

119TH CONGRESS
2D SESSION

S. 4245

To amend title 23, United States Code, to enhance roadside worker safety,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2026

Ms. CORTEZ MASTO (for herself and Mr. McCORMICK) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 23, United States Code, to enhance roadside
worker safety, 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 “Safer Roads for Those
5 Who Serve Act of 2026”.

6 **SEC. 2. FEDERAL HIGHWAY ADMINISTRATION ROADSIDE**
7 **WORKER SAFETY.**

8 Section 148 of title 23, United States Code, is
9 amended—

10 (1) in subsection (c)(2)—

1 (A) in subparagraph (A)—

2 (i) in clause (v), by striking “and” at
3 the end;

4 (ii) in clause (vi), by adding “and”
5 after the semicolon at the end; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(vii) to improve the collection of data
9 on roadside worker crashes and to differen-
10 tiate the safety data for highway workers
11 (as defined in section 630.1004 of title 23,
12 Code of Federal Regulations (or a suc-
13 cessor regulation)) from other road
14 users;”;

15 (B) in subparagraph (B)(i), by inserting
16 “highway workers (as defined in section
17 630.1004 of title 23, Code of Federal Regula-
18 tions (or a successor regulation)),” after “pe-
19 destrians);” and

20 (C) in subparagraph (D)—

21 (i) in clause (v), by striking “and” at
22 the end;

23 (ii) in clause (vi), by adding “and”
24 after the semicolon at the end; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(vii) improves the ability of the State
4 to differentiate the fatalities and serious
5 injuries of highway workers (as defined in
6 section 630.1004 of title 23, Code of Fed-
7 eral Regulations (or a successor regula-
8 tion)) from other road users;”; and

9 (2) in subsection (d), by adding at the end the
10 following:

11 “(4) HIGHWAY WORKERS.—If the total annual
12 injuries and fatalities of highway workers (as de-
13 fined in section 630.1004 of title 23, Code of Fed-
14 eral Regulations (or a successor regulation)) in a
15 State increases over the most recent 2-year period
16 for which data is available, that State shall include
17 in the next State strategic highway safety plan a list
18 of strategies to address the increases in those rates
19 of injury and fatality, taking into account the prac-
20 tices and recommendations identified through the
21 Work Zone Management Program of the Federal
22 Highway Administration.”.

1 **SEC. 3. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRA-**
 2 **TION ROADSIDE WORKER SAFETY.**

3 (a) HIGHWAY SAFETY PROGRAMS.—Section
 4 402(a)(2)(A) of title 23, United States Code, is amend-
 5 ed—

6 (1) in clause (xiii), by striking “activated; and”
 7 and inserting “activated or when construction work-
 8 ers, service and utility personnel, individuals assist-
 9 ing disabled vehicles, occupants of disabled vehicles,
 10 or other vehicles with hazard warning lights or flash-
 11 ing lights are stopped or parked on or next to a
 12 roadway;”;

13 (2) in clause (xiv), by adding “and” at the end;
 14 and

15 (3) by adding at the end the following:

16 “(xv) to reduce injuries and deaths of
 17 drivers and highway workers (as defined in
 18 section 630.1004 of title 23, Code of Fed-
 19 eral Regulations (or a successor regula-
 20 tion)) resulting from crashes in work
 21 zones;”.

22 (b) NATIONAL PRIORITY SAFETY PROGRAMS.—Sec-
 23 tion 405(h) of title 23, United States Code, is amended—

24 (1) in paragraph (1), by inserting “, including
 25 highway workers (as defined in section 630.1004 of

1 title 23, Code of Federal Regulations (or a successor
2 regulation)),” after “individuals”; and

3 (2) in paragraph (4), in each of subparagraphs
4 (B), (C), and (D), by inserting “, including highway
5 workers (as defined in section 630.1004 of title 23,
6 Code of Federal Regulations (or a successor regula-
7 tion)),” after “individuals”.

8 (c) PROMOTION OF MOVE OVER LAWS.—

9 (1) IN GENERAL.—Not later than 2 years after
10 the date of enactment of this Act, the Administrator
11 of the National Highway Traffic Safety Administra-
12 tion (referred to in this subsection as the “Adminis-
13 trator”) shall update the public awareness materials
14 of the National Highway Traffic Safety Administra-
15 tion to more fully reflect the types of vehicles and
16 drivers supported by State “Move Over laws”, in-
17 cluding law enforcement, emergency responder serv-
18 ices, fire and rescue services, construction workers,
19 drivers of utility, waste, and recycling collection vehi-
20 cles, tow truck operators, and drivers of disabled ve-
21 hicles, at incidents along roadways.

