

111TH CONGRESS
2D SESSION

H. R. 3960

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, 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. SHORT TITLE.**

2 This Act may be cited as the “Residential and Com-
3 muter Toll Fairness Act of 2010”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Residents of, and regular commuters to,
7 certain localities in the United States are subject to
8 a transportation toll when using a transportation fa-
9 cility to access or depart the locality.

10 (2) Revenue generated from these tolls is some-
11 times used to support infrastructure maintenance
12 and capital improvement projects that benefit not
13 only the users of these transportation facilities, but
14 the regional and national economy as well.

15 (3) Certain localities in the United States are
16 situated on islands, peninsulas, or other areas in
17 which transportation access is substantially con-
18 strained by geography, sometimes leaving residents
19 of, or regular commuters to, these localities with no
20 reasonable means of accessing or departing their
21 neighborhood or place of employment without paying
22 a transportation toll.

23 (4) Residents of, or regular commuters to, these
24 localities often pay far more for transportation ac-
25 cess than residents of, and commuters to, other
26 areas for similar transportation options, and these

1 increased transportation costs can impose a signifi-
2 cant and unfair burden on these residents and com-
3 muters.

4 (5) To address this inequality, and to reduce
5 the financial hardship often imposed on captive
6 tollpayers, several public authorities have developed
7 and implemented programs to provide discounts in
8 transportation tolls.

9 **SEC. 3. PURPOSE.**

10 The purpose of this Act is to clarify the existing au-
11 thority of, and as necessary provide express authorization
12 for, public authorities to offer discounts in transportation
13 tolls to captive tollpayers.

14 **SEC. 4. TRANSPORTATION TOLLS.**

15 (a) **AUTHORITY TO PROVIDE DISCOUNTS.**—A public
16 authority is authorized to carry out a program that offers
17 discounts in transportation tolls to captive tollpayers.

18 (b) **LIMITATIONS ON STATUTORY CONSTRUCTION.**—
19 Nothing in this Act may be construed to—

20 (1) limit any other authority of a public author-
21 ity, including the authority to offer discounts in
22 transportation tolls to other tollpayers; or

23 (2) affect, alter, or limit the applicability of a
24 State or local law with respect to the authority of a
25 public authority to impose toll discounts.

1 **SEC. 5. DEFINITIONS.**

2 In this Act, the following definitions apply:

3 (1) CAPTIVE TOLLPAYER.—The term “captive
4 tollpayer” means an individual who—

5 (A) is a resident of, or regular commuter
6 to, a locality in the United States that is situ-
7 ated on an island, peninsula, or other area
8 where transportation access is substantially
9 constrained by geography; and

10 (B) is subject to a transportation toll when
11 using a transportation facility to access or de-
12 part the locality.

13 (2) PUBLIC AUTHORITY.—The term “public au-
14 thority” has the meaning given that term by section
15 101 of title 23, United States Code.

16 (3) TRANSPORTATION FACILITY.—The term
17 “transportation facility” includes a road, highway,
18 bridge, rail, bus, or ferry facility.

(4) **TRANSPORTATION TOLL.**—The term “transportation toll” means a toll or fare required for use of a transportation facility.

Passed the House of Representatives September 28,
2010.

Attest: LORRAINE C. MILLER,
Clerk.