

108TH CONGRESS  
2D SESSION

# H. R. 3743

To improve the safety of rural roads.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2004

Mr. NEY (for himself, Mr. HOLDEN, Mr. BOEHLERT, and Mr. ISAKSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To improve the safety of rural roads.

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 “Rural Transportation  
5       Act”.

6       **SEC. 2. RURAL ROAD SAFETY PROGRAM.**

7       (a) FINDINGS.—Congress finds that it is in the vital  
8       interest of the Nation that a rural road safety program  
9       be established to ensure that the safety of the traveling  
10      public is enhanced on rural two-lane highways.

1 (b) ESTABLISHMENT.—The Secretary shall establish  
2 and implement a rural road safety program in accordance  
3 with this section.

4 (c) APPORTIONMENTS.—

5 (1) IN GENERAL.—On October 1 of each fiscal  
6 year, the Secretary shall apportion to each State to  
7 carry out this section an amount in the ratio of the  
8 percentage of the centerline mileage of two-lane  
9 roads in rural areas functionally classified as minor  
10 and major collectors and arterials in each State  
11 bears to the total centerline mileage of two-lane  
12 roads in rural areas functionally classified as minor  
13 and major collectors and arterials in all the States.

14 (2) ALLOCATION OF APPORTIONED FUNDS.—  
15 Within each State, funds for the rural road safety  
16 program for each fiscal year shall be allocated  
17 among State, county, city, and other levels of gov-  
18 ernment commensurate with each entity's ownership  
19 ratio of eligible two-lane road mileage of two-lane  
20 roads in rural areas functionally classified as minor  
21 and major collectors and arterials.

22 (d) LOCATION OF PROJECTS.—Funds authorized to  
23 carry out this section shall be available for expenditure  
24 only for activities described in subsection (h).

1       (e) OBLIGATION OF FUNDS.—Funds authorized to be  
2 appropriated to carry out this section shall be available  
3 for obligation in the same manner and the same extent  
4 as if such funds were apportioned under section 104(b)  
5 of title 23, United States Code, except that the Secretary  
6 is authorized to waive provisions that the Secretary con-  
7 siderers inconsistent with the purposes of this section.

8       (f) COST SHARING.—The Federal share of a project  
9 under this section shall be 80 percent of the total cost  
10 for such project.

11       (g) TRANSFERABILITY.—Notwithstanding any other  
12 provision of law no portion of a State’s apportionment al-  
13 located for the rural road safety program may be trans-  
14 ferred to any other apportionment of the State for such  
15 fiscal year.

16       (h) USE OF FUNDS.—A State that receives an appor-  
17 tionment under this section may use funds—

18               (1) to improve horizontal and vertical align-  
19       ment;

20               (2) to eliminate wheel lane rutting, increase  
21       skid resistance, and smooth roadways;

22               (3) to improve sight distances;

23               (4) to widen lanes and shoulders;

24               (5) to install dedicated turn lanes;

1           (6) to install and upgrade guardrails, traffic  
2       barriers, crash cushions, protective devices, and  
3       rumblestrips;

4           (7) to install traffic and safety lights, improve  
5       signage and pavement markings; and

6           (8) to implement other safety activities des-  
7       ignated by the Secretary.

8       (i) PROGRAM.—Not later than 180 days after the  
9       date of enactment of this Act, each State that receives  
10      an apportionment under this section shall conduct and  
11      systematically maintain an engineering survey of all two-  
12      lane rural roads classified as minor and major collectors  
13      and minor arterials—

14           (1) to identify dangerous locations, sections,  
15      and elements, including roadside obstacles and un-  
16      marked or poorly marked roads, which may con-  
17      stitute a danger to motorists, bicyclists, pedestrians,  
18      impaired, and “older” drivers;

19           (2) to assign priorities for the correction of  
20      such locations, sections, and elements; and

21           (3) establish and implement a schedule of  
22      projects for improvement of such roads.

23       (j) EVALUATION.—

24           (1) IN GENERAL.—Each State shall establish  
25      an evaluation process approved by the Secretary to

1 analyze and assess results achieved by safety im-  
2 provement projects carried out in accordance with  
3 the procedures and criteria established by this sec-  
4 tion.

5 (2) PRIORITIES.—Such evaluation process shall  
6 develop cost-benefit data for various types of correc-  
7 tions and treatments, which shall be used in setting  
8 priorities for safety improvement projects.

9 (k) REPORTING.—

10 (1) IN GENERAL.—Each State shall report to  
11 the Secretary not later than December 30 of each  
12 year, regarding the progress of implementing safety  
13 improvement projects for danger elimination and the  
14 effectiveness of such improvements.

15 (2) STATE ASSESSMENT.—Each State report  
16 shall contain an assessment of the cost of, and safe-  
17 ty benefits derived from, the various means and  
18 methods used to mitigate or eliminate dangers and  
19 the previous and subsequent accident experience at  
20 dangerous locations.

21 (3) SECRETARY'S REPORT.—The Secretary  
22 shall submit a report to the Committee on Environ-  
23 ment and Public Works of the Senate and the Com-  
24 mittee on Transportation and Infrastructure of the  
25 House of Representatives not later than April 1 of

1 each year regarding the progress of the States in im-  
2 plementing the rural road safety program. The re-  
3 port shall—

4 (A) include the number of projects under-  
5 taken, their distribution by cost range, road  
6 system, means and methods used, the previous  
7 and subsequent accident experience at improved  
8 locations and a cost-benefit analysis; and

9 (B) analyze and evaluate each State's pro-  
10 gram, identify any State found not to be in  
11 compliance with the schedule of improvements  
12 required by subsection (a), and include rec-  
13 ommendations for future implementation of the  
14 rural road safety program.

