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NOVEMBER 3, 2015

RULES COMMITTEE PRINT 114-33

[Text of additional amendments to be made in order by H. Res. 507.]

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

11

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. LEWIS OF GEORGIA

Page 36, after line 23, insert the following (and redesignate accordingly):

"(12) Planning, design, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations).".

Page 38, line 7, strike "(11)" and insert "(12)".

Page 47, after line 10, insert the following:

(8) NATIONAL HIGHWAY SYSTEM DESIGNATION ACT.—Section 339 of the National Highway System Designation Act of 1995 (23 U.S.C. 106 note) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c) through (j) as subsections (b) through (i), respectively.

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31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAKANO OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

94

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. TAKANO OF CALIFORNIA

Page 68, after line 21, insert the following:

"(3) SPECIAL RULE.—The Secretary may treat a program of eligible projects as a single project for purposes of meeting the requirement of paragraph (1)(B)(i).

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32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

16

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 70, line 24, strike "10 percent" and insert "20 percent".

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33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COSTELLO OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

134

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. COSTELLO OF PENNSYLVANIA

Page 71, line 2, strike "(i)".

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34. AN AMENDMENT TO BE OFFERED BY DELEGATE RADEWAGEN OF AMERICAN SAMOA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

19

AMENDMENT TO RULES COMMITTEE PRINT 114-32

OFFERED BY MRS. RADEWAGEN OF AMERICAN SAMOA

Page 74, after line 15, insert the following new section:

SEC. 1112A. TERRITORIAL HIGHWAY PROGRAM.

Section 165(c) of title 23, United States Code, is amended by adding at the end the following:

"(8) DIVISION OF FUNDS BETWEEN TERRITORIES.—In carrying out this subsection, the Secretary shall allocate the funds made available to the territories each fiscal year among the territories according to quantifiable measures that are indicative of the surface transportation requirements of each of the territories, which may include the use of population, land area, roadway mileage, or another measure determined appropriate by the Secretary.".

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35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE EDWARDS OF MARYLAND OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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AMENDMENT TO RULES COMMITTEE PRINT 114-32

OFFERED BY MS. EDWARDS OF MARYLAND

Page 110, strike lines 3 and 4 and insert the following:

"(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and".

Page 113, strike lines 22 and 23 and insert the following:

"(I) improve the reliance and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and".

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36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CALVERT OF CALIFORNIA OR HIS DESGINEE, DEBATABLE FOR 10 MINUTES

118

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. CALVERT OF CALIFORNIA

Page 164, line 8, strike "up to 10" and insert "up to 25".

Page 164, line 10, strike "up to 10" and insert "up to 25".

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37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HARTZLER OF MISSOURI OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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AMENDMENT TO RULES COMMITTEE PRINT 114–32

OFFERED BY MRS. HARTZLER OF MISSOURI

Page 226, strike line 13 and all that follows through "HONEY BEES.—" on line 13 of page 227.

At the end of subtitle D of title I of division A, add the following:

SEC. ___. LANDSCAPING AND SCENIC ENHANCEMENT FUNDING DISCONTINUED.

(a) REPEAL.—Section 319 of title 23, United States Code, and the item relating to that section in the analysis for chapter 1 of such title, are repealed.

(b) EFFECTIVE DATE.—Section 319 of title 23, United States Code, as in effect on the day before the date of enactment of this Act, shall apply to landscape and roadside development as part of a construction project of Federal-aid highways if funds were obligated for the project before such date of enactment.

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38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FARENTHOLD OF TEXAS OF HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

70

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. FARENTHOLD OF TEXAS

Page 229, line 23, strike the closing quotation marks and final period.

Page 229, after line 23, insert the following:

"(n) OPERATION OF VEHICLES ON CERTAIN TEXAS HIGHWAYS.—If any segment in Texas of United States Route 59, United States Route 77, United States Route 281, United States Route 84, Texas State Highway 44, or another roadway is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under this section.".

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39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROONEY OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. ROONEY OF FLORIDA

At the end of title I of division A, insert the following:

SEC. ___. VEHICLE WEIGHT LIMITATIONS FOR INTERSTATE SYSTEM HIGHWAYS.

Section 127(a) of title 23, United States Code, as amended by this Act, is further amended by adding at the end the following:

"(15) HAULING OF LIVESTOCK.—A State may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock. The cost of a special permit issued under this paragraph may not exceed $200 per year for a livestock trailer.".



40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROTHFUS OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

42

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. ROTHFUS OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, add the following:

SEC. _____. EMERGENCY EXEMPTIONS.

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

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41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DESAULNIER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

23

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. DESAULNIER OF CALIFORNIA

At the end of subtitle D of title I of Division A, add the following:

SEC. _____. ADDITIONAL REQUIREMENTS FOR CERTAIN TRANSPORTATION PROJECTS.

(a) IN GENERAL.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

"(k) MEGAPROJECTS.—

"(1) MEGAPROJECT DEFINED.—In this subsection, the term 'megaproject' means a project that has an estimated total cost of $2,500,000,000 or more, and such other projects as may be identified by the Secretary.

