

109TH CONGRESS
1ST SESSION

H. R. 954

To improve the safety of rural roads.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

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

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

1 (d) 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 (e) 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 (f) 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 (g) 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 (h) 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 (i) 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 (j) 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 (k) 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 (l) 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 2005 through 2010.

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 “2005 through 2010”.

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 2005 through 2010.”

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 2005 through 2010.

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 2005
21 through 2010 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 (b) 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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