

119TH CONGRESS  
2D SESSION

# H. R. 8200

To amend title 23, United States Code, so that a privately or majority-privately owned ferry or ferry terminal facility is an eligible entity for purposes of participation in the Ferry Boat Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2026

Mr. LALOTA (for himself and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, so that a privately or majority-privately owned ferry or ferry terminal facility is an eligible entity for purposes of participation in the Ferry Boat Program, 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 “Interstate Ferry Fair-  
5 ness Act”.

1 **SEC. 2. AMENDMENT TO ALLOW PRIVATELY OWNED FER-**  
2 **RIES AND FERRY TERMINAL FACILITIES TO**  
3 **BE ELIGIBLE FOR FERRY BOAT PROGRAM.**

4 (a) PERMISSIBILITY OF FEDERAL PARTICIPATION IN  
5 CONSTRUCTION OF PRIVATELY OWNED FERRIES OR  
6 FERRY TERMINAL FACILITIES.—Section 129(c) of title  
7 23, United States Code, is amended—

8 (1) in paragraph (2)—

9 (A) by inserting “(A)” before “The oper-  
10 ation”; and

11 (B) by striking “on a route” and all that  
12 follows through the period at the end and in-  
13 serting “on a route—

14 “(i) classified as a public road within the  
15 State and which has not been designated as a  
16 route on the Interstate System or on a public  
17 transit ferry eligible under chapter 53 of title  
18 49; or

19 “(ii) between 2 adjoining States and that  
20 connects one or more public roads.

21 “(B) Projects under this subsection may be eli-  
22 gible for both ferry boats carrying cars and pas-  
23 sengers and ferry boats carrying passengers only.”;

24 (2) in paragraph (3)—

1 (A) in subparagraph (A), by striking “shall  
2 be” and all that follows through the period at  
3 the end and inserting “shall be—

4 “(i) publicly owned or operated;

5 “(ii) majority publicly owned, if the Sec-  
6 retary determines with respect to such majority  
7 publicly owned ferry or ferry terminal facility  
8 that the ferry boat or ferry terminal facility  
9 provides substantial public benefits; or

10 “(iii) with respect to a ferry that operates  
11 between 2 adjoining States or a ferry terminal  
12 facility that supports such a ferry, privately  
13 owned or majority privately owned, if the Sec-  
14 retary determines with respect to such ferry or  
15 ferry terminal facility that the ferry boat or  
16 ferry terminal facility provides substantial pub-  
17 lic benefits or otherwise meets the foremost  
18 needs of the surface transportation system de-  
19 scribed in section 101(b)(3)(D).”; and

20 (B) in subparagraph (B)—

21 (i) by striking “Any Federal partici-  
22 pation” and inserting “(i) Except as pro-  
23 vided in clause (ii), any Federal participa-  
24 tion”; and

1 (ii) by adding at the end the following  
2 new clause:

3 “(ii) Federal participation may involve the con-  
4 struction or purchase, for private ownership, of—

5 “(I) a ferry boat that operates between 2  
6 adjoining States; or

7 “(II) a ferry terminal facility or any other  
8 eligible project under this section that supports  
9 such ferry boat.”; and  
10 (3) in paragraph (4)—

11 (A) by inserting “(A)” before “The oper-  
12 ating authority”;

13 (B) by striking “such ferry” and inserting  
14 “a publicly owned or a majority publicly owned  
15 ferry”;

16 (C) by striking “a privately operated toll  
17 ferry” and inserting “a privately operated toll  
18 ferry not subject to subparagraph (B)”;

19 (D) by adding at the end the following new  
20 subparagraph:

21 “(B) A privately owned or majority privately  
22 owned ferry operating between 2 adjoining States  
23 may charge a fare for passage on such ferry in an  
24 amount not more than the sum of an amount nec-  
25 essary to produce revenues sufficient to cover actual

1 and necessary costs of operation, maintenance, re-  
2 pair, debt service, negotiated management fees, plus  
3 an amount that the Secretary determines is a rea-  
4 sonable rate of return for the ferry. All revenues de-  
5 rived therefrom shall be applied to such actual and  
6 necessary costs, except the ferry may retain the  
7 amount that the Secretary determines is a reason-  
8 able rate of return.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) SURFACE TRANSPORTATION BLOCK GRANT  
11 PROGRAM.—Section 133(b)(1)(B) of title 23, United  
12 States Code, is amended to read as follows:

13 “(B) ferry boats and terminal facilities  
14 that are eligible for funding under section  
15 129(c);”.

16 (2) CONSTRUCTION OF FERRY BOATS AND  
17 FERRY TERMINAL FACILITIES.—Section 147(c) of  
18 title 23, United States Code, is amended by striking  
19 “public entities” and inserting “entities”.

20 (c) EFFECTIVE DATE.—The amendments made by  
21 this section shall take affect with respect to a privately  
22 owned, or majority privately owned, ferry or ferry terminal  
23 facility for purposes of eligibility of the program under

1 section 147 of title 23, United States Code, on the date  
2 that is 1 year after the date of enactment of this Act.

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