

108TH CONGRESS
1ST SESSION

H. R. 3494

To establish a National Commission to study the Highway Trust Fund.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2003

Mr. BEAUPREZ introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, 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 establish a National Commission to study the Highway
Trust Fund.

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 “Highway Trust Fund
5 Commission Act of 2003”.

1 **SEC. 2. NATIONAL COMMISSION ON FUTURE REVENUE**
2 **SOURCES TO SUPPORT THE HIGHWAY TRUST**
3 **FUND.**

4 (a) **ESTABLISHMENT.**—The Secretary of Transpor-
5 tation shall establish a National Commission on Future
6 Revenue Sources to Support the Highway Trust Fund.

7 (b) **FUNCTION.**—The Commission shall—

8 (1) conduct a comprehensive investigation of al-
9 ternatives to replace the fuel tax as the principal
10 revenue source to support the Highway Trust Fund
11 over at least the next 30 years;

12 (2) consult with the Secretary of Transpor-
13 tation and the Secretary of the Treasury to assure
14 that their views concerning essential attributes of
15 Highway Trust Fund revenue alternatives are un-
16 derstood;

17 (3) consult with the American Association of
18 State Highway and Transportation Officials to as-
19 sure that State transportation agency views on alter-
20 native revenue sources to support State transpor-
21 tation improvement programs are appropriately con-
22 sidered and that any recommended Federal financ-
23 ing strategy take into account State financial re-
24 quirements; and

25 (4) make, based on the investigation, specific
26 recommendations regarding actions that need to be

1 taken to develop alternative revenue sources to sup-
2 port the Highway Trust Fund and when those ac-
3 tions must be taken.

4 (c) SPECIFIC MATTERS TO BE ADDRESSED.—The
5 investigation under subsection (b) shall address specifi-
6 cally—

7 (1) advantages and disadvantages of alternative
8 revenue sources to meet anticipated Federal surface
9 transportation financial requirements;

10 (2) the time frame within which actions must
11 be taken to transition from the fuel tax to alter-
12 native revenue sources to support the Highway
13 Trust Fund;

14 (3) recommendations concerning alternative
15 revenue sources to support long-term Federal sur-
16 face transportation financing requirements;

17 (4) development of a broad transition strategy
18 to move from the current tax base to new funding
19 mechanisms, including the time frame for various
20 aspects of the transition strategy;

21 (5) recommendations for additional research
22 that may be needed to implement recommended al-
23 ternatives; and

24 (6) the extent to which revenues should reflect
25 the relative use of the highway system.

1 (d) FACTORS TO CONSIDER AND EVALUATE.—The
2 investigation under subsection (b) shall take into account
3 findings, conclusions, and recommendations of recent
4 studies by the Transportation Research Board on alter-
5 natives to the fuel tax to support highway program financ-
6 ing and relevant prior research completed by the Depart-
7 ment of Transportation, the Department of Energy, and
8 others. In developing recommendations under subsection
9 (b), the Commission shall consider—

10 (1) the ability to generate sufficient revenues to
11 meet anticipated long term surface transportation fi-
12 nancing needs;

13 (2) the roles of the various levels of government
14 and the private sector in meeting future surface
15 transportation financing needs;

16 (3) administrative costs, including enforcement,
17 to implement each option;

18 (4) potential taxpayer privacy concerns;

19 (5) likely technological advances that could ease
20 implementation of each option;

21 (6) alternative transportation vehicles, including
22 various alternative-fueled vehicles;

23 (7) the equity and economic efficiency of each
24 option;

1 (8) the flexibility of different options to allow
2 various pricing alternatives to be implemented; and

3 (9) potential compatibility issues with States'
4 tax mechanisms under each alternative.

5 (e) MEMBERSHIP.—

6 (1) APPOINTMENT.—The Commission shall be
7 composed of 9 members as follows:

8 (A) Three members appointed by the
9 President.

10 (B) Three members appointed by the
11 Speaker of the House of Representatives.

12 (C) Three members appointed by the ma-
13 jority leader of the Senate.

14 (2) QUALIFICATIONS.—Members appointed
15 under paragraph (2) shall have experience in public
16 finance, surface transportation program administra-
17 tion, managing organizations that use surface trans-
18 portation facilities, academic research into related
19 issues, or other activities that provide unique per-
20 spectives on current and future requirements for
21 revenue sources to support the Highway Trust
22 Fund.

23 (3) TERMS.—Members shall be appointed for
24 the life of the Commission.

1 (4) VACANCIES.—A vacancy on the Commission
2 shall be filled in the manner in which the original
3 appointment was made.

4 (5) TRAVEL EXPENSES.—Members shall serve
5 without pay but shall receive travel expenses, includ-
6 ing per diem in lieu of subsistence, in accordance
7 with sections 5702 and 5703 of title 5, United
8 States Code.

9 (6) CHAIRMAN.—The Chairman of the Commis-
10 sion shall be elected by the members.

11 (f) STAFF.—The Commission may engage the serv-
12 ices of an appropriate organization, agency, or firm to con-
13 duct the investigation under subsection (b). The Commis-
14 sion shall provide strategic guidance for the investigation.
15 Upon request of the Commission, the Secretary may de-
16 tail, on a reimbursable basis, any of the personnel of that
17 department to the Commission to assist it in carrying out
18 its duties under this section. The staff of the Secretary
19 shall cooperate with the Commission in the investigation,
20 including providing nonconfidential data and information
21 as necessary to conduct the investigation.

22 (g) ADMINISTRATIVE SUPPORT SERVICES.—Upon
23 the request of the Commission, the Secretary shall provide
24 to the Commission, on a reimbursable basis, the adminis-

1 trative support and services necessary for the Commission
2 to carry out its responsibilities under this section.

3 (h) REPORT AND RECOMMENDATIONS.—Not later
4 than September 30, 2006, the Commission shall transmit
5 to Congress a final report on the results of the investiga-
6 tion conducted under this section and specific rec-
7 ommendations to address the needs identified in the inves-
8 tigation.

9 (i) RELATIONSHIP TO OTHER LAWS.—The Federal
10 Advisory Committee Act (5 U.S.C. App.) does not apply
11 to the Commission.

12 (j) TERMINATION.—The Commission shall terminate
13 on the 180th day following the date of transmittal of the
14 report under subsection (h). By such 180th day, all
15 records and papers of the Commission shall be delivered
16 to the Administrator of the General Services for deposit
17 in the National Archives.

18 (k) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated from the Highway Trust
20 Fund (other than the Mass Transit Account) \$2,000,000
21 for fiscal year 2004 to carry out this section.

22 (l) APPLICABILITY OF TITLE 23.—Funds made avail-
23 able to carry out this section shall be available for obliga-
24 tion in the same manner as if such funds were apportioned
25 under chapter 1 of title 23, United States Code; except

- 1 that the Federal share of the cost of the investigation and
- 2 the Commission under this section shall be 100 percent,
- 3 and such funds shall remain available until expended.

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