

105TH CONGRESS  
2D SESSION

# H. R. 3971

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1998

Mr. MORAN of Virginia introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region.

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 subtitle may be cited as the “Metropolitan  
5       Washington Regional Transportation Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) congestion is a serious problem in the met-  
9       ropolitan Washington region, as evidenced by recent  
10       studies that have found that only the city of Los An-

1       geles is more congested and that congestion costs  
2       each man, woman, and child in the region more than  
3       \$800 per year in lost time, wasted fuel, and environ-  
4       mental damage;

5           (2) in the past, regional leaders have success-  
6       fully worked together to address important transpor-  
7       tation needs, through such institutions as the Metro-  
8       politan Washington Airports Authority, the Wash-  
9       ington Metropolitan Area Transit Authority, and the  
10      National Capital Region Transportation Planning  
11      Board at the Metropolitan Washington Council of  
12      Governments;

13          (3) even greater regional cooperation is needed  
14      to prevent congestion in the metropolitan Washing-  
15      ton region from worsening, in light of predictions  
16      that, for the period of 1990 through 2020, there will  
17      be a 43 percent increase in population, a 43 percent  
18      increase in employment, and a 79 percent increase  
19      in vehicle miles traveled, in the region;

20          (4) while transportation needs will grow signifi-  
21      cantly over the next decades, spending is expected to  
22      fall short of transportation needs by more than  
23      \$500,000,000 per year, even with expected increases  
24      in Federal and State spending;

1           (5) none of the existing metropolitan-wide  
2           transportation agencies within the metropolitan  
3           Washington region has the necessary powers, au-  
4           thorities, and resources to meet the current and fu-  
5           ture transportation needs of the region;

6           (6) the failure to meet the transportation needs  
7           of the metropolitan Washington region will under-  
8           mine the quality of life of the residents of the region,  
9           degrade the natural environment, and adversely af-  
10          fect the ability of Federal agencies and private sec-  
11          tor businesses to operate effectively and efficiently;

12          (7) the transportation challenges faced by the  
13          metropolitan Washington region are unique and de-  
14          serve the attention of Congress because of the pres-  
15          ence of the Federal Government within the region  
16          and because of the intersection of 3 jurisdictions,  
17          consisting of 2 States and the District of Columbia,  
18          within a single metropolitan area;

19          (8) the National Capital Region Transportation  
20          Planning Board at the Metropolitan Washington  
21          Council of Governments, the designated metropolitan  
22          planning organization for planning and program-  
23          ming Federal transit and highway funds provided to  
24          the metropolitan Washington region, is updating the

1 long-range plan for the region to meet transpor-  
2 tation needs in the coming decades; and

3 (9) with Federal assistance, the Board can  
4 more effectively promote regional agreement on how  
5 to finance and implement its long-range plan to  
6 meet the transportation needs of the metropolitan  
7 Washington region.

8 **SEC. 3. PURPOSES.**

9 The purposes of this subtitle are—

10 (1) to provide a new option to help the metro-  
11 politan Washington region more effectively address  
12 its transportation needs;

13 (2) to empower the National Capital Region  
14 Transportation Planning Board to consult with the  
15 metropolitan Washington region jurisdictions and  
16 the public to achieve consensus on a list of critical  
17 transportation projects and a funding mechanism  
18 that are needed to address the growing congestion  
19 crisis in the region but cannot be funded within the  
20 current and forecasted federal, state and local fund-  
21 ing levels for such projects;

22 (3) to establish a Corporation with the power to  
23 accept revenue and issue debt to provide short-term  
24 funding for projects that have been agreed to by the  
25 region;

1           (4) to grant consent to the metropolitan Wash-  
2           ington region jurisdictions to enter into an interstate  
3           compact or agreement that would help meet the re-  
4           gion’s long-term transportation needs; and

5           (5) to provide federal matching grants to the  
6           region to promote consensus on a regional funding  
7           mechanism.

8 **SEC. 4. DEFINITIONS.**

9           In this subtitle:

10           (1) BOARD.—The term “Board” means the Na-  
11           tional Capital Region Transportation Planning  
12           Board at the Metropolitan Washington Council of  
13           Governments.

14           (2) CORPORATION.—The term “corporation”  
15           means the Metropolitan Washington Regional  
16           Transportation Corporation established by section  
17           6(a).

18           (3) METROPOLITAN WASHINGTON REGION; RE-  
19           GION.—The term “metropolitan Washington region”  
20           or “region” means the area that is—

21                   (A) located in the area including and sur-  
22                   rounding Washington, District of Columbia;  
23                   and

24                   (B) under the jurisdiction of the members  
25                   of the Board.

