

108TH CONGRESS
1ST SESSION

S. 1646

To provide a 5-month extension of highway safety programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2003

Mr. MCCAIN (for himself and Mr. HOLLINGS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide a 5-month extension of highway safety programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

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 “Transportation Safety
5 Program Extension Act of 2003”.

6 **SEC. 2. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.**

7 (a) **ADMINISTRATIVE EXPENSES.**—There shall be
8 available from the Highway Trust Fund (other than the

1 Mass Transit Account) for the Secretary of Transpor-
 2 tation for administration of motor carrier safety pro-
 3 grams, motor carrier safety research, and border enforce-
 4 ment activities, including the border enforcement program
 5 authorized under section 350 of the Department of Trans-
 6 portation and Related Agencies Appropriations Act, 2002,
 7 \$119,125,000 for the period beginning on October 1,
 8 2003, and ending on February 29, 2004, to carry out the
 9 functions and operations of the Federal Motor Carrier
 10 Safety Administration of which \$19,583,000 shall be
 11 available for the construction of State border safety in-
 12 spection facilities at the border between the United States
 13 and Mexico and at the border between the United States
 14 and Canada and of which \$4,583,000 shall be used for
 15 regulatory development.

16 (b) MOTOR CARRIER SAFETY ACCOUNT.—Funds
 17 made available under subsection (a) shall be administered
 18 in the account established in the Treasury entitled “Motor
 19 Carrier Safety 69–8055–0–7–401”.

20 (c) MAINTENANCE OF EXPENDITURES.—The Sec-
 21 retary of Transportation may make a grant under section
 22 31107 of title 49, United States Code, to a State from
 23 funds made available under subsection (a) only if the State
 24 agrees that the total expenditure of amounts of the State
 25 and political subdivisions of the State, exclusive of United

1 States Government amounts, will be maintained at a level
 2 at least equal to the average level of that expenditure by
 3 the State and political subdivisions of the State for the
 4 last 2 fiscal years before October 1, 2003.

5 (d) CONTRACT AUTHORITY.—Funds made available
 6 under subsection (a) shall be available for obligation in
 7 the same manner as if such funds were apportioned under
 8 chapter 1 of title 23, United States Code.

9 **SEC. 3. EXTENSION OF MOTOR CARRIER SAFETY ASSIST-**
 10 **ANCE PROGRAM.**

11 (a) MOTOR CARRIER SAFETY ASSISTANCE PRO-
 12 GRAM.—Section 31104(a) of title 49, United States Code,
 13 is amended by adding at the end the following:

14 “(7) Not more than \$77,125,000 for the period
 15 beginning on October 1, 2003, and ending on Feb-
 16 ruary 29, 2004.”.

17 (b) INFORMATION SYSTEMS.—Section 31107(a) of
 18 title 49, United States Code, is amended—

19 (1) by striking “and” after the semicolon in
 20 paragraph (2);

21 (2) by striking “2002.” in paragraph (3) and
 22 inserting “2002;”;

23 (3) by striking “2003.” in paragraph (4) and
 24 inserting “2003; and”; and

25 (4) by adding at the end the following:

1 “(5) \$8,333,000 for the period beginning on
 2 October 1, 2003, and ending on February 29,
 3 2004.”.

4 (c) MAINTENANCE OF EXPENDITURES.—The Sec-
 5 retary of Transportation may make a grant to a State
 6 from funds made available under section 31104(a)(7) of
 7 title 49, United States Code, only if the State agrees that
 8 the total expenditure of amounts of the State and political
 9 subdivisions of the State, exclusive of United States Gov-
 10 ernment amounts, will be maintained at a level at least
 11 equal to the average level of that expenditure by the State
 12 and political subdivisions of the State for the last 2 fiscal
 13 years before October 1, 2003.

14 **SEC. 4. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

15 (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
 16 tion 2009(a)(1) of the Transportation Equity Act of the
 17 21st Century (112 Stat. 337) is amended—

18 (1) by striking “and”; and

19 (2) by striking “2003.” and inserting “2003,
 20 and \$68,640,000 for the period beginning on Octo-
 21 ber 1, 2003, and ending on February 29, 2004.”.

22 (b) HIGHWAY SAFETY RESEARCH AND DEVELOP-
 23 MENT.—Section 2009(a)(2) of that Act (112 Stat. 337)
 24 is amended by striking “2003.” and inserting “2003, and

1 \$29,952,000 for the period beginning on October 1, 2003,
 2 and ending on February 29, 2004.”.

3 (c) OCCUPANT PROTECTION INCENTIVE GRANTS.—
 4 Section 2009(a)(3) of that Act (112 Stat. 337) is amend-
 5 ed—

6 (1) by striking “and”; and

7 (2) by striking “2003.” and inserting “2003,
 8 and \$8,320,000 for the period beginning on October
 9 1, 2003, and ending on February 29, 2004.”.

10 (d) INCENTIVE GRANTS FOR ALCOHOL-IMPAIRED
 11 DRIVING COUNTER-MEASURES.—

12 (1) EXTENSION OF PROGRAM.—Section 410 of
 13 title 23, United States Code, is amended—

14 (A) by striking “6” in subsection (a)(3)
 15 and inserting “7”; and

16 (B) by striking “fifth and sixth” in sub-
 17 section (a)(4)(C) and inserting “fifth, sixth,
 18 and seventh”.

19 (2) AUTHORIZATION OF APPROPRIATIONS.—
 20 Section 2009(a)(4) of the Transportation Equity Act
 21 of the 21st Century (112 Stat. 337) is amended—

22 (A) by striking “and” the last place it ap-
 23 pears; and

24 (B) by striking “2003.” and inserting
 25 “2003, and \$16,640,000 for the period begin-

1 ning on October 1, 2003, and ending on Feb-
2 ruary 29, 2004.”.

3 (e) NATIONAL DRIVER REGISTER.—Section
4 2009(a)(6) of that Act (112 Stat. 338) is amended by
5 striking “2003.” and inserting “2003, and \$1,498,000 for
6 the period beginning on October 1, 2003, and ending on
7 February 29, 2004.”.

8 (f) ALLOCATIONS.—Section 2009(b) of that Act (112
9 Stat. 338) is amended by striking “2003,” each place it
10 appears and inserting “2004,”.

11 (g) APPLICABILITY OF TITLE 23.—Section 2009(c)
12 of that Act (112 Stat. 338) is amended by striking “2003”
13 and inserting “2004”.

14 **SEC. 5. EXTENSION OF SPORT FISHING AND BOATING SAFE-**
15 **TY PROGRAM.**

16 Section 13106 of title 46, United States Code, is
17 amended by striking subsection (c) and inserting the fol-
18 lowing:

19 “(c) BOATING SAFETY FUNDS.—

20 “(1) IN GENERAL.—Of the amount transferred
21 to the Secretary of Homeland Security under para-
22 graph (4) of section 4(b) of the Dingell-Johnson
23 Sport Fish Restoration Act (16 U.S.C. 777c(b)),
24 \$2,083,333 is available to the Secretary for payment
25 of expenses of the Coast Guard for personnel and

1 activities directly related to coordinating and car-
2 rying out the national recreational boating safety
3 program under this title, of which \$833,333 shall be
4 available to the Secretary only to ensure compliance
5 with chapter 43 of this title.

6 “(2) USE OF FUNDS.—No funds available to
7 the Secretary of Homeland Security under this sub-
8 section may be used—

9 “(A) to replace funding traditionally pro-
10 vided through general appropriations; or

11 “(B) for any purposes except a purpose
12 authorized by this section.

13 “(3) AVAILABILITY OF FUNDS.—Amounts made
14 available by this subsection shall remain available
15 until expended.

16 “(4) ACCOUNTING.—The Secretary shall pub-
17 lish annually in the Federal Register a detailed ac-
18 counting of the projects, programs, and activities
19 funded under this subsection.”.

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