

113TH CONGRESS
1ST SESSION

H. R. 2428

To direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2013

Mr. RAHALL (for himself, Mr. LARSEN of Washington, Mr. DEFazio, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. CAPUANO, Mr. BISHOP of New York, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. WALZ, Mr. COHEN, Mr. SIRES, Ms. EDWARDS, Mr. GARAMENDI, Mr. CARSON of Indiana, Ms. HAHN, Mr. NOLAN, Mrs. KIRKPATRICK, Ms. ESTY, Ms. FRANKEL of Florida, and Mrs. BUSTOS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthen And For-
5 tify Existing Bridges Act of 2013” or the “SAFE Bridges
6 Act of 2013”.

1 **SEC. 2. ASSISTANCE TO STATES TO REHABILITATE OR RE-**
2 **PLACE CERTAIN BRIDGES.**

3 (a) ESTABLISHMENT.—Not later than 30 days after
4 the date of enactment of this Act, the Secretary of Trans-
5 portation shall establish a program to assist States to re-
6 habilitate or replace eligible bridges.

7 (b) APPORTIONMENT OF FUNDS.—

8 (1) IN GENERAL.—Amounts made available to
9 carry out the program established under subsection
10 (a) for a fiscal year shall be apportioned to each
11 State according to the ratio that—

12 (A) the total cost to rehabilitate or replace
13 structurally deficient and functionally obsolete
14 bridges in that State; bears to

15 (B) the total cost to rehabilitate or replace
16 structurally deficient and functionally obsolete
17 bridges in all States.

18 (2) CALCULATION OF TOTAL COST.—

19 (A) CATEGORIES OF BRIDGES.—The Sec-
20 retary shall place each structurally deficient or
21 functionally obsolete bridge into one of the fol-
22 lowing categories:

23 (i) Federal-aid highway bridges eligi-
24 ble for rehabilitation.

25 (ii) Federal-aid highway bridges eligi-
26 ble for replacement.

1 (iii) Bridges not on Federal-aid high-
2 ways eligible for rehabilitation.

3 (iv) Bridges not on Federal-aid high-
4 ways eligible for replacement.

5 (B) CALCULATION.—For purposes of the
6 calculation required under paragraph (1), the
7 Secretary shall multiply the deck area of struc-
8 turally deficient and functionally obsolete
9 bridges in each category described in subpara-
10 graph (A) by the respective unit price on a
11 State-by-State basis, as determined by the Sec-
12 retary, to determine the total cost to rehabili-
13 tate or replace bridges in each State.

14 (C) DATA USED IN MAKING DETERMINA-
15 TIONS.—The Secretary shall make determina-
16 tions under this subsection based on the latest
17 available data, which shall be updated not less
18 than annually.

19 (D) USE OF EXISTING INVENTORIES.—To
20 the extent practicable, the Secretary shall make
21 determinations under this subsection using in-
22 ventories prepared under section 144 of title
23 23, United States Code.

1 (c) USE OF FUNDS.—Funds apportioned to a State
2 under the program established under subsection (a)
3 shall—

4 (1) be used by that State for the rehabilitation
5 and replacement of eligible bridges;

6 (2) except as otherwise specified in this section,
7 be administered as if apportioned under chapter 1 of
8 title 23, United States Code, except that such funds
9 shall not be transferable;

10 (3) be subject to the requirements described in
11 section 1101(b) of MAP–21 in the same manner as
12 amounts made available for programs under divi-
13 sions A and B of that Act; and

14 (4) not be subject to any limitation on obliga-
15 tions for Federal-aid highways or highway safety
16 construction programs set forth in any Act.

17 (d) CONDITION AT PROJECT COMPLETION.—A
18 bridge that is rehabilitated or replaced under the program
19 established under subsection (a) may not be structurally
20 deficient, functionally obsolete, or fracture critical upon
21 the completion of such rehabilitation or replacement.

