transportation at public terminals, are integrated
with other transportation modes, and are operated in a manner to serve the public interest.

(8) According to the Secretary of Transportation, almost 25 percent of United States ferries are 40 years or older and 5 percent of United States ferries are 60 years or older.

(9) Federal investment in the United States ferry system is necessary because—

(A) of the unique and important role ferries play in the United States transportation system;

(B) of the large and growing need for new and replacement ferry vessels and terminals; and

(C) ferries do not fit neatly into other Federal mode-specific transportation programs.

(10) The distribution of Federal ferry funds by formula is appropriate because that method of distribution would dedicate funding to the largest and most important public ferry systems.

(11) The distribution of Federal ferry funds by discretionary awards is also appropriate because that method of distribution would help initiate and expand ferry services throughout the United States.
SEC. 3. SECRETARY DEFINED.

In this Act, the term “Secretary” means the Secretary of Transportation.

SEC. 4. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

Section 147 of title 23, United States Code, is amended by striking subsections (c), (d), and (e) and inserting the following:

“(c) DISTRIBUTION OF FUNDS.—The funds made available to carry out this section for a fiscal year shall be allocated to those ferry systems and public entities responsible for developing ferries as follows:

“(1) Fifty percent of such funds shall be allocated at the discretion of the Secretary.

“(2) Fifty percent of such funds shall be allocated in accordance with the formula set out in subsection (d).

“(d) FORMULA.—The funds referred to in subsection (c)(2) shall be distributed as follows:

“(1) Fifty percent shall be based on the total annual number of passengers carried by a ferry system.

“(2) Twenty-five percent shall be based on the total annual number of vehicles carried by a ferry system.
“(3) Twenty-five percent shall be based on the total route miles serviced by a ferry system.

“(e) FUNDING.—

“(1) IN GENERAL.—There shall be available to the Secretary from the Highway Trust Fund (other than the Mass Transit Account) $200,000,000 for each of the fiscal years 2012 through 2018 to carry out this section.

“(2) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.”.

SEC. 5. ELIGIBILITY OF FERRIES FOR THE CLEAN FUELS GRANT PROGRAM.

Section 5308 of title 49, United States Code, is amended—

(1) in subsection (a)(2)(A)—

(A) in clause (i) by striking the semicolon and inserting “, or ferries;”; and

(B) in clause (iii) by striking the semicolon and inserting “or ferries;”; and

(2) in subsection (c)—

(A) in the heading by striking the period and inserting “AND FERRIES.”; and
(B) by striking the period at the end and inserting “or ferries.”.

SEC. 6. FERRY JOINT PROGRAM OFFICE.

(a) Establishment and Purpose.—

(1) Establishment.—The Secretary shall establish within the Department of Transportation a Ferry Joint Program Office (in this section, referred to as the “Office”) for the purposes described in paragraph (2).

(2) Purposes.—The purposes of the Office shall be—

(A) to coordinate Federal programs affecting ferry and ferry facility construction, maintenance, operations, and security; and

(B) to promote transportation by ferry as a component of the United States transportation system.

(b) Functions.—The head of the Office shall carry out the following functions:

(1) Coordinating programs related to ferry transportation carried out by the Department of Transportation, including programs carried out by the Federal Highway Administration, the Federal Transit Administration, the Maritime Administration, and the Research and Innovative Technology
Administration, and such programs carried out by
the Department of Homeland Security and other
Federal and State agencies, as appropriate.

(2) Ensuring resource accountability for pro-
grams carried out by the Secretary related to ferry
transportation.

(3) Providing strategic leadership for research,
development, testing, and deployment of technologies
related to ferry transportation.

(4) Promoting ferry transportation as a means
to reduce social, economic, and environmental costs
associated with traffic congestion.

(5) Developing energy-efficient operating mod-
els to reduce carbon emissions associated with ferry
transportation.

SEC. 7. NATIONAL FERRY DATABASE.

Section 1801(e) of the Safe, Accountable, Flexible,
Efficient Transportation Equity Act: A Legacy for Users
(Public Law 109–59; 23 U.S.C. 129 note) is amended—

(1) in paragraph (2) by inserting “, including
any Federal, State, or local government funding
sources,” after “sources”; and

(2) in paragraph (4)—

(A) in subparagraph (B) by striking “and”
at the end;
(B) by redesignating subparagraph (C) as subparagraph (D);

(C) by inserting after subparagraph (B) the following:

“(C) ensure that the database is consistent with the national transit database maintained by the Federal Transit Administration; and”;

and

(D) in subparagraph (D), as redesignated by subparagraph (B) of this paragraph, by striking “2009” and inserting “2018”.

SEC. 8. NATIONAL FERRY TRANSPORTATION INSTITUTE.

(a) Establishment.—Not later than 1 year after the date of enactment of this Act, the Secretary shall award a grant to a college to establish a National Ferry Transportation Institute (in this section referred to as an “Institute”) at the college.

(b) Administration.—The Secretary shall award and administer the grant under subsection (a) in cooperation with the heads of appropriate entities of the Department of Transportation and of the appropriate State transportation department, public ferry transportation authorities, private ferry operators, ferry builders, ferry transportation employees, and other colleges, universities, and research institutes.
(c) FUNCTIONS.—The Institute—

(1) shall—

(A) conduct research and recommend development activities on methods of improving ferry transportation programs in the United States, including methods of reducing wake, providing alternative propulsion, integrating use of clean, renewable fuels, and testing advanced materials for use in ferry construction;

(B) develop and conduct training programs for ferry transportation system employees, United States Government employees, and other individuals, as appropriate, on developments, techniques, and procedures pertaining to the construction and operation of ferries;

(C) encourage and assist collaborative efforts by public and private entities to preserve, improve, and expand the use of ferries as a mode of transportation;

(D) preserve, utilize, and display historical information about the use of ferry transportation in the United States and in foreign countries; and
(E) develop models and recommendations
to enhance security on ferries and in and
around ferry facilities; and

(2) may provide funds from a grant under sub-
section (a) to a contractor or other entity to assist
the Institute in carrying out the functions described
in subparagraphs (A) through (E) of paragraph (1).

(d) SELECTION CRITERIA.—The Secretary shall
award the grant under subsection (a) on the basis of the
following criteria:

(1) The extent to which the needs of the State
in which the applicant is located are representative
of the importance of public and private ferries to the
region’s transportation system, including both re-
geonal travel and long-range travel and service to
isolated communities.

(2) The historical importance of ferry transpor-
tation to the region in which the applicant is located.

(3) The history and diversity of such region in
the maritime community, including ferry construc-
tion and repair and other shipbuilding activities.

(4) The anticipated growth of ferry transpor-
tation and the building of ferries in such region.

(5) The availability of public-private collabora-
tion in such region.
(6) The demonstrated research and extension resources available to the applicant to successfully carry out the functions described in subsection (c).

(e) REQUIREMENT FOR NON-FEDERAL FUNDING.—A college may not be awarded the grant under subsection (a) unless the college is able to provide 25 percent of the costs associated with establishing, operating, and maintaining the Institute and the research and development activities carried out by the Institute from non-Federal sources.

(f) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on activities carried out under this section, including a description of the activities carried out by the Institute.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $5,000,000 for each of fiscal years 2012 through 2018 to carry out this section.