

111TH CONGRESS  
1ST SESSION

# H. R. 1780

To amend the Clean Air Act to achieve greenhouse gas emissions reductions through transportation efficiency.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2009

Ms. MATSUI introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Clean Air Act to achieve greenhouse gas emissions reductions through transportation efficiency.

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 “Smart Planning for  
5 Smart Growth Act of 2009”.

6 **SEC. 2. GREENHOUSE GAS EMISSIONS REDUCTIONS**  
7 **THROUGH TRANSPORTATION EFFICIENCY.**

8 Title I of the Clean Air Act is amended by inserting  
9 after section 179B (42 U.S.C. 7509a) the following:

1 **“SEC. 179C. GREENHOUSE GAS EMISSIONS REDUCTIONS**  
2 **THROUGH TRANSPORTATION EFFICIENCY.**

3 “(a) IN GENERAL.—Each State shall—

4 “(1) not later than 3 years after the date of the  
5 enactment of this section, submit to the Adminis-  
6 trator goals for transportation-related greenhouse  
7 gas emissions reductions; and

8 “(2) as part of each transportation plan or  
9 transportation improvement plan developed under  
10 title 23 or title 49, United States Code, ensure that  
11 a plan to achieve such goals, or an updated version  
12 of such a plan, is submitted to the Administrator  
13 and to the Secretary of Transportation (in this sec-  
14 tion referred to as the ‘Secretary’) by each metro-  
15 politan planning organization in the State for an  
16 area with a population exceeding 200,000.

17 “(b) MODELS AND METHODOLOGIES.—

18 “(1) IN GENERAL.—The Administrator shall  
19 promulgate regulations to establish standardized  
20 models and methodologies for use in developing  
21 goals, plans, and strategies under this section. Such  
22 regulations may approve or improve existing models  
23 and methodologies.

24 “(2) TIMING.—The Administrator shall—

1 “(A) publish proposed regulations under  
2 paragraph (1) not later than 1 year after the  
3 date of the enactment of this section; and

4 “(B) promulgate final regulations under  
5 paragraph (1) not later than 2 years after such  
6 date of enactment.

7 “(c) GREENHOUSE GAS REDUCTION GOALS.—

8 “(1) CONSULTATION.—Each State shall develop  
9 the goals referred to in subsection (a)(1)—

10 “(A) in concurrence with State agencies re-  
11 sponsible for air quality and transportation;

12 “(B) in consultation with each metropoli-  
13 tan planning organization for an area in the  
14 State with a population exceeding 200,000 and  
15 applicable local air quality and transportation  
16 agencies; and

17 “(C) with public involvement, including  
18 public comment periods and meetings.

19 “(2) PERIOD.—The goals referred to in sub-  
20 section (a)(1) shall be for 10- and 20-year periods.

21 “(3) TARGETS; DESIGNATED YEAR.—The goals  
22 referred to in subsection (a)(1) shall establish tar-  
23 gets to reduce mobile source greenhouse gas emis-  
24 sions in the covered area from levels projected under  
25 a business-as-usual scenario. The targets shall be de-

1 signed to ensure that the levels of such emissions  
2 stabilize and decrease after a designated year. The  
3 State shall consider designating 2010 as such des-  
4 ignated year.

5 “(4) COVERED AREA.—The goals referred to in  
6 subsection (a)(1) shall be established—

7 “(A) on a statewide basis; and

8 “(B) for each metropolitan planning orga-  
9 nization in the State for an area with a popu-  
10 lation exceeding 200,000.

11 “(5) REVISED GOALS.—Every 4 years, each  
12 State shall update and revise, as appropriate, the  
13 goals referred to in subsection (a)(1).

14 “(d) PLANNING.—A plan referred to in subsection  
15 (a)(2) shall—

16 “(1) be based upon the models and methodolo-  
17 gies established by the Administrator under sub-  
18 section (b);

19 “(2) address mobile sources, economic develop-  
20 ment, and scenario analysis; and

21 “(3) be developed—

22 “(A) with public involvement, including  
23 public comment periods and meetings;

24 “(B) with regional coordination, including  
25 with respect to—

1 “(i) metropolitan planning organiza-  
2 tions;

3 “(ii) the localities comprising the met-  
4 ropolitan planning organization;

5 “(iii) the State in which the metro-  
6 politan planning organization is located;  
7 and

8 “(iv) air quality and transportation  
9 agencies for the State and region involved;  
10 and

11 “(C) in consultation with the State and  
12 local housing, public health, economic develop-  
13 ment, land use, environment, and public trans-  
14 portation agencies.

15 “(e) STRATEGIES.—In developing goals under sub-  
16 section (a)(1) and a plan under subsection (a)(2), the  
17 State or metropolitan planning organization, as applicable,  
18 shall consider transportation and land use planning strate-  
19 gies to reduce greenhouse gas emissions, including the fol-  
20 lowing:

21 “(1) Efforts to increase public transportation,  
22 including commuter rail service and ridership, by  
23 adding at a minimum—

24 “(A) new public transportation systems,  
25 including new commuter rail systems;

1 “(B) employer-based subsidies; and

2 “(C) cleaner locomotive technologies.

