S. 980

To promote secure ferry transportation and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2011

Mrs. Murray (for herself, Ms. Murkowski, Ms. Cantwell, and Mr. Begich) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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 TITLES.

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, transporting more than
100,000,000 passengers annually in at least 38 States.

(2) In many congested metropolitan areas, ferries are 1 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 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, ferries were used to provide interim transportation.

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

(7) Almost all of the largest and 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, nearly 25 percent of United States ferries are at least 40 years old and 5 percent of United States ferries are at least 60 years old.

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

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

(B) there is a 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 this method of distribution would dedicate more funding to the largest and most important public ferry systems.

(11) The distribution of Federal ferry funds by discretionary awards is also appropriate because this 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.—Of the amounts made available to ferry systems and public entities responsible for developing ferries under this section in a fiscal year—

“(1) 50 percent shall be allocated at the discretion of the Secretary; and

“(2) 50 percent shall be allocated in accordance with the formula set forth in subsection (d).

“(d) FORMULA.—Of the amounts allocated pursuant to subsection (c)(2)—

“(1) 50 percent shall be allocated among eligible entities in the ratio that—

“(A) the number of ferry passengers carried by each ferry system in the most recent fiscal year; bears to

“(B) the number of ferry passengers carried by all ferry systems in the most recent fiscal year;
“(2) 25 percent shall be allocated among eligible entities in the ratio that—

“(A) the number of vehicles carried by each ferry system in the most recent fiscal year; bears to

“(B) the number of vehicles carried by all ferry systems in the most recent fiscal year; and

“(3) 25 percent shall be allocated among eligible entities in the ratio that—

“(A) the total route miles serviced by each ferry system; bears to

“(B) the total route miles serviced by all ferry systems.

“(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), amounts made available to carry out this section shall remain available until expended.”.
SEC. 5. ELIGIBILITY OF FERRIES FOR CLEAN FUELS GRANT PROGRAM.

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

(1) in subsection (a)(2)—

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

(B) in clause (iii), by inserting “or ferries” before the semicolon at the end; and

(2) in subsection (c)—

(A) in the subsection heading, by inserting “AND FERRIES” after “BUSES”; and

(B) by inserting “or ferries” before the period at the end.

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 (referred to in this section 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—

(1) coordinate programs related to ferry transportation carried out by—

(A) 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;

(B) the Department of Homeland Security;

and

(C) other Federal and State agencies, as appropriate;

(2) ensure resource accountability for programs carried out by the Secretary related to ferry transportation;

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

(4) promote ferry transportation as a means to reduce social, economic, and environmental costs associated with traffic congestion; and
(5) develop energy efficient operating models 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, and 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

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

SEC. 8. NATIONAL FERRY TRANSPORTATION INSTITUTE.

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

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

(4) shall preserve, utilize, and display historical information about the use of ferry transportation in the United States and in foreign countries;

(5) shall develop models and recommendations to enhance security on ferries and in and around ferry facilities; and

(6) may provide funds from a grant under subsection (a) to a contractor or other entity to assist the Institute in carrying out the functions described in paragraphs (1) through (5).

(d) SELECTION CRITERIA.—In awarding the grant under subsection (a), the Secretary shall consider—

(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 regional travel and long-range travel and service to isolated communities;

(2) the historical importance of ferry transportation to the region in which the applicant is located;
(3) the history and diversity of the region in the maritime community, including ferry construction and repair and other shipbuilding activities;

(4) the anticipated growth of ferry transportation and the building of ferries in the region;

(5) the availability of public-private collaboration in the region; and

(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 receive the grant under subsection (a) unless the college certifies that it will provide, from non-Federal sources, 25 percent of the costs associated with establishing, operating, and maintaining the Institute, including carrying out the research and development activities of the Institute.

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

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