

116TH CONGRESS
2D SESSION

H. R. 7192

To amend chapter 53 of title 49, United States Code, to establish a program to provide public transportation agencies with grants to be used during a disaster declaration.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2020

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend chapter 53 of title 49, United States Code, to establish a program to provide public transportation agencies with grants to be used during a disaster declaration.

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 “Transit Reliability, Ac-
5 knowledgment, Investment and Need Act of 2020” or the
6 “TRAIN Act of 2020”.

1 **SEC. 2. GRANT PROGRAM FOR EMERGENCY OPERATIONS**
2 **FUNDING PUBLIC TRANSPORTATION DURING**
3 **MAJOR DISASTERS.**

4 (a) IN GENERAL.—Chapter 53 of title 49, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 5341. Emergency and continuity of operations dur-**
8 **ing disaster declarations**

9 “(a) ESTABLISHMENT OF GRANT PROGRAM.—The
10 Secretary of Transportation shall establish a program to
11 provide public transportation agencies with grants to be
12 used during a State disaster declaration.

13 “(b) CRITERIA FOR ELIGIBLE AGENCIES.—A public
14 transportation agency is eligible to participate in the pro-
15 gram if the agency—

16 “(1) at the time of application, receives funds
17 (or eligible for such funds) under the surface trans-
18 portation block grant program under section 133 of
19 title 23;

20 “(2) for each of the 3 years before the date of
21 application, has received funding (or eligible for such
22 funds) for a public transportation project under this
23 chapter; and

24 “(3) submits an application as described in sub-
25 section (c).

1 “(c) APPLICATION.—In accordance with such re-
2 requirements as the Secretary may by rule establish, each
3 application for a grant under this section shall—

4 “(1) include a strategy and detailed implemen-
5 tation plan that reflects consultation with commu-
6 nity groups and appropriate stakeholders, and shall
7 specify how the transit agency will continue oper-
8 ations during a disaster declaration;

9 “(2) assess the public transportation agency’s
10 ability to operate during a disaster declaration;

11 “(3) identify how the grant will ensure con-
12 tinuity of public transportation services and meet
13 applicable safety and health standards requirements
14 under subsection (i) during such disaster declara-
15 tion;

16 “(4) demonstrate the agency’s plan to provide
17 no-cost transportation for general transportation
18 service, premium transportation service, and para-
19 transit services during the time period under which
20 such disaster declaration;

21 “(5) include the total of revenue losses as of the
22 date of application caused by the disaster declara-
23 tion and a projection of such future losses antici-
24 pated during the course of such disaster declaration
25 and shall include an analysis and description of such

1 revenue losses following the 6-month period fol-
2 lowing the expected termination of such disaster dec-
3 laration;

4 “(6) describe the mechanisms to be employed
5 by the public transportation agency to protect em-
6 ployees from exposure to the conditions generating
7 the disaster declaration;

8 “(7) provide a list of protocol and supplies that
9 will be used to clean and disinfect surfaces impacted
10 by the events generating the disaster declaration;

11 “(8) include a list of protective gear to be used
12 by public transit employees that will reduce em-
13 ployee exposure to the conditions generating the dis-
14 aster declaration;

15 “(9) identify related governmental and commu-
16 nity initiatives which compliment or will be coordi-
17 nated with the proposal;

18 “(10) certify that there has been appropriate
19 coordination with all appropriate agencies; and

20 “(11) additional information as required by the
21 Secretary.

22 “(d) FORMS OF ASSISTANCE.—Funds provided under
23 this section may be expended for—

1 “(1) providing continued services during the
2 pandemic or disaster declaration, consistent with the
3 requirements under subsection (i);

4 “(2) stabilization of fare prices for passengers
5 during the period of such disaster declaration;

6 “(3) no-cost public transportation services dur-
7 ing such disaster declaration;

8 “(4) provision of new or supplemental public
9 transportation service bus routes, or bus rapid sys-
10 tems; and

11 “(5) procurement of personal protective gear
12 and equipment needed to protect employees from
13 hazards generated or originating from the disaster
14 declaration.

15 “(e) SPECIAL RULE ON EXPENDITURES AND MIN-
16 IMUM REQUIREMENT FOR ELIGIBILITY OF FUNDS.—A
17 public transportation agency receiving grant funds under
18 this section shall provide assistance to the general public
19 under subsection (d)(3) and (d)(4) during the disaster
20 declaration period and, subsequently, for a period of 6
21 months after the termination of such disaster declaration.

22 “(f) GRANT REQUIREMENTS.—

23 “(1) AMOUNT.—A grant awarded under this
24 section may not exceed \$5,000,000,000.