1           (4) METROPOLITAN WASHINGTON REGION JU-  
2           RISDICTION.—The term “metropolitan Washington  
3           region jurisdiction” means a jurisdiction represented  
4           by a member of the Board.

5           (5) PROJECT.—The term “project” means any  
6           effort to reduce traffic congestion or improve travel  
7           options in the metropolitan Washington region, in-  
8           cluding but not limited to: the design, construction,  
9           and maintenance of facilities or services; the oper-  
10          ation of such facilities; the provision of services; and  
11          the deployment of demand reduction and traffic  
12          management measures.

13          (6) SIGNATORY.—The term “Signatory” means  
14          a metropolitan Washington region jurisdiction that  
15          enters into an interstate agreement or compact  
16          under section 6(b).

17 **SEC. 5. DUTIES OF THE BOARD.**

18          (a) DUTIES.—

19               (1) IN GENERAL.—The Board shall—

20                       (A)(i) propose a list of transportation  
21                       projects needed to address the growing conges-  
22                       tion crisis in the metropolitan Washington re-  
23                       gion;

24                       (ii) propose a regional funding mecha-  
25                       nism(s) to fund needed projects;

(iii) manage the Corporation to provide short-term funding for regional transportation projects; and

(iv) propose an interstate compact or agreement, including a list of regional transportation projects and a means of funding and implementation of the projects, if necessary to address the growing congestion crisis in the metropolitan Washington region;

(B) provide notice and opportunity for comment on its efforts under this title by metropolitan Washington region jurisdictions and the public;

(C) conduct outreach and education activities to promote public participation;

(D) promote cooperative action by metropolitan Washington region jurisdictions on regional transportation issues; and

(E) assist metropolitan Washington region jurisdictions in developing an interstate compact or agreement, if necessary, to better meet regional transportation needs.

(2) LIMITATIONS.—The Board shall not have the power to—

(A) impose a tax; or

1 (B) preempt any Federal, State, or local  
2 law (including a regulation).

3 (b) BOARD SUPPORT.—The Board may use staff of  
4 the Board and employ such additional personnel and  
5 agents as are necessary to carry out this subtitle, includ-  
6 ing public outreach staff to meet the public participation  
7 requirements of titles 23 and 49, United States Code.

8 (c) TIMETABLE.—The Board shall—

9 (1) develop and publish a first draft list of re-  
10 gional projects and regional funding mechanisms not  
11 later than 210 days after the date of enactment of  
12 this Act;

13 (2) provide an opportunity for public comment  
14 on the first draft proposal during the period begin-  
15 ning on the date of publication of the first draft pro-  
16 posal and ending not earlier than 90 days after that  
17 date; and

18 (3) develop and publish a final proposal not  
19 later than August 1, 2000, and provide an oppor-  
20 tunity for ratification of the final proposal by metro-  
21 politan Washington region jurisdictions.

22 (d) PLANNING PROCESS.—In carrying out this sub-  
23 title, the Board shall—

24 (1) comply with the planning requirements of  
25 title 23 and 49, United States Code; and



1           (2)(A) ensure that the public has a full oppor-  
2           tunity to participate in the planning process; and

3           (B) work with citizen advisory committees rep-  
4           resenting all points of view, including business, envi-  
5           ronmental, transportation, senior citizens, youth,  
6           disabled, and neighborhood associations.

7   **SEC. 6. IMPLEMENTATION OF LONG-RANGE PLAN FOR THE**  
8                           **METROPOLITAN WASHINGTON REGION.**

9           (a) METROPOLITAN WASHINGTON REGIONAL TRANS-  
10          PORTATION CORPORATION.—

11           (1) ESTABLISHMENT.—There is established the  
12          Metropolitan Washington Regional Transportation  
13          Corporation.

14           (2) GENERAL POWERS.—

15           (A) IN GENERAL.—The Corporation shall  
16          be a body corporate and politic, and an instru-  
17          mentality of the Board, having the powers and  
18          jurisdiction described in this subtitle and such  
19          additional powers as are conferred on the Cor-  
20          poration by the Board, to the extent that the  
21          additional powers are consistent with this sub-  
22          title.

23           (B) ADMINISTRATION.—The Corporation  
24          shall be governed in accordance with this sub-

1 title and shall be subject to such other provi-  
2 sions as the Board determines appropriate.

3 (3) GENERAL LIMITATIONS.—The Corporation  
4 shall not have the power to—

5 (A) impose a tax; or

6 (B) preempt any Federal, State, or local  
7 law (including a regulation).