15 (l) DEFINITIONS.—In this section—

16 (1) the term “rural area” means all areas of  
17 the State not included in urban areas as defined in  
18 section 101(a)(29);

19 (2) the term “rural road” means all roads in  
20 rural areas; and

21 (3) the term “Secretary” means the Secretary  
22 of Transportation.

23 (m) AUTHORIZATION OF APPROPRIATIONS RURAL  
24 ROAD SAFETY PROGRAM.—To carry out the rural road  
25 safety program under this section there are authorized to

1 be appropriated \$1,000,000,000 for each of fiscal years  
 2 2004 through 2009.

3 **SEC. 3. DIVISION BETWEEN CERTAIN AREAS.**

4 Section 105(c)(2) of title 23, United States Code, is  
 5 amended by striking “paragraphs (1), (2), and (3) and  
 6 inserting “paragraphs (1) and (2)”.

7 **SEC. 4. SPECIAL RULE FOR AREAS LESS THAN 5,000 POPU-**  
 8 **LATION.**

9 Section 133(d)(3)(B) of title 23, United States Code,  
 10 is amended—

11 (1) by inserting “for roads functionally classi-  
 12 fied as minor arterials and major and minor collec-  
 13 tors” after “5,000”); and

14 (2) by striking “110” and inserting “150”.

15 **SEC. 5. HIGHWAY BRIDGE REPLACEMENT AND REHABILI-**  
 16 **TATION.**

17 Section 144 of title 23, United States Code, is  
 18 amended—

19 (1) in subsection (e)—

20 (A) by striking “Funds” and inserting the  
 21 following:

22 “(1) STATE APPORTIONMENT.—Funds”; and

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

24 “(2) DIVISION BETWEEN STATE, CITIES,  
 25 TOWNS, AND COUNTIES.—Funds apportioned to each

1 State shall be spent on bridges owned by the State  
 2 and local governments based on the cost of deficient  
 3 bridges at each level of government divided by the  
 4 total cost of deficient bridges in that State.”.

5 (2) in subsection (g)(3)—

6 (A) by striking “15 percent” and inserting  
 7 “25 percent”; and

8 (B) by striking “1987 through 2003” and  
 9 inserting “2004 through 2009”.

#### 10 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 504(b) of title 23, United States Code, is  
 12 amended by adding at the end the following:

13 “(3) AUTHORIZATION OF APPROPRIATIONS.—

14 There are authorized to be appropriated to carry out  
 15 this subsection \$20,000,000 for each of fiscal years  
 16 2004 through 2009.”.

#### 17 **SEC. 7. STATE PLANNING AND RESEARCH.**

18 Section 505 of title 23, United States Code, is  
 19 amended—

20 (1) in subsection (a) by striking “Two percent”  
 21 and inserting “two and ½ percent”;

22 (2) by redesignating subsections (c) and (d) as  
 23 (d) and (e), respectively; and

24 (3) by adding after subsection (b) the following:



1       “(c) LOCAL DISTRIBUTION.—Not less than 20 per-  
 2 cent of the funds subject to subsection (a) that are appor-  
 3 tioned to a State for a fiscal year shall be distributed to  
 4 local governments, local planning agencies, including  
 5 multi-jurisdictional rural planning agencies governed by  
 6 local officials, and other transportation bodies responsible  
 7 for transportation planning in nonmetropolitan areas to  
 8 be used for the development of the statewide transpor-  
 9 tation improvement program.”.

10 **SEC. 8. APPALACHIAN REGIONAL COMMISSION.**

11       (a) AUTHORIZATION OF APPROPRIATIONS.—There  
 12 are authorized to be appropriated from the Highway Trust  
 13 Fund (other than the Mass Transit Account) for the Ap-  
 14 palachian development highway system program under  
 15 section 14501 of title 40, United States Code,  
 16 \$611,800,000 for each of fiscal years 2004 through 2009.

17       (b) APPORTIONMENT.—

18           (1) IN GENERAL.—Except as provided in para-  
 19 graph (2), the Secretary shall apportion funds made  
 20 available by subsection (a) for fiscal years 2004  
 21 through 2009 among the States based on the latest  
 22 available cost to complete estimate for the Appa-  
 23 lachian development highway system under section  
 24 14501 title 40, United States Code.

1           (2) LOCAL DEVELOPMENT DISTRICTS.—Before  
2       apportioning amounts to the States under paragraph  
3       (1), the Secretary shall make available \$11,800,000  
4       to be equally divided among local development dis-  
5       tricts (as such term is defined in section 14102 of  
6       title 40, United States Code) to carry out com-  
7       prehensive regional transportation planning activi-  
8       ties, including activities related to linking transpor-  
9       tation and economic development investment within  
10      the region.

11      (c) APPLICABILITY OF TITLE 23.—Funds made  
12      available by section 1101(a)(6) of the Transportation Eq-  
13      uity Act for the 21st Century for the Appalachian develop-  
14      ment highway system shall be available for obligation in  
15      the same manner as if such funds were apportioned under  
16      chapter 1 of title 23, United States Code; except that the  
17      Federal share of the cost of any project under this section  
18      shall be determined in accordance with section 14501 of  
19      title 40, United States Code, and such funds shall be avail-  
20      able to construct highways and access roads under such  
21      section and shall remain available until expended.

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