25 “(2) RENEWALS OF CERTAIN GRANTS.—

1 “(A) IN GENERAL.—A grant may be re-
2 newed during the disaster declaration period,
3 provided the public transportation agency—

4 “(i) submits to the Secretary an appli-
5 cation for renewal at such time, in such
6 manner, and containing such information
7 as the Secretary may require; and

8 “(ii) demonstrates in such application
9 for renewal that—

10 “(I) the initial grant was used in
11 a manner required under the most re-
12 cently approved application; and

13 “(II) the public transportation
14 agency has made progress in achiev-
15 ing the objectives of the initial appli-
16 cation approved for the public trans-
17 portation agency under this section.

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—

19 “(1) IN GENERAL.—There is authorized to be
20 appropriated to carry out this section
21 \$50,000,000,000 for each of fiscal years 2020 and
22 2021.

23 “(2) AVAILABILITY.—Funds authorized to be
24 appropriated under this section shall remain avail-
25 able until expended.

1 “(h) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to limit a project from receiving
3 a grant under this section while simultaneously receiving
4 funds for associated transit improvement or capital
5 projects.

6 “(i) REQUIRED CERTIFICATION OF SAFETY AND
7 HEALTH PROTOCOL.—A public transportation agency
8 shall certify with the Secretary every 7 days that any use
9 of funds under subsection (d) meet applicable health and
10 safety standards and guidance by the Centers for Disease
11 Control issued during the disaster declaration for pas-
12 sengers and employees of the public transportation agency
13 that includes a description of the compliance mechanisms
14 employed by such agency.

15 “(j) ANNUAL REPORTS.—A public transportation
16 agency that receives funds under this section during a fis-
17 cal year shall submit to the Secretary a description and
18 an evaluation report on a date specified by the Secretary
19 regarding the progress such projects have made to make
20 transportation access points accessible to persons with
21 limited mobility.

22 “(k) DEFINITIONS.—In this section:

23 “(1) DISASTER DECLARATION.—The term ‘dis-
24 aster declaration’ means—

1 “(A) an emergency involving Federal pri-
2 mary responsibility determined to exist by the
3 President under section 501(b) of the Robert T.
4 Stafford Disaster Relief and Emergency Assist-
5 ance Act (42 U.S.C. 5191(b));

6 “(B) a national emergency declared by the
7 President under the National Emergencies Act
8 (50 U.S.C. 1601 et seq.);

9 “(C) an emergency declared by a Federal
10 official with respect to coronavirus (as defined
11 in section 506 of the Coronavirus Preparedness
12 and Response Supplemental Appropriations
13 Act, 2020 (Public Law 116–123)); or

14 “(D) a public health emergency declared
15 by the Secretary of Health and Human Services
16 pursuant to section 319 of the Public Health
17 Service Act (42 U.S.C. 247(d)) with respect to
18 COVID–19 or any other coronavirus with pan-
19 demic potential.

20 “(2) GENERAL TRANSPORTATION SERVICE.—
21 The term ‘general transportation service’ means a
22 transportation service that is subject to the same
23 base fare established by the transportation agency
24 for local or general service.

1 “(3) PREMIUM TRANSPORTATION SERVICE.—
2 The term ‘premium transportation service’ means a
3 transportation service that is not a general transpor-
4 tation service.

5 “(4) PARATRANSIT SERVICES.—The term ‘para-
6 transit services’ means service to individuals with
7 disabilities that is comparable to the level of service
8 provided to individuals without disabilities who use
9 routes operated by the public transportation agen-
10 cy.”.

11 (b) CLERICAL AMENDMENT.—The table of chapters
12 for chapter 53 of subtitle III of title 49, United States
13 Code, is amended by adding after the item relating to sec-
14 tion 5340 the following new item:

 “5341. Emergency and continuity of operations during disaster declarations.”.

15 **SEC. 3. RULEMAKING.**

16 Not later than 30 days after the date of the enact-
17 ment of this Act, the Secretary shall publish in the Fed-
18 eral Register interim final rules implementing this title,
19 which shall allow eligible public transportation agencies to
20 immediately apply for funds under section 5341 of title
21 49, United States Code (as added by section 2). Notwith-
22 standing section 553 of title 5, United States Code, the
23 regulation shall be effective, on an interim basis, imme-
24 diately upon publication, but may be subject to change and
25 revision after public notice and opportunity for a period

- 1 of public comment. The Secretary shall finalize such rules
- 2 not later than 90 days after the date of publication.

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