

117TH CONGRESS
1ST SESSION

S. 1717

To establish a community-driven decision-making pilot program to demonstrate enhanced community-based decision making in the transportation planning process, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2021

Mr. MERKLEY (for himself and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a community-driven decision-making pilot program to demonstrate enhanced community-based decision making in the transportation planning process, and for other purposes.

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. COMMUNITY-DRIVEN DECISION-MAKING PILOT**
4 **PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) COMMUNITY-BASED ORGANIZATION.—The
7 term “community-based organization” means a pri-

vate, locally initiated, community-based organization
that—

(A) is a nonprofit organization described in
section 501(c) of the Internal Revenue Code of
1986 and exempt from taxation under section
501(a) of that Code; and

(B) has a Board of Directors that rep-
resent a majority of residents of the area served
by the organization.

(2) ELIGIBLE PARTNERSHIP.—The term “eligi-
ble partnership” means a partnership between—

(A) 1 or more local transportation plan-
ning agencies, including at least 1 of—

(i) a metropolitan planning organiza-
tion (as defined in section 134(b) of title
23, United States Code);

(ii) a regional transportation planning
organization designated under section
135(m) of title 23, United States Code;

(iii) a municipal corporation;

(iv) a county; or

(v) any other unit of local govern-
ment; and

(B) a community-based organization.

1 (3) PILOT PROGRAM.—The term “pilot pro-
2 gram” means the community-driven decision-making
3 pilot program established under subsection (b)(1).

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of Transportation.

6 (b) ESTABLISHMENT.—

7 (1) IN GENERAL.—The Secretary shall establish
8 a community-driven decision-making pilot program
9 to provide grants to eligible partnerships.

10 (2) PURPOSE.—The purpose of the pilot pro-
11 gram shall be to demonstrate enhanced community-
12 based decision making in the transportation plan-
13 ning process by supporting partnerships between
14 local transportation planning agencies and commu-
15 nity-based organizations which will serve as models
16 for other communities to deepen and strengthen
17 community engagement in transportation planning
18 processes.

19 (c) APPLICATIONS.—To be eligible to receive a grant
20 under the pilot program, an eligible partnership shall sub-
21 mit to the Secretary an application at such time, in such
22 manner, and containing such information as the Secretary
23 may require.

24 (d) ELIGIBLE COSTS.—

1 (1) IN GENERAL.—An eligible partnership that
2 receives a grant under the pilot program may use
3 the grant funds for—

4 (A) personnel costs, including costs—

5 (i) to support employees of the com-
6 munity-based organization to enable the
7 organization to engage with the community
8 during the transportation planning process;
9 and

10 (ii) to support employees of the local
11 transportation planning agency in con-
12 ducting more robust public engagement;

13 (B) materials and technology to support
14 community engagement, including physical and
15 digital presentation of data and polling;

16 (C) training for personnel to improve the
17 ability of the personnel to pursue and incor-
18 porate public input in the transportation plan-
19 ning process;

20 (D) training for the community-based or-
21 ganization and residents of the community in
22 the basics of transportation planning;

23 (E) facilitation of public meetings, includ-
24 ing publicity, food, and provision of childcare;

1 (F) stipends for community participants
2 for expenses relating to engagement in the
3 transportation planning process; and

4 (G) hiring and training of street teams to
5 engage in public outreach relating to the trans-
6 portation planning process, including the use of
7 questionnaires and the solicitation of ongoing
8 feedback.

9 (2) ADMINISTRATIVE COSTS.—An eligible part-
10 nership may use not more than 5 percent of the
11 funds from a grant under the pilot program for ad-
12 ministrative costs.

13 (3) LIMITATION.—A community-based organi-
14 zation that is part of an eligible partnership that re-
15 ceives a grant under the pilot program shall only
16 carry out activities under the pilot program relating
17 to community engagement and outreach.

18 (e) REQUIREMENTS.—An eligible partnership that re-
19 ceives a grant under the pilot program shall—

20 (1) submit to the Secretary a public engage-
21 ment plan that—

22 (A) provides a direct role for community
23 members in determining the priorities for and
24 outcomes of a transportation planning process
25 that will impact the community; and

1 (B) includes—

2 (i) a description of how the eligible
3 partnership will provide an increase in ca-
4 pacity for the community-based organiza-
5 tion for 1 or more employees to engage di-
6 rectly in the transportation planning proc-
7 ess;

8 (ii) a description of how the eligible
9 partnership will provide dedicated per-
10 sonnel within the local transportation plan-
11 ning agency for engagement with the com-
12 munity-based organization partner and for
13 solicitation and incorporation of commu-
14 nity input; and

15 (iii) specific and detailed strategies to
16 ensure broad and equitable community
17 input from traditionally underrepresented
18 members of the community, especially low-
19 income residents and people of color;

20 (2) ensure that—

21 (A) substantial weight is given to commu-
22 nity input throughout the planning process, in-
23 cluding in establishing goals and determining
24 priority projects; and

1 (B) there is documentation of the extent to
2 which community input is incorporated or the
3 reasons for not incorporating community input;

4 (3) ensure that all strategies described in para-
5 graph (1)(B)(iii) are broadly accessible to people
6 with disabilities in accordance with the Americans
7 with Disabilities Act of 1990 (42 U.S.C. 12101 et
8 seq.); and

9 (4) provide, in accessible formats that are easily
10 understandable to the public, access to information
11 including, at a minimum—

12 (A) data about travel patterns and de-
13 mand, including data relating to induced de-
14 mand and multimodal accessibility;

15 (B) any performance targets established
16 pursuant to section 150 of title 23, United
17 States Code, the achievement of which might be
18 impacted by any projects or priorities under
19 consideration; and

20 (C) the impacts of transportation priorities
21 set and projects under consideration on specific
22 neighborhoods and communities, including dis-
23 parate impacts on traditionally disadvantaged
24 communities.

25 (f) REPORTS.—

1 (1) REPORT TO SECRETARY.—After carrying
2 out all activities with a grant under the pilot pro-
3 gram, each eligible partnership shall submit to the
4 Secretary a report that describes—

5 (A) the activities that were carried out
6 with the grant funds;

7 (B) the effect on community engagement
8 on the activities carried out with the grant
9 funds; and

10 (C) the extent of cooperation between the
11 community-based organization and the 1 or
12 more local transportation planning agencies in
13 the eligible partnership.

14 (2) REPORT TO CONGRESS.—Not later than 5
15 years after the date of enactment of this Act, the
16 Secretary shall submit to Congress a report on the
17 effectiveness of the pilot program, including—

18 (A) lessons learned with respect to commu-
19 nity engagement in transportation planning;
20 and

21 (B) recommendations for future Federal
22 support of community engagement efforts in
23 transportation planning.

1 (g) PUBLICATION.—The Secretary shall make pub-
2 licly available on the website of the Department of Trans-
3 portation—

4 (1) public engagement reports submitted by eli-
5 gible partnerships under subsection (e)(1);

6 (2) reports submitted to the Secretary under
7 subsection (f)(1); and

8 (3) the report submitted to Congress under
9 subsection (f)(2).

10 (h) MAXIMUM AMOUNT.—A grant under the pilot
11 program shall be not more than \$400,000.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated out of the Highway Trust
14 Fund (other than the Mass Transit Account) to carry out
15 the pilot program \$4,200,000 for fiscal year 2022, to re-
16 main available until expended.

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