

114TH CONGRESS
1ST SESSION

S. 2247

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2015

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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 2015” or the “SAFE Bridges
6 Act of 2015”.

7 **SEC. 2. STRENGTHEN AND FORTIFY EXISTING BRIDGES.**

8 (a) DEFINITIONS.—In this section:

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

4 (2) ELIGIBLE BRIDGE.—The term “eligible
5 bridge” means a bridge that is—

6 (A) structurally deficient;

7 (B) functionally obsolete; or

8 (C) fracture critical.

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

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

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

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

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

5 (A) to restore the structural integrity of
6 the bridge; or

7 (B) to correct a major safety defect of the
8 bridge.

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

14 (9) SECRETARY.—The term “Secretary” means
15 the Secretary of Transportation.

16 (10) STATE.—The term “State” means—

17 (A) a State; and

18 (B) the District of Columbia.

19 (11) 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 truckloads using the bridge and that re-
 3 quires replacement; 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 (b) ESTABLISHMENT.—Not later than 30 days after
 9 the date of enactment of this Act, the Secretary shall es-
 10 tablish a program to assist States to rehabilitate or re-
 11 place eligible bridges.

12 (c) APPORTIONMENT OF FUNDS.—

13 (1) IN GENERAL.—Amounts made available to
 14 carry out the program established under subsection
 15 (b) for a fiscal year shall be apportioned to each
 16 State according to the ratio that—

17 (A) the total cost to rehabilitate or replace
 18 structurally deficient and functionally obsolete
 19 bridges in that State; bears to

20 (B) the total cost to rehabilitate or replace
 21 structurally deficient and functionally obsolete
 22 bridges in all States.

23 (2) CALCULATION OF TOTAL COST.—

24 (A) CATEGORIES OF BRIDGES.—The Sec-
 25 retary shall place each structurally deficient or

functionally obsolete bridge into 1 of the following categories:

(i) Federal-aid highway bridges eligible for rehabilitation.

(ii) Federal-aid highway bridges eligible for replacement.

(iii) Bridges not on Federal-aid highways eligible for rehabilitation.

(iv) Bridges not on Federal-aid highways eligible for replacement.

(B) CALCULATION.—For purposes of the calculation under paragraph (1), the Secretary shall multiply the deck area of structurally deficient and functionally obsolete bridges in each category described in subparagraph (A) by the respective unit price on a State-by-State basis, as determined by the Secretary, to determine the total cost to rehabilitate or replace bridges in each State.

(C) DATA USED IN MAKING DETERMINATIONS.—The Secretary shall make determinations under this subsection based on the latest available data, which shall be updated not less than annually.

1 (D) USE OF EXISTING INVENTORIES.—To
2 the extent practicable, the Secretary shall make
3 determinations under this subsection using in-
4 ventories prepared under section 144 of title
5 23, United States Code.

6 (d) USE OF FUNDS.—Funds apportioned to a State
7 under the program established under subsection (b)
8 shall—

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

11 (2) except as otherwise specified in this section,
12 be administered as if apportioned under chapter 1 of
13 title 23, United States Code, except that the funds
14 shall not be transferable;

15 (3) be subject to the requirements described in
16 section 1101(b) of MAP-21 (23 U.S.C. 101 note;
17 126 Stat. 414) in the same manner as amounts
18 made available for programs under divisions A and
19 B of that Act; and

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

23 (e) CONDITION AT PROJECT COMPLETION.—A bridge
24 that is rehabilitated or replaced under the program estab-
25 lished under subsection (b) may not be structurally defi-

cient, functionally obsolete, or fracture critical upon the completion of the rehabilitation or replacement.

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

(g) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—Any funds apportioned to a State under the program established under subsection (b) and not obligated by that State at the end of the third fiscal year beginning after the fiscal year during which the funds were apportioned shall be withdrawn from that State and reapportioned by the Secretary to States that have not had funds withdrawn under this subsection in accordance with the formula specified in subsection (b).

(h) NONSUBSTITUTION.—In carrying out the program established under subsection (b), the Secretary shall ensure that funding made available to a State under the program supplements, and does not supplant—

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

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

1 (i) REPORT.—Not later than 1 year after the date
2 of enactment of this Act, and each year thereafter if
3 States obligated funds apportioned under the program es-
4 tablished under subsection (b) during that year, the Sec-
5 retary shall submit to the Committee on Transportation
6 and Infrastructure of the House of Representatives and
7 the Committee on Environment and Public Works of the
8 Senate a report that describes the amounts obligated by
9 each State for projects under the program.

10 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to the Secretary to carry
12 out this section \$2,750,000,000 for each of fiscal years
13 2016 through 2018, to remain available until expended.

○