22 (2) PUBLIC SERVICE ANNOUNCEMENT.—

23 (A) IN GENERAL.—Not later than 180
24 days after the date on which the Administrator
25 updates the public awareness materials of the

1 National Highway Traffic Safety Administra-
2 tion under paragraph (1), the Administrator
3 shall carry out a public service announcement
4 to underscore the ways to protect roadside
5 workers, including law enforcement, emergency
6 responder services, fire and rescue services, con-
7 struction workers, drivers of utility, waste, and
8 recycling collection vehicles, tow truck opera-
9 tors, and drivers of disabled vehicles, at inci-
10 dents along roadways.

11 (B) PARTNERSHIPS.—In carrying out the
12 public service announcement under subpara-
13 graph (A), the Administrator may partner with
14 existing work zone safety outreach programs
15 and cooperative efforts of the Department of
16 Transportation, including the Office of Oper-
17 ations of the Federal Highway Administration
18 and its related work zone safety programs.

19 (3) AUTHORIZATION OF APPROPRIATIONS.—

20 There is authorized to be appropriated to carry out
21 this subsection \$2,000,000 for each of fiscal years
22 2027 through 2031, to remain available until ex-
23 pended.

24 **SEC. 4. RESEARCH AND OUTREACH EFFORTS.**

25 (a) DEFINITIONS.—In this section:

1 (1) HIGHWAY WORKER.—The term “highway
2 worker” has the meaning given the term in section
3 630.1004 of title 23, Code of Federal Regulations
4 (or a successor regulation).

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

7 (b) RESEARCH AND OUTREACH.—The Secretary
8 shall carry out research and outreach activities to improve
9 the safety of highway workers, including activities ad-
10 dressing roadside incidents and methods to protect high-
11 way workers through behavior-based interventions, edu-
12 cation, engineering solutions, and technology.

13 (c) USE OF EXISTING RESEARCH AND OUTREACH
14 FACILITIES.—In carrying out subsection (b), the Sec-
15 retary shall—

16 (1) build on existing roadside worker safety re-
17 search and outreach programs, including studies car-
18 ried out by the Transportation Research Board of
19 the National Academies of Sciences, Engineering,
20 and Medicine; and

21 (2) use existing research and outreach facilities
22 available to the Secretary, including—

23 (A) the Turner-Fairbank Highway Re-
24 search Center;

1 (B) university transportation centers es-
 2 tablished pursuant to section 5505 of title 49,
 3 United States Code; and

4 (C) the Office of Operations of the Federal
 5 Highway Administration and its related work
 6 zone safety programs.

7 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
 8 authorized to be appropriated to carry out this section
 9 \$3,000,000 for each of fiscal years 2027 through 2031,
 10 to remain available until expended.

11 **SEC. 5. ROADSIDE WORKER SAFETY IN GRANT APPLICA-**
 12 **TIONS.**

13 (a) INFRA.—Section 117(h) of title 23, United
 14 States Code, is amended—

15 (1) in paragraph (5), by striking “and” at the
 16 end;

17 (2) in paragraph (6), by striking the period at
 18 the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(7) the extent to which the project includes
 21 measures for the protection of highway workers (as
 22 defined in section 630.1004 of title 23, Code of Fed-
 23 eral Regulations (or a successor regulation)) and
 24 other road users—

1 “(A) during construction, including plan-
 2 ning and practices to reduce vehicle intrusions
 3 and to manage speeds; and

4 “(B) along the highway after completion.”.

5 (b) MEGA.—Section 6701(f)(3) of title 49, United
 6 States Code, is amended—

7 (1) in subparagraph (E)(iii), by striking “and”
 8 at the end;

9 (2) in subparagraph (F), by striking the period
 10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(G) whether, and the degree to which, a
 13 project includes a work zone safety plan that
 14 describes how highway workers (as defined in
 15 section 630.1004 of title 23, Code of Federal
 16 Regulations (or a successor regulation)) and
 17 other road users will be protected during con-
 18 struction and after completion of the project.”.

19 (c) BUILD.—Section 6702(d)(4) of title 49, United
 20 States Code, is amended—

21 (1) in subparagraph (C), by striking “and” at
 22 the end;

23 (2) in subparagraph (D), by striking the period
 24 at the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(E) the project has demonstrated ef-
2 forts—

3 “(i) to protect highway workers (as
4 defined in section 630.1004 of title 23,
5 Code of Federal Regulations (or a suc-
6 cessor regulation)) and other road users
7 during construction; and
8 “(ii) to improve safety for highway
9 workers (as so defined) after completion of
10 the project.”.

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