

105TH CONGRESS  
1ST SESSION

# H. R. 1551

To amend title 23, United States Code, to ensure that local officials are permitted to participate in the selection of certain surface transportation program projects undertaken in areas of less than 50,000 population, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 1997

Mr. STUPAK 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, to ensure that local officials are permitted to participate in the selection of certain surface transportation program projects undertaken in areas of less than 50,000 population, 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 “Local Officials Trans-  
5       portation Empowerment Act of 1997”.

1 **SEC. 2. SELECTION OF HIGHWAY PROJECTS FOR AREAS OF**  
2 **LESS THAN 50,000 POPULATION.**

3 Section 135(f)(3) of title 23, United States Code, is  
4 amended to read as follows:

5 “(3) PROJECT SELECTION FOR AREAS LESS  
6 THAN 50,000 POPULATION.—

7 “(A) AUTHORITY TO SELECT PROJECTS.—

8 “(i) IN GENERAL.—Projects under-  
9 taken in areas of less than 50,000 popu-  
10 lation (excluding projects undertaken on  
11 the National Highway System and pursu-  
12 ant to the Interstate maintenance pro-  
13 gram) shall be selected pursuant to the  
14 project selection procedures established  
15 under subparagraph (B).

16 “(ii) NHS AND INTERSTATE MAINTEN-  
17 NANCE PROGRAM PROJECTS.—Projects un-  
18 dertaken in areas of less than 50,000 popu-  
19 lation on the National Highway System  
20 or pursuant to the Interstate maintenance  
21 program shall be selected by the State in  
22 consultation with the affected local offi-  
23 cials.

24 “(B) PROJECT SELECTION PROCE-  
25 DURES.—

1           “(i) IN GENERAL.—Each State, in co-  
2           operation with local officials in areas of  
3           less than 50,000 population and after pro-  
4           viding notice and an opportunity for public  
5           comment, shall establish procedures for the  
6           selection of projects described in subpara-  
7           graph (A)(i).

8           “(ii) REQUIREMENT.—Procedures es-  
9           tablished pursuant to clause (i) shall en-  
10          sure that local officials in areas of less  
11          than 50,000 population are permitted to  
12          participate equally with the State in the  
13          selection of projects described in subpara-  
14          graph (A)(i).

15          “(iii) SUBMISSION TO SECRETARY.—  
16          On or before September 30, 1998, the  
17          State shall submit procedures established  
18          under clause (i) to the Secretary for ap-  
19          proval.

20          “(iv) BIENNIAL REVIEW.—The State,  
21          in cooperation with local officials in areas  
22          of less than 50,000 population, shall review  
23          the procedures established under clause (i)  
24          on a biennial basis and shall make such  
25          modifications to the procedures as may be

1 necessary. Immediately upon the comple-  
2 tion of each such review, the State shall re-  
3 submit the procedures, as modified, to the  
4 Secretary for approval.

5 “(v) APPROVAL.—The Secretary shall  
6 approve the procedures submitted by a  
7 State under clause (iii) or (iv) if the Sec-  
8 retary determines that the procedures were  
9 established in accordance with the require-  
10 ments of this section. If the Secretary dis-  
11 approves the procedures, the Secretary  
12 shall require the State to resubmit the pro-  
13 cedures after complying with such require-  
14 ments.

15 “(vi) ARBITRATION OF DISPUTES.—  
16 Upon the request of local officials in areas  
17 of less than 50,000 population, the Sec-  
18 retary (or the Secretary’s designee) shall  
19 serve as an arbitrator to resolve any dis-  
20 putes that may arise in establishing proce-  
21 dures under clause (i) or in modifying the  
22 procedures under clause (iv).”.

1 **SEC. 3. USE OF FUNDS SET ASIDE FOR AREAS OF LESS**  
2 **THAN 50,000 POPULATION.**

3 Section 133(d)(3)(B) of title 23, United States Code,  
4 is amended by inserting after “shall obligate” the follow-  
5 ing: “for eligible projects not on the National Highway  
6 System”.

7 **SEC. 4. OFF-SYSTEM BRIDGES.**

8 Section 144(g)(3) of title 23, United States Code, is  
9 amended by striking “Not less than” and all that follows  
10 through “1997,” and inserting the following: “Not less  
11 than 30 percent of the amount apportioned to each State  
12 for fiscal year 1998 and each fiscal year thereafter”.

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