

Calendar No. 189

105TH CONGRESS
1ST Session

H. R. 2516

AN ACT

To extend the Intermodal Surface Transportation
Efficiency Act of 1991 through March 31, 1998.

OCTOBER 1, 1997

Received; read twice and placed on the calendar

Calendar No. 189

105TH CONGRESS
1ST SESSION

H. R. 2516

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 1997

Received; read twice and placed on the calendar

AN ACT

To extend the Intermodal Surface Transportation Efficiency
Act of 1991 through March 31, 1998.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. STATEMENT OF PURPOSE.**

2 This Act makes funds available for the Federal-aid
3 highway, highway safety, motor carrier safety, and mass
4 transportation programs for the first 6 months of fiscal
5 year 1998 by extending the Intermodal Surface Transpor-
6 tation Efficiency Act of 1991 to ensure the continuation
7 of such programs while a multiyear reauthorization is de-
8 veloped. This extension is structured to allow pro-
9 grammatic, apportionment formula, and funding adjust-
10 ments for the second 6 months of fiscal year 1998 through
11 enactment of a multiyear program.

12 **SEC. 2. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAM**
13 **FUNDING.**

14 (a) IN GENERAL.—Section 1003 of the Intermodal
15 Surface Transportation Efficiency Act of 1991 (105 Stat.
16 1918–1922) is amended by adding at the end the follow-
17 ing:

18 “(d) FEDERAL-AID HIGHWAYS FOR THE PERIOD OC-
19 TOBER 1, 1997, THROUGH MARCH 31, 1998.—

20 “(1) IN GENERAL.—For Federal-aid highways
21 and highway safety construction programs,
22 \$11,942,375,000 are authorized to be appropriated
23 out of the Highway Trust Fund (other than the
24 Mass Transit Account) during the period October 1,
25 1997, through March 31, 1998, and shall be distrib-
26 uted in accordance with this subsection.

1 “(2) CERTAIN DISCRETIONARY PROGRAMS.—Of
 2 the amounts made available by paragraph (1), the
 3 Secretary shall deduct \$32,500,000 to carry out sec-
 4 tion 118(c)(2) of title 23, United States Code, for
 5 the period October 1, 1997, through March 31,
 6 1998, and shall deduct \$30,250,000 to carry out the
 7 discretionary program under paragraphs (1) and (2)
 8 of section 144(g) of such title during such period.

9 “(3) STATE ALLOCATION PERCENTAGES.—
 10 From amounts remaining after making the deduc-
 11 tions under paragraph (2) and application of para-
 12 graphs (4) and (5), the Secretary shall determine
 13 the amount to be apportioned among the States in
 14 accordance with the following table:

“State:	Percentage:
Alabama	2.0026
Alaska	1.0499
Arizona	1.4627
Arkansas	1.5268
California	8.9046
Colorado	1.0443
Connecticut	1.9229
Delaware	0.4057
District of Columbia	0.4436
Florida	4.4867
Georgia	3.2899
Hawaii	0.6435
Idaho	0.6314
Illinois	3.6779
Indiana	2.4581
Iowa	1.1364
Kansas	1.1383
Kentucky	1.6617
Louisiana	1.4831
Maine	0.6458
Maryland	1.4512
Massachusetts	3.5632
Michigan	3.0432
Minnesota	1.4547

Mississippi	1.1286
Missouri	2.2677
Montana	0.7857
Nebraska	0.7501
Nevada	0.6218
New Hampshire	0.4764
New Jersey	2.6851
New Mexico	0.8767
New York	5.7882
North Carolina	2.7408
North Dakota	0.5972
Ohio	3.4702
Oklahoma	1.5021
Oregon	1.1378
Pennsylvania	4.5007
Rhode Island	0.4708
South Carolina	1.6019
South Dakota	0.5990
Tennessee	2.0954
Texas	6.9197
Utah	0.6672
Vermont	0.4287
Virginia	2.4440
Washington	1.7603
West Virginia	1.1088
Wisconsin	2.0159
Wyoming	0.5999
Puerto Rico	0.4312.