3 “(2) Updates to zoning and other land use reg-  
4 ulations and plans to support development that—

5 “(A) coordinates transportation and land  
6 use planning;

7 “(B) focuses future growth close to exist-  
8 ing and planned job centers and public facili-  
9 ties;

10 “(C) uses existing infrastructure;

11 “(D) promotes walking, bicycling, and pub-  
12 lic transportation use; and

13 “(E) mixes land uses such as housing, re-  
14 tail, and schools.

15 “(3) Implementation of a policy (referred to as  
16 a ‘complete streets policy’) that—

17 “(A) ensures adequate accommodation of  
18 all users of transportation systems, including  
19 pedestrians, bicyclists, public transportation  
20 users, motorists, children, the elderly, and indi-  
21 viduals with disabilities; and

22 “(B) adequately addresses the safety and  
23 convenience of all users of the transportation  
24 system.

1           “(4) Construction of bicycle and pedestrian in-  
2       frastructure facilities.

3           “(5) Projects to promote telecommuting, flexi-  
4       ble work schedules, or satellite work centers.

5           “(6) Pricing measures such as congestion pric-  
6       ing.

7           “(7) Intermodal freight system strategies, in-  
8       cluding enhanced rail services, short sea shipping,  
9       and other strategies.

10          “(8) Parking policies.

11          “(9) Travel demand management projects.

12          “(10) Restriction of the use of certain roads, or  
13       lanes, by vehicles other than passenger buses and  
14       high-occupancy vehicles.

15          “(11) Reduction of vehicle idling, including  
16       idling associated with freight management, construc-  
17       tion, transportation, and commuter operations.

18          “(12) Policies to encourage the use of retrofit  
19       technologies and early replacement of vehicles, en-  
20       gines and equipment to reduce greenhouse gas emis-  
21       sions from existing mobile sources.

22          “(13) Other projects that the Administrator  
23       finds reduce greenhouse gas emissions from mobile  
24       sources.

1       “(f) PUBLIC AVAILABILITY.—The Administrator  
2 shall publish, including by posting on the Environmental  
3 Protection Agency’s website—

4               “(1) the goals and plans submitted under sub-  
5 section (a); and

6               “(2) for each plan submitted under subsection  
7 (a)(2), an analysis of the anticipated effects of the  
8 plan on greenhouse gas emissions and oil consump-  
9 tion.

10       “(g) ENFORCEMENT.—If the Administrator finds  
11 that a State has failed to submit goals under subsection  
12 (a)(1), or to ensure the submission of a plan under sub-  
13 section (a)(2), for any area in the State (irrespective of  
14 whether the area is a nonattainment area), the Adminis-  
15 trator may impose a prohibition in accordance with section  
16 179(b)(1) applicable to the area. The Administrator may  
17 not impose a prohibition under the preceding sentence,  
18 and no action may be brought by the Administrator or  
19 any other entity alleging a violation of this section, based  
20 on the content or adequacy of a goal or plan submitted  
21 under subsection (a)(1) or (a)(2).

22       “(h) COMPETITIVE GRANTS.—

23               “(1) GRANTS.—The Administrator, in consulta-  
24 tion with the Secretary of Transportation, may  
25 award grants on a competitive basis to metropolitan



1 planning organizations to develop or implement  
2 plans submitted under subsection (a)(2) or elements  
3 thereof.

4 “(2) PRIORITY.—In making grants under para-  
5 graph (1), the Administrator shall give priority to  
6 applicants based upon—

7 “(A) the amount of greenhouse gas emis-  
8 sions to be reduced on a total or per capita  
9 basis, as determined by the Administrator in  
10 consultation with the Secretary of Transpor-  
11 tation; and

12 “(B) such other factors as the Adminis-  
13 trator determines appropriate.

14 “(3) AUTHORIZATION OF APPROPRIATIONS.—  
15 To carry out this subsection, there are authorized to  
16 be appropriated such sums as may be necessary.

17 “(i) DEFINITIONS.—In this section:

18 “(1) The term ‘metropolitan planning organiza-  
19 tion’ means a metropolitan planning organization, as  
20 such term is used in section 176 of the Clean Air  
21 Act.

22 “(2) The term ‘scenario analysis’ means an  
23 analysis that is conducted by identifying different  
24 trends and making projections based on those trends  
25 to develop a range of scenarios and estimates of how

1 each scenario could improve access to goods and  
2 services, including access to employment, education,  
3 and health care (especially for elderly and economi-  
4 cally disadvantaged communities), and could affect  
5 rates of—

6 “(A) vehicle miles traveled;

7 “(B) use of mobile source fuel by type, in-  
8 cluding electricity; and

9 “(C) greenhouse gas emissions from the  
10 mobile source sector.

11 “(j) LAND USE AUTHORITY.—Nothing in this section  
12 may be construed to—

13 “(1) infringe upon the existing authority of  
14 State or local governments to plan or control land  
15 use, or

16 “(2) provide or transfer authority over land use  
17 to any other entity.”.

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