

108TH CONGRESS
1ST SESSION

H. R. 2382

To amend title 49, United States Code, relating to improving transportation in the national parks.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2003

Mr. RAHALL (for himself, Mr. HOLT, Mr. FROST, Mr. GEORGE MILLER of California, Mr. STARK, Ms. MCCOLLUM, Mr. MARKEY, Ms. JACKSON-LEE of Texas, and Ms. BORDALLO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 49, United States Code, relating to improving transportation in the national parks.

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 “Transit in Parks Act”.

5 **SEC. 2. ESTABLISHMENT OF TRANSIT IN PARKS PROGRAM.**

6 (a) IN GENERAL.—Chapter 53 of title 49, United
7 States Code, is amended by inserting after section 5315
8 the following:

1 **“§ 5316. Transit in parks**

2 “(a) ESTABLISHMENT OF PROGRAM.—

3 “(1) IN GENERAL.—Not later than 90 days
4 after the date of enactment of the Transit in Parks
5 Act, the Secretary of the Interior and the Secretary
6 of Transportation shall enter into a memorandum of
7 understanding to establish a transit in parks pro-
8 gram in accordance with the provisions of this sec-
9 tion.

10 “(2) PURPOSE.—The purpose of the program
11 shall be to encourage and promote the development
12 of transportation systems described in section
13 5301(a) within units of the National Park System to
14 improve visitor mobility and enjoyment, reduce pol-
15 lution and congestion, and enhance resource protec-
16 tion through the use of transit.

17 “(b) ADMINISTRATION OF PROGRAM.—The program
18 shall be administered by the Secretary of the Interior, in
19 conjunction with the Secretary of Transportation.

20 “(c) CONTENTS OF PROGRAM.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), the program shall provide for the fol-
23 lowing:

24 “(A) Development of transportation plans
25 and programs for units of the National Park
26 System by the Secretary of the Interior instead

1 of a metropolitan planning organization in ac-
2 cordance with sections 5303(a) and 5303(b).

3 “(B) Development of a long-range trans-
4 portation plan for such units by the Secretary
5 of the Interior instead of a metropolitan plan-
6 ning organization in accordance with section
7 5303(f).

8 “(C) The making of contracts and grants
9 by the Secretary of Transportation to the Sec-
10 retary of the Interior for planning, engineering,
11 design, and evaluation of mass transportation
12 projects in such units, and for technical studies,
13 in accordance with section 5303(g).

14 “(D) Development and updating of a
15 transportation improvement program for such
16 units, and the selection and carrying out of
17 projects in such units, by the Secretary of the
18 Interior instead of a metropolitan planning or-
19 ganization in accordance with section 5304; ex-
20 cept that any transportation improvement pro-
21 gram developed under section 204(a) of title 23
22 for such unit shall be treated as meeting the re-
23 quirement of this subparagraph until the Sec-
24 retary of the Interior provides otherwise and
25 the approval required by section 5304(a) shall

1 only be the approval of the Secretary of the In-
2 terior.

3 “(E) The making of grants by the Sec-
4 retary of Transportation to the Secretary of the
5 Interior for capital projects by financing the
6 planning and improvement costs of equipment,
7 facilities, and associated capital maintenance in
8 mass transportation for such units in accord-
9 ance with subsections (a), (b), (c), and (d) of
10 section 5307; except that the Secretary of the
11 Interior shall serve as the designated recipient
12 for the purposes of subsection (a)(2) of such
13 section.

14 “(F) The making of grants by the Sec-
15 retary of Transportation to the Secretary of the
16 Interior for capital investment as described in
17 subsection (a) of section 5309 in accordance
18 with subsections (a), (d), and (e) of such sec-
19 tion, (other than subsections (e)(1)(C) and
20 (e)(4), relating to local financial commitment).

21 “(G) Projects for bicycle access in accord-
22 ance with the first sentence of section 5319.

23 “(H) The making of contracts and grants
24 by the Secretary of Transportation to the Sec-

1 retary of the Interior for crime prevention and
2 security in accordance with section 5321.

3 “(I) The making of contracts and grants
4 by the Secretary of Transportation to the Sec-
5 retary of the Interior for human resources pro-
6 grams in accordance with section 5322.

7 “(J) Grants under the program may be
8 used to pay the operating cost of equipment
9 and facilities used in mass transportation for
10 such units.

11 “(K) Projects for which grants may be
12 made under the program may include turnkey
13 system projects under section 5326.

14 “(L) Labor protection in accordance with
15 section 5333.

16 “(2) EXCEPTIONS.—The memorandum of un-
17 derstanding entered into under subsection (a) shall
18 limit or modify the applicability of the provisions re-
19 ferred to in paragraph (1) to the program to the ex-
20 tent necessary to carry out the objectives of this sec-
21 tion and to be compatible with the laws and regula-
22 tions governing units of the National Park System.

23 “(b) FEDERAL SHARE.—The Federal share of the
24 cost of any project or activity carried out under this sec-
25 tion shall be 100 percent.

1 “(c) MASS TRANSPORTATION DEFINED.—In this sec-
2 tion and for purposes of the program carried out under
3 this section, the term ‘mass transportation’ means trans-
4 portation by a conveyance that provides regular and con-
5 tinuing general or special transportation to the public, but
6 does not include school bus or charter transportation.

7 “(d) LIMITATION ON APPLICABILITY.—Except as
8 otherwise provided in this section, the other provisions of
9 this chapter (other than sections 5302 and 5338) shall
10 not apply to this section and the program carried out
11 under this section.

12 “(e) SAVINGS CLAUSE.—Nothing in this section shall
13 be construed as superseding, amending, modifying or re-
14 pealing any provision of law applicable to units of the Na-
15 tional Park System.”.

16 (b) CONFORMING AMENDMENTS.—The analysis for
17 such chapter is amended by inserting after the item relat-
18 ing to section 5315 the following:

“5316. Transit in parks.”.

19 **SEC. 3. FUNDING.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
21 5338 of title 49, United States Code, is amended by add-
22 ing at the end the following:

23 “(j) TRANSIT IN PARKS.—There shall be available
24 from the Mass Transit Account of the Highway Trust

1 Fund \$90,000,000 for each of fiscal years 2004 through
2 2010 to carry out section 5316.”.

3 (b) CONTRACT AUTHORITY.—Section 5338(g)(1) of
4 such title is amended by striking “or (f)(2)(A)” and in-
5 serting “(f)(2)(A), or (j)”.

6 (c) PERIOD OF AVAILABILITY.—Section 5338(i) of
7 such title is amended—

8 (1) by striking the 1st comma; and

9 (2) by striking the 2nd comma and inserting
10 “and subsection (j)”.

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