

111TH CONGRESS
1ST SESSION

S. 309

To amend title 23, United States Code, to improve highway transportation in the United States, including rural and metropolitan areas.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2009

Mr. BAUCUS (for himself, Mr. TESTER, Mr. THUNE, Mr. CRAPO, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to improve highway transportation in the United States, including rural and metropolitan areas.

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 “Nationwide Freight
5 and Personal Mobility Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the safe and efficient movement of individ-
9 uals and freight in interstate commerce, including

1 the movement of individuals and freight on highways
2 over long distances, is essential to the economic
3 growth and prosperity of the United States, includ-
4 ing both rural and metropolitan areas;

5 (2) the highway movement of freight will be, for
6 the foreseeable future, on roads that serve both
7 freight and passenger traffic, requiring effective and
8 unified planning and funding for the preservation
9 and improvement of highways in the interest of ef-
10 fective transportation of both individuals and freight
11 in rural and metropolitan areas;

12 (3) it is essential and appropriate that Federal
13 programs to preserve and improve highway transpor-
14 tation infrastructure ensure consideration of the
15 needs of freight as part of an overall, unified, and
16 multimodal approach to meeting the national inter-
17 est in the safe and efficient transportation of both
18 individuals and freight;

19 (4) vehicle miles traveled on the National High-
20 way System, including the Interstate System, rep-
21 resent nearly 45 percent of all vehicle miles traveled
22 in the United States, even as National Highway Sys-
23 tem routes comprise only 4 percent of public road
24 mileage in the United States; and

1 (5) a well-preserved and improved system of
 2 National Highway System routes, including Inter-
 3 state System routes, is essential to the effective
 4 movement of individuals and freight in the United
 5 States in both rural and metropolitan areas.

6 **SEC. 3. GUARANTEED FUNDING FOR NATIONAL HIGHWAY**
 7 **SYSTEM.**

8 (a) IN GENERAL.—Chapter 1 of title 23, United
 9 States Code, is amended by adding at the end the fol-
 10 lowing:

11 **“§ 167. Guaranteed funding for National Highway**
 12 **System**

13 “(a) APPLICABILITY.—This section applies to author-
 14 izations of appropriations from the Highway Trust Fund
 15 (other than the Mass Transit Account) for fiscal year
 16 2010 and each fiscal year thereafter.

17 “(b) DETERMINATION OF APPORTIONMENTS.—For
 18 each fiscal year, the Secretary shall determine the total
 19 amounts apportioned among the States pursuant to au-
 20 thorizations of appropriations from the Highway Trust
 21 Fund (other than the Mass Transit Account), other than
 22 authorizations of appropriations pursuant to—

23 “(1) this section;

24 “(2) section 105; and

1 “(3) other provisions of this title administered
 2 by the National Highway Traffic Safety Administra-
 3 tion or the Federal Motor Carrier Safety Adminis-
 4 tration.

5 “(c) ADDITIONAL AUTHORIZATION OF APPROPRIA-
 6 TIONS.—

7 “(1) IN GENERAL.—If the total amount of ap-
 8 portionments for a fiscal year for the Interstate
 9 maintenance program under section 119 and the
 10 National Highway System program under section
 11 103, exclusive of apportionments pursuant to au-
 12 thorizations of appropriations under this section,
 13 equals less than 45 percent of the total amount ap-
 14 portioned for the fiscal year as determined under
 15 subsection (b), an additional amount determined
 16 pursuant to paragraph (2) is authorized to be appro-
 17 priated from the Highway Trust Fund (other than
 18 the Mass Transit Account) for the fiscal year for the
 19 National Highway System program under section
 20 103.

21 “(2) AMOUNT.—The amount of the additional
 22 authorization of appropriations described in para-
 23 graph (1) for a fiscal year for the National Highway
 24 System program under section 103 shall be deter-
 25 mined by the Secretary—

1 “(A) by subtracting from the total amount
 2 described by subsection (b) the amounts in-
 3 cluded in that total for apportionments for the
 4 National Highway System program under sec-
 5 tion 103 and the Interstate maintenance pro-
 6 gram under section 119 for the fiscal year;

7 “(B) by dividing the difference calculated
 8 under subparagraph (A) by 0.55;

9 “(C) by multiplying the quotient calculated
 10 under subparagraph (B) by 0.45; and

11 “(D) by subtracting from the product cal-
 12 culated under subparagraph (C) the amount in-
 13 cluded in subsection (b) for apportionments for
 14 the National Highway System program under
 15 section 103 and the Interstate maintenance
 16 program under section 119 for the fiscal year.”.

17 (b) CONFORMING AMENDMENT.—The analysis for
 18 chapter 1 of title 23, United States Code, is amended by
 19 inserting at the end of the items relating to subchapter
 20 I the following:

“167. Guaranteed funding for National Highway System.”.

21 **SEC. 4. FEDERAL SHARE.**

22 Section 120(b) of title 23, United States Code, is
 23 amended by striking “80 percent of the cost thereof” each
 24 place it appears and inserting “80 percent of the cost of
 25 the project (if the project is not on the National Highway

1 System), or 85 percent of the cost of the project (if the
2 project is on the National Highway System and not on
3 the Interstate System)’’.

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