To amend titles 23 and 49, United States Code, with respect to congestion mitigation and metropolitan transportation planning, and for other purposes.

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 “Commute Less Act of 2013”.

SEC. 2. METROPOLITAN TRANSPORTATION PLANNING.

(a) DEFINITIONS.—Section 5303(b) of title 49, United States Code, is amended—

(1) by redesignating paragraph (7) as paragraph (9);
(2) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively;

(3) by inserting before paragraph (2) (as so redesignated by paragraph (2) of this subsection) the following:

“(1) EMPLOYER-BASED COMMUTER PROGRAM.—The term ‘employer-based commuter program’ means a program implemented by an employer that provides employees of that employer with alternatives to driving to and from work in a vehicle occupied by a single individual, including the following:

“(A) A carpool program.

“(B) A vanpool program.

“(C) A transit benefit program.

“(D) A parking cash-out program.

“(E) A shuttle program.

“(F) A telework program.”; and

(4) by inserting before paragraph (9) (as so redesignated by paragraph (1) of this subsection) the following:

“(8) TRANSPORTATION MANAGEMENT ORGANIZATION.—The term ‘transportation management organization’ means a local, regional, or statewide association of employers established for the purpose of
providing employees of those employers with alternatives to driving to and from work in a vehicle occupied by a single individual.”.

(b) **DEVELOPMENT OF TRANSPORTATION PLAN.**—

(1) **TRANSPORTATION PLAN.**—Section 5303(i)(2) of title 49, United States Code, is amended by adding at the end the following:

“(I) **EMPLOYER OUTREACH ACTIVITIES AND STRATEGIES.**—Proposed activities and strategies to provide outreach to employers and transportation management organizations to facilitate the creation and expansion of employer-based commuter programs.”.

(2) **PARTICIPATION BY INTERESTED PARTIES.**—Section 5303(i)(6)(A) of title 49, United States Code, is amended by inserting after “the disabled,” the following: “representatives of employers and transportation management organizations,”.

(c) **METROPOLITAN TIP.**—Section 5303(j)(2)(A) of title 49, United States Code, is amended by striking the period at the end and inserting “, including projects identified in a relevant commuter trip reduction plan developed under subsection (r).”.

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(d) Transportation Management Areas.—Section 5303(k)(3) of title 49, United States Code, is amended by adding at the end the following:

“(C) Employer Involvement.—A process for addressing congestion management under subparagraph (A) shall be developed in coordination with any relevant employer advisory council established under subsection (r) and shall include projects identified in the commuter trip reduction plan of that council.”.

(e) Employer Advisory Councils and Information Clearinghouse.—Section 5303 of title 49, United States Code, is amended by adding at the end the following:

“(r) Employer Advisory Councils.—

“(1) In General.—Each metropolitan planning organization serving a transportation management area shall establish an employer advisory council that consists of representatives of employers in the area served by the metropolitan planning organization.

“(2) Membership.—

“(A) In General.—An employer advisory council shall consist of not less than 7 representatives of employers and representatives of
identified transportation management organizations in the area served by the relevant metropolitan planning organization.

“(B) ENSURING A DIVERSE CROSS-SECTION OF EMPLOYERS.—In establishing an employer advisory council, a metropolitan planning organization, to the extent practicable, shall ensure that the membership of the council includes a diverse cross-section of employers from the area served by the organization.

“(3) COMMUTER TRIP REDUCTION PLAN.—An employer advisory council established under paragraph (1) shall develop and maintain a commuter trip reduction plan that identifies—

“(A) commuting patterns in the area served by the relevant metropolitan planning organization;

“(B) area goals for the reduction of vehicle miles traveled during peak commuting hours;

“(C) existing and proposed employer-based commuter programs in the area;

“(D) a series of projects and activities to facilitate achievement of the goals identified under subparagraph (B); and
“(E) a financing plan for the projects and
activities identified under subparagraph (D).
“(s) INFORMATION CLEARINGHOUSE.—The Sec-
retary is authorized to make a grant to a national non-
profit organization engaged in efforts relating to em-
ployer-based commuter programs or another entity to—
“(1) establish and operate an information clear-
inghouse relating to employer investment in trans-
portation and employer-based commuter programs;
“(2) develop an education program with respect
to employer investment in transportation and em-
ployer-based commuter programs; and
“(3) provide technical assistance relating to em-
ployer-based commuter programs and disseminate
techniques and strategies used by successful em-
ployer-based commuter programs.”.

SEC. 3. CONGESTION MITIGATION DURING PROJECT CON-
STRUCTION.

Section 106 of title 23, United States Code, is
amended by adding at the end the following:
“(k) CONGESTION MITIGATION PLANS.—
“(1) REQUIREMENT.—A recipient of Federal fi-
nancial assistance under this title for a project with
an estimated total cost of $75,000,000 or more or
that will reduce traffic flow (as defined by the Sec-
retary) for more than 120 days shall prepare a con-
gestion mitigation plan for such project that includes
funding for projects to reduce vehicle miles traveled
during peak commuting hours along the impacted
corridor.

“(2) COORDINATION.—A recipient shall prepare
a congestion mitigation plan under paragraph (1) in
coordination with any relevant employer advisory
council established under section 5303(r) of title 49.

“(3) REVIEW BY SECRETARY.—A congestion
mitigation plan prepared under paragraph (1) shall
be made available to the Secretary for review upon
the request of the Secretary.”.

SEC. 4. EMPLOYER-BASED COMMUTER PROGRAMS ACTION
PLAN.

(a) IN GENERAL.—The Secretary of Transportation
shall develop and implement a plan to expand and promote
employer-based commuter programs (as defined in section
5303(b) of title 49, United States Code).

(b) CONTENTS.—The plan developed under sub-
section (a) shall include plans—

(1) to amend existing regulations and guidance
and, if necessary, develop new regulations and guid-
ance to ensure that employer-based commuter pro-
grams are integrated, to the extent possible, into all appropriate Federal transportation programs;

(2) to identify best practices with respect to employer-based commuter programs;

(3) to research the effectiveness and efficiency of employer-based commuter programs; and

(4) to create a national and regional peer exchange program to ensure that developments with respect to employer-based commuter programs are shared and issues are addressed.

(c) Timing.—Not later than 180 days after the date of enactment of this Act, the Secretary shall finalize and begin implementation of the plan developed under subsection (a).

(d) Report to Congress.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Environment and Public Works of the Senate a report on the implementation and impact of the plan developed under subsection (a).

SEC. 5. DISASTER PREPAREDNESS REPORT.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transpor-
tation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Environment and Public Works of the Senate a report with recommendations on how to better integrate employer-based commuter programs (as defined in section 5303(b) of title 49, United States Code) into emergency planning, preparedness, and response activities.

(b) COORDINATION.—In preparing the report under subsection (a), the Secretary shall consult with—

(1) the Administrator of the Federal Emergency Management Agency; and

(2) stakeholders, including national and regional organizations and experts that promote employer-based commuter programs.