

118TH CONGRESS
1ST SESSION

S. 1034

To amend title 23, United States Code, to establish a competitive grant program for projects for commercial motor vehicle parking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2023

Ms. LUMMIS (for herself, Mr. KELLY, Mr. BOOZMAN, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to establish a competitive grant program for projects for commercial motor vehicle parking, 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. SHORT TITLE.**

4 This Act may be cited as the “Truck Parking Safety
5 Improvement Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that it should be a na-
8 tional priority to address the shortage of parking for com-

1 commercial motor vehicles on the Federal-aid highway system
2 to improve highway safety.

3 **SEC. 3. PARKING FOR COMMERCIAL MOTOR VEHICLES.**

4 (a) IN GENERAL.—Chapter 1 of title 23, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 180. Parking for commercial motor vehicles**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COMMERCIAL MOTOR VEHICLE.—The term
10 ‘commercial motor vehicle’ has the meaning given
11 the term in section 31132 of title 49.

12 “(2) SAFETY REST AREA.—The term ‘safety
13 rest area’ has the meaning given the term in section
14 120(c)(1).

15 “(b) GRANT AUTHORITY.—Subject to the availability
16 of funds, the Secretary shall make grants, on a competi-
17 tive basis, to eligible entities for projects to provide public
18 parking for commercial motor vehicles and improve the
19 safety of commercial motor vehicle drivers.

20 “(c) ELIGIBLE ENTITIES.—

21 “(1) IN GENERAL.—An entity eligible to receive
22 a grant under this section is any of the following:

23 “(A) A State.

24 “(B) A metropolitan planning organiza-
25 tion.

1 “(C) A unit of local government.

2 “(D) A political subdivision of a State or
3 local government carrying out responsibilities
4 relating to commercial motor vehicle parking.

5 “(E) A Tribal government or a consortium
6 of Tribal governments.

7 “(F) A multistate or multijurisdictional
8 group of entities described in subparagraphs
9 (A) through (E).

10 “(2) PRIVATE SECTOR PARTICIPATION.—An eli-
11 gible entity that receives a grant under this section
12 may partner with a private entity to carry out an eli-
13 gible project under this section.

14 “(d) ELIGIBLE PROJECTS.—

15 “(1) IN GENERAL.—An entity may use a grant
16 provided under this section for a project described in
17 paragraph (2) that is on—

18 “(A) a Federal-aid highway; or

19 “(B) a facility with reasonable access (as
20 described in section 658.19 of title 23, Code of
21 Federal Regulations (or a successor regulation))

22 to—

23 “(i) a Federal-aid highway; or

24 “(ii) a freight facility.

1 “(2) PROJECTS DESCRIBED.—A project re-
2 ferred to in paragraph (1) is a project—

3 “(A) to construct a safety rest area that
4 includes parking for commercial motor vehicles;

5 “(B) to construct additional commercial
6 motor vehicle parking capacity—

7 “(i) adjacent to a private commercial
8 truck stop or travel plaza;

9 “(ii) within the boundaries of, or adja-
10 cent to, a publicly owned freight facility,
11 including a port terminal operated by a
12 public authority;

13 “(iii) at an existing facility, including
14 an inspection or weigh station and a park-
15 and-ride location; or

16 “(iv) at another suitable facility, as
17 determined by the eligible entity, in con-
18 currence with the Secretary;

19 “(C) to reopen an existing weigh station,
20 safety rest area, park-and-ride facility, or other
21 government-owned facility, that is not in use,
22 for commercial motor vehicle parking;

23 “(D) to construct or make capital improve-
24 ments to an existing public commercial motor

1 vehicle parking facility to expand parking use
2 and availability, including at a seasonal facility;

3 “(E) to identify, promote, and manage the
4 availability of publicly and privately provided
5 commercial motor vehicle parking, such as
6 through the use of intelligent transportation
7 systems;

8 “(F) to improve the personal safety of
9 commercial motor vehicle drivers at a parking
10 facility as part of a project described in sub-
11 paragraphs (A) through (D); or

12 “(G) to improve a parking facility, includ-
13 ing through truck stop electrification systems,
14 as part of a project described in subparagraphs
15 (A) through (D).

16 “(e) APPLICATION.—To be eligible to receive a grant
17 under this section, an eligible entity shall submit to the
18 Secretary an application at such time, in such manner,
19 and containing such information as the Secretary may re-
20 quire, including—

21 “(1) a description of the proposed project; and

22 “(2) any other information that the Secretary
23 determines to be necessary.

1 “(f) SELECTION CRITERIA.—The Secretary may se-
2 lect a project to receive a grant under this section only
3 if the Secretary determines that—

4 “(1) there is a shortage of commercial motor
5 vehicle parking capacity in the corridor in which the
6 project is located;

7 “(2) the eligible entity has consulted with motor
8 carriers, commercial motor vehicle drivers, public
9 safety officials, and private providers of commercial
10 motor vehicle parking regarding the project;

11 “(3) the project will likely—

12 “(A) increase the availability or utilization
13 of commercial motor vehicle parking;

14 “(B) facilitate the efficient movement of
15 freight; or

16 “(C) improve highway safety, traffic con-
17 gestion, and air quality; and

18 “(4) the eligible entity demonstrates the ability
19 to provide for the maintenance and operation of the
20 facility.

