

110TH CONGRESS
2D SESSION

H. R. 409

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2008

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend title 23, United States Code, to direct the Secretary of Transportation to establish national tunnel inspection standards for the proper safety inspection and evaluation of all highway tunnels, 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,*

1 **SECTION 1. NATIONAL TUNNEL INSPECTION PROGRAM.**

2 (a) IN GENERAL.—Title 23, United States Code, is
3 amended by inserting after section 149 the following:

4 **“§ 150. National tunnel inspection program**

5 “(a) NATIONAL TUNNEL INSPECTION STANDARDS.—
6 The Secretary, in consultation with State transportation
7 departments and interested and knowledgeable private or-
8 ganizations and individuals, shall establish national tunnel
9 inspection standards for the proper safety inspection and
10 evaluation of all highway tunnels. The standards estab-
11 lished under this subsection shall be designed to ensure
12 uniformity among the States in the conduct of such in-
13 spections and evaluations.

14 “(b) MINIMUM REQUIREMENTS FOR INSPECTION
15 STANDARDS.—The standards established under sub-
16 section (a) shall, at a minimum—

17 “(1) specify, in detail, the method by which
18 highway tunnel inspections shall be carried out by
19 the States;

20 “(2) establish the maximum time period be-
21 tween the inspections based on a risk-management
22 approach;

23 “(3) establish the qualifications for those
24 charged with carrying out the inspections;

25 “(4) require each State to maintain and make
26 available to the Secretary upon request—

1 “(A) written reports on the results of the
2 inspections together with notations of any ac-
3 tion taken pursuant to the findings of the in-
4 spections; and

5 “(B) current inventory data for all high-
6 way tunnels located in the State reflecting the
7 findings of the most recent highway tunnel in-
8 spections conducted;

9 “(5) establish procedures for national certifi-
10 cation of highway tunnel inspectors;

11 “(6) establish procedures for conducting annual
12 compliance reviews of State inspections and State
13 implementation of quality control and quality assur-
14 ance procedures; and

15 “(7) establish standards for State tunnel man-
16 agement systems to improve the tunnel inspection
17 process and the quality of data collected and re-
18 ported by the States to the Secretary for inclusion
19 in the national tunnel inventory to be established
20 under this section.

21 “(c) TRAINING AND CERTIFICATION PROGRAM FOR
22 TUNNEL INSPECTORS.—The Secretary, in cooperation
23 with State transportation departments, shall establish a
24 program designed to ensure that all individuals carrying
25 out highway tunnel inspections receive appropriate train-

1 ing and certification. Such program shall be revised from
 2 time to time to take into account new and improved tech-
 3 niques.

4 “(d) NATIONAL TUNNEL INVENTORY.—The Sec-
 5 retary shall establish a national inventory of highway tun-
 6 nels reflecting the findings of the most recent highway
 7 tunnel inspections conducted by States under this section.

8 “(e) AVAILABILITY OF FUNDS.—To carry out this
 9 section, the Secretary may use funds made available pur-
 10 suant to the provisions of sections 104(a) and 502.”.

11 (b) SURFACE TRANSPORTATION PROGRAM.—Section
 12 133(b)(1) of such title is amended by inserting “, tunnels
 13 that are eligible for assistance under this title (including
 14 safety inspection of such tunnels),” after “highways”).

15 (c) CONFORMING AMENDMENT.—The analysis for
 16 chapter 1 of such title is amended by inserting after the
 17 item relating to section 149 the following:

“150. National tunnel inspection program.”.

Passed the House of Representatives January 22,
 2008.

Attest:

LORRAINE C. MILLER,

Clerk.