

108TH CONGRESS
2D SESSION

S. 2960

To amend title 23, United States Code, to establish a traffic incident management program.

IN THE SENATE OF THE UNITED STATES

OCTOBER 8, 2004

Mr. GRAHAM of Florida introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to establish a traffic incident management program.

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 “Rush Hour Congestion
5 Relief Act of 2004”.

6 **SEC. 2. TRAFFIC INCIDENT MANAGEMENT PROGRAM.**

7 (a) IN GENERAL.—Subchapter I of chapter 1 of title
8 23, United States Code, is amended by inserting after sec-
9 tion 138 the following:

1 **“§ 139. Traffic incident management program**

2 “(a) IN GENERAL.—The Secretary shall establish
3 and implement a traffic incident management program in
4 accordance with this section to assist States and localities
5 in—

6 “(1) regional traffic incident management pro-
7 gram planning; and

8 “(2) carrying out projects to mitigate the ef-
9 fects of traffic delays resulting from accidents,
10 breakdowns, and other non-recurring incidents on
11 highways.

12 “(b) USE OF FUNDS.—Funds apportioned to a State
13 under this section may be used for—

14 “(1) regional collaboration and coordination ac-
15 tivities that lead to regional traffic incident manage-
16 ment policies, programs, plans, procedures, and
17 agreements;

18 “(2) purchase or lease of telecommunications
19 equipment for first responders as part of the devel-
20 opment of a regional traffic incident management
21 program;

22 “(3) purchase or lease of equipment to support
23 the clearance of traffic incidents;

24 “(4) payments to contractors for towing and re-
25 covery services as part of a regional traffic incident
26 management program;

1 “(5) rental of vehicle storage or staging areas
2 immediately adjacent to roadways as part of a re-
3 gional traffic incident management program;

4 “(6) traffic service patrols as part of a regional
5 traffic incident management program;

6 “(7) enhanced hazardous materials incident re-
7 sponse;

8 “(8) traffic management systems in support of
9 traffic incident management;

10 “(9) traffic incident management training;

11 “(10) crash investigation equipment;

12 “(11) other activities under a regional traffic
13 incident management plan; and

14 “(12) statewide incident reporting systems.

15 “(c) REGIONAL TRAFFIC INCIDENT MANAGEMENT
16 PLAN.—

17 “(1) PLAN.—

18 “(A) IN GENERAL.—Except as provided in
19 subparagraph (B), funds apportioned under this
20 section may not be obligated for an urbanized
21 area with a population greater than 300,000
22 until such time as a regional traffic incident
23 management plan is developed for the urban-
24 ized area.

“(B) FUNDS FOR PLAN.—An urbanized area described in subparagraph (A) may use funds apportioned under this section to develop the regional traffic incident management plan in accordance with this subsection.

“(2) PLAN DEVELOPMENT.—

“(A) COLLABORATION.—Any urbanized area described in paragraph (1) that receives funds apportioned under this section shall engage in regional collaboration and coordination activities to develop the regional traffic incident management plan required for the urbanized area under that paragraph.

“(B) PLAN ELEMENTS.—The regional traffic incident management plan for an urbanized area under paragraph (1) shall include—

“(i) a strategy, adopted by transportation, public safety, and appropriate private sector participants, for funding, implementing, managing, operating, and evaluating the traffic incident management program initiatives and activities for the urbanized area in a manner that ensures regional coordination of those initiatives and activities;

1 “(ii) an estimate of the impact of the
2 plan on traffic delays; and

3 “(iii) a description of the means by
4 which traffic incident management infor-
5 mation will be shared among operators,
6 service providers, public safety officials,
7 and the general public.

8 “(d) FUNDING.—

9 “(1) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated from the
11 Highway Trust Fund (other than the Mass Transit
12 Account) to carry out this section \$1,000,000,000
13 for each of fiscal years 2005 through 2010.

14 “(2) APPORTIONMENT AMONG STATES.—Funds
15 made available under paragraph (1) shall be appor-
16 tioned among the States in the proportion that—

17 “(A) the aggregate population of the State,
18 or part of the State, in urbanized areas with a
19 population greater than 300,000; bears to

20 “(B) the total population of all States, or
21 parts of all States, in those urbanized areas.

22 “(3) DISTRIBUTION WITHIN STATES.—Funds
23 apportioned to a State under paragraph (2) shall be
24 made available to carry out projects and activities
25 under regional traffic incident management plans in

1 each urbanized area in the State with a population
2 greater than 300,000 in the proportion that—

3 “(A) the population of the urbanized area,
4 or part of the urbanized area, in the State;
5 bears to

6 “(B) the total population of all urbanized
7 areas in the State.

8 “(e) DETERMINATION OF POPULATIONS.—For the
9 purpose of determining populations of areas under this
10 section, the Secretary shall use information from the most
11 current decennial census, as supplied by the Secretary of
12 Commerce.”.

13 (b) CONFORMING AMENDMENT.—The analysis for
14 subchapter I of chapter 1 of title 23, United States Code,
15 is amended by inserting after the item relating to section
16 138 the following:

“139. Traffic incident management program.”.