"(2) COMPREHENSIVE RISK MANAGEMENT PLAN.—A recipient of Federal financial assistance under this title for a megaproject shall, in order to be authorized for construction, submit to the Secretary a comprehensive risk management plan that contains—

"(A) a description of the process by which the recipient will identify, quantify, and monitor the risks that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits with respect to the megaproject;

"(B) examples of mechanisms the recipient will use to track risks identified pursuant to subparagraph (A);

"(C) a plan to control such risks; and

"(D) such assurances as the Secretary considers appropriate that the recipient will, with respect to the megaproject—

"(i) regularly submit to the Secretary updated cost estimates; and

"(ii) maintain and regularly reassess financial reserves for addressing known and unknown risks.

"(3) PEER REVIEW GROUP.—

"(A) IN GENERAL.—A recipient of Federal financial assistance under this title for a megaproject shall, not later than 90 days after the date when such megaproject is authorized for construction, establish a peer review group for such megaproject that consists of at least 5

individuals (including at least 1 individual with project management experience) to give expert advice on the scientific, technical, and project management aspects of the megaproject.

"(B) MEMBERSHIP.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish guidelines describing how a recipient described in subparagraph (A) shall—

"(i) recruit and select members for a peer review group established under such subparagraph;

"(ii) ensure that no member of the peer group has a conflict of interest relating to the project; and

"(iii) make publicly available the criteria for such selection and the identity of members so selected.

"(C) TASKS.—A peer review group established under subparagraph (A) by a recipient of Federal financial assistance for a megaproject shall—

"(i) meet annually until completion of the megaproject;

"(ii) not later than 90 days after the date of the establishment of the peer review group and not later than 90 days after the date of any significant change, as determined by the Secretary, to the scope, schedule, or budget of the megaproject, review the scope, schedule, and budget of the megaproject, including planning, engineering, financing, and any other elements determined appropriate by the Secretary; and

"(iii) submit a report on the findings of each review under clause (ii) to the Secretary, Congress, and the recipient.

"(4) TRANSPARENCY.—A recipient of Federal financial assistance under this title for a megaproject shall publish on the Internet Web site of such recipient—

"(A) the name, license number, and license type of each engineer supervising an aspect of the megaproject; and

"(B) the report submitted under paragraph (3)(C)(iii), not later than 90 days after such submission.".

(b) APPLICABILITY.—The amendment made by subsection (a) applies with respect to projects that are author-

ized for construction on or after the date that is 1 year after the date of the enactment of this Act.



42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VAN HOLLEN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

14

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MR. VAN HOLLEN OF MARYLAND

At the end of subtitle D of title I of Division A, add the following:

SEC. _____. REGULATION OF MOTOR CARRIERS OF PROPERTY.

Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking "the price of" and all that follows through "transportation is" and inserting "the regulation of tow truck operations".

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MICA OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

159R

AMENDMENT TO RULES COMMITTEE PRINT 114-32

OFFERED BY MR. MICA OF FLORIDA

Page 229, after line 7, insert the following:

"(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON THE INTERSTATE.—

"(1) IN GENERAL.—A State may not prohibit the operation of an automobile transporter with a gross weight of 84,000 pounds or less on—

"(A) any segment of the Interstate System (except a segment exempted under section 31111(f) of title 49); or

"(B) those classes of qualifying Federal-aid primary highways designated by the Secretary under section 31111(e) of title 49.

"(2) REASONABLE ACCESS.—A state may not enact or enforce a law denying reasonable access to automobile transporters, to and from highways described in paragraph (1), to loading or unloading points or facilities for food, fuel, repair, or rest.

"(3) AXLE WEIGHT TOLERANCE.—A State shall allow an automobile transporter a tolerance of no

more than 5 percent on axle weight limitations set forth in subsection (a).

"(4) AUTOMOBILE TRANSPORTER DEFINED.—In this subsection, the term 'automobile transporter' has the meaning given that term in section 31111(a) of title 49.".



44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DELBENE OF WASHINGTON OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

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AMENDMENT TO THE RULES COMMITTEE PRINT 10R

114-32

OFFERED BY MS. DELBENE OF WASHINGTON

Page 268, after line 17, insert the following:

"(E) REPORT TO CONGRESS.—The Secretary shall make publically available a report on the Frontline Workforce Development Program for each fiscal year, not later than December 31 of the year in which that fiscal year ends. The report shall include a detailed description of activities carried out under this paragraph, an evaluation of the program, and policy recommendations to improve program effectiveness.

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45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NAPOLITANO OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

177R

AMENDMENT TO RULES COMMITTEE PRINT

114–32

OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Page 184, line 22, strike "and" at the end.

Page 185, line 7, strike "and" at the end.

Page 185, after line 15, insert the following:

(iv) by adding at the end the following:

"(G) WAIVER.—

"(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the requirements of subparagraph (E) for a facility, and the corresponding program sanctions under subparagraph (F), if the Secretary determines that—

"(I) the waiver is in the best interest of the traveling public; and

"(II) the public authority has made a good faith effort to improve the performance of the facility.

"(ii) CONDITION.—The Secretary may require, as a condition of issuance of a

waiver under this subparagraph, that a public authority take additional actions, determined by the Secretary, to improve the performance of the facility."; and

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