

113TH CONGRESS
1ST SESSION

H. R. 1544

To promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2013

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

A BILL

To promote transportation-oriented development and encourage dedicated revenue sources for urban and regional rail corridor development.

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 “National High Per-
5 formance Passenger Rail Transportation-Oriented Devel-
6 opment Act of 2013”.

7 **SEC. 2. TRANSPORTATION-ORIENTED DEVELOPMENT INI-**
8 **TIATIVE.**

9 (a) ESTABLISHMENT.—The Secretary of Transpor-
10 tation (in this Act referred to as the “Secretary”) shall

1 establish an initiative to promote intercity and urban pas-
2 senger rail operations and transportation-oriented develop-
3 ment by creating incentives for communities to encourage
4 dedicated revenue sources for urban and regional rail cor-
5 ridor development.

6 (b) IMPLEMENTATION.—Not later than 180 days
7 after the date of enactment of this Act, the Secretary shall
8 obtain the services of qualified independent private sector
9 entity with experience in transportation-oriented develop-
10 ment to serve as a liaison between the Federal Govern-
11 ment, State and local authorities, private sector partici-
12 pants, and appropriate other stakeholders in the initiative.
13 Such entity shall—

14 (1) serve as a development planning advisor, by
15 advancing and recommending methodologies to use
16 in the overall implementation of the initiative;

17 (2) provide recommendations as requested by
18 the Secretary, which shall include recommendations
19 on—

20 (A) liaison between the Federal Govern-
21 ment, and State, local, or regional applicants
22 for incentives under the initiative;

23 (B) mechanisms for coordination among all
24 stakeholders, including State, local, and re-
25 gional authorities;

1 (C) types of projects that should receive in-
2 centives under the initiative; and

3 (D) mechanisms for providing technical as-
4 sistance and types of technical assistance that
5 should be provided; and

6 (3) conduct a preliminary transportation-ori-
7 ented development survey on the Northeast Corridor
8 or other local station areas or regional corridors.

9 (c) COORDINATION.—The Secretary shall harmonize
10 planning requirements and direct coordination and admin-
11 istration of the initiative between the Federal Railroad Ad-
12 ministration and the Federal Transit Administration.

13 **SEC. 3. FEDERAL INCENTIVES.**

14 (a) QUALIFIED PROJECTS.—

15 (1) CRITERIA.—The Secretary shall establish
16 criteria for the designation of projects qualified for
17 Federal incentives pursuant to this section and the
18 amendments made by this section.

19 (2) TYPES OF PROJECTS THAT MAY QUALIFY.—
20 Projects that may qualify for Federal incentives pur-
21 suant to this section and the amendments made by
22 this section are commercial development or other
23 projects that—

24 (A) contribute to the generation of revenue
25 by the capture of increasing value from develop-

1 ment around station areas, through the estab-
2 lishment of special assessment districts, increas-
3 ing the tax base, promoting job growth, pro-
4 moting cost effectiveness, facilitating intermodal
5 connectivity, combining congestion relief with
6 station development, stimulating economic de-
7 velopment, or any other appropriate means;

8 (B) are likely to make long-term contribu-
9 tions to rail corridor development funds or simi-
10 lar mechanisms that help finance intercity and
11 urban passenger rail infrastructure or operating
12 expenses; and

13 (C) provide for a quantifiable revenue
14 stream to the relevant station or rail operation.

15 (3) APPLICANT COORDINATING AUTHORITY.—

16 An applicant for Federal incentives pursuant to this
17 section and the amendments made by this section
18 shall be a State, local, or regional authority. Such
19 authority shall provide for coordination among
20 stakeholders, local governments, and private devel-
21 opers in the defined region, and shall be the lead
22 party in the application.

23 (4) PROJECTS AUTHORIZED.—Except as pro-
24 vided in subsection (b), projects are not authorized
25 to receive Federal incentives pursuant to this section

1 and the amendments made by this section until the
2 date that is 1 year after the report required under
3 subsection (c) is transmitted to Congress.

4 (b) PILOT PROJECTS.—The Secretary may designate
5 up to 4 pilot projects as qualified for Federal incentives
6 pursuant to this section and the amendments made by this
7 section before the date specified in subsection (a)(4).

8 (c) REPORT TO CONGRESS.—Not later than 1 year
9 after the date of enactment of this Act, the Secretary,
10 after consultation with each State, local, or regional au-
11 thority coordinating a pilot project under subsection (b),
12 shall transmit to Congress a report assessing the success
13 or failure of each such pilot project and making any appro-
14 priate recommendations for modifications to the initiative
15 under this Act.