8 (4) DUTIES.—The Corporation shall assist in  
9 the management of any initial funding and imple-  
10 mentation plan agreed to by the Signatories.

11 (5) PUBLIC ACCOUNTABILITY.—

12 (A) PUBLIC NOTICE AND PARTICIPA-  
13 TION.—The Corporation shall be subject to the  
14 requirements of chapter 5 of title 5, United  
15 States Code, concerning public notice of, and  
16 participation at, all meetings of the Corpora-  
17 tion.

18 (B) FREEDOM OF INFORMATION ACT.—  
19 The Corporation shall be considered to be an  
20 agency for the purpose of compliance with re-  
21 quests under section 552 of title 5, United  
22 States Code.

23 (6) POWERS.—The Corporation shall have the  
24 power—

1 (A) to acquire personal and real property  
2 (including land lying under water and riparian  
3 rights), or any easement or other interest in  
4 real property, by purchase, lease, gift, transfer,  
5 or exchange;

6 (B) to apply for and accept any property,  
7 material, service, payment, appropriation,  
8 grant, gift, loan, advance, or other fund that is  
9 transferred or made available to the Corpora-  
10 tion by the Federal Government or by any other  
11 public or private entity or individual;

12 (C) to borrow money on a short-term basis  
13 and issue notes of the Corporation for the bor-  
14 rowing payable on such terms and conditions as  
15 the Corporation considers advisable, and to  
16 issue long-term or short-term tax-exempt bonds  
17 in the discretion of the Corporation for any  
18 purpose consistent with this subtitle, which  
19 notes and bonds—

20 (i) shall not constitute—

21 (I) a debt of the United States  
22 (or any political subdivision of the  
23 United States); or

24 (II) a general obligation of a  
25 metropolitan Washington region juris-

1                   diction (or any political subdivision of  
2                   a metropolitan Washington region jurisdiction), unless consented to by the  
3                   jurisdiction (or political subdivision);  
4                   jurisdiction (or political subdivision);  
5                   and

6                   (ii) may be secured solely by the general revenues of the Corporation or by  
7                   other revenues in the discretion of the Corporation;  
8                   other revenues in the discretion of the Corporation;  
9                   poration;

10                  (D) to permit single-occupancy vehicles to  
11                  travel on high-occupancy lanes in the region,  
12                  if—

13                   (i) the affected signatory or signatories consent to charge tolls to single-occupancy vehicles given access to high-occupancy lanes;  
14                   ries consent to charge tolls to single-occupancy vehicles given access to high-occupancy lanes;  
15                   pancy vehicles given access to high-occupancy lanes;  
16                   pancy lanes;

17                   (ii) the toll can be implemented in a way that does not reduce the level of service; and  
18                   way that does not reduce the level of service;  
19                   ice; and

20                   (iii) the affected signatory or signatories consent to use the toll revenues for regional transportation projects;  
21                   ries consent to use the toll revenues for regional transportation projects;  
22                   gional transportation projects;

23                   (E) to enter into any contract or agreement necessary or appropriate to the performance of the duties of the Corporation;  
24                   ment necessary or appropriate to the performance of the duties of the Corporation;  
25                   ance of the duties of the Corporation;

1 (F) to enter into partnerships or grant  
2 concessions between the public and private sec-  
3 tors for the purpose of—

4 (i) financing, constructing, maintain-  
5 ing, improving, or operating regional trans-  
6 portation facilities in the metropolitan  
7 Washington region; or

8 (ii) fostering development of a new  
9 transportation technology;

10 (G) to obtain any necessary Federal au-  
11 thorization, permit, or approval for the con-  
12 struction, repair, maintenance, or operation of  
13 regional transportation facilities in the metro-  
14 politan Washington region;

15 (H) to adopt an official seal and alter the  
16 seal, as the Corporation considers appropriate;

17 (I) to appoint 1 or more advisory commit-  
18 tees;

19 (J) to sue and be sued in the name of the  
20 Corporation;

21 (K) to carry out or contract with other en-  
22 tities to carry out such maintenance of traffic  
23 activities during construction of regional trans-  
24 portation facilities in the metropolitan Washing-  
25 ton region as are considered to be necessary by

1 the Corporation to properly manage traffic and  
2 minimize congestion, such as public information  
3 campaigns, improvements designed to encour-  
4 age appropriate use of alternative routes, use of  
5 high occupancy vehicles and transit services,  
6 and deployment and operation of intelligent  
7 transportation system technologies; and

8 (L) to carry out any activity necessary or  
9 appropriate to the exercise of the powers or per-  
10 formance of the duties of the Corporation under  
11 this subtitle and under any interstate compact  
12 or agreement relating to the Corporation that is  
13 consistent with this subtitle, if the activity is co-  
14 ordinated and consistent with the transpor-  
15 tation planning process implemented by the  
16 metropolitan planning organization for the met-  
17 ropolitan Washington region under section 134  
18 of title 23, United States Code, and section  
19 5303 of title 49, United States Code.