22 (e) FEDERAL SHARE.—The Federal share of the cost
23 of a project carried out with funds apportioned to a State
24 under the program established under subsection (a) shall
25 be 100 percent.

1 (f) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—

2 Any funds apportioned to a State under the program es-
3 tablished under subsection (a) and not obligated by that
4 State at the end of the third fiscal year beginning after
5 the fiscal year during which the funds were apportioned
6 shall be withdrawn from that State and reapportioned by
7 the Secretary to States that have not had funds withdrawn
8 under this subsection in accordance with the formula spec-
9 ified in subsection (b).

10 (g) NONSUBSTITUTION.—In carrying out the pro-
11 gram established under subsection (a), the Secretary shall
12 ensure that funding made available to a State under the
13 program supplements, and does not supplant—

14 (1) other Federal funding made available for
15 the rehabilitation or replacement of eligible bridges;
16 and

17 (2) the planned obligations of that State with
18 respect to eligible bridges.

19 (h) REPORT.—Not later than 1 year after the date
20 of enactment of this Act, and each year thereafter if
21 States obligated funds apportioned under the program es-
22 tablished under subsection (a) during that year, the Sec-
23 retary shall submit to the Committee on Transportation
24 and Infrastructure of the House of Representatives and
25 the Committee on Environment and Public Works of the

1 Senate a report that describes the amounts obligated by
2 each State for projects under such program.

3 (i) DEFINITIONS.—In this section, the following defi-
4 nitions apply:

5 (1) BRIDGE.—The term “bridge” means a
6 bridge on a public road, without regard to whether
7 the bridge is on a Federal-aid highway.

8 (2) ELIGIBLE BRIDGE.—The term “eligible
9 bridge” means a bridge that is structurally deficient,
10 functionally obsolete, or fracture critical.

11 (3) FEDERAL-AID HIGHWAY.—The term “Fed-
12 eral-aid highway” has the meaning given that term
13 in section 101(a) of title 23, United States Code.

14 (4) FRACTURE CRITICAL.—The term “fracture
15 critical” means, with respect to a bridge, a bridge
16 with a steel member in tension, or with a tension
17 element, the failure of which would likely cause a
18 portion of the bridge or the entire bridge to collapse.

19 (5) FUNCTIONALLY OBSOLETE.—The term
20 “functionally obsolete” means, with respect to a
21 bridge, a bridge that, as determined by the Sec-
22 retary, no longer meets current design standards for
23 the traffic demands on the bridge.

1 (6) PUBLIC ROAD.—The term “public road”
2 has the meaning given that term in section 101(a)
3 of title 23, United States Code.

4 (7) REHABILITATION.—The term “rehabilita-
5 tion” means, with respect to a bridge, the carrying
6 out of major work necessary, as determined by the
7 Secretary—

8 (A) to restore the structural integrity of
9 the bridge; or

10 (B) to correct a major safety defect of the
11 bridge.

12 (8) REPLACEMENT.—The term “replacement”
13 means, with respect to a bridge, the construction of
14 a new facility that, as determined by the Secretary,
15 is in the same general traffic corridor as the re-
16 placed bridge.

17 (9) STATE.—The term “State” means any of
18 the 50 States and the District of Columbia.

19 (10) STRUCTURALLY DEFICIENT.—The term
20 “structurally deficient” means, with respect to a
21 bridge, a bridge that, as determined by the Sec-
22 retary—

23 (A) has significant load-carrying elements
24 that are in poor or worse condition due to dete-
25 rioration, damage, or both;

1 (B) has a load capacity that is significantly
2 below current truckloads and that requires re-
3 placement; or

4 (C) has a waterway opening causing fre-
5 quent flooding of the bridge deck and ap-
6 proaches resulting in significant traffic inter-
7 ruptions.

8 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Secretary to carry
10 out this section \$2,750,000,000 for each of fiscal years
11 2013 and 2014. Such sums shall remain available until
12 expended.

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