16 (d) RAILROAD REHABILITATION IMPROVEMENT FI-
17 NANCING.—Section 502 of the Railroad Revitalization and
18 Regulatory Reform Act of 1976 (45 U.S.C. 822) is
19 amended—

20 (1) in subsection (a)—

21 (A) by striking “and” at the end of para-
22 graph (5);

23 (B) by striking the period at the end of
24 paragraph (6) and inserting “; and”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(7) persons conducting a qualified project (as
4 defined by the Secretary under section 3 of the Na-
5 tional High Performance Passenger Rail Transpor-
6 tation-Oriented Development Act of 2013).”; and

7 (2) in subsection (b)(1)—

8 (A) by striking “or” at the end of subpara-
9 graph (B);

10 (B) by striking the period at the end of
11 subparagraph (C) and inserting “; or”; and

12 (C) by adding at the end the following new
13 subparagraph:

14 “(D) conduct a qualified project (as de-
15 fined by the Secretary under section 3 of the
16 National High Performance Passenger Rail
17 Transportation-Oriented Development Act of
18 2013).”.

19 (e) TRANSPORTATION INFRASTRUCTURE FINANCE.—
20 Section 601(a)(12) of title 23, United States Code, is
21 amended—

22 (1) by striking “and” at the end of subpara-
23 graph (C);

24 (2) by striking the period at the end of sub-
25 paragraph (D) and inserting “; and”; and

1 (3) by adding at the end the following new sub-
2 paragraph:

3 “(E) a qualified project (as defined by the
4 Secretary under section 3 of the National High
5 Performance Passenger Rail Transportation-
6 Oriented Development Act of 2013).”.

7 (f) APPLICATION PRIORITY.—In general, Federal ap-
8 plications to the Federal Railroad Administration and
9 Federal Transit Administration for railroad projects that
10 participate in the transportation-oriented development ini-
11 tiative under this Act shall receive a priority for funding
12 in the application decision process.

13 (g) REVENUE NEUTRAL PROGRAM COST.—The Sec-
14 retary shall establish and apply to recipients of Federal
15 incentives pursuant to this section and the amendments
16 made by this section a fee in an amount sufficient to cover
17 the administrative costs of carrying out this Act, including
18 section 2(b).

19 **SEC. 4. TECHNICAL ASSISTANCE.**

20 (a) NATIONAL TECHNICAL ASSISTANCE.—The Sec-
21 retary shall provide technical assistance to applicants and
22 potential applicants for Federal incentives pursuant to
23 this Act and the amendments made by this Act with re-
24 spect to—

1 (1) identification of transportation-oriented de-
2 velopment opportunities;

3 (2) establishment of special assessment districts
4 in regions;

5 (3) establishment of rail corridor development
6 funds; and

7 (4) expediting Federal, State, and local regu-
8 latory approvals.

9 (b) STATES, LOCALITIES, AND REGIONS OUTSIDE
10 THE NORTHEAST CORRIDOR.—The Secretary shall pro-
11 vide technical assistance to the States, localities, and re-
12 gions outside the Northeast Corridor as identified by the
13 Secretary, including—

14 (1) technical assistance on the establishment of
15 regional authorities appropriate to carrying out the
16 purposes of this Act at the regional level; and

17 (2) technical assistance at the request of a
18 State, local, or regional entity to identify stations
19 and potential stations within a region and conduct
20 a preliminary survey of property available and po-
21 tentially available, to maximize development and
22 commercial revenue generation to financially support
23 the development of a high performance intercity or
24 urban rail passenger corridor.

1 (c) NORTHEAST CORRIDOR.—The Secretary shall
2 provide technical assistance to the States and local or re-
3 gional entities along the Northeast Corridor, including—

4 (1) technical assistance on the establishment,
5 by the Northeast Corridor Infrastructure and Oper-
6 ations Advisory Commission established under sec-
7 tion 24905 of title 49, United States Code, of a
8 Northeast Corridor Transportation-Oriented Devel-
9 opment Working Group, which shall—

10 (A) include outside members with expertise
11 in transportation-oriented development;

12 (B) be supported by the independent pri-
13 vate sector entity retained by the Secretary
14 under section 2(b);

15 (C) be chaired by a designee appointed by
16 the Secretary who is an expert with private sec-
17 tor transportation oriented development experi-
18 ence; and

19 (D) advise the Secretary and the North-
20 east Corridor Infrastructure and Operations
21 Advisory Commission on the ways and means
22 for carrying out the purposes of this Act at the
23 regional level; and

24 (2) not more than 1 year after the date of en-
25 actment of this Act, technical assistance to identify

1 Northeast Corridor stations and potential stations
2 and conduct a preliminary survey of property avail-
3 able and potentially available, to maximize develop-
4 ment and commercial revenue generation to finan-
5 cially support the creation of a true high-speed rail
6 corridor in the Northeast Corridor.

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