21 “(g) ADDITIONAL CONSIDERATION.—To the max-
22 imum extent practicable, the Secretary shall select
23 projects to receive grants under the program in a manner
24 that maximizes the geographic dispersion of new commer-

1 cial motor vehicle parking capacity across the United
2 States.

3 “(h) USE OF FUNDS.—

4 “(1) IN GENERAL.—An eligible entity may use
5 a grant under this section for—

6 “(A) development phase activities, includ-
7 ing planning, feasibility analysis, benefit-cost
8 analysis, environmental review, preliminary en-
9 gineering and design work, and other
10 preconstruction activities necessary to advance
11 a project under this section; and

12 “(B) construction and operational improve-
13 ments.

14 “(2) LIMITATIONS.—

15 “(A) IN GENERAL.—An eligible entity may
16 use not more than 25 percent of the amount of
17 a grant under this section for activities de-
18 scribed in paragraph (1)(A).

19 “(B) EXISTING FACILITIES.—

20 “(i) IN GENERAL.—Except as pro-
21 vided in clause (ii), not more than 10 per-
22 cent of the amounts made available for
23 each fiscal year for grants under this sec-
24 tion may be used for projects described in
25 subsection (d)(2)(E) that solely identify,

1 promote, and manage the availability of ex-
2 isting commercial motor vehicle parking.

3 “(ii) EXCEPTION.—Clause (i) shall
4 not apply to a project described in sub-
5 section (d)(2)(E) that is part of a project
6 to expand commercial motor vehicle park-
7 ing capacity.

8 “(3) PROHIBITION.—

9 “(A) IN GENERAL.—Amounts made avail-
10 able to carry out this section shall not be used
11 for the construction, or development phase ac-
12 tivities that would enable the construction, of
13 charging or fueling infrastructure for the pro-
14 pulsion of a vehicle, including a commercial
15 motor vehicle.

16 “(B) SAVINGS PROVISION.—Nothing in
17 this paragraph limits the use of funds other
18 than funds made available to carry out this sec-
19 tion.

20 “(i) REQUIREMENTS.—

21 “(1) PUBLICLY ACCESSIBLE PARKING.—Com-
22 mercial motor vehicle parking constructed, opened,
23 or improved with funds from a grant under this sec-
24 tion shall be open and accessible to all commercial
25 motor vehicle drivers.

1 “(2) PROHIBITION ON CHARGING FEES.—

2 “(A) IN GENERAL.—No fee may be
3 charged by an eligible entity to a commercial
4 motor vehicle driver to gain access to parking
5 constructed, opened, maintained, or improved
6 with a grant under this section.

7 “(j) TREATMENT OF PROJECTS.—Notwithstanding
8 any other provision of law, a project carried out under this
9 section shall be treated as a project on a Federal-aid high-
10 way under this chapter.

11 “(k) PERIOD OF AVAILABILITY OF FUNDS.—
12 Amounts made available for projects under this section
13 shall remain available for a period of 3 years after the
14 last day of the fiscal year in which the amounts are made
15 available.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
17 ter 1 of title 23, United States Code, is amended by add-
18 ing at the end the following:

“180. Parking for commercial motor vehicles.”.

19 **SEC. 4. SURVEY AND COMPARATIVE ASSESSMENT.**

20 (a) IN GENERAL.—Not later than 4 years after the
21 date of enactment of this Act, and every 2 years there-
22 after, the Secretary of Transportation, in consultation
23 with appropriate State motor carrier safety personnel,
24 motor carriers, State departments of transportation, and
25 private providers of commercial motor vehicle parking,

1 shall submit to the Committee on Environment and Public
2 Works of the Senate and the Committee on Transpor-
3 tation and Infrastructure of the House of Representatives
4 a report that—

5 (1) evaluates the availability of adequate park-
6 ing and rest facilities, taking into account both pri-
7 vate and public facilities, for commercial motor vehi-
8 cles engaged in interstate transportation;

9 (2) evaluates the effectiveness of the projects
10 funded under section 180 of title 23, United States
11 Code, in improving access to commercial motor vehi-
12 cle parking;

13 (3) evaluates the ability of eligible entities that
14 received a grant under section 180 of title 23,
15 United States Code, to sustain the operation of
16 parking facilities constructed with funds provided
17 under that section; and

18 (4) reports on the progress being made to pro-
19 vide adequate commercial motor vehicle parking fa-
20 cilities.

21 (b) RESULTS.—The Secretary of Transportation
22 shall make the reports under subsection (a) available to
23 the public on the website of the Department of Transpor-
24 tation.

1 (c) ALIGNMENT OF REPORTS.—In carrying out this
2 section, the Secretary of Transportation shall—

3 (1) consider the results of the commercial
4 motor vehicle parking facilities assessments of States
5 under subsection (f) of section 70202 of title 49,
6 United States Code; and

7 (2) seek to align the contents of the reports
8 under subsection (a) and the submission and publi-
9 cation of those reports with the State freight plans
10 developed and updated under that section.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to the Sec-
13 retary of Transportation for projects for commercial
14 motor vehicle parking under section 180 of title 23, United
15 States Code—

16 (1) \$175,000,000 for fiscal year 2024;

17 (2) \$260,000,000 for fiscal year 2025; and

18 (3) \$320,000,000 for fiscal year 2026.

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