1 “(4) STATE PROGRAMMATIC DISTRIBUTION.—

2 “(A) IN GENERAL.—Of the funds to be ap-
3 portioned to each State under paragraph (3),
4 the Secretary shall ensure that the State is ap-
5 portioned an amount of such funds, determined
6 under subparagraph (B), for the Interstate
7 maintenance program, the National Highway
8 System, the bridge program, the surface trans-
9 portation program, the congestion mitigation
10 and air quality improvement program, mini-
11 mum allocation under section 157 of title 23,
12 United States Code, Interstate reimbursement

1 under section 160 of such title, the donor State
2 bonus under section 1013(c) of the Intermodal
3 Surface Transportation Efficiency Act of 1991,
4 hold harmless under section 1015(a) of such
5 Act, 90 percent of payments adjustments under
6 section 1015(b) of such Act, metropolitan plan-
7 ning under section 134 of such title, section
8 1015(c) of such Act, an amount equal to the
9 funds provided under sections 1103 through
10 1108 of such Act, and funding restoration
11 under section 202 of the National Highway
12 System Designation Act of 1995.

13 “(B) FORMULA.—The amount which each
14 State is to be apportioned under this subsection
15 for each item referred to in subparagraph (A)
16 shall be in the same ratio that each State was
17 apportioned funds for such item or allocated
18 funds under sections 1103 through 1108 of the
19 Intermodal Surface Transportation Efficiency
20 Act of 1991 to the total of all such funds ap-
21 portioned, and allocated under such sections, to
22 such State for such items for fiscal year 1997.

23 “(C) MINIMUM ALLOCATION.—Not more
24 than \$319,500,000 of the funds apportioned to
25 States by this subsection for minimum alloca-

tion shall not be subject to any obligation limitation.

“(D) SPECIAL RULE.—Amounts apportioned to a State by this subsection attributable to sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to such State for projects eligible for assistance under chapter 1 of title 23, United States Code.

“(E) ADMINISTRATION.—Funds authorized by this subsection shall be administered as if they had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code.

“(5) GENERAL OPERATING EXPENSES AND OTHER DEDUCTIONS.—

“(A) GENERAL OPERATING EXPENSES.—
After making the determinations and before apportioning funds under paragraphs (3) and (4), the Secretary shall deduct the amount that would be required to be deducted under section 104(a) of title 23, United States Code, from the aggregate of amounts to be apportioned to all States for programs to which the deduction

1 under such section would apply if such section
2 applied to such apportionment.

3 “(B) TERRITORIAL HIGHWAYS.—After
4 making the determinations and before appor-
5 tioning funds under paragraphs (3) and (4), the
6 Secretary shall deduct the amount required to
7 be deducted pursuant to section 104(b)(1) of
8 title 23, United States Code, for the Virgin Is-
9 lands, Guam, American Samoa, and the Com-
10 monwealth of the Northern Mariana Islands
11 from the aggregate amounts to be apportioned
12 to all States for the National Highway System
13 under this subsection.

14 “(6) NATIONAL RECREATIONAL TRAILS PRO-
15 GRAM.—Section 104(h) of title 23, United States
16 Code, is amended by inserting ‘and \$7,500,000 for
17 the period October 1, 1997, through March 31,
18 1998’ after ‘1997’.

19 “(7) WOODROW WILSON BRIDGE.—Section
20 104(i)(1) of title 23, United States Code, is amend-
21 ed by inserting ‘and for the period October 1, 1997,
22 through March 31, 1998’ after ‘1997’.

23 “(8) OFF-SYSTEM BRIDGES.—Section 144(g)(3)
24 of title 23, United States Code, is amended by in-

1 serting ‘and in the period October 1, 1997, through
2 March 31, 1998’ after ‘1997’.”.

3 (b) FEDERAL LANDS HIGHWAYS.—Section
4 1003(a)(6) of the Intermodal Surface Transportation Ef-
5 ficiency Act of 1991 (105 Stat. 1919) is amended—

6 (1) in subparagraph (A) by inserting “and
7 \$95,500,000 for the period October 1, 1997,
8 through March 31, 1998” before the period;

9 (2) in subparagraph (B)—

10 (A) by striking “and” following “1995,”;
11 and

12 (B) by inserting “and \$86,000,000 for the
13 period October 1, 1997, through March 31,
14 1998” before the period; and

15 (3) in subparagraph (C)—

16 (A) by striking “and” following “1995,”;
17 and

18 (B) by inserting “, and \$42,000,000 for
19 the period October 1, 1997, through March 31,
20 1998” before the period.

21 (c) CERTAIN ALLOCATED PROGRAMS.—

22 (1) HIGHWAY USE TAX EVASION.—Section
23 1040(f)(1) of the Intermodal Surface Transportation
24 Efficiency Act of 1991 (105 Stat 1992–1993) is
25 amended by inserting “and \$2,500,000 for the pe-

1 riod October 1, 1997, through March 31, 1998” be-
2 fore the period at the end of the first sentence.

3 (2) SCENIC BYWAYS PROGRAM.—Section
4 1047(d) of the Intermodal Surface Transportation
5 Efficiency Act of 1991 (105 Stat. 1998) is amend-
6 ed—

7 (A) by striking “and” following “1994,”;

8 and

9 (B) by inserting “, and \$7,000,000 for the
10 period October 1, 1997, through March 31,
11 1998” before the period at the end of the first
12 sentence.

13 (3) FERRY BOAT CONSTRUCTION.—Section
14 1064(c) of the Intermodal Surface Transportation
15 Efficiency Act of 1991 (105 Stat. 2005) is amend-
16 ed—

17 (A) by striking “and” following “1996,”;

18 and

19 (B) by inserting “, and \$9,000,000 for the
20 period October 1, 1997, through March 31,
21 1998” after “1997”.

22 (d) FISCAL YEAR 1998 OBLIGATION LIMITATION.—

23 (1) AMENDMENTS TO ISTEA.—Section 1002 of
24 the Intermodal Surface Transportation Efficiency
25 Act of 1991 (105 Stat. 1916–1918) is amended—

1 (A) in subsection (a)—

2 (i) by striking “and” at the end of
3 paragraph (5);

4 (ii) by striking the period at the end
5 of paragraph (6) and inserting “; and”;
6 and

7 (iii) by inserting after paragraph (6)
8 the following:

9 “(7) \$21,500,000,000 for fiscal year 1998.”;

10 and

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

12 “(i) SPECIAL RULE FOR FISCAL YEAR 1998.—The
13 Secretary shall distribute on October 1, 1997, 50 percent
14 of the limitation on obligations for Federal-aid highways
15 and highway safety construction programs imposed by the
16 Department of Transportation and Related Agencies Ap-
17 propriations Act, 1998, and 50 percent of such limitation
18 on July 1, 1998.”.

19 (2) LIMITATION.—Nothing in this section (in-
20 cluding the amendments made by this section) shall
21 apply to any funds made available before October 1,
22 1997, for carrying out sections 125 and 157 of title
23 23, United States Code, and sections 1103 through
24 1108 of the Intermodal Surface Transportation Effi-
25 ciency Act of 1991.

1 **SEC. 3. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

2 (a) NHTSA HIGHWAY SAFETY PROGRAMS.—Section
3 2005(1) of the Intermodal Surface Transportation Effi-
4 ciency Act of 1991 (105 Stat. 2079) is amended by insert-
5 ing “and \$83,000,000 for the period October 1, 1997,
6 through March 31, 1998” before the period at the end.

7 (b) ALCOHOL-IMPAIRED DRIVING COUNTER-
8 MEASURES.—Section 410 of title 23, United States Code,
9 is amended—

10 (1) in subsection (c) by striking “5” and insert-
11 ing “6”;

12 (2) in subsection (c)(3) by striking “and fifth”
13 and inserting “fifth, and sixth”;

14 (3) in subsection (d)(2)(B) by striking “two”
15 and inserting “3”; and

16 (4) in subsection (j)—

17 (A) by striking “and” following “1997,”;
18 and

19 (B) by inserting “and \$12,500,000 for the
20 period October 1, 1997, through March 31,
21 1998” after “1997” the second place it ap-
22 pears.

23 (c) NATIONAL DRIVER REGISTER.—Section
24 30308(a) of title 49, United States Code, is amended—

25 (1) by striking “and” following “1994,”; and

1 (2) by inserting “, and \$1,855,000 for the pe-
 2 riod October 1, 1997, through March 31, 1998”
 3 after “1996”.