20 (7) STATE AND DISTRICT OF COLUMBIA AP-  
21 PROVAL OF ACTION BY THE TRANSPORTATION COR-  
22 PORATION.—Any exercise of the powers granted  
23 under section 6(a)(6) of this title must be approved  
24 by the state departments of transportation in Vir-

1       ginia and Maryland, and the Department of Public  
2       Works of the District of Columbia.

3           (8) No funds received nor debt issued by the  
4       Corporation may be used to finance costs related to  
5       the replacement of the Woodrow Wilson Memorial  
6       Bridge.

7       (b) INTERSTATE COMPACT OR AGREEMENT.—

8           (1) IN GENERAL.—Subject to paragraph (2), 1  
9       or more of the metropolitan Washington region ju-  
10      risdictions may enter into an interstate compact or  
11      agreement to finance and implement one or more of  
12      the projects from the long-range plan of the Board,  
13      if consent is granted by—

14           (A) the department of transportation of  
15      each State that enters into the compact or  
16      agreement; and

17           (B) if the District of Columbia enters into  
18      the compact or agreement, the Department of  
19      Public Works of the District of Columbia.

20       (2) REQUIREMENTS.—The interstate compact  
21      or agreement shall—

22           (A) include a list of regional transportation  
23      projects and a regional funding mechanism to  
24      fund the projects; and

1 (B) include a time limit of not more than  
2 2 years for approval by the metropolitan Wash-  
3 ington region jurisdictions.

4 (3) EXPEDITED APPROVAL.—An interstate  
5 compact or agreement described in paragraph (1)  
6 shall be deemed to have the consent of Congress un-  
7 less Congress enacts a law denying consent to the  
8 compact or agreement within 60 days after the date  
9 of approval of the compact or agreement by the Sig-  
10 natories.

11 (c) REPORTS.—The Secretary shall submit to the  
12 Committee on Environment and Public Works of the Sen-  
13 ate and the Committee on Transportation and Infrastruc-  
14 ture of the House of Representatives—

15 (1) not later than 1 year after the date of en-  
16 actment of this Act, an interim report on the  
17 progress of the Board in developing cooperative  
18 transportation plans and regional funding mecha-  
19 nisms to meet transportation needs in the metropoli-  
20 tan Washington region; and

21 (2) not later than 3 years after the date of en-  
22 actment of this Act, a final report on the results of  
23 the actions of the Board in developing cooperative  
24 transportation plans and regional funding mecha-



1 nisms to meet transportation needs in the metropoli-  
2 tan Washington region.

3 **SEC. 7. MAINTENANCE OF FUNDING AND EFFORT.**

4 The funding provided under any regional transpor-  
5 tation program developed under this subtitle shall supple-  
6 ment (and not supplant) other Federal, State, and local  
7 transportation funding for the metropolitan Washington  
8 region jurisdictions. In using funds provided under this  
9 subtitle, a metropolitan Washington region jurisdiction  
10 shall maintain the expenditures of the jurisdiction for  
11 transportation in the metropolitan Washington region, at  
12 a level equal to not less than the level of the expenditures  
13 maintained by the jurisdiction for the fiscal year preceding  
14 the fiscal year for which the funds are received.

15 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) ADMINISTRATIVE COSTS.—There is authorized to  
17 be appropriated to carry out this subtitle \$300,000 for  
18 each of fiscal years 1998 through 2000, of which not less  
19 than—

20 (1) \$100,000 shall be used by the Board for  
21 salaries and administrative expenses of experts in fi-  
22 nancing and developing interstate compacts or  
23 agreements; and

24 (2) \$200,000 shall be used by the Board to  
25 support a collaborative planning process, to dissemi-

1       nate information to the public, and to pay the sala-  
2       ries and administrative expenses of public outreach  
3       staff.

4       (b) INCENTIVE GRANTS.—There is authorized to be  
5       appropriated \$20,000,000 for each of fiscal years 2000  
6       through 2002 to provide as much as 25 percent of the  
7       cost of regional projects agreed to by the Signatories  
8       under section 6(b).

○