

108TH CONGRESS
1ST SESSION

S. 929

AN ACT

To direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.

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 “Max Cleland Over-
5 the-Road Bus Security and Safety Act of 2003”.

1 **SEC. 2. EMERGENCY OVER-THE-ROAD BUS SECURITY AS-**
2 **SISTANCE.**

3 (a) IN GENERAL.—The Secretary of Homeland Secu-
4 rity acting through the Administrator of the Transpor-
5 tation Security Administration, shall establish a program
6 for making grants to private operators of over-the-road
7 buses for system-wide security improvements to their oper-
8 ations, including—

9 (1) constructing and modifying terminals, ga-
10 rages, facilities, or over-the-road buses to assure
11 their security;

12 (2) protecting or isolating the driver;

13 (3) acquiring, upgrading, installing, or oper-
14 ating equipment, software, or accessorial services for
15 collection, storage, or exchange of passenger and
16 driver information through ticketing systems or oth-
17 erwise, and information links with government agen-
18 cies;

19 (4) training employees in recognizing and re-
20 sponding to security threats, evacuation procedures,
21 passenger screening procedures, and baggage inspec-
22 tion;

23 (5) hiring and training security officers;

24 (6) installing cameras and video surveillance
25 equipment on over-the-road buses and at terminals,
26 garages, and over-the-road bus facilities;

1 (7) creating a program for employee identifica-
2 tion or background investigation;

3 (8) establishing an emergency communications
4 system linked to law enforcement and emergency
5 personnel; and

6 (9) implementing and operating passenger
7 screening programs at terminals and on over-the-
8 road buses.

9 (b) REIMBURSEMENT.—A grant under this Act may
10 be used to provide reimbursement to private operators of
11 over-the-road buses for extraordinary security-related
12 costs for improvements described in paragraphs (1)
13 through (9) of subsection (a), determined by the Secretary
14 to have been incurred by such operators since September
15 11, 2001.

16 (c) FEDERAL SHARE.—The Federal share of the cost
17 for which any grant is made under this Act shall be 90
18 percent.

19 (d) DUE CONSIDERATION.—In making grants under
20 this Act, the Secretary shall give due consideration to pri-
21 vate operators of over-the-road buses that have taken
22 measures to enhance bus transportation security from
23 those in effect before September 11, 2001.

24 (e) GRANT REQUIREMENTS.—A grant under this Act
25 shall be subject to all the terms and conditions that a

1 grant is subject to under section 3038(f) of the Transpor-
2 tation Equity Act for the 21st Century (49 U.S.C. 5310
3 note; 112 Stat. 393).

4 **SEC. 3. PLAN REQUIREMENT.**

5 (a) IN GENERAL.—The Secretary may not make a
6 grant under this Act to a private operator of over-the-road
7 buses until the operator has first submitted to the
8 Secretary—

9 (1) a plan for making security improvements
10 described in section 2 and the Secretary has ap-
11 proved the plan; and

12 (2) such additional information as the Secretary
13 may require to ensure accountability for the obliga-
14 tion and expenditure of amounts made available to
15 the operator under the grant.

16 (b) COORDINATION.—To the extent that an applica-
17 tion for a grant under this section proposes security im-
18 provements within a specific terminal owned and operated
19 by an entity other than the applicant, the applicant shall
20 demonstrate to the satisfaction of the Secretary that the
21 applicant has coordinated the security improvements for
22 the terminal with that entity.

1 **SEC. 4. OVER-THE-ROAD BUS DEFINED.**

2 In this Act, the term “over-the-road bus” means a
3 bus characterized by an elevated passenger deck located
4 over a baggage compartment.

5 **SEC. 5. BUS SECURITY ASSESSMENT.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Secretary of Homeland
8 Security shall transmit to the Committee on Commerce,
9 Science, and Transportation of the Senate, the Committee
10 on Transportation and Infrastructure of the House of
11 Representatives, and the Select Committee on Homeland
12 Security of the House of Representatives, a preliminary
13 report in accordance with the requirements of this section.

14 (b) CONTENTS OF PRELIMINARY REPORT.—The pre-
15 liminary report shall include—

16 (1) an assessment of the over-the-road bus se-
17 curity grant program;

18 (2) an assessment of actions already taken to
19 address identified security issues by both public and
20 private entities and recommendations on whether ad-
21 ditional safety and security enforcement actions are
22 needed;

23 (3) an assessment of whether additional legisla-
24 tion is needed to provide for the security of Ameri-
25 cans traveling on over-the-road buses;

1 (4) an assessment of the economic impact that
2 security upgrades of buses and bus facilities may
3 have on the over-the-road bus transportation indus-
4 try and its employees;

5 (5) an assessment of ongoing research and the
6 need for additional research on over-the-road bus se-
7 curity, including engine shut-off mechanisms, chem-
8 ical and biological weapon detection technology, and
9 the feasibility of compartmentalization of the driver;
10 and

11 (6) an assessment of industry best practices to
12 enhance security.

13 (c) CONSULTATION WITH INDUSTRY, LABOR, AND
14 OTHER GROUPS.—In carrying out this section, the Sec-
15 retary shall consult with over-the-road bus management
16 and labor representatives, public safety and law enforce-
17 ment officials, and the National Academy of Sciences.

18 **SEC. 6. FUNDING.**

19 There are authorized to be appropriated to the Sec-
20 retary of Homeland Security to carry out this Act
21 \$25,000,000 for fiscal year 2003 and \$99,000,000 for fis-

1 cal year 2004. Such sums shall remain available until ex-
2 pended.

Passed the Senate July 30 (legislative day, July 21),
2003.

Attest:

Secretary.

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