4 (d) OBLIGATION LIMITATION.—The total of all obli-
 5 gations for highway traffic safety grants under sections
 6 402 and 410 of title 23, United States Code, for fiscal
 7 year 1998 shall not exceed \$186,500,000.

8 **SEC. 4. FEDERAL TRANSIT PROGRAMS.**

9 (a) EXTENSION.—Title III of the Intermodal Surface
 10 Transportation Efficiency Act of 1991 (105 Stat. 2087–
 11 2140) is amended by adding at the end the following:

12 **“SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS**
 13 **FOR THE PERIOD OCTOBER 1, 1997, THROUGH**
 14 **MARCH 31, 1998.**

15 “(a) ALLOCATING AMOUNTS.—Section 5309(m) of
 16 title 49, United States Code, is amended by inserting ‘and
 17 for the period October 1, 1997, through March 31, 1998’
 18 after ‘1997’.

19 “(b) APPORTIONMENT OF APPROPRIATIONS FOR
 20 FIXED GUIDEWAY MODERNIZATION.—Section 5337 of
 21 title 49, United States Code, is amended—

22 “(1) in subsection (a) by inserting ‘and for the
 23 period October 1, 1997, through March 31, 1998’
 24 after ‘1997’; and

25 “(2) by adding at the end the following:

1 “(e) SPECIAL RULE FOR OCTOBER 1, 1997,
 2 THROUGH MARCH 31, 1998.—The Secretary shall deter-
 3 mine the amount which each urbanized area is to be ap-
 4 portioned for fixed guideway modernization under this sec-
 5 tion on a pro rata basis to reflect the partial fiscal year
 6 1998 funding made available by section 5338(b)(1)(F).’.

7 “(c) AUTHORIZATIONS.—Section 5338 of title 49,
 8 United States Code, is amended—

9 “(1) by adding at the end of subsection (a)(1)
 10 the following:

11 “‘(F) \$1,284,792,000 for the period October 1,
 12 1997, through March 31, 1998.’;

13 “(2) by adding at the end of subsection (a)(2)
 14 the following:

15 “‘(F) \$213,869,000 for the period October 1,
 16 1997, through March 31, 1998.’;

17 “(3) by adding at the end of subsection (b)(1)
 18 the following:

19 “‘(F) \$1,162,708,000 for the period October 1,
 20 1997, through March 31, 1998.’;

21 “(4) in subsection (c) by inserting ‘and not
 22 more than \$1,500,000 for the period October 1,
 23 1997, through March 31, 1998’ after ‘1997,’;

24 “(5) in subsection (e) by inserting ‘and not
 25 more than \$3,000,000 is available from the Fund

1 (except the Account) for the Secretary for the period
2 October 1, 1997, through March 31, 1998’ after
3 ‘1997,’;

4 “(6) in subsection (h)(3) by inserting
5 ‘\$3,000,000 is available for section 5317 for the pe-
6 riod October 1, 1997, through March 31, 1998’
7 after ‘1997’;

8 “(7) in subsection (j)(5)—

9 “(A) by striking ‘and’ at the end of sub-
10 paragraph (B);

11 “(B) by striking the period at the end of
12 subparagraph (C) and inserting ‘; and’; and

13 “(C) by adding at the end the following:

14 ““(D) the lesser of \$1,500,000 or an
15 amount the Secretary determines is necessary is
16 available for the period October 1, 1997,
17 through March 31, 1998.’;

18 “(8) in subsection (k) by striking ‘or (e)’ and
19 inserting ‘(e), or (m)’; and

20 “(9) by adding at the end the following:

21 ““(m) SECTION 5316 FOR THE PERIOD OCTOBER 1,
22 1997, THROUGH MARCH 31, 1998.—Not more than the
23 following amounts may be appropriated to the Secretary
24 from the Fund (except the Account) for the period Octo-
25 ber 1, 1997, through March 31, 1998:

1 “(1) \$125,000 to carry out section 5316(a) of
2 this title;

3 “(2) \$1,500,000 to carry out section 5316(b)
4 of this title;

5 “(3) \$500,000 to carry out section 5316(c) of
6 this title;

7 “(4) \$500,000 to carry out section 5316(d) of
8 this title; and

9 “(5) \$500,000 to carry out section 5316(e) of
10 this title.’”.

11 (b) OBLIGATION LIMITATIONS.—

12 (1) DISCRETIONARY GRANTS AND LOANS.—The
13 total of all obligations from the Mass Transit Ac-
14 count of the Highway Trust Fund for carrying out
15 section 5309 of title 49, United States Code, relat-
16 ing to discretionary grants and loans, for fiscal year
17 1998 shall not exceed \$2,000,000,000.

18 (2) FORMULA TRANSIT PROGRAMS.—The total
19 of all obligations for formula transit programs under
20 sections 5307, 5310, 5311, and 5336 of title 49,
21 United States Code, for fiscal year 1998 shall not
22 exceed \$2,210,000,000.

23 **SEC. 5. MOTOR CARRIER SAFETY PROGRAM.**

24 (a) EXTENSION OF MOTOR CARRIER SAFETY ASSIST-
25 ANCE PROGRAM FOR PERIOD OCTOBER 1, 1997,

1 THROUGH MARCH 1, 1998.—Section 31104(a) of title 49,
 2 United States Code, is amended by adding at the end the
 3 following:

4 “(6) not more than \$45,000,000 for the period
 5 October 1, 1997, through March 31, 1998.”.

6 (b) OBLIGATION LIMITATION.—The total of all obli-
 7 gations for carrying out the motor carrier safety program
 8 under section 31102 title 49, United States Code, for fis-
 9 cal year 1998 shall not exceed \$85,325,000.

10 **SEC. 6. EXTENSION OF RESEARCH PROGRAMS.**

11 (a) BUREAU OF TRANSPORTATION STATISTICS.—
 12 Section 6006 of the Intermodal Surface Transportation
 13 Efficiency Act of 1991 (105 Stat. 2172–2174) is amend-
 14 ed—

15 (1) by inserting “(a) IN GENERAL.—” before
 16 “Chapter I”; and

17 (2) in subsection (b)—

18 (A) by striking “and” following “1996,”;

19 (B) by inserting “, and \$12,500,000 for
 20 the period October 1, 1997, through March 31,
 21 1998” after “1997”.

22 (b) INTELLIGENT TRANSPORTATION SYSTEM.—Sec-
 23 tion 6058(b) of the Intermodal Surface Transportation
 24 Efficiency Act of 1991 (105 Stat. 2194) is amended by

1 inserting “and \$56,500,000 for the period October 1,
2 1997, through March 31, 1998” after “1997”.

3 **SEC. 7. 1-YEAR EXTENSION OF HIGHWAY TRUST FUND EX-**
4 **PENDITURES.**

5 (a) GENERAL EXPENDITURE AUTHORITY AND PUR-
6 POSES.—Paragraph (1) of section 9503(c) of the Internal
7 Revenue Code of 1986 is amended—

8 (1) by striking “October 1, 1997” and inserting
9 “October 1, 1998”, and

10 (2) by striking the last sentence and inserting
11 the following new flush sentence:

12 “In determining the authorizations under the Acts
13 referred to in the preceding subparagraphs, such
14 Acts shall be applied as in effect on the date of the
15 enactment of this sentence.”

16 (b) TRANSFERS TO OTHER ACCOUNTS.—

17 (1) Paragraphs (4)(A)(i) and (5)(A) of section
18 9503(c), and paragraph (3) of section 9503(e), of
19 such Code are each amended by striking “October 1,
20 1997” and inserting “October 1, 1998”.

21 (2) Subparagraph (E) of section 9503(c)(6) of
22 such Code is amended by striking “September 30,
23 1997” and inserting “September 30, 1998”.

24 (c) MASS TRANSIT ACCOUNT.—Paragraph (3) of sec-
25 tion 9503(e) of such Code is amended—

1 (1) by striking “October 1, 1997” and inserting
2 “October 1, 1998”, and

3 (2) by striking all that follows “the enactment
4 of” and inserting “the last sentence of subsection
5 (c)(1).”

6 (d) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on October 1, 1997.

Passed the House of Representatives October 1,
1997.

Attest:

ROBIN H. CARLE,